



Planning Committee

Agenda

Monday, 3rd December, 2018

*at approximately 12.00 pm

in the

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

*Please note that the Committee will visit the sites of the major applications – 18/01320/OM, 18/01691/FM and 18/01009/FM listed on the agenda, prior to the meeting. It is aimed to commence the meeting at approximately 12 noon when the Committee returns from the site visits.



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 1.00 pm and reconvene at 1.40 pm.

Please ensure that all mobile phones are switched to silent

DATE: Monday, 3rd December, 2018

VENUE: Assembly Room - Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

TIME: 12.00 pm

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 5 November 2018.

3. DECLARATIONS OF INTEREST

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

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

4. URGENT BUSINESS UNDER STANDING ORDER 7

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

5. MEMBERS ATTENDING UNDER STANDING ORDER 34

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

6. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

7. RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS

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

8. INDEX OF APPLICATIONS (Pages 7 - 8)

The Committee is asked to note the Index of Applications.

(a) Decisions on Applications (Pages 9 - 115)

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

9. DELEGATED DECISIONS (Pages 116 - 135)

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

10. PLANNING & ENFORCEMENT - QUARTERLY REPORT (Pages 136 - 158)

To provide the Committee with the quarterly report covering performance for the period 1 July – 30 September 2018.

11. PLANNING & ENFORCEMENT APPEALS - QUARTERLY REPORT (Pages 159 - 163)

To provide the Committee with the quarterly report covering performance for the period 1 July – 30 September 2018.

12. UPDATE ON TREE MATTERS (Pages 164 - 166)

To provide the Committee with an update on tree matters from the Arboricultural Officer.

To: Members of the Planning Committee

Councillors Mrs C Bower, A Bubb, Mrs S Buck, C J Crofts, Mrs S Fraser, G Hipperson, A Morrison, T Parish, M Peake (Vice-Chairman), Miss S Sandell, Mrs V Spikings (Chairman), M Storey, D Tyler, G Wareham, Mrs E Watson, A White and Mrs S Young

Major Applications

Please be advised that the Committee will visit the sites for the major applications - 18/01320/OM, 18/01691/FM and 18/01009/FM from 9.00 am, prior to the meeting, which will then start at approximately 12 noon, where the applications will then be determined.

Site Visit Arrangements

When a decision for a site inspection is made, consideration of the application will be adjourned, the site visited, and the meeting reconvened on the same day for a decision to be made. Timings for the site inspections will be announced at the meeting.

If there are any site inspections arising from this meeting, these will be held on **Thursday 6 December 2018** (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, **30 November 2018**. Please contact borough.planning@west-norfolk.gov.uk or call (01553) 616818 or 616234 to register.

For Major Applications

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

For Minor Applications

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

For Further information, please contact:

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

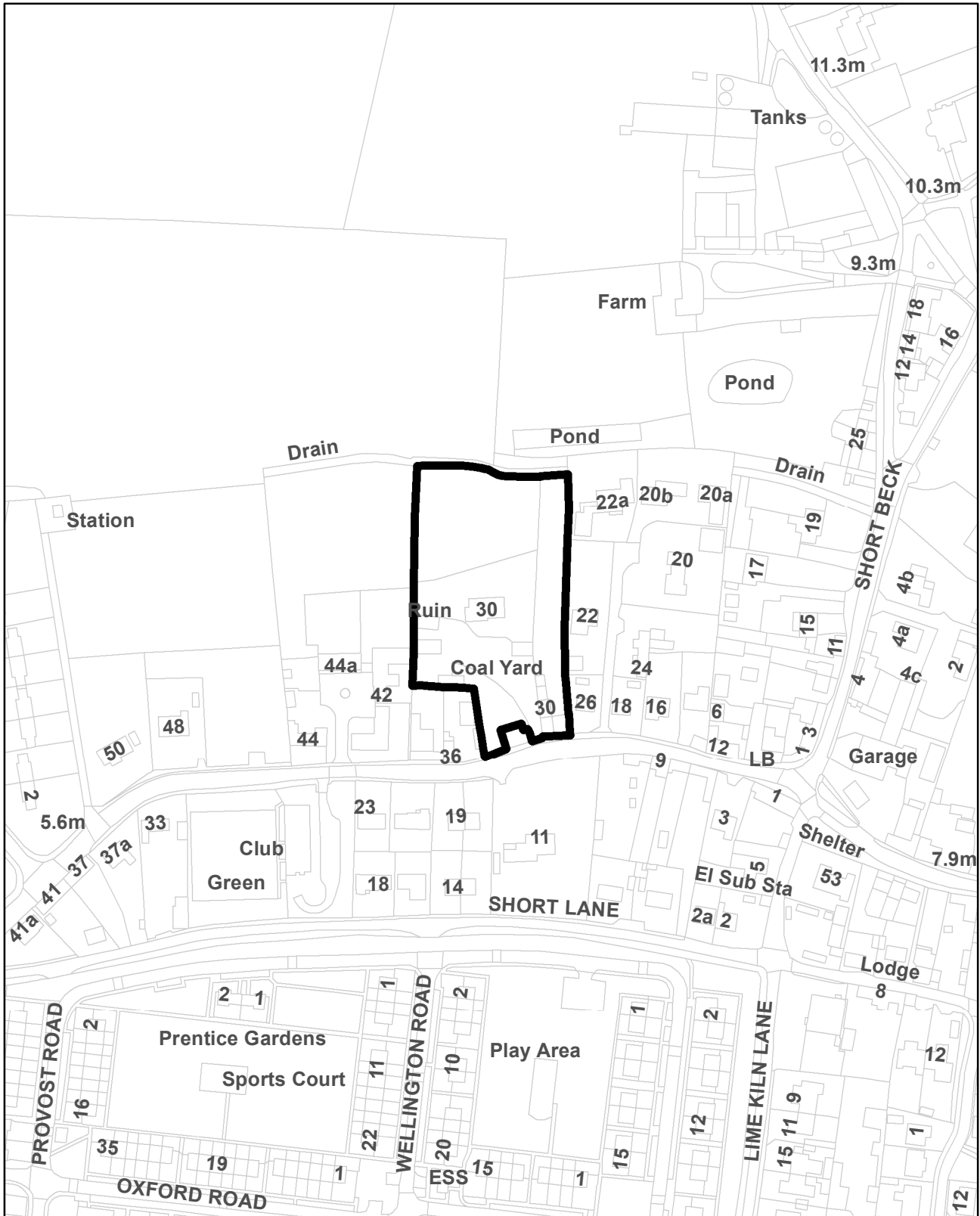
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE
PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 3 DECEMBER 2018**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	MAJOR DEVELOPMENTS			
8/1(a)	18/01320/OM Long Lane Farm 30 Long Lane Outline Application: Residential development for a maximum of 19 dwellings following demolition of existing	FELTWELL	APPROVE	9
8/1(b)	18/01691/FM Watlington Quarry Lynn Road Tottenhill Change of use of a former quarry site to a Wildlife Park including the erection of a 2.15-metre-high perimeter stock proof fence, siting of a static caravan to serve as a site office/reception, and creation of a hardstanding to provide for car parking and storage of park buggies	WATLINGTON	APPROVE	21
8/1(c)	18/01009/FM Worzals Farm Shop Lynn Road Walsoken Proposed Play Barn and associated facilities including retail outlets, food outlets, Santa's Grotto, party rooms, parking, and landscaping plus extension to reservoir	WEST WALTON	APPROVE	37

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/2	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE			
8/2(a)	18/01796/F No.TWENTY 9 29 Market Place VARIATION OF CONDITION 3: of planning permission 16/02002/F - Proposed change of use from ground floor retail (A1) and first floor residential (C3) to two storey restaurant (A3) including extension and alterations.	BURNHAM MARKET	APPROVE	48
8/2(b)	17/01709/F Land West of Fakenham Road Stanhoe Proposed Glamping Site	DOCKING	APPROVE	57
8/2(c)	18/01946/F Manor Farm Back Street VARIATION OF CONDITION 2 of Planning Permission 18/00125/F - Conversion and extension of workshop outbuilding to dwelling house, addition of workshop/plant room and associated works	GAYTON	APPROVE	75
8/2(d)	18/01768/CU The Marshland Arms 47 School Road Change of use of public house with combined residential accommodation to a single dwelling house	MARSHLAND ST JAMES	APPROVE	81
8/2(e)	18/01327/F Manor House 4 School Road Siting of new single storey Residential Annexe to allow supported living of family members	TERRINGTON ST JOHN	APPROVE	98
8/2(f)	18/01752/F Between Peake View Cottage And New House Wretton Fen Drove Construction of one dwelling & garage	WRETTON	APPROVE	106

18/01320/OM

Long Lane Farm 30 Long Lane Feltwell



1:2,500

AGENDA ITEM NO: 8/1(a)

Parish:	Feltwell	
Proposal:	Outline Application: Residential development for a maximum of 19 dwellings following demolition of existing	
Location:	Long Lane Farm 30 Long Lane Feltwell Thetford	
Applicant:	Mrs Christine Barrett	
Case No:	18/01320/OM (Outline Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 28 November 2018 Extension of Time Expiry Date: 7 December 2018

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

Neighbourhood Plan: No

Case Summary

Outline permission with all matters except access for a maximum of 19 dwellings is sought.

The site lies wholly within the development boundary of Feltwell, a Joint Key Rural Service Centre (with Hockwold). The forward third of the site is brownfield with the remainder being residential accommodating a bungalow and garden.

A drain runs along the northern perimeter of the site and in its immediate location the site is at risk of flooding. The remainder of the site remains in flood zone 1.

The site lies within the bufferzone of a SSSI and SPA.

Key Issues

Principle of Development
Highway Safety
Loss of Undesignated Heritage Assets
Form, Character and Residential Amenity
Protected Sites
Flood Risk
S106 Considerations
Crime and Disorder
Other Material Considerations

Recommendation

A) APPROVE subject to the completion of S106 within 4 months of the date of this resolution.

B) REFUSE if S106 is not completed with 4 months of the date of this resolution to approve.

THE APPLICATION

Outline permission with all matters except access for a minimum of 19 dwellings is sought.

The site lies wholly within the development boundary of Feltwell, a Joint Key Rural Service Centre (with Hockwold). The forward third of the site is brownfield with the remainder being residential accommodating a bungalow and garden.

The site has residential uses to its east, south and south west. To the west, northwest and north is countryside. A takeaway forms part of the southern boundary of the site. Two cottages occupy land at the southeast of the site and these would need to be demolished to enable suitable access.

A drain runs along the northern perimeter of the site and in its immediate location the site is at risk of flooding. The remainder of the site remains in flood zone 1.

The site lies within the bufferzone of a Site of Special Scientific Interest (SSSI) and Special Protect Area (SPA).

SUPPORTING CASE

A supporting statement was requested, however one was not received at the time of writing report.

PLANNING HISTORY

17/01636/OM: Application Withdrawn: 27/11/17 - Outline Application: development of 22 dwellings following demolition 28-30 and Coal Yard Bungalow

16/01371/OM: Application Withdrawn: 25/09/16 - OUTLINE SOME MATTERS RESERVED: residential development of 27 dwellings following demolition of 28-30 Long Lane and Coal Yard Bungalow

RESPONSE TO CONSULTATION

Parish Council: OBJECT to the above outline application for a minimum of 19 dwellings following demolition of existing at Long Lane Farm, 30 Long Lane because it is over-intensive and the Parish Councillors feel strongly that older properties should not be demolished.

Conservation Officer: NO OBJECTION I've read the heritage appraisal, and it does give a very good overview of the buildings origins and how they've changed over time.

Given the information provided I agree that the building as it now stands has limited merit as a non-designated heritage asset and its loss will cause less than substantial harm to Feltwell's historic significance / character, especially when set that against the public benefits of delivering new homes. I therefore have no objection to its demolition and I do not see the need for a recording condition but I will forward a copy of the report to Gressenhall for the Historic Environment Record (HER).

Highways Authority: NO OBJECTION With reference to the amended access layout shown on drawing 352/12 rev A I can confirm that the comments made in my previous response (dated 9 October 2018) have been addressed.

As a consequence, in relation to highway matters, I can confirm the County Council would have no objection to the granting of planning permission subject to conditions.

Natural England: NO OBJECTION The proposed development site is in close proximity to Breckland Special Protection Area (SPA), a European site. In particular it sits within the 1.5km constraint zone around Breckland SPA, put in place to protect stone curlew, the qualifying species of Breckland SPA. However, due to the size of the application, coupled with its specific location in relation to other development within the zone, Natural England does not consider that the proposed development, alone, will have a significant effect on Breckland SPA or Breckland Farmland SSSI.

However we have concerns about the cumulative effect of increasing levels of development within the 1.5km zone. With this in mind, Natural England is currently working towards a strategic land use planning solution for the Breckland Special Protection Area (SPA), which will seek to progress a sustainable development solution for stone curlew. We anticipate that, whilst a general principle of the avoidance of built development within the 1,500m constraint zone will remain (consistent with best practise), and should remain the preferred approach to the allocation of sites for development, a strategic solution will be devised which would identify options for mitigation which have so far not been available to developers. We will be in touch about this strategy.

Whilst we are working on this strategy we will only be providing detailed comments on those applications within the zone which we consider are likely to have a significant effect alone or in combination on Breckland SPA as there is currently no means of collecting funds for strategic mitigation for the ongoing cumulative effect discussed above.

Internal Drainage Board: The Board has **NO OBJECTION** from a drainage point of view

Anglian Water: NO OBJECTION subject to condition relating to surface water drainage.

In relation to wastewater treatment, the foul drainage from the development is in the catchment of Feltwell Water Recycling Centre that will have available capacity for these flows

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

Environment Agency: NO OBJECTION subject to conditions relating to contamination of water courses due to the site position over a principal chalk aquifer.

Housing Enabling Officer: NO OBJECTION The site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy.

At present a 20% provision is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in Feltwell. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and the other 30% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council. In this instance 4 units would be required, 3 for rent and 1 for shared ownership.

A S106 Agreement will be required to secure the affordable housing contribution.

Norfolk Constabulary: NO OBJECTION, but unable to offer advice at this stage given the outline nature of the application.

REPRESENTATIONS

Nine letters of objection have been received. The issues raised can be summarised as:

- Loss of existing character cottages is not acceptable
- Highway Safety - the access will not be safe
- Noise during construction would be detrimental to neighbour amenity
- Overlooking
- Overshadowing
- Density of development - the number of dwellings is too high
- Pollution from the additional cars
- Car headlight intrusion
- Another 19 dwellings is not needed in Feltwell where there are a number of dwellings already on the market
- Lack of infrastructure to cope with the additional dwellings
- Contamination
- Impact on protected species
- Access from neighbouring land will not be permitted (specifically in relation to the chalk / flint barn which is indicated to be retained)
- The Ecology Survey is out-of-date being dated August 2017.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are:

- Principle of Development
- Highway Safety
- Loss of Undesignated Heritage Assets
- Form, Character and Residential Amenity
- Protected Sites
- Flood Risk
- S106 Considerations
- Crime and Disorder
- Other Material Considerations

Principle of Development

The site lies wholly within the development boundary of Feltwell and a third of the site is brownfield / previously developed land.

Both the NPPF and Local Plan support residential development in sustainable locations particularly on brownfield sites.

The principle of development is therefore to be supported subject to compliance with other relevant national and local planning policy and guidance.

Highway Safety

Access is the only matter not reserved for future consideration. To provide suitable visibility splays (and therefore access to the site) the two cottages in the southeast corner of the site need to be demolished (Nos. 28 and 30 Long Lane).

Subject to provision of access as indicated on the submitted plan, the Local Highway Authority would have no objection to the proposed development on the grounds of highway safety.

Loss of Undesignated Heritage Assets

The two dwellings to be demolished are not listed or in a Conservation Area. However, the cottages are considered to be non-designated heritage assets dating back to 1839. In order to help assess the impact of their loss, a Heritage Statement was submitted with the application.

In relation to the loss of non-designated heritage assets the NPPF requires a balance to be made in relation to the significance of the asset and the public benefit of the proposed development.

In respect of the heritage statement that accompanied the application the Conservation Officer made the following comments: "I've read the heritage appraisal, and it does give a very good overview of the buildings origins and how they've changed over time. Given the

information provided I agree that the building as it now stands has limited merit as a non-designated heritage asset and its loss will cause less than substantial harm to Feltwell's historic significance / character, especially when set that against the public benefits of delivering new homes. I therefore have no objection to its demolition and I do not see the need for a recording condition but I will forward a copy of the report to Gressenhall for the HER."

In this regard the provision of market and affordable housing, on a part brownfield site, within the development boundary of a Key Rural Service Centre is considered a significant public benefit.

It is therefore considered on balance that the public benefit of the proposal to provide a maximum of 19 dwellings outweighs the loss of these non-designated heritage assets.

Form, Character and Residential Amenity

Layout, scale, appearance and landscaping are all reserved matters and will therefore be considered at a later stage if outline permission is granted.

There are a number of developments in Feltwell that comprise small comprehensive developments of a type similar to that which the proposed development would need to take (small estate type developments). As such it is not considered that the likely form of any development on the site would form an alien feature or be of material detriment to the visual amenity of the locality.

In relation to character / appearance and residential amenity, this application follows the withdrawal of two previous applications; one for 27 dwellings and the other for 22 dwellings. Indicative layout plans were submitted with both these previous applications that suggested such numbers, coupled with the need for open space provision in any development where the numbers exceed 20, would lead to poor residential relationships particularly with existing boundary properties.

No indicative layout has been submitted with the current application. However, and notwithstanding comments made by CSNN objecting to the numbers, your officers believe that the site could accommodate 19 dwellings. Such a number would require a large percentage of the properties to be semi-detached / terrace properties. However, a maximum number of 19 (which could be conditioned if permission were granted) would enable a scheme of lower density to be submitted at the reserved matters stage if factors so dictates at that time. As such a maximum number of dwellings would build in flexibility that would enable a greater mix of dwelling types (large detached, small detached. etc.) at the reserved matters stage. Notwithstanding this the number would have to be conditioned to a maximum of 19, as anything exceeding this number would require the provision of equipped open space which your officers do not consider the site is of a size to satisfactorily accommodate.

In conclusion character and appearance will be fully considered at a later stage, but it is considered, that with careful layout and design, the site could accommodate 19 dwellings without detriment to the visual amenity of the locality or residential amenity.

Protected Sites / Species

Natural England has no objection to the proposed development in terms of its impact on the nearby SSSI / SPA. Whilst Natural England are working towards a strategic land use planning solution for the Breckland Special Protection Area (SPA), this is not in place yet and is therefore not a material consideration in the determination of this application to which Natural England do not object.

In terms of protected species, the Ecology assessment that accompanied the application concludes that the site is of low ecological value and that no further surveys are required although some mitigation is needed. The mitigation would take the form of protecting nesting birds and reptiles and appropriate planting. These issues could be suitably conditioned if permission were granted.

Flood Risk

Part of the site falls within in an area at risk of flooding. However, it is a very small strip of land at the north of the site along its northern boundary. The risk is from a drainage channel that runs along this boundary. The risk of this drain flooding would be as a result of flooding of the New Cut Drain to the west of Feltwell. The New Cut Drain is a Board maintained drain and the change therefore of this intensely maintained drain flooding is slight.

In such instances (where only a small part of a site is at risk of flooding) the NPPF concludes that the most vulnerable development (in this case it would be the dwellinghouses themselves) is located in areas of lowest risk of flooding within the site.

It is considered that the layout of any subsequent reserved matters application can suitably consider this aspect, and any permission granted could be conditioned to have finished floor levels raised 300mm above existing ground level. In this regard the site is relatively flat and such an increase in height would not result in material impact.

S106 Considerations

Heads of terms have been submitted confirming the intention to enter into a S106 agreement that would cover affordable housing (on-site provision of 20% (if 19 were built this would equate to 4 affordable units)), SuDS and Habitat Mitigation Fee (£50 / dwelling). Any resolution to approve this application by Committee would be subject to completion of such a S106 within four months of the date of the resolution.

The development is CIL liable and any contribution required will be secured under CIL legislation.

Crime and Disorder

There are no specific crime and disorder issues associated with the application.

Given the outline nature of the application such considerations will take place at the reserved matters stage.

CONCLUSION

The application seeks to provide up to 19 dwellings, four of which would be affordable. The site is partly brownfield and is wholly within the development boundary of a Key Rural Service Centre.

However, to enable access to the site two cottages will need to be demolished (Nos. 28 and 30 Long Lane). These properties are not listed and are not located within a Conservation Area. However, they are shown on the OS maps dating back to 1839 and are considered to be non-designated heritage assets. The Conservation Officer concludes, as do your officers, that the loss of these cottages would be unfortunate, but due to changes to the cottages made over time their loss would result in less than significant harm and that the public benefit of the provision of up to 19 dwellings outweighs this less than significant harm.

It is therefore recommended that the application be approved subject to completion of a S106 Agreement and the following conditions.

RECOMMENDATION:

A) APPROVE subject to the completion of S106 within 4 months of the date of this resolution and subject to the imposition of the following condition(s):

- 1 Condition Approval 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 91 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 91 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 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 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. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act (1980) or a Private Management and Maintenance Company has been established.
- 5 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.
- 6 Condition 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. All construction works shall be carried out in accordance with the approved plans.
- 6 Reason To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

This also needs to be a pre-commencement condition given the fundamental details linked to drainage and other infrastructure which needs to be planned for at the earliest stage in the development.

- 7 Condition Prior to the occupation of the final dwelling all works shall be carried out on roads, footways, foul and surface water sewers in accordance with the approved specification (agreed under Condition 6 of this permission) to the satisfaction of the Local Planning Authority.
- 7 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 8 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.
- 8 Reason To ensure satisfactory development of the site.
- 9 Condition Prior to the first occupation hereby permitted visibility splays measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 9 Reason In the interests of highway safety.
- 10 Condition Prior to the commencement of 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'.
- 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.

11 Condition Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

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

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

13 Condition In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 12.

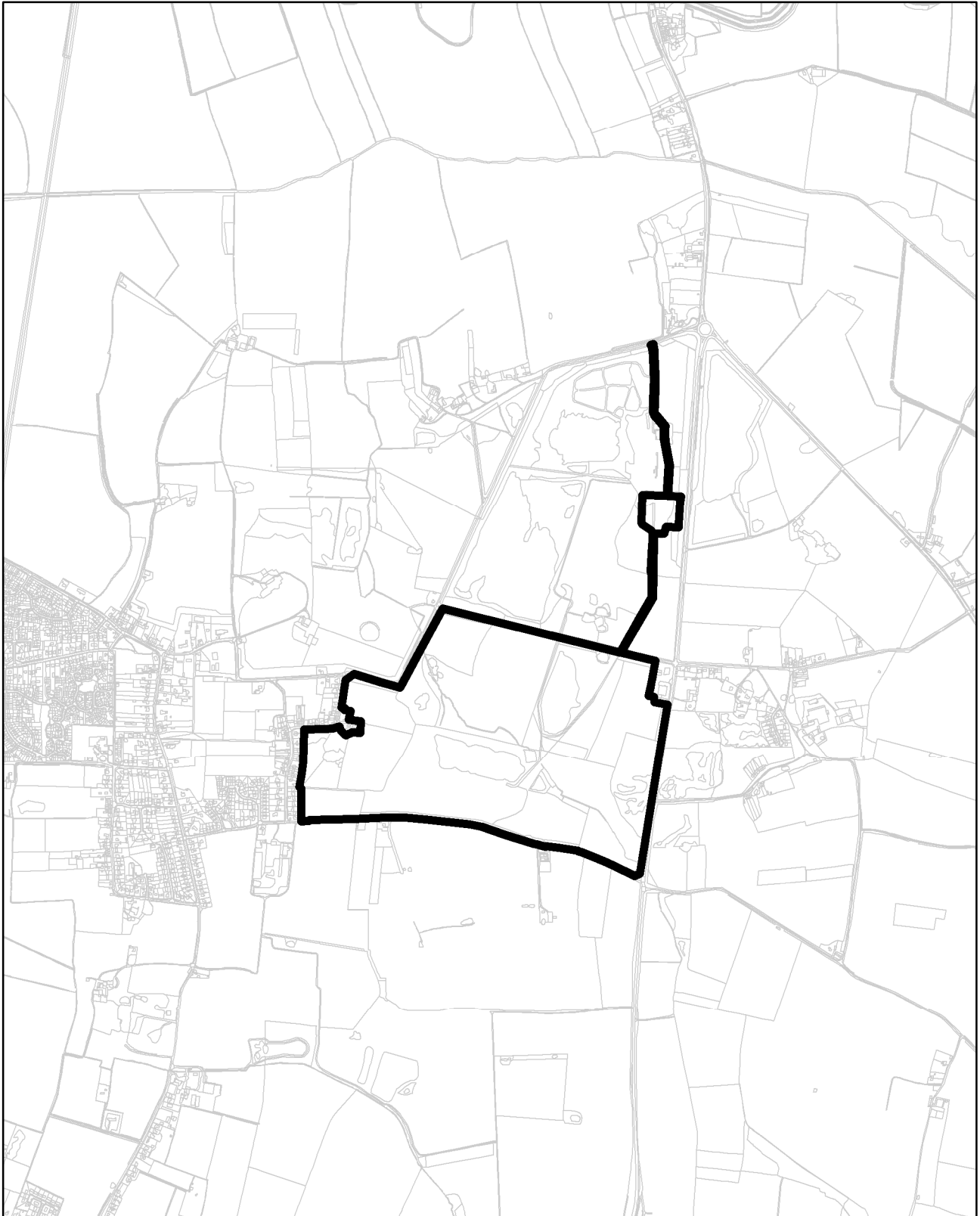
13 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours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

- 14 Condition No development shall commencement on site until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.
- 14 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.
- 15 Condition Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
- 15 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with the NPPF and Development Plan.
- 16 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.
- 16 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 17 Condition The finished floor levels of the dwellings hereby permitted shall be set no lower than 300mm above adjacent ground levels.
- 17 Reason To reduce the risks associated with flooding in accordance with the NPPF and Development Plan.
- 18 Condition The development hereby permitted shall be carried out in full accordance with paragraphs 7.10, 7.12 and 7.13 of the Ecology Assessment that accompanied the application dated 04 August 2017 by Dr GW Hopkins CEnv MCIEEN that accompanied the application unless otherwise agreed in writing by the Local Planning Authority.
- 18 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 19 Condition The development hereby permitted shall comprise of no more than 19 dwellings.
- 19 Reason To define the terms of the permission.
- 20 Condition In relation to access only, the development hereby permitted shall be carried out in accordance with the following approved plan drawing no: 352/12 Rev.A.
- 20 Reason For the avoidance of doubt and in the interests of proper planning.

B) REFUSE if S106 is not completed with 4 months of the date of this resolution to approve.

18/01691/FM

Watlington Quarry Lynn Road Tottenhill



1:20,000

AGENDA ITEM NO: 8/1(b)

Parish:	Watlington	
Proposal:	Change of use of a former quarry site to a Wildlife Park including the erection of a 2.15-metre-high perimeter stock proof fence, siting of a static caravan to serve as a site office/reception, and creation of a hardstanding to provide for car parking and storage of park buggies	
Location:	Watlington Quarry Lynn Road Tottenhill Norfolk	
Applicant:	Watlington Farms Ltd	
Case No:	18/01691/FM (Full Application - Major Development)	
Case Officer:	Mr K Wilkinson	Date for Determination: 21 December 2018

Reason for Referral to Planning Committee – The views of the Parish Council are contrary to the Officer recommendation and the application raises issues of wider concern.

Neighbourhood Plan: No

Case Summary

This proposal seeks the change of use of a former quarry site to a Wildlife Park, including the erection of a 2.15m high perimeter stock proof fence, siting of a static caravan to serve as a site office/reception, and creation of a hardstanding to provide for car parking and storage of park buggies.

The site for the wildlife park lies on the former quarry site to the east of the village and up to the A10 near the 'Tottenhill Retail Park'. It is bounded by the A10 to the east, Thieves Bridge Road to the south, Mill Road/Plough Lane/Lynn Road to the west and Whin Common Road to the north. A culvert under Whin Common Road (formerly used to accommodate a conveyor belt during excavation of sand) forms a link with the office/reception/parking facilities within part of the working quarry site to the north (Frimstone Ltd) with an existing vehicular access off Watlington Road close to the Oakwood roundabout (junction of A10, A134 and Watlington Road).

The site lies within both Parishes of Watlington and Tottenhill.

Key Issues

Principle of development
Impact upon character and appearance of countryside
Highway issues
Impact upon adjoining properties
Ecological issues
Other material considerations

Recommendation

A) Within 4 months of the date of this resolution, a Section 106 agreement with NCC to secure that future maintenance, inspection regime and replacement of the culvert under Whin Common Road is at the applicant's expense is completed then the application be **APPROVED** subject to certain conditions stated in this report; or

B) In the absence of a Section 106 agreement with NCC being completed within the above timeframe, the application be **REFUSED** on the grounds of highway safety.

THE APPLICATION

This proposal seeks the change of use of a former quarry site to a Wildlife Park, including the erection of a 2.15m high perimeter stock proof fence, siting of a static caravan to serve as a site office/reception, and creation of a hardstanding to provide for car parking and storage of park buggies.

The site for the wildlife park lies on the former quarry site to the east of the village and up to the A10 near the 'Tottenham Retail Park'. It is bounded by the A10 to the east, Thieves Bridge Road to the south, Mill Road/Plough Lane/Lynn Road to the west and Whin Common Road to the north. A culvert under Whin Common Road (formerly used to accommodate a conveyor belt during excavation of sand) forms a link with the office/reception/parking facilities within the central part of the working quarry site to the north (Frimstone Ltd) with an existing vehicular access off Watlington Road close to the Oakwood roundabout (junction of A10, A134 and Watlington Road).

The site lies within both Parishes of Watlington and Tottenham.

The application is accompanied by a Planning Statement, Transport Note, Preliminary Ecology Appraisal & Addendum, and Flood Risk Assessment.

The applicant, Mr Pope, has spent a considerable amount of his time carrying out conservation projects globally. This has led to him to develop a breeding programme, in collaboration with a number of zoos and safari parks such as Tierpark in Germany and Woburn Safari Park, Bedford, to protect endangered species, many of which are already extinct in the wild. He is passionate about the conservation of endangered animals and birds and has for several years provided a refuge and breeding programme for deer and antelope. Now he wants to build on that work by expanding this refuge to create an inspirational centre for education, visitor experiences that people can enjoy, and a site for extraordinary wildlife encounters. This is also a diversification of the Watlington estate which has been in the Pope family for many generations.

The main Wildlife Park site is the southern part of the Watlington Quarries site, referred to as 'Police House Field' & '60 Acre Field'. This site was granted planning permission for sand and gravel extraction in 2000. Quarrying of this area of the site ceased in 2017 and landscaping has been carried out as part of remediation plans relating to the quarry consent.

The proposed development retains the reinstated land and water bodies, but proposes to utilise this newly created landscape as a wildlife habitat for both native and non-native birds and mammals, whilst allowing public access to areas of the site for education and leisure purposes. As a centre for conservation excellence, the park will offer the chance to see extraordinary, non-predatory wildlife close-up in a natural, open environment without cages

or pens including markhor, zebra and buck, rare great bustards, flamingos, ibex and wildebeest.

Visitors will be required to pre-book tickets to maintain a maximum visitor number. The initial proposal is for visitor access to be by pre-booked buggy only. Proposed buggy numbers are for ten buggies which can be booked for an AM or PM session, up to seven days a week. Each buggy holds up to four people.

The buggies will be electric and so emit no noise or pollution. They will have GPS in each that will track and monitor movement within controlled zones, along with providing clues and information as to where the visitor may be able to view the animals.

SUPPORTING CASE

The agent has submitted the following comments in support of this application:

“The Pope family has managed the Watlington estate for many generations. This proposal forms the latest chapter in the diversification and management of the estate and its environmental assets. The applicant, Mr Pope has spent a considerable amount of his time carrying out conservation projects globally. This has led to him to develop a breeding programme to protect endangered species, many of which are already extinct in the wild. A number of such animals, including 55 water buffalo and over 200 deer and antelope currently reside on land around Watlington including at Mr Pope’s home. This is in addition to birds and ducks from all over the world including the Great Bustard, made extinct in the UK in 1832; Norfolk being their last strong hold.

Following cessation of quarrying activity on the application site, the site is in the process of being restored to an area for nature conservation. The site offers the chance to create the ideal conditions for animal and bird conservation. The grazing of animals on the site would not require planning permission. However, planning permission is required for a 2.15 metre high perimeter fence to contain the site.

Mr Pope also wishes to create a public benefit from his conservation work. The application is therefore seeking planning permission for a change of use of the site to a wildlife park to enable Mr Pope to bring visitors onto the site. Visitor infrastructure is limited to a temporary reception building and small car park. The application will limit visitor numbers by facilitating access by electric buggy which will be limited to ten in number, each one able to carry up to four people. It is hoped to also provide access to a small number of supervised education/school groups.

Whilst it is the applicant’s vision to potentially grow the number of visitors and associated visitor buildings and accommodation in the future, this initial ‘soft start’ to the visitor experience will allow the applicant to capture feedback on the Wildlife Park offer, which will help inform any scheme for the development of any visitor infrastructure on the site in the future. Any such development will be subject to further planning applications and will be to support an established and proved enterprise.

Over the last twelve months the applicant and his team have engaged with the LPA and local community about developing a visitor attraction on the site. One of the main concerns expressed by the public during that engagement was in relation to visitor traffic. As such the scheme has been designed so that no visitor traffic will need to travel through the villages of Watlington or Tottenhill to reach the site.

We also acknowledge that some nearby residents remain concerned about impact on the enjoyment of their homes from proximity to the park and visitor activity. Therefore, the main

park boundaries will not extend westwards to the boundary with Mill Road/Plough Lane. These areas of the site will be reserved as grazing areas for the animals and will have restricted access.

We note comments have been raised regarding on-going earthworks at the site. These have been carried out as part of the post quarrying restoration works. In respect of some elements, these works vary from those approved by the county council for example the lake is larger and the areas of landscaped bunding has been extended, with a view to the proposed wildlife park use. The applicant is liaising with the county council planners in order to formalise these works as part of the agreed restoration plan. However, the proposed development will retain the key elements of the approved remediation plan whilst increasing benefits by way of wildlife conservation, public access and benefits to the local economy through visitor spend and job creation.

No objections have been raised to the proposed development by any technical consultees including Highways, the Environment Agency, Natural England or the Wildlife Trust.

Both the KLWN Local Plan and the National Planning Policy Framework support economic growth including farm diversification and sustainable tourism initiatives. The tourism market is acknowledged as a key component of the West Norfolk economy. There will be job creation from the opening of the park and the opportunity to increase day visitors to the area at the benefit of other local businesses.

The proposed development would deliver a unique education and tourism resource and make a meaningful contribution to the social, economic and environmental sustainability of the district and wider region.”

