

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



Planning Committee

Agenda

**Tuesday, 4th October, 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: Tuesday, 4th October, 2016

VENUE: King's Court, Chapel Street, King's Lynn, PE30 1EX

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, 5 September 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. SCHEDULE OF SECTION 106 AGREEMENTS (REPORT TO FOLLOW)

The Committee is asked to note the report.

9. INDEX OF APPLICATIONS (Pages 6 - 7)

The Committee is asked to note the Index of Applications.

(a) Decisions on Applications (Pages 8 - 174)

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

10. DELEGATED DECISIONS (Pages 175 - 212)

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

To: Members of the Planning Committee

Councillors Mrs C Bower, A Bubb, Mrs S Buck, C J 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 **Friday 7th October 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, **Monday, 3 October 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

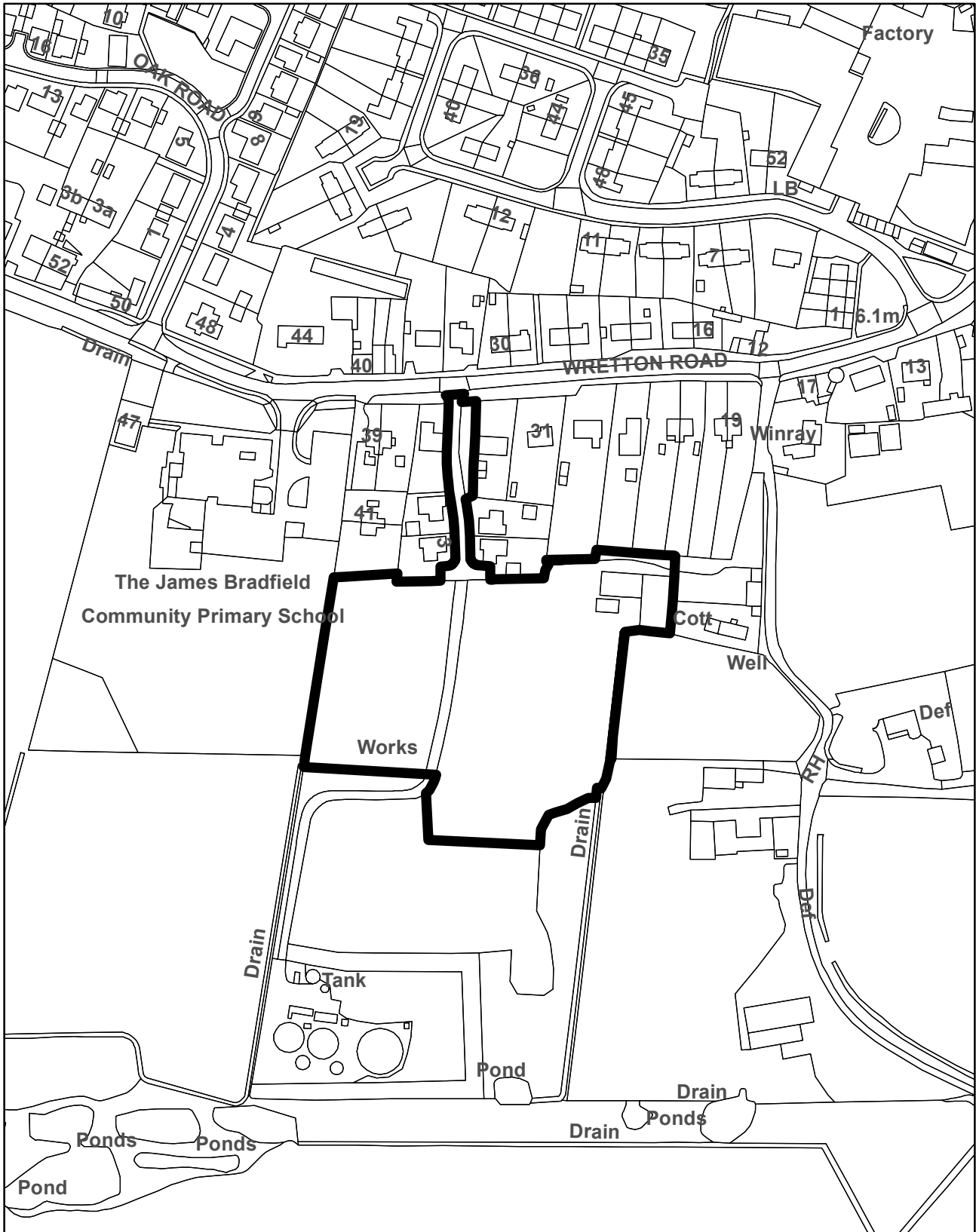
**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON TUESDAY 4 OCTOBER 2016**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
9/1	MAJOR DEVELOPMENTS			
9/1(a)	15/01931/OM Land South of Lark Road Outline Application for residential development of up to 32 houses.	STOKE FERRY	APPROVE	8
9/1(b)	15/01575/OM Land off Mill Road Outline Application: Construction of 40 dwellings.	WATLINGTON	REFUSE	31
9/1(c)	16/00863/RMM Nar Ouse Way Reserved Matters Application: Construction of 50 dwellings.	KING'S LYNN	APPROVE	58
9/1(d)	16/00778/FM Hickathrift Too 211 Smeeth Road Development of the land to erect a part two and single storey acquired brain injury unit. The proposal includes the demolition of bungalow, external landscaping and car park.	MARSHLAND ST JAMES	APPROVE	66
9/1(e)	16/00784/OM Middlegate Main Road Outline Application Some Matters Reserved: Residential development of 29 dwellings.	TERRINGTON ST JOHN	REPORT TO FOLLOW	
9/2	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE BOARD			
9/2(a)	16/01258/F 11 Bennett Street Construction of dwelling (revised design).	DOWNHAM MARKET	REFUSE	79
9/2(b)	16/00612/F 72 - 76 Lynn Road Proposed residential development.	GRIMSTON	APPROVE	87

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
9/2(c)	16/00245/O Land South of St Marys Close Outline Application: 8 new dwellings	HEACHAM	APPROVE	100
9/2(d)	16/01075/F 46 High Street Conversion of property from shop and first floor flat to a two bed house and a 3 bed house.	HEACHAM	APPROVE	116
9/2(e)	16/01022/F Wind Turbine SW Point Cottages Cross Bank Road To install a new track that will be used to stop up Boat1 around the wind turbine installed under 14/00398/F. The bank will be supported by sheet piling	KING'S LYNN	APPROVE	123
9/2(f)	16/01316/LB Hanse House South Quay Listed Building Application: Painted signage to rendered north facing external wall.	KING'S LYNN	APPROVE	131
9/2(g)	16/01317/A Hanse House South Quay Advertisement Application: Non-illuminated painted signage on north facing external wall.	KING'S LYNN	APPROVE	138
9/2(h)	16/01159/RM Land South of Ashlee Methwold Road Reserved Matters: Construction of five dwellings including a site access road and all associated site works.	NORTHWOLD	APPROVE	147
9/2(i)	16/01226/F Station Farm Cottage Station Road Demolition of existing dwelling and replacement with a new dwelling.	STANHOE	APPROVE	153
9/2(j)	16/00606/O Clover Social Club Low Road Outline Application Some Matters Reserved: Proposed re-development of brownfield site to residential.	WRETTON	REPORT TO FOLLOW	

15/01931/OM

Land South of Lark Road Stoke Ferry



1:2,500

AGENDA ITEM NO: 9/1(a)

Parish:	Stoke Ferry	
Proposal:	Outline application for residential development of up to 32 houses	
Location:	Land South of Lark Road Stoke Ferry Norfolk	
Applicant:	Client of David Taylor Associates	
Case No:	15/01931/OM (Outline Application - Major Development)	
Case Officer:	Mr C Fry	Date for Determination: 2 March 2016 Extension of Time Expiry Date: 20 August 2016

Reason for Referral to Planning Committee – To seek an extension of time, to allow ‘a policy compliant’ scheme to be negotiated and to allow the S106 Agreement to be finalised and signed.

Members will recall that this application was approved at the Planning Committee meeting of 7th March 2016 subject to the signing of a Section 106 legal agreement. The minutes state:-

RESOLVED: (a) That, the application be approved subject to conditions, and the additional conditions detailed in late correspondence and the completion of a Section 106 agreement within 3 months of the date of the decision (b) That the application be refused in the event that the Section 106 Agreement is not completed within 3 months of the date of the committee meeting, the application shall be refused due to the failure to secure affordable housing, public open space, SUDS maintenance and County Contributions.

That period was extended by a month to 4 months at a later Planning Committee.

In this case progress has been made with the S106 agreement; however it came to light during the engrossment of the S106 agreement that the applicant did not have control of the entire application site. It has transpired that the south west corner of the application site is owned by the Borough Council. Some years ago, the Borough Council had an agreement to transfer the land in question to Anglian Water but the transfer never took place. Anglian Water had entered into agreement to transfer the same parcel of land to the applicant once the Borough Council had transferred the land to Anglian Water.

The Property Services team are progressing with the transfer of the land directly with the applicant’s solicitor.

Since the resolution to grant the application planning permission (A), there has been a significant change in material circumstances in respect to the principle of developing this site. The principle of developing a large portion of this site was deemed to be acceptable as, at the time of resolution to grant permission, the Local Authority did not have a 5 year supply of deliverable housing sites, with only part of the site being “allocated” in the Site Specific Allocation and Development Management Plan Policy Document – G88.1 referring to land amounting to 0.4ha for a minimum of 5 dwellings. Since the resolution to grant permission, the Authority now has a 5 year supply of deliverable housing sites and accordingly the majority of the application site is outside of the development boundary going forward, with only 0.4ha inside the boundary.

This application is unusual in that part of it is an allocation, although a large portion falls outside the development boundary. In this case a scheme could be negotiated that would be 'policy compliant', and the applicants agent has indicated that the applicant would accept negotiating on this basis, which would mean the proposal reducing in scale, but would allow officers to support a scheme as part of this site.

The previous Committee Report has been attached for information.

Recommendation:

A) Allow an extension of time to allow a scheme considered to be 'policy compliant' to be negotiated, to the satisfaction of the Executive Director – Environment and Planning. In the event such a scheme is negotiated, then **APPROVE** subject to conditions and the completion of a Section 106 agreement within 4 months of the date of the resolution to grant this extension

B) REFUSE In the event that the section 106 agreement is not completed within 4 months of the date of this resolution to grant the extension, due to the failure to secure required contributions through S106 obligations.

AGENDA ITEM NO: 8/2(d)

Parish:	Stoke Ferry	
Proposal:	Outline application for residential development of up to 32 houses	
Location:	Land South of Lark Road Stoke Ferry Norfolk	
Applicant:	Client of David Taylor Associates	
Case No:	15/01931/OM (Outline Application - Major Development)	
Case Officer:	Mr C Fry	Date for Determination: 2 March 2016 Extension of Time Expiry Date: 14 March 2015

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

Case Summary

The application site lies on the southern side of Lark Road, Stoke Ferry and is contained partly within Built Environment Type D and the majority in the countryside.

The land is accessed via Lark Road and slopes slightly away in a southerly direction. A concrete driveway dissects the site to provide access to an Anglia Water facility to the south.

The land was previous a transport yard but with the exception of 2 asbestos sheeted “barns” the land has been left to return to grassland.

Residential development is evident to the north of the site and there is a mixed form and character of the development in the locality.

A small part of the site is an allocated site for development under draft Policy G88.1 for 5 dwellings in the Site Allocations and Development Management Policies – Pre submission document.

This application seeks outline planning permission for a residential development of 32 houses and a recreation area. Only access is being determined at this stage.

Key Issues

The Principle of Development
Form and Character/impact upon the Countryside
Neighbour Amenity
Highways Impact
Flood Risk and Drainage
Ecology
Affordable Housing
Open Space provision
Infrastructure provision
Other Material Considerations

Recommendation

A) APPROVE subject to conditions and the completion of a Section 106 agreement within 3 months of the date of this decision

B) REFUSE In the event that the section 106 agreement is not completed within 3 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, public open space, SUDS maintenance and County Contributions.

THE APPLICATION

The site lies mainly in an area designated as Countryside according to Local Plan Proposals Maps for Stoke Ferry. Lark Road entrance to the site is contained within Built Environment Type D. everything except the entrance falls outside of the Stoke Ferry Catchment Area.

The northern part of the site has been identified as a preferred site in the Site Allocations and Draft Development Management Plan Policy Document as Policy G88.1 – Land South of Lark Road/Wretton Road. The Policy relates to 0.4ha of the northern part of the site being suitable for 5 dwellings.

The site has a slight slope in a southerly direction and has a concrete road dissecting the site that serves access to Anglian Water's sewerage works. Two asbestos sheeted barns are in the northern corner site.

The form and character of the development in the locality is mixed. 4 modern detached 1 ½ storey dwellings are located on Lark Road. Wretton Road contains single, detached, semi-detached dwellings constructed from an earlier period.

The application seeks outline consent, with access only being determined at this stage, for 32 dwellings and recreation space at Land South of Lark Road, Stoke Ferry. The indicative layout promotes the upgrading of the concrete road that leads to the Anglia Water sewerage treatment plant and 4 spur roads, two either side of the service road. The indicative block plan identifies a mix of single, two storey, detached and semi-detached dwellings.

SUPPORTING CASE

The application has been supported with a Design and Access Statement; a Geotechnical Desk Study (contamination); a Flood Risk Assessment; a Phase 1 Protected Species Survey and Air Quality assessment.

Design and Access Statement:

- Stoke Ferry has a number of facilities to support growth. There is a reasonable bus service.
- the settlement has a good range of services and facilities including a surgery, school, bus route, Post Officer, take away, pub and other employment and retail use.
- Stoke Ferry is designated as a Key Rural Service Centre by the Core Strategy and is considered to have a range of services and facilities to serve the existing community.
- The site is flat open land recently used for grazing but was used as a transport service yard until recently. Part of the site was used as sewage works, now relocated further to the south.

- There is a concrete access road to the A/W plant outside the site to the south.
- The site is bounded by hedgerows that are to be retained. Power lines crossing the site are to be relocated.
- The older buildings in the village display traditional two and three storey pitched roofs and consist of flint and yellow brick with pantile roofs.
- The site has partially been supported for development in the Draft Site Allocation Submission version (proposal G88.1). It is also particularly accessible to local services
- The land is brownfield, about 3/5 of the site was previously a transport yard or in use as a sewage plant (now closed).
- 30% (10) of the units will be affordable homes or starter homes
- All houses will have a minimum of 2 off street parking spaces.
- The red-lined site is 1.3ha in size and proposes a density of residential development at 25 houses to the hectare.
- The illustrative scheme shows the houses arranged in regular form with frontages aligned.
- A formal landscape open space and play area inside the site is shown to the south, with houses facing onto the open area to create a secure and comfortable environment and takes advantage of the ecology area.
- In order to retain access granted to A/W the layout has been limited to regular form with frontages aligned.
- It is intended to provide a landscape area to the south of the application site.
- The present footpath in Lark Road will be extended northward to connect with Wretton Road.
- A substantial hedgerow on the western boundary is to be retained
- Power lines to the south are to be relocated.
- Two mature trees on the north-west boundary will feature in rear gardens
- A formal recreational open space of 0.2 ha.
- An Area outside the site, but owned by the applicant, will also be landscaped with passive recreation and biodiversity in mind the aim is to create a mixed mosaic of woodland and grassland with biodiversity advantages. This enhanced area is not a response to meet planning requirements.
- The proposal is considered that further economic benefits and their contribution to the local economy.
- By providing affordable houses and starter units, it would meet the social requirement of paragraph 14 of the NPPF.
- An open space larger than local plan standards is proposed.
- The open space requirement equates to 0.184ha – 32 houses x 2.4 pph = 77 persons.
- 2 storey development is right for the site given the scale of adjacent houses.
- Different materials that contrast in tone and colour to define important features such as entrance routes and seating will greatly enhance the access for everyone. Location and levels of lighting are important.
- At the closest point, this plant is some 122m from the southern boundary of the site.
- No odour assessment is considered to be necessary given the limited odour that is likely to arise.

Phase 1 – Geotechnical desk study by Harrison Group:

- Contaminated Past uses include a transport yard, previous infilled ponds, and a closed sewerage plant.
- Soil sampling and borehole assessment is recommended, as is ground gas monitoring. A site investigation strategy that may be secured by a pre-commencement planning condition will be needed.

Flood Risk Assessment:

- The site is within Flood Zone 1.
- The site is not at risk of fluvial flooding or surface water flooding
- Stoke Ferry Internal Drainage Board have been contacted and are prepared to accept surface water run-offs from the development, subject to their consent.
- Sustainable Urban Drainage Systems should be applied to the proposed development surface water discharges being directed to a soak-away system designed to BRE 365. Access drives being suitably addressed to cater for such rainfall events and water butts affixed to downpipes. Alternatively run-offs from the highway and or the dwellings can be directed to a swale system providing first stage treatment and then dis-charged into the Stoke Ferry IDB water course.
- It is recommended that the proposed dwellings finished floor levels are raised 300mm above adjacent land levels to provide mitigation from extreme rainfall events.

Protected Species Survey:

- The hedgerow on the western boundary of the site is unmanaged, poorly structured, with a limited number of native species. The hedgerow can provide a potential bat foraging/commuting route and nesting sites for birds
- The construction of houses could impact on the hedgerow through damage to roosts and also lights impacting on commuting bats. It is therefore proposed that the properties are a minimum of 5m from the hedgerow line and restrictions placed on proximity of windows and lights.
- Bat and bird boxes can be incorporated into the design of the properties.
- A management plan is also suggested for the rough grassland to the rear and the removal of ivy from the hedgerow undertaken between December and January months.

Air Quality Assessment:

- The area is not within one of the two Council air quality management areas.
- The development does not introduce new point sources of air pollution, nor does it seem to present a hazard related to cumulative impact
- The development will add 224 vehicles movement a day to the area this is an 8% increase for the town as a whole, adding 8% to household growth does not require traffic based air quality assessment

Supplementary Planning Statement:

- The development is at a higher density than adjacent houses at 25 dph but taking into account the adjacent land it would be 14 dph.
- The development will not be seen in passing from adjacent roads, so it can set its own character without any demonstrable harm.
- There is an urgent need for housing land and this development is trying to maximise a brownfield site
- The layout (indicative) shows 8 houses looking out onto a play area and is well located for both junior and toddler play and is actively overlooked.
- The land in red is in the applicant's ownership
- Access to the garage to no.33 Wretton Road has been granted by the site owner. That allowance does not extend to parking on the land in front of the garage. Accordingly there will be no obstruction to a new footpath being provided along Lark Road.

PLANNING HISTORY

10/01101/FM – 18 houses, 8 retirement cottages and care home – refused.

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

- Dwellings are too close to the existing sewerage works
- Poor air quality due to proximity of the existing sewerage works.
- Local residents complain about smells in the area
- The current drains cannot cope with waste from existing dwellings
- There could be protected wildlife in the area
- Access road is not suitable for increased traffic
- The sewerage work traffic passes through the development
- There are major utility connects at the entrance to the site
- Undermines the conservation status of the village

NCC Highways Authority: NO OBJECTION subject to conditions. Part-time speed signage is designed to operate during school drop off and pick up times in an effort to encourage slower vehicle speeds. The Highway Authority is of the opinion the part time 20mph signs are required and a footpath that links the site to The James Bradfield Primary School:-

Comments in regards to the layout (not being determined):

- Lark Road needs to be a continuous width of 5.5m
- The footway needs to run directly into the existing footway in front of the school
- Bends in the carriageway would slow down speeds on the site
- Footways on both side of Lark Road
- Existing footway section will need to be reconstructed and adopted standard
- Shared rives serving plots 2-7 would need to be served from dropped kerbs and not bellmouth junctions. Visibility splays of 2.4m x 33m at both junctions
- Private drives with appropriate turning provision

Planning Policy: comments The proposal will be subject to compliance with emerging Policy G88.1 Stoke Ferry. The larger site area is similar to that of the application site, wasn't chosen for allocation, as detailed by the SADMP sustainability appraisal, and is therefore classed as a reasonable alternative. In the light of the lack of a 5 year supply of housing land the policy team must highlight paragraph 14 of the NPPF.

The site form 210, 656 and 742 – score fairly well overall in terms of sustainability, especially in relation to “access to services” as it is located next to the local school. The site is at low risk of flooding (flood zone 1). The impact on “heritage” and “landscape and amenity” depends on how the scheme is implemented as potentially negative impacts could be mitigated through good design. The site performs poorly in relation to the indicator “infrastructure, pollution and waste” as the site lies within a cordon sanitaire”

The site by virtue of being identified as SADMP allocation it has been identified as sustainable location. The site has come forward in advance of the adoption of the SADMP, for an increased area, and detailing higher number of dwellings and this is potentially appropriate.

Housing Enabling Officer: comments that 6 affordable dwellings would be required from the 32 dwellings. 4 rent 2 shared equity. Starter homes do not meet the current definition of intermediate housing, we could not agree to starter homes being provided.

Housing mix will need to be 2bed 4 person units and 3 bed 5 person units secured through a s106 agreement.

Historic England: comments that they do not consider that it is necessary for this application to be notified to Historic England

NCC Policy and Planning comments that although All Saints Academy (The James Bradfield Primary School) (5-11) is showing at full capacity, there is accommodation within their existing buildings that could be used as class rooms and a desktop exercise indicates that pupils generated from this proposed development could be accommodated at the All Saints Academy. There is sufficient capacity at High School level; therefore Norfolk County Council will not be seeking an education contribution

Norfolk fire service have indicated that the proposed development will require 1 hydrant at a cost of £812

Library provision will require £1920 (£60 per dwelling) which will be put towards the mobile library service DOW 441 which serves stoke ferry

Connection into the local green infrastructure including public rights of way and ecological features should be considered alongside potential impacts of the development. Mitigation should be included within the site proposal. Maintenance and mitigation for new and existing GI features may require a contribution or commuted sum payment.

Internal Drainage Board: NO OBJECTION

Anglia Water: comments that there are assets owned by A/W or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

The site layout should take into account assets close to or crossing the site or those assets within either prospectively adoptable highways or public open space.

Foul drainage from this development is in the catchment area of Stoke Ferry Water Recycling Centre which will have available capacity for these flows

Should the proposed method of surface water management change, Anglia Water Services would need to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Lead Local Flood Authority: comments that the proposal falls below our current threshold for providing detailed comment.

Environment Health and Housing – Community Safety Neighbourhood and Nuisance – NO OBJECTION subject to conditions in relation foul and surface water drainage details, lighting scheme, protection team from construction

Environmental Health & Housing – Environmental Quality: NO OBJECTION from the historical maps it would appear that the site of the proposed development is located directly on top of a backfilled pond. As such it is considered that there is potential risk to human health. This can be addressed by way of conditions.

Natural England: NO COMMENT to make in regards to this application

Conservation team: NO OBJECTION in principle. Only the site's access is within the conservation area so my only consideration is the impact of the development on the setting of the Conservation Area. It's difficult to make precise comments without details of the proposed structures but it seems to that the points to bear in mind when looking at design and particularly height/roofs of the new builds are;

- Some of what will be built will be seen when looking from Wretton Road directly into the access road and may also be seen to some extent when approaching the village from the west.
- It is unlikely to be seen from Wretton Road when leaving the village, or across the fields from Bridge Road

REPRESENTATIONS

8 letters objecting to the proposal:

- Stoke Ferry Doctors surgery would be swamped
- The school is at full capacity
- There is no footpath on the southern side of Wretton Road meaning children would have to cross the road twice
- Extra traffic pollution
- HGV tankers use the road on a daily basis to access the sewerage works
- Development would suffer from smells emanating from the sewerage works
- The size of development goes against the preferred plan
- The proposed recreational area is close to high voltage overhead lines and in competition with the playground near Buckenham Drive which villagers raised a considerable amount of money to save from closure
- Preferable sites
- The site has been used for wildlife.
- There is only one way into the development which could cause traffic conflict and congestion
- Density is too high
- The site is in a flood plain
- The land behind the barn is heavily contaminated
- The document only stated 5 houses on this site
- Who would be responsible for the upkeep of the play area?
- 2 storeys would be overbearing and cause a detrimental impact.
- Another application for 15 new dwellings combined with these 32 houses will certainly overstretch all amenities in the village
- Lark Road is quite narrow, if each property has 2 vehicles it would equate to 64 vehicles and tradesmen all day and night
- Noise from the residential development
- Doubt there would be any affordable houses
- Capacity in the A/W network
- Schools playing field overlooked
- Large number of trees on the site could be affected
- Fencing details along the borders of the site need to be agreed

4 letters received objecting to amended plans identifying a footpath either side of Lark Road.

- Density and general layout of the buildings
- Queuing of traffic back onto Wretton Road.
- History of flooding
- Existing sewerage system is already inadequate

MP Elizabeth Truss requesting a response to issues raised by a constituent

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

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

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure

PLANNING CONSIDERATIONS

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

- The Principle of Development and planning history
- Form and Character/impact upon the Countryside
- Neighbour Amenity
- Highways Impact
- Flood Risk and Drainage
- Ecology
- Affordable Housing
- Open Space provision
- Infrastructure provision
- Other Material Considerations

Principle of Development and planning history

The application site lies within an area designated as Countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) proposals maps but lies adjacent to the development boundary of Stoke Ferry. Stoke Ferry is classified as a Key Rural Service Centre in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy (2011).

In 2010 an application (10/01101/FM) was submitted for a development of 18 dwellings, retirement complex comprising of 8 retirement cottages and residential care home and upgrade to Lark Road on the majority of the site. The layout involved curved terraces of apartment and houses and unbroken ridgelines which were not in harmony with the existing character of the village.

The application was refused on two particular grounds:-

- The development was outside the defined development boundary and is within countryside as defined by the King's Lynn and West Norfolk local plan 1998. The proposal development therefore represents an unjustified encroachment on the countryside as there are no exceptional circumstances to warrant the provision of new residential development and a care home in this location.
- The proposed development by virtue of its poor design and layout and failure to have regard to the building characteristics of its poor design and layout and failure to have regard to the building characteristics of the area, would be inappropriate for the site and its surroundings to the detriment of the character and appearance of the area.

Since the 2010 application the most northern part of the site is a preferred site in the Council's Site Allocations and Development Management Policies - Pre-submission Document (2015) which has been published and is the subject of minor modifications for the inspection of the independent inspector. The site has been "allocated" for 5 dwellings under

policy G88.1 -"Land South of Lark Road/Wretton Road". Development will be subject to the compliance with the following:-

1. Submission of details showing how the sewer crossing the site can be accommodated within the development (including any easements/diversions) to the satisfaction of Anglian Water
2. Submission of an odour assessment, to the satisfaction of Anglia Water, in relation to any impacts on residential occupation of the site from the nearby sewerage works;
3. Demonstration of safe highway access that meets the satisfaction of the Highway Authority.
4. Submission of details how sustainable drainage measures will integrate with the design of the development and how it will contribute to the amenity and bio-diversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;
5. Provision of affordable housing in line with current standards

In respect to these provisions Anglia Water confirm that the diversion of sewer crossings can be secured under S.185 of the Water Industry Act 1991. Additionally layout of the development is a matter secured by a reserved matters application. Anglia Water has responded to application not objecting to the proposal and do not no longer require an odour assessment.

Access is to be determined at this stage and the principles of SUDS mechanisms and affordable housing provision is discussed later in the report.

Third Party comments are concerned about the size of the development being against the preferred plan. It has recently determined that the Council does not currently have a 5 year supply of deliverable housing site as required by paragraph 49 of the NPPF. For residential development, this means that planning application for housing should be considered in the context of the National Planning Policy Framework presumption in favour of sustainable development (para 14). This is because local policies (including defined development boundaries) relating to the supply of housing is no longer considered up to date (para 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would "significantly and demonstrably" outweigh the benefits, when assessed against the policies of the NPPF take as a whole; or specific policies in the NPPF indicate development should be restricted.

The Planning Policy team have commented that the site was previously submitted to the Council for consideration as a residential allocation, as three separate parcels of land. The site wasn't chosen for residential allocation as it performed poorly in respect to the category of "infrastructure, pollution and waste" category as the site lies within a cordon sanitaire (A cordon sanitaire being a 400m consultation zone of An Anglia water sewerage treatment plant). Comments made by Anglia Water during the application, categorises, taking into account the scale of the proposal, the indicative layout of the site and any complaints made by members of the public raised in regards to odour from the Anglia Water treatment plant to the south, considers that the risk of odour or other nuisance associated with the sewerage treatment would be of "low risk" and do not wish to object to the application or request that an odour assessment be carried out. An odour assessment would only be required; if following an assessment of a proposal concluded that there would be a medium risk of odour or other nuisance associated with the sewerage treatment plant.

In light of the above and with part of the site already being a preferred site, it is considered that the proposal would comply with the NPPF's presumption in favour of sustainable development.

Form and Character

Third party representations state that the density of the development is too high and the Parish Council are concerned about the impact upon the Conservation Area.

The application site has a slight fall in a southerly direction and is mainly scrub land. The site is dissected by a concrete road that leads to an Anglia Water sewerage treatment plant to the south of the site. Other features of note include two asbestos sheeted barns towards the north east boundary of the site. The western boundary and parts of the eastern boundary consists of hedging and trees, the northern boundary has 1.8m close boarded fencing and the site is open to the south. Overhead electricity lines cross the site from a south east to north-west direction.

The form and character of the locality is mixed. A modern development of 1 ½ storey detached houses lie immediately adjacent to the site (north). Wretton Road comprises single, two storey, semi-detached and detached dwellings.

The northern part of the site has already been considered to be suitable for development and even though layout, appearance, scale and landscaping are reserved for later consideration it is considered that the indicative layout shown, demonstrating 32 dwellings and an informal openspace, can be accommodated on the site without detrimentally affecting the form and character of the development in the locality.

Little of the development will be seen from Wretton Road and the character of the Conservation Area, which is on the northern side of Wretton Road, would not be detrimentally affected. It is noted that scale is not being determined at this stage. It would be unreasonable to impose a condition in relation to scale across the site given that little of the site will be seen.

The applicant needs to be aware that the layout as shown would appear rather formal and urbanised, however with the recreation space being in excess of the standard requirement according to draft management policy DM 16 modification there is opportunity to revise the layout.

Neighbour Amenity

Third Party representations are concerned about the properties being two storey in scale and the noise created by additional residential development.

Although the application seeks outline planning permission with all matters except access being reserved, the indicative site layout identifies that 32 dwellings can be satisfactorily accommodated on site without causing detrimental neighbour amenity issues. It is noted that the gardens of 23-29 Wretton Road; 43 Wretton Road and no.2 and no.3 Lark Road have shared boundaries with the site, however it is considered that the separation and sitings that are indicative would avoid principal overbearing and overshadowing issues. Internal layouts of the properties can address any detrimental overlooking issues.

Whilst there will be additional noise generated with a residential estate, it is considered that a residential use in this locality would not be detrimental to the enjoyment of the existing home owners in the locality.

In order to limit noise, dust and smoke from any construction work experienced by the adjacent neighbours and school, a condition in relation to a construction management plan detailing proposed timescale and hours of construction, sound power levels of equipment,

their location, and proposed mitigation methods has been recommended by the Environmental Health and Housing Community Safety Neighbourhood and Nuisance team.

The Parish Council and Third Party representations are concerned about smells from the Anglia water works and the affect upon the future occupiers of the development. Whilst the site lies within the cordon sanitaire, Anglia Water have assessed the proposal and considers that there is only a low risk of odour other nuisance associated with the sewerage treatment and accordingly do not require an odour assessment to be conducted. The Environmental Health CSNN team do not object to the proposal on this issue.

Highways Impact

The application seeks outline planning permission with all matters except access reserved for later consideration.

Third Party comments are concerned that no footpath is to be provided on the southern side of Wretton Road and the safety of children is being put at jeopardy from the additional traffic movements resulting from this development.

Norfolk County Council highways have made comments in relation to the latest revision 03B.

The highways officer requires part-time 20mph signs to operate during the school drop off and pick up times to encourage slower vehicle speeds in front of the school at peak times, in order to provide a safer environment for parents and guardians to walk children to school. The highways officer has commented that the proposed footpath (which is within the highway boundary) needs to link to the existing footway in front of the school. Both of these particular requirements, according to the highways officer can be secured under s.278 of the Highways Act 1980. Both of these requirements are secured by way of condition.

Other comments raised by the highways officer relate to layout issues that are matters reserved for consideration at a later stage; these issues relate to the following: - in respect to the width of Lark Road, bends in the carriageway in the estate, footways on both sides of Lark Road, the existing footway section being reconstructed on the submitted plan being reconstructed to an adoptable standard, issues with shared drive arrangements and turning provisions within the site. Principally, however, the highways officer has not objected to this application.

A list of conditions recommended by the Highways Officer will be reported in late correspondence.

Flood Risk and Drainage.

The site is located within Flood Zone 1 according to the Councils Strategic Flood Risk Maps. Being a development in excess of 1ha in size, a flood risk assessment was submitted with the application.

The Site Specific Flood Risk Assessment identifies that the site is at low risk of flooding. The report recommends that ground floor levels should be 300mm above adjacent ground level for the properties to avoid future surface water flooding.

Third party comments raise issues in regards to surface water flooding. In terms of drainage, draft Policy G88.1 of the site allocations document specifies that any proposed development must include details showing how sustainable drainage measures will be incorporated into the development to avoid discharge to the public surface water network. A suitable plan for the future management and maintenance of SUDS will be required.

In respect of SUDS - the proposal outlines that water butts should be installed on all down pipes, soakaways will be designed in compliance with BRE365 and SUDS principles. The FRA refers to the possibility of swales and then discharge to the Stoke Ferry Drainage Boards Main Drain at greenfield run off rate. Access drives and footpaths would be constructed to a permeable surface ensuring that run-offs are retained on site. Additionally should percolation tests identify that soakaways cannot be achieved then a crated system located within the recreation area can be employed with a run off rate agreed to then discharge into watercourses.

Stoke Ferry Internal Drainage Board have no objection to the proposal, if the development causes an increased run-off within the Board's drainage system, the board will require a contribution from the developer.

Policy G 88.1 of the Site Specific Allocations and Development Management Policies refers to the need to submit details in respect of how the sewer crossing the site can be accommodated within the development (including any easements/diversions) to the satisfaction of Anglian Water. Anglia Water have commented in respect to the application that they wish an informative which refers to this asset being taken into account in the site layout being within the adopted highway or public open space. Alternatively if it is not taken into account in the layout, then a diversion would need to be made to the developers cost under the Water Industry Act 1991.

Given that this application is outline only, it is considered that the detailed design of SUDS and the details of any sewer diversion could be secured by an appropriately worded foul and surface water drainage condition. The future management and maintenance of any SUDS features is secured in the S106 agreement.

The Parish Council and Third Party comments raise concerns in regards to the capacity of the Anglian Water network to take foul drainage. Anglia Water has confirmed that there is capacity within the existing network.

Ecology.

The Parish Council and Third Party representations raise issues about wildlife being affected by developing this site.

The existing corrugated barns are not buildings that would attract protected species according to guidance on Natural England's website. However the tree lined and hedged features on the western boundary has the potential as a bat foraging roost and could contain nesting birds.

From the Phase 1 Protected Species Survey, it has been identified that the houses as shown on the indicative plan could disrupt the roosts contained within the hedgerow. It has been recommended that the houses that flank the southern boundary of the site be pulled 5m away from the hedge (10m away from the centre of the hedgerow) and with no windows or lights directly facing the hedgerow including any street lights. Any removal of ivy from this hedgerow will need to take place during the winter months. It is also recommended that bird and bat boxes are incorporated into some of the new properties

A lot of the guidance provided by the ecology report can be designed into the layout of the estate and the design of the dwellings.

It is however appropriate to condition the works to the hedgerow to be restricted to the winter months at this juncture.

The Design and Access Statement refers to an ecology area being provided within the blue land area. However the merits of this application place no weight on the provision of an ecology area.

Affordable Housing

Third Party comments are concerned that no affordable housing would be secured.

The Design and Access statement refers to 30% affordable housing provision on the site, however the agent has stated that this is in error. In accordance with Policy CS09 of the adopted Core Strategy (2011), 20% provision of affordable housing is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in areas in the rural areas such as Stoke Ferry. In this instance based on a development of 32 dwellings, 6 houses and financial contribution for the remaining fraction, is due.

The S106 agreement provides flexibility on final affordable housing numbers in line with policy CS09, should the reserved matters application be submitted for fewer dwellings.

Open Space

Third party representations are concerned about who would maintain the open space.

In accordance with draft Policy DM16 of the Site Allocations and Development Management Policies – Pre-submission document modification requires 2.4ha per 1,000 population of open space which is subsequently divided into 70% for either amenity, outdoor sport, and allotments (if identified need) and 30% for suitably equipped children's play space. The modifications to this document requires that for development between 20-99 houses, they will only be expected to meet the requirements for suitably equipped children's play space only.

In this instance 0.05ha of "open space" is required. The agent has shown the open space to be 0.2ha on the submitted plan. Whilst no detail in regards to the children's play is identified on the indicative plan it is considered that this matter can be reserved for consideration at a later stage with the management and maintenance of the space secured in the S106 agreement.

Third Party comments are concerned about electricity lines being under the open space and the use of the space competing with recently improved facilities at Buckenham Drive. The layout of the space, accordingly the siting of the recreation play area is a matter reserved for consideration at a later stage, thus this particular issue can be addressed. In respect of the competition with existing open space, the development itself triggers the need for on-site provision in accordance with Policy DM16.

Infrastructure provision

Third party comments are concerned that the local primary school is at full capacity.

Norfolk County Council is not seeking an education contribution from this development. Whilst All saints Academy Primary School (5-11) (the same school as "The James Bradfield Church of England community Primary School – confirmed by Norfolk County Council) is at full capacity, there is accommodation within their existing buildings that could be used as class rooms. There is spare capacity at Iceni Academy for pupils aged 11-16.

A library contribution of £1,920 (based on £60 per dwelling - 32 houses) will be required which will be put towards the mobile library service DOW 441 which serves Stoke Ferry.

Commuted sum payments in respect to Green Infrastructure network, including Public Rights of Way and ecological features have been mentioned by Norfolk County Council Trails Team to the County's Green Infrastructure Officer. However Norfolk County Council's Green Infrastructure officer considers that the Trails team request for a commuted sum payment, by not being specific to a particular project, would be unjustifiable and the sum of £100 per dwelling being unreasonable. Accordingly the S106 does not include a commuted sum towards a Green Infrastructure project.

Norfolk Fire Services have requested that a fire hydrant be provided on site and this is secured by condition.

Third Party comments are concerned about the pressure on local services especially the capacity at the local doctor's surgery. There is no method to secure additional funding to GP surgeries under the current S106 mechanism.

Other Material considerations

Third Party comments have raised issues about the contaminated land behind the barns that will be demolished as part of the scheme. This has been accounted for in the contamination survey and further contamination survey work will be secured by way of planning conditions at the recommendation of the Environmental Health team.

Third party comments raise issues about the impact of the development upon trees on the site. The Arboricultural Officer has no objection to the proposal and a condition is imposed in relation to an Arboricultural impact assessment.

Third Party representations are concerned about air pollution from extra traffic. The Environmental Health and Housing – Environmental Quality team have analysed the air quality information survey and do not require any further information to be submitted.

Third Party comments state that there are other preferred sites in the vicinity that could be developed, however each application is taken on its own merits

CONCLUSION

Whilst the site lies within the countryside as identified by the Local Plan (1998) proposals maps and Core Strategy (2011), the northern part of the site has been allocated for development of 5 dwellings under draft management policy G88.1 of the Site Allocation document (2015). This proposal for an additional 30 dwellings on a larger site was only dismissed at the site specific stage on the site being within a "Cordon Sanitaire" location, identified by Anglia Water. With Anglian Water assessing this proposal as being of "low risk" of odour or other nuisance associated with the sewerage treatment works Anglian Water are not objecting to the proposal. Additionally, with the planning policy team having no principle objection to the additional dwellings, it is considered that the proposal be viewed in the context of the presumption in favour of sustainable development and the tests of paragraph 14 of the NPPF.

