

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



Planning Committee

Agenda

Monday, 2nd November, 2020
at 9.30 am

in the

**Remote Meeting on Zoom and available for
the public to view on [WestNorfolkBC on You
Tube](#)**



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

PLANNING COMMITTEE AGENDA

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

Please ensure that all mobile phones are switched to silent

DATE: Monday, 2nd November, 2020

VENUE: Remote Meeting on Zoom and available for the public to view on WestNorfolkBC on You Tube - Zoom and You Tube

TIME: 9.30 am

1. APOLOGIES

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

2. MINUTES

To confirm as a correct record the Minutes of the Meeting held on 5 October 2020.

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 Chair of their intention to do so and on what items they wish to be heard before a decision on that item is made.

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.

9. DECISIONS ON APPLICATIONS (Pages 9 - 147)

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

10. DELEGATED DECISIONS (Pages 148 - 178)

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

To: Members of the Planning Committee

Councillors F Bone, C Bower (Vice-Chair), A Bubb, C J Crofts (Chair), M Howland, C Hudson, C Joyce, J Kirk, B Lawton, C Manning, T Parish, S Patel, C Rose, A Ryves, S Sandell, Mrs V Spikings, S Squire and M Storey

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.

Note:

1. Since the introduction of restrictions on gatherings of people by the Government in March 2020, it has not been possible to hold standard face to face public meetings at the Council offices. This led to a temporary suspension of meetings. The Coronavirus Act 2020 has now been implemented and in Regulations made under Section 78, it gives Local Authorities the power to hold meetings without it being necessary for any of the participants to be present together in the same room.

It is the intention of the Borough Council of King's Lynn and West Norfolk to hold Planning Committee meetings for the foreseeable future as online meetings, using the Zoom video conferencing system. If you wish to view the meeting you can do so by accessing www.youtube.com/WestNorfolkBC.

Public Speaking

2. The Council has a scheme to allow public speaking at Planning Committee. If you wish to speak at the Planning Committee, please contact Planning Admin, borough.planning@west-norfolk.gov.uk or call 01553 616234, to register your wish to speak by noon on the working day before the meeting, this will be **Friday 30th October 2020**.

When registering to speak you will need to provide:

- Your name;
- Email address;
- Telephone number;
- What application you wish to speak on; and
- In what capacity you are speaking, ie supporter/objector.

You will be speaking remotely via the Zoom video conferencing system and will receive an email confirming that you are registered to speak along with the relevant details to access the meeting. Please ensure that you can access Zoom. You can choose to speak being either seen and heard, or just heard and we would also ask that you submit a written representation in case of any issues with the software. If you do not wish to speak via a remote link, please let us know, and you can submit a written representation, which will be read to the Committee, subject to the time limits set out below.

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:

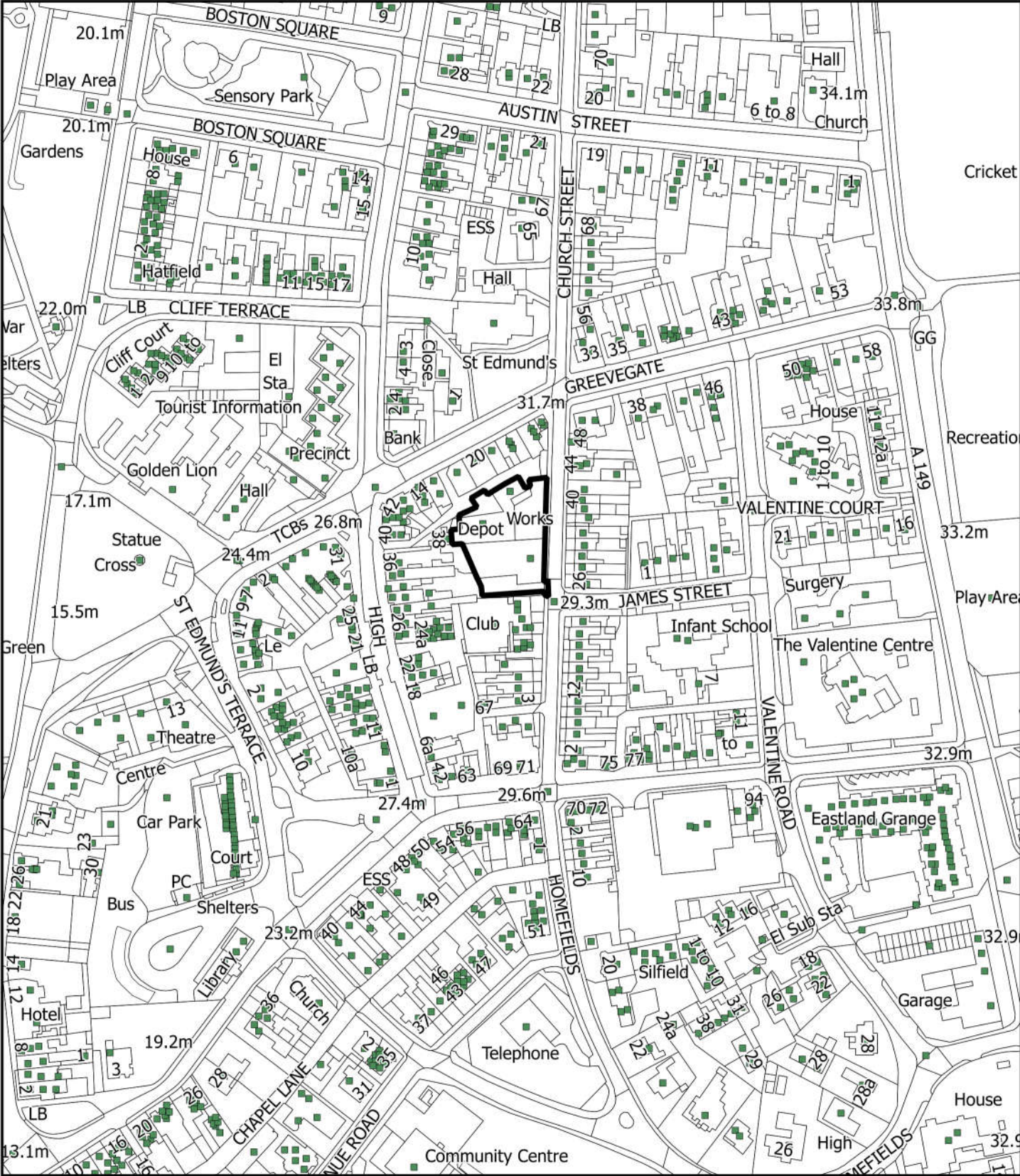
Kathy Wagg on 01553 616276
kathy.wagg@west-norfolk.gov.uk

**INDEX OF APPLICATIONS TO BE
DETERMINED BY THE PLANNING COMMITTEE AT THE
MEETING TO BE HELD ON MONDAY 2 NOVEMBER 2020**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	MAJOR APPLICATIONS			
8/1(a)	20/00962/FM 19-21 Church Street Amendment to planning permission 18/01142/FM to increase flat numbers from 16 to 18	HUNSTANTON	APPROVE	9
8/2	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE			
8/2(a)	20/00779/F Meadow View Black Horse Road Removal of condition 6 of planning permission 19/00989/F: Proposed dwelling and retention of part of existing bungalow as annexe - to remove occupancy restriction	CLENCHWARTON	REFUSE	27
8/2(b)	20/00634/F Mars Foods Ltd Hansa Road Hardwick Industrial Estate The culverting of approximately 34 metres of a riparian watercourse using a 900 mm diameter pipe on the northern boundary of the site	KING'S LYNN	APPROVE	40
8/2(c)	20/01231/O Land N of 36 School Road Outline Some Matters Reserved: Proposed residential development	MARSHLAND ST JAMES	REFUSE	50
8/2(d)	20/01256/O Land NW of 47 School Road Outline Application: residential development	MARSHLAND ST JAMES	REFUSE	60
8/2(e)	20/00871/F Quavers High Street Demolition of existing dwelling and construction of 3 replacement dwellings	THORNHAM	APPROVE	71

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/2(f)	20/01071/F 1 Gorelston Cottages Main Road The construction of two new semi-detached cottages	TITCHWELL	APPROVE	86
8/2(g)	20/01250/F Old Farm Market Lane Proposed new agricultural access	WALPOLE CROSS KEYS	APPROVE	102
8/2(i)	20/01164/F Cedar View Walnut Road Retention of detached machine store (with storage above) and retention of external bar with an associated change of use to residential garden	WALPOLE PETER	ST APPROVE	110
8/2(j)	20/01240/F Land adj Eastleigh Chalk Road Proposed detached dwelling	WALPOLE PETER	ST REFUSE	120
8/2(k)	20/01122/F Land S Bartonview and N of Number 17 S-Bend Lynn Road Construction of a single dwelling and garage	WALSOKEN	REFUSE	128
8/2(l)	20/01112/O 5 Trafford Estate Outline All Matters Reserved: Proposed Plot	WEST WALTON	APPROVE	138

20/00962/FM 19-21 Church Street Hunstontan



20/00962/FM

19-21 Church Street Hunstanton



Parish:	Hunstanton	
Proposal:	Amendment to planning permission 18/01142/FM to increase flat numbers from 16 to 18	
Location:	19 - 21 Church Street Hunstanton Norfolk	
Applicant:	Waterfield Dudley (Hunstanton 1) Ltd	
Case No:	20/00962/FM (Full Application - Major Development)	
Case Officer:	Mrs K Lawty	Date for Determination: 19 October 2020

Reason for Referral to Planning Committee – Town Council response at variance with recommendation and referred by Sifting Panel

Neighbourhood Plan: No

Case Summary

The site lies on the western side of Church Street, Hunstanton, comprises 0.185ha and contains workshops and stores including hardstanding. The site was occupied by Whitleys Stationers Press but is now disused.

The site lies within the town centre and Hunstanton’s Conservation Area.

Members may recall that planning permission was approved last year for the demolition of the redundant printing works and the construction of 16 No. flats on the site.

This current application also seeks permission for the demolition of the building and redevelopment of the site for residential units. Essentially this proposal seeks changes to the previously approved scheme to provide 2 additional one bedroom flats, increasing the flat numbers from 16 to 18.

The proposed changes show amendments to the previously approved floor plans, modest changes to some of the door and window arrangements and an additional sun room.

Parking is still proposed to be provided to the rear of the site, utilising the existing access arrangements to the side of the existing building. Cycle parking is contained within the main building.

Key Issues

- Planning history
- Principle of Development and Planning History
- Highway safety
- Impact upon Designated Heritage Assets
- Residential Amenity
- Affordable Housing
- Drainage and Flood Risk

- Contamination
- Other Material Considerations.

Recommendation

- A) **APPROVE** subject to conditions and payment of the affordable housing financial contribution within two months of the date of this Committee meeting;
- B) **REFUSE** In the event that the affordable housing financial contribution and is not paid within two months of the date of this Committee meeting.

THE APPLICATION

This application seeks permission for the demolition of the building and redevelopment of the site for residential units. Essentially this proposal seeks changes to the previously approved scheme to provide 2 additional one bedroom flats, increasing the flat numbers from 16 to 18.

The proposed changes show amendments to the previously approved floor plans, modest changes to some of the door and window arrangements and an additional sun room. The proposed changes are summarised in the Design and Access statement as:-

‘The replacement of 2no. windows with doors on the Church Street (East) Elevation to provide access from the Living Areas of two of the Ground Floor units G6 and G7 to patio areas; the replacement of 1no. window with an entrance door on the South Elevation to provide access to Ground Floor unit G5 and amendments to the Ground Floor unit G1 comprising the addition of a small Orangery or small Sun Room to the West Elevation and the replacement of 1no. window with a Utility Room Door on the North Elevation.’

Parking is still proposed to be provided to the rear of the site, utilising the existing access arrangements to the side of the existing building. 18 parking spaces are provided to the rear of the building, or one space per residential unit. Secure, covered cycle storage for up to 16 cycles is proposed within the main building.

There are some communal landscaped areas to the front and rear of the building.

SUPPORTING CASE

The application has been supported by a range of reports and information.

In response to the concerns of the Highways Development Management Officer 7th September 2020 ref: 9/2/20/0962, with regard to two of the proposed parking spaces manoeuvring within the service access road to the north of the site, we have redesigned the car parking provision to accommodate 18 no spaces within the main area of the site development.

This evolution of the car parking scheme has received the approval of the Highways Development Management Officer to the satisfaction of the Senior Planning Case Officer.

We have therefore submitted our amended Site Plan as drawing no. 1606-16B (superseding 1606-6).

PLANNING HISTORY

18/01142/FM: Application Permitted: 07/03/19 - Demolition of old print works and the construction of 15 number 2 bed flats and 1 number 1 bed flat with associated car parking (Resubmission of 17/00025/FM) - Whitleys Stationers Press, 19 - 21 Church Street, Hunstanton

17/00025/FM: Application Refused: 12/02/18 - Demolition of old print works and the construction of 15 number 2 bed flats and 1 number 1 bed flat with associated car parking - Whitleys Stationers Press, 19 - 21 Church Street, Hunstanton

RESPONSE TO CONSULTATION

Town Council: OBJECTION – car parking; there are 18 dwellings in the amended planning application and only 19 resident spaces provided for parking. There is a potential for 38 resident vehicles for this development in an already restricted area for parking spaces. National guidelines state for assigned spaces 1 Bed apartments 1.5 spaces and 2 bed apartments 1.75 spaces, therefore the current application is under spaced by 5.5 spaces. We note that the 2 visitor parking spaces have been removed, however this does not meet guidance.

Church Street is an already congested road and any overspill into this residential area is not acceptable to the local residents. Public transport links are poor and therefore new residents will be using motor vehicles as preferred mode of transport. Hunstanton Town Council raised this on the previous planning application and continue to stand by our objection.

Highways Authority: NO OBJECTION

Historic England: NO COMMENTS

Environmental Health & Housing - Environmental Quality: NO OBJECTION – conditionally re: contamination

Housing Development Officer: NO OBJECTION - A Vacant Building Credit was applied to the previous application for 16 units 18/01142/FM. This further application proposes to increase the units from 16 to 18 therefore the vacant credit applied also increases.

The calculation is as below;

Existing floorspace – 1476sqm

GIA floorspace of the new building – 1843sqm

Difference – 367sqm

Average floorspace – $1843\text{sqm}/18 = 102.388\text{sqm}$

To work out how many units are provided within the additional floorspace

$367/102.388\text{sqm} = 3.58$ units

20% affordable contribution applied to the 3.58 units = 0.716 of an affordable unit is therefore required equating to $\text{£}60,000 \times 0.716 = \text{£}42,960$

The landowner had already paid the initial $\text{£}33,840$, therefore an additional $\text{£}9,120$ affordable housing financial contribution is required. A S.106 Agreement will be required to secure the affordable housing contribution.

Natural England: No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Anglian Water: No objection - The foul drainage from this development is in the catchment of Heacham Water Recycling Centre that will have available capacity for these flows; Drainage Strategy The sewerage system at present has available capacity for these flows. Surface water drainage should be conditioned; There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site and recommend informative.

Environment Agency: No objection - conditionally

Cadent Gas: No objection - standing advice to the developer drawing attention to there being a low or medium (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity). Further to that there are also operational gas apparatus in the site boundary and there may be easements or wayleaves in the land that restricts activity.

REPRESENTATIONS

FIVE representations referring to the following:-

- Object to the noise and dust during building
- Object to lack of parking which is beneath national guidelines
- Every new property should have a parking space
- Where will residents park their cars during demolition?
- We already have holiday makers and workers who park their cars in the little street.
- Parking is already difficult when you are a resident in the street. Especially when you do shopping else were and you have to carry your shopping for quite a distance because you are forced to park miles away from where you live.
- hope the council will takes note of the amount of people who ignore the one-way system.
- Concern regarding access to the rear of RSPCA charity shop on Greevegate to allow for waste bins, donations and deliveries
- Request application is determined by the Planning Committee
- The site notice has been incorrectly displayed and refers to the original application as opposed to the amended application

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS05 – Hunstanton

CS08 - Sustainable Development

CS09 - Housing Distribution

CS10 - The Economy

CS12 - Environmental Assets

CS14 - Infrastructure Provision

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)

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

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

National Design Guide 2019

PLANNING CONSIDERATIONS

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

- Planning history
- Principle of Development and Planning History
- Highway safety
- Impact upon Designated Heritage Assets
- Residential Amenity
- Affordable Housing
- Drainage and Flood Risk
- Contamination
- Other Material Considerations.

Planning history

This application for redevelopment of the site for 16 flats was originally considered by the Planning Committee at its meeting on 1st October 2018. Members resolved to grant planning permission subject to completion of a Section 106 agreement within 4 months of the date of the resolution i.e. 1st February 2019.

Following subsequent issues relating to title on part of the site, an alternative approach to securing the necessary planning obligations (affordable housing financial contribution, SUDs management and maintenance, habitat mitigation and monitoring payment and landscape management and maintenance) was agreed by Planning Committee at their meeting of 4 March 2019.

The applicant paid the affordable housing financial contribution (£33,840) and habitat mitigation and monitoring payment (£800) upfront, prior to permission being granted. The remaining matters, SUDs management and maintenance plus landscape management and maintenance were secured by amending the previously agreed SUDs condition (Condition 13) and the addition of a further landscaping management and maintenance condition (Condition 23).

The history of the site is a material consideration.

Principle of Development and Planning History

The site is within the development boundary of Hunstanton. Hunstanton is classified as a Main Town according to Policy CS02 of the Local Development Framework Core Strategy, which could support development of this scale dependant on other material considerations. Furthermore one of the strategies for Hunstanton (CS05) is to promote opportunities for residential development within the Town Centre, particularly for affordable housing.

The site already has extant planning permission for redevelopment for 16 flats and associated parking facilities.

This latest proposal sees the amending of the internal floor areas to achieve two additional dwellings within the same floorspace as that already approved. It would be an efficient use of space and provide additional housing in the town.

The principle is supported.

Highway Safety

The Town Council and third parties have objected to the increase in demand for parking as a result of the proposal. The Town Council states that the number of parking spaces proposed is inadequate for this number of residential units.

The former printing press would have generated its own traffic movements and furthermore other commercial uses could operate from the site under current permitted development regulations, without requiring planning permission.

This “trade off” of traffic movements, in terms of numbers and frequency of movements between a business use and a proposed residential use, was a key consideration in the previous application. Furthermore, it was acknowledged that some of the vehicles associated with such uses (larger vehicles) would potentially be more intensive during operational hours.

The previously approved scheme for 16 units had 17 spaces. 15 spaces were for the residential units and two spaces were shown for use as visitor parking. One unit of the approved scheme therefore had no allocated parking space.

This current application for 18 units has 18 spaces. This is sufficient for one space per residential unit. Additionally, there is provision for the secure, covered storage of up to 16 cycles within the ground floor of the building.

The proposed number of spaces is below the minimum levels outlined in the parking standards, however the site is within the town centre and therefore future residents can access services without relying on the motor car. The site is within walking distance of public car parks and bus stops. It is worth noting that whilst 18 parking spaces are below the

standard requirement, each flat has the equivalent of 1 parking space and access to cycle storage.

Policy DM17 on parking provision refers to the number of parking spaces required to be provided for developments of various bedroom sizes. It does, however, also state that reductions in car parking requirements may be considered for town centres. Given the location of the site, as described above, there is not considered to be inconsistency with this policy.

The highways officer raises no highway safety concerns and has no objection to the proposal, conditionally.

Impact upon Designated Heritage Assets

The site is 44m away from St Edmunds -1872 Grade II listed Church, at its nearest point, and is contained within the Hunstanton Conservation Area. Accordingly under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, s.66 of the Act places a statutory duty in regards to development that affects a listed building or its setting, and having special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. S.72 places a duty on the LPA, with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

After due consideration the previous schemes was found not to result in harm to the heritage assets. Given that the proposal would result in only modest amendments to the elevations of the building already approved it is not considered there would be any greater impact upon the conservation area or listed building than the scheme previously approved.

Residential Amenity

The impact of the proposed replacement building upon residential amenity was considered at length during the previous applications.

The scale and mass of the building is virtually identical to that already approved and this proposal raises no new issues in regard to being overbearing or causing overshadowing.

This current proposal sees only modest physical amendments to introduce a series of window and door changes. Accordingly the impact of potential overlooking has been considered.

Two new windows have been shown to the Church Street (east) elevation with the remainder of changes being at ground floor level. The impact of these changes on the occupants of neighbouring properties has been considered and will not detrimentally affect the amenity of existing residents to a degree that would recommend a refusal of the application.

Application ref: 18/01142/FM contained a series of planning conditions relating to the retention of certain windows to be fitted with obscure glazing and for certain balcony areas to have screening to prevent direct overlooking. As there have been no significant changes to the site or surrounding area it is recommended that these are continued through this current application if planning permission is forthcoming.

The site is contained within a dense residential and commercial area and will involve demolition of existing buildings to create 18 flats. It is therefore considered that conditioning

a construction management plan, including measures in respect to dust suppression, will be necessary.

Affordable Housing

The Housing Development Officer has been consulted regarding the application.

They advise that a Vacant Building Credit was applied to the previous application for 16 units 18/01142/FM. This current application proposes to increase the units from 16 to 18 therefore the vacant credit applied also increases.

Taking into account the Vacant Building Credit, the newly revised contribution towards affordable housing has been calculated at £42,960.

The landowner had already paid the initial £33,840, therefore an additional £9,120 affordable housing financial contribution is required.

Usually a S.106 Agreement will be required to secure the affordable housing contribution, but in this case the applicant has expressed a preference to pay this amount upfront, should planning permission be forthcoming. This would mean there would be no requirement for a legal agreement to be drafted and signed.

It would be necessary, however, to insist that this payment is received prior to the issuing of any planning decision if it is not secured by way of a S106 legal agreement. This is the reason for the recommendation at the top of the report and is consistent with the approach taken for the previous application on site.

Drainage and Flood Risk

The site lies within flood zone 1 according to the Environment Agency's maps and the site is less than 1 ha accordingly no Flood Risk Assessment was submitted with the application.

In respect to drainage a Sustainable Urban Drainage System document has accompanied the application. The site is 100% covered in hard surfacing and any form of SUDS would be betterment than the current situation in regards to surface water drainage. Initially it was considered that SUDS could be through infiltration techniques however this was subsequently ruled out due to the geology of the ground (chalk) and from the desk study in respect to contamination, which states that there would be likely ground contamination on this site. Accordingly a second option was put forward that would involve connection to the public sewer with a pumping station following a time of attenuation of the water in cellular storage tanks.

This situation has not changed since the approval of the previous application and it is recommended that the details are secured by way of planning condition. The management and maintenance of the drainage system was also previously secured by planning condition and it is recommended that this be repeated.

In regards to foul water drainage, Anglian Water confirms that there is capacity within the network to accommodate the foul water flows.

Contamination

The application is accompanied by a phase 1 Desk Study Report produced by AF Howlands Ltd. From this study it is apparent that there are multiple sources of different contaminants from industrial sources and potentially asbestos containing materials within the building

structure. The report recommends additional investigations to target the identified potential contaminants. Accordingly full contamination conditions are imposed, as recommended by the Environmental Quality Officer, which have been echoed by the Environment Agency.

Additionally in line with the CSNN officer comments, air quality conditions (construction management) are also imposed as referenced earlier in the report.

Other Material Considerations

The applicant has already paid the additional Habitat Mitigation fee of £100 (£50 per unit).

The Historic Environment Service has commented that they have no objection to the proposal. There are no archaeological implications.

There are communal landscaped areas on the site that will need to be managed and maintained. This will be secured through a planning condition relating to landscape management and maintenance.

Most of the Town Council and third party comments have been addressed above. Comments about current parking problems and abuse of the one-way system are noted but cannot be resolved through this planning application.

Comments about keeping access available to the rear of shops are noted, but are not material planning considerations, and should be raised with the developer at the time if it occurs.

Comments stating that the site notice has been incorrectly displayed and that it refers to the original application instead of the amended application, are noted. However, the site notice displays the correct application number and correctly explains that it is an amendment to the previous planning permission. For clarity the description has been amended to include more information.

CONCLUSION

There have been no significant changes in national or local policy considerations and no new material considerations have come to light since consideration of the previous planning applications for redevelopment of the site last year.

The creation of flats is still considered appropriate for the site and its surroundings and the increase in units by 2 is an efficient use of space without causing harm to the character of the area or its heritage assets. This approach is in line with the requirements of Policy CS08.

The proposed development can provide one parking space per residential unit for this town centre site. Secure cycle parking is also proposed within the building. The Highways Authority do not object to this amount of parking provision and this approach is consistent with the provisions of Policy DM17. The proposal would not create highway safety concerns

The proposal raises no significant new neighbour amenity issues.

The proposal accords with the provisions of local plan Policies CS01, CS02, CS05, CS08, CS09, CS10, CS11, CS12 and CS14 of the Core Strategy and Policies DM1, DM2, DM15 and DM17 of the SADMP.

Given the applicant is agreeable to pay the affordable housing financial contribution prior to permission being granted, and that other matters can be appropriately dealt with by condition, it is not considered necessary for a Section 106 agreement to be completed in this case.

The proposal is therefore recommended to be approved subject to conditions and payment of the affordable housing financial contribution prior to the issuing of the planning Decision Notice.

RECOMMENDATION:

a) 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 N. 1606-5A, Location Plan

Drawing N. 1606-7, Proposed Ground Floor Plan

Drawing N. 1606-8, Proposed First Floor Plan

Drawing N. 1606-9, Proposed Second Floor Plan

Drawing N. 1606-10, Proposed Roof Plan

Drawing N. 1606-11, Proposed South and East Elevations (landscaping omitted for clarity)

Drawing N. 1606-12, Proposed South and East Elevations

Drawing N. 1606-13, Proposed North and West Elevations (landscaping omitted for clarity)

Drawing N. 1606-14, Proposed North and West Elevations

Drawing N. 1606-15, Proposed Recess Elevations

Drawing N. 1606-16B, Car Parking revision

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

3 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,

- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

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

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

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

- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 6 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 3, and where

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

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: No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

(a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used;

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

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

8 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

8 Reason: In the interest of highway safety and traffic movement.

9 Condition: Prior to the commencement of the use hereby permitted the vehicular access indicated for improvement on Drawing No.1606-16B shall be upgraded 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 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.

9 Reason: To ensure construction of satisfactory access and to avoid carriageway of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.

10 Condition: No part of the proposed structure (to include fascia board/rainwater guttering) shall overhang or encroach upon highway land and no gate/door/ground floor window shall open outwards over the highway.

10 Reason: In the interests of highway safety.

- 11 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site 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.
- 11 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 12 Condition: Prior the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.95 metres above the level of the adjacent highway carriageway.
- 12 Reason: In interests of highway safety in accordance with the principles of the NPPF.
- 13 Condition: Notwithstanding details in respect of the submitted Drainage Strategy (Barter Hill, 6590, October 2017), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development and shall be managed and maintained thereafter in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. The scheme shall address the following matters:-
1. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 46m³ will be provided in line with the submitted calculations.
 2. Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) with the development.
 3. The design of the attenuation basin will incorporate an emergency spillway and any drainage structures showing the routes for the management of exceedance surface water flow routes for the management of exceedance surface water flow routes that minimises the risk to people and property during rainfall events in excess of 1 in 100 return period.
 4. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
 5. Details of how all surface water management features to be designed in accordance with the SuDS Manual (CIRCA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

6. Provide a management and maintenance plan for the SuDs in order to secure the operation of the scheme throughout its lifetime.
- 13 Reason: To prevent flooding in accordance with paragraph 103 and 109 of the NPPF.
- 14 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.
- 14 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 15 Condition: No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 15 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 16 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the roof tiles to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 16 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 17 Condition: Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate. All hard and soft landscape works shall be carried out in accordance with the approved plans prior to the first occupation of the development hereby approved.
- 17 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 18 Condition: Notwithstanding the approved plans, details of the following items at a scale of 1:20, or as otherwise specified, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation:-
1. Drawings of all new joinery works in respect to windows and doors
 2. The railings to be provided on the Church Street elevation

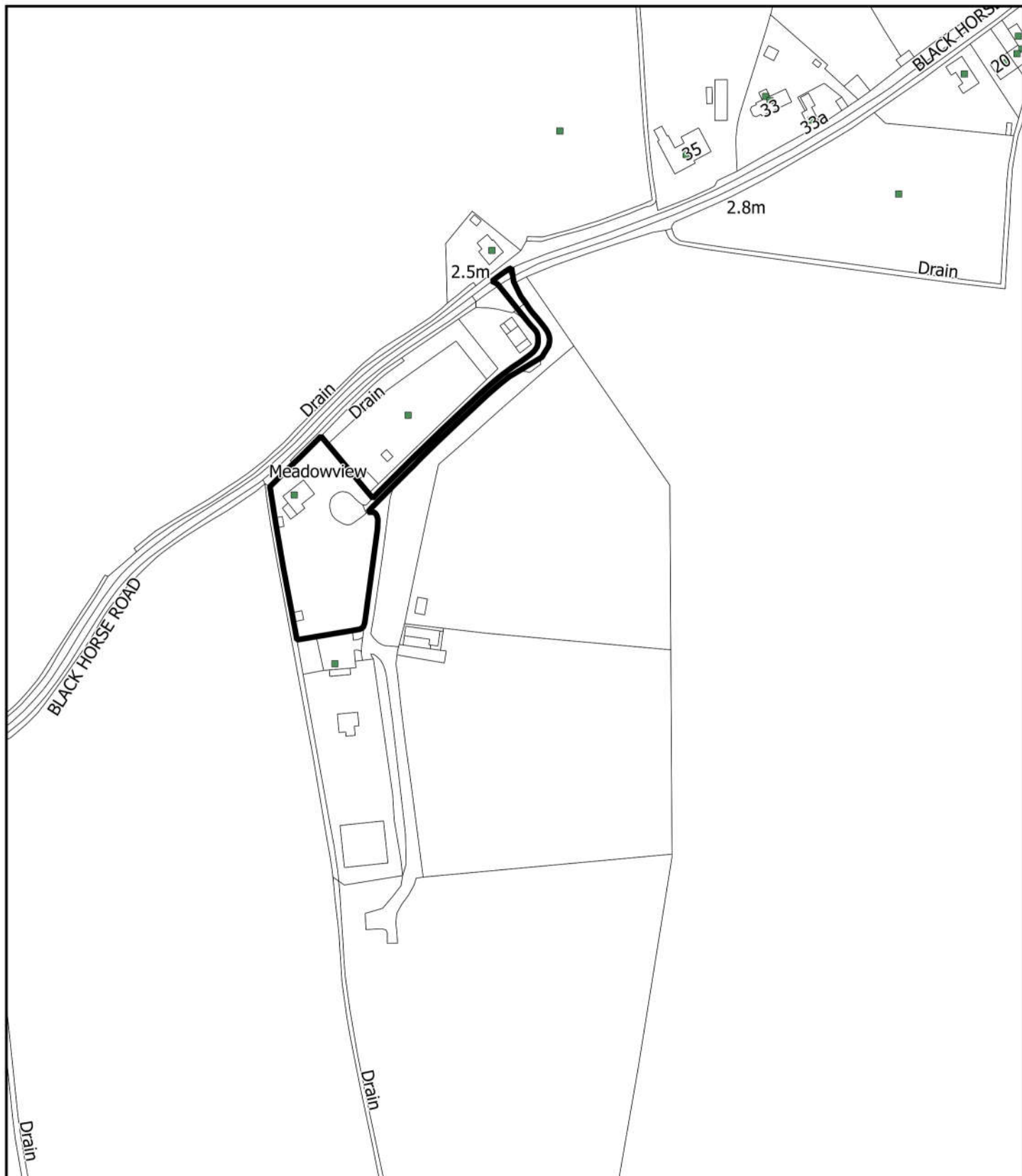
The development shall be carried out in accordance with these agreed details.

- 18 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 19 Condition: Notwithstanding details received the terraced area serving APT.F1 accessed via the Kitchen/Living/Dining Room shall be screened on its northern elevation in accordance with a screening scheme to be approved in writing by the Local Planning Authority prior to the first occupation of APT. F1 The screening scheme shall include the height of any screening and the materials used in its construction and the method by which to prevent overlooking into windows contained in the southern elevation of those flats on Greevegate. The screening scheme has been carried out in accordance with the agreed details and installed prior to the first occupation of APT.F1
- 19 Reason: In the interests of safeguarding neighbour amenity.
- 20 Condition: Notwithstanding details received the terraced area serving APT.S3 accessed via the Kitchen shall be screened on its southern elevation in accordance with a screening scheme to be approved in writing by the Local Planning Authority prior to the first occupation of APT.S3. The screening scheme shall include the height of any screening and the materials used in its construction and the method by which to prevent overlooking into windows contained in the northern elevation of 17 Church Street. The screening scheme has been carried out in accordance with the agreed details and installed prior to the first occupation of APT.S3.
- 20 Reason: In the interests of safeguarding neighbour amenity in accordance with the principles of the NPPF.
- 21 Condition: Before the first occupation of APT. F5 hereby permitted the secondary living room windows on the south elevation in APT.F5 as annotated on drawing no.1606-11 shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 21 Reason: To protect the residential amenities of the occupiers of nearby property.
- 22 Condition: Before the first occupation of APT. S3 hereby permitted the secondary bedroom window on the south elevation in APT.S3 as annotated on drawing no.1606-11 shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 22 Reason: For the avoidance of doubt and in the interests of proper planning.
- 23 Condition: Prior to the first occupation of the development hereby permitted a landscape management scheme including long-term design objectives, management responsibilities, management and maintenance schedules for the area of landscaping situated between the front (east) elevation of the proposed building and Church Street as shown on drawing number 1606-16B, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management scheme shall be carried out as approved and maintained thereafter to the reasonable satisfaction of the Local Planning Authority.
- 23 Reason: To ensure that the landscaping is properly maintained in accordance with the NPPF.

