

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



Planning Committee

Agenda

**Monday, 1st August, 2016
at 9.30 am**

in the

**Committee Suite
King's Court
Chapel Street
King's Lynn**



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

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: Monday, 1st August, 2016

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

TIME: 9.30 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 Monday 4 July 2016.

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. INDEX OF APPLICATIONS (Pages 6 - 7)

The Committee is asked to note the Index of Applications.

(a) Decisions on Applications (Pages 8 - 119)

To consider and determine the attached Schedule of Planning Applications submitted by the Executive Director.

9. DELEGATED DECISIONS (Pages 120 - 155)

To receive the Schedule of Planning Applications determined by the Executive Director.

10. PLANNING AND ENFORCEMENT APPEALS - QUARTERLY REPORT (Pages 156 - 163)

To provide the Committee with the quarterly update report covering performance for the period 1 April 2016 – 30 June 2016.

To: Members of the Planning Committee

Councillors Mrs C Bower, A Bubb, Mrs S Buck, C Crofts, Mrs S Fraser, I Gourlay, J Moriarty, A Morrison, M Peake (Vice-Chairman), Mrs V Spikings (Chairman), M Storey, D Tyler, G Wareham, Mrs E Watson, A White, T Wing-Pentelow, Mrs A Wright and Mrs S Young

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 4 August 2016** (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.
- (3) **Public Speaking**

Please note that the deadline for registering to speak on the application is 12 noon the working day before the meeting, **Friday 29 July 2016**. Please contact Planningadmin@west-norfolk.gov.uk or call (01553) 616443 to register.

For Major Applications

Two speakers may register under each category: to object to and in support of the application. A Parish or Town Council representative may also register to speak. Each speaker will be permitted to speak for five minutes

For Minor Applications

One Speaker may register under category: to object to and in support of the application. A Parish or Town Council representative may also register to speak. Each speaker will be permitted to speak for three minutes.

For Further information, please contact:

Kathy Wagg on 01553 616276
kathy.wagg@west-norfolk.gov.uk

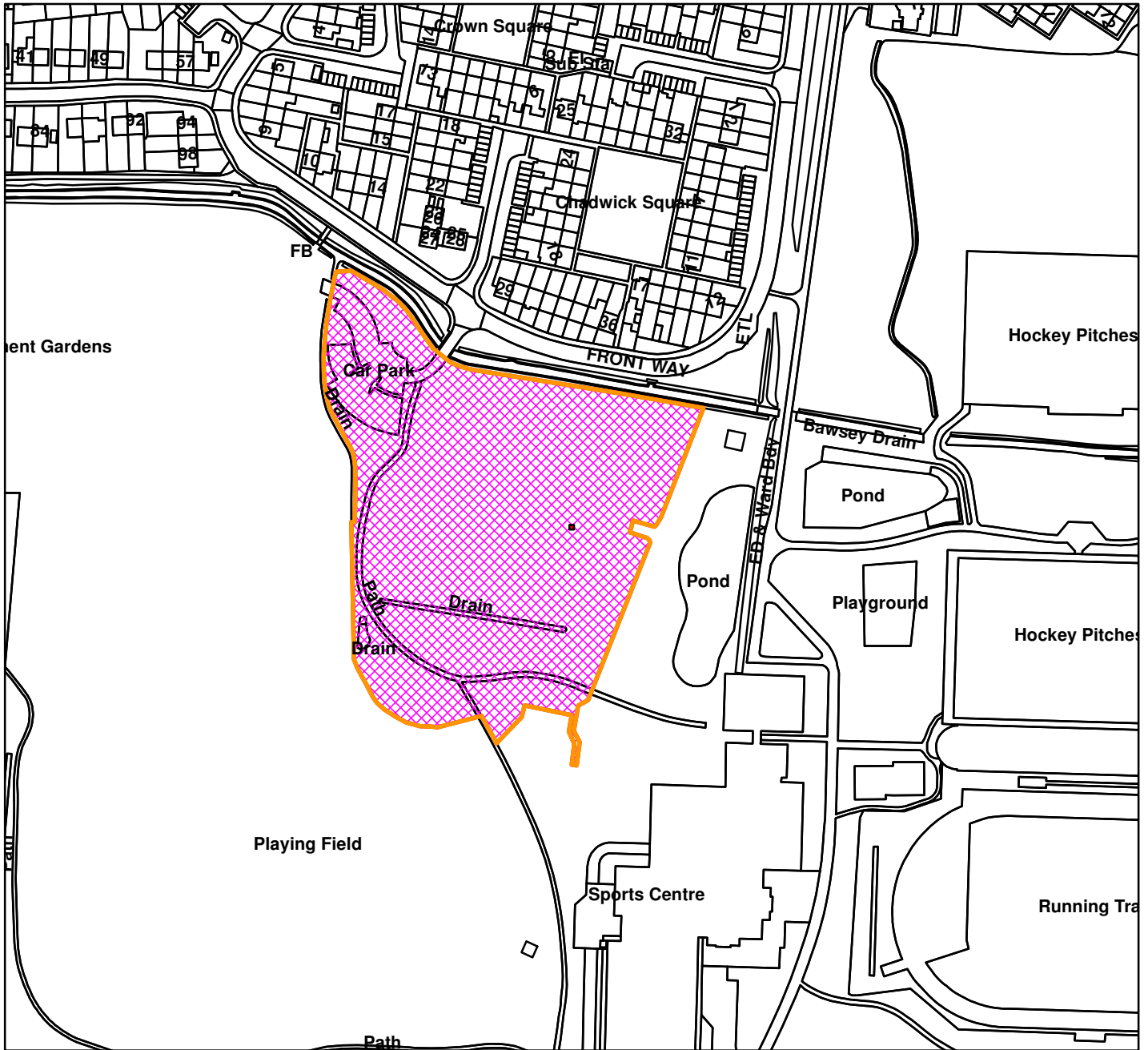
**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 1 AUGUST 2016**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	DEFERRED ITEMS			
8/1(a)	16/00097/FM Land North of Lynnsport Construction of 54 dwellings, associated access roads, footways and new areas of public open space and associated external works.	KING'S LYNN	APPROVE	9
8/2	MAJOR DEVELOPMENTS			
8/2(a)	15/02026/FM Land at Former Whin Close Docking Road Proposed poultry unit	SEDFORD	REPORT TO FOLLOW	
8/3	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE BOARD			
8/3(a)	16/00832/CU The Old Station Yard 67 Station Road Change of Use from builders merchant to mixed use builders merchant and haulage yard for overnight parking of 2 HGV's	DERSINGHAM	APPROVE	35
8/3(b)	16/00588/O Land adjacent to 24 Lancaster Crescent Outline Application Some Matters Reserved: Residential development.	DOWNHAM MARKET	APPROVE	44
8/3(c)	16/01012/CU 51-53 Bridge Street Change of Use of restaurant to flat.	DOWNHAM MARKET	APPROVE	52
8/3(d)	15/01265/F 7 Station Road Demolition of one pair of semi-detached cottages and construction of two detached dwellings.	EAST WINCH	APPROVE	59

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/3(e)	16/00323/F Sandy Ridge Broadwater Road Replacement dwelling	HOLME-NEXT THE SEA	APPROVE	67
8/3(f)	16/01145/CM Land N of Outfall S Off Transmission Cables W Off Road Cross Bank Road County Matters Application: Erection of anaerobic digestion facility (to process up to 20,000 tonnes of cereal crops/slurry) including ancillary reception/office building and workshop, two digesters, two storage tanks, combined heat power plant, energy crop storage area, flare stack, ancillary plant and improvements to proposed access (widening and resurfacing)	KING'S LYNN	REPORT TO FOLLOW	
8/3(g)	16/00977/O High House Docking Road Outline Application: Construction of a dwelling	SEDFORD	REFUSE	84
8/3(h)	16/00640/O Land off School Road Outline Application: Proposed residential development of four dwellings.	TILNEY LAWRENCE	ST REFUSE	93
8/3(i)	15/01399/O Land North East of 6 the Row Main Road Three Holes Outline Application: Two dwellings.	UPWELL	APPROVE	101
8/3(j)	15/01402/O Land East of Main Road Three Holes Outline Application with Some Matters Reserved: Construction of two dwellings.	UPWELL	APPROVE	108
8/3(k)	16/01078/F 28-29 St Peters Road Variation of Condition 2 attached to Planning Permission 15/01711/F to allow the approved plans to be amended.	UPWELL	APPROVE	115

16/00097/FM

Land North of Lynnsport King's Lynn



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	27/06/2016
MSA Number	0100024314

AGENDA ITEM No: 8/1(a)

Parish:	King's Lynn	
Proposal:	Construction of 54 dwellings, associated access roads, footways and new areas of public open space and associated external works	
Location:	Land North of Lynnsport King's Lynn Norfolk	
Applicant:	BCKLWN And Lovell Partnerships Ltd	
Case No:	16/00097/FM (Full Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 21 April 2016 Extension of Time Expiry Date: 6 October 2016

Reason for Referral to Planning Committee – BCKLWN application with objections

Case Summary

The application was initially considered by Planning Committee at its meeting on 4th July 2016. Determination of the application was deferred to allow further consideration of the following:-

- i) Design – in terms of the overall appearance of the scheme and the inclusion of 2 flats with garages underneath; and
- ii) Provision of allotments.

The application still seeks full planning permission for the erection of 54 dwellings, associated access roads, footways and new areas of public open space. Eight of the dwellings would be affordable.

The site comprises approximately 1.7ha of informal open space and is predominantly covered by grass, with areas of scrub; an area of hardstanding is located in the north-west corner. A permissive footpath runs north / south across the site connecting the existing residential development to the north with the Lynnsport site to the south. The footpath is hard surfaced and lit by streetlamps and connects with the wider pedestrian network to the north via a concrete bridge over the Bawsey Drain which also serves as vehicular access to the allotments to the west of the site. This vehicular access would be retained and improved and used solely to serve the allotments with the residential development being served via the Lynnsport Access Road.

The site forms part of the Lynnsport complex (which comprises c.29ha of sports pitches, athletics facilities, indoor sports area, a nature area, areas of amenity space and areas of unused scrub land). The site has residential uses to its north (on the opposite site of the Bawsey Drain and Front Way), and allotments to the west. The Lynnsport complex lies to the south and east of the site, the latter on the opposite side of the recently approved Lynnsport Access Road which will run in a southerly direction from Edward Benefer Way to Green Park Avenue.

The site forms part of a wider housing allocation in the emerging Site Allocations and Development Management Policies Pre-Submission Document, January 2015, and within Built Environment Type D as depicted on the current Local Plan Proposals Maps.

The site lies within Flood Zones 2 and 3.

Key Issues

Principle of Development
Flood Risk and Drainage

Form and Character
Residential Amenity
Access, Transport and Parking
Open Space, Recreation and Ecology
Trees and Landscaping
Affordable Housing and Other Contributions
Crime and Disorder

Recommendation

(A) APPROVE subject to conditions and completion of a suitable Section 106 Agreement within 4 months of the date of resolution to approve

(B) REFUSE in the event that a suitable Section 106 Agreement is not completed within 4 months of the resolution to approve

THE APPLICATION

The site comprises c.1.7ha of cleared grass and scrubland with a small area of hardstanding in the north-west corner. The site has residential uses to its north, allotments to its west, and the wider Lynnsport site to its east and south.

Part of the site was formerly used as a football pitch on a seasonal basis but this use ceased in 2008. The site has had no formal use since this time and has served as amenity / open space with a permissive footpath running north to south.

The site forms part of a wider housing allocation site in the emerging Site Allocations and Development Management Policies Pre-Submission Document, January 2015 (in combination with Lynnsport 1 and Lynnsport 4 and 5) and draft Policy E1.7 relates to the wider allocation. Additionally the site lies within Built Environment Type D as depicted on the current Local Plan Proposals Maps.

The original application sought full planning permission for the erection of 54 new dwellings 8 of which would be affordable. The scheme comprises 23 x 2-bed units (19 x market; 4 x affordable); 30 x 3-bed units (26 x market; 4 x affordable) and 1 x 4-bed unit (market).

Following amendments since the last committee the number of units remains the same but the two flats have been removed and replaced with 2 houses. The housing mix is now as follows:-

22 x 2 bed (including 4 affordable); and
32 x 3 bed (including 4 affordable).

The dwellings are all two-storey and range in height between c.4.75m and 5.15m to eaves and c.7.9m and 8.4m to ridge.

The pallet of materials comprises red brick (2 types), cream brick, cream render, and red and dark grey pantiles. There are four canopy and door 'types'; all properties would have white uPVC window and door frames. Boundary treatments will comprise 1.8m high close boarded timber fencing (CBTF) and 1.5m CBTF with trellis atop in the passages that provide rear access to mid terrace properties.

The scheme proposes parking in line with current parking standards.

Access to the site is currently via a concrete bridge over the Bawsey Drain. Vehicular access stops in the north-west corner of the site with pedestrian access continuing through the site.

It is proposed to continue to enable vehicular access and parking to the allotments to the west of the site via an improved crossing over the Bawsey Drain which will also continue to enable pedestrian access. Vehicular access to the development itself will be via the Lynnsport Access Road. The access into the site already benefits from permission under the Access Road permission. The development would also include an east-west adoptable road providing access to a private cul-de-sac to the north and south and an adoptable cul-de-sac to the north and south. In relation to pedestrian access the route of the current permissive footpath will remain largely in the same location with further linkages throughout the site.

The site lies adjacent to open space and recreational facilities at Lynnsport. The scheme not only includes onsite informal and formal open space but also proposes off-site LEAP / NEAP provision as well as measures to contribute to the River Gaywood Restoration Trust and a community wildlife site.

Since the last committee, it has also been agreed that the scheme will make a contribution to the provision of allotments off-site.

The development is proposed to be constructed in two main phases; phase one including the access road from the new road and the units to its north and the second phase being the area to the south of the main access road.

SUPPORTING CASE

The application is accompanied by a wealth of supporting documentation including:

- Design and Access Statement
- Planning Statement
- Open Space Assessment
- Open Space Strategy
- Transport Assessment
- Travel Plan
- Flood Risk Assessment
- Ecological Appraisal
- Habitat Regulations Mitigation Overview
- Utilities Report
- Archaeological Evaluation
- Sustainability and Energy Report
- Contamination Assessment
- Air Quality Assessment
- Acoustic Assessment

The following supporting statement was submitted by the applicant:

This application is the second of four proposed development sites in the Lynnsport and Marsh Lane area which have been identified as part of a holistic plan of regeneration work for the area. The redevelopment of this site, together with the three other sites, will facilitate the delivery of a number of community benefits including improved access and drainage.

This application proposes the development of 54 new houses including 8 new affordable homes. The site is sustainably located, being situated close to existing sustainable transport links, services and existing infrastructure. Recognising the inherent sustainability of the location and suitability of the site for housing development, the application site is proposed to be allocated for residential development in the emerging replacement Local Plan (emerging policy E1.7).

In the past, part of the site was used as a football pitch on a seasonal basis. This use ceased in 2008, since when the site has had no formal use and has served as amenity/open space. Observations of how the site is used suggest that its principle current use is simply as a route between Lynnsport and the residential development to the north.

This planning application and the proposed allocation within the emerging Site Allocations Development Plan Document respond both to the need for new sustainably located housing in the area, and also to the findings of a land use and strategy report prepared for the Lynnsport site in 2009. This report identified several areas of underused land within the wider Lynnsport site and concluded that development of these sites could assist in addressing some fundamental challenges facing Lynnsport (including the issue of convoluted access), as well as providing an opportunity to rationalise and improve some of the existing sporting facilities.

The detail of the approach to open space provision and strategy is set out in the Open Space Assessment (which considers open space provision in the locality) and the Open Space Strategy (which details the joined-up approach to delivery of new areas of public open space and play equipment which is proposed across the 3 proposed Lynnsport development sites). In summary, the strategy proposes development on areas of underused land and has 'front loaded' much of the open space improvement works, with the creation of a new wildlife area, 2 new hockey pitches and 4 new tennis courts already completed. The significant majority of the Lynnsport site – including large areas of sport pitch and public open space, remain, and will benefit from the improved access (in the form of the new road leading south from Edward Benefer Way).

In addition, the proposed development at this site includes areas of public open space and would contribute to an extended and improved children's play area at Lynnsport. This would be a free to use facility which is readily accessible from both the application site and the existing houses located close to Lynnsport.

Having regards to the above, whilst it is recognised that the proposed development would result in the loss of an existing area of open space, it is the case that the development would utilise an underused part of the much larger Lynnsport site and, together with development of the other three sites, would deliver significant benefits to the Lynnsport facility and its users.

The site is located close to the centre of King's Lynn and is readily accessible by a number of alternative means of transport. The Transport Assessment submitted in support of the application demonstrates that the development would, through the provision of new footway, cycleway and highway connections, have no detrimental impact on the operation and

capacity of the local transport networks, with the new road serving Lynnsport having been designed (and, in part, funded) to accommodate traffic flows from this site.

The application proposes a mix of house types and sizes, with a strong emphasis on high quality design of both the dwellings and the supporting infrastructure (for example footways, cycle ways, green spaces and landscaping). This emphasis on high quality design and good quality materials will result in a sustainable, mixed community which will accord with the character of the surrounding residential areas.

It is recognised that, as with much of King's Lynn, the site lies in an area at risk of flooding. This has been considered as a fundamental part of the design process and the comprehensive Flood Risk Assessment which accompanies the application demonstrates that, due to careful design and specification of both the individual dwellings and the drainage infrastructure associated with the scheme, the proposal would be safe and would not increase the risk of flooding elsewhere.

Recognising the benefits of sustainable drainage systems, but mindful of the inherent difficulties of delivering sustainable drainage in a viable manner due to ground conditions at the site, the application proposes the use of a targeted system of sustainable drainage which would be effective in ensuring the development does not increase the risk of flooding off site.

In summary, the proposed development would deliver 54 new houses, including 8 affordable homes, in a sustainable location close to the centre of King's Lynn and at a time when there is a marked need for new private and affordable housing in the Borough. The proposal would utilise an underused site with low ecological value and deliver a mix of high quality homes and public open space to be enjoyed by existing neighbouring and future residents. The application accords with National Planning Policy guidance and the provisions of both the existing adopted Local Plan and the emerging replacement Local Plan, both of which identify the site as a location suitable for housing development of the scale proposed.

PLANNING HISTORY

No recent relevant history.

RESPONSE TO CONSULTATION

Highways Authority (NCC): NO OBJECTION subject to conditions relating to highway safety

Note: No additional comments to make on amended scheme.

Lead Local Flood Authority (NCC): NO OBJECTION - the application falls below our current threshold for providing detailed comment. This is because the proposal is for less than 250 dwellings or 5 ha in size and is not within a surface water flow path as defined by Environment Agency mapping.

Historic Environment Service (NCC): NO OBJECTION subject to conditions relating to the Written Scheme of Investigation that was submitted with the application

Environment Agency:

Flood Risk - **NO OBJECTION** subject to conditioning the recommendation and mitigation of the submitted Flood Risk Assessment

Biodiversity - **NO OBJECTION** subject to conditioning the mitigation measures listed in the Ecological Appraisal Report that accommodate the application

Norfolk Wildlife Trust: NO OBJECTION subject to conditioning the recommendations of the Ecological Appraisal

Internal Drainage Board: NO OBJECTION subject to conditions relating to drainage and flood risk

Note: No additional comments to make on amended scheme.

Anglian Water: NO OBJECTION – subject to condition.

Arboricultural Officer: NO OBJECTION – subject to conditions relating to landscaping and tree protection

Historic England: No Comments to make

Housing Enabling Officer: NO OBJECTION - The site area and number of dwellings proposed triggers the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy. A S106 Agreement will therefore be required to secure the affordable housing contribution.

Note: No additional comments to make on amended scheme.

Natural England: No Comments to make

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions relating to contamination and a construction management plan (noise / dust)

Environmental Health & Housing – Community Safety and Neighbourhood Nuisance: NO OBJECTION subject to conditions relating to drainage and the submission of a construction management plan

Note: No additional comments to make on amended plans.

District Emergency Planning Officer: NO OBJECTION subject to conditions

Public Right of Way Officer (NCC): NO OBJECTION

REPRESENTATIONS

Note: No additional comments received following consultation on revised plans at the time of publication.

King's Lynn Civic Society remains fundamentally **opposed** to building on existing green spaces within the town until there is an agreed green infrastructure strategy for King's Lynn that clearly demonstrates how residents will be compensated for such losses of public open space. Kings Lynn and Borough residents should not be expected to accept more and more residents and urban development whilst being offered less and less open space and recreation opportunities. Our specific concerns are:

- No significant alternative green space proposals are being made for Kings Lynn. There will already be an increase in population in the locality and proposed

population increases in the District will place more pressure on Lynnsport as a facility. It seems crassly short-sighted to constrain future sports and recreation development at the site by building on the outlying spaces. NPPF Paragraph 74 states clearly that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless the land can be shown to be surplus to requirements; or will be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

- To claim that the loss of this and other areas in the vicinity proposed for residential use, will be offset by additional recreational provision in the form of 2 new hockey pitches and 4 tennis courts misunderstands the nature of what is being lost. All weather sports pitches are not suitable and will not be available for informal sport, picnics, dog-walking and all the other ways that this open space is used. Large sections of the community do not, and in many cases cannot, play football or tennis and allotments are not accessible to the public at large. We therefore take issue with the statement (Planning Statement para 7.2.) that the development entirely accords with paragraph 74 of the NPPF or indeed the requirements of policy CS3 of the adopted Core Strategy that “open space and recreational facilities will be provided within and around the town to serve the needs of the existing residents and to meet the needs of the growing population”.
- At the Local Plan examination the Inspector has specifically identified the BCKLWN responsibility to mitigate potential impacts to Habitats Regulation sites in the County.

If residents within settlements have insufficient green space for recreation, of course they will travel out to reserves and coastal areas – causing the associated traffic, pollution and impacts to sensitive reserves that BCKLWN say they are trying to address. It is therefore entirely illogical to remove green space from urban areas when the town population is growing. The best mitigation for our reserves (and roads) is to ensure people have ready access to excellent green space within walking and cycling distance of their homes.

- The recreation space provided for this application is perfunctory and barely acceptable and clearly assumes that the new residents will utilise the wider Lynnsport setting. While the site layout has been “designed around three key areas of public open space” the fact remains that, as no extra space has been provided, the compensatory provision cannot be said to be equivalent in terms of quantity, especially bearing in mind the other development proposed in the area.

King’s Lynn Area Consultative Committee made the following comments:

- Concern was raised in relation to the design of the coach house building, with the flat being above the garages and potentially in different ownership, this could cause future problems and was a poor design solution.
- Concern was also expressed in relation to the loss of green space and the Committee requested that alternative accessible green space of the same amount should be provided before the commencement of the development.
- The Committee also raised concern in relation to flood risk, and proposed that this issue must be given full and proper consideration.

Occupants of **TWENTY SIX** properties have **OBJECTED** to the proposed development (**EIGHT** of those properties are not in the vicinity of the site). **ONE** letter of **SUPPORT** has been received.

The main reasons for **OBJECTION** were:

- Cumulative impact with other developments in the locality on services, infrastructure and facilities as well as flood risk and pollution,
- Flooding,
- Drainage,
- Loss of green open space – exacerbated by increase in population,
- Council should not contemplate reducing free recreational green space in areas of deprivation,
- Traffic and Congestion,
- Pollution,
- Noise,
- North Lynn, Gaywood and Marsh Lane will merge into one and lose their individual identity,
- Loss of wildlife / habitat,
- Overdevelopment of the site,
- The Open Space Assessment (2006) is too old to use as the basis for the proposal, and therefore no attempt has been made to demonstrate that the land is surplus to requirements,
- The new development would result in a net loss of space,
- Impact on Roydon Common,
- Brownfield sites should be built on first.

The letter of **SUPPORT** suggests that new housing is needed in King's Lynn as the author of the letter was forced to live outside of Lynn due to the lack of accommodation.

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

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

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

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

- Principle of Development
- Flood Risk and Drainage
- Form and Character
- Residential Amenity
- Access, Transport and Parking
- Open Space, Recreation and Ecology
- Trees and Landscaping
- Affordable Housing and Other Contributions
- Crime and Disorder

Principle of Development

The application is made by the Borough Council for development it wishes to carry out and as such falls to be considered under the provisions of the Town and Country Planning General Regulations 1992. Regulation 3 states that the application may be determined by the Council as Local Planning Authority subject to any requirements of Section 77 of the 1990 Act; there are no such requirements relating to this application. Regulation 9 states that, if granted, any consent shall only enure for the benefit of the 'applicant interested planning authority', i.e. the Borough Council.

King's Lynn is the borough's main town and sub-regional centre where, in accordance with the Core Strategy, the majority of growth in the borough is sought.

The site lies within Built Environment Type D and the Defined Area of the Town as defined on the Local Plan Proposals Map (LPPM). A Land Review and Feasibility Study in 2009 identified the potential to rationalise existing uses and develop parts of the Lynnsport site for housing. The site forms part of a wider proposed housing allocation in the emerging Site Allocations Plan (E1.7).

Policy E1.7 states: 'Policy E1.7 King's Lynn - Land at Lynnsport Land amounting to 9.1 hectares is allocated for residential development of at least 297 dwellings. Development will be subject to compliance with all of the following:

1. Provision of a new road linking the site to the A1078 Edward Benefer Way, minimising negative impacts on the existing cycleway;
2. Submission of a site specific Flood Risk Assessment;
3. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;
4. Informal recreation provision on, or in the vicinity of, the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to the exercising of dogs) on Roydon Common Special Area of Conservation.

This provision may consist of some combination of:

- Informal open space (new and/or existing);
 - Pedestrian and cycle routes (new and/or existing) which provide a variety of terrain, routes and links to greenspace and/or the wider footpath and cycle network;
 - A contribution to greenspace provision or management in the wider area within which the site is located;
5. In judging the amount of on-site open space appropriate under Policy DM16 (Provision of Recreational Open Space) regard will be given to the proximity of the development to existing safeguarded facilities (such as those at Lynnsport adjacent to the site). The Borough Council will consider flexibility of open space provision requirements where this would result in qualitative and quantitative benefits to the community and where the preceding habitats requirements are met;
 6. Submission of an Ecological Study that establishes that either:
 - i. there would be no negative impact on flora and fauna;
 - ii. or, if any negative impacts are identified, establishes that these could be suitably mitigated;
 7. Financial contributions towards the provision of infrastructure including additional primary and secondary school places;
 8. Provision of affordable housing in line with the current standards.

The weight to be given to the emerging LDF / local plan prior to adoption is set out in the NPPF para 216. The weight given depends on the stage reached, the extent of unresolved objections, and the consistency with the NPPF. In principle, any application for planning permission would need to be considered in light of the advice referred to at para. 216 in terms of the weight given to the matters referred to in draft policy E1.7. In this instance any modifications proposed by the Inspector have been incorporated into the draft policies (and the modified policies are reflected throughout this report). It is therefore considered that substantial weight can now be placed on these policies.

As such it is considered that the principle of development for residential use of this site is to be supported.

Flood Risk and Drainage

Flood Risk

The site lies in an area at potential risk of flooding from a number of sources: rivers and watercourses, surface water, tidal and sea, and groundwater, although the risk from most is low. The highest risk is from tidal although revised EA mapping for this area (2015) shows the site to be at lower risk of tidal flooding than the previous generation of data.

Both national (the NPPF and NPPG) and local (the Development Plan) policy seeks to steer new development away from areas at risk of flooding by virtue of applying the sequential test.

However it is not necessary to undertake the sequential test on allocated sites (as it is considered that this occurred during the allocation process).

Further, and in line with emerging Development Plan Policy DM21, only the second element of the exception test is required (as it is likewise considered that the first element (wider sustainability benefits) is deemed to be met by the allocation process).

The second part of the exception test requires that a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where, possible, will reduce flood risk overall.

In this regard, finished floor levels will be set above existing site levels and flood resistant construction techniques will be employed up to a level of 5.9m AOD (levels across the site currently vary between 2.4m and 3.8m AOD). All first floor areas will be set above this level to ensure safe refuge and no sleeping accommodation will be provided on the ground floor. The FRA also proposes signing up to flood warning services and producing evacuation plans.

The FRA has satisfied the Environment Agency that the development can be made safe and would not increase flood risk elsewhere and the EA therefore has no objection (subject to conditions) in relation to the risks associated with flooding.

It is therefore concluded that the exception test is passed and that the proposed development accords with the overarching aims of planning policy and guidance in relation to development in areas at risk of flooding.

Any permission will need to be conditioned to be carried out in accordance with the recommendations and mitigation suggested in the Flood Risk Assessment that accompanied the application (dated January 2016).

Drainage

The site is a greenfield site (in terms of surface water drainage run-off rates). This outfalls, following the topography of the site, into the Bawsey Drain to the north of the site.

It is proposed for the new surface water drainage system (which will be sized to cope with a 1 in 100 year plus climate change rainfall event) to continue to outfall to the Bawsey Drain which will continue to be controlled by the IDB.

Shared permeable paving areas (proposed in the SuDS Strategy) will be maintained by a management company to be secured via the S106.

The foul water system will be connected to the adjacent adopted foul water sewer system which will require some reinforcement works that will be carried out under a Section 98 requisition.

Sustainable Urban Drainage Schemes (SuDS)

Both national and local policy encourages the use of SuDS in line with the hierarchy of drainage as shown in the NPPG:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

The NPPG recognises there are two factors to consider in relation to appropriateness: firstly the technical feasibility of any particular SuDS approach; and secondly the impact on viability any particular SuDS approach may have.

Emerging local plan policies reflect this national policy approach of supporting the use of SuDS, including balancing this support against considerations of viability.

An appraisal of potential SuDS components was undertaken to assess the suitability of options for the development. A number of options were considered to be technically impracticable with further options considered technically achievable but unviable. In relation to the appraisal, the NPPG states that: 'Information sought by the local planning authority should be no more than necessary, having regard to the nature and scale of the development concerned'.

As a result of the appraisal, the SuDS measures proposed in this application include the provision of a water butt for each dwelling and the use of shallow-tanked, permeable paving solution in all areas of shared private driveway (the latter to be managed by a management body which will be secured by S106).

It is concluded that the development accords with overarching national and local policy and guidance in relation to the risks associated with flooding, the more traditional methods of drainage and the provision of SuDS.

Form, Character and Design

The NPPF states that good design is indivisible from good planning and should contribute positively to making places better for people. It goes on to say, at para 58, that 'decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesions; and
- Are visually attractive as a result of good architecture and appropriate landscaping’.

In relation to density the NPPF states, at para 47, that: [‘LPA’s] should set out their own approach to housing density to reflect local circumstances’. The density of the housing area opposite is approximately 37dph; the site, with an approximate density of 30dph, is therefore below the gross density of the general locality. However, density calculations can be artificial; and the critical question is whether the best use of land is being made. The optimum planning solution is to produce the maximum number of houses consistent with the site constraints, residential amenity, the character of the area and good design.

In this instance the density is affected by (amongst other things) the desire to retain some informal open space, access and parking for the neighbouring allotments, and improved pedestrian, cycle and vehicular links.

The majority of dwellings range between two and three-bed semi-detached and terrace dwellings, with one four-bed detached house and two two-bed coach houses (dwellings at first floor level of shared parking beneath). All the dwellings are two storeys in height. The mix of housing types has been informed by consultation with the Local Authority’s Housing Department to ensure the mix of dwellings meets the need identified in the borough.

The two flats with garages below have been removed from the proposed scheme and replaced with houses. More detail has been provided with regard to the detail to be used on the elevations including details of reveal, cill and header treatment.

It is considered that the house types, scales, masses and proposed materials are reflective of the wider locality, and the general layout is considered to represent an attractive and permeable scheme that would function well.

In summary, the proposed scheme is considered to incorporate the key aspects that contribute to the making of high quality places and therefore represents good design that takes the opportunities available for improving the character and quality of the area and the way it functions.