The proposal seeks outline permission with only access being determined at this stage. With off-site highways works being secured under a s.278 agreement and with other matters raised by highways being layout issues it is considered that the proposal is satisfactory in highway terms.

With a larger amenity space than required in accordance with Policy DM 16, revisions can be made to the layout that would take into account the highway officer's comments and provide a less urbanised formal character of development.

It is not considered that there are any principle detrimental issues in relation to form and character and neighbour amenity that cannot be addressed at reserved matters stage.

The S106 agreement will secure affordable housing, open space, SUDS (management and maintenance) and library provision.

In light of the above, it is considered that the proposal complies with the provisions of the NPPF and that planning permission maybe granted subject to the conditions below and the imposition of a S106 agreement.

RECOMMENDATION:

A) APPROVE subject to the imposition of the following conditions and the completion of a Section 106 agreement within 3 months of the date of this decision

- 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 No development shall commence on site until full details of the surface water disposal method(s) and drainage systems for the site (to include any details of SuDS elements and the adoption / future maintenance of these) 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.

- 5 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 6 Condition No development shall commence until full details of the foul 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.
- 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 Prior to commencement of development a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.
- 7 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 8 Condition The development shall not be brought into use until a scheme for the provision of a fire hydrant has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 8 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 9 Condition The removal of ivy from the hedgerow that flanks the western boundary of the site will only take place between the months of December and January in any given year unless otherwise agreed in writing by the Local Planning Authority.
- 9 Reason In the interests of safeguarding protected species in accordance with the provisions of the Wildlife Countryside Act 1981.
- 10 Condition The development shall be carried out in accordance with the revised version of the Flood Risk Assessment and Surface Water Management Statement dated 18th February 2016 namely
 - finished floor levels shall be set no lower than 300mm above adjacent ground level.
- 10 Reason To reduce the risk of flooding to the proposed development and future occupants in extreme circumstances.
- 11 Condition Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a

written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

- 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 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.
- 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. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 13 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.

- 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 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 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, 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 14.

- 14 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 15 Condition Prior to the commencement of 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.
- 15 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.

This also needs to be a pre-commencement condition given the fundamental details linked to asbestos containing materials which need to be planned for at the earliest stage in the development.

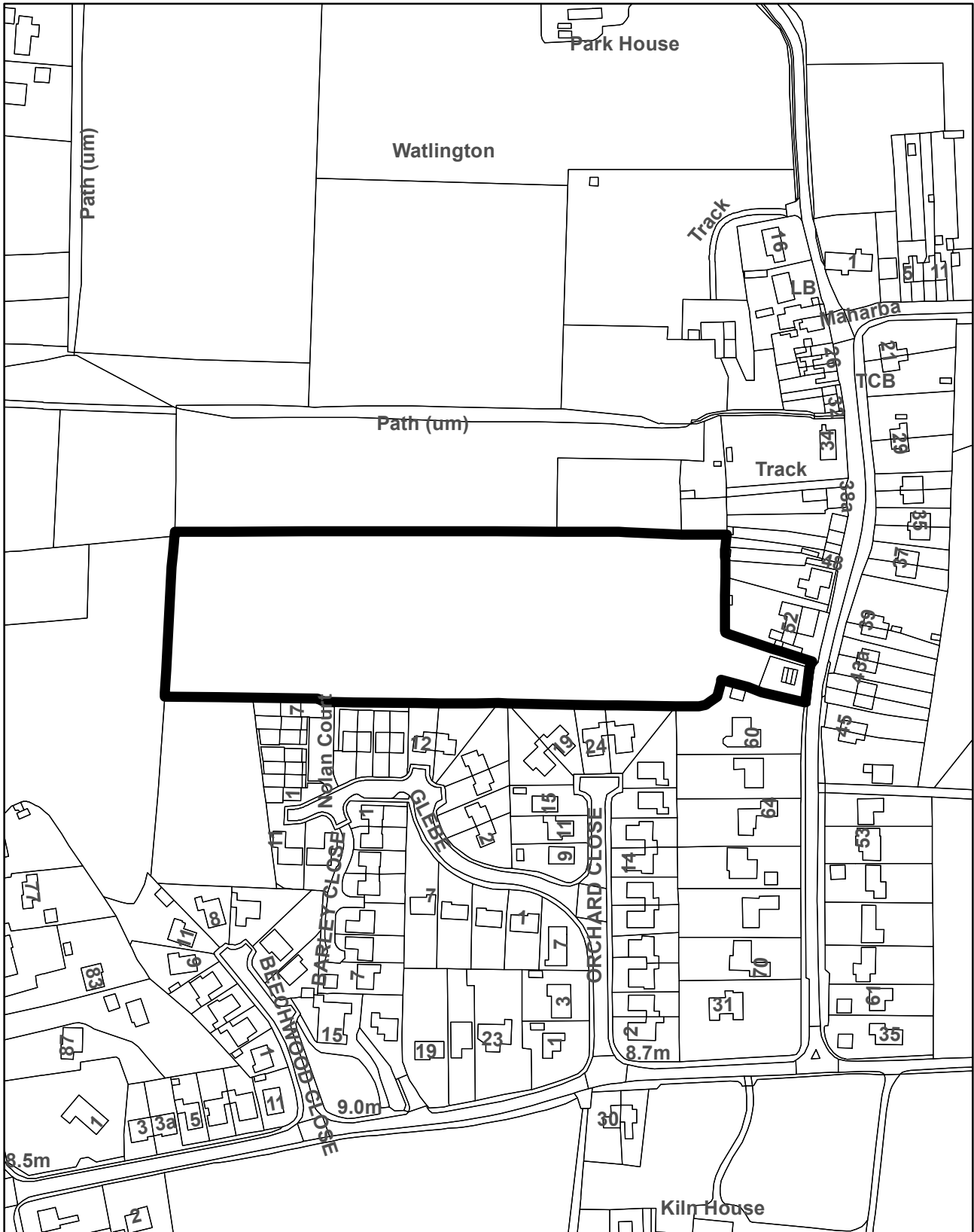
- 16 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 16 Reason To ensure 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.

- 17 Condition No building or other operation shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, engineering work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles) until a tree survey showing the following has been submitted to and approved in writing by the Local Planning Authority:
- a) a plan indicating the location of and allocating a reference number to each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing clearly which trees are to be retained and which trees are to be removed, and the crown spread of each tree;
 - b) details of the species, diameter, approximate height and condition of each tree in accordance with the current version of BS:5837, and of each tree which is on land adjacent to the site where the crown spread of that tree falls over the application site and where any tree is located within 15m in distance from the application site.
- 17 Reason To ensure that the existing trees are properly surveyed and full consideration is made of the need to retain trees in the development of the site in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for trees to be lost during development.
- 18 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
- 1132-15-3C dated 18th February 2016 in regards to access only.
- 18 Reason For the avoidance of doubt and in the interests of proper planning.
- 19 Condition The development shall comprise of no more than 32 dwellings.
- 19 Reason For the avoidance of doubt.

B) REFUSE In the event that the section 106 agreement is not completed within 3 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, public open space, SUDS maintenance and County Contributions.

15/01575/OM

Land off Mill Road Watlington



1:2,500

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Ordnance Survey 100024314



AGENDA ITEM NO: 9/1(b)

Parish:	Watlington	
Proposal:	Outline Application: construction of 40 dwellings	
Location:	Land off Mill Road Watlington Norfolk	
Applicant:	Bennett Homes	
Case No:	15/01575/OM (Outline Application - Major Development)	
Case Officer:	Mrs K Lawty	Date for Determination: 26 January 2016

Reason for Referral to Planning Committee – To allow the Committee to consider an additional reason for refusal, in light of 5 year housing land supply.

Case Summary

The site (apart from the access) lies within an area designated as Countryside according to Local Plan Proposals Maps for Watlington. Watlington is classified as a Key Rural Service Centre according to Policy CS02 of the Core Strategy.

The application seeks consent for outline planning permission with only access being determined at this stage. The indicative site layout provides for 40 dwellings. This would result in a density of 21 dwellings per hectare and would provide 8 affordable housing units.

The application was considered at Committee on 5th April 2016 at which time the Committee resolved to grant permission subject to completion of a Section 106 agreement within 4 months.

That deadline has passed. In addition, the Council's position on 5 year housing land supply has changed, which is a significant material change in circumstances in so far as it relates to this particular application.

Recommendation

REFUSE

THE APPLICATION

The proposed development remains the same as that previously considered by Committee, and is as set out on the previous officer report (attached).

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

CS11 - Transport

CS12 - Environmental Assets

CS13 – Community and Culture

CS14 – Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

ASSESSMENT

The deadline set for issuing the decision under the previous resolution to approve expired on 5th August. The last communication with the applicant's representatives was on the 28th July at which time there were substantial differences between the draft agreement they proposed and one that would have been acceptable to the Council.

Consequently, the application could be refused in line with the earlier resolution on the following grounds (in summary):-

- Failure to secure a mechanism to secure affordable housing;
- Failure to secure a mechanism to ensure the provision and maintenance of open space;
- Failure to secure a mechanism to secure library stock; and
- Failure to secure a mechanism to secure a mechanism to secure the provision and maintenance of a Sustainable Drainage System.

However, a key consideration in the resolution to approve as set out in the attached report was the absence of a 5 year supply of deliverable housing sites. This issue was examined in detail at the inquiry into development at Heacham.

The Inspector dismissed the appeal and in doing so came to the conclusion on the basis of the evidence before him that the Council has a 5.81 year supply of land for housing.

Consequently, the Council's housing policies are up-to-date. The Inspector also concluded that significant weight should be attached to emerging Development Management policies and in particular DM2, which guides development outside settlement boundaries.

This is significant for this application in two regards:-

- The Inspector's conclusion means that this scheme for 40 units is not essential to meeting the need for developable sites; and, consequently
- The proposal is outside the settlement boundary, in the countryside and is now contrary to Development Plan policies.

CONCLUSION

In light of the failure to complete the Section 106, it is recommended that the Committee confirms its earlier resolution to refuse permission but also adds another reason for refusal to reflect the material change in circumstances regarding the Council's 5 year supply of land for housing, which means that development of the site is now contrary to Development Plan policies.

RECOMMENDATION:

REFUSE for the following reasons:

1. The proposed development falls outside the defined settlement boundary in an area defined as countryside. The proposal is therefore contrary to Core Strategy policies CS06, CS08 and CS12; Development Management policies DM2 and DM15; and to the provisions of the NPPF in particular Section 6 paragraph 55, Section 7 and Section 11. There are no material considerations that would override this in principle objection to the scheme.
2. The proposal has failed to provide a suitable mechanism to secure affordable housing as part of the development. Consequently, the development is contrary to policy CS09 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011 and the provisions of the National Planning Policy Framework, in particular Section 6.
3. The development has failed to secure a suitable mechanism to ensure the provision and future management of adequate open space to meet the needs of future residents of the proposed housing. Consequently, the proposal is contrary to policies CS08, CS12; CS13 and CS14 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011; the provisions of the National Planning Policy Framework, in particular Section 8; and to policy DM16 of the Site Allocations and Development Management Policies Development Plan Document.
4. The development has failed to secure a suitable mechanism to ensure the provision of community infrastructure in the form of additional provision of library stock to meet the needs of future residents of the proposed housing. Consequently, the proposal is contrary to policies CS13 and CS14 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011.

5. The development has failed to provide an adequate mechanism to secure the provision and future maintenance of a Sustainable Urban Drainage System and consequently fails to ensure that the proposed housing will be adequately and sustainably drained in order to minimise the risk of flooding.
The proposal is therefore contrary to policies CS08 and CS14 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011; and to the provisions of the National Planning Policy Framework, including the Core Principles and Section 10.

AGENDA ITEM NO: 8/1(h)

Parish:	Watlington	
Proposal:	Outline Application: construction of 40 dwellings	
Location:	Land Off Mill Road Watlington Norfolk	
Applicant:	Bennett Homes	
Case No:	15/01575/OM (Outline Application - Major Development)	
Case Officer:	Mrs K Lawty	Date for Determination: 26 January 2016

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

Case Summary

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

Watlington is classified as a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy.

The application site lies on the western side of Mill Road, Watlington and is grade 2/3 agricultural land. It is approximately 1.9 hectares in area and is generally flat with slight fall to the west and south.

The application seeks consent for outline planning permission with only access being determined at this stage. The indicative site layout provides for 40 dwellings. This would result in a density of 21 dwellings per hectare and would provide 8 affordable housing units.

Access is proposed via a single access point onto Mill Road at the south eastern corner of the site.

Key Issues

The Principle of Development
Form and Character
Neighbour Amenity
Highways Impact
Flood Risk and Drainage
Ecology
Affordable Housing
Open Space provision
Infrastructure provision
Archaeology
Other Material Considerations

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 Legal Agreement to secure an affordable housing contribution, Open Space, Library Provision, Green Infrastructure and SUDS management and maintenance within 4 months of the date of resolution to approve.

THE APPLICATION

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

Watlington is classified as a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy.

The application site lies on the western side of Mill Road, Watlington and is grade 2/3 agricultural land. It is approximately 1.9 hectares in area and is generally flat with slight fall to the west and south.

The site is surrounded by existing development on two sides; dwellings along Mill Road to the east and dwellings to the south on Orchard Close, Glebe Avenue and Nolan Court. To the north and west are open fields/paddocks.

The site is currently used to graze horses and to the boundary of the site are established hedgerows and tree planting.

The application seeks consent for outline planning permission with only access being determined at this stage. The indicative site layout provides for 40 dwellings. This would result in a density of 21 dwellings per hectare and would provide 8 affordable housing units.

Vehicular access is proposed via a single access point onto Mill Road at the south eastern corner of the site. A pedestrian/emergency access is shown to the south west corner linking through to Nolan Court.

SUPPORTING CASE

The application has been supported with a Design and Access Statement; Planning Statement; Transport Statement; Tree Survey; Habitat Survey; Heads of Terms; and Flood Risk Assessment that relates to the following:-

The Planning Statement concludes:

'The proposed scheme evidences economic, social and environmental benefits as per the National Planning Policy Framework and as such the development should be approved. These benefits are as follows;

- Economic - the development will ensure the long term viability of Watlington's key services, supports the sustainable growth of the town; will be accessible to many

through the provision of a variety of tenures and will create new jobs in the construction industry;

- Social - the development will provide community infrastructure, enhance the area's recreational facilities, help to foster a sense of community, be developed to a high quality and will provide housing essential to meeting the borough's 5 year target;
- Environmental - The provision of green space on the site offers opportunities to enhance the development's arboriculture and ecological biodiversity as well as providing opportunities for natural drainage. The boundaries of the site will echo the area's pastoral character and the location of development will prevent the perception of sprawl in the town.

It is considered that the scheme represents an opportunity to develop well-designed homes that complement the surroundings in a sustainable location in Watlington.

The site is within the built up area of Watlington and as such does not appear to extend the extent of the town. The development is fully compliant with both national and local policies.'

The Transport Assessment concludes:

'The proposed site access strategy has been considered in detail and involves access being provided from Mill Road, via a priority access arrangement constructed to Norfolk County Council Type 3 standards in line with adjacent infrastructure. Pedestrian and cycle links will also be created between the site and neighbouring areas.

The anticipated traffic impact of the proposed development based on robust vehicle trip rates has been undertaken. The development is anticipated to result in a minor and negligible impact on the local road network with a very modest volume of additional traffic being assigned to the local road network, which predominantly consists of local lightly trafficked routes with good access to strategic routes, such as the A10, to larger conurbations in the area. Additionally, the proposed site access arrangement is considered to sufficiently cater for anticipated traffic generated by the development.

It is concluded that the report has addressed all the transport impacts and issues associated with the development and there are no reasonable grounds why this site could not be developed for residential purposes on traffic and transportation grounds.'

The Flood Risk Assessment concludes:-

'The site is within Flood Zone 1 and there is currently no significant flood risk at the development site.

A system for surface water drainage will be implemented which complies with NPPF. The following will be achieved:

- Replication of, or indeed a reduction of, pre-development runoff rates.
- Less than 2 l/s/ha discharges for the increased volume created by the development, based on the 100 yr 6hr event.
- Minimal discharge for rainfall events up to 5mm.
- Safe routing of flows unable to enter the adoptable system, such as those generated by rainfall greater than 50mm/hr.

There will therefore be no significant increase in flood risk due to the construction of the proposed development.

The findings, analysis and conclusions of this Flood Risk Assessment Report prove that it is possible to provide a foul and surface water drainage scheme that is fit for purpose in terms of use, and fully in accordance with the latest policies on Sustainable Drainage. A detailed design will undoubtedly be required to satisfy the Conditions of any planning consent granted.'

The Phase 1 Habitat Survey concludes:

'The site was a grazed semi-improved grassland field with outgrown hedgerows at the northern and southern boundaries and a treeline along the western boundary. Scrub and garden fences formed the other boundaries.

Further survey is recommended to determine if reptiles are using the site.

If any mitigation or compensation recommended following these further surveys is carried out, and if the precautionary measures for birds detailed in this report are followed, it was considered that the development could proceed with minimal impact on the local conservation status of any protected, principally important or rare species within the area.

It is also considered that with a sensitive landscape scheme, and by including some, or all, of the additional recommendations, the site could be enhanced for local wildlife post development.'

PLANNING HISTORY

No history

RESPONSE TO CONSULTATION

Parish Council: OBJECT –

1. The proposed development if permitted would create an undesirable precedent for similar proposals.
2. It is considered that due to its location, development would lead to an over-intensive use of the site which would undermine and fail to enhance the visual amenity of the area and therefore be detrimental to the form and character of the locality and its built surroundings.
3. The proposal is detrimental to the existing street scene and the amenity of the area.
4. It is considered that there will be a significant reduction in the open space amenity of the site and immediately surrounding environment. Advice contained within the National Planning Policy Framework for Delivering Sustainable Development and Housing require new development to respect the characteristics of the locality. It is considered that the proposal would be unsympathetic to, and out of character with, the adjacent neighbouring properties.
5. The proposal by virtue of the form of development would create an overbearing impact on neighbouring properties and have an adverse impact upon the street scene. The proposal therefore fails to accord with advice contained within the National Planning Policy Framework for Delivering Sustainable Development.
6. The proposed development is premature until such time as adequate access can be provided to the site.
7. The road serving the site is considered to be inadequate to serve the development proposed, by reason of its poor alignment, restricted width and lack of passing provision. The development would be detrimental to highway safety and the vehicular

movements associated with the use of the access would lead to conflict and interference with the passage of through vehicles on Mill Road.

8. The proposal does not provide vehicular access to or from the surrounding public highway network. The proposal, if permitted, would be likely to give rise to conditions detrimental to safe sustainable development in transport terms. The scheme is therefore contrary to advice contained within the National Planning Policy Framework for Delivering Sustainable Development and Transport.
9. The development would result in the loss of a mature oak tree which has a value in terms of visual amenity within the area and would be contrary to advice contained within the National Planning Policy Framework for Planning and the Historic Environment.
10. The applicant has not taken steps to avoid affecting protected species; the timing of the survey has been deliberately carried out to avoid the siting of protected species or habitat. Paragraph 98 of the ODPM Circular 06/2005, Biodiversity and Geological Conservation, states that local planning authorities must have regard for protected species that are likely to be harmed by demolition or construction at the site of proposed development. The ecological functionality of the site's habitat for protected species of all kinds, including roosts in trees for bats, breeding birds and woodland habitat for badgers has not been assessed satisfactorily and is therefore contrary to the guidance contained within the National Planning Policy Framework for Planning and the Historic Environment and the ODPM Circular 06/2005.

If permitted, however, the Parish Council states that consideration should be given to the village in the form of a Section 106 Agreement or even possibly a Unilateral Undertaking.

There is a large Recreation Ground near to the development site that requires a new Multi Use Games Area (MUGA) and which residents of the development will use. The Council is currently fundraising for a MUGA but feels that a commuted sum of £40,000 (£1,000 per dwelling) towards this must be considered as part of the planning obligations relating to the development.

Highways Authority: NO OBJECTION - conditionally

NCC County Contributions: NO OBJECTION - subject to contributions towards: fire hydrants, library provision. No contribution is being sought towards education.

NCC Green Infrastructure Officer: NO OBJECTION - subject to contributions towards connections and improvements to local PRoW.

NCC Minerals and Waste: OBJECT - to the planning application (15/01575/OM) on this site unless:

1. the applicant carries out investigations/assessment including particle size distribution testing to confirm the viability of the resource for mineral extraction, and
2. if the mineral resource is proved to be viable, the applicant considers whether it could be extracted economically prior to development taking place.

Internal Drainage Board: No comment - not within area

Environmental Health & Housing - Environmental Quality: NO OBJECTION - consideration should be given to making the development 'electric vehicle ready'.

Environmental Health & Housing CSNN: NO OBJECTION - conditionally

Housing Development Officer: NO OBJECTION - subject to appropriate provision for affordable housing secured through a Section 106 agreement

Natural England: No comments

Arboricultural Officer: NO OBJECTION - in principle but I will need to see an updated method statement and tree protection plan, as stated in the accompanying report at; 7 in the Summary & 6.2 in Recommendations. Please condition in strict accordance with the arb report and plan, numbered 4855-D, authored by Haydens Arboricultural Consultants.

Historic Environment Service: OBJECT - no information about the impact of this development on the historic environment

KLWNBC Greenspace Officer: NO OBJECTION - the open space seems nicely situated (central), although we would like a decent fence to be installed next to the private driveway. Would appreciate clarification on where it is proposed to transfer other areas of soft landscaping.

REPRESENTATIONS

50 comments to the application referring to the following:-

- Character & Context - will undermine the rural character and fabric of the village
- Traffic and Highways:
 - Mill Road is narrow and already congested by parked cars;
 - access at pinch point; proposed additional trips seems too low;
 - safety hazard for pedestrians and other road users;
 - no pavements;
 - road dangerous in adverse weather conditions;
 - inadequate road layout for HGV construction traffic;
 - rat run;
 - Transport Statement does not fully appreciate the current usage of Mill Rd;
 - Transport Statement contains inaccuracies relating to bus services and distances;
 - foundations of Thieves Bridge Road won't cope with additional traffic;
 - increased congestion;
 - The proposed cycle/footway through the private road at Nolan Close Barleyfields will require 2 parking places to be re sited and the removal of further trees and hedgerows to be used by emergency vehicles. It is likely that it will also be used by contractor's vehicles, thus damaging it further;
- Should not build on green belt land
- Green Space and Infrastructure - green spaces being infilled; loss of play space
- Residential Amenity
- Infrastructure and amenities - no room at doctors surgery or schools; problems with electricity supply in area
- Lack of public transport provision
- Not been notified of application
- False advertising of our property on Nolan Court; no indication of more development when bought
- Impact on wildlife and protected species; importance of ecological corridors
- Land is outside settlement boundary
- Emotional impact on local population through loss of open space

- Village cannot cope with more development
- Sewage system cannot cope
- Impact on house prices
- Overlooking of neighbouring properties
- Impact on trees
- Noise implications during construction
- Set a precedent for other fields to be built on
- In 2007 Bennett Homes stated they did not own any adjoining land (lpa re: 07/01416/RMM)
- Would have no objection if the building quota for Watlington of 32 dwellings had not been exceeded
- Not sustainable
- Proposal is urban not rural

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

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

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

- The Principle of Development
- Form and Character
- Neighbour Amenity
- Highways Impact

- Flood Risk and Drainage
- Ecology
- Affordable Housing
- Open Space provision
- Infrastructure provision
- Archaeology
- Other Material Considerations

Principle of Development

Third party objectors are concerned that the services in Watlington cannot accommodate additional residential development.

The application site lies within an area designated as Countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) proposals maps but lies adjacent to the development boundary of Watlington. Watlington is classified as a Key Rural Service Centre in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy (2011). Being a Key Rural Service Centre, it is considered that there are services in the locality that can satisfy additional residential development. The housing allocation numbers outlined in policy CS09 refers to settlements having to provide a minimum number of houses and does not detail any maximum housing allocation figures.

Third Party correspondence claims that the Borough Council has a 5 year land supply and in allowing a site that has not been through the site specific allocation process undermines the consultation period of the process.

However, last year it was determined that the Council did not currently have a 5 year supply of deliverable housing site as required by paragraph 49 of the NPPF. For residential development, this means that planning applications for housing should be considered in the context of the National Planning Policy Framework presumption in favour of sustainable development (para 14). This is because local policies (including defined development boundaries) relating to the supply of housing are no longer considered up to date (para 49).

Paragraph 14 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would "significantly and demonstrably" outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In light of the above it is considered that the proposal would comply with the NPPF's presumption in favour of sustainable development.

Form and Character

The application site lies on the western side of Mill Road, Watlington and is grade 2/3 agricultural land. It is approximately 1.9 hectares in area and is generally flat with slight fall to the west and south. There are existing hedgerows to the boundaries of the site.

Access to the field is proposed to the eastern part of the site onto Mill Road. The Indicative layout shows a footpath link through to the recently constructed development on Nolan Court to the south of the site.

The site is bounded on two sides by existing residential development; Mill Road to the east and Glebe Avenue, Orchard Close and Nolan Court to the south. The form and character of

the locality is characterised by a mixture of detached, semi-detached and terraced two storey dwellings of various ages and designs.

The scale of the development is a matter reserved for later consideration. The application seeks consent for access only, with layout, appearance, scale and landscaping being reserved for later consideration. It is considered that the indicative layout, would not detrimentally affect the form and character of development in the locality. The indicative siting and layout of the site is similar to the density and layout of the recent development on Glebe Avenue and would be in keeping.

An area of open space is shown to the northern part of the site, which would be overlooked by the proposed development. This demonstrates that open space can feature as part of the layout, however, this is an indicative layout only and not for consideration as part of this application.

Third party concerns have been raised regarding the layout and how it relates to the existing development. However, the layout is a matter reserved for future consideration and the details will be considered more fully at the next stage, should planning permission be forthcoming.

Third party concern has been raised to the loss of trees on the site. However, trees and hedgerows are to the boundary of the site. Although the layout is indicative only, the proposal as shown would result only in the removal of some short sections of hedgerow and some minor works to one tree. One low quality tree would need to be removed, as a result of this proposed development, to provide a footpath at the front of the site.

The arboricultural officer has no objection to the proposal in principle, but will require an updated method statement and tree protection plan at reserved matters stage. Planning conditions are recommended to ensure the works are conducted in accordance with the arboricultural report and plan.

Neighbour Amenity

Third Party Representations are concerned about being overlooked.

Although the application seeks outline planning permission with all matters except access being reserved, the indicative site layout identifies that 40 dwellings can be satisfactorily accommodated on site without causing detrimental neighbour amenity issues. Properties along a short section of Mill Road and Glebe Avenue have shared boundaries with the site, however it is considered that the separation and sitings that are indicative would avoid principal overbearing and overshadowing issues. Internal layouts of the properties can address any detrimental overlooking issues.

Whilst there will be additional noise generated with a residential estate, it is considered that a residential use in this locality would not be detrimental to the enjoyment of the existing home owners in the locality.

In order to limit noise, dust and smoke from any construction work experienced by the adjacent neighbours and school, a condition in relation to a construction management plan detailing proposed timescale and hours of construction, sound power levels of equipment, their location, and proposed mitigation methods will be conditioned.

Highways Impact

The application seeks outline planning permission with all matters reserved for later consideration except for determining the access arrangements.

With regard to highways impact, third party comments are concerned about the village coping with additional traffic movement and increased congestion. Whilst there will be additional traffic on the existing road network the highways officer raises no specific comments in relation to this issue.

Third Party concerns refer that Mill Road is narrow and already congested by parked cars and that the access is shown to be located at a pinch point. Third party comments say there are no pavements along parts of Mill Road and this pose a safety hazard for pedestrians and other road users. They state that the road is used as a rat run, is inadequate for HGV construction traffic and is dangerous in adverse weather conditions.

Concerns have been raised regarding the content of the Transport Statement, stating that the current usage of Mill Road is not fully appreciated, that it contains inaccuracies relating to bus services and distances to main roads and that the proposed additional trips seems too low.

Highways concerns have also been received referring to the inadequacies of foundations of Thieves Bridge Road which won't cope with additional traffic and the need for displaced parking spaces and removal of further trees and hedgerows if the proposed cycle/footway through the private road at Nolan Close, Barleyfields is constructed. Concern is also raised regarding the use of this link by contractor's vehicles, and potential damage to this private road.

The Transport Statement confirms that the development is anticipated to result in a minor and negligible impact on the local road network with a very modest volume of additional traffic being assigned to the local road network, which predominantly consists of local lightly trafficked routes with good access to strategic routes, such as the A10, to larger conurbations in the area. Additionally, the proposed site access arrangement is considered to sufficiently cater for anticipated traffic generated by the development.

The highways officer has no objection to the proposal in principle and subject to detailed design and safety audit, the junction improvements shown on drawing 1151/HWY/042 are acceptable. The junction layout shown on drawing 1151/HWY/41 is also included in the transport statement and considered to be acceptable subject to detailed design. These provisions can be secured by way of conditions.

No objection has been raised to the impact upon Mill Road or the local road network.

The highways officer has requested that the applicant provides a direct link to the public footpath to the north and offers improvements to the surface of it. However, the applicant does not own the land to the north of the site between the application site and the public footpath. Therefore they have no control over it and cannot form a link over third party land. Contributions towards connections into the local Green Infrastructure, however, can be secured within the S106 Agreement.

Third party concern regarding the lack of public transport is noted. However, this application would not be expected to resolve public transport issues and is not a reason for refusal.

Third party comments regarding the impact of the development on private roads would be a civil matter between land owners.

Flood Risk and Drainage

Third party representations are concerned about flooding issues.

Whilst the site is located within Flood Zone 1 according to the Councils Strategic Flood Risk Maps, a flood risk assessment was submitted with the application because the site is over 1ha in size.

The flood risk assessment provides information in regards to both surface and foul water drainage. Foul drainage will discharge into existing adopted infrastructure in Mill Road via new sewers. Highway surface water will discharge into soakaways. Rainwater from dwelling roofs will discharge into new rainwater soakaways situated in their individual rear gardens a minimum of 5 metres from each dwelling.

The Flood Risk Assessment Report proves that it is possible to provide a foul and surface water drainage scheme that is fit for purpose in terms of use, and fully in accordance with the latest policies on Sustainable Drainage.

Anglian Water confirms there is adequate provision for foul drainage and foul sewerage. The proposed method of surface water management does not relate to Anglian Water operated assets. The IDB makes no comment as it is not within their area.

As this application seeks determination of access only, it is considered that details of surface and foul water can be secured by way of condition. The future management and maintenance of any Suds features can be secured in the S106 agreement.

Ecology

The Parish Council and Third Party representations raise issues about wildlife being affected by developing this site. Comments received have referred to the presence of protected species on site and the loss of habitat.

The application has been supported by a Phase 1 Habitat Survey.

No reptiles were found on site but the survey concluded that further survey work is recommended to determine if reptiles are using the site.

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, a Phase 1 habitat survey concluded that the potential for impacts to local wildlife is almost negligible, with the possible exception being reptiles, whose absence cannot be confirmed without further surveys given the conditions of the site.

The LPA can therefore conclude that there is the possibility that reptiles 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). Additionally, the current lack of a 5-year supply of housing sites adds to the indication that there is an IROPI.
2. No satisfactory alternatives – no other sites have come forward that singularly or cumulatively address the shortfall outlined above. It is therefore considered to be reasonable to conclude that there are no satisfactory alternatives.
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 reptiles.

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.

If any mitigation or compensation recommended following these further surveys is carried out, and if the precautionary measures for birds detailed in this report are followed, it was considered that the development could proceed with minimal impact on the local conservation status of any protected, principally important or rare species within the area.

It is also considered that with a sensitive landscape scheme, and by including some, or all, of the additional recommendations, the site could be enhanced for local wildlife post development.

Third Party representations raise issues about wildlife being affected by developing this site. However, the Phase I survey indicates that with appropriate mitigation measures and an additional survey re: reptiles, the proposed development posed low risk to protected species.

Natural England makes no comments on the proposal.

Having had regard to the findings of the habitat survey it is recommended that a planning condition be imposed seeking further survey work and appropriate mitigation measures with regard to reptiles. Also that the recommendations relating to other protected species in the habitat survey are adhered to during construction stage.

Affordable Housing

In accordance with Policy CS09 of the adopted Core Strategy (2011), 20% provision of affordable housing is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in areas in the rural areas such as Watlington. In this instance based on a development of 40 dwellings, 8 affordable homes will be required – 6 for rent and 2 for shared ownership would be required. The affordable need, at present, in Watlington is for 2 bed 4 person and 3 bed 5 person dwellings.

The S106 agreement will take this into account and provides flexibility on final affordable housing numbers in line policy CS09, should the reserved matters application be submitted for fewer dwellings.

Open Space

In accordance with draft Policy DM16 of the Site Allocations and Development Management Policies – Pre-submission document modification requires 2.4ha per 1,000 population of open space which is subsequently divided into 70% for either amenity, outdoor sport, and allotments (if identified need) and 30% for suitably equipped children's play space. The modifications to this document requires for development between 20-99 houses to will be expected to meet the requirements for suitably equipped children's play space only.

The indicative layout shows open/play space to be provided but will be considered in more detail at reserved matters stage. The provision of play equipment, management and maintenance of the children's play space will be secured in the S106 agreement.

The Parish Council has requested financial contributions towards a new Multi Use Games Area (MUGA) on a large Recreation Ground near to the development site which residents of the development could use. They are currently fundraising and have requested a commuted sum of £40,000 (£1,000 per dwelling) towards this games area as part of the planning obligations relating to the development.

The applicant is happy to provide policy compliant levels of open space provision for the site along with any policy compliant associated contribution. They would also be happy for this to go towards the MUGA scheme. However, they see no justification to provide any additional contributions over and above policy requirements.

Contributions towards Green Infrastructure play equipment and maintenance of open space can be covered within the S106 agreement.

Third party comment has been made regarding the emotional impact and effect on wellbeing of the local population through the loss of this open space. The proposal would result in the loss of most of the field, although an area of open space will be retained for amenity purposes. The field is not currently used for formal recreation purposes. The loss of the

visual amenity and wildlife habitat provided by this open space has to be balanced against the five year housing shortage and the borough-wide need for additional housing.

Infrastructure provision

Norfolk County Council is not seeking an education contribution from this development. There is sufficient capacity at Watlington Primary School and Downham Market Academy.

A condition is imposed in relation to Fire Hydrants.

A library contribution of £2,400 (based on £60 per dwelling - 40 houses) will be required which will be put towards the mobile library service which serves Watlington.

A financial contribution towards green infrastructure obligation is sought from this development, although this has not been calculated at this stage.

Third party concern has been raised regarding impact on existing services in the village, including nursery places and doctors surgeries. There is no method to secure additional funding to nurseries or GP surgeries under the current S106 mechanism.

Archaeology

The Historic Environment Service has objected to the proposal as no information has been submitted about the impact of this development on the historic environment. They state that the proposed development sits in an area of high archaeological potential – works to the east have uncovered significant Romano-British activity, including industrial working and a burial ground, while to the west lies a medieval moated site (now partially infilled and occupied by a Georgian rectory). Crop mark evidence to the north and south shows Roman and prehistoric activity right up to the Fen edge, just to the west of Downham Road. Such activity is likely to carry on through the village of Watlington, but the current ground use is not conducive to crop mark formation, and so it has not been recorded. In addition, the excavations to the east show a significant trackway running east-west through the site, which is likely to continue right down to the fen (and hence through the site).

The Historic Environment Service states that the application as it stands contains no information about the impact of this development on the historic environment. Due to the lack of study in the past (and resulting lack of evidence on the Historic Environment Record), they do not believe that an archaeological desk-based assessment will add to the available knowledge of the historic environment. They therefore recommend that there is insufficient evidence on the impact of this development on the historic environment, and recommend that the applicants withdraw this application, and resubmit it with the results of an archaeological field evaluation.

Following the initial objection the application undertook a geophysical survey of the site. This survey did not identify any features of archaeological origin, despite the potential for Romano-British remains to be detected. Evidence of ridge and furrow cultivation across the west of the site indicates that the site has largely been used for agricultural purposes from the medieval period. The remaining features include areas of amorphous magnetic variation which are likely to be of natural origin and magnetic disturbance from nearby ferrous metal objects, such as fencing.

The key issue is whether or not the proposal is in accordance with paragraph 128 of the NPPF, or whether the application should be refused for lack of information on the impact of development on the historic environment, again in accordance with paragraph 128 of the NPPF.

National Planning Practice Guidance regarding decision taking for sites with an archaeological interest states that a proportionate response is required by local planning authorities. Only a very small minority of all planning applications (around 3%) justify a requirement for detailed assessment.

It is your officer's opinion that the initial findings of the geophysical survey show no significant structures on the site. Given that the layout is a matter reserved for future consideration it is considered that planning condition could be imposed to ensure that the archaeological interests of the site are safeguarded.

Other Material considerations

Norfolk County Council Minerals and Waste Policy Team has raised an objection to the proposal as the site could potentially contain sand and gravel. They require more information to assess whether a Materials Management Plan would be necessary to ascertain the quantities of aggregate which could be obtained from groundworks and reused in the construction phase of the scheme if economically viable.

In response to this the applicant has provided additional information and has conducted a 'Particle Size Distribution' test and a mineral resource assessment. At the time of writing the Minerals and Waste Policy Team has not had opportunity to assess the findings of these assessments. That said, the presence of aggregate on site would not prevent the development from occurring, and there is also an argument that this small site, adjacent to residential development is not considered appropriate for quarrying activities.

The Environmental Health team – Environmental Quality has requested that consideration is given making the development 'electric vehicle ready'.

Third Party comments have referred to the noise implications for neighbours during construction. This would be a temporary situation but it is recommended that a planning condition be imposed requiring a Construction Management Plan, which should include noise implications such as hours of working and details, if equipment etc... This should be submitted prior to any development commencing on site.

Third Party comments state that there are other sites that would be better suited to being developed, however each site and application is taken on its own merits.

A right to a view raised by a third party objector is not a material planning consideration.

Issues in regards to electricity supply and water pressure issues raised by third party objectors are not material planning considerations, and no reason to refuse permission.

Comments that 'green belt land' should not be built on are noted. However, this Borough contains no formally designated 'green belt' land. It is open space and countryside which under normal circumstances has restricted development potential. In this case the five year housing land supply shortage and the need for housing within the borough is a material planning consideration and the tests of paragraph 14 of the NPPF apply.

Third party comment has been made that neighbours have not been consulted. However, as per the standard procedure for this local planning authority, letters were sent out to neighbours who share a common boundary with the site and also site notices were displayed at the front of the site. The statutory regulations have been complied with.

Third Party comments state concern regarding the impact on local house prices. However, this is not a material planning consideration.

Third Party comment has been made that no indication was given of plans for additional development to the north when the recently constructed properties on Nolan Court were purchased. This, however, is a matter between private parties and not a material planning consideration.

Third Party comment has been made that approval of this application will set a precedent for other fields to be built on around the village. However, each case is considered on its individual merits, against the policies in place at that time.

Third Party comment has been made that there would be no objection to the proposal if the building quota for Watlington of 32 dwellings had not been exceeded. However, for the reasons given above, the relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and this figure of 32 dwellings is currently out dated. Planning applications for housing should therefore be considered in the context of the National Planning Policy Framework presumption in favour of sustainable development (para 14), unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole, or specific policies in the NPPF indicate development should be restricted.

CONCLUSION

Whilst the site lies within the countryside as identified by the Local Plan (1998) proposals maps and Core Strategy (2011), the authority does not have a 5 year supply of deliverable housing sites. Accordingly the proposal must be viewed in the context of the presumption in favour of sustainable development and the tests of paragraph 14 of the NPPF.

The proposal seeks outline permission with only access being determined at this stage. The highways officer has no objection to the proposal with all off-site highways works being conditioned.