- b) **REFUSE** In the event that the affordable housing financial contribution and is not paid within two months of the date of this Committee meeting

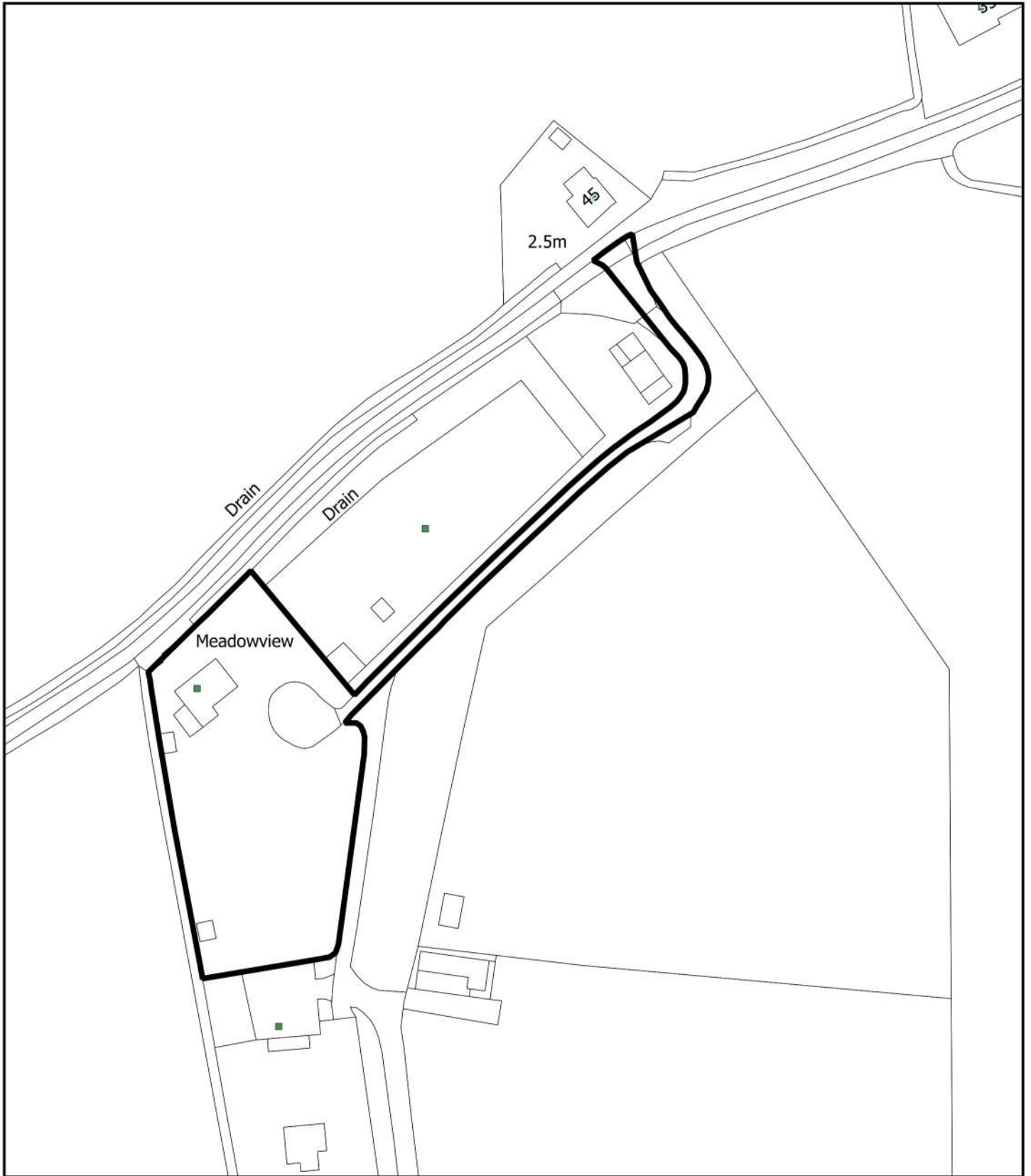
20/00779/F

Meadow View Black Horse Road Clenchwarton



20/00779/F

Meadow View Black Horse Road Clenchwarton



Parish:	Clenchwarton	
Proposal:	Removal of condition 6 of planning permission 19/00989/F: Proposed dwelling and retention of part of existing bungalow as annexe - to remove occupancy restriction	
Location:	Meadow View Black Horse Road Clenchwarton King's Lynn	
Applicant:	Supreme Surfacing Ltd	
Case No:	20/00779/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 7 August 2020 Extension of Time Expiry Date: 6 November 2020

Reason for Referral to Planning Committee – At the instruction of the Sifting Panel on 10/09/20.

Neighbourhood Plan: No

Case Summary

Meadow View is a detached bungalow set in substantial mature landscaped grounds on the south-eastern side of Black Horse Road, Clenchwarton approx. 320m south-west of the defined village development area (defined by Inset Map G25 of the SADMP 2016).

Previously planning permission has been granted for a farmhouse style replacement dwelling and retention/alteration of the bungalow to create a linked annexe. That permission (19/00989/F) was subject to a restrictive condition (Condition 6) tying the occupancy of the dwelling to a commercial use (Supreme Surfacing Ltd) adjoining the site to the immediate south and within the same ownership/control of the applicants.

Prior to that permission, approval was granted for a similar scaled dwelling of barn-like appearance, with the bungalow retained and used as offices and staff facilities associated with the business (ref: 16/01478/F). That also had a restrictive condition attached which was appealed and dismissed in April 2017 (a copy of that appeal decision is appended to this report for ease of reference).

This application seeks to remove the occupancy restriction attached to the most recent approval (i.e. Condition 6 attached to planning permission granted under application ref: 19/00989/F) and is accompanied by a Noise Assessment Report and a draft Unilateral Undertaking to restrict the hours of operation of the commercial yard and buildings on the adjoining site, which is currently unrestricted.

Key Issues

History of the site
Principle of the development
Impact upon residential amenity of the dwelling

Recommendation

REFUSE

THE APPLICATION

Meadow View is a detached bungalow set in substantial mature landscaped grounds on the south-eastern side of Black Horse Road, Clenchwarton approx. 320m south-west of the defined village development area.

Previously planning permission has been granted for a farmhouse style replacement dwelling and retention/alteration of the bungalow to create a linked annexe. That permission (19/00989/F) was subject to a restrictive condition (Condition 6) tying the occupancy of the dwelling to a commercial use (Supreme Surfacing Ltd) adjoining the site to the immediate south and within the same ownership/control of the applicants.

It states as follows:

“6. The occupation of the dwelling and annexe hereby approved shall be limited to a person solely or mainly working, or last working in the associated surfacing and groundworks business, or a widow or widower of such a person, and to any resident dependants.

Reason - Given that the new dwelling and annexe would lie in close proximity to existing business uses and buildings, its use as an independent dwelling and annexe would be significantly affected in terms of residential amenities; and to accord with the provisions of the NPPF, Core Strategy Policy CS08 and Policy DM15 of the SADMPP.”

Prior to that permission approval was granted for a barn style dwelling with the bungalow retained and used as offices and staff facilities associated with the business (ref: 16/01478/F). That also had a restrictive condition attached which was appealed and dismissed in April 2017 (a copy of that appeal decision is appended to this report for ease of reference).

This application seeks to remove the occupancy restriction attached to the most recent approval (i.e. Condition 6 attached to planning permission granted under application ref: 19/00989/F) and is accompanied by a Noise Assessment Report and a draft Unilateral Undertaking to restrict the hours of operation of the commercial yard and buildings on the adjoining site, which is currently unrestricted.

SUPPORTING CASE

The applicant has submitted the following statement in support of the application:

“The above application is seeking to remove a restrictive condition imposed on the planning permission to replace the existing dwelling with a new house. The condition ties the occupation of the new dwelling to persons employed in the business known as Supreme Surfacing, even though my existing dwelling has no such condition.

This restrictive condition means that I am unable to raise the finance to build the dwelling as the condition has an impact on the value of the proposed dwelling and banks see this as a financial risk. The proposed new dwelling is something that I would like to be able to build, as it would significantly improve the quality of life for my family and myself.

I have been advised by Phil Rowland our Planning Consultant that despite all the time and effort that has been put into the above planning application seeking to remove the restrictive occupancy condition with the offer of a Unilateral Undertaking (UU), the application is not now going to be supported by Officers when it is to be reported to the Planning Committee. This is on the basis that it would be contrary to Government advice to impose such restrictions on the business as well as being unreasonable and unenforceable.

The first point I would make is that the UU is being offered as a way forward and therefore is not being imposed on the business by the Council. The second point is that the hours of operation and the number of vehicular movements referred to in the UU is not imposing anything new on the business as the business has been operating within the hours proposed and the number of vehicular movements per day in a commercially viable way for the last 10 years.

In this respect therefore I am totally confident that compliance with the requirements of the UU would not have a detrimental impact on the commercial viability of my business and therefore compliance with the terms of the UU would not be an unreasonable imposition.

The third point of concern that you have referred to is the enforceability of the requirements of the UU. I do not see this as a problem and in fact your own Lawyers have confirmed that the Council can enforce the terms of the UU.

The final point I would make is that the easy solution for all concerned would be for the Council to remove the restrictive condition imposed on the planning permission for the new dwelling without any need for the UU thus avoiding any concerns the Council has about imposing any restrictions on the business. This is particularly relevant, as the existing dwelling has no such restrictions.”

PLANNING HISTORY

19/02212/F: Application Refused (Delegated): 18/02/20 - Removal of condition 6 of planning permission 19/00989/F – Appeal pending

19/00989/F: Application Permitted (Delegated): 12/09/19 - Proposed dwelling and retention of part of existing bungalow as annexe

18/01087/F: Application Permitted (Delegated): 06/11/18 - Construction of a dwelling and link to existing bungalow to be altered and used as an Annexe

18/00754/F: Application Permitted (Delegated): 18/06/18 - Proposed Office Building

16/01478/F: Application Refused (Delegated): 10/10/16 - Removal of condition 8 attached to planning permission 16/00395/F to remove the tie of the dwelling to the business - Appeal Dismissed 04/04/17

16/00395/F: Application Permitted (Delegated): 02/08/16 - Construction of dwelling and change of use of existing bungalow into offices, meeting room and staff facilities related to existing associated surfacing and ground works business

15/01095/F: Application Permitted (Delegated): 03/11/15 - Proposed machinery store

12/01457/F: Application Permitted (Delegated): 05/11/12 - Application for removal of condition on planning permission M2714: Agricultural occupancy restriction

12/00626/F: Application Withdrawn: 19/05/12 - Garden curtilage extension

11/00642/CU: Application Permitted (Delegated): 24/06/11 - Continued use as surfacing and associated ground works compound with related office and storage

11/00641/F: Application Withdrawn: 14/06/11 - Garden Curtilage Extension

07/00028/F: Application Permitted (Delegated): 09/05/07 - Construction of 3 stables

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance:
Concerns expressed at the proposed number and hours of working on Saturdays.

REPRESENTATIONS

None received

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM7 - Residential Annexes

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

The key issues in assessing this proposal are as follows:

History of the site
Principle of the development
Impact upon residential amenity of the dwelling

History of the site

It is important to follow the planning history of this site as identified in the Planning History section above.

A barn-like replacement dwelling approved under application ref: 16/00395/F included the existing bungalow as office accommodation related to the adjoining/associated surfacing & groundworks business and the occupancy of the new dwelling was conditioned to be tied to the business (Condition 8). The reason was due to its use as an independent dwelling would be affected in terms of its residential amenities.

That condition was sought to be removed under application ref: 16/01478/F which was refused and was then the subject of an appeal which was dismissed. The Inspector in dismissing the appeal stated:

“5...I am also mindful that the dwelling would face out towards the access track, thus further compounding the harm from noise and disturbance and loss of privacy.

6. I note that the existing business does not have any restrictions in terms of hours of operation and such impacts could therefore occur during anti-social hours and during the weekend, in addition to any typical Monday-Friday working. While such operations would be acceptable to any occupants associated with the business, I consider that the use of the new dwelling independently of the business would not be compatible...

9. Overall I consider that the occupation of the dwelling independently of the existing business would cause harm to living conditions of future occupants due to loss of privacy and noise and disturbance. This would not accord with Policy CS08 of the King's Lynn and West Norfolk Borough Council Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016). These policies seek to secure sustainable design and resist proposals which would have a significant adverse impact upon amenity. I therefore conclude that the disputed condition is necessary and reasonable...”

The conclusions of the Appeal decision have been applied to subsequent application approvals (18/01087/F & 19/00989/F) in that there have been restrictions imposed by condition tying the occupancy of the dwelling & annexe to the commercial business.

Application ref: 19/00989/F was accompanied by both a Planning Statement and Noise Assessment Report - the latter which gave an acoustics appraisal of the current site and conditions, and impact in relation to the proposed new dwelling.

Once again, the existing bungalow was to effectively be retained and reduced in size to create a 2 bedroomed annexe; the layout showed shared parking and garden areas - its use as subsidiary annexe accommodation could be controlled via condition to accord with Policy DM7 of the SADMPP. That is still the case.

This current application refers to application ref: 19/00989/F and the Noise Assessment Report which accompanied it.

Reference is made by the Agent to paragraph 7 of the Appeal decision where the Inspector stated: "...from my observations made on site and based on the information before me, the current arrangement in respect of the bungalow and business are relatively separate and as such, would not harm the living conditions of the occupants."

Indeed, the bungalow is obviously single storey, situated approx. 60m away from the commercial yard and 32m from its access driveway, and its principal elevation is northwards onto Black Horse Road. The dwelling approved under application ref: 19/00989/F is a house, considerably closer to the yard and its main elevation fronts onto the driveway some 29m and 15m away respectively at the closest points.

This presents a totally different relationship with the commercial yard when compared to the existing bungalow.

The commercial yard was authorised retrospectively under application ref: 11/00642/CU. The use was restricted to Supreme Surfacing Ltd and no other use within Use Class B8 – the reason for this being cited as in the interests of neighbour amenity and highway safety. No restrictions with regards to hours of operation were considered at that point due to the dwelling being in the same ownership, and therefore control, of the applicants. This was recognised by the Inspector (Paragraph 7 above) and subsequent applications for replacement dwellings have been considered in light of this situation.

Principle of the development

The principle of the development of a replacement house and linked annexe has obviously been established by earlier planning permissions refs: 18/01087/F and 119/00989/F. The principle is therefore accepted and accords with Policies DM5 & DM7 of the SADMPP which state as follows:

"Policy DM5 - Proposals for replacement dwellings or extensions to existing dwellings will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused."

"Policy DM7 - Development of residential annexes will be approved only subject to the following being secured by condition or planning agreement:

- It remains in the same ownership as, and is occupied in conjunction with the principal dwelling; and does not appear as tantamount to a new dwelling;
- It is ancillary and subordinate in scale to the principal dwelling;

- Its occupant(s) share(s) 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.

Development of residential annexes outside the development boundaries of settlements will also be judged against the criteria in Policy DM5: Enlargement or Replacement of Dwellings in the Countryside.”

With regards to residential amenity the following policies and guidance apply:

Core Strategy Policy CS08 of the LDF 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; optimise site potential, making the best use of land including the use of brownfield land; enhance community wellbeing by being accessible, inclusive, locally distinctive, safe and by promoting healthy lifestyles (see Policy CS14 Community & culture); **achieve high standards of sustainable design.**”

Policy DM15 of the SADMPP states inter alia:

“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...Light pollution...

Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.”

The NPPF states:

“127. Planning policies and decisions should ensure that developments: ...(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.

170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

...e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or **noise pollution** or land instability. Development should, wherever possible, help to improve local environmental conditions...

182. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its

vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

These will be addressed in the next part of this report.

Impact upon residential amenity of the dwelling

This application is once again accompanied by a Noise Assessment Report undertaken on 17-18 April 2019, which identifies that the use of windows with higher specification glass can achieve better attenuation of noise to the habitable rooms within the house and 2m high acoustic fencing has been offered along the boundary common with the commercial yard (exact position and specification to be secured via condition).

Most significantly the applicants have also tabled a scheme to restrict the operating hours of the commercial yard approved under application ref: 11/00642/CU which, as previously stated, was unrestricted.

The hours of operation are proposed to be 6.15am–6.00pm Monday to Saturday (during which no more than 8 vehicles would enter and leave the site in any 24 hour period) and during the periods of 5.30am-6.15am plus 6.00pm-6.30pm there would be no more than 4 vehicle movements exiting or entering the site in any 7 day consecutive period. This latter provision would allow the flexibility for vehicles to get early batches of tarmac from plants at either Norwich or Peterborough and return later to cater for seasonal demand.

The applicants inform that there are times when they have to undertake a particular job on a Saturday for example the re-surfacing of a works car park that is full of cars Monday to Friday. This is proposed to be limited to 25 Saturdays per year.

The use would not operate on Sundays and Bank Holidays.

These measures are proposed to be covered by a Unilateral Undertaking under Section 106 of the Town & Country Planning Act 1990, which the applicants are willing to enter and a draft is tabled as part of this application.

The Agent has been working with CSNN and our legal advisor in an attempt to negate the disturbance by restricting the hours of operation and contain this in the UU. The matter has however been reviewed in conjunction with Government advice which indicates that LPAs should be more flexible with operating hours and not impose tight restrictions on enterprises especially in response to the global pandemic in line with the Business & Planning Act. The restrictions proposed, albeit self-imposed, would for example stop expansion of the business in terms of HGVs and staff. There is every likelihood that this agreement would need to be modified going forward, which brings into question its appropriateness. CSNN remain concerned about the suitability of operating on Saturdays and the impact that would have on the residents of the proposed dwelling.

Plus there are concerns raised by our Enforcement Team as to the enforceability of the UU which would involve any breach to be addressed by an injunction. The obligation could potentially lead to unrealistic expectations of local residents and/or complaints from competitors. The Council does not have the resources to monitor and undertake the gathering of tangible evidence to support an application for an injunction.

Contrary to the claims made by the applicant, we are not aware that our legal advisor has confirmed that the UU is enforceable.

In the absence of any practicable means of reducing the impact of the adjoining commercial use on the adjoining land, it must be concluded that the residential amenity afforded to the new dwelling would not be at an acceptable level in accordance with the previous appeal decision, and the proposal would not therefore accord with the provisions of Paragraphs 127, 170 & 182 of the NPPF, Policy CS08 of the LDF and Policy DM15 of the SADMPP.

CONCLUSION

The proposal to remove the occupancy condition tying the dwelling and annexe to the adjoining commercial business known as Supreme Surfacing Ltd, is not considered to be acceptable. The property would not have a level of residential amenity that would be acceptable in compliance with the provisions of Paragraphs 127, 170 & 182 of the NPPF, Policy CS08 of the LDF and Policy DM15 of the SADMPP.

The application is therefore duly recommended for refusal.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 To remove the occupancy condition tying the dwelling to the adjoining commercial yard operated by Supreme Surfacing Ltd, without operational restrictions, could significantly impact upon the residential amenity of future occupiers to a level that would be unacceptable. This would fail to accord with the provisions of paragraphs 130, 170 & 182 of the National Planning Policy Framework (2019), Core Strategy Policy CS08 of the Local Development Framework (2011) and Policy DM15 of the Site Allocations & Development Management Policies Plan (2016).



DEVELOPMENT SERVICE
RECEIVED

04 APR 2017

Appeal Decision

Site visit made on 22 March 2017

by **Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4th April 2017

Appeal Ref: APP/V2635/W/16/3163079

Meadow View, Black Horse Road, Clenchwarton, PE34 4DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr and Mrs Statham against the decision of Borough Council of King's Lynn and West Norfolk.
- The application Ref 16/01478/F, dated 11 August 2016, was refused by notice dated 10 October 2016.
- The application sought planning permission for construction of dwelling and change of use of existing bungalow into offices, meeting room and staff facilities related to existing associated servicing and ground works business without complying with a condition attached to planning permission Ref 16/00395/F, dated 2 August 2016.
- The condition in dispute is No 8 which states that: *The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working in the associated surfacing and groundworks business, or a widow or widower of such a person, and to any resident dependants.*
- The reason given for the condition is: *Given that the new dwelling would lie within a collection of business uses and buildings, its use as an independent dwelling would be significantly affected in terms of residential amenities; and to accord with the provisions of the NPPF, Core Strategy Policy CS08 and emerging Policy DM15 of the SADMPD.*

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the condition restricting the use of the accommodation is reasonable or necessary having regard to the effect upon living conditions of future occupants in respect of privacy, noise and disturbance.

Reasons

3. The appeal site currently consists of a bungalow located in the countryside which is accessed via a long track from Black Horse Road. The approved dwelling would be 2-storey in height with 5 bedrooms and it has been designed to reflect the rural character of the area. The development would be located in the existing garden area of the bungalow, positioned at right angles to this. The new dwelling would effectively replace the existing bungalow; this would be retained and would become an office as part of an existing groundworks business which operates from the site.
4. Due to the proximity between the existing bungalow and the new dwelling, there would be a close relationship between these properties. The positioning,

layout and design of the new dwelling would mean that there is a significant degree of overlooking between the two properties. In particular, there would be a severe loss of privacy for future occupants as direct views from the bungalow would be gained to the north-west elevation and into the lounge, as a main habitable room.

5. Furthermore, the approved plans indicate that there would be a shared parking area serving both the offices and the new dwelling. At my site visit I saw that a number of vehicles currently use this area for parking and while no specific details of the nature and operation of the business have been provided, I consider that the nature of and proximity of this shared space would be highly likely to give rise to noise and disturbance due to the comings and goings of vehicles associated with the business. I am also mindful that the dwelling would face out towards the access track, thus further compounding the harm from noise and disturbance and loss of privacy.
6. I note that the existing business does not have any restrictions in terms of hours of operation and such impacts could therefore occur during anti-social hours and during the weekend, in addition to any typical Monday-Friday working. While such operations would be acceptable to any occupants associated with the business, I consider that the use of the new dwelling independently of the business would not be compatible.
7. The current bungalow is not currently tied to the existing business and it is understood that there was an agricultural occupancy condition attached to the bungalow which was removed in 2012. However I do not have full details of the circumstances which led to this being accepted. In any case, from my observations made on site and based on the information before me, the current arrangement in respect of the bungalow and business are relatively separate and as such, would not harm the living conditions of occupants.
8. The appellants also submit that the condition would prevent the commercial viability of the business changing ownership in the future and places unfair restrictions onto the investment of the dwelling. However, there is no evidence before me in respect of such claims and in any case, this would be unlikely to outweigh the harm I have identified.
9. Overall I consider that the occupation of the dwelling independently of the existing business would cause harm to living conditions of future occupants due to loss of privacy and noise and disturbance. This would not accord with Policy CS08 of the King's Lynn and West Norfolk Borough Council Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016). These policies seek to secure sustainable design and resist proposals which would have a significant adverse impact upon amenity. I therefore conclude that the disputed condition is necessary and reasonable.

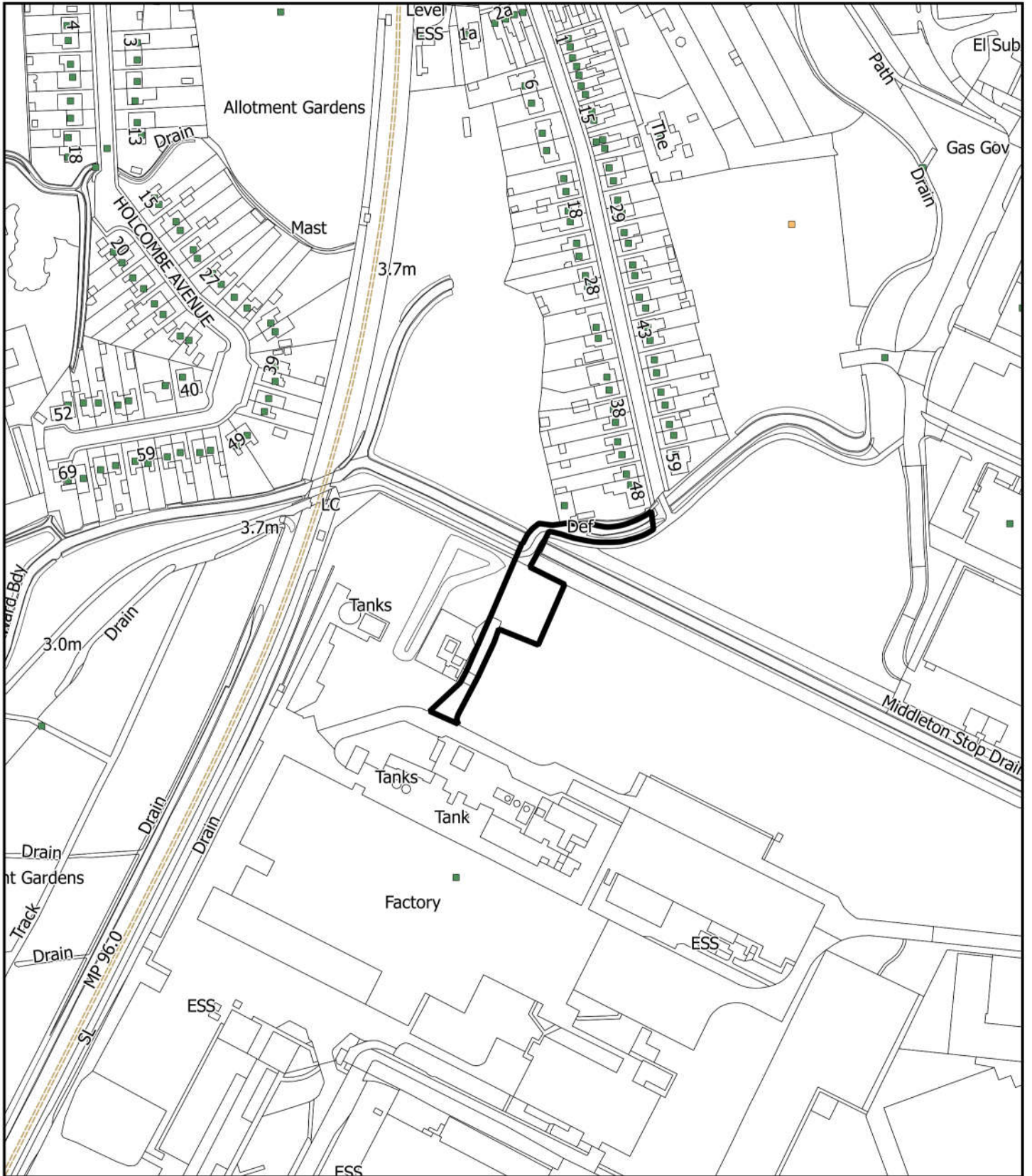
Conclusion

10. For the reasons given above, taking into account all other matters raised, I conclude that the appeal should be dismissed.

C Searson
INSPECTOR

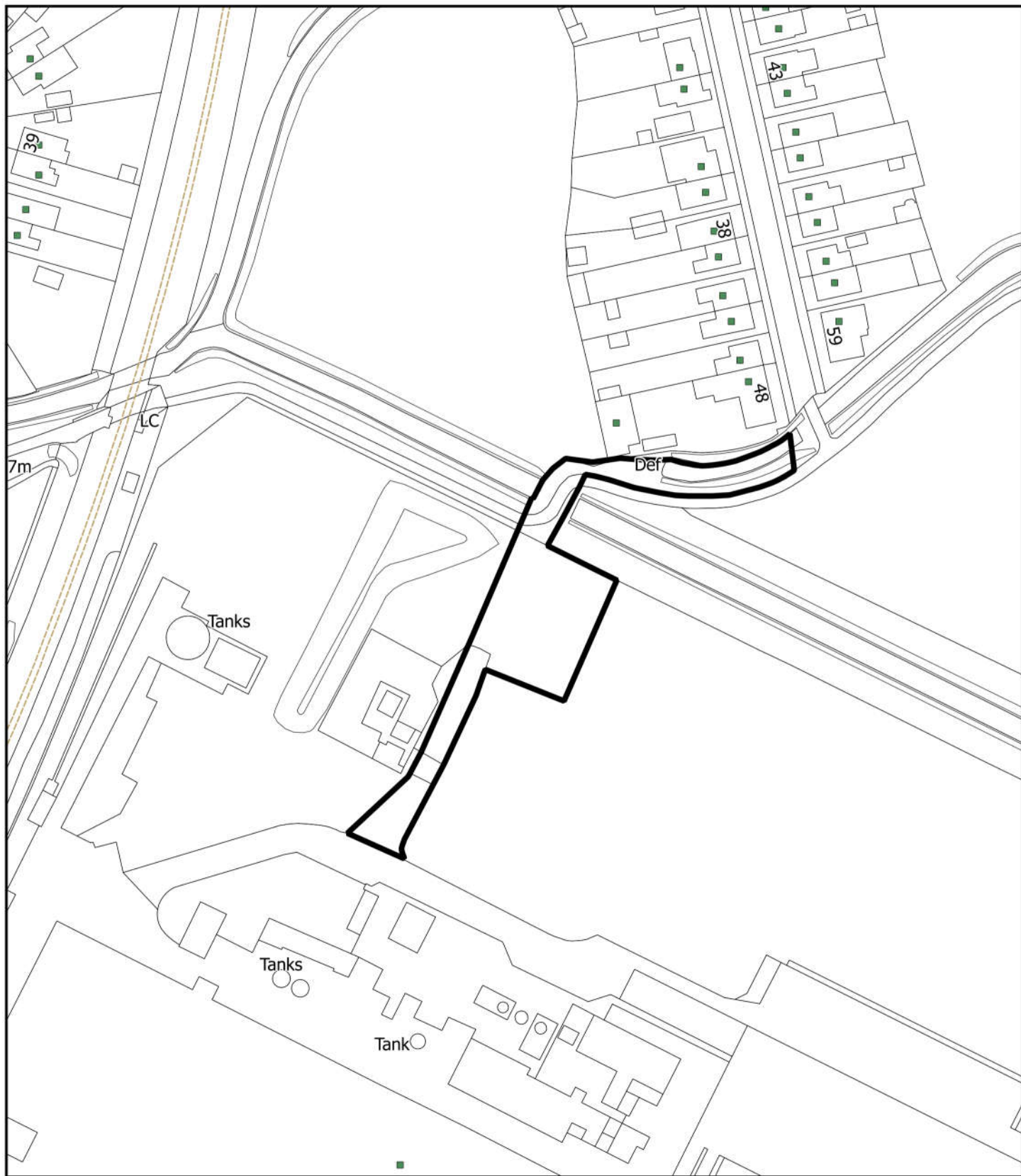
20/00634/F

Mars Foods Ltd Hansa Road Hardwick Industrial Estate Kings Lynn



20/00634/F

Mars Foods Ltd Hansa Road Hardwick Industrial Estate Kings Lynn



Parish:	King's Lynn	
Proposal:	The culverting of approximately 34 metres of a riparian watercourse using a 900 mm diameter pipe on the northern boundary of the site	
Location:	Mars Foods Ltd Hansa Road Hardwick Industrial Estate King's Lynn	
Applicant:	Mars Foods Ltd	
Case No:	20/00634/F (Full Application)	
Case Officer:	Mrs H Morris	Date for Determination: 14 July 2020 Extension of Time Expiry Date: 6 November 2020

Reason for Referral to Planning Committee – Called in by Cllr Hudson

Neighbourhood Plan: No

Case Summary

The application site is situated on the south side of King's Avenue, King's Lynn, and comprises a drainage ditch and part of the compound of an industrial building.

The application seeks full planning permission to culvert a 34m stretch of ditch which runs along part of the northern boundary of land owned by Mars Food (UK) Limited. The proposed culverting is required because settlement of the north bank of the ditch is causing the neighbouring residential property immediately to the north (No.48 Kings Avenue) to experience settlement of its external hard and soft landscape.

The application site is set within the development boundary of King's Lynn.

Key Issues

The key issues in the consideration of this application are:

- * Principle of development;
- * Form and character;
- * Impact on amenity;
- * Ecological impact; and
- * Other considerations.

Recommendation

APPROVE

THE APPLICATION

The application site is situated on the south side of King's Avenue, King's Lynn, and comprises a section of drainage ditch and part of the compound of an industrial building.

The application site is set within the development boundary.

The application seeks full planning permission to culvert approximately 34 metres of the drainage ditch between King's Avenue, King's Lynn and the Middleton Stop Drain using a 900 mm diameter pipe. The agent has submitted a structural survey which has identified subsidence at the edge of the garden adjacent to the stream which has been caused by the passage of water over time slowly eroding the north bank of the ditch.

There is an existing footpath / cycleway to the south of the ditch which is outside the application site red line area.

SUPPORTING CASE

The works for planning application reference, 20/00634/F, relate to culverting a 34m stretch of ditch which runs along part of the northern boundary of the land owned by Mars Food (UK) Limited. The property immediately north of this stretch of ditch has experienced settlement of its external hard and soft landscape and it has been determined that the cause is related to settlement of the north bank of the ditch which separates the property at No. 48 Kings Avenue Kings Lynn and the Mars Food (UK) Limited site.

Having been brought to the attention of Mars, an independent survey of the property was initiated in February 2019, which confirmed that various issues were evident along its southern boundary. There is progressive movement/settlement of paved surfaces along this elevation of the property with block paving and concrete surfacing having suffered settlement by an estimated 200-250mm. A brickwork pier and gate in this location have also been rebuilt and rehung twice, prior to the survey taking place. Similarly, a timber fence along the boundary has been rebuilt on at least 2 occasions. There is a hedge to the southern boundary of the property in very poor condition; the ditch and slippage of the bank having exposed the roots of the hedge.

Review of the cause of the settlement suggests that maintenance works to clear the ditch has gradually caused a loss of soil between the water in the ditch and the narrow stretch of land adjacent to the property.

As a result, passage of water over time has slowly eroded the bank adjacent to the property. There is very little space between the top of the north bank and the boundary to the property, less than 3m.

Mars consulted with the Kings Lynn Drainage Board to determine a suitable method for stabilizing the bank. It was concluded that the most suitable method would be to culvert the stretch of ditch adjacent to the property, running 34m between headwalls at each end of this section. The Drainage Board advised that a consent would be needed under their byelaws and Peter Dann Limited were engaged to agree the technical aspects of the works and make an application for consent. A consent was granted by the Drainage Board on 2nd December 2019.

Peter Dann approached the Borough of Kings Lynn and West Norfolk Planning Department early this year to establish whether the culverting works would require a planning application to be submitted. This was confirmed as a requirement and a planning application was

submitted on 30 April 2020. During the consultation period, the Planning Officer advised that an ecology report should be sought to support the application and duly, Mars appointed Norfolk Wildlife Services (NWS) to undertake this work. NWS have supported Mars in recent years with previous ecological work at their site in Kings Lynn and data was available from those surveys to support and target the survey required for this application. NWS surveyed this stretch of ditch for Mars as part of a wider ecological assessment of their site back in 2017.

The survey report was submitted to the Planning Department in August 2020. The report found the ecological impact of the work to not be significant and the residual impacts with mitigation were anticipated to be neutral. However, a water vole presence was discovered along the ditch, albeit only 1 or 2 water voles using the southern bank. The works would result in the disturbance to water voles and would need to be completed under a water vole disturbance licence (CL31) which is issued by Natural England.

Subsequently, a review of the ecology was undertaken with the Planning Department to address several matters which arose out of the report. A summary of those points and NWS's response is as follows:

- The potential impacts to water voles have been assessed against the standing advice from Natural England (NE), in relation to their protection under Schedule 5 of the Wildlife & Countryside Act 1981.
- The Natural England advice is firstly to avoid works to areas where there are water voles. It is not possible for the works to avoid where water voles are present unless the works to stabilise the bank are not carried out. Otherwise, any works to stabilise the bank will likely have some impact to water voles using the drain. Not carrying out the works is also likely to impact on the quality of the drain, with long term implications for water voles. The survey found there were no water vole signs opposite an area of bank which had collapsed.
- Natural England advice is secondly to avoid habitat fragmentation and isolation. No habitat fragmentation is anticipated, as there were no signs of water voles beyond the section to be culverted. The water will still flow through the culvert, and so it will not be a barrier to aquatic species, and the hedge will be retained to provide terrestrial connectivity. The loss of this short section of drain does not, in the opinion of NWS, lead to any significant habitat fragmentation for water voles, as they will still be able to move through the landscape along the main drain network.
- Natural England advice is thirdly to limit damage to water vole habitat. The proposed method is the preferred option by the IDB. The works will only impact on the section of drain to be stabilised. Water voles were only found to be using one of the banks within the targeted section of drain. There will be displacement, but it is anticipated to affect only 1 or 2 water voles, and this displacement will be back to within their existing territories (not onto unfamiliar habitat). The loss of this section of drain is predicted to have a minor impact as water voles will still be able to use the main drain. The loss of this drain is deemed as not significant.
- Works to displace the water voles will need to be completed under a mitigation licence. The applicant will need to demonstrate that the mitigation measures ensure a favourable conservation status for water voles after the conclusion of works. Due to the restrictions on site, it is not possible to implement mitigation adjacent to the drain. Proposed mitigation is a suitable financial contribution to the local mink control project, which will benefit water voles throughout the district. Natural England will not issue the licence unless the applicant can demonstrate the mitigation will benefit the conservation status of water voles; it is assured that a suitable mitigation strategy will be agreed before the works commence.