Residential Amenity

There are existing residential properties to the immediate north of the site separated from the site by a highway (Front Way), the Bawsey Drain and a 9-metre easement strip. These areas combine to offer a distance of approximately 36m between the closest southern elevation of existing properties on Front Way and the northern elevations of the proposed dwellings. This distance is considered to be more than sufficient to prevent any material overlooking, overshadowing or overbearing impacts.

Inter-development relationships are considered appropriate, with dwellings benefitting from an acceptable amount of private amenity space, parking (in accordance with current standards), and rear access to all mid-terrace properties. Some concern has been expressed by third party representatives in relation to the coach-house provision and that having un-associated parking beneath your home is not good design. However, when one considers that in flats for example one lives above another, it is considered that any disamenity caused merely by parking beneath would be far less than this and not material. It should also be noted that appropriate sound insulation will be required under Building Regulations.

It is therefore concluded that the development would not result in any significant detrimental impact on the amenity of occupiers of neighbouring properties and achieves a good standard of amenity for future occupants of the development.

Access, Transport and Parking

Access

The site is located to the west of the approved 'Lynnsport Access Road' (LAR). Vehicular access into the site would be via a new junction from the LAR which already benefits from planning permission by virtue of the road application.

An east-west adoptable road (limited to 20mph) will run through the site from the LAR providing two private cul-de-sacs and two adoptable cul-de-sacs

Walking and Cycling – There are numerous footpaths and cycleways linking the site with the wider locality including the 3m side NCN Route 1 shared-use cycle / footway.

Bus Services - There is currently one local route running close to the site with a bus stop at the northwest corner of the site. This service (Service 2 King's Lynn Town Centre to North Lynn) runs every 20 minutes.

Transport

Both a Transport Assessment (TA) and Residential Transport Plan (RTP) accompanied the application.

Nine junctions were assessed as part of the approved Lynnsport Access Road planning application. These same nine junctions were assessed as part of the current TA to identify weekday AM and PM peak periods (08:15 to 09:15 and 16:30 to 17:30 respectively).

The impact of the development on the operation of key local links and junctions was assessed for 2018 (opening year) and 2026 (forecast year). For each of the assessment years 'Do-Nothing' (without development) and 'Do-Something' (with development) forecasts were prepared. The Do-Nothing forecasts include the committed Lynnsport Access Road, and residential developments at Marsh Lane, Russett Close, Alderman Jackson School and Marsh House.

The conclusion of the TA is that out of the nine junctions considered only two (Columbia Way/Greenpark Avenue/Salter's Road and Hamburg Way/Spenser Road/Lynnsport Access Road – the latter being a new junction) are forecast to experience overall increases in traffic greater than 1% while smaller increases in traffic are forecast at the remaining seven. At the first of these junctions the traffic flows are low and will remain low even when the generated traffic is added. The second junction will be designed to have sufficient capacity to accommodate the generated traffic

The Summary of the TA is that 'the development will have a minimal overall impact on the operation and capacity of local transport networks, by virtue of its location close to footway and cycle route connections, new highway links using the proposed and consented Lynnsport Access Road and good public transport accessibility'.

The purpose of the RTP is to deliver sustainable transport objectives. The RTP identifies measures aimed at promoting sustainable travel; its high level objectives are to:

1. Address the access needs of residents and visitors by supporting sustainable modes of transport;
2. Raise awareness amongst site residents of the impact of their travel choices on their health and the local environment; and
3. Minimise single occupancy vehicle (SOV) journeys to and from the development.

Parking

Parking, in accordance with current parking standards, is provided in either garages (with a gross internal area of at least 21m²) and / or off-street parking.

Construction Traffic

It is proposed to minimise the impact of construction traffic by routing construction traffic from the principal highway network to the site via the Lynnsport Access Road. Notwithstanding this, a Construction Traffic Management Plan will be conditioned if permission is granted.

Traffic Summary

The developers have worked with the Local Highway Authority (LHA) to produce a scheme that is technically acceptable, and the LHA has no objection to the proposed development, subject to conditions being appended to any permission granted.

It is therefore concluded that the development accords with overarching national and local policy and guidance in relation to sustainable transport, access for all and parking provision.

Open Space, Recreation and Impact on Nature 2000 sites

Open Space

Core Strategy policy CS14 requires that 'all development will need to be accompanied by appropriate infrastructure (including offsite infrastructure)'; no specific detail is given as to how to calculate the level of 'appropriate infrastructure'. However, emerging policy DM16 provides further guidance as to how to calculate the level of infrastructure required by policy CS14.

Emerging Policy DM16 requires that schemes of 100+ homes must make provision for 2.4ha of open space per 1000 population and that this open space must comprise approximately 70% amenity, outdoor sport or allotments, and 30% suitably equipped play space; schemes of between 20 and 99 homes need only provide the 30% suitably equipped play element. Whilst Lynnsport 3 by itself is for 54 houses, it forms part of a wider allocation (in combination with Lynnsport 1 and Lynnsport 4 and 5) for the delivery of 297 houses on land amounting to 9.1ha (Policy E1.7). As such the theoretical amount of public open space required by Lynnsport 3 is 0.3ha (0.21ha amenity / outdoor sport / allotments and 0.09ha

suitably equipped area of play). Lynnsport 1 (up to 80 dwellings) would require 0.45ha (0.32ha / 0.13) and Lynnsport 4 & 5 (89 dwellings) would require 0.5ha (0.35ha / 0.15ha).

There is no specific guidance as to how the 70% provision should be divided between amenity, outdoor sport and allotment, though the supporting text to emerging policy DM16 suggests that the majority of this space should be made available for pitch sports (1.2 ha of the 2.4ha total provision, per 1000 population). Notwithstanding this, it is the case that both the relevant emerging site specific policy (E1.7) and emerging policy DP16 make provision for some flexibility when applying this standard.

Policy DM16 enables the Council to adopt a flexible approach to the types of public open space required within a particular scheme where it can be demonstrated:

1. That there is an excess of provision available in the locality; or
2. Where opportunities exist to enhance existing local schemes; or
3. The townscape or other context of the development is such that the provision of open space is not desirable.

This flexibility is mirrored in emerging site specific policy E1.7 (Lynnsport sites), which states: 'In judging the amount of on-site open space appropriate under Policy DM16 regard will be given to the proximity of the development to existing safeguarded facilities (such as those at Lynnsport adjacent to the site). The Borough Council will consider flexibility of open space requirements where this would result in qualitative and quantitative benefits to the community and where preceding habitats requirements are met.'

Given the site's proximity to Lynnsport and to the other two Lynnsport sites, the applicant, in consultation with the Local Authority's Greenspaces Team, proposes a comprehensive approach to open space provision across the three sites.

The proposal would provide a dedicated area of play for younger children (a LAP) and a small area of informal open space on each site. The shortfall would then effectively be 'pooled' to (in the case of equipped play) provide a single NEAP (neighbourhood equipped area of play) and in the case of open space by bringing into use an overgrown and inaccessible area to the immediate south of Lynnsport 4 & 5. Lynnsport 3 also includes improved access and parking for the existing North Lynn allotments which border the site to the west.

The NEAP would be provided by adding to and substantially extending an existing play facility at Lynnsport which lies directly to the south of Lynnsport 1 and to the east of Lynnsport 3.

In summary, based on the figure of 223 dwellings, Policy DM16 requires the allocation (all three Lynnsport sites) to deliver 0.85ha of amenity, outdoor sports or allotment space. The approach proposed by the applicant would deliver a minimum of 2.82ha of such space. With reference to equipped areas for play, DM16 requires 0.37ha; the applicant proposes 0.4ha.

It is the case that the majority of the equipped area for play would be delivered outside the development sites but within the Lynnsport site itself. The applicant considers that the combination of providing small areas for play within each site and the consolidation of the equipped play facilities in one single area, providing one large facility at a location already used for play and which is readily accessible by a series of foot and cycles ways from the development sites (and neighbouring residential developments) represents the best approach to open space provision for both existing and future residents and the users of the Lynnsport site. This approach is supported by the Local Authority's Greenspaces Team, and your officers believe it accords with overarching policy aims. Further it is considered that the

Open Space Strategy (which would be secured by S106 Agreement) addresses the majority of third party objections received in relation to the loss of informal open space. No further comments had been received from third parties following the submission and further consultation on the OSS at the time of writing this report.

In addition to the equipped and structural open space referred to above, the developer has agreed to a financial contribution to secure the provision of allotments off-site.

Recreation

Policy E1.7 requires enhanced recreational provision or contribution towards such provision on or in the vicinity of the allocated sites. This requirement is linked to the proximity to protected nature conservation sites in the wider area (Natura 2000 sites).

The overprovision of open space outlined above, along with a contribution of £10,000 towards the restoration of the Gaywood River Corridor (which is well in excess of the £7,300 that the £50 per dwelling habitat mitigation fee requires) suggests that the development would not place additional recreational pressure on, in particular, Roydon Common SPA.

Ecology

The Ecological Appraisal that accompanied the application concluded that further surveys will be required in relation to badgers and great crested newts and that mitigation will be required in relation to nesting song birds (timed works) and water voles (to follow the water vole mitigation plan submitted as part of the LAR (which also covered this site and is less than two years old and therefore suitable for use)). These surveys / mitigation can be suitably conditioned if permission is granted.

The European Habitats Directive (the Directive) prohibits activities such as the deliberate capturing, killing or disturbance of protected species, subject to derogation in specific and limited circumstances.

These requirements are enforced in England and Wales by the Conservation of Habitats and Species Regulations 2010 (the Regulations) and any derogation is regulated and overseen by a system of licensing administered by Natural England (NE).

In exercising its functions, including determining planning applications, a Local Planning Authority (LPA) is required to have regard to the requirements of the Habitats Directive in so far as they may be affected by the exercise of those functions. It is not the role or responsibility of the LPA to monitor or enforce NE's obligations under the Regulations. However, if a development proposal could potentially result in a breach of the Directive, the LPA is required to form a view on the likelihood of a licence being granted under the Regulations by NE in order to fulfil its own obligation to have regard to the Directive requirements.

NE will only grant a licence if satisfied that the three statutory tests prescribed under the Directive and the Regulations have all been met.

The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and
3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status.

It is understood that the level of detail required for a licence application to NE under the Regulations may not yet be available at the planning application stage. Also, the level of detail required for NE to satisfy the tests of derogation will usually be higher than that required in the planning consent process. However, the obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

In this case, an Ecological Appraisal concluded that there is potential for impacts to great crested newts (GCN) and badgers, whose absence cannot be confirmed without further surveys given the proximity of a number of habitats to the site.

The LPA can therefore conclude that there is the possibility that GCN and badgers are present and that if development were to proceed there is the possibility of a breach of the Directive. Therefore the LPA is required to consider the tests:

1. IROPI - NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. The Local Plan shows a need for additional housing in the Borough over its fifteen year life (2011 – 2026).
2. No satisfactory alternatives – this is an allocated site in the emerging Site Allocation and Development Management Policy DPD
3. Population maintenance - it appears to be unlikely that development of such a small parcel of land, with appropriate mitigation, will detrimentally impact the conservation status of GCNs or badgers.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application that NE would not be unlikely to grant a derogation licence under the Regulations in relation to this development and that planning permission should not be refused for this reason.

Trees and Landscaping

The application has been accompanied by a Landscape Strategy that, if permission is granted, will be conditioned.

The Arboricultural Officer has no objection to the proposed development on condition that it is carried out in accordance with the Arboricultural Survey that accompanied the application.

Affordable Housing and Other Contributions

Accompanying this proposal is a S106 Agreement that covers:

- Affordable Housing (on-site provision in accordance with current policy (8 units));
- Open Space in the form of on-site and off-site provision;
- Financial contribution to the Gaywood River Restoration Project (£10,000);
- SuDS management and maintenance,
- Library contribution (£3,240 (£60 per dwelling)).

The County Council has not asked for an education contribution as 'although some of the local schools are at or approaching full capacity, across the range of primary and secondary schools there is sufficient capacity at primary and high school levels'.

The Section 106 is also to be amended to include the financial contribution to off-site allotments referred to above.

Crime and Disorder

Government guidance states that community safety must form an integral part of the design agenda. The applicant / agent / developer will be working with the Norfolk Constabulary Architectural Liaison Officer (ALO) in reference to 'designing out crime'.

CONCLUSION

There is a need for housing in the borough (both market and affordable), and this application, which is for development of part of a wider housing allocation, is an important contributor to the authority's housing supply. Given the inclusion of modifications to the emerging policies referred to, it is considered that the allocation carries significant weight.

The development would provide 54 dwellings on a site that is extremely well located within the town. Further the development would improve the connectivity of existing adjacent residential developments in a sustainable fashion (e.g. promoting walking, cycling, public transport and reducing the distance for some trips by the private car).

The development of the wider allocation will result in overprovision of open space (as required by policy) in the locality of the site which will benefit not only the development, but the wider neighbourhood.

The development would provide appropriate SuDS, and contribute towards the protection of nearby Natura 2000 sites in accordance with the requirements of the Habitats Regulations.

The supporting technical reports demonstrate that any impacts (noise, pollution, traffic, drainage, flood risk) have been fully considered and can be satisfactorily mitigated where necessary.

No objections have been received from statutory consultees.

The proposal accords with the NPPF, NPPG and both saved and emerging Development Plan Policies. It is therefore considered that this application should be approved subject to the following conditions.

RECOMMENDATION:

(A) APPROVE subject to conditions and completion of a suitable Section 106 Agreement within 4 months of the date of resolution to approve and 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 Prior to the commencement of any works on site a Construction Traffic Management Plan, to incorporate details of on-site parking for construction workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing with the Local Planning Authority. For the duration of the construction period all traffic associated with the construction of the development shall comply with the approved CTMP unless otherwise agreed in writing by the Local Planning Authority.
- 2 Reason In the interests of highway efficiency and safety and to prevent extraneous material being deposited on the highway in accordance with the NPPF. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 3 Condition No works shall commence on the site until such time as detailed plans of the roads, footways and cycleways have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 3 Reason To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with the NPPF. This needs to be a prior to commencement condition as issues relating to infrastructure are fundamental to the development.
- 4 Condition Prior to commencement of works to construct any roads, footways, cycleways or highways drainage hereby approved, 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. (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).
- 4 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with the NPPF.
- 5 Condition Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with details to be approved in writing by the Local Planning Authority.
- 5 Reason To ensure satisfactory development of the site in accordance with the NPPF.
- 6 Condition No development shall commence until full details of the land drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 6 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 7 Condition No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
- 7 Reason To prevent environmental and amenity problems arising from flooding in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 8 Condition Notwithstanding the information that accompanied the application, no dwelling hereby permitted shall be occupied until surface water drainage (to include SuDS) details have been submitted to and approved in writing by the local planning authority. The submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and
 - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The surfaces water drainage scheme shall be implemented as agreed unless otherwise agreed in writing.

- 8 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 9 Condition The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment by Richard Jackson Consultants (reference 457151 - Rev A dated January 2016) that accompanied the application and the following mitigation measures detailed within the FRA:
1. Identification and provision of dry internal refuse for each property. The finished floor level of the dry refuse should be set at a minimum of 4.40m AOD.
 2. Implementation of flood resistance and resilience measures up to a level of 5.90m AOD.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

- 9 Reason To reduce the risks associated with flooding in accordance with the NPPF.
- 10 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:

1. a survey of the extent, scale and nature of contamination;
2. 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;
3. 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'.

- 10 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. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 11 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.
- 11 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. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 12 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.

- 12 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.
- 13 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 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11, 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 12.
- 13 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.
- 14 Condition No development shall commence on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority that provides for mitigation of environmental and amenity impacts during the period of construction.
- This must include, but is not limited to, the proposed timescales and hours of the construction phase(s) and must specify the sound power levels of any equipment and its location. The proposed mitigation methods must include protection of residents from noise and dust. The scheme shall be implemented as approved during the period of construction unless otherwise agreed in writing by the Local Planning Authority.
- 14 Reason In the interests of the amenities of the locality and to ensure that the amenities of future occupants are safeguarded in accordance with the NPPF. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 15 Condition All hard and soft landscape works shall be carried out in accordance with drawing nos: 2067-15-A Rev.7 and 2067-15-B Rev.7. 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.
- 15 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 16 Condition A landscape management plan including long-term design objectives, management responsibilities, management and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of

any part of the buildings or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

- 16 Reason To ensure that the landscaping is properly maintained in accordance with the NPPF.
- 17 Condition The development hereby permitted shall be carried out in strict accordance with the Arboricultural Impact Assessment and Method Statement that accompanied the application (dated July 2015 by C.J.Yardley) and associated Tree Protection Plan No 7966/002/Rev 08/Arb.
- 17 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 18 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.
- 18 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 19 Condition Prior to the commencement of the development hereby permitted a survey to identify the extent of any great crested newt and badger populations on or adjacent to the development site shall be undertaken in accordance with a written survey proposal which shall have been submitted to and approved in writing by the Local Planning Authority prior to the survey taking place.
- 19 Reason To identify the extent of any great crested newt and badger populations in accordance with the NPPF and NPPG.
- 20 Condition The results of the survey required under Condition 19 above shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby permitted, including site clearance works. The results shall also provide for any mitigation / enhancement measures appropriate to the extent of any populations recorded in order to minimise the impact of the development upon those populations both during construction and upon completion. A timetable for the implementation / completion / maintenance of the mitigation / enhancement works shall also be submitted with the results.

The mitigation / enhancement works shall be completed and maintained in accordance with the agreed details and timetable other than with the prior written approval of the Local Planning Authority or where a different mitigation scheme or timetable scheme is required under any license issued by Natural England.

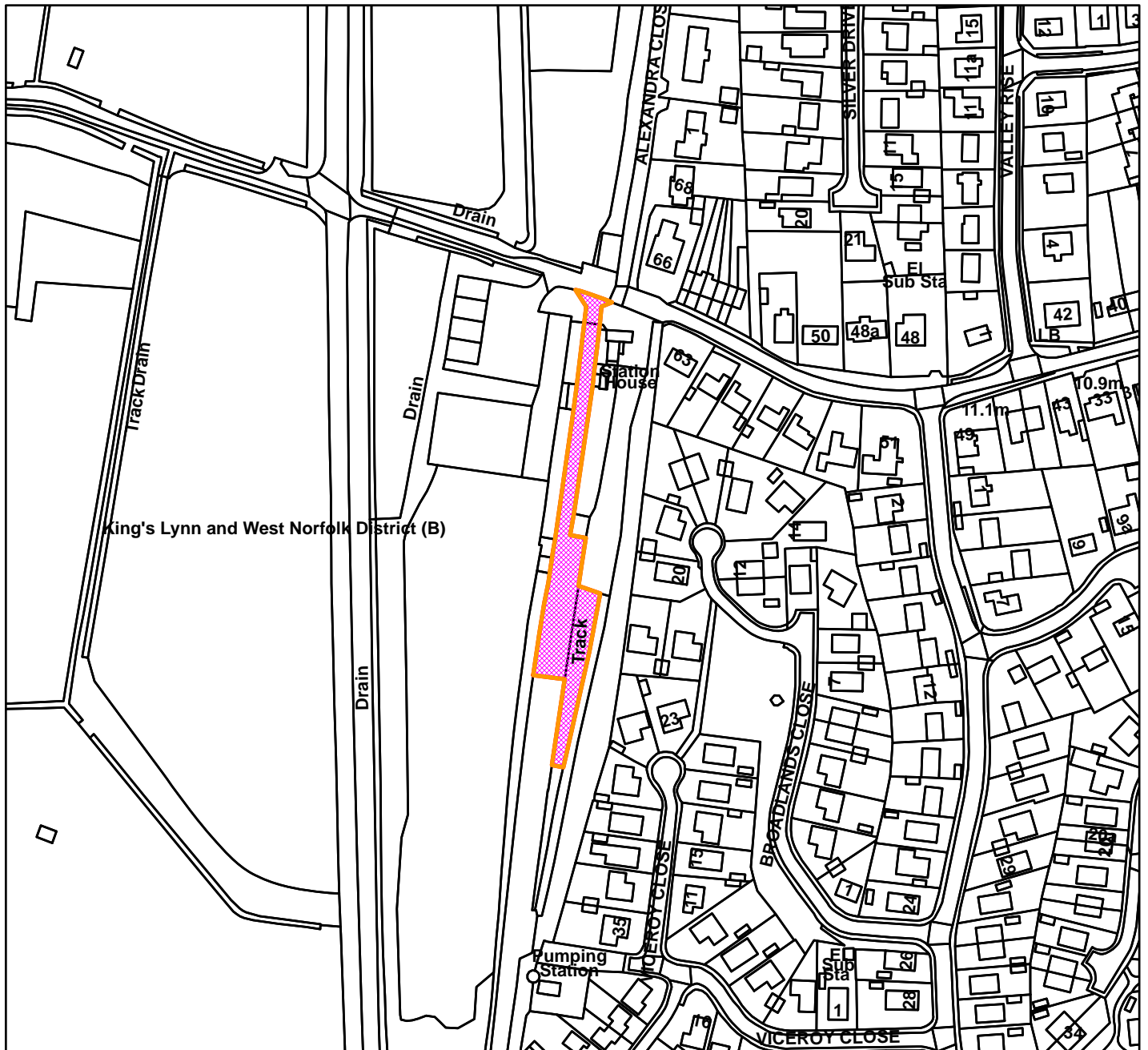
- 20 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 21 Condition The development hereby permitted shall be carried out in accordance with the Water Vole Mitigation Plan (dated April 2015 by Mott MacDonald) that was submitted under planning application reference 14/01562/FM.
- 21 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.

- 22 Condition Other than in relation to great crested newts, badgers and water voles (that are covered under separate conditions), the development hereby permitted shall be carried out in accordance with the recommendations contained in the Ecological Appraisal that accompanied the application (dated December 2014 and updated in February 2016 undertaken by Wild Frontier Ecology).
- 22 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 23 Condition No development shall take place other than in accordance with the approved archaeological written scheme of investigation submitted with the planning application (Project Number 17308, dated 17 June 2015 by Oxford Archaeology East).
- 23 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 24 Condition The development shall not be occupied until all phases of site investigation and post investigation assessment have been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 24 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 25 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos: 001 Rev.A05, 002 Rev.A26, 004 Rev.A03, 005 Rev.A07, 006 Rev.A05, 007 Rev.A05, 008 Rev.A04, 009 Rev.A04, 020 Rev.A02, 050 Rev.A02, 051 Rev.A02, 052 Rev.A02, 054 Rev.A02, 055 Rev.A02, 056 Rev.A01, 057 Rev.A05, 058 Rev.A00, 060 Rev.A01, 061 Rev.A00 and 062 Rev.A00.
- 25 Reason For the avoidance of doubt and in the interests of proper planning.

(B) REFUSE in the event that a suitable Section 106 Agreement is not completed within 4 months of the resolution to approve

16/00832/CU

The Old Station Road 67 Station Road Dersingham



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	20/07/2016
MSA Number	0100024314

AGENDA ITEM NO: 8/3(a)

Parish:	Dersingham	
Proposal:	Change of use from builders merchant to mixed use builders merchant and haulage yard for overnight parking of 2 HGV's	
Location:	The Old Station Yard 67 Station Road Dersingham Norfolk	
Applicant:	Semba Trading Ltd	
Case No:	16/00832/CU (Change of Use Application)	
Case Officer:	Mr C Fry	Date for Determination: 4 July 2016 Extension of Time Expiry Date: 11 August 2016

Reason for Referral to Planning Committee – The views of Dersingham Parish Council is contrary to the Officer recommendation and called in by Councillor Bubb.

Case Summary

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

Dersingham is classified as a Key Rural Service Centre according to Policy CS02 of the Local Core Strategy 2011.

The site is the former Dersingham Railway Station and associated goods yard.

The proposal seeks retrospective consent for the change of use from builder's merchant to mixed use builders merchant and haulage yard for overnight parking of 2 HGV's.

Key Issues

Principle of Development and Planning History
Impact upon Visual Amenity
Highway Safety
Ecology and Wildlife
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Principally, the site lies within an area defined as Built Environment Type D according to Local Plan Proposals Maps for Dersingham. Dersingham is classified as a Key Rural Service Centre according to Local Development Framework Core Strategy.

The site is the former Dersingham Railway Station. The platform still remains and the goods yard has been used for the stationing of building materials for a number of years.

There are two distinct levels to the site. The eastern side of the site is on the upper level, being the former platform. The central to western side of the site is on lower land (former railway line). The boundary to the site consists of level hedging. The site is separated from the neighbouring properties to the east by a footpath.

The area has a mixed character. Residential properties are located to the east of the site and to the west and north are industrial premises and uses. A recent planning permission has been granted for the erection of a new garden centre to the northwest of the site, although this has yet to be implemented.

The proposal seeks full planning permission for the site to be a mixed use of builder's merchant and HGV station yard. The majority of the site will be retained as a builder's merchant. The change of use for the stationing of the HGVs is towards the centre rear of the site and adjacent to the eastern boundary.

SUPPORTING CASE

The application has been supported with a Planning Statement:-

- The site is currently used as builder's merchants. Prior to this the site has been generally used for storage, when it was a goods yard in association with the railway station. The site stocks bulk materials ready for delivery. The operators of the site have 2 large delivery vehicles retained on site. Deliveries to and from the site occur throughout the day between 08:00 and 16:00 hours.
- The applicant currently parks up 2 other HGV's at the yard overnight (in addition to the 2 delivery vehicles). This occurs up to 4 times a week.
- The vehicles enter or leave around 07:00 and 17:00.
- The applicant has part ownership of the vehicles and the vehicles are occasionally used by the applicant for the delivery of bulk materials to and from the site, but this is not the sole use of these vehicles.
- The Local Planning Authority has investigated the potential unauthorised use, reference 15/00400/UNAUTO. For clarity, the use of the builder's merchant/yard is not in question and this use would not alter.
- The proposal does not seek to change the use of the whole site to haulage yard, nor increase the number of HGV's currently parked overnight at the site. This parking of the HGV's is the subject of the Local Authority's enquiry and the purpose is to regularise this use, if such an approval was forthcoming, the proposal could be conditioned to limit the use.
- The pre-application, site visit confirmed the general location of the parked vehicles would be acceptable in principle.

PLANNING HISTORY

05/01577/F: Application Permitted: 26/10/05 - Construction of shed

2/00/1352/F: Application Permitted: 23/01/01 - Continued use of land for storage of building materials

2/99/0709/F: Application Permitted: 06/09/99 - Continued use of land for storage of building materials

2/98/0311/F: Application Permitted: 16/06/98 - Continued use of land for storage of building materials

2/95/1042/CU: Application Permitted: 13/02/96 - Extension to existing yard for storage of building materials (revised proposal)

RESPONSE TO CONSULTATION

Dersingham Parish Council: OBJECTION on disturbance to neighbouring properties and the amount of extra traffic at all hours as already being witnessed. The council would like to point out that our local garden centre has planning permission in a nearby location and if they decide to build it would put even more strain on the roads, neighbouring properties etc. and would make this area very dangerous with the amount of traffic involved. The vehicles if using Station Road have to go by the Village Recreation Ground which is always busy with children.

NCC Highways: NO OBJECTION

Environmental Health and Housing - Community Safety Neighbourhood and Nuisance: NO OBJECTION concerns in relation to noise regarding the proximity of the lorries to residential properties.

Noise complaints have been received in the past from the proposed activity

The ideal solution would be to situate the lorries further away; however the elongated nature of the plot restricts this possibility.

Due to the fact complaints about this use, the restrictive nature of the site in terms of ability to maintain distance from residential properties and the possible unsociable hours needed for the HGV lorries to be in use; a condition restricting the HGVs leaving the site to between the hours of 07:30 to 19:00 hours Monday to Friday and 07:30 to 17:00 Saturdays and at no time on Sundays, Bank or Public holidays unless otherwise agreed in writing by the Local Planning Authority would be appropriate.

The noise from engine vehicles idling can be covered under a statutory nuisance issue.

Environmental Health and Housing – Environmental Quality Team: NO OBJECTION

REPRESENTATIONS

35 Letters received objecting to the application:-

- Unsuitable road access
- Noise
- Pollution
- Should be in an industrial area
- Volume of traffic will greatly increase
- Dust caused
- Hazardous materials have been transported
- The weight of the vehicles caused maintenance issues
- Affect a bus route
- An alternative access directly on the bypass would be more suitable

4 signature petition from residents in Alexandra Close

- Emergency Services could be blocked from entering Alexandra Close from HGV's being parked up waiting to gain access to the yard
- Increase damage to "Station Road" from the HGV's
- HGVs will use the footpath on Station Road when cars are parked on the roadside
- No turning area for HGVs
- No mention to the type of contents that the trailers would hold
- "Richardson's Trailer and Heavy Equipment" are now trading from the site

1 letter received supporting the application:-

- 2 full-time employment and 1 part-time employment post generated
- Support local business in the local area.

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS10 - The Economy

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

OTHER GUIDANCE

Dersingham Parish Plan

PLANNING CONSIDERATIONS

The main planning considerations in regard:-

- Principle of Development and Planning History
- Impact upon Visual Amenity
- Highway Safety
- Ecology and Wildlife
- Other Material Considerations

Principle of Development and Planning History

The site lies within an area defined as Built Environment Type D according to Local Plan Proposals Maps for Dersingham.

Dersingham is classified as a Key Rural Service Centre according to the Local Development Framework Core Strategy. Generally, development that is appropriate in scale and nature could be supported in principle subject to satisfying other material considerations.

The proposal seeks retrospective planning permission for the change of use of the existing builder's merchants to a mixed use involving the retention of the builder's merchants and the stationing of 2 HGV vehicles in association with Richardson's Haulage. This is in addition to 2 HGV vehicles that are used in association with the Builders Merchants.

From planning enforcement investigations it has been documented that the builder's merchant's complex has been used for the stationing of vehicles overnight. 2 of the HGV's are not being used in connection with the builder's merchants and these 2 vehicles enter and leave the site between the hours of 05:00 and 19:00 - 7 days a week.

The regularisation of the activity requests that these 2 HGV vehicles are allowed to be stationed overnight 4 times a week with vehicular movements being allowed between the hours of 07:00-17:00.

The applicant's agent is fully aware that what is being applied for is a reduction in current use and accordingly acknowledges that should vehicular movements take place outside agreed timings, then potentially enforcement action could be taken.

Impact upon Visual Amenity

Third Party representation raise issues of the Haulage Yard element of the application being a use out of character with development in the locality.

The site is the former Dersingham Railway Station. It has been used as builder's merchants for a number of years. Access to the site is from Station Road.

The site has two distinct levels. The old station platform is on the eastern side of the site on higher land and the western side is the lower track level.

The site is well screened from the west by overgrown hedging and scrub land. Hedging and scrub and the closed boarded fencing of the properties in Broadlands Close forms the eastern boundary.

The southern element of the site contains building waste materials and is unmade.

The site that has been demarcated on the plans for the siting of the HGV vehicles would cause little detrimental impact upon visual amenity taking into account the boundary treatment and the mixed character of the area.

Impact upon Neighbour Amenity

The shape of the site and the existing use as builder's merchants limits the available space for the stationing of HGVs.

There is no doubt that neighbours will experience some noise from engines starting, engines sitting idle for long periods and the general noise involved in the moving of HGV vehicles. The Environmental Health and Housing - Community Safety Neighbourhood and Nuisance team have considered that provided the noise associated with the HGV's on the site can be controlled through the use of planning conditions, then they would not object to the application.

At present Semba Trading has no planning condition imposed upon it as a builder's merchant that restricts vehicular movements to certain times of the day.

As part of this application, Richardson Transport, who currently operates from the site without the benefit of planning permission, wish to regularise and reduce their operations to station 2 HGVs 4 nights a week between the hours of 17:00-07:00.

As the proposal has applied for a mixed use of both builder's merchants and Haulage yard, the opportunity to review the timing of HGV movements associated with Semba Trading has presented itself.