The indicative layout demonstrates that this number of dwellings 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. Neighbour amenity issues will be addressed more fully at reserved matters stage.

Although there is an objection from the County Council with regards safeguarding potential sand and gravel deposits, officers consider that given the size and position of the site, extraction would be unlikely to be granted, especially due to impact on residential properties. Members will need to consider whether they agree with this, or feel that a suitably worded condition can be imposed, so that this is investigated further.

The S106 agreement will secure affordable housing, open space, green infrastructure, suds (management and maintenance) and library provision.

In light of the above, it is considered that the proposal complies with the provisions of the NPPF and that planning permission may be granted subject to the conditions below and the imposition of a S106 agreement.

RECOMMENDATION:

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

- 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 hereby permitted shall be carried out in accordance with the following approved plans:-
 - Drawing No: MLW40/02A Indicative Layout Plan
 - Drawing No: Land between Mill Road and Downham Road, Watlington Site Plan
 - Drawing No: 1151/HWY/041 Proposed Site Access
 - Drawing No: 1151/HWY/042 Mill Road/Lynn Road Junction
- 5 Reason For the avoidance of doubt and in the interests of proper planning.
- 6 Condition No building shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the site potential for disposing of surface water by means of a sustainable drainage system, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, 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 period for its implementation;
- 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 full details of the foul 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.

7 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.

8 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

8 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.

9 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.

9 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

10 Condition No development shall commence on site until a scheme has been submitted to and approved in writing by the Local Planning Authority that provides for the suppression of dust during the period of construction. The scheme shall be implemented as approved during the period of construction unless otherwise agreed in writing by the Local Planning Authority.

10 Reason In the interests of the amenities of the locality in accordance with the NPPF. This needs to be a pre-commencement condition given the dust emissions that could arise during the construction phase.

11 Condition The development hereby approved shall comprise no more than 40 residential units.

11 Reason To define the terms of permission

12 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.

- 12 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 13 Condition No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.
- 13 Reason To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.
- 14 Condition No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.
- 14 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 15 Condition Before any dwelling is first occupied the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 15 Reason To ensure satisfactory development of the site.
- 16 Condition Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4m x 43m shall be provided to each side of the access where it meets the highway respectively and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 16 Reason In the interests of highway safety.
- 17 Condition Prior to the commencement of any works on site a Construction Management Plan shall be submitted to and approved in writing with the Local Planning Authority in consultation with the Environmental Quality Team and Norfolk County Council Highway Authority. This plan should 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, proposed timescales and hours of construction phase, details of sound power levels of equipment, their location and proposed mitigation methods to protect residents from noise and dust.
- 17 Reason In the interests of the amenities of the locality and maintaining highway efficiency and safety in accordance with the provisions of the NPPF.
- 18 Condition For the duration of the construction period all traffic associated with the construction of the development and construction work will comply with the Construction Management Plan and unless otherwise approved in writing with the Local Planning Authority in consultation with the Highway Authority.
- 18 Reason In the interests of the amenities of the locality and maintaining highway efficiency and safety in accordance with the provisions of the NPPF.

- 19 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works, as indicated on drawing Nos: 1151/HWY/041 and 1151/HWY/042 have been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 19 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.
- 20 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 19 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- 20 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 21 Condition A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
- 1) The programme and methodology of site investigation and recording,
 - 2) The programme for post investigation assessment,
 - 3) Provision to be made for analysis of the site investigation and recording,
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation and
 - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation. and,
- B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A). and,
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the 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.
- 21 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 22 Condition As part of the Reserved Matters application covered in Condition 1, an updated method statement and tree protection plan shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and plan.
- 22 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 23 Condition The development hereby permitted shall be carried out in strict accordance with the accompanying arboricultural report and plans that accompanied the

application (drawing no: 4855-D; report authored by Haydens Arboricultural Consultant).

- 23 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 24 Condition Prior to the commencement of the development hereby permitted a survey to identify the extent of reptile 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.
- 24 Reason To identify the extent of any reptile populations in accordance with the NPPF and NPPG.
- 25 Condition The results of the survey required under Condition 25 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 reptile populations recorded in order to minimise the impact of the development upon the reptiles 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.
- 25 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 26 Condition Other than in relation to reptiles that are covered under separate conditions, the development hereby permitted shall be carried out in accordance with the recommendations contained in the Phase 1 Habitat Survey dated August 2015 and undertaken by James Blake Associates.
- 26 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 27 Condition No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 27 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.
- 28 Condition Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

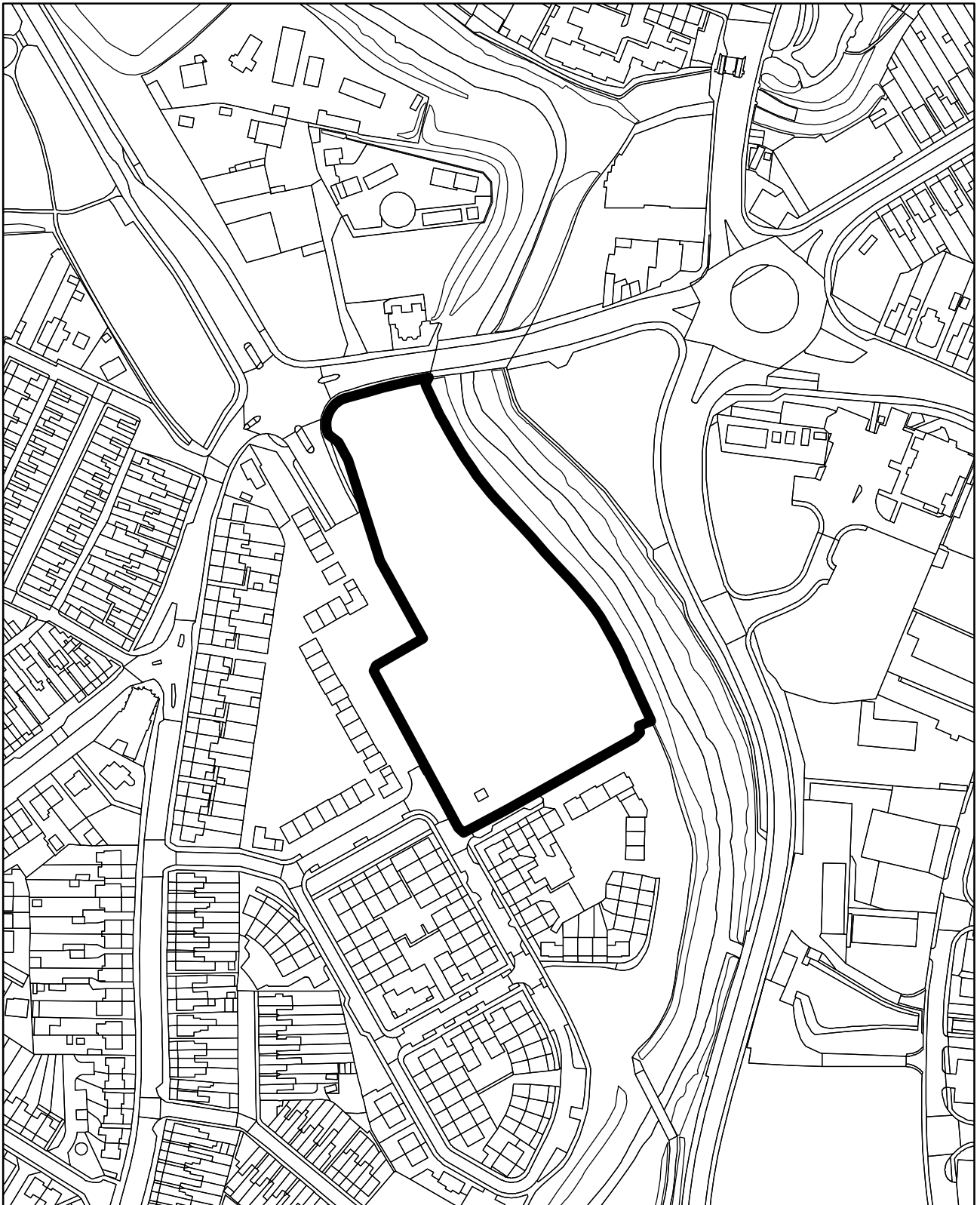
28 Reason To ensure adequate off street parking during construction in the interests of highway safety.

This also needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.

B) REFUSE in the event that a suitable Legal Agreement to secure an affordable housing contribution, Open Space, Library Provision, Green Infrastructure and SUDS management and maintenance within 4 months of the date of resolution to approve.

16/00863/RMM

Nar Ouse Way King's Lynn



1:2,500

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Ordnance Survey 100024314

0 0.0125 0.025 0.05 0.075 0.1 Kilometers

AGENDA ITEM NO: 9/1(c)

Parish:	King's Lynn	
Proposal:	Reserved Matters Application: construction of 50 dwellings	
Location:	Nar Ouse Way King's Lynn Norfolk	
Applicant:	Borough Council of Kings Lynn And West Norfolk	
Case No:	16/00863/RMM (Reserved Matters - Major Development)	
Case Officer:	Mr D Parkin	Date for Determination: 4 August 2016

Reason for Referral to Planning Committee – The application is for a Borough Council development.

Case Summary

The application seeks reserved matters approval for 50 dwellings on Council land on the Nar Ouse Regeneration Area. It follows approval of 54 dwellings of similar design on the same site under previous reserved matters applications.

Key Issues

Key issues:-

Principle of Development;
Design; and
Flood risk.

Recommendation

APPROVE

THE APPLICATION

The application seeks reserved matters approval for the appearance, layout and scale of 50 houses in relation to the outline permission 09/02010/F (a Section 73 application to vary the original permission 05/00691/OM). The site has been the subject of two earlier reserved matters approvals under 12/01210/RMM (for 54 units on the current site) and 11/00406/RMM (for a larger site).

The land in question is part of the NORA scheme and lies immediately south of Wisbech Road. The River Nar forms the eastern boundary whilst housing approved under previous reserved matters approvals is completed or under construction to the west and south.

The application proposes residential development in two blocks, referred to on the plans as Block 7 (to the north) and Block 6 (to the south).

The house types are the same as those approved on the land to the south and west and consist of 2, 3, 4 and 5 bed units. There is a mix of 2 and 3 storey units, as per previous approvals, which are to be finished in a mix of render, brick and concrete tiles to fit in with the other units either built or under construction.

107 car parking spaces are provided, giving an average of just over 2 spaces per unit.

The proposal includes a 'No Build Zone' along the eastern boundary along the banks of the Nar to protect and allow access to the flood defences. A public right of way exists within this zone.

SUPPORTING CASE

No supporting statement is required.

PLANNING HISTORY

12/01210/RMM: Application Permitted: 06/11/12 - Reserved Matters Application: construction of 54 dwellings (Phase 1) - The Nar Ouse Regeneration Area (NORA), Wisbech Road, King's Lynn, Norfolk

11/00406/RMM: Application Permitted: 10/10/11 - Reserved Matters Application - Mixed Use Development - The Nar Ouse Regeneration Area (NORA), Wisbech Road, King's Lynn, Norfolk

09/02010/F: Application Permitted: 25/02/11 - Outline application: Mixed use development - Variation of condition 5 and removal of condition 7 of planning permission 05/00691/OM - The Nar Ouse Regeneration Area (NORA), Wisbech Road, King's Lynn, Norfolk

05/02212/F: Application Permitted: 16/03/06 - Variation of Conditions F1, F2, F3, F5 and F7 (Contaminated Land) of Outline Planning Permission Reference 2/01/0671/O - Former Muckworks Land To East of Saddlebow Road, King's Lynn, Norfolk

05/00691/OM: Application Permitted: 08/02/07 - Outline application: Mixed use development comprising housing, live/work units, employment office, business, light industry and warehouse uses, leisure, retail, health, education and community facilities together with the provision of car parking, strategic landscaping, strategic highway and other associated infrastructure - The Nar Ouse Regeneration Area (NORA), Wisbech Road, King's Lynn, Norfolk

04/02073/F: Application Permitted: 16/03/06 - Application to vary condition C1 of outline planning permission for mixed uses- residential/local centre- open space/employment- new road/pedestrian and cycle routes - Saddlebow Road/Wisbech Road/A47/Horsleys Fields/South Gates, King's Lynn, Norfolk

04/02061/F: Application Permitted: 16/03/06 - Application to vary conditions D1- D2- H1 and H2 of Outline Planning Permission for mixed uses residential/local centre (retail-community- school) open space/employment- new road/pedestrian/cycle routes - Saddlebow Road/Wisbech Road/A47/Horsleys Fields/South Gates, King's Lynn, Norfolk

04/00737/F: Application Permitted: 27/05/04 - Variation of conditions A1 and A2 of outline planning permission 2/01/0671 to extend the period by which work should commence and to

allow work to commence on Phase One independently - Saddlebow Road/Wisbech Road/A47/Horsley Fields, South Gates, King's Lynn, Norfolk

2/01/0671/O: Application Permitted: 26/09/02 - Site for mixed uses (residential/local centre (retail/community/school), open space, employment (B1, B2, B8) incl A1, A2, A3 (Sth Gates) new road/pedestrian/cycle routes) in accord with drwg KLN002/05 - Saddlebow Road/Wisbech Road/ A47/Horsleys Fields/South Gates

RESPONSE TO CONSULTATION

King's Lynn Area Consultative Committee – Planning Sub-group: NO OBJECTION but raise the following points:-

- Design acceptable;
- Plot for 5 bed unit too small;
- Proximity of no build zone to Block 7; and
- Lack of outside storage space.

NCC Highways Authority: NO OBJECTION subject to conditions

NCC Public Rights of Way: Comments that the layout does not directly affect the alignment of FP26 as the right of way lies in the 'no build zone' adjacent to the Nar. The PROW authority is disappointed that the line of this footpath has been 'obliterated' during construction. Objects until more information is provided on how the line of the footpath is to be preserved during construction.

BCKLWN Emergency Planner: Recommends flood protection measures during construction and after construction occupants should sign up to the EA Floodline.

BCKLWN Arboricultural Officer: Wants to see more details of landscaping.

BCKLWN Open Space Officer: Comments on responsibility for maintenance of trees.

BCKLWN Strategic Housing: Supports affordable housing provision as shown on the submitted plans.

Norfolk Constabulary: Comments re: Secure by Design

REPRESENTATIONS

King's Lynn Civic Society: OBJECTS raising the following issues:-

- Design is uninspiring so close to the Southgates;
- Fails to take advantage of opportunities to provide riverside views;
- Lack of detail on landscaping;
- Lack of cycle parking and garages is likely to lead to clutter in front of houses;
- Support parking strategy;
- A bus service is needed from the development into the town; and
- Support comments from PROW officer.

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

CS09 - Housing Distribution

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

Key issues:-

- Principle of Development;
- Design; and
- Flood risk.

Principle of Development

The application is for reserved matters approval so the principle of development is acceptable. There is already a reserved matters approval for 54 units on the land in question so the current application for 50 units represents a reduction.

Design

The Civic Society comments on the impact of the proposed development upon the South Gates and upon the approaches to King’s Lynn generally. They also comment that the design of the units fails to take advantage of the location to provide occupants views over the Nar.

Notwithstanding these comments, the proposal is for a continuation of the housing scheme approved on the adjacent sites, much of which has been completed. The design of the units on the application site reflects those on the adjacent plots, indeed the house types are the same in most cases. The appearance of the units is also similar to those approved under application 12/01210/RMM.

A change in the design of the units on this part of the site would, notwithstanding the comments of the Civic Society, adversely affect the coherence of the wider residential development that would also affect the appearance of the scheme when viewed from Hardwick Road and Nar Ouse Way.

Flood Risk

Whilst this is a reserved matters application, it is accompanied by a Flood Risk Assessment that shows existing site levels are between 4.40m and 5.10m AOD. The roads that have been constructed to serve the development are at about 4.50m AOD.

The FRA indicates that floor levels will be set at 5.0m AOD, which will protect residents from the 1 in 200 year flood event. This compares to the 3.5m minimum level required conditions on the outline and the 4.8m floor levels approved for the houses that have been completed on adjacent sites.

Other Matters

Right of Way

The comments from the PROW officer relate to the treatment of the right of way FP26 that runs along the top bank of the Nar. As the officer states, the line of the right of way are not affected by the development as it is within the 'No Build Zone'. In addition, this proposal along with the development to the south provides a road way along the top of the bank that will provide better access along the river than at the moment.

The developer is obliged to either retain the right of way during construction or secure a Traffic Regulation Order to temporarily stop it up and provide a diversion if necessary. This does not need to form a condition of permission as it is covered by other legislation.

Landscaping

The Council's arboricultural officer requests further details of landscaping and the Open Spaces officer seeks clarification as to who will be responsible for which trees.

As set out earlier, this is part of a wider scheme. The equipped play space is on other parts of the development to the south and to the west immediately adjacent to the current site. There is no need in policy for this particular phase to provide additional public open space. The landscaping shown on the submitted plans is structural landscaping and consists of street trees and verges.

Maintenance responsibilities can be addressed through the Section 106 agreement attached to 09/01020/FM that requires transfer and maintenance of any landscaping.

Affordable Housing

Four 2 bed houses and four 3 bed houses are provided, 1 shared ownership and 7 for rent. They are provided in a block of four on Block 7 and a pair and two individual units spread

across Block 6. This provision is in line with the Section 106 agreement on the outline permission and the grouping accords with the Council's housing strategy on pepper-potting.

CONCLUSION

The proposal is for a continuation of the housing development on the Council's land at NORA. It is for 50 units and follows approval of 54 units of similar design on the same site. The design and layout also reflects development that is under construction on adjacent sites.

RECOMMENDATION:

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

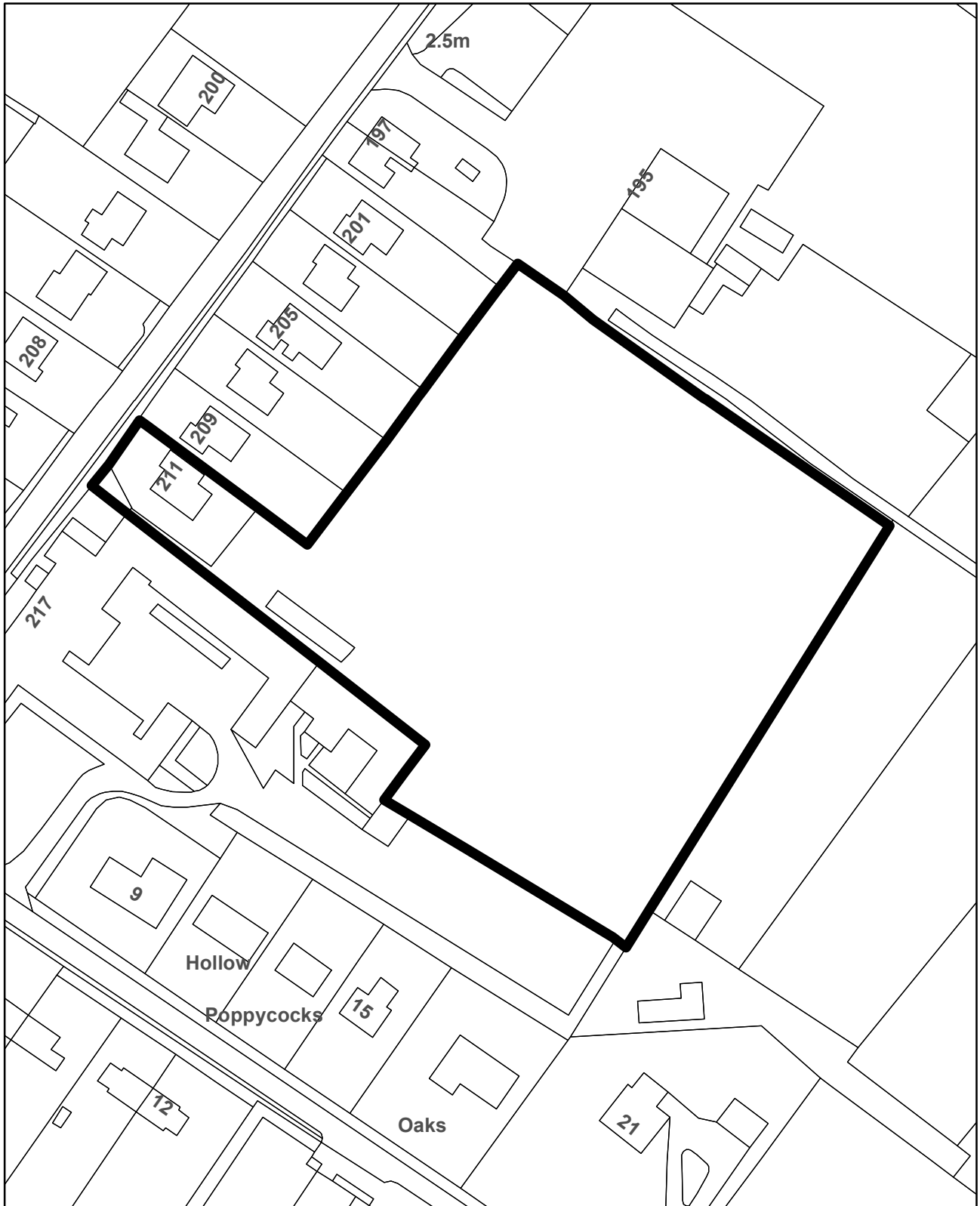
- 1 Condition Finished floor levels shall be set no lower than 5.0m AOD.
- 1 Reason To reduce the impact of flooding upon the proposed development and future occupants in accordance with the NPPF and associated Technical Guidance
- 2 Condition Notwithstanding the details shown on the approved plans, prior to commencement of works above ground relating to the residential units hereby approved details of the external materials for the relevant unit/units shall be submitted to and approved in writing by the Local Planning Authority. The relevant unit/units shall be completed using the agreed materials.
- 2 Reason To ensure the use of satisfactory materials that respect the character of the wider area in accordance with the NPPF; Core Strategy policy CS12 and saved Local Plan policy 4/21.
- 3 Condition Construction traffic shall only gain access to and egress from the site via the junction with Wisbech Road and not from Saddlebow Road.
- 3 Reason To protect the amenity of existing residents living in houses adjacent to the Saddlebow Road access from unacceptable levels of noise and disturbance during construction.
- 4 Condition The development shall be carried out in accordance with the following plans:-
 - BAS-DR-A010 P1 Site Location Plan
 - BAS-DR-A012 P2 Proposed Site Layout
 - BAS-DR-A013 P2 Site Layout – Block 6
 - BAS-DR-A014 P2 Site Layout – Block 7
 - BAS-DR-A020 P1 House Type Plans & Sections Type 1A
 - BAS-DR-A021 P1 House Type Plans & Sections Type 1B
 - BAS-DR-A022 P1 House Type Plans & Sections Type 1C
 - BAS-DR-A023 P1 House Type Plans & Sections Type 1D
 - BAS-DR-A024 P1 House Type Plans & Sections Type 1F
 - BAS-DR-A025 P1 House Type Plans & Sections Type 2B
 - BAS-DR-A026A P1 Type 2J Level 1 Option
 - BAS-DR-A027 P1 House Type Plans & Sections Type 2M
 - BAS-DR-A100 P1 House Type Elevations Type 1A
 - BAS-DR-A101 P1 House Type Elevations Type 1B

- BAS-DR-A102 P1 House Type Elevations Type 1C
- BAS-DR-A103 P1 House Type Elevations Type 1D
- BAS-DR-A104 P1 House Type Elevations Type 1F
- BAS-DR-A106 P1 House Type Elevations Type 2J
- BAS-DR-A107 P1 House Type Elevations Type 2M

4 Reason For the avoidance of doubt and in the interests of proper planning.

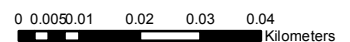
16/00778/FM

Hickathrift Too 211 Smeth Road Marshland St James



1:1,250

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Ordnance Survey 100024314



AGENDA ITEM NO: 9/1(d)

Parish:	Marshland St James	
Proposal:	Development of the land to erect a part two and single storey acquired brain injury unit. The proposal includes the demolition of bungalow, external landscaping and car park	
Location:	Hickathrift Too 211 Smeeth Road Marshland St James Wisbech	
Applicant:	Swanton Care And Community Ltd	
Case No:	16/00778/FM (Full Application - Major Development)	
Case Officer:	Mrs H Wood-Handy	Date for Determination: 25 July 2016 Extension of Time Expiry Date: 7 October 2016

Reasons for Referral to Planning Committee – The views of Marshland St James Parish Council are contrary to the Officer recommendation.

Case Summary

The site is located to the rear of Hickathrift House located at the corner of School Road and The Smeeth, Marshland St James.

The proposal is for an Acquired Brain Injury Unit including 30 bed wards with ancillary accommodation and 10 independent living apartments. The development would comprise of two storey and single storey development, landscaping, parking and servicing areas. Access would be gained directly from The Smeeth with demolition of an existing bungalow.

Key Issues

Principle of development
Design and form and character
Neighbour amenity
Highways
Flood risk
Any other matters requiring consideration prior to the determination of the application

Recommendation

APPROVE

THE APPLICATION

The site is located to the rear of Hickathrift House located at the corner of School Road and The Smeeth, Marshland St James.

The proposal is for an Acquired Brain Injury Unit including 30 bed wards with ancillary accommodation and 10 independent living apartments. The development would comprise of two storey and single storey development, landscaping, parking and servicing areas. Access would be gained directly from The Smeeth with demolition of an existing bungalow.

SUPPORTING CASE

The New C2 Class Use Building proposal includes the demolition of bungalow, external landscaping and car park to provide 3 x 10 bed Units and 10 Individual Apartments Acquired Brain Injury Specialist Rehabilitation and Recovery Facility.

Swanton Care and Community (SCC) was a subsidiary within the Barchester Healthcare Company (BHC) until September 2014. This is why Swanton now owns land adjacent to the existing Hickathrift care home.

We have provided additional information on the nature of the proposed use and submitted a revised site plan to respond to the request for a more open fencing treatment along the border with Hickathrift House.

With our application we have considered and addressed issues raised as part of the consultation process, as follows:

- The facility provides a homely and supportive environment for service users, with Acquired Brain Injury, Motor Neurone Disease, Huntington's Disease, Multiple Sclerosis, Physical Disabilities who are leaving other more clinical and acute services.
- Structured rehabilitation is the main focus of care and treatment in this setting. The amount of the development has been designed to assist the model of care with a gross internal area of 2,504sqm.
- The proposed development is accessible from 211 Smeeth Road with parking for 31 vehicles integrated within the landscape proposal for minimal visual impact.
- The buildings' volumes, largely screened by existing conifers, are limited in scale and their design has been developed to ensure that the visual impact to the surrounding properties is minimised.
- The proposed layout is designed to offer interesting views of the surrounding landscaped garden from bedrooms and lounge/dining areas facing south. The internal floor layout of the building has been designed with open plan areas which are light and airy and provide a high quality living environment.
- The new buildings' orientation and distance from residential properties is designed to overcome overlooking issues or significant loss of light to the adjacent buildings.
- The external artificial lighting scheme is designed to support the residents' circadian rhythm integrating the landscape scheme with low level lighting for the proposed footpaths leading to the building entrance.
- Materials have been selected to respect the local architecture of the context yet introducing an innovative take in the use and proportion of the proposed materials to express the building form.

- The external treatment of the buildings is sympathetic to the site and surrounding area. The building contributes to a welcoming, friendly and reassuring environment.
- The surface water drainage disposal systems of the site are yet to be designed in detail and will be subject to conditions. There are several locations within the design layout of the development to provide SuDs installations with the accepting storage for the volumes created to ensure that surface water runoff is retained on site where ever possible. The foul water runoff is being discharged to the existing system which is being upgraded to accept the increased discharges created by the unit.

PLANNING HISTORY

11/1863/EXFM – Extension of time for the implementation of Planning Permission Reference 08/02527/FM: Extension to provide an additional 20 bedrooms – Delegated – 26.04.12

08/02527/FM – Extension to provide an additional 20 bedrooms – Approved 18.02.2009 – Delegated decision.

07/ 01909/F – Construction of two day rooms following demolition of existing sun lounge and conservatory – Approved 22.11.07 - Delegated

07/01026/F – Construction of 2 units to provide care/independent living accommodation for adults with complex needs and erection of garden shed – Refused – 08.10.07 - Committee

07/1014/F – Construction of substation – non-determined

2/03/1375/O – Site for construction of residential development for elderly inc. administration centre – Withdrawn 25.09.06

2/99/0581/F – Extension of residential care home and construction of caravan users amenity block – Approved – 4.11.99 – Delegated.

RESPONSE TO CONSULTATION

Parish Council: OBJECT on the following grounds:

- Lack of clarification and errors within the application;
- Disamenity to neighbours
- Construction materials out of keeping with the local area;
- The access and egress of the site should be looked into.

Highways Authority: Queries the sustainability of the location, however, **NO OBJECTION** on highway safety grounds subject to the following conditions – vehicular access details and parking.

Environment Agency: NO OBJECTION regarding the FRA subject to being constructed in accordance with the FRA (finished floor levels) and foul drainage details.

Internal Drainage Board: The proposal will require IDB Byelaw consent. However, **NO OBJECTION** subject to conditions regarding surface water drainage.

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions regarding contamination investigation and remediation and a construction environmental management plan.

Central Services – CSNN: Following receipt of further information, **NO OBJECTION** subject to conditions regarding foul and surface water drainage and noise protection.

Arboricultural Officer: NO OBJECTION subject to retention and protection of conifer screening (verbal)

Emergency Planning Officer: Provides advice regarding EA Floodline Warnings Direct and flood evacuation plan during construction and post construction.

REPRESENTATIONS

TWENTY SIX letters of **OBJECTION** (including duplicate letters to Cllr Long) and a Petition with **SIXTEEN** signatures regarding the following:

- Wrong location for the development adjacent to the school and residential properties;
- Not a sustainable location – not located near major routes;
- No shop or services within the village and no public transport (other than school/college bus and community transport);
- Two storey development will result in overlooking of bungalows;
- Increase in noise and disturbance;
- Devaluation of property;
- Increase in traffic on poor road network (deliveries and staff);
- Highway safety issues with access close to crossroads and 40mph limit;
- Increase in light pollution;
- Full waste disposal details required;
- Inaccuracies within D & A and supporting statement;
- Will increase pressure on existing Doctors surgeries;
- Size of building would be overbearing;
- Surface water flooding issues in the locality;
- Conifer hedge at the centre of the site will be damaged;
- Will create on-street parking 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

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS09 - Housing Distribution

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

CS13 - Community and Culture

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Marshland St James Parish Plan

PLANNING CONSIDERATIONS

The main issues are:

- Principle of development
- Design and form and character
- Neighbour amenity
- Highways
- Flood risk
- Any other matters requiring consideration prior to the determination of the application

Principle of Development

Marshland St James is defined as a Rural Village by Policy CS02 of the Core Strategy 2011 where limited minor development will be permitted which meets the needs of settlements and helps to sustain existing services. Policy CS06 states that development will be permitted to meet local needs and maintain the vitality of these communities where this can be achieved in a sustainable manner, particularly with regard to accessibility to housing, employment, services and markets without detriment to the character and appearance of the surrounding area or landscape. Policy CS10 allows for employment generating uses outside development boundaries that are appropriate in scale, adjacent to the settlement and would not be detrimental to the local environment or residents. Policy CS13 allows for the provision of healthcare/care home facilities.

Planning permission has previously been granted on the site in 2008 and 2012 respectively for the erection of a 20 bedroom extension and ancillary development to Hickathrift House with the demolition of an existing bungalow and provision of a new access. This development was not implemented. The current applicant was part of the Barchester Healthcare Company until 2014 when the companies split (although maintaining links) and Barchester retained Hickathrift House and Swanton retained the application site. Notwithstanding the ownership issues, the principle of care homes on this site has been previously established and is acceptable in principle as an employment generator and healthcare/community facility in West Norfolk.

Design and form and form and character

The proposal comprises a two storey and single storey main unit incorporating:

- A 10 bed unit on the first floor for intensive care;
- 2 x 10 bed units on the ground floor for step down care;
- 6 x 1 bed apartments and 4 studio apartments to regain daily living skills
- A central hub provided for visitors, staff and maintenance;
- Landscaping and parking areas.

The site is surrounded by 8m high conifer hedging to the north, east and south boundaries all of which are shown to be retained and can be secured by condition. Inset from the west boundary is an 8m high section of conifer hedging which is also shown to be retained.

The two storey section of development has been designed so that it would be in the northern section of the site, which combined with existing screening, would have least impact on the street scene and surrounding properties. It would have a max height of approx. 10.3m with subservient single storey elements of approx. 6.2m. The separate single storey apartments would be approx. 5.7m. There would be balcony areas to the east, west and south elevations. The development would be constructed in yellow stock brick, vertical Cedral click weather boarding in dark oak timber and Marley eternity grey slate roof and grey upvc windows/doors, the details of which would be secured. Visually, the structure would be simple in form and given its setting, would not adversely affect the form and character of the locality. The proposal would comply with Policies CS06, CS08 and CS12 of the Core Strategy 2011 and Policy DM15 of the Site Allocation and Development Management Policies Document 2015.

Neighbour amenity

The two storey elements are located in the northern half of the site with approximate distances to the west boundary (where existing bungalows are located) in excess of 30m and in excess of 50m to the rear elevations of the bungalows. The site slopes from west to east with surrounding ground levels between 2.2m – 2.5m to the west boundary. The two storey element would be set 500mm above the average level of 1.7m at 2.2m ssl (2.4m ffl) which is not incompatible with the surroundings. The independent support units in the south of the site would be set at 500mm above the average surrounding ground level (1.5m) at 2.00m ssl (2.2m ffl). As stated above, existing screening would be retained where possible and conditioned accordingly. Having taken advice from the Arboricultural Officer, there is no reason why the retained conifers would be harmed with adequate protection during construction. It is considered that at these distances and combined with retained screening, the development would not adversely affect the privacy of neighbours.

With regard to noise and disturbance, the proposed access (tarmac road) would be located between Hickathrift House and 209 Smeeth Road.

The principle of this access has been previously established via the 2008 and 2012 consents. The service road would then swing to the north behind the Smeeth Road bungalows (separation of approx. 8m between existing boundaries and the access road) and spur off to the centre of the site, servicing parking areas. A further spur would lead north for service vehicles with bin collection points. To the north of the site is an existing haulage yard. However, in order to prevent noise and disturbance to neighbours, the exact location of refuse collection/bin stores, hours of delivery, lighting scheme, plant and machinery may be agreed via conditions. Further, a construction environmental management plan can be secured via condition during the construction stage.

Given the previously considered acceptable uses on the site, the proposed development is not considered to give rise to conditions so detrimental to neighbour amenity to warrant refusal. The proposal complies with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Document 2015.

Highways

The access would be located off Smeeth Road. Notwithstanding highway safety concerns raised by Third Parties, no objection has been raised by the Local Highway Authority on highways safety grounds regarding the detail of the access or the proximity of the junction to the Hickathrift crossroads (Smeeth/School Road).

Issues have been raised with regard to sustainability of the scheme in terms of its location. The Applicant has advanced that the site would provide a regional resource for specialist neurological rehabilitation services to the Queen Elizabeth Hospital, Addenbrookes, Norfolk and Norwich, Peterborough and United Lincolnshire Hospitals. It has been selected as a result of its central location to the aforementioned hospitals as well as the fact that they own the land.

It is acknowledged that the site will be heavily reliant on the private car and there are inconsistencies in the supporting information with regard to where patients will be coming from. However this area is already heavily reliant on this form of transport with the lack of public bus routes in the rural locality. It is considered that the benefits of providing specialist healthcare facilities and bringing an additional employment use to the locality outweigh the harm.

The Local Highway Authority raises no objection subject to conditions regarding the provision of access to highways standard and retention of parking/turning/servicing areas. The proposal complies with Policy CS11 of the Core Strategy 2011 and Policy DM17 of the Site Allocations and Development Management Policies Document 2015.

Flood risk

In relation to flood risk, the site is located in a Flood Zone 3 area as defined by the Council's Strategic Flood Risk Assessment 2009. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Planning Authorities should apply a sequential, risk based approach to assessing development by applying the Sequential Test and where necessary, applying the Exception Test. In this case, the proposal is for a community facility/service and employment generator in a rural village, which is determined as being a sustainable location. There are no reasonably alternative sites within a lesser flood zone as the whole of Marshland St James is in Flood Zone 3.

As a result, the proposal passes the Sequential Test. In terms of flood risk vulnerability, the proposal is a “more vulnerable” use and therefore the Exception Test should be applied. In order for the Exception test to be passed, it should be demonstrated that:

- The development provides wider sustainability benefits to the community that outweigh flood risk
- 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 case, the proposal provides wider sustainability benefits to the community as an employment generator and provider of specific accommodation for people with injury/disability and subsequent rehabilitation. The Flood Risk Assessment submitted as part of the proposal demonstrates that the development will be safe and satisfies the Environment Agency subject to a condition regarding finished floor levels being set a minimum of 2.20m AOD (above Ordnance Datum).

With regard to surface water drainage, SuDs are proposed in line with the drainage hierarchy. The Applicant proposes the adoption of a system of plot infiltration utilising crated soakaways combined with the use of swales and retention basins which in principle would be acceptable. Third Party comments regarding localised surface water flooding are noted along with the comments of the IDB and CSNN and thus full details of SuDS/surface water drainage across the site can be conditioned to secure a satisfactory scheme.

With regard to foul water, the Applicant proposes to utilise and upgrade the existing septic tank which is similar to the proposal approved in 2008/2012 respectively. However, there is foul mains sewerage along Smeeth Road and School Road. At this stage, the EA consider that there is a lack of justification for the proposed foul drainage solution and that the Applicant would be unlikely to qualify for an Environmental Permit (or exemption from the required for one). As a result, a foul drainage condition is recommended to secure a satisfactory solution

Any other matters requiring consideration prior to the determination of the application

Environmental Quality raises no objection subject to conditions regarding contamination investigation and remediation and the provision of a construction environmental management plan.

The comments of the Parish Council and Third party issues have been addressed above. Devaluation is not a material planning consideration.

Crime and Disorder

The application raises no issues regarding crime and disorder.

CONCLUSION

The proposal is for the provision of specialist neurological rehabilitation services adjacent to an existing residential care home. Whilst it is noted that the proposal will be heavily car reliant and there are limited services in the locality, the benefits of providing community care for the wider community combined with being an employment generator outweigh the harm.

The development is safe on flood risk grounds and there are no objections from statutory consultees. The development has been designed so as to have a minimal impact on neighbours and conditions would be imposed to protect residents from noise and disturbance. The development would be well screened and the design and appearance of the unit would not adversely affect the visual amenities of the locality or the wider countryside. On this basis, the proposal is considered acceptable and complies with the NPPF, Policies CS01, CS02, CS06, CS08, CS10, CS11, CS12 and CS13 of the Core Strategy 2011 and Policies DM15 and DM17 of the Site Allocations and Development Management Policies Document 2015.

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 Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 2 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 3 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 3 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 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 the work is carried out within a reasonable period in accordance with the NPPF.