PLANNING HISTORY

18/00191/CM: NO OBJECTION TO NCC APP: 13/03/18 - County Matters Application: Variation of conditions 1, 3 and 18 of planning permission C/2/2015/2007 to extend time period for restoration of Sixty Acre Field and allow continued use of plant site to service proposed quarry extension (MIN 76), until 31 December 2023

15/00311/CM: NO OBJECTION TO NCC APP: 30/03/15 - COUNTY MATTERS APPLICATION: Variation of condition 1 and 3 of planning permission C/2/2011/2023 to allow continued use of plant site until 1 August 2020, to service the proposed quarry extension

11/01042/CM: NO OBJECTION TO NCC APP: 19/07/11 - Variation of condition 8 of planning permission C/2/2000/2022 to enable the phased extraction of the remaining reserves in accordance with a new phasing plan

10/01497/CM: Application Withdrawn: 15/02/11 - COUNTY MATTERS: Variation of Conditions 8 & 25 of PP C/2/2000/2022 to amend the restoration plan to take into consideration reduced sand and gravel extraction

2/00/1552/CM: NO OBJECTION TO NCC APP: 05/01/01 - Extension of sand and gravel extraction erection of new processing plant and retention of access

RESPONSE TO CONSULTATION

Watlington Parish Council: NO OBJECTIONS

Tottenham Parish Council: OBJECTS - Concerns were expressed about potential traffic congestion at the roundabout, especially if the numbers of proposed visitors increase. Also the potential of increase noise and smells with the prevailing winds.

Highways Authority (NCC): NO OBJECTION – subject to condition regarding provision of parking areas; and applicant will need to enter into a S106 agreement to ensure that future maintenance, inspection regime and replacement of the culvert under Whin Common Road is at the applicants expense not the public purse.

Norfolk County Council Minerals & Waste: NO OBJECTION – raise issues relating to: approx. 40 HGV movements per day from the active quarry which could give rise to conflict between aggregate lorries and users of the entrance/access road; culvert under Whin Common Road to be subject of a Section 106 agreement as above; it will be necessary for the applicant to gain retrospective permission to regularise revisions to the approved restoration and aftercare scheme; this is not a 'brownfield site' as quoted in the application paperwork; and a potential mineral extraction site to the north of Whin Common Road would be dissected by the proposed buggy route which may cause conflict if approved and worked.

Internal Drainage Board: No comments received

Environmental Health & Housing – Environmental Quality: NO COMMENTS

Environmental Health & Housing – Licensing: NO OBJECTION - We currently issue a Dangerous Wild Animal Licence to Mr Pope for the retention of specific types of antelope on this land and are aware of this plan to expand into this new business venture. There are no concerns from Licensing in respect of this planning permission request.

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION – subject to suggested conditions covering lighting scheme; foul water drainage; storage of recycling, refuse and waste materials; odour management; and noise protection.

Environment Agency: NO COMMENTS - We have reviewed the submitted documents and note that no structures are proposed within Flood Zones 2 or 3.

Natural England: NO COMMENTS

Norfolk Wildlife Trust: NO OBJECTION - We strongly recommend that the potential impacts of overgrazing on the two CWS are assessed as part of the ecological appraisal. This should include baseline surveys of their existing condition and an ecological management plan, which should also incorporate the outstanding recommendations from the Preliminary Ecological Appraisal. The provision of these measures could be secured through a planning condition or other appropriate agreement to ensure they are delivered before the site opens.

Arboricultural Officer: NO OBJECTION

REPRESENTATIONS

Cllr Peter Hodson: Makes the following comments:

“Further to submission of the above planning application, I wanted to write as Ward Councillor, to express my support for the application.

Mr Pope first contacted me last year to discuss his proposed Wildlife Park proposals. I believe this is an exciting opportunity to provide a unique educational resource for the local community and in time make a meaningful contribution to the tourism and visitor economy in West Norfolk and King’s Lynn.

I think Mr Pope's approach to introduce a 'soft start' to the proposals is a sensible one and will allow impacts to be carefully managed and understood, and this should help ensure that any future scheme for further visitor accommodation on the site will be designed with full knowledge of operational requirements and impacts.

I believe the proposed access point off Watlington Road just off the A10 roundabout an improvement off the Thieves Bridge Road proposed access, which should allow the visitor numbers to be managed without impact on local residents.

I do not believe the scheme as currently subject to this planning application would result in any unacceptable impacts and believe the Council should support this farm diversification project. It has potential to provide for additional job creation and unique learning opportunities. I understand Mr Pope has already been approached by numerous students keen to get involved in the project.”

THREE items of **SUPPORT** raising the following issues:

- Amazing idea – fantastic addition for the village and town;
- Wish to buy a season ticket;
- Opportunity for all to learn about conservation programmes and species at risk;
- New attraction would be a welcome addition to Norfolk tourism accessed by train and allow all to enjoy Norfolk countryside; and
- Bring people into the area, increase trade and offer jobs – also educational visits.

FOUR items being **NEUTRAL** – neither in favour nor against the proposal.

NINETEEN items of **OBJECTION** raising the following grounds:

- Road network not suitable to take traffic movements – congestion at Oakwood roundabout builds up at peak times especially in summer;
- A10 and A134 already very busy roads;
- Will cause traffic through the village from the west;
- Impact on residential amenity – rubbish, noise and road pollution – already disturbed by quarrying;
- Lack of information on future development/landscaping/perimeter lighting;
- Should include footpath along Thieves Bridge Road;
- No footpath link to village, station and bus stop;
- Drainage concerns;
- Earthworks already undertaken in excess of 2m high without permission;
- Electric buggies should be charged by renewable energy source;
- Additional traffic generated into working quarry;
- Arable land used;
- Too close to dwellings to the west;
- State/condition of trees;

- Insufficient detail on internal layout of park;
- Ecological survey limited scope – feel that EIA is required;
- Plough Lane can't support additional traffic for feeding and animal delivery;
- Use of 'allotment field' for car parking;
- Mature trees falling on fence risk breach; and
- Parking for coaches?

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM12 - Strategic Road Network

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

The key considerations in assessing this proposal are as follows:

- Principle of development
- Impact upon character and appearance of countryside
- Highway issues
- Impact upon adjoining properties
- Ecological issues
- Other material considerations

Principle of development

18/01691/FM

Planning Committee
3 December 2018

This is effectively a tourism and leisure use within the countryside. The new NPPF endorses a prosperous rural economy and states at Paragraphs 83 – 84:

“83. Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

84. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

The proposal must be judged against the policies of the Development Plan - Core Strategy Policies CS01, CS06, CS08, CS10, CS11 & CS12 of the LDF plus Policies DM1, DM12, DM15 & DM17 of the SADMPP. Key considerations will be addressed in main categories subsequently in this report.

Policy CS08 of the LDF relates to Sustainable Development and states inter alia:

“All new development in the borough should be of high quality design. New development will be required to demonstrate its ability to: protect and enhance the historic environment; enrich the attraction of the borough as an exceptional place to live, work and visit; respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout and access will enhance the quality of the environment...”

Policy CS10 of the LDF relates to Tourism, Leisure and Town Centre Uses which states inter alia:

“Retail, tourism, leisure, and cultural industries are key elements of the economic and social vibrancy of our borough, and contribute to the regeneration and growth of the area... The Council will promote opportunities to improve and enhance the visitor economy:

- Supporting tourism opportunities throughout the borough...
- Smaller scale tourism opportunities will also be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to our valuable natural environment...

... In the Countryside, preservation of the natural and historic environment should be a priority (also refer to Environmental Assets)...”

In terms of sustainability, the proposal lies adjacent to Watlington, which is defined as a Key Rural Service Centre in Core Strategy Policy CS02 of the LDF, the A10 (which is part of the Strategic Road Network) and a relatively short distance from the railway station. The site is

capable of being accessed by different modes of transport, but in this set up phase would initially attract car-borne visitors, plus pre-arranged group visits from schools etc. via mini-bus.

The applicant identifies the following benefits to the local economy:

- Creation of a year-round visitor attraction;
- Creation of a unique conservation programme and educational resource
- Enormous opportunities for presenting measurable net gains in biodiversity on the site.
- Directly create 6.5 FTEs involved in managing the site, promoting it and providing an educational facility in addition to animal management;
- Indirectly create 11.8FTE jobs in the local economy;
- Increase additional day visitors to the Watlington area by up to 22,000 by year four;
- Encourage additional overnight stays in the area benefitting other local businesses; and
- Increase spend in wider economy. Visit England estimates for every £1,000 generated in tourism related activities there is a further £1,800 supported elsewhere in the economy through the supply chain and consumer spending.

Impact upon character and appearance of countryside

Policy CS06 of the LDF relates to Development in Rural Areas which states inter alia: "The strategy for rural areas is to:

- promote sustainable communities and sustainable patterns of development to ensure strong, diverse, economic activity;
- maintain local character and a high quality environment;
- focus most new development in key rural service centres selected from the Settlement Hierarchy Policy CS02;
- ensure employment, housing (including affordable housing), services and other facilities are provided in close proximity.

...Beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all..."

The site is well screened from public areas by existing mature landscaped belts along road frontages with earth bunding beyond (ranging in height between 2m to 5m), which obscures views into the proposed park, plus it creates a further line of security. Whilst some of the earthworks are in excess of the permitted development height of 2m, they can be sought to be regularised by the submission of a retrospective planning application (under the provisions of Section 73A of the Planning Act) which would be determined on its own merits. However 2m high earth bunding would also create an effective screen. The applicant is now aware of this issue and indicates his intention to pursue the matter with a further application.

The physical development for consideration as part of this submission is the stock fencing, which is wire mesh 'otter' fencing on 2m timber supports/posts with angled tops and buried sections. The overall height is 2.15m – once again permitted development rights allow 2m high fencing in these positions, so the visual impact created by an extra 150mm (approx. 6in) would be negligible.

The visual impact of the proposed wildlife park in the Police House Field and 60 Acre Field is therefore considered to be acceptable.

Within the site there are two County Wildlife Sites (CWS) the implication for these will be addressed in the section on Ecological issues later in this report.

Highway issues

This is the most contentious matter in terms of objections raised to the proposed development.

Policy CS11 of the LDF relates to Transport which states inter alia:

“Dealing with transport issues in new development

Development proposals should demonstrate that they have been designed to:

- Reduce the need to travel.
- Promote sustainable forms of transport appropriate to their particular location and related to the uses and users of the development...
- Provide for safe and convenient access for all modes.”

Policy DM12 of the SADMPP relates to Strategic Road Network and states inter alia:

“The Strategic Road Network within the Borough, comprising the A10, A17, A47, A134, A148, A149, A1101 & A1122 and shown on the Policies Map, will be protected as follows outside of the settlements specified within Core Strategy policy CS02:

New development, apart from specific plan allocations, will not be permitted if it would include the provision of vehicle access leading directly onto a road forming part of this Strategic Road Network;

New development served by a side road which connects to a road forming part of the Strategic Road Network will be permitted provided that any resulting increase in traffic would not have a significant adverse effect on:

- The route’s national and strategic role as a road for long distance traffic
- Highway safety
- The route’s traffic capacity
- The amenity and access of any adjoining occupiers.

In appropriate cases a Transport Assessment will be required to demonstrate that development proposals can be accommodated on the local road network, taking into account any infrastructure improvements proposed...”

The application is accompanied by a Transport Note. This indicates that the site is in a relatively sustainable location, given its semi-rural setting; the proposed development at the level sought would have a minimal impact in the highway peak periods; and the development would not have a significant adverse effect in terms of the criteria of Policy DM12 above.

The Local Highway Authority (LHA) has indeed raised no objection to the proposed access to the site via the existing quarry access off Watlington Road, close to the Oakwood roundabout. Whilst this is an active quarry, any potential conflict between HGVs and visiting vehicles could be managed within the site; and the existing access is wide enough for HGVs to pass without interfering with the free flow of traffic on the highway.

There is an under-pass beneath Whin Common Road which formerly accommodated the conveyor line when the 60 Acre Field was excavated. This is now redundant and is sought to be improved and re-used by buggies to gain access to the park. Norfolk County Council point out that whilst there is no objection to this being retained and used for that purpose, a Section 106 agreement would be necessary to ensure that future maintenance, inspection

regime and replacement of the culvert is at the applicant's expense not the public purse. The applicant is aware of this requirement and the implications, which he is content to pursue.

There is ample room to create appropriate parking facilities for both the park buggies and visitor's vehicles. Its provision prior to the commencement of use of the park may be secured via condition – as requested by the LHA.

Impact upon adjoining properties

The nearest dwellings to the site are located on Mill Road (rear boundaries abutting the site) and Plough Lane (opposite side of the road). The land in the south-western corner of the site is to be used for containing deer and is proposed to be bounded by 2m high stock fencing. This would be no different from normal farming activity; however the applicant has included this area within the park to allow for guests to encounter/pet young deer as part of the overall experience. The non-native species are to be contained within the higher fenced zone which lies behind a landscaped belt with earth bunding beyond as described above. CSNN raise no concerns regarding the parking and administrative facilities as they are not situated near homes. They have however suggested conditions regarding prospective lighting, foul drainage for the toilets and rubbish/waste disposal.

CSNN opine that whilst this is an expansive site, with an increase in the numbers of species, the proximity of the site to the dwellings in Plough Lane and Mill Road means that there is the potential for odour to affect the amenity of the residents, particularly in the warmer weather when windows are open. It is assumed animal faeces will be widely dispersed and allowed to naturally decompose where deposited, however, with the animals being allowed to roam freely, there needs to be some measures in place to avoid accumulations of waste in the areas of the park nearer to residents, in order to avoid nuisance issues from odour and flies. Some species identify a preferred site to toilet, and will therefore return to use it, which can result in accumulations of waste. It would be beneficial for a plan to be put in place to identify how this will be controlled or avoided and therefore this should be conditioned.

Additionally, some of the species have loud calls. Again, given the open access around the park for birds and animals, some form of noise management plan will be needed to try to control and limit noise issues for residents. This is more likely to take the form of a reactive plan rather than to try and avoid noise in the first place, given the unpredictable nature of wildlife, so should look at monitoring the movement and settlement of wildlife around the park, the risk of noise from calls (depending on the species), public complaints received etc. and take steps at the point there are issues or potential issues to move species on from settling near the perimeter by moving food sources or herding them to another location. It should also consider the stocking of the park to try to avoid homing species known for loud or persistent calls. A noise management condition this therefore recommended.

With the above matters controlled via condition, the proposed development would not adversely affect the amenities of adjoining properties and could accord with Policy DM15 of the SADMPP.

Hours of use are expected to be between dawn to dusk to allow differing experiences in animal behaviour; however the level of usage is intended to be controlled via the number of active buggies on site and two tours per day. Given the containment of the site and the likelihood that visitors will be respectful of the animals and their environment, the hours of use are not sought to be restricted in this instance – indeed CSNN have not requested such action. However should the use of the park be sought to increase at a future date, then this matter would be reviewed.

Ecological issues

The Planning Application has been considered in accordance with Regulation 8 (1) of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 2017. The current development proposed does not fall within the description of development given in Schedule 2 Part 12 of the Regulations which is the nearest category (tourism & leisure). In this instance the development proposed does not require EIA.

It must however be noted that any prospective future development and additional facilities may fall within Category 12(c) and will require further screening.

Policy CS12 of the LDF relates to Environmental Assets which states:

“Proposals to protect and enhance our historic environment and landscape character, biodiversity and geodiversity will be encouraged and supported.

...The Council will protect and enhance County Wildlife Sites, ancient woodlands, Biodiversity Action Plan Species and Habitats, Regionally Important Geological Sites and designated sites of historical value from development which damages their interest or significance unless the need for, and public benefits of the development outweigh the loss of interest or significance.

Development should seek to avoid, mitigate or compensate for any adverse impacts on biodiversity, geodiversity and heritage as well as seeking to enhance sites through the creation of features of new biodiversity, geodiversity and heritage interest. The design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment...”

The application is accompanied by an Ecological Appraisal plus an Addendum which acknowledges that the site already is of high ecological value and enhancements to be undertaken with the restoration and aftercare scheme. With appropriate measures recommended within the appraisal, the development proposal would not adversely impact upon protected species.

The proposed boundary for the safari park includes two County Wildlife Sites (CWSs), Runs Wood Meadow - a semi-improved neutral grassland, and Thieves' Bridge Meadow - a mosaic of unimproved and semi-improved neutral grassland, a pond, a drain and scattered trees. Norfolk Wildlife Trust strongly recommends that the potential impacts of overgrazing on the two CWSs are secured through a planning condition or other appropriate agreement to ensure they are delivered before the site opens. Officers are of the opinion that this may be pursued with a suitably worded condition.

It will be noted from the Consultation section above, that Natural England raises no objection to the proposal.

Whilst there are some amendments to be authorised in connection with the restoration and management scheme agreed with County Council, the nature conservation and biodiversity enhancement aims of the applicant appear to be consistent with earlier agreements. This is expected to be resolved by retrospective application to the Minerals Authority (NCC) and a deed of variation. That scheme included a permissive footpath along the northern side of Thieves Bridge Road which could be maintained. It is understood that negotiations have already been commenced between those parties involved.

Should this project fail to be pursued/implemented, then the fall-back position is the restored quarry with nature conservation areas.

Other material considerations

There are no land drainage issues raised by the proposed change of use and physical development.

No structures are proposed within Flood Zones 2 or 3 of the Environment Agency's flood mapping. The proposed uses are therefore considered to be compatible within these areas and the EA have no comment to make on this application.

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

The condition of trees adjoining residential properties is a civil matter and needs to be addressed by both parties involved.

CONCLUSION

It is considered that the proposed development operated at the level/intensity described, and being capable of control via condition, would accord with the provisions of the NPPF and the Development Plan. Future expansion proposals would however require further planning permission which would be considered on its own merits.

The application is therefore recommended for approval subject to certain conditions stated below and the completion of a Section 106 agreement to secure that future maintenance, inspection regime and replacement of the culvert under Whin Common Road is at the applicant's expense and not the public purse.

RECOMMENDATION:

A) Within 4 months of the date of this resolution, a Section 106 agreement with NCC to secure that future maintenance, inspection regime and replacement of the culvert under Whin Common Road is at the applicant's expense is completed then the application be **APPROVED** subject to certain conditions stated in this report;

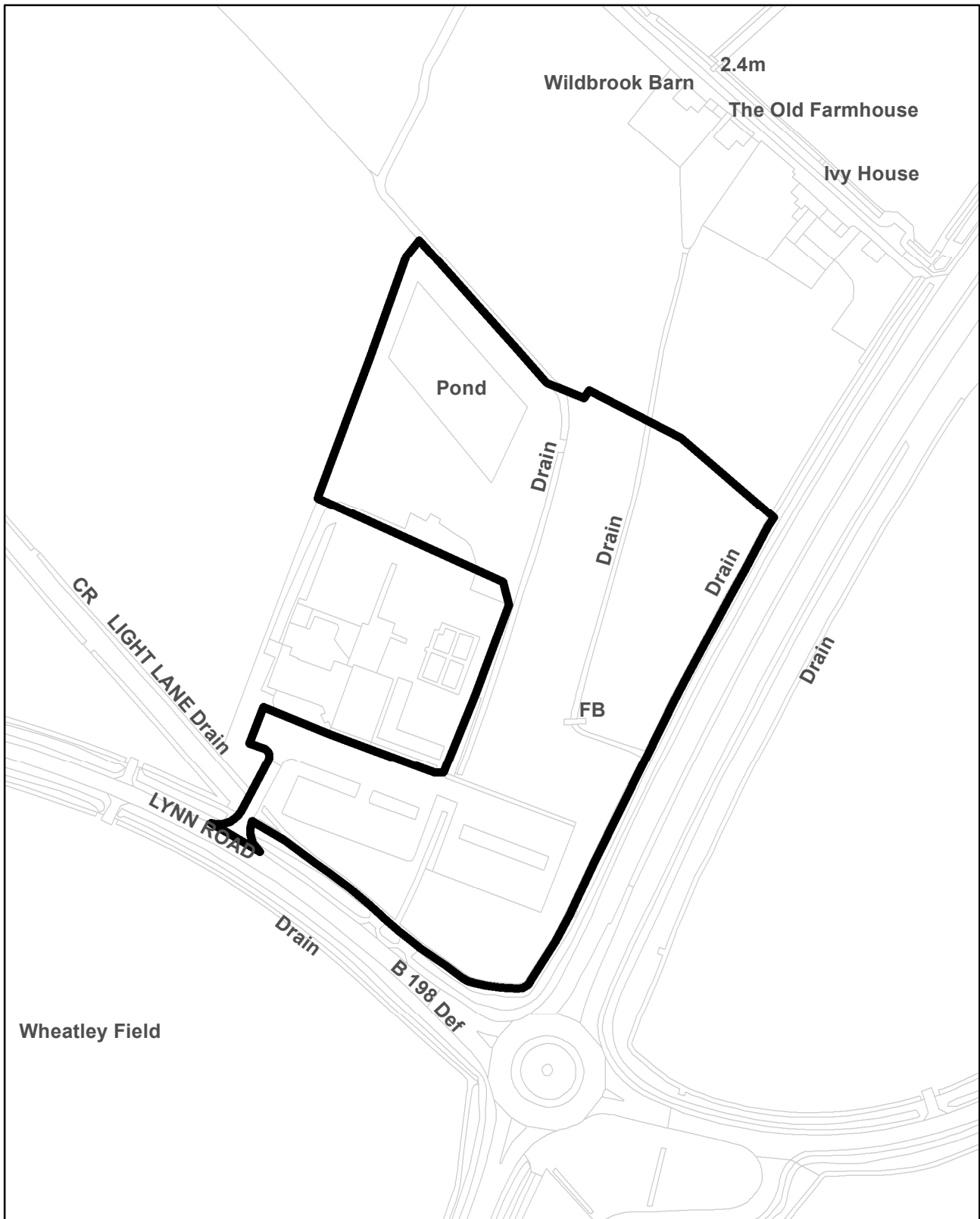
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Prior to erection, the exact position of the otter/stock fencing shall be submitted to, and agreed in writing by, the Local Planning Authority. The fencing shall be erected as agreed.
- 2 Reason To define the position of the fence in the interests of visual amenity and to comply with the provisions of Policy CS06 of the LDF and Policy DM15 of the SADMPP.
- 3 Condition Prior to the commencement of use of the wildlife park, details of a grazing regime for the two County Wildlife Sites (Runs Wood Meadow & Thieves' Bridge Meadow) contained within the overall site shall be submitted to, and agreed in writing by, the Local Planning Authority. The grazing regime shall be implemented as agreed unless otherwise agreed in writing by the Local Planning Authority.

- 3 Reason In order to ensure that the nature conservation aims of the site and County Wildlife Sites are not compromised, and to accord with the provisions of Policy CS12 of the LDF.
- 4 Condition Prior to the commencement of the use of the site office/reception caravan, full details of the means of foul water disposal shall be submitted to, and agreed in writing by, the Local Planning Authority. It shall be implemented as agreed prior to use of said caravan.
- 4 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 5 Condition Prior to the commencement of use of the site hereby approved, facilities shall be provided within the site for the storage of recycling, refuse and waste materials in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.
- 5 Reason To ensure that there is a satisfactory means of waste disposal in accordance with the NPPF.
- 6 Condition Prior to the commencement of the use hereby approved a scheme for the control of odour shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall identify the source of odour and controls that will reduce the potential for odour from the development to cause disturbance or disamenity to local residents. The scheme shall be implemented as approved and maintained thereafter.
- 6 Reason In the interests of the amenities of the locality in accordance with the provisions of the NPPF and Policy DM15 of the SADMPP.
- 7 Condition Prior to the commencement of the use hereby approved, a scheme to protect the surrounding residents from noise shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
- 7 Reason To ensure that the amenities of nearby residents are safeguarded, in accordance with the provisions of the NPPF and Policy DM15 of the SADMPP.
- 8 Condition There shall be no more than 10 No. visitor buggies active on the wildlife park at any one time; and there shall be no more than two tours per day (one morning and one afternoon).
- 8 Reason In order to define the terms of this permission and to control the number of visitors and associated traffic generation to accord with the submitted Transport Note forming part of this application; and accord with the provisions of the NPPF, Policy CS11 of the LDF and Policy DM12 of the SADMPP.
- 9 Condition Prior to the first use of the wildlife park hereby permitted, the proposed on-site car parking/servicing/loading/unloading/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.
- 9 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development, and highway safety and to accord with the provisions of the NPPF, Policy CS11 of the LDF & Policy DM17 of the SADMPP.

- B)** In the absence of a Section 106 agreement with NCC being completed within the above timeframe, the application be **REFUSED** on the grounds of highway safety.

18/01009/FM

Worzals Farm Shop Lynn Road Walsoken



1:2,500

AGENDA ITEM NO: 8/1(c)

Parish:	West Walton	
Proposal:	Proposed Play Barn and associated facilities including retail outlets, food outlets, Santa's Grotto, party rooms, parking, and landscaping plus extension to reservoir	
Location:	Worzals Farm Shop Lynn Road Walsoken Norfolk	
Applicant:	Worzals	
Case No:	18/01009/FM (Full Application - Major Development)	
Case Officer:	Mr K Wilkinson	Date for Determination: 6 September 2018 Extension of Time Expiry Date: 10 December 2018

Reason for Referral to Planning Committee – The proposal raises issues of wider concern.

Neighbourhood Plan: No

THE SITE AND APPLICATION

The site (3.4Ha) is a parcel of land to the immediate east and north of Worzals farm shop & restaurant, which lies on the northern side of Lynn Road, West Walton approximately midway between its junctions with the A47 roundabout and the mini-roundabout that has been constructed linking to Walton Highway.

Planning permission was initially granted at the Development Control Board for a farm shop in October 2010 under ref: 10/00953/FM. There have been subsequent alterations and additions including polytunnels, patio & equipped play area, extension of an open-air bedding plant sales area and repositioning of the surface water reservoir to the rear of the site plus a restaurant. The premises have quickly become a busy attraction.

This current application seeks full permission for a play barn and associated facilities including retail outlets, food outlets, Santa's Grotto, party rooms, parking, landscaping and reservoir extension.

KEY ISSUES

- Principle of development
- Impact on town centre shops/facilities
- Impact upon appearance of the countryside
- Highway matters
- Other material considerations

RECOMMENDATION

APPROVE

THE SITE AND APPLICATION

The site (3.4Ha) is a parcel of land to the immediate east and north of Worzals farm shop & restaurant, which lies on the northern side of Lynn Road, West Walton approximately midway between its junctions with the A47 roundabout and the mini-roundabout that has been constructed linking to Walton Highway.

This current application seeks full permission for a play barn (or soft play centre) and associated facilities including retail outlets, food outlets (including sweet shop & ice cream parlour), Santa's Grotto, party rooms, parking, landscaping and reservoir extension.

The proposal is for a single substantial building of barn-like appearance/proportions with a two storey main section (ridgeline broadly parallel to the A47) and single storey lean-tos wrapping around the sides and rear. Parking with covered walkways is proposed to the front/south and rear/north, plus a reindeer enclosure adjoining the eastern elevation.

The application is accompanied by a Retail Statement, Sustainable Drainage Strategy, Flood Risk Assessment, Transport Statement and Preliminary Ecological Appraisal.

SUPPORTING CASE

The agent has submitted the following information in support of this proposal:

“Planning Permission was granted for the establishment of Worzals on this site in October 2010 under application 10/00953/FM and since this time Worzals has rapidly expanded including alterations and additions comprising polytunnels, patios, outdoor play area, garden centre growth, creation and extension of a restaurant and extension to the front of the garden centre to improve the front elevation. In addition, Worzals offering comprises of a farm shop, deli, butchers and homeware.

The existing facility employs approximately 50 people from Wisbech and the villages surrounding the area. This expansion clearly demonstrates the success and commitment of Worzals, which as a result makes significant positive social and economic contributions to the town of Wisbech and neighbouring villages.

This proposal comprises of the erection of a play barn with seating for up to 200 people, party rooms, ancillary accommodation, café, ice cream parlour, sweet shop, Santa's Grotto and a small amount of retail. The intention is that this proposal will build upon, complement and enhance the already successful and prominent attraction. In addition, this proposal will further enhance the economic and social contribution to Wisbech.

This proposal will not only build upon the success of the existing offering it will also underpin it and ensure the continued success and positive impact of Worzals on the local area. The businesses on this site have proven to be successful over many years. The Borough Council's Core Strategy CS07 states 'The Council will seek to retain land or premises currently or last used for employment purposes'. Policies CS06 and CS10 also support the proposal and the local rural economy through employment generating uses which meet local needs that are appropriate in size and scale to the local area and should be adjacent to the settlement and the proposed development will not be detrimental to the local environment or residents.

Both the existing and proposed offering provides space and facilities that Wisbech town centre simply cannot. It gives direct parking immediately adjacent the development and offers un-rivalled transport links and accessibility for the general public, deliveries and staff.

A town centre location would be completely inappropriate for the type of businesses that are requesting space on this site. A retail impact assessment is submitted in support of this application demonstrating compliance with the Borough Council's Policy DM10.

The proposal will offer significant employment opportunities in the local area and will deliver a high quality scheme and fun barn experience that is not available in the locality. In terms of size and scale the building is designed to reflect its rural location in the form of a barn and is designed to accommodate the required play equipment and anticipated number of visitors.

This is a rural area of Wisbech and is characterised by utilitarian industrial type buildings primarily of simple form with some nearby residential properties located more than 160m away. Worzals itself has the feel of a high class rustic building and the approved extensions to Worzals will enhance this and further improve its visual appearance.

The proposed building has the form and massing of a contemporary barn and given the site's rural location, we consider this to be the most appropriate form of development for this site. The external appearance of the proposed development has been informed by the underlying design ethos and analysis of the architectural styles, rhythm and development pattern of the area and site.

As part of our design approach we have sought to break down the mass and impact of the play barn and associated accommodation. We have achieved this by setting the eaves height required for the play equipment (similar to that of a hay barn) the use of lanterns and the roof pitch as well as the single storey lean-to providing accommodation for Santa's Grotto, retail area and covered ways. The result is a proportionally correct building, which achieves the accommodation requirements whilst reducing the impact of the building as far as possible.

This approach significantly reduces the massing and visual impact of the proposed building as can be seen on the submitted 3D Visuals.

The scheme will deliver a much-needed amenity in the local area, is policy compliant, has no consultee objections and will enhance the existing offering on the successful Worzals site."

PLANNING HISTORY

15/01396/F: Application Permitted: 03/11/15 - REMOVAL OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 12/02020/F: Proposed restaurant extension

15/01394/F: Application Permitted: 03/11/15 - REMOVAL OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 14/00225/F: Proposed extension to front of existing garden centre to create improved frontage and covered lobby entrance

15/01393/F: Application Permitted: 03/11/15 - REMOVAL OF CONDITION 1 ATTACHED TO PLANNING PERMISSION 11/00787/F: Variation of condition number 13 of planning permission 10/00953/FM to amend approved plans

13/00898/F: Application Permitted: 19/08/13 - Proposed overflow car park extension (partially retrospective)

12/02020/F: Application Permitted: 11/02/13 - Proposed restaurant extension

12/01012/F - Planning application to regularise unauthorised works: Erection of poly tunnels, patio/play area to rear of cafe, extension of open-air bedding plant sales area, and relocation of approved reservoir to rear of site – Approved 15th November 2012

11/01860/F - Completion and retention extension to car park and retention of unauthorised section of car park in front of polytunnels – Approved (delegated decision) 22nd December 2011

11/000787/F - Variation of condition number 13 of planning permission
10/00953/FM to amend approved plans – Approved (delegated decision) – 12th August 2011

10/00953/FM – Change of use from agricultural land to farm shop and associated buildings – Approved (Committee decision) – 28th October 2010.

09/01483/FM – Change of use from agricultural land to farm shop and associated buildings – Refused (Committee decision) – 7th December 2009.

RESPONSE TO CONSULTATION

West Walton Parish Council: SUPPORT

Walsoken Parish Council: No comments received

Fenland District Council: NO COMMENTS

Wisbech Town Council: SUPPORT

County Highways (NCC): NO OBJECTION subject to conditions relating to construction of off-site highway improvements (right hand turning lane), access, visibility, parking/turning/servicing areas, cycle parking, construction parking, and wheel washing facilities.

Highways England: NO OBJECTION - Traffic surveys and analysis adequately demonstrates that with the proposed site access improvement in place, the predicted level of traffic turning right into the site is unlikely to have a material impact on the A47 junction.

Environment Agency: NO OBJECTION - The Flood Risk Assessment submitted is acceptable. We strongly recommend the mitigation measures detailed in the submitted FRA are adhered to. Finished floor level will be more than 150mm above ground level.

Emergency Planning Officer: NO OBJECTION – suggests conditions regarding signing on to EA's flood warning system and preparation of a flood evacuation plan. [Officer note: to be dealt with via informative note due to failing tests applied to use of conditions - enforceability issue]

Natural England: NO COMMENTS – standing advice applies.

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION - Recommends conditions relating to foul & surface water drainage, recycling, refuse & waste material storage, and informative notes.

Environmental Health & Housing – Environmental Quality: NO COMMENTS

Water Management Alliance: NO OBJECTION

Crime Prevention Officer: NO OBJECTION – advice offered on Secured by Design.

Waste and Recycling Officer: OBJECTS - Inadequate arrangement made for the storage of waste and recyclable materials. The absence of space for bins will have negative amenity impact on those who use the proposed development, and occupiers of adjoining land. It also fails to protect the environment. Plans show no access for waste collection vehicles. They require an impervious surface, with no level changes, and an 11.3sqm turning area.

REPRESENTATIONS

One item of **OBJECTION** was received raising the following grounds:

- The site is Grade 1 agricultural land in the countryside and should be refused as a matter of principle.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM12 - Strategic Road Network

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

The key considerations in assessing this application are as follows:

- Principle of development
- Impact on town centre shops/facilities
- Impact upon appearance of the countryside
- Highway matters
- Other material considerations

Principle of development

The principle of the development of this facility was initially established by the Development Control Board decision to approve a farm shop on the site in October 2010 under planning ref: 10/00953/FM. This has been established for some years now and has been extended to incorporate a restaurant.

The National Planning Policy Framework (NPPF) supports a prosperous rural economy. At Paragraph 38 it states inter alia, that planning policies should support the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

Core Strategy Policies CS06 and CS10 of the Local Development Framework (LDF) apply which also support the rural economy – employment generating uses which meet local needs must be appropriate in size and scale to the local area, should be adjacent to the settlement, and the proposed development and use will not be detrimental to the local environment or local residents.

This proposal seeks to embellish the facilities and reinforce the attraction of this rural business which has rapidly become a destination for leisure trips and also a stopping off point on the A47.

Impact on town centre shops/facilities

Chapter 7 of the NPPF relates to ensuring the vitality of town centres. In this instance the nearest urban area is Wisbech which lies beyond our administrative area. Nevertheless consideration has been given to the potential impact and consultations have been undertaken with both Fenland District Council and Wisbech Town Council. It will be noted from the consultation section above that both authorities support this application for development.