It is concluded that the displacement of the water voles to facilitate work to culvert the ditch and stabilise the external landscape of the property at No.48 Kings Avenue is reasonable and appropriate without significant impact to the local water vole population.

PLANNING HISTORY

16/00862/F: Application Permitted: 30/06/16 - Variation of condition 2 of planning permission 14/01390/FM to change approved drawings

14/01390/FM: Application Permitted: 23/12/14 - Single storey extension to the main building

10/01540/F: Application Permitted: 05/11/10 - Extension of existing production facility and relocation of the cold store

10/01183/F: Application Withdrawn: 27/08/10 - Extension of existing production facility to increase working space and relocation of cold store

10/01540/DISC_A: Discharge of Condition final letter: 26/11/10 - DISCHARGE OF CONDITION NUMBERS 3, 4 AND 5: Extension of existing production facility and relocation of the cold store

07/02617/F: Application Permitted: 13/02/08 - Additional pallisade fencing & gates

2/03/1396/F: Application Permitted: 01/09/03 - Additional security fencing 1.8 metres & 2.1 metres high

11/00940/F: Application Permitted: 22/07/11 - Extension of existing production facility and relocation of the cold store - Variation of condition 2 of planning permission 10/01540/F

2/01/1774/F: Application Permitted: 04/01/02 - Extension to create production storage and distribution areas

CONSULTATIONS

Local Highway Authority: NO OBJECTION.

Water Management Alliance (IDB): NO OBJECTION.

Natural England: NO OBJECTION. Natural England agree that the proposal is unlikely to result in a significant effect to designated sites, specifically the River Nar which is situated approximately 1.3km from the development boundary.

REPRESENTATIONS

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS12 - Environmental Assets

CS03 - King's Lynn Area

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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

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

National Design Guide 2019

PLANNING CONSIDERATIONS

The key issues in the consideration of this application are:

- Principle of development;
- Form and character;
- Impact on amenity;
- Ecological impact; and
- Other considerations.

Principle of Development

The application site lies within the development boundary for King’s Lynn and seeks full planning permission to culvert a 34m stretch of drainage ditch which runs along part of the northern boundary of land owned by Mars Food (UK) Limited. The proposed culverting is required because settlement of the north bank of the ditch is causing the neighbouring residential property immediately to the north (No.48 Kings Avenue) to experience settlement of its external hard and soft landscape.

The principle of development is generally considered acceptable in this case provided the proposal complies with all relevant planning policies.

Form and Character

Although the proposal would have some visual impact by virtue of the backfilling of the ditch, the dug material would be compacted and laid to match existing ground levels with a top soil

finish to match existing landscaping. The existing hedgerow along the northern bank of the drainage ditch will be retained. It is therefore considered that there would be minimal visual harm as a result of the proposal.

Impact on Amenity:

The only immediate adjoining residential property is No.48 Kings Avenue which is the property currently experiencing settlement of its external hard and soft landscape due to the settlement of the north bank of the ditch. The proposed development would therefore have no detrimental impact on the amenity of residential properties. On the contrary, the culverting is proposed in order to rectify the current situation for No.48 Kings Avenue and would therefore result in a benefit for this property.

Ecological Impact

The applicant has submitted an Ecological Report prepared by Norfolk Wildlife Services that identifies water voles within the section of drain to be culverted between the Middleton Stop Drain and footbridges. No signs were found along the adjacent section of drain beyond the proposed works area. Water vole signs, including two adult water voles, were seen on the Middleton Stop Drain.

In order to carry out the proposal, a licence will be required from Natural England to displace water voles for development works.

Water voles and their habitat are protected by Schedule 5 of the Wildlife & Countryside Act 1981, and Natural England Standing Advice states that any development proposal affecting water voles should avoid negative effects by:

- avoiding works to areas where there are water voles;
- avoiding habitat fragmentation and isolation by ensuring connectivity of habitat; and
- limiting damage to water vole habitat.

If this isn't possible, mitigation measures should be used to reduce the impacts by habitat manipulation – encouraging them to move to a connected habitat.

In relation to the above points referred to in the standing advice, in this case it is not possible to avoid any impact on water voles. Water voles are only currently using the one bank, that is there are only burrows on the southern side, there are none on the northern bank that is slipping. The alternative to the proposed culverting would be to do nothing but not only is this not an option given the current impact on the neighbouring residential property, doing nothing could also lead to continued deterioration of the ditch and the potential loss of the drain which would likely have a more significant impact on the water vole habitat.

The proposed culverting won't result in fragmentation of the water vole habitat given that the other side of the bridge is less suitable for them and there is not sufficient suitable vegetation. There will be displacement but this will only affect 1 or 2 water voles and they will only be displaced to another part of their existing habitat i.e. they will be moved from the edge of their existing habitat into the middle of the main drain. Furthermore, although 34m of drain is proposed to be culverted, it is only 17m of existing water vole habitat that would be affected by the proposal. The culvert will still have water flowing through therefore the ecologist has advised this is still a habitat of sorts, particularly given it is already a heavily disturbed area adjacent to a footpath / cycleway.

A licence from Natural England will be required to displace the water voles and due to the confines of the site, it would not be possible to provide new or compensatory habitat on site

for them. It is therefore proposed that the mitigation requirement for the licence would be achieved through a donation to the Norfolk Mink Control Project, of which the King's Lynn Drainage Board is a partner. It has been advised within the submitted Ecology Report that the size of this donation will be equivalent to the costs associated with digging the 34m replacement section of drain. This is considered an appropriate approach as impacts are only to part of a territory and there is no fragmentation of the water vole population. This sponsoring of the Norfolk Mink Control Project should provide a sufficient conservation gain for water voles and will be a requirement of the Natural England licensing process. Further mitigation measures are set out within the submitted Ecology Report which include the timing of works and a wildlife-sensitive lighting scheme during construction.

Planning permission is required before the applicant can apply for the Natural England licence and it is under the licence process that any donation to the Norfolk Mink Control Project would be secured. It is therefore not considered necessary in this case for the local planning authority to secure the donation, particularly given Natural England have raised no objection to the application and have not specified any requirement for a financial contribution. It is however recommended that a more general condition is imposed requiring the development to be carried out in accordance with the mitigation measures set out in paragraph 5.2 of the submitted Ecological Report which includes the timings of works and the wildlife-sensitive lighting scheme.

Overall this application seeks to propose the best solution with least ecological impact. Any works to stabilise the bank will affect water voles to some degree and as advised previously, given the current impact on the neighbouring residential property, doing nothing really isn't an option in this case and would also be likely to lead to more significant impacts on the water vole habitat. It is therefore considered that the proposal is acceptable in terms of its impact on protected species.

Other Considerations:

There are no other material considerations relevant to this application.

CONCLUSION

The proposed culverting is required in order to stop further subsidence to the residential property to the north of the drainage ditch. The proposal would have minimal visual impact and although there will be some impact on the existing water vole habitat, this can be suitably mitigated. It is therefore considered overall that the scheme put forward is the best solution for the site with the least ecological impact. The proposal is therefore considered to comply with all relevant national and local planning policies and guidance.

RECOMMENDATION:

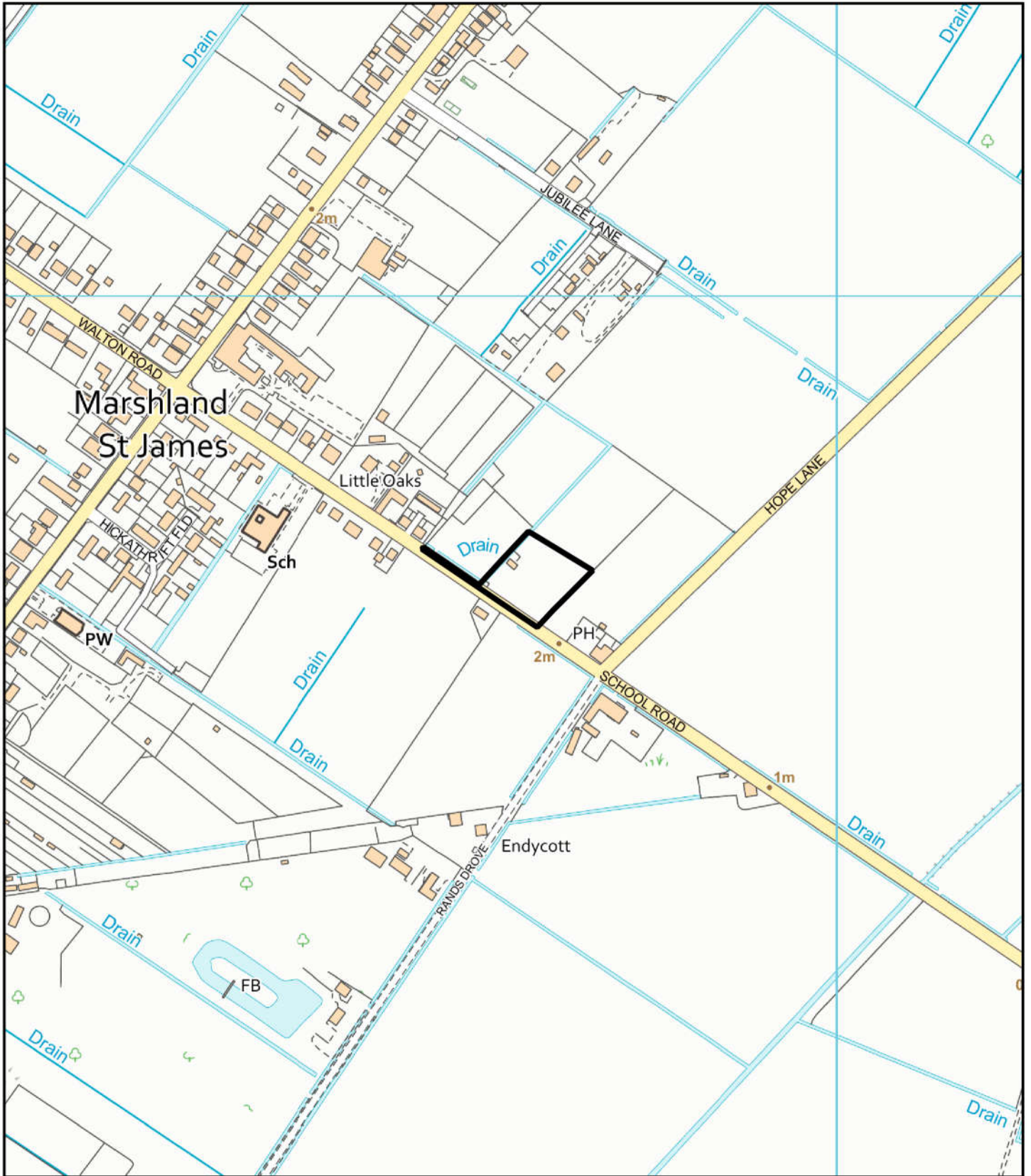
APPROVE subject to the imposition of the following condition(s):

- 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:

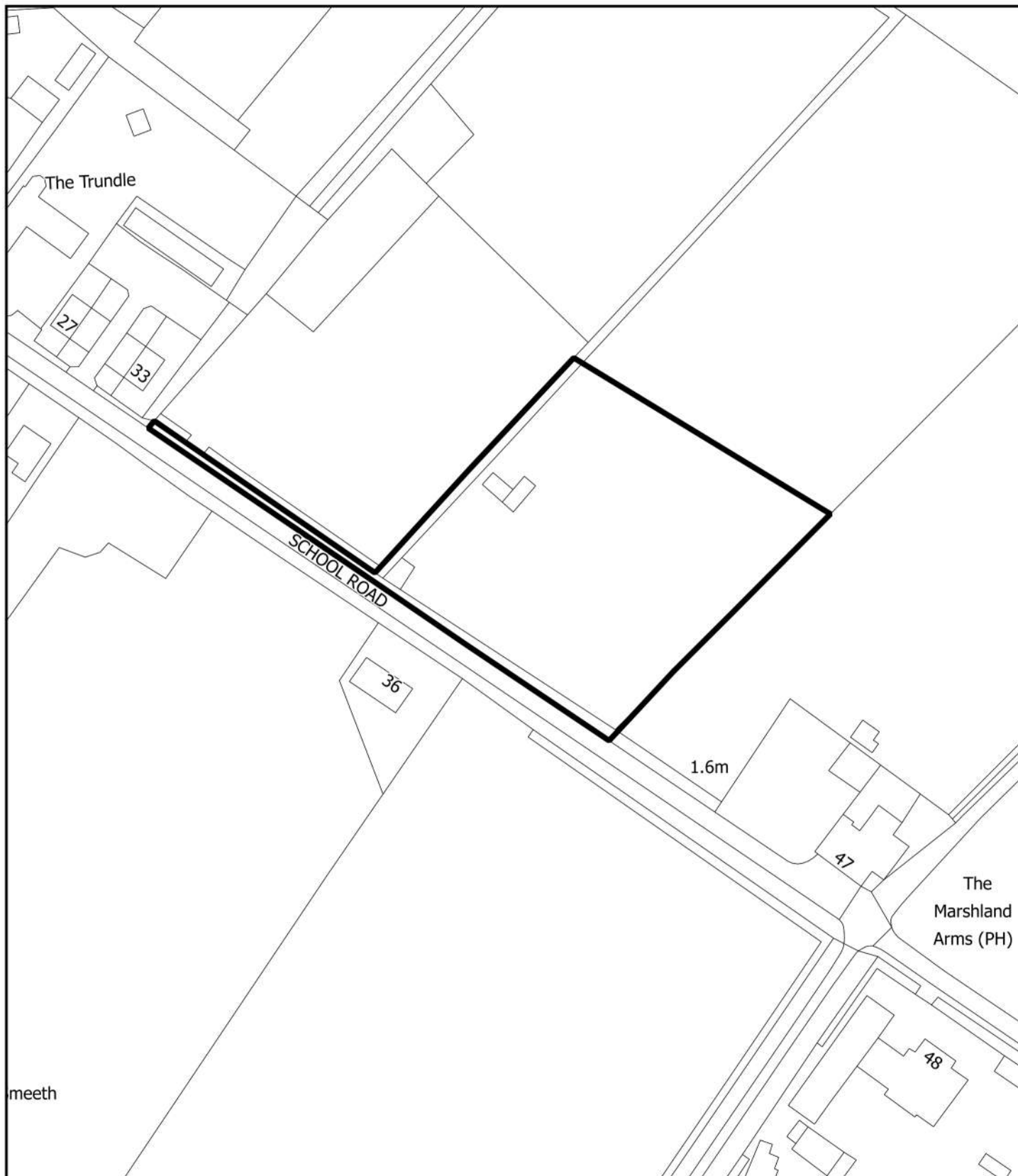
ZZ-DR-C1000 Rev PL2
ZZ-DR-D2000 Rev PL1
ZZ-DR-D2030 Rev PL1

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in section 5.2 of the submitted Ecological Report prepared by Norfolk Wildlife Services dated 17th June 2020.
- 3 Reason: In the interests of protected species and to accord with the provisions of the NPPF (2019).

Land N of 36 School Road Marshland St James



Land N of 36 School Road Marshland St James



Parish:	Marshland St James	
Proposal:	OUTLINE SOME MATTERS RESERVED: Proposed residential development	
Location:	Land N of 36 School Road Marshland St James Norfolk	
Applicant:	C/o Agent	
Case No:	20/01231/O (Outline Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 16 October 2020 Extension of Time Expiry Date: 6 November 2020

Reason for Referral to Planning Committee – Called in by Cllr Brian Long

Neighbourhood Plan: No

Case Summary

This application involves a 0.5Ha parcel of paddock land on the north-eastern side of School Road approx. 330m from the Hickathrift crossroad junction with Walton Road and Smeeth Road. It has a road frontage of some 69m and depth of 70-74m. Outline permission is sought for residential development with all matters reserved bar access. An indicative plan has been submitted showing the provision of 4 dwellings.

The site lies outside the defined village development boundary and within Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment.

Key Issues

- Principle of development
- Highways and access
- Other material considerations

Recommendation

REFUSE

THE APPLICATION

This application involves a 0.5Ha parcel of paddock land on the north-eastern side of School Road approx. 330m from the Hickathrift crossroad junction with Walton Road and Smeeth Road. It has a road frontage of some 69m and depth of 70-74m. It contains stable buildings and has vehicular access onto School Road.

Outline permission is sought for residential development. All matters are reserved for further consideration with the exception of the means of access which is to be determined at this stage. An indicative site layout plan shows 4 individual access points onto School Road serving four equal plots of approx. 15.5m in width. Vehicular access to the paddock land to the rear of the site would be created via a new additional access alongside the NW side boundary of the site. New footpath provision is also indicated across the front of the site, together with road widening to create a 5.5m wide carriageway which also extends north-westwards across the frontage of the adjoining site and beyond in front of Nos. 31 & 33 School Road.

The site lies outside the defined village development boundary and within Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment.

The application is accompanied by a Design & Access Statement and a Flood Risk Assessment.

SUPPORTING CASE

The following statement in support of this proposal is submitted by the agent:

“There is continuous residential development located to the north of the site and the proposed housing allocation MSJ1 is immediately opposite the western aspect of the site.

The site cannot be considered as being within an isolated countryside location as per paragraph 79 of the NPPF. There is continuous residential development located on both sides of the highway to the north of the site and the proposed housing allocation MSJ1 is immediately opposite the site. This site is the preferred option currently.

Paragraph 11 of the NPPF states that there is a presumption in favour of sustainable development.

The site lies within Flood Zone 1 of the adopted Level 2 SFRA and is therefore in a sequentially preferable location in terms of flood risk.

Marshland St James/St John's Fen End with Tilney Fen End is identified as a Key Rural Service Centre within the Draft Local Plan. As per policy LP02, Key Rural Service Centres 'help to sustain the wider rural community. It further states that the Council will seek to maintain and enhance facilities to support this function.

The proposal will also bring increased benefits to the area by means of CIL and Council Tax Income which will be paid in perpetuity.

In terms of social benefits, the proposal will integrate the existing housing to the South East of the site with the remainder of the village. This will help to support the community as a whole and will promote the social objective as set out in paragraph 8 of the NPPF.

The proposal will bring economic benefits by reason of local expenditure and creation of employment and purchasing of local materials during the course of construction, thereby meeting the economic objective as set out in paragraph 8 of the NPPF.

The proposal also provides a significant benefit by means of the installation of a public footpath across the site frontage which links up to the existing footpath network. This will link the Marshland Arms (which is now a dwelling) with the remainder of the village. One of the reasons for the refusal of the previous application was that the Highways Officer felt

there was not enough room for the road widening and footpath. We now have the landowner of the adjacent plot of land in agreement and a separate application is submitted for that site which overcomes this reason for refusal.

The site is located within 150m of the primary school giving even more weight on this being an ideal location for residential development.

The proposal also includes the relocation of the 40mph speed sign so that all existing and future occupiers along School Road, including the new housing allocations, will benefit from reduced traffic speeds which promotes good levels of residential amenity and highway safety. The development therefore complies with policy 17 of the SADMPP.

The development will allow for enhanced landscaping within the site, promoting ecology and biodiversity within the area as well as improving visual amenities in general. The proposal therefore meets the environmental objective as set out in paragraph 8 of the NPPF.”

PLANNING HISTORY

Frontage of land to the immediate NW which is part of this application site area:

19/01907/O: Application Permitted: 07/02/20 - Outline application: Proposed residential development (Committee decision)

RESPONSE TO CONSULTATION

Parish Council: OBJECT – the site is outside the development boundary for the village; School Road is a narrow unclassified road which is inadequate to serve this development.

If this application is approved against the decision of the Parish Council we would like the following conditions to be placed on any approval: a footpath along the front of the site; a full ecological survey to be done on the site; and 40mph speed limit on School Road to be extended to beyond the development.

Highways Authority: (Initial response) **HOLDING OBJECTION** - From a highway safety perspective the suitability of the application would be similar to planning application 19/01907/O and ultimately rests with the ability of the development to provide access to accord with the adopted standards and to deliver footway links through to the school together with appropriate road widening to take account of the kerbing requirement for the footway. This would not be achievable as the area of red land to be considered does not provide for sufficient land to build the footway and re profile the ditch to an acceptable manner.

Should however the applicant be able to provide revised plans detailing sufficient land for a robust indicative scheme (taking account of levels and earthworks) together with an appropriate legal agreement, then I would be happy to review such a design. Given that the works for the footway and road widening would also move the access view point further into the site, I would also recommend that the applicant be asked to provide a plan to demonstrate that sufficient visibility splays for the accesses will be achieved.

(Revised plans): The amended plans are now acceptable in relation to highway safety, provided you are ultimately satisfied that the legal agreements would be in place prior to start of construction on site.

King's Lynn Drainage Board: COMMENTS - relating to byelaw issues, foul and surface water drainage details.

Environmental Health & Housing – CSNN: No comments received at time of writing however suggested conditions on the immediately adjoining site (ref: 19/01907/O) relating to foul & surface water drainage details, construction management plan, hours of construction; plus informative notes regarding Environmental Protection Act, Soakaways, and noise, dust & smoke from construction work.

Environmental Health & Housing – Environmental Protection: NO OBJECTION but suggests condition relating to unexpected contamination

Environment Agency: NO OBJECTION

District Emergency Planning Officer: NO OBJECTION suggests that occupiers should sign up to the EA flood warning system and a flood evacuation plan produced.

REPRESENTATIONS

Cllr Brian Long:

“As ward member I consider that the site is favourable to the allocated site and has a better risk of not flooding as sites higher than adjacent site.”

ONE item of correspondence received neither **OBJECTING** nor **SUPPORTING** but raising the following comments:

- Road not good enough for new houses and the sewer would need extension to Hope Lane and it would need more street lighting and a path at the front of plots back to the existing path already in School Rd. Also traffic when School times is absolutely manic now without adding to it. These planning applications are all in the wrong place for the village with the amenities available.
- It's near the school which is full now and has very little car parking facilities only on the road outside.

TWO items of correspondence **SUPPORTING** on the following grounds:

- With established development along School Road this is a much-needed low-density development of just four dwellings. They are within walking distance of the village school and the new village hall. It would also provide a natural balance to the adjacent geographical centre of the village. This development will include enhanced landscaping within the site, which will improve the ecology and biodiversity, but improve visual amenities in general.
- Marshland St James has welcomed growth over the past few years and this site is the perfect location for balanced expansion. Other benefits will include CIL revenue and Council Revenue in perpetuity.
- Being close by to this development, I feel it would be very good. Currently the land is not really being used and would be much better with executive homes. I don't think an abundance of houses would be good but 5-10 between the current properties and the old pub (which I believe was also trying to be converted into residential accommodation) would bring a balance to the village. While there may have been objections about the

road, I do not agree. I think the addition of a footpath and extending the 30mph speed limit to the village boundary will actually be better for the school and add a possible area where cars can park safely rather than on the side verge.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

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

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

The key issues in assessing this application are considered to be as follows:

Principle of development
Highways and Access
Other material considerations

Principle of development

The Borough Council Local Plan currently comprises the Core Strategy (CS) (2011) and the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

Marshland St. James is presently classed as a Rural Village in the Borough Council's adopted Local Plan. The site itself is located outside of the development boundary, as indicated by Inset G57 on page 289 of the SADMPP. This shows the village development area terminating at the SE side of 'Little Oaks' which is some 170m to the NW of the application site; however during the period when the Council could not demonstrate a 5 year supply of housing land two pairs of semi-detached houses (Nos. 27-33 School Road) were

built on the parcel of land 67m away from the application site extending the built up area. This has prospectively been further extended by outline permission granted for 4 plots to the immediate NW of this current site (planning application ref: 19/01907/O). This site nevertheless lies beyond the current built-up area on the NE frontage of School Road, it is outside the development area of the village and forms part of the countryside.

Policy DM2 – Development Boundaries states inter alia:

“The areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan...”

This proposal does not fall into the categories which are listed as permitted, and the principal of developing the site is contrary to the provisions of the adopted Local Plan.

The most recent Annual Monitoring Report (AMR) and the Housing Delivery Test Action Plan illustrate that the Borough Council is able to show a land supply in excess of the required amount of five years, with the position currently being 6.97 years' worth of supply. Members will note that since the 5 year supply of housing land shortfall in 2015-16, there have been almost 100 dwellings approved in the village, which is significantly in excess of the 25 units on allocated sites in the SADMPP (Policies G57.1 & G57.2).

The Council is currently in the process of reviewing its Local Plan (both CS & SADMPP). This will look beyond the current plan period (2026) a further 10 years to 2036. A draft version of the Local Plan Review was published in 2019 for public consultation. Significance is drawn by the agent to the proposed allocation site on the opposite side of School Road (MSJ1) in the draft Local Plan Review. However, a second draft of the Plan is currently being drawn up and the decision has taken that based on housing targets, delivery and existing allocations that there is not a need to allocate any additional sites within the village. The only allocations will be those currently in the adopted Local Plan. It should be noted however that this is an ongoing process and, given it is at an early stage any draft proposals, should currently carry minimal weight in the decision-making process.

It could also be argued that the intended 4no. substantial open market plots would not make a significant contribution towards local housing demands for smaller, more affordable units. There is also no affordable housing to be provided as part of the scheme, and so there would not be any such benefit there either.

It is recognised that permission has recently been granted on the adjoining site to the NW (planning application ref: 19/01907/O), however that proposal was clearly contrary to policy and contrary to officer recommendation. There remains no planning justification to support this proposal.

The proposal would be unjustified consolidated development and therefore be harmful to the character and appearance of the countryside, contrary to the provisions of the NPPF, Core Strategy Policies CS01, CS02, CS06 & CS08 of the LDF (2011) and Policies DM1 & DM2 of the SADMPP (2016).

Highway and Access:

The proposal indicates increasing the carriageway of School Road from 5.0m to 5.5m plus the provision of a 1.8m wide footpath along the road frontage to connect with the proposed network in front of the allocated site for residential development leading up to the school. This involves the frontage of adjoining land (19/01907/O). There is also an intention to relocate the 40mph speed sign so all occupiers along School Road will benefit from reduced

traffic speeds. In highway safety terms the plans are acceptable, however the Local Highway Authority raise concerns regarding landownership and the deliverability of these improvement works as they affect third party land.

In planning terms, the improvement works could be secured via a 'Grampian' style condition. This would secure the details of implementation prior to any development commencing.

However, this is academic as the principle of the development fundamentally fails to accord with the development plan as stated above.

Other material considerations

Flood risk:

The site lies in Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment, which is compatible to accommodate dwellings. A site-specific Flood Risk Assessment has been submitted as part of this application which receives no objection from the Environment Agency. The District Emergency Planner suggests certain measures, as reported in the Consultation section above, which would normally be dealt with via an informative note attached to any permission.

There are no known surface water drainage concerns relating to this specific site.

Form & character, layout and amenity:

This is an outline application seeking consent for the principle of developing the site. Whilst an indicative layout plan has been submitted as part of the application, all these matters (with the exception of access) are reserved for future consideration.

Contamination:

The site contains stable buildings which will need to be demolished in order to develop the site. As a precautionary measure Environmental Protection requests a condition relating to unexpected contamination.

CONCLUSION

The proposal constitutes the development of a parcel of countryside with road frontage development, which would consolidate the built form outside the defined development area of the village, to the detriment of the appearance and character of the countryside. The Borough Council is able to show a land supply in excess of the required five years, with the current position being 6.97 years' worth of supply, and it is not likely that any more allocations will be made for the village. The proposal is therefore not considered to be sustainable development and contrary to the provisions of the NPPF (paragraphs 11, 78 & 170), Core Strategy Policies CS01, CS02, CS06 & CS08 of the LDF and Policies DM1 & DM2 of the SADMPP.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that an application must be determined in accordance with the development plan unless material considerations indicate otherwise. No material considerations have been proposed as part of this application to warrant a decision that is clearly contrary to the aforementioned policies contained within the Development Plan.

This application is therefore duly recommended for refusal.

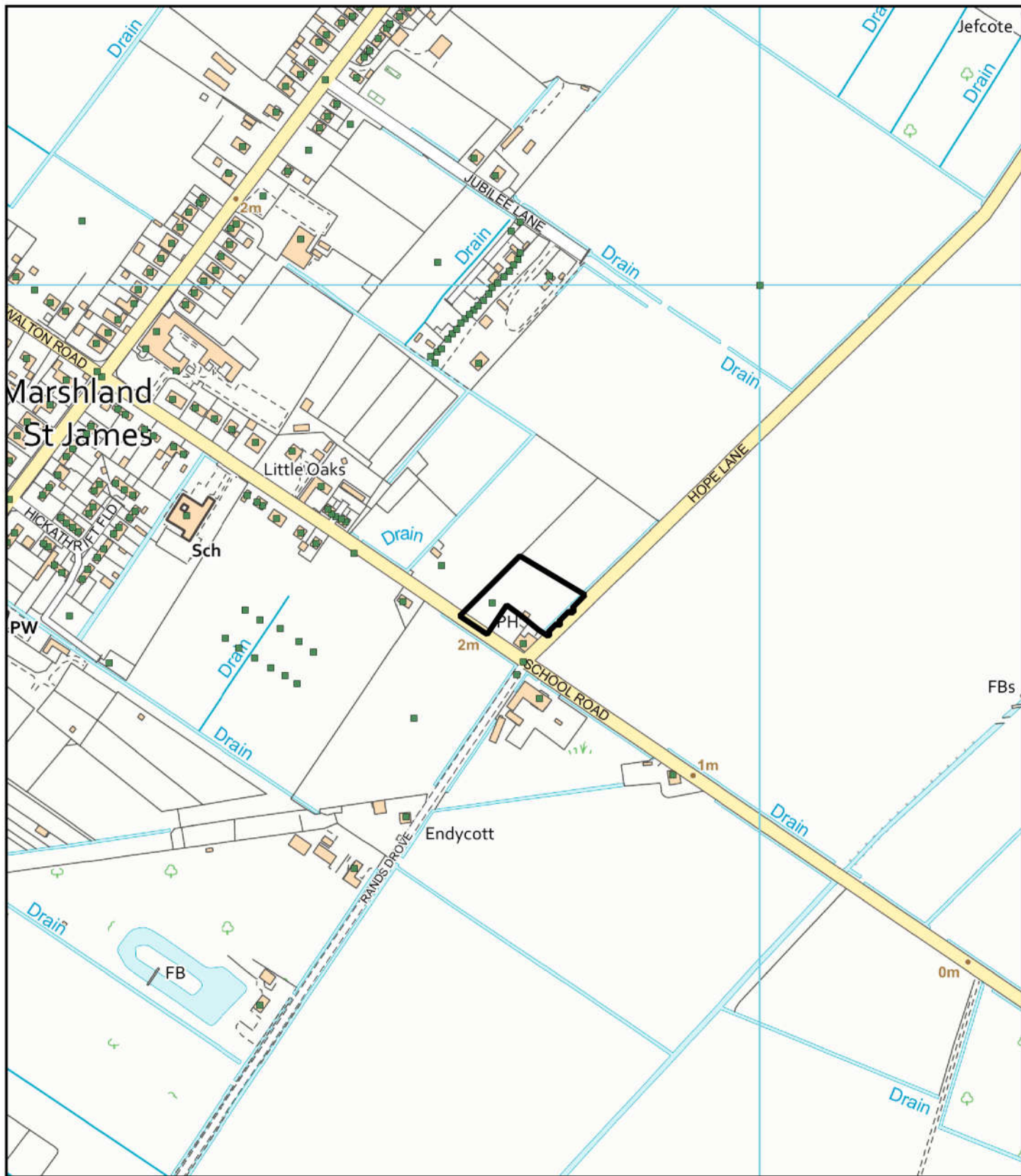
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposal constitutes the development of a parcel of open countryside with road frontage development, which would consolidate the built form outside the defined development area of the village, to the detriment of the appearance and character of the countryside. There are no material considerations to outweigh this in principle policy objection; the proposal is therefore not considered to be sustainable development and is contrary to the provisions of the NPPF (paragraphs 11, 78 & 170), Core Strategy Policies CS01, CS02, CS06 & CS08 of the LDF and Policies DM1 & DM2 of the SADMP.

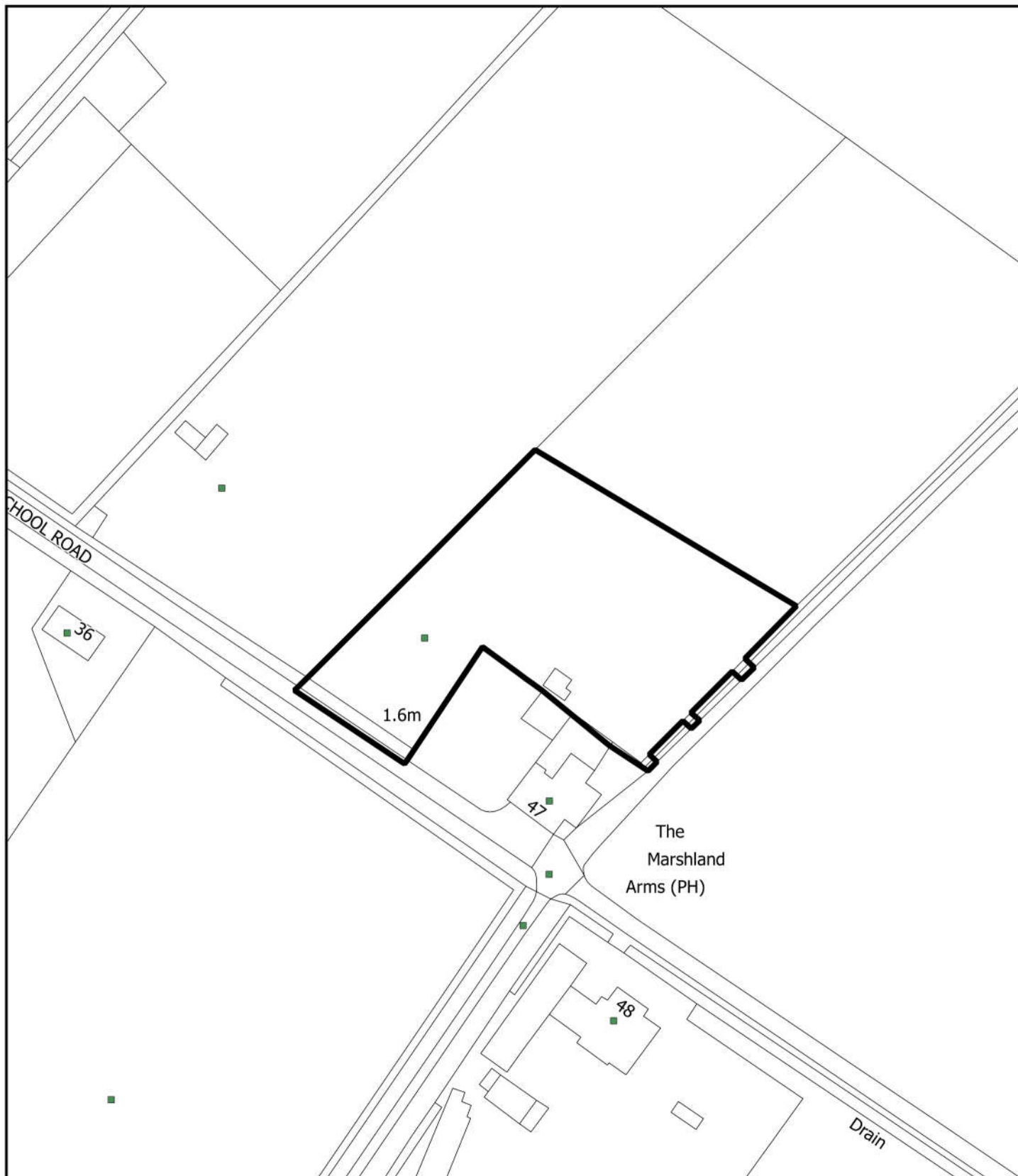
20/01256/O

Land NW of 47 School Road Marshland St James



20/01256/O

Land NW of 47 School Road Marshland St James



Parish:	Marshland St James	
Proposal:	Outline Application: residential development	
Location:	Land NW of 47 School Road Marshland St James Norfolk	
Applicant:	Mr S Riddick	
Case No:	20/01256/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 9 October 2020 Extension of Time Expiry Date: 6 November 2020

Reason for Referral to Planning Committee – Application called in by Councillor Long

Neighbourhood Plan: No

Case Summary

This application involves an approximately 0.4ha parcel of agricultural land on the north-eastern side of School Road. The site wraps around the former pub ‘The Marshland Arms’ from School Road and also fronting on to Hope Lane. Outline permission is sought for residential development with all matters reserved bar access. An indicative plan has been submitted showing the provision of 4 dwellings.