- 5 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 5 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.
- 6 Condition The existing conifer trees/hedgerows identified on Dwg PL_02 Rev I shall be retained at a height not less than 8m.
- 6 Reason In the interests of the privacy and amenity of neighbours and the visual amenity of the locality as a whole in accordance with Policy CS08 and CS12 of the Core Strategy 2011.
- 7 Condition The development hereby permitted shall be carried out in complete accordance with the approved Flood Risk Assessment (submitted 30 March 2016) and the following mitigation measure detailed within the FRA:
- Finished floor levels will be set at a minimum of 2.20m AOD (above Ordnance Datum)
- 7 Reason To reduce the risk of flooding in extreme circumstances in accordance with the NPPF and Policy CS08 of the Core Strategy 2011.
- 8 Condition No development shall commence until full details of the foul and surface water drainage arrangements (including SuDS) 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.
- 8 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.
- 9 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 Dwg PL_02 Rev I in accordance with the highway specification drawing No: TRAD 1. 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.
- 9 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

- 10 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking / servicing / loading, unloading / turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 10 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 11 Condition Prior to the commencement of development, a detailed construction environmental management plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include proposed timescales and hours of construction and shall also specify the sound power levels of the equipment, their location and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented in accordance with the details agreed.
- 11 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF. This needs to be a pre-commencement given the need to ensure that potential noise and disturbance to neighbours is fully dealt with at the outset of development
- 12 Condition No development above foundation level shall take place on site until a scheme to protect the existing residents from noise (including hours of delivery, plant/machinery/extraction systems) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use.
- 12 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 13 Condition Prior to the first occupation of the development hereby approved, details of the method of lighting and extent of illumination to the access roads, footpaths, parking, and circulation areas shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented as approved prior to the occupation of the development or any phase of the development to which it relates and thereafter maintained and retained as agreed.
- 13 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 14 Condition Notwithstanding details shown on the approved plans, prior to the occupation of the development hereby permitted full details of the bin stores and their location shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with the details agreed.
- 14 Reason In the interests of the privacy and amenity of neighbours in accordance with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Policies Document 2015.
- 15 Condition The independent living apartments shall at all times be held and occupied in connection with the land identified in red and shall at no time be used as separate residential units.
- 15 Reason To define the terms of the consent for the avoidance of doubt.

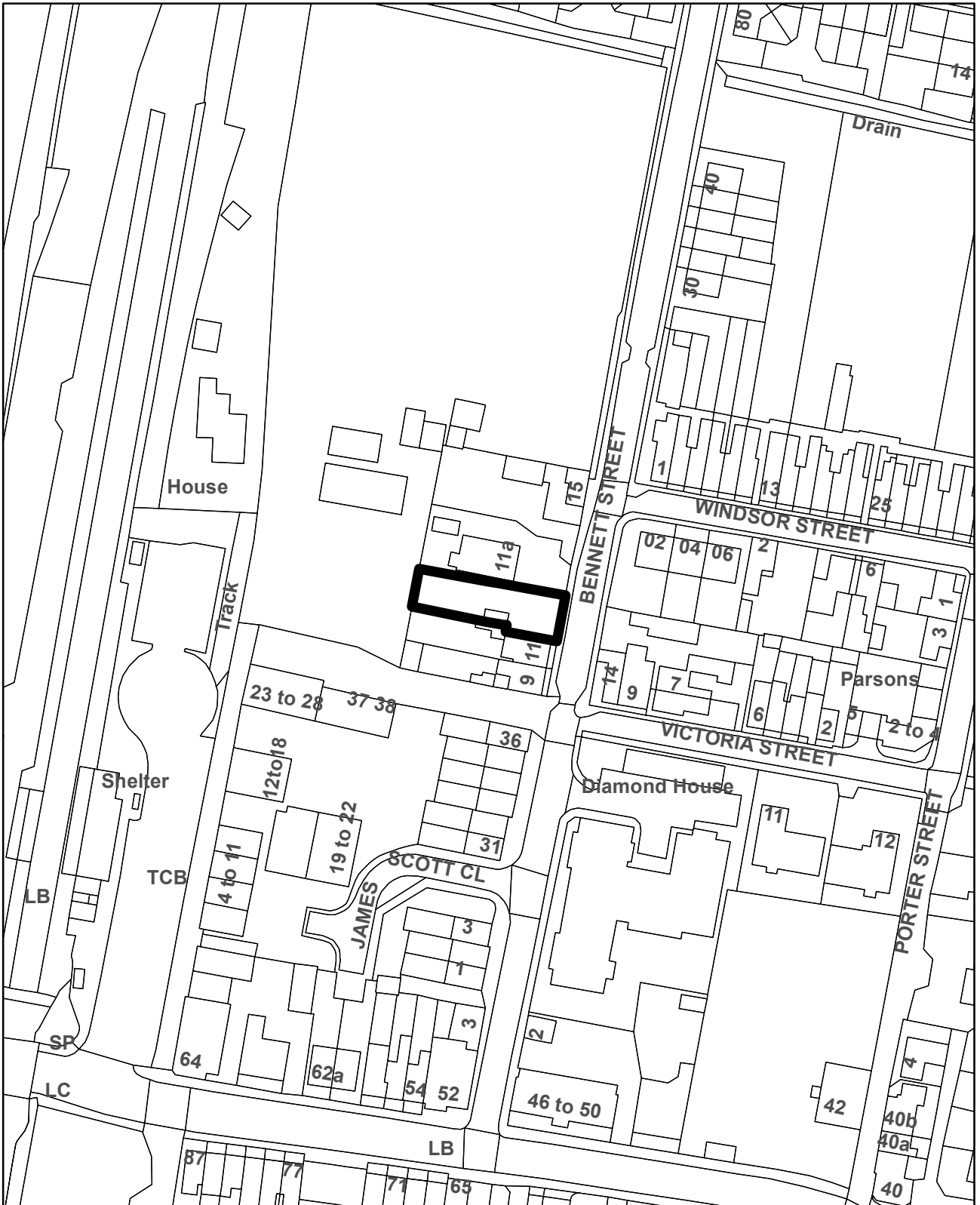
- 16 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:

Dwg PL_01
Dwg PL_02 Rev I.
Dwg PL_03 Rev A
Dwg PL_04 Rev A
Dwg PL_05 Rev A
Dwg PL_06.1 Rev B
Dwg PL_06.2 Rev B
Dwg PL_06.3 Rev B
Dwg PL_07 Rev B
Dwg PL_08

- 16 Reason For the avoidance of doubt and in the interests of proper planning.

16/01258/F

11 Bennett Street Downham Market



1:1,250

AGENDA ITEM NO: 9/2(a)

Parish:	Downham Market	
Proposal:	Construction of dwelling (revised design)	
Location:	11 Bennett Street Downham Market Norfolk PE38 9EE	
Applicant:	Mr and Mrs A and B Archibald	
Case No:	16/01258/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 12 September 2016

Reasons for Referral to Planning Committee – The views of Downham Market Town Council are contrary to the Officer recommendation

Case Summary

Permission is sought for the erection of a 1.5 storey dwelling in the curtilage of a two storey semi-detached dwelling on Bennett Street, Downham Market.

The site lies within Built Environment Type C in flood zone 1.

Key Issues

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

Recommendation

REFUSE

THE APPLICATION

The application proposes the erection of a 2-bed dwelling with accommodation in the roof following the demolition of an existing garage on a site measuring approximately 0.029ha. The dwelling would be constructed from carrstone and brick under a slate roof.

Four parking spaces are proposed to cater for the new dwelling as well as the donor property which is a bed and breakfast.

The site lies with flood zone 1 and Built Environment Type C.

Members may recall that this is a re-submission of an application that recently came to Committee for consideration (16/00530/F) and was refused whilst that application has been appealed; this application seeks to overcome those reasons for refusal.

SUPPORTING CASE

The Planning Statement that accompanied the application states that the proposal would make good use of an area of under-used garden space in a highly sustainable location. The dwelling would be of an appropriate scale and design to reflect local character and would supply plentiful shared vehicular parking. The PS concludes that the proposal would not result in any demonstrable harm to the character and appearance of the area, nor would it significantly detract from the amenities of existing residents in the locality.

A previous application (ref: 16/00530/F) was refused by Planning Committee, and this revised scheme seeks to address the previous reasons for refusal. The increased separation from the neighbouring bungalow (11A), centralising the dwelling and bringing the unit further forward, reducing the eaves and roof ridge height significantly reduces the potential impact on the adjacent bungalow, and the scheme is considered to be fully in keeping with the building characteristics of the locality.

PLANNING HISTORY

16/00530/F – Construction of a new dwelling – Refused

08/02613/F - Additional 2 unit bed and breakfast rooms and managers accommodation to existing bed and breakfast facility - Permitted

08/01713/F - Conservatory/breakfast room extension to bed and breakfast - Permitted

08/01680/F - Construction of 3 unit bed and breakfast rooms and managers accommodation to existing bed and breakfast facility - Refused

07/01068/CU - Change of use from dwelling to bed and breakfast – Permitted. The reasons for refusal were-

- The proposed development would result in a cramped and overdeveloped scheme that would be of detriment to the visual amenity of the locality and fails to enhance the quality of the environment.
- The proposed development would result in a material and unacceptable degree of overshadowing to habitable rooms of No.11A Bennett Street.
- The proposed development, by virtue of the increase in vehicular activity coupled with the loss of existing parking spaces, would cause extra congestion and disamenity to an unacceptable level.

RESPONSE TO CONSULTATION

Parish Council: SUPPORT – At the meeting of Downham Market Town Council's Planning & Environmental Committee held on Tuesday 02 August 2016 Members recommended approval commenting 'the revised proposal has addressed the previous concerns. Regardless of this the Town Council still maintains this application makes practical use of the available space, the application does not have any detrimental effect on existing parking problems, and offers affordable housing in close proximity to both the station and town centre'.

Highways Authority: This application is similar to a previous application on the site (16/00530/F) and having examined the information submitted with the application it is evident that this site is not ideal as parking on the site will remain very tight and vehicle access would be achieved between parked cars.

However, the highway fronting the site is commonly parked on at present and the access is utilised, as a result I believe it would be difficult on balance to substantiate an **OBJECTION** to the application on highway safety grounds. I therefore recommend attaching a condition.

Internal Drainage Board: NO OBJECTION subject to the Board's Bylaws being complied with.

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

REPRESENTATIONS

ONE letter of **OBJECTION** has been received from the occupier of the bungalow to the immediate north of the site (No.11A Bennett Street). The issues raised include:

- Loss of light from the south facing side, to windows serving the sitting room,
- Parking on Bennett Street is already a problem,
- Downham Market does not have the infrastructure to cope with the cumulative number of additional dwellings being permitted, and
- Loss of privacy
- See no real changes between this revised design that changes the three original reasons for its refusal.

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

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS04 - Downham Market

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Downham Market by Design

PLANNING CONSIDERATIONS

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

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

Principle of Development

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

Downham Market is one of the borough's main towns. Additionally the application site falls within Built Environment Type C and the defined area of the as identified in the King's Lynn & West Norfolk Local Plan, 1998. Within this area the principle of new residential development is generally considered to be acceptable under Policies CS02, CS04 and CS09 of the Core Strategy, Policy 4/21 of the Local Plan and emerging Development Plan Policies DM1 and DM2. Development must however have regard for and be in harmony with the building characteristics of the locality and comply with all other relevant policies.

As such it is considered that the principle of development is acceptable, unless material considerations indicate otherwise.

Form and Character

Paragraph 58 of the NPPF requires that planning decisions should 'ensure that developments will function well and add to the overall quality of the area...respond to local character...and be visually attractive as a result of good architecture'.

It goes on to state at paragraph 64 that 'permissions should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. This stance is reiterated in Core Strategy Policy CS08 and emerging Development Management Policy DM15.

Bennett Street is characterised by mainly residential dwellings. The dwellings themselves differ in age, style and design with the donor property being one of a pair of semi-detached dwellings and the other neighbour (11A) being a more modern bungalow.

Densities in the locality differ too. However, the higher density developments are in the form of terrace properties or flats, not detached dwellings as proposed by the current application. The revised plans have moved the dwelling forward on the site and the site has been increased in size (width) to allow an extra 0.7m separation between this and no.11A. However it is still considered that the limited spacing around the property, together with parking for four vehicles to the front, would result in a cramped form of development that would be of detriment to the visual amenity of the locality.

It is therefore concluded that it remains the view of officers that the proposed development would not enhance the quality of the environment and represents poor design contrary to the NPPF and Development Plan.

Highway Impact

Whilst the Local Highway Authority (LHA) has no objection to the proposed development on the grounds of highway safety they have stated that 'this site is not ideal as parking on the site will remain very tight and vehicle access would be achieved through parked cars'. During discussions on the previous application the LHA confirmed (in a telephone conversation) that the proposed parking layout was not achievable and that four vehicles could not be parked at any one time. This application has reduced the space available for parking to the front of the dwelling and so while the application states there are 4 spaces provided it is difficult to see how this is possible.

Notwithstanding this, given the sustainable location of the site, the LHA does not consider that there is compelling justification for parking as required by paragraph 39 of the NPPF (as amended by HCWS488). Furthermore emerging DM Policy 17 states that 'reductions in car parking requirements may be considered for town centres and for other urban locations where it can be shown that the location and the availability of a range of sustainable transport links is likely to lead to a reduction in car ownership and hence the need for car parking provision'. As such it is concluded by the LHA that parking standards can be lessened in this location without resulting in issues to the local road network or highway safety.

However, Bennett Street is relatively narrow, a situation that is exacerbated by on street parking. As such members need to consider whether the loss of the existing site (which forms part of the curtilage of a B&B), together with an increase in vehicular activity associated with a new dwelling, would result in an unreasonable degree of nuisance to occupiers of nearby residential dwellings to warrant a further reason for refusal.

It is pertinent to note that a previous approval for an additional two-bedroom unit to serve the bed and breakfast was conditioned to provide on-site parking and turning for six vehicles (08/02613/F).

Given the characteristics of this area and the specifics of the proposal, officers consider that the harm caused is enough to warrant a reason for refusal.

Neighbour Amenity

One of the Core planning principles laid down in the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This principle is reiterated in emerging Development Management Policy DM15 the preamble of which states that: 'Development proposal should aim to create a high quality environment without detrimental impact on the amenity of new and existing residents'.

In this regard, as well as the broader disamenity issue mentioned in the Highway Impact section above, it is considered that the specific impacts on the existing occupants of No.11A would still be unacceptable. The revised plans for the proposed dwelling show it would lie 1.7 metres to the south of No.11A's boundary fence and 3.2m from its southern elevation, an increase of 0.7m to the previous application. The revised plans have also moved the dwelling further forward on the site to reduce overshadowing to the kitchen window. No.11A is a single-storey detached dwelling with windows serving the kitchen and sitting room on its southern elevation. However there would still be some material loss of daylight (resulting in overshadowing) to habitable rooms of 11A that would be above an acceptable degree.

While these revised plans do represent an improvement to the previous scheme, it is considered that the proposed development would still be of detriment to the amenity of existing residents and is therefore contrary to the NPPF, Core Strategy Policy CS08 and emerging Development Management Policy DM15.

It is pertinent to note that a previous application for a three-bed unit to serve the existing bed and breakfast, which was further away from No.11A, was refused on its overbearing and overshadowing impacts with 11A (08/01713/F).

Other Material Considerations

Contamination (asbestos) can be suitably conditioned.

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

No objections have been received from statutory consultees.

CONCLUSION

The site is within Downham Market, one of the borough's main towns, where residential development is actively sought. This is a re-submission of an application that recently came to Committee for consideration (16/00530/F) and was refused. That application has been appealed and the decision is awaited. This application seeks to overcome those reasons for refusal but in our view these amendments have not been enough to resolve the Committee's concerns. The proposed development would still result in a cramped form of development that would be of detriment to the visual amenity of the locality, and the amenity of occupiers of neighbouring properties. It is therefore concluded that the development is still contrary to the NPPF and Development Plan and should be refused for the following reasons.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed development would result in a cramped and overdeveloped scheme that would be of detriment to the visual amenity of the locality and fails to enhance the quality of the environment. The proposal is therefore contrary to the NPPF, Core Strategy Policy CS08 emerging Development Management Policy DM15.
- 2 The proposed development would result in a material and unacceptable degree of overshadowing to habitable rooms of No.11A Bennett Street (the property to the immediate north of the site) which would be of detriment to the amenity of existing residents and is therefore contrary to the NPPF, Core Strategy Policy CS08 and emerging Development Management Policy DM15.
- 3 The proposed development, by virtue of the increase in vehicular activity coupled with the loss of existing parking spaces, would cause extra congestion and disamenity to an unacceptable level. It is therefore considered that the proposed development fails to take the opportunities available for improving the character and quality of the area and the way it functions, and in addition does not provide a good standard of amenity for all existing and future occupants of land and buildings. The proposed development is therefore contrary to the NPPF in general and specifically to paragraphs 17, 58 and 64, to Core Strategy Policy CS08 and to emerging Development Management Policy DM15.

16/00612/F

72-76 Lynn Road Grimston



AGENDA ITEM NO: 9/2(b)

Parish:	Grimston	
Proposal:	Proposed residential development	
Location:	72 - 76 Lynn Road Grimston King's Lynn Norfolk	
Applicant:	G & L Homes Ltd	
Case No:	16/00612/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 18 May 2016 Extension of Time Expiry Date: 18 August 2016

Reason for Referral to Planning Committee – Affordable housing contribution of £84,000 exceeds delegated amount.

Case Summary

The application site comprises a motor vehicle garage/workshop with associated buildings.

The site is located to the north of and accessed from Lynn Road, Grimston. Further residential properties adjoin the site to the east, west and north and can be found to the south on the opposite side of Lynn Road.

Grimston is a Key Service Centre Village under the Core Strategy.

In May 2008 planning consent was granted for the construction of 6 dwellings following demolition of the adjoining bungalow, No. 72, and motor vehicle workshop/car sales forecourt (Ipa ref: 08/00854/F). An application for an extension of time to implement this consent was submitted in 2011 (Ref 11/00913/EXF) but was refused on the basis that the scheme failed to provide an affordable housing contribution in accordance with Core Strategy Policy CS09.

This application seeks consent for the construction of seven new dwellings upon the site with a new access and parking facilities. The application proposes a financial contribution towards affordable housing of £84,000. This is to be secured through S106 legal agreement.

Key Issues

Principle of development
Form and character
Loss of employment use
Impact upon neighbouring occupiers
Other material considerations

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 Legal Agreement to secure an affordable housing contribution within 4 months of the date of resolution to approve.

THE APPLICATION

The application site comprises a motor vehicle garage/workshop with associated buildings.

The site is located to the north of and accessed from Lynn Road, Grimston. Further residential properties adjoin the site to the east, west and north and can be found to the south on the opposite side of Lynn Road.

Grimston is a Key Service Centre Village under the Core Strategy.

In May 2008 planning consent was granted for the construction of 6 dwellings following demolition of the adjoining bungalow, No. 72, and motor vehicle workshop/car sales forecourt (Ipa ref: 08/00854/F). An application for an extension of time to implement this consent was submitted in 2011 (Ref 11/00913/EXF) but was refused on the basis that the scheme failed to provide an affordable housing contribution in accordance with the then revised housing policy, Core Strategy Policy CS09.

This application seeks consent for the construction of seven new dwellings set in two short rows of three units plus a detached bungalow. One row of terraces runs along the roadside boundary, fronting Lynn Road, whilst the second terraced row is set back further in the site. A single access road is proposed with parking and turning facilities.

Given the existing policies relating to affordable housing, the application proposes a financial contribution towards affordable housing of £84,000. This is to be secured through S106 legal agreement.

SUPPORTING CASE

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

History

This site previously gained consent in 2008 under application reference 08/00854/F for the construction of six dwellings upon the site following the demolition of the existing bungalow.

An application for an extension of time to implement this consent was submitted in 2011 (Ref 11/00913/EXF) but was turned down on the basis that the scheme failed to provide an affordable housing contribution in accordance with Core Strategy policy CS09.

Proposals

This application seeks consent for the construction of seven new dwellings upon the site, comprising two terraces of three houses and a single new bungalow situated to the rear of the existing bungalow at No 72. A single garage is to be provided to Plot 7 to provide a screen between the two bungalows. A new access road is provided into the site to serve all new dwellings with a Type 5 turning head and sufficient space within the site for vehicle parking and turning. The existing property is currently served by a separate access which is to be retained and upgraded as necessary.

Site

The site is within Built Environment Type D, as depicted on the Local Plan Proposals Map of Grimston – a Key Service Centre Village under the new Core Strategy.

The site currently comprises an existing residential bungalow with extensive garden land and a motor vehicle garage and associated buildings.

Use and Amount

The proposed use for the site will be for seven new residential dwellings with associated gardens and parking and turning areas, comprising 5No three bed two storey dwellings, 1No two bed two storey dwelling and 1No three bed bungalow.

Layout

The proposed site layout will comprise a new terrace of three two storey dwellings to the front of the site, following the general building line of Lynn Road, with 5.5m deep front gardens and 9.0m rear gardens. To the centre of the site is the vehicle parking and turning area to serve Plots 1-6, serviced from a new private drive with Type 5 turning square. To the rear of the site a further terrace of three two storey dwellings is provided each with 9.0m deep rear gardens. To the rear corner of the site, set behind the existing bungalow at No 72, is a new three bed bungalow with single garage.

Scale

The proposed new two storey dwellings are shown to be of standard construction with an eaves height of 4.8m and a ridge height of 8.6m. The proposed new bungalow has an eaves height of 2.4m and a ridge height of 5.4m.

Landscaping

Existing trees upon the site are to be removed as per the originally approved planning application.

A new 1.0m high fence or wall will be provided to the frontage of Plots 1-3 and also provide a central divide between the three properties. The new rear gardens will be divided by a 1.8m high close boarded fence and this will also be provided to external site boundaries where existing boundaries are insufficient.

Landscaping within the gardens will, as usual, be the preserve of the incoming occupants.

Appearance

All new dwellings are to be of a selected red facing brick with Plots 1-3 also being provided with carrstone infill panels to the principal elevation. Roof coverings will comprise coloured pantiles to match surrounding properties.

Windows and external doors will be in white PVC – again a material prevalent in this area of the village.

Access

The existing garage site is served by a central vehicular access but also has a dropped kerb to the full frontage of the site, this is allied to the site's former use as a petrol station. A new vehicular access is to be formed to the centre of the site, between Plot 3 and No 72 Lynn Road comprising a 4.5m wide hard surfaced private drive for the first 10.0m into the site.

Beyond this the access will reduce to 3.7m width and will be of a permeable shingle surface.

Visibility splays in either direction along Lynn Road, in excess of 2.4m x 59m, can be easily achieved.

The parking and turning arrangements for vehicles are shown on the site plan, and allow for vehicles to re-enter the highway in forward gear.

Access to the site and dwellings for the disabled is, of course, a requirement under Building Regulations Part M. In this case, the alighting point for disabled occupants and visitors to Plots 1-3 will be the public footpath on Lynn Road. Hard-landscaped paths to the front entrance doors will allow easy access to the all dwelling via level-access thresholds.

PLANNING HISTORY

11/00913/EXF: Application Refused: 21/07/11 - EXTENSION OF TIME FOR THE IMPLEMENTATION OF A PLANNING PERMISSION REFERENCE 08/00854/G: Construction of 6 dwellings following demolition of existing bungalow and motor vehicle workshops/car sales forecourt – Fairholme, 72 Lynn Road, Grimston

08/00854/F: Application Permitted: 29/05/08 - Construction of 6 dwellings following demolition of existing bungalow and motor vehicle workshops/car sales forecourt - 72 Lynn Road, Grimston

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Highways Authority: NO OBJECTION - conditionally

Arboricultural Officer: NO OBJECTION – but made comments

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

Environment Agency: No Comments

REPRESENTATIONS

No third party comments 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

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

The primary issues for consideration are:

- Principle of development
- Form and character
- Loss of employment use
- Impact upon neighbouring occupiers
- Other material considerations

Principle of development

The site is located within the settlement of Grimston and within the defined village. Grimston, in combination with Gayton and Pott Row, is classified as a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy, where limited growth of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the development limits. In principle, therefore, within the settlement new development will be permitted provided it has regard for and is in harmony with the building characteristics of the locality.

This site previously gained consent in 2008 under application reference 08/00854/F for the construction of six dwellings upon the site following the demolition of the existing bungalow, No. 72, and garage/workshop buildings. This site was larger than the current application site as it included No. 72 Lynn Road.

An application for an extension of time to implement this consent was submitted in 2011 (Ref 11/00913/EXF) but was refused planning permission as the proposal failed to provide an affordable housing contribution in accordance with the then newly adopted affordable housing policy, Core Strategy Policy CS09.

The principle of residential development on this site has therefore been established in recent years, although planning permission has since expired and there is no longer any valid planning consent. In principle, however, the use of the site for residential development is supported.

Form and character

The proposal shows road frontage development along Lynn Road in line with other, existing development. Amended plans have been received which step back one of the three front units, so this front row is staggered and relates better to the position of the bungalow, No. 72 to the east.

The units to the rear show a mix of two and three bedroom houses and a 2/3 bedroom bungalow. In terms of external materials the proposal shows the use of red brick with clay pantiles. Carrstone panelling is shown to the units at the front of the site.

The development along Lynn Road is a mix of single and two storey properties and a mixture of styles, ages and materials. To the west is a pair of two storey, semi-detached properties constructed of red brick and carrstone which are set closer to the road than some other properties along this side of the road. This proposed development takes reference from these cottages in terms of the siting and materials.

The density of the proposed scheme would be greater than surrounding development. However, as the public views of the development will be principally of the roadside dwellings along Lynn Road and most of the new build would be towards the back of the site, the development will not be perceived as being out of keeping with the area.

Currently the front of the site is hard surfaced with the boundary demarked by a post and chain fence. The character of Lynn Road generally shows low walling, fencing or hedging with planting to front gardens. Should planning permission be forthcoming it is recommended that details of boundary treatment be submitted with any scheme along with a landscaping plan to ensure that the proposal retains the character of the streetscene.

Subject to appropriate conditions it is considered the proposal will have sufficient regard for and be in harmony with the building characteristics of the locality.

Loss of employment use

The site is previously developed (brownfield) employment land. The current use of the site for commercial purposes has been running down for some time. Policy CS10 seeks the retention of employment land unless circumstances set out within the policy prevent its retention.

The buildings on site are reaching a stage where they are no longer suited to the modern day requirements of a commercial garage and consequently coming to the end of their useful life.

Given the age and sub-standard quality of the remaining buildings, the continuation of the garage business on the site will not present a viable option for an alternative occupier. Continued use of the site as a viable garage repair business would require comprehensive redevelopment of the site, and potentially more intensive use, in order to be sustainable.

The site is surrounded by residential properties. As well as redevelopment, any intensification of use in a residential area could give rise to a level of activity that could cause disamenity to the neighbourhood. Any employment use on this site would need to be compatible with the surrounding residential uses which could restrict the end use.

The loss of the garage business on retirement of the existing owners is inevitable and, whilst it results in the loss of a village facility, it will not be so significant to the overall vitality of the village and immediately surrounding area to resist development.

Accordingly, given the circumstances and characteristics of the site, continued use of the site for employment purposes may lead to amenity issues and/or viability issues and the local planning authority raises no objection to the principle of housing on this site in preference to an employment use, in accordance with the provisions of Policy CS10.

Impact upon neighbouring occupiers

The site is surrounded by residential properties.

The relationship between the proposed new dwellings and neighbouring properties has been examined and the impact upon the amenity of the occupants of these properties has been assessed. Consideration has been given to overlooking, overshadowing and the extension being overbearing.

The row of two storey cottages to the rear of the site has upper floor windows facing north towards the gardens and properties which front Low Road. These windows serve bathrooms and bedrooms. The rear gardens are proposed to be 8.8m long, so the windows are this distance from the boundary with the neighbouring garden. The properties along Low Road are, however, sited more than 30m away from this common boundary, so the separation distances are approximately 38m apart.

There is established planting to the northern boundary between the site and properties on Low Road. Given the circumstances it is not considered the proposed new dwellings would have a significantly detrimental impact upon the amenity of the occupants to the north of the site on Low Road through overlooking.

Neither of the rows of cottages have gable end windows. The proposed bungalow has one side door but otherwise windows face north and south. That said it is a single storey property only and will not result in significant amenity issues provided appropriate boundary treatment is provided.

Given the distances and separation distances with other existing properties the proposed scheme should not result in significant amenity issues in terms of overshadowing or loss of light.

Within the site the separation distances and relationships between properties are such that there should be no significant amenity issues in terms of overlooking, overshadowing or loss of light.

In summary it is not considered there will be a significantly detrimental impact upon the amenity of the occupants of nearby properties in terms of overlooking, being overshadowed or the new dwellings being over bearing, as a result of this proposal. Similarly, there are no amenity concerns regarding the impact on the amenity of the future occupants of the new dwellings in terms of overlooking, being overshadowed or the new dwellings being over bearing.

Other material considerations

The site lies within 2km of a SSSI. However, the proposed development of this approved plot would not have a significant adverse effect on the features for which the SSSI is designated.

CONCLUSION

In conclusion, the plans show that the proposal will be sufficiently in harmony with the building characteristics of the area. The proposal can be achieved without material harm to the amenity of occupants of existing adjoining properties as well as residents of the proposed new dwellings. The application incorporates traditionally used local materials which can be seen throughout the village of Grimston to give the design context. The design of the proposal adequately promotes local distinctiveness.

The proposal accords with the general principles of the NPPF and Core Strategy Policies. The proposal also complies with the emerging development management policies. Accordingly, subject to the signing of a Section 106 Agreement to secure the above and the following conditions it is recommended that the application be supported.

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 The development hereby permitted shall be carried out in accordance with the following approved plans:-
- Drawing No. 1971-05, Location Plan Scale 1:1250
 - Drawing No. 1971-01D, Site Plans and Sections as Existing and Proposed
 - Drawing No. 1971-02B, Proposed Plans and Elevations for Plots 1 – 3
 - Drawing No. 1971-03, Proposed Plans and Elevations for Plots 4 – 6
 - Drawing No. 1971-04, Proposed Plans and Elevations for Plot 7
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 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(s) are 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.
- 4 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 5 Condition Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.2 metres for its complete length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.
- 5 Reason In the interest of highway safety and traffic movement.
- 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 0.225 metres above the level of the adjacent highway carriageway.

- 7 Reason In the interests of highway safety.
- 8 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 9 Condition Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
- human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
- 9 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.
- 10 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.

- 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 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.

- 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.
- 12 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 9 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10, 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 11.

- 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 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.

- 13 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

This also needs to be a pre-commencement condition given the fundamental details linked to asbestos containing materials which need to be planned for at the earliest stage in the development.

- 14 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.

- 14 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.

- 15 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 15 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.

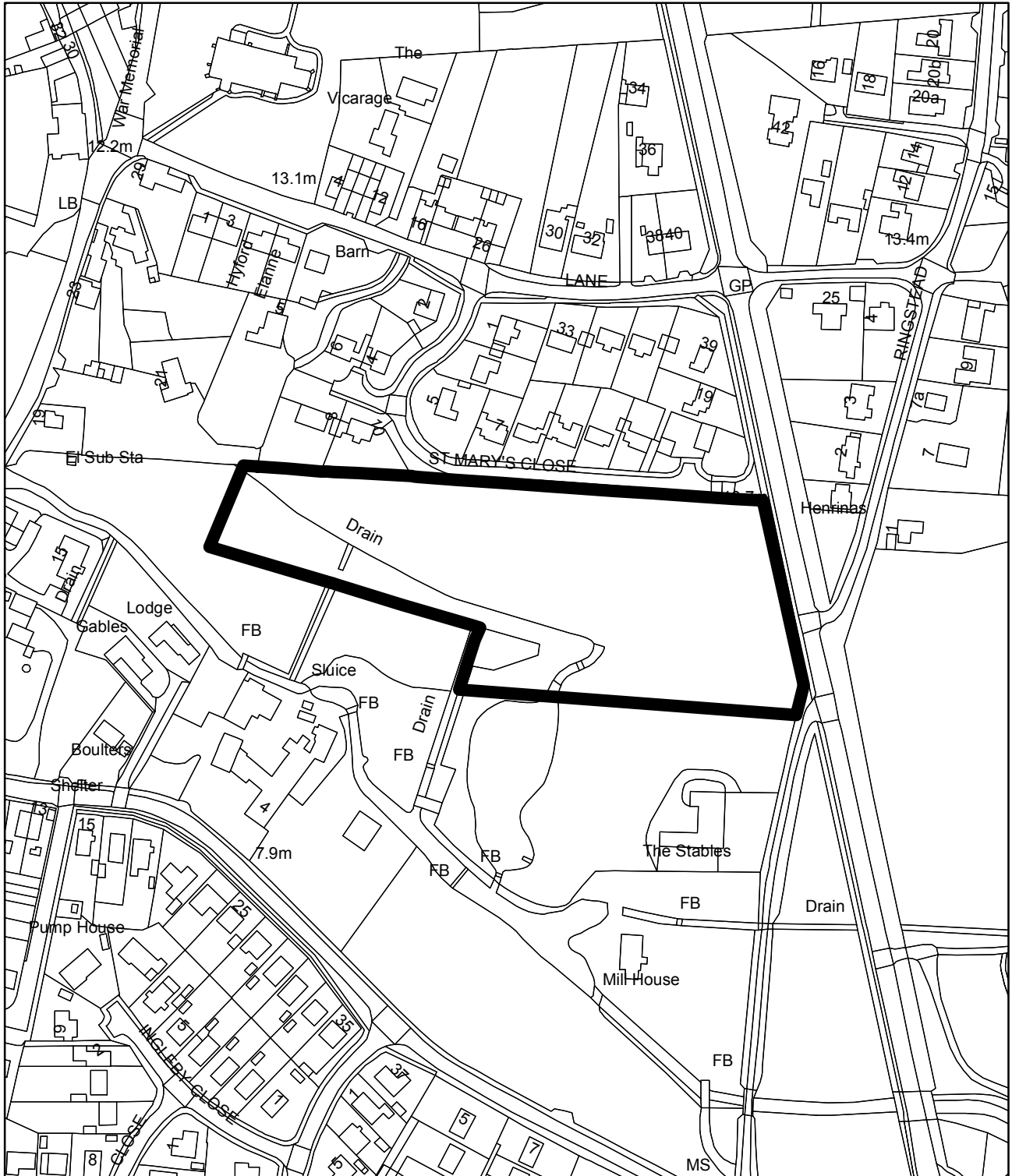
- 16 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any 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.

- 16 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

B) REFUSE in the event that a suitable Legal Agreement to secure an affordable housing contribution within 4 months of the date of resolution to approve.

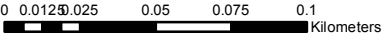
16/00245/O

Land South of St Marys Close Heacham



1:2,500

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Ordnance Survey 100024314



AGENDA ITEM NO: 9/2(c)

Parish:	Heacham	
Proposal:	Outline Application: 8 new dwellings	
Location:	Land South of St Marys Close Heacham Norfolk	
Applicant:	Mr R Wright	
Case No:	16/00245/O (Outline Application)	
Case Officer:	Mr C Fry	Date for Determination: 15 June 2016 Extension of Time Expiry Date: 8 September 2016

Reason for Referral to Planning Committee – The financial contribution is in excess of £60,000.

Case Summary

The site is a preferred site allocation in the Site Specific Allocation Document Policy G47.2 – Land south of St Mary's Close for a minimum of 6 dwellings.

Heacham is designated as a Key Rural Service according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The application site lies on the southern side of St Mary's Close, and is grade 3 agricultural land.

This application seeks outline planning permission for 8 detached dwellings with all matters reserved.

Key Issues

- The Principle of Development
- Form and Character/impact upon the Countryside
- Impact upon the Conservation Area
- Neighbour Amenity
- Highways Impact
- Flood Risk and Drainage
- Ecology
- Affordable Housing
- Other Material Considerations

Recommendation

A) APPROVE subject to conditions and completion of a suitable Section 106 Agreement to secure affordable housing financial contribution, habitats open space and habitats regulation contributions within 4 months of the date of resolution to approve

B) REFUSE in the event that a suitable Legal Agreement to secure an affordable housing contribution and open space within 4 months of the date of resolution to approve.

THE APPLICATION

The application site lies within an area designated as Countryside and the Conservation Area according to Local Plan Proposals Maps for Heacham.

The application site comprises of grade 3 agricultural land and is to the south of St Mary's Close, Heacham. The land slopes gently away heading south and is roughly rectangular in shape. The northern boundary of the site is heavily treed and a drain runs along the southern boundary of the site. The site is currently accessed via a gated entrance from St Mary's Close.

The eastern boundary of the site contains bunding to the A149, and ranch style fencing.

However the site forms site allocation G47.2 Heacham - Land to the south of St. Mary's Close. The land amounting to 1.3ha, as shown on the Policies Maps, is allocated for residential development of a minimum of 6 dwellings. Development will be subject to the following:-

- Establish a safe vehicular and pedestrian access point from St. Mary's Close
- Submission of a Tree Survey to establish the significance of trees on site and identify trees which must be retained.
- Submission of an Ecological Study that establishes that either:-
 - i) There would be no negative impact on flora and fauna:
Or if any negative impacts are identified, establishes that
 - ii) These (negative) impacts could be suitably mitigated;
 - Submission of an archaeological assessment.
- The design of development, and in particular it's massing and materials, shall have regard to its potential impact on the setting of Heacham Conservation Area and the Area of Outstanding Natural Beauty. Established trees and vegetation should be retained on the south-west boundary of the site to provide natural screening from Heacham Conservation Area. The hedgerow should be retained on the eastern boundary of the site to provide natural screening from the Area of Outstanding Natural Beauty.
- Enhanced informal recreation provision on, or in the vicinity of the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to exercising dogs) on Habitats Regulations protected nature conservation sites in the wider area. This could be in the form of a contribution to greenspace provision or management in the wider area within which the site is located, or provision may consist of some combination of informal recreation open space (over and above the Council's normal standards for play space) and/or pedestrian routes which help to provide a variety of terrain, routes and links to greenspace and or the wider footpath network.

- 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;
- Provision of a financial contribution towards affordable housing commensurate with the current standards.

This site seeks outline consent for 8 dwellings with all matters reserved at this stage.

An indicative site layout plan has accompanied the application.

SUPPORTING CASE

The following documents have accompanied the application:-

- Design and Access Statement
- Contamination desk study
- Ecology Study

Design and Access Statement

- The proposal is to gain outline planning permission for the construction of 8 dwellings.
- The site is a “preferred option” as stated in the Preferred Options for a detailed policies Site plan
- Access is proposed from St Mary’s Close, with further details on the scale and appearance of the development being submitted as a reserved matters application.
- Access is in situ; however this is to be made good and suitable for the access and egress criteria needed for 8 new dwellings
- The existing land consists of open fields with few mature trees, hedgerow to the existing site boundaries and a newly planted line of trees to the south of the site.

PLANNING HISTORY

07/00424/F: Application Permitted: 24/04/07 - Retention of existing boundary fence -

06/00246/F: Application Refused: 30/03/06 - Retention of 1.5m high oak paling boundary fence

2/01/1829/F: Application Permitted: 05/02/02 - Formation of lake and boundary bank and erection of field shelter

RESPONSE TO CONSULTATION

Parish Council: NO OBSERVATIONS a condition is requested to ensure that the application is for a maximum of 8 dwellings.

King’s Lynn Internal Drainage Board: NO OBJECTION subject to surface water drainage details

Housing Enabling Officer: Comments that 1.6 affordable dwellings would be required on the site which is 1 affordable rented dwelling and a fixed sum of £36,000.

Historic Environment Service: NO OBJECTION subject to conditions.

NCC Highways: NO OBJECTION subject to conditions

Environment Agency; NO OBJECTION

Arboricultural Officer: NO OBJECTION subject to conditions

Environmental Health and Housing – CSNN: NO OBJECTION subject to conditions

REPRESENTATIONS

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

- The only access to these proposed houses is on a very sharp bend
- There will be at least 2 cars per property making a total of 16 cars coming and going
- Impact upon wildlife
- Will the nesting season be taken into account
- Impact upon the Conservation Area
- Too much housing in Heacham
- No way of ensuring homes are for local people
- Overlooking
- Noise/dust, mud and general disturbance
- Drainage issues
- Archaeological interesting site

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

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

DM21 - Sites in Areas of Flood Risk

DM19 - Green Infrastructure

PLANNING CONSIDERATIONS

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

- The Principle of Development and planning history
- Form and Character/impact upon the Countryside
- Impact upon Conservation Area
- Neighbour Amenity
- Highways Impact
- Flood Risk and Drainage
- Ecology
- Affordable Housing
- Other Material Considerations

Principle of Development and planning history

Heacham is classified as a Key Rural Service Centre in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy (2011).