In terms of impact upon other businesses in the town, the application is accompanied by a Retail Statement plus addendum, which indicates that the small retail units (447m² gross) would be ancillary to the farm shop and sell products generally found in a garden centre such as seeds, chemicals, plants, bird food, gloves, wellies, patio furniture etc. It will also sell a range of kitchenware, small gift items and cards already sold in the existing facility. It states that there are no directly comparative garden, or kitchenware, stores in Wisbech town centre, the main overlap would therefore be cards and small gifts. There are no other soft play facilities within the town. The nearest existing facility is at Guyhirn (Play2Day) on the A47 some 16km away. King's Lynn has Planet Zoom at Gaywood approx. 20km away.

The assessment concludes that in terms of retail impact, the development would have a negligible impact on the vitality and viability of Wisbech town centre (constituting a trade diversion of 0.09% comparison goods turnover).

The consultants considered that a sequential test was not necessary, given the specific locational requirements for the proposal to be sited in association with the existing farm shop and limited size of the retail element.

Santa's Grotto is proposed to be a year-round setup; the retail units are considered to be self-restricting given their limited sizes and may be controlled to avoid merging into bigger units (which could have a different impact on the town centre). The food outlet/cafe and sweet shop & ice cream parlour are inward facing and directly related to the play facility.

Impact upon appearance of the countryside

As described above, the building whilst substantial in size has the appearance of an agricultural structure. When seen in context with the existing farm shop and restaurant, polytunnels, glasshouses etc. it would not be out of character with this rural setting. It would be mostly screened to the east by existing landscaping alongside the A47. The existing car parking area is to be extended to meet the requirements/standards of the Local Highway Authority to serve the new facility.

Highway matters

Whilst the current business is busy and prosperous, parking problems have not been experienced. The additional traffic generated by this proposal however necessitates off-site highway improvement works in the form of a right turning lane into the site access. The application is accompanied by a Transport statement which demonstrates that the improvement works will be effective and not adversely affect the flow of traffic on the A47. The finalised design of the junction will require permission from the LHA but negotiations are already being undertaken in this regard.

Subject to these off-site highway improvement works being undertaken prior to the commencement of the use of the development, both County Highways and Highways England raise no objection to this proposal.

Other material considerations

The site lies in Flood Zones 2 & 3 of the EA's flood mapping and the application is accompanied by a Flood Risk Assessment. This is a 'less vulnerable use' and is compatible development according to Planning Policy Guidance.

There are no ecological issues of concern raised by this proposal; and mitigation recommended in the ecological assessment may be secured via condition.

A sustainable surface water drainage strategy accompanies the application – this indicates the need for an extension to the existing reservoir which is part of this proposal.

Foul water disposal may be secured via condition, likewise waste storage areas, as requested by CSNN and our waste management team.

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

The existing premises are not restricted in terms of opening times and it would be unreasonable to seek to control this extended facility. There are no immediate neighbours and no concerns have been raised by our CSNN colleagues.

CONCLUSION

This application seeks permission to extend the existing retail and leisure facilities of this popular rural enterprise. The building is designed to complement the appearance of the existing structures on site and would not adversely affect the appearance of the countryside. Improved access and parking facilities would be adequate to serve the proposal, and there would not be a significant impact upon town centre trade. There are also no objections raised by statutory consultees. The proposal is therefore considered to accord with the provisions of the National Planning Policy Framework, Core Strategy Policies CS06, CS08, CS10 & CS11 of the LDF, and Policies DM10, DM12, DM15 & DM17 of the SADMPP.

The application is therefore duly recommended for approval subject to certain conditions stated below.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 05 Revision A, 06 Revision A, 07 Revision A, 09 Revision A & 10.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall take place on any external surface of the 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.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition No development shall commence 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.
- 4 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.

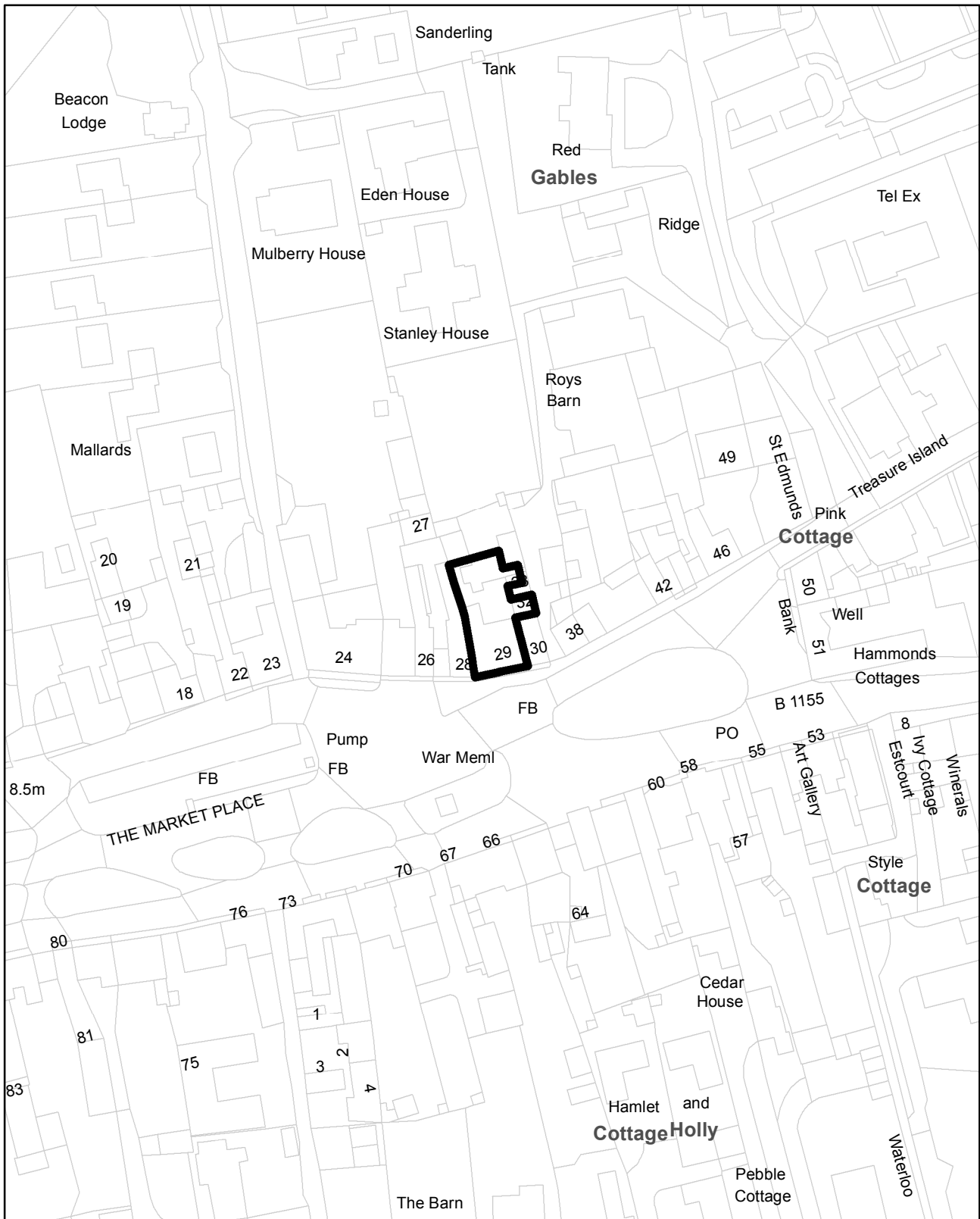
- 5 Condition The development shall be undertaken in accordance with the mitigation measures recommended in the Preliminary Ecological Appraisal dated July 2018, prepared by Glaven Ecology and submitted as part of this application.

- 5 Reason In the interests of ecology, and to accord with the provisions of the NPPF and Policy CS12 of the LDF.
- 6 Condition The development shall be undertaken in accordance with the recommendations of the site-specific Flood Risk Assessment prepared by Geoff Beel Consultancy and submitted as part of this application.
- 6 Reason To safeguard the users of the site at times of high flood risk, and to accord with the provisions of the NPPF and Policy CS08 of the LDF.
- 7 Condition Prior to the use of any part of the development permitted, facilities shall be provided within the curtilage of the site for the storage of recycling, refuse and waste materials in accordance with details that have been submitted to, and approved by, the Local Planning Authority.
- 7 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 8 Condition Prior to the commencement of the use hereby permitted a visibility splay measuring 4.5 x 215 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 8 Reason In the interests of highway safety.
- 9 Condition Prior to the commencement of use of the development hereby permitted, the proposed access / on-site car and cycle parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan (Drawing No 07 Revision A) and retained thereafter available for that specific use.
- 9 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 10 Condition Prior to the commencement of use of the development hereby permitted, cycle parking facilities shall be implemented in accordance with details that have been submitted to, and approved in writing by, the Local Planning Authority.
- 10 Reason To ensure the provision of adequate cycle parking that meets the needs of users of the proposed development and in the interests of encouraging the use of sustainable modes of transport.
- 11 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.
- 11 Reason To ensure adequate off-road parking during construction in the interests of highway safety.
- 12 Condition No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to, and approved in writing by, the Local Planning Authority.

- 12 Reason To prevent extraneous material being deposited on the highway.
- 13 Condition For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in Condition 12.
- 13 Reason To prevent extraneous material being deposited on the highway.
- 14 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 numbered 1549-01 Rev A have been submitted to, and approved in writing by, the Local Planning Authority.
- 14 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 15 Condition Prior to the commencement of the use of the development hereby permitted, the off-site highway improvement works referred to in Condition 14 shall be completed to the written satisfaction of the Local Planning Authority.
- 15 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 16 Condition The retail units shall be implemented and retained as shown on the approved plan (Drawing No. 05 Revision A) with the following sizes and shall not be combined into larger units:
- Unit 1 – 82m² gross;
 - Unit 2 – 89.5m² gross;
 - Unit 3 – 89.5m² gross;
 - Unit 4 – 89.5m² gross; and
 - Santa's Grotto shop – 62m² gross.
- 16 Reason To define the terms of this permission as changes to the retail facilities would require further assessment with regards to potential impact upon Wisbech town centre; and to accord with the provisions of the NPPF, Policy CS10 of the LDF and Policy DM10 of the SADMPP.
- 17 Condition Santa's Grotto and the soft play facility (plus associated café/food outlet, sweet shop & ice cream parlour, party rooms and staff room) shall be contained within the areas clearly shown on the approved plan (Drawing No. 05 Revision A) and used for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.
- 17 Reason To define the terms of this permission as changes to the leisure facilities would require further assessment with regards to potential impact upon Wisbech town centre; and to accord with the provisions of the NPPF, Policy CS10 of the LDF and Policy DM10 of the SADMPP.

18/01796/F

No. TWENTY 9 29 Market Place Burnham Market



AGENDA ITEM NO: 8/2(a)

Parish:	Burnham Market	
Proposal:	VARIATION OF CONDITION 3: of planning permission 17/00984/F - Proposed change of use from ground floor retail (A1) and first floor residential (C3) to two storey restaurant (A3) including extension and alterations	
Location:	No.TWENTY 9 29 Market Place Burnham Market Norfolk	
Applicant:	Mr T Roberts	
Case No:	18/01796/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 3 December 2018

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

Neighbourhood Plan: No

Case Summary

Permission is sought to vary the opening hours of No. TWENTY 9, Market Place, Burnham Market to enable later opening on Christmas and New Year's Eve, and to enable extended hours in the courtyard area at the rear of the property on six days of the year.

Key Issues

Neighbour Amenity

Recommendation

Officers can recommend varying the condition as felt to be appropriate, and in this case propose agreeing to the Christmas and New Year's Eve hours, but not the later hours for the outside rear courtyard.

APPROVE

THE APPLICATION

Permission is sought to vary the opening hours of No. TWENTY 9, Market Place, Burnham Market to enable later opening on Christmas Eve and New Year's Eve, and to enable extended hours in the courtyard area at the rear of the property on six days of the year.

Currently closing time is either 22:00 or 23:00 on Christmas Eve and New Year's Eve depending on which day of the week they fall (Monday – Saturday: 23:00; Sunday: 22:00). This application seeks to enable the restaurant to stay open until 00:30 on Christmas Eve and 01:30 on New Year's Eve which would be in line with their current Premises Licence.

It also seeks to enable the use of the rear courtyard for live music events until 23:00 on six days of the year which equates to an additional 12 hours a year, as currently use of this area has to cease at 21:00.

SUPPORTING CASE

None submitted

RELEVANT PLANNING HISTORY

17/00984/F – VARIATION OF CONDITION 3 OF PLANNING PERMISSION 16/02002/F: Proposed change of use from ground floor retail (A1) and first floor residential (C3) to two storey restaurant (A3) including extension and alterations - Permitted 18 July 2018

16/02002/F - Proposed change of use from ground floor retail (A1) and first floor residential (C3) to two storey restaurant (A3) including extension and alterations - Permitted 10 February 2017

On the wider site (land to the rear of the courtyard in the applicant's ownership / control):

17/01451/F - Proposed development of 6no. suites B&B accommodation ancillary to bar & restaurant – Permitted November 2017.

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Environmental Health & Housing – CSNN: We have concerns over this application.

It is requested that the condition be varied to allow the opening hours to be increased on New Year's Eve to 0130 hours in accordance with the premises licence, allowing for alcohol to be served until 0100 and an additional 30 mins for 'drinking up' and closing, and for Christmas Eve opening until 0030 hours, with alcohol sales to cease at midnight.

We would not consider this request to be unreasonable and would not object to this aspect.

It is also requested that the conditioned use of the exterior rear area behind the orangery be altered to allow for use until 23:00 hours for 6 no. events a year.

Unfortunately we would object to this aspect of the condition being varied. We currently have an open case due to complaints from more than one resident about events at the premises over the summer season, one of which we are aware lasted for three days. The investigations in relation to these complaints have not been completed, but clearly the 6 events per year (even if one was Christmas and another New Year) could still amount to 18 days or more of disturbance to residents. It would not necessarily be the case that 6 events equate to 6 days.

I have taken account of the other establishments listed in the table on page two of the planning statement. Four of these have been investigated previously by this team following noise complaints relating to noise from events; some more than once. Several others are located with substantial separation distances or suitable attenuation measures between outdoor or events areas and surrounding dwellings, so are not directly comparable.

I am taking into account that to be too restrictive could impact on the trading of the premises, but consider that there is sufficient justification to object to the external area being used after 9pm, to afford protection to the amenity of surrounding residents.

REPRESENTATIONS

Fourteen letters of objection and two letters of support have been received. The issues raised can be summarised as:

- Noise and residential amenity because the site is largely surrounded by residential properties
- Increased vehicular activity; there is insufficient parking in the village itself and people are reluctant to use the car park
- Concerned that existing restrictions are not being fully complied with and any variation to extend the hours will only exacerbate this
- What is an 'event'
- Stringent conditions are required and it should not be down to local residents to 'police' compliance
- When the shops close, the village turns back to a peaceful residential village
- The applicant claims that No. TWNETY 9 is operating as a public house; however the original permission is for an A3 (restaurant) use

The two letters in support state that the live events are very good and that the more people that come to Burnham Market the more it helps local businesses.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

- Background
- Residential Amenity
- Rural Employment
- Crime and Disorder

The main considerations in the determination of this application are neighbour amenity and supporting the local economy.

Background

Permission was originally approved in February 2017 for the conversion of the existing building, which was retail (A1) at ground floor and residential (C3) at first floor, to a two storey restaurant (A3). Floor plans showed a small ancillary bar, however the use class of the premises is A3 and does not include A4 'Drinking Establishments'. The permission also allowed for a rear 'orangery' extension for further dining, and a small outside courtyard area was to be retained to the rear of the orangery.

In order to make the proposal acceptable careful consideration was given to neighbour amenity issues. To this end the permission was restricted, under condition 3, as follows:

The premises shall only be used between the hours of 08:30 and 23:00 Monday to Saturday and 08:30 to 22:00 on Sundays, Bank or Public Holidays unless otherwise approved in writing by the Local Planning Authority. Use of the exterior rear area behind the orangery for patrons shall cease at 9pm.

In 2017 an application to vary this condition was received and approved under planning reference 17/00984/F. The change was to allow the opening hours to be extended on bank and public holidays from 22:00 to 23:00. The application was approved as it was considered that one additional hour, eight times a year, would not result in neighbour disamenity or result in a statutory nuisance.

As a result Condition 3 was amended, under the 2017, application to read:

The premises shall only be used between the hours of 08:30 and 23:00 Monday to Saturday and Bank or Public Holidays, and 08:30 to 22:00 on Sundays, unless otherwise approved in writing by the Local Planning Authority. Use of the exterior rear area behind the orangery for patrons shall cease at 9pm.

The current application seeks to further amend condition 3 to allow extended opening hours on Christmas Eve to 00:30 and New Year's Eve to 01:30. This would bring the Planning Permission in line with the Premises Licence.

In relation to this amendment, CSNN and third parties raise little concern and your officers believe it is a reasonable and acceptable and is unlikely to result in material disamenity.

Residential Amenity

The NPPF states, at paragraph 127 that: Planning policies and decisions should ensure that developments a) will function well and add to the overall quality of the area...and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

This is reiterated in Chapter 16 of the SADMP which states at its opening paragraph that: Development proposals should aim to create a high quality environment without detrimental impact on the amenity of new and existing residents. Factors that could have a significant negative impact on the amenity of residents include: noise, odour,.... Policy DM15 therefore requires that: Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:...noise...Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

Objections have been received from both CSNN and third parties in relation to extending the use of the outside courtyard area from 21:00 to 23:00 for six live music events per year. A number of concerns raised relate to what is meant by an 'event', and the applicant has clarified that they are seeking to use the outside space six days per year.

Notwithstanding this clarification, CSNN retain their objection to extending the use of this outside space and have confirmed that as of 15.11.2018 they have a number of on-going noise complaints that they are investigating.

One of the main issues for consideration is therefore, if Members agree that the extended opening hours requested for Christmas and New Year's Eve are acceptable, whether an additional 12 hours over six days in any one calendar year is likely to result in such neighbour disamenity as to warrant refusal of the application.

Notwithstanding this, your officers consider that the original and subsequent restrictions on the use of the outside space to cease at 9pm were necessary and reasonable and the reason for them (to protect neighbour amenity) is still just as relevant.

Furthermore there are a number of ongoing statutory nuisance complaints currently being considered by the Local Authority's CSNN Team in relation to these premises. As such CSNN object to any increased use of the outside rear courtyard after 9pm. Additionally, all third party comments relate specifically to the use of the outside space.

Your officers therefore believe on balance, and whilst contrary to what is allowed by the Premises License, that to grant planning permission to use the outside space for live music events on six days of the year until 11pm would result in unacceptable neighbour amenity issues.

Rural Employment

Paragraph 80 of the NPPF states: Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

This stance is supported under Core Strategy Policy CS10 that seeks to support local employment uses where there is no detriment to, amongst other things, residential amenity.

The applicant suggests that to compete with similar businesses in the area the requested variations are necessary. However, your officers do not consider that the applicant is comparing itself with like-for-like businesses. Indeed none of the businesses that the applicant is comparing itself to is wholly an A3 use; or has like-for-like neighbour amenity issues.

Since the original determinations, permission has been granted for 6 B&B suites to the rear of the courtyard. Whilst these two applications are currently owned by the same applicant, neither is restricted to the other and both were considered on their own merits. As such the B&B permission does not alter the premises to which the current application relates being A3.

The restrictions (or lack thereof) on the 'comparable' businesses would have taken account of their specific use and the specific neighbour relationships as well as how long they had been operating etc. That is to say, that this application needs to be assessed on its own merits, needs and locational constraints and cannot be considered wholly comparable to any of the businesses the applicant suggests it should be compared with.

The original 2016 and subsequent 2017 permissions (and any permission that may be granted under the current application) on the current site is for an A3 use; a restaurant use. This is a material consideration when considering the needs of the business, and Members will need to carefully consider whether outside music events in this locality are reasonably necessary for the business to function as a restaurant and whether the original or subsequent permissions would have been granted without such a restrictive condition on the outside space.

Crime and Disorder

It is not considered there are any specific crime and disorder issues.

CONCLUSION

The main issue in the determination of this application is the balance between neighbour amenity and the needs of an existing business.

On the issue of the request for additional hours on Christmas and New Year's Eve, your officers consider, in line with CSNN, that the request is reasonable and acceptable and is unlikely to result in disamenity of a level to warrant refusal of the application.

Likewise, but in this instance contrary to the request by the applicant, your officers consider, in line with CSNN and third party representations, and notwithstanding the limited request for the use of the outside space for live music events (12 additional hours over a year), that this request is unreasonable and is likely to result in neighbour disamenity issues of a level to warrant refusal.

This application is to vary Condition 3 of a previous permission (17/00984/F). The legislation governing such applications enables the LPA to amend the wording as they feel appropriate. That is to say that we can amend the proposed condition rather than simply refusing the application.

For the reasons outlined above it is considered that this application should be approved subject to the following conditions (amended where necessary from the previous approval), and specifically in relation to varying the condition that relates to hours of operation the condition should read:

The premises shall only be used between the hours of 08:30 and 23:00 Monday to Saturday and Bank or Public Holidays; 08:30 to 22:00 on Sundays, 08:30 to 00.30 on Christmas Eve and 08:30 to 01:30 on New Year's Eve unless otherwise approved in writing by the Local Planning Authority. Use of the exterior rear area behind the orangery for patrons shall cease at 9pm.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be completed in accordance with the following approved plans:
 - 244/16/05E - Proposed Ground Floor Plan
 - 244/16/068 - Proposed First Floor Plan
 - 244/16/07F - Proposed Elevations & Section
 - 244/16/08C - Proposed Site Plan

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

- 2 Condition No deliveries shall be taken at or despatched from the site outside the hours of 0830 - 1800 on weekdays, 0830 - 1300 on Saturdays, Sundays, Bank or Public Holidays.

- 2 Reason In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.

- 3 Condition The premises shall only be used between the hours of 08:30 and 23:00 Monday to Saturday and Bank or Public Holidays; 08:30 to 22:00 on Sundays, 08:30 to 00.30 on Christmas Eve and 08:30 to 01:30 on New Year's Eve unless otherwise approved in writing by the Local Planning Authority. Use of the exterior rear area behind the orangery for patrons shall cease at 9pm.

- 3 Reason In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.

- 4 Condition The development shall be operated in accordance with the approved details pursuant to condition discharge C5 (noise, waste and refuse facilities) under reference 16/02002/F.

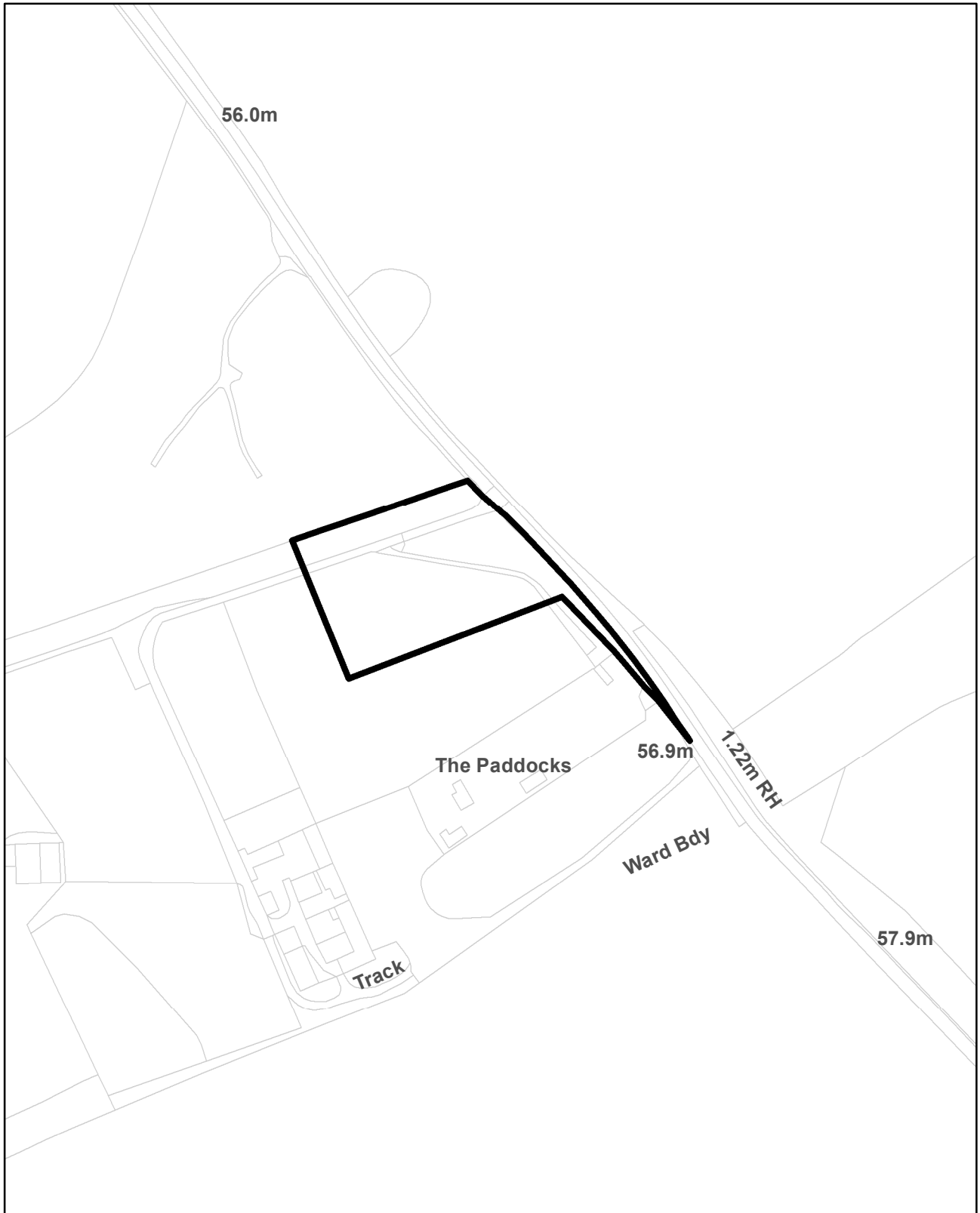
- 4 Reason To ensure that the amenities of the locality are safeguarded in accordance with the NPPF.

- 5 Condition The element of the flue which projects above the roof shall continue to be painted in a matt black finish for the lifetime of the development unless otherwise approved in writing by the Local Planning Authority.

- 5 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.

17/01709/F

Land west of Fakenham Road Stanhoe



Parish:	Docking	
Proposal:	Proposed Glamping Site	
Location:	Land West of Fakenham Road Stanhoe Norfolk	
Applicant:	Mr. M. McGinn & Ms. S. Brooks	
Case No:	17/01709/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 17 November 2017 Extension of Time Expiry Date: 9 February 2018

Reason for Referral to Planning Committee – Planning Committee made decision with time restriction for completion of S106 legal agreement.

Neighbourhood Plan: No

Update for Members

Members may recall that this application was considered at the Planning Committee Meeting of 9 April 2018. The recommendation was overturned and the application was approved, subject to appropriate planning conditions and the signing of a S106 legal agreement required to secure the necessary visibility splays for the vehicle access on Fakenham Road. The S106 agreement was to be signed within 4 months of the date of the Planning Committee meeting.

The minutes of the meeting read:-

RESOLVED: That the application be approved, contrary to recommendation, for the following reasons:

That the benefits of the development to tourism and the local economy outweighed the harm to the character and appearance of the countryside and subject to:

- The completion of a Section 106 Agreement within 4 months of the date of the Committee to secure visibility;
- Appropriate conditions to be imposed following consultation with the Chairman and Vice-Chairman; and
- A condition be imposed to ensure that the provision of 5 shepherd huts on site be completed before the residential accommodation was occupied.

This planning application is before the Planning Committee to seek additional time for the completion of the legal agreement. Several different parties have been involved in the process of obtaining the appropriate information and delays have been incurred.

In accordance with the minutes of the 9 April 2018 Planning Committee meeting appropriate planning conditions have been agreed following consultation with the Chairman and Vice-Chairman of the Planning Committee.

At the time of writing amended wording of the legal agreement has been agreed and is being engrossed. The legal agreement is required to be signed by more than one party and this is currently being undertaken. As the required signatures were obtained additional questions relating to the wording of the agreement have been raised, which has incurred additional delay. This has meant that the legal agreement has not been completed within the 4 month target date set at the 9 April meeting.

Another issue in this case is that the resolution made by the Planning Committee made no recommendation to refuse the application if the legal agreement was not signed within this time period and this ought to be resolved as well.

The applicant has indicated that there are no anticipated issues with obtaining the required signatures from third party land owners. It is considered that two months should be sufficient time to complete the agreement, but a period of three months is sought given the previous issues here.

Accordingly an additional period of three months from the date of this meeting is requested to be agreed to enable the legal agreement to be completed and signed.

If the agreement is not signed in time then the application will need to be refused on the grounds of failure to secure the necessary visibility splay.

RECOMMENDATION

- A) APPROVE** subject to conditions which have been agreed with the chairman and vice chairman of the planning committee and satisfactory completion of the S106 Agreement

- B) REFUSE** In the event that the S106 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 the necessary visibility splay.

AGENDA ITEM NO: 8/1(b)

Parish:	Docking	
Proposal:	Proposed Glamping Site	
Location:	Land West of Fakenham Road Stanhoe Norfolk	
Applicant:	Mr. M. McGinn & Ms. S. Brooks	
Case No:	17/01709/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 17 November 2017 Extension of Time Expiry Date: 9 February 2018

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

Neighbourhood Plan: No

Case Summary

The application site is located on the western side of the B1445, at Bircham Newton. The site is part of a larger field which is generally grassed and open in nature.

The main B1454 Fakenham Road forms the eastern boundary of the site. To the north is Dreamy Hollow Woodland Campsite and to the south is the remainder of the field within the applicant's ownership. Beyond the field boundary to the south is a private residential property. To the west is another part of the grassed field (outside the applicant's ownership) with a wooded area beyond. Residential properties in Monks Close are further west.

In policy terms the site is within open countryside.

Full planning permission is sought for the change of use from agricultural land to a 12 pitch glamping site with shepherd's huts, 3 additional shepherd huts for use as a reception building, shower block and toilet block, a detached warden's lodge with separate access and parking, a new vehicular access point onto Fakenham Road, 12 parking spaces, vehicular turning area, bin storage area, land banking/ landscaping and fencing.

Key Issues

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

Recommendation

REFUSE

THE APPLICATION

Full planning permission is sought for the change of use from agricultural land to a 12 pitch glamping site with shepherd's huts, 3 additional shepherd huts for use as a reception building, shower block and toilet block, a detached warden's lodge with separate access and parking, a new vehicular access point onto Fakenham Road, 12 parking spaces, vehicular turning area, bin storage area, land banking/ landscaping and fencing.

The proposal shows the new access onto the B1445, Fakenham Road at the south eastern corner of the site with visibility splays stretching 178m in both directions.

SUPPORTING CASE

The application has been supported by a Design and Access Statement, a Business Plan including profit and loss figures and a Supporting Statement. A full tree survey, arboricultural implications assessment and arboricultural method statement have been submitted during the course of the application.

The applicant also submits the following:-

'The proposal of 12 new shepherds huts and temporary wardens lodge situated at the above address has been warmly welcomed by local business and we feel having the temporary wardens accommodation is a vital part of the caretakers offering a first class service to our potential customers and general up keep of the site.

The local parish accepted the application for the site and they had no issues with the temporary warden's accommodation. Their only concern was that we work as per highways proposal for the entrance to the main road. All of which we have complied.

As a new business we have applied for a leader euro grant and again we have past the first stage application this grant is based on new local business like ours" setting up and helping provide rural areas with employment, with research that we have comprised into glamping and how it continues to grow in the UK this application / proposal we have submitted with our sensible and realistic business plan could really benefit the local community with employment and leisure activities.

The site itself will have a natural feel to it with native shrubs and soft planting; this will have minimal impact on the surroundings and again is welcomed by horticulturalist.

The accommodation is unique and will be bespoke to the area drawing customers nationwide to North West Norfolk, Helping others benefit from Range Farms initiative to take the lead in modern style glamping.

Families can come and enjoy our relaxed atmosphere and with friendly knowledgably local staff on hand Range Farm could become a reputable hot spot for years to come.'

PLANNING HISTORY

2/99/0571/CU: Application Permitted: 13/07/99 - Change of use from pig farm to stables/livery yard - Range Farm, Fakenham Road, Bircham Newton, Docking

RESPONSE TO CONSULTATION

Parish Council: Mixed decision – they support the application in principal and are happy with the proposed glamping site. The council would like to ensure that this application is dealt with under the same guidelines as a neighbouring site offering holiday accommodation. However, Docking Parish Council have huge safety concerns about adding a further entrance onto this stretch of the B1454 where cars are able to move at 60mph.

Bearing in mind that there is already an entrance for a camping site on this road and the 60mph speeds coupled with the limited visibility due to the winding nature of the roadway, the council consider that this will be a dangerous entrance to negotiate when entering and leaving the proposed site. The council needs to be assured by Highways that the entrance meets their requirements for visibility and safe entrance and exit of the site and highway.

The council would like to be reassured that the warden's property as indicated on the plan is in fact a mobile building the same as all the others on the site.

The council are happy to leave the final decision about this application to the Borough and highways for the reasons stated above.

Highways Authority: NO OBJECTION – however, require a legal agreement (S106) to be signed to establish the third party agreement to ensure third party land remains open to provide an unobstructed line of sight for 178m in both directions as measured from a setback distance of 2.4m of the proposed new access.

Environmental Health & Housing - Environmental Quality: NO OBJECTION – conditionally; recommend that planning conditions imposed regarding contamination

Environmental Health & Housing - CSNN: NO OBJECTION – conditionally; recommend that planning conditions imposed regarding foul and surface water drainage arrangements; restrictions on large group bookings; noise protection; outdoor lighting scheme; ancillary warden accommodation; concern is raised regarding the historic use of land for a firing range and excavations resulting in exposure of buried munitions; the proposed method for handling foul water will not be suitable on a seasonal camping site. As there is no mains drainage in this area, the remaining option is a cess pit, which can be emptied as and when required.

Arboricultural Officer: requires a full tree survey, arboricultural implications assessment and arboricultural method statement to BS 5837:2012

Environment Agency: No comment

NCC Trails Officer: NO OBJECTION on Public Rights of Way grounds as although Docking Footpath 2 is in the vicinity, it does not appear to be affected by the proposals.

REPRESENTATIONS

The application has been called to the Planning Committee by Cllr Morrison.

Representations from **2** third parties referring to the following:-

- Request the planning authority provides details of visibility splays and length of site lines together with correspondence from NCC Highways on the matter;
- The site is an old firing range and contains buried munitions.