The site lies outside the defined village development boundary and within Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment.

A similar application (19/01906/O) was considered at Planning Committee in June 2020 and was refused. This application seeks to address the reasons for refusal.

Key Issues

- Principle of development
- Highways and Access
- Other material considerations

Recommendation

REFUSE

THE APPLICATION

This application involves an approximately 0.4ha parcel of agricultural land on the north-eastern side of School Road. The site wraps around the former pub 'The Marshland Arms' (now a dwelling) from School Road and also fronting on to Hope Lane. Outline permission is sought for residential development with all matters reserved bar access. An indicative plan has been submitted showing the provision of 4 dwellings.

Outline permission is sought for residential development. All matters are reserved for further consideration with the exception of the means of access which is to be determined at this stage. An indicative site layout plan shows 4 individual plots from a single access onto School Road. One plot fronts onto School Road, and three plots front onto Hope Lane with access and parking to the rear of the dwellings. New footpath provision is also indicated across the front of the site, together with road widening to create a 5.5m wide carriageway.

The site lies outside the defined village development boundary and within Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment.

The application is accompanied by a Design & Access Statement and a Flood Risk Assessment.

Previously a similar planning application (ref- 19/01906/O) was considered by Planning Committee in June 2020 and was refused for the following reasons:

1. The proposal constitutes the development of a parcel of open countryside with road frontage development, which would consolidate the built form outside the defined development area of the village, to the detriment of the appearance and character of the countryside. There are no material considerations to outweigh this in principle policy objection and the proposal is therefore not considered to be sustainable development and contrary to the provisions of the NPPF (paragraphs 11, 78 & 170), Core Strategy Policies CS01, CS02, CS06 & CS08 of the LDF and Policies DM1 & DM2 of the SADMP.
2. The unclassified road, School Road, serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width / lack of passing provision and lack of footway provision. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety. This is contrary to the NPPF and Policy CS11 of the adopted Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Policies Plan 2016.

SUPPORTING CASE

This statement supports the outline planning application for residential development of up to 4 dwellings at land adjacent the former Marshland Arms Public House, School Road, Marshland St James. Only matters of access are committed for consideration at this stage.

There is continuous residential development located to the north of the site and the proposed housing allocation MSJ1 is immediately opposite the western aspect of the site.

The site cannot be considered as being within an isolated countryside location as per paragraph 79 of the NPPF. There is continuous residential development located on both sides of the highway to the north of the site and the proposed housing allocation MSJ1 is immediately opposite the site. This site is the preferred option currently.

Paragraph 11 of the NPPF states that there is a presumption in favour of sustainable development.

The site lies within Flood Zone 1 of the adopted Level 2 SFRA and is therefore in a Sequentially preferable location in terms of flood risk.

Marshland St James/St John's Fen End with Tilney Fen End is identified as a Key Rural Service Centre within the Draft Local Plan. As per policy LP02, Key Rural Service Centres 'help to sustain the wider rural community. It further states that the Council will seek to maintain and enhance facilities to support this function.

The proposal will also bring increased benefits to the area by means of CIL and Council Tax Income which will be paid in perpetuity.

In terms of social benefits, the proposal will integrate the existing housing to the South East of the site with the remainder of the village. This will help to support the community as a whole and will promote the social objective as set out in paragraph 8 of the NPPF.

The proposal will bring economic benefits by reason of local expenditure and creation of employment and purchasing of local materials during the course of construction, thereby meeting the economic objective as set out in paragraph 8 of the NPPF.

The proposal also provides a significant benefit by means of the installation of a public footpath across the site frontage which links up to the existing footpath network. This will link the Marshland Arms (which is now a dwelling) with the remainder of the village. One of the reasons for the refusal of the previous application was that the Highways Officer felt there was not enough room for the road widening and footpath. We now have the land owner of the adjacent plot of land in agreement and a separate application is submitted for that site which overcomes this reason for refusal.

The site is located within 150m of the primary school giving even more weight on this being an ideal location for residential development.

The proposal also includes the relocation of the 40mph speed sign so that all existing and future occupiers along School Road, including the new housing allocations, will benefit from reduced traffic speeds which promotes good levels of residential amenity and highway safety. The development therefore complies with policy 17 of the SADMPP.

The development will allow for enhanced landscaping within the site, promoting ecology and biodiversity within the area as well as improving visual amenities in general. The proposal therefore meets the environmental objective as set out in paragraph 8 of the NPPF.

PLANNING HISTORY

19/01906/O: Application Refused at Planning Committee: 29/06/20 - OUTLINE APPLICATION SOME MATTERS RESERVED: Proposed residential development - Land W of 47 School Road Marshland St James

18/00084/PREAPP: INFORMAL - Likely to refuse: 27/07/18 - PRE- APPLICATION OUTLINE (WITH CONSULTATIONS AND NO MEETING): Proposed new dwellings - Land And Buildings On The North East Side of School Road

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

The Parish Council considered the above application at a meeting on 14 September and made a decision to OBJECT to the application for the following reasons:

- the site is outside the development boundary for the village
- School Road is a narrow unclassified road which is inadequate to serve this development.
- If this application is approved against the decision of the Parish Council we would like the following conditions to be placed on any approval:
 - a footpath along the front of the site
 - a full ecological survey to be done on the site
 - 40mph speed limit on School Road to be extended to beyond the development.

Highways Authority: NO OBJECTION

The location plan now includes the lands needed to achieve highway mitigation within the land edged red. The red line now, in theory, extends to the rear of the ditch and fence line for the neighbouring sites so the highway mitigation works should be acceptable.

However, I would have strong concerns that should an approval be granted without a legal agreement being in place the highway mitigation works, required to deliver an acceptable development, could not be secured.

Internal Drainage Board: NO OBJECTION

The site is within the Internal Drainage District (IDD) of the King's Lynn Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. A copy of the Board's Byelaws can be accessed on our website (https://www.wlma.org.uk/uploads/KLIDB_Byelaws.pdf), along with maps of the IDD (https://www.wlma.org.uk/uploads/128-KLIDB_index.pdf). These maps also show which watercourses have been designated as 'Adopted Watercourses' by the Board. The adoption of a watercourse is an acknowledgement by the Board that the watercourse is of arterial importance to the IDD and as such will normally receive maintenance from the IDB.

In order to avoid conflict between the planning process and the Board's regulatory regime and consenting process please be aware of the following:

- We note that the applicant has indicated that they intend to dispose of surface water via infiltration, however we cannot see that the viability of the proposed drainage strategy has been evidenced. We would recommend that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy (https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf).
- We note the presence of a watercourse which has not been adopted by the Board (a riparian watercourse) adjacent to the site's eastern boundary. Whilst not currently

proposed, should the applicant's proposals change to include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).

Whilst the consenting process as set out under the Land Drainage Act 1991 and the aforementioned Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. As such we strongly recommend that the required consent is sought prior to determination of the planning application.

Environmental Quality: NO OBJECTION

The site is adjacent to the former Marshland Arms public house and the current use is paddock land. The applicant has submitted a contaminated land screening form. Based on the information supplied there are no sources of land contamination identified. Therefore we have no objections regarding contaminated land.

Natural England: NO OBJECTION

Environment Agency: NO OBJECTION

We have no objection to the proposed development.

REPRESENTATIONS TWO letters of **SUPPORT** have been received, **ONE** letter of **OBJECTION** and **ONE NEUTRAL** letter.

Support letters raise points such as-

- Land is not utilised currently, would be preferable to have executive style homes
- The addition of a footpath and extending the 30mph speed limit will benefit the school
- Good location within walking distance of the school and new village hall
- The scheme will include enhanced landscaping which will improve biodiversity and visual amenities.
- Site is perfect location for balanced expansion of the village.

Objection letter raises the following issues-

- Contrary to Local Plan policies
- Outside village boundary
- Development to the detriment of the appearance and character of the countryside.
- Contrary to NPPF
- Council has an inconsistent approach to the use of policies and the determination of applications
- Disagrees that the land, only recently used as a paddock, should be considered a brownfield site.
- Traffic generation
- Queries how refuse / delivery trucks will be able to use shared access without reversing onto School Road.
- Design allows for further growth beyond existing site. This design should be amended.
- Not a sustainable location- poor public transport links, lack of local employment or services, overcrowded school.
- Need to address limited facilities and services before additional residential growth.
- Dangerous to create more traffic given proximity to school

- The Neutral representation received states-
- Road not adequate for new houses and sewer would need extending, as well as the street lighting and footpath.
- School traffic is manic in this location.
- Wrong location in the village for amenities, the school is full and has little parking facilities.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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)
 National Design Guide 2019

PLANNING CONSIDERATIONS

The key issues in assessing this application are considered to be as follows:

Principle of development
 Highways and Access
 Other material considerations

Principle of development

The Borough Council Local Plan currently comprises the Core Strategy (CS) (2011) and the Site Allocations and Development Management Policies Plan (SADMPP) (2016). Marshland St. James is presently classed as a Rural Village in the Borough Council's adopted Local Plan. The site itself is located outside of the development boundary, as indicated by Inset G57 on page 289 of the SADMPP. This shows the village development area terminating at the SE side of 'Little Oaks' which is some 240m to the NW of the application site; however

during the period when the Council could not demonstrate a 5 year supply of housing land two pairs of semi-detached houses (Nos. 27-33 School Road) were built on the parcel of land to the immediate northwest of the application site extending the built up area. Whilst adjacent to the current built-up area on the NE frontage of School Road, it is nevertheless outside the development area of the village and part of the countryside.

Policy DM2 – Development Boundaries states inter alia:

“The areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan...”

This proposal does not fall into the categories which are listed as permitted, and the principal of developing the site is contrary to the provisions of the adopted Local Plan.

The most recent Annual Monitoring Report (AMR) and the Housing Delivery Test Action Plan illustrate that the Borough Council is able to show a land supply in excess of the required amount of five years, with the position currently being 6.97 years' worth of supply. Members will note that since the 5 year supply of housing land shortfall in 2015-16, there have been almost 100 dwellings approved in the village, which is significantly in excess of the 25 units on allocated sites in the SADMPP (Policies G57.1 & G57.2).

The Council is currently in the process of reviewing its Local Plan (both CS & SADMPP). This will look beyond the current plan period (2026) a further 10 years to 2036. A draft version of the Local Plan Review was published in 2019 for public consultation. Significance is drawn by the agent to the proposed allocation site on the opposite side of School Road (MSJ1) in the draft Local Plan Review. However a second draft of the Plan is currently being drawn up and the decision has been taken that based on housing targets, delivery and existing allocations that there is not a need to allocate any additional sites within the village. The only allocations will be those currently in the adopted Local Plan. It should be noted however that this is an ongoing process and given it is at an early stage any draft proposals should currently carry minimal weight in the decision making process.

It could also be argued that the intended 4no. substantial open market plots would not make a significant contribution towards local housing demands for smaller, more affordable units. There is also no affordable housing to be provided as part of the scheme, and so there would not be any such benefit there either.

The applicant points to case law and states that the land is classed as 'brownfield land' because it has been used for grazing and keeping horses. Case Law differs but generally if horses are kept on the land for substantial periods of time with supplementary feeding etc then this is likely to be classed as being used for the 'keeping of horses' and represents a material change of use. Whereas if the horses are let on the land occasionally solely for the purposes of grazing on the land then this is classed as agriculture. It is a matter of fact and degree but the presence of a field shelter or loose box reinforces the impression of a non-agricultural use.

The applicant argues that it is not agricultural land but a brownfield site, and that this should be given substantial weight in the determination of the application. They refer us to national policy which in paragraph 118c gives 'substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs', in preference to the development of greenfield land. The Council does not agree however that this is 'suitable' land for development for the reasons detailed above. The NPPF in paragraph 117 goes on to state that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment'. The site reads as part of the wider countryside as there is no area of hardstanding and no permanent buildings on the site. Notwithstanding this, this does not outweigh the considerations above.

The proposal would be unjustified consolidated development and therefore be harmful to the character and appearance of the countryside, contrary to the provisions of the NPPF, Core Strategy Policies CS01, CS02, CS06 & CS08 of the LDF (2011) and Policies DM1 & DM2 of the SADMPP (2016).

Highway and Access

The proposal indicates the provision of a 1.8m wide footpath along the road frontage of the site at School Road which will link the former Marshland Arms pub with the remainder of the village, and importantly provide a link to the school. The applicant states that the 1.8m footpath is capable of being provided within the highway verge. The road width at School Road is proposed to increase from 5.0m to 5.5m and there is an intention to relocate the 40mph speed sign so all occupiers along School Road will benefit from reduced traffic speeds.

The previous planning application (ref- 19/01906/O) was partially refused on highway safety grounds (reason 2). However during this current application the applicant has sought to address these concerns and has shown that the applicant does have the ability to deliver the required visibility splay as well as the footpath provision and the road widening. The existing planning consent 19/01907/O (granted consent at Planning Committee in February 2020) and an application on the neighbouring land also brought to this Planning Committee (ref 20/01231/O), would provide a continuous footpath link from the School Rd/ Hope Lane junction to the school. On this basis the Local Highway Authority has withdrawn their objection to the scheme.

However the Local Highway Authority do raise concerns regarding landownership and the deliverability of these improvement works as they affect third party land. In planning terms, the improvement works could be secured via a 'Grampian' style condition. This would secure the details of implementation prior to any development commencing.

However, this is academic as the principle of the development fundamentally fails to accord with the development plan as stated above.

Other material considerations

Flood risk:

The site lies in Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment, which is compatible to accommodate dwellings. A site specific Flood Risk Assessment has been submitted as part of this application which receives no objection from the Environment Agency. The District Emergency Planner suggests certain measures, as reported in the Consultation section above, which would normally be dealt with via an informative note attached to any permission.

A representation received queries access to main sewers, however the drainage arrangements are yet to be provided and a condition is attached requiring details to be submitted. There are no known surface water drainage concerns relating to this specific site.

Form & character, layout and amenity:

This is an outline application seeking consent for the principle of developing the site. Whilst an indicative layout plan has been submitted as part of the application, all these matters (with the exception of access) are reserved for future consideration.

CONCLUSION

The proposal constitutes the development of a parcel of countryside with road frontage development, which would consolidate the built form outside the defined development area of the village, to the detriment of the appearance and character of the countryside. In principle this outweighs the use of brownfield land. The Borough Council is able to show a land supply in excess of the required five years, with the current position being 6.97 years' worth of supply. The proposal is therefore not considered to be sustainable development and contrary to the provisions of the NPPF (paragraphs 11, 78 & 170), Core Strategy Policies CS01, CS02, CS06 & CS08 of the LDF and Policies DM1 & DM2 of the SADMPP.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that an application must be determined in accordance with the development plan unless material considerations indicate otherwise. No material considerations have been proposed as part of this application to warrant a decision that is clearly contrary to the aforementioned policies contained within the Development Plan.

The application is therefore duly recommended for refusal.

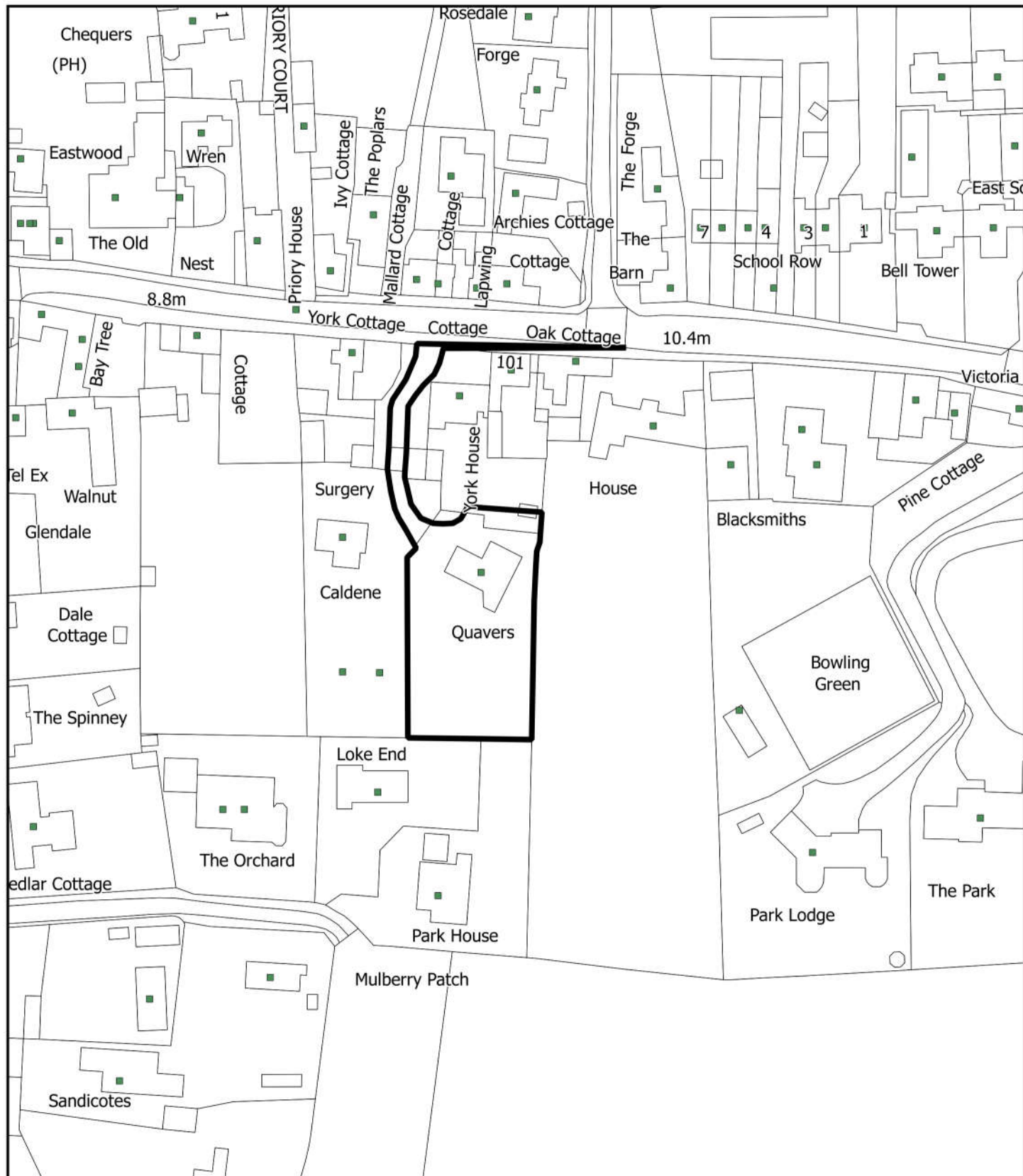
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposal constitutes the development of a parcel of open countryside with road frontage development, which would consolidate the built form outside the defined development area of the village, to the detriment of the appearance and character of the countryside. There are no material considerations to outweigh this in principle policy objection and the proposal is therefore not considered to be sustainable development and contrary to the provisions of the NPPF (paragraphs 11, 78 & 170), Core Strategy Policies CS01, CS02, CS06 & CS08 of the LDF and Policies DM1 & DM2 of the SADMP.

20/00871/F

Quavers High Street Thornham



Parish:	Thornham	
Proposal:	Demolition of existing dwelling and construction of 3 replacement dwellings	
Location:	Quavers High Street Thornham Hunstanton	
Applicant:	Postland Developments	
Case No:	20/00871/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 28 August 2020

Reason for Referral to Planning Committee – Parish council objection and referred by sifting panel.

Neighbourhood Plan: No

Case Summary

This application seeks full planning permission for the demolition of the existing dwelling and construction of 3 replacement dwellings on land at Quavers, High Street, Thornham.

The site is accessed from the southern side of High Street, but the main application site is set behind properties fronting the High Street (see location plan). The site has residential development on all 4 sides and is within the settlement of Thornham, which is a Rural Village.

To the east of the site is garden land associated with The Oak House on the High Street, to the north are a mix of properties backing onto the site and to the west is a pair of residential properties currently under construction.

To the south are properties accessed from Hall Lane to the west.

The site itself is currently side garden associated with property known as ‘Quavers’ which is a one and a half storey detached dwelling.

The whole village is within the AONB. The access to the site and the High Street properties are within the Thornham Conservation Area, however, the main application site is outside.

Planning permission has previously been approved on the site for redevelopment of the site for two dwellings.

Key Issues

- Principle of Development
- Impact on AONB
- Form and character
- Impact upon Designated Heritage Assets
- Residential Amenity
- Highway Safety
- Trees
- Other Material Considerations.

Recommendation

APPROVE

THE APPLICATION

This application seeks full planning permission for the demolition of the existing dwelling and construction of 3 replacement dwellings on land at Quavers, High Street, Thornham.

The site is accessed from the southern side of High Street, but the main application site is set behind properties fronting the High Street (see location plan). The site has residential development on all 4 sides and is within the settlement of Thornham, which is a Rural Village.

To the east of the site is garden land associated with Oak House on the High Street, to the north are a mix of properties backing onto the site and to the west is a pair of residential properties currently under construction.

To the south are properties accessed from Hall Lane to the west.

The site itself is currently side garden associated with property known as 'Quavers' which is a one and a half storey detached dwelling.

The whole village is within the AONB. The access to the site and the High Street properties are within the Thornham Conservation Area, however, the main application site is outside.

Planning permission has previously been approved on the site for redevelopment of the site for two dwellings in 2017 (ref: 17/01994/O), and the refurbishment of the property with construction of associated annexe (17/00297/F).

The proposal would result in 2 No. 3 bedroom properties and 1 No. 2 bedroom property. Each property is proposed to be constructed of red brick, flint panel detailing and red clay pantile roofs.

Each property has the required amount of parking spaces; 3 spaces for the 3 bedroom units and 2 spaces for the 2 bedroom unit.

SUPPORTING CASE

This application seeks to construct 2 additional dwellings on a site known as Quavers in the centre of Thornham.

The proposals have received no objection from Highways, Richard Fisher or The Conservation team.

Following an objection from a local resident their comments were taken on board and the scheme adjusted accordingly. Thornham Parish Council object on the basis of 9 houses using a private drive however this is within the Norfolk standard and the access has been previously adjusted to accommodate required vision splays.

The density of housing is comparable to adjacent sites and benefits from an open courtyard feel at its centre.

The scheme has been put forward by Postland Developments who have a reputation for constructing dwellings of the highest standards. The scheme put before the committee is of no exception with the use of good quality local stone and attention to detail. It is the developer's intension to start this scheme early 2021 and deliver by the end of 2021. They have been proactive in liaising with the local residents and will continue to do so in order to minimise disruption.

We strongly feel that this application should be approved.

PLANNING HISTORY

20/00011/PREAPP: INFORMAL - Likely to refuse: 13/03/20 – Pre-Application Advice (Outline with Consultations) and a meeting with a planning officer: Demolition of existing dwelling, construction of three new dwellings and associated works – Quavers High Street Thornham Hunstanton Norfolk E36 6LY

17/01994/O: Application Permitted: 19/12/17 - Demolition of existing dwelling and garage and construction of 2 new detached dwellings. - Quavers High Street Thornham Hunstanton Norfolk PE36 6LY

17/00297/F: Application Permitted: 28/04/17 - Construction of attached single storey annex and associated refurbishment and alteration of dwelling and demolition of detached garage – Quavers High Street Thornham Hunstanton Norfolk PE36 6LY

16/00129/PREAPP: INFORMAL - Likely to refuse: 23/09/16 – Pre-Application: Renovation and erection of dwelling/s – Quavers High Street Thornham Hunstanton Norfolk PE36 6LY

RESPONSE TO CONSULTATION

Parish Council: OBJECT– overdevelopment of the site and the fact that nine properties using the original driveway of a dwelling; this being the only access onto the busy A149.

Highways Authority: NO OBJECTION - conditionally

Natural England: NO OBJECTION - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites

Arboricultural Officer: NO OBJECTION - conditionally

Environmental Health & Housing - Environmental Quality: NO OBJECTION – recommend informative re: asbestos

Conservation Officer: NO OBJECTION - The site is just out of the Thornham Conservation Area, although the access to the site is within the CA. Impact upon the setting of the conservation area and any possible harm will need to be considered. A previous consent allowed two houses on the site, which was felt to preserve the character of the conservation area.

The layout of the proposal has improved since the pre app. The courtyard feel of the proposal has been softened, and the proposal does relate more to the more spacious plots, not within the conservation area but around the application site. The tree planting to the south of the site will also contribute to this. The design is also acceptable for the location.

Of more concern is the boundaries within the site, especially that forming the enclosure to plot 3, which looks to consist of a wall, although this is not marked on the key to the site plan. Could alternative boundaries be considered here? A good hedge would be the ideal as this would provide privacy to the house but ensure that the chance of a courtyard feel to the proposal is reduced.

On balance, this application in its amended state will have a neutral impact upon the setting of the Thornham Conservation Area.

Historic England: No comments

Housing Development Officer: No affordable housing contribution required.

Norfolk Coastal Partnership: NO OBJECTION - Please condition external lighting:

National Planning Policy Framework Clause 125 and Norfolk County Council's Environmental Lighting Zones Policy both recognise the importance of preserving dark landscapes and dark skies. In order to minimise light pollution, we recommend that any outdoor lights associated with this proposed development should be:

- 1) fully shielded (enclosed in full cut-off flat glass fitments)
- 2) directed downwards (mounted horizontally to the ground and not tilted upwards)
- 3) switched on only when needed (no dusk to dawn lamps)
- 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources

Please also refer to the Institute of Lighting Professionals, Guidance Notes for the Reduction of Obtrusive Lights which gives guidance for lighting in an AONB.

REPRESENTATIONS

ONE representation referring to the following:-

- To accommodate three dwellings on the site would mean that the eastern walls of two of the proposed structures would be very close to the western boundary of our property
- We are concerned that their height may reduce exposure to natural light from the west with consequences for our garden

- We are concerned from the aspect of privacy about overlook from first floor windows and roof lights of the three intended dwellings
- Nothing should be done by over construction to compromise the integrity and privacy of The Oak House, which (together with its extensive garden) dates back to at least 1700, thus making it one of the oldest buildings in the village
- The site has been unoccupied since at least 2016 and neglect of the garden has had a negative impact on our garden from masses of weeds, brambles and ivy. If the proposal is approved or modified, it is essential that the Council insists on rapid implementation to avoid further damaging neglect.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES 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)

National Design Guide 2019

PLANNING CONSIDERATIONS

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

- Principle of Development
- Impact on AONB
- Impact upon Designated Heritage Assets
- Form and character
- Residential Amenity
- Highway Safety
- Other Material Considerations.

Principle of Development

In the Core Strategy Thornham is a Rural Village where limited growth would be appropriate in terms of sustainability and the principle would accord with policies contained within the Core Strategy and NPPF.

The site is within the settlement of Thornham, which is classed as a Rural Village in the Site Allocations & Development Management Policies Plan (SADMPP), where limited growth will be permitted which meets the needs of the settlement.

Thornham Parish Council has prepared a Neighbourhood Plan and the Draft has been on public consultation for the statutory 6 weeks (under Regulation 14). However, it has not yet gone through examination or referendum, so has not yet been adopted, and is not yet at a stage where it would be given weight in decision making as part of the Development Plan. However it is a material consideration, and relevant policies are considered below.

The site has previously been considered appropriate for an increase in the number of dwellings on the site and the principle has been established for two dwellings in place of the existing single, detached property. This is a material consideration.

Impact on the AONB

The whole of Thornham village is within the AONB. The NPPF states, nationally designated areas such as Areas of Outstanding Natural Beauty (AONB), have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas. Any development on this site would need to comply with these provisions.

The site is surrounded by existing development so is not currently visible from outside the confines of the village. The amount of built form across the site would be significantly greater than the existing dwelling but the heights of the roofs are not greater than surrounding development.

Accordingly there are no implications for the wider landscape character of the AONB in this part of the borough. The Norfolk Coast Partnership raise no objection subject to conditions relating to the sensitive lighting of the site.

Form and Character

In addition to the policies of the Core Strategy and the SADMPP, attention is drawn to the policies of the emerging Thornham Neighbourhood Plan, in particular Policies H1 and H3 which relate to housing development in the development boundary and also the size of dwellings in the village. Policy D1 is also particularly relevant as it considers design principles for new development.

New residential development should also be in keeping with surrounding development in terms of form and character. New development should always seek to secure high quality design and a good standard of amenity. It should add to the overall quality of the area.

The garden to Quavers is large with existing planting to the boundaries. The planting to the southern part of the site is denser and forms a soft and enclosed characteristic.

Previously planning permission has been approved to increase the amount of built form on the site to accommodate two dwellings on the site (ref: 17/01994/O). Permission has also

been granted for an annex to the existing property (17/00297/F). The planning history of the site is a material consideration.

It is of note that the site boundary to the north has changed since consideration of the previous planning applications on the site. Some amending of boundaries has occurred and a new dwelling has been approved on land to the north western boundary. This current application site is therefore slightly larger than the site previously considered acceptable for two dwellings.

This current proposal seeks a third dwelling on the site. The proposed development is set in a courtyard layout, with two dwellings set side by side in line with the development approved (and currently under construction) to the west. The third dwelling is located to the north east corner.

A pre-application submission was considered by the local planning authority for three dwellings on this site, where concerns were raised. Whilst no detailed elevation plans were submitted at pre-application stage and no detailed comments were given regarding the impact on scale or appearance, it was concluded that the submitted proposal appeared cramped and contrived.

It was considered that the site would be more suited to fewer units on the site, which would allow more spacing around the dwellings and be more in keeping with surrounding development. Officers advised that if the pre-application submission was submitted it was unlikely to be supported.

This application has still been submitted for three dwellings on the site but it is important to note that key changes have been made in an attempt to overcome the concerns at pre-application stage. Following feedback received through the public consultation of this current application, a further set of amended plans have also been submitted.

The following changes have been made:

- The footprint of each of the dwellings has been reduced and therefore the mass of the buildings and amount of built form on the site has been reduced
- The dwellings have been pulled further away from the site boundaries to improve the amount of space around each unit and allow for soft boundary treatment
- The garaging has been removed from each unit to reduce the amount of buildings and retain a sense of openness
- More landscaping has been introduced into the layout to improve the visual amenity

The application site is sited behind other existing dwellings and there are no public views of the site. Plots 1 and 2 are in line with the two dwellings under construction to the west and the third dwelling to the north east corner encloses the courtyard.

The design of the houses is in keeping with other surrounding house designs and are shown to be constructed of local found materials, including red brick, flint panelling and red clay pan tiles.

When comparing the layout to other surrounding development the house and plot sizes are not out of keeping. The layout of the shared courtyard area, with areas of landscaping between parking spaces, means that the car parking should no longer dominate the courtyard.

It is considered that the proposed development is now of a scale, density, layout and design that is compatible with the character and appearance of this part of Thornham. There are no

public views of the site, although there may be glimpses of the roof slopes from the main A149 through gaps between existing buildings.

On balance, it is considered that the amended plans now under consideration will not result in harm to the character of the area. The design of the dwellings takes reference from local design elements and reinforces the distinctiveness and quality of the area. The reduction in the scale of the dwellings and the landscaping to the shared courtyard results in a scheme where the built form will no longer dominate the site or result in a cramped form of development.

It is considered the proposal accords with existing national and local plan policy and also follows the principles of the emerging neighbourhood plan with regard to design principles for new development and new housing in the settlement boundary.

Impact on Conservation Area

Much of the village of Thornham is within a Conservation Area. The property, Quavers, and the garden land to the south are outside the Conservation Area but the access and part of the northern section of the site are within.

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

The NPPF and Development Plan policies also reflect this approach.

The Conservation Area Advisory Panel commented on the pre-application proposal and raised concern about the third unit to the northern part of the site which would result in a scheme that was too cramped and out of keeping. However, they did not raise concern about the impact on the conservation area.

The Conservation Team has commented that the layout of the proposal has improved since the pre app. The courtyard feel of the proposal has been softened, and the proposal does relate more to the more spacious plots, not within the conservation area but around the application site.

The Conservation Officer comments that the tree planting to the south of the site will also contribute to character and the designs of the dwellings are acceptable for the location.

The Conservation Officer commented that a soft boundary to the private garden of Plot 3, such as a tall hedge, would provide privacy to the house but ensure that the chance of a courtyard feel to the proposal is reduced. However, the wall was encouraged by your officers as offering a more permanent privacy screen in preference to a timber fence, as walling is a common feature in this part of Thornham.

On balance, the Conservation Officer considers this application in its amended state will have a neutral impact upon the setting of the Thornham Conservation Area.

Highways

The Parish Council raises concern about the amount of dwellings using this access point onto the High Street. Under previous planning approvals on adjoining sites works have been

undertaken to the walling at the front of the site where the access road joins the High Street. This means that adequate visibility splays can be provided.

The Highways Authority raises no objection to the proposal, subject to appropriate conditions.

Residential Amenity

The proposed dwellings have been designed to avoid neighbour amenity issues. Plots 1 and 2 have low eaves and projections are one and a half storey instead of full two storey height. Plot 3 is a more modest two bedroom property of one and a half storey height.

The submitted amended plans show a better relationship with neighbouring properties as the amount of spacing to the boundaries has been increased.

The placing of windows has been considered to minimise overlooking of neighbouring properties. It is recommended, however, that a north facing secondary bedroom window to Plot 3 is fitted with obscure glazing and retained as such to avoid overlooking. Also that a condition is imposed removing permitted development rights for extensions to the roof of Plot 3 to prevent any future potential neighbour amenity issues.

It is considered the scheme will not have a significantly detrimental impact upon the amenity of the occupants of neighbouring properties in terms of overlooking, being overshadowed or the dwellings being over bearing.