The Environmental Health and Housing – Community Safety Neighbourhood and Nuisance team recommend that HGVs movements associated with the both Semba Trading and Richardson Transport need to be restricted to 07:30 and 19:00 Monday to Friday and 07:30-17:00 on Saturdays in order to protect neighbour's amenity. Whilst the hours allowed for the moving of HGVs on the site put forward by the Environmental Health team are different to that that proposed by the applicant i.e. an additional ½ hr restriction of movement recommended by the team, the applicant does not object to the additional ½ hr restriction. Additionally the applicant does not object to the restriction being applied to HGV movements in association with both of his businesses. This condition is considered to be reasonable and enforceable and adequately addresses the issue of noise and general disturbance.

Should HGV engines be left idling then statutory nuisance investigations can be carried out by the Environmental Health – Community Safety Neighbourhood and Nuisance team.

Highway Safety

A number of third party representations are concerned about highway safety issues and the maintenance of Station Road as a result of additional HGV movements; additionally they also raise issues about the HGVs affecting a bus route, however the highway officer has no objection to the proposal.

An alternative access to the site to serve the HGVs, as suggested by a third party representation, is not considered to be necessary or reasonable to request in this instance as the highways officer has no objection to the proposal.

Ecology/Wildlife

The site is within the buffer area of the Dersingham Bog, however the existing use and proposal is not considered to cause a detrimental impact upon the SSSI.

There would be no detrimental impact upon the nearby County Wildlife site.

Other Material Considerations

The site is to the south of Dersingham Footpath 16 and Bridleway 2 these are not materially affected by the proposal.

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

Third party objectors raise issues about pollution from the HGV's exhaust system, the dust created from HGV movements on the site and the effect of upon their health and well-being. Given the low number of the HGV movements that is associated with the operations of Semba trading and Richardson Transport, the Environmental Health – Environmentally Quality team has no objection to the proposal. According to the Environmental Quality team there would need to be over 100 HGV movements a day to have a material effect upon air quality.

The potential movement of hazardous materials is no reason to object to the application.

CONCLUSION

Members will need to consider whether the stationing of HGVs on the site is considered to be acceptable. It is your officer's opinion that the use the site for the overnight stationing of HGV vehicles, to the scale stated in the Planning Statement is considered to be acceptable. Should the use of the site intensify and/or lorry movements on the site take place outside of the permitted hours 07:30-19:00 hours Monday to Friday and 07:30-17:00 on a Saturday and at no times on a Sunday, Bank Holiday or Public holiday, then planning enforcement will investigate any complaints made.

There are no outstanding issues that cannot be adequately addressed by way of condition and the application is recommended for approval subject to the following conditions.

RECOMMENDATION:

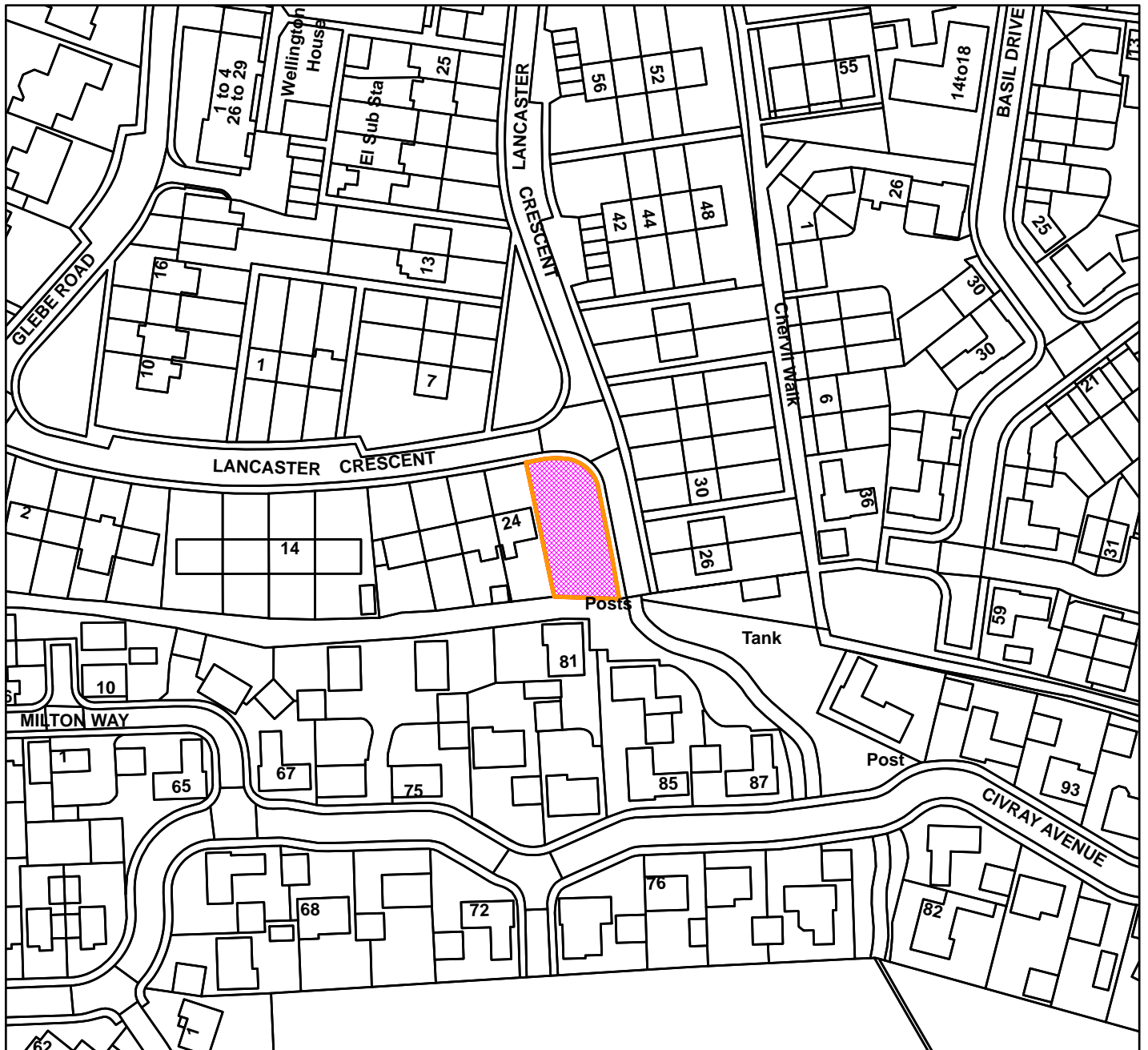
APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - Site Plan dated 23rd February 2016 received 3rd May 2016.
- 1 Reason For the avoidance of doubt and in the interests of proper planning.

- 2 Condition HGV movements in the blue and red land as shown on "Location Plan SEM01.01.01 Rev A dated 23rd February 2016 shall be restricted to between 07:30 and 19:00 hours Monday to Friday and 07:30 to 17:00 hours on Saturdays. No HGV movements shall be carried out beyond these hours or on Sundays, Bank or Public Holidays unless otherwise approved in writing by the Local Planning Authority.
- 2 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.
- 3 Condition There shall be no more than 4 HGVs stationed on the blue and red land as shown on "Location Plan SEM01.01.01 Rev A" at anyone time.
- 3 Reason For the avoidance of doubt and in the interests of proper planning.

16/00588/O

Land adj 24 Lancaster Crescent Downham Market



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	19/07/2016
MSA Number	0100024314

AGENDA ITEM NO: 8/3(b)

Parish:	Downham Market	
Proposal:	OUTLINE APPLICATION SOME MATTERS RESERVED: Residential Development	
Location:	Land Adjacent To 24 Lancaster Crescent Downham Market Norfolk PE38 9QL	
Applicant:	BCKLWN	
Case No:	16/00588/O (Outline Application)	
Case Officer:	Mr Bryan Meredith	Date for Determination: 30 May 2016

Reason for Referral to Planning Committee – the application is submitted on behalf of the Borough Council for its own development and objections have been received. Also the Town Council's view is at variance with the officer recommendation.

CASE SUMMARY:

The application proposes the residential development on land adjacent to 24 Lancaster Crescent, Downham Market. Downham Market is defined as a Main Town in the settlement hierarchy contained in the Core Strategy of the Local Development Framework. The site (red line) amounts to 0.03ha of land.

The site is located on land designated as Built Environment Type D in the 1998 Local Plan within the settlement boundary of Downham Market which is also the case as is set out in Policy DM2 of the emerging Site Allocations & Development Management Policies plan. The site does border a residential property to the west with the north and eastern boundaries of the site adjacent the estate's road network. To the south of the site, a Public Right of Way runs along the rear boundaries of the dwellings on Lancaster Avenue.

The site lies in Flood Zone 1 of the Strategic Flood Risk Assessment.

KEY ISSUES:

The principle of development
Form and character
Neighbour amenity
Highway safety
Other considerations

RECOMMENDATION:

APPROVE

THE APPLICATION:

The application seeks outline planning permission for a proposed residential development with the matters of access only to be considered at this stage on a site which is measured at 16/00588/O

Planning Committee
1 August 2016

approximately 0.03ha to the eastern boundary of 24, Lancaster Crescent, Downham Market. An indicative plan, reference 16/604 (GA) 1000 Revision B; shows a single plot on the site.

Downham Market is defined as a Main Town under the settlement hierarchy of Policy CS02 of the Council's adopted Core Strategy (2011).

Relevant Planning History:

2/93/1460/O: Application Permitted: 17/01/94 - Site for construction of 9 low cost dwellings with access road and construction of car park (renewal) - Land off Lancaster Close, Downham Market, Norfolk, PE38 9QJ;

CONSULTATIONS:

Parish Council: Downham Market Town Council's Members recommended REFUSAL citing residents perceive there is a problem with parking on the estate, it is currently an open space and development will detract from the community and will cause a loss of amenity space.

Local Highway Authority: Having visited the site and examined the information submitted with the application. In terms of highway considerations, the Highways Officer has NO OBJECTION to the principle of the development and recommends conditions be attached.

IDB: Stoke Ferry IDB have no comment to make as the proposed development will not adversely affect drainage operations within the District.

Environmental Quality: Based on the information supplied and held within this section, the Environmental Quality Officer has no comments to make for this proposal regarding contaminated land or air quality issues.

REPRESENTATIONS:

Eight representations were received objecting to the application stating concerns on the issues set out below:

- Loss of an area designated as green space from original estate development
- Loss of an open site area which pedestrians and members of the public use at different times for school drop off and collection
- Safety concerns with the highway bordering the application site
- Concerns with the loss of car parking facilities
- Noise concerns with possible construction on site
- Concerns with the potential loss of privacy

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

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

DM22 - Protection of Local Open Space

OTHER GUIDANCE

Downham Market by Design 2007

PLANNING CONSIDERATIONS

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

- The Principle of Development
- Form and Character
- Impact on Neighbourhood Amenity
- Highways Impact
- Other Considerations

Principle of Development

The application site lies to the north-east of the settlement of Downham Market which is defined as a Main Town in the settlement hierarchy set out under Policy CS02 of the Council's adopted Core Strategy (2011).

In this case the application site lies within the existing settlement boundary for Downham Market in an area designated as Built Environment Type D and also within the development boundary in the emerging policy DM2- Development Boundaries of the Site Allocations &

Development Management Policies document. Development of the site will result in infill of an existing open area in the estate. As a result it is deemed that the proposal would provide a dwelling, similar to the existing form and character present at Lancaster Crescent, although the loss of the open space will need to be considered.

This application is outline with matters of access only to be considered at this stage.

Form and Character

The application site compromises an open space at the end of existing dwellings and up to Lancaster Crescent itself. The site contains a line of existing 1 metre concrete pillars, with a footpath along the northern and eastern boundaries of the site with a mixture of 1.8 metre and 1 metre timber cladded fencing along the western boundary. The southern boundary has no boundary features and opens onto the Public Right of Way to the south of the site which lines the rear of the existing dwellings at Lancaster Crescent.

The application is supported by a plan setting out the site layout plan, an indicative front elevation and indicative ground floor plan layout. The site layout plan sets out the proposed dwelling and the location of entrance to the site. The matter to be considered at this stage is the means of access to the site only. All other matters are reserved at this stage. The development of the site would sit on a similar plot size to those adjacent to it, with the proposal forming a continuation of the form of development already in existence.

It is clear from the representations made from Downham Market Town Council and representations received from members of the public that there are concerns regarding the development of a green area. Taking these considerations into account, the Borough Council requested amended plans be made to the proposed plans, altering the eastern and southern boundary to provide a permanent boundary treatment and realigned to provide a continuation of the relationship between open space areas neighbouring the application site. Amended Location and Indicative Site Layouts were resubmitted in the form of drawing number (16/604 (GA) 1000 Revision B.

Impact on Neighbourhood Amenity

Whilst appearance, landscaping, layout and scale are reserved matters, it is considered that issues of overlooking, overbearing and overshadowing impacts can be designed out at reserved matters stage, given the likely separation distances between the site and adjoining dwellings at 24 Lancaster Crescent.

The proposal would result in the removal of an open space which, as representations state, is of value to local neighbouring residents. The applicant has sought to partially address those concerns with the amended plans submitted indicating a realigned site boundary which provides a green edge to the east of the site which aims to continue the existing element of connectivity between those neighbouring green areas which the locality enjoys at present.

Highways Impact

Norfolk County Council, as the Highways Authority, has been consulted on the application and has no objection to the principle of development on the site subject to conditions and an informative being attached to a decision notice should the application be approved.

The area was likely originally planned as an open area on the estate, although part of it is clearly used as an informal overflow parking area. Some of the area is bollarded to prevent this but some parking still occurs.

The Town Council, in their comments recommended refusal of the application with concerns regarding parking being an issue. However, as is noted above, the Highway Authority does not have an objection, and the loss of this small area which was never originally planned for parking, is considered to be acceptable in this case.

Other Considerations

The site lies in Flood Zone 1 of the Council-adopted SFRA.

The proposal does not raise any land contamination or air quality issues and there are no Crime and Disorder issues raised by this proposal.

CONCLUSION

The site lies within the development boundary of a Main Town, on an area designated as Build Environment D as identified by the Local Plan (1998) proposals maps, where in principle residential development of an appropriate scale can be supported.

The proposal seeks outline planning permission with only access determined at this stage. The Highways Officer does not have objections to the proposal with works to be conditioned.

The indicative layout demonstrates that a dwelling could likely fit within the site without having a detrimental impact in respect of form and character or neighbour amenity. The details of scale and appearance are matters reserved for future consideration. The loss of this open area, mainly used as an informal parking area, at the end of a row of properties is considered acceptable on balance, and will not be unduly detrimental to the visual amenities of the area.

It is therefore considered that the proposal generally accords with the provisions of the NPPF, NPPG, the Core Strategy (2011) and with the emerging Site Allocations & Development management Policies document and should be approved subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition Approval of the details of the means of 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.

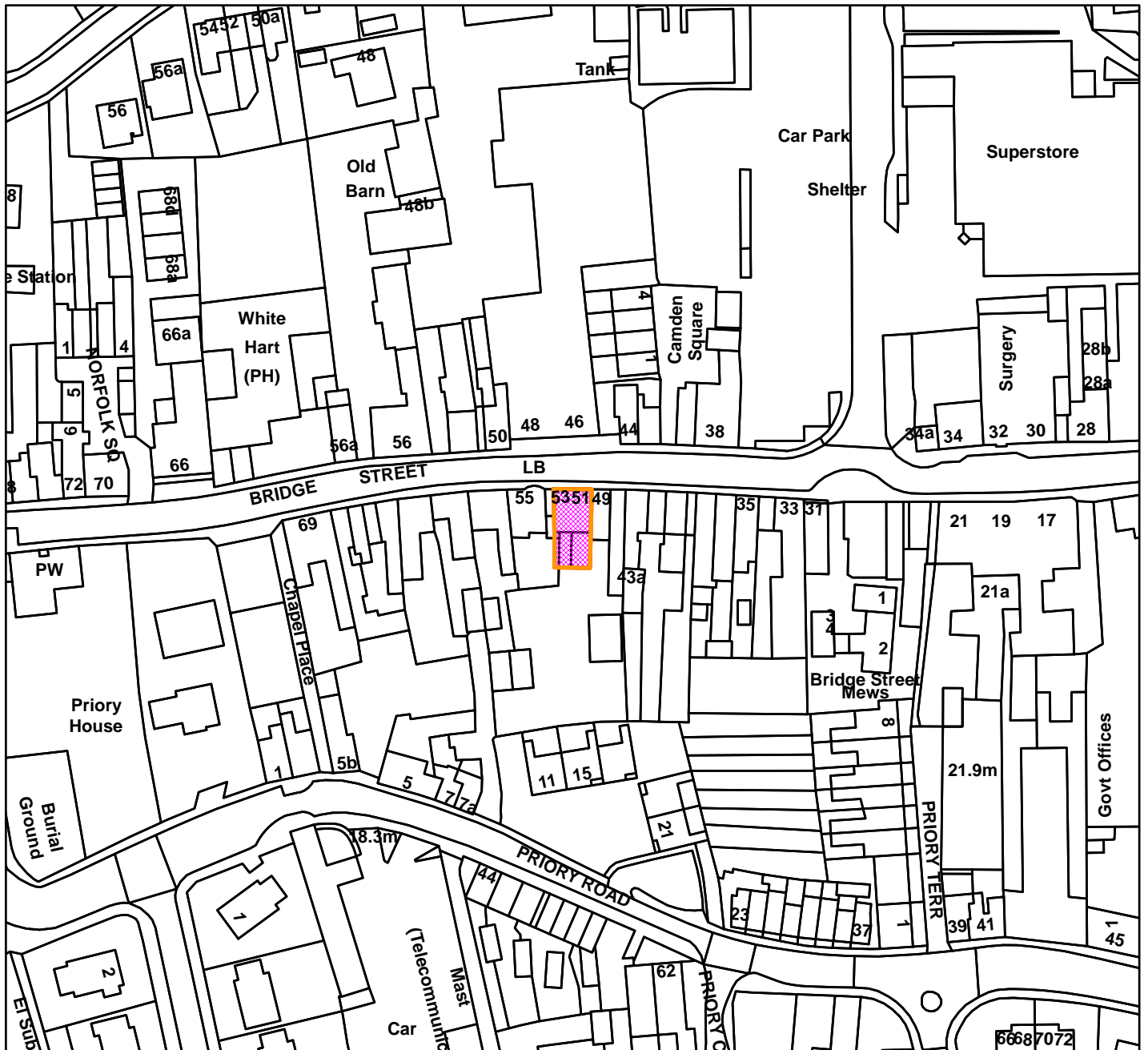
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning 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 first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number ((GA 1000 Rev A) in accordance with the highway specification (Dwg. No. TRAD 1) attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 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 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (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.
- 6 Reason In the interests of highway safety.
- 7 Condition Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 7 Reason In the interests of highway safety.
- 8 Condition Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:
 - i) Parking provision in accordance with adopted standard.
- 8 Reason In the interests of highway safety.
- 9 Condition Prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building is occupied or in accordance with a

timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 9 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 10 Condition No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 10 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 11 Condition In relation to access only, the development hereby permitted shall be carried out in accordance with the approved plan, Drawing No. 16/604 (GA) 1000 Revision B, titled Detailed Location and Indicative Site Plan layouts, Indicative House Type insofar as access only.
- 11 Reason For avoidance of doubt and in the interests of proper planning.

16/01012/CU

51-53 Bridge Street Downham Market



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	19/07/2016
MSA Number	0100024314

AGENDA ITEM NO: 8/3(c)

Parish:	Downham Market	
Proposal:	Change of Use of restaurant to flat	
Location:	51 - 53 Bridge Street Downham Market Norfolk PE38 9DW	
Applicant:	Ms P Kittisak	
Case No:	16/01012/CU (Change of Use Application)	
Case Officer:	Mr Bryan Meredith	Date for Determination: 21 July 2016 Extension of Time Expiry Date: 5 August 2016

Reason for Referral to Planning Committee – The views of Downham Market Town Council is contrary to the Officer recommendation.

Case Summary

The site lies within an area designated as Built Environment Type C of the Local Plan Proposals maps for Downham Market and within the settlement boundary of policy DM2 of the emerging Site Allocations and Development Management Policies document.

Downham Market is classified as a Main Town according to Policy CS02 of the Local Development Framework Core Strategy.

The application site lies on the southern side of Bridge Road, Downham Market within the designated Downham Market Conservation Area. The site area is 126.58m².

The application seeks permission to change the use of the existing restaurant at 51-53 Bridge Street, Downham Market and convert it into a flat.

Key Issues

Principle of Development
Form and Character
Neighbour Amenity
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application proposes the change of use of the existing restaurant to a flat on a site which is measured at approximately 126.58m² to the south of Bridge Street, Downham Market. Downham Market is defined as a Main Town in the Core Strategy.

Downham Market is defined as a Main Town under the settlement hierarchy of Policy CS02 of the Council's adopted Core Strategy (2011).

SUPPORTING CASE

The application is accompanied with a Heritage Statement and a Design and Access Statement which describes the current use, the proposed use and that there are no negative effects of this proposal.

The supporting statement sets out details addressing matters of the proposals use, scale, layout, appearance, and the access and transport to the site. In particular the statement states that:

- The proposal respects the nature of the existing building and its setting.
- The overall scale of the main structure will remain unaffected.
- The highest part of the building will remain unaffected and the proposed frontage of the building will not change.

The Heritage Statement acknowledges that the property is a listed building but states the impact of this conversion would be minimal as no exterior alterations are proposed. The applicant has submitted the proposal for change of use as they have been unable to sell the restaurant.

Relevant Planning History:

16/01013/LB: - Listed Building Application: conversion of restaurant to flat - 51 - 53 Bridge Street, Downham Market, Norfolk, PE38 9DW;

16/01012/CU: - Change of use of restaurant to flat - 51 - 53 Bridge Street, Downham Market, and Norfolk, PE38 9DW;

16/00268/CU: Application Permitted: 15/04/16 - To sell takeaway food from the existing restaurant - 51 Bridge Street, Downham Market, Norfolk, PE38 9DW;

15/01610/LB: Application Withdrawn: 22/12/15 - Listed building application for conversion of restaurant to flat - Dangs Thai Restaurant, 51 Bridge Street, Downham Market, Norfolk, PE38 9DW;

15/01609/CU: Application Withdrawn: 22/12/15 - Conversion of restaurant to flat - 51 Bridge Street, Downham Market, Norfolk, PE38 9DW;

05/00310/CU: Application Permitted: 23/03/05 - Change of use and alterations of workshop to form staff accommodation - 55 Bridge Street, Downham Market, Norfolk, PE38 9DW;

04/01229/CU: Application Permitted: 30/06/06 - Retention of change of use from retail to hot food takeaway including modified flues - 55 Bridge Street Downham Market, Norfolk, PE38 9DW;

05/02083/F: Application Permitted: 30/11/05 - Covered walkway between kitchen and store - 51-53 Bridge Street, Downham Market, Norfolk, PE38 9DW;

05/02326/LB: Application Permitted: 19/12/05 - Covered access way - Dangs Thai Restaurant, 51 - 53 Bridge Street, Downham Market, Norfolk, PE38 9DW;

2/98/0899/F: Application Permitted: 08/09/98 - Alterations and extension to restaurant - 51 - 53 Bridge Street, Downham Market, Norfolk, PE38 9DW;

2/98/1127/A: Application Permitted: 15/09/98 - Illuminated projecting sign - 51 - 53 Bridge Street, Downham Market, Norfolk, PE38 9DW;

2/98/0900/LB: Application Permitted: 08/09/98 - Alterations and extension to restaurant including projecting sign - 51/53 Bridge Street, Downham Market, Norfolk, PE38 9DW;

Consultations:

Parish Council: Downham Market Town Council recommended refusal commenting:

'The principal is the loss of retail space in the town centre and creating a replacement dwelling i.e. the proposed development by reason of the loss of retail floor space, would adversely affect the vitality and viability of Downham Market Town Centre. Regardless of this principal, the application is not supported due to concerns of fire safety requirements'.

Local Highway Authority: An approval of the application would ultimately result in a reduction in traffic visiting the site and as a result I believe that it would be difficult to substantiate an objection to the application on highway grounds.

Environmental Quality: Based on the information supplied, I have no comments to make regarding contaminated land or air quality.

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

PLANNING POLICIES

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS04 - Downham Market

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

OTHER GUIDANCE

Downham Market by Design 2007

PLANNING CONSIDERATIONS

- Principle of Development
- Form and Character
- Neighbour Amenity
- Highway Safety
- Other Material Considerations

Principle of Development

The application site falls within Built Environment Type 'C' of the saved Local Plan (1998) Inset Map for Downham Market and within the development boundary in Policy DM2 of the emerging Site Allocations & Development Management Policies document (2015).

The proposal seeks the change of use of the premises from Class A3 (restaurant and cafes) to Class C3 (dwellinghouse). No external alterations are proposed therefore this application merely seeks permission for the change of use. Furthermore, it is not considered that the change of use in itself would harm the character or appearance of the listed building or Downham Market Conservation Area.

The proposal would change the existing restaurant unit, which the owner has been unable to sell; to provide accommodation to the property and as a result ensuring the usage of the property, in this town centre location is maintained. The principle of the change of use is deemed acceptable as there are established dwellings on Bridge Street which are set in both use class A3 (food and drink) and C3 (residential).

Paragraph 23 of the NPPF states that Local Planning Authorities should allocate a range of suitable sites to meet the type of retail needs in town centres. The loss of the restaurant, defined as a Main Town centre use in the NPPF is deemed to be negligible considering the similar uses in nearby neighbouring locations in Downham Market. Policy DM10 of the emerging Site Allocations & Development Management policies document sets out the priority to maintain Downham Market as a major retail centre in the Borough but in this case the applicant has been unable to sell their business and the loss of this restaurant is judged to have a minimal impact in the area.

In light of the above and current policy position, it is therefore considered that the principle of the proposed change of use is acceptable.

Form and Character

The site is located centrally on Bridge Street. To the west of the application site there is a pedestrian access to the rear of the property. To the east of the application site there is an existing retail unit neighbouring the site. South of the site is the garden/ amenity areas to the rear of the property.

As the property is a Grade II listed building, the change of use would have a positive impact with the ongoing use and maintenance of the building for residents residing here.

In terms of form and character, the application does not propose alterations to the exterior of the building and as a result will not alter the properties setting in the Conservation Area.

Neighbour Amenity

The application seeks planning permission for the change of use of the building only. The proposed elevations plan submitted with the proposal shows that no external alterations are included with the proposal and as a result does not compromise the amenities of either existing neighbouring properties. In addition the change from a restaurant to a dwelling will be potentially beneficial in terms of the amenities of neighbouring residential and other uses.

Highway Safety

NCC Highways Authority does not wish to restrict the granting of permission and further state that an approval of the application would ultimately result in a reduction in traffic visiting the site.

Other Material Considerations

Downham Market Town Council recommend refusal of the application stating the loss of retail space in the town centre would adversely affect the vitality and viability of Downham Market town centre. This issue is dealt with in the principle of development section above.

The proposal raises no specific issues in relation to crime and disorder.

CONCLUSION

The site lies within the development boundary of Downham Market, which is designated as a Main Town in policy CS02 of the Core Strategy. The designation of a Main Town seeks to enhance its role in delivering opportunities for residential development, although it also has a function in providing services for residents in the town and the wider area.

The proposed change of use would utilise the existing property and would have no detrimental effect on the listed building. The proposal would result no harm to residential amenity, and the loss of the restaurant is not considered to harm the overall function of the town centre. As a result the proposal complies with the provisions of the National Planning Policy Framework (2012) as well as Policies CS01, CS04 and CS08 of the Core Strategy (2011) and with emerging Site Allocations & Development Management Policies document and should be approved with the following conditions. It is therefore recommended that planning permission be granted subject to conditions.

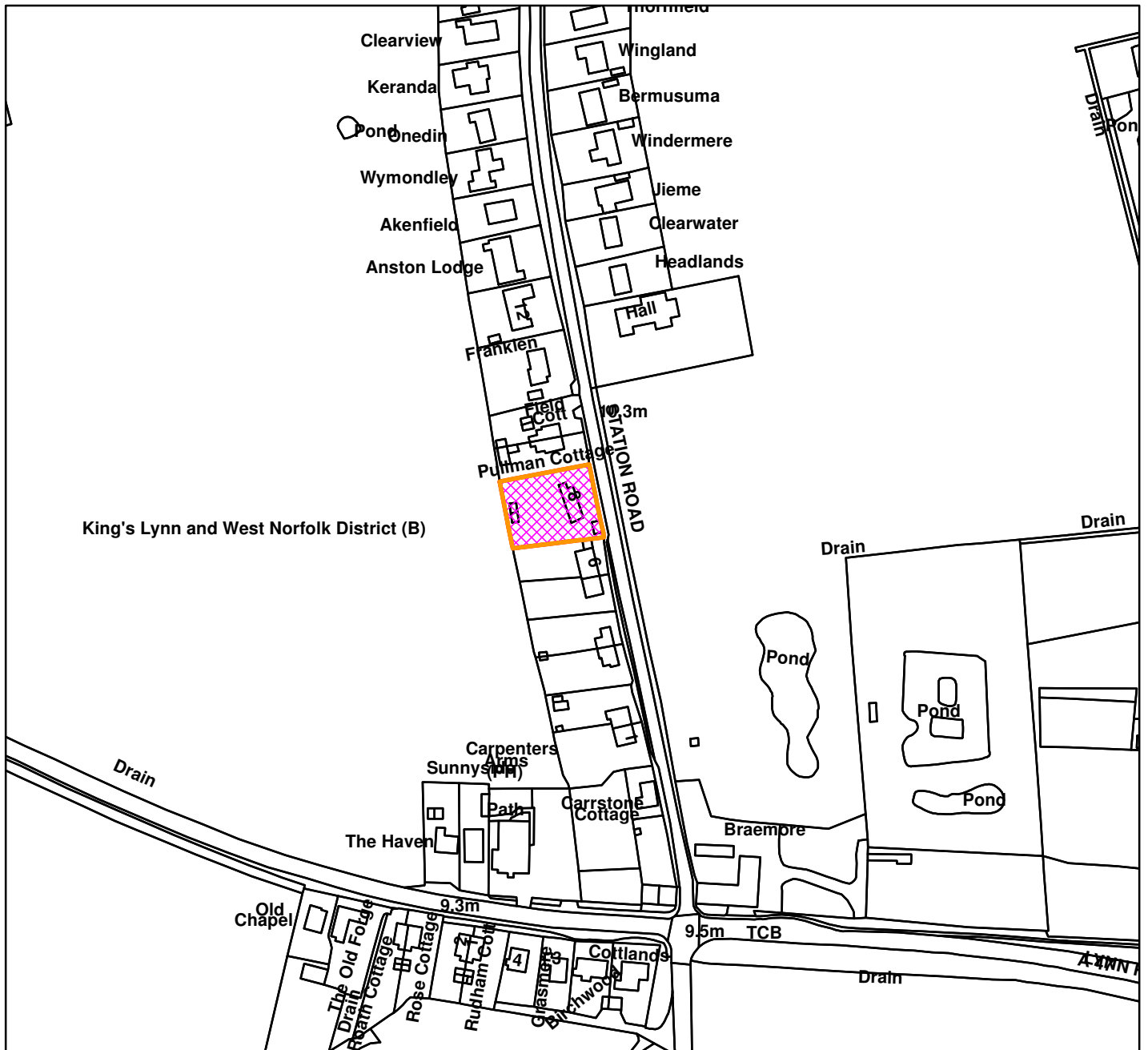
RECOMMENDATION:

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 titled:
 - Site Plan, scale 1:500, date received 26/05/2016
 - Proposed Floor Plans & Elevation, scale 1:100, date received 26/05/2016.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

15/01265/F

7 Station Road East Winch



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	15/07/2016
MSA Number	0100024314

AGENDA ITEM NO: 8/3(d)

Parish:	East Winch	
Proposal:	Demolition of one pair semi-detached cottages and construction of two detached dwellings	
Location:	7 Station Road East Winch King's Lynn Norfolk	
Applicant:	Mr L Bates	
Case No:	15/01265/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 14 March 2016 Extension of Time Expiry Date: 5 July 2016

Reason for Referral to Planning Committee – The Parish Council objects to the proposal which is at variance with the Officer recommendation.