- Our sites permission placed requirement upon us was to satisfy certain environmental concerns with regard to noise and light pollution. Please could you provide me with the environmental health officer's assessment of the impact regarding light pollution and noise? * The plans refer to a warden's lodge but does not refer to the use of this lodge.
- The application refers to shepherds huts but there is no detail on the size make and elevation.
- The unauthorised development this summer damaged our business with complaints from campers about the noise from our campers.
- I would appreciate it if you could read up on our application and compare it to this one with a view to advising us on likely change of uses for our site should this application be successful.
- Our planning conditions led us to develop a low noise and light pollution business which is now popular with campers. A busy trackway and Glamping site next to our site would prevent us continuing to operate as a quiet camping site.
- *A 9m wide band of 50yr old Woodland and scrub has already been removed without consultation or permission. This loss of amenity has impinged upon the privacy and quietness of two of our pitches affecting our income.
- When our planning application was submitted for a very similar development we were refused use of our easement as an entrance off the B1454. The new entrance required of us by highways established a safe minimum sight line to the blind summit and bend of 190m. The proposed new entrance onto the B1454 gives about half that distance.
- The relocation of the trackway to the proposed point is not within the gift of the applicant. The easement belongs to our company and we are taking legal action to have it restored to its original position and entrance onto the B1454.
- The new trackway cuts across our boundary for approx. 1m at the new unauthorised entrance onto the B1454. There is no agreement with the applicant to keep the line of sight required over our property, clear of obstacles.
- in order to improve visibility splays the applicant has dug up our easement without permission, moved the easement 9m up against our boundary, and claims it on the plans submitted as "existing" (OS and Google Earth shows the original position).
- If the plans were modified accordingly and our legal right of access accepted and the track restored to its original condition we would withdraw this part of our objection.
- As far as the Wardens accommodation is concerned we presented similar arguments to the planning committee and these were rejected. Not able to have a resident warden on site has significantly affected our turnover, ability to employ (most people can't afford to travel to such a rural location). Although we have permission for timber pods, yurts, and tepees, these units can cost up to £15,000 each and on a site with no resident warden, are prohibitive to insure.
- As a business established in 2012 and trading as a woodland and campsite since 2014 we would very much like to see a more flexible approach. If we were granted permission for a resident warden as an established business we could offer Security and greeting services for to the applicant on a purely business basis. Of course this would first require an amicable settlement to the blocked right of way issue.

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 PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

DM11 – Touring and Permanent Holiday Sites

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

- The key issues relevant to this application are:
- Principle of Development;
- Impact upon Visual Amenity;
- Highway Safety;
- Impact upon Neighbour Amenity; and
- Other Material Considerations

Principle of Development

In policy terms the site lies within land designated as countryside. The nearest settlement to the application site is Bircham Newton which is a 'Smaller Village and Hamlet' and as such it does not have a development boundary.

Nationally, the NPPF seeks to protect and enhance the natural, built and historic environment whilst contributing to the achievement of sustainable development. Paragraph 28 states inter alia:

“Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;

- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres...”

In the Core Strategy Policy CS06 states that in the countryside and rural areas the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife and its natural resources to be enjoyed by all. Development is therefore restricted to that appropriate in a rural area.

Tourism plays a significant role in the Borough’s local economy and the Council takes a positive approach to the development of tourism. The main tourist appeal is based on the unique natural environmental assets and the historic built environment. Locations for proposed holiday accommodation need careful consideration. Proposals for holiday accommodation should also provide for a range of accommodation which will continue to positively contribute to the local economy.

Policy CS10 states that opportunities to improve and enhance visitor economy will be promoted. Smaller tourism opportunities will be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to the valuable natural environment.

The policy also states that the Council will permit the development of new tourism accommodation in rural areas provided it is located in or adjacent to villages and towns, it is of a high standard of design, will not be detrimental to the landscape and mechanisms will be in place to permanently retain the tourism related use.

CS12 refers that proposals to protect and enhance the historic environment and landscape character, biodiversity and geodiversity will be encouraged and supported.

Policy DM11 of the SADMP refers specifically to development of Touring and Permanent Holiday Sites. The preamble to the policy states that permanent holiday sites can have a significant impact on the landscape. It refers to the Core Strategy which seeks to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife and the importance of ensuring a correct balance between encouraging tourism and other policy aims of controlling development in the countryside.

This policy states that ‘proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation will not normally be permitted unless;

- The proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area;
- The proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environment qualities of the surrounding landscape and surroundings; and
- The site can be safely accessed;
- It is in accordance with national policies on flood risk;
- The site is not within the Coastal Hazard Zone indicated on the policies map, or within areas as identified as tidal defence breach Hazard Zone in the Borough Council’s Strategic Flood Risk Assessment and the Environment Agency’s mapping.’

The proposed holiday development incorporates a detached warden's lodge with separate access and parking. This is shown to be a single storey park home and the floor plan shows it has all the facilities of a residential property. The applicant confirms this is proposed to be a temporary dwelling although requires the lodge to be used for all year round residential accommodation. For planning purposes therefore this warden's accommodation is treated as a new dwelling in the countryside.

As referred to above, the site is located within the countryside where restrictive development plan policies apply. In terms of new residential development the National Planning Policy Framework indicates that isolated new homes in the countryside should be avoided unless there are special circumstances including whether there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.

Policy CS06 of the Core Strategy, which concerns development in rural areas, seeks to prevent unnecessary dwellings in the countryside. Policy DM6 refers specifically to housing needs of rural workers. To ensure that new development in the countryside is carefully controlled, the proposed approach is to ensure that new rural occupational dwellings are only permitted where it relates to a proven need for a worker to live near their place of occupation. The policy refers:

'Development proposals for occupational dwellings must demonstrate the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained. Proposals should show that the needs of the intended enterprise require one or more of the people engaged in it to live nearby'

With regard to temporary occupational dwellings the policy refers:

4. If a new dwelling is essential to support a new rural based activity, it should normally, for the first three years, be provided by a caravan, or other temporary accommodation.
5. New temporary dwellings should only be allowed to support rural based activities providing:

- a. The proposal satisfies criteria 3a and 3b above
- b. The application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions);
- c. The application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis.'

Criteria 3a and 3b refer:

- a. 'a. there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night,
- b. The need could not be met by existing dwellings within the locality.'

The need for a dwelling-

The accommodation proposed is larger in scale than a typical caravan although is a temporary park home structure. However the functional need of residential accommodation has to be assessed. The applicant's case for warden's accommodation is based upon the scale of the glamping site (12 shepherd's huts), the fact that there are no buildings on site to convert into a residential unit and there is no affordable accommodation within the area for sale within a mile radius of the postcode.

The applicant confirms that they currently live 8 miles from the site but at this distance would only provide an ad-hoc service for customers. The applicant claims that being on site would bring benefits to be able to deal with the arrival of customers, departures, speculative customers, health and safety issues, provision of sundries for customers (newspapers, bread, milk etc.), provide appropriate security in this isolated location (rather than use of security lighting and security cameras) and cleaning and maintenance of the site.

However, the site would only provide a total of 12 shepherd huts. The submitted Business Plan states that:

'The business will be ready for operation in spring 2018. Upon attaining permission to proceed, work will commence at Range Farm in the Autumn of 2017. The site will be prepared for all twelve pitches, the site office & reception, the Wardens accommodation shower & toilet pitch, the communal area and the car park, yet the building work will be phased, with just five pitches, the shower & toilet pitch, Wardens accommodation and the car park being ready for opening. The remaining pitches, the site office & reception and the communal area will be completed during 2018. The full site would be completed and operational for the summer of 2019.'

Therefore for the first year just 5 shepherd huts will be available on site, with the site not operating to full capacity for approximately 18 months. It is accepted that the business could generate sufficient work to employ a warden, particularly during the summer months. However a full breakdown of the wardens' duties and the hours worked has not been submitted and no evidence as to why a satisfactory service could not be provided from the applicant's existing property just 8 miles away.

It is understood that as the applicant considers that there is a functional need based on providing a good customer service and security for the warden's accommodation to be on the site itself, however, no evidence has been presented on whether there are other existing dwellings in the locality that could meet the need. The applicant refers to there being no affordable housing to purchase within a mile of the postcode of the site but no details have been given for rental properties. Further it is considered that living just 8 miles from the site; the applicants could readily provide a reliable service to customers through regular visits to the site. They could also be on site within minutes should an emergency situation arise.

It is considered that most of the applicant's justifications for living on site, as listed above, can be dealt with by visits to the site at certain times of the day rather than demonstrating an essential need to be on site 24 hours a day, 7 days a week. The applicant claims they have a young family and visiting the site throughout the day to meet customers who arrive at different times would not be feasible. This, however, is a personal preference and does not amount to a genuine functional need of the business.

Similarly, site security is not justification on its own to relax well established countryside protection policies.

In terms of whether the enterprise has been planned on a sound financial basis, the activity is not currently in operation and therefore it cannot be demonstrated that it has been established at least three years or has made a profit. The application is supported by figures relating to financial viability of the business. The applicant expects a significant financial operating loss on the first financial year, to operate a small profit by the end of year 2 and estimates a gross profit of £52,002.00 at the end of year 3 before costs, leaving a net profit of £20,322.00. However, the figures do not give breakdowns as to the level of rental of the units so figures have not been broken down into for full or partial site capacity or summer and winter seasons. As these figures are projections they cannot be quantified.

Accordingly it is not considered an adequate case has been made to justify a dwelling, temporary or otherwise, within this countryside site, based on the limited scale of the enterprise, the lack of essential need to be on site 24 hours a day 7 days a week and the circumstances of the applicant who lives within minutes travelling time from the site.

During the course of the application the applicant has been asked if they would consider removing the warden's lodge from the application but they wished for the application to be considered in its entirety.

During the course of the application third party comment was made that a warden's lodge was not permitted for a similar scale camping enterprise at Dreamy Hollows which adjoins the application site to the north. Each case is considered on its individual merits; however, there are similarities with the scale of both commercial enterprises. In the case of Dreamy Hollows it was also found that a warden's lodge at Dreamy Hollows could not be supported in policy terms as there was no functional requirement (lpa ref: 12/01232/FM).

In summary it is not considered that the application complies with countryside policy referred to above and therefore in principle cannot be supported.

Impact upon Visual Amenity

The 15 shepherds' huts for accommodation and services (12 for rent and one each for office, shower facilities and toilets) and the park home are all single storey structures set across the site. The three service huts are set in a cluster towards the front of the site but the remaining units are spread across the site. The warden's lodge is set at the back of the site.

Views into the site from the B1454 are currently apparent due to the sparse nature of the roadside hedgerow. However, the plans show a degree of land banking and tree planting along the front of the site with the vehicle parking and turning set behind. A second row of planting is shown to screen the vehicles from the shepherd's huts.

The layout and landscape plans show that the proposed use could be achieved without significant harm to the qualities of the wider landscape. Subject to appropriate planning conditions the amount of tree and hedgerow planting could be considered to visually enhance this landscape.

In summary, subject to appropriate conditions, it is considered that the proposed scheme is not likely to result in such significant harm to the environment and landscape character to warrant refusal of the planning application.

Impact upon Neighbour Amenity

By virtue of the modest scale of the proposal and the distances between the sites and neighbouring properties, it is not considered that any harm would be caused to residential amenity.

Highway Safety

The application proposes a new vehicular access from the B1454 to the south eastern corner of the site.

Now that additional information has been submitted regarding visibility splays the Highways Authority raise no objection to the proposal. However, this is conditional upon the lengthy 178m visibility splays in both directions along the B1454 being retained free from obstruction.

Given that some of the land required to achieve the visibility splays is within the ownership of third parties it will be necessary for a legal agreement (S106) to be signed to establish the third party agreement to ensure that the third party land remains open to provide the required unobstructed line of sight for 178m in both directions, as measured from a setback distance of 2.4m of the proposed new access.

At the time of writing the applicant has agreed to provide this legal agreement but a draft has not yet been received.

Third party objection has been received referring to the length of visibility splay required by the Highways Authority and how it compares with an adjoining site. However, this is considered on a case by case basis and the appropriate visibility for that particular stretch of road.

Other Material Considerations

The Council's Environmental Quality team raise points in relation to contamination, although they are satisfied that this can be safeguarded by condition.

Comments from Environmental Health and third parties have referred to munitions which may be present on the site due to the historic use of the site as a part of a former RAF firing range. This proposed use would result in some underground works for utilities but otherwise the proposed shepherd's huts are placed above ground. The contamination conditions suggested by the Environmental Quality team would provide the necessary information on previous land uses.

The Council's CSNN team request a number of conditions; however it is not considered appropriate to attach a condition regarding noise protection. The site is sufficiently far enough away from neighbouring residential properties in addition it is noted that there would be road traffic noise generated by the traffic on the main road. It is therefore not considered that this is a reasonable request.

Third party objection also raised concerns regarding the impact of a busy glamping site on their neighbouring quiet camp site. However, the two uses are the same, in that both sites would offer holiday accommodation in the countryside. They are, therefore, deemed compatible neighbouring uses and there is no requirement for restrictive noise conditions in this case.

With regard to foul sewage the application has been changed to provide a cesspit in line with CSNN advice.

The applicant has referred to the use of low level lighting but details of this could be controlled through planning condition.

The site is currently part of a grassed field with some trees on site and in the vicinity. The application has been considered alongside Natural England's standing advice for protected species. The site does not fall within any buffer zones of any nature conservation protected sites. In this case, given the circumstances of the site and the nature of the proposal there was no requirement for an ecology report.

In response to original comments for the Arboricultural Officer a full tree survey, arboricultural implications assessment and arboricultural method statement to BS 5837:2012 have been provided. These show the retention of three trees on the site and a revised layout plan to accommodate them.

The NCC Trails Officer confirms that the proposal will not impede any Public Rights of Way.

Third party objection has been made to the erosion of neighbouring rights of access and easements across the land. However, these are civil matters which are outside the remit of planning legislation.

Third party objection has been made to the removal of trees which impacts upon the wooded nature of the neighbouring camping business. However, if the trees are on private land and are not protected by any form of planning legislation then their removal does not require consent and there has been no planning breach.

Third party objection has been made to the noise from works on the application site during tree removal and other works. However, these are temporary situations and, as referred to above, the proposal use would be compatible with the neighbouring site, raising no noise amenity issues.

The application would generate a fee of £50 per unit plus £50 administration fee for the Habitat's Regulation Monitoring and Mitigation Tariff if permitted. The applicant has submitted heads of terms for a unilateral undertaking to this effect should planning permission be forthcoming.

CONCLUSION

Planning policies, at national and local level, provide scope for tourist and leisure related developments to achieve social and economic benefits, subject to appropriate controls. In this case, the proposed development is related to tourism and is proposed for seasonal occupancy.

The proposed scale of development, in combination with the retention of the trees and level of proposed planting on the site, ensures that the proposal should not result in harm to the visual amenity of the area.

NCC Highways have confirmed that subject to a Section 106 being secured and conditions being attached to achieve the required visibility splays they no longer object to the proposal.

No objection in principle is raised in relation to the use of the land for camping, which is shown to be appropriate for this site. However, the application includes on-site residential accommodation and the applicant has not demonstrated that there is a genuine functional need in policy terms to justify a relaxation in the well-established countryside protection policies.

Taking into account the above it is recommended that this application is refused.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Based on the information submitted as part of this application it has not been demonstrated that there is a functional requirement for the construction of warden's accommodation in association with the proposed campsite, and therefore the accommodation proposed is aimed at meeting the applicant's personal needs and preferences rather than the operational requirement of the enterprise. The proposal therefore fails to accord with the provisions of the National Planning Policy Framework,

and represents unjustified residential development in the countryside contrary to Core Strategy Policies CS01, CS02, CS06, CS09 and Development Management Policies DM2 and DM6.

- Other material considerations.

Councillor White expressed concern that the estate would be losing a green space.

The Chairman, Councillor Mrs Spikings explained that on the opposite side of the road there was a large green space and the dwellings had plenty of garden space.

RESOLVED: That the application be approved as recommended.

(ii) 17/01709/F

**Docking: Land west of Fakenham Road, Stanhoe:
Proposed glamping site: Mr M McGinn & Ms S Brooks**

The Senior Planner introduced the report and explained that the application site was located on the western side of the B1445 at Bircham Newton. The site was part of a larger field which was generally grassed and open in nature.

The main B1454 Fakenham Road formed the eastern boundary of the site. To the north was Dreamy Hollow Woodland Campsite and to the south was the remainder of the field within the applicant's ownership. Beyond the field boundary to the south was a private residential property. To the west was another part of the grassed field (outside the applicant's ownership) with a wooded area beyond. Residential properties in Monks Close were further west.

In policy terms the site was within open countryside.

Full planning permission was sought for the change of use from agricultural land to a 12 pitch glamping site with shepherd's huts, 3 additional shepherd huts for use as a reception building, shower block and toilet block, a detached warden's lodge with separate access and parking, a new vehicular access point onto Fakenham Road, 12 parking spaces, vehicular turning area, bin storage area, land banking/landscaping and fencing.

The Senior Planner explained that if the Committee were minded to approve the application then a Section 106 Agreement would be required to secure appropriate visibility.

The application had been referred to the Committee for determination as it had been called in by Councillor Morrison.

The Committee noted the key issues for consideration when determining the application, namely:

- Principle of development;
- Impact upon visual amenity;
- Highway safety;

- Impact upon neighbour amenity; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Matthew McGinn addressed the Committee in relation to the application.

Councillor Morrison (Ward Member) advised the Committee that he believed that the benefits of the application outweighed the harm. He referred the Committee to the conclusion on page 26 of the agenda, where it stated that no objection in principle was raised in relation to the use of the land for camping, which was shown to be appropriate for the site. Councillor Morrison also made reference to the permission given for Dreamy Hollow, where the Highways objection had been overcome.

Councillor Morrison explained that care had been taken with the design and scale of the shepherds huts and care had also been taken with the planting. With regards to the on-site residential accommodation, he explained that he did not think it unreasonable to have on-site residential accommodation with the 12 shepherd's huts and the accommodation would be temporary. He added that to put it in to context, Docking was a Key Rural Service Centre where permission had been granted for over 100 homes.

Councillor Morrison further explained that this application would not harm the countryside and would promote tourism and West Norfolk.

Councillor Morrison proposed that the application be approved, on the grounds that it would promote tourism and enhance the countryside, which was seconded by Councillor Mrs Wright.

The Assistant Director explained to the Committee that for a similar scheme the Committee had not allowed any warden's accommodation. Although each application needed to be considered on its own merits, the Committee needed to be consistent in their decision making.

In relation to the hours of operation and what hours the warden would be required, the Assistant Director explained that this was outlined on page 23 of the agenda.

Councillor Mrs Wright added that the proposal was different from other glamping sites. She did not understand the objection in relation to the warden's accommodation as it would also act as a security measure.

Councillor Hipperson suggested that if permission was to be granted then the warden's accommodation should be tied to the shepherd's huts.

Councillor Parish added that no evidence had been put forward for the residential accommodation element of the scheme. He added that policies were in place for the protection of the countryside and these

policies should be followed. He added that it should be seen whether the business would work before allowing residential accommodation.

The Assistant Director advised that it was the view of officers that there was not a need to live on the site.

Councillor Bubb stated that the residential accommodation would provide security for when the site was not occupied. The Assistant Director explained that it would not prevent someone from being on the site during the day, but they would not be able to live on the site.

The Chairman, Councillor Mrs Spikings added that she felt that the vision for the future was to be supported. In addition, people should be encouraged to try new things.

Councillor White asked that, if the Committee were minded to approve the application, could some of the shepherd's huts be erected prior to the residential accommodation. The Assistant Director advised that a condition of this nature would be reasonable.

The Committee then voted on the proposal to approve the application, subject to the completion of a Section 106 Agreement to secure visibility, and appropriate conditions to be imposed following consultation with the Chairman and Vice-Chairman, including a condition that 5 shepherd huts should be completed before the residential accommodation was occupied, which was carried.

RESOLVED: That the application be approved, contrary to recommendation, for the following reasons:

That the benefits of the development to tourism and the local economy outweighed the harm to the character and appearance of the countryside

and subject to:

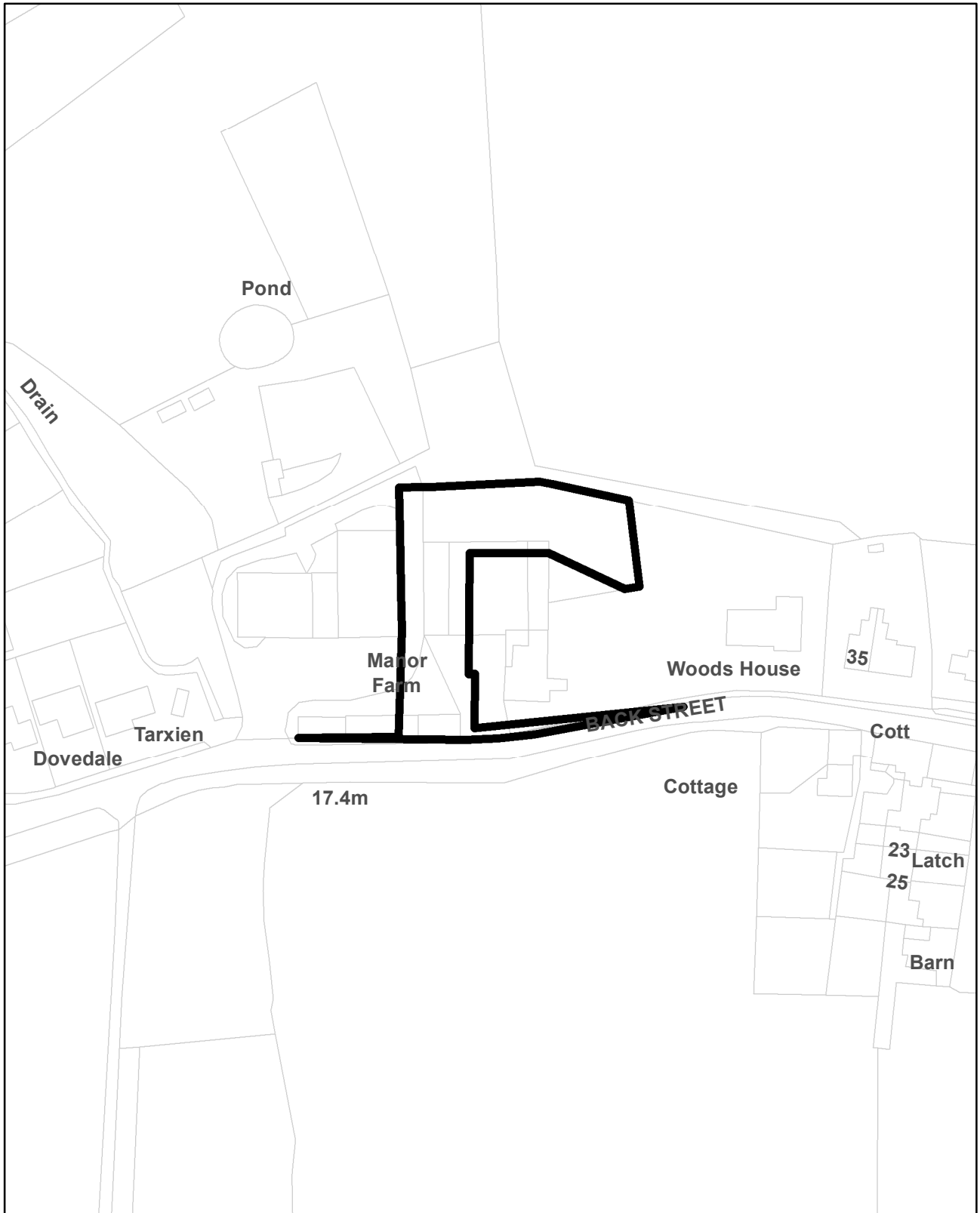
- The completion of a Section 106 Agreement within 4 months of the date of the Committee to secure visibility;
- Appropriate conditions to be imposed following consultation with the Chairman and Vice-Chairman; and
- A condition be imposed to ensure that the provision of 5 shepherd huts on site be completed before the residential accommodation was occupied.

(iii) **18/00125/F**

Gayton: Manor Farm, Back Street: Conversion and extension of workshop outbuilding to dwelling house, addition of workshop/plant room and associated works: Mr & Mrs A Beales

18/01946/F

Manor Farm Back Street Gayton



AGENDA ITEM NO: 8/2(c)

Parish:	Gayton	
Proposal:	VARIATION OF CONDITION 2 of Planning Permission 18/00125/F - Conversion and extension of workshop outbuilding to dwelling house, addition of workshop/plant room and associated works	
Location:	Manor Farm Back Street Gayton King's Lynn	
Applicant:	Mr & Mrs A. Beales	
Case No:	18/01946/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 27 December 2018

Reason for Referral to Planning Committee – Councillor Beales is the applicant.

Neighbourhood Plan: No

Case Summary

The application site comprises a detached barn associated with Manor Farm House, situated on the northern side of Back Street, Gayton.

The application seeks to vary the approved plans condition on planning permission 18/00125/F which approved the conversion and extension of workshop outbuilding to dwellinghouse. The proposed changes relate to the footprint and design of the front of the proposed dwelling and to the workshop / shed to the rear.

Gayton is classified as a Key Rural Service Centre.

Key Issues

Principle of Development;
Form and Character;
Highway Safety;
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Permission is sought to vary condition 2 of extant planning permission 18/00125/F at Manor Farm, Back Street, Gayton.

Application 18/00125/F permitted conversion and extension to an existing workshop outbuilding to a dwellinghouse and construction of workshop / plant room and associated works.

The amended design includes changes to the extension to the front (south) of the new dwelling; including increasing the footprint from 225 sq. m. to 245 sq. m. by making it wider to allow for a larger kitchen / dinner; and replacing the approved window, door and timber cladding to full length glazing to the southern elevation. The amount of fenestration to the western elevation is proposed to be reduced.

There is also the addition of a small flue within the front element on the western elevation.

The approved workshop / shed to the north-western corner of the site is proposed to be reduced in footprint slightly from 47 sq. m. to 32.5 sq.m. and orientated facing south rather than east.

All other elements of the proposed dwelling, including its height remain the same as previously approved.

SUPPORTING CASE

No supporting case has been submitted with the application.

PLANNING HISTORY

18/00125/F: Application Permitted: 10/04/18 - Conversion and extension of workshop outbuilding to dwelling house, addition of workshop/plant room and associated works - Manor Farm, Back Street, Gayton

15/01888/OM: Application Permitted: 04/08/16 - Outline application: Residential development for 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings - Land At Manor Farm, Back Street, Gayton

04/01081/F: Application Permitted: 07/07/04 - Single and two storey extensions to dwelling - Manor Farmhouse, Back Street, Gayton

10/01893/F: Application Permitted: 19/01/11 - Single Storey extension and alterations to existing house and garage - Manor Farmhouse, Back Street, Gayton

2/03/1295/F: Application Permitted: 31/07/03 - Extension to dwelling - Manor Farm, Back Street, Gayton

2/00/0870/CU: Application Permitted: 18/07/00 - Change of use from agricultural building and land to residential including alterations - Manor Farm House, Back Street, Gayton

RESPONSE TO CONSULTATION

Parish Council: No response at the time of writing the report

Highways Authority: **NO OBJECTION** subject to the previous conditions being attached

REPRESENTATIONS

None received at the time of writing the report

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

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

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

Principle of Development:

The principle of development, which constitutes the conversion and extension of an existing outbuilding to a dwellinghouse, has been established by the extant permission 18/00125/F.

Form and Character:

The additional modest extension to the front of the dwelling and change in orientation of the workshop / shed would not cause any harm to the streetscene or the character and appearance of the area.

Highway Safety:

The Local Highway Authority raises no objection to the proposed changes. They note that the internal gate position has been moved forward slightly within the site but they have no objection to this element.

The proposed change to the front of the dwelling will take place within the private garden space and will not affect the on-site parking and turning area.

The visibility splay at the site access will be achieved by demolishing the disused cartshed bounding the road frontage which sits partly on the south-western side of the application site. Members may recall that the cartshed is proposed to be demolished under the Site Allocation (G41.1 of the SADMP) outline consent 15/01888/OM for 40 dwellings. The proposed changes will not impact upon this.

Other Material Considerations:

Crime and Disorder:

There are no specific Crime and Disorder issues arising from the proposed development in relation to Section 17 of the Crime and Disorder Act 1998.

The granting of this application essentially grants a standalone permission. Therefore all appropriate conditions appended to the previous permission (amended as necessary) should be transposed onto this application if permission is granted.

CONCLUSION:

The principle of development has been established by the extant planning permission 18/00125/F which was approved by members of the Planning Committee on the 9th April of this year. The main issue for consideration is whether the proposed amendment (additional 20 sq. m of floorspace) is acceptable. It is your officer's opinion that the site can accommodate such a change without being of detriment to the visual amenities of the locality or to highway safety. At the time of writing the report there are no objections from statutory consultees or third parties. It is therefore recommended that this application be permitted subject to conditions.

RECOMMENDATION:

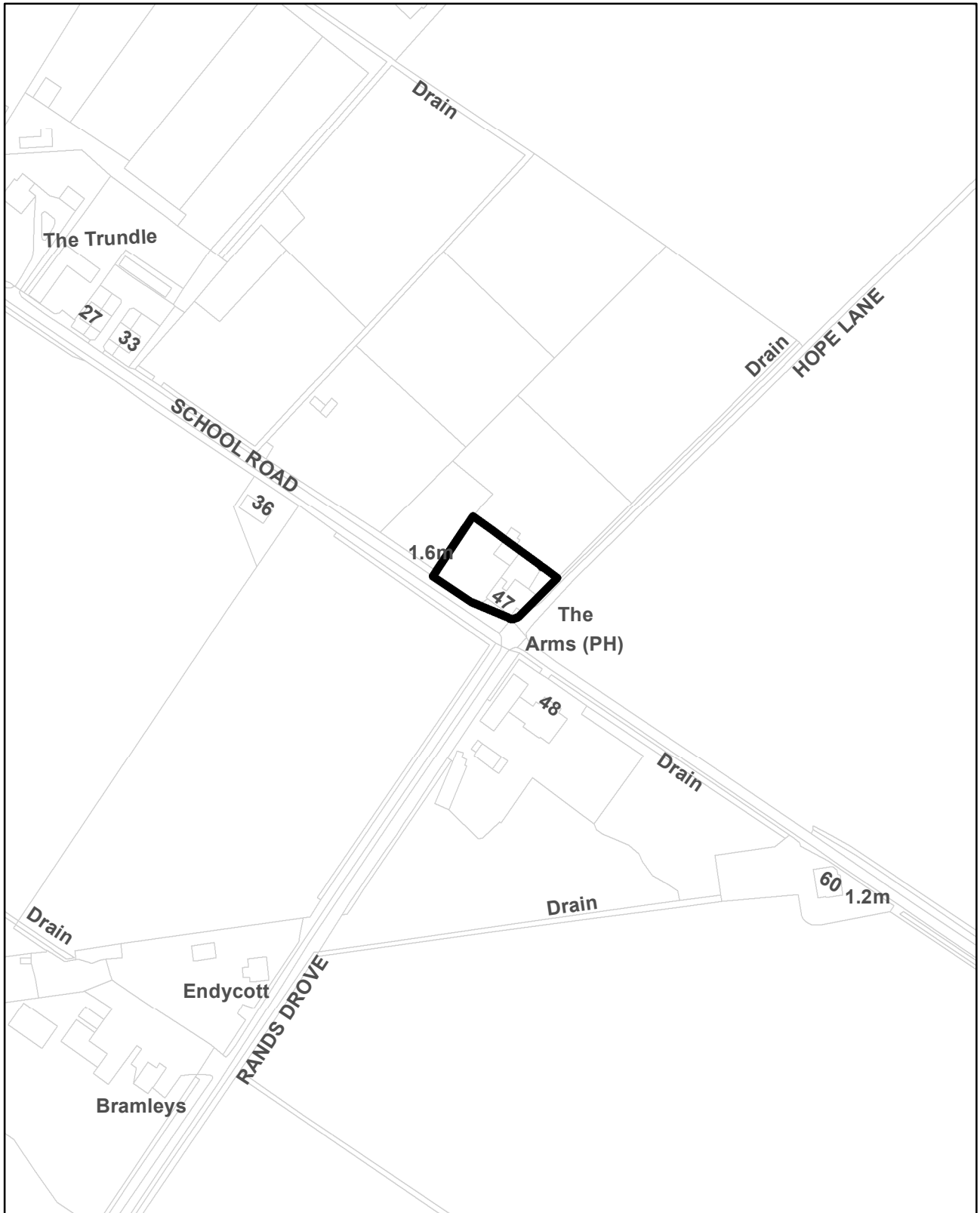
APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of the 10th April 2021.
- 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; BEA01.01.02 Rev.C and BEA01.01.03 Rev.E.
- 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 All landscaping works shall be carried out in accordance with the approved plans prior to the occupation of the development. Any trees or plants that 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 development is compatible with the amenities of the locality in accordance with the NPPF.
- 5 Condition Prior to the first occupation of the development hereby permitted, the vehicular access (indicated for improvement on drawing Nos. BEA01.01.02C and BEA01.01.03E) shall be upgraded/ widened to a minimum width of 5 metres in accordance with the Norfolk County Council residential access construction specification for the first 2 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 5 Reason In the interest of highway safety and traffic movement.
- 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, 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.
- 7 Condition Prior to the first occupation of the development hereby permitted, a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 7 Reason In the interests of highway safety.

18/01768/CU

The Marshland Arms 47 School Road Marshland St James



1:2,500

AGENDA ITEM NO: 8/2(d)

Parish:	Marshland St James	
Proposal:	Change of use of public house with combined residential accommodation to a single dwelling house.	
Location:	The Marshland Arms 47 School Road Marshland St James Norfolk	
Applicant:	Mr S Woolner	
Case No:	18/01768/CU (Change of Use Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 28 November 2018 Extension of Time Expiry Date: 14 December 2018

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

Neighbourhood Plan: No

Case Summary

The Marshland Arms public house lies on the north-western corner of the crossroad junction between School Road, Hope Lane and Rands Drove approx. 300m away from the school. This proposal seeks to change the use of the public house and associated residential accommodation into a dwelling.

This is the last public house serving the village, but has been closed for some considerable time.

The application is accompanied by evidence of a marketing exercise for a period in excess of 12 months as required by policy DM9 of the Site Allocations and Development Management policies plan.

Key Issues

Loss of community facility
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The Marshland Arms public house (formerly known as England's Hope) lies on the north-western corner of the crossroad junction between School Road, Hope Lane and Rands Drove approx. 300m away from the school. This proposal seeks to change the use of the public house and associated residential accommodation into a dwelling.

18/01768/CU

Planning Committee
3 December 2018

The site covers an area of approx. 0.13Ha comprising the public house, beer garden and substantial gravel car park. It has frontages onto both School Road and Hope Lane. It is surrounded by agricultural land with the exception of a dwelling on the opposite quadrant of the crossroads junction.

The public house has been closed for some time and has been the subject of a marketing exercise since 3rd May 2017.

SUPPORTING CASE

The applicant has submitted the following statement in support of this proposal:

"I purchased the then England's Hope pub in Marshland St James in 1994. It had been closed for 12 months and the previous owner/landlord had found the pub unviable.