Trees

There are a mix of garden trees and shrubs of various ages on the site. None are covered by a tree protection order and are outside the conservation area.

The application has been supported by a Tree Report which identifies the trees and indicates those to be retained or removed. The report also includes an Arboricultural Impact Assessment, details of root protection areas and tree protection measures.

A total of 22 trees were surveyed. 16 will need to be removed either for construction purposes or due to poor health. None of the trees to be removed are of high quality; they are of moderate to low quality or either dead, diseased or dying. The remainder will need protection during construction and details of this are already set out in the Tree Report.

The site plans show a landscape buffer with native tree and hedge planting to the southern part of the site and details can be secured through planning conditions.

The Arboricultural Officer raises no objection to the proposal subject to the imposition of planning conditions ensuring the works follow the details of the tree report and that details of replacement planting are submitted.

Other matters

An asbestos survey has been submitted with the application and the Environmental Protection Team recommend an informative be added to any permission drawing attention to The Control of Asbestos Regulations 2012 (CAR 2012) which will need to be adhered to.

Third party comments have largely been addressed above. A wish for the rapid implementation of development on this site is noted but this is not something that can be

enforced by the lpa, although the standard 3 year time limit to commence development is normally considered to encourage development in a realistic timeframe.

Summary

Development for two dwellings on the historic garden area of Quavers has previously been found to be acceptable. The boundary of the application site to the north has been extended to include a parcel of garden land of a neighbouring property, so the site is now slightly larger than the application sites previously considered.

This proposal for three dwellings on the site shows a two bedroom, detached property of one and a half storeys to the north east corner of the site in addition to the two, detached at the southern part of the site. The resulting layout would create a shared courtyard for parking and turning for all three properties.

The plans, as amended, have reduced the scale and footprint of the proposed dwellings and increased the amount of spacing around each property. Landscaping has been incorporated into the courtyard area and the development no longer looks unduly cramped or contrived.

The design of each dwelling takes sufficient reference from surrounding development to reinforce local characteristics. In this regard it is considered the proposal accords with the provisions of Policies CS06, CS08, CS12 and DM15 with regard to maintaining local character and a high quality environment, responding to local context and character, preserving the qualities and characteristics of the village and responding sensitively and sympathetically to the local setting and spacing between buildings.

The proposal is also considered acceptable in terms of its setting within the AONB and preserves the character and appearance of the nearby Conservation Area.

There are no highway safety issues and the protection of the remaining trees can be secured through planning conditions.

Accordingly the recommendation is to approve.

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 No. POS01.01.05 Rev B, Proposed Site Layout
Drawing No. POS01.01.03 Rev B, Proposed Details Plot 1
Drawing No. POS01.01.04 Rev B, Proposed Details Plot 2
Drawing No. POS01.01.02 Rev -, Proposed Details Plot 3
- 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: The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 5 Condition: 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 1.05 metres above the level of the adjacent highway carriageway
- 5 Reason: In the interests of highway safety
- 6 Condition: Prior to the first occupation of the development hereby permitted the proposed access /on-site car parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 7 Condition: No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with the details contained the Tree Report by Heritage Tree Specialists Ltd including the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations.
- The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 7 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 8 Condition: Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include

finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

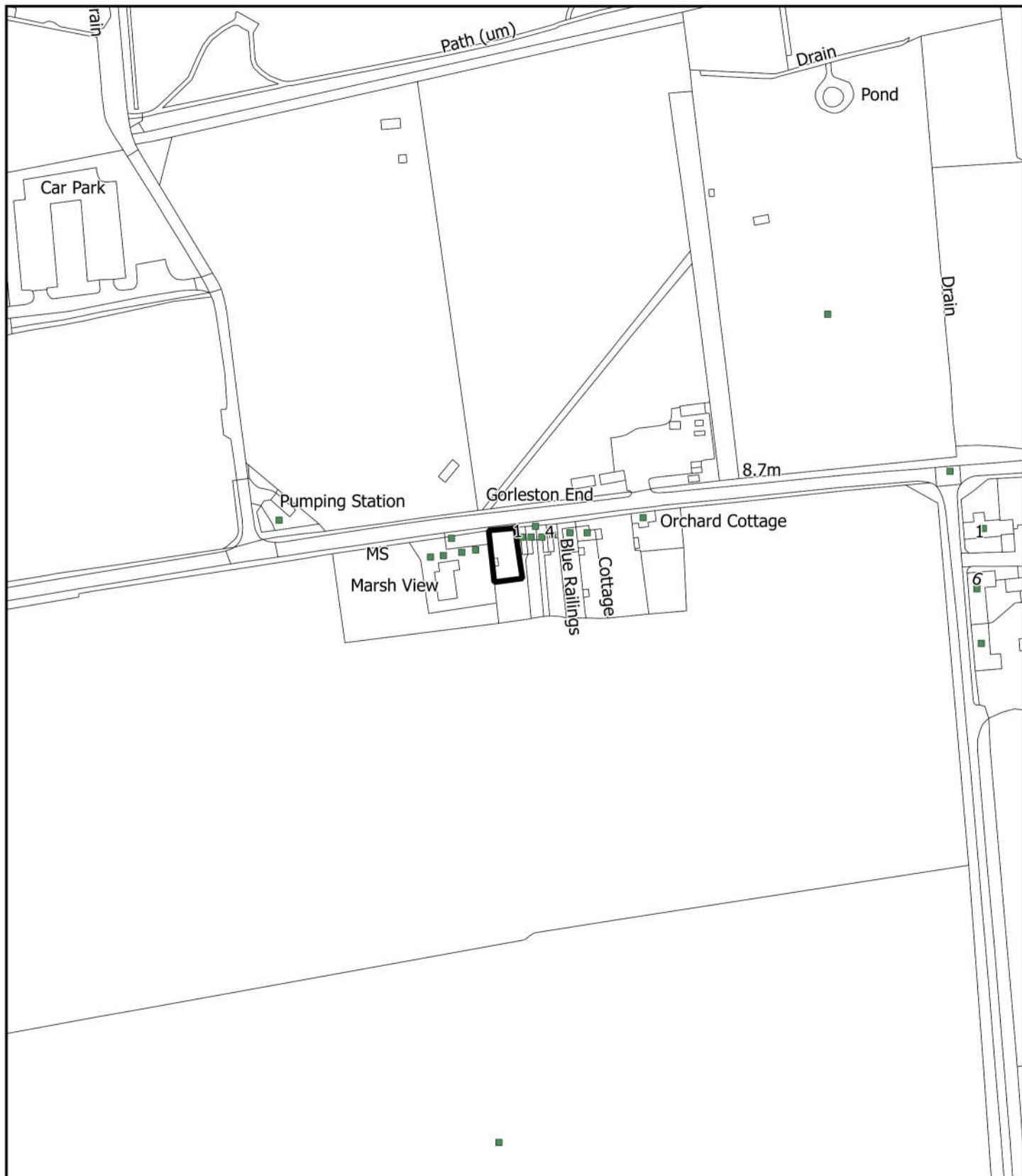
- 8 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 9 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 9 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 10 Condition: Notwithstanding details submitted any outdoor lights associated with this proposed development should be:
- 1) fully shielded (enclosed in full cut-off flat glass fitments)
 - 2) directed downwards (mounted horizontally to the ground and not tilted upwards)
 - 3) switched on only when needed (no dusk to dawn lamps)
 - 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources
- 10 Reason: In accordance with the provisions of the NPPF.
- 11 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement of the dwelling house referred to as Plot 3,consisting of an addition or alteration to its roof, shall not be allowed without the granting of specific planning permission.
- 11 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 12 Condition: Before the first occupation of the dwellinghouse referred to as Plot 3 the first floor window to the north elevation shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 12 Reason: To protect the residential amenities of the occupiers of nearby property.
- 13 Condition: Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the sound power levels of the proposed unit(s), identify the distance from each unit to the nearest boundary and provide details of anti-vibration

mounts, or noise attenuation measures. The scheme shall be implemented as approved, and thereafter maintained as such.

- 13 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.

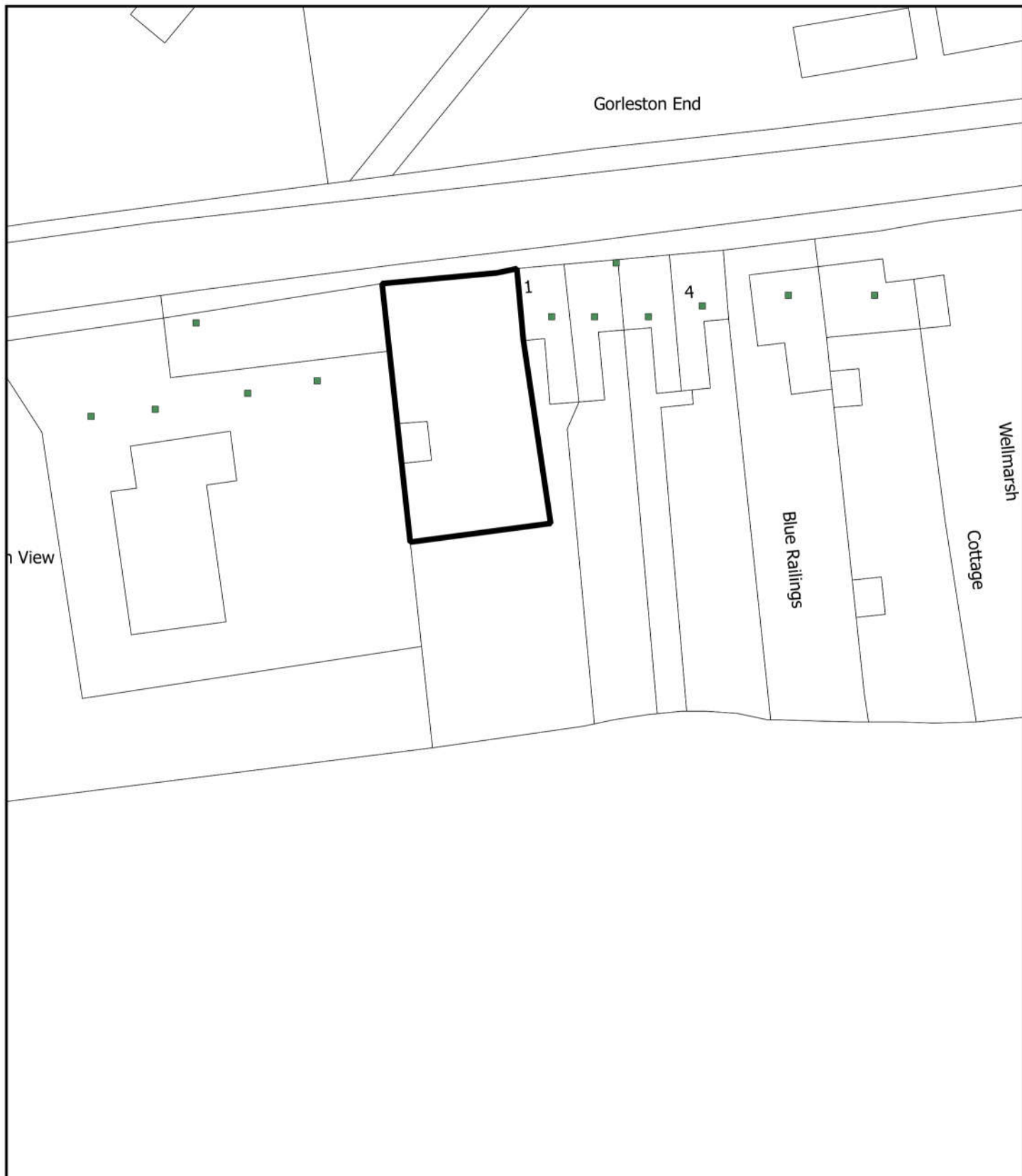
20/01071/F

1 Gorelston Cottages Main Road Titchwell



20/01071/F

1 Goreleston Cottages Main Road Titchwell



Parish:	Titchwell	
Proposal:	The construction of two new semi detached Cottages	
Location:	1 Gorleston Cottages Main Road Titchwell King's Lynn	
Applicant:	Mrs Gemma Smith	
Case No:	20/01071/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 23 September 2020 Extension of Time Expiry Date: 9 November 2020

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

Neighbourhood Plan: No

Case Summary

The application site comprises a parcel of former garden land measuring approximately 304 square metres to the western side of No. 1 Gorleston Cottages and is situated on the southern side of Main Road, Titchwell.

The sites lies with Titchwell’s designated Conservation Area and AONB.

Full planning permission is sought for the construction of a pair of semi-detached two storey, 3 bedroom dwellings.

Titchwell is classified as a ‘Smaller Village and Hamlet’ within the Core Strategy Settlement Hierarchy.

Key Issues

- * Principle of Development;
- * Form and Character / Impact on the Conservation Area;
- * Impact on the AONB;
- * Impact on Neighbour Amenities;
- * Highway Safety; and
- * Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a parcel of former garden land measuring approximately 304 square metres to the western side of No. 1 Gorleston Cottages and is situated on the southern side of Main Road, Titchwell.

The sites lies with Titchwell's designated Conservation Area and AONB.

Full planning permission is sought for the construction of a pair of semi-detached two storey, 3 bedroom dwellings. The scale and design will match those currently under construction on the adjacent site to the west; 'The Hides'.

Access will be taken from the newly approved and constructed access to the west of 'The Hydes' with parking and turning to the rear of the proposed dwellings.

SUPPORTING CASE

The Applicant's Agent has submitted the following supporting case within the Design and Access Statement: -

"It is proposed to construct two modest semi-detached properties within the existing area of land between No.1 Gorleston Cottages and Approved Development site 19/00325/F, where construction is now under way for the construction of 4 semi-detached dwellings.

Policy DM3: Infill Development:

It is considered that the proposal complies with this Policy in that the space between the end of terrace building and the new development already approved under 19/00325/F will be infilled with two high quality buildings and will bring significant benefit to the local community through a small amount of additional housing and a more attractive street scene. The proposal sits within the planned limits of development, with the exception of the parking to the rear. However, there is considerable historical evidence that this area of land had once been associated with Gorleston cottages. A substantial brick-built structure and former walls dating from the same time as the cottages and constructed from the same materials was present on this area of land. Historic maps dating 1891 and 1905 also demonstrate this association.

An appeal decision at Ringstead considered that 10 dwellings when added to a total of 170 would be "small scale". That amounted to a 6% increase and the further two dwellings proposed, from the 68 dwellings currently in existence in Titchwell, constitutes less than 3%. It is therefore considered that this falls under the definition of small-scale development.

AONB and Conservation Area:

It is considered that the proposal complies with the landscape sensitivities or, at the very least, does not prejudice them in any way. The proposal continues the generally linear nature of the village, adds considerably to the architectural character through the use of traditional

materials and does not impact upon the openness to the rear, nor the marsh area leading to the sea to the north. It will not in any way blight any of the views into the village and it is not considered that the proposal will have any detrimental impact upon the sensitive landscape area. In addition, there is no impact upon the existing sky line, the properties sit back from the road so they will not dominate the street scene, this being left to the terraced houses to

the east and the sky will continue to dominate the panoramic view. The hedgerows to the rear are being retained, enhanced and a landscaping scheme (it is suggested that this be a Condition of the approval) will ensure that these are retained into the future.

Titchwell is described as “a small group of buildings on the south side preceding the main village further on”. The proposal will sit within this small group of buildings.

Design Details:

Great attention has been paid to the local architectural style, thus avoiding any conflict with the AONB. Building height has been reduced to be no higher than the adjacent properties and, generally, the subservient nature of this development will ensure that the existing terraced properties will dominate the road scene, whilst the native hedgerows will continue to dominate the landscape to the rear.

The properties are designed deliberately to sit within the local strong architectural vernacular. The roofs will be reclaimed clay Norfolk pantiles, the walls a combination of brick (some painted) and flint. Windows will be traditional flush casements and the front doors painted timber. There have been some high-quality developments within the area recently and standards have been set very high and, similarly, this development will follow that vein.

The properties will not reflect some of the more unfortunate designs locally – incorporating large areas of glazing and aluminium windows but will more closely reflect that of a traditional North Norfolk building. It is acknowledged that, to the rear, some element of glazing is proposed but this is kept in proportion to the overall elevation and is not visible from an obvious public view. In reality, the site is only visible from the very far distance.

The proposed materials will be very similar to those being used and recently approved on the adjacent development. These materials are highly prominent in the local area. The use of reclaimed clay pantiles for the pitched roofs will contrast against the natural slate proposed on the other new properties and provide a sense of cohesion with the existing terraced row of Gorleston cottages.

Highway Safety:

The site exists directly onto the A149. The parking area is sufficient to enable cars to exit the site in a forward gear and the access has already been established and approved by Highways under the application 19/00325/F. The obvious benefits for the owners of 1 Gorleston Cottages to be able to park safely off road cannot be overstated regarding road and pedestrian safety as vehicles enter the village on a remarkably busy road.

PLANNING HISTORY

20/00808/F: Application Permitted: 04/08/20 - Extension to single storey rear projection - 1 Gorleston Cottages, Main Road, Titchwell

RESPONSE TO CONSULTATION

Parish Council: NO FORMAL COMMENTS MADE.

Highways Authority: **NO OBJECTION** – Subject to the access and parking area being included within the red line and the legal agreement being acceptable, no reason to resist the proposal.

The access approved under The Hides development has acceptable levels of visibility onto the A149 Main Road.

Recommends a condition relating to the parking area.

Historic England: NO COMMENTS TO MAKE.

Historic Environment Service: There are no known archaeological implications.

Norfolk Coast Partnership: NO OBJECTION - We would like to see all or at least part of the existing wall to the front of the property retained as it is a key feature of the settlement.

Would also like to see conditions on the hedgerow planting as specified in the Design and Access Statement and on any external lighting.

Environmental Health & Housing – Environmental Quality: NO OBJECTION - The site's existing use is as a residential garden. There is considerable historical evidence that this area of land has been associated with Gorleston cottages. The applicant has submitted a screening assessment which states that the site is an existing private residential garden, no contamination is suspected to be present, no fuels, chemicals or waste are stored.

Conservation Team: –NO OBJECTION, however the following comments were made - An important aspect of the application 19/00325/F (The Hides) was the retention of the views of the west gable wall to the adjacent historic cottage. The D and A statement regrettably does not mention this with regard to this application. Whilst the proposed location of the two additional units does allow views of the clunch wall, this will be eroded to a degree by the positioning of the two houses. Further setting back or reduction in the sizes of the porch would help.

It's pleasing to see boundary treatment retained. It would be useful to see the justification for the demolition and rebuild of the side wall rather than just rebuild. Likewise the height of the boundary wall to the front is not excessively high and as an historic structure, makes an important contribution to the significance of the Titchwell Conservation Area, and should be retained at its current height. There is no justification for two breaks into the wall for pedestrian access - one shared access from the front would be less harmful.

It's good to see the proposed hedging to the rear of natural species. This needs to be substantial enough to shield long term views of any parking from the higher rural land to the rear into the Conservation Area and beyond to the coast.

No comments re houses themselves as they are a continuation of the design agreed next door. Could we ask the developer for a detailed schedule of materials before determination? This would offer further clarity for them when they come to discharge any potential future conditions. Joinery should also be conditioned.

REPRESENTATIONS

The application has been re-consulted on in light of the submitted amended plans and the closing date for any new comments from statutory consultees and third parties is the 26th October (after the date of writing this report). If any additional comments are received they will be reported in late correspondence.

Prior to the submission of the amended plans **TWO** representations have been received from local residents **OBJECTING** to the proposal on the following grounds:-

- The proposal will increase the previously approved scheme of 4 dwellings;
- Making it a row of 6 new dwellings;
- Claiming it is infill between buildings which do not fully exist yet;
- AONB policies suggest it should be refused;
- Increase the development on Marsh View and 1 Gorleston Cottages by 50%;
- Been done by use of different applications but resultant development will be a singular development with identically styled buildings that share a common access route;
- Assertion that the approval will bring significant benefit to the local community and a more attractive street scene is pure Conjecture;
- Well cared for garden has been destroyed and become hard standing for site accommodation for workers;
- Attempts to excuse its blurring of the lines marking the extent of the villages planned limits of development;
- Sadly the walls have already been demolished;
- The reference made in the application relating to the Ringstead appeal to suggest that the additional housing is a small percentage increase is nonsense;
- The two new buildings, matched with the four currently under construction on the neighbouring plot will create a more major development;
- Trying to disguise a major project with as a minor one;
- Impact on the AONB;
- Scale and mass / overdevelopment of the site (6 dwellings);
- Impact on previously conditioned landscaping;
- Ignores previous comments made by the LPA in regards to extending the domestic use of the site out into open countryside in this sensitive AONB to provide over excessive off-street parking facilities;
- Ignores the LPAs approach taken so far to protect the AONB and integrity of the Titchwell Conservation Area;
- Area marked on the plans in previous schemes 'to remain as natural as possible with minimal informal landscaping' is now shown as a parking area (which had previously been removed at the request of the LPA);
- Would BCKLWN approved an application for 6 dwellings and parking for 14 vehicles on this site had the application been made?;
- Goes against the spirit of the NPPF and LPA's approach;
- 6 dwellings where One bungalow stood previously;
- Would have been neighbourly to make off-road parking spaces for the occupants of 2-4;
- 2 and 3 are holiday homes and occupants park on the road;
- Obstruct pavement;
- Pedestrian safety;
- Affects visibility;
- There have been 2 road accidents in recent years;
- 14 cars entering and exiting at a vulnerable point where speed limit reduces from 60 to 40mph;
- Command prices well beyond what most local families can afford;
- Intended for second and holiday homes;
- Titchwell does not need more second homes;
- Only 50% permanent homes in the area;
- The acclaimed open aspect of the village has already been partly eroded by the approved 4 dwellings;

- Two more properties squeezed beside the 4 under construction are not an asset to the permanent residents and are not required.

THREE NEUTRAL representations received from local residents making the following comments:

- On balance, the benefits of additional housing and delivery of off-road parking will improve the hazardous on-road arrangement;
- Outweigh any minor negative impacts;
- Although Nos. 2-4 Gorleston Cottages will remain without off-road parking);
- Some reservations about the design and scale of the parking area;
- Results from this extension to 'The Hides' development;
- But can be adequately addressed by means of a condition controlling external materials and landscaping;
- As there is ample space to the rear of the development, wonders whether a compromise might be pursued for parking to also be provided in this area for Nos. 2-4 Gorleston Cottages;
- Would a coach house unit be supported in this area?;
- Questions whether the proposed development represents limited infilling in accordance with DM3;
- Exploits the lack of a settlement boundary;
- Emphasis on preserving the open coastal marshland and character of the AONB;
- Invalid because the red line fails to encompass the vehicular access onto the A149;
- Site notice date has changed;
- Clarifies that the correspondence from Cllr Lawton was to call the application in Planning Committee if minded to approve the application;

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

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)

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

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

National Design Guide 2019

PLANNING CONSIDERATIONS

The key considerations in the determination of this application are as follows:

- The Principle of Development;
- Form and Character / Impact on the Conservation Area;
- Impact on the AONB;
- Impact on Neighbour Amenities;
- Highway Safety; and
- Other Material Considerations

Principle of Development

The site lies within Titchwell, a Smaller Village and Hamlet as classified in Policy CS02 of the Local Development Framework Core Strategy. Development within Smaller Villages and Hamlets is restricted in accordance with Policy DM3 of the Site Allocation and Development Management Policies Plan which requires new residential development in such areas to represent the sensitive infilling of small gaps within an otherwise continuously built up frontage where:-

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

In exceptional circumstances Policy DM3 enables the development of small groups of dwellings where the development is of particularly high quality and would provide significant benefits to the local community.

In this regard the proposal involves the construction of a pair of semi-detached dwellings sited between No.1 Gorleston cottages and the new residential development of the four dwellings at ‘The Hides’ which replaced a detached bungalow.

It is considered that this represents a continuous built up frontage and the proposed development will infill a gap within the built environment. The gap itself is not particularly important in the wider setting and the scale and design of the proposed development is similar to the new development adjacent at The Hides, where the applicant worked closely with Officers to produce a scheme that relates well to the site and its wider setting.

The scheme would provide wider community benefit by providing smaller dwellings (3-bed units) that may be more attainable to local people than larger detached properties. It also adds an additional two dwellings to the council’s housing stock.

It is therefore considered that the principle of development is acceptable subject to compliance with other relevant planning policy and guidance.

Form and Character / Impact upon the Conservation Area

The site is contained within the Titchwell Conservation Area. The site and its setting are referenced in the Conservation Area Character Statement for Titchwell as “A small group of buildings on the south side precedes the main village further on. A short terrace follows and a pair of semi-detached later 19th century cottages hard onto the road. The gable-ends of clunch, which would have considered a “common” material, dominate the streetscene.”

The proposed dwellings will be presented fronting the road but set back slightly from Gorleston Cottages, in line with the approved dwellings adjacent at The Hides. They will also be in line with the dwellings to the east of Gorleston Cottages so there will be a strong sense of uniformity to the street scene.

The frontages will be softly landscaped laid to grass and low level planting with pathways leading from the front entrance gates to the principle elevations. Traditional window proportions and use of materials are proposed to the front elevations, such as flint infill with red brick quoins and plinth, reclaimed clay pantiles and timber frames and doors. Gabled porches will be the focal point of the principle elevations. The rear elevations take the form of a two storey gable projection and is proposed to be constructed of natural larch timber cladding with reclaimed pantiles. This elevation is not overly visible from the main public realm.

The scale, design and use of traditional materials matches those adjacent at The Hides.

The Conservation Officer approves of the scale, mass and appearance of the proposed dwellings scheme which, following amended plans moving the properties slightly further back into the site, leaves views of the majority of the clunch gable of the existing properties.

The applicant has agreed to retain the existing height of the chalk wall to the site's frontage. However, it is proposed to insert two small openings into the wall to provide pedestrian accesses to each of the properties. Whilst the Conservation Officer has concerns over this, it is considered necessary to make the development permeable given that the vehicular access is further along Main Road. This can be carried out in a sympathetic manner with appropriately designed gates which are in keeping with the character of the street scene.

On the basis of the above, it is considered that the proposed development would preserve the character of the Conservation Area.

It is proposed to include a parking and turning area to the rear of the application site which is within the countryside. The former side garden area to No.1 Gorleston Cottages wasn't as deep as the neighbouring terrace's gardens and so the proposal will bring the rear boundary of the parking area in line with the development directly to the east. It will also bring it in line with the new boundary approved to the west of the site at The Hides.

An existing hedgerow forms the southern boundary of Gorleston Cottages and the adjacent properties further to the east. Whilst the former garden of No.1; the application site, has a smaller residential curtilage, that linear hedgerow continues beyond the application site forming an 'outer' boundary separating those properties from the agricultural land to the south.

The reason for allowing the extension into the countryside on the adjacent development site was that it was considered to leave this strip of land would render an area of land with no

specific use. The strip of land is inside the existing hedgerow which separates the farm land and would have formed neither part of the residential development nor the agricultural use and would therefore likely become unkept and potential unsightly in a sensitive location. Its incorporation into the site enabled appropriate amenity spaces to be provided to serve the proposed dwellings and on-site parking that would be out of view within the public domain of the Conservation Area, whilst enabling the properties to be located slightly further back into the site enabling views of the western clunch gable of No.1 Gorleston Cottages.

The same reasons apply in this case. It is acknowledged that the area of encroachment to the rear of the current application site was omitted from The Hyde application but this was because it was not necessary for the purposes of that particular development to have such a large area for parking and turning. The situation has now changed with the submission of the current application and given that the extension of the boundary line will mean that the form and layout of the development is in keeping with the existing pattern of development, it is not considered that it will cause any harm to the character of the countryside.

The area of land proposed for parking, including the access, is owned by the developer of The Hides. A legal agreement has been submitted and signed by the land owner and the applicant to allow the dwellings subject of this application the right of way over the access and use of the parking area once planning permission has been granted.

Impact upon AONB

The development is contained within an Area of Outstanding Natural Beauty. Paragraph 172 of the NPPF places great weight to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues...The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development, other than in exceptional circumstances where certain criterion are met.

It could not realistically be argued that two dwellings could be considered major development. However development and its impact upon the AONB is to be given great weight.

In order to assess impact of development upon the AONB, it is important to determine the landscape sensitivities. The Council's Landscape Character Assessment has the site contained within C2 – Holme to Brancaster designation. The Landscape Sensitivities of C2 are:-

- Generally intact, coherent landscape (and hedgerow network).
- Strong sense of openness within views towards the coast from the higher slopes.
- Distinctive combinations of traditional building materials within small village settlements.
- Coherent and recognisable small-scale settlement density and pattern.
- Open views (particularly from the higher slopes) towards church towers within the villages.
- Strong recognisable sense of place.

The Landscape Planning Guidelines for this area are set out as follows: -

- Seek to ensure that potential new small-scale development within the villages is consistent with existing settlement pattern, density and traditional built form.
- Seek to promote the use of local materials including flint, chalk clunch, pebbles and pantiles; and architecture, which respects traditional built form, layout and character.

- Seek to screen existing settlement edges and potential new small-scale development within the villages (Holme next the sea, Thornham, Titchwell, Brancaster and Brancaster Staithe) with planting, using species appropriate to local landscape character
- Seek to conserve characteristic panoramic, open views northwards across the slopes towards the coast.
- Seek to conserve and enhance strongly recognisable sense of place within the area.
- Seek to ensure that new development avoids prominent skyline locations upon the slopes.

The site currently has a sense of openness when viewing the site from the upper slopes, wide panoramic views are achieved of the coastline because the rear boundary treatments have been removed. However, the chalk wall to the site's frontage is retained which adds a sense of enclosure from the main road.

The sky dominates the panoramic view. A strong sense of tranquillity and isolation is noted as Titchwell is quite a drawn out settlement but consists of small fairly tight groups of dwellings. Built form and its associated land are well defined by strong linear features including hedgerows.

Development immediately to the east of the application site consists of two storey terraced cottages, but beyond that there are individual houses and buildings. Directly to the west will comprise three pairs of semi-detached dwellings. Development in Titchwell consists in the main of tight groups of dwellings and it is considered that this scheme reflects the scale, mass, design and materials of the locality and would complete this particular small tight group of dwellings.

It is therefore considered that the scheme has regard for the particular landscape qualities of this part of the AONB and would conserve its current appearance.

Neighbour Amenities

The proposal is likely to have the most impact on No.1 Gorleston Cottages which lies directly to the east, but this is the donor property that lies within the ownership of the applicant. Never-the-less, whilst there may be a degree of overshadowing it would be towards the end of the day for a short period and as such is not considered to be detrimental to residential amenity.

There are no windows in the west facing side elevation of No.1. The first floor bedroom window on the eastern elevation of the proposed dwelling adjacent No.1 will be conditioned to be obscurely glazed as this is a secondary bedroom window and will prevent overlooking to the garden area of No.1. The first floor bedroom window on the western elevation of the proposed development will also be conditioned to be obscurely glazed as this will have a direct relationship with Plot 4 of The Hides development. This is also a secondary bedroom window therefore obscure glazing is not considered to impact on the living conditions of those residents.

The position of the first floor windows serving bedrooms 2 and 3 on the southern elevations of both proposed properties together with the relationship between the properties is such that any outlook would be obscure and directed towards the bottom end of the gardens. As such this is not considered to materially impact on the amenities of the neighbouring residents.

Highway safety

Vehicular access to the new dwellings is proposed to be taken from the newly approved and constructed access serving The Hides development directly to the west of the application site. The access will serve the proposed parking and turning area to the rear of the application site. Parking provision to the rear will also be included to serve No.1 Gorleston Cottages.

The access and area of land for parking provision is not within the applicant's ownership. However, the land owner; the developer of The Hides has entered into a legal agreement with the applicant to allow the occupants of the proposed development right of way over the access and use of the parking and turning area in perpetuity once planning permission has been approved. A copy of the signed agreement has been submitted with the application.

The Highways Officer is happy with the agreement to secure adequate safe access to the site and on-site parking and turning provision.

The Highways Officer has raised no concerns with the additional vehicular movements onto the A149 resulting from the two dwellings on its own merits or accumulated with the recently approved development for 4 no. dwellings at The Hides.

Other Material Considerations

Crime and Disorder:

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

Third Party Comments:

Third party comments and objections have been taken into full consideration in reaching the recommendation for this application, most of which have been addressed above in the report.

With regards to the development amounting to 6 new dwellings when including the adjacent development site; each application should be considered on its own merits. The neighbouring development was considered to be acceptable at that time for the reasons given in the officer report.

The current application represents infill development clearly in line with Policy DM3, notwithstanding the fact that the neighbouring development is not complete – it is well underway. Furthermore, The Hides development replaced an existing bungalow, therefore prior to this development the proposal would still have represented 'infill'.

With regards to landscaping, an appropriate condition will be imposed to ensure that the site is adequately landscaped in the interests of visual amenities of the area and to protect the inherent quality of the AONB.

Regarding the new dwellings providing more second homes in the area, this has not been confirmed by the applicant one way or another. Furthermore, there is currently no Neighbourhood Plan for Titchwell or any other Planning Policies which resist second homes. Whether they are intended to be second homes or permanent homes, it is residential development (C3) and as laid out in the report above, it is considered to accord with Local and National Policy.

CONCLUSION

The site is contained within a smaller village and hamlet which can support residential dwellings that are either replacement, infill developments or small groups of dwellings. It is considered that the infilling of the gap between No.1 Gorleston Cottages and The Hides represents infilling of a gap with a high quality development that relates sympathetically to the street scene.

The scale, mass, design and materials of the proposed development are considered to be appropriate for the site and its immediate setting as well as the wider AONB, countryside and Conservation Area to which the scheme is considered to take due regard.

The access and parking area have been secured by way of a legal agreement between the applicant and the land owner. There are no other outstanding highway safety concerns.

As a result the proposed development complies with the aims and provisions of the NPPF, in particular sections 12, 15 and 16, Policies CS06, CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the Site Allocations and Management Policies Plan (2016).