The site is a preferred site in the Council's Site Allocations and Development Management Policies - Pre-submission Document (2015) which has been published and is the subject of minor modifications for the inspection of the independent inspector. The preferred site has been "allocated" for a minimum of 6 dwellings under policy G47.2 -"Land south of St Mary's Close".

Subject to satisfying the principles of the policy, where applicable to be determined at outline stage, it is considered that the proposal would comply with the NPPF's presumption in favour of sustainable development.

Form and Character

The application site is a roughly rectangular parcel of land which slopes away in a southerly direction. The land can be described as meadow land.

The features to note on site include significant and established trees along the northern boundary of the site, a drainage pond that is towards the south western corner and an embankment on the eastern boundary that supports the A149. Three phase electricity lines cut across the site in a South East to North West direction.

The form and character of the locality of St Mary's Close comprises generally of single storey detached bungalows and two storey detached properties constructed from red/orange brick and orange pantile. The bungalows are towards the junction of St Mary's Close and Church Lane.

Even though layout, appearance, scale and landscaping are reserved for later consideration it is considered that the indicative layout shown, demonstrating 8 detached dwellings, can be accommodated on the site without detrimentally affecting the form and character of the development in the locality.

Impact upon the setting of Designated Heritage Assets

Third Party representations are concerned about the impact of the proposal upon designated heritage assets.

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places statutory duties upon Local Planning Authorities. In determining applications that affect a Listed Building or its setting Section 66 (1) states that the Local Planning Authority "shall have regard to the desirability of preserving the building or its setting". Section 72 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when determining applications affecting buildings or land within the Conservation Area or its setting.

Half of the very North West corner of the site is contained within the Conservation Area of Heacham. The majority of the Conservation Area is outside of the site and to the south. Millbridge Nursing Home, which is Grade II listed, also lies to the south of the site.

From the indicative layout, the development has the potential to be adequately separated from the setting of Millbridge Nursing home and the majority of the Conservation Area. Additionally the trees along the southern boundary of the site screen the development from the setting of these 2 designated heritage assets.

It is considered that the setting of the 2 designated heritages assets has the potential to be sustained, with additional details in regards to layout, scale and appearance to be submitted with the reserved matters application. The Conservation Officer has no objection to the principle of developing this site.

Impact upon the Area of Outstanding Natural Beauty

Paragraph 115 of the NPPF requires great weight to be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB) which have the highest status of protection in relation to landscape and scenic beauty.

The site is not contained within an Area of Outstanding Natural Beauty; however the boundary of the AONB is on the opposite side of the A149.

The indicative layout would result in approximately 4-5 dwellings being contained within the setting of the AONB. The development infills a gap in the existing built form on the western side of the A149 and with the site lower than the A149 and hedging flanking the A149, it is considered that the intrinsic character of the AONB can be retained.

Neighbour Amenity

Third Party representations are concerned about being overlooked from the new dwellings on the site.

Although the application seeks outline planning permission with all matters reserved, the indicative site layout identifies that 8 dwellings can be satisfactorily accommodated on site without causing detrimental neighbour amenity issues. The properties to the north, which are currently under construction, are adequately separated from development along the northern boundary of this site and screened from the site by virtue of the established significant trees. It is also worth noting that these neighbours are on higher land than the application site.

The nearest neighbour to the south is Conifer Lodge which is some 40m south of the plot in the North West corner of the site. At this distance this neighbour is adequately separated from the site.

Third party representations are concerned about noise and disturbance caused from the extra traffic movements associated with the site. Whilst there will be additional noise generated with a residential estate, it is considered that a residential use in this locality would not be detrimental to the enjoyment of the existing home owners in the locality.

It is noted that scale is not being determined at this stage. It would be not be considered reasonable to impose a condition in relation to the scale of the properties in order to avoid any detrimental neighbour amenity issues given the potential adequate separation distance to neighbouring properties, the established tall trees along the northern boundary and the site being on lower ground than St Mary's Close.

Third party representations are concerned about general disruption from construction traffic. It is not considered necessary to impose a condition in regards to a construction management plan given the scale of the proposal.

Highways Impact

Third Party correspondence raises highway safety issues.

The application seeks outline planning permission with all matters reserved, but the principle of attaining a suitable access does need to be considered.

The indicative layout that accompanied the application identifies the use of the existing access to the field from St Mary's Close. If this access were to be used, it would need to be widened to a minimum width of 4.5m; improvements to provide a footpath link in the highway verge to link the site to St Mary's Close and parking and turning within the site. These requirements can be adequately secured by way of condition as recommended by the Highways Officer.

Flood Risk and Drainage.

Third Party representations and the Parish Council are concerned that the proposal will give rise to localised flooding issues.

The properties are located in flood zone 1 with only the drainage area being contained in flood zone 3. Also as an allocation it is therefore not necessary to carry out the Flood Risk sequential and exception test in regards to this proposal. The Environment Agency has no objection to the proposal.

Policy G47.2 Point 7 requires the details of sustainable drainage measures and how they will integrate with development and how they will contribute to the amenity and biodiversity of the development. A suitable plan and maintenance of the SUDS should be included in the submission.

The applicant owns the north eastern part of the drain and a large water course to the south. Surface water according to the FRA will drain from the development and discharge into the drain and lake. The Internal Drainage Board acknowledge the applicant's intention to provide attenuation methods to control the rate of surface water discharge into their lake and drain, which will then subsequently control the rate of surface water discharge into the Heacham River. The IDB comment that if the developer was able to restrict the rates and volumes of surface water discharge so they do not exceed current levels of discharge, then no application would be required to be applied for to the board to discharge surface water into the Heacham River. Further SUDS details cannot be produced at this stage as layout and scale of the properties are matters to be determined at a later stage.

Notwithstanding these details, it is considered that surface water drainage as a material consideration can be adequately addressed through a planning condition.

Detail in regards to foul water drainage is to be conditioned.

Impact upon Protected Species.

Third Party representations are concerned that there will be a loss of habitat for protected species to enjoy.

A Phase 1 Protected Species Survey has been submitted which included a desk study. The phase 1 habitat survey found the site held little potential habitat for the species associated with the Wash SAC, SPA, SSSI and Ramsar Site. In respect to protective species, the report notes the following:-

Birds – Common bird species are expected to occur on the site, the hedges at the site periphery are almost certain to support nesting birds. Only a very small area of habitat will be lost. Best practice measures are recommended in respect to the impact of nesting birds during construction. It is proposed that the removal or trimming of vegetation is taken outside of the bird nesting season (1st march to 31st August) is undertaken. If works are carried out during this period, a survey will be required to ensure that bird nests are not destroyed.

Bats – hedgerow and plantations could be used for foraging and community, the lake to the south is likely to have some foraging value. Bats overflying the land could be affected by disturbance during or post-construction especially if the development results in a significant amount of new lighting.

Great Crested Newts – no records of great crested newt were recorded from the data search and the lake near the site is of poor suitability for great crested newt.

Reptiles – transient individual reptiles may occur.

Riparian Mammals – no signs of water vole or otter in the wet ditch closest to the site was found.

Species of principal importance – brown hares, common toads and hedgehogs may also occur on site.

Plant Species – Invasive non-native species Himalayan balsam was recorded without mitigation minor negative impacts to local botanical communities would occur due to seed spread. Mitigation is proposed that the Himalayan balsam on the site is removed prior to the construction phase of the development.

Appropriate lighting in respect to bats and best practice mitigation in relation to reptiles and species of principal importance will also be secured by way of an all-encompassing condition relating to section 7 of the Protected Species Report.

Ecology – Impact upon European Designated Sites

The application site lies approximately 1.75km to the east of the Wash and North Norfolk Coast Special Area of Conservation (SAC) and the Wash Special Protection Area (SPA) (also referred to as Natura 2000 site), and therefore development has the potential to affect their inherent interest features. European Sites are afforded protection under the Conservation of Habitats and Species Regulation 2010. At a national level The Wash is also Ramsar Site and is afforded the same level of protection as a European Site under paragraph 118 of the National Planning Policy Framework. It is also a Site of Special Scientific Interest.

These national and international designated sites support the population of breeding and wintering and wildfowl and waders.

As part of the site allocation process the Borough Council conducted a Habitats Regulation Assessment of site allocations conducted by Wildlife Frontier September 2015. In respect to the North Norfolk Coast and Wash SAC and Wash SPA, it states that due to combination effects from new housing, at Heacham in combination with housing at Hunstanton, Snettisham, Sedgeford that plan policy should ensure that the provision of improvement in local greenspace provision over and above the normal allocation occurs. Therefore development should be required to provide a programme of publicity aimed at occupants of the development and other residents highlighting the opportunities for recreation in the vicinity avoiding areas within the Wash Special Protection Area and the Norfolk North Coast SPA.

The report goes on to state that only larger proposals should be subject to screening for project level HRA.

Point 6 of policy 47.2 – Land to the south of St Mary's Close refers to the possible mitigation proposals outlined above and does not state the requirement for a project level habitats regulation assessment.

In relation to point 6 the agent has indicatively shown an informal recreational area which is in excess of the 17m² of open space requirement for sites in excess of 19 dwellings. Additionally, a habitats mitigation regulation fee of £50/dwelling has been put forward by the developer to limit the impact of the development on European Designated Sites.

The location of the informal area will be submitted as part of the reserved matters application, but its management and maintenance will be secured in in the S106 alongside the habitats mitigation fee payment.

It is therefore considered the development of this site would not give rise to a significant effect on both the European designated sites and under the Habitats regulations stage one – “screening” to require any further investigation in respect to the effect of the development on these European designated sites.

Affordable Housing

The government has recently reinstated its policy on reducing affordable housing requirements from smaller sites.

In respect to Heacham, it is not a designated rural area and should development in Heacham be under 1000m² for sites of between 6-10 units then no contribution is sought. Should the development be over 1000m² on sites of between 6 and 10 policy CS09 will apply.

In this instance, the agent has intimated that the Gross Internal Area of the houses and garages are going to be excess of 1000m², accordingly policy CS09 would apply. However, policy 47.2 specifically states that a financial contribution will be sought towards affordable housing rather than an on-site contribution.

In this instance based on 8 dwellings, this would be a contribution of £96,000 (the equivalent of 1 dwelling at £60,000 and a financial contribution of .6 of a dwelling at £36,000). The S106 agreement provides flexibility on final affordable housing contribution in line with policy CS09, should the reserved matters application be submitted for fewer dwellings.

Other Material considerations

The Historic Environment Service have identified on aerial photographs and satellite images of the eastern and central sections of the site that could date back to the medieval and/or post medieval periods. This could have been associated with a mill or part of a floated water meadow mentioned in the early 19th century documents accordingly and Archaeological Desk Survey was carried out

The Historic Environment Service have suggested that conditions in respect to archaeological works, following analysis of the Desk Study, can be imposed

An Arboricultural Root protection area plan has been submitted which identifies, the RPA of the trees, protective fencing, the removal of 2 elder bushes from the scheme and a former willow tree stump. The indicative layout of the site would identify that the houses are set well back from the trees and being mainly to the north of the houses, there would be little pressure on their removal.

The Arboricultural officer has commented that the development be carried out in accordance with the tree protection plan and to condition tree retention.

The Environment Health and Housing - Environmental Quality officer has no objection to the proposal subject to conditions in regards to contamination reports and any remediation requirements. The Environment Agency has been consulted and raises no issues in regards to groundwater protection.

Third Party representation in respect to the homes not being for local people is not a material consideration.

CONCLUSION

The site is allocated for a minimum of 6 dwellings under policy G47.2 – Land to the south of St. Mary's Close, Heacham.

The proposal seeks consent on this particular parcel of land for 8 detached dwellings with all matters reserved.

The indicative layout is considered to demonstrate a low density scheme which would not be detrimental to the character of development in the locality.

The Conservation officer has no principle issues with the scheme and with layout and landscaping matters reserved for consideration at a later stage, the retention of the southern tree belt can be incorporated.

There are no principle highways issues that would prohibit the development of the site.

Conditions are to be imposed in regards to SUDS management and maintenance, ecology, contamination and further archaeological investigations.

The S106 agreement will secure affordable housing, the informal recreation space and the habitats mitigation regulation payments in line with policy 47.2

In light of the above, it is considered that the proposal complies with the provisions of the NPPF and that planning permission maybe granted subject to the conditions below and the imposition of a S106 agreement.

RECOMMENDATION:

A) APPROVE subject to conditions and completion of a suitable Section 106 Agreement to secure affordable housing financial contribution, habitats open space and habitats regulation contributions within 4 months of the date of resolution to approve and subject to the imposition of the following condition(s):

- 1 Condition Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.

The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets,
- woodland and service lines and pipes,
- adjoining land,
- and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

- 5 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 6 Condition Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 7 Condition The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

- 7 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 8 Condition 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 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, 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 7.

- 8 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 9 Condition No development shall commence until full details of surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall include the following:-
 - 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 period for its implementation; and
 - iii) provide a management and maintenance plan 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 drainage details shall be constructed as approved prior to the first occupation of dwellings hereby approved.

- 9 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.

10 Condition No development shall commence until full details of the foul 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.

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.

11 Condition The development hereby approved shall be carried out in accordance with section 7 "mitigation measures" outlined in the Wildlife Frontier Ecology Report dated July 2016

11 Reason In the interests of the ecology on site, and in accordance with the NPPF.

12 Condition No removal and/or cutting back of hedgerows, trees or shrubs shall take between the 1st March and 31st August in any given year, unless a survey detailing that such vegetation has been checked for active bird nests before the vegetation has been cleared has been carried out. The survey needs to detail how and when such vegetation was checked and needs to confirm that birds will not be harmed and/or mitigation measures can be put in place on the site for birds to nest on the site. The survey shall be submitted to and agreed in writing by the Local Planning Authority prior to any removal of such vegetation.

12 Reason In the interests of protecting species in accordance with the provisions of the National Planning Policy Framework.

13 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 to illustrate the following: -

- i) On-site water drainage.
- ii) Footway link.
- iii) Parking provision in accordance with adopted standard
- iv) Visibility splays.
- v) Access arrangements.
- vi) Turning areas.

13 Reason To ensure satisfactory development of the site. This needs to be a pre-commencement condition due to the fundamental requirement to properly plan for roads/footways/cycleways.

14 Condition No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:

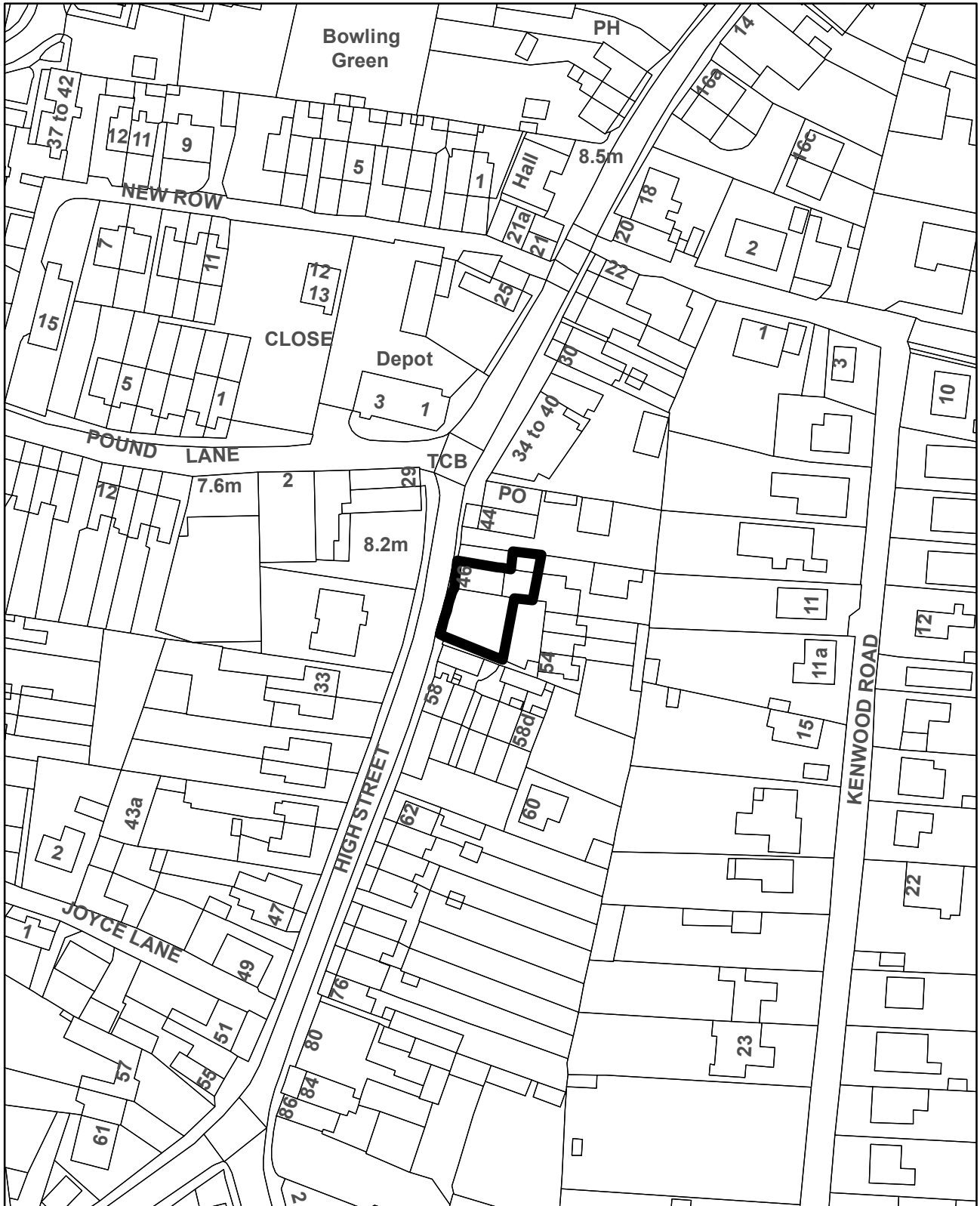
- 1. An assessment of the significance of heritage assets present
- 2. The programme and methodology of site investigation and recording
- 3. The programme for post investigation assessment of recovered material
- 4. Provision to be made for analysis of the site investigation and recording
- 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation

6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 14 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 15 Condition No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 14.
- 15 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 16 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 14; and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 16 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 17 Condition The development shall be carried out in accordance with "Proposed Site Plan- Including Tree RPA/ protection" drawing no. 183-11 dated August 2016 in so far as tree constraints and protection measures only.
- 17 Reason In the interests of visual amenity in accordance with the principles of the NPPF
- 18 Condition The development hereby approved shall comprise no more than 8 residential units.
- 18 Reason For the avoidance of doubt and in the interests of proper planning.
- 19 Condition The development hereby approved shall be carried out in accordance with the following plans:-
- Location Plan drawing 183-01 in so far as site identification only.
- 19 Reason For the avoidance of doubt and in the interests of proper planning.

B) REFUSE in the event that a suitable Legal Agreement to secure an affordable housing contribution and open space within 4 months of the date of resolution to approve.

16/01075/F

46 High Street Heacham



AGENDA ITEM NO: 9/2(d)

Parish:	Heacham	
Proposal:	Conversion of property from shop and first floor flat to a two bed house and a 3 bed house	
Location:	46 High Street Heacham King's Lynn Norfolk	
Applicant:	Mr R Cursley	
Case No:	16/01075/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 9 August 2016

Reasons for Referral to Planning Committee – The views of Heacham Parish Council are contrary to Officer recommendation

Case Summary

The application site comprises a two storey attached building, currently a vacant shop at ground floor with residential above, situated on the eastern side of High Street, Heacham.

The application proposes to change the use of the shop and first floor flat to a two bed dwelling and a 3 bed dwelling.

Heacham is classified as a Key Rural Service Centre within the Core Strategy Settlement Hierarchy.

Key Issues

Principle of development;
Form and character of the area;
Impact on neighbour amenity;
Highway safety; and
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a two storey attached building, currently a vacant shop at ground floor with residential above, situated on the eastern side of High Street, Heacham.

The application seeks permission for the change of use of the retail element of the flat-roofed section to the street frontage with the addition of a first floor extension above.

The extended building would be subdivided vertically, with the front section of the building forming a two bedroom dwelling, and the rear section of the building comprising a three bedroom dwelling, all bedroom accommodation being provided at first floor level with kitchen and living rooms provided at ground floor level.

Land associated with the development site comprises a single driveway to the northern side of the property, in the ownership of the derelict cottage further to the east (but over part of which the subject property has a right of way), bounding a carrstone wall, dividing the site from an adjoining vehicular access of the property to the immediate north of the site. On the northern side of the building is a projecting first floor side lean-to above a void 'carport' below. It is proposed to re-open some formerly bricked-up openings.

To the southern side of the building is an area of walled garden space with mature conifer hedge to the frontage and close-boarded fence to the rear, the southern-most extent is bounded by a single carrstone dwelling adjacent to an existing row of cottages. It is proposed to create a new vehicular access into the amenity space, including parking provision to serve the three-bedroom unit to the rear, whilst retaining a modest enclosed space for the new front unit as amenity area only.

SUPPORTING CASE

The application is accompanied by a Planning Statement which offers the following supporting case:-

"The proposal intends to bring a vacant commercial building back into practical residential re-use, incorporating a form and design conducive to the local built environment. The existing business use has been superseded by alternative convenience shopping for comparative goods, and business re-use has not been feasible given the amount and variety of retail activity further north on the High Street.

The change of use of the building and sympathetic alterations proposed are considered to be appropriate in this locality and will bring about positive changes to the street scene, local amenity and highway safety issues. Furthermore, given the nature of the settlement, the proposal is considered to represent a sustainable form of development.

Accordingly, it is considered that the proposal accords with saved Policy 4/21 of the King's Lynn & West Norfolk Local Plan 1998, Policies CS01, CS02, CS06, CS08 and CS09 of the adopted Core Strategy 2011, Policies DM2, DM9, DM15 and DM17 of the emerging Development Management Policies of the submitted SSA&DMP and the provisions of the National Planning Policy Framework.

Policy DM9 of the submitted Development Management Policies of the emerging Local Plan relates to the Council encouraging the retention of existing community facilities and its resistance to the loss of such facilities, in particular in areas of poor provision. Where alternative provision is supplied elsewhere in the settlement, criteria relating to marketing to assess local demand and provision already being addressed will not be required. A Tesco Express store has been constructed on the site of a former public house on Lynn Road to the immediate east of the junction with High Street, approximately 150m from the application site. As a one-stop convenience store with onsite car parking, this has undoubtedly undermined the trading position and customer base of the former newsagents at the southern end of the High Street and which has contributed to the closure of the business".

PLANNING HISTORY

There is no recent relevant planning history on the site.

RESPONSE TO CONSULTATION

Parish Council: OBJECT - The development of the garden is destroying the character of the traditional cottage arrangements and access and egress to the proposed parking area will have very limited visibility thus causing problems.

Highways Authority: NO OBJECTION conditionally.

REPRESENTATIONS

None received.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS10 - The Economy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM9 - Community Facilities

PLANNING CONSIDERATIONS

The main considerations in the determination of the application are:

- Principle of development;
- Form and character;

- Impact on residential amenity; and
- Highway safety; and
- Other Material Considerations

Principle of Development

Heacham is classified as a Key Rural Service Centre within the settlement hierarchy of the Core Strategy. Such centres are considered to help sustain the wider rural community. They provide a range of services that can meet basic day-to-day needs. Local scale development will be concentrated in identified Key Rural Service Centres.

Part of the proposal includes the change of use of the former convenience store which should be assessed against Core Strategy Policy CS10: The Economy and emerging Development Management Plan Policy DM9: Community Facilities.

These local policies aim to retain land or premises currently or last used for employment purposes and that are deemed a community facility unless it can be demonstrated that:-

- Continued use of the site is no longer viable;
- Use of the site for employment purposes gives rise to unacceptable environmental or accessibility problems;
- An alternative use or mix of uses offers greater potential benefits to the community in meeting local business needs, or in delivering the Council's regeneration agenda.

DM9 goes on to say "Development that would lead to the loss of an existing community facility will be refused consent unless:-

- The area is currently well served by the type of use which is to be lost; or
- In the case of shops or pubs/restaurants the applicant can demonstrate genuine attempts to market and sell the use as an ongoing concern".

The shop / newsagent ceased trading towards the end of 2015 as demand decreased given the opening of a Tesco Express store approximately 150m to the east of the site on High Street. The Tesco store has an associated car park which encourages customers to use the facility over smaller similar commercial units within the High Street.

There is a well-established small shopping core of mixed commercial uses within close proximity to the north of the site which offer a range of convenience goods and services. On this basis, it is your officer's opinion that the proposal to change of use of the vacant shop to residential is justified as the community is well served by other uses and its loss will therefore not cause harm to the vitality of the area or to the local economy, in accordance with the abovementioned policies.

Furthermore, there would be benefits to the community by providing two dwellings (net gain of one) which will contribute to the much needed housing within the Borough.

In principle the change of use and subdivision of the property to form two dwellings is acceptable, subject to other policy and material considerations.

Form and Character

The area is mixed in character in terms of its uses and form of buildings. The existing building is attached at the rear to an existing terrace of cottages, and the proposal would add a further two terraced cottages based on the existing footprint of the building.

The existing property comprises a timber and glazed shop front at ground floor level, with a recessed painted render first floor to the frontage, carrstone lump to the northern flank elevation, red brick to the southern two-storey flank, and natural slate to the roof.

The proposed changes to the existing property are relatively modest, including a first floor, two storey extension over the flat roof shop element to the front of the building; new and altered fenestration and creation of a new vehicular access, parking and turning.

The design of the proposed extensions to the front incorporates a bay window and carrstone facings to reflect similar development adjacent to and in the vicinity of the application site.

The mixed character of the area comprises residential uses, some with on-site parking and some with on-street parking. And because it's a traditional High Street, some properties have small private gardens.

The only amenity space associated with the property is situated to the south side of the building. It is proposed to subdivide the garden area into two; one smaller section for the new 2 bed dwelling to the front, with a new boundary fence to its perimeter, and a larger section providing a garden area and a parking and turning area associated with the tree bed dwelling to the rear.

The proposed development as a whole would relate to the established form and character of the area, including the size of the gardens and the provision of parking on-site.

Impact on Residential Amenity

Neighbouring residents that may be affected by the proposal are located to the north and the east of the application site. There is adequate distance between the existing building and any neighbouring property to the south.

The only new windows to the first floor of the northern elevation of the property will serve a bathroom, which is non-habitable and can be obscurely glazed by the occupier. The bedroom window to the first floor northern elevation facing west originally served a kitchen within the existing flat so the impact of any overlooking would not be materially increased as both rooms are habitable. The windows to the first floor southern elevation are existing and currently serve bedrooms and a sitting room so any outlook from them, albeit too acute to affect the neighbours to the east, would not materially increase any impact.

Highway safety

The existing 1st floor flat has two bedrooms and is served by parking to the north of the building, which is adequate for two vehicles.

The proposal would result in the creation of a 2 bed and a 3 bed property. The 2 bed property will utilise the existing parking whilst the 3 bed property is provided with parking for 2 vehicles on land to the south of the building. Access is provided to this land by removing an existing Leylandii hedge on the western boundary and creating a gap in the existing brick wall at the back of the pavement. The wall is approximately 1m high.

The Parish Council expressed concerns at the visibility from the new access. However, there is no objection from the Local Highway Authority to the new access subject to a condition to secure a visibility splay. With the removal of the hedge and the low height of the existing wall, the required splay can be achieved.

CONCLUSION

The proposed development is acceptable in principle and in keeping with the character of the area. There are no significant impacts upon the amenity of existing residents and, notwithstanding the concerns of the Parish Council, safe access can be achieved. Permission may, therefore, be granted.

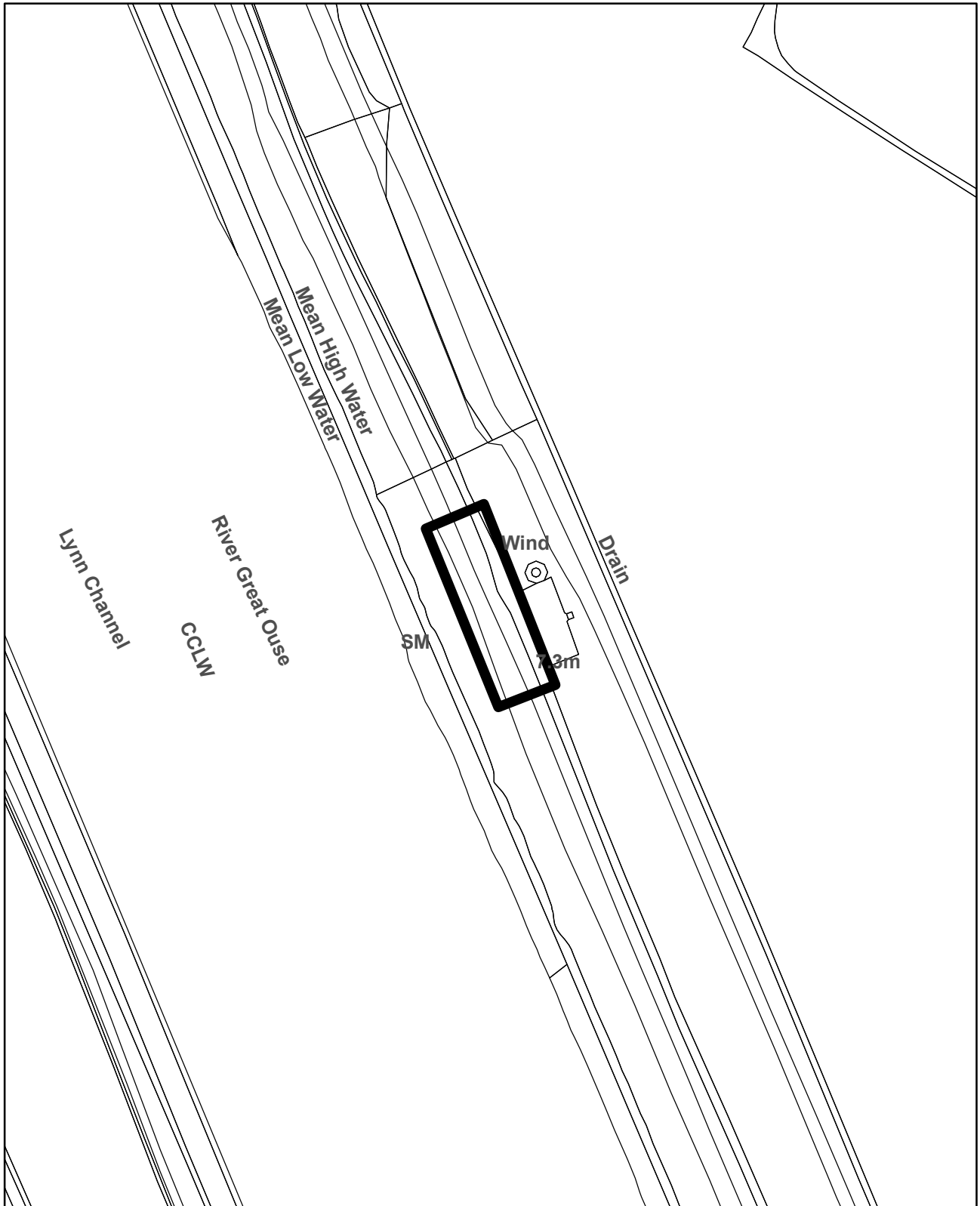
RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development shall be carried out in accordance with drawing 1607/02.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the 3 bedroom unit hereby permitted the new vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 1607.02) 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.
- 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 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 new access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 4 Reason In the interests of highway safety.
- 5 Condition Prior to the first occupation of the 3 bedroom unit hereby permitted a visibility splay measuring 2.4 x 33 metres shall be provided to each side of the new access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 5 Reason In the interests of highway safety
- 6 Condition Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason In the interests of highway safety.

16/01022/F

Wind Turbine SW Point Cottages Cross Bank Road King's Lynn



AGENDA ITEM NO: 9/2(e)

Parish:	King's Lynn	
Proposal:	To install a new track that will be used to stop up Boat1 around the wind turbine installed under 14/00398/F. The bank will be supported by sheet piling	
Location:	Wind Turbine SW Point Cottages Cross Bank Road King's Lynn Norfolk	
Applicant:	Mr Michael Stollery	
Case No:	16/01022/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 3 August 2016 Extension of Time Expiry Date: 6 October 2016

Reason for Referral to Planning Committee – Called in by Councillor Smith

Case Summary

The application site lies within an area designated as Countryside according to local plan proposals Maps for King's Lynn.

The site lies between the River Great Ouse and the Byway Open to All Traffic (BOAT).

Members will recall a recent application 16/00531/F to erect 300m of roadway was recently deferred by the Planning Committee, to re-assess the proposed route to facilitate the diversion of the existing byway. However that application has since been withdrawn.

The proposal seeks consent to alter the embankment to facilitate a road that diverts round the applicant's turbine in a semi-circular shape.

Key Issues

Planning History and Principle of Development
Impact upon Amenity
Flood Risk
Highway Safety
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The site is approximately 2.2km north of the junction of Crossbank Road and Edward Benefer Way; 420m south of Point Cottages on Crossbank Road;

283m east of the Sewerage Works, West Lynn (across the river); and adjacent to the existing byway that is open to all traffic (BOAT 1). The site forms the supporting embankment to the existing byway and comprises of grass and hedging.

The site is little over 27m to the centre of the applicant's Wind turbine.

The site can be seen from distant views from West Lynn.

The application site is approximately 50m in length and 4m wide. The application site at its furthest point is 13m from the edge of the existing BOAT.

This application seeks consent for engineering works to provide a roadway beyond the blade swept area, which will be used to divert traffic from the existing BOAT.

Members will recall that a recent application for diverting the BOAT onto lower land adjacent to the Great River Ouse, 16/00531/F, was deferred at July's Committee, that particular application has since been withdrawn.

SUPPORTING CASE

The application has been supported with the following suite of documents:-

Planning Statement

- The construction of a new route is required to comply with the provisions of the stopping up order for BOAT 1
- The road surface will be 300mm deep and laid into the existing level, approximately 7.3m AOD.
- The new bank will be constructed and re enforced using sheet piling.
- The new route will be on a radius of 27m from the centre of the turbine at the same levels as the existing BOAT.

Flood Risk Assessment

- The site is within Flood Zone 3b, functional flood plain
- Kings Lynn Internal Drainage Board assets are not affected by the proposal.
- The new access road will be 7.3m AOD.

PLANNING HISTORY

In relation to this application, the following planning applications are relevant:-

16/00531/F: - Withdrawn- Construction of 300m of road

15/00591/F: Application Refused: 16/03/16 - Removal of condition 10 for planning permission 14/00398/F

14/00936/F: Application Refused: 15/09/14 - Removal of condition 11 of planning permission 14/00398/F: for new site layout, smaller turbine and external transformer Appeal Dismissed 08/01/16;

14/00398/F: Application Permitted: 04/06/14 - Variation of Condition 2 of Planning Permission reference 13/01191/F to allow a new site layout, a smaller turbine and the transformer to be externally housed

13/01191/F: Application Permitted: 04/12/13 - Erection of a 500kw wind turbine

RESPONSE TO CONSULTATION

Parish Council: N/A

NCC Highways: this application impacts a section of public right of way and therefore for the NCC comments in relation to this aspect would need to be provided by our Public Rights of Way team

PROW Officer: NO OBJECTION the route follows amendments submitted to the Stopping Up Order. A condition will need to be imposed that the revised Order is in place prior to granting planning permission.

Internal Drainage Board: NO OBJECTION

Environment Agency: NO OBJECTION subject to condition

Emergency Planning Officer: NO OBJECTION

Marine Management Organisation comments that if the engineering works are below the Mean High Water Springs Mark, a license for the works will be required from the Marine Management Organisation.

Natural England: NO OBJECTION

REPRESENTATIONS

ONE general comment making a general observation that the proposed route appears to be sensible solution to the users of the byway, provided it is the same height as the existing route and of a safe standard to be approved by the EA and NCC.

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

CS03 - King's Lynn Area

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

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

- Planning History
- Impact upon Amenity
- Flood Risk
- Highway Safety
- Other Material Considerations

Planning History

The application has been made in order to facilitate compliance with condition 11 of 14/00398/F. 14/00398/F was a variation of planning condition 2 on 13/01191/F to allow a new site layout, a smaller turbine, and the transformer to be externally housed.

Condition 11 of 14/00398/F states the following:-

Prior to the installation of the turbine hereby approved details of how the turbine shall be set up to prevent the blades rotating when they are over-hanging Byway Open to All Traffic No.1 shall be submitted to and approved in writing by the Local Planning Authority. The turbine shall be installed in accordance with the agreed details and thereafter maintained in accordance with them.

The applicant applied to remove Condition 11 to 14/00398/F, under application no. 14/00936/F, which was refused by the Planning Committee on the 1st September 2014 and unsuccessfully appealed (Appeal reference no. APP/V2635/W/14/2228508 - determined 7th January 2016)

The Inspector determined that the over sailing of the byway by the blades would be an overwhelming sight when crossing directly underneath and would diminish enjoyment of the route or cause anxiety, whether on foot, using a bicycle or in a vehicle in terms of the perception of risk. The biggest perceivers of risk would, according to the inspector, be horse riders.

The inspector concluded that the condition enabled the turbine to function, and was not an onerous condition. The condition was stated to be reasonable, necessary, relevant to planning and to the development, precise and enforceable.

The inspector concluded that planning policies should protect and enhance the public rights of way, and should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings and considered that the protection of this public right of way from the active over sailing by the blades of the wind turbine is in accordance with the thrust of that policy.

The turbine has been erected and is fully operational and is in breach of condition 11. Whilst never being able to apply to formally discharge condition 11 of 14/00398/F, as details of how the blades will not rotate over the byway should have been agreed prior to the installation of the turbine, the applicant has sought to comply with the restriction of the blades over sailing the byway whilst rotating by stopping up the existing Byway Open to All Traffic (BOAT) diverting around the wind turbines blades.

Running in parallel with this application is a Stopping up order for the existing Byway Open to All Traffic (BOAT) - E/2365 which is being determined by the National Casework Team. The consultation period for the stopping up order ended on the 26th August. The stopping up order is now progressing to the "made" stage.

Impact upon Amenity

The proposed roadway will be 4m wide as required by the Order and is approx. 55m in length. The roadway will be formed by raising the level of the existing bank to the same height as the existing Byway Open to Open to All Traffic (BOAT) and its surface will be 300mm deep.

Paragraph 17 of the National Planning Policy Framework requires local planning to seek a good standard of amenity for all existing and future occupants of land and buildings.

No-one's enjoyment of land and buildings beyond the applicant's land is detrimentally affected as no gates on the existing Byway Open to All Traffic (BOAT) or on the new roadway are proposed to be erected. A condition is attached to the decision notice which prohibits the erection of gates and fences on the applicant's land.

Flood Risk

The new road will be at the same height as the existing Byway Open to All Traffic (BOAT) and is at its furthest point 13m away from the existing Byway Open to All Traffic (BOAT). The road will not be susceptible to flooding at its height of 7.3m AOD.

The Environment Agency (EA) originally objected to application. The use of piling at the site, due to its limited lifespan and maintenance requirements is a concern of the EA and also modelling would likely be required to understand the impacts of a tidal surge at the site and the potential effects on the earth embankment. The EA comment that there will be small eddy currents at the end of the piling.

The EA have been supplied with an amended Flood Risk Assessment (FRA), which identifies the use of revetment scour protection to be installed at the transition zones both upstream and downstream of the proposed structure to form a streamlined profile at the intersection of the earth bank soft defence and the proposed piling.

The EA have now withdrawn their objection to the application following analysis of the revised FRA and the proposed engineering solution. A condition is to be imposed that the development is carried out in accordance with the Flood Risk Assessment which includes the proposed engineering solution.

The Emergency Planner has no objection to the scheme.

Highway Safety

Norfolk County Council Highways department and the Public Rights of Way (PROW) officer have no objection to the proposal. The PROW officer requests that planning permission should only be consented on the basis that the new stopping up order is already in place. This condition is not necessary as the legality of diverting the existing Byway Open to All Traffic is considered under separate legislation. This application only concerns itself with the engineering operation of providing a semi-circular road way.