Between 1994 and 2000 I spent over £100,000 refurbishing the pub. I successfully rented it to 3 different tenants but every 2 years they would hand in their notice and leave for various reasons.

I found out why when I put my daughter in the pub from 2000 to 2003 with a chef and various staff. Over the 3 years it lost £25,000 and I could not subsidise it any longer.

I asked a pub agent to let it and a Mr John Wood and Mrs Karen Wood took over in 2004 on a 10 year lease. For the first 6 or 7 years it worked well and rent was paid but at the end of 2011 they were struggling to pay the rent. In 2013-2014 they gave up their lease for nothing and I agreed on the terms of the lease to let a Mr Steve Cox let the pub.

He paid the rent for no more than 6 months. He found the pub not viable and I had no rent for another 6 months. I had to pay Fraser's solicitors to remove him from the pub.

I decided to keep the pub empty and spent another £18,000 redecorating and refurbishing the premises from top to bottom. I tried again to make the pub work. I changed the name of the pub to The Marshland Arms and made it a nice venue for people to eat and drink.

The pub re-opened in June 2015 with the licence in mine and my daughter's name. We employed an experienced manager and a chef and 1 other full time staff member and various part time staff.

Between June 2015 and January 2016 the business was still not viable and lost more money. I closed it to find another suitable tenant to rent it again. In September 2016 I rented the pub on a 3 year lease provided by Fraser's solicitors to an experienced landlady but by April 2017 she said the pub was just not viable and she had tried everything to attract trade but to no avail.

In May 2017 I let the tenant stay in the pub rent free to help her get some money back for her losses as well. She left in August 2017.

I put the pub up for sale with Cruso Wilkin in May 2017. There were 2 potential buyers but both backed out. The first buyer decided it was too isolated from the village and wouldn't do any trade in the winter months. The second buyer backed out after 3 months because they couldn't raise a mortgage.

I asked the planners at BCKLWN what I could do and following CAMRA guidelines left the pub on the sale market for 15 months. Cruso Wilkin pushed the fact that the pub was for sale including 2 double page spreads in the Lynn News but to no avail. I saw no alternative but to apply for a change of use.

In November 2017 I asked for the future of the pub to be put on the agenda at a meeting of the Parish Council. I attended the meeting to discuss the pub as a community asset. I proposed holding 10% of the value if the parishioners would hold the other 90%. The reply I got was "we will put it on the Marshland St James website to see if we get any response". I telephoned the Parish Council chairman in February/ March 2018 to ask if there had been any response. She replied there had been no response from anyone to go down the community asset route. She suggested a proposal to have a bar in the new community centre in the village instead. The Parish Council sent me a letter confirming this which I sent in with planning permission for change of use to the pub.

When the Parish Council received planning permission at the October meeting they changed their minds on the use of the pub – hence this letter.

My conclusion is I have lived in the village for over 40 years. I have been a regular in the village pub and seen landlords come and go over the previous years. As the owner of a long established business in Marshland St James I have done my best in trying to keep the pub going. I am not prepared to do it any longer and do not have a bottomless pit of money. When I was on the Parish Council 15 years ago I told them to keep this village alive more houses needed to be built as it was the only way to keep the shop, pub and bus alive. The idea was poo-pooed at the time but 3 years ago the chairman apologized to me and said "we should have taken notice of you".

With regard to the pub it needed a footpath and streetlight to be built on the same side of the road as the pub 15 years ago. No-one took any notice.

In conclusion village pubs in small villages are not viable. Business rates, VAT, utility bills, staff wages and expenses needed to run a kitchen means the pub is just not viable in this village."

In response to the CAMRA Public House viability test criteria, the applicant has submitted the following information:

1. Local Trade

- a) The location of the pub is approximately central to Marshland St James village 250 metres from cross roads on the main road through the village, but is in open countryside with no footpath access from the village. It should be emphasised that the village is ribbon development of some 5 miles in length.
- b) The catchment area on foot is approximately 500 metres but essentially it is only safely accessible by vehicle the catchment might be 4 square miles.
- c) Approximately 300 adults live within a 1 mile radius.
- d) Approximately 60,000 adults live within a ten mile radius.
- e) There is sporadic residential development along both sides of Smeeth Road Marshland St James, approximately 20 new houses.

2. Customer Potential

- a) The pub does not act as a social hub. The newly built Marshland St James Community Hall is located on the village playing field.
- b) The pub is not in a well visited location and offers no attraction of any form. It is somewhat removed from the village.
- c) The pub is not in a location attractive to visitors.
- d) There is some tourism encouragement in the form of fishing lakes, but these have their own bar/club.

- e) It has not been recently in any tourist guide. [Officer note: The pub did feature in reviews on 'TripAdvisor', is listed in CAMRA's What Pub? Website (2016) and also featured in Cambridgeshire Fens official Fenland Town website]

3. Competition

- a) There are no pubs within 1 mile.
- b) There are no pubs within a reasonable walking distance.
- c) Due to the location and character it is not suitable for other than small pub and restaurant use.
- d) No the pub is too small for re-development.

4. Flexibility of the site

- There are no unused rooms (it is too small)
- The site is not large enough to extend the buildings, as car parking would then be compromised
- There have not been any planning applications made to extend the premises.
- There is no additional space available
- The pub has been completely refurbished 3 times since this current owner purchased it in 1994.

5. Parking

- a) There is only adequate parking available "one would not park on the road in this area".

6. Public Transport

- a) There is no bus or public transport which passes close to this location. It is not easily accessed on foot
- b) There is no public transport
- c) No public transport is available
- d) No local taxis. The nearest is in Wisbech and King's Lynn 8 miles away.
- e) No there are no transport agreements [with taxi firms].

7. Multiple Use

- a) With the advent of the newly constructed Village Community Hall there is no scope for multiple community use.
- b) The pub is the most remote facility within the village.

8. Partial Loss

- a) The pub is already small, thus cannot be effectively reduced in size. Reduction is not an option

9. Community Case Studies

- a) The only successful rural pubs in the area are located on main traffic routes

10. The Businesses Past and Present

- a) A change is sought because over a period of 20 years the pub trade has declined through nonattendance. This is a national proven statistic. Successive management as described in the attached document have tried and failed.
- b) "Local Support" The pub was offered to the Parish Council as a Parish Asset. The Parish Council notified the parishioners, but there were no responses. The Parish have built a new Community Centre, which will eventually attract a licensed bar. Further reducing "any" potential trade.
- c) Consecutive managers have found it increasingly difficult to maintain trade. The most recent manager came from a highly successful pub/restaurant in Wisbech but her clientele did not follow her, even though the pub that she vacated closed shortly afterwards.
- d) to j) All six headings ref viability have been tried. Even with the financial support of the owner.

The managers/tenants have not found sufficient customers to secure a necessary wage.

11. The Sale

- a) The pub has been on the market for 15 months with a well-established local agent, Cruso and Wilkin.
- b) It has not been advertised as a going concern because it isn't viable as it has been proven over the past 20 years.
- c) The market price is below that for which the property would be sold if it were a residential property.
- d) Two offers have been received and accepted, both deals fell through because the prospective purchasers could not raise the necessary funds.
- e) It has been valued by the selling agent.
- f) The pub is currently in a good state of repair, but is closed for business.
- g) As stated the pub is for sale at less than its equivalent residential value i.e. £50,000 less.

PLANNING HISTORY

2/03/1727/F: Approved 01.10.03: Creation of new entrance porch

2/01/1189/F: Approved 12.09.01: Extensions to public house

2/99/1437/F: Approved 21.12.99: Extensions and alterations to public house

RESPONSE TO CONSULTATION

Parish Council: OBJECT - The Parish Council considered the application at a meeting on 8 October and made a decision to OBJECT to the application as the Parish Council is concerned that the value as a public amenity is not being realised in the way it is being marketed and that it is a community asset which should be preserved, especially as the village is currently expanding.

Highways Authority: NO OBJECTION - Ultimately an approval of this application would result in a reduction of traffic visiting the site and therefore I believe that it would be difficult to substantiate an objection to the application on highway safety grounds. However, I do

observe that the applicant has not identified the final layout of the site and as a result a condition defining the parking and turning area for three vehicles/cars should be attached to any approval.

Emergency Planning Officer: NO OBJECTION – suggests that the occupiers sign up to Environment Agency’s flood warning system and a flood evacuation plan is produced.

REPRESENTATIONS

OBJECTION received from West Norfolk CAMRA (Campaign for Real Ale) raising the following grounds:

- It is the only pub in a large and growing village. The nearest alternative is around three miles away.
- The Marshland Arms has proved to be a popular pub in the past and with the right management could become so again. My visits dating back to the time when it was known as England's Hope have indicated that it has had a good level of support from locals and visitors from further afield.
- CAMRA has produced a Public House Viability Test which is aimed at assisting planning decision makers to make fair, open and informed judgements on the question of viability, and I would urge that this is considered before a decision is made.

ONE item of **OBJECTION** from a third party on the following grounds:

- With more and more houses being built in the village it's a shame to lose an amenity, especially one that from time to time has been the venue for events that have brought villagers together.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS13 - Community and Culture

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

The proposal effectively constitutes the loss of the last public house which serves the village of Marshland St James. It must therefore be considered against the following planning policies and guidance.

The National Planning Policy Framework (NPPF) contains a section on 'Supporting a prosperous rural economy' which at Paragraph 83 states inter alia:

"83. Planning policies and decisions should enable: ...d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."

Core Strategy Policy CS13 of the Local Development Framework (LDF) states inter alia:
"(iii) ...Development will not be permitted in cases where it would result in a loss of existing cultural facilities, unless equivalent new or improved facilities, where need justifies, can be provided within the same settlement boundary or in close proximity of the existing facility."

Policy DM9 of the Site Allocations & Development Management Policies Plan (SADMPP) states:

"The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth.

Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:

- a) the area currently served by it would remain suitably provided following the loss, or if not
- b) it is no longer viable or feasible to retain the premises in a community facility use."

Within the accompanying text of this policy, where viability is being agreed, there is a requirement to provide evidence of marketing the premises (usually a minimum of 12 months) at a price reflecting the authorised use, details of income/profit achieved in recent years and evidence of significant long term changes in the relevant market.

The applicant has shown evidence of suitable marketing for over 12 months, (since May'17) and it is accepted that the pub has not been profitable for some time, and is unlikely to be profitable in the future.

Whilst the applicant has provided some general figures on viability highlighting the financial pressures on the pub, detailed figures showing income/profit achieved in recent years, including balance sheets, has not been submitted.

The Campaign for Real Ale (CAMRA) has produced a viability test (November 2015), which has been generally accepted by Local Planning Authorities as being a reasonable approach to assessing proposals to close public houses. This contains the following criteria:

Assessing Trade Potential – Local trade, Customer potential, Competition, Flexibility of the site, Parking, Public transport, Multiple use, Partial loss, Competition case studies, The business - past and present, and The sale.

A copy of the document is attached as an appendix to this report for reference, whilst the response of the applicant to the CAMRA test is in the supporting case. This is considered to be a material consideration in this case.

The CAMRA assessment indicates approx. 60,000 head of population within 10 miles of the public house – CAMRA’s criterion that applies to ‘rural pubs’. However, this would include the towns of Wisbech, Downham Market and King’s Lynn. Even with a 5 mile radius Wisbech is still covered, plus Outwell/Upwell, Emneth, Walsoken, West Walton/Highway, Terrington St John, Tilney St Lawrence, Wiggshall St Germans etc. all containing public houses. Realistically the existing nearest pubs at Emneth, Terrington St John and Tilney St Lawrence would continue to attract and cater for the needs of villagers in Marshland St James (given the length of time that the pub has been closed), and contribute towards their sustainability. The Marshland Arms is detached from the heart of the village, without safe pedestrian linkages, is not in a position to attract passing trade, and is not financially viable.

Other material considerations

With regards to other material considerations, there are no significant crime and disorder issues related to this proposal; our Emergency Planning Officer’s comments may be covered via an informative note; the property lies within Flood Zone 3 of the Environment Agency’s flood warning maps – however this is a change of use with refuge at first floor level and is an acceptable proposal; and there is ample parking available to serve a dwelling, so the proposed condition from the Local Highway Authority fails the tests applied to the use of conditions as it is not considered to be ‘necessary’.

CONCLUSION

The Marshland Arms is located in a relatively isolated position within the linear village of Marshland St James. There is no footpath access to it, and it is accepted that many journeys to the pub would need to be by car.

Whilst the concerns of the Parish Council, CAMRA and a local resident are noted, and the loss of a village pub is regrettable the applicant appears to have taken all appropriate steps to sell the public house but to no avail. On the evidence submitted it has been proven to officers’ satisfaction that it is no longer viable or feasible to retain the premises in a community facility use.

The proposal therefore accords with the detailed provisions of Policy DM9 of the SADMPP and is duly recommended for approval.

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.

Public House Viability Test



CAMPAIGN
FOR
REAL ALE



www.camra.org.uk/localcouncils

November 2015

What is CAMRA?

CAMRA, the Campaign for Real Ale, is an independent, voluntary organisation of 175,000 members that campaigns for real ale, cider and perry. CAMRA supports well-run pubs and believes their continued existence plays a crucial role in community life.

Introduction

Pubs across England are under threat as never before. Despite both the National Planning Policy Framework (NPPF) and many Local Plans containing pub protection policies, an estimated 29 pubs permanently close every week. In many cases, the owners of these threatened pubs are seeking to convert them to other uses to make a short-term profit at the expense of the interests and needs of the local community.

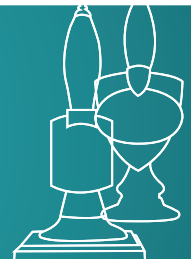
As campaigners on behalf of British pub-goers, CAMRA sees the protection of public houses as one of its highest priorities. While not all pubs can be saved, too many pubs are being lost even where there is strong local support to keep them. Many of the pubs that have called last orders for the final time could have continued serving their local communities in the right hands.

For local residents and pub campaigners, the planning process is the main opportunity to influence decisions affecting the future of their local pub. With recent legislation to strengthen Assets of Community Value (ACVs), planning permission is now needed before any nominated pub can be demolished or converted to another use, giving local people even more of a say.

Applicants hoping to change the use of a pub will very often claim that the pub is “not viable”, meaning that no licensee could reasonably be expected to make a living from it. The applicants might claim that the area has too many pubs, the premises are too small, the catchment area is not large enough and so on. The local planning authority has to evaluate whether these claims are well founded or not. Below you will find a standard, objective test which will assist planning decision makers to make fair, open and informed judgements on the question of viability.



The Public House Viability Test



To assess the continued viability of a pub business the question to address is what the business could achieve if it were run efficiently by management committed to maximising its success.

Assessing Trade Potential

1. Local trade

- What is the location of the pub? Is it in a village, suburban area, town centre or isolated countryside?
- What is the catchment area of the pub?
- How many adults live within a one mile radius?
- In rural areas, how many adults live within a ten mile radius?
- Are there any developments planned for the area? Industrial, residential, strategic projects?
- Is there a daytime working population?

2. Customer potential

- Does the pub act as a focus for community activities? Sports teams, social groups, local societies, community meetings etc?
- Is the pub in a well visited/popular location? Is it in a picturesque town or village, on a canal/river side, on a long distance footpath, or on a cycle route?

- Does the pub appeal to those who regularly drive out to pubs?
- Is tourism encouraged in the area?
- Has the pub ever been included in any visitor or tourist guide?

3. Competition

- In rural areas, how many pubs are there within a one mile radius and within a five mile radius?
- In urban areas, how many pubs are there within reasonable walking distance?
- Bearing in mind that people like to have choices, does the pub, by its character, location, design, potentially cater for different groups of people from those of its nearest competitor(s)?
- If not, could the pub be developed to cater for different groups?

4. Flexibility of the site

- Does the pub have unused rooms or outbuildings that could be brought into use? Function rooms, store rooms etc.
- Is the site large enough to allow for building extensions?
- Have planning applications ever been submitted to extend/develop the pub building? If yes, when and what was the outcome?

- If planning consent was not available for building work, is any adjoining land suitable for any other use? Camping facility etc.
- Has the pub been well maintained?

5. Parking

- Is there access to appropriate numbers of car parking spaces?
- If not, is there any scope for expansion?

6. Public Transport

- Is there a bus stop outside or near the pub and/or a rail station within easy walking distance?
- How frequent and reliable is public transport in the area?
- Has the pub made actual/potential customers aware of any public transport services available to/from it?
- Are there taxi firms in the locality?
- If yes, has the pub entered any favourable agreements with a local taxi firm?

7. Multiple Use

- In light of government guidance through the National Planning Policy Framework (see the Appendix) what is the extent of community facilities in the local area – is there a shop, post office, community centre etc?
- If the pub is the sole remaining facility within the area, is there scope for the pub to combine its function with that of a shop, post office or other community use, bed & breakfast or self-catering – especially in tourist areas?

93

8. Partial loss

These questions come into play if the application seeks changes which would reduce the size of the pub or convert non-public areas, such as licensee accommodation, to other uses.

- How would the proposals impact on the long-term financial health of the business? Would a smaller pub still be able to attract sufficient trade? Would the smaller size make it less attractive to customers e.g. because there were reduced facilities such as no meeting room, less parking, smaller garden?
- Would any loss of licensee accommodation make the pub less attractive to potential future publicans?

9. Competition case studies

- Are there any successful pubs in neighbouring areas of similar population density?
- What factors are contributing to their success?

10. The business – past and present

Having built up a picture of the business potential of the pub, it may be relevant to question why the pub is not thriving and why the owners are seeking change of use.

- Does the pub management team have local support? Has the team taken steps in the last year or so to try engaging with the local community and has the dialogue affected the way the pub operates?

- Has the pub been managed better in the past? Is there any evidence to support this? Are trading figures available for the last four years and/or from previous management regimes?
- Have there been recent efforts to ensure viability? e.g. has the pub opened regularly and at convenient hours? Conversely, have hours/facilities been reduced?
- Has the focus/theme of the pub changed recently?
- Is the pub taking advantage of the income opportunities offered by serving food? How many times a day is food served? How many times a week? Are catering facilities being optimised?
- Has the rent/repair policy of the owner undermined the viability of the pub?
- Does the pub offer an attractive range of drinks, especially quality real ales?
- Are there any possible unclaimed reliefs? e.g. where rate abatement is not granted automatically but has to be claimed.
- Does the pub promote itself effectively to potential customers? e.g. does it have an eye-catching and informative website?

11. The sale

- Where and how often has the pub been advertised for sale? Has it been advertised for at least 12 months? In particular, has the sale been placed with specialist licensed trade and/or local agents?
- Has the pub been offered for sale as a going concern?

- Has the pub been offered at a realistic competitive price? (Information to enable this to be analysed can be obtained from The Publican and Morning Advertiser newspapers and from Fleurets, specialist Chartered Surveyors)
- If yes, how many offers have been received?
- Have any valuations been carried out?
- Has the pub been closed for any length of time? Is it currently closed?
- Does the sale price of the pub, as a business, reflect its recent trading?

Case studies

In the following cases, the appellant used the issue of nonviability as a reason to convert a pub. However, the Inspector agreed that viability was a relevant and crucial issue and felt that in the right hands the pubs concerned could be a viable business. In reaching this conclusion, the Inspector clearly took the view that an objective assessment could be made about the likely future viability of the pub.

The Pheasant Inn

Britons Lane, Shropshire WV16 4TA

The owners of The Pheasant Inn wanted to convert it to a private dwelling, claiming it was no longer viable. The Council refused their application because it was the only pub in the village and they felt that the owners had not tried to diversify their business before selling it, such

as by upgrading the food offer, adding a B&B, using space for a village shop or post office, etc. At appeal, the Inspector noted that the small immediate population and lack of public transport were negative factors in terms of viability. However, the pub did have potential to extend and to capitalise on its location in a tourist area. He found that the pub was indeed a valued local facility and could become a viable business in the future. Its loss would therefore conflict with local and national policies on the retention of community facilities.

(ref APP/L3245/A/13/2192177)

The Crown

Ollands Rd, Reepham NR10 4EJ

The Crown was one of only three pubs in a small Norfolk market town. Its owner applied to convert the pub to residential use but the local planning policy was to refuse such an application unless there was an alternative pub nearby and it had been on the market for a reasonable period of time without any offers. On the first criteria the Inspector observed that while another pub was 600 metres away, it served a different catchment and type of customer. With regards to the second criteria, it was unclear how the asking price had been calculated despite the property having been up for sale for three years. The Inspector felt that the lack of interest in operating the pub as a going concern did not sufficiently show that the business itself was not viable in the short, medium or long-term. Nor did the

95

information presented demonstrate that no licensee could reasonably be expected to make a living from the enterprise. The proposed development would be inconsistent with both local and national policies on the conversion of pubs.

(ref. APP/K2610/A/13/2196244)

The Feathers

43 Linhope Street, London

In a residential area of Westminster, London, the owner of The Feathers pub wished to convert it into a house and argued its non-viability. The Council had a policy in place that it would only accept the loss of a pub if it had been on the market for at least 18 months without a buyer. In this case, marketing had been for a much shorter period and the pub had been nominated as an Asset of Community Value by the local community. The Inspector concluded that the viability of the pub remained an open question and that the lack of viability had not been adequately demonstrated for the purpose of the Council's policy. In terms of the NPPF he was not satisfied that the loss of a facility clearly valued by the community could be regarded as 'necessary'. He noted the significant number of other pubs in the surrounding area but each had a different character and function – spatial proximity was not of itself a necessarily reliable guide to the value of the pub or of its contribution to the local area.

(ref APP/X5990/A/14/2215985)

Conclusions

The Public House Viability Test does not seek to protect the continued existence of each and every pub. Times and circumstances do change and some pubs will find themselves struggling to continue. It does, however, help all concerned in such cases – local authorities, public house owners, public house users and Planning Inspectors – by providing a fact-based method to rigorously scrutinise and test the future viability of a pub against a set of well-accepted measures.

Appendix - the NPPF

Until recently, national government planning guidance was contained in various Planning Policy Statements which ran to over 1,000 pages. They were replaced in March 2012 by the National Planning Policy Framework (NPPF), which comprises of just 52 pages of mostly high-level guidance. NPPF policies take precedence where there is any conflict with Local Plans and will always be a material consideration in planning decisions.

NPPF Paragraph 70 is especially relevant to planning applications which concern pubs. It requires LPAs to “plan positively for the provision and use of shared space, community

facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments”. It goes on that LPAs must “guard against unnecessary loss of valued facilities where this would reduce the community’s ability to meet its day-to-day needs” and “ensure that established facilities and services....are retained for the benefit of the community.” Note that this policy applies to pubs in all communities, not just rural ones.

Paragraph 7 states that the planning system should create “accessible local services that reflect the community’s needs” while paragraph 17 requires planning to “deliver community and cultural facilities and services to meet local needs”.

Paragraph 28 promotes “the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship”

Paragraph 23 recognises “town centres as the heart of their communities” and instructs LPAs to pursue policies to support their viability and vitality.

Additional Resources

For additional resources for local councils, please visit <http://www.camra.org.uk/local-councils>

For any queries please contact 96planningadvice@camra.org.uk or call 01727 867 201



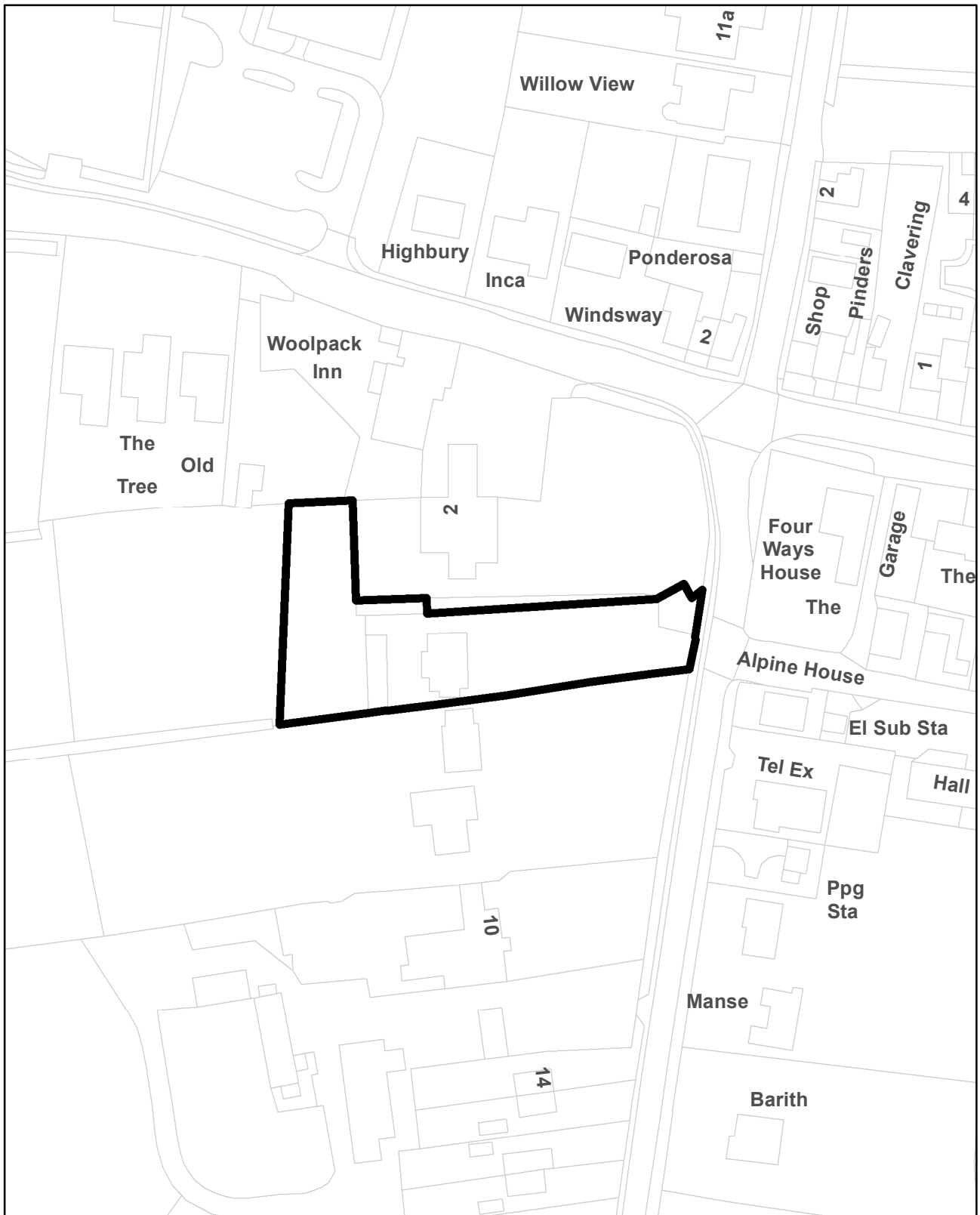
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18/01327/F

Manor House 4 School Road Terrington St John



AGENDA ITEM NO: 8/2(e)

Parish:	Terrington St John	
Proposal:	Siting of new single storey Residential Annexe to allow supported living of family members.	
Location:	Manor House 4 School Road Terrington St John Norfolk	
Applicant:	Mr & Mrs P Lantrua	
Case No:	18/01327/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 8 October 2018 Extension of Time Expiry Date: 10 December 2018

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

Neighbourhood Plan: No

Case Summary

The application is for the siting of a single storey residential annexe to allow supported living of family members. The proposed annexe whilst large in scale meets the definition of a caravan within the regulations and it is proposed to place a five year time limit on any approval.

Key Issues

The Principle of development
Visual Impact
Amenity Issues
Flood Risk
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site is located to the western side of School Road, close to its junction with Main Road, Terrington St John. On site is a three storey detached period dwelling with the upper floor accommodation within the roof. The rear garden has a single storey outbuilding built parallel to the rear of the dwelling and beyond this there is swimming pool and patio area which has been fenced off and the rest of the land laid to grass.

The application is for the siting of a new single storey residential annexe to allow for the supported living of family members.

18/01327/F

Planning Committee
3 December 2018

SUPPORTING CASE

The proposal set out in the accompanying application is for erection of a new detached Park Home style residential annex for use by the direct family of the applicants, the aim being to provide living accommodation on a single level, which will be accessible for them and family members, allowing them to be supported on the site. The manor house, although a fine dwelling is particularly unfriendly for older or infirm persons with steep stairs and many level changes.

The proposed unit will be situated to the rear of the property within an existing area of garden close to the main house but surrounded by existing brick and tile built outbuildings to the East and generous existing hedges to the North and West. The unit will not be visible from the School Road or Main Road to the North.

The services of the property will be shared with the main property and the new annex will be an integral part of the family home.

Mr and Mrs Lantrua's Daughter and Son in Law are moving from a five bedroom detached house to look after the applicants, whose health is deteriorating and will continue to deteriorate (Mr Lantrua has been diagnosed with Alzheimer's and Mrs Lantrua with heart and other health problems, which will regrettably only continue to worsen). With this in mind they required the annex that would give flexibility for their daughter and son-in-law to be on hand to look after them whilst they also are continuing to take care of the younger members of the family and having adequate space to live. The proposed unit is the ideal size of property to allow flexibility to cover current requirements and change as requirements arise or develop in the future without putting any unnecessary pressure placed on the applicants having to move to unfamiliar surroundings with people he wouldn't know.

The applicants' family have not been and intend not to become a burden on Social Services and, while it is obviously hoped that Mr and Mrs Lantrua will be with us for several years yet, the ongoing failure of their health is inevitable and the extended family need to be close by and available.

The annex proposal will allow Mr and Mrs Lantrua to remain in their home and ensure social support costs do not fall on the much stressed social services or the massive upheaval and disruption resulting from the need to place a loved one in a care home.

PLANNING HISTORY

No recent planning history.

RESPONSE TO CONSULTATION

Parish Council: OBJECT The proposal is a completely independent dwelling and is not an annex or relevant to supported living. The type of building is not in keeping with the dwellings already in the village and within the immediate area. The dwelling is in a flood zone. The proposed one storey prefabricated park home, by reason of its size and siting represents an undesirable form of development which is detrimental to the form and character of the area as a whole. The proposal represents a discordant feature in the village and would be of detriment to it.

Highways Authority: NO OBJECTION There is currently vegetation to the front of Manor House which restricts visibility at the point of access. This encroaches over the public

highway and should be cleared from the verge fronting their site back to the highway boundary.

Environment Agency: NO OBJECTION The site lies in Flood Zone 3 of the EA Flood Risk Maps. The EA Tidal Mapping for the River Great Ouse which illustrates the risk in the event of overtopping and a breach of defences demonstrates that the site is not at risk in such an event. However only a certain number of breaches have been modelled and if one was to occur the risk to the site may be increased as it is close to the current modelled flood extent.

The submitted FRA included as part of the Design and Access Statement dated 2018 by Peter Humphrey Associates states that the finished floor levels will be raised 625mm above existing ground levels.

Taking into consideration the above information together with the fact that the site is situated over 5km from the nearest river under our jurisdiction, we would have no objection in principle to an application for residential accommodation at this location.

It is the responsibility of the LPA to decide whether the Sequential Test has to be applied and whether or not there are sites available at lower flood risk as required by the Sequential Test in the NPPF.

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

Emergency Planning: NO OBJECTION Due to the location in an area at risk of flooding it's advised that the occupants' sign up to the EA FWD service and prepare a flood evacuation plan.

REPRESENTATIONS

ONE letter of **OBJECTION**

- Scale of annexe
- Position of annexe
- Distance from house
- Is it within the development boundary?
- Why has development already commenced (there is concrete hardstanding in place)?

Please note that there were two letters of objection, but one has been withdrawn now that the proposal has been re-located in a different position on the application site.

ONE letter of **SUPPORT**

- Need family close by to support their needs.
- Will mean they do not rely on social system.
- It will not be seen from School Road or Main Road so how will it be detrimental as stated by the Parish?

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM7 - Residential Annexes

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

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

- The Principle of development
- Visual Impact
- Amenity Issues
- Flood Risk
- Highways Issues
- Other material considerations
- Crime and Disorder

The Principle of development

Policy DM7 of the Site Allocations and Development Management Policies Plan (SADMP) 2016 allows for the development of residential annexes provided the following can be secured by condition or planning agreement:

- It remains in the same ownership as, and is occupied in conjunction with the principle dwelling, and does not appear as tantamount to a new dwelling;
- It is ancillary and subordinate in scale to the principle dwelling;
- Its occupants share the existing access, garden and parking of the main dwelling;
- Occupation of the annexe is subsidiary to that of the main dwelling; and
- Not capable of sub-division.

The application site is located within the development boundary of Terrington St John as identified by Inset Map G94 of the SADMP. When the application was originally submitted the red line exceeded the original garden to Manor House and the proposed annexe was sited outside the development boundary (there were objections to this). Amended plans were requested which reduced the red line and relocated the proposed annexe to within an area which looks to historically be garden land, is closer to the existing dwelling and is wholly within the development boundary.

The proposed annexe is now located immediately to the rear (west) of The Barn Restaurant which is in the ownership of the applicant.

The proposed annexe is to provide accommodation for family members who will be assisting in the care of the applicants who have deteriorating health. Whilst the proposed annexe is subordinate in scale to the existing dwelling and will share the existing garden, and access it is large in scale, could be capable of sub-division and is located immediately to the rear of the existing restaurant and outside seating area (which could cause amenity issues for the future occupants). There is an objection to the proposal from the Parish Council due to the size of the unit and that it is capable of being used as an independent dwelling. It is therefore proposed to limit the time that permission is granted to five years in order to allow for the needs of the applicants to be met, whilst preventing a permanent siting of the annexe. The applicant has agreed to this temporary consent.

Visual Impact

There is an objection from the Parish Council on the basis that the proposed park home is not in keeping with the dwellings already in the village and by reason of its size and siting (although the proposal has now been moved) would represent an undesirable form of development which would be detrimental to the form and character of the area.

The proposal is single storey and would be well screened by existing buildings, walls and conifer hedging and whilst it is to the rear of the linear development along School Road it would be well screened and it is considered that it would not have a detrimental visual impact upon the adjacent countryside.

Amenity Issues

The proposal would not cause any issues with regard to overlooking, overshadowing or being overbearing toward any residential dwellings due to its location.

It would be sited in close proximity (5.0 metres) to the boundary to the outside seating area of The Barn Restaurant; however this is more likely to cause amenity issues to the proposed annexe rather than the annexe causing amenity issues to the restaurant. The restaurant is in the same ownership as the applicant and therefore there are unlikely to be amenity issues to the occupants to the annexe, however it is also proposed that the annexe have a temporary permission in order to ensure that amenity issues do not arise, especially if in the future the restaurant is no longer in the same ownership.

Flood Risk

The proposal is sited in flood zone 3 and there are no objections to the proposal from the Environment Agency. The application is for annexe accommodation and is therefore site specific and therefore the sequential test has not been undertaken.

There is an objection from the Parish Council as the proposal is sited in a flood risk area; however there are no objections to the proposal from the Environment Agency as finished floor levels in the unit will be raised to 625mm above existing ground levels and there is safe refuge should it be required in Manor House.