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;

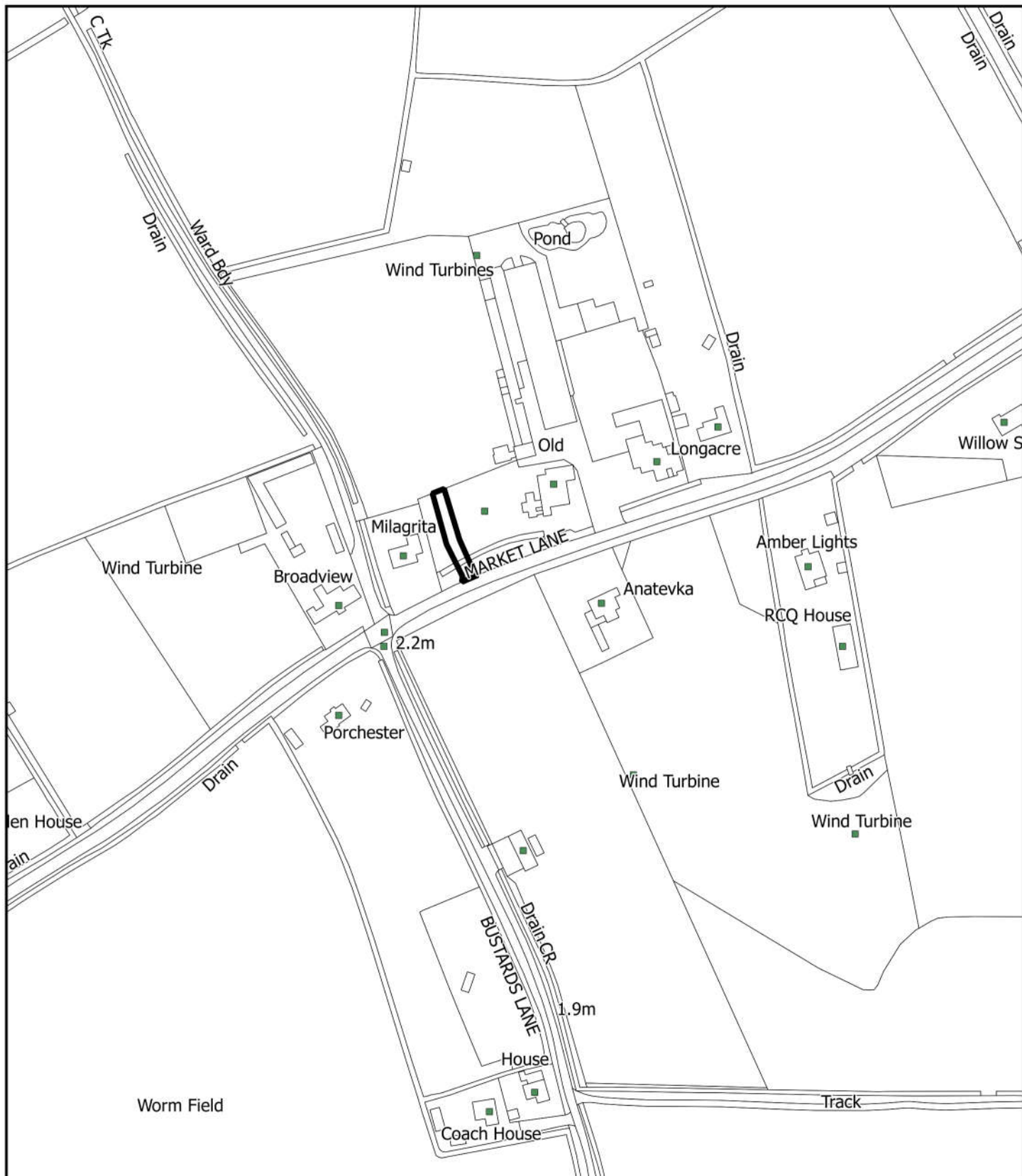
1423 01P Rev B: Existing and Proposed Location / Block Plan;
1423 02P Rev B: Proposed Plans; and
1423 03P Rev A: Proposed Elevations.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first occupation of the development hereby permitted, the proposed on-site access/car parking/turning areas 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.
- 4 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

- 5 Condition: No development 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.
- 5 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 6 Condition: Prior to the installation of any outdoor lighting relating to the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site/individual curtilages. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 6 Reason: In the interests of the amenity of the locality in accordance with the NPPF and Development Plan.
- 7 Condition: Notwithstanding the details that accompanied the application or the approved plans, prior to the first occupation of any dwelling hereby permitted, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 7 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 8 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
8. Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 9 Condition: The following windows in the development hereby permitted shall be fitted with obscure glazing and shall be non-opening and shall thereafter be retained and maintained in that condition:
- First floor window on the eastern elevation serving Bedroom 1; and
First floor window on the western elevation serving Bedroom 1.

- 9 Reason: In the interests of residential amenity in accordance with the NPPF and Development Plan.
- 10 Condition: Prior to the first occupation of the development hereby permitted, full details of the breaks in the boundary wall and the proposed gates to the front of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the method of forming the openings, how the wall is to be made good and the design, materials and height of the gates to be installed. The works shall be carried out in accordance with the agreed details and the wall shall be retained thereafter as such unless otherwise approved in writing by the Local Planning Authority.
- 10 Reason: In the interests of the character and appearance of the Conservation Area, in accordance with the provisions of the NPPF and Development Plan.

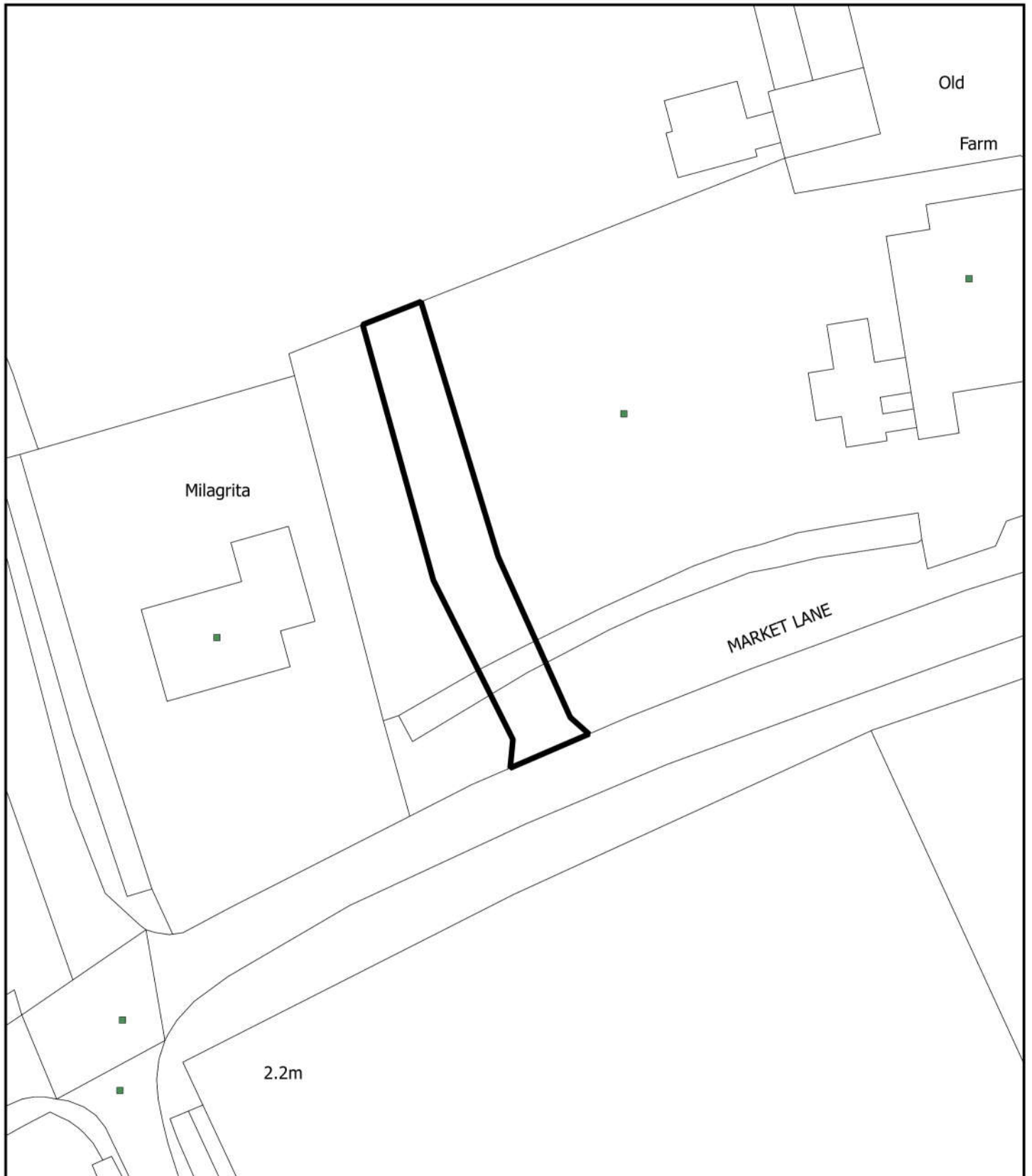
20/01250/F

Old Farm Market Lane Walpole Cross Keys



20/01250/F

Old Farm Market Lane Walpole Cross Keys



Parish:	Walpole Cross Keys	
Proposal:	Proposed new agricultural access	
Location:	Old Farm Market Lane Walpole St Andrew Norfolk	
Applicant:	Mr Ben Human	
Case No:	20/01250/F (Full Application)	
Case Officer:	Helena Su	Date for Determination: 16 October 2020

Reason for Referral to Planning Committee – The Parish Council’s comments are contrary to the officer’s recommendation and the Sifting Panel requires the application to be determined by Planning Committee.

Neighbourhood Plan: No

Case Summary

The application site is located on the northern side of Market Lane, in the Parish of Walpole Cross Keys, between the A17 and Walpole St Andrew. It lies approx. 70m west of 'Samuel's Farm Shop'.

The application seeks the creation of a new vehicular access with gates to the gain access to the agricultural land to the north, behind the existing apple tree orchard. The land is bounded by a row of Poplar trees and hedgerow to the south adjoining a wide grassed verge to Market Lane.

Members may be aware that this land has been the subject of previous committee, enforcement, and planning appeals which have been dismissed.

Key Issues

Principle of Development;
 Planning History;
 Form and Character;
 Highway Issues;
 Impact on Trees; and
 Any other matters that require consideration prior to the determination of the application.

Recommendation

APPROVE

THE APPLICATION

The application site is located on the northern side of Market Lane, in the Parish of Walpole Cross Keys, between the A17 and Walpole St Andrew. It lies approx. 70m west of 'Samuel's Farm Shop'.

The application seeks the creation of a new vehicular access with gates to the gain access to the agricultural land to the north, behind the existing apple tree orchard. The land is bounded by a row of Poplar trees and hedgerow to the south adjoining a wide grassed verge to Market Lane.

There is currently an access to the field, approximately 40m west of the proposed access between Milagrita and Boradview, which is shared with the neighbour to access thier own field further north. There is no access through Samuel's Shop, which is in the same ownership. The proposed access is required for direct access from Market Lane to the agricultural field to the north of the access (blue land).

SUPPORTING CASE

None.

PLANNING HISTORY

18/01876/F: Application Refused: 05/02/19 - Change of use of agricultural land to residential garden and proposed new access to agricultural land (Committee).

18/01555/F: Refused to Determine: 05/09/18 - Change of use of agricultural land to residential garden and proposed new access to agricultural land.

16/02013/CU: Application Refused: 29/06/17 - Change of use of the land for garden to improve existing residential amenity - Appeal Dismissed 22/01/18.

15/00164/UNAUTU: Enforcement notice issued 06/07/15 - Material change of use of agricultural land to use as garden land, including stationing of residential paraphernalia and the construction of a child's climbing frame: Appeal dismissed 19/04/16.

14/01488/F: Application Permitted: 03/12/14 - Altered vehicle access and proposed front fence, walling and gates (Delegated).

14/00800/F: Application Withdrawn: 24/07/14 - Proposed front walling and gates - Old Farm House.

12/00119/F: Application Permitted: 22/05/12 - A proposed entrance lobby to the front of Old Farm. A sun lounge and wooden garden shed on the east side of Old Farm (Delegated).

10/02079/F: Application Permitted: 09/06/11 - Completion and retention of extension incorporating covered walkway, chimney and greenhouse/conservatory (Delegated).

09/00868/F: Application Permitted: 07/09/09 - Construction of detached garage and log store (Delegated).

08/00294/F: Application Refused: 10/04/08 - Erection of garage in curtilage of dwelling (Delegated).

07/02550/CU: Application Permitted: 04/02/08 - Change of use of strip of land to form amenity space for dwelling (Delegated).

07/02021/F: Application Withdrawn: 30/10/07 - Erection of detached garage, alteration to highway access

04/02098/CU: Application Permitted: 08/02/05 - Conversion and extension of buildings to create dwelling (Delegated).

RESPONSE TO CONSULTATION

Parish Council: OBJECTS on the following grounds:

"Already has 2 access points to the field therefore why another?
Previous applications have been made and objected to.
This access point is onto a main road and could be a danger to traffic when pulling out."

Highways Authority: Makes the following comments:

"Having previously visited the site I am aware that the point of access would achieve levels of visibility to accord with the adopted standards and I therefore recommend the following conditions:

SHC 05

Prior to the first use of the access hereby permitted the vehicular crossing over the ditch / watercourse shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highways Field Access specification and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.

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."

Internal Drainage Board: NO OBJECTION, subject to compliance with the Board's byelaws.

Arboricultural Officer: NO OBJECTION Having reviewed photos, no comments made.

REPRESENTATIONS

NONE Received.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS06 - Development in Rural Areas

CS12 - Environmental Assets

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

NEIGHBOURHOOD PLAN POLICIES

Policy 10 - Transport and Access

Policy 6 - Managing and Reducing Flood Risk

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development;
- Planning History;
- Form and Character;
- Highway Impact;
- Impact on Trees; and
- Any other matters that require consideration prior to the determination of the application.

Principle of Development

The application is for a proposed access with gates to an agricultural field to the north of the apple tree orchard (blue land). There is currently an access to the west of the proposed access, which is shared with the neighbour. There is no access through Samuel's Shop (to the east), which is in the same ownership. The proposed access is required for direct access from Market Lane to the agricultural field.

The principle of the development is generally considered to be acceptable provided that it would not have any detrimental impact on the character or appearance of the countryside or result in any significant harm to highway safety in accordance with Policies CS06, CS08 and CS11 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016..

Planning History

The previous planning application (18/01786/F) went to Planning Committee in February 2019 and was for a change of use of agricultural land to residential garden with a proposed access to agricultural field; the same access as the one proposed in this application. The committee report commented that the proposed access would have been acceptable. However, as the application needed to be considered as a whole with the change of use, it was recommended refusal. The minutes from February 2019 Planning Committee showed no comments were made specifically against the proposed access.

Furthermore, the planning appeal history on this parcel of land was regarding the change of use from agricultural land to residential garden only. The Inspector in both appeals, noted that the parcel of land was agricultural, therefore, the change of use to garden land would be contrary to Policy CS06 of the Core Strategy 2011. However, a field access, the subject of this current application, was not part of any previous appeal proposals.

Form and Character

Market Lane is characterised by sporadic residential development and parcels of agricultural fields along the north and south side.

The land is bounded by a row of Poplar trees and hedgerow to the south adjoining a wide grassed verge to Market Lane. The proposed access will not have an adverse impact on the rural character of the road as the site will continue to have planting along the boundary by only removing two trees to the south of the site and one tree to the north. The rural feel of the locality will thus be maintained.

The proposal is therefore acceptable in term of form and character and complies with Policy CS06 and Policy CS08 and Policy CS12 of the Core Strategy 2011, Policy DM15 of the SADMPP 2016 and Policy 10 of the Walpole Cross Keys Neighbourhood Plan.

Highway Impact

The access is approximately 8.9m east of Milagrita and 24.9m west of Old Farm. The gate of the proposed access will be approximately 8.4m from the carriageway edge of Market Lane. Whilst the Parish Council raise concerns regarding road safety on Market Lane, the Local Highway Authority has raised no concerns and recommended a condition to define the details of the construction of the access and its drainage.

The proposed access is considered to be acceptable in highway safety terms and complies with Policies CS08 and CS11 of the Core Strategy 2011, Policy DM15 of the SADMPP 2016 and Policy 10 of the Walpole Cross Keys Neighbourhood Plan.

Impact on Trees

A total of three trees are proposed to be removed for the access (two trees along the south boundary and one tree on the north boundary). The Arboricultural Officer has raised no objection to the removal of these trees.

The proposal is therefore acceptable in terms of the impact on trees and complies with Policies CS08 and CS12 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016.

Any other matters that require consideration prior to the determination of the application.

The existing ditch that the access crosses will be culveted in accordance with the requirements of the LHA (secured by condition). The Internal Drainage Board have raised no concerns and have no comments to make on the application. The proposal would be in accordance with Policies 6 and 10 of the Walpole Cross Keys Neighbourhood Plan.

CONCLUSION

It is considered that the proposed access will not have an adverse impact on the current flow of traffic of Market Lane and will not adversely impact the form and character of the locality. There are no objections from statutory consultees relating to the provision of the access. Overall, the proposal is in accordance with the requirements of the National Planning Policy Framework 2019 and other relevant policies of the Development Plan. It is recommended that this application be approved subject to conditions as set out below.

RECOMMENDATION:

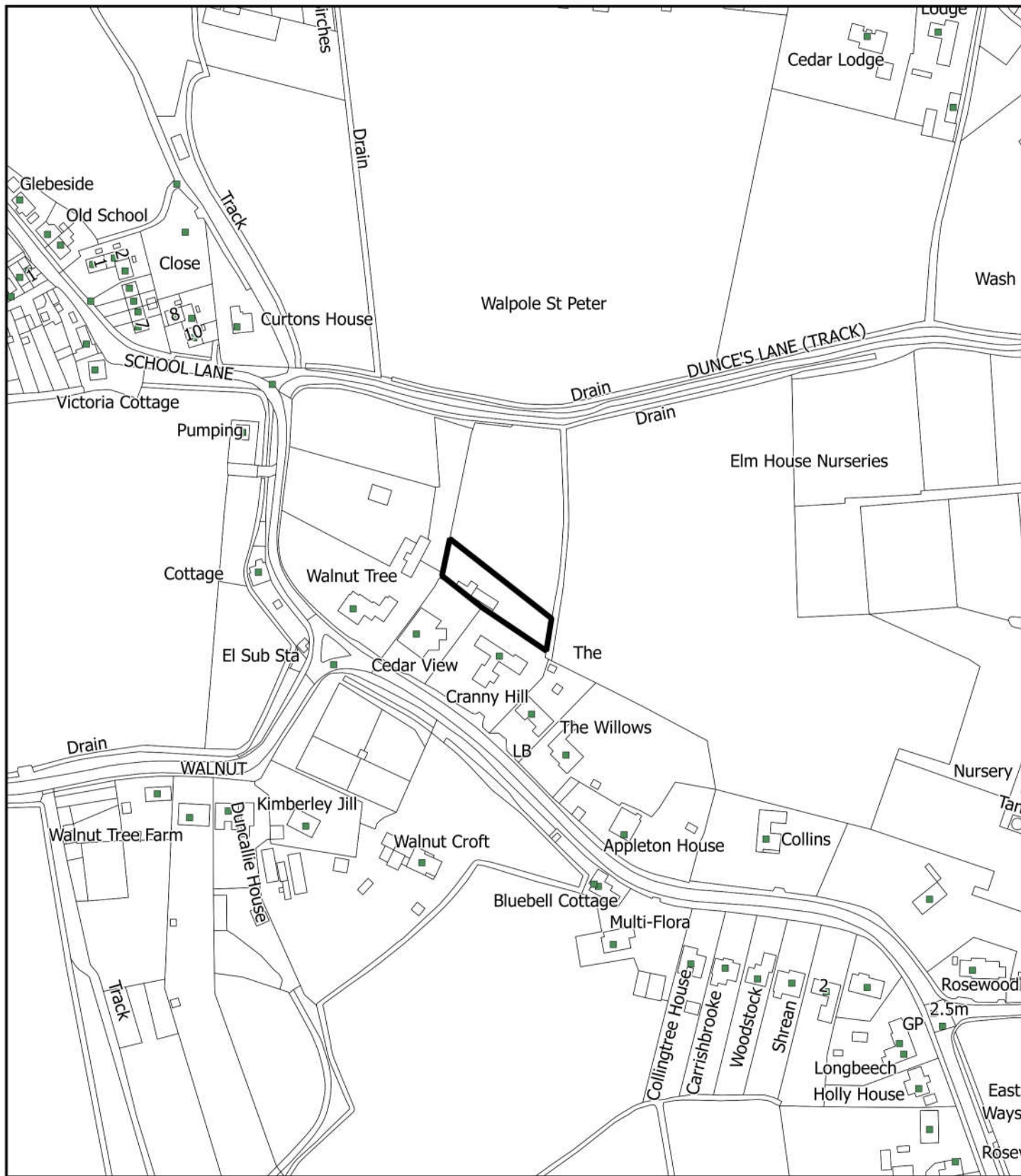
APPROVE subject to the imposition of the following condition(s):

- 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:

Dwg no. 18-P57-PL010
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first use of the access hereby permitted the vehicular crossing over the ditch / watercourse shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highways Field Access specification and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- 3 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.

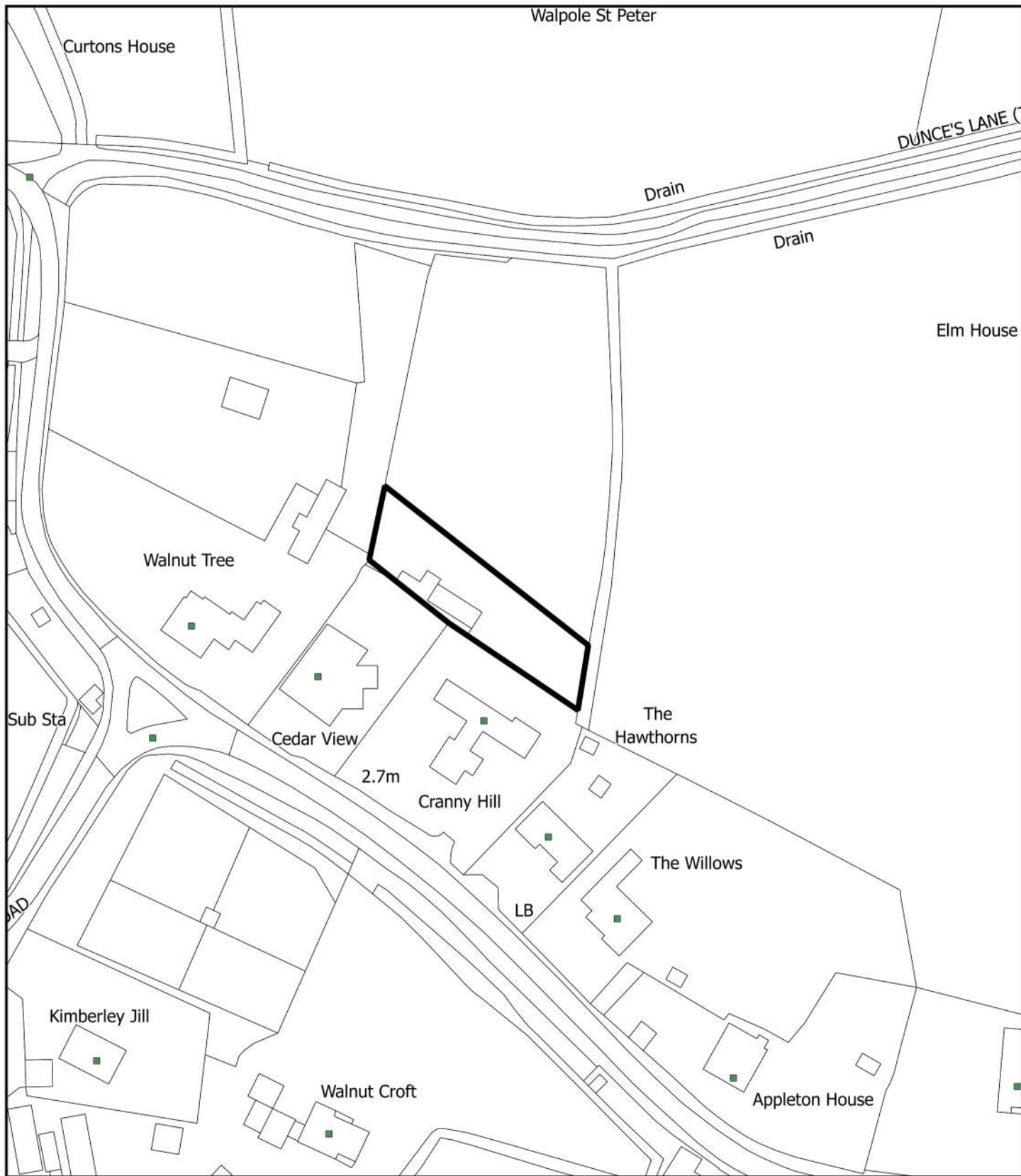
20/01164/F

Cedar View Walnut Road Walpole St Peter



20/01164/F

Cedar View Walnut Road Walpole St Peter



Parish:	Walpole	
Proposal:	Retention of detached machine store (with storage above) and retention of external bar with an associated change of use to residential garden	
Location:	Cedar View Walnut Road Walpole St Peter Norfolk	
Applicant:	Mr Darren Boyle	
Case No:	20/01164/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 1 October 2020 Extension of Time Expiry Date: 10 November 2020

Reason for Referral to Planning Committee – the Parish Council object to the application which is at variance with the Officer recommendation and Sifting Panel require the application to be determined at Planning Committee.

Neighbourhood Plan: No

Case Summary

The application is for retrospective planning permission for the erection of a machine store (with storage above) to serve the land to the rear of the application site, which is also in the ownership of the applicant (blue land). This application is to regularise a building which had planning permission granted in 2019 but which was built in the wrong position. The application is also for the change of use of part of the application site to garden land, upon which is sited an external bar for use by the occupants of Cedar View, the dwelling to the front of the application site and also within blue land.

Key Issues

Principle of Development
 Design and Impact on the character and appearance of the countryside
 Amenity Issues
 Flood Risk
 Highways Issues
 Other material considerations
 Crime and Disorder Act

Recommendation

APPROVE

THE APPLICATION

The application site is to the rear of Cedar View, a modern newly built detached dwelling and its associated garden. No boundary treatment has been erected at the rear of Cedar View's approved garden and a single storey building which houses a 'bar' has been erected that straddles the approved garden and the land at the rear, which is also in the ownership of the applicant.

This application seeks full planning permission to change the use of some of the land to the rear of the approved garden to additional garden land, upon which a bar (already erected) and foul drainage for the dwelling is sited. The application also includes the erection of a detached machine store (with storage above) to the rear of the neighbouring dwelling (Cranny Hill) on land outside the garden of Cedar View and which has an agricultural use. A similar machine store (with storage above) was granted permission in 2019 (19/00143/F) in a different location and this application seeks consent to retain what has been built.

SUPPORTING CASE

This statement supports the full planning application for the retention of detached machine store (with storage above) and retention of external bar with an associated change of use to residential garden at Cedar View, Walnut Road, Walpole St Peter.

Cedar View currently has planning approval for a machine store which was granted permission on 03 April 2019 under reference 19/00143/F. Upon commencement of the construction of the building the applicant has inadvertently located it in slightly the wrong location by approximately 1.0m.

The building proposed in this application is almost identical to that approved albeit some minor internal revisions.

Through the process of dealing with the machine store, it has been identified that one corner of the small building constructed for use as an external bar which is associated with the residential use of the existing dwelling has been built approximately 2.0m (at its extremity) outside of the residential curtilage. This application seeks to extend the curtilage to accommodate this building.

The site is concealed from the wider village and there cannot be any significant harm caused by this application.

PLANNING HISTORY

19/00143/F: Application Permitted: 03/04/19 - Erection of detached machine store (with store above) for use in connection with existing grass paddock - Land Rear of Cedar View Walnut Road Walpole St Peter

18/00946/RM: Application Permitted: 15/08/18 - Reserved Matters Application: Single 2 storey residential dwelling - Cedar View Walnut Road Walpole St Peter

17/01548/O: Application Permitted: 08/11/17 - Outline Application: Single two storey residential dwelling - Walnut Tree House Walnut Road Walpole St Peter

RESPONSE TO CONSULTATION

Parish Council: OBJECT

- The building work on the machine store is too close to the boundary fence.
- The drawings are very unclear of what they want to do.
- As we rejected the machine store before we reject it again.
- The previous application for the machine store has not been built in accordance with approved plans.
- Received information that the bar building has already been done and finished off on 22.8.20.

Highways Authority: NO OBJECTION

Internal Drainage Board: The application is within the Drainage District of the Board and Byelaws apply.

We note that the applicant has indicated that they intend to dispose of surface water via infiltration, however we cannot see that the viability of the proposed drainage strategy has been evidenced. We would recommend that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site with testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency. If surface water will be discharged to a drain then consent will be required under Byelaw 3 and charges will apply.

The applicant has not indicated how the foul water from the package treatment plant will be disposed of. If it is discharged to a watercourse then consent will be required (Byelaw 3).

Community Safety and Neighbourhood Nuisance: NO OBJECTION

The original approval for the store, 19/00143/F, had a clear separation of the domestic curtilage from the blue lined land to the rear - a 1.2m high post and rail fence indicated on the plan and within the D&A Statement.

Additionally, I cannot see any foul drainage details for the house (we were not consulted on 17/01548/O or 18/00946/RM) or any consideration for foul drainage on plans or other submitted information, so it is not clear whether the treatment plant is the original one for the dwelling (as queried in emails dated 30 September 2020). I would be grateful if confirmation could be obtained as to whether this is the original treatment plant for the dwelling (which would have been beyond the curtilage) or a new one purely for the store, and (as you have asked) where the associated drainage field for this plant is located (as this should be within the garden/curtilage or newly blue hatched land).

I recommend the reattachment of condition 3 of planning permission 19/00143/F.

In terms of the bar, the neighbour nearest the bar has submitted supporting comments, however I note the large area for outside seating and three large shuttered apertures to the building. It is not clear from the plans for the dwelling what the boundary treatment along this side should be, but site photos appear to show horizontal hit and miss fencing in situ. As the nature of the building and associated activities could generate noise which could impact on residential amenity, it is my recommendation that additional planks are added to the existing fence to block air gaps.

Please attach the EPA informative to any approval.

REPRESENTATIONS

ONE letter of comment:

- Concern regarding proximity of machine store to the fence and its height.

ONE letter of **SUPPORT**

- The buildings are in keeping with his property and allow him the outside amenities that he requires.
- I'm sure there will be minimal disruption to neighbours.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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

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

National Design Guide 2019

PLANNING CONSIDERATIONS

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

Principle of Development

Design and Impact on the character and appearance of the countryside

Amenity Issues

Flood Risk

Highways Issues

Other material considerations

Crime and Disorder Act

Principle of Development

The application site is outside the development boundary as identified by Inset Map G109 (Walpole St Peter / Walpole St Andrew / Walpole Marsh) of the Site Allocations and Development Policies Plan (SADMPP) 2016 and is defined as countryside.

The principle of the provision of a detached machine store (with storage above) has already been established with planning permission 19/00143/F. This was considered acceptable as it is to provide storage for equipment used to maintain the agricultural/paddock land adjacent to it. This was conditioned as such within application 19/00143/F and stated within Condition 3 that 'The building hereby approved shall only be used for the storage of machinery and tools associated with the paddock (blue land on Planning Drawing 1). The building shall remain within the ownership of the donor dwelling known as Cedar View, Walnut Road, Walpole St Peter, PE14 7PE as identified in blue on Planning Drawing 1. The building shall not be used for business or commercial purposes, and not be used as a separate unit of residential accommodation.'

This application seeks consent to retain the machine store which has been constructed in an unauthorised location, but which would still comply with the principles of the NPPF, Policy CS06 of the Core Strategy and Policy DM2 of the SADMPP.

The change of use of agricultural land to garden land which is outside the development boundary as identified by the Local Plan is contrary to the principles of the NPPF, Policy CS06 of the Core Strategy and Policy DM2 where policy protects the countryside for its intrinsic character unless material considerations indicate otherwise.

The provision of a building for domestic purposes, in this case an external bar, outside the approved garden is also contrary to policy and would only be considered acceptable if the associated change of use to garden land were approved which will be discussed below.

Design and Impact on the character and appearance of the countryside

As stated, planning permission was granted in April 2019 for 'Erection of detached machine store (with store above) for use in connection with existing grass paddock' (ref 19/00143/F). The approved building was to be sited 2.3m from the northern boundary of Cranny Hill and was 6.47m to the ridge.

The supporting case does state that the building is only 1m from where it was previously approved but that is not the case. Whilst the footprint remains the same as that previously approved (12m x 6.97m), the position of the machine store is different and has been moved nearer to the boundary with Cranny Hill (now 0.75m). It has also been moved 9m further west along the northern boundary so that it is closer to the applicant's dwelling.

Notwithstanding the altered position, the design of the proposed machine store is similar to that previously approved but is now 1.1m lower in height than that approved under 19/00143/F and the window in the gable end has been removed. The proposal would not have a detrimental impact upon the surrounding countryside being located against the backdrop of residential development to the south and also it would not be out of character to have a machine store in a countryside location.

The Parish Council in their response to this application has stated that it objected to the original application for the machine store (19/00143/F), however that is not the case. The Parish Council comments stated that they supported the application with the comment 'That the Machine Store should not be used for business or domestic purposes as per the statement on page 1 (under paragraph titled 'Use') of the Design and Access Statement.' and the application was conditioned accordingly. The Parish also object to the position of the store which is now closer to the boundary with Cranny Hill and the impact upon amenity is assessed below.

The change of use of the land and where the external bar building would be sited, would be contrary to policy, however it is considered that given the location adjacent to the existing garden land and residential development, there would be minimal visual impact upon the character and appearance of the surrounding countryside. A boundary treatment between the proposed garden land and the agricultural land to the north will be conditioned to be erected and maintained should the application be approved.

The proposed external bar is relatively modest and would not be out of character in a domestic garden, being brickwork, grey cladding and slate roof.

Overall, there would be limited harm to the character and appearance of the countryside and therefore the proposal complies with section 12 of the NPPF, Policy CS06 and CS08 of the Core Strategy and Policy DM15 of the SADMPP.

Amenity Issues

The impact of the development on the neighbouring dwellings has been assessed.

The proposed machine store on the neighbour at Cranny Hill has been considered and it is noted that whilst this neighbour has not objected, they have expressed some concern regarding the distance of the building from the boundary and its proposed height.

The building has been approved previously with a greater height, albeit in a different location. The building is 12m in length and is located only 0.75m from the boundary with this dwelling, however the orientation of the proposal, to the north of the dwelling, would mean that there would be no material impact upon Cranny Hill with regard to loss of light. The proposal would have a reduced height of 5.35m with an eaves height of 2.7m and therefore, whilst the building is long, it is not considered to have an overbearing impact upon this neighbour. There are no windows in the first floor which would face this neighbour and therefore there would be no overlooking caused by the proposal. It is not considered that a machine store would cause any noise issues and a condition would be placed on any approval ensuring it was not used for business or commercial purposes.

The impact of the external bar on the neighbours has been considered. Due to the scale, location and orientation of the external bar there would be no material impact with regard to overlooking, overshadowing or being overbearing on either neighbour to the east or west. Comments have been received from CSNN regarding altering the fencing, which is currently hit and miss fencing, in order to reduce the possible impact relating to noise. This is considered onerous as an external bar could have been constructed nearer to the neighbour (within the approved curtilage) by utilising permitted development rights and without altering the fencing.

The machine store will utilise the same access as the dwelling, Cedar View, and therefore it would be possible that the machine store could cause amenity issues to the dwelling should the building be in separate ownership. Therefore, the use of the building by occupants of the dwelling will be conditioned as in planning permission 19/00143/F.

Overall, the proposal is not considered to cause any material impact upon neighbour amenity and would comply with section 12 of the NPPF and Policy DM15 of the SADMPP.

Flood Risk

The application site is within flood zone 2 and 3 of the SFRA 2018 and the flood mitigation measures comply with the standing advice from the Environment Agency. The machine store would be a 'less vulnerable' form of development as identified within Table 2 'Flood risk

vulnerability classification' of the planning practice guidance and therefore is appropriate within Flood Zone 3.