Case Summary

The proposal is to demolish the existing semi-detached cottages and replace them with two detached dwellings. The proposal is acceptable in principle provided the proposed dwellings are in character with the building characteristics of the locality.

Key Issues

Form and Character
Neighbour Amenity
Highways Issues
Ecology
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site is a rectangular shaped plot of land to the western side of Station Road, East Winch. On site currently stands a pair of semi-detached cottages which pre-date 1914 and which are constructed of traditional materials, carrstone and clay pantiles.

The application is for full planning permission to demolish the existing semi-detached dwellings and construct two detached dwellings

SUPPORTING CASE

No supporting case submitted.

PLANNING HISTORY

15/00658/F: Application Permitted: 11/06/15 - Renovation and extensions to dwelling houses - 7 & 8 Station Road, East Winch

RESPONSE TO CONSULTATION

Parish Council: OBJECT not in keeping. There are semi-detached houses in the row on either side. The cottages should be built as a semi-detached pair.

Highways Authority: NO OBJECTION to the revised plans which now indicate two paired accesses to the centre of the site which would enable acceptable levels of visibility to be observed. Parking has also been provided to accord with adopted standards. In addition to the details submitted I would seek that a footway is provided to the frontage of the site which should link and continue the width of the existing footway section located directly to the south. This would provide safe access to facilities to the south of the site on foot. Conditions recommended regarding access,

Environmental Health & Housing - Environmental Quality: No Comment to make with regard to contaminated land or air quality.

REPRESENTATIONS

THREE letters of **OBJECTION**:-

- The original permission restored the cottages and kept their historic value.
- If demolished the historic value is lost forever.
- Detached dwellings are not in character with the original row of cottages.
- Properties in the immediate vicinity are semi-detached and constructed of traditional materials.

NATIONAL GUIDANCE

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

PLANNING POLICIES

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

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

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The main issues to consider when determining this application are as follows:

- Form and Character
- Neighbour Amenity
- Highways Issues
- Ecology
- Other material considerations

Form and Character

The application site is located to the western side of Station Road. On site is a pair of period semi-detached cottages which are constructed of traditional materials with coursed carrstone and clay pantiles. To the south of the site the road is characterised by other semi-detached cottages constructed of similar traditional materials (slip carrstone and clay pantiles) with evidence of sympathetic extensions. To the immediate north is another pair of semi-detached dwellings which are of a different character and look to be Victorian / Edwardian and constructed of red brick. To the north of the immediate neighbour are much more modern detached bungalows constructed of a range of bricks.

The proposal is to demolish the existing pair of semi's and replace them with two detached dwellings which would be constructed of red multi-facing bricks with a coursed carrstone frontage and a pantile roof. There are objections to the proposal from the Parish and third party representatives on the basis that the proposal is not in character with the locality as they are detached properties rather than semi-detached. Whilst not semi-detached the design is of a cottage style with gablette dormer windows and an open porch. In addition whilst the existing property is semi-detached and of a similar character to those which are to the south of the site, the character of Station Road changes in this location with the semi-detached property to the north being of a different style and materials and the dwellings immediately north of that being modern detached bungalows. The design of the proposed dwellings is considered sympathetic to the character of the neighbouring dwellings albeit that they are detached.

Neighbour Amenity

The proposal, whilst to the south of Pullman Cottage would not materially overshadow the neighbour nor would it have any impact with regard to being overbearing or overlooking.

Highways Issues

Following the receipt of amended plans which shows a more central position for the vehicular access there are no objections from the Highways Officer who has recommended conditions.

Ecology

An ecology survey was submitted during the application due to the nature of the proposal and it was determined that the site had a moderate roost potential for bats. Consequently in line with guidance an Emergency Survey was undertaken on 17th May 2016 and a Re-entry Survey was undertaken on 8th June 2016. The results confirmed that whilst there was a good amount of bat activity in the garden there was no evidence to support any roosting activity associated with the existing properties and that there would be no mitigation required with regard to the timing of the works. The Report also took into account other wildlife which may have a potential to be on site given the conditions such as barn owls, other breeding birds, reptiles and amphibians. It was determined that that no further surveys would be required.

There is a large tree of some amenity value in the south-eastern corner of the site on the front boundary. The proposal is outside the root protection area however a condition will be placed on any decision regarding tree protection during construction.

The proposal will necessitate the removal of some hawthorn and laurel hedging to the front of the site in order to provide adequate highways visibility. This is acceptable, new planting has been proposed and additionally there is extant planning permission to renovate the existing cottages which would also require the removal of the existing front boundary to provide adequate visibility splays.

Other material considerations

The application site is within Flood Zone 1 and therefore does not require a Flood Risk Assessment.

There are objections to the proposal, most of which have been addressed above. There is also objections on the basis that the historic value of the dwellings will be lost if this application is approved. The existing cottages are not listed, nor are they within a Conservation Area. Whilst the cottages could be deemed as non-designated heritage assets, the proposal to replace the cottages is acceptable and retention of the cottages is not considered to be a reason to refuse the application.

Crime and Disorder

There are no issues relating to crime and disorder which would arise from this application.

CONCLUSION

The demolition of the existing pair of semi-detached cottages and the construction of two detached cottages which relate to the character and appearance of the locality is considered acceptable and complies with the principles of the NPPF and other development plan policies. It is recommended that planning permission 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 195-PL51 received by the Local Planning Authority on 11th August 2015 and 195-PL52C and 195-PL50A received by the Local Planning Authority on 6th July 2016.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 195-PL52C) in accordance with the highway specification (drawing 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.
- 3 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 4 Condition The gradient of the vehicular access shall not exceed 1:12 for the first 5 (or longer if in connection with a commercial development) metres into the site as measured from the near channel edge of the adjacent carriageway.
- 4 Reason In the interests of the safety of persons using the access and users of the highway.
- 5 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 5 Reason In the interests of highway safety.

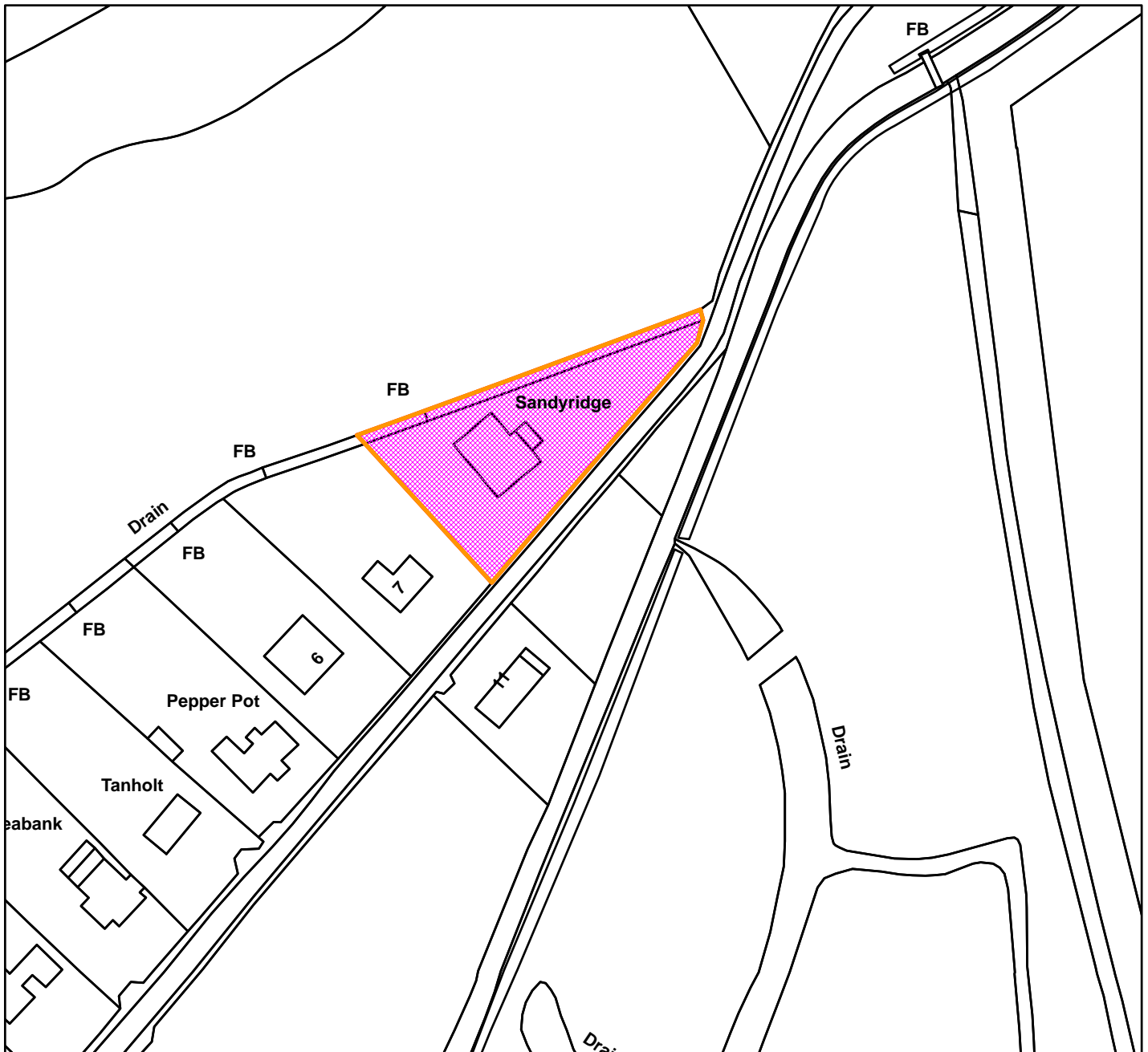
- 6 Condition Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 6 Reason In the interests of highway safety.
- 7 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking 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 details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works (footway fronting the site linking to existing section to the south) have been submitted to and approved in writing by the Local Planning Authority.
- 8 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- This also needs to be a pre-commencement condition as these fundamental details needs to be properly designed at the front end of the process.
- 9 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Condition 8 shall be completed to the written satisfaction of the Local Planning Authority.
- 9 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 10 Condition The development hereby permitted shall be carried out in full accordance with Section 8.0 'Proposed Mitigation' of the Wildlife Survey – Update Final (Report ref: 2015-59 R1 Update Final) prepared by Philip Parker Associates and dated 27th June 2016.
- 10 Reason In accordance with paragraph 118 of the NPPF.
- 11 Condition No development or other operations shall commence on site until the existing tree to the front of the site (south-east corner of No.7) to be retained has 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 the retained tree 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.

- 11 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 12 Condition No development shall take place on any external surface of the development hereby permitted until details of 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.
- 12 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

16/00323/F

Sandy Ridge Broadwater Road Holme Nest the Sea



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	19/07/2016
MSA Number	0100024314

AGENDA ITEM NO: 8/3(e)

Parish:	Holme next the Sea	
Proposal:	Replacement dwelling	
Location:	Sandy Ridge Broadwater Road Holme next the Sea Norfolk	
Applicant:	Mr David Gray	
Case No:	16/00323/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 26 April 2016

Reason for Referral to Planning Committee – The views of Holme Next the Sea Parish Council and North Coast Partnership objections are contrary to the Officer recommendation.

Case Summary

The site comprises a triangular plot of land containing a detached dwelling of single storey height, a series of domestic outbuildings and associated garden land. The site is bounded to the south west by a detached dwelling. To the south, on the south side of Broadwater Road, is a caravan whilst to the north and north east are the coastal marshes and open land leading out towards the sea.

In policy terms the site is in countryside and within the Area of Outstanding Natural Beauty (AONB). It is in or close to nature conservation sites of national and international importance including a SSSI, National Nature Reserve, Special Protection Area, Ramsar site and Special Area of Conservation.

The area is also in a high risk flood zone (Flood zone 3 and Tidal Hazard Area).

This application seeks full planning permission for a replacement dwelling following the demolition of the existing chalet bungalow and ancillary structures on the site.

A previous application for a larger replacement property was submitted last year but was withdrawn prior to determination.

Key Issues

Principle of development;
Form & character and impact on AONB;
Nature Conservation issues;
Flood risk;
Residential amenity; and
Other matters.

Recommendation

APPROVE

THE APPLICATION

The site comprises a triangular plot of land containing a detached dwelling of single storey height, a series of domestic outbuildings and associated garden land. The site is bounded to the south west by a detached dwelling. To the south, on the south side of Broadwater Road, is a caravan whilst to the north and north east are the coastal marshes and open land leading out towards the sea.

In policy terms the site is in countryside and within the Area of Outstanding Natural Beauty (AONB). It is in or close to nature conservation sites of national and international importance including a SSSI, National Nature Reserve, Special Protection Area, Ramsar site and Special Area of Conservation.

The area is also in a high risk flood zone (Flood zone 3 and Tidal Hazard Area).

This application seeks full planning permission for a replacement dwelling following the demolition of the existing chalet bungalow and ancillary structures on the site.

A previous application for a larger replacement property was submitted last year but was withdrawn prior to determination. This application seeks to address the issues raised during this earlier application.

SUPPORTING CASE

The application was accompanied by a **Design and Access Statement** which refers:

'The site is located along the coastline on the northern side of Broadwater Road just outside the village of Holme Next the Sea, Norfolk, and is at the end of a series of plots that have been built upon since the time the land was subdivided in to plots in 1938.

Much of the surrounding land is very flat and only a few metres above sea level. To the south of the site agriculture is evident everywhere with fields of cereal crops, vegetables and sugar beet. To the north is a relatively thin strip of land between the site and the sea, which contains a narrow area of sand dunes that gives way to larger areas of salt marsh. The marshes are used by birds for feeding and breeding and there are a number of protected nature reserves nearby.

The existing bungalow is relatively isolated from neighbouring houses. All of the houses along Broadwater Road are not typical to the character of Norfolk villages, with many examples of different styles of C20 houses and bungalows. The quality of design and construction of these buildings varies from either very high to poor and the poorer structures detract from the rawness of much of the natural environment in this area.

The site itself is approximately 0.145 hectares with approx. 67 M of frontage to Broadwater Road, in the form of a small triangular shaped plot that tapers towards a point on the east side. The land is predominately neglected domestic garden with treed boundaries.

Along the northern boundary there is a large open ditch that separates the garden from a sandy strip of dunes. There is a large bungalow on the site with first floor accommodation in the roof space, and a single-storey garage linked to the main building by a flat roofed structure.

The site has been fully surveyed, and all levels are indicated to AOD. The site has a natural gentle slope down from south to north.

Use:

No change is planned for the residential use of the site. The proposal is simply to rebuild the existing bungalow to provide a low energy house constructed in a sustainable way with good floor resilience.

Architectural Approach:

As the name 'Sandy Ridge' suggests, the site is adjacent to the ridge of sand dunes running along the north side of the site. The angular plan form responds to the triangular shape of the site. The design is in keeping with the scale and sensitivity of the area, and designed not to impact on the biodiversity by only building upon the parts of the site that have already been built upon. The massing and scale of the replacement house gently engages with its surroundings by presenting a low, private front along Broadwater Road that opens up and out towards the sea views to the rear. The low mono-pitched roof help keep the house as low as possible with the highest points set against the tall trees on the west side. The principle living accommodation is located on the first floor to take advantage of the best views with ancillary accommodation located on the lower levels.

The location of the building will be as much as possible on the footprint of the existing building to avoid building on undisturbed ground. The new house floor level is raised up 1.050 metre above the existing ground levels to reduce need for excavations, and mitigate flood risk. The house will be partially concealed by the existing trees, which keeps the house hidden from direct view from the surrounding properties. The wooden and coursed pebble claddings have been chosen to blend into the surroundings and would not look out of place on the coastline.

Area comparisons:

The new building will sit partially on raised piles and partly on a masonry plinth, both will provide good floor resilience. The footprint of this is slightly greater than the existing footprint of the existing buildings on the site; 157 sqm (existing) compared to 189.5 sqm proposed house, and 42 sqm for the proposed garage.

To prevent a worsening of the flood risk, approximately half of the house (70.5) sqm is elevated on mini-piles to lift the structure above the ground. This means that there is no increase in the displacement of floodwater because the actual footprint of the proposal is 119 sqm. The garage is not included in this because floodwater would be allowed to enter thereby preventing displacement.

The gross internal floor areas for ground and first floors are:

- The existing bungalow 164 M sq. GIA
- The proposed house 278 M sq. GIA
- The majority of the increase in accommodation of the proposal over the existing is due to the fact that the house has more first floor accommodation, which is required in part to take advantage of the distant views but also to limit flooding.

Lighting:

Plentiful day lighting is important to limit the use of artificial lighting. There is a mix of daylight from a variety of sources to give sufficient daylight either from above via high-level openings or low down from simple small openings. Small windows give direct light to the main space, and then the single larger expanses of glazing to the north will provide a good even light to the larger volume of space at this end of the room.'

An **Ecology Survey** was submitted which found no protected species on site, required no further survey work and concluded:

‘Given the scale of the proposal and the nature of the development site, the construction and final state of the proposed development is deemed unlikely to result in negative ecological impacts beyond a minor magnitude for some species at the local level. The magnitudes and probabilities of these potential impacts are not sufficient to expect that the proposed development poses a significant risk to the conservation status of any of the species or habitats recorded within the focus area of this assessment.

Therefore the construction of the dwellings on the site is predicted to have no significant impacts on valued ecological interests.’

The **Flood Risk Assessment** concludes:

‘The Environment Agency, flood level data and the SFRA shows that during the present day situation the flood defences will not be overtopped during the 5%, 1.0% and 0.5% AEP flood events, therefore the site is presently located within Flood Zone 2, where the defences are considered. The SFRA shows that the site will remain in Flood Zone 2 in the future when the effects of climate change are considered. The site is therefore not located in the functional floodplain. It is considered in the future the defences will be retained and increased to maintain the existing standard of defence, protecting the site and the Borough.

...the site is at risk of flooding and without appropriate mitigation measures the site users could be at risk, however through the incorporation of the mitigation measures put in place as stated in Section 5.0 of the report the site users will be at low risk.

The surface water runoff will discharge into a drainage system, designed to contain up to and including the 1 in 100 year rainfall event including climate change. To prevent pollution to the underlying surface water and groundwater an appropriate level of water treatment stages have been incorporated into the design. To reduce the risk of flooding due to the failure of the surface water drainage system over its lifespan, a maintenance scheme for the drainage should be adhered to, a detailed within the report.’

A **Landscape and Visual Impact Assessment** has been submitted which concludes:

‘The Application Site occupies a domesticated strip of ground between the arable fields to the south and the salt marshes to the north. The site is in an enclosed part of an otherwise open landscape within an Area of Outstanding Natural Beauty and located beside areas of special landscape designation. There are no listed buildings, monuments, ancient woodland in the area surrounding the Site. The Site does not make an important contribution to the wider area’s character—particularly in terms of how they are seen from public vantage points and the generally limited intervisibility within this specific area of landscape. Consequently the Site’s landscape and immediate setting are considered to be of moderate to low value and to be of low sensitivity.

The main components of the proposed development are:

- The demolition of the existing building and clutter of domestic sheds and their replacement with a single dwelling of outstanding design.
- The retention of all existing trees and vegetation of value, and its reinforcement with new, predominantly native-species, planting.

The Site’s qualities and suitability for development can be summarised as:

- Replacement of existing poor quality development.
- Low potential impact on character of rural setting and an opportunity to limit the domestic clutter.
- Enhancement potential for biodiversity, wildlife corridors and landscape character.

The design of the proposed building reflects the highest standards which, together with the treatment of its immediate garden, refer and respond imaginatively to the site-specific landform, vegetation, views and sense of place. The new dwelling would replace an existing development which is out of place in a rural setting.

The house would be discretely located amongst other more visible residential neighbours. The containment of domestic paraphernalia and activity within the built envelope (particularly parking and garden features) would protect the rural setting. The landscape and biodiversity proposals would provide significant sustainability and wildlife benefits.

In respect of Landscape Effects this assessment judges that the defining qualities of the immediate setting are not only respected but would be enhanced, resulting in a moderate magnitude of change with significant benefit to landscape character and components.

In respect of Visual Impacts, the Site is already well screened from public vantage points. Furthermore existing views towards the site are generally judged to be of only low to moderate value and sensitivity.

The proposed development is assessed to have the potential for only a low impact on views.

This Assessment concludes that this development would not harm the surrounding landscape, and the proposals are of an exceptional standard that would not only avoid harm but significantly enhance the site and its setting.

PLANNING HISTORY

15/00992/F: Application Withdrawn: 11/11/15 - Construction of dwelling and self-contained annexe following demolition of existing dwelling - Sandy Ridge

RESPONSE TO CONSULTATION

Parish Council: OBJECTION – proposed changes do not address previous concerns;

- *very substantial house, more than twice that of the existing structure, height as proposed – almost 6m to the ridge line and more than 6.5m to the top of the chimney i.e. almost 40% higher than the existing and only centimetres lower than the previously proposed design;
- the proposed building would detract from the character and appearance of the area. By virtue of its scale it will undoubtedly be prominent, highly visible from the surrounding footpaths and will impact adversely on the surrounding landscape which enjoys AONB status;
- the site shares its northern boundary with the North Norfolk RAMSAR site and associated SSSI; the site is less than 400m from areas fenced off to protect the breeding Terns;
- the area has recently benefited from investment to improve habitat for Natterjack Toads;

- the habitats and wildlife protected by these various designations are finite resources within the Parish and the Borough. Their value in terms of the ecosystem services is irreplaceable;
- the Parish Council believes that the scale of the building will detract from the character and appearance of the area. It is difficult to see how the introduction of the proposed structure, given its mass and volume will create harmony in the wider AONB environment and it most certainly will impact adversely on the skyline of this sensitive landscape;
- the proposed use of external shutters and internal blackout blinds to counteract the Parish Council's previous arguments regarding light pollution in this naturally dark landscape are not accepted. Such use is not enforceable but rather at the discretion of the occupants. In addition to the lighting from the building it is likely that the increased provision for car parking / car use associated with the redeveloped site will exacerbate this problem via the use of headlights and external lighting;
- Holme is designated in the Local Plan as a Small Village and Hamlet. As such it does not have a development boundary but is characterised by a significant number of green and open spaces, many of which afford valuable views across the AONB landscape which covers the Parish in its entirety;
- the photographs presented in the Applicants Report (Section 9) show just how prominent the proposed structure will sit in the site - even in the medium and long term once the vegetation has matured; the site is not generally hidden from public view;
- The proposed willow tree screen illustrated on the site plan drawing is on an area outside the control of the Applicant and believed by the Parish Council to be Common Land;
- although such planting would provide privacy for the occupants of the proposed replacement dwelling, it would restrict the open views;
- the Parish Council is however extremely concerned about the replacement of modest, affordable market homes in the village by large, often unique properties that have a high price tag and a very limited market;
- the Parish Council remains strongly opposed to this proposal but would reiterate the point made previously that If the Borough Council is minded to approve this application, we would like to see a condition placed on the development preventing the use/conversion of the garage space to provide further accommodation.

Norfolk Coast Partnership: OBJECTION - I have significant concerns regarding this application, and suggest that some further assessment and consideration is necessary to determine whether a replacement dwelling as proposed would be acceptable. Following submission of additional information the proposal is a very significant increase in size and scale compared to the existing building;

- The purpose of designation of AONBs is the conservation and enhancement of natural beauty and the objective for Heritage Coasts is clear from para 114 of NPPF. The fact that development has taken place in this part of the AONB and Heritage Coast since designation / definition, which has had some impact on the character of this part of the AONB and Heritage Coast, is not a justification for continuing this trend;
- Rather, the objective should be enhancement to reverse this trend since designation if possible. Comparison with other dwellings that have been permitted is not relevant;
- The question is whether this proposal conserves (or at least does not cause further harm to) or enhances natural beauty and the undeveloped character of the coast;
- It is clear that there would be significant visibility from the Norfolk Coast Path National Trail (and future England Coast Path Coast Path), with a significantly greater impact than the present dwelling. If scrub management becomes necessary to the south of the Coast Path, the impact would be exacerbated.

- I do not consider the fact that some development that has had a negative impact on landscape character and natural beauty, which has taken place since designation, is a justification for considering the sensitivity as low, as explained above.
- Providing the means to limit light pollution does not necessarily mean that it will be limited in practice. More extensive and elevated areas of glazing, which are likely to give rise to impacts during daylight from reflection glare, are also an issue.

Highways Authority: NO OBJECTION - conditionally

Environment Agency: NO OBJECTION

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

Natural England: NO OBJECTION – Re: Statutory nature conservation sites – no objection as not likely to have a significant effect on the interest features for which the North Norfolk Coast Ramsar, SPA and SAC have been classified and will not damage or destroy the interest features for which the North Norfolk Coast SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application; advise that you consult the relevant AONB Partnership or Conservation Board re: AONB status; not assessed this application and associated documents for impacts on protected species

District Emergency Planning Officer: NO OBJECTION – conditionally

Public Rights of Way Officer: NO OBJECTION

Lead Local Flood Authority: No comments

REPRESENTATIONS

Two representations from the same person, referring to the following:-

- Believe the scale, massing and sheer bulk of some of the elevations is too great, they need to be reduced, particularly on the West elevation.
- The building is too far forward on the plot, causing the loss of too many trees.
- The new building should be no further forward than the existing
- Can you also request conditions for contractors parking and deliveries plus material storage during construction, as this is a single track road with no passing bays.
- Unfortunately the site analysis plan (fig 6) shows our property incorrectly in relationship to the proposal, which makes it difficult to see the relationship between the two properties.
- The existing dwelling is a modest chalet bungalow which is being replaced with a massive institutional looking building.
- This proposal is some 2.5m higher than the existing dwelling, how can this fail to have an effect on the street scene and more importantly its effect on our low lying dwelling opposite.
- I can accept a modern new build however I fail to see the thinking behind this proposal.
- The proposal will affect views to the SSSI sites; it is clearly over development for this modest plot.
- The proposal sits too close to the narrow road which the Agent states has over 100,000 visitors to it every year.
- It will look cramped and need to be set in a larger plot to allow it to look right.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

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

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

The application raises the following issues: -

- Principle of development;
- Form & character and impact on AONB;
- Nature Conservation issues;
- Flood risk;
- Residential amenity; and
- Other matters.

Principle of development

The site is located on Broadwater Road, Holme-next-the-Sea. The application site lies outside the village as identified on the King’s Lynn & West Norfolk Local Plan (1998) Inset Map for Holme-next-the-Sea. Within the Core Strategy Holme-next-the-Sea is classified as a Smaller Village and Hamlet (SVH) in the Settlement Hierarchy set out under Policy CS02 and therefore no settlement boundary exists.

It is also within the AONB, where development which will have a significantly detrimental impact upon the natural beauty of the landscape in this designated area will not be permitted. National and local nature conservation sites lie immediately to the north west of the site. Development is therefore strictly controlled in this sensitive area.

Nationally, the NPPF seeks a high standard of design, and design that takes the opportunity to improve an area. Some of the key objectives referred to in the NPPF are for development which responds to their local context and creates or reinforces local distinctiveness, are visually attractive as a result of good architecture and appropriate landscaping.

Government Guidance also seeks quality design in housing, and states that Local Planning Authorities should encourage applicants to bring forward sustainable and environmentally friendly development. It also states that design should be well integrated with, and complement neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Design should promote local distinctiveness.

The LDF Core Strategy relevant policies are CS01, CS06, CS08, CS09 and CS12. Whilst no Core Strategy policies refer specifically to replacement dwellings, Policy CS06 refers to the protection of the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife and its natural resources. Accordingly such development should not adversely affect this strategy.

As part of ongoing LDF work Development Management Policies have been agreed at Cabinet, although not yet formally adopted. Within these policies is Policy DM5 which refers to the enlargement or replacement of dwellings in the countryside. This policy states that proposals for replacement dwellings will be approved where the design is of high quality and will preserve the character or appearance of the streetscene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused.

In principle, therefore, the use of this site for a replacement dwelling is acceptable.

Impact upon the AONB

AONB's have the highest status of protection in relation to landscape and scenic beauty. In this case the application site is already a residential property but it adjoins open land to the north west and south east. The site has a degree of screening to its boundary but there are still open views across the fields.

The existing property is a simple detached bungalow with first floor accommodation in the roof space, and a single-storey garage linked to the main building by a flat roofed structure. The existing building on the site is modest in terms of height.

The proposed replacement dwelling is significantly taller than the existing property but the design of the dwelling with mono-pitched roofs means that the height of the dwelling is kept as low as possible, despite the fact that flood risk issues require raised floor levels.

The application has been supported by a Landscape and Visual Impact Assessment (LVIA). Ten viewpoints were chosen as a representative of public views. These viewpoints were individually assessed and the magnitude of change was found to be either nil or low, and the landscape and visual impacts assessed as either nil or low to nil. Current, Mid-term, Long-term views of the proposal were considered for viewpoints 4, 5 and 7 as landscaping becomes more established, showing the building becoming less visible over time.

The Parish Council and Norfolk Coast Partnership have objected to the increased height and mass of the proposed replacement dwelling. The new house floor level is raised up 1 metre above the existing ground levels to mitigate flood risk. The ridge height of the existing bungalow is 6.4m whilst the proposed replacement dwelling is 9.4m. That said, this measurement is the highest point of the mono-pitched roof and not the whole mass of the building. As the proposed roof is in mono-pitched sections the mass is broken up considerably and these higher points are seen angled against the landscape when viewed from different vantage points.

The building is of bespoke design and is designed through the use of materials to sit within the landscape. Whilst the LVIA indicates that the building will become less conspicuous over time, the design is one that is contemporary and suited to its environment. Even if the landscaping does not become as well established as indicated, it is your officers' opinion that the proposed building would sit appropriately in its setting.

The Parish Council has raised issue regarding the obstruction of views from the Norfolk Coastal Path across the site towards Redwell Marsh towards the Grade 1 Listed St Mary's Church in the distance. However, the proposed replacement dwelling is not of such mass and scale to result in significant obstruction of long views, and the LVIA concludes a nil or low to nil visual impact when viewed from key viewpoints.

Given the surrounding development it is considered that the increased scale and massing of the building would sit within the landscape without having a detrimental impact on the quality of the landscape or the scenic beauty of this nationally important designated AONB.

Design, character and appearance

The existing bungalow does not reflect the Norfolk coastal villages, the local vernacular or building materials. It could be sited anywhere in the country. It is of an age when build quality was poor compared to modern building standards.

The proposed replacement dwelling is of contemporary design. The angular plan form responds to the triangular shape of the site and its features. The massing and scale of the replacement house is lower and narrower to the front of the site along Broadwater Road and then opens up and out towards the sea views to the rear.

The low mono-pitched roof sections help keep the house as low as possible with the highest points set against the tall trees on the west side. The principle living accommodation is located on the first floor to take advantage of the best views with ancillary accommodation located on the lower levels.

In addition to the bungalow, the existing site contains a series of outbuildings and structures across the garden area. The location of the proposed replacement building is shown to be as much as possible on the footprint of the existing building to avoid building on undisturbed ground. It has been designed not to impact on the biodiversity of the area by only building upon the parts of the site that have already been built upon.

The footprint of the replacement dwelling is slightly greater than the existing footprint of the existing buildings on the site; 157 sqm (existing) compared to 189.5 sqm proposed house, plus 42 sqm for the proposed garage. The design of the dwelling is such that the dimensions of the first floor are greater than that of the existing bungalow, so the overall floor area across both floors is significantly greater (70% increase).