Highways Issues

The response from the Highways officer states that there is existing vegetation at the point of access which encroaches on highways land and restricts visibility. It is requested that this

vegetation is removed in order to improve visibility and that highways would have no objections to the proposal.

This request will be added to the decision as an informative as the provision of an annexe is not seen in planning terms as intensifying the use of the existing access, due to shared car journeys etc. and delaying the decision is then avoided.

Other material considerations

Prior to the submission of this planning application hardstanding was created to the rear of the current application site (where the original application proposed to site the annexe). This now no longer forms part of this application and will be subject to a separate enforcement enquiry regarding its removal or permission.

Crime and Disorder

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

CONCLUSION

The proposed annexe accommodation, sited within the development boundary is considered acceptable on a temporary basis to serve the needs of the applicant and it is recommended that Members approve the application.

RECOMMENDATION:

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

- 1 Condition This permission shall expire on 3rd December 2023 and unless on or before that date application is made for an extension of the period of permission and such application is approved:
 - (a) the park home (the subject of this application) shall be removed from the application site,
 - (b) the use of the land for the annexe shall be discontinued, and
 - (c) there shall be carried out any work necessary to reinstate the application site to its condition prior to the implementation of this temporary permission.

- 1 Reason In order that the Local Planning Authority may retain control over the development where a permanent permission would be contrary to the provisions of the NPPF.

- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans 5887/ (P).01RevB and 5887/ (P).2Rev A both received by the Local Planning Authority on 18th October 2018.

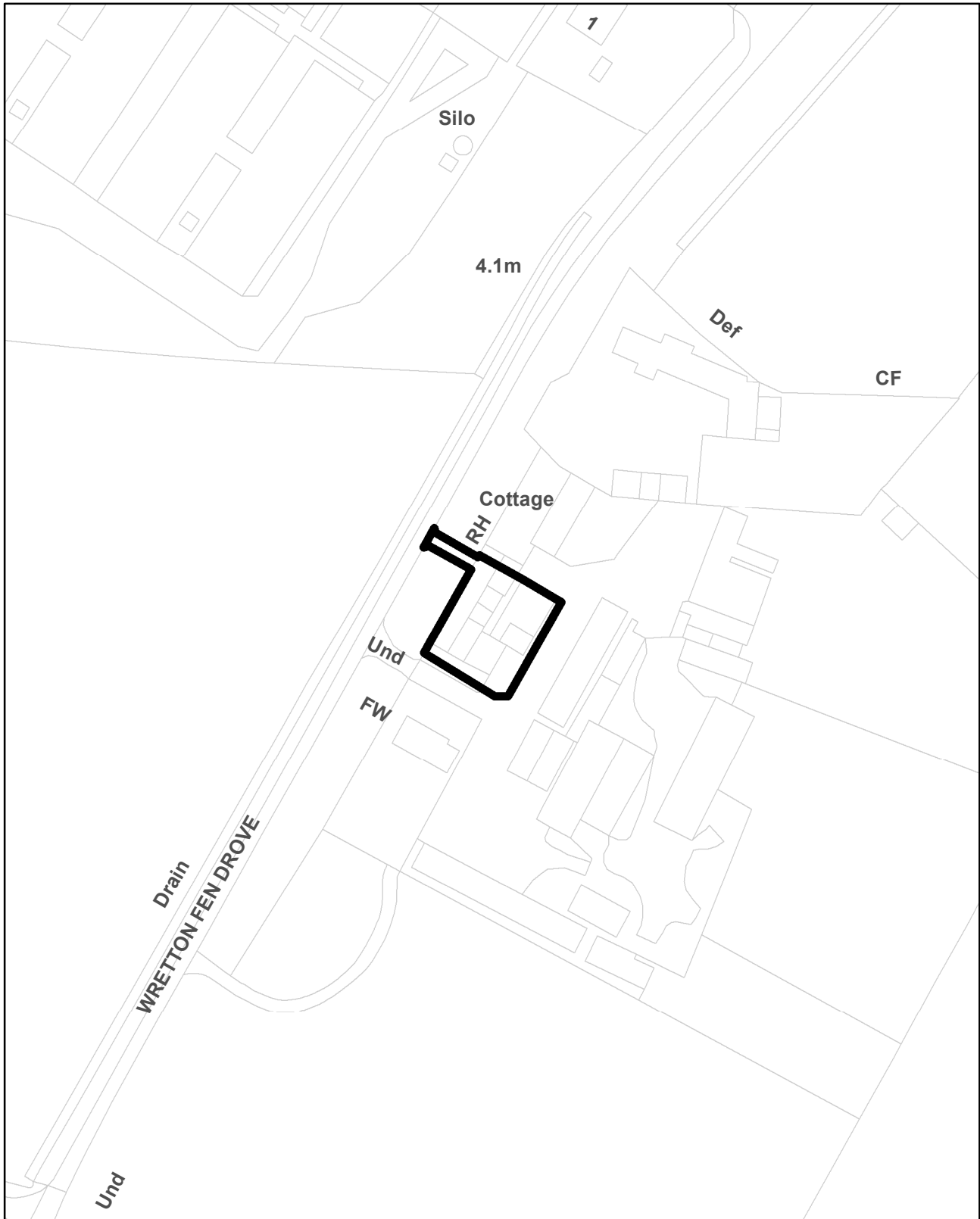
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

- 2 Condition The annexe accommodation hereby approved shall be carried out in accordance with the Flood Risk mitigation measures outlined in the Flood Risk Assessment (section 2.00) within the Design and Access Statement including Flood Risk Statement by Peter Humphrey Associates Ltd:

- Finished floor levels shall be set at 625mm above existing ground levels.
- 3 Reason In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
 - 4 Condition The additional residential accommodation hereby approved shall only be used as ancillary accommodation to the main dwelling known as Manor House, 4 School Road, Terrington St John and shall at no time be used as an independent unit of residential accommodation.
 - 4 Reason For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF.

18/01752/F

Between Peake View and New House Wretton Fen Drove Wretton



AGENDA ITEM NO: 8/2(f)

Parish:	Wretton	
Proposal:	Construction of one dwelling & garage	
Location:	Between Peake View Cottage And New House Wretton Fen Drove Wretton Norfolk	
Applicant:	Rebecca Case	
Case No:	18/01752/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 26 November 2018 Extension of Time Expiry Date: 7 December 2018

Reason for Referral to Planning Committee – The applicant is a relative of Councillor Peake.

Neighbourhood Plan: No

Case Summary

Full planning permission is sought for the erection of one three-bedroom detached dwellinghouse and detached garage. The site is a former agricultural yard that has been used for mixed use purposes including B2 car repairs in the western part of the site, horsiculture to the east of the site and for the keeping of dogs. The area in which the dwelling is proposed is adjacent to the west boundary and would require existing buildings to be removed to facilitate the development.

The site lies to the east of Wretton Fen Drove, Wretton. Wretton is a Smaller Village and Hamlet as defined by Policy CS02 of the Core Strategy 2011.

Key Issues

Principle of development
Form and character
Neighbour amenity
Highways/ Access
Other material planning considerations

Recommendation

APPROVE

THE APPLICATION

The site lies to the east of Wretton Fen Drove, Wretton. Wretton is a Smaller Village and Hamlet as defined by Policy CS02 of the Core Strategy 2011.

The site is a former agricultural yard that has been used for mixed use purposes including B2 car repairs in the western part of the site, horsiculture to the east of the site and for the keeping of dogs. The area in which the dwelling is proposed is adjacent to the west boundary and would require existing buildings to be removed to facilitate the development. There are residential dwellings either side of the application site and a poultry farm lies to the north west.

Full planning permission is sought for the erection of one three-bedroom detached dwellinghouse and detached garage.

SUPPORTING CASE

THE SITE

The site is located between Peake View Cottage, a dwelling to the north and New House, a dwelling to the south. Further to the north is the dwelling Marmic and the village centre. To the east is a mixed-use yard. The site is part of a former farm yard with existing agricultural buildings to be removed. It is clear, therefore, that this proposal will not constitute isolated housing in the countryside.

The application site is a gap in a developed road frontage and can be developed without causing significant harm to the residential amenity or the established character and appearance of the area. The removal of the slightly unsightly agricultural buildings and construction of the dwelling will enhance the street scene.

It is considered, therefore, that the development proposed, will comply with Policy DM3 as modest infill development adjacent to existing development. It is not considered that it will fill a gap which provides a positive contribution to the street scene. The proposal will, therefore, conform with both the Local Plan policies and the wider policies of the NPPF.

CONTAMINATION

The site comprises agricultural land and there are no contamination issues. A brief report is included with the application.

ARCHAEOLOGY

There are no findings of archaeological importance in the immediate vicinity. An archaeological investigation is therefore not considered necessary.

ECOLOGY

The site is not considered notable for any protected or faunal species and is of no botanical interest. The proposed development is unlikely to negatively impact upon any protected species. The existing buildings are not suitable for bats or owls, with no concealed roof spaces. No bat or owl activity has been noted. In the 2015 applications for Peake View Cottage (15/00950/O and 15/01887/RM), no protected species surveys were requested and no evidence of bat or owl activity was discovered during removal of the similar buildings on the site.

ACCESS

A new access point will be constructed from Wretton Fen Drove, to County Highways TRAD 5 specification, including asphalt surfacing for the driveway from the carriageway to the site

boundary. A drainage channel will be provided at the junction of driveway with the highway. The private on-site driveway, turning and parking area will be surfaced in permeable rolled gravel on a crushed concrete base. Adequate parking and turning areas will be provided the dwelling, as shown.

The new dwelling will have a level access threshold, to be accessible to all.

DESIGN

The dwelling has been designed to reflect the local vernacular, using materials to blend with the existing development and locality. It will be constructed to very high fabric insulation standards and use renewable energy source for heating and hot water.

A flood and drainage statement is provided with the application.

RELEVANT PLANNING HISTORY

Adjacent to site:

15/01887/RM: Application Permitted: 09/02/16 - Reserved application for one dwelling (Committee decision)

15/00950/O: Application Permitted: 07/09/15 - Outline application for proposed residential development (Committee decision)

10/01673/F: Application Permitted: 01/11/10 - Proposed erection of general storage building (Committee decision)

RESPONSE TO CONSULTATION

Parish Council: Wretton PC has **NO OBJECTION** to planning application 18/01752/F. Comment was made however that it is hoped this application will not lead to further adjacent development.

Highways Authority: NO OBJECTION. Wretton Fen Drove has a narrow width of carriageway for the majority of its length but the LHA is also aware that the road is lightly trafficked at this position and the verges are generally low and level so they can be used for passing if ultimately required. The proposed development site is remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport. It is the view of the Local Highway Authority that the proposed development is likely to conflict with the aims of sustainable development and you may wish to consider this point within your overall assessment of the site.

On balance however, the LHA believes that an approval of the application would not ultimately result in a significant highway safety concern as a result, recommends conditions regarding vehicular access and on site car parking provision are attached.

Environment Agency: Provided and as the development is within Flood Zone 1 have NO COMMENT to make on this application.

Environmental Quality: The site proposed to be developed was part of an industrial site composing buildings potentially constructed from asbestos containing materials. The

industrial use of the site would indicate that there is a potential risk to human health from the previous site usage if it is developed into a residential property. Therefore recommends the following conditions and informative:

- 10009 – Characterisation of the site for potential contamination
- 10010 – Remediation Method Statement
- 10011 – Verification of the Remediation
- 10012 – Unexpected Contamination

The contamination investigation and risk assessment should include the potential for asbestos to be present in addition to other contamination from the former site use. Evidence of the safe removal and disposal of any identified asbestos containing materials will be required as part of the remediation scheme and verification report. If asbestos is not managed in a suitable manner then the site may require a detailed site investigation and then become contaminated land as defined in Part 2A of the Environmental Protection Act 1990.

CSNN: NO OBJECTION. Due to the mixed use of the land to the east of this proposed dwelling, and the small scale wind turbine under 95m to the south east, I recommend that the windows to bedroom 3 have upgraded glazing and mechanical ventilation is included to provide air to bedroom 3 should windows need to remain closed. Please condition the plans/boundary treatments as per plan ref 13178 to ensure the 1.8m high fence type 2 is used around the southern, eastern and northern boundaries.

Natural England: NO COMMENT

REPRESENTATIONS NONE received.

LDF CORE STRATEGY POLICIES

CS11 - Transport

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM3 - Development in the Smaller Villages and Hamlets

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

The main issues are:

- Principle of development
- Form and character
- Neighbour amenity
- Highways/access
- Other material planning considerations

Principle of development

The application site lies in the settlement of Wretton which is categorised as a Smaller Village and Hamlet in the adopted Local Plan. Policy DM3 of the Site Allocations and Development Management Policies Plan (SADMP) 2016 states:

‘New housing in the smaller villages and hamlets will be limited to the provision of affordable housing under the rural exception policy and to the provision of housing essential for the operation of the rural economy.

The sensitive infilling of small gaps within an otherwise continuous built up frontage will be permitted where:

- The development is appropriate to the scale and character of the group of buildings and its surroundings; and
- It will not fill a gap which provides a positive contribution to the streetscene.

In exceptional circumstances the development of small groups will be appropriate where the development is of a particularly high quality and would provide significant benefits to the local community.’

In considering Policy DM3, this application for one dwelling sited between other dwellings is an infill development. The development proposed is appropriate to the scale and character of the locality. Furthermore the application site is not currently an important ‘gap’ and does not provide a positive contribution to the streetscene. However, the policy states that the infilling will be permitted ‘within an otherwise continuous built up frontage’. To the north of the site is a substantial detached dwelling, and beyond this a larger dwelling and group of buildings. To the south of the site is a third detached dwelling. However, these three dwellings are approx. 200m from the built extent of the village and it is arguable whether they comprise a continuously built up frontage.

Notwithstanding the above, the site on which the dwelling would be located is brownfield land, having a former B2 use. Paragraph 118 of the NPPF requires that Local Planning Authorities give substantial weight to the value of using suitable brownfield land within settlements for homes. CS08 of the Core Strategy 2011 supports this approach.

Form and character

The three existing dwellings on this part of Wretton Fen Drove are all large detached dwellings with parking and detached garages and large gardens. The two storey cottage style dwelling proposed does reflect the form and character of the locality and the materials proposed are fully acceptable in light of existing development. The proposal is therefore considered to be appropriate in accordance with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the SADMP 2016.

Neighbour amenity

The proposed dwelling is well spaced between Peake View Cottage and New House. There would be no windows on the south west elevation at first floor facing New House and only one window on the north east elevation facing Peake View which would serve a bathroom. Given the spacing between properties, along with proposed boundary screening, the proposed dwelling would not give rise to neighbour amenity issues. The proposal would be in accordance with Policy DM15 of the SADMP 2016.

The CSNN team has requested that consideration be given to the mixed use nature of the site, suggesting triple glazing (and window to bedroom 3 to remain closed with mechanical ventilation) and construction of boundary treatments. Given that the site and business uses surrounding the development are low key such suggestions are considered unnecessary. Boundary treatments (1.8m close boarded fence) to the rear garden are shown on the approved plans.

Highways/ Access

The Local Highway Authority raises concern at the sustainability of the location for new residential development, given it is remote from services and facilities. However, the scheme would not result in a highway safety concern, the verges are low which allows for passing traffic if necessary, and they note that traffic levels are low. The Local Highway Authority does not object to the scheme and recommends conditions regarding vehicular access and on site car parking provision. The development therefore accords with Policy CS11 of the Core Strategy 2011 and Policy DM15 of the SADMP 2016.

Other material planning considerations

The site (other than the access) lies within Flood Zone 1 (at lowest risk of flooding) and so there are no concerns regarding flood risk. Surface water would be to soakaway and foul water is proposed to be dealt with by package treatment plant.

The application site houses some existing buildings and an area of hard standing. Given the historic use of the site and the age of the existing structures the Environmental Quality officer has requested that investigative work be carried out into potential contamination and the presence of asbestos. Contamination investigation and remediation conditions are therefore recommended as suggested conditions.

CONCLUSION

In summary, the proposal would create an additional dwelling in an area of the site that has been used for B2 purposes. Whilst officers do not believe the dwelling would strictly be located in a continuous built up frontage, it is located within a group of dwellings marginally to the south of the main settlement, the land is brownfield land (of which substantial weight should be attached) and overall, the location and appearance of the dwelling would not result in any material harm to the character and appearance of the countryside. On this basis, whilst the proposal does not technically satisfy Policy DM3 of the SADMP 2016, the proposal satisfies Paragraph 118 of the NPPF, Policies CS08 and CS11 of the Core Strategy 2011 and Policy DM15 of the SADMP 2016 and is therefore considered acceptable.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Prior to the first occupation of the development hereby permitted the vehicular access crossing over the verge shall be constructed in accordance with the highways specification (TRAD 5) and thereafter retained at the position shown on the approved plan. 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.
- 2 Reason To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with Policy DM 15 of the SADMP 2016.
- 3 Condition Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason To ensure the permanent availability of the parking manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policy DM15 of the SADMP 2016.
- 4 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'.

- 4 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 5 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.
- 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 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.

- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 7 Condition In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 5, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 6.

- 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 Before the first occupation of the dwelling hereby permitted the windows at first floor on the north east and south east elevations serving the shower room/bathroom shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- 8 Reason To protect the residential amenities of the occupiers of the proposed dwelling and nearby property in accordance with Policy DM15 of the SADMP 2016.
- 9 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:
- Dwg 13178
 - Dwg 13180
 - Dwg 13179
 - Dwg 13183
- 9 Reason For the avoidance of doubt and in the interests of proper planning.

PLANNING COMMITTEE – 3 DECEMBER 2018

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the October Planning Committee Agenda and the November agenda. 93 decisions issued 87 decisions issued under delegated powers with 6 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area
- (4) Majors are assessed against a national target of 30% determined in time. Failure to meet this target could result in the application being dealt with by Pins who will also receive any associated planning fee.

RECOMMENDATION

That the reports be noted.

Number of Decisions issued between 19/09/2018 – 24/10/18

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	DCB decision	
								Approved	Refused
Major	9	6	3		8	89%	60%	1	0
Minor	38	35	3	35		92%	70%	3	0
Other	46	45	1	45		98%	80%	2	0
Total	93	86	7						

Planning Committee made 6 of the 93 decisions, 6%

PLANNING COMMITTEE – 3 DECEMBER 2018

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
18.10.2018	13.11.2018 Application Permitted	18/01261/NMA_1	Brancaster 71 Club Village Hall Main Road Brancaster NON-MATERIAL AMENDMENT to planning permission 18/01261/F: Single storey rear and side extensions, and alterations to community building	Brancaster
20.08.2018	31.10.2018 Application Refused	18/01525/F	Church Pightle Station Road Burnham Market Norfolk Demolition of a detached bungalow and the subsequent erection of 1 x 2-storey 5-bed dwelling, 2 x 2-storey 4-bed dwellings and 1 x garage	Burnham Market

11.09.2018	09.11.2018 Application Permitted	18/01637/F	Granvilla Station Road Burnham Market Norfolk VARIATION OF CONDITIONS 3, 4, 5, 6, 7, 8, 9 of planning permission 17/01401/F - Demolition of existing bungalow and replacement with two new dwellings, together with reconfiguration of existing southern access and associated hard and soft landscaping improvements.	Burnham Market
12.09.2018	01.11.2018 Application Permitted	18/01645/CU	Stable Cottage 52 Market Place Burnham Market Norfolk Change of Use from residential to a mixed use of A1 (retail) and Residential	Burnham Market
12.09.2018	07.11.2018 Application Permitted	18/01647/O	Goosebec Church Walk Burnham Market King's Lynn Outline application: Residential development	Burnham Market
17.09.2018	09.11.2018 Application Permitted	18/01665/F	Ilex Cottage 10 Mill Green Burnham Market King's Lynn Proposed extensions, loft conversion and alterations	Burnham Market
06.09.2018	02.11.2018 Application Permitted	18/01623/F	Mrs Preedys Cottage And Mill Farm Cottage Tower Road Burnham Overy Staithe Norfolk The proposal is to install two air source heat pumps (ASHPs) at Mrs Preedy's cottage and another to Mill Farm Cottage. An oil tank outside the property will be removed as part of the installation.	Burnham Overy

20.09.2018	15.11.2018 Application Permitted	18/01693/F	Graywood House Lynn Road Castle Rising King's Lynn Extension to annexe	Castle Rising
13.06.2018	06.11.2018 Application Permitted	18/01087/F	Meadow View Black Horse Road Clenchwarton King's Lynn Construction of a dwelling and link to existing bungalow to be altered and used as an Annexe	Clenchwarton
09.07.2018	30.10.2018 Application Refused	18/01252/OM	Fosters Sports Ground North Field Ferry Road Clenchwarton Outline Major Application: Residential development of up to 40 dwellings consisting of 28 private, 8 affordable houses and 4 fully serviced plots of 3 or 4 bedroom detached self build units	Clenchwarton
19.09.2018	25.10.2018 Application Permitted	18/01687/F	13 Warrens Road Clenchwarton King's Lynn Norfolk Extension to dwelling, internal alterations and ramped access	Clenchwarton
24.09.2018	01.11.2018 Application Permitted	18/01717/F	4 St Margarets Meadow Clenchwarton Norfolk PE34 4EB Extension to dwelling	Clenchwarton
09.10.2018	08.11.2018 Application Permitted	18/01803/F	Roxford 17 Downham Road Denver Downham Market Single storey extension on rear of dwelling, following removal of existing lean-to extension.	Denver

28.08.2018	01.11.2018 Application Permitted	18/01575/O	Land Between Dolphins And 7 Shammer Close Brancaster Road Docking Norfolk OUTLINE APPLICATION SOME MATTERS RESERVED: Erection of a dwelling	Docking
23.07.2018	12.11.2018 Application Permitted	18/01339/FM	Plot 2 St Johns Way St John's Business Estate Downham Market Norfolk New storage and distribution facility to create 4 units and new access	Downham Market
08.10.2018	13.11.2018 Application Permitted	18/01790/F	Nightingale Lodge Nightingale Lane Downham Market Norfolk Two storey extension to rear of dwelling	Downham Market
30.05.2018	12.11.2018 Application Permitted	18/00987/RM	Land South of Gayton Road East Winch Norfolk Reserved Matters Application for proposed development of 7 dwellings, plots 2-3 and 6 - 10	East Winch
24.08.2018	12.11.2018 Application Permitted	18/01562/F	Site East of 3 Burman Mews Lynn Road East Winch Norfolk Proposed driveway to serve dwelling approved under application 18/01045/RM	East Winch
30.07.2018	07.11.2018 Application Permitted	18/01382/RM	78 Hollycroft Road Emneth Norfolk PE14 8BB Reserved Matters Application: Details for plot 4 only	Emneth

19.09.2018	25.10.2018 Application Permitted	18/01686/F	44 Paynes Lane Feltwell Thetford Norfolk Removal of existing porch, proposed front and side extensions, new garden access and internal alterations	Feltwell
05.10.2018	09.11.2018 Application Permitted	18/01785/AG	G C Field & Sons Southery Road Farm Ploughmans Drove Feltwell Agricultural Prior Notification: Extension to existing grain store to increase capacity	Feltwell
24.10.2018	06.11.2018 Application Permitted	17/02345/NMA_2	12 Nightingale Lane Feltwell Thetford Norfolk Non-material amendment to planning permission 17/02345/F: Single story rear extension	Feltwell
31.05.2018	01.11.2018 Application Permitted	18/00991/F	The Kingfisher High Street Fincham King's Lynn Rear single storey extension.	Fincham
14.09.2018	07.11.2018 Application Permitted	18/01657/F	Land Between Five Keys And The Cottage W of Oak House Winch Road Gayton Norfolk Retrospective application for the construction of 1 dwelling (Plot 3) of outline permission 2/88/5319/O	Gayton
26.09.2018	08.11.2018 Application Permitted	18/01728/F	1 Becks Wood Nethergate Street Harpley King's Lynn Conversion of domestic garage and roof space to form additional accommodation	Harpley

04.10.2018	26.10.2018 Application Permitted	17/01383/NMA_1	Plot 1 N of 20 Church Road Ten Mile Bank Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 17/01383/RM: Reserved Matters Application: construction of two dwellings	Hilgay
28.08.2018	01.11.2018 Application Permitted	18/01574/F	The Norfolk Hospice, Tapping House, Wheatfields Hillington Norfolk Proposed log cabin for day patients workshop/activities	Hillington
05.10.2018	09.11.2018 Consent Required Not	18/01786/AG	Leylands Farm Brandon Road Hockwold cum Wilton Norfolk Proposed pump house for proposed reservoir	Hockwold cum Wilton
26.10.2018	30.10.2018 Application Withdrawn	18/01908/F	Farm Shop Drove Orchards Thornham Road Holme next The Sea PLANNING APPLICATION	Holme next the Sea
13.08.2018	24.10.2018 Application Refused	18/01469/F	Hearth Manor 7 Belgrave Avenue Hunstanton Norfolk First Floor Extension	Hunstanton
03.09.2018	15.11.2018 Application Permitted	18/01606/F	Enderley 60 Kings Lynn Road Hunstanton Norfolk Retention of wooden log cabin in front garden	Hunstanton
18.09.2018	08.11.2018 Application Permitted	18/01673/F	18 Clarence Road Hunstanton Norfolk PE36 6HQ Removal of existing conservatory and build single storey extension to wrap around side and rear of property.	Hunstanton

26.09.2018	08.11.2018 Application Permitted	18/01734/F	43 Bernard Crescent Hunstanton Norfolk PE36 6EP Proposed loft conversion including rear dormer window and raised ridge height, and conservatory to the rear	Hunstanton
02.10.2018	02.11.2018 Application Permitted	18/01760/F	30 Princess Drive Hunstanton Norfolk PE36 5JG Front, side and rear extensions to existing semi detached bungalow	Hunstanton
05.10.2018	15.11.2018 Application Permitted	18/01782/F	34 Park Road Hunstanton Norfolk PE36 5BY Proposed single storey rear extension and construction of outbuilding	Hunstanton
24.09.2018	13.11.2018 Application Permitted	18/01710/LB	The Old Hall The Drift Ingoldisthorpe Norfolk LISTED BUILDING CONSENT: Change of approved casement windows to sliding sash	Ingoldisthorpe
23.04.2018	01.11.2018 Application Permitted	18/00736/F	Riverside Business Centre Cross Bank Road King's Lynn Norfolk To install pipe work and cables in a trench underground to support a planning application for an Anaerobic Digester	King's Lynn

14.06.2018	09.11.2018 Application Permitted	18/01100/FM	Palm Paper Poplar Avenue King's Lynn Norfolk Construction of a paper separation plant building, including raw material storage, bale storage, paper separation and de-inking storage areas, together with associated conveyor, internal access roads and drainage	King's Lynn
09.07.2018	31.10.2018 Application Permitted	18/01251/F	4 St James Street King's Lynn Norfolk PE30 5DA Conversion of first and second floors from commercial offices (class B1) to two commercial holiday lets (class C1)	King's Lynn
12.07.2018	01.11.2018 Application Permitted	18/01267/FM	King's Lynn Power Station Willow Road Willows Business Park King's Lynn Development of a new gas supply connection and new underground gas pipeline	King's Lynn
06.08.2018	02.11.2018 Application Permitted	18/01440/LB	5 Hampton Court Nelson Street King's Lynn Norfolk LISTED BUILDING APPLICATION: Internal alterations to allow installation of new staircase following removal of old staircase	King's Lynn
16.08.2018	13.11.2018 Application Permitted	18/01515/F	22 Jermyn Road King's Lynn Norfolk PE30 4AE Single storey rear extension to dwelling	King's Lynn

30.08.2018	13.11.2018 Application Permitted	18/01587/CU	The Purfleet Trust 5 St Ann's Fort North Street King's Lynn Change of use from a day centre to a night shelter (sui generis).	King's Lynn
31.08.2018	30.10.2018 Application Permitted	18/01599/F	9A Telford Close King's Lynn Norfolk PE30 4UT Variation of condition 3, 9 and 10 of planning permission 17/01734/F: Construction of new 1 bed dwelling - to amend windows	King's Lynn
03.09.2018	29.10.2018 Application Permitted	18/01604/LB	6 St Anns Street King's Lynn Norfolk PE30 1LT LISTED BUILDING CONSENT: Painting shop window, fascia sign, entrance door and door frame. Placing sign on shopfront fascia.	King's Lynn
06.09.2018	13.11.2018 Application Permitted	18/01622/LB	EE Ltd 56 High Street King's Lynn Norfolk To re-paint the external window frames & doors and erect basic signage to the front of the building	King's Lynn
10.09.2018	07.11.2018 Application Permitted	18/01635/CU	Pathway House Austin Fields Austin Fields Industrial Estate King's Lynn Change of use of first floor from residential to offices (retrospective)	King's Lynn

12.09.2018	07.11.2018 Application Permitted	18/01643/F	Limes House 20 Purfleet Street King's Lynn Norfolk VARIATION OF CONDITIONS 2 AND 7 of planning permission 15/01709/FM - Proposed change of use for development of 17 flats at the first and second floor with bin and cycle store at ground floor. Creation of roof terrace and retention of existing occupied office/retail space at ground floor	King's Lynn
24.09.2018	08.11.2018 Application Permitted	18/01716/F	Curson House 107 London Road King's Lynn Norfolk Replace existing wooden front entrance door with a modern composite material front door	King's Lynn
26.09.2018	15.11.2018 Application Permitted	18/01731/F	17 Marsh Lane King's Lynn Norfolk PE30 3AD Variation of condition 2 of planning permission 17/01385/F to make some minor amendments to the approved scheme	King's Lynn
28.09.2018	08.11.2018 Application Permitted	18/01746/F	4 Princes Way King's Lynn Norfolk PE30 2QL Forming 2 bedrooms and a wet room within existing loft	King's Lynn
05.10.2018	09.11.2018 Application Permitted	18/01784/F	19 Southgate Street King's Lynn Norfolk PE30 5AZ Replace 4 front facing timber sash windows with new double glazed timber sash windows.	King's Lynn

08.10.2018	06.11.2018 Application Permitted	18/00568/NMA_1	9 Folly Grove King's Lynn Norfolk PE30 3AF NON-MATERIAL AMENDMENT TO PLANNING CONSENT 18/00568/F: Two storey side extension for family annexe	King's Lynn
26.10.2018	07.11.2018 Application Withdrawn	18/01924/F	Cleveland Cottage 10A Gayton Road Ashwicken Norfolk Side and rear extensions and internal alterations	Leziate
11.09.2018	12.11.2018 Application Permitted	18/01641/RM	St James Lodge 288 Smeeth Road Marshland St James Wisbech Reserved Matters Application for one residential dwelling	Marshland St James
26.09.2018	07.11.2018 Application Permitted	16/01855/NMA_1	Land Rear of 282 Smeeth Road Marshland St James Wisbech Norfolk Non-material amendment to planning permission 16/01855/F: Construction of two dwellings	Marshland St James
21.08.2018	25.10.2018 Application Permitted	18/01538/F	Wills Holly 38 Globe Street Methwold Thetford Extension and modernisation to dwelling and standing of static caravan while work is ongoing	Methwold
05.07.2018	25.10.2018 Application Permitted	18/01230/F	Land Adj The Haven Silt Road Nordelph Norfolk Variation of condition 1 of planning permission 16/00781/F - Proposed 2No. dwellings with the demolition of the existing agricultural barns: To amend previously approved drawings	Nordelph

05.03.2018	30.10.2018 Application Permitted	18/00389/F	Meadow Farm Lodge Church Lane Whittington Norfolk New development of 6 new houses with new vehicular access	Northwold
15.08.2018	31.10.2018 Application Refused	18/01495/F	Land Copse And Pond SE of Heathlands And W of A134A Thetford Road Northwold Norfolk New house and garage	Northwold
24.08.2018	05.11.2018 Application Permitted	18/01561/F	5 Glebe Close Northwold Thetford Norfolk Proposed residential bungalow	Northwold
22.08.2018	31.10.2018 Application Permitted	18/01559/F	1 The Tramway Outwell Wisbech Norfolk 2 storey rear extension and alterations to existing house	Outwell
30.07.2018	26.10.2018 Application Permitted	18/01377/F	54 Pentney Lakes Common Road Pentney Norfolk New 2 storey log cabin for holiday use	Pentney
14.09.2018	26.10.2018 Application Permitted	18/01656/A	Pentney Park Gayton Road Pentney Norfolk Advert Application: 2 x coare stone entrance walls, each incorporate a recessed panel into which is to be fitted a powder coated internally illuminate aluminium sign. 1.2m x 2.0m	Pentney
21.09.2018	07.11.2018 Application Permitted	18/01701/RM	Plots 3 And 4 Narborough Road Pentney Norfolk RESERVED MATTERS APPLICATION: Construction of two dwellings on plots 3 & 4	Pentney

24.10.2018	07.11.2018 DM Prior Notification NOT Required	18/01897/AG	Little Abbey Farm Golden Gym Pentney Norfolk Construction of steel framed building for the storage of straw/hay	Pentney
11.06.2018	31.10.2018 Application Refused	18/01093/FM	Land South of 8 Chapel Lane Ringstead Norfolk Construction of 10 dwellings	Ringstead
25.09.2018	30.10.2018 GPD HH extn - Not Required	18/01726/PAGPD	Alloway Barn 51 Westgate Street Shouldham King's Lynn Single storey rear extension which extends beyond the rear wall by 5m with a maximum height of 3.6m and a height of 2.5m to the eaves.	Shouldham
24.10.2018	07.11.2018 Application Withdrawn	18/01893/F	The Cabin At Silver Birches Fairstead Drove Shouldham Norfolk Use of log cabin as guest annex/holiday let accommodation	Shouldham
20.09.2018	02.11.2018 Application Permitted	18/01703/F	6 Styleman Way Snettisham King's Lynn Norfolk Replacement of existing flat roof with pitched roof	Snettisham
03.10.2018	15.11.2018 Application Permitted	18/01765/F	26 Southgate Lane Snettisham King's Lynn Norfolk Proposed porch	Snettisham
17.09.2018	12.11.2018 Application Permitted	18/01663/F	Wyatts Leicester Square Farm Leicester Road South Creake New metal flue serving a new fireplace with internal masonry chimney. Minor internal alterations and additions as part of refurbishment.	South Creake

17.09.2018	08.11.2018 Application Permitted	18/01664/LB	Wyatts Leicester Square Farm Leicester Road South Creake LISTED BUILDING CONSENT: Addition of a window to the East facade and glazed double doors to the North facade (replacing an existing window). New rooflight to East slope of roof. New metal flue serving a new fireplace with internal masonry chimney. Minor internal alterations and additions as part of refurbishment.	South Creake
23.07.2018	25.10.2018 Application Permitted	18/01338/F	Village Hall 22 Church Lane South Wootton Norfolk Proposed store extension and existing air conditioning units (retrospective)	South Wootton
31.08.2018	02.11.2018 Application Permitted	18/01600/F	Fairway 15 Low Road South Wootton Norfolk Proposed single storey rear extension	South Wootton
04.09.2018	07.11.2018 Application Permitted	18/01610/F	The Old Nurseries 3 Bryony Court South Wootton King's Lynn Proposed new dwelling	South Wootton
24.09.2018	13.11.2018 Application Permitted	18/01712/F	1 Beech Avenue South Wootton King's Lynn Norfolk Extension and alterations	South Wootton
04.10.2018	08.11.2018 GPD HH extn - Not Required	18/01779/PAGPD	104 Grimston Road South Wootton King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 8m with a maximum height of 3.5m and a height of 3.5m to the eaves.	South Wootton