The foul drainage for the existing dwelling and its associated drainage field has been sited upon the land which is currently being considered for a change of use to garden land. It is proposed to utilise this existing treatment plant for the disposal of foul waste from the toilet within the machine store which would be acceptable.

Highways Issues

There are no objections from the Highways officer and no impact upon the highway is envisaged.

Other material considerations

One of the objections from the Parish Council is that the bar has been completed. This has been done without consent and is done at the applicant's own risk however it is possible for the applicant to apply for retrospective planning permission which is this planning application.

Crime and Disorder

No issues related to crime and disorder arise due to this application.

CONCLUSION

The proposed machine store is similar to that already approved under planning permission 19/00143/F, albeit with a reduction in height and in a different location within the site. It would not have a detrimental impact upon the countryside nor neighbour amenity.

Whilst the change of use of countryside to garden land is contrary to Policy CS06 of the Core Strategy and Policy DM2 of the SADMPP, the material circumstances around the case, i.e. the relatively small area of land (7.3m from the rear of the existing garden) with the provision of the external bar, is not considered to have a material visual impact upon the character and appearance of the surrounding countryside and therefore is acceptable.

Given the circumstances above the proposal is considered acceptable and complies with the principles of the NPPF, Policies CS06, CS08 and CS10 of the Core Strategy and Policy DM2 and DM15 of the SADMPP.

RECOMMENDATION:

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

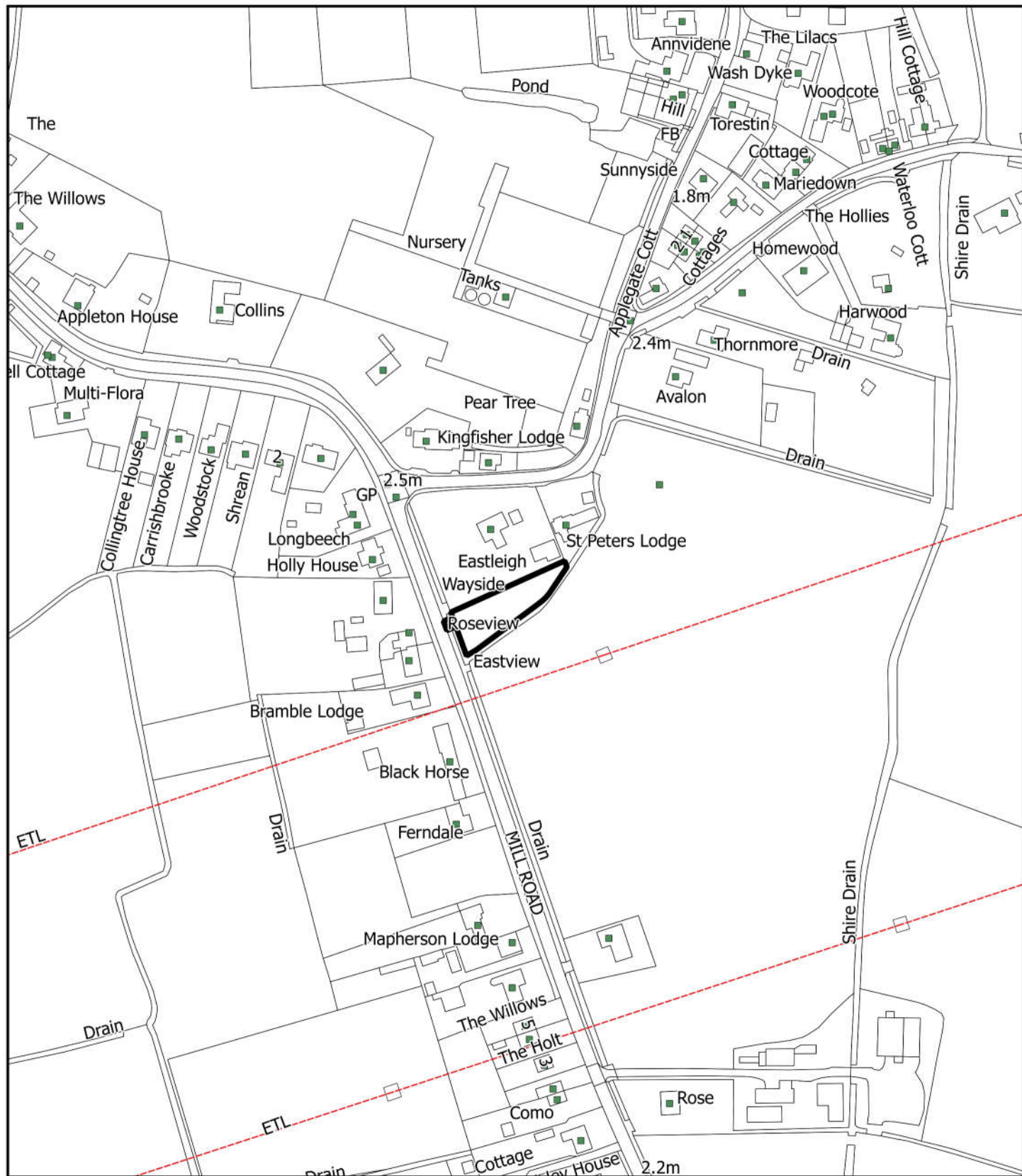
- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans SE-1459-100C received by the Local Planning Authority on 20th October 2020.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The machine store (with storage above) hereby approved shall only be used for the storage of machinery and tools associated with the paddock to the north of the site shown in blue on approved drawing SE-1459-100C). The building shall remain

within the ownership of the dwelling known as Cedar View, Walnut Road, Walpole St Peter, PE14 7PE. The building shall not be used for business or commercial purposes, and not be used as a separate unit of residential accommodation.

- 2 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.
- 3 Condition: Within four weeks of the date of this decision the 1.2m post and rail fencing shown on drawing SE-1459-100RevC, which separates the area of garden land hereby approved and the agricultural / paddock land to the north, shall be erected and maintained in perpetuity. The laurel hedging shown on this boundary shall be planted in the next available planting season and any that die or become severely damaged or seriously diseased within 5 years from the date of this permission shall be replaced with plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval for any variation.
- 3 Reason: For the avoidance of doubt and to ensure that the land is used for purposes that are incompatible with the provisions of the NPPF.

20/01240/F

Land adj Eastleigh Chalk Road Walpole St Peter



20/01240/F

Land adj Eastleigh Chalk Road Walpole St Peter



Parish:	Walpole	
Proposal:	Proposed detached dwelling	
Location:	Land Adj Eastleigh Chalk Road Walpole St Peter	
Applicant:	Mr Henry Amps	
Case No:	20/01240/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 22 October 2020 Extension of Time Expiry Date: 2 November 2020

Reason for Referral to Planning Committee – Officer recommendation contrary to views of Parish Council and called in to Planning Committee by Cllr Blunt

Neighbourhood Plan: No

Case Summary

The application is for the erection of a detached two-storey 4-bedroom dwelling. The site lies to the south of the property known as "Eastleigh", on the east side of Mill Road on the southern edge of Walpole St Peter. The site lies outside the Walpole St Peter development boundary, so it is deemed as being in the countryside. The site lies in Flood Zones 2 and 3a.

Key Issues

- Principle of development
- Impact on character and appearance of the area
- Impact on neighbour amenity
- Flood risk
- Other matters that require consideration prior to the determination of the application

Recommendation

REFUSE

THE APPLICATION

The application is for the erection of a detached two-storey 4-bedroom dwelling. The site lies to the south of the property known as "Eastleigh", on the east side of Mill Road on the southern edge of Walpole St Peter. The proposed dwelling would lie adjacent to the built up area of Walpole St Peter, but still lie outside the development boundary, therefore the site is classed as countryside. In addition, the site lies in Flood Zones 2 and 3a. Mill Road is characterised by sporadic linear development, mainly on the west side of the road, with agricultural fields bounding the east.

Planning Committee
2 November 2020

SUPPORTING CASE

- The building plot was originally purchased by my parents in 1996 (with planning consent) alongside the purchase of Eastleigh house. The building plot was purchased with the intention of building a self build when the time was right. My parents have never pursued this as they were more than happy living in Eastleigh. With the arrival of my Daughter Lucia in September 2019 we thought this was the perfect opportunity to start planning to build our forever family home on the building plot I had grown up next to as a young child.
- Family is really important to both myself, my partner Michelle and our parents. With all of Michelle's Family living in her homeland of Scotland, we feel it's really important to have such a close relationship with my parents, with them being our neighbours we feel this would create the perfect family surroundings.
- I have lived in the Walpoles since birth with my family.
- We are looking to extend our family in the near future and I would love for my children to attend the local Primary school (Anthony Curtain) as I did as a child.
- All the Local development boundary maps pre 2016 included this plot in the development zone. The site now immediately abuts the SADMP boundary.
- We believe the proposed building plans are in keeping with the village.
- We have included environmental details in the design including solar panels and air source heating to make the build as environmentally friendly as possible.
- With the current climate, we feel that our build would also support local companies in contracting them to help with build.
- We own a local family business, which has previously supported the local community and will continue to do so in the future, remaining in the village and close to my family will ensure the family business can run effectively.

PLANNING HISTORY

2/92/0730/O: Application Refused: 23/04/92 – Site for construction of one dwelling – Mill Road, Walpole St Peter

2/92/1454/O: Application Permitted: 12/08/92 – Site for construction of one dwelling – South of Eastleigh, Mill Road, Walpole St Peter

2/95/0328/O: Application Permitted: 08/05/95 - Site for construction of dwelling (renewal) - South of Eastleigh, Mill Road, Walpole St Peter

2/02/1327/O: Application Permitted: 20/09/02 - Site for construction of dwelling - South of Eastleigh, Mill Road, Walpole St Peter

20/00030/PREAPP: Likely to Refuse: 08/04/20 - Outline: Proposed building plot – Land South Eastleigh, Chalk Road, Walpole St Peter

CONSULTATION RESPONSES

Walpole Parish Council: SUPPORT

In keeping with the village. i.e. cedar cladding.
Environmental details within the development.
Overall design is thought to be excellent.

Environment Agency: NO OBJECTION

By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be aware that although we have raised no objection to this planning application on flood risk grounds this should not be taken to mean that we consider the proposal to have passed the Sequential Test.

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) (4728770) are adhered to. In particular, the FRA states that:

- Finished floor levels will be set no lower than 10.195m AOD (1m above lowest site levels).
- Flood resilient measures will be incorporated up to 300mm above finished floor levels.

NCC Highways: NO OBJECTION

The access to be utilised does presently have acceptable levels of visibility over the ditches and from their arraignment I would expect there to be a realistic expectation that such would remain in the future. With respect to the construction of the access point currently found, it was evident that it was un-surfaced and steep and would therefore not accord with adopted standards without improvement. The applicant should note the max recommended gradient as this may impact of driveway levels. From the drawings submitted I observe that the parking with turning would accord with the adopted standards.

Recommend conditions to ensure satisfactory access, visibility, gradient, permanent parking and turning areas and in the interests of highway safety.

Environmental Quality: NO OBJECTION

Emergency Planning: NO OBJECTION

The information supplied meets the criteria for an effective flood evacuation strategy.

Natural England: NO OBJECTION

REPRESENTATIONS:

No third party representations were received

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations:

The principle of development.
Impact on character and appearance on area.
Impact on neighbour amenity
Flood risk
Other matters that require consideration prior to the determination of the application

Principle of development:

The planning history indicates that proposals for residential dwellings have been permitted in the past, but the development boundary of Walpole St Peter has changed since then, so the circumstances of this proposed development are different. The site now lies outside the development boundary for Walpole St Peter and is not allocated for development in the SAMDPP 2016. As such, in accordance with Policy DM2, it will be treated as countryside where new development is more restricted and limited to that identified as suitable in rural areas. Policy CS06 of the Core Strategy 2011 reinforces this position, by stating that development of greenfield sites will be resisted unless essential for agricultural or forestry use.

The development of this dwelling would be commissioned by the family that intends to occupy it, as such it would be in accordance with the definition of custom and self-build housing (CSB). Local Authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self build and custom house building. Further that there is a duty under Sections 2 and 2A of the Self Build and Custom Housebuilding Act 2015 to have regard to the register and to give enough sustainable development permissions to meet the identified need. It has been evidenced and confirmed by an Inspector at Appeal (Fosters, Clenchwarton) that having regard to the register, the Council has granted a significant number of planning permissions (measured over the last 4 years) on the basis of them being self build and is therefore meeting the identified need. Clearly, the Council is meeting its duty with regard to custom and self build housing and as such, the weight attached to the provision of self-build plots is limited when considering the planning balance.

The proposed development when judged against the aforementioned policies is not suitable development and there is no justification for the residential development of this greenfield land. For the reasons above, the development of a dwelling on the site in question would be contrary to and undermines the spatial strategy for the area as set out in Policies CS02, CS06 and CS08 of the Core Strategy 2011 and DM2 of the SADMPP 2016.

Impact on character and appearance of the area:

The character and appearance of dwellings along Mill Road is varied, with a mix of bungalows and two-storey dwelling and lots of different materials and styles. The external materials of the dwelling will comprise White render and cedar cladding with smooth grey roof tiles and grey windows. The footprint of the dwelling will span the width of the site with a small gap either side. The dwelling is proposed with a pitched roof with solar panels. An attached garage is proposed to the front of the dwelling. It is considered the scale, layout, character and appearance of the dwelling would be acceptable.

The side boundary hedge is shown to be removed and then replaced with a new 1m row of planting which would soften the visual impact of the development, the exact details of which could be conditioned. The site is located adjacent to the settlement and physically it relates well to the existing built up area. It is considered the residential development of this site would not have any detrimental impact on the character or appearance of the wider countryside.

The proposal in so far as character and appearance would therefore be in accordance with Policies CS06 and CS08 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016.

Impact on neighbour amenity:

It is considered there is sufficient distance to Eastleigh to the north such that there would not be any significant detrimental overbearing or overshadowing impact.

With regard to privacy, the finished floor levels of the dwelling are proposed to be raised by 1m, including a 1m high raised patio to the rear. The proposed 1.8m close boarded fence will not be sufficient to screen overlooking views from ground floor windows and the rear patio area into the private garden and internal spaces of the donor dwelling to the north. However, details of boundary treatments along with screening to the raised patio could be conditioned.

The donor dwelling Eastleigh has a first-floor window on the south elevation which would be approximately 17m away from the proposed boundary of the garden. It is considered this is sufficiently far such that there would not be any significant overlooking impact. Lastly the proposed dwelling has a first floor window on its east gable end which would look towards a neighbouring outbuilding used as a sun room, however the gap between these would be approximately 22m. Overall, subject to additional screening the relationship between the proposed dwelling and its neighbours will not give rise to any significant impacts on residential amenity, in accordance with Policy DM15.

Flood risk:

The site lies in several different flood risk zones, including tidal breach and surface water flooding zones in addition to Flood Zones 2 and 3a. The Borough Council Emergency Planning Officer recommended that a flood evacuation plan was prepared. One was then supplied by the agent and it was found satisfactory. The Emergency Planning Officer has no objection to the application

The Environment Agency also has no objection to the development subject to compliance with the recommendations set out in the Flood Risk Assessment. However the EA's response does not consider the sequential or exception tests, that is the responsibility of the Local Planning Authority.

The majority of the Walpole Parish lies within Flood Zone 3a and there are no alternative sites at lower risk, therefore the development would pass the sequential test. Following the

sequential test, it is considered the development would fail the exception test. The Borough Council can currently demonstrate it has a sufficient supply of housing land to meet the housing need identified for the district. Development of this site outside of the development boundary would therefore have limited sustainability benefits. Overall, it is considered the limited sustainability benefits of providing this dwelling in an unsuitable location would not outweigh the flood risk contrary to the NPPF and Policy CS08 of the Core Strategy 2011.

Other material impacts:

The level of traffic generated from the site would not have any significant adverse impact on highway safety on this part of Mill Road. In addition, adequate visibility can be achieved from the site access. Overall it is considered the development would not have any significant adverse impact on highway safety. The Local Highway Authority raise no objection subject to conditions regarding access, visibility, gradients and suitable parking and turning.

Lastly, it is considered there are no significant contamination risks involved with this site and Environmental Quality do not object to the application.

CONCLUSION:

The site lies in the countryside outside of but adjacent to the designated development boundary of Walpole St Peter. Therefore, in accordance with Policy CS06 of the Core Strategy 2011, it is not considered a suitable location for new residential development. As such, the application would fail to meet the objectives of Policy DM2 of the SADMPP 2016. Subsequently, it is considered the risk of flooding on the site would outweigh the limited sustainability benefits of providing a dwelling on this site contrary to Policy CS08 of the Core Strategy 2011 and the NPPF.

RECOMMENDATION:

REFUSE for the following reason(s):

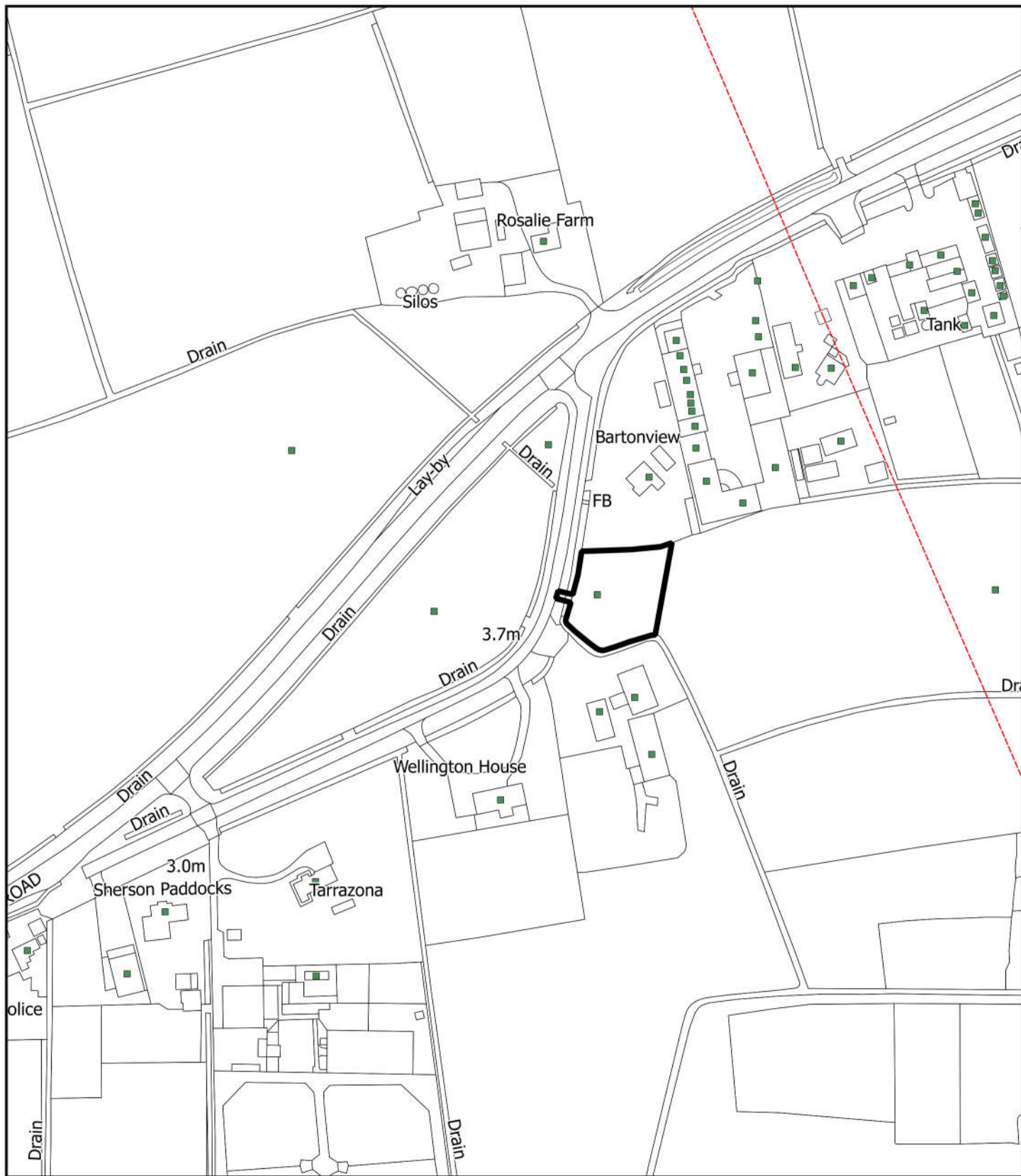
- 1 The site lies outside of the development boundary for Walpole St Peter identified by the SADMPP 2016. Policy DM2 of the SADMPP states that areas outside development boundaries will be treated as countryside where development is more restricted, except for development identified as suitable in rural by areas by other policies in the plan.

There is no justification for the proposed dwelling as it does not meet the criteria of any of the policies which outline suitable development in rural areas. As such, it does not accord with the objectives of sustainable development and the application is contrary to Policies DM2 of the SADMPP 2016, CS06 and CS08 from the Core Strategy 2011, and the NPPF.

- 2 The application site falls within Flood Zone 3a of the SFRA 2018 and passes the sequential test; therefore the exception test is required. It is considered the proposal fails the exception test because the limited sustainability benefits of the development would not outweigh the flood risk. Therefore, the proposed development is contrary to Paragraphs 160 and 161 of the NPPF and Policy CS08 of the Core Strategy 2011.

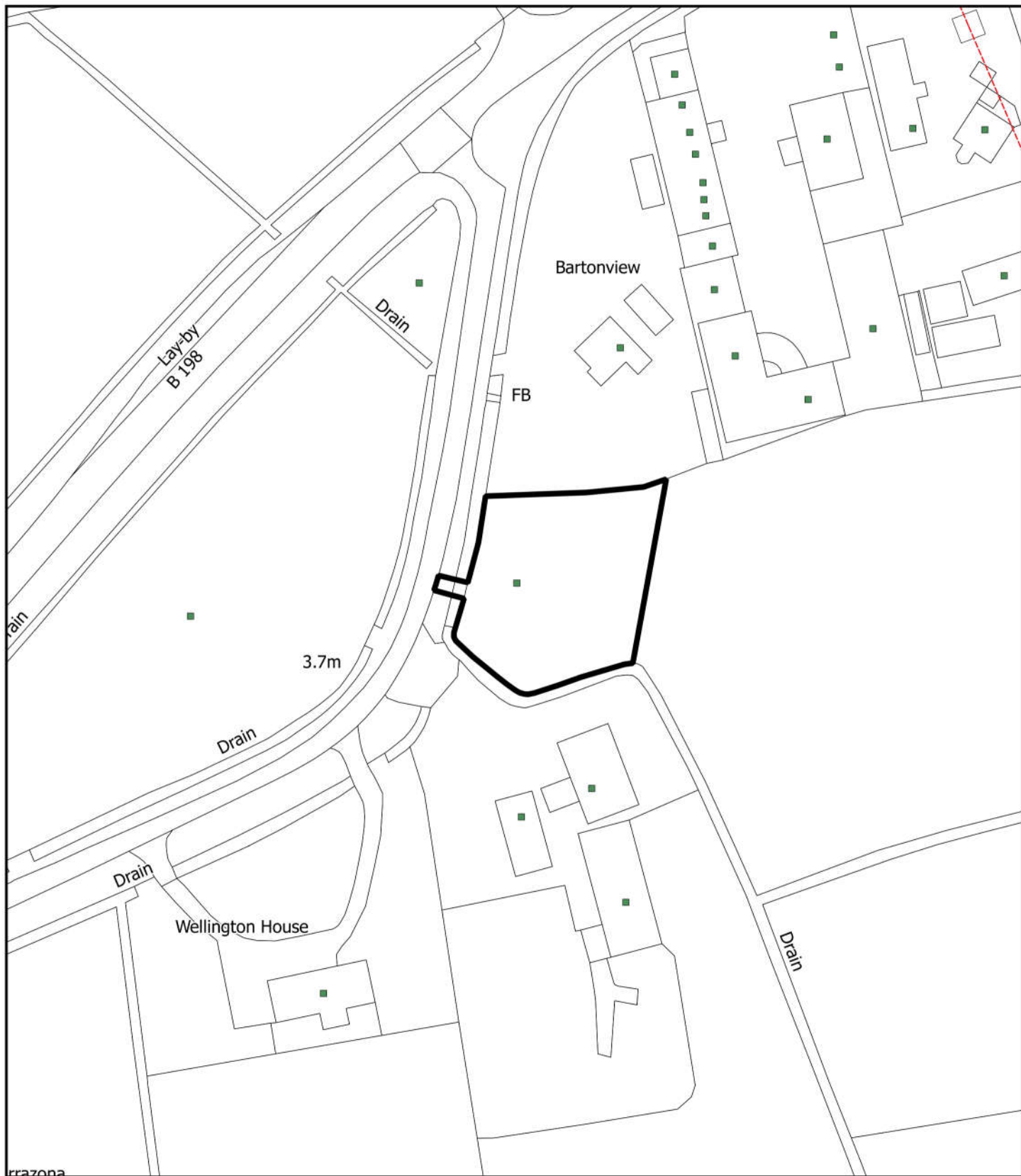
20/01122/F

Land S Bartonview and N of Number 17 S-Bend Lynn Road Walsoken



20/01122/F

Land S Bartonview and N of Number 17 S-Bend Lynn Road Walsoken



Parish:	Walsoken	
Proposal:	Construction of a single dwelling and garage	
Location:	Land S of Bartonview And N of Numbers 17 S-Bend Lynn Road Walsoken	
Applicant:	Mr Ian A.N & Owen R Green	
Case No:	20/01122/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 28 October 2020

Reason for Referral to Planning Committee – Officer recommendation contrary to views of Parish Council and Sifting Panel referred the application to Planning Committee

Neighbourhood Plan: No

Case Summary

The development is for the erection of a two storey 4 bedroom detached dwelling. The site lies to the south of the property known as "Bartonview" and to the north of a commercial yard occupied by FNR Machinery LTD. The site is on the south east side of Lynn Road, on the original s-bend section. The site lies outside any development boundary, so it is deemed as being in the countryside.

Key Issues

- Principle of development
- Character and appearance
- Neighbour amenity, noise and disturbance
- Other material impacts that require consideration prior to determination of the application

Recommendation

REFUSE

THE APPLICATION

The development is for the erection of a two storey 4 bedroom detached dwelling. The site lies to the south of the property known as "Bartonview" and to the north of a commercial yard occupied by FNR Machinery LTD. The site is on the south east side of Lynn Road, on the original s-bend section. The site lies outside any development boundary, so it is deemed as being in the countryside. This part of Lynn Road is largely rural in character with open agricultural fields to the north side of Lynn Road and some limited sporadic linear development along the south. The site lies over 1 km from the main built up edges of Wisbech and Walsoken, and just under 1 km away from Walton Highway.

Planning Committee
2 November 2020

SUPPORTING CASE

The application site is outside the development guidelines and against policy to allow a dwelling in the countryside. However, please consider what is going on in and around this site. There are at least eight businesses sandwiched between residential properties "Willow Field" and "Barton view" at what was, originally Bambers Nursery. "Barton view" is on the corner of Lynn Road and the Old S bend road where there are three houses, a stable yard and a machinery company leading onto further housing as it returns to "Lynn Road."

There are a further 11 dwellings including one new dwelling approved recently, and further west a large caravan sales complex and the huge Princes Distribution Centre. All developments in this area are outside any guidelines. The nearest are the "Wisbech Fringe with Walsoken" or "Walton Highway". The site is between Bartonview (a large bungalow) and FNR Machinery Ltd served off the Old S-Bend Road a left over from road improvements to the old A47. Effectively it is now a layby providing an excellent access to potentially this site and the other five properties it already serves. It is an infill plot utilising land of an odd shape immediately alongside an IDB drain, whose bye laws require a 9m maintenance access! It is so small it is not suited to modern day large farming equipment being very difficult to cultivate. Properties off this old section of road have enjoyed the lifting of agricultural restrictions and now include a new dwelling next to the Police House.

It provides an excellent access to all the properties and a NCC Highways road. The Parish Council, the local people support the application. There are no objections from the Environment Agency regards flood risk. There are no objections from the District Emergency Planner provided signing up to Flood Warning and a Flood Evacuation plan. The IDB have no objection. Environmental Quality have no objection regards contamination. The only concern raised is from FNR MACHINERY LTD who have a workshop next to the site and lorries leave the yard at 4am and there are forklifts running during the day.

We understand CSNN have asked for a Noise Assessment upon the project. The standard consultation expiry date for comments were 24th September 2020. The comment made by the site neighbour was submitted on 25th September 2020. The CSNN request I understand was only been received 20th October 2020! It is clearly out of time being a month late and we trust will be disregarded. To spring such a request at a time when you are intending to write up a report for the committee is not acceptable. Such noise reports will probably cost in excess of £1500!

We point out we have positioned habitable areas, living room at ground floor and bedrooms at first floor of the house is set furthest from the Machinery company premises with its double garage and a 1.8m high double boarded fence between. About 42m distance. A noise report is likely to conclude that the design of the house and double boarded fence is a sufficient barrier from noise at the neighbouring premises. I suspect that the adjoining house which is closer to the premises about 38m to the other side of the machinery company have never complained. To ask for a Noise Report now is a waste of tax payers money

In summary there is a mass of development around the site and all are outside any development guideline, in addition and against huge public opposition there has been a traveller's site approved (19/00963/F), and again outside any development guideline! So why should one additional single house be resisted?

PLANNING HISTORY

2/99/0884/O: Committee Decision: Application Refused: 07/09/99 - Site for construction of dwelling - Land south of Denholme off Lynn Road, Walsoken

Planning Committee
2 November 2020

RESPONSE TO CONSULTATION

Walsoken Parish Council: SUPPORT

It fits well between existing properties with no issues regarding access.

Highways Authority: NO OBJECTION

While the access from this section of road onto Lynn Road is not ideal due to the 50mph speed restriction, ultimately visibility at the highway junctions accord with standard and I therefore believe that it would be difficult to substantiate an objection to the application. Recommend conditions to ensure satisfactory access, avoiding obstruction, permanent availability of parking and turning areas and highway safety.

CSNN: REQUEST INFORMATION

The application site appears to be between FNR and a larger set of industrial units to the north east. These include from a google search a motor vehicle business, timber yard and pet food business all of which will have deliveries and may have plant and machinery operating throughout the day. I haven't looked to see if there is any planning conditions relating to the use of these sites so can't comment on that.

However it is likely that the application site will experience industrial / commercial noise from both areas and as such we would expect a noise survey to determine the suitability of the site for residential use to be undertaken. This should be in accordance with BS4142:2014 +A1:2019 and BS8233:2014. Without this we cannot be confident that the property will be protected from loss of amenity from noise.

Environment Agency: NO OBJECTION

Environmental Quality: NO OBJECTION

IDB: NO OBJECTION

Proposed drainage scheme is acceptable. Boards byelaws must be complied with.

Emergency Planning: NO OBJECTION

As the site lies in an area at risk of flooding I would suggest the following conditions be considered. The occupiers should sign up to the Environment Agency flood warning system, and a flood evacuation plan should be prepared.

Natural England: NO COMMENTS

REPRESENTATIONS

One neutral letter was received saying that FNR MACHINERY LTD trades in machinery and have a workshop very close to the Site. FNR Machinery also have lorries leaving the yard at 4am with forklift running all day. It is hoped the development will not result in any complaints against this business.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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)
National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations:

Principle of development
Character and appearance
Neighbour amenity, noise and disturbance
Other material impacts that require consideration prior to determination of the application

The principle of development:

The site was the subject of a similar planning application which was refused by the Planning Committee in 1999. The reasons given for this refusal were as follows:

1. The Norfolk Structure Plan (H6), the Norfolk Structure Plan Review (Policy H8), and Local Plan (Policy 8/6) state that outside villages permission will only be granted for new residential development where it is justified for agricultural, forestry, organised recreation or tourist facilities. The proposal does not meet these criteria and is consequently contrary to the provisions of the development plan and prejudicial to County Strategy.
2. To permit the development proposed would result in the consolidation of an undesirable ribbon development away from the village centre and create a precedent for similar development which would cumulatively to the loss of the pleasant semi-rural character and appearance of the area.

Whilst this decision was some time ago, the policy considerations are very similar and remain relevant to the current application. The site lies outside any development boundary and is not allocated for development in the SAMDPP 2016. As such it will be treated as countryside, where new development is more restricted, and limited to that identified as suitable in rural areas. Additionally, Policy CS06 of the Core Strategy 2011 reinforces this position, by stating that development of greenfield sites will be resisted unless essential for agricultural or forestry use. No suitable rural use has been advanced on this site, hence there is no justification in favour of the development of this greenfield land.

The site is well separated from any of the nearby settlements. The site lies approximately 1.35km away from the edge of Wisbech, and 0.9km from Walton Highway. This part of Lynn Road is developed to an extent, but it does not associate with the main built up part of Walsoken. Hence, it is considered that development of the site would not in any significant way contribute to enhancing the vitality of the surrounding rural communities and it would be distant from service centre provision. As such, the site is not considered to be a suitable location for a new dwelling. This is contrary to the objectives of the NPPF, which supports housing that is located where it would be beneficial to a rural community.

For the reasons above, the development of a dwelling on the site in question would not be sustainable development, as it is contrary to the NPPF, Policies CS02, CS06 and CS08 of the Core Strategy 2011 and DM2 of the SADMPP 2016.

Impact on character and appearance on area:

The proposed dwelling would be set back far from Lynn Road, and situated between existing developed sites including a dwelling to the north and a commercial site to the south. The dwellings would be two storey with a front gable projection and attached double garage. The external materials proposed include brickwork, red clay pantiles and white upvc windows and doors. Details of the bricks have not been provided with this application but could be conditioned. The proposed materials are considered acceptable.

Although the site is in between existing development on both sides, the dwelling to the north-east is well screened by dense and mature vegetation, the commercial site is low rise and the buildings have an agricultural character. Lastly the dwelling to the west lies below street level, set well back from Lynn Road itself and also screened by an approximately 3m high hedgerow. Surrounding this immediate scene are agricultural fields to the south east and north, including a smaller open area to the front of the site. It is therefore considered the character of the street scene is largely rural in character with sporadic development, of which the existing undeveloped application site forms an integral part.

One of the reasons for refusal in the previous application 2/99/0884/O was concerned with the consolidation of the sporadic ribbon development detracting from the rural character of the area. It is considered this viewpoint has not changed. The proposed development would fill an important gap in the street scene, and result in a consolidation of the existing sporadic linear development, detracting from the rural character of the area. The site lies in the countryside and it is considered the development would be detrimental to the character and appearance of the countryside, contrary to Policy DM15 of the SADMPP 2016, Policies CS06 and CS08 of the Core Strategy 2011 and the NPPF.

Impact on neighbour amenity, and noise and disturbance:

The proposed dwelling would be situated far enough away from the neighbouring dwellings to the north and west such that it would not have any significant overbearing or overshadowing impact.

A window is proposed at first floor level on the south elevation, but this would face towards the commercial site and not have any detrimental overlooking impacts. No first floor windows are proposed on the north elevation towards Bartonview. First floor windows on the front and rear elevation would only look over fields to the front and rear. Overall the proposed dwelling would not have any significant overlooking impacts.