The design is modern and is proposed to be constructed of materials which can now be found within the local area. There are now other examples of contemporary dwellings along

Broadwater Road. Some work better than others and the most effective take reference from local building materials. This promotes local distinctiveness.

In this case the design of the proposed replacement dwelling has taken reference from other examples found in the vicinity. The proposed replacement is a modern, contemporary one which utilises a palette of materials and colours, and mixes traditional building materials such as coursed pebbles and handmade bricks with more modern materials such as natural wood cladding, zinc sheeting and galvanised steel.

The design and site layout reflects the features and constraints of the site and flood risk issues. Despite the increase in footprint, the proposed dwelling does not dominate the site and there is plenty of space around the building to retain the landscaping.

Policy DM5 states that proposals for replacement dwellings will be approved where the design is of high quality and will preserve the character or appearance of the streetscene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused.

The preamble to the policy states there should be no increase in the number of units on the site and that permitted development rights to further extend a replacement dwelling may be removed to control development in the countryside.

In this case it is acknowledged that the flood risk issues prevent replacement dwellings being constructed at the same level and that the floor levels need to be raised to take into account climate change and future flood risk. However, the replacement dwelling has monopitch roofs and the proportions of the new dwelling have been kept relatively low.

Given the circumstances it is considered the resulting proposed dwelling will not be harmful to the landscape character or character of the village. The site retains a significant amount of spacing around it and it is considered that the increased mass of the proposed dwelling would not be too much for the site or too significant in its setting.

In terms of design the proposed replacement dwelling is considered appropriate for the site. It does take sufficient reference from building designs and materials in the surrounding area to ensure it will fit into the area without harm. The use of flint walling adds to the local distinctiveness of the design and the use of timber cladding links through to the trees and soft, open landscape of the area in general. Successful implementation of the landscaping scheme will ensure that it sits in its immediate environs in an appropriate manner.

In this case the scale of the proposed dwelling is considered appropriate and it is considered that the development will not cause significant harm to the character of the AONB. It will not erode the openness of the area or be unduly conspicuous in its setting.

Nature Conservation issues

The site is in proximity to nature conservation sites of international, national and local importance. In 2010 planning permission was refused for a stable on a site close to this application site, although on the opposite side of Broadwater Road where development does not generally occur (LPA Ref: 10/00541/F). Although not within a nature conservation site, the proposed stable block development was considered likely to have a significant effect on the internationally important interest features of the nearby sites, either alone or in combination with other plans and projects. It was also considered that the proposal would cause unnecessary harm to the landscape character of the AONB, by virtue of the

introduction of a permanent structure. The proposed development was not considered to comply with the provisions of national, regional and local planning policy at that time.

This planning refusal was appealed but dismissed by the Inspector who upheld the reasons for refusal.

In this case, however, there is a building already in place and the site is already used for residential purposes, which makes it less important for nature conservation purposes.

It is not considered the situation is the same as that of the stable building site, where the character of this side of Broadwater Road is open and largely devoid of buildings and structures.

The applicant has submitted an ecological survey by a competent consultant ecologist which examines what habitats and species exist on the site and to establish the potential impact on local biodiversity.

This found no evidence of bats or owls within the site. There are natterjack toads in the area but no evidence found on this site. Similarly no evidence of great crested newts was found. No further survey work is recommended, although the applicant may wish to undertake a presence/absence survey of adjacent ponds regarding great crested newts.

The report does, however, recommend mitigation measures relating to the fencing of the site prior to construction to prevent natterjack toads entering the site. Once the site is fenced, it needs to be regularly checked to ensure no natterjack toads have been fenced in. If any have been, then these animals will need to be removed from the site. It is likely that the natterjacks will be released in a safe area adjacent to the fence within the land holding. An EPS licence for natterjack toads is recommended in the report.

Subject to these matters being controlled through planning condition it is considered that the impact upon protected species has been addressed and the lpa has complied with its duty to give consideration to the three derogation tests contained in the species protection provisions of the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations).

The Parish Council and Norfolk Coast Partnership have raised issues about light spillage from the proposed new dwelling. The proposed dwelling will mean an increase in the number of openings and some of these openings will be larger than the existing dwelling. However the applicant has proposed mitigating solutions to avoid increasing light pollution. These include external shutters to the largest openings that can be closed at night to provide security as well as privacy, and at the same time contain the artificial light, and external timber louveres to limit the extent of glazing to the long slot window on the east elevation.

Light spillage can have a harmful effect upon wildlife. However, it is not considered the extent of light spillage would be so significant to warrant the refusal of the application in this case.

Flood Risk

The site is within Flood Risk Zone 3 and a Flood Risk Assessment has been submitted in support of the application.

The EA raises no objection to the proposal. There is no increase in vulnerability at the site and the flood risk to the development remains the same as the current risk faced by the development. The FRA provides the necessary information regarding the characteristics of

flooding at the site, now and at the end of the development lifetime. Proposed finished floor levels have been set at 1.05m AOD which is better than existing.

The Borough Emergency Planning Officer recommends that occupiers should sign up to the Environment Agency Floodline Warnings Direct (FWD) service. Also that a flood evacuation plan should be prepared to the satisfaction of the local authority emergency planning department.

- This will include actions to take on receipt of the different warning levels.
- Evacuation procedures e.g. isolating services and taking valuables etc.
- Evacuation routes

There are now no outstanding issues with regard to flood risk (subject to the imposition of conditions).

Residential amenity

The relationship between the dwelling as proposed and existing dwellings has been examined.

First floor windows facing other properties to the south west serve non-habitable rooms, such as bathrooms and corridors. An enclosed balcony area faces seaward, away from neighbouring properties.

The dimensions, distances from boundaries and position of the proposed replacement dwelling are such that it will not result in significant overshadowing or loss of light for the occupants of neighbouring properties.

Other matters

The Parish Council is concerned about the replacement of modest, affordable market homes in the village by large, often unique properties that have a high price tag and a very limited market. This is noted, but for the reasons referred to above, the proposal is considered to comply with current planning policy and is supported.

The Parish Council remains strongly opposed to this proposal but request that If the Borough Council is minded to approve this application a condition is placed on the development preventing the use/conversion of the garage space to provide further accommodation. This is proposed to be included along with restrictions on further extension to the property in line with Policy DM5.

Third party comment has been made regarding the loss of trees on the site. However, the proposal results in the loss of only two garden trees and the plans show the retention of the remaining. There will be no significant loss of trees as a result of this proposal.

Third party comment has requested that deliveries to the site are controlled to avoid blocking the private road. However it is not considered necessary to impose a planning condition in this case, given the limited and temporary works involved.

The Environmental Quality Team refers to the likely presence of asbestos in the existing building. To cover the safe removal and disposal of the identified material it is recommended that planning conditions are attached to any consent granted for this application.

County Highways has raised no objection to the proposal subject to a condition relating to the provision of parking.

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

CONCLUSIONS

The replacement dwelling has a modern, contemporary, bespoke design to fit the shape and features of the site. It will be taller than the bungalow it seeks to replace and have a larger scale and mass. In terms of design and impact on the AONB, however, the proposal is considered to relate adequately to surrounding development and the sensitive setting of the open fields and marshes.

The proposal will not likely have a significantly detrimental impact upon the amenity of the occupants of adjoining properties.

Conditionally there are no outstanding flood risk, landscape or highways issues. There are no concerns regarding nature conservation following the submission of the ecology report. An EPS licence will be required and appropriate planning conditions are recommended to be imposed to ensure the works take place in the appropriate manner.

The proposal accords with the general principles of the NPPF and Core Strategy Policies CS01, CS02, CS06, CS07, CS12. The proposal also complies with the emerging development management policies, in particular Policy DM5.

RECOMMENDATION:

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

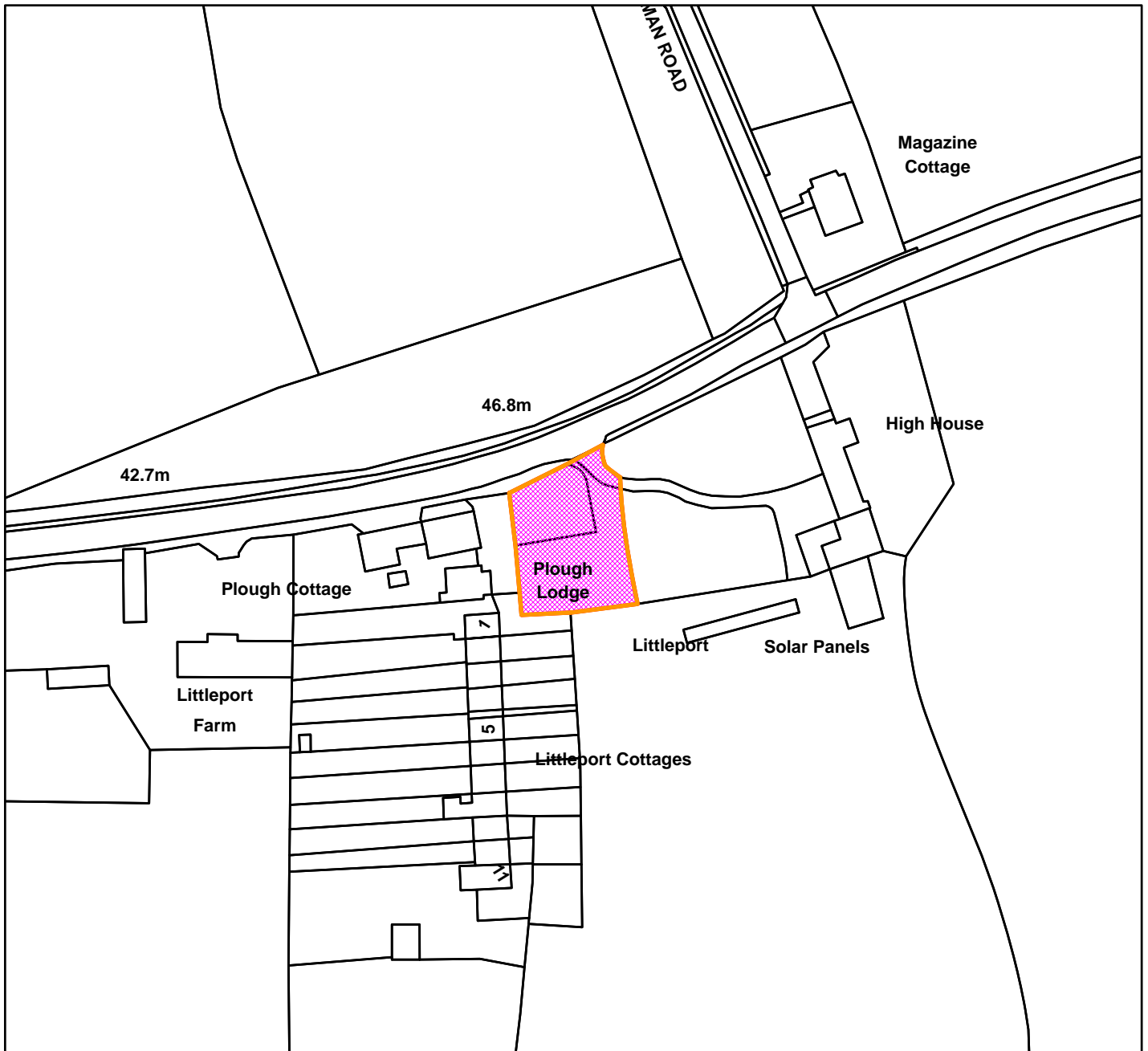
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Prior to the first occupation of the development hereby permitted the proposed on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 2 Reason To ensure that parking and servicing facilities will be available to serve the development in accordance with the principles of the NPPF.
- 3 Condition Prior to the occupation of the dwellinghouse hereby permitted the occupiers should sign up to the Environment Agency Floodline Warnings Direct (FWD) service and details of a flood evacuation plan should be submitted to and agreed with the local planning authority in consultation with the local authority emergency planning department. This flood evacuation plan will include actions to take on receipt of the different warning levels, including evacuation procedures e.g. isolating services and taking valuables etc. and evacuation routes.
- 3 Reason To ensure the appropriate protection to the occupants of the development.

- 4 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.
- 4 Reason To ensure that existing trees and hedgerows are properly protected.
- 5 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.
- 5 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.
- 6 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.
- 6 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.
- 7 Condition The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement unless provided for in any other conditions attached to this planning permission.
- 7 Reason To ensure that the development takes place substantially in accordance with the principles and parameters contained with the Environmental Statement.
- 8 Condition Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the dwelling house shall not 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.
- 9 Condition The detached garage building shall only be used for purposes incidental to the needs and personal enjoyment of the occupants of the dwelling and shall at no time be used for business or commercial purposes.

- 9 Reason In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF.
- 10 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:
- Drawing No. 1307/001, Site Plan
 - Drawing No. 1307/100P2, Proposed Site Plan
 - Drawing No. 1307/101P2, Proposed Ground Floor Plan
 - Drawing No. 1307/102P2, Proposed First Floor Plan
 - Drawing No. 1307/105P2, Proposed Roof Plan
 - Drawing No. 1307/108P2, Proposed Garage Elevations
 - Drawing No. 1307/109P2, Proposed House Elevations – without context
 - Drawing No. 1307/110P2, Proposed House Elevations – without context
- 10 Reason For the avoidance of doubt and in the interests of proper planning.

16/00977/O

High House Docking Road Sedgeford



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	18/07/2016
MSA Number	0100024314

AGENDA ITEM NO: 8/3 (g)

Parish:	Sedgeford	
Proposal:	Outline Application: Construction of a dwelling	
Location:	High House Docking Road Sedgeford Hunstanton	
Applicant:	Mr H Head	
Case No:	16/00977/O (Outline Application)	
Case Officer:	Mr C Fry	Date for Determination: 2 August 2016

Reason for Referral to Planning Committee – Called in by Councillor Wright and Councillor Devereux.

Case Summary

The application site lies within an area designated as Countryside within the local plan proposals maps for Sedgeford.

The application site is on the southern side of Docking Road, Sedgeford in an elevated position above road level. The site contains laurel and conifer hedging and 2 horse chestnut trees.

The application seeks consent for outline planning permission with all matters reserved for the erection of a detached dwelling.

Key Issues

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

Recommendation

REFUSE

THE APPLICATION

The application site lies within an area designated as Countryside according to Local Plan Proposals Maps for Sedgeford.

The site is on the southern side of Docking Road, Sedgeford.

The site is in an elevated position above road level and is accessed via a shared drive that serves the donor property – “High House”.

The site contains a laurel and conifer hedging and a Horse chestnut trees

The surrounding development comprises of terraced and detached 2 storey properties constructed prior to the C20th century. The properties are constructed from brick and are painted. The donor property, “High House” is grade II listed and is located to the east. It is constructed from flint with red brick coin detailing with parapet roof. The donor property is two storey in scale and has a number of linked outbuildings.

The proposal seeks outline consent with all matters reserved the construction of a detached dwelling.

An indicative plan has accompanied the application showing a new property sharing the existing access drive to the donor property. The new property is sited slightly back from Docking Road. The indicative scale of the new property is unknown.

Parking is to be provided to the rear of the site.

Albeit all matters are reserved it is highly likely that at least the laurel hedge that runs across the site on a west-east axis will be removed.

SUPPORTING CASE

A design and access statement is not required.

PLANNING HISTORY

16/00834/F: - Conversion of outbuilding to annexe

16/00840/LB - Conversion of outbuilding to annexe

13/01218/LB: Application not required: 16/10/13 - Listed Building Application: installation of an additional 24 photovoltaic solar panels

13/01217/F: Application Permitted: 16/10/13 - Installation of an additional 24 photovoltaic solar panels

13/00645/LB: Application Permitted: 08/07/13 - Conversion of outbuilding to annexe

13/00644/F: Application Permitted: 08/07/13 - Conversion of outbuilding to annexe

11/00258/F: Application Permitted: 10/05/11 - Installation of 18No photovoltaic solar panels to an A frame to the south of the property

11/00259/LB: Application not required: 28/02/11 - Listed building application: Installation of 18No photovoltaic solar panels to an A frame to the south of the property

10/01816/LB: Application Withdrawn: 22/12/10 - Installation of 18No photovoltaic solar panels & removal of 4No solar panels replaced with 2No thermal solar panels

10/01815/F: Permitted Development _App not req'd: 03/11/10 - Installation of 18No photovoltaic solar panels & removal of 4No solar panels replaced with 2No thermal solar panels

2/01/0552/LB: Application Permitted: 25/05/01 - Demolition of internal wall and construction of new internal wall to extend lounge into garage area. Insertion of new timber framed window

RESPONSE TO CONSULTATION

Parish Council: OBJECTION this proposal is outside the village envelope. Main objections are the access onto the B1454 at this dangerous bend. The current access is dangerous with very poor visibility.

Highways Authority: OBJECTION The access onto the B1454 Docking Road is classified as a Main Distributor route with the NCC route hierarchy and is narrow with limited visibility.

At this location, the B1454 Docking Road is subject to a 40mph local speed restriction, however my assessment is that speeds are marginally in excess of the posted speed limit. At this speed a minimum of 120m needs to be provided in both directions at a 2.4m setback.

Visibility is restricted by the roadside frontage hedgerows to only 8m in the trafficked direction to the east and approximately 5m to the west, from the required 2.4m setback. This equates to only 6% and 4.2% of the required provision available.

The access width is also below the required standard of 4.5m for the first 5m back into the site to allow two way movements to/from the adopted highway, in this case the B1454 Docking Road (classified as a Main Distributor route within the NCC Route Hierarchy), but could be widened to address this concern.

TRICS database indicates that a residential dwelling will typically generate 6 vehicular trips per weekday. This proposal, in addition to the existing movements from the existing property already served via this access track, would if permitted, equate to an increase of 100% vehicular trips per weekday from 6 to 12 via the existing sub-standard access.

Any increase in usage must be prevented.

Even if the hedgerow to the east of the site's access in the applicant's ownership was to be removed and access provided adjacent to littleport cottages, visibility is still restricted. Visibility in the trafficked direction would only be 85m, a shortfall of 35m. A reduction in the standard visibility requirements should be resisted.

Historic Environment Service: NO OBJECTION subject to conditions

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Arboricultural Officer: NO OBJECTION subject to conditions

Conservation officer: NO OBJECTION Although the site is within the curtilage of the listed building the site reads as being separate from its garden because it is physically separated from the grounds of the listed building by virtue of the conifer hedging along the eastern boundary. It would preferable if the property would be single storey or 1 ½ storey so as not to compete with the listed building.

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:

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

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 pre-application are:-

- Principle of Development
- Impact upon Visual Amenity
- Impact upon designated heritage assets
- Impact upon Neighbour Amenity
- Highway Safety

- Other Material Considerations

Principle of Development

The application seeks consent for 1 dwelling with all matters reserved.

Sedgeford is classified as a “Rural Village” according to Policy CS02 – The Settlement Hierarchy. The application site lies within an area designated as Countryside according to the 1998 Local Plan Proposals Maps for Sedgeford.

Being a “rural village” as opposed to a smaller village and hamlet Sedgeford does not benefit from Policy DM 3 of the Draft Development Management Plan Policy – “development in smaller village and hamlets” and the allowance for sensitive infill development.

Accordingly, paragraph 55 of the National Planning Policy Framework applies in this instance, and with no special circumstances being put forward in this application and the Council announcing in April that it has a 5 year supply of deliverable housing sites; the development is not supported in principle.

Impact upon Visual Amenity

The site is on the southern side of Docking Road, Sedgeford. This part of Docking Road, has funnelled views leading out of the village. There is a strong sense of enclosure by virtue of the elevated land and the tall trees and high hedges either side of Docking Road. The road sweeps away from the site.

The donor property is grade II listed and is to the east of the site. The donor property is constructed from flint and red brick. The property has a number of outbuildings physically linked to it. The properties to the west of the site, leading up the hill and out of Sedgeford, are mainly two storey in scale and constructed 19th century. These properties generally have a painted finish. A row of two storey cottages to the south west of the site are also constructed circa 19th century.

The site shares its access with the donor property. The access is flanked on either side by significant hedging. The site is already physically separated from the donor property by virtue of the conifer hedge on the eastern side of the site. A laurel hedge runs across the site on a west-east access and two horse chestnut trees are located on the site. Further tree planting has taken place on land to the south of the site.

The indicative site plan shows a roughly square parcel of land with a detached dwelling house towards the front of the site with parking and turning area to the rear.

No information has been provided in regards to the scale of the property or its appearance.

The indicative site plan states that the access to the donor property will also serve the proposed dwelling. However, access is a matter reserved for consideration at a later stage.

The National Planning Policy Framework requires development to be of good design, function well and add to the overall quality of the area for the lifetime of the development. Permission should be refused that is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

In this particular proposal, the plots size is considered to be acceptable. Whilst siting is a matter reserved for consideration at a later stage, the indicative siting of a dwelling in this location would not cause detrimental form and character issues.

Impact upon designated heritage assets

S.66 of the Town and Country Listed Building and Conservation Areas Act 1990 requires Local Planning Authority to have special regard to the desirability of preserving the building or its setting. No heritage statement has been submitted with the application in order to aid in the determination of whether there is any harm caused to the setting of the listed building and if that harm is substantial in accordance with paragraph 134 of the National Planning Policy Framework.

The application site is on lower land than the donor property "High House" listed building and separated from it by virtue of conifer hedging along the eastern boundary. In its indicative position the proposed property would be 47m away from the façade of the donor property. Given the landscaping and change in land heights, it is considered that there is little material impact upon the setting of the listed building as a result of the erection of a dwelling on this site. The site physically reads as a separate parcel of land to the grounds of the listed building and from a public view point it is not obvious that the site is in the same grounds as High House.

The Conservation Officer's doesn't have a principle objection to developing the site. The Conservation Officer considers that the site reads separately from the grounds of High House by virtue of the conifer hedging along the eastern boundary. The Officer considers that the scale of the property ought to be single or 1 ½ storey in order not to compete with the setting of the listed building.

The Historic Environment Service requests that archaeological conditions are imposed on the decision notice.

In accordance with Paragraph 134 of the National Planning Policy Framework states, where the development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Impact upon Neighbour Amenity

The siting of the property is not being determined at this stage. It is considered that from the indicative layout there is adequate separation (14m) from Plough Cottage, which is on lower land than the application site, to overcome overshadowing, overbearing and overlooking issues.

The nearest neighbour to the south east is some 20m away from the rear elevation of the indicative siting of the dwelling, an adequate separation. 47m separates the donor property from the northernmost part of the plot.

In all it is considered that there would not be detrimental neighbour amenity issues.

Highway Safety

Access is a matter which is reserved for consideration at a later stage. Indicatively it is detailed that the new property will share the existing access with the donor property.

The Highways Officer comments that sharing the access with donor property or indeed providing a new independent access across the site's frontage would not be suitable.

The existing access does not benefit from the required visibility splay distance according to the Design Manual for Roads and Bridges. At a 2.4m setback on this road, at 40mph, 120m visibility splay distance is required in either direction.

At present the visibility is severely restricted by the roadside hedges to only 8m in the easterly direction and 5m in the westerly direction from the existing access point. This equates to only 6% and 4.2% respectively of the required standard.

Even if the roadside hedging to the east of the site is removed, secured by way of condition, the required visibility in the trafficked direction still cannot be achieved. From the shared access point, only 70m in the trafficked direction can be achieved and from a new access point, adjacent to Plough Cottage, only 85m in the trafficked direction could be achieved if the hedge were to be removed.

The Highways Officer still retains his objection, even if all the hedges in the applicant's control were to be removed as the resultant visibility splay distances are significantly short of the required standard.

Whilst the access can be widened in order to 4.5m wide to allow two way traffic movements to and from the highway, by removing hedges, the proposal would fail the required visibility standards in accordance with the manual for roads and bridges

Therefore the proposal doesn't demonstrate a safe access in accordance with policy CS11 – Transport of the Local Development Framework Core Strategy, and is also contrary to the NPPF given the impacts of this proposal are severe.

Other Material Considerations

The Environmental Health and Housing – Environmental Quality team have no objection to the application. There is no requirement to consult the Environment Agency contrary to the Environmental Health Officer's comments as the site lies within flood zone 1 and the previous uses of the existing site not potentially polluting and nor is the proposed use.

The Arboricultural Officer has no objection in principle to the proposal but would need to see a full tree survey which can be conditioned.

Foul and surface water drainage details can be conditioned.

CONCLUSION

In this case there is a clear in principle objection to this proposal, as the application site lies outside of the defined settlement of Sedgeford. The site is over 370m away from the settlement boundary and little under 1km from the village centre.

With no special circumstances being put forward as justification for the dwelling in accordance with paragraph 55 of the National Planning Policy Framework, the proposal would be contrary to the provisions of the framework, as well as policy CS08 of the Core Strategy and Policy DM 2 of the draft Site Allocation and Development Management Plan Document.

Whilst the proposal is an outline application with all matters reserved, the principle of serving the site with an access that is in accordance with the Design Manual for Roads and Bridges cannot be achieved. The requirement for 120m in either direction at a 2.4m setback cannot be achieved from the shared access or the provision of a new access on the site's frontage

even when taking into account the possibility of removing the hedging along the roadside frontage of High House. Any access falls well short of this requirement.

Whilst there is little impact on the listed building and a house would not impact on neighbours, for the fundamental objections set out above, the proposal is therefore recommended to be refused for the following reasons.

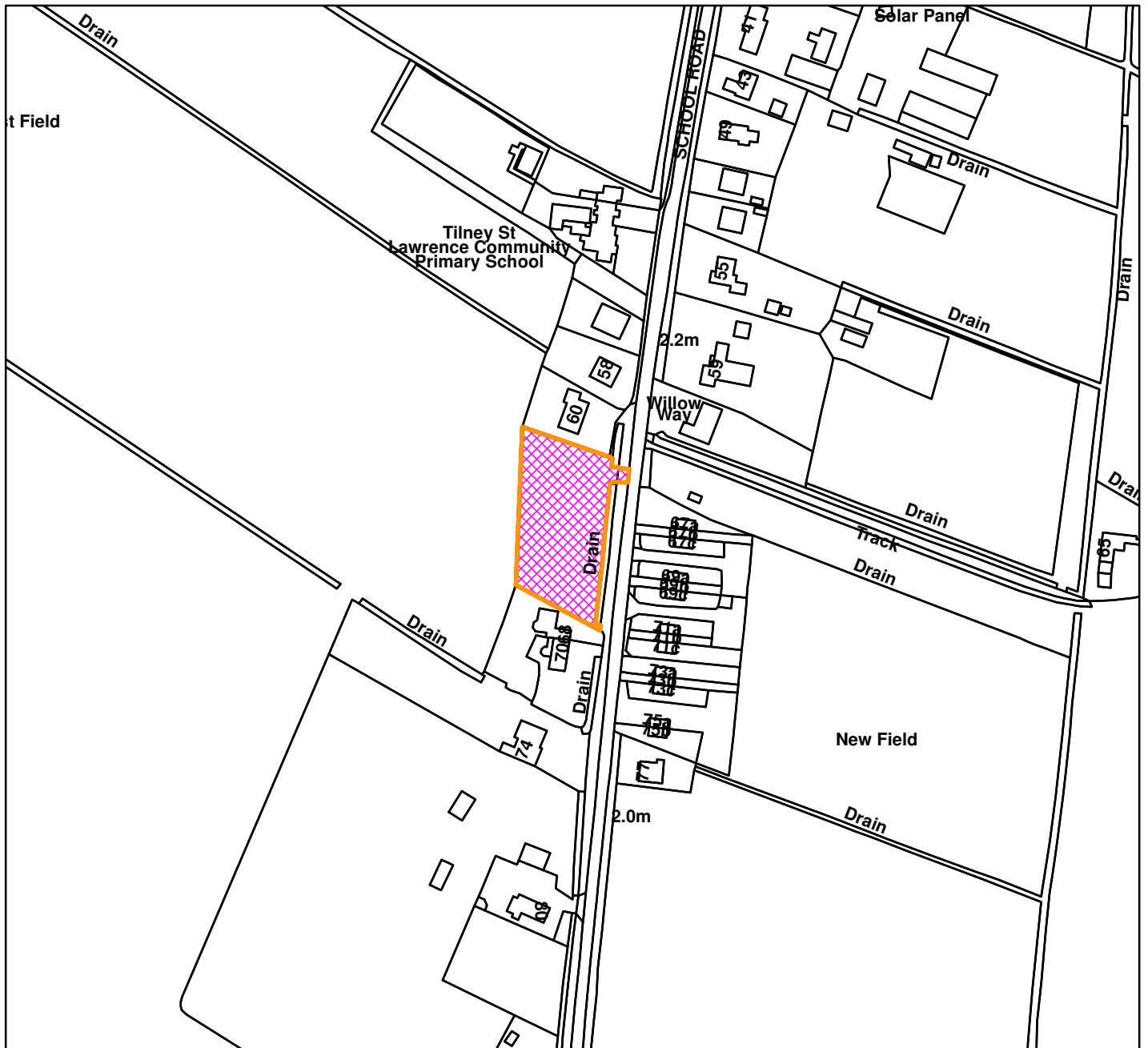
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The site lies outside the settlement boundary for Sedgeford as identified by the King's Lynn and West Norfolk Local Plan 1998 and the emerging Site Allocations and Development Management Policies Submission Document 2015. The applicant has not provided any special justification why countryside protection should be relaxed. The proposed development is therefore contrary to the provisions of Paragraphs 17 and 55 of the NPPF, Policy CS06 of the Core Strategy 2011 and Policy DM 2 of the Site Allocations and Development Management Policies Submission Document 2015.
- 2 Whilst access is a matter reserved for later consideration, the proposal cannot be served with adequate visibility splays in accordance with the Design Manual for Roads and Bridges, from the access to the county highway and this would cause danger and inconvenience to users of the adjoining public highway to the detriment to highway safety. The proposal is therefore contrary to the provisions of the National Planning Policy Framework and Policy Cs11 of the Local Development Framework Core Strategy 2011.

16/00640/O

Land off School Road Tilney St Lawrence



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	21/07/2016
MSA Number	0100024314

AGENDA ITEM NO: 8/3 (h)

Parish:	Tilney St Lawrence	
Proposal:	Outline Application: Proposed residential development of 4 dwellings	
Location:	Land off School Road Tilney St Lawrence King's Lynn	
Applicant:	Mr J Gore	
Case No:	16/00640/O (Outline Application)	
Case Officer:	Clare Harpham	Date for Determination: 10 June 2016

Reasons for Referral to Planning Committee – The Parish Council support the proposed development which is contrary to the Officer recommendation.

Case Summary

The proposed new dwellings would be located outside the development boundary and within an area designated as countryside and they have no justification with regard to housing need for rural workers. They also fail the exceptions test as the location outside the development boundary means there are no sustainability benefits to the proposal which would outweigh the flood risk. Consequently the proposal is contrary to Planning Policy.

Key Issues

Principle of Development
Form and Character
Neighbour Amenity
Highways Issues
Flood Risk
Other material considerations
Crime and Disorder

Recommendation

REFUSE

THE APPLICATION

The application site is located to the western side of School Road, Tilney St Lawrence and is a rectangular shaped piece of land measuring 0.25hectares. The site is currently agricultural land which is rather unkempt with housing immediately to the north and two semi-detached dwellings to the south. On the eastern side of School Road are dwellings.

The site has an existing drain to the front of the site with an access point at the northern end. The application is for outline planning permission for a proposed residential development of four dwellings with access to be considered at this stage.

SUPPORTING CASE

The application was not accompanied by a design and access statement.

PLANNING HISTORY

No planning history

RESPONSE TO CONSULTATION

Parish Council: SUPPORT, legitimate infill.

Highways Authority: NO OBJECTION to the principle of the development at this stage provided the access is widened and improved so that two cars can pass within it and it is linked to the existing footway provision which is located just a couple of metres to the side of the access. Conditions recommended.