14.08.2018	31.10.2018 Application Permitted	18/01479/FM	Water Treatment Works School Lane Stoke Ferry Norfolk Installation of ground mounted solar PV array, underground cabling, fencing and switch gear housing	Stoke Ferry
18.09.2018	14.11.2018 Application Permitted	18/01671/F	Land N of Barolo Low Road Stow Bridge Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 18/00022/F: New detached dwelling	Stow Bardolph
04.10.2018	12.11.2018 Application Permitted	18/01772/F	Land South West of 173 The Drove Barroway Drove Norfolk Change of use of agricultural land to garden land to existing development site	Stow Bardolph
05.10.2018	25.10.2018 Application Refused	17/01395/NMA_1	South of Eastfields 173 The Drove Barroway Drove Norfolk NON-MATERIAL AMENDMENT TO 17/01395/RM: Reserved Matters Application: Site for construction of two dwellings	Stow Bardolph
31.08.2018	26.10.2018 Application Permitted	18/01592/LB	Paradise Manor Downham Road Stradsett Norfolk Listed Building Consent: Retrospective application for regularisation of details not built in accordance with Approval 15/00996/LB	Stradsett

31.08.2018	30.10.2018 Application Permitted	18/01593/F	Paradise Manor Downham Road Stradsett Norfolk Retrospective application for construction of outbuilding not built in accordance with Approval 15/00995/F	Stradsett
31.08.2018	26.10.2018 Application Permitted	18/01594/LB	Paradise Manor Downham Road Stradsett Norfolk Listed Building Consent: Retrospective application for alterations to the existing outbuilding and construction of a walkway to link to a new structure to the north.	Stradsett
04.07.2018	02.11.2018 Application Refused	18/01218/F	Land To The North Of Clear View Long Road Terrington St Clement Change of use of land and building to commercial storage and construction of new shed	Terrington St Clement
22.08.2018	08.11.2018 Application Permitted	18/01550/F	Threeways 77 Wanton Lane Terrington St Clement King's Lynn Extension of dwelling, alteration to existing glazed porch and retrospective erection of garage	Terrington St Clement
17.09.2018	01.11.2018 Application Permitted	18/01661/F	64 Alma Avenue Terrington St Clement King's Lynn Norfolk Proposed single storey rear extension and front access ramp	Terrington St Clement
19.09.2018	01.11.2018 Application Permitted	18/01685/F	6 Premier Mills Eastgate Lane Terrington St Clement King's Lynn Single storey extension to rear of dwelling	Terrington St Clement

08.08.2018	14.11.2018 Application Withdrawn	18/01453/F	Tractor Shed At Orchard Cottage Drove House Thornham Road Change of use from a tractor shed to a building for apple juice production	Thornham
14.08.2018	01.11.2018 Application Permitted	18/01488/F	87 St Johns Road Tilney St Lawrence Norfolk PE34 4QN Variation of Condition 2 of planning permission 16/02162/F: Proposed 4 bedroom detached dwelling	Tilney St Lawrence
02.10.2018	08.11.2018 Application Permitted	18/01762/F	Station House 33 New Road Upwell Wisbech Kerb drop required to allow access to parking area/driveway	Upwell
19.09.2018	12.11.2018 Application Permitted	18/01683/F	Bungalow Mill Road Walpole St Peter Norfolk Proposed rear and side extension to bungalow, including demolition of former rear extension and conservatory and extension of residential garden.	Walpole
20.09.2018	15.11.2018 Prior Approval - Approved	18/01696/PACU3	Holme Farm King John Bank Walpole St Andrew Wisbech Change of use from agricultural building to 1 x 3 bed dwelling and 2 x 2 bed residential units	Walpole
19.07.2018	08.11.2018 Application Permitted	18/01475/F	Walpole Cross Keys Primary School 28 Sutton Road Walpole Cross Keys Norfolk Retention of mobile classroom	Walpole Cross Keys

06.06.2018	12.11.2018 Application Refused	18/01037/FM	Land And Ponds S of 52 Broadend Road E of Zoar Cottage And W of Turpitts Field Green Lane Walsoken Norfolk Proposed change of use to site 3 static holiday homes (to fit within the definition of a caravan) to support existing fishing lake	Walsoken
18.09.2018	12.11.2018 Application Permitted	18/01682/F	59 Burrettgate Road Walsoken Wisbech Norfolk Proposed polytunnel	Walsoken
16.10.2018	13.11.2018 Application Permitted	17/01083/NMA_1	Land Between The Cottage And Buckley House W of Bucksholt Road Walsoken Norfolk NON-MATERIAL AMENDMENT TO RESERVED MATTERS CONSENT 17/01083/RM: Reserved Matters Application, construction of dwelling and detached garage	Walsoken
09.10.2018	12.11.2018 Application Permitted	18/01801/F	55 Fen Road Watlington King's Lynn Norfolk Proposed single storey rear extension to provide new kitchen/dining space including new shower and utility rooms	Watlington
03.04.2018	26.10.2018 Application Permitted	18/00595/F	High House Lynn Road Wereham King's Lynn Extension to side and front of dwelling, linking garage & house together	Wereham

11.09.2018	05.11.2018 Application Permitted	18/01640/F	Station House Station Road West Dereham King's Lynn Conversion of detached garage building into a self-contained 2 bed annexe	West Dereham
01.11.2018	07.11.2018 Consent Required Not	18/01959/LB	Hall Farm Barns School Road West Rudham Norfolk Listed Building Application: Construction of 4 bay garage for use in association with conversion of barns to residential dwellings	West Rudham
25.09.2018	08.11.2018 Application Permitted	18/01727/F	90 Salts Road West Walton Norfolk PE14 7EF Proposed extensions to dwelling	West Walton
23.07.2018	02.11.2018 Application Permitted	18/01337/F	32 Lynn Road Wiggshall St Germans King's Lynn Norfolk Conversion of Chapel to Dwelling	Wiggshall St Germans
10.09.2018	01.11.2018 Application Permitted	18/01633/F	20 Park Crescent Wiggshall St Mary Magdalen King's Lynn Norfolk Proposed 2 storey rear extension and various internal alterations	Wiggshall St Mary Magdalen
28.08.2018	26.10.2018 Application Withdrawn	18/01569/F	Shiralee West Dereham Road Wretton King's Lynn Constuction of a pair of semi-detached cottages and construction of two new accesses	Wretton

PLANNING COMMITTEE
- PLANNING ENFORCEMENT REPORT -

1.0 PURPOSE OF REPORT

1.1 This report provides Members with an update on service performance for planning enforcement during the third quarter of 2018.

2.0 PLANNING ENFORCEMENT SERVICE PERFORMANCE

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

The total number of live cases is	269
Number of cases received inc high hedge	134
Total Number of cases closed	129

2.2 A list of all live cases to 21st November 2018 can be found at Appendix 1.

2.3 Below is a breakdown of all **129** cases closed during the third quarter, including the reason for closure.

Reason	Count
Advertisement Consent Granted	1
Amendment Approved	0
Case Closed	7
Conditions Discharged	1
De minimis	1
Delegated Authority - no further action	14
Listed Building Consent granted	0
No breach established	43
Notice issued - complied	5
Permitted development	9
Planning App Approved	23
Prosecution	1
Referred to other service	4
Simple Caution	0
Remedied following informal action	19

Use/operational development lawful	1
Default action taken under s219	0
Total	129

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

Notice	Count
Enforcement Notice	8
Listed Building Enforcement Notice	0
Planning Contravention Notice	5
Requisition for Information	1
Breach of Condition Notice	1
Stop Notice (excluding Temporary Stop Notice)	0
Temporary Stop Notice	0
Enforcement Injunction granted	0
Section 215 Notice	0
Repairs Notice	0
High Hedge Remedial Notice	0
Tree Replacement Notice	0
Total	15

2.5 Aside from the above, we can report that following the service of a Section 215 notice in May 2018 requiring the demolition of a prominent derelict property on London Road within the King's Lynn Conservation Area, compliance was recently achieved with the property being demolished and the resultant material removed from the site.

3.0 RECOMMENDATION

3.1 That this report is noted.

Contact

Mr Clarey, Planning Enforcement Team Leader – 01553 616770

Parish	Date	Reference	Site	Breach	Status
Boughton	14-Nov-17	17/00496/UNOPDE	The Bungalow Mill Hill Road Boughton King's Lynn Norfolk PE33 9AE	Alleged unauthorised operational development	Notice Issued
Boughton	26-Jun-18	18/00297/UNTIDY	Former Dukes Head PH 1 Wretton Road Stoke Ferry King's Lynn Norfolk PE33 9SE	Alleged untidy land	Pending Consideration
Brancaster	23-Aug-18	18/00407/UNOPDE	6 Mill Hill Brancaster King's Lynn Norfolk PE31 8AQ	Alleged unauthorised operational development	Pending Consideration
Brancaster	23-Aug-18	18/00409/UNOPDE	Nevis Broad Lane Brancaster Norfolk PE31 8AU	Alleged unauthorised operational development	Pending Consideration
Burnham Market	08-Oct-18	18/00477/BOC	Crow Hall Cottages Docking Road Burnham Market Norfolk PE31 8JU	Alleged breach of condition	Pending Consideration
Burnham Thorpe	04-Sep-18	18/00424/HHC	The Parsonage Creake Road Burnham Thorpe King's Lynn Norfolk PE31 8HW	High Hedge Complaint	Pending Consideration
Clenchwarton	24-Aug-18	18/00412/UNOPDE	27 Main Road Clenchwarton King's Lynn Norfolk PE34 4BQ	Alleged unauthorised operational development	DC Application Submitted
Congham	14-Mar-18	18/00108/BOC	Buttercup Cottage Congham Manor St Andrews Lane Congham Norfolk PE32 1DS	Alleged breach of conditions of planning permission 17/00983/CU	DC Application Submitted
Crimplesham	20-Sep-18	18/00456/UNOPDE	Rose Cottage Market Lane Crimplesham King's Lynn Norfolk PE33 9DZ	Alleged unauthorised operational development	Pending Consideration
Denver	15-May-18	18/00218/UNOPDE	Denver Store & Post Office 9 - 11 Downham Road Denver Downham Market Norfolk PE38 0DF	Alleged unauthorised operational development	Pending Consideration
Denver	17-Oct-18	18/00493/UNAUTU	Rose Cottage 17 Sluice Road Denver Downham Market Norfolk PE38 0DY	Alleged unauthorised use	Pending Consideration
Denver	23-Aug-18	18/00405/BOC	The Larches 21 Whin Common Road Denver Downham Market Norfolk PE38 0DX	Alleged breach of planning condition (11/01751/F)	Pending Consideration

Dersingham	26-Feb-18	18/00078/UNTIDY	8 Hipkin Road Dersingham King's Lynn Norfolk PE31 6XX	Alleged untidy land	Pending Consideration
Dersingham	26-Jul-18	18/00348/UNAUTU	2 White Horse Drive Dersingham King's Lynn Norfolk PE31 6HL	Alleged unauthorised use	Pending Consideration
Dersingham	23-Feb-17	17/00099/UNAUTU	3 Hawthorn Drive Dersingham King's Lynn Norfolk PE31 6QG	Alleged unauthorised use	Pending Consideration
Dersingham	26-Oct-18	18/00513/UNAUTU	Land West of 10 Manorside Dersingham King's Lynn Norfolk PE31 6LE	Alleged unauthorised use	Pending Consideration
Docking	08-Aug-17	17/00345/UNAUTU	Land At Range Farm Fakenham Road Stanhoe Norfolk PE31 8PX	Alleged unauthorised use	Pending Consideration
Docking	03-Jan-18	18/00001/NIA	Fernie Cottage Sandy Lane Docking King's Lynn Norfolk PE31 8NF	Alleged construction not in accordance with approved plans	Pending Consideration
Docking	03-May-18	18/00201/UNOPDE	9 Harewood Estate Docking King's Lynn Norfolk PE31 8NP	Alleged unauthorised operational development	Pending Consideration
Downham Market	30-Oct-14	14/00672/BOC	Land To the South of 17 Railway Road Downham Market Norfolk	alleged breach of condition	Pending Consideration
Downham Market	13-Feb-17	17/00073/BOC	Land And Buildings On the South Side of Railway Road Downham Market Norfolk	alleged breach of condition relating to 11/01609/FM	Pending Consideration
Downham Market	25-Jun-18	18/00292/UNAUTU	91 Railway Road Downham Market Norfolk PE38 9EP	Alleged unauthorised use	Pending Consideration
Downham Market	12-Sep-18	18/00447/NIA	Jim Russell Garage London Road Downham Market Norfolk PE38 9AS	Alleged not built in accordance with approved plans	Pending Consideration
Downham Market	08-Nov-18	18/00535/UADV	91 Railway Road Downham Market Norfolk PE38 9EP	Alleged unauthorised sign	Pending Consideration
Downham Market	15-Mar-18	18/00115/BOC	Jim Russell Garage London Road Downham Market Norfolk PE38 9AS	Alleged breach of planning condition	Pending Consideration

Downham Market	26-Jun-18	18/00299/UNOPDE	6 Greenwich Close Downham Market Norfolk PE38 9TZ	Alleged unauthorised operational development	Pending Consideration
Downham Market	22-Oct-18	18/00498/UNOPDE	7 Beech Road Downham Market Norfolk PE38 9PH	Alleged unauthorised operational development	Pending Consideration
Downham Market	29-Oct-18	18/00519/BOC	65 Paradise Road Downham Market Norfolk PE38 9JF	Alleged breach of planning condition	Pending Consideration
Downham Market	01-Nov-18	18/00525/UNAUTU	Ellas Place Caravan Site Short Drove Downham Market Norfolk PE38 9PU	Alleged unauthorised use	Pending Consideration
Downham Market	05-Nov-18	18/00529/UNAUTU	59 Coriander Road Downham Market Norfolk PE38 9WB	Alleged unauthorised use	Pending Consideration
Downham Market	10-Apr-18	18/00164/UNAUTU	Jim Russell Garage London Road Downham Market Norfolk PE38 9AS	Alleged unauthorised use	Pending Consideration
East Rudham	26-Feb-16	16/00097/UWLB	Anchorage House Broomsthorpe Road East Rudham King's Lynn Norfolk PE31 8RG	alleged unauthorised works to a Listed Building	Notice Issued
East Winch	17-Jul-17	17/00315/UNOPDE	Former Queensway Service Station Main Road West Bilney Norfolk PE32 1HW	Alleged unauthorised operation development	Pending Consideration
East Winch	17-Mar-17	17/00134/UNTIDY	The Old Station Yard Gayton Road East Winch Norfolk PE32 1NP	alleged untidy land	Notice Issued
Emneth	20-Oct-14	14/00648/BOC	Banyer Hall Barn 115 Ladys Drove Emneth Norfolk PE14 8DG	alleged breach of condition relating to 10/00871/F	Pending Consideration
Emneth	04-May-17	17/00186/UNAUTU	North of Featheredge 51 Mill Road Emneth Norfolk PE14 8AE	alleged unauthorised GRT Encampment	Pending Consideration
Emneth	09-Apr-18	18/00163/UNAUTU	103A Elm High Road Emneth Wisbech Norfolk PE14 0DH	Alleged unauthorised use	Pending Consideration
Emneth	15-Nov-18	18/00549/UNOPDE	Westfield Guesthouse 85 Elm High Road Emneth Norfolk PE14 0DH	Alleged Unauthorised Operational Development	Pending Consideration

Emneth	08-Mar-18	18/00101/UNAUTU	Harpers Courts 2 Hollycroft Road Emneth Wisbech Norfolk PE14 8AY	Alleged unauthorised use	Pending Consideration
Emneth	06-Nov-18	18/00532/BOC	Land To The North of 86 Hollycroft Road Emneth Norfolk PE14 8AY	Alleged breach of condition	Pending Consideration
Emneth	11-Apr-18	18/00168/UNOPDE	Bradshaw 28 Gaultree Square Emneth Wisbech Norfolk PE14 8DD	Alleged unauthorised operational development	Pending Consideration
Feltwell	27-Apr-15	15/00209/BOC	2 Leonards Lane Feltwell Thetford Norfolk IP26 4EQ	alleged breach of condition relating to 12/01683/RM	DC Application Submitted
Feltwell	04-Sep-18	18/00426/UNOPDE	Street Record Hall Farm Close Feltwell Norfolk	Alleged unauthorised operational development	Pending Consideration
Fincham	08-Oct-18	18/00476/UADV	106 Bretts Cottages High Street Fincham Norfolk PE33 9HD	Alleged unauthorised advertisement	Pending Consideration
Gayton	20-Jun-18	18/00282/UNOPDE	26 Hills Crescent Gayton King's Lynn Norfolk PE32 1PE	Alleged unauthorised operational development	Pending Consideration
Gayton	15-Aug-18	18/00388/BOC	3 Church View Lane Gayton Norfolk PE32 1PY	Alleged breach of conditions of 16/00947/FM	Pending Consideration
Gayton	09-Oct-18	18/00479/UNOPDE	The Crown Lynn Road Gayton King's Lynn Norfolk PE32 1PA	Alleged unauthorised operational development	Pending Consideration
Grimston	16-Aug-18	18/00394/BOC	Land Rear of 26 To 40 Vong Lane Vong Lane Pott Row Norfolk	Alleged breach of condition	Pending Consideration
Grimston	29-Oct-18	18/00515/UNAUTU	Sunnyside 80 Lynn Road Grimston King's Lynn Norfolk PE32 1AD	Alleged unauthorised use	Pending Consideration
Heacham	04-Jul-16	16/00312/UNOPDE	10 Folgate Road Heacham King's Lynn Norfolk PE31 7BN	2m high fence adjacent to a highway screening a wooden structure which is forward of the front elevation	Pending Consideration
Heacham	13-Feb-17	17/00075/BOC	Jennings Caravan Park Public Open Space West of Blachford And Gymkhana Way Heacham Norfolk	alleged unauthorised use	Pending Consideration

Heacham	22-Mar-17	17/00052/BOC	18 North Beach Heacham King's Lynn Norfolk PE31 7LJ	alleged breach of condition relating to 11/01754/F	Notice Issued
Heacham	09-Jan-18	18/00006/UNOPDE	Land To The South Side of Washington 46 The South Beach Heacham King's Lynn Norfolk PE31 7LH	Alleged unauthorised operational development	Notice Issued
Heacham	24-Jan-18	18/00034/BOC	Land E of Hunstanton Road And S of Robin Hill Hunstanton Road Heacham Norfolk	Alleged Breach of Conditions	Pending Consideration
Heacham	19-Nov-18	18/00556/UNOPDE	7 Forest Drive Heacham King's Lynn Norfolk PE31 7AF	Alleged Unauthorised Operational Development	Pending Consideration
Heacham	29-Mar-17	17/00141/UNOPDE	50 North Beach Heacham King's Lynn Norfolk PE31 7LJ	Unauthorised Operational Development	Notice Issued
Heacham	03-May-17	17/00183/UNAUTU	Land West of A149 Lynn Road Heacham Norfolk	alleged unauthorised use	Pending Consideration
Heacham	17-May-18	18/00224/NIA	Lidl 43 Lynn Road Heacham Norfolk PE31 7HU	Alleged - not in accordance with approved plans	Pending Consideration
Heacham	31-May-18	18/00247/UNOPDE	29 Kenwood Road Heacham King's Lynn Norfolk PE31 7DD	Alleged unauthorised operational development	Pending Consideration
Heacham	13-Jul-18	18/00330/UNOPDE	64 North Beach Heacham King's Lynn Norfolk PE31 7LJ	Alleged unauthorised operational development	Pending Consideration
Heacham	30-Jul-18	18/00352/UNOPDE	5 Stainsby Close Heacham King's Lynn Norfolk PE31 7BP	Alleged unauthorised operational development	DC Application Submitted
Heacham	08-Aug-18	18/00414/UNAUTU	50B North Beach Heacham Norfolk PE31 7LJ	Siting of a caravan	Pending Consideration
Heacham	08-Aug-18	18/00382/UNAUTU	Marsh View Land S W of 70 South Beach Road Heacham King's Lynn Norfolk PE31 7BB	Alleged unauthorised recreational camping use	Pending Consideration
Heacham	18-Sep-18	18/00455/NIA	Washington 46 South Beach Heacham Norfolk PE31 7LH	Alleged not in accordance with approved plans	Pending Consideration

Heacham	20-Sep-18	18/00457/UNOPDE	1 Southmoor Drive Heacham King's Lynn Norfolk PE31 7BW	Alleged unauthorised operational development	DC Application Submitted
Heacham	08-Nov-18	18/00537/BOC	Marsh View Land S W of 70 South Beach Road Heacham King's Lynn Norfolk PE31 7BB	Alleged breach of Condition 9	Pending Consideration
Heacham	27-Jun-17	17/00282/NIA	6 Neville Road Heacham King's Lynn Norfolk PE31 7HA	Alleged not in accordance with approved plans	Pending Consideration
Heacham	23-Mar-18	18/00137/UNOPDE	Alderby 6 The South Beach Heacham Norfolk PE31 7LH	Alleged unauthorised operational development	Pending Consideration
Heacham	23-Oct-18	18/00502/UNOPDE	16 Cameron Close Heacham King's Lynn Norfolk PE31 7LF	Alleged unauthorised operational development	Pending Consideration
Heacham	19-Jul-18	18/00338/UNAUTU	49A North Beach Heacham Norfolk PE31 7LJ	Siting of a caravan	Pending Consideration
Hilgay	14-Jun-17	17/00252/UNOPDE	4 Fairview Cottages Engine Road Ten Mile Bank Downham Market Norfolk PE38 0EN	alleged unauthorised operational development	Pending Consideration
Hilgay	17-Aug-17	17/00355/BOC	Blackberry Barn Ely Road Hilgay Downham Market Norfolk PE38 0HL	Alleged breach of planning condition	Notice Issued
Hillington	05-Aug-15	15/00392/UWLB	Willow Tree Farm Formerly Field Farm Fakenham Road Hillington King's Lynn Norfolk PE31 6DL	Unauthorised use of building as separate annexe/residential unit and insertion of UPVC windows and doors	Notice Issued
Hillington	21-Nov-17	17/00504/BOC	The Ffolkes Arms Hotel Lynn Road Hillington King's Lynn Norfolk PE31 6BJ		Notice Issued
Hockwold cum Wilton	30-May-14	14/00291/UNAUTU	Island Farm Cowles Drove Hockwold cum Wilton Norfolk IP26 4JQ	alleged unauthorised use	Pending Consideration
Hockwold cum Wilton	29-Aug-17	17/00369/UNAUTU	Soay Farm Cowles Drove Hockwold cum Wilton Norfolk IP26 4JQ	Alleged Unauthorised Use	DC Application Submitted
Hockwold cum Wilton	25-May-18	18/00240/UNAUTU	Calledge Farm Caravan Cowles Drove Hockwold cum Wilton Norfolk IP26 4JQ	Alleged unauthorised use	Pending Consideration

Hockwold cum Wilton	16-Jul-18	18/00332/UNAUTU	Land Behind 129 Main Street Hockwold cum Wilton Norfolk	Alleged unauthorised use	Pending Consideration
Hockwold cum Wilton	19-Jan-15	15/00037/UNAUTU	Twelve Acre Farm Moor Drove (East) Hockwold cum Wilton Norfolk IP26 4JU	alleged unauthorised use	Pending Consideration
Hockwold cum Wilton	07-May-15	15/00237/BOC	White Dyke Farm Black Dyke Road Hockwold cum Wilton Norfolk IP26 4JW	alleged Breach of Condition relating to 14/00265/F	Notice Issued
Hockwold cum Wilton	04-Oct-17	17/00437/BOC	The Bungalow Cowles Drove Hockwold cum Wilton Norfolk IP26 4JQ	Alleged breach of condition	Pending Consideration
Hockwold cum Wilton	24-Apr-18	18/00193/UNAUTU	Future Farm Burdock Lane Hockwold cum Wilton Norfolk IP26 4JN	Alleged unauthorised use	Pending Consideration
Hockwold cum Wilton	14-Sep-18	18/00451/UNAUTU	Caravan Cross Drove Fisheries Cowles Drove Hockwold cum Wilton Norfolk IP26 4JQ	Alleged unauthorised use	Pending Consideration
Holme next the Sea	11-Jul-17	17/00306/UADV	Drove Orchards Land On The South Side of Thornham Road Holme next The Sea Hunstanton PE36 6LS	Unauthorised advertisements	DC Application Submitted
Holme next the Sea	19-Dec-17	17/00533/UNOPDE	Brook House 32 Beach Road Holme next The Sea Norfolk PE36 6LG	Alleged Unauthorised Operational Development	DC Application Submitted
Holme next the Sea	30-Jul-18	18/00353/UNAUTU	Land On The East Side of Peddars Way Holme next The Sea Norfolk PE36 6LD	Alleged unauthorised use	Pending Consideration
Holme next the Sea	23-Aug-18	18/00404/UADV	42 Main Road Holme next The Sea Norfolk PE36 6LA	Unauthorised Advertisiement	DC Application Submitted
Holme next the Sea	04-Jul-18	18/00319/UNAUTU	Land S of 38 To 42 Main Road Holme next The Sea Norfolk PE36 6LA	Alleged unauthorised use	Notice Issued
Hunstanton	09-May-17	17/00196/UADV	TJ's Cafe 6 High Street Hunstanton Norfolk PE36 5AF	alleged uanauthorised works to a Listed Building	Pending Consideration
Hunstanton	22-Nov-17	17/00505/UNOPDE	7 Boston Square Hunstanton Norfolk PE36 6DT	Alleged unauthorised operational development	Pending Consideration

Hunstanton	05-Jun-18	18/00255/NIA	Promenade Leisure Company South Promenade Hunstanton Norfolk	Alleged not in accordance with approved plans	DC Application Submitted
Hunstanton	12-Jun-18	18/00261/UNOPDE	21 The Green Hunstanton Norfolk PE36 5AH	Alleged unauthorised operational development	Pending Consideration
Hunstanton	17-Aug-18	18/00401/UNOPDE	22 Glebe Avenue Hunstanton Norfolk PE36 6BS	Alleged unauthorised operational development	DC Application Submitted
Hunstanton	23-Aug-18	18/00410/UADV	Big G'S 8 Southend Road Hunstanton Norfolk PE36 5AW	Alleged unauthorised advertisement	Pending Consideration
Hunstanton	05-Oct-18	18/00474/UADV	Harlequin House Le Strange Terrace Hunstanton Norfolk	Alleged unauthorised advertisement	Pending Consideration
Ingoldisthorpe	26-Oct-18	18/00512/BOC	Samphire Developments (Norfolk) Container Storage Coaly Lane Ingoldisthorpe Norfolk	Alleged breach of condition	Pending Consideration
Ingoldisthorpe	15-Jun-18	18/00274/UNTIDY	41 Lynn Road Ingoldisthorpe King's Lynn Norfolk PE31 6NG	Alleged untidy land	Pending Consideration
King's Lynn	24-Apr-13	13/00217/BOC	Unit 11 Willow Road Willows Business Park King's Lynn Norfolk PE34 3RD	Alleged Breach of condition 5 attached to 12/00912/F	Pending Consideration
King's Lynn	12-Jun-14	14/00316/UNTIDY	Ferryside 4 Ferry Square West Lynn King's Lynn Norfolk PE34 3JQ	alleged untidy land	Notice Issued
King's Lynn	21-Aug-15	15/00435/BOC	Golden Ball Farm Low Road Saddlebow Norfolk PE34 3FN	alleged breach of condition relating to 11/01806/EXF	DC Application Submitted
King's Lynn	14-Jan-16	16/00017/BOC	Wind Turbine SW Point Cottages Cross Bank Road King's Lynn Norfolk	alleged breach of condition relating to 14/01381/F	Notice Issued
King's Lynn	08-Feb-16	16/00063/UWCA	53 Railway Road King's Lynn Norfolk	alleged unauthorised works in a Conservation Area	Notice Issued
King's Lynn	05-Jul-16	16/00316/S215	18 Kent Road King's Lynn Norfolk PE30 4AU	alleged untidy land	Pending Consideration

King's Lynn	18-May-17	17/00209/UNOPDE	29 South Everard Street King's Lynn Norfolk PE30 5HJ	alleged unauthorised operational development - upvc windows and doors in a Conservation Area	Notice Issued
King's Lynn	06-Jun-17	17/00240/UADV	International Food Centre 6 Tower Place King's Lynn Norfolk	alleged unauthorised advertisement	Pending Consideration
King's Lynn	21-Jun-17	17/00274/UWLB	14 King Street King's Lynn Norfolk PE30 1HF	Alleged Unauthorised Use - Also a Listed Building	Pending Consideration
King's Lynn	25-Aug-17	17/00365/UNAUTU	9 Suffield Way King's Lynn Norfolk PE30 3DE	Alleged unauthorised use	Pending Consideration
King's Lynn	01-Nov-17	17/00478/UNOPDE	53 London Road King's Lynn Norfolk PE30 5QH	Alleged unauthorised operational development	Pending Consideration
King's Lynn	23-Nov-17	17/00509/BOC	Dairy Way Gaywood King's Lynn Norfolk PE30 4TR	Alleged breach of condition	Pending Consideration
King's Lynn	26-Jan-18	18/00036/UWCA	Stop N Go 53 London Road King's Lynn Norfolk PE30 5QH	Alleged unauthorised works in a Conservation Area	Pending Consideration
King's Lynn	30-Jan-18	18/00040/NIA	2 Queensway King's Lynn Norfolk PE30 4AQ	Alleged not in accordance with approved plans	Pending Consideration
King's Lynn	13-Feb-18	18/00060/UNOPDE	Freebridge Community Housing Juniper House 21 Austin Street King's Lynn Norfolk PE30 1DZ	Alleged unauthorised operational development	DC Application Submitted
King's Lynn	10-Sep-18	18/00440/UNOPDE	Allotments - Old Gala Ground Loke Road King's Lynn Norfolk	Alleged Unauthorised Operational Development	Pending Consideration
King's Lynn	16-Oct-18	18/00491/UNOPDE	Eastgate House 17 Littleport Street King's Lynn Norfolk PE30 1PP	Alleged unauthorised operational development	Pending Consideration
King's Lynn	22-Oct-18	18/00500/UNAUTU	1 - 1A Railway Road King's Lynn Norfolk PE30 1NE	Alleged unauthorised use	Pending Consideration
King's Lynn	01-Nov-18	18/00522/UWLB	Pool House 9A King Street King's Lynn Norfolk PE30 1ET	Alleged unauthorised works	Notice Issued

King's Lynn	12-Nov-18	18/00543/UNOPDE	23 Corbyn Shaw Road King's Lynn Norfolk PE30 4UL	Alleged unauthorised operational development	Pending Consideration
King's Lynn	13-Nov-18	18/00545/UADV	95 Norfolk Street King's Lynn Norfolk PE30 1AQ	Alleged Unauthorised Advert	Pending Consideration
King's Lynn	07-Mar-17	17/00112/UADV	Mondao Circus	alleged unauthorised advertising - Circus fly Posting	Pending Consideration
King's Lynn	21-Apr-17	17/00166/UADV	122 London Road King's Lynn Norfolk PE30 5ES	alleged unauthorised advertisement	Pending Consideration
King's Lynn	04-Oct-17	17/00439/UNOPDE	Station Road Snettisham	Alleged unauthorised development	Pending Consideration
King's Lynn	22-Jan-18	18/00029/UNTIDY	7 Saturday Market Place King's Lynn Norfolk PE30 5DQ	Alleged untidy land	Notice Issued
King's Lynn	06-Feb-18	18/00050/BOC	John Lake Shellfish Cross Bank Road King's Lynn Norfolk PE30 2HD	Alleged Breach of Condition	Pending Consideration
King's Lynn	30-Apr-18	18/00197/UNAUTU	17 Wisbech Road King's Lynn Norfolk PE30 5JP	Alleged unauthorised use	DC Application Submitted
King's Lynn	12-Jun-18	18/00263/UNTIDY	Poppyfields West Lynn King's Lynn Norfolk	Alleged untidy land	Pending Consideration
King's Lynn	19-Jul-18	18/00340/UNOPDE	1 Lowfield King's Lynn Norfolk PE30 4RH	Alleged unauthorised operational development	Pending Consideration
King's Lynn	24-Jul-18	18/00344/UNAUTU	Southgates Hand Car Wash Wisbech Road King's Lynn Norfolk PE30 5JH	Alleged unauthorised use	Pending Consideration
King's Lynn	01-Aug-18	18/00368/UNOPDE	Liquor & Loaded 21 Tower Street King's Lynn Norfolk PE30 1EJ	Alleged unauthorised operational development	Pending Consideration
King's Lynn	28-Aug-18	18/00417/UWLB	1 And 2 Aickmans Yard King Street King's Lynn Norfolk PE30 1HW	Alleged unauthorised works to a listed building	Pending Consideration

King's Lynn	25-Sep-18	18/00462/UADV	Taste of India 2 - 4 Blackfriars Street King's Lynn Norfolk PE30 1NP	Alleged unauthorised advertisement	Pending Consideration
King's Lynn	30-Oct-18	18/00520/UWLB	Medieval Merchant House 9 King Street King's Lynn Norfolk PE30 1ET	Alleged unauthorised works	Notice Issued
King's Lynn	09-Nov-18	18/00541/BOC	19 Field Lane Gaywood King's Lynn Norfolk PE30 4AX	Alleged breach of condition	Pending Consideration
King's Lynn	16-Nov-18	18/00552/UNTIDY	Land Immediately N of 128 And E of School St Peters Road West Lynn King's Lynn Norfolk	Alleged untidy land	Pending Consideration
King's Lynn	19-Nov-18	18/00553/BOC	Vacant 6 Saturday Market Place King's Lynn Norfolk PE30 5DQ	Alleged breach of condition	Pending Consideration
King's Lynn	15-Sep-17	17/00399/UNTIDY	106 Hillen Road King's Lynn Norfolk PE30 5LG	Alleged untidy land	Pending Consideration
King's Lynn	20-Apr-18	18/00188/UNTIDY	Whincop House 29 Tower Street King's Lynn Norfolk PE30 1EJ	Alleged untidy land	Pending Consideration
King's Lynn	08-Aug-18	18/00378/UNOPDE	Lynn Mini Mart 7 - 11 Loke Road King's Lynn Norfolk PE30 2AY	Alleged unauthorised operational development	Pending Consideration
King's Lynn	16-Aug-18	18/00398/UNOPDE	2 Jarvis Road King's Lynn Norfolk PE30 2EG	Alleged unauthorised operational development	Pending Consideration
King's Lynn	16-Aug-18	18/00399/UNOPDE	Cooper Roller Bearings Ltd Wisbech Road King's Lynn Norfolk PE30 5JX	alleged unauthorised operational development	Pending Consideration
King's Lynn	03-Oct-18	18/00472/UNAUTU	Clock Work Tattoo Studio 79 Lynn Road Gaywood King's Lynn Norfolk PE30 4PR	Alleged unauthorised use	Pending Consideration
King's Lynn	06-Nov-18	18/00530/UWLB	Hanse House St Margarets Place King's Lynn Norfolk PE30 5GH	Alleged unauthorised works to a Listed Building	Pending Consideration
King's Lynn	21-Oct-16	16/00499/UNAUTU	6 Hoveton Close Hickling King's Lynn Norfolk PE30 4XH	alleged unauthorised use	DC Application Submitted