CONCLUSION

The application relates solely to engineering works to provide a road at the same height as the existing BOAT.

The road is intended to be used as part of the revised BOAT route which is now the subject of a revised stopping up order application. The stopping up order is now progressing to the "made" stage.

The flood risk assessment and accompanying cross-sectional drawings identifies that the road will be 7.3m AOD, which will be piled. The piling works will be protected by concrete revetment blocks.

Subject to conditions the proposal is considered to comply with the provisions of the National Planning Policy Framework, National Planning Practice Guidance and Local Plan Policies.

RECOMMENDATION:

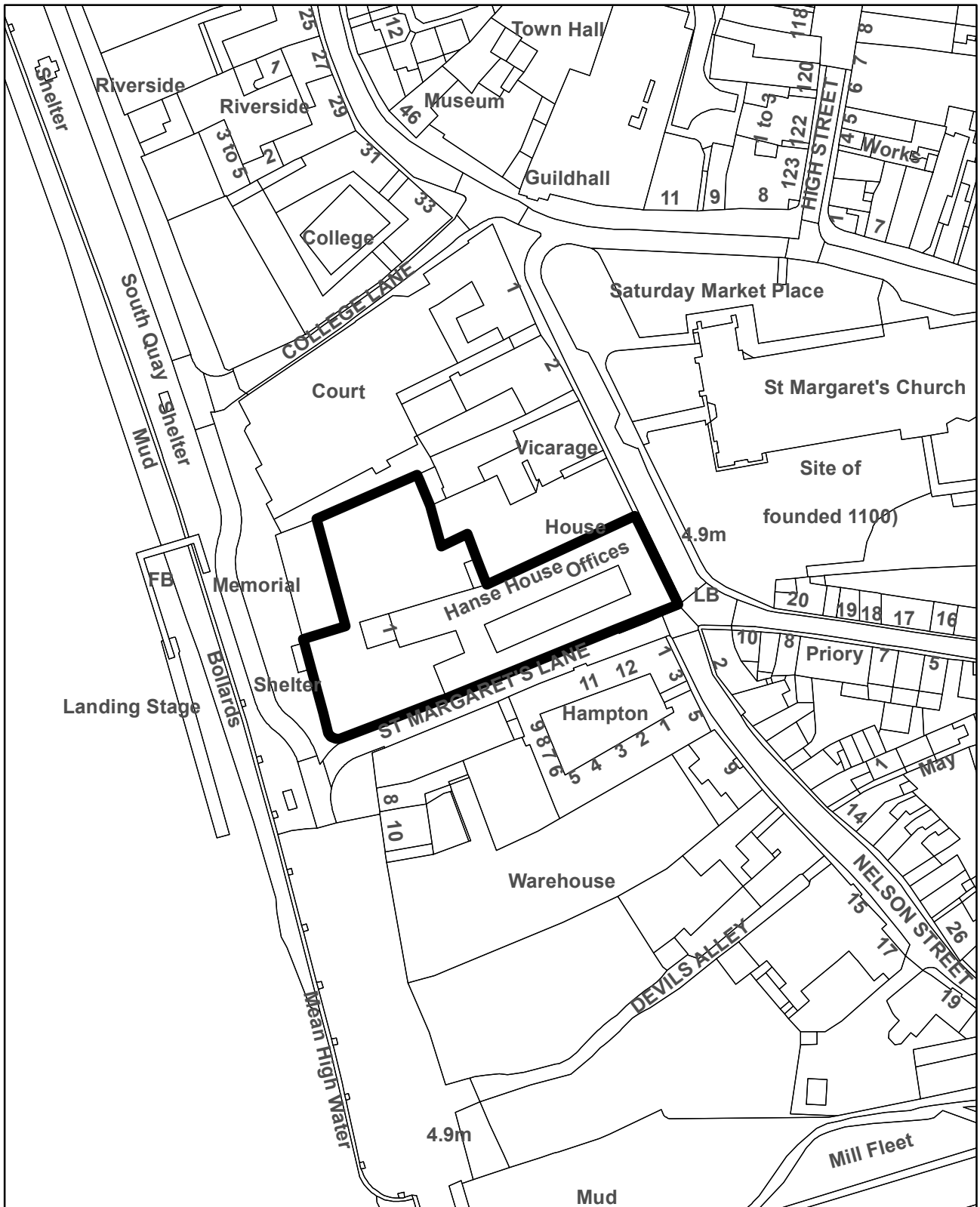
APPROVE subject to the imposition of the following condition(s):

- 1 Condition the development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition the development hereby permitted shall be carried out in accordance with the following approved plans
 - Location Plan received 16th August 2016
 - Cross Sectional drawings A received 18th August 2016

- 2 Reason for the avoidance of doubt and in the interests of proper planning.
- 3 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 following parcels of land:-
 - The existing BOAT 1 and Proposed Boat 1 semi-circular route as identified on site Location Plan Turbine 1 – received 16th August 2016 unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 3 Reason In the interests of safeguarding public amenity and in the interests of flood risk in respect to the residential neighbours at Point Cottages in accordance with the principles of the NPPF.
- 4 Condition The development permitted by this planning permission shall be carried out in accordance with the approved FRA addendum dated 29th July 2016 by Engineering Support Practice and the following mitigation measures detailed within the FRA:-
 - the arched extension is to be constructed and finished to a minimum height of 7.30m AOD.
- 4 Reason To ensure the integrity of the proposal in the interest of flood risk

16/01316/LB

Hanse House South Quay King's Lynn



AGENDA ITEM NO: 9/2(f)

Parish:	King's Lynn	
Proposal:	Listed Building Application: Retention of painted signage to rendered north facing external wall	
Location:	Hanse House South Quay King's Lynn Norfolk	
Applicant:	Mr James Lee	
Case No:	16/01316/LB (Listed Building Application)	
Case Officer:	Mrs P Lynn	Date for Determination: 17 October 2016

Reason for Referral to Planning Committee – Called in by Councillor Bambridge.

Case Summary

Hanse House, Listed Grade I, is a substantial property situated in a prominent location with St Margaret's Place to the east, South Quay to the west and St Margaret's Lane to the south.

Simply put, the building comprises two parallel wings linked at its east end (St Margaret's Place) by a Georgian house and towards its western end (quayside) by a late 16th century wing, the whole enclosing a central courtyard. The parallel wings are the former warehouses of the Hanse and were built following the gift of the site to the German merchants in London in 1475. There were four such warehouses in England but this is the only one remaining and its historic importance is undoubtedly the principal reason for its Grade I status.

This application seeks retrospective consent for a non-illuminated sign advertising Hanse House and the Rathskeller wine bar and bistro. It has been painted directly onto the north gable wall of the building and its overall dimensions are appx.3 5m wide by 1.9m deep

Key Issues

The only consideration in the determination of this application is the impact of the proposal on the significance of the building, a designated heritage asset of the highest order.

Recommendation

APPROVE

THE APPLICATION

Hanse House is a substantial building of varying height essentially comprised of two parallel wings linked at the western end (South Quay) by a late 16th century wing and at the eastern end (St Margaret's Place) by a domestic wing which is the subject of this application.

Early details of the domestic east wing (formerly known as St Margaret's House) are not clear but it is known to have been bought and re-modelled by Edward Everard in 1751. It has

a fine Georgian façade with rusticated quoins, pedimented door case and large sash windows with original glazing bars. The interior has elegant rooms which retain a good deal of architectural detailing. There is a very elegant stair in an apsidal space with an open string and iron stick balusters with occasional panels of decorative wrought iron. The south gable wall facing Nelson Street/St Margaret's Lane has sash window to ground and first floor and an attic dormer whilst the north gable facing St Margaret's Vicarage/Saturday market Place is blank.

SUPPORTING CASE

The application is supported by (i) a Design & Access Statement submitted with the original application for works to Hanse House in 2012 which has not been updated and so makes no mention of the sign, and (ii) a Background Design Strategy & Planning Statement which briefly describes the property and goes on to detail its uses of the past 6 years and its commercial location. The latter section comments that continuing use of the building is important but that it is large, costly to run and must be economically viable. The building is most visible from South Quay where the main access is located and the bar, bistro etc. are visually well advertised.

The building is also visible from the Saturday Market Place and there is a separate entrance from St Margaret's Place hence the services provided are less obvious from this location hence the new high level sign on part of the north elevation. The statement concludes "The signage is painted onto an existing rendered surface and although easy to see it is not obtrusive in size or of detriment to the building".

PLANNING HISTORY

16/01317/A: Retention of non-illuminated painted signage on North facing external wall – Corresponding application for Advertisement Consent before this Committee with a recommendation for approval.

16/01297/F & 16/01298/LB: Conversion of parts of first and second floors to four self-contained flats – Live applications currently under consideration.

16/01207/LB: Construction of timber stud partition walls, levelling the floor, installation of two base kitchen units with work surface, plumbing and electrical works - Approved September 2016

15/00393/F & 15/00397/LB: Demolition and replacement of existing South Quay entrance porch and additional lobby to bistro – Withdrawn May 2015

14/00167/F & 14/00168/LB: : General refurbishment and works to facilitate the change of use to 3 dwellings, bistro, under-croft bar, exhibition space/art gallery, retail/indoor market, registry office and commercial office space 12/00618/LB and 12/00616/F minor amendments (retrospective)-
Application not determined

14/0025/F & 14/0026/LB: Raise window to facilitate construction of access ramp to bistro entrance, enlarge window to original proportions to gable end and minor amendments to approved planning application Ref: 12/00616/F and 12/00618/LB – Withdrawn February 2014

13/00870/F & 13/00870/LB: Raise window to facilitate construction of access ramp to bistro entrance, enlarge window to original proportions at gable end. Minor amendments to approved planning application 12/00616/F and 12/00618/LB – Withdrawn August 2013.

12/00618/LB: General refurbishment and works to facilitate the change of use to three dwellings, bistro, under-croft bar exhibition space/art gallery, retail/indoor market, registry office and commercial office space. Approved 30 July 2012

12/00616/F: General refurbishment and works to facilitate the change of use to three dwellings, bistro, under-croft bar exhibition space/art gallery, retail/indoor market, registry office and commercial office space. Approved 30 July 2012

02/2042/CM: Installation of two external security cameras – Approved December 2012

00/1384/LB: Installation of 2 stair lifts – Approved November 2000

98/0813/LB: Installation of two security grills to windows – Approved September 1998

97/1373/LB & 97/1378/CM: Replacement external doors and timber infill panel - Approved November 1997

97/0657/LB: Internal alterations to provide new office to rear foyer – Approved June 1997

95/0642/CM: Proposed erection of non-illuminated public information board - Approved March 1999

RESPONSE TO CONSULTATION

Historic England: previously recommended that the Council determine the application with regard to the NPPF and the Councils own conservation advice but reiterate the points raised on site which are available to view in full on file but which are precised as follows:

- When looking from Saturday Market Place Hanse House is an important element in a historic space of national significance. This group of listed buildings is designated in the top 5% of buildings nationally but the space they frame and the history of urban development it illustrates gives them additional value.
- The recently completed scheme in the Market Place has brought
- high quality materials, simple elegant detailing and an uncluttered appearance which sets off the formal architecture of the buildings.
- The eastern facade of Hanse House was added in the 18th century when this part of the building became the owner's family town house
- The formal, symmetrical architectural composition applied to the earlier ranges reflects that of the adjacent Rectory (also listed) giving the western side of the place elegance and formality
- *
- The painted sign is large and appears prominently in this line of building.
- Painting commercial signage directly onto buildings has a long history but the render has become textured with age and the lettering has an informal quality which is emphasized by the typeface and which echoes the way rural restaurants/hotels in older buildings have reactivated this traditional
- The design and quality of signs at Hanse House are of a good standard but the context for this sign is far more formal than traditional rural buildings/townscapes and is part of the setting
- of several other listed buildings.

- The sign, particularly because of its scale, could draw undue attention to part of Hanse House which is currently neutral and deliberately understated.
- Advertising a commercial offer contained in the rear ranges of the complex could undermine appreciation of that the front (west) range was residential
- Other premises on the Market Place do not feature signage of such
- scale.

Historic England go on to note the relevant parts of the NPPF and advise as follows:- Carefully consideration should be given to the significance of these aspects of Hanse House which are affected by the sign and the qualities of the surrounding historic space and listed buildings to identify if any harm to that significance has resulted. If 'any' harm is found the public benefit of the development should be weighed against it.

Making Hanse House an economically viable site which is kept in good repair could be such a public benefit and the signage might help in this. However, it might be noted that another current application proposes residential conversion of some of the commercial space the signage might help advertise. Also, the current commercial use might not deliver a secure future for the buildings: this is suggested by the lack of maintenance in recent years that has resulted in extensive growth of vegetation (including sapling trees) on the roofs of the courtyard.

All these factors must be considered when looking for the 'clear and convincing' justification for any harm to historic significance that might be identified.

It is suggested that if there is concern about the impact of the sign permission might be issued for a fixed period only, perhaps to be reviewed in light of the developing use of the building.

Society for Protection of Ancient Buildings: NO COMMENT received

Ancient Monument Society: NO COMMENT received

Council for British Archaeology: NO COMMENT received

Georgian Group: NO COMMENT received

Victorian Society: NO COMMENT received

REPRESENTATIONS TWO objections have been received making the following points/comments

- In itself the sign has been painted well and is an attractive design but it has changed the focus from the street scene as a whole to the sign itself.
- It is out of character for this primarily residential area
- As it is painted on rendered wall which seems to be flaking in parts, it will need repainting in a few years time otherwise it could look tatty.
- If retrospective approval is granted can regular repainting be a condition?
- I object to this signage being painted before an application had been submitted by the property owner.
- * This is an important grade one listed building in a Conservation Area, and the property owner must comply with planning regulations pertaining to such historic buildings.
- Immediate residential neighbours are potentially impacted by the sign, particularly the vicarage, and it is worrying that the property owner thought it was perfectly

acceptable for him to undertake this work without the need to consult his neighbours by submitting a planning application.

- The application is for the name of the building to be painted on the rendered wall. What is in place is far more than this and is clearly a very large advertisement.
- The photographs supplied with the application obscure some of the wording, the telephone number and social media symbols.
- This large advertisement is quite inappropriate on a grade 1 listed building in the context of a group of listed buildings that form the heart of the St Margaret's Conservation area one of the most significant group of buildings in the country.
- The design and access statement says that apart from alterations at the western part of the building, that the exterior of the building will not be altered - this is a very significant and obtrusive alteration to the external appearance of the building.
- The applicant states that consultation with neighbours and local community is underway - no such consultation has taken place.
- Permission was given for scaffold access to the wall from the Vicarage garden in response to a request for access to carry out maintenance - no indication was given of any intention to alter the appearance of the wall in any way.

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

CS12 - Environmental Assets

OTHER GUIDANCE

Conservation Area Character Statement – St Margaret's Area

PLANNING CONSIDERATIONS

The only considerations in the determination of this application are the impact of the sign on the significance of the grade I listed building and the setting of the adjacent listed buildings (Hampton Court Grade I, The Valiant Sailor, Grade II*, St Margaret's Vicarage, garden wall & gates all Grade II, St Margaret's Minster Grade I, Priory Cottages Grade II)

The NPPF identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of sustainable development in the planning system (paras. 6, 7 and 14). It requires that in determining applications relating to designated heritage assets, local planning authorities should take account of the desirability of sustaining and enhancing their significance and putting them to viable use consistent with their conservation, but also bear in mind that the significance of listed buildings can be harmed by alteration to them and by development in their setting (para. 132). The conservation of heritage assets is a core principle of the planning system (para. 17) and where a proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para. 134).

The key issues in respect of this sign and the benefits which it might deliver have been detailed by Historic England and precised above so do not need to be repeated. Two members of the public have raised similar objections.

This case is finely balanced. The sign undoubtedly causes some visual harm to the significance of both a listed building of the highest order and to setting of those adjacent and it has been put in place without listed building consent, which is an offence in its own right. On the other hand, if it supports the businesses it will deliver public benefits and possibly draw more visitors to further explore the historic core. Furthermore it does not impact on the actual structure of the building which is no longer a residence, it is not illuminated and it can be easily covered – points not previously made but nonetheless relevant.

Responses to consultation have been noted. However the proposal for a temporary consent is not considered to be justifiable and should the sign or the wall deteriorate to an unacceptable degree other legislation comes it play. Unfortunately comments regarding access are civil matters and cannot be considered.

CONCLUSION

In conclusion, when all of the above is set against the advice of the NPPF it is considered that although large, the sign does not cause substantial harm to the character or appearance of the building. It should also deliver some public benefit, in publicising the commercial use of the building, therefore on balance, it is considered to be acceptable.

In addition the sign can simply be painted over in the future, which is another mitigating factor.

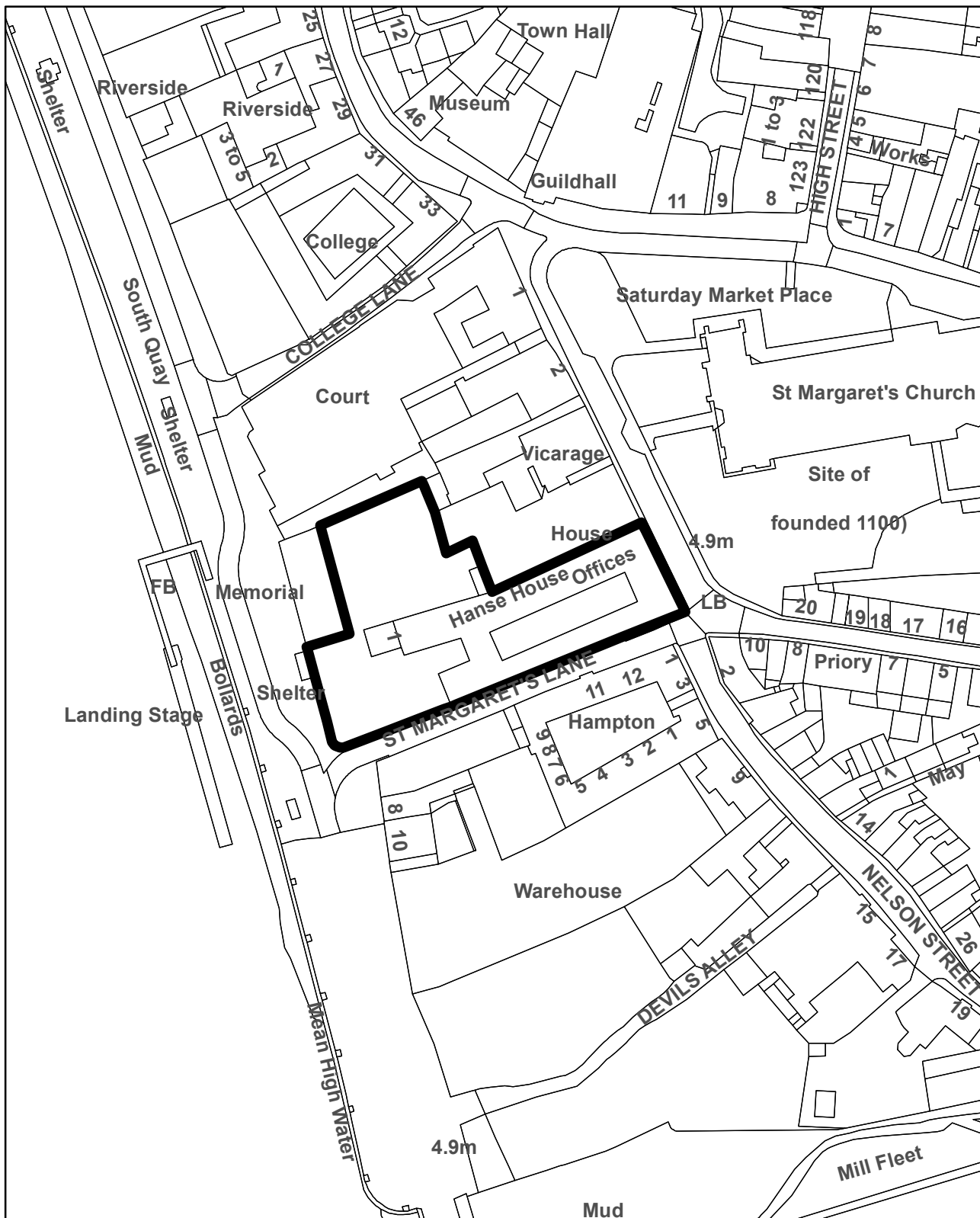
It is therefore recommended that Listed Building Consent be granted.

RECOMMENDATION:

APPROVE

16/01317/A

Hanse House South Quay King's Lynn



AGENDA ITEM NO: 9/2(g)

Parish:	King's Lynn	
Proposal:	Advertisement application: Retention of non-illuminated painted signage on North facing external wall	
Location:	Hanse House South Quay King's Lynn Norfolk	
Applicant:	Mr James Lee	
Case No:	16/01317/A (Advertisement Application)	
Case Officer:	Mr M Broughton	Date for Determination: 17 October 2016

Reason for Referral to Planning Committee – Called in to the Committee by Councillor Bambridge.

Case Summary

The land is situated on the western side of St Margaret's Place, King's Lynn, at the junction with St Margaret's Lane, Priory Lane and Nelson Street and within the Conservation Area.

The site comprises a two storey combined former warehouse / Georgian dwelling called Hanse House (Listed Building Grade I) which extends between St Margaret's Place and South Quay

The application relates to the retention of a dark blue, hand painted advertisement applied to the higher level of the north-eastern, cream rendered wall of Hanse House, comprising wording:

'HANSE HOUSE – Weddings – Christenings – The Rathskeller wine bar and bistro – Function Rooms- (and telephone contact details)'

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011 and the King's Lynn and West Norfolk Development Management Policies 2015 are relevant to this application

Key Issues

Principle of development
Impact on amenity: form and character and the significance of the building
Highway safety

Recommendation

APPROVE

THE APPLICATION

The land is situated on the western side of St Margaret's Place, King's Lynn, at the junction with St Margaret's Lane, Priory Lane and Nelson Street.

The site comprises a two storey combined former warehouse / Georgian dwelling called Hanse House (Listed Building Grade I) which extends between St Margaret's Place and South Quay and is within the Conservation Area.

The building comprises two parallel wings linked at its east end (St Margaret's Place) by a Georgian house and towards its western end (quayside) by a late 16th century wing, the whole enclosing a central courtyard. The parallel wings are the former warehouses of the Hanse and were built following the gift of the site to the German merchants in London in 1475. There were four such warehouses in England but this is the only one remaining and its historic importance is undoubtedly the principal reason for its Grade I status.

Early details of the domestic east wing (formerly known as St Margaret's House) are not clear but it is known to have been bought and re-modelled by Edward Everard in 1751. It has a fine Georgian façade with rusticated quoins, pediment door case and large sash windows with original glazing bars. The eastern ends of the warehouse ranges were incorporated into the house and the first floor of the north range accommodates a fine room with a high coved ceiling, a pair of large sash windows, and a palmette cornice.

The application relates to the retention of a non-illuminated, dark blue, hand painted advertisement (overall approximately 3.5m wide by 1.9m deep), applied at the higher level of the north-eastern, cream rendered, gabled wall of Hanse House, comprising wording in differing font:

'H - HANSE HOUSE – Weddings – Christenings – The Rathskeller wine bar and bistro – Function Rooms - (and including contact details)'

There is customer and trade access (with advertisement) to Hanse House from South Quay (west) directly to the Rathskeller wine bar / bistro / shop and courtyard facility operating from the west side of the premises and a customer access door from St Margaret's Place.

SUPPORTING CASE

The supporting statement advises that Hanse House, formally occupied by the Norfolk County Council, was purchased approximately 6 years ago by a local investor who has since adapted the layout, part of which incorporates the Rathskeller wine bar, bistro courtyard and shop fronting the South Quay area. This is an open area with courtyard tables readily on view to the passer-by and visually well-advertised by way of layout.

Refurbishment of residential and office accommodation in the building has also been achieved.

The building is costly to run. It is essential it is economically viable and that the services it provides are promoted. Whilst this is achieved by an active presence 'on-line' and in local papers, there is a need, through visual advertising, to promote the business from the fabric of the building itself.

The north-east of the building is visible from the Saturday Market Place (north) and there is an entrance to Hanse House from St Margaret's Place. The services provided by the building are currently less obvious from this area.

The higher level signage painted onto the north elevation advertising HANSE HOUSE (and its facilities) is not obtrusive in size or colour and is not detrimental to the building and its surroundings. The signage will promote the existing facilities and indeed those proposed in ongoing applications for an increase in accommodation facilities.

PLANNING HISTORY

16/01316/LB: Planning Committee 4/10/16 – recommended for approval: corresponding Listed Building application: Painted signage to rendered north facing external wall - Hanse House

Ongoing applications:

16/01298/LB and 16/01297/F: conversion of parts of first and second floors to create four self-contained flats - Hanse House

Recent applications:

16/01207/LB: Permitted: 07/09/16 - Construction of timber stud partition walls, levelling the floor, installation of two base kitchen units with work surface, plumbing and electrical works - Hanse House

15/00397/LB and 15/00393/F: Withdrawn: 20/05/15 - Demolition and replacement of existing South Quay entrance porch and additional lobby to bistro - Hanse House

14/00168/LB and 14/00167/F: General refurbishment and works to facilitate the change of use to 3 dwellings, bistro, under-croft bar, exhibition space/art gallery, retail/indoor market, registry office and commercial office space 12/00618/LB and 12/00616/F minor amendments (retrospective) - Hanse House

13/00871/LB and 13/00870/F: Withdrawn: 16/08/13 - Raise window to facilitate construction of access ramp to bistro entrance, enlarge window to original proportions at gable end. Minor amendments to approved planning application 12/00616/F and 12/00618/LB - Hanse House

12/00618/LB and 12/00616/F: Permitted: 03/08/12 and 06/08/12: General refurbishment and works to facilitate the change of use to three dwellings, bistro, under-croft bar exhibition space/art gallery, retail/indoor market, registry office and commercial office space - Hanse House

RESPONSE TO CONSULTATION

Highways Authority: NO OBJECTION:

Historic Environment Service: NO OBJECTION:

Conservation Officer: NO OBJECTION:

See corresponding Listed Building report attached to application 16/01316/LB, also presented to the Planning Committee 4/10/16

Historic England: Comments:

Viewed from Saturday Market Place Hanse House is an important element in a historic space of national significance. This group of listed buildings is designated in the top 5% of buildings nationally but the space they frame and the history of urban development it illustrates gives them additional value as a group.

The recently completed re-paving scheme in the Saturday Market Place has brought a high quality of materials, simple elegant detailing and an uncluttered appearance to the square which sets off the formal architecture of the buildings.

The eastern facade of Hanse House was added in the 18th century when this part of the building became a town house for the family of brewers which owned it. The formal, symmetrical architectural composition applied to the earlier ranges reflects that of the adjacent Rectory (also listed) giving the western side of the place elegance and formality.

The painted sign is large and appears prominently in this line of building. Painted directly onto render which has become textured with age, the lettering has an informal quality which is emphasized by the type-face. Painting commercial signage directly onto buildings has a long history. The texture of the render and the design chosen in fact echoes the way rural restaurants or hotels occupying traditional buildings have reactivated this tradition in recent years.

The design and quality of sign painting at Hanse House are of a good standard. However, the context for this sign is far more formal than traditional rural buildings or townscapes and is part of the setting of several other listed buildings. The sign, particularly because of its scale, could draw undue attention to part of Hanse House which is currently neutral and understated (the Georgian owners' intention was to emphasize the front façade).

Moreover, the western range of the property was residential, so advertising a commercial offer which is contained in the rear ranges of the complex could undermine an appreciation of that.

In addition, the other premises on the Market Place do not feature signage of such scale.

The National Planning Policy Framework (NPPF) identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of sustainable development in the planning system (paragraphs 6, 7 and 14).

The NPPF also states that the significance of listed buildings and conservation areas can be harmed by alteration to them and by development in their setting (paragraph 132) and that the conservation of heritage assets is a core principle of the planning system (paragraph 17).

Furthermore, paragraph 137 states that proposals that preserve those elements of the setting that make a positive contribution to, or better reveal, the significance of the heritage assets should be treated favourably.

In this instance consideration should be given to the significance of these aspects of Hanse House which are affected by the sign and the qualities of the surrounding historic space and listed buildings to identify if any harm to that significance has resulted.

If 'any' harm is found, paragraph 134 states that the public benefit of the development should be weighed against it. Making Hanse House an economically viable site, which is kept in good repair, could be such a public benefit and the signage might help in this.

When considering this the Council might note that the other applications now current propose residential conversion of some of the commercial space that the signage subject to this application might help to advertise. Also, the current commercial use might not deliver a secure future for the buildings (this is suggested by the lack of maintenance in recent years that has resulted in extensive growth of vegetation - including sapling trees - on the roofs of the courtyard).

REPRESENTATIONS Two objections:

- Borough Councillor Bambridge comments:

This retrospective application should be refused. As Ward member I am very concerned that the signage is out of keeping with the Conservation Area. The building is listed as are many in the surrounding area. It overlooks the vicarage garden and is visible from the garden and the vicarage itself. It is also visible from the Town Hall. It is totally out of keeping and is detrimental to the Conservation Area.

- Neighbour comments:

This large advertisement is quite inappropriate on the exterior of a grade 1 listed building in the context of a grouping of listed buildings that forms the heart of the St Margaret's Conservation area - one of the most significant groups of buildings in the country.

The applicant's design and access statement says that apart from alterations at the western part of the building, that the exterior of the building will not be altered - this is a very significant and obtrusive alteration to the external appearance of the building.

The applicant states that consultation with neighbours and local community is underway - no such consultation has taken place.

I gave permission for scaffold access to the wall from the Vicarage garden in response to a request for access to carry out maintenance - no indication was given of any intention to alter the appearance of the wall in any way.

The application is for the name of the building to be painted on the rendered wall. What is in place is far more than this and is clearly a very large advertisement. The photographs supplied with the application obscure the wording advertising weddings, christenings, the Rathskeller and function rooms together with the telephone number, website and "twitter" and "facebook" symbols.

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

CS11 - Transport

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

Key Issues

- Principle of development
- Impact on amenity: form and character and significance of the building
- Highway safety

Principle of Development:

The National Planning Policy Framework 2012 (NPPF) - Paragraph 67 advises:

'Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'

A Local Planning Authority should therefore have regard to an advertisement's effect on the appearance of a building or on visual amenity in the immediate neighbourhood where it is to be displayed and have regard to the advertisement's effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians). A proposal should be sympathetic in relation to size, appearance, design and position to the site on which it is displayed and should not be unduly prominent.

The principle of a painted advertisement is generally considered acceptable provided that signage would not have any detrimental impact on:

- amenity or
- highway safety.

Impact on amenity: form and character and significance of the building:

It is acknowledged, by the historical nature of this locality, this is an area of the Town of considerable interest to visitors.

Hanse House is a substantial property of varying height situated in a prominent location of the Town, with other Listed Buildings in the locality, including St Margaret's Church (opposite east), St Margaret's Vicarage (neighbouring walled garden and dwelling north), Hampton Court (Nelson Street – south) and various other notable dwellings to the south.

The approach to the site, and the only significant view-point of the signage to the passer-by, is south along St Margaret's Place from the recently re-furbished Saturday Market Place, itself bordered on its northern edge by the Guildhall, Museum, Market Bistro and the former Wennis Hotel and other commercial uses close-by.

Although prominent on the north facing, cream painted wall, as seen from the aforementioned view point, the dark blue painted signage is not considered to be garish or

unsightly when viewed in context with the cream painted façade and north-western walls (adjoining the signage wall) in a dark brown brick. Notwithstanding similar signage is not a feature seen in this particular area, this view was backed in the comments issued by Historic England in that 'the design and quality of the painting is considered to be of good standard'.

In terms of impact on the amenity of the locality, the size and appearance of the proposed signage is considered to be acceptable for the site and its surroundings, taking into account the site, its economic status and layout of the overall locality.

In terms of the Listed Building status, the NPPF identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of sustainable development in the planning system (paras. 6, 7 and 14).

It requires that in determining applications relating to designated heritage assets, local planning authorities should take account of the desirability of sustaining and enhancing their significance and putting them to viable use consistent with their conservation, but also bear in mind that the significance of listed buildings can be harmed by alteration to them and by development in their setting (para. 132).

The conservation of heritage assets is a core principle of the planning system (para. 17) and where a proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para. 134).

The key issues in respect of this sign and the benefits which it might deliver have been detailed in the response issued by Historic England

The sign undoubtedly causes an element of visual harm to the significance of both a listed building of the highest order and to the setting of those adjacent. The objections of a neighbour are noted in this respect.

However, if the signage supports the Hanse House business uses it will deliver public benefits and possibly draw more visitors to further explore this historic core of the Town. Furthermore, and of relevance, the signage does not impact on the actual structure of the building, which is no longer a residence, it is not illuminated and it can be easily covered.

It is considered that any impact on visual amenity will be minimal and thus acceptable. This application is supported with a recommendation that Listed Building Consent also be granted.

Highway Safety:

The National Planning Policy Framework 2012 advises that Advertisements should be subject to control 'only in the interests of amenity and public safety, taking account of cumulative impacts'. Highway safety is a material consideration in regards to 'public safety' in deciding whether outdoor advertisements are acceptable.

The site is in a relatively prominent position in the street scene on approach from Saturday Market Place. However, the painted signage is non-illuminated and of an acceptable scale. Given the locality, is unlikely to cause a distraction to road users or cause inconvenience to pedestrians. Thus the proposal is acceptable on Public Safety Grounds

The Highway Authority has raised no objection to the proposal.

Civil issues regarding access to the site are not a consideration for this application.

CONCLUSION:

Given the location of the site, the signage results in a relatively limited impact on the built form and does not detract from the amenity of the adjoining vista. Thus, set against the advice of the NPPF, it is considered that the sign causes less than substantial harm to the Listed Building itself and the overall setting of this historic area, and the benefits of promoting the business and the building are considered to outweigh the harm.

As a result the proposal complies with the provisions of the National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011 and the King's Lynn and West Norfolk Development Management Policies 2015 and it is therefore recommended that advertisement consent be granted.

RECOMMENDATION:

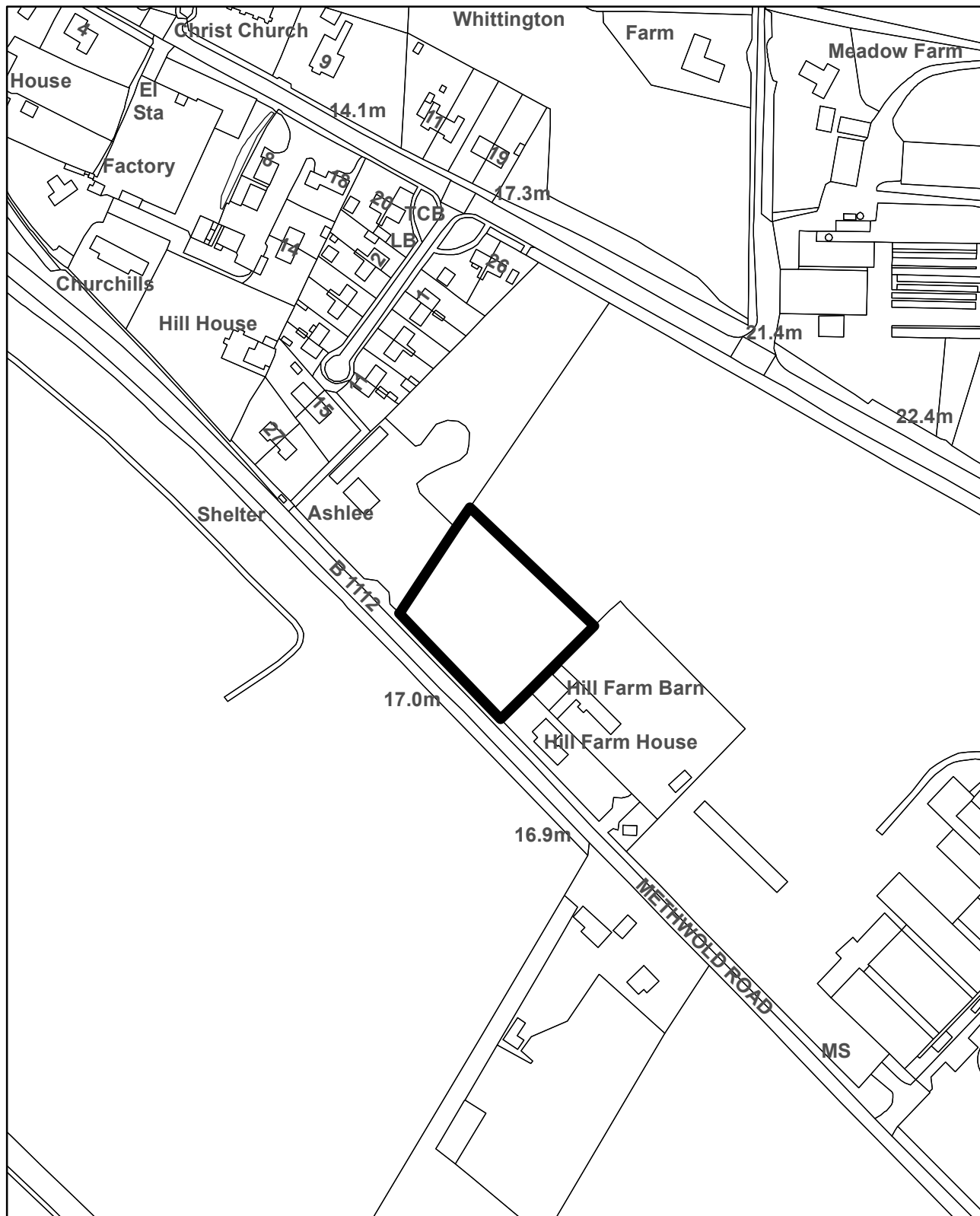
APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:
 - North elevation – drawing 840/3 - 220 – receipt dated 12/9/16
 - Signage detail – drawing scale 1:20 – receipt dated 12/09/16

- 1 Reason For the avoidance of doubt and in the interests of proper planning.

16/01159/RM

Land South of Ashlee Methwold Road Northwold



1:2,500

AGENDA ITEM NO: 9/2(h)

Parish:	Northwold	
Proposal:	RESERVED MATTERS: Construction of 5 dwellings including a site access road and all associated site works	
Location:	Land South of Ashlee Methwold Road Whittington Norfolk	
Applicant:	Mr Anthony White	
Case No:	16/01159/RM (Reserved Matters Application)	
Case Officer:	Mrs N Osler	Date for Determination: 21 September 2016 Extension of Time Expiry Date: 7 October 2016

Reason for Referral to Planning Committee – Applicant is a Councillor

Case Summary

The site lies to the north of Methwold Road, Whittington and benefits from outline planning permission (including access) for the erection of 5No detached dwellings.

This application seeks approval of the remaining reserved matters: appearance, layout, scale and landscaping.

Key Issues

Form and Character
Neighbour Amenity
Highway Safety
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks the approval of layout, appearance, scale and landscaping for 5No dwellings; 3No detached, 4-bed units and 1No pair of 3-bed, semi-detached properties. Access is as approved under the outline application (16/00413/O) and is in a central position and comprises a Type 3 Road that provides access to the development as well as the field to the rear. Each dwelling would benefit from one garage with tandem parking in front. The existing hedge is to be retained, but cut back as necessary to provide for the required visibility splay.

SUPPORTING CASE

No supporting case was submitted with the application.

16/01559/RM

Planning Committee
4 October 2016

PLANNING HISTORY

16/0413/O - Outline Application Some Matters Reserved: Construction of 5 dwellings including a site access road and all associated site works – Committee Approval May 2016.

RESPONSE TO CONSULTATION

Parish Council: None received at time of writing report

Highways Authority: Whilst suggesting amendments, the LHA has **NO OBJECTION**, subject to condition, to the proposed layout.