Environment Agency: NO OBJECTION The proposal is within Flood Zone 3 of both the EA flood Maps and also the Borough Councils SFRA. The site also lies within an area covered by the EA Tidal Hazard Mapping which shows the site to flood to depths of 0.25m in a 1 in 200 year event. The Local Planning Authority must undertake a sequential test but with regard to the exceptions test the proposal would need to comply with the mitigation measures detailed in the submitted FRA and should be secured by a planning condition.

Internal Drainage Board: The site is within the Board's District and therefore Byelaws apply. The watercourse to the east (front) of the site across which access is gained is part of a Board-maintained watercourse known as School Road Drain. Byelaw 10 applies which prohibits any works being undertaken within 9 metres of the edge of a Board-maintained watercourse unless prior written consent is obtained from the Board. The true Brink will need to be determined and it should be noted that the notional drain extents shown on OS maps do not correspond with a watercourse's true width 'brink to brink'. This will need to be confirmed through site measurements to determine what parts of the development would be within nine metres of the drain edge.

Under the Board's Byelaws and section 23 of the Land Drainage Act 1991, any proposed piping or alteration of a watercourse, including changes to existing culverts or bridges, written prior consent must be granted by the Board before any works are undertaken. Failure to obtain the Board's prior approval would mean that they would be in breach of the Board's Byelaws and the Land Drainage Act which has a number of potential consequences.

Whilst the application is for outline consent only the Board would not approve the development layout as there would clearly be works within 9 metres to either side of School Road Drain. The Board's adopted Planning & Byelaw Policy says that the only works usually approved within 9 metres of a Board-maintained drain with a multi-dwelling residential development would be an access running perpendicular (or as close as practicable) to the watercourse. Although the nature of the surrounding developments and the size of the site may mean the Board is prepared to relax its normal stance more here (although this is not guaranteed), I still feel that only certain types of works would potentially be acceptable and it would undoubtedly have to be ensured that any driveway would allow the Board unobstructed access with machinery to undertake works to the drain from the site, as and when it wishes.

Depending upon the nature of the works the applicant/developer may have to enter into a legal agreement with the Board.

Other comments received regarding surface water drainage and increased discharge into a watercourse.

Environmental Health & Housing - Environmental Quality: No Comment to make regarding contaminated land or air quality.

Environmental Health & Housing - CSNN: NO OBJECTION, subject to a condition regarding foul and surface water drainage.

Emergency Planning: Due to location in an area at risk of flooding it's recommended that they sign up to the EA FWD Service and prepare an Evacuation Plan.

Housing Enabling Officer: I have re-examined this case in light of the recent threshold changes.

A site of 5no. units or fewer, with a gross internal area of under 1000m² there is no affordable housing contribution required, if the GIA is not confirmed then any permission should be conditioned to a maximum of 1000m². In the event that more than 5no. units are planned, or the gross internal floor area will exceed 1000m²

Then please re-consult the team and we will advise on the requirements.

REPRESENTATIONS

THREE letters of **OBJECTION:**

- Noise
- It's agricultural land.
- Now have an adequate supply of housing land
- Will overlook the garden
- Traffic concerns as narrow B Class road and near the school so parking issues
- Will spoil the view
- Headlights will shine into windows of houses opposite
- Would prefer bungalows

ONE letter of **SUPPORT:**

- Will clear the site which has rubbish dumped on it and rats
- Will stop the threat of travellers moving onto the site as there is good access
- Will feel safer with neighbours

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

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

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

OTHER GUIDANCE

Tilney St Lawrence Parish Plans

PLANNING CONSIDERATIONS

The main issues to consider when determining this application are as follows:

- Principle of Development
- Form and Character
- Neighbour Amenity
- Highways Issues
- Flood Risk
- Other material considerations
- Crime and Disorder

Principle of Development

The application site is located outside of the defined development boundary of Tilney St Lawrence and therefore within the countryside as defined by the King's Lynn and West Norfolk Local Plan 1998. The site would also be outside the development boundary within the emerging Site Allocations and Development Management Policies Pre-Submission Document.

Whilst planning policy has a presumption in favour of sustainable development, the proposal needs to accord with the three dimensions which underpin such development, i.e. economic, social and environmental aspects which are mutually dependent.

One of the core principles of the NPPF is that the intrinsic character and beauty of the countryside should be recognised. Policy CS01 and CS06 of the King's Lynn Core Strategy (2011) reiterates that beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty and Policy CS06 goes on to state that development of greenfield sites will be resisted unless essential for agricultural or forestry needs. No justification relating to housing need for a rural worker has been submitted and therefore the proposal is simply for four unrestricted dwellings in the countryside. The proposal would harm the rural character of the area and be contrary to policies to protect the countryside. Consequently the proposal is contrary to the provisions of the NPPF and Policies CS01 and CS06 of the King's Lynn and West Norfolk Core Strategy (2011).

In addition, given the sites location outside of the development boundary and the fact that there is no justification for the proposal with regard to an essential housing need for a rural worker the proposal also fails to accord with emerging Policies DM2 and DM6 of the Site Allocations and Development Management Policies Pre-Submission Document.

Form and Character

School Road is characterised by linear development fronting onto the road and there are a mix of single and two storey dwellings as well as detached, semi-detached and terraced properties. The proposal is for outline only and layout is not considered at this stage, however the indicative layout demonstrates that a form of linear development could be achieved which would be in character with the locality.

However it should be noted that comments from the IDB have stated that the layout as indicated would require written consent from the Board as there are works within 9 metres of the Board maintained drain as well as works which would alter the existing access point which crosses the drain. They have also stated that the current indicative layout is unlikely to be approved.

Neighbour Amenity

The proposal is for outline planning permission so the detail of the dwellings is unknown at this stage but it would be possible to design dwellings which would not materially impact upon neighbour amenity.

There has been an objection relating to car headlights shining in the windows of the dwellings opposite but the situation is not any different from any other form of development where there would be houses on both sides of the road.

Highways Issues

There have been objections to the proposal relating to the parking issues experienced along School Road due to the school and also the narrowness of the road. There are however no objections to the proposal from the Highways officer provided the existing access is widened to allow two cars to pass and it is linked to the existing footway provision which is located a couple of metres from the access point (north).

Flood Risk

The application site is within Flood Zone 3 of the King's Lynn and West Norfolk SFRA and within a Tidal Hazard Zone. There are no objections from the Environment Agency to the proposal based upon the submitted FRA, provided conditions are in place to secure the finished floor levels and flood resilience measures.

Whilst the EA have no objection, the LPA still need to apply the sequential and exceptions test. The aim of the sequential test aims to steer new development to areas with the lowest probability of flooding. Within the village there are sites at a lesser risk of flooding.

The Flood Risk Assessment submitted with the application states that the application is exempt from the Sequential Test as it's within the village of Tilney St Lawrence. The application site is not within the development boundary and even if it was is does not mean it is exempt from the Sequential or exceptions test. As stated within paragraph 104 of the NPPF only sites which have been allocated in development plans through the sequential test do not need sequentially testing in an individual application. This is not the case here. There are areas within the village of Tilney St Lawrence which are within Flood Zones 1 and 2 and therefore at a lower risk of flooding.

The current proposal is for four dwellings and therefore sites which could accommodate four dwellings have been considered when applying the Sequential Test.

There are no sites identified within the Residential Land Availability by Parish (March 2016) nor within the Housing and Economic Land Availability Assessment within Tilney All Saints. The sequential test is therefore passed as there is no comparable land available at a lower risk of flooding.

As the proposal is in flood zone 3 then the exceptions test needs to be passed as well as the exceptions test. The Environment Agency are satisfied that the site specific flood risk assessment demonstrates that the development will be safe for its lifetime provided the mitigation measures within the FRA are secured by condition. However the proposal is within the Countryside and therefore the benefits of approving four dwellings in this location do not outweigh the flood risk and consequently the proposal fails the Exceptions Test.

Other material considerations

There are objections to the proposal most of which are addressed within the report above. There is also an objection that the proposal will spoil their view; however there is no right to a private view and this would not be a reason to refuse an application.

Crime and Disorder

There are no issues arising from this application with regard to crime and disorder.

CONCLUSION

The proposed new dwellings would be located within the countryside and have no justification with regard to housing need for rural workers. They also fail the exceptions test as the location outside the development boundary means there are no sustainability benefits to the proposal which would outweigh the flood risk. Consequently the proposal is contrary to the National Planning Policy Framework, Policies CS01, CS06 and CS08 of the King's Lynn and West Norfolk Adopted Core Strategy 2011 and Policies DM2, DM6, DM15 and DM21 of the emerging Site Allocations and Development Management Policies Pre-Submission Document.

In light of National Guidance, Development Plan Policies and other material considerations Planning Permission for the development as proposed should be refused.

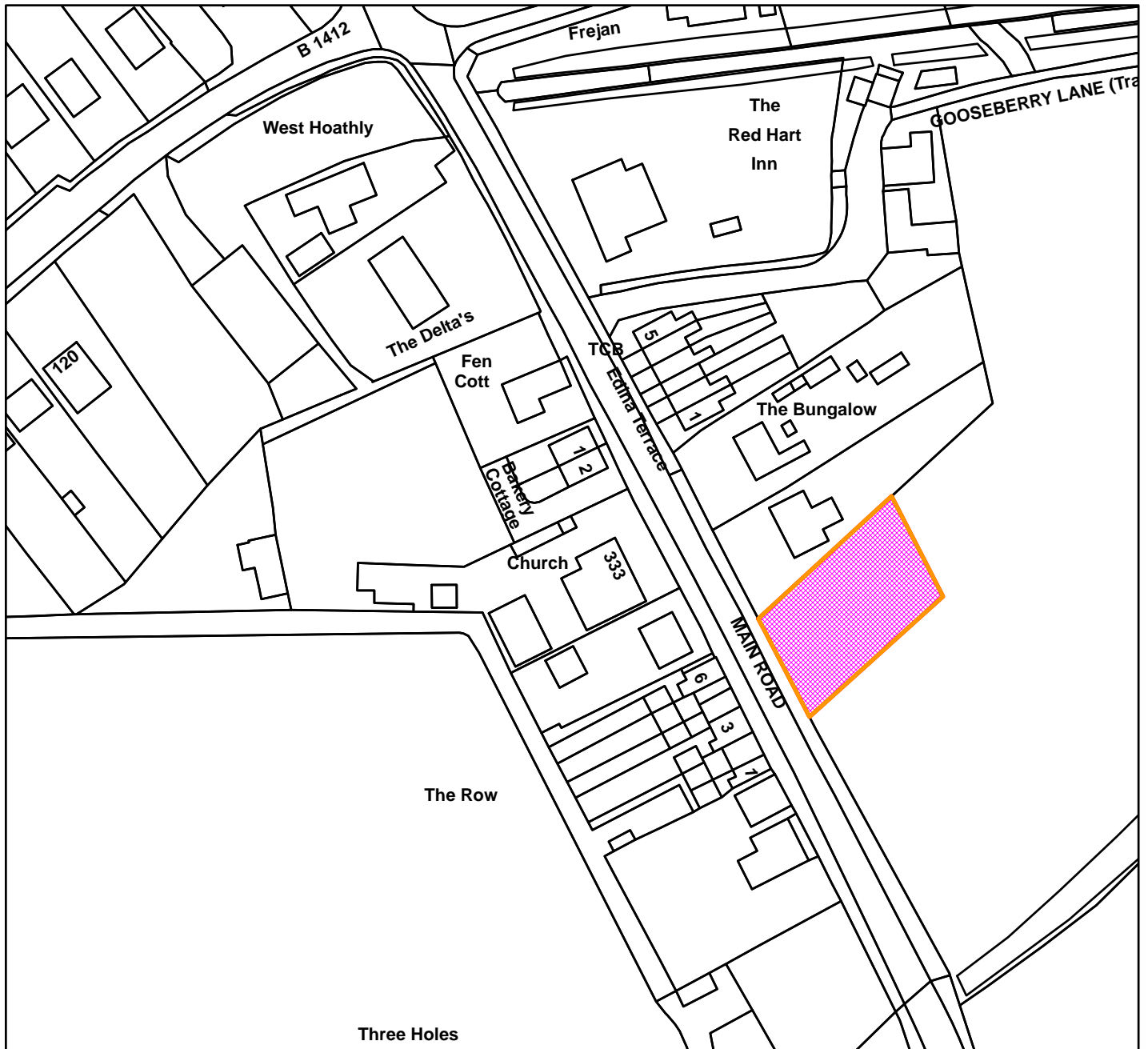
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Planning policy states that the countryside should be protected beyond the villages for its intrinsic character and beauty and that development will be resisted unless essential for agricultural or forestry needs. The proposed new dwellings are located outside of the settlement boundary with no justification and are therefore contrary to the provisions of the NPPF, Policies CS01 and CS06 of the King's Lynn and West Norfolk Core Strategy 2011 and do not accord with Policies DM2, DM6 and DM15 of the emerging Site Allocations and Development Management Policies Pre-Submissions Document (2014).
- 2 The application site falls within Flood Zone 3 as defined in the Council-adopted Strategic Flood Risk Assessment and passes the sequential test; therefore the exceptions test is required. The proposal does not represent development where the sustainability benefits outweigh the flood risk. The proposed development is therefore contrary to para. 102 of the NPPF, Policy CS08 of the King's Lynn and West Norfolk Core Strategy 2011 and Policy DM21 of the Site Allocations and Development Management Policies Document.

15/01399/O

Land NE of 6 The Row Main Road Three Holes Upwell



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	19/07/2016
MSA Number	0100024314

AGENDA ITEM NO: 8/3 (i)

Parish:	Upwell	
Proposal:	Outline Application: Two dwellings	
Location:	Land NE of 6 the Row Main Road Three Holes Norfolk	
Applicant:	Mr D J Forth	
Case No:	15/01399/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 2 November 2015

Reason for Referral to Planning Committee – Norfolk County Council Highways object to the application on the grounds that the application fails to include footways provision.

Case Summary

The application site is located on the north eastern side of Main Road, Three Holes. To the north of the site are residential properties; opposite the site are residential properties and a shop. To the north and south of the site is arable land.

At the time of a site inspection the application site formed part of a larger arable field.

Outline planning consent is sought for the erection of two dwellings. All matters are reserved with the exception of access. An outline planning application has also been submitted by the same applicant on land to the south.

Key Issues

Principle of development;
Form and character;
Neighbour amenity;
Highway safety; and
Other material considerations.

Recommendation

APPROVE

THE APPLICATION

The application site is located on the north eastern side of Main Road, Three Holes. To the north of the site are residential properties; opposite the site are residential properties and a shop. To the north and south of the site is arable land.

At the time of a site inspection the application site formed part of a larger arable field.

Outline planning consent is sought for the erection of two dwellings. All matters are reserved with the exception of access. An outline planning application has also been submitted by the same applicant on land to the south.

SUPPORTING CASE

The scheme aims to provide two detached dwellings on part of a site allocated within the Site Allocations and Development Management Policies Plan (SADMP) under policy G.96. There is a recognised demand for residential dwellings within the locality, as identified within the Local Plan (Core Strategy and SADMP). The proposal represents a positive contribution towards achieving sustainable development, with the ability to provide sustainable homes, appropriate to the location.

The site frontage is to Main Road, one of the principle roads through the village, with the benefit of a footway to the opposite side of the carriageway. Close to the frontage of the site is a bus stop. Opposite the site are generally two storey dwellings of mixed age and design. North of the site are a mix of single and two storey dwellings. To the east of the site is the remainder of the existing agricultural field. South of the site is the remainder of the agricultural field with embankment to the Middle Level Main Drain beyond, which is currently cultivated.

The proposed dwellings are anticipated to be of two storey construction with garaging, being of similar scale to dwellings within the vicinity. The proposed site layout provides for street frontage development with individual access to each dwelling via private driveway. Sufficient space is available to provide front and rear garden areas, including private amenity space. Dwellings will be of sufficient distance from neighbouring dwellings so as not to create any adverse impact, nuisance or over-looking. The scale of the proposed dwellings will be able to reflect that of the existing buildings within the vicinity. The density of development is appropriate to the site, taking account of the form and character of the immediate area, local infrastructure and services.

Access will be from Main Road via individual private driveways, each containing sufficient space to accommodate vehicle parking to NCC standards.

A Flood Risk Assessment has been prepared for the site by Geoff Beel Consultancy in September 2015. Concluding that the site is appropriate for residential development and suggesting finished floor levels 300mm above existing ground levels, subject to detail design.

PLANNING HISTORY

Land to the south:

15/01402/O: Current: - Outline application with some matters reserved for two dwellings

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Highways Authority: OBJECTION - I have great concern that the applicant is not seeking to provide the footway provisions requested. Vehicles travel at speed fronting this site and safe access is needed to reach the bus stop and the river area as well as providing access

between the properties themselves. A lack a footway provision would result in conditions to the detriment of safety in our view and I therefore recommend the following holding objection until such provisions are provided.

Environment Agency: NO OBJECTION we would recommend raising the finished floor levels by 300mm as stated in the Flood Risk Assessment. Due to the location of the development and the mitigation measure proposed within the FRA, we have no objections on flood risk grounds to the proposed development.

Environmental Health & Housing – Environmental Quality: NO COMMENTS to make regarding contaminated land or air quality.

REPRESENTATIONS

No third party representations received.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS09 - Housing Distribution

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM2 – Development Boundaries

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Upwell Parish Plan 2006

PLANNING CONSIDERATIONS

The key planning considerations relevant to the determination of this application are:

- Principle of development;
- Form and character;
- Neighbour amenity;
- Highway safety; and
- Other material considerations.

Principle of development

Three Holes is identified as a Rural Village by Policy CS02 of the Core Strategy 2011 where sustaining the existing services through the provision of limited growth is seen as a priority. Until the Council's Site Allocations and Development Management Policies Document are adopted, the King's Lynn and West Norfolk Local Plan (1998) Proposals Map is still relevant and the application site is identified as falling within countryside. However in the emerging SADMP the site (together with land to the south and east, amounting to 0.3 hectares for five dwellings) is allocated for residential development (SADMP Policy G.96), and the late stage of this document means that it is a material consideration with significant weight in the decision-making process.

Form and character

All matters are reserved for future consideration with the exception of access. It is not therefore possible to comment fully on design and appearance. It is not considered that a development of this scale and layout would have significant and demonstrable impacts on visual amenity; ultimately it is considered that such issues could be designed out, at the reserved matters stage.

Neighbour amenity

As the full details of the dwellings are not known at this stage a full assessment of the impacts cannot be made, this will need to be considered at the reserved matters stage. With careful design it is considered that poor relationships between units can be successfully addressed.

Highway safety

NCC Highways have confirmed that the amended access is acceptable. They however have concerns that the applicant is not seeking to provide a footway to reach both the bus stop and the river and access between the properties.

Having inspected the site it is noted that there is a footpath on the opposite side of the carriageway, however along this section of the road there is no footpath (the footpath stops at 1 Edina Terrace), with the exception of a section across the bridge, although this does not link to another path for pedestrians.

Whilst it may be desirable to have a footpath, it would not essentially link to existing paths, but be a series of unconnected paths. It is therefore considered that a highway objection could not be sustained on this basis.

Other material considerations

As stated earlier this site forms part of an allocated site for five residential dwellings (SADMP Policy G.96). An application has been submitted for the northern section of the allocation (this application) and a second application submitted for the southern section. The two applications have been separated by a strip of land identified as field access. Both applications are for two dwellings, giving a net total of four. The whole parcel of land formed the allocated site; two application sites, field access and land to the north east.

At the time of the application the Council was of the view that the size of the two sites cumulatively exceed the size threshold for an affordable housing requirement in line with policy G.96 with reference made to emerging policy DM8 and the allocated sites section, this states:

“On sites allocated for residential development through the Local Plan process the requirement to provide affordable housing under Core Strategy CS09 Housing will apply jointly to the whole of a single allocated site that is developed incrementally (through sub-division etc.) and where development of the whole site results in a requirement for a proportion of (or in exceptional circumstances a contribution to) affordable housing.”

However on 15 April 2016, the Government’s national policy on affordable housing changed. The impact of these changes in the Borough is that for sites of 5 dwellings or below there will no longer be a requirement to make any contribution to affordable housing, subject to their combined gross internal area (GIA) not exceeding 1000 square metres. This application, and application 15/01402/O, is in outline form for a total of four dwellings; although scale and appearance (and therefore GIA) are unknown. The GIA of the development and the number of units on site can be secured by condition. An affordable housing contribution is therefore no longer required and the decision can be issued without a S106 Agreement.

The site is within Flood Zone 3 of the SFRA. The Environment Agency have confirmed that they have no objection to the scheme, but do recommend that the finished floor levels be raised 300mm, as per the submitted FRA. As this is part of an allocated site there is no requirement for the Local Planning Authority to carry out the sequential and exceptions test.

There are no specific crime and disorder issues arising from the proposed development.

CONCLUSION

This application site forms part of a wider site that has been allocated for housing in the Site Allocations and Development Management Policies and Pre-Submission Document (November 2014). This document details that the site, in totality is capable of accommodating five dwellings. In principle therefore development of the site is acceptable. The allocated site has been artificially sub-divided into three portions, two housing sites (each for two dwellings) separated by a field access to allow access to the land in the applicants ownership to the rear.

Whilst County Highways have recommended refusal it is not considered that this is a sustainable reason for refusal, as the footpath requested will not link into a footpath which leads anywhere, but link into the existing footpath on this side of the road over the bridge to the south of the site.

On this basis it is recommended that the application is APPROVED.

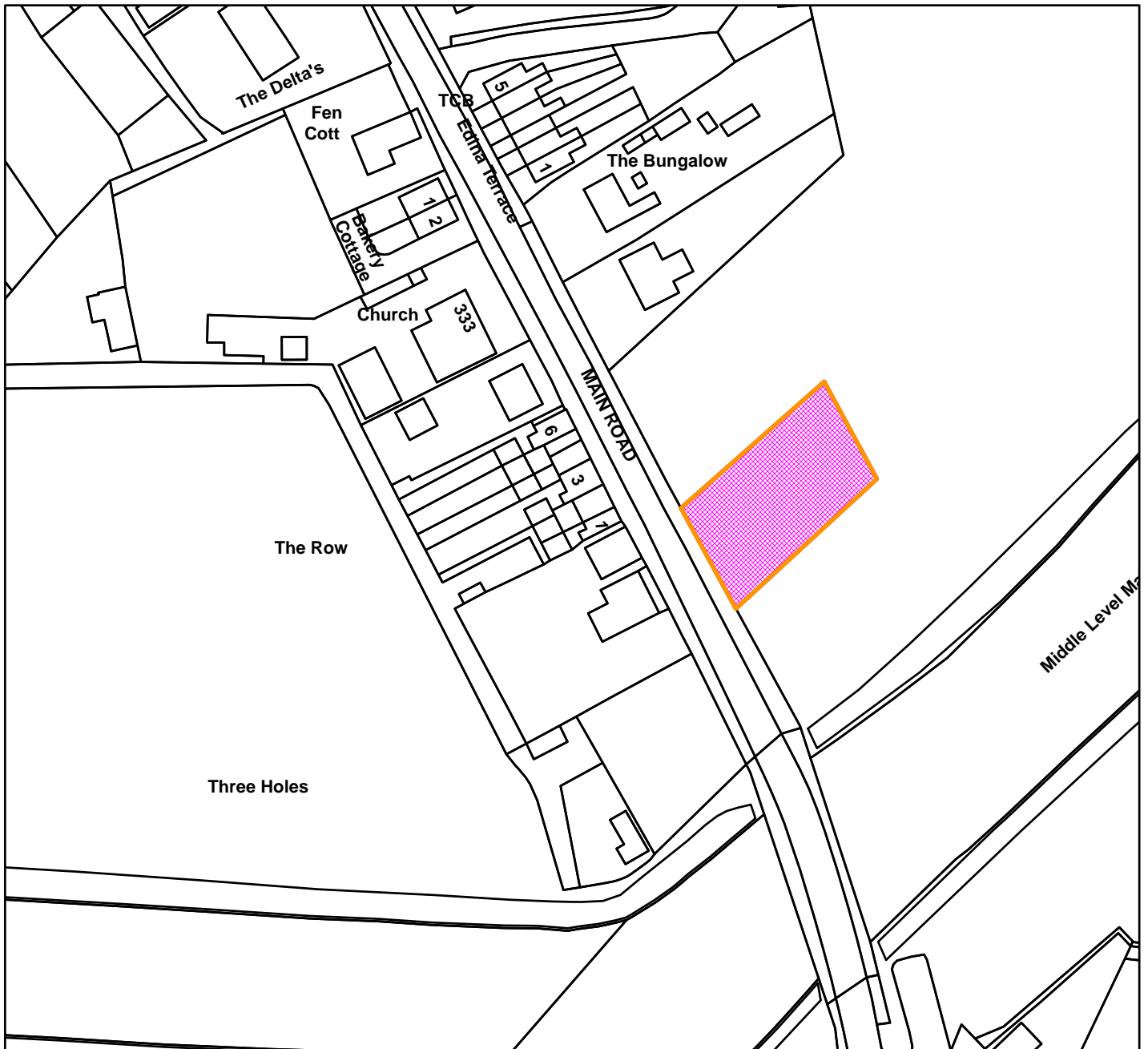
RECOMMENDATION:

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

- 1 Condition Approval of the details of the means of 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 The development shall be built in accordance with the Flood Risk Assessment carried out by Geoff Beale Consultancy and dated September 2016, submitted as part of this application. The scheme shall be implemented as approved before any part of the development hereby permitted is brought into use.
- 5 Reason In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 6 Condition The Gross Internal Area of the development hereby permitted, and in accordance with planning consent 15/01402/O, shall not exceed 1000m² in total on this allocated site.
- 6 Reason To define the terms of the permission in accordance with the national indicative thresholds as specified in the NPPG.

15/01402/O

Land East of Main Road Three Holes Upwell



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	19/07/2016
MSA Number	0100024314

AGENDA ITEM NO: 8/3 (j)

Parish:	Upwell	
Proposal:	Outline application with some matters reserved for two dwellings	
Location:	Land East of Main Road Three Holes Norfolk	
Applicant:	Mr D J Forth	
Case No:	15/01402/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 2 November 2015

Reason for Referral to Planning Committee – Norfolk County Council Highways object to the application on the grounds that the application fails to include footways provision.

Case Summary

The application site is located on the north eastern side of Main Road, Three Holes. To the north, east and south of the site is arable land; opposite the site are residential properties and a shop.

At the time of a site inspection the application site formed part of a larger arable field.

Outline planning consent is sought for the erection of two dwellings. All matters are reserved with the exception of access. An outline planning application has also been submitted by the same applicant on land to the north, which has also been referred to the Planning Committee.

Key Issues

Principle of development;
Form and character;
Neighbour amenity;
Highway safety; and
Other material considerations.

Recommendation

APPROVE

THE APPLICATION

The application site is located on the north eastern side of Main Road, Three Holes. To the north, east and south of the site is arable land; opposite the site are residential properties and a shop.

At the time of a site inspection the application site formed part of a larger arable field.

Outline planning consent is sought for the erection of two dwellings. All matters are reserved with the exception of access. An outline planning application has also been submitted by the same applicant on land to the north, which has also been referred to the Planning Committee.

SUPPORTING CASE

The scheme aims to provide two detached dwellings on part of a site allocated within the Site Allocations and Development Management Policies Plan (SADMP) under policy G.96. There is a recognised demand for residential dwellings within the locality, as identified within the Local Plan (Core Strategy and SADMP). The proposal represents a positive contribution towards achieving sustainable development, with the ability to provide sustainable homes, appropriate to the location.

The site frontage is to Main Road, one of the principle roads through the village, with the benefit of a footway to the opposite side of the carriageway. Close to the frontage of the site is a bus stop. Opposite the site are generally two storey dwellings of mixed age and design. North of the site are a mix of single and two storey dwellings. To the east of the site is the remainder of the existing agricultural field. South of the site is the remainder of the agricultural field with embankment to the Middle Level Main Drain beyond, which is currently cultivated.

The proposed dwellings are anticipated to be of two storey construction with garaging, being of similar scale to dwellings within the vicinity. The proposed site layout provides for street frontage development with individual access to each dwelling via private driveway. Sufficient space is available to provide front and rear garden areas, including private amenity space. Dwellings will be of sufficient distance from neighbouring dwellings so as not to create any adverse impact, nuisance or over-looking. The scale of the proposed dwellings will be able to reflect that of the existing buildings within the vicinity. The density of development is appropriate to the site, taking account of the form and character of the immediate area, local infrastructure and services.

Access will be from Main Road via individual private driveways, each containing sufficient space to accommodate vehicle parking to NCC standards.

A Flood Risk Assessment has been prepared for the site by Geoff Beel Consultancy in September 2015. Concluding that the site is appropriate for residential development and suggesting finished floor levels 300mm above existing ground levels, subject to detail design.

PLANNING HISTORY

15/01399/O: Current: Outline Application: Two dwellings

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Highways Authority: OBJECTION Relocated access is considered acceptable. However there is great concern that the applicant is not seeking to provide the footway provisions requested. Vehicles travel at speed fronting this site and safe access is needed to reach both the bus stop and the river area as well as providing access between the properties

themselves. A lack of a footway provision would result in conditions to the detriment of safety.

Environmental Health & Housing – Environmental Quality: No comments to make regarding contaminated land or air quality.

Environment Agency: NO OBJECTION We would recommend raising the finished floor levels by 300mm as stated in the Flood Risk Assessment. Due to the location of the development and the mitigation measure proposed within the FRA, we have no objections on flood risk grounds to the proposed development.

REPRESENTATIONS TWO letter of representation, the following concerns are raised:

- Loss of field views
- Overlooking and corresponding loss of privacy
- Highway safety issues

NATIONAL GUIDANCE

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

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

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

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Upwell Parish Plan 2006

PLANNING CONSIDERATIONS

The key planning considerations relevant to the determination of this application are:

- Principle of development;
- Form and character;
- Neighbour amenity;
- Highway safety; and
- Other material considerations.

Principle of development

Three Holes is identified as a Rural Village by Policy CS02 of the Core Strategy 2011 where sustaining the existing services through the provision of limited growth is seen as a priority. Until the Council's Site Allocations and Development Management Policies Document is adopted, the King's Lynn and West Norfolk Local Plan (1998) Proposals Map is still relevant and the application site is identified as falling within countryside. However in the emerging SADMP the site (together with land to the north and east, amounting to 0.3 hectares for five dwellings) is allocated for residential development (SADMP Policy G.96), and the late stage of this document means that it is a material consideration that officers believe carries significant weight in the decision-making process.

Form and character

All matters are reserved for future consideration with the exception of access. It is not therefore possible to comment fully on design and appearance. It is not considered that a development of this scale and layout would have significant and demonstrable impacts on visual amenity; ultimately it is considered that such issues could be designed out, at the reserved matters stage.

Neighbour amenity

As the full details of the dwellings are not known at this stage a full assessment of the impacts cannot be made, this will need to be considered at the reserved matters stage. With careful design it is considered that poor relationships between units can be successfully addressed.

Highway safety

NCC Highways have confirmed that the amended access is acceptable. They however have concerns that the applicant is not seeking to provide a footway to reach both the bus stop and the river and access between the properties.

Having inspected the site it is noted that there is a footpath on the opposite side of the carriageway, however along this section of the road there is no footpath (the footpath stops at 1 Edina Terrace), with the exception of a section across the bridge, although this does not link to another path for pedestrians.

Whilst it may be desirable to have a footpath, it would not essentially link to existing paths, but be a series of unconnected paths. It is therefore considered that a highway objection could not be sustained on this basis.

Other material considerations

As stated earlier this site forms part of an allocated site for five residential dwellings (SADMP Policy G.96). An application has been submitted for the northern section of the allocation and a second application submitted for the southern section (this application). The two applications have been separated by a strip of land identified as field access. Both applications are for two dwellings, giving a net total of four. The whole parcel of land formed the allocated site; two application sites, field access and land to the north east.