King's Lynn	16-Mar-18	18/00117/UADV	Pedal Revolution 26 Nelson Business Park Bergen Way North Lynn Industrial Estate King's Lynn Norfolk PE30 2DE	Unauthorised Advertisement	DC Application Submitted
Leziate	25-Oct-18	18/00508/UNAUTU	Cleveland Cottage 10A Gayton Road Ashwicken Norfolk PE32 1LS	Alleged unauthorised use	DC Application Submitted
Marham	03-Apr-18	18/00147/UNAUTU	The Manor Cottage The Manor The Street Marham Norfolk PE33 9JP	Alleged unauthorised use	Pending Consideration
Marshland St James	08-Feb-17	17/00069/UNOPDE	300 Smeeth Road Marshland St James Wisbech Norfolk PE14 8EP	alleged unauthorised operational development	Pending Consideration
Marshland St James	09-Apr-18	18/00159/UNOPDE	Orchard South of School Road Marshland St James Norfolk	Alleged unauthorised operational development	Notice Issued
Marshland St James	03-Jul-13	13/00356/UNAUTU	Land North of Long Lots Drove Marshland St James Norfolk	alleged unauthorised use	Notice Issued
Marshland St James	31-May-18	18/00249/UNAUTU	3 - 9 Walton Road Marshland St James Wisbech Norfolk PE14 8DP	Alleged unauthorised use	Pending Consideration
Marshland St James	30-Jul-18	18/00351/UNAUTU	Hedgerow House 33 Trinity Road Marshland St James Norfolk PE14 8JA	Alleged unauthorised use	Pending Consideration
Marshland St James	05-Sep-18	18/00429/NIA	Land Rear of 282 Smeeth Road Marshland St James Wisbech Norfolk	Alleged not in accordance with approved plans	Pending Consideration
Marshland St James	13-Nov-18	18/00546/NIA	Former Village Hall Site Smeeth Road Marshland St James Wisbech Norfolk PE14 8JB	Alleged not built in accordance with approved plans	Pending Consideration
Methwold	17-May-18	18/00223/UNAUTU	The Yews 10 Buntings Lane Methwold Thetford Norfolk IP26 4PR	Alleged unauthorised use	Pending Consideration
Methwold	23-Aug-18	18/00408/UNAUTU	Land On N Side of Thornham Road Methwold Norfolk	Alleged unauthorised use	DC Application Submitted
North Runcton	05-Dec-17	17/00522/UNAUTU	Rear of The Toll House Lynn Road Middleton King's Lynn Norfolk PE32 1RQ	Alleged unauthorised use	Pending Consideration

Northwold	06-Oct-17	17/00446/UNOPDE	Land Copse And Pond SE of Heathlands And W of A134A Thetford Road Northwold Norfolk	Alleged unauthorised operational development	Pending Consideration
Northwold	11-Sep-18	18/00444/UNOPDE	Old Yard Cottage 1A Methwold Road Northwold Norfolk IP26 5LJ	Alleged unauthorised operational development	Pending Consideration
Northwold	03-May-18	18/00204/BOC	Fendicks Fisheries And Caravan Park Methwold Road Whittington Norfolk PE33 9TH	Alleged breach of planning condition	Pending Consideration
Old Hunstanton	26-Jun-18	18/00296/UWLB	Caley Hall Motel 89 Old Hunstanton Road Old Hunstanton Norfolk PE36 6HH	Alleged unauthorised works to a listed building	Pending Consideration
Outwell	31-Oct-18	18/00521/UNOPDE	Country Life Farm Molls Drove Outwell Norfolk PE14 0LG	Alleged unauthorised operational development	Pending Consideration
Outwell	18-Jan-18	18/00018/UNAUTU	Langhorns Lodge Langhorns Lane Outwell Wisbech Norfolk PE14 8SH	Alleged unauthorised use	Pending Consideration
Outwell	17-Apr-18	18/00179/UNOPDE	Fernie House The Cottons Outwell Wisbech Norfolk PE14 8TL	Alleged unauthorised operational development	DC Application Submitted
Outwell	26-Jun-18	18/00295/UNOPDE	Mullicourt House Mullicourt Road Outwell Wisbech Norfolk PE14 8PX	Alleged unauthorised operational development	Pending Consideration
Outwell	22-Jan-18	18/00025/BOC	Outwell Garage 10 Wisbech Road Outwell Norfolk PE14 8PA	Alleged breach of condition	DC Application Submitted
Pentney	24-Jul-18	18/00343/BOC	Pentney Lakes Common Road Pentney Norfolk PE32 1LE	Alleged breach of condition	Pending Consideration
Pentney	15-May-18	18/00216/UNOPDE	3 Grays Cottages Low Road Pentney King's Lynn Norfolk PE32 1JG	Alleged unauthorised operational development	Pending Consideration
Pentney	25-Sep-18	18/00459/BOC	Pentney Lakes Common Road Pentney Norfolk PE32 1LE	Alleged breach of conditions	Pending Consideration
Roydon	07-Sep-18	18/00437/UNAUTU	11 Low Road Roydon King's Lynn Norfolk PE32 1AN	Alleged Unauthorised Use	Pending Consideration

Roydon	15-Jun-16	16/00280/UNTIDY	Land East of No's 3 And 4 Birch Drive Roydon Norfolk	alleged untidy land	Notice Issued
Runcton Holme	23-Mar-17	17/00080/BOC	Woodlakes Leisure Ltd Woodlakes Caravan & Camping Park Holme Road Stow Bridge Norfolk PE34 3PX	alleged breach of condition relating to 14/00515/F	Pending Consideration
Runcton Holme	10-Oct-18	18/00481/UNAUTU	10 Lynn Road South Runcton King's Lynn Norfolk PE33 0EW	Alleged Unauthorised Use	Pending Consideration
Sedgeford	26-Jun-18	18/00298/UNOPDE	Land North of 7 Parkside Sedgeford Hunstanton Norfolk PE36 5NE	Alleged unauthorised operational development	Pending Consideration
Shouldham	16-Aug-18	18/00392/BOC	Silver Birches Fairstead Drove Shouldham King's Lynn Norfolk PE33 0DL	Alleged breach of condition	Pending Consideration
Shouldham	15-Oct-18	18/00488/BOC	Field Barn Marham Road Shouldham Norfolk PE33 9FA	Alleged breach of planning condition	Pending Consideration
Snettisham	07-Mar-17	17/00114/BOC	Compass House 16B Lynn Road Snettisham Norfolk PE31 7PT	Alleged breach of condition 7 relating to 15/00237/F and Condition 7 relating to 15/01551/F	Pending Consideration
Snettisham	10-Jan-18	18/00008/UNAUTU	18 Beach Road Snettisham King's Lynn Norfolk PE31 7RA	from countryside to garden land including construction of pond and residential paraphernalia	Notice Issued
Snettisham	28-Jan-16	16/00038/BOC	Land At Common Road Snettisham Norfolk	alleged breach of condition relating to 13/01736/RM	DC Application Submitted
Snettisham	13-Apr-18	18/00174/UNAUTU	Land Adjacent To 36 Beach Road Snettisham Norfolk	Alleged unauthorised use	Pending Consideration
Snettisham	17-Aug-18	18/00400/BOC	Gannets Rest 36 The Beach Shepherds Port Snettisham Norfolk PE31 7RB	Alleged breach of condition	Pending Consideration
Snettisham	06-Dec-17	17/00526/BOC	Solar Farm Bircham Road Snettisham Norfolk	Alleged Breach of Condition 6 of 15/01146/FM	Pending Consideration
Snettisham	07-Sep-18	18/00434/UNOPDE	18 Common Road Snettisham King's Lynn Norfolk PE31 7PE	Alleged unauthorised operational development	DC Application Submitted

South Creake	04-Aug-15	15/00391/UNOPDE	The Elms The Common South Creake Fakenham Norfolk NR21 9JA	Alleged unauthorised caravans on site	Notice Issued
South Creake	04-Aug-16	16/00353/BOC	Jays The Common South Creake Fakenham Norfolk NR21 9JB	alleged breach of condition	Notice Issued
South Wootton	29-Mar-18	18/00144/UNAUTU	Land E of Branscombe 44 Nursery Lane South Wootton King's Lynn Norfolk PE30 3LR	Alleged untidy land	Pending Consideration
South Wootton	08-Aug-18	18/00380/UNAUTU	16 Rushmead Close South Wootton King's Lynn Norfolk PE30 3LY	Alleged unauthorised use	Pending Consideration
South Wootton	08-Aug-18	18/00381/BOC	Service Station Unit 6 Langley Road South Wootton Norfolk PE30 3UG	Alleged breach of conditions	Pending Consideration
South Wootton	04-Aug-16	16/00354/BTPO	The Limes 8 Church Lane South Wootton Norfolk PE30 3LJ	alleged breach of tree preservation order	Notice Issued
Southery	08-Jan-14	14/00005/UNAUTU	Land Known As Pells Farm Farthing Drove Southery Norfolk PE38 OPR	alleged unauthorised use	Notice Issued
Southery	11-Oct-18	18/00484/BOC	Land North of Lions Close Southery Norfolk	Alleged breach of planning condition	Pending Consideration
Stanhoe	06-Apr-18	18/00157/UNAUTU	Land North of No 1 Parsons Lane Stanhoe Norfolk	Alleged unauthorised use	Pending Consideration
Stoke Ferry	19-Jan-17	17/00040/UNAUTU	Horsemans Rest Littlemans Way Stoke Ferry King's Lynn Norfolk PE33 9UB	alleged unauthorised use	Notice Issued
Stoke Ferry	08-Apr-16	16/00164/UNAUTU	The Annexe Playters Farm Greatmans Way Stoke Ferry Norfolk PE33 9SZ	Alleged unauthorised use	Notice Issued
Stoke Ferry	16-Aug-18	18/00395/UNOPDE	Poppyseeds High Street Stoke Ferry Norfolk PE33 9SF	Alleged unauthorised operational development	Pending Consideration
Stow Bardolph	07-Jun-17	17/00245/UNAUTU	Land Rear of Claxton Cottage The Causeway Stow Bridge King's Lynn Norfolk PE34 3PP	alleged unauthorised use - caravan	DC Application Submitted

Stow Bardolph	22-Oct-18	18/00501/UNAUTU	Stow Falls Wimbotsham Road Stow Bridge King's Lynn Norfolk PE34 3PT	Alleged unauthorised use	Pending Consideration
Stow Bardolph	25-Oct-18	18/00506/BOC	A G Landymore The Causeway Stow Bridge Norfolk PE34 3PH	Alleged breach of condition	Pending Consideration
Stow Bardolph	13-Aug-18	18/00386/NIA	Land South Eastfields 173 The Drove Barroway Drove Norfolk PE38 0AL	Alleged constructed not in accordance with approved plans	Pending Consideration
Syderstone	17-Oct-17	17/00462/UNOPDE	3 Rudham Road Syderstone King's Lynn Norfolk PE31 8SL	Alleged unauthorised operational development	DC Application Submitted
Terrington St Clement	10-Oct-14	14/00635/UNAUTU	Myrabella Farm Long Road Terrington St Clement King's Lynn Norfolk PE34 4JN	alleged unauthorised use	Notice Issued
Terrington St Clement	19-Nov-14	14/00702/UNAUTU	South Fork Waterlow Road Terrington St Clement Norfolk PE34 4PS	alleged unauthorised use	Pending Consideration
Terrington St Clement	08-Nov-17	17/00487/UNAUTU	African Violet And Garden Centre Station Road Terrington St Clement Norfolk PE34 4PL	Alleged unauthorised use	DC Application Submitted
Terrington St Clement	26-May-16	16/00255/UNAUTU	Annexe At 257 Lynn Road Terrington St Clement King's Lynn Norfolk PE34 4HU	alleged unauthorised use	Notice Issued
Terrington St Clement	15-Mar-18	18/00114/BOC	Westfield House 191 Sutton Road Terrington St Clement King's Lynn Norfolk PE34 4EX	Alleged breach of planning condition	Pending Consideration
Terrington St Clement	15-Mar-18	18/00116/UNAUTU	Orchard View 42 Tuxhill Road Terrington St Clement King's Lynn Norfolk PE34 4PX	Alleged unauthorised use	Pending Consideration
Terrington St Clement	22-Mar-18	18/00136/BOC	Land South of The Saltings Terrington St Clement Norfolk	Alleged breach of planning condition	Pending Consideration
Terrington St Clement	11-Sep-18	18/00441/BOC	Hillgate Nurseries Hillgate Street Terrington St Clement Norfolk PE34 4NS	Alleged breach of planning condition	Pending Consideration
Terrington St Clement	23-Oct-18	18/00504/UNOPDE	Green Marsh Farm Green Marsh Road Terrington St Clement Norfolk	Unauthorised operational development	Pending Consideration

Terrington St Clement	25-Oct-18	18/00510/BOC	Westfield House 191 Sutton Road Terrington St Clement King's Lynn Norfolk PE34 4EX	Alleged breach of condition	Pending Consideration
Terrington St Clement	29-Oct-18	18/00517/UNAUTU	Coastguard Cottages 6 Ongar Hill Terrington St Clement Norfolk PE34 4JF	Alleged unauthorised use	Pending Consideration
Terrington St Clement	01-Nov-18	18/00524/UNAUTU	14 Tower Road Terrington St Clement King's Lynn Norfolk PE34 4LP	Alleged unauthorised use	Pending Consideration
Terrington St Clement	19-Nov-18	18/00555/NIA	Land S of King William Close W of The King William 39 Churchgate Way Terrington St Clement Norfolk	Alleged construction not in accordance with approved plans	Pending Consideration
Terrington St Clement	25-Sep-18	18/00458/UNAUTU	Westfield House 191 Sutton Road Terrington St Clement King's Lynn Norfolk PE34 4EX	Alleged unauthorised use	Pending Consideration
Terrington St Clement	12-Oct-16	16/00482/BOC	Marigold Lodge 73 Sutton Road Terrington St Clement King's Lynn Norfolk PE34 4PJ	alleged breach of condition	Pending Consideration
Terrington St John	25-Jun-18	18/00293/UNOPDE	Manor House 4 School Road Terrington St John Norfolk PE14 7SE	Alleged unauthorised operational development	Pending Consideration
Terrington St John	02-Oct-18	18/00468/UNAUTU	Woodstock 22 School Road Terrington St John Wisbech Norfolk PE14 7SE	Alleged unauthorised use	Pending Consideration
Thornham	09-May-18	18/00208/UNOPDE	Thornham Deli High Street Thornham Norfolk PE36 6LX	Alleged unauthorised operational development	Pending Consideration
Thornham	16-Aug-18	18/00393/UNAUTU	Land On The North Side of High Street Thornham Norfolk	Alleged unauthorised use	Pending Consideration
Thornham	12-Apr-17	17/00162/UNAUTU	Lyng Farm Ringstead Road Thornham Hunstanton Norfolk PE36 5LH	Alleged unauthorised 30 caravans	DC Application Submitted
Tilney St Lawrence	17-Sep-18	18/00453/BOC	2 Islington Hall Cottages Islington Green Tilney All Saints King's Lynn Norfolk PE34 4SB	Alleged breach of planning condition	Pending Consideration
Tilney St Lawrence	31-Jul-18	18/00366/UNAUTU	Holly Manor Lynn Road Tilney All Saints Norfolk PE34 4RT	Alleged unauthorised use	Pending Consideration

Titchwell	19-Oct-17	17/00464/UNOPDE	Marsh House Main Road Titchwell King's Lynn Norfolk PE31 8BB	Alleged unauthorised operational development	Pending Consideration
Tottenhill	26-Oct-18	18/00511/UNOPDE	Watlington Quarry Lynn Road Tottenhill Norfolk	Alleged unauthorised operational development	Pending Consideration
Upwell	09-Feb-18	18/00054/UNAUTU	Rear of Wembley House 31 Townsend Road Upwell Wisbech Norfolk PE14 9HJ	Alleged Unauthorised Use	Notice Issued
Upwell	18-May-18	18/00230/UNAUTU	Land Opposite 27 School Road Upwell Norfolk	Alleged Unauthorised Use	Notice Issued
Upwell	26-Oct-18	18/00514/UNAUTU	The Coach House 71B School Road Upwell Wisbech Norfolk PE14 9EW	Alleged unauthorised use	Pending Consideration
Upwell	12-Oct-17	17/00455/UNAUTU	Static Caravan Globe Public House Bridge Road Upwell Norfolk PE14 9DT	Alleged unauthorised use	Notice Issued
Upwell	28-Jun-18	18/00307/BOC	Janis 176 New Road Upwell Wisbech Norfolk PE14 9HP	Alleged breach of condition	Pending Consideration
Upwell	25-Jul-18	18/00346/UNAUTU	Squires Drove House Squires Drove Three Holes Wisbech Norfolk PE14 9JY	Alleged unauthorised use	Pending Consideration
Upwell	02-Oct-18	18/00465/UNOPDE	Plots 23 & 24 Blunt's Orchard Drive Upwell Norfolk PE14 9EP	Alleged unauthorised operational development	Pending Consideration
Upwell	18-Oct-18	18/00494/UNAUTU	Villetta The Common Upwell Wisbech Norfolk PE14 9AW	Alleged unauthorised use	Pending Consideration
Upwell	01-Nov-18	18/00523/UNAUTU	8 Lake Avenue Lakes End Norfolk PE14 9QD	Alleged unauthorised use	Pending Consideration
Walpole	06-Sep-18	18/00431/UNAUTU	Ferndale Chalk Road Walpole St Peter Norfolk PE14 7PH	Alleged unauthorised use	Pending Consideration
Walpole	15-Nov-18	18/00550/UNAUTU	Bustards Farm Bustards Lane Walpole St Andrew Norfolk PE14 7LS	Alleged unauthorised use	Pending Consideration

Walpole Cross Keys	30-Mar-15	15/00164/UNAUTU	Old Farm Market Lane Walpole St Andrew Norfolk PE14 7LT	alleged unauthorised use	Notice Issued
Walpole Cross Keys	05-Jun-18	18/00254/UNOPDE	Willow View Low Road Walpole Cross Keys Norfolk PE34 4HA	Alleged unauthorised operational development	Notice Issued
Walpole Highway	12-Sep-18	18/00445/UNOPDE	Peach Tree Hall Road Walpole Highway Wisbech Norfolk PE14 7QD	Alleged unauthorised operational development	Pending Consideration
Walsoken	08-Jun-15	15/00278/BOC	81 Broadend Road Walsoken Norfolk PE14 7BQ	alleged breach of condition	Pending Consideration
Walsoken	22-Aug-17	17/00357/UNOPDE	Sibley Field Farm Biggs Road Walsoken Wisbech Norfolk PE14 7BD	Alleged unauthorised operational development	Notice Issued
Walsoken	03-May-18	18/00203/UNAUTU	Tarrazona 16 S-Bend Lynn Road Walsoken Norfolk PE14 7AP	Alleged unauthorised use	Notice Issued
Walsoken	07-Aug-17	17/00344/BOC	Mill Road Caravan Site Wilkins Road Walsoken Norfolk PE14 7BG	Alleged Breach of Condition 1	Pending Consideration
Walsoken	25-Oct-18	18/00509/UNAUTU	Bambers Garden Centre Lynn Road Walsoken Wisbech Norfolk PE14 7DA	Alleged unauthorised use	Pending Consideration
Watlington	01-Mar-18	18/00086/UNOPDE	1 Rowan Close Watlington Norfolk PE33 0UG	Alleged unauthorised operational development	Pending Consideration
Watlington	22-Mar-18	18/00130/UNAUTU	16 Kent Drive Watlington Norfolk PE33 0EZ	Alleged Unauthorised Use	Notice Issued
Watlington	08-Nov-18	18/00533/UNAUTU	23 Mill Road Watlington King's Lynn Norfolk PE33 0HH	Alleged unauthorised use	Pending Consideration
Watlington	12-Oct-16	16/00483/UNOPDE	Nulawn 31 Station Road Watlington King's Lynn Norfolk PE33 0JF	alleged unauthorised operational development	Pending Consideration
Welney	25-Jul-17	17/00332/UNOPDE	Golden Square Cottage Suspension Bridge Welney Wisbech Norfolk PE14 9TF	Alleged unauthorised operational development	Pending Consideration

Wereham	14-Apr-15	15/00174/UWLB	Manor House Church Road Wereham Norfolk PE33 9AP	Alleged unauthorised works to a Listed Building.	Pending Consideration
West Acre	11-Oct-18	18/00485/UNAUTU	Abbey Barn Courtyard River Road West Acre Norfolk	Alleged unauthorised use	Pending Consideration
West Acre	09-Nov-18	18/00540/BOC	Home Farm Tumbleyhill Road West Acre Norfolk PE32 2BW	Alleged breach of conditions	Pending Consideration
West Walton	04-Oct-17	17/00436/UNAUTU	Tamar Nurseries School Road West Walton Wisbech Norfolk PE14 7DS	Alleged unauthorised use	DC Application Submitted
West Walton	04-Oct-17	17/00442/UNAUTU	Land At Harps Hall Road Walton Highway Norfolk PE14 7DL	Alleged unauthorised use	Pending Consideration
West Walton	30-Aug-18	18/00419/UADV	19 Trafford Estate West Walton Wisbech Norfolk PE14 7DT	Alleged unauthorised advertisement	Pending Consideration
West Walton	19-Nov-18	18/00554/UNOPDE	14 Trafford Estate West Walton Wisbech Norfolk PE14 7DT	Alleged unauthorised operational development	Pending Consideration
West Winch	03-Jul-18	18/00316/UNOPDE	Stelling 6 The Paddocks Setchey Norfolk PE33 0BX	Alleged unauthorised operational development	DC Application Submitted
West Winch	05-Jun-15	15/00270/UNAUTU	45 Archdale Close West Winch King's Lynn Norfolk PE33 0LD	alleged unauthorised use	Pending Consideration
West Winch	20-Mar-18	18/00121/UADV	Street Record Garage Lane Setchey Norfolk	Alleged unauthorised advertisement	DC Application Submitted
West Winch	08-Oct-18	18/00478/UNAUTU	Miller Chicken Farm 80 Main Road West Winch Norfolk PE33 0LY	Alleged unauthorised work	Pending Consideration
West Winch	25-Oct-18	18/00507/UNTIDY	The Gables Lynn Road Setchey King's Lynn Norfolk PE33 0BD	Alleged untidy land	Pending Consideration
West Winch	10-Oct-18	18/00483/UNAUTU	11 Common Close West Winch King's Lynn Norfolk PE33 0LB	Alleged unauthorised use	Pending Consideration

Wiggenhall St Germans	09-Feb-15	15/00076/BOC	Spriggs Hollow Magdalen High Road Wiggenhall St Mary Magdalen Norfolk PE34 3BG	alleged breach of condiiton	Notice Issued
Wiggenhall St Germans	23-Jan-17	17/00045/UNOPDE	Spriggs Hollow Magdalen High Road Wiggenhall St Mary Magdalen Norfolk PE34 3BG	alleged unauthorised operational development	Pending Consideration
Wiggenhall St Germans	08-Aug-18	18/00383/UNOPDE	West Norfolk RSPCA Rehoming Centre Eau Brink Road Eau Brink Tilney All Saints Norfolk PE34 4SQ	Alleged Unauthorised Operational Development	Pending Consideration
Wiggenhall St Germans	23-Jun-14	14/00368/UNAUTU	New Farm House High Road Saddlebow King's Lynn Norfolk PE34 3AW	alleged unauthorised use	Notice Issued
Wiggenhall St Germans	17-May-18	18/00228/UNOPDE	Willow Tree Forge High Road Saddlebow Norfolk PE34 3AR	Alleged unauthorised operational development	Pending Consideration
Wiggenhall St Germans	28-Sep-18	18/00463/UNAUTU	St Germans House 14 Lynn Road Wiggenhall St Germans King's Lynn Norfolk PE34 3DW	Alleged unauthorised use	Pending Consideration
Wiggenhall St Mary Magdalen	27-Sep-17	17/00417/UNAUTU	Holly House Farm Stow Road Wiggenhall St Mary Magdalen Norfolk PE34 3BD	Holly House FarmStow RoadWiggenhall St Mary MagdalenNorfolkPE34 3BD	Notice Issued
Wiggenhall St Mary Magdalen	21-May-18	18/00232/NIA	High Oaks 7 Lynn Road Wiggenhall St Mary Magdalen Norfolk PE34 3AZ	Alleged unauthorised not in accordance with approved plans	Pending Consideration
Wimbotsham	28-Feb-18	18/00085/UNAUTU	23 Tinkers Lane Wimbotsham King's Lynn Norfolk PE34 3QE	Alleged unauthorised use	Pending Consideration
Wormegay	08-Nov-18	18/00536/UNAUTU	TWO Bardolphs Way Wormegay Norfolk PE33 0SF	Alleged unauthorised use	Pending Consideration

PLANNING COMMITTEE

3 DECEMBER 2018

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

1. PURPOSE OF THE REPORT

- 1.1 To provide Members with the quarterly update covering performance for the period 1 July 2018 – 30 September 2018

2. REPORT

- 2.1 The Schedule is attached at Appendix 1 for the period 1 July 2018 – 30 September 2018 (Planning and Enforcement).

	Valid appeals started in system at beginning of period	New valid appeals started	Appeals decided (or withdrawn / closed / invalid)	Valid appeals started in system at end of period	All outstanding appeals in system
1 Jul – 30 Sept	15	8	10	13	35

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

	Allowed	Dismissed	Total	Withdrawn / Closed	Invalid	Split
1 Jul – 30 Sept	5	5	10	0	0	0
	50%	50%				

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

	Allowed	Dismissed	Total	Withdrawn / Closed	Invalid	Split
1 Jul – 30 Sept	4	4	8	0	0	0
	50%	50%				

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

2017/18	Allowed	Dismissed	Total	Withdrawn / Closed	Invalid	Split
1 Oct – 31 Dec	7	11	18	1	0	0
1 Jan – 31 Mar	9	11	20	1	0	0
1 Apr – 30 Jun	5	10	15	1	1	0
1 Jul – 30 Sept	5	5	10	0	0	0
Total	26	37	63	3	1	0
	41%	59%				

This data shows that for the third quarter of 2018 50% of all appeals were allowed. For the 12 month period to 30 September 2018 an average of 41% of all appeals were allowed. This is above the 2017/18 national average figure of around 32% of all appeals allowed. With regard to withdrawals it should be noted that appeals can be withdrawn at any time, even after the statements have been exchanged or the appeal heard but whilst the Inspector's decision is awaited. At that stage the LPA has undertaken all the work but without any commensurate result.

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

Contact Officer: Lee Osler, Office Manager/Deputy SIRO
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Planning and Enforcement Appeals

Report Date Range: 01/07/2018 to 30/09/2018

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

21/05/2018	W/17/3189486	Client of Hereward Services Ltd Rear of 22 Gaultree Square Emneth Wisbech Norfolk PE14 8DD	Residential development consisting of 4 one bedroom retirement bungalows	16/02135/F	Written Representations		
21/05/2018	W/18/3197681	Mr And Dr Hamish Grice Adjacent 2 Castleacre Road Great Massingham King's Lynn Norfolk PE32 2HD	Construction of dwelling	17/01569/F	Written Representations		
30/05/2018	W/18/3194634	Mr C Guest Japonica Cottage Station Road Burnham Market King's Lynn Norfolk PE31 8HA	Alterations, extension and change of use of Gospel Hall to facilitate a dwelling following demolition of Japonica Cottage	17/01192/F	Written Representations		
20/06/2018	W/18/3194185	Mrs Catherine Gladwin 9 Suffield Way King's Lynn Norfolk PE30 3DE	VARIATION OF CONDITION 2 OF PLANNING PERMISSION 07/00504/F: Construction of detached annexe (amended design)	17/01153/F	Written Representations		

Live Cases -2 (Received in previous quarter)

30/07/2018	F/18/3199695	Mrs Hazel Smith Banyer Hall Barn 115 Ladys Drove Emneth Norfolk PE14 8DG	Appeal against Listed Building Enforcement Notice	14/00648/BOC	Written Representations		
31/07/2018	F/18/3195464	Mr Neil Richard Riseborough Field Farm Fakenham Road Hillington King's Lynn Norfolk PE31 6DL	Appeal against	15/00392/UWLB	Written Representations		

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
25/09/2018	W/18/3202821	W Connell Scariff Farm Stow Road Outwell Wisbech Norfolk PE14 8QL	Conversion of barns to 3 dwellings	17/02277/F	Written Representations		
25/09/2018	W/18/3204645	Mr N Bailey 6 Foxs Lane West Lynn King's Lynn Norfolk PE34 3LY	Outline application with some matters reserved for the construction of single dwelling with associate amenity, parking and turning spaces	18/00228/O	Written Representations		
Appeals Decided (Up to the end of previous quarter)							
13/02/2018	W/17/3184715	Mr G Crane Three Lakes Nurseries Meadowgate Lane Emneth Norfolk PE13 2JH	REMOVAL OF CONDITION 3 OF PLANNING PERMISSION 15/01771/F: Proposed two storey house	17/00679/F	Informal Hearing	01/05/2018	03/07/2018 Appeal Allowed
13/04/2018	C/17/3183303	A Stewart North of Featheredge 51 Mill Road Emneth Norfolk PE14 8AE	Appeal against Alleged unauthorised use	17/00186/UNAUTU	Informal Hearing		13/08/2018 Appeal Allowed
24/04/2018	W/18/3195707	Mr & Mrs I Kissock Land East of East End Cottage Stanhoe Road Docking Norfolk	Proposed new dwelling	17/01221/F	Written Representations		06/07/2018 Appeal Dismissed
24/04/2018	W/18/3196120	Mr Shaun Salter West Mead Docking Road Burnham Market King's Lynn Norfolk PE31 8DN	Outline Application: Development of three dwellings	17/01700/O	Written Representations		04/07/2018 Appeal Dismissed
04/06/2018	C/17/3183252	Ms Theresa Gregory Horsemans Rest Littlemans Way Stoke Ferry King's Lynn Norfolk PE33 9UB	Appeal against	17/00040/UNAUTU	Written Representations		14/08/2018 No Code [ENFQUA]

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
05/06/2018	W/18/3194117	W H Kerkham (Rhoon) Ltd Land Off Cheney Hill Cheney Hill Heacham Norfolk	OUTLINE WITH SOME MATTERS RESERVED: Residential development of up to 64 dwellings	16/01385/OM	Written Representations		07/09/2018 Appeal Allowed
05/06/2018	W/18/3202539	Mr Wayne Murfet 18A North Beach Heacham King's Lynn Norfolk PE31 7LJ	Removal of existing approved units within red line application and placement of 2 units as shown on plans. Relocation of approved garage	17/01419/F	Written Representations		16/08/2018 Appeal Dismissed
05/06/2018	W/18/3203581	G H Owen Property Ltd 36A Common Road Snettisham King's Lynn Norfolk PE31 7PF	Construction of two dwellings	17/02342/F	Written Representations		28/08/2018 Appeal Allowed
21/08/2018	D/18/3203451	Mr Darren & Mrs Stephanie Carter Woodstock 22 School Road Terrington St John Wisbech Norfolk PE14 7SE	Remove existing garage and conservatory and install new double storey side and front extension complete with single storey porch to front and garden room to the rear	18/00284/F	Undefined		24/09/2018 Appeal Dismissed
22/08/2018	D/18/3207581	Katie Innes 60 Chapel Road Dersingham King's Lynn Norfolk PE31 6PN	Two storey extension	18/00838/F	Undefined		24/09/2018 Appeal Allowed

PLANNING COMMITTEE

3 DECEMBER 2018

UPDATE ON TREE MATTERS

Prepared by Richard Fisher, Arboricultural Officer

1.0 Introduction

1.1 This report seeks to update Members on recent Tree Preservation Orders (TPO's) that have been served since 1st May 2018 – 31st October 2018, along with a summary on some of the other aspects of the work in relation to trees.

2.0 Summary of Work

2.1 Set out in table 1 is a breakdown of the numbers of the various types of applications or work types carried out during the period.

2.2 Members will be aware that tree work applications have to be responded to within 6 weeks in the case of a conservation area notification, and 8 weeks in the case of a TPO tree work application. If responses are not received within these timescales the work is deemed to be acceptable and can be carried out.

2.3 There is a requirement for planning applications to be responded to well within the 8 or 13 week time period, to ensure applications can be dealt with within the requisite time period. There is also a requirement to respond to discharge of conditions with a specified time period, to ensure development can commence.

2.4 Although not time specific, the serving of a new TPO is often a matter of urgency in order to prevent the trees being felled or inappropriate pruning taking place. Once served there are time limits for objections to be received, and responses to be sent and the matter placed before the Planning Committee. If this is not all completed within 6 months of the serving then the TPO will lapse.

2.5 In addition to this there have been a number of pre application site visits undertaken for both tree work applications and planning applications, as well as the general day to day tree related enquiries that have to be addressed during the course of the day.

Table 1 – Breakdown of tree related applications and work received since May 2018

	Numbers
Planning Applications	
Planning Applications considered	169
Pre-Applications considered	26
Applications to discharge tree and landscape conditions	20
New Tree Preservation Orders	
New TPO's served	6
TPO's with objections received (Planning Committee Confirmation)	3
Approved under delegated powers	1
Still to be confirmed	2
Tree Work Applications/Notifications	
Conservation Area Notifications approved	99
Conservation Area Notification Refused (TPO Served)	0
Conservation Area Notification Pending	0
Tree Preservation Order applications approved	40
Tree Preservation Order applications refused/partially refused	Part refused – 4 Refused - 1
Tree Preservation Order applications appealed	1
Tree Preservation Order application pending	1

3.0 Details of TPO's Served and Confirmed since May 2018

3.1 6 TPOs has been served since May 2018. Where no objections have been received they have been confirmed under delegated powers. When objections

have been received these will need to be considered by the Planning Committee, as to whether or not the TPO is confirmed. Since May 2018, 1 TPO has been confirmed under delegated powers, 3 have been confirmed by planning committee with 2 awaiting confirmation.

- 3.2 We have received 1 appeal relating to decisions regarding works to protected trees and this is still ongoing.

4.0 Recommendation

- 4.1 That members of the Planning Committee note the contents of the report