REPRESENTATIONS

TWO letters of **CONCERN** have been received. The issues raised include:

- The boundary hedge between the site and Hill Farm Barn belongs to the latter, and they do not give permission for any alterations to be made to this hedge,
- The layout (in terms of turning) is compressed and could be improved,
- Wishes that the eastern lounge windows on plot 5 are omitted as per the plans,
- The Party Wall Act should be complied with.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS08 - Sustainable Development

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM3 - Infill development in the Smaller Villages and Hamlets

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The principle of development and access into the site has been approved under planning reference 16/00413/O.

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

- Form and Character
- Neighbour Amenity
- Highway Safety
- Other Material Considerations

Form and Character

Whilst indicative only, it was concluded at the outline stage that linear development would be the most appropriate form of development for the site. The layout proposed under the current reserved matters application is similar to that indicatively shown at the outline stage and is considered to sensitively infill this gap with dwellings that are of a scale, mass and design that relate adequately to the site and the surrounding area. Information relating to materials was not submitted, but this can be suitably conditioned if permission is granted.

The hedge, which is to be retained (and can be conditioned thus), offers a green boundary to the site which is characteristic of this part of Methwold Road and offers a buffer between the development and the highway.

Neighbour Amenity

The dwellings most likely to be affected are those to the immediate east, adjacent to Plot 5 (Hill Farm Barns and Hill Farm House. However, the development, if carried out in accordance with the submitted plans (which would be conditioned if permitted), would result in a scheme that would not result in any overlooking, overbearing or overshadowing issues of an unacceptable degree.

Highway Safety

The LHA suggested in their representation that 'parking and turning arrangements appear to be rather compressed with turning movements being focused close to the private point of access with Methwold Road through a cross road arrangement. I would have a strong preference that the sideward drives of the development are moved back and staggered further into the site so that manoeuvring room within the site is further from the fast moving highway...'. However, the LHA did not object to the proposed layout and considered if permission were granted it would not be of detriment to highway safety.

However, your officers consider the existing hedge, which is to be retained, and the planting proposed (which would be conditioned) means that there would be no conflict between manoeuvring vehicles and the highway.

In summary, there is no objection to the current layout on highway safety grounds.

Other Material Considerations

The GIA of the proposed development is beneath the 1000m² conditioned under the outline application as required in relation to the lack of affordable housing proposed.

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

In relation to third party comments, the LPA responds as follows:

- The boundary hedge between the site and Hill Farm Barn belongs to the latter, and they do not give permission for any alterations to be made to this hedge. This is a civil matter, but it is important to note that this permission does not include alterations to this dividing hedge.
- The layout (in terms of turning) is compressed and could be improved – covered above.
- Wishes that the eastern lounge windows on plot 5 are omitted as per the plans. Any permission granted will be conditioned to be carried out in accordance with the approved plans.
- The Party Wall Act should be complied with – this again is a civil matter and not a material planning consideration.

CONCLUSION

The principle of development of the site with 5No dwellings was established under the outline application. The proposed application seeks permission for layout, appearance, scale and landscaping. The scheme as submitted is considered to relate adequately to the site and the wider locality and would not give rise to unacceptable neighbour amenity or highway safety issues.

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

RECOMMENDATION:

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

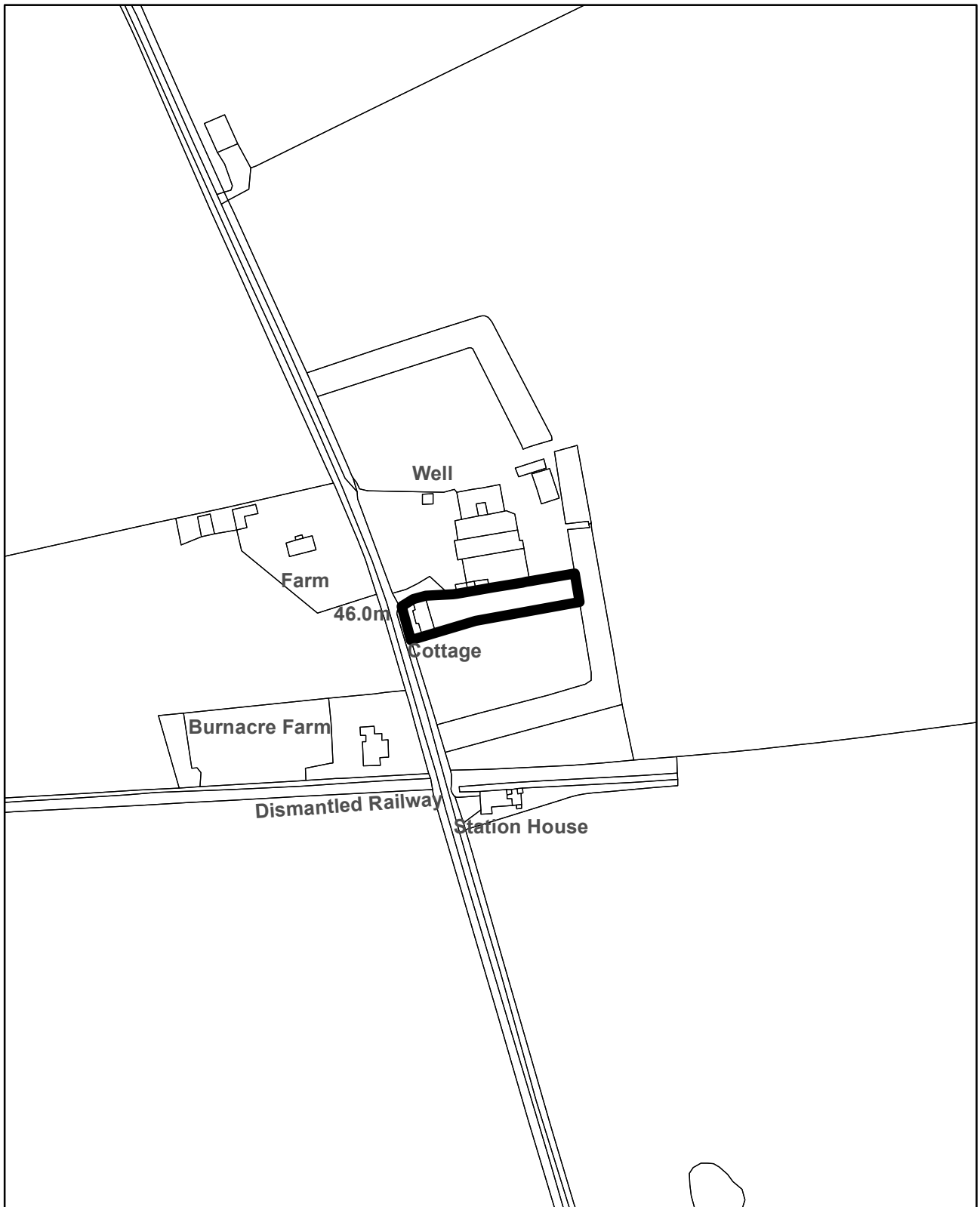
- 1 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 1 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.
- 2 Condition No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority.

Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.

- 2 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 3 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 3 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 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 the work is carried out within a reasonable period in accordance with the NPPF.
- 5 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.
- 5 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 6 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with the NPPF and Development Plan.
- 7 Condition The development hereby permitted shall be carried out in accordance with the following approved plans SL03 Rev.A, PL01 Rev.A, SE01, G01 and SS01.
- 7 Reason For the avoidance of doubt and in the interests of proper planning.

16/01226/F

Station Farm Cottage Station Road Stanhoe



1:2,500

AGENDA ITEM NO: 9/2(i)

Parish:	Stanhoe	
Proposal:	Demolition of existing dwelling and replacement with a new dwelling	
Location:	Station Farm Cottage Station Road Stanhoe King's Lynn	
Applicant:	Mr And Mrs D Miller	
Case No:	16/01226/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 1 September 2016

Reason for Referral to Planning Committee – Previous Appeal History.

Case Summary

The application site comprises a two storey detached cottage situated on the eastern side of Station Road, Stanhoe.

The site lies within the Countryside.

Full planning permission is sought for the construction of a replacement dwelling and detached garage.

Key Issues

Planning history;
Principle of development;
Impact upon the existing house as a non-designated heritage asset;
Impact upon form and character of the surrounding area;
Ecology; and
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a detached two storey cottage situated on the eastern side of Station Road, Stanhoe. A paddock lies to the south of the residential curtilage which is in the ownership of the applicant.

Full planning permission is sought for the construction of a replacement two storey dwelling and detached double garage.

The replacement dwelling is proposed to be positioned further back within the site than the existing dwelling. The proposed garage is shown to be located to the rear of the proposed dwelling.

The proposed dwelling has a footprint of approximately 113 metres square compared to the existing dwelling which has a footprint of 82.11 metres square.

The dwelling has been designed using traditional forms and materials, including brick dressings and plinth with flint / chalk mix to the front and side facades.

The existing dwelling does not benefit from on-site parking. It is proposed to provide access to the north of the site frontage and parking and turning to the rear of the new dwelling.

Planning permission was refused in April 2015 by the Planning Committee, for demolition of the existing house and construction of a replacement house and garage. The decision was appealed and dismissed in February 2016. These decisions are a material consideration in the determination of any subsequent application for similar development on the site.

SUPPORTING CASE

This second application for a replacement dwelling is prepared as a result of Refusal of the previous application and subsequent dismissal of an Appeal following on that refusal.

It takes into account the Appeal Decision Notice from the Planning Inspectorate in the Appeal Decision by P Eggleton BSc (Hons) MRTPI – Reference: APP/V2635/W/15/3130537.

In his commentary and indeed his conclusions the Inspector concluded that the existing dwelling represents a Non Designated Heritage Asset although its significance is limited and that there would be some harm as a result of its loss but this would also be limited.

In the context of the loss of this building he made observations on the provision of a new dwelling which would bring sustainability benefits and address the concerns regarding the removal of the bat roost.

He also concluded that the design concerns he had, in particular with the rear two-storey section would add to the harm with the loss of this building, particularly in conflict with Policy CS12 which seeks to avoid, mitigate or compensate adverse effects on Heritage.

The application now being made seeks to address these issues on the basis of reduction in size, change of materials and consequent change in character reflecting what the Inspector called the high quality of design of the front section.

In addition consultations with the Planning Department have resulted in adjustments by discussion which now mitigate the Inspectors concerns and produce a wholly consistent quality of design for the dwelling which sits far more sympathetically both in scale, style, character and format with the rest of the Countryside and as a suitable replacement for the existing Cottage.

Occupation of the Cottage is very limited at present because of the issues of habitability particularly in the winter time.

The re-siting of the house and the consequent design response to the Inspectors observations and conclusions now result in a house which is less prominent at the road side

presenting a similar street scene to the current dwelling but, further to the rear providing scope for vehicular access off the roadside which presently does not exist.

The new house has a footprint of 113m² with an overall floor area of 226m² which comes within the bounds of the ability to develop the existing house and is therefore not an increase in the overall potential of scale and scope for the present house and indeed has less impact on the public part of the landscape than would the extension of the existing house.

The Heritage Statement prepared previously was included in the last application and is included here but the scope of the Heritage Statement has been commented upon and is overridden by the Planning Inspectors comments with regard to viability, sustainability and the limited damage loss of this asset.

The house was bought with the intention of extending and modernising but subsequent structural and condition reports (submitted with application) have indicated that the extent of the work in upgrading is such that the house could not be occupied whilst the work was undertaken. The conclusion is that demolition and reconstruction is the most appropriate course of action due to the condition.

The roof requires stripping and re-raftering, including undersized and poor timbers, new First Floor ceilings, new First Floor (undersized and woodworm damaged) replacement Ground Floor (damp), underpinning (no foundations), rebuilding wall section from cracking and several replacement windows, both timber and UPVC that exist.

The building does not benefit from any original features internally and as it stands requires full new electrical installation coupled with full central heating system as the building benefits from none currently. Similarly new kitchen and sanitary ware are required.

The tall wall to the North, being 2.85 metres high and significant and mature tree belt planting to the east and south and an established and tall hedging to the west will be reinforced by the new wall and planting in the gap in front of the present house.

The garage comprises of a double garage. The structure has been designed in order to provide accommodation for flying and roosting space for long eared and pipistrelle bats, which have been noted in small numbers upon the bat survey undertaken in/around the existing building. Bat boxes will also be provided, in line with guidance by English Nature and report.

Materials are proposed in Bovingdon Multi-Red brick, which is a brick often used in the North Norfolk countryside as being one which fits the traditional style, with flint and chalk, and with roofs being Pottelberg Victorian mottled weathered effect clay pantiles, windows will be timber framed painted (duck egg blue), bi-fold doors will be stove enamelled thin aluminium framed windows.

PLANNING HISTORY

14/00989/F: Application Refused (Committee): 05/11/14 - Demolition of dilapidated existing dwelling and replacement with new dwelling - Station Farm Cottage, Station Road, Stanhoe.

15/00218/F: Application Refused (Committee): 29/04/15 - Demolition of existing dwelling and replacement with a new dwelling - Station Farm Cottage Station Road Stanhoe – Appeal Dismissed 06/02/16.

RESPONSE TO CONSULTATION

Parish Council: The Council does not feel it can object to the latest proposal notwithstanding several misgivings with regard to earlier events. Accordingly the Council supports the referenced application with several provisos including:

- That following completion, the hedges and other vegetation are reinstated to maintain the rural nature of the site;
- That the development is strictly confined to the 'non-agricultural' land as specified;
- That it is clear that no further development of any of the site either on or off the agricultural land will be permitted; and
- That all efforts are made to minimise disruption to the area and the other residents of the 'hamlet'.

Highways Authority: NO OBJECTION conditionally.

Environmental Health & Housing – Environmental Quality: NO OBJECTION conditionally (re: asbestos).

Historic Environment Service: NO OBJECTION subject to conditions.

REPRESENTATIONS

FIVE representations have been submitted relating to the proposed development, two of which are **NEUTRAL** and three **OBJECT**. The concerns and comments made include the following:

- The cottage could be renovated and extended;
- Applicant claims that renovations would be uneconomical;
- Cost of demolition, rebuild would be very high;
- Demolition would result in the loss of a Heritage Asset;
- Hedge removed which defined the garden and the meadow;
- Meadow is not extended garden;
- The extent of the garden is only to the Walnut Tree and to the belt of trees to the far east;
- The garage would therefore be located on agricultural land;
- No provision has been made for change of use of that part of agricultural land to residential;
- The garage is too close to the northern boundary wall and will prevent access for maintenance of the wall;
- The narrow gap between the wall and garage will prevent the neighbouring land owner using the Right of Way;
- The boundary line has been changed and is incorrect;
- The neighbours wall has been drilled into and things affixed too;
- Is the existing house going to be demolished before or after the construction of the new dwelling?
- The only path for construction traffic may be across the meadow;
- Impact on the meadow;
- The residential curtilage appears to encroach onto the meadow to the south when compared to the original ancient field boundary;
- Incorrect information within the D&S such as the site being referred to as Station Farmhouse when in fact its Station Farm Cottage;
- The revised house layout footprint would appear to be unchanged;

- The design would seem to readily accommodate a later change to fulfil the scope of the original plan;
- Holiday home;

Third Party representatives have requested that the following conditions are applied to the decision if approved:-

- The removal of householder PD rights;
- The provision of a sample panel of materials to be agreed;
- Details of the positioning and species of a replacement indigenous hedgerow to the southern boundary to be agreed and retained;
- Any construction access utilising the paddock to the south shall be fully reinstated to its former condition to be agreed by the LPA;
- An informative clarifying that the land in the applicant's ownership as outlined in blue on the submitted plans is for agricultural use only.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS01 - Spatial Strategy

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

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

- Planning history;
- Principle of development;
- Impact upon the existing house as a non-designated heritage asset;
- Impact upon form and character of the surrounding area;
- Ecology; and

- Other material considerations

Planning History

The original application (ref: 14/00989/F) for a replacement dwelling and garage was recommended for approval by the case officer but overturned at Planning Committee and refused on the 3rd November 2014. It was refused on two grounds:-

1. The existing dwelling was considered to be a Non-Designated Heritage Asset (NDHA); and
2. The size and design of the replacement dwelling did not reflect the scale and character of its surroundings.

The applicant re-submitted a revised scheme (ref: 15/00218/F) with an accompanying Heritage Statement and a Conditions and Repairs Report. This was subsequently refused at Planning Committee on the 27th April 2015 for the following reasons:-

- 1 The existing dwelling, by virtue of its age, has been identified as a non-designated heritage asset (NDHA) as described in section 12: Conserving and enhancing the historic environment, of the NPPF. The loss of the non-designated heritage asset and its significance would be detrimental to local distinctiveness and the inherent quality of the environment, contrary to paragraph 135 of the NPPF and Core Strategy Policy CS12: Environmental Assets.
- 2 The size and design of the replacement dwelling does not reflect the scale and character of its surroundings and does not preserve the appearance of the street scene or the area in which it sits. Consequently the proposed development is contrary to Section 7: Requiring Good Design, of the NPPF, Core Strategy Policy CS08: Sustainable Development and emerging Development Management Policy DM 5 – Enlargement or Replacement of Dwellings in the Countryside.
- 3 The proposal would result in the loss of roosting space for Common Pipistrelle and Long-eared bats, which are a protected species under the Conservation of Habitats and Species Regulations 2010. Given that the design of the replacement dwelling causes harm to the character of the area in which it sits then the proposal is not in the wider public interest and fails the tests of derogation that must be applied under the Conservation of Habitats and Species Regulations 2010. The impact of the proposal upon European protected species is therefore unacceptable and the application is contrary to Section 11 of the NPPF and policy CS12 of the Core Strategy.

Appeal

The decision was appealed and dismissed by the Planning Inspector on the 6th February 2016. The Inspector considered each reason for refusal in turn, making the following comments:-

Significance of the building to be demolished

“The house has some significance because of its age. It also has an important relationship with the neighbouring farm buildings which appear to be depicted on the extract from a plan described as being from an 1896 lease”.

The Inspector agreed that the simple form and distinctive materials of the original house, despite the alterations, ensure that it complements its setting. He found the combination of

the age of the building, its aesthetic contribution to the landscape and the value of this group of buildings, indicates that it should be considered as a Non-Designed Heritage Asset (NDHA).

However, the Inspector concluded that “given the scale of the alterations and additions and the poor quality and condition of its remaining features, together with the numbers of other buildings in the wider area that appear to have retained more of their original character and identity, he agreed with the appellant that the significance of this NDHA is limited. There would be some harm as a result of its loss but this would also be limited”.

The effect on the character and appearance of the area

The Inspector recognised that the front elevation of the proposed dwelling had been designed to reflect the local vernacular in terms of its form and materials and would therefore be appropriate to its setting.

However the Inspector felt that when approaching the site from the south the proposed dwelling would appear overly dominant and intrusive because of the scale of the rear projection. It was also considered that the design of the rear element would not reflect the more traditional style of the frontage and would add to the overall prominence of the building.

“The garage would add to the perceived scale of in-depth development. The dwelling would appear to be cramped within its plot”.

To conclude, the Inspector states that notwithstanding the high quality design of the frontage of the proposed dwelling and it being in keeping with the positive aspects of the dwelling to be replaced, the substantial depth of the house, at two storey height, and the additional depth of the garage, would result in the built form being overly dominant, detracting from the character and appearance of the area.

The effect on biodiversity

The Inspector states that “The Council previously accepted (ref: 14/00989/F) that the provision of a new dwelling would satisfy the requirements of the Regulations (Conservation of Habitats and Species Regulations 2010) as it would help to retain a residential use of the site, thus helping to address housing need. This represents an imperative reason of a social nature”.

The Inspector concluded that the concern with regard to the character and appearance of the area does not alter this position and the mitigation measures proposed would satisfy the Regulations and would ensure that unacceptable harm to protected species would be avoided.

Other matters

The Inspector acknowledged the potential for landscaping to help screen the dwelling but also enhance both the appearance of the site and the biodiversity of the immediate area.

It was considered that the extent and costs of works to reinstate the existing house illustrated poor viability and offer support for the principle of a replacement dwelling.

Overall the Inspector concluded that whilst there would be some harm as a result of the loss of the NDHA, this would be limited. However, the design of the dwelling, by way of its two storey extension, would appear cramped within its plot, would relate poorly to neighbouring buildings and detract from the character and appearance of the area.

The provision of a new dwelling would bring a number of sustainability benefits and address the concerns with regards to the bat roost.

Although the Inspector felt the harm from the loss of the heritage asset would be limited, the design concerns in the appealed scheme were considered to add to this harm.

The current application before the Committee is a re-submission of the appealed application (ref: 15/00218/F) hoping to address the three reasons for refusal having taken into account the Inspectors comments within the appeal decision.

The Appeal decision made by the Inspector is a material consideration in the determination of this application.

Principle of Development

The site lies within the countryside where policies are restrictive. Locally, Core Strategy Policy CS06 states that the countryside should be protected for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all.

Emerging Development Management Policy DM5 supports replacement dwellings in the countryside where the design is of high quality and will preserve the character or appearance of the street scene 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 amenities of the area or neighbouring properties will be refused.

The principle of a replacement dwelling is therefore acceptable.

Impact upon Existing House as a Heritage Asset

The first reason for refusal on the previous decision (15/00218/F) related to the existing dwelling being identified as a NDHA and the significance of its loss as set above, contrary to paragraph 135 of the NPPF.

Notwithstanding the claims made by the applicant that the dwelling had already undergone unsympathetic changes and was in need of significant repair and renovation works limiting its significance, the Historic Environment Service maintained their opinion that the dwelling was a NDHA.

Within the appeal decision, the Inspector made comment upon the fact that the Historic Environment Service expressed a desire for the retention of the existing dwelling given its age but its significance was not commented upon.

As explained above in this report, whilst the Planning Inspector agreed that the existing dwelling represents a NDHA and there would be some harm as a result of its loss, this would be limited. It was the design faults with the rear element of the replacement dwelling which added to this harm and on balance would cause harm to the character and appearance of the area.

Paragraph 135 of the NPPF states that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

On this basis, it is the case officer's opinion that on interpretation of the appeal decision, if the design and scale of the dwelling, particularly the two storey rear projection, is more in keeping with the traditional form of the existing dwelling and has regard for the character and distinctiveness of the area, the benefit of a sustainable replacement dwelling would outweigh the loss of the Asset, in accordance with paragraph 135 of the NPPF and CS12.

The Historic Environment Service raised no objection to the current application subject to conditions being imposed relating to archaeological work and building recording.

Impact upon Form and Character

The second reason for refusal on the previous decision (15/00218/F) related to scale and design of the replacement dwelling, as set out above.

Policy CS08 was cited in support of the reason for refusal and states new development will be required to demonstrate how it protects and enhances the historic environment as well as how it responds to its context and the character of the area by ensuring that the scale, design, density, layout and access will enhance the quality of the environment. Emerging policy DM5 was also referred to and states that replacement dwellings in the countryside will be permitted where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits.

As discussed above in the report, the Planning Inspector recognised that the frontage of the replacement dwelling was reflective of local building style and materials but because of the two storey addition to the rear it would appear cramped within its plot, would relate poorly to the neighbouring buildings and would detract from the character and appearance of the area.

The Inspector felt that the position of the proposed garage to the rear of the replacement dwelling contributed to the development being cramped.

The scale and design of the replacement dwelling and the position of the garage has been altered in response to the previous Committee decision and the Inspectors comments within the appeal decision.

The width of the main part of the replacement dwelling has been reduced by 600mm and the depth of the two storey rear projection has been reduced by 3.6. There is an additional 2m depth at ground floor level creating a single storey element to the rear.

The materials and fenestration proportions of the two storey rear projection are now more traditional in form and appearance and reflect those of the front elevation and of other buildings within the vicinity, particularly that to the first floor southern elevation where views are more prominent.

The fenestration at ground floor level and eastern (rear) elevation of the rear projection are larger and not necessary strictly 'cottage style' but these will not be overly visible, if at all, within the public domain. On balance it is not considered that they will cause detrimental harm to the character of the replacement dwelling or to the setting of the area.

The proposed garage remains to the rear of the replacement dwelling, however it has been reduced in size, from a triple to a double and has been moved further back within the site to create more separation distance between that and the dwelling. This will help reduce the appearance of cramped development within the plot. The roof configuration has also been amended from that within the previous scheme; it is now a traditional dual pitched roof rather than having hip-ends.

When looking at historic aerial images it is acknowledged that the garage is now located within what was once agricultural land and not originally part of the established residential curtilage of the cottage. However, the land has clearly changed character over time, becoming more integrated into the residential garden curtilage since the removal of a belt of trees. Furthermore, the red line for the application includes this parcel of land and has done so in each of the previous applications, therefore it would be unreasonable to insist on relocating the garage and restricting the inclusion of this piece of land within the curtilage.

The inclusion of this parcel of land aids the separation distance between the garage and the replacement garage, thus helping to minimise any cramped form of development. It is not considered that by including this land within the residential curtilage would cause any significant harm to the form and character of the countryside or to the setting of this site.

The paddock to the south of the site is outlined as blue land and therefore does not form part of the residential curtilage of the site.

It is your officer's opinion that the applicant has adequately addressed the second reason for refusal with regards to scale and design of the replacement dwelling and the proposal therefore accords with section 7 of the NPPF, policies CS06, CS08 and DM5.

Ecology

The application is the subject of a bat and owl survey given the nature and age of the property proposed to be demolished. The existing building and site was surveyed fully twice before the previous application (15/00218/F) and there has since been updated surveys (Emerging: 3/08/16, 23/08/16 and Final: 14/09/16) for the purposes of the current application.

In the original surveys there were 2 common pipistrelle bats and one long-eared bat found roosting beneath the roof tiles and in the eaves of the existing dwelling. In the updated survey a small number of fresh brown long eared droppings were noted in the loft of the house, suggesting continued but low level use in the 2 years since the previous survey. The same number of each of the bat species continues to roost under the tiles of the existing property.

Mitigation measures have been recommended in the report such as providing roosting boxes within the new dwelling, garage and on trees in close proximity to the property. It is also recommended that there will be provision of a void within the roof of the garage.

6 wooden Kent boxes are proposed on two trees within the grounds and these boxes should be erected prior to the development commencing so that there is somewhere to place any bats that might be discovered as part of the demolition works.

No evidence of barn owl or breeding birds was noted.

As the demolition of the property will remove roosting sites for the bats, the works will need to be subject to an EPS bat licence. This is issued by Natural England and can only be applied for once planning permission has been granted.

In April 2015, Natural England launched a new Class Licence. This allows for low impact works on common bat species. Philip Parker Associates (carried out the Surveys) is a registered consultant to work under this licence.

Over the course of the 2014 and 2016 surveys, up to 6 separate bat roosting sites have been recorded, albeit under separate tiles in 2 separate structures. This may therefore fall

outside the remit of the new Class Licence (up to three roosting sites only) but this will be checked with Natural England if planning permission is granted. If outside the remit, a full EPS licence will be required.

The Conservation of Habitats and Species Regulations 2010 prohibits 'the deliberate capturing, killing or disturbance and against the damage or destruction of a resting place of a European protect Species' unless three tests can be met. The tests are that:

1. There are imperative reasons of overriding public interests why the operation should be carried out;
2. There are no satisfactory alternatives; and
3. It would not be detrimental to the maintenance of the population of species.

The third reason for refusal on the previous decision related to the impact on protected species. It was considered that given that the replacement house did not maintain the local character and high quality environment, in accordance with CS06, it could not pass the first test within the Conservation of Habitats and Species Regulations 2010. The impact of the proposal upon protected species was therefore deemed to be unacceptable as the standing advice is clear that all three tests must be met

The applicant has amended the design of the property in response to the previous decision and this is a material consideration under these circumstances. As laid out above in the report, it is felt that the scale and design concerns have been sufficiently addressed and therefore the third reason for refusal can be subsequently addressed. Taking each test in turn:-

1) Public Interest:

Natural England's guidance advises that 'Imperative Reasons of Overriding Public Interest' 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 and local level. The Local Development Framework shows a need for building housing in the borough over its fifteen year life (2011-2026) and the replacement dwelling would help retain a residential use at the site thus helping to address this need. Furthermore development which maintains local character and a high quality environment complies with Core Strategy Policy CS06.

2) Alternatives:

In relation to the second test, the Local Planning Authority is satisfied that there are no satisfactory alternatives; the continued degradation of the existing dwelling would ultimately be of detriment to the area or would require significant repairs and would result in the loss of a habitat.

3) Impact:

In relation to the third test, whilst there would be some limited short-term impact on protected species (mitigated by proposals outlined in the Ecology Survey), the long-term outlook is improved by the proposed replacement as without the replacement the building could remain unused and fall into further disrepair with the potential loss of the protected species roosts altogether.

In summary, your case officer concludes that the granting of planning permission would be in accordance with Natural England's guidance in relation to the Habitats Regulations 2010, section 11 of the NPPF and CS12.

Other Material Considerations

Crime and Disorder:

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

Parish Council and Third Party Representations

With regards to the Parish Council's and third party concerns / representations, most of which have been addressed above in the main body of the report, consideration will be given to the remainder as follows:-

- It is now proposed to demolish the existing dwelling prior to the construction of the replacement dwelling. This will enable construction traffic to enter from the site frontage and not from the paddock entrance. A condition will be imposed requesting a construction management plan so that this can be controlled.
- The land ownership disputes are not a material planning consideration. This is a civil matter between the applicant and the neighbouring land owner.
- A planting scheme condition will be imposed to ensure the site is adequately landscaped as commented on by the Planning Inspector.
- Details of the boundary treatment to the southern boundary of the site will be conditioned.
- Maintenance of the neighbouring boundary wall to the north and any impact on the wall is a matter to resolve between the applicant and the neighbouring land owner; this is not a material planning consideration.
- Reference made to the property being named incorrectly is immaterial to the determination of this application.
- All householders benefit from Permitted Development Rights and the applicant / occupier of the dwelling could potentially increase the size of the property under the criteria laid out in the Order. However, because there have been concerns over the scale and design of the dwelling in past applications, it would be reasonable to remove PD Rights for extensions to the property – this will be conditioned.
- A condition will be imposed requesting a sample panel of materials to be erected on site.
- It is unnecessary to attach an informative relating to the paddock as this is clearly blue land as shown on the approved plan and does not therefore form part of the residential curtilage.

CONCLUSION

It is your officer's opinion that the proposed replacement dwelling now relates satisfactorily to the site, in terms of its scale, mass, design and appearance and has regard for the character of the surrounding countryside and the distinctiveness of the adjacent buildings. It is therefore considered that the second reason for refusal on the previous decision has been adequately addressed, in accordance with section 7 of the NPPF, Core Strategy Policies CS06 and CS08 and Development Management Policy DM5.

The significance of the existing dwelling has been assessed against the criteria set out within the NPPF and whilst it is recognised that the dwelling is a Non-Designated Heritage Asset, its significance is limited. As it is considered that the design of the replacement dwelling is now to a high standard, this will address the first reason for refusal with regards to the NDHA as expressed by the Planning Inspector. The high standard of design of the replacement dwelling and its sustainability benefits outweighs the harm resulting from the loss of the existing dwelling, in accordance with the paragraph 135 of the NPPF and Core Strategy Policies CS08 and CS12.

The bat and owl survey reported that small numbers of common bat species are evident within the dwelling. Mitigation measures will be put in place thereby not adversely affecting the species for the long term. As it is considered that the design of the replacement dwelling is now acceptable, the three tests of derogation to be applied in these circumstances are considered to be passed. It is therefore considered that the third reason for refusal on the previous decision has been adequately addressed, in accordance with the Conservation of Habitats and Species Regulations 2010, section 11 of the NPPF and Core Strategy Policy CS12.

There will be no material impact upon neighbouring residents or highway safety as a result of the proposed development.

In light of national and local planning policy and guidance and other material considerations it is recommended that this application be approved subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans; 2/602/21, 2/602/22A, 2/602/23 and 2/602/25.
- 2 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 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 2/602/23) in accordance with the highway

specification (Dwg. No. TRAD 4). Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

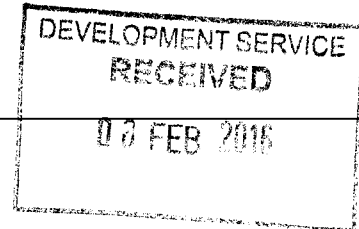
- 4 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 5 Condition Vehicular access to and egress from the adjoining highway shall be limited to the access (es) shown on drawing No. 2/602/23 only. Any other access or egresses shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.
- 5 Reason In the interests of highway safety.
- 6 Condition Prior to the first occupation of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway. Any sidewalls / fences / hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the (outside) gateposts to the front boundary of the site.
- 6 Reason To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened.
- 7 Condition Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 7 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 8 Condition No demolition shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording which has been submitted by the applicant and approved in writing by the local planning authority.
In this case the recording will comprise a photographic survey of the building in accordance with a brief issued by Norfolk Historic Environment Service.
- 8 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 9 Condition No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:
 1. An assessment of the significance of heritage assets present
 2. The programme and methodology of site investigation and recording
 3. The programme for post investigation assessment of recovered material
 4. Provision to be made for analysis of the site investigation and recording
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 6. Provision to be made for archive deposition of the analysis and records of the site investigation

7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 9 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 10 Condition No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 9.
- 10 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 11 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 9; and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 11 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 12 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 12 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 13 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 13 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 14 Condition The demolition of the existing dwelling shall be undertaken in September, October or April.
- 14 Reason To avoid the main periods for roosting bats, ensuring their protection, in the interests of the NPPF and the Habitats Regulations 2010.
- 15 Condition The development shall be carried out in strict accordance with the mitigation measures laid out in the Bat and Owl Survey Final prepared by Phillip Parker Associated on 29th September 2014 and the Survey Update prepared on 14th September 2016. .

- 15 Reason In the interests of protected species, in accordance with the provisions of the NPPF and the Habitats Regulations 2010.
- 16 Condition Prior to the commencement of development, full details of the bat boxes to be installed within the existing trees and within the dwelling and garage hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Six bat boxes shall be erected on 2 no trees within the grounds of the property prior to the commencement of any development on site, including demolition of the existing dwelling. The boxes erected on the garage and dwelling shall be installed prior to the use of the property.
- 16 Reason In the interests of protected species, in accordance with the provisions of the NPPF and the Habitats Regulations 2010.
- 17 Condition Prior to the commencement of any works a Construction Traffic Management Plan and Access Route shall be submitted to and approved in writing with the Local Planning Authority. For the duration of the construction period all traffic associated with the demolition of the existing dwelling and construction of the replacement dwelling shall comply with the approved plan.
- 17 Reason In the interests of maintaining highway efficiency and safety and in the interests of protecting the character of the site.
- 18 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 18 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.
- 19 Condition Prior to the first occupation of the development hereby approved, full details of the landscaping to the site frontage as shown on approved plan no. 2/602/23 shall be submitted to and approved in writing by the Local Planning Authority. These details shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 19 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 20 Condition All landscaping shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation 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.

- 20 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 21 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(s) are 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.
- 21 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 22 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.
- 22 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.



Appeal Decision

Site visit made on 3 December 2015

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 February 2016

Appeal Ref: APP/V2635/W/15/3130537

Station Farm Cottage, Station Road, Stanhoe, Norfolk PE31 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs D Miller against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 15/00218/F, dated 10 February 2015, was refused by notice dated 28 April 2015.
 - The development proposed is the demolition of existing dwelling and replacement with new dwelling.
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Application for Costs

1. An application for costs was made by Mr and Mrs D Miller against King's Lynn and West Norfolk Borough Council and is the subject of a separate decision.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues are the effect on the character and appearance of the area with particular reference to the existing building as a non-designated heritage asset; and the effect on biodiversity.

Reasons

Significance of the building to be demolished

4. The proposal would result in the demolition of the existing dwelling. The Council consider it to be a non-designated heritage asset. It is described as a former small flint and brick farmhouse marked on the 1887 edition of the Ordnance Survey. Paragraph 135 of the *National Planning Policy Framework* requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
 5. The County's Historic Environment Service describe the original building and establish its age but its significance is not commented upon. They express a preference for its retention. The Council's officer report similarly does not
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describe the significance of the building. A previous officer report, considering a similar proposal (application 14/00989/F), stated that whilst the building is of an age that would indicate its significance as a non-designated heritage asset, it has been altered unsympathetically over time. The report also concluded that the loss of the dwelling would not cause significant harm to the character or quality of the area and limited weight should be given to its retention.

6. The main part of the building is reflective of the local building style and materials. The brick and flint elements which form the oldest part of the building have been substantially altered and added to. The two storey extension is dominant and unsympathetic. The building is in a poor state of repair structurally; the windows are unsympathetic; and repairs have been carried out in inappropriate materials. The works necessary to bring it to modern standards would require significant alterations to the remaining internal fabric and its roof.
7. The house has some significance because of its age. It also has an important relationship with the neighbouring farm buildings which appear to be depicted on the extract from a plan described as being from an 1896 lease. The simple form and distinctive materials of the original house, despite the alterations, ensure that it complements its setting. Overall, although I agree with much of the content of the appellants' *Supplementary Assessment for Buildings Against a Non-Designated Heritage Asset Criteria* document, I find the combination of the age of the building, its aesthetic contribution to the landscape and the value of this group of buildings, to indicate that it should be considered as a non-designated heritage asset.
8. Given the scale of the alterations and additions and the poor quality and condition of its remaining features, together with the numbers of other buildings in the wider area that appear to have retained more of their original character and identity, I agree with the appellants, that the significance of this non-designated heritage asset is limited. There would be some harm as a result of its loss but this would also be limited.

The effect on the character and appearance of the area

9. The proposal would involve the erection of a new house. The frontage has clearly been designed to reflect the local vernacular in terms of its materials and form. This front element would be larger than that of the existing dwelling but as it would be set back from the road, its prominence would be reduced. In views from the front, it would have a good quality design and the materials would be appropriate to this setting.
10. When approaching from the south, the existing dwelling sits relatively unobtrusively because of its orientation and limited depth. It is viewed in association with the farm buildings, set at a lower level beyond. The proposed dwelling would appear overly dominant and intrusive because of the scale of the rear projection. The garage would add to the perceived scale of in-depth development. There is some dispute as to the extent of the residential curtilage of the existing house but even on the basis of the boundaries shown on the layout plan, the new dwelling would appear cramped within its plot.
11. The rear projection would be an overly dominant feature that would detract from the form and proportions of the front element of the house. The design

detailing of the rear element would not reflect the more traditional style of the frontage. Part of this section would be evident from the road and would add to the overall prominence of the building.

12. Views of the new property from the north would be restricted because of the large conifers along the roadside. The proposed substantial rear element would however be visible from the open area of the access and if the trees were to be removed, the scale of this elevation would be extremely prominent. Despite the proposed position of the house, a building of this perceived scale would be overly dominant and would detract from this rural setting. It would be at odds with the existing house, which sits relatively unobtrusively due to its form. It would also be at odds with the two neighbouring houses which have a limited wider impact due to their individual forms and settings.
13. The front section of the house would be of a high quality design and would be in keeping with the positive aspects of the dwelling to be replaced. However, the substantial depth of the house, at two storey height, and the additional depth of the garage, would result in the built form being overly dominant. It would not respect its setting or the surrounding development and it would detract from the character and appearance of the area.
14. The proposal would conflict with Policies CS06 and CS08 of the Core Strategy 2011 (CS) as it would not respond to or maintain the existing context and character and it would not enhance or result in a high quality environment. It would also conflict with emerging Policy DM5 of the Site Allocations and Development Management Policies Pre-Submission Document with regard to visual impact.