At the time of the application the Council was of the view that the size of the two sites cumulatively exceed the size threshold for an affordable housing requirement in line with policy G.96 with reference made to emerging policy DM8 and the allocated sites section, this states:

“On sites allocated for residential development through the Local Plan process the requirement to provide affordable housing under Core Strategy CS09 Housing will apply jointly to the whole of a single allocated site that is developed incrementally (through sub-division etc.) and where development of the whole site results in a requirement for a proportion of (or in exceptional circumstances a contribution to) affordable housing.”

However on 15 April 2016, the Government’s national policy on affordable housing changed. The impact of these changes in the Borough is that for sites of 5 dwellings or below there will no longer be a requirement to make any contribution to affordable housing, subject to their combined gross internal area (GIA) not exceeding 1000 square metres. This application, and application 15/01399/O, is in outline form for a total of four dwellings; although scale and appearance (and therefore GIA) are unknown. The GIA of the development and the number of units on site can be secured by condition. An affordable housing contribution is therefore no longer required and the decision can be issued without a S106 Agreement.

The site is within Flood Zone 3 of the SFRA. The Environment Agency have confirmed that they have no objection to the scheme, but do recommend that the finished floor levels be raised 300mm, as per the submitted FRA. As this is part of an allocated site there is no requirement for the Local Planning Authority to carry out the sequential and exceptions test.

There are no specific crime and disorder issues arising from the proposed development.

CONCLUSION

This application site forms part of a wider site that has been allocated for housing in the Site Allocations and Development Management Policies and Pre-Submission Document (November 2014). This document details that the site, in totality is capable of accommodating five dwellings. In principle therefore development of the site is acceptable. The allocated site has been artificially sub-divided into three portions, two housing sites (each for two dwellings) separated by a field access to allow access to the land in the applicants ownership to the rear.

Whilst County Highways have recommended refusal it is not considered that this is a sustainable reason for refusal, as the footpath requested will not link into a footpath which leads anywhere, but link into the existing footpath on this side of the road over the bridge to the south of the site.

On this basis it is recommended that the application is APPROVED.

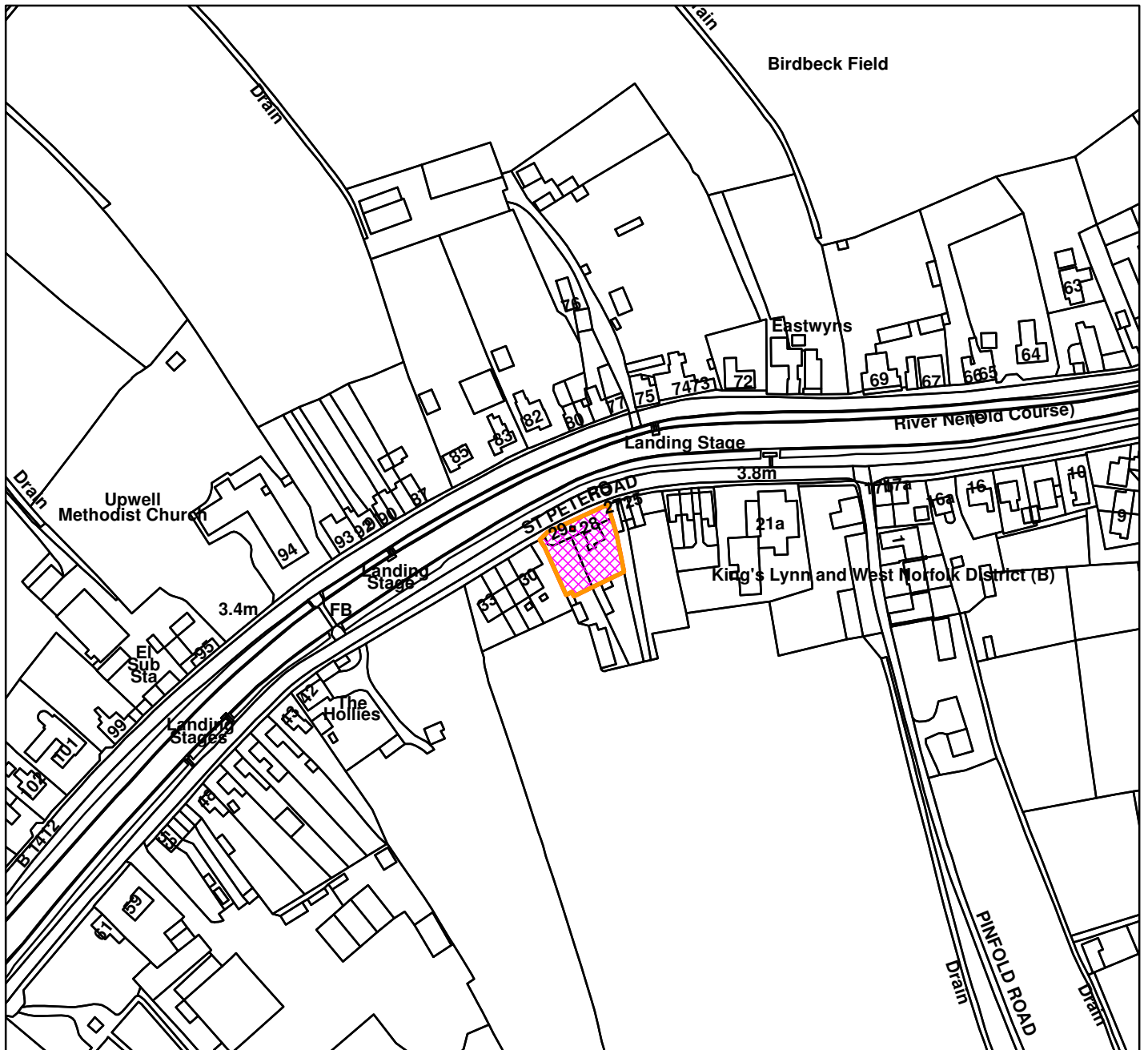
RECOMMENDATION:

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

- 1 Condition Approval of the details of the means of 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.
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- 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 The development shall be built in accordance with the Flood Risk Assessment carried out by Geoff Beale Consultancy and dated September 2016, submitted as part of this application. The scheme shall be implemented as approved before any part of the development hereby permitted is brought into use.
- 5 Reason In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 6 Condition The Gross Internal Area of the development hereby permitted, and in accordance with planning consent 15/01399/O, shall not exceed 1000m² in total on this allocated site.
- 6 Reason To define the terms of the permission in accordance with the national indicative thresholds as specified in the NPPG.

16/01078/F

28-29 St Peters Road Upwell



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	15/07/2016
MSA Number	0100024314

AGENDA ITEM NO: 8/3 (k)

Parish:	Upwell	
Proposal:	Alterations and extension to existing house (amended design) with provision for rear balcony	
Location:	28 - 29 St Peters Road Upwell Wisbech Norfolk	
Applicant:	Mr And Mrs J W Spikings	
Case No:	16/01078/F (Full Application)	
Case Officer:	Mrs H Wood-Handy	Date for Determination: 3 August 2016

Reason for Referral to Planning Committee – The applicant is a Member of the Borough Council

Case Summary

Planning permission 15/01711/F (approved at Committee on 9th December 2015) granted alterations and a single storey extension to the rear of No's 28-29 St Peters Road, Upwell. The current application is to alter the approved plans to include the opening up of windows to the North West elevation, and an enlarged window, provision of French doors and a balcony to the south east elevation.

The premises are that of J D Spikings & Son (butchers shop) and associated house and is part of a block two storey development set within Upwell Conservation Area.

This application is referred to the Planning Committee by virtue of the property and application relating to Cllr Mrs Spikings. The application has been changed since the original submission from a variation of condition to a full planning application.

Key Issues

Principle of development
Changes in design since the grant of planning permission 15/01711/F
Impact on neighbour amenity

Recommendation**APPROVE****THE APPLICATION**

Planning permission 15/01711/F (approved at Committee on 9th December 2015) granted alterations and a single storey extension to the rear of No's 28-29 St Peters Road, Upwell. The current application is to alter the approved plans to include the opening up of windows to the North West elevation, and an enlarged window, provision of French doors and a balcony to the south east elevation.

The premises are that of J D Spikings & Son (butchers shop) and associated house and is part of a block two storey development set within Upwell Conservation Area.

This application is referred to the Planning Committee by virtue of the property and application relating to Cllr Mrs Spikings. The application has been changed since the original submission from a variation of condition to a full planning application.

SUPPORTING CASE

This application is accompanied by a design and access statement which raises the following comments in support of this proposal:

“The extension is a single storey sun lounge and due to its position and existing bedroom window necessitates the use of a flat roof.

In an effort to provide more light to the sun lounge and to enhance the flat roof appearance, 2 number lantern lights have been included.

Two existing window openings will be opened up to the new first floor lounge.

Most of the alteration work is internal and basically is to modernise an old property and make it more user friendly for the 21st century.

There is an old apple tree close to the extension but my clients wish to preserve this and it will be protected during building work. The magnolia tree further to the south of the garden is requested to be removed.

This house was the home of Mrs K J Spikings who died in January 2015 and now her son John and daughter-in-law Vivienne wish to make it their home.

This amended design is for additional work to convert a first floor vacant area to a new lounge.

This work includes the addition of a rear balcony leading from the proposed lounge area.”

PLANNING HISTORY

15/01711/F – Alterations and extension to existing house at 28-29 St Peters Road, Upwell – Approved (Committee decision) – 09.12.2015

RESPONSE TO CONSULTATION

Parish Council: SUPPORT (original consultation).

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:

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

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM15 – Environment, Design and Amenity

OTHER GUIDANCE

Upwell Parish Plans

Conservation Area Character Statement

PLANNING CONSIDERATIONS

The main issues are:

- Principle of development
- Changes in design since the grant of planning permission 15/01711/F
- Impact on neighbour amenity

Principle of development

The principle of the development has been established by Planning Permission 15/01711/F approved in December 2015. This application seeks alteration to the original scheme to provide a balcony to the south east elevation and slight fenestration changes. All other aspects of the development remain as per 15/01711/F.

The application has been altered since its original submission and changed from an application for a variation of condition of Condition 2 (approved plans) attached to 15/01711/F to a full planning application. The reason is that the proposed balcony would be partly located outside the original application site and thus could not be considered as a variation of condition application.

Changes in design since the grant of planning permission 15/01711/F

The majority of the scheme remains as previously approved for fenestration changes and the provision of a sun room to the south east elevation. Alterations as part of the amended scheme are the re-opening of two windows to the north west elevation, the omission of a window to Bedroom 2, the widening of the window to Bedroom 3 (all of which would be permitted development) and the provision of French doors and a balcony to the south east elevation.

The site is located within Upwell Conservation Area but the majority of changes (insertion/removal of windows) would be permitted development. The proposed balcony would be constructed with oak timber frames and would measure 3m by 4.8m with a maximum height including balustrades of approx. 3.7m. The balcony would be located to the rear of the property and would not be visible in the street scene or the Conservation Area as a whole. The proposal would not adversely affect the visual amenities of the locality or the Conservation Area and would thus comply with the NPPF, Policies CS06, CS08 and CS12 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Submission Document 2015 and Policy 4/21 of the Local Plan 1998.

Impact on neighbour amenity

The balcony would be located on the south east elevation and would be located approx. 9m to the north east of the boundary with 30 St Peters Road (a bungalow). The boundary is currently screened with approx. 2m hedge (in the applicant's ownership) and a 1.4m fence further along the boundary. Whilst works are being undertaken to the property, steps and scaffolding have been erected at approximately the height of the balcony to access the new lounge. From the scaffolding deck, whilst there is a window at ground floor on the side elevation of 30 St Peters Road, it is clear that there is a limited view into the private amenity space of the property as a result of the boundary treatments and provision of outbuildings.

It is considered that the provision of the balcony would not adversely affect the privacy and amenity of the neighbour and thus would be in accordance with Policy DM15 of the Site Allocations and Development Management Policies Submission Document.

CONCLUSION

The application seeks minor alterations to the existing consent with the provision of a balcony. The proposal would not affect the visual amenity of the locality or the Conservation Area as a whole and would have limited impact on neighbour amenity. The proposal is considered acceptable and complies with the NPPF, Policies CS06, CS08 and CS12 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Submission Document 2015 and Policy 4/21 of the Local Plan 1998.

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:
 - 15/10/1949/1 Rev A
 - 15/10/1949/2
 - 15/10/1949/3 Rev C
 - 15/10/1949/4 Rev C
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the July Planning Committee Agenda and the August agenda. 153 decisions issued, 142 decisions issued under delegated powers with 11 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 23/06/16 – 20/07/16

	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	5	4	1		3	60%	60	50	2	0
Minor	70	63	7	45		64%	65		5	2
Other	78	75	3	66		84%	80		2	0
Total	153	142	11							

Planning Committee made 11 of the 153 decisions, 7%

PLANNING COMMITTEE – 1 AUGUST 2016

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
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121

01.12.2015	15.07.2016 Application Permitted	10/00883/NMAM_2	Blue Energy Land Between Bagthorpe Barmer And Syderstone Known As Chiplow Main Road Bagthorpe Norfolk Non-material amendment to planning permission 10/00883/FM: A wind energy development comprising the erection and 25 year operation of five wind turbines with a maximum blade height of 100m and up to 50m -micrositing, together with ancillary infrastructure including on-site access tracks, hard standing areas, control buildings and cabling and a permanent anemometer mast	Bagthorpe With Barmer - VACANT
10.05.2016	11.07.2016 Application Permitted	16/00892/F	Mr John Bellamy Blenheim House 10 Bagthorpe Road Bircham Newton Norfolk Single Storey Extension to rear	Bircham
10.02.2016	08.07.2016 Application Permitted	16/00260/F	Mr David Marshall Dorosol Marsh Side Brancaster Norfolk Variation of condition 2 of planning permission 15/00701/F: To vary previously approved plans	Brancaster

04.05.2016	29.06.2016 Application Permitted	16/00842/F	Mr Simon Osborn Chimneys Cross Lane Brancaster King's Lynn Convert half the garage to create study and shower room, remove roller shutter door and replace with window	Brancaster
03.06.2016	01.07.2016 Application Permitted	15/01696/NMA_1	Mr Alex Lowe Scuppers Cross Lane Brancaster Norfolk NON MATERIAL AMENDMENT TO PLANNING CONSENT 15/01696/F: Demolition of existing dwelling and construction of replacement dwelling	Brancaster
10.05.2016	12.07.2016 Application Permitted	16/00887/F	Mrs Jayne Greenwood School House Cottages 55 Front Street Burnham Market Norfolk Part removal of garden wall, dropped pavenment for access and creating a driveway in garden	Burnham Market

22.06.2016	05.07.2016 Application Permitted	13/01810/NMAM_2	Fleur Hill BM LLP Land At Foundry Place Burnham Market Norfolk Non-material amendment to planning permission 13/01810/FM: Construction of 32 new dwellings, the provision of a public car park (186 spaces), retail units (Class A1, A2 or A3), public toilets and public open space and proposed Pedestrian Works and the demolition of the former day care centre and replacement with dwelling (previously approved under planning reference 10/01582/F)	Burnham Market
01.03.2016	20.07.2016 Application Permitted	16/00410/F	GCC Developments Ltd Pennant Gong Lane Burnham Overy Staithe King's Lynn Demolition and erection of replacement dwelling, including demolition of a boundary wall and formation of an access	Burnham Overy
06.05.2016	05.07.2016 Application Permitted	16/00858/F	Mr J Graham Ostrich Cottage Mill Road Burnham Overy Town Norfolk Construction of two storey side extension with single storey rear extension.	Burnham Overy

28.04.2016	29.06.2016 Application Permitted	16/00820/F	The Holkham Estate The Former Smithy At Lodge Farm Rougham Road Castle Acre Norfolk Proposed conversion of the existing barn to residential use with associated parking and landscaping	Castle Acre
19.05.2016	08.07.2016 Application Permitted	16/00963/F	Mr M Smith Bramleys Massingham Road Castle Acre King's Lynn Remove existing conservatory to rear of property, replace with extension to create kitchen/dining area	Castle Acre
09.05.2016	06.07.2016 Application Permitted	16/00835/F	Mr W Simper Land West of Holy Lodge St Andrews Lane Congham Norfolk Variation of condition 2 of planning permission 15/00813/F to allow the use of design drawings other than those listed in condition to allow minor adjustment conservatory roof material	Congham
01.06.2016	05.07.2016 GPD HH extn - Not Required	16/00981/PAGPD	Mr Andrew Bailey Inversnaid 20 Low Road Congham King's Lynn Single storey rear extension which extends beyond the rear wall by 5.8 metres with a maximum height of 4 metres and a height of 2.4 metres to the eaves	Congham

11.05.2016	30.06.2016 Application Permitted	16/00897/RM	Mike Hastings West of 134 Sluice Road Denver Norfolk Reserved Matters Application: Construction of one dwelling	Denver
21.03.2016	24.06.2016 Application Permitted	16/00582/F	Mr R Johnston Larkfield 10A Fern Hill Dersingham King's Lynn Alterations, Conversion and Extension to existing Bungalow	Dersingham
30.03.2016	08.07.2016 Application Permitted	16/00634/F	Mrs Sally Chenery 8 Chapel Road Dersingham King's Lynn Norfolk rear first floor dormer window to cottage, replacement windows, front porch canopy	Dersingham
11.04.2016	08.07.2016 Application Permitted	16/00706/F	Mr And Mrs Jestice 2 Sandringham Road Dersingham King's Lynn Norfolk Roof extension of existing double garage to provide habitable accommodation	Dersingham
08.04.2016	29.06.2016 Application Permitted	16/00699/F	Mr M Higgs Rydal Sandy Lane Docking King's Lynn Replacement dwelling	Docking
12.05.2016	11.07.2016 Application Permitted	16/00905/F	Mr Martin Ward 3 Summerfield Ringstead Road Docking King's Lynn To remove the existing porch and build a larger Conservatory / Porch to the front elevation	Docking

23.03.2016	14.07.2016 Application Permitted	16/00614/F	J Clarke Builders Ltd Minniedale 134 London Road Downham Market Norfolk Variation of condition 2 to planning permission 15/01877/F to provide garages to dwellings	Downham Market
03.05.2016	28.06.2016 Application Permitted	16/00841/F	Ms G Martinez 1 Bexwell Road Downham Market Norfolk PE38 9LQ Single storey rear extension to dwelling	Downham Market
29.04.2016	11.07.2016 Application Permitted	16/00789/F	Charmed Interiors Charmed Interiors The Hythe Bridge Road Downham Market Extension to existing retail premises	Downham West
04.05.2016	06.07.2016 Application Permitted	16/00843/F	Mr And Mrs Richard Crawford Appletree Cottage The Lane Salters Lode Norfolk Single storey and two storey extension to dwelling	Downham West
10.05.2016	29.06.2016 Prior Approval - Approved	16/00890/PACU3	Mr G Newman Orchard Farm Lady Drove Barroway Drove Downham Market Prior notification for a proposed change of use of agricultural barn to residential dwelling	Downham West
28.04.2016	08.07.2016 Application Permitted	16/00810/F	CAN Builders Barns North of Broomsthorpe Hall Rudham Road East Rudham Norfolk Variation of condition 9 of planning permission 13/00514/F to allow for amended design to units 1 and 2	East Rudham

16.05.2016	08.07.2016 Application Permitted	16/00927/F	Mr Nigel Appleby The Kelling Fakenham Road East Rudham Norfolk Variation of condition 2 of planning permission 13/01091/F: To amend previously approved drawings	East Rudham
17.05.2016	04.07.2016 GPD HH extn - Refused	16/00923/PAGPD	Mr Colin Wells The Laurels Eye Lane East Rudham King's Lynn Single storey rear extension which extends beyond the rear wall by 5.1 metres with a maximum height of 5.350 metres and a height of 2.650 metres to the eaves	East Rudham
06.05.2016	30.06.2016 Application Permitted	16/00868/F	Mr Michael Ednie Padjem 45 Church Road Emneth Wisbech Proposed single storey extension and internal alterations to existing property	Emneth
09.05.2016	11.07.2016 Application Permitted	16/00875/F	Ms Julia Thorne 11 Springvale Gayton King's Lynn Norfolk Single storey front extension	Gayton
23.05.2016	20.06.2016 Application Refused	15/01823/NMA_1	Mr Neil Towns Jubilee Farm Jubilee Hall Lane Gayton King's Lynn NON MATERIAL AMENDMENT TO PLANNING CONSENT 15/01823/F: to relocate the car port from the south elevation to the north elevation	Gayton

31.05.2016	27.06.2016 Application Refused	14/00080/NMA_1	Mr And Mrs Colvin The Old Workhouse Eastgate Drove Gayton King's Lynn Non-material amendment to planning permission 14/00080/F: The construction of a new garden room, making two window openings into door openings and the construction of a new covered car parking area	Gayton
05.05.2016	30.06.2016 Application Permitted	16/00857/F	The Dabbling Duck The Dabbling Duck 11 Abbey Road Great Massingham King's Lynn Construction of conservatory including new opening through north elevation, formation of BBQ area in rear beer garden	Great Massingham
05.05.2016	30.06.2016 Application Permitted	16/00852/F	Mrs K Coe Washpit Farm Massingham Road Grimston King's Lynn Proposed garage/open cartshed	Grimston
14.01.2016	08.07.2016 Application Permitted	16/00059/F	Mr Henry Ward 25 Church Lane Heacham King's Lynn Norfolk Hanson Concrete Panel Building	Heacham
30.03.2016	08.07.2016 Application Permitted	16/00639/F	Mr Andy Sexton 23 Southmoor Drive Heacham King's Lynn Norfolk Erection of 6ft High Fence along the southern perimeter of property	Heacham

17.05.2016	08.07.2016 Application Permitted	16/00940/F	Mr W Proctor 8 Folgate Road Heacham King's Lynn Norfolk Side Extension to dwelling	Heacham
26.04.2016	21.06.2016 Application Permitted	16/00790/F	Mr I Leaver 3 Holts Lane Hilgay Downham Market Norfolk Rear and side extensions to bungalow	Hilgay
09.05.2016	07.07.2016 Application Permitted	16/00874/F	Mr And Mrs M Foster Buck House Lynn Road Hillington King's Lynn Construction of garage/workshop for private use	Hillington
04.12.2015	20.07.2016 Application Permitted	15/01971/F	Mr Kantharuan Yogaraja Hockwold Stores 88 Main Street Hockwold cum Wilton Norfolk Construction of first floor to provide accommodation for the shop keeper and internal refurbishment	Hockwold cum Wilton
03.03.2016	15.07.2016 Application Permitted	16/00442/CU	Mrs Wendy Everett Soay Farm Cowles Drove Hockwold cum Wilton Norfolk Retention of existing stabling and paddocks, and business use for accommodation and livery of horses.	Hockwold cum Wilton
07.03.2016	28.06.2016 Application Refused	16/00473/OM	Mr J Hall Kemps Lane Hockwold cum Wilton Norfolk IP26 4LG Outline Application: construction of 23 new dwellings	Hockwold cum Wilton

22.04.2016	14.07.2016 Application Permitted	16/00776/F	Mr Kevin Annison 12A Main Street Hockwold cum Wilton Norfolk IP26 4LH Variation of condition 6 of planning permission 13/01071/O to omit requirement to reinstate/raise footway after opening has been blocked off by wall or fence	Hockwold cum Wilton
24.05.2016	19.07.2016 Application Permitted	16/00990/F	Mr N Harrison Norrisha Mill Lane Hockwold cum Wilton Norfolk Extension to existing bungalow	Hockwold cum Wilton
17.03.2016	08.07.2016 Application Permitted	16/00552/F	Mr And Mrs Knowles Flaxley House Broadwater Road Holme next the Sea Norfolk Conversion of roofspace to create additional accommodation, alterations and extension	Holme next the Sea
12.05.2016	04.07.2016 Application Permitted	16/00871/F	Mr Colin Duckworth Holmbush Drove Orchards Thornham Road Holme next the Sea Relocation of tennis court and change from grass to hard surface	Holme next the Sea
25.04.2016	28.06.2016 Application Permitted	16/00786/F	Mr D Lloyd The Lighthouse Lighthouse Close Hunstanton Norfolk Internal alterations to attached cottage to provide additional accommodation and open plan Kitchen, Dining & Living. Installation of new balcony area and external spiral stair.	Hunstanton

28.04.2016	28.06.2016 Application Permitted	16/00815/F	Mr Alan Bedwell Hargre Cottage 57 Hill Road Ingoldisthorpe King's Lynn Two storey dwelling extension and detached garage	Ingoldisthorpe
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24.06.2013	14.07.2016 Application Permitted	13/00920/FM	<p>Tesco Stores Limited Tesco Stores Ltd Hardwick Road Hardwick Retail Park King's Lynn VARIATION OF CONDITIONS 1, 2, 5, 6, 9, 11, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38 AND 47 ATTACHED TO PLANNING PERMISSION 12/00951/OM: Outline Application for the redevelopment of former Campbells Factory and existing Tesco store and petrol filling station (following the demolition of existing buildings) for a phased, mixed use development comprising employment uses (Classes B1, B2 and B8) a replacement supermarket (Use Class A1) new garden centre (Use Class A1), hotel (C1) public house (A4) and car showroom. Reserved Matters in respect of access (including alterations and improvements to the Hardwick Road and existing sites access) are to be determined. These arrangements will serve all phases of the development. All Reserved Matters in respect of the first phase of the development are to be determined. The first phase comprises the erection of a new garden centre and the erection of a replacement supermarket (Class A1) including a cafe/restaurant, petrol filling station and kiosk, recycling facilities, car parking, home delivery centre, new</p>	King's Lynn
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08.03.2016	24.06.2016 Application Permitted	16/00478/F	Mr Robin Burton 16 St James Street King's Lynn Norfolk Single storey extension with mono pitched roof following demolition of rear store/kitchenette	King's Lynn
14.03.2016	27.06.2016 Application Permitted	09/02010/NMA_1	NWES The Nar Ouse Regeneration Area (NORA) Wisbech Road King's Lynn Norfolk Non-material amendment to planning permission 09/02010/F: To revise foundation proposals to the external works hard standing areas such as car park and access road	King's Lynn
17.03.2016	27.06.2016 Application Permitted	14/01732/NMA_1	King's Lynn IDB Pumping House 2 At Lynnsport Greenpark Avenue King's Lynn Norfolk Non-material amendment to planning permission 14/01732/F: Construction of a new pumping station and rising main	King's Lynn

21.03.2016	27.06.2016 Application Permitted	09/02010/NMA_2	NWES The Nar Ouse Regeneration Area (NORA) Wisbech Road King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 09/02010/F: Mixed use development - Variation of condition 5 and removal of condition 7 of planning permission 05/00691/OM	King's Lynn
08.04.2016	30.06.2016 Application Permitted	16/00695/CU	APS (Anglia Partitions Ltd) The Builders Shop Hansa Road Hardwick Industrial Estate King's Lynn Part change of use from B8 to A1	King's Lynn
12.04.2016	06.07.2016 Application Permitted	16/00714/F	Mr J Lee 3 High Street King's Lynn Norfolk PE30 1BX Conversion of three floors above a shop into two flats	King's Lynn
21.04.2016	24.06.2016 Application Permitted	16/00761/F	Mr Keith Chapman 2 Kings Staithe Square King's Lynn Norfolk PE30 1JE External alterations including works to roof, fenestration and removal of painted finish applied to walls (retrospective)	King's Lynn

25.04.2016	06.07.2016 Application Permitted	16/00783/LB	LBEIGS Ltd 49 High Street King's Lynn Norfolk PE30 1BE Listed Building Application: Paint shop front from white to very light grey, paint internal walls white & light grey, replace carpet tiled flooring to wooden flooring	King's Lynn
29.04.2016	04.07.2016 Application Permitted	16/00788/F	Mrs D Summer 11 Burney Road King's Lynn Norfolk PE30 5LD Removal of my wooden fence and hedge to create a parking space for a car	King's Lynn
29.04.2016	08.07.2016 Application Permitted	16/00827/F	Dr Jeff Sherer 6 St Anns Street King's Lynn Norfolk PE30 1LT Change of use of ground floor A1 retail unit to D1 dentist surgery. Formation of internal partitions and ceilings , alterations to entrance level floor heights and shop front	King's Lynn
29.04.2016	07.07.2016 Application Permitted	16/00828/LB	Dr Jeff Sherer 6 St Anns Street King's Lynn Norfolk PE30 1LT Listed Building Application: Change of use of ground floor A1 retail unit to D1 dentist surgery. Formation of internal partitions and ceilings , alterations to entrance level floor heights and shop front	King's Lynn

04.05.2016	04.07.2016 Application Permitted	16/00847/A	GroundWork Gallery 17 Purfleet Street King's Lynn Norfolk PE30 1ER 1 x non illuminated sign	King's Lynn
05.05.2016	08.07.2016 Application Permitted	16/00855/F	Mr Jonathan Gosling 20 Edinburgh Avenue Gaywood King's Lynn Norfolk Single storey extension to side of dwelling	King's Lynn
05.05.2016	30.06.2016 Application Permitted	16/00862/F	Mars Foods Ltd Mars Foods Ltd Hansa Road Hardwick Industrial Estate King's Lynn Variation of condition 2 of planning permission 14/01390/FM to change approved drawings	King's Lynn
10.05.2016	05.07.2016 Application Permitted	16/00881/F	Mr & Mrs Frost 17 Gresham Close King's Lynn Norfolk PE30 3EJ Demolition of Conservatory with the Construction of a Single Storey Rear Extension	King's Lynn
11.05.2016	05.07.2016 Application Refused	16/00903/F	Mr John Stevenson 44 South Everard Street King's Lynn Norfolk PE30 5HJ New Windows	King's Lynn
17.05.2016	08.07.2016 Application Permitted	16/00941/F	Mr & Mrs K Hubbard 11 Eastfields Close Gaywood King's Lynn Norfolk Extension	King's Lynn

20.05.2016	11.07.2016 Application Permitted	16/00973/F	Mr M Hodgson Whincop House 29 Tower Street King's Lynn Norfolk Extension to rear of dwelling, internal alterations and repairs following stripping of material affected by dry rot.	King's Lynn
20.05.2016	14.07.2016 Application Permitted	16/00982/LB	Mr M Hodgson Whincop House 29 Tower Street King's Lynn Norfolk Extension to rear of dwelling, internal alterations and repairs following stripping of material affected by dry rot.	King's Lynn
25.05.2016	20.07.2016 Application Permitted	16/00997/F	DFS Furniture Company Ltd DFS 7 - 9 Pierpoint Retail Park Hansa Road Hardwick Industrial Estate Erection of plant enclosure to the rear of the unit consisting of 2.4m high galvanised palisade fence with lockable gate	King's Lynn
26.05.2016	20.07.2016 Application Refused	16/00944/F	Messrs Stuart Dickerson And Matthew Barlow 15 Field Lane Gaywood King's Lynn Norfolk Renovate cottage and construct 2no. dwellings	King's Lynn
26.05.2016	20.07.2016 Application Refused	16/00945/F	Mr S Dickerson Romar New Street King's Lynn Norfolk Construct new single storey dwelling	King's Lynn

03.06.2016	01.07.2016 DM Notification Required	16/01050/DM	Mr Roger Warnes Roger Warnes Transport Wisbech Road King's Lynn Norfolk Prior Notification of proposed demolition of small office and workshop	King's Lynn
08.06.2016	28.06.2016 Application Refused	14/01199/NMAM_1	Borough Council of King's Lynn And West Norfolk The Nar Ouse Regeneration Area (NORA) Wisbech Road King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 14/01199/RMM FOR THE OMISSION OF ONE DWELLING (PLOT 77) AND ALLOCATION TO PLOT 176 AS PRIVATE GARDEN: RESERVED MATTERS APPLICATION: Phase 2 of development, construction of 59 dwellings	King's Lynn
19.05.2016	08.07.2016 Application Permitted	16/00916/F	Mr & Mrs Harith Altemimi The White House 8 Gayton Road Ashwicken King's Lynn Proposed extension and alterations	Leziate
19.04.2016	08.07.2016 Application Permitted	16/00757/F	Defence Infrastructure Organisation RAF Marham Burnthouse Drove Upper Marham Norfolk New air ground lighting masts for RAF Marham runway and fence boundary site between Swaffham Road and White Road	Marham

19.04.2016	08.07.2016 Application Permitted	16/00759/F	Defence Infrastructure Organisation RAF Marham Burnthouse Drove Upper Marham Norfolk New air ground lighting masts for RAF Marham runway and fence boundary at site on Swaffham Road	Marham
04.05.2016	29.06.2016 Application Permitted	16/00849/RM	Mr And Mrs P Didwell Land Opposite 342 Smeeth Road S 337 Smeeth Road Marshland St James Norfolk Reserved Matters Application: construction of one dwelling	Marshland St James
05.05.2016	08.07.2016 Application Permitted	16/00816/F	Barchester Healthcare Hickathrift House 217 Smeeth Road Marshland St James Wisbech Single storey extension to provide additional lounge/amenity facilities for existing residents	Marshland St James
23.12.2015	08.07.2016 Application Permitted	15/02122/OM	Mr E A & R R Flowers And A R & G A Neville West of 78 Hythe Road Methwold Thetford Norfolk OUTLINE APPLICATION ALL MATTERS RESERVED: Site for construction of 12 dwellings	Methwold
16.05.2016	27.06.2016 Hedge Application - no objection	16/00042/HEDGE	G C Field And Sons New Farm Southery Road Feltwell Thetford Hedgerow removal notice	Methwold

17.05.2016	12.07.2016 Application Permitted	16/00915/F	Mr Y Prodromou 6 Brandon Road Methwold Thetford Norfolk Variation of condition 2 of planning permission 15/00487/F to amend drawings	Methwold
02.06.2016	18.07.2016 Application Permitted	16/01039/O	Mrs J A Griffen Land North of 49 Main Road Brookville Thetford Norfolk Outline Application: construction of three dwellings	Methwold
08.04.2016	28.06.2016 Application Refused	16/00704/CU	Dr Lee O'Mara Horseshoe Cottage Wormegay Road Blackborough End King's Lynn Change of use of field to garden land	Middleton
12.05.2016	07.07.2016 Application Permitted	16/00907/LB	Mr & Mrs Barclay Tower Farm House Station Road Tower End Middleton New drive accesses to be formed and wall feature to the principle elevation to match the existing arrangements	Middleton
25.04.2016	06.07.2016 Application Permitted	16/00781/F	Mr D Russell Farmbuildings S Church Farm E of the Haven Silt Road Nordelph Norfolk Proposed 2No. Dwellings with the demolition of the existing agricultural barns	Nordelph

11.05.2016	08.07.2016 Application Permitted	16/00912/F	Mr F Wilson Cherry Tree Farm Silt Road Nordelph Downham Market Extension to dwelling	Nordelph
04.05.2016	08.07.2016 Application Permitted	16/00848/F	Client of Holt Architectural Ltd 1 Station Road North Wootton King's Lynn Norfolk Proposed two storey side extension and rear single storey lean too extension	North Wootton
05.05.2016	01.07.2016 Application Permitted	16/00854/F	Mr & Mrs R Sissons 60 Woodland Gardens North Wootton Norfolk PE30 3PX Extension	North Wootton
26.04.2016	14.07.2016 Application Permitted	16/00795/F	Mrs P Lee Barn 49 Hovells Lane Northwold Norfolk Conversion of an existing agricultural store (barn) to single storey dwelling	Northwold
10.05.2016	08.07.2016 Application Permitted	16/00846/F	Mr & Mrs T Vergerson Plumstones Sandy Lane Old Hunstanton Norfolk Proposed Extension	Old Hunstanton
13.05.2016	08.07.2016 Application Permitted	16/00885/F	Mr C Witley The Old Waterworks Waterworks Road Old Hunstanton Norfolk Alterations to Dwelling:- -Installation of Ground Floor Window - Alteration to Doors - Installation of roof Lantern	Old Hunstanton

19.05.2016	14.07.2016 Application Permitted	16/00969/F	Mr And Mrs W Sutton 10 the Bungalows Lowside Outwell Wisbech Timber mooring and steps	Outwell
15.06.2016	14.07.2016 GPD HH extn - Not Required	16/01126/PAGPD	Mrs Gemma Alexander 12 Birdbeck Drive Outwell Norfolk PE14 8TS Single storey rear extension which extends beyond the rear wall by 4.5 metres with a maximum height of 3.4 metres and a height of 2.4 metres to the eaves	Outwell
29.06.2016	08.07.2016 Application Permitted	16/00062/NMA_1	Crown Service Station (Outwell) Crown Lodge Hotel 40 Downham Road Outwell Wisbech Non-material amendment to planning permission 16/00062/F: Change of use from agricultural land to land associated with Crown Lodge Hotel to include car parking, amenity space, waste collection and fuel tanks and extension to workshop building to provide ground floor workshop and staff flat over	Outwell
17.05.2016	11.07.2016 Application Permitted	16/00939/F	Mr Stephen Heywood Westbury 20 Stoney Road Roydon King's Lynn Two storey rear extension	Roydon
08.06.2016	15.07.2016 Application Refused	16/01077/CU	Mrs Marsha Parker The Gables 53 Common Road Runcton Holme King's Lynn Change of use of agricultural land to residential garden land	Runcton Holme

03.05.2016	20.07.2016 Application Permitted	16/00834/F	Mr H Head High House Docking Road Sedgeford Hunstanton Conversion of outbuilding to annexe	Sedgeford
01.03.2016	23.06.2016 Application Permitted	16/00419/CU	Mr Matthew Keeley Ashes 28 Lynn Road Shouldham King's Lynn Change of use from double garage to single garage and tattoo studio	Shouldham
07.05.2016	30.06.2016 Application Permitted	16/00870/F	Mr Keith Matthews Carpenters Cottage 3 Norwich Road Shouldham King's Lynn Proposed extension and internal alterations	Shouldham
13.11.2015	30.06.2016 Application Permitted	15/01850/F	Coastal Vets Coastal Veterinary Group 16 Alma Road Snettisham Norfolk Construction of replacement veterinary practice building	Snettisham
28.04.2016	30.06.2016 Application Permitted	16/00817/F	Mr Mark Stewart The Coach House Snettisham House St Thomas Lane Snettisham Renovation and refurbishment of dwelling	Snettisham
28.04.2016	30.06.2016 Application Permitted	16/00818/LB	Mr Mark Stewart The Coach House Snettisham House St Thomas Lane Snettisham Listed Building Application: renovation and refurbishment of dwelling	Snettisham

06.05.2016	30.06.2016 Application Permitted	16/00864/F	Mr & Mrs J Emery 2 Ingolside Snettisham Norfolk PE31 7QP Installation of 3 no Roof Windows	Snettisham
09.05.2016	08.07.2016 Application Permitted	16/00880/F	Mr Eric Langford Lancaster Lodge Lancaster Place Snettisham King's Lynn Single storey extension to dwelling	Snettisham
13.05.2016	08.07.2016 Application Permitted	16/00889/F	Mr Joseph Rainsbury 7 Beach Road Snettisham King's Lynn Norfolk Single storey rear extension to existing house. Replace existing defective render to external walls with horizontal timber cladding. Replace roof tiles with insulated roof panels. Replace existing windows and doors. Remove porch & Conservatory.	Snettisham
16.05.2016	08.07.2016 Prior Approval - Approved	16/00936/PACU2	Mrs E McIntosh Pets Corner Store 107 - 109 Lynn Road Snettisham King's Lynn Prior Notification: Change of use from retail (A1) to residential dwelling (C3)	Snettisham
11.01.2016	24.06.2016 Application Permitted	16/00033/F	A Zipfell Oldacres The Common South Creake Norfolk Retention and Completion of extension and alterations	South Creake

25.04.2016	11.07.2016 Application Permitted	16/00777/F	Mr B Sexton Church End Cottage 56 Church Lane South Creake Norfolk Ancillary building in the form of a log cabin	South Creake
05.05.2016	30.06.2016 Application Permitted	16/00851/F	Mr & Mrs Jonathan Freedland Mulberry 4 Leicester Meadows Leicester Road South Creake Erection of two single storey rear extensions	South Creake
16.05.2016	08.07.2016 Application Permitted	16/00926/F	Mr And Mrs Connelly Sambea Cottage Back Lane South Creake Fakenham Conversion of garage to family room and new pitched roof	South Creake
24.05.2016	20.07.2016 Application Permitted	16/00933/F	Mrs Elaine Perry 9 Fakenham Road South Creake Fakenham Norfolk Construction of new carport and boat store with guest suite above following demolition of existing double garage	South Creake
07.05.2016	04.07.2016 Application Permitted	16/00869/F	Miss Kerry Craik Carne Lea 9 Bourne Close South Wootton King's Lynn Proposed single storey extension	South Wootton
19.05.2016	13.07.2016 Application Withdrawn	16/00914/F	Mrs E Bryne Hilltops 85 Nursery Lane South Wootton Norfolk Construction of new dwelling (plot 2)	South Wootton

11.05.2016	08.07.2016 Application Permitted	16/00908/F	Mr John Everett 33 Lynn Road Southery Downham Market Norfolk Construction of Garage to serve existing dwelling	Southery
05.06.2014	14.07.2016 Application Permitted	14/00825/F	MRC Group 4 Primrose Farm Site The Drove Barroway Drove Norfolk Change of use from storage of materials to workshop and storage of materials and design amendments to the approved rooflights	Stow Bardolph
04.08.2015	07.07.2016 Application Permitted	15/01225/F	MRC Group Land South of Chestnuts The Drove Barroway Drove Norfolk Creation of new access from The Drove onto a field	Stow Bardolph
03.03.2016	29.06.2016 Application Permitted	16/00439/O	Client of Ian J M Cable Architecture Land Between Village Hall And the Sycamores 132 the Drove Barroway Drove Outline Application: construction of dwellings	Stow Bardolph
09.03.2016	15.07.2016 Application Permitted	16/00483/F	Mr And Mrs S Owen Plot W of 60 The Drove Barroway Drove Norfolk Construction of replacement dwelling	Stow Bardolph

14.03.2016	18.07.2016 Application Refused	16/00525/F	Mr Paul Lesniak And Mrs Louise Lesniak The Old School House 119 the Drove Barroway Drove Norfolk Construction of a dwelling	Stow Bardolph
21.04.2016	29.06.2016 Application Permitted	16/00770/F	Mr Sean Davies 25 Broadlands The Street Syderstone King's Lynn Two bay cartshed with attached store	Syderstone
04.05.2016	08.07.2016 Application Permitted	16/00850/F	Mr And Mrs L Battrick 12 Ashside Syderstone Norfolk PE31 8RZ Extension to side and rear	Syderstone
18.05.2016	14.07.2016 Application Permitted	16/00959/F	Mr T Browne 16 Long Road Terrington St Clement King's Lynn Norfolk Proposed alteration to roof lantern	Terrington St Clement
24.05.2016	18.07.2016 Application Permitted	16/00985/LB	Mr I Green Tower House 15 Northgate Way Terrington St Clement King's Lynn Listed Building Application: Removal of front porch and installation of ornate door canopy and remedial repairs	Terrington St Clement
18.05.2016	15.07.2016 Application Permitted	16/00953/F	Mr & Mrs S Robinson Stud Farm Church Road Terrington St John Wisbech Extension to House	Terrington St John
01.04.2016	27.06.2016 Application Permitted	16/00693/LB	Mr Tony Needham Trees Cottage High Street Thornham Hunstanton Replacement Porch	Thornham

04.05.2016	08.07.2016 Application Permitted	16/00845/F	Mrs Melanie Venes Greenwoods High Street Thornham Hunstanton Erection of single storey wooden garden studio	Thornham
16.05.2016	11.07.2016 Application Permitted	16/00924/F	Agellus Hotels (Norfolk) Ltd The Chequers Inn High Street Thornham Norfolk Pavillion to front	Thornham
02.06.2016	28.06.2016 Application Permitted	16/00235/NMA_1	Mrs Anna Potts Seacroft Green Lane Thornham Hunstanton NON-MATERIAL AMENDED TO PLANNING CONSENT 16/00235/F: proposed extension	Thornham
26.04.2016	14.07.2016 Application Permitted	16/00798/F	Mr R Collison Land To South of Meadow Farm 1 Church Road Tilney All Saints Construction of a new dwelling	Tilney All Saints
03.06.2016	15.07.2016 Application Permitted	16/01037/F	Mr & Mrs David & Judith Bennett & Horsley Parish Cottage Shepherds gate Road Tilney All Saints King's Lynn Extension to rear and replacement front porch	Tilney All Saints
18.04.2016	07.07.2016 Application Permitted	16/00750/F	Dow Windsor Farm 79 Church Road Tilney St Lawrence King's Lynn Nature Pond and Field Shelter (Retrospective)	Tilney St Lawrence

05.05.2016	07.07.2016 Application Permitted	16/00860/RM	C/o Agent Greenacres 1 Spice Chase Tilney St Lawrence King's Lynn RESERVED MATTERS APPLICATION: Two dwellings	Tilney St Lawrence
11.05.2016	06.07.2016 Application Permitted	16/00898/F	Mr R Burton Dunelm 31 School Road Tilney St Lawrence King's Lynn Extension and Alterations to Bungalow	Tilney St Lawrence
17.05.2016	14.07.2016 Application Permitted	16/00949/F	Mr Richard Pett The Hollies New Road Tilney St Lawrence King's Lynn Single Storey rear extension and detached garage	Tilney St Lawrence
11.01.2016	11.07.2016 Application Permitted	16/00037/CU	Mr And Mrs Peter Scott Three Barns 61 Small Lode Upwell Norfolk Change of use of agricultural land and buildings (including modifications) to domestic land and buildings, completion and retention of dwelling and installation of domestic oil tank	Upwell
15.02.2016	30.06.2016 Application Permitted	16/00292/F	Fountain Construction (Anglia) Ltd Land East of Providence Villa Pius Drove Upwell Wisbech Construction of two dwellings	Upwell

11.05.2016	06.07.2016 Application Permitted	16/00917/F	Mr & Mrs Hartley Thurlands Drove Upwell Norfolk PE14 9AP Two storey extension to dwelling (to be dealt with by Fenland DC) Access to dwelling partly within BCKLWN	Upwell
19.05.2016	18.07.2016 Application Permitted	16/00922/F	Unique Homes Ltd Plot 1 East of The Hollies 42 St Peters Road Upwell Construction of one 5 bedroom house with detached double garage	Upwell
16.02.2016	27.06.2016 Application Refused	16/00310/F	Mr Terrence Brown Homewood Bustards Lane Walpole St Peter Norfolk Demolition of bungalow and erection of two dwelling houses, garages and associated external works	Walpole
04.04.2016	01.07.2016 Application Permitted	16/00656/RM	Mr And Mrs T Rudd Land North of Hawthorne Lodge Police Road Walpole St Andrew Norfolk Reserved Matters Application: Residential development plot 1	Walpole
14.04.2016	24.06.2016 Application Permitted	16/00729/F	Mr Andrew Bateman Model Farm Frenchs Road Walpole St Andrew Wisbech Variation to condition 4 of planning permission 15/00918/F: To allow construction to continue during the restricted time period of 1st March to 1st August	Walpole

06.10.2015	30.06.2016 Application Permitted	15/01594/F	Mr B Human Samuels Farm Shop Market Lane Walpole St Andrew Norfolk Extension to shop to provide Cafe together with indoor play area for incidental use with the cafe	Walpole Cross Keys
18.04.2016	14.07.2016 Application Permitted	16/00749/F	Mr Charles Newby Clares Cottage 103 Sutton Road Walpole Cross Keys King's Lynn Update existing cottage and convert existing garage/outbuilding to cottage to form 1 pair of cottages	Walpole Cross Keys
30.03.2016	08.07.2016 Application Permitted	16/00597/F	Mr Peter Bunning Faulkner House West Drove North Walton Highway Norfolk Various developments within curtilage of residential dwelling: 1. Erection of detached 4-bay car port. 2. Erection of facing brick wall to site frontage, including removal of existing conifers	Walpole Highway
11.04.2016	08.07.2016 Application Permitted	16/00702/F	Mr Peter Bunning Faulkner House West Drove North Walton Highway Norfolk Extension to outbuilding and change of use to annex ancillary to main dwelling	Walpole Highway

17.03.2016	04.07.2016 Application Permitted	16/00549/F	Mr & Mrs I Towler 7 Burrett Road Walsoken Wisbech Norfolk Conversion of redundant agricultural building to dwelling and erection of double garage	Walsoken
26.05.2016	20.07.2016 Application Permitted	16/01011/F	Mr Peter Jackson The Gables Wheatley Bank Walsoken Wisbech Removal of Condition 2 attached to planning permission M2897 to allow the agricultural occupation restriction to be removed	Walsoken
27.05.2016	18.07.2016 Application Permitted	16/01018/F	Mr Wellbourn Land Opposite Chequers Corner Walsoken Road Walsoken Norfolk Portal steel framed building for agricultural storage purposes	Walsoken
18.04.2016	20.07.2016 Application Permitted	16/00742/F	Mr C Turner 64 Downham Road Watlington King's Lynn Norfolk Conversion of dwelling to form garden room for 62 Downham Road	Watlington
28.04.2016	30.06.2016 Application Permitted	16/00814/F	MCS Properties Ltd Pleasance Flegg Green Wereham King's Lynn Construction of four dwellings	Wereham
11.02.2016	01.07.2016 Application Permitted	16/00261/F	Mr C Fox Springfield House Lime Kiln Road West Dereham King's Lynn First Floor Extension	West Dereham

28.04.2016	24.06.2016 Application Permitted	16/00802/F	Mr Fensom Walnut Lodge 61 Salts Road West Walton Norfolk Proposed first floor extension and internal alterations	West Walton
16.02.2016	18.07.2016 Application Permitted	16/00291/F	Mr Mehdi Jafarifar Homelands 28 Back Lane West Winch King's Lynn Conversion of swimming pool annexe to residential annexe	West Winch
21.03.2016	30.06.2016 Application Refused	16/00586/F	Mr Ken Griffiths 6 Grange Bungalows Lynn Road Setchey King's Lynn Change of use of part rear garden and site a 12.192m x 6.012m mobile home	West Winch
09.05.2016	12.07.2016 Application Permitted	16/00872/CU	Mrs Christine Cooper Willow Tree Forge High Road Saddlebow Norfolk From retail working forge to Retail Saddlery	Wiggenhall St Germans
09.05.2016	11.07.2016 Application Permitted	16/00877/F	Mr And Mrs J Peel 58 Sluice Road Wiggenhall St Germans King's Lynn Norfolk Two storey extension to dwelling	Wiggenhall St Germans
28.01.2016	19.07.2016 Application Permitted	16/00158/O	C.o Agent Land South of 85 Stow Road Stow Road Wiggenhall St Mary Magdalen Norfolk OUTLINE APPLICATION ALL MATTERS RESERVED: 9 Dwellings	Wiggenhall St Mary Magdalen

17.05.2016	28.06.2016 Application Permitted	15/01363/NMA_1	Mr D Fendley 23 Tinkers Lane Wimbotsham King's Lynn Norfolk Non-material amendment to planning permission 15/01363/F: Replacement of outbuildings with new dwelling	Wimbotsham
25.04.2016	30.06.2016 Was Lawful	16/00794/LDP	Tharros Ltd 5 To 8 Park Farm Cottages Castle Road Wormegay Lawful Development Certificate: Use of properties as private dwellings without complying with the condition attached to DM3101	Wormegay
06.05.2016	13.07.2016 Application Permitted	16/00830/F	Mr A Stratton And Mr And Mrs R Thompson Land East of Homelea Castle Road Wormegay Construction of two dwellings and garages (amended design)	Wormegay
09.02.2016	01.07.2016 Application Permitted	16/00250/O	Shingham Livestock Site Opposite Church Farm Low Road Wretton King's Lynn Outline Application: Proposed residential development	Wretton

PLANNING COMMITTEE

1 AUGUST 2016

**DECISION ON PLANNING AND ENFORCEMENT APPEALS
- QUARTERLY REPORT -**

1. PURPOSE OF THE REPORT

- 1.1 To provide Members with the quarterly update covering performance for the period 1 April 2016 – 30 June 2016

2. REPORT

- 2.1 The Schedule is attached at Appendix 1 for the period 1 April 2016 – 30 June 2016 (Planning and Enforcement).

	Valid appeals started in system at beginning of period	New valid appeals started	Appeals decided (or withdrawn / closed / invalid)	Valid appeals started in system at end of period
1 Apr – 30 Jun	19	17	14	22

- 2.2 For all appeals decided this quarter, the outcomes were as follows:-

	Allowed	Dismissed	Total	Withdrawn / Closed	Invalid	Split
1 Apr – 30 Jun	2	11	13	1	0	0
	15%	85%				

- 2.3 BVPI 204 was not retained as a new National Indicator although it has been retained as one of our local indicators. BVPI 204 was quite specific over which appeals it covers and for example does not include enforcement, advertisement, lawful development certificate, permitted development, hedge and tree appeals, this is reflected in the table below.

No appeals were decided in this quarter matching the criteria detailed above.

	Allowed	Dismissed	Total	Withdrawn / Closed	Invalid	Split
1 Apr – 30 Jun	1	9	10	0	0	0
	10%	90%				

- 2.4 For all appeals decided over the last 4 quarters, the outcomes were as follows:-

2015/16	Allowed	Dismissed	Total	Withdrawn / Closed	Invalid	Split
1 Jul – 30 Sept	6	4	10	1	0	0
1 Oct – 31 Dec	10	7	17	3	0	0
1 Jan – 31 Mar	3	9	12	0	0	0
1 Apr – 30 Jun	2	11	13	1	0	0
Total	21	31	52	5	0	0
	40%	60%				

This data shows that for the second quarter of 2016 15% of all appeals were allowed. For the 12 month period to 30 June 2016 an average of 40% of all appeals were allowed. This is above the traditional national average figure of around 33% of all appeals allowed. With regard to withdrawals it should be noted that appeals can be withdrawn at any time, even after the statements have been exchanged or the appeal heard but whilst the Inspector's decision is awaited. At that stage the LPA has undertaken all the work but without any commensurate result.

- 2.5 All decisions are viewable on the councils web site located on the planning appeals page and are e-mailed directly to the ward member, Chairman and Vice-Chairman. Appeal documentation for applications made in 2004 onwards can also be viewed on Public Access using the planning application search facility.

Contact Officer: Lee Osler, Office Manager
☎ 01553 616552

Planning and Enforcement Appeal

Report Date Range 01/04/2016 to 30/06/2016

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
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Live Cases -1 (Not including appeals received to end of previous quarter)

15/01/2015	C/14/3001728	Mr S Templeton And Mrs G Brown 23 Church Lane Bircham Tofts Norfolk PE31 6EF	Appeal against	14/00513/UNOPDE	Written Representations		
06/10/2015	W/15/3132154	Falck Renewables Wind Ltd Land To the East of Rhoon Road Ongar Hill Road Terrington St Clement Norfolk	Installation of 9, approximately 2-3MW wind turbines up to 127m in height above existing ground level, permanent anemometry mast, control building, access tracks and associated ancillary infrastructure for an operating period of 25 years and temporary con	12/00321/FM	Public Inquiry	14/06/2016	
04/12/2015	W/15/3133200	Mr Brian J Rutterford The West End 43 Long Lane Feltwell Thetford Norfolk IP26 4BJ	Change of use of public house into two ground floor apartments with retention of first floor flat over	15/00209/F	Written Representations		
21/01/2016	C/16/3142318	Mr And Mrs Ingram Wadyngstow House Main Road Three Holes Norfolk PE14 9JR	Appeal against	15/00052/UNOPDE	Written Representations		
01/03/2016	W/16/3144692	Mr And Mrs Sm And TM Ngantu The Willows 70 Station Road Terrington St Clement King's Lynn Norfolk PE34 4PL	Outline application: 3 dwellings	15/01903/O	Written Representations		

Live Cases -2 (Received in previous quarter)

18/04/2016	C/16/3146551	Nicholas David Barker Holly Manor Lynn Road Tilney All	Appeal against	15/00002/MON	Written Representations		
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Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
		Saints Norfolk PE34 4RT					
18/04/2016	C/16/3146770	Cheryl Barker	Appeal against	15/00002/MON	Written Representations		
		Holly Manor Lynn Road Tilney All Saints Norfolk PE34 4RT					
18/04/2016	W/16/3146105	Mr And Mrs Jan And Joe Jackson	Outline application: Proposed construction of three dwellings	15/01895/O	Written Representations		
		High Farm 94 Hunstanton Road Dersingham King's Lynn Norfolk PE31 6NF					
05/05/2016	W/16/3147056	Mr John Askew	Passive house of rural character	15/01486/F	Written Representations		
		Marshland Farm Moyses Bank Marshland St James Wisbech Norfolk PE14 8HD					
05/05/2016	W/16/3147766	Mr J Lee	Outline Application: construction of dwelling	15/01636/O	Written Representations		
		Land At Shouldham Road Shouldham Thorpe King's Lynn Norfolk PE33 0EF					
06/05/2016	W/16/3149157	Southgates Medical Centre	Erection of metal container in far end of car park	15/01482/F	Written Representations		
		Southgate's Surgery 41 Goodwins Road King's Lynn Norfolk PE30 5PE					
06/05/2016	W/16/3148339	MRC Engineering	Change of use of two double garages to residential comprising two bungalows	15/01799/F	Written Representations		
		Building To North East of Engineering Company Main Road Lott's Bridge Three Holes Norfolk PE14 9JG					
16/05/2016	W/16/3147543	Elm Park Holdings Limited	Outline Application: construction of up to 40 dwellings	15/01003/OM	Public Inquiry		
		Fosters Sports Ground Ferry Road Clenchwarton Norfolk PE34 4BP					

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
20/05/2016	W/16/3148978	Mr P Reeve 34 Holcombe Avenue King's Lynn Norfolk PE30 5NY	New Dwelling	15/01997/O	Written Representations		
23/05/2016	W/16/3150067	Mr Andrew Robb Davros Gong Lane Burnham Overy Staithe King's Lynn Norfolk PE31 8JG	Sub division of existing dwelling for holiday let and extension to ground floor snug area	15/01983/F	Written Representations		
25/05/2016	W/16/3148539	Mrs S Richards Land Rear of The Green North Wootton Norfolk	Erection of two proposed detached dwellings and associated garages	15/02044/F	Written Representations		
25/05/2016	W/16/3148591	Hereward Services Land Rear of Townsend Estate Walnut Road Walpole St Peter Norfolk	Outline Application: Small scale residential development	16/00237/O	Written Representations		
01/06/2016	W/16/3147121	Hereward Services Land 40M SW of the Old Mill Common Road Walton Highway Norfolk	Construction of 1 x 4 bedroom barn style 2 storey dwelling	15/01103/F	Written Representations		
02/06/2016	W/16/3149906	Mr Andrew Timms New Sibley Field School Road Terrington St John Norfolk	Outline application: Construction of 4 No. detached houses with integral garages	15/02013/O	Written Representations		
02/06/2016	W/16/3148365	T M Browne Developments Ltd Land Adj.Last View Low Road Walpole Cross Keys Norfolk PE34 4HA	Construction of two detached dwellings and associated car port	15/02066/F	Written Representations		

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
24/06/2016	W/16/3151288	Mr B Rand Whiteways 23 Woodside Avenue Dersingham King's Lynn Norfolk PE31 6QB	Construction of chalet dwelling and garage	15/02117/F	Written Representations		

Appeals Decided (Up to the end of previous quarter)

20/08/2015	C/15/3131948	Mark Watling Plot S of Faster Lente Walton Road Walsoken Norfolk	Without planning permission, the construction of a dwelling house and ancillary buildings, including a store room and an office on the Land; and the material change of use of agricultural land to residential use including use as curtilage/garden land in c	15/00105/UNAUTU	Public Inquiry	25/02/2016	12/05/2016 No Code [ENFQUA]
08/09/2015	C/15/3131926	Mr Fred Ali Myrabella Farm Long Road Terrington St Clement King's Lynn Norfolk PE34 4JN	Appeal against	14/00635/UNAUTU	Written Representations		12/04/2016 Enforcement Notice Upheld
21/10/2015	3132796	Benjamin J Human Old Farm Market Lane Walpole St Andrew Norfolk PE14 7LT	Appeal against	15/00164/UNAUTU	Written Representations		19/04/2016 Enforcement Notice Upheld
20/11/2015	W/15/3136957	Warrant Properties Limited 23 Tuesday Market Place King's Lynn Norfolk PE30 1JR	Proposal to lower 6No. windows on the front elevation at ground floor	15/00760/F	Written Representations		18/04/2016 Appeal Dismissed
20/11/2015	Y/15/3138842	Warrant Properties Limited 23 Tuesday Market Place King's Lynn Norfolk PE30 1JR	Listed building application for proposal to lower 6No. windows on the front elevation at ground floor	15/00761/LB	Written Representations		18/04/2016 Appeal Dismissed

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
08/12/2015	W/15/3199129	Mr Tim Holmes Seaward House Wells Road Burnham Overy Staithe King's Lynn Norfolk PE31 8JE	Demolition of existing house and erection of new house and boatshed	14/01316/F	Written Representations		15/04/2016 Appeal Dismissed
08/12/2015	W/15/3138461	Mr Ben Marten Land At Lynn Road Ingoldisthorpe Norfolk	Outline Application: residential development	15/00854/OM	Written Representations		06/05/2016 Appeal Allowed
17/12/2015	D/15/3132402	Mr Matthew Garrod Land To the Rear of 57 Railway Road King's Lynn Norfolk PE30 1NE	Conversion of garage block to form 1 bedroom residential unit	15/00514/F	Written Representations		19/04/2016 Appeal Dismissed
12/01/2016	W/15/3141346	Ms S Adams Cooks Cottage St Pauls Road South Walton Highway Norfolk PE14 7DD	Removal of condition 5 for planning permission 2/03/2072/CU to allow occupier to live in the cottage on a permanent basis	15/00747/F	Written Representations		22/04/2016 Appeal Dismissed
14/01/2016	D/16/3141929	Mr & Mrs L Douglas 10 Trinity Road Marshland St James Norfolk PE14 8JA	Extensions & alterations to dwelling	15/01401/F	Undefined		22/04/2016 Appeal Dismissed
11/02/2016	APP/V/2635/W/16/31436 75	Mr B Smith Orchard Park Caravan Site The Green Shouldham Norfolk	Siting of mobile home to allow a total of 21 caravans to use the park	15/01927/F	Written Representations		12/05/2016 Appeal Dismissed
12/02/2016	W/15/3132978	Mr Lee Walton The Willows The Marsh Walpole St Andrew Norfolk PE14 7JG	Reserved Matters Application: construction of one dwelling	15/00819/RM	Written Representations		09/05/2016 Appeal Dismissed
11/04/2016	C/16/3145493	Mr G Bottom The Nodd Orchard Close Brancaster Staithe King's Lynn Norfolk PE31 8BN	Appeal against	14/00305/UNAUTU	Written Representations		05/05/2016 Appeal Withdrawn

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
11/04/2016	C/16/3145493	Mrs A Bottom The Nodd Orchard Close Brancaster Staithe King's Lynn Norfolk PE31 8BN	Appeal against	14/00305/UNAUTU	Written Representations		05/05/2016 Appeal Withdrawn
03/05/2016	D/16/3148824	Ocean Breaks Hope Cottage Busseys Lane Holme next the Sea Norfolk PE36 6NU	Erection of a Two Storey Side Extension	16/00196/F	Undefined		29/06/2016 Appeal Dismissed