The effect on biodiversity

15. The appellants have provided a comprehensive report which identifies mitigation measures to replace the existing roosting space for bats. It includes timetables for works to avoid disturbance. The Conservation of Habitats and Species Regulations 2010 allow for a number of activities, that would normally be prohibited, through derogations listed in Regulation 53. These include preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature.
16. The Council previously accepted that the provision of a new dwelling would satisfy the requirements of the Regulations as it would help to retain a residential use of the site, thus helping to address housing need. This represents an imperative reason of a social nature. The concern with regard to the character and appearance of the area does not alter this position. The mitigation measures would satisfy the Regulations and would ensure that unacceptable harm to protected species would be avoided.
17. The surveyor's report identifies many concerns with regard to the existing dwelling and it does not currently appear to be fit for habitation. A replacement dwelling or substantial works to bring the existing up to a satisfactory standard, are the options available. Both would result in the loss of the roosting space as it is clear that a new roof would be required for the existing house. A replacement roof is therefore necessary whether it is on a replacement house or the existing. I therefore find that there is no satisfactory alternative.

Other matters

18. The new property would be built with good sustainability credentials. It would also offer improved living conditions. I acknowledge the potential for landscaping to help to screen the dwelling but also to enhance both the appearance of the site and the biodiversity of the immediate area. These matters gain support from elements of CS Policies CS12 and CS08.
19. The extent and costs of the works to reinstate the existing house have been provided. These illustrate poor viability and offer support for the principle of a replacement dwelling. I also note the positive views of the Parish Council.
20. References have been made to permitted applications relating to replacement dwellings in the area. I do not have the details of the particular considerations that led to the decisions but in any event, I must consider this proposal on its own particular merits.
21. Details of potential permitted development allowances have been illustrated and compared to the size of the building proposed but these do not offer support for the scale of the rear two storey element.

Conclusions

22. The existing dwelling represents a non-designated heritage asset although its significance is limited. There would be some harm as a result of its loss but this would also be limited. However, the proposed dwelling, because of the scale of the two storey addition in particular, would appear cramped within its plot, would relate poorly to the neighbouring buildings and would detract from the character and appearance of the area.
23. The provision of a new dwelling would bring a number of sustainability benefits and the concerns with regard to the bat roost would be adequately addressed. Although supporting the sustainability objectives of Policy CS08, it would conflict with its design requirements and those of Policy CS06.
24. Although the harm from the loss of this heritage asset would be limited, the design concerns would add to this harm. The sustainability benefits weigh in its favour but they are not sufficient to result in support from Policy CS12 which seeks to avoid, mitigate or compensate for any adverse impacts on heritage. Overall, I find conflict with the CS policies and as these generally accord with the design and heritage requirements of the *Framework*, they can be afforded considerable weight.
25. With regard to the *Framework*, although there would be some sustainability benefits and some improvements to the housing stock, on balance, these matters would not be sufficient to outweigh the harm to the character and appearance of the area and the limited harm resulting from the loss of the heritage asset. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the September Planning Committee Agenda and the October agenda. 138 decisions issued, 129 decisions issued under delegated powers with 9 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 24/08/16 - 20/09/16

	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	11	8	3		8	73%	60	50	2	1
Minor	62	50	12	54		87%	65		3	2
Other	65	63	2	60		92%	80		1	0
Total	138	121	17							

Planning Committee made 9 of the 138 decisions, 6.5%

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PLANNING COMMITTEE - 4 OCTOBER 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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17.12.2014	20.09.2016 No objections to Crown application	14/01795/S36	Dong Energy RB (UK) Ltd Site For Race Bank Offshore Wind Farm North of Peter Scott Walk (Coastal Footpath) Terrington St Clement Norfolk Variation to consent relating to the use of larger offshore substations, reducing the substations permitted from three to two	King's Lynn
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18.07.2016	16.09.2016 Application Permitted	16/01320/F	Mr & Mrs P Elliott Brecham Lodge Church Lane Great Bircham King's Lynn Extension and refurbishment of existing dwelling	Bircham
25.07.2016	19.09.2016 Consent Required	16/01365/T3	Construction Industry Training Centre (CITB) Construction Industry Training Centre (CITB) Stanhoe Road Bircham Newton Norfolk Upgrade to existing equipment	Bircham
08.07.2016	05.09.2016 Application Permitted	16/01247/F	Mr & Mrs D Shelley 11 Norton Street Burnham Norton Norfolk PE31 8DR Proposed extension (revised design)	Burnham Norton
04.07.2016	08.09.2016 Application Permitted	16/01218/F	Mr & Mrs A Curtis Horsemans Cottage Mill Hill Road Boughton King's Lynn Construction of single storey rear extension following removal of existing conservatory	Boughton
20.05.2016	19.09.2016 Application Permitted	16/00929/F	Mr And Mrs D Jefford Maremma London Street Brancaster King's Lynn Extension and alterations to dwelling	Brancaster

30.06.2016	07.09.2016 Application Permitted	16/01206/F	Mr & Mrs John Ellison Barrowdale Orchard Close Brancaster Staithe King's Lynn Roof alterations, replacement rear garden room, external renovations and extension to front/north elevation plus boat store	Brancaster
04.07.2016	14.09.2016 Was Lawful	16/01227/LDE	Mr And Mrs Geoffrey And Anne Bottom The Nodd Orchard Close Brancaster Staithe King's Lynn Application for Lawful Development Certificate: use of land included in residential curtilage	Brancaster
14.03.2016	16.09.2016 Application Permitted	16/00512/O	Mr R Streeter Tanglewood 5 Herrings Lane Burnham Market King's Lynn Outline Application: Replacement dwelling	Burnham Market
11.04.2016	14.09.2016 Application Permitted	15/01810/VAR	Fleur Developments Ltd Foundry Place Burnham Market Norfolk Application to vary the terms of a S106 Agreement relating to affordable housing	Burnham Market

07.07.2016	07.09.2016 Application Permitted	16/01254/F	Mrs Alison Marcuse Hall Farm House Herrings Lane Burnham Market King's Lynn First floor extension and internal alterations	Burnham Market
05.08.2016	09.09.2016 Application Permitted	14/01517/NMA_1	King's Lynn Golf Club King's Lynn Golf Club Lynn Road Castle Rising King's Lynn NON-MATERIAL AMENDMENT TO PLANNING CONSENT 14/01517/F: Open fronted cover to existing astro turf	Castle Rising
14.09.2015	09.09.2016 Application Refused	15/01446/O	Mr And Mrs N Jordan Margaretta House 100 Main Road Clenchwarton Norfolk Outline application: New residential housing development	Clenchwarton
31.03.2016	26.08.2016 Application Refused	16/00644/O	Elm Park Holdings Ltd Fosters Sports Ground Ferry Road Clenchwarton Norfolk Outline Application: residential development for up to 9 dwellings (Phase 3)	Clenchwarton
17.05.2016	16.09.2016 Prior Approval - Approved	16/00948/PACU3	Banklands Farm Barns Hall Road Clenchwarton Norfolk Prior Noticiation: Change of use of agricultural barn to dwellinghouse	Clenchwarton

11.07.2016	14.09.2016 Application Permitted	16/01262/F	Mr R Brown The Old Stone Tunnel Barn 199 Clenchwarton Road West Lynn King's Lynn Conversion and extension of barn to dwellinghouse	Clenchwarton
12.08.2016	12.09.2016 Consent Required Not	16/01484/AG	Mr And Mrs Statham Meadow View Black Horse Road Clenchwarton King's Lynn Agricultural Prior Notification: Hay barn and store building	Clenchwarton
25.05.2016	07.09.2016 Application Refused	16/00995/O	Client of Ian J M Cable Architectural Design Land Between 99 And 103 Sluice Road Denver Norfolk Outline Application: Single residential dwelling	Denver
28.07.2016	16.09.2016 Application Permitted	16/01380/F	Mr & Mrs T Watson 17 Whin Common Road Denver Downham Market Norfolk Rear extension to bungalow and construction of garage	Denver
20.10.2015	09.09.2016 Application Permitted	15/01685/F	Dersingham Parish Council Church Hall 83 Manor Road Dersingham Norfolk Renovation and extensions, including external works to car park and landscaping, to existing church hall to provide new village hall	Dersingham

24.06.2016	07.09.2016 Application Permitted	16/01163/F	Mr R Guyatt And Miss H Hopkins 26 Centre Vale Dersingham King's Lynn Norfolk Proposed alterations and extension of existing property	Dersingham
20.07.2016	16.09.2016 Application Permitted	16/01326/F	CTIL And Telefonica UK Ltd Station Yard Station Road Dersingham Norfolk Installation of an 18 metre high lattice tower supporting 6 no. antennas and 2 no. transmission dishes, the installation of 3 no. radio equipment cabinets and a metre cabinet, a 2.0 metre high security fence and development works ancillary thereto	Dersingham
21.07.2016	16.09.2016 Application Permitted	16/01344/F	Mr N Austin 79 Lynn Road Dersingham King's Lynn Norfolk Detached Garage	Dersingham
29.07.2016	20.09.2016 Application Permitted	16/01384/F	Mr & Mrs Whiting Orchids 20 Saxon Way Dersingham King's Lynn Extension to side and rear of dwelling	Dersingham

12.08.2016	08.09.2016 Application Permitted	15/00974/NMA_1	Nick Riddington 1 Heath Road Dersingham King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 15/00974/F: To fit white woodgrain effect Upvc framed windows instead of wooden frames	Dersingham
29.04.2016	08.09.2016 Application Permitted	16/00825/F	Mr S Cross 19 Stowfields Downham Market Norfolk PE38 9UX Proposed extension <input type="checkbox"/> alterations to 19 Stowfields	Downham Market
27.05.2016	15.09.2016 Application Permitted	16/01021/RMM	Mrs Rita Cornelius 118 & 118A Bexwell Road Downham Market Norfolk PE38 9LJ RESERVED MATTERS: Residential development for 18 dwellings	Downham Market
02.06.2016	25.08.2016 Application Permitted	16/01049/F	Me L York And Miss A Hornby Sharon 153 Broomhill Downham Market Norfolk Variation of condition 2 of planning permission 15/00057/F: To vary previously approved plans	Downham Market

28.06.2016	05.09.2016 Application Permitted	16/01173/F	Downham Market Academy Sixth Form Centre Downham Market High School Ryston End Downham Market Norfolk Installation of 2m high Jupiter mesh (green) fencing	Downham Market
05.07.2016	25.08.2016 Application Permitted	16/01229/F	Countywide Abbotts Estate Agents Ltd 16 Bridge Street Downham Market Norfolk New ground floor window to the side elevation and air conditioning unit to the same elevation	Downham Market
05.07.2016	26.08.2016 Application Permitted	16/01230/LB	Countywide Abbotts Estate Agents Ltd 16 Bridge Street Downham Market Norfolk LISTED BUILDING APPLICATION: New ground floor window to the side elevation	Downham Market
28.07.2016	12.09.2016 Application Permitted	16/01383/F	Mr & Mrs S Spratt 42 Collingwood Road Downham Market Norfolk PE38 9SB Extension to dwelling	Downham Market
08.08.2016	16.09.2016 Application Permitted	16/01453/F	Mr & Ms Aspinall & Layn 22 Wingfields Downham Market Norfolk PE38 9AR Retention and approval of flue installation	Downham Market

29.06.2016	07.09.2016 Application Permitted	16/01203/O	Mr J Manning Land To the North of 86 Hollycroft Road Emneth Wisbech Norfolk OUTLINE APPLICATION: Residential development for 5 dwellings	Emneth
07.07.2016	15.09.2016 Application Permitted	16/01248/O	Mrs A Cox Land At Church Road Emneth Norfolk Outline Application: construction of two dwellings	Emneth
05.11.2015	09.09.2016 Application Permitted	15/01793/OM	Mr P Burman Land South of Gayton Road East Winch Norfolk Outline application for proposed development of 10 dwellings and creation of access to agricultural land to the rear	East Winch
21.07.2016	20.09.2016 Application Permitted	16/01348/F	Mr Shaun Riches Halmoire Southery Road Feltwell Thetford Change of use to allow parking of two heavy goods vehicles and trailers on existing hard-standing area	Feltwell

11.05.2016	09.09.2016 Application Permitted	16/00895/F	Mr & Mrs Lukey St Felix House Church Road Flitcham Norfolk Proposed detached garage & pitched roof to replace flat roof	Flitcham with Appleton
04.11.2015	14.09.2016 Application Refused	15/01789/O	Mr & Mrs D Morrell East of Meadowvale Lime Kiln Road Gayton King's Lynn Outline application for site development for 4 detached dwellings	Gayton
03.03.2016	15.09.2016 Application Refused	16/00444/OM	The Gayton Estate Land At Manor Farm Back Street Gayton Outline Major Application: Residential development comprising 40 dwellings to include 8 self build custom built dwellings and access	Gayton
05.04.2016	15.09.2016 Application Refused	16/00647/OM	New Hall Properties (Eastern) Ltd Land To the North St Nicholas Close Gayton King's Lynn Outline Major Application: Up to 50 dwellings	Gayton
06.07.2016	20.09.2016 Permitted Development _App not reqd	16/01280/F	Longhurst Housing Group 52 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton

06.07.2016	19.09.2016 Permitted Development _App not reqd	16/01281/F	Longhurst Housing Group 54 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
06.07.2016	19.09.2016 Permitted Development _App not reqd	16/01282/F	Longhurst Housing Group 56 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
06.07.2016	20.09.2016 Permitted Development _App not reqd	16/01283/F	Longhurst Housing Group 1 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
06.07.2016	20.09.2016 Permitted Development _App not reqd	16/01284/F	Longhurst Housing Group 3 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
06.07.2016	20.09.2016 Permitted Development _App not reqd	16/01285/F	Longhurst Housing Group 14 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
06.07.2016	19.09.2016 Permitted Development _App not reqd	16/01287/F	Longhurst Housing Group 60 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
06.07.2016	19.09.2016 Permitted Development _App not reqd	16/01289/F	Longhurst Housing Group 69 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton

06.07.2016	19.09.2016 Permitted Development _App not reqd	16/01292/F	Longhurst Housing Group 67 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
06.07.2016	19.09.2016 Permitted Development _App not reqd	16/01294/F	Longhurst Housing Group 44 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
14.07.2016	20.09.2016 Permitted Development _App not reqd	16/01286/F	Longhurst Housing Group 9 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
14.07.2016	19.09.2016 Permitted Development _App not reqd	16/01288/F	Longhurst Housing Group 20 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
14.07.2016	20.09.2016 Permitted Development _App not reqd	16/01290/F	Longhurst Housing Group 31 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
14.07.2016	19.09.2016 Permitted Development _App not reqd	16/01291/F	Longhurst Housing Group 37 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton

15.07.2016	20.09.2016 Permitted Development _App not reqd	16/01308/F	Longhurst Housing Group 24 Springvale Gayton King's Lynn Norfolk Installation of air source heat pump	Gayton
11.03.2016	12.09.2016 Application Refused	16/00506/F	Mr And Mrs P Barlow Site Adjacent Hawthorn House Cliffe En Howe Road Pott Row Proposed two new dwellings	Grimston
13.07.2016	07.09.2016 Application Permitted	16/01300/F	Mr S O'Brien Mill Hill Nursery Cliffe En Howe Road Pott Row Norfolk Installation of 4 no. rooflights	Grimston
19.07.2016	16.09.2016 Application Permitted	16/01333/F	Mr & Mrs S White 31 Church Close Grimston King's Lynn Norfolk Demolition of single storey extension and construction of a new two and one storey extensions and front canopy	Grimston
22.06.2016	26.08.2016 Application Permitted	16/01150/F	Mr And Mrs Gostling 7 - 8 Rectory Row Sandy Lane Great Massingham King's Lynn Subdivision of dwelling to create two dwellings, single storey extension and demolition of rear lean-to	Great Massingham

01.07.2016	07.09.2016 Application Permitted	16/01208/F	Mr & Mrs Odell Belvedere 6 Mill Lane Great Massingham King's Lynn Rear, side extension to create additional family living space	Great Massingham
10.06.2016	12.09.2016 Application Permitted	16/01098/F	Tythe Farm Ltd The Bungalow School Lane Harpley Norfolk Removal of condition 2 of planning permission 2/80/3528/F: To remove occupancy restriction	Harpley
07.07.2016	05.09.2016 Application Permitted	16/01243/F	Mr J Quinan 20A Folgate Road Heacham King's Lynn Norfolk Extension	Heacham
22.07.2016	16.09.2016 Application Permitted	16/01357/A	Boots UK Boots 44 - 46 Station Road Heacham Norfolk ADVERT APPLICATION:2 x internally illuminated fascia signs and 1 x non-illuminated fascia sign	Heacham
26.07.2016	19.09.2016 Application Permitted	16/01366/F	Mr & Mrs F Eon The Forge 1 Smithy Close Heacham King's Lynn Single storey rear extension and internal alterations following demolition of existing conservatory	Heacham

30.06.2016	09.09.2016 Application Permitted	16/01215/F	Mrs T Wilson 45 Tower Road Hilgay Downham Market Norfolk Completion and retention of two storey and single storey extension at rear of house and construction of hobbies workshop in rear garden	Hilgay
21.06.2016	07.09.2016 Application Permitted	16/01144/F	Ms Z Howlett Pathways 38 South Street Hockwold cum Wilton Norfolk Single storey rear extension	Hockwold cum Wilton
08.08.2016	06.09.2016 Application Permitted	15/01472/NMA_1	Mr & Mrs C Williams Land East of the Old Barn South Street Hockwold cum Wilton Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 15/01472/F: Construction of three dwellings	Hockwold cum Wilton
15.12.2015	15.09.2016 Application Refused	15/02038/F	A R & V Investments Ltd The Poplars 42 Main Road Holme next the Sea Norfolk Erection of replacement dwelling with detached garage and annex accommodation over	Holme next the Sea

22.06.2016	07.09.2016 Application Permitted	16/01148/F	Ms Debbie Carslaw The Pepperpot Broadwater Road Holme next the Sea Norfolk Extension to dwelling and alterations to ground floor. Demolition of detached garage and replacement with detached garage / studio	Holme next the Sea
28.06.2016	06.09.2016 Application Permitted	16/01201/LB	Mrs Glynis Tomson The White Horse 40 Kirkgate Holme next the Sea Norfolk Listed Building Application: Colour wash change from white to blue and replacement advertisements	Holme next the Sea
08.07.2016	07.09.2016 Application Permitted	16/01255/A	White Horse Public House The White Horse 40 Kirkgate Holme next the Sea Norfolk Advertisement application: 2x non-illuminated fascia signs and 1x illuminated free-standing hanging sign	Holme next the Sea
16.05.2016	16.09.2016 Application Permitted	16/00920/F	Mr Tim Hearth Hearth Manor 7 Belgrave Avenue Hunstanton Norfolk The Creation of an in and out drive, with gates at either end and a fence in the middle, 6ft fence and gates.	Hunstanton

12.07.2016	06.09.2016 Application Permitted	16/01277/F	Mr Sherridan Downen The Firs 50 Kings Lynn Road Hunstanton Norfolk Replacement detached garage/store, single storey extension and replacement pitched roof over former flat roofed extension	Hunstanton
25.07.2016	16.09.2016 Application Permitted	16/01364/F	Mrs Amy Matthews 6 Hastings Drive Hunstanton Norfolk PE36 6HB Single storey extension to rear of existing two storey dwelling and increasing of vehicular access width from 3m to 3.6m	Hunstanton
26.07.2016	16.09.2016 Application Permitted	16/01369/F	Mr Phillip Rhodes 34 Windsor Rise Hunstanton Norfolk PE36 5JE Domestic lounge extension (Disability Use)	Hunstanton
19.07.2016	07.09.2016 Prior Approval - Approved	16/01321/PACU3	Mrs L Fitt Oak Farm Nurseries Oak Farm The Drift Ingoldisthorpe Prior Notification for change of use from agricultural barn to dwellinghouse	Ingoldisthorpe

26.01.2016	19.09.2016 Application Permitted	15/00252/NMA_1	Freebridge Community Housing Hillington Square King's Lynn Norfolk Non-material amendment to planning permission 15/00252/F: Variation of condition 6 of planning permission 14/01254/F to alter frame configurations to ground floor units, addition of obscure glass to lower panels of windows and change of pattern of some entrance door styles	King's Lynn
21.03.2016	12.09.2016 Application Permitted	16/00574/F	Rexstone Properties Ltd Land At Corner of Baker Lane And Queen Street King's Lynn Norfolk Variation of condition 8 of planning application 13/01517/F to vary approved plans replacing commercial units with 3 flats resulting in a scheme for 10 flats in total with associated amendments to design	King's Lynn
13.04.2016	05.09.2016 Application Refused	16/00715/A	Ms G Gay Eclipse Hair 23 Tower Place King's Lynn Norfolk ADVERT APPLICATION: New hanging sign	King's Lynn

12.05.2016	07.09.2016 Application Permitted	16/00911/F	Mr A Griffin 7 Newlands Avenue King's Lynn Norfolk PE30 2NJ Extension to dwelling and self contained detached annex	King's Lynn
27.05.2016	05.09.2016 Application Permitted	16/01020/CU	Mr Daniel O'Cruelly 1A River Lane Gaywood King's Lynn Norfolk Change of use of part of ground floor to tattoo artist studio and part of ground floor to Retail (A1)	King's Lynn
03.06.2016	06.09.2016 Application Permitted	16/01056/F	Metric Property King's Lynn Ltd Pierpoint Retail Park Hansa Road Hardwick Industrial Estate King's Lynn Erection of a Drive Thru unit (class A1/A3), works to unit 3, car park reconfiguration and associated works	King's Lynn
07.06.2016	15.08.2016 Application Permitted	06/01397/NMA_1	Taylor Wimpey East Anglia Land South of Winston Churchill Drive And East of A149 King's Lynn Norfolk NON-MATERIAL AMENDED TO PLANNING CONSENT 06/01397/F: Variation of condition 1 attached to Planning Permission 2/99/1367/O to extend the time period for submission of reserved matters and implementation by 3 years	King's Lynn

14.06.2016	07.09.2016 Application Permitted	16/01108/F	North Hirne Court Management Co North Hirne Court St Anns Street King's Lynn Norfolk 10 No Replacement Windows to Flat 2, 6, & 7	King's Lynn
01.07.2016	16.09.2016 Application Permitted	16/01216/F	Mr R Medlock 44 King George V Avenue King's Lynn Norfolk PE30 2QF Proposed loft conversion with the creation of a flat roof dormer window	King's Lynn
04.07.2016	07.09.2016 Application Permitted	16/01207/LB	North And Hawkins Hanse House South Quay King's Lynn Norfolk Listed Building Application: Construction of timber stud partition walls, levelling the floor, installation of two base kitchen units with work surface, plumbing and electrical works	King's Lynn
04.07.2016	05.09.2016 Application Permitted	16/01220/F	Mr & Mrs Wood 3 Gresham Close King's Lynn Norfolk PE30 3EJ Demolition of existing rear extension and construction of two storey rear extension	King's Lynn

04.07.2016	05.09.2016 Application Permitted	16/01228/CU	Mr B Puricelli 13 Railway Road King's Lynn Norfolk PE30 1NE Change of use of ground floor from restaurant to dwelling. First floor is existing dwelling	King's Lynn
06.07.2016	06.09.2016 Application Refused	16/01235/F	Mr Charles Wenner 80 Ferry Road West Lynn King's Lynn Norfolk Construction of detached annexe	King's Lynn
07.07.2016	12.09.2016 Application Permitted	16/01233/F	Mrs Tracey Lanchester 7 Reffley Lane King's Lynn Norfolk PE30 3EF Extension and conversion to existing garage and associated works. 3 x 2 metre extension at the front of garage, not extending beyond front of existing property.	King's Lynn
07.07.2016	05.09.2016 Application Refused	16/01242/F	Mr & Mrs A Garnett 2 Ayre Way King's Lynn Norfolk PE30 3YD Extension	King's Lynn
11.07.2016	12.09.2016 Application Permitted	16/01256/F	Mr & Mrs M Godbold 31 Westfields King's Lynn Norfolk PE30 4SB Extensions	King's Lynn

11.07.2016	12.09.2016 Application Permitted	16/01264/A	W H Smith W H Smith And Post Office 7 Norfolk Street King's Lynn Norfolk Advertisement Application: externally illuminated hanging sign and non-illuminated fascia sign	King's Lynn
11.07.2016	05.09.2016 Application Permitted	16/01265/F	Centrica Energy King's Lynn Power Station Willow Road Willows Business Park King's Lynn Extension to Air Cooled Condenser (ACC) structure and Air Inlet Filter House (AIFH)	King's Lynn
14.07.2016	07.09.2016 Application Permitted	16/01302/F	Foster Refridgeration 14 - 15 Campbells Meadow King's Lynn Norfolk PE30 4YN Variation to condition 2 of planning permission 14/01246/F: To amend proposed parking arrangement	King's Lynn
14.07.2016	16.09.2016 Application Permitted	16/01303/F	Mr Paul Bailey King's Lynn Conservancy Board Ferry Street King's Lynn Norfolk Installation of air source heat pump	King's Lynn

18.07.2016	19.09.2016 Application Permitted	16/01310/F	BCKLWN The Nar Ouse Regeneration Area (NORA) Wisbech Road King's Lynn Norfolk Variation of condition 9 of planning permission 16/00324/F for the omission of one dwelling (Plot 177), and allocation to plot 176 as private garden	King's Lynn
18.07.2016	15.09.2016 Application Permitted	16/01323/F	Mr Callum Taylor 3 Jubilee Court Queen Street King's Lynn Norfolk Replacement of original timber windows with new UPVC double glazed	King's Lynn
18.07.2016	16.09.2016 Application Permitted	16/01324/CU	Mr Michael Docherty Unit 31 And 32 East Coast Business Park Clenchwarton Road West Lynn Change of use from B1 to B2 to be able to conduct MOT's, repairs and maintenance on motor vehicles and small vans	King's Lynn
19.07.2016	16.09.2016 Application Permitted	16/01334/F	Mr & Mrs Knox 58 Gaskell Way King's Lynn Norfolk PE30 3SG Two storey side extension	King's Lynn

22.07.2016	12.09.2016 Application Permitted	16/01361/F	Mr Mark Endersby 33 Gloucester Road King's Lynn Norfolk PE30 4AB Single storey front, side and rear extension	King's Lynn
01.08.2016	05.09.2016 Application Permitted	11/01072/NMA_1	Freebridge Community Housing 29 St Edmundsbury Road King's Lynn Norfolk NON MATERIAL AMENDMENT TO PLANNING CONSENT 11/01072/F: 6 Residential Units	King's Lynn
01.08.2016	06.09.2016 Application Permitted	16/00666/NMA_1	Mrs R Owen 9 Queensway King's Lynn Norfolk PE30 4AQ NON - MATERIAL AMENDMENT TO PLANNING CONSENT 16/00666/F - Extension and porch	King's Lynn
01.08.2016	20.09.2016 Application Permitted	16/01391/F	Mr R Moore 113 Reffley Lane King's Lynn Norfolk PE30 3SR Upper floor extension over present garage, forming larger bedrooms.	King's Lynn
05.08.2016	05.09.2016 Application Permitted	15/00053/NMA_2	Mr And Mrs C Halls 56 Gaskell Way King's Lynn Norfolk PE30 3SG NON MATERIAL AMENDMENT TO PLANNING CONSENT 15/00053/F: to increase the width of the ground floor window	King's Lynn

12.07.2016	12.09.2016 Application Permitted	16/01270/F	Mr D Flux Ashwicken Hall 21 Church Lane Ashwicken King's Lynn Proposed cart shed	Leziate
24.06.2016	07.09.2016 Application Refused	16/01176/F	C/o Agent Costcutters Squires Hill Upper Marham Norfolk Single detached dwelling	Marham
22.06.2016	25.08.2016 Application Permitted	16/01156/RM	Mr S R Woolner Land North East of 197 Smeeth Road Marshland St James Norfolk Reserved Matters Application: Proposed residential development	Marshland St James
05.07.2016	19.09.2016 Application Permitted	16/01211/BT	British Telecom Public Payphone Outside 294 Smeeth Road Marshland St James Norfolk PE14 8EP Removal of Public Payphone	Marshland St James
28.07.2016	25.08.2016 GPD HH extn - Not Required	16/01386/PAGPD	Mr C Trottman 214 Smeeth Road Marshland St James Norfolk Single storey rear extension which extends beyond the rear wall by 8 metres with a maximum height of 4 metres and a height of 2.4 metres to the eaves	Marshland St James

13.07.2016	08.09.2016 Application Permitted	16/01295/F	Newrooms Kitchen And Design Studio Newrooms Kitchen Design Studio The Workshops Brandon Road Methwold Two storey extension to side of existing industrial unit	Methwold
11.07.2016	05.09.2016 Application Permitted	16/01268/F	King's Lynn Caravan And Camping Park King's Lynn Caravan And Camping Park Parkside House New Road North Runcton Construction of 6 timber holiday lodges	North Runcton
13.07.2016	07.09.2016 Application Permitted	16/01305/F	Mr Wesley Tansley 29 West Winch Road West Winch King's Lynn Norfolk Provision of render (k rend) to external face of original bungalow, replacement of existing roof tiles & removal of existing redundant chimney to front elevation.	North Runcton
16.06.2016	25.08.2016 Application Permitted	16/01118/F	Mr And Mrs T Reeve Chalk Barn 2 Pooly Farm Barns Thetford Road Northwold Conversion of existing garage to self contained annex and erection of open fronted cart shed	Northwold

01.06.2016	05.09.2016 Application Permitted	16/00987/F	Freebridge Community Housing Land Off Priory Road North Wootton King's Lynn Norfolk Demolition of 4 existing residential properties and development of the site to provide 9 residential units with associated landscaping and highways works	North Wootton
12.07.2016	06.09.2016 Application Permitted	16/01273/F	Mrs T Vine 18 All Saints Drive North Wootton King's Lynn Norfolk First floor extension to dwelling and conversion of integral garage to bedroom and wetroom	North Wootton
06.06.2016	15.09.2016 Application Permitted	16/01059/CU	Mr Nathaniel George The Warehouse Isle Road Outwell Norfolk Change of use of existing vacant warehouse building to Bouldering Gym (Class D2)	Outwell
24.06.2016	12.09.2016 Application Permitted	16/01182/F	Mr Graham Wyatt 89A Church Drove Outwell Wisbech Norfolk Construction of a self contained annex	Outwell
04.07.2016	25.08.2016 Application Permitted	16/01222/F	Mr & Mrs T Santhirakumaran The Post Office Church Terrace Outwell Norfolk Erection of/retention of fencing exceeding 2m in height	Outwell

12.07.2016	06.09.2016 Prior Approval - Approved	16/01279/PACU3	Mr Edward Carlile Sandy Lodge Langhorns Lane Outwell Wisbech Change of use from Agricultural barn to dwellinghouse	Outwell
29.07.2016	20.09.2016 Application Permitted	16/01393/F	Ms Jackie Fry 12 Rectory Close Roydon King's Lynn Norfolk Porch extension and elevational changes consequent upon internal alterations	Roydon
08.07.2016	12.09.2016 Consent Not Required	16/01260/T3	Hutchinson And EE Ltd T-Mobile Phone Mast Lynn Road South Runcton Norfolk Upgrade to existing equipment	Runcton Holme
05.07.2016	06.09.2016 Application Permitted	16/01231/F	Diocese of Norwich Sandringham And West Newton CofE Primary School School Lane West Newton Norfolk Provision of small single storey extension to existing mobile classroom to provide toilet facilities for pupils within the mobile classroom	Sandringham

13.06.2016	12.09.2016 Application Permitted	16/01106/F	Sedgeford Hall Estate Glovers Farm Fring Road Sedgeford Norfolk Erection of new agricultural barn and extensions to existing agricultural barn	Sedgeford
15.07.2016	15.09.2016 Application Permitted	16/01309/F	Mrs E McIntosh 107 - 109 Lynn Road Snettisham Norfolk PE31 7QD Change of use from pet shop to dwelling, including extension and alterations	Snettisham
28.06.2016	12.09.2016 Application Permitted	16/01178/F	Mr William Wilmshurst Fuchsia Cottage Fakenham Road South Creake Fakenham New extension to create bedroom above kitchen. Remove the roof and reclaim the tiles to be used on top of the new first floor space stitching it into the existing. New single storey added in line with the footprint of the existing kitchen to create dining room and internal refurbishment works	South Creake

22.08.2016	15.09.2016 Application Permitted	16/00779/NMA_1	Mr Ben Sexton Church End Cottage 56 Church Lane South Creake Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 16/00779/NMA_1: Demolition of western lean-to extension, rebuild with a two storey extension to the west. In addition No 56 to be combined with No 54; repairs and upgrading.	South Creake
24.06.2016	25.08.2016 Application Permitted	16/01168/F	Mr Adam Wagner Thistle Dew 71 Nursery Lane South Wootton Norfolk 2 No New dormer windows above garage	South Wootton
27.06.2016	07.09.2016 Application Permitted	16/01188/F	Mr And Mrs D Jackson Amara 92 Grimston Road South Wootton King's Lynn Proposed replacement dwelling including detached garage and associated works	South Wootton
15.07.2016	12.09.2016 Application Permitted	16/01315/F	Mr D Hall The Shrubbery Hall Lane South Wootton King's Lynn Extension to dwelling	South Wootton
25.07.2016	12.09.2016 Application Permitted	16/01358/F	Mr And Mrs R Sweeney Halfway 174 Grimston Road South Wootton King's Lynn Extensions to dwelling	South Wootton

27.06.2016	16.09.2016 Application Permitted	16/01194/F	Mrs K Hattrell The Grange Docking Road Stanhoe King's Lynn Change of use of existing outbuilding into a self-contained annexe	Stanhoe
15.04.2016	09.09.2016 Application Withdrawn	16/00726/F	Miss Sandy Convoy Prestbury House Cuckoo Road Stow Bridge King's Lynn Replacement of existing concrete, brick and tile cattle shed to a single storey annex dwelling	Stow Bardolph
28.04.2016	08.09.2016 Application Permitted	16/00822/F	Mr And Mrs P Wilks Wilks Place 34 the Drove Barroway Drove Norfolk Retention of two mobile homes	Stow Bardolph
16.06.2016	07.09.2016 Application Refused	16/01130/F	Mr John Kelly Playters Farm Greatmans Way Stoke Ferry King's Lynn Conversion of stables to dwelling (retrospective)	Stoke Ferry
08.07.2016	16.09.2016 Application Permitted	16/01259/F	Mr Steven Marsh Bradfield Lodge 69 Wretton Road Stoke Ferry King's Lynn Proposed extension to garage to form ground, first floor accommodation and conversion of garage to family annex	Stoke Ferry

16.05.2016	07.09.2016 Application Permitted	16/00930/F	GCMD Developments The Stores 16 Ashside Syderstone Norfolk Variation of condition 1 of planning permission 14/00900/RM: To amend previously approved drawings	Syderstone
28.06.2016	16.09.2016 Application Permitted	16/01189/F	Mr & Mrs R Collings 8 Perkin Field Terrington St Clement King's Lynn Norfolk Extension to rear of dwelling	Terrington St Clement
01.07.2016	07.09.2016 Application Permitted	16/01217/F	Mr & Mrs D Dey 6 Hay Green Road North Terrington St Clement Norfolk PE34 4PZ Extension and Alterations to dwelling (Revised Design) to planning consent 15/00557/F	Terrington St Clement
06.07.2016	25.08.2016 Application Permitted	16/01239/F	J A Collison And Sons Land At Tuxhill Farm Tuxhill Road Terrington St Clement Norfolk Demolition of existing outbuilding and replacement with new office accommodation	Terrington St Clement
12.07.2016	06.09.2016 Application Permitted	16/01271/F	Mr Darren Browne 15 Long Road Terrington St Clement King's Lynn Norfolk Two storey and single storey extensions to dwelling	Terrington St Clement

15.07.2016	09.09.2016 Application Permitted	16/01313/F	C/O Agent 19 Churchgate Way Terrington St Clement King's Lynn Norfolk Extension to dwelling	Terrington St Clement
05.08.2016	19.09.2016 Application Permitted	16/01438/F	Mr & Mrs Ayres 39 the Saltings Terrington St Clement King's Lynn Norfolk Extension to side of bungalow incorporating garage conversion	Terrington St Clement
03.02.2016	19.09.2016 Application Permitted	16/00215/F	T M Browne Ltd Mill House Mill Road Terrington St John Wisbech Construction of two pairs of semi- detached houses	Terrington St John
06.07.2016	06.09.2016 Application Withdrawn	16/01240/O	Hereward Services North of Fenland Lodge School Road Terrington St John Wisbech Outline Application: construction of 2 dwellings	Terrington St John
23.05.2016	06.09.2016 Application Permitted	16/00979/F	Agellus Hotels (Norfolk) Ltd Chequers Inn High Street Thornham Hunstanton Two storey extension and alterations	Thornham

01.06.2016	16.09.2016 Application Permitted	16/01033/F	Mr Rufus Harper The Lifeboat Inn Ship Lane Thornham Hunstanton Alterations of existing staff accommodation and plant area at ground floor to create seasonal bar area, access to the courtyard, staff facilities and an accessible toilet and the creation of two staff bedrooms into two hotels rooms at first floor	Thornham
06.07.2016	14.09.2016 Application Permitted	16/01250/F	Mr Martin Wykes Homelands 42 Magdalen Road Tilney St Lawrence King's Lynn Remove conservatory, erect side and rear extensions, erect detached double garage.	Tilney St Lawrence
04.04.2016	25.08.2016 Application Refused	16/00669/O	Mrs Irene Turco Land N of Chestnut Stables Green Road Upwell Norfolk Outline Application: construction of a dwelling	Upwell
02.06.2016	25.08.2016 Application Permitted	16/01041/F	Fountain Construction (Anglia) Ltd Craven Cottage 107 Croft Road Upwell Wisbech Construction of four dwellings and garages following demolition of existing dwelling	Upwell

08.06.2016	25.08.2016 Application Permitted	16/01062/F	Curson Holes Ltd Harwin Main Road Three Holes Norfolk Proposed pair of semi detached, two storey dwellings replacing existing single storey dwelling on site	Upwell
01.06.2016	19.09.2016 Application Permitted	16/01036/RM	Lavish Estate Ltd Land South-East of Luzern Hall Road Walpole Highway Wisbech RESERVED MATTERS: 4No. building plots for 2-storey detached dwellings	Walpole Highway
24.06.2016	20.09.2016 Application Permitted	16/01164/F	Ms R Francis And Mr H Wright Land NW of Strattons Farm SE of Argicultural Buildings On Salts Lane West Drove North Walton Highway Norfolk Erection of an agricultural dwelling	Walpole Highway
20.07.2016	16.09.2016 Application Permitted	16/01338/F	Mr And Mrs Kendall 81 Springfield Road Walpole St Andrew Wisbech Norfolk First floor extension	Walpole
19.02.2016	09.09.2016 Application Permitted	16/00372/O	Mrs Linda Sumner Land On the South Side of Sutton Road Walpole Cross Keys Norfolk Outline Application: construction of two dwellings	Walpole Cross Keys

01.07.2016	09.09.2016 Application Permitted	16/01213/F	Miss Pauline Dyer Withy Farm Station Road West Dereham King's Lynn Variation of condition 2 attached to planning permission 16/00077/F to allow a change in the design/layout to allow sufficient manoeuvring space for wheelchair access and mobile hoist	West Dereham
19.04.2016	16.09.2016 Application Permitted	16/00758/F	MAS Farms Ltd Foxhall Farm Harps Hall Road Walton Highway Norfolk Proposed sheep shed	West Walton
13.06.2016	16.09.2016 Application Permitted	16/01103/F	MAS Farm Ltd Foxhall Farm Harps Hall Road Walton Highway Norfolk Retention of agricultural store	West Walton
12.07.2016	22.08.2016 Application Permitted	14/01121/NMA_2	Mr T Harrison Sherwood 227 School Road West Walton Wisbech Non-material amendment to planning permission 14/01121/F: Development of existing part industrial/paddock into residential providing 4 No properties	West Walton

21.07.2016	20.09.2016 Application Permitted	16/01349/RM	Mr And Mrs M Fuller Land West of 24A Back Lane West Winch Norfolk Reserved Matters Application: Construction of a dwelling and detached garage	West Winch
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