The Borough Council Community Safety and Neighbourhood Nuisance Team (CSNN) has looked at the application and requested that a noise survey be submitted to fully take into account the impact of the existing surrounding commercial uses (including those further to the north east). The applicant has indicated that they do not wish to go through with such a survey, and would like instead for the application to be determined as it stands. Despite the lack of a noise survey, the agent has attempted to address the noise concerns in the supporting statement, saying that acoustic fencing will be provided, which in combination with the gap would be sufficient to mitigate adverse noise impacts.

The site lies to the north of a commercial site FNR Machinery LTD. A third party comment has indicated that operations are carried out unrestricted at this site late at night and early in the morning (the example given was 4am). Also that fork lift trucks operate throughout the day. It is worth noting that the dwelling immediately to the west of FNR Machinery LTD known as "Wellington House" is under the same ownership as the commercial site. The new proposed dwelling would not be associated with the business site. It is considered the resulting relationship between the proposed dwelling and existing commercial site would be detrimental to both parties. The existing commercial site would be likely to have an impact on the occupiers of the proposed dwelling in terms of noise and disturbance.

In addition, the third party comment raised concern that it could lead to complaints against the commercial site in the future. Paragraph 182 of the NPPF states that new development should be integrated effectively with existing businesses. Existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

Despite the proposed acoustic fence, without additional information in the form of a noise survey, it is considered the potential for noise and disturbance on the occupiers of the proposed dwelling would be such that an adverse impact on residential amenity is likely, contrary to Policy DM15 of the SADMPP 2016. In addition, the introduction of a residential dwelling has the potential to disrupt the operations of the existing established commercial site, and therefore it would also be contrary to Paragraph 182 of the NPPF.

Other material impacts:

The comments raised by the Parish Council in support of the application relate to the details of the proposal, but are not considered to outweigh the general principle against residential development of this site, or the other material impacts outlined above.

It is considered the proposed dwelling would not pose any significant risk to highway safety. The Local Highway Authority do not object to the application. It is also considered there are no significant contamination risks on the site, and the Borough Council Environmental Quality Team has no objection to the application. The Environment Agency has no objection to the application. Although part of the curtilage would lie in Flood Zone 2, the entire footprint of the dwelling would lie in Flood Zone 1, so it is considered there are no significant flood risk implications. Lastly, the Internal Drainage Board do not object to the application subject to compliance with their byelaws.

CONCLUSION

The site lies in the countryside outside of any designated development boundary and is not considered a sustainable location for new development. In addition, no justification has been provided to demonstrate why the residential development of this land should go ahead. In addition, it is considered the dwelling would be harmful to the rural character of this part of Lynn Road, by occupying an important gap which contributes to the rural character of the area. The residential development of this site would detract from the intrinsic character of the countryside.

Lastly, the development would be situated next to an existing established commercial site. The relationship between the proposed dwelling and commercial site would have the potential to be detrimental to both parties. No substantive information has been submitted to demonstrate that no significant noise impacts would arise, therefore it is considered likely that the existing operations on the commercial site would have an adverse impact on the occupiers of the dwelling, Subsequently there is a potential that the introduction of a dwelling could disrupt those commercial operations should complaints arise,

The proposal is therefore contrary to paragraphs 78 and 182 of the NPPF, Policies CS02, CS06 and CS08 of the Core Strategy 2011 and Policies DM2 and DM15 of the SADMPP 2016.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The site lies outside of any development boundary. Policy DM2 of the SADMPP states that areas outside development boundaries will be treated as countryside where development is more restricted, except for development identified as suitable in rural by areas by other policies in the plan.

There is no justification for the proposed dwelling as it does not meet the criteria of any of the policies which outline suitable development in rural areas. As such, it does not accord with the objectives of sustainable development and the application is contrary to Policies DM2 of the SADMPP 2016, CS02, CS06 and CS08 from the Core Strategy 2011, and the NPPF.

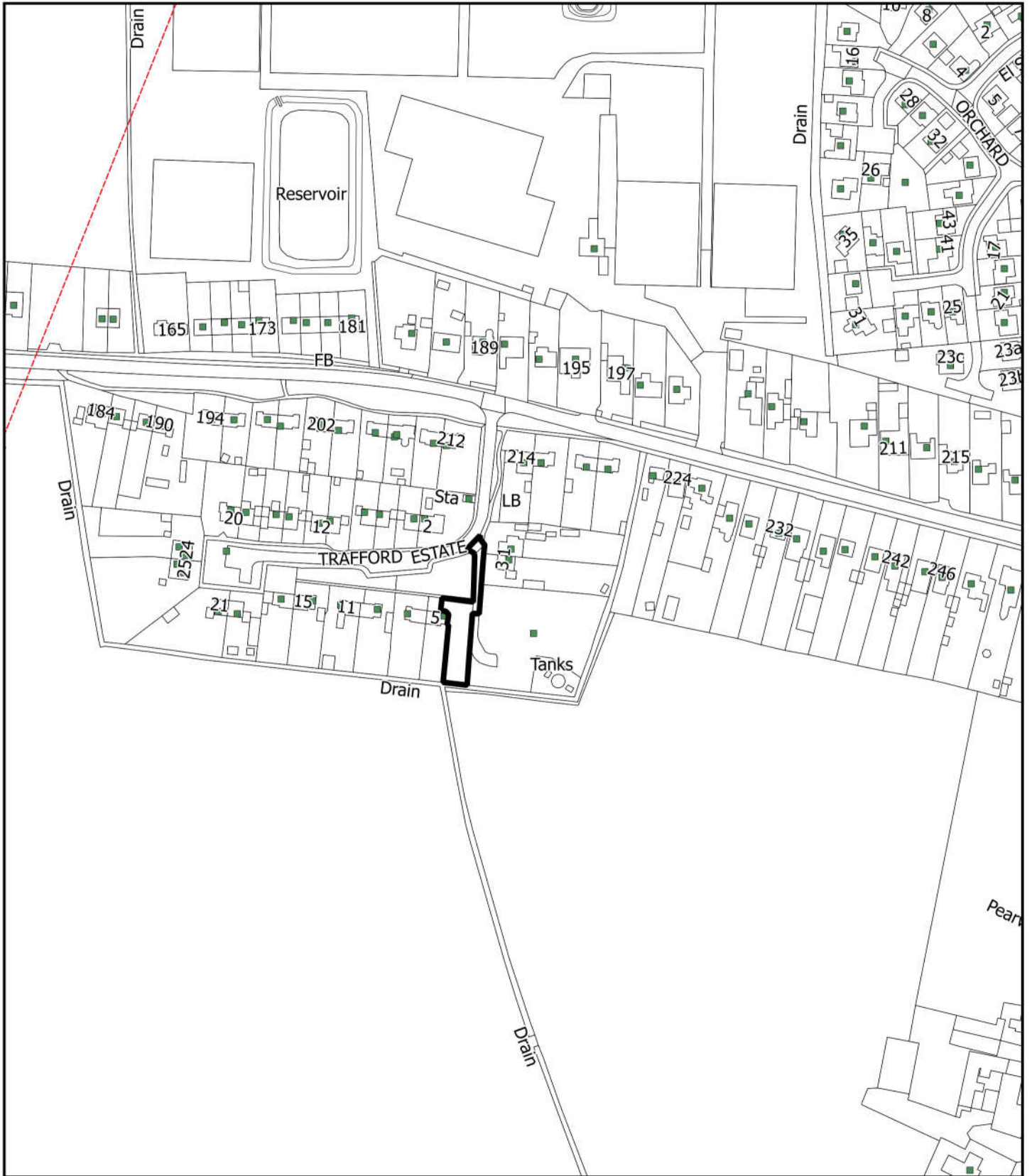
- 2 The proposed dwelling would fill an important gap in the street scene and detract from the rural character of the area, leading to a consolidation of the existing sporadic linear development and harming the intrinsic character of the countryside. This would be contrary to Policy CS06 of the Core Strategy 2011 and would fail to be sympathetic to the local setting and pattern of development contrary to DM15 of the SADMPP 2016.
- 3 Policy DM15 states that new development should not have any adverse impacts on residential amenity. Paragraph 182 of the NPPF states that new development should be integrated effectively with existing businesses. Existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

It is considered the resulting relationship between the proposed dwelling and existing commercial site would be detrimental to both parties. The existing commercial site and its unrestricted operations would be likely to have an impact on the occupiers of the proposed dwelling in terms of noise and disturbance therefore being contrary to Policies CS08 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016. Additionally, the introduction of a residential dwelling has the potential to disrupt the

operations of the existing established commercial site, and therefore it would also be contrary to Paragraph 182 of the NPPF.

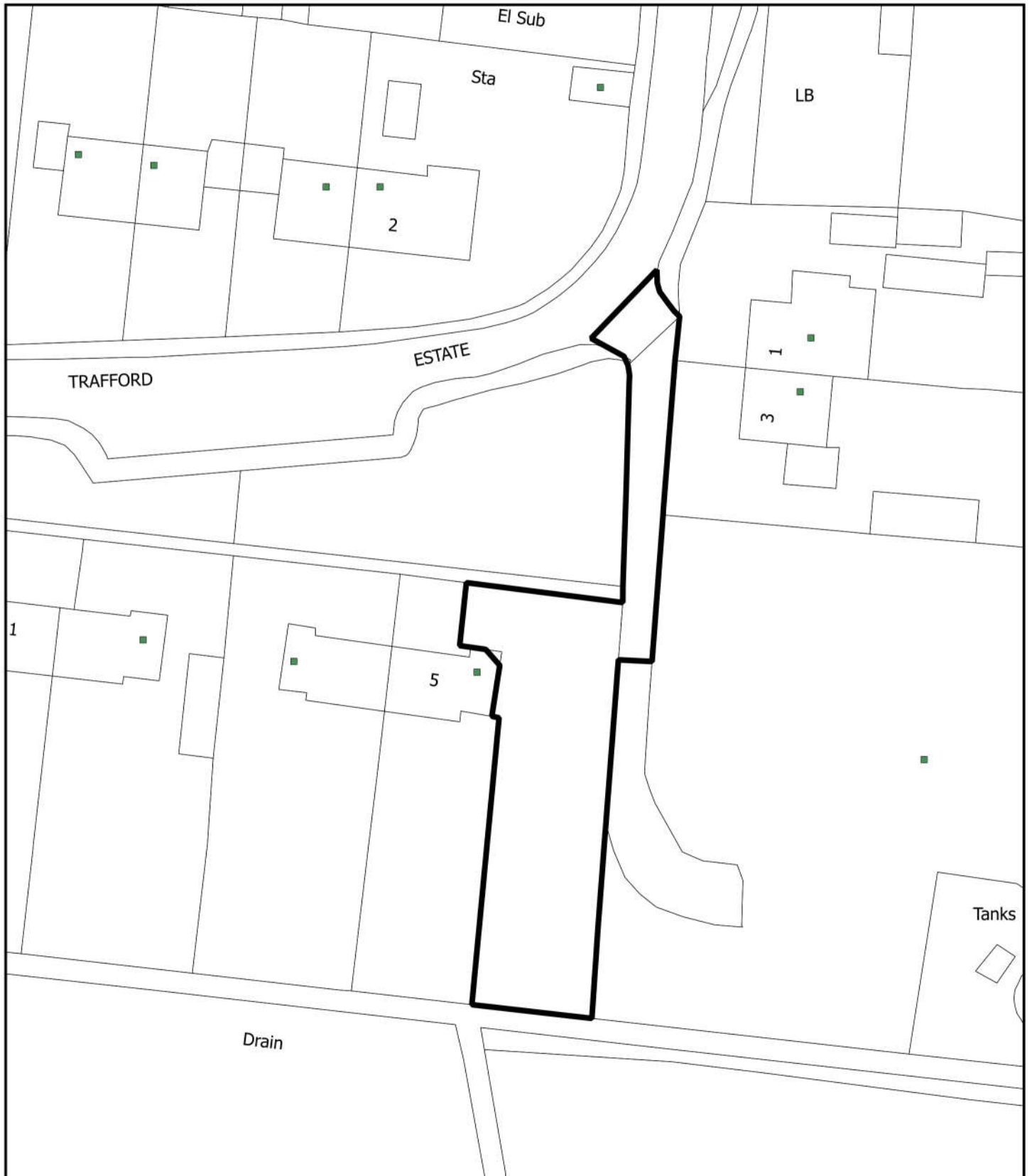
20/01112/O

5 Trafford Estate West Walton



20/01112/O

5 Trafford Estate West Walton



Parish:	West Walton	
Proposal:	OUTLINE ALL MATTERS RESERVED: Proposed plot	
Location:	5 Trafford Estate West Walton Wisbech Norfolk	
Applicant:	Mr Crockford	
Case No:	20/01112/O (Outline Application)	
Case Officer:	Clare Harpham	Date for Determination: 23 September 2020 Extension of Time Expiry Date: 9 November 2020

Reason for Referral to Planning Committee – The Parish Council object to the application which is at variance with the Officer recommendation and the Sifting Panel requires that the application be determined by Planning Committee.

Neighbourhood Plan: No

Case Summary

The application is for outline planning permission with all matters reserved for one dwelling within a plot of land currently used as garden land to no.5 Trafford Estate. The application site is currently within the development boundary where the principal of residential development is acceptable.

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

The application site is currently garden land to 5 Trafford Estate, West Walton, although it was evident from the site visit that the application site has been separately fenced and is currently not being utilised as garden.

The existing dwelling at no.5 Trafford Estate is a semi-detached ex-Local Authority dwelling of a similar design to the other dwellings to the southern side of Trafford Estate. The application site is currently bounded by a mixture of close board fencing and trellis.

This application seeks outline planning permission with all matters reserved for a proposed plot for a dwelling on land to the immediate east of the existing dwelling.

SUPPORTING CASE

No supporting case submitted.

PLANNING HISTORY

18/01041/F: Application Permitted: 03.08.18 - Two storey rear extension, single storey front porch and alterations including formation of new window openings to side boundary – 5 Trafford Estate West Walton

18/01113/O: Application Withdrawn: 11.06.19 - Residential development - Plot Adjacent 5 Trafford Estate West Walton

14/00603/O: Application Withdrawn: 19.06.14 - OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Residential development - 5 Trafford Estate West Walton

13/01842/F: Application Permitted: 11/02/14 - Two storey rear extension and porch extension to dwelling – 5 Trafford Estate West Walton

12/00029/PREAPP: INFORMAL - Likely to approve: 30/03/12 - APPLICATION FOR PRE-APPLICATION ADVICE: Erection of Dwelling - 5 Trafford Estate West Walton

Adjacent land to east:

17/01592/F: Application Permitted: 02/07/19 - Residential development of 8 dwellings - Land At Trafford Estate West Walton

14/00200/O: Application Permitted: 08.09.14 - Outline application for development of existing vacant site for residential use providing 8 properties - Trafford Estate West Walton

RESPONSE TO CONSULTATION

Parish Council: OBJECTION The proposal is overdevelopment of the plot and the area. Overcrowding to the access to the existing and proposed neighbouring properties.

Highways Authority: NO OBJECTION

For more than one dwelling our standards recommend that an access should be hard surfaced for a minimum width of 4.5m for a distance of 10m from the edge of the highway. The access should be of an alignment and width that allows for two vehicles to pass within the access enabling the highway to remain clear of waiting traffic.

As the access is in third party ownership, onto a non-classified road and the application is for all matters to be reserved, highways conditions will be reserved for the reserved matters application.

Environment Agency: NO OBJECTION Conditions are recommended regarding flood risk mitigation measures.

Internal Drainage Board: NO OBJECTION The application site is within the Board's district and subject to byelaws. The application has indicated that they intend to dispose of surface water via infiltration but if this is not possible and they need to dispose of it via a watercourse permission will be required under Byelaw 3.

The application has not indicated how foul drainage is to be dealt with. If it involves discharge to a watercourse then land drainage consent will be required under Byelaw 3.

I note a riparian drain adjacent to the application site. Should plans be proposed which will affect the riparian drain then consent will be required under Byelaw 4.

Environmental Health & Housing - Environmental Quality: NO OBJECTION The screening assessment makes reference to local knowledge and historical mapping. The land is reported currently to be garden land and historically agricultural. No sources of contamination are identified but there is some rubble from a demolished extension. As there has been some development previously and due to the rubble on site, I would recommend a condition and informative.

Emergency Planning: NO OBJECTION Due to the location in an area at risk of flooding the occupants are advised to prepare a flood evacuation plan and sign up to the EA Flood Warning system.

REPRESENTATIONS

No third party representations received.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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)

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

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

National Design Guide 2019

PLANNING CONSIDERATIONS

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

Principle of Development

Form and Character

Neighbour Amenity

Highways Issues

Flood Risk

Other material considerations

Crime and Disorder

Principle of Development

The application site is located within the development boundary as identified within Inset G120 (West Walton / Walton Highway) of the Site Allocations and Development Policies Plan (SADMPP) 2016. As such a new dwelling in this location is acceptable in principle in accordance with the principles of the NPPF, Policy CS02 of the Core Strategy and Policy DM2 of the Site Allocations and Development Management Policies Plan (SADMPP).

Form and Character

Trafford Estate comprises former local authority residential development which is characterised by well-spaced, semi-detached dwellings to the southern side of the road and less spaced out semi-detached dwellings on the northern side of the road. The dwellings are fairly uniform in appearance but there are differences with the dwellings to the northern side having hipped roofs.

The application site is immediately adjacent to No.5 Trafford Estate which is a semi-detached dwelling set within a generous plot with a relatively large side garden which forms the application site.

Whilst a dwelling in this location would introduce a dwelling which is closer to the donor dwelling than other dwellings on the southern side of the road, what is of note is that planning permission was granted on land east of the application site in July 2019 (17/01592/F) for a further 8 dwellings (3x pairs of semi-detached dwellings and 2 detached dwellings).

This 2019 consent introduces built form further south-east off an ancillary road joining Trafford Estate, and the indicative site plan submitted as part of the current application demonstrates that the proposed dwelling could bridge the gap between the existing built form fronting Trafford Estate Road and the 2019 development to the east. The indicative layout and street scene demonstrates that it would be possible to provide a dwelling which would not look cramped or out of character with the locality.

The Parish Council object on the grounds that it is overdevelopment of the plot and area, however it is considered that whilst it would result in a form of development which is closer to the existing dwelling, when viewed in context with the approved development immediately to

the east it would not be out of character. The plot width and size is also not out of character with the existing form of development on the northern side of the road.

The proposal is therefore considered to comply with the principles of the NPPF, Policy CS02 and CS08 of the Core Strategy and Policy DM2 and DM15 of the SADMPP.

Neighbour Amenity

The outline application is for all matters to be reserved and therefore the final design of the dwelling is unknown. However, it is considered possible to site a dwelling in the position indicated without having any amenity issues with regard to the donor dwelling to the west or the plot immediately adjacent to site on the east.

The donor dwelling has extant planning permission (18/01041/F) for a two-storey extension to the rear of the property, a porch and some alterations to the existing dwelling. If reserved matters were submitted with a similar layout to that indicated it would be possible to construct a two-storey dwelling which would not have any material impact upon no.5 with regard to loss of light, being overbearing or overshadowing.

If the extension is not constructed as approved, then whilst the indicative plans show the proposed dwelling to be set back within the plot it would be possible to construct a dwelling without having a detrimental impact upon the amenity of no.5.

The impact upon plot 8 of 17/01592/F has also been assessed. The indicative layout would not have a material impact upon this neighbour with regard to overshadowing or being overbearing. Whilst full plans have not been submitted it would be possible to site a dwelling which would have no material impact with regard to overlooking.

The proposal therefore complies with Section 12 of the NPPF, Policy CS08 of the Core Strategy 2011 and Policy DM15 of the SADMPP.

Highways Issues

The access to the existing dwelling is currently where the proposed access is indicated on the plan. At the current time this access is an unmade track and was formally in the ownership of BCKLWN. This land has since changed hands and it is proposed to formalise the existing access off the new access road into the development approved by permission 17/01592/F.

Comments have been received by the Highways officer that for two dwellings to share this access the access point for the first 10m from the adopted highway (Trafford Estate) should be widened so two cars can pass. This part of the access is in the ownership and control of a third party (who owns the land approved under permission 17/01592/F) and it is proposed to widen the access in accordance with this permission. Certificate B has been served on the third party landowner for the avoidance of doubt.

The applicant however does not have consent to widen this section of the access himself as he only has vehicular right of way over this land. Should the neighbouring development not be carried out it would be better if this widening still took place, however as it is to serve one additional dwelling and it is a private access onto a non-classified, low trafficked road the Highways Officer has no objections to the proposal. Highways conditions are not recommended at this stage as they are a matter to be reserved.

There are objections to the proposal from the Parish Council who have said that the access is overcrowded. Whilst the access is shared with the donor dwelling the indicative plan

shows two separate parking areas and a turning space and whilst the space is tight, there are no objections from the Highways Officer.

The proposal complies with para 109 of the NPPF, Policy CS11 of the Core Strategy and Policies DM15 and DM17 of the SADMPP.

Flood Risk

The application site is located in Flood Zone 3 of the SFRA 2018 and as such it is the responsibility of the LPA to ensure that the Sequential Test is passed and that it could not be located in an area at a lower flood risk. Whilst there are some pockets within West Walton (and indeed neighbouring Walton Highway) that are in Flood Zone 1, there are no comparable sites with extant planning permission where a similar development could be sited. The majority of the Parish, outside of this small pocket of flood zone 1 is within Flood Zone 3. The Sequential Test is therefore passed.

The application is for a 'more vulnerable' form of development, as identified by Table 2 'Flood risk vulnerability classification' and as such the Exception Test must also be passed. For the Exception Test to be passed the application must demonstrate, with a site-specific flood risk assessment, that the development will be safe for its lifetime and in addition that it would provide wider sustainability benefits to the community.

Whilst the submitted FRA is dated June 2018, the Environment Agency have confirmed that this report and its proposed mitigation is acceptable and that there is no objection to the proposal. Therefore, it can be demonstrated that the proposal would be safe for its lifetime. The benefit of providing an additional dwelling in this sustainable location is considered to provide a wider sustainability benefit to the community and therefore the proposal passes the Exception Test.

It is proposed to dispose of surface water drainage to soakaway which is acceptable, and it is currently unknown what the method of foul drainage will be, therefore a pre-commencement condition is proposed (agreed by agent in email dated 20.10.20).

The proposal complies with para 155 of the NPPF, Policy CS08 of the Core Strategy and Policy DM15 of the SADMPP.

Other material considerations

The application site is garden land but there is evidence on site of a demolished building (possible outbuilding) and therefore the Environmental Quality officer has requested a condition relating to the reporting of unexpected contamination should it be encountered during the build process.

The IDB have no objections to the proposal but do make comment regarding the fact that if surface water cannot be disposed of via infiltration then the Board's consent will be required to discharge surface water to a drain.

Due to the location of the site in an area at risk of flooding the Emergency Planner has recommended the occupants sign up to the EA Flood Warning Direct Service and prepare a Flood Evacuation Plan. This advice will be placed on any decision notice.

Crime and Disorder

The application does not give rise to any issues related to the crime and disorder.

CONCLUSION

The proposed dwelling represents sustainable development within the development boundary and would be acceptable with regard to the form and character of the locality, flood risk, highways issues and it is possible to site a dwelling that would not have a detrimental impact upon neighbouring amenity. As such the proposal complies with the principles of the NPPF, Policies CS02, CS06, CS08, CS09 and CS11 of the Core Strategy and Policies DM2, DM15 and DM17 of the SADMPP. As such it is recommended for approval.

RECOMMENDATION:

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

- 1 Condition: Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition: Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition: The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition: 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.
- 5 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 6 Condition: The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment by Geoff Beel Consultancy (GCB/Anglian Building Consultants) dated June 2018;
 - Finished floor levels will be set no lower than 300mm above existing ground level.

- Flood resistant and resilient measures will be incorporated up to 300mm above finished floor levels.
 - There will be no ground floor sleeping accommodation.
- 6 Reason: In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 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 current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

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

Planning Committee – 2 November 2020

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. 123 decisions issued 118 decisions issued under delegated powers with 5 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 22/09/2020 – 20/10/2020

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	DCB decision	
								Approved	Refused
Major	3	3	0		3	100%	60%	0	0
Minor	42	39	3	41		98%	70%	4	1
Other	78	77	1	73		94%	80%	0	0
Total	123	119	4						

Planning Committee made 5 of the 123 decisions, 4%

PLANNING COMMITTEE - 2 NOVEMBER 2020

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
07.08.2020	14.10.2020 Application Permitted	20/01170/F	Hyde Park Barwick Road Stanhoe King's Lynn Proposed kitchen extension & dog room/utility extension	Barwick - VACANT
06.08.2020	20.10.2020 Application Permitted	20/01160/F	Bernard House Barn 4 Church Farm Barns Back Lane Great Bircham Single storey rear extension, garage building and alterations to dwelling	Bircham

01.05.2020	24.09.2020 Application Refused	20/00637/F	Fern Hill Farm Mill Hill Road Boughton KINGS LYNN Extension & Alteration to dwelling and extension of residential curtilage	Boughton
15.07.2020	24.09.2020 Application Permitted	20/01030/F	The Old Forge Chapel Road Boughton King's Lynn Change of use of domestic garage into a self-contained residential annexe	Boughton
31.07.2020	28.09.2020 Application Permitted	20/01129/F	3 Harbour View Terrace Main Road Brancaster Staithe King's Lynn Construction of rear ground floor single storey extension. Installation of replacement rear and front windows and new roof glazing to existing rear roof	Brancaster
04.08.2020	29.09.2020 Application Permitted	20/01146/F	Robin Cottage Main Road Brancaster King's Lynn Extension to dwelling	Brancaster
21.02.2020	30.09.2020 Application Permitted	20/00272/F	Winearls 10 Front Street Burnham Market King's Lynn Internal and External alterations and extension to existing 2 storey garage building to form 2/3 bedroom residence for use as an annexe to Winearls dwelling	Burnham Market

21.02.2020	29.09.2020 Application Permitted	20/00273/LB	Winearls 10 Front Street Burnham Market King's Lynn Listed Building Application: Internal and External alterations and extension to existing 2 storey garage building to form 2/3 bedroom residence for use as an annexe to Winearls dwelling	Burnham Market
30.06.2020	08.10.2020 Application Permitted	20/00936/F	Maltings Cottage Overy Road Burnham Market King's Lynn New dormer, entrance and internal alterations	Burnham Market
13.07.2020	01.10.2020 Application Permitted	20/01006/F	Sunnymead Whiteway Road Burnham Market King's Lynn Change of associated land use to private garden and recreation area.	Burnham Market
18.08.2020	16.10.2020 Application Permitted	20/01273/F	Gospel Hall Station Road Burnham Market King's Lynn Proposed alterations and extensions including replacement garage	Burnham Market
24.08.2020	14.10.2020 Application Permitted	20/01272/F	Arthur's 21 Ulph Place Burnham Market Norfolk New porch and canopy	Burnham Market
09.04.2020	30.09.2020 Application Permitted	20/00542/F	Norton Great Barn 5 Blacksmiths Lane Burnham Norton Norfolk Alterations to outbuilding to form two covered parking bays, a gym/studio and log store	Burnham Norton

21.05.2020	29.09.2020 Application Permitted	20/00729/LB	Norton Great Barn 5 Blacksmiths Lane Burnham Norton Norfolk Listed building application: Alterations to outbuilding to form two covered parking bays, a gym/studio and log store	Burnham Norton
29.07.2020	25.09.2020 Application Permitted	20/01120/F	Norton Lodge 3 Norton Street Burnham Norton Norfolk Replacement of existing conservatory extension	Burnham Norton
02.09.2020	12.10.2020 Tree Application - No objection	20/00172/TREECA	Trowland Cottage 8 Marsh Lane Burnham Norton Norfolk T1 (Turkey Oak)= All round crown reduction by approximately 1.5 meters, and remove epicormic growth from stem. T2 and T3 (Hawthorn)= Reduce crowns by approximately 0.5 meters. T4 (Cherry)= Reduce crown by approximately 1.5 meters and thin crown by 10%. T5(Holly)=Reduce crown by approximately 1.5 meters within a Conservation Area	Burnham Norton
08.04.2020	24.09.2020 Application Permitted	20/00562/F	The Granary East Harbour Way Burnham Overy Staithe Norfolk Proposed garage/boat store and annexe	Burnham Overy

15.06.2020	28.09.2020 Application Permitted	20/00844/F	Windy Nook Tower Road Burnham Overy Staithe Norfolk Creation of a 2 storey side extension, alterations to the fenestration on all elevations, with all new windows and doors being changed to power coated aluminium, construction of a side extension on Ground floor West Elevation, demolition and reconstruction of existing rear outbuilding and new glazed corridor as connection to the main house with new internal configuration	Burnham Overy
10.08.2020	08.10.2020 Application Permitted	20/00462/NMA_1	Trafalgar House East Harbour Way Burnham Overy Staithe King's Lynn Non-material amendment to planning permission 20/00462/F: Replace timber fence with masonry wall	Burnham Overy
21.09.2020	12.10.2020 Tree Application - No objection	20/00192/TREECA	Landfall New Road Burnham Overy Staithe King's Lynn T1 and T2 Wild Plum Trees - Prune back branches and remove ivy	Burnham Overy
10.08.2020	28.09.2020 Application Permitted	20/01183/F	38 Foxes Meadow Castle Acre King's Lynn Norfolk Demolition of existing single story extension and conservatory and construction of new kitchen/diner extension with internal works	Castle Acre

08.09.2020	15.10.2020 Tree Application - No objection	20/00181/TREECA	Merlin Pyes Lane Castle Acre King's Lynn Trees in a Conservation Area: T1, T3, T4, T5, T8 - tree reduction and T7 - tree felling	Castle Acre
29.07.2020	30.09.2020 Application Permitted	20/01113/F	Havengate Lodge Lynn Road Castle Rising King's Lynn Proposed cart shed with store	Castle Rising
18.08.2020	16.10.2020 Application Permitted	20/01220/F	Lhermitage 37B Station Road Clenchwarton King's Lynn Single storey extension to rear of dwelling and porch to front entrance	Clenchwarton
18.08.2020	05.10.2020 Application Permitted	20/01225/F	47 Ryston Road Denver Downham Market Norfolk Construction of garden building following removal of existing sheds	Denver
25.08.2020	16.10.2020 Application Permitted	20/01276/F	43 Sluice Road Denver Downham Market Norfolk Single storey extensions and alterations to dwelling	Denver
07.07.2020	19.10.2020 Application Permitted	20/00973/F	10 Senters Road Dersingham King's Lynn Norfolk First floor extension and alterations to dwelling, and proposed cart shed	Dersingham
04.08.2020	28.09.2020 Would be Lawful	20/01149/LDP	Recreation Ground Hunstanton Road Dersingham Norfolk Lawful Development Certificate: The proposal is for the Council to build a concrete skatepark/ramp on the Recreation Ground	Dersingham

13.08.2020	16.10.2020 Application Permitted	20/01202/F	48 Manor Road Dersingham KINGS LYNN Norfolk Remove/demolish existing timber Shop Front and replace with a white uPVC framed Shop Front complete with safety glass. Retrospective planning permission for a small Timber Storage Shed in rear garden	Dersingham
21.08.2020	28.09.2020 NO OBJECTION TO NCC APP	20/01305/CM	Fire Station 2B Doddshill Road Dersingham KINGS LYNN County Matters Application: Replacement of existing hose drying tower with the erection of a taller fire training tower facility and re-instatement of existing alerter transmitter aerial	Dersingham
09.09.2020	15.10.2020 Tree Application - No objection	20/00184/TREECA	13 Shernborne Road Dersingham King's Lynn Norfolk Tree in a Conservation Area: To trim Willow Tree	Dersingham
22.05.2020	09.10.2020 Application Permitted	20/00735/F	St Vincent Station Road Docking King's Lynn Demolition of existing bungalow and replacement with a row of 3 dwellings	Docking
20.07.2020	25.09.2020 Application Permitted	20/01047/RM	Robinia Cottage Station Road Docking King's Lynn Reserved Matters Application: Construction of a single dwelling	Docking

16.04.2020	15.10.2020 Application Permitted	20/00592/F	8 Dial Close Downham Market Norfolk PE38 9JD Proposed loft conversion including dormer to rear and velux to front. Conversion of existing garage. Extension to side to provide store/utility	Downham Market
09.06.2020	12.10.2020 Application Permitted	20/00837/FM	Geralds Yard Horse Fair Close St Johns Business Estate Downham Market 10 new industrial units plus bin/cycle store	Downham Market
05.08.2020	23.09.2020 Application Permitted	20/01197/F	The Woodlands 202 Broomhill Downham Market Norfolk Replacement of conservatory with single storey extension including air source heat pump.	Downham Market
07.08.2020	28.09.2020 Application Permitted	20/01171/F	Gas Distribution Governer Between 20 And 32 Trafalgar Road Downham Market Norfolk The replacement of 1 No. existing concrete kiosk with 1 No. new glass re-inforced plastic kiosk	Downham Market
07.09.2020	29.09.2020 TPO Served	20/00084/TPO	The Woodlands Rabbit Lane Downham Market Norfolk 2/TPO/00293: Horse chestnut tree to be crown lifted by 1 metre and crown reduction by 2 metres	Downham Market
21.09.2020	12.10.2020 Tree Application - No objection	20/00182/TREECA	58 Bexwell Road Downham Market Norfolk PE38 9LH T1 Cherry x1 - Fell to ground level T2 Cypress x2 - Fell to ground level	Downham Market

13.08.2020	08.10.2020 Application Permitted	20/01201/F	7 Eye Lane East Rudham King's Lynn Norfolk Proposed Rear and Side Extension (Single and Two-Storey)	East Rudham
09.06.2020	14.10.2020 Application Permitted	20/00822/F	39 Fendyke Road Emneth Wisbech Norfolk Log cabin to be built to the rear of property, to eventually be registered as a business (Licenced Tattoo Studio)	Emneth
22.07.2020	29.09.2020 Application Permitted	20/01062/O	Land West of 71 Church Road Emneth Norfolk Outline application for construction of one dwelling	Emneth
07.08.2020	16.10.2020 Application Permitted	20/01172/F	Hawstead Bungalow 62 Elmside Emneth Wisbech Proposed extension and alterations	Emneth
01.09.2020	24.09.2020 Application Permitted	16/01431/NMA_1	65 Hollycroft Road Emneth Wisbech Norfolk NON-MATERIAL AMENDMENT TO PLANNING APPLICATION 16/01431/F: Erection of 2No dwellings and detached garages	Emneth
25.08.2020	29.09.2020 Prior Approval - Not Required	20/01323/PAGPD	19 Western Close Feltwell Thetford Norfolk Single storey rear extension which extends beyond the rear wall by 6m with a maximum height of 4m and a height of 2.43m to the eaves	Feltwell
10.10.2019	25.09.2020 Application Permitted	19/01760/RM	Land To The East of Marham Road Fincham Norfolk Reserved matters application for 5 detached dwellings	Fincham

06.07.2020	09.10.2020 Application Permitted	20/00968/F	Land Between Five Keys And The Cottage W of Oak House Winch Road Gayton KINGS LYNN Variation of condition 2 of planning permission 19/01429/F: Construction of a dwelling	Gayton
20.07.2020	12.10.2020 Application Permitted	20/01048/F	Plot S of Sunset View W of The Pastures Winch Road Gayton Norfolk REMOVAL OR VARIATION OF CONDITIONS 2 and 3 OF PLANNING PERMISSION 19/01621/F: Construction of a dwelling	Gayton
05.08.2020	15.10.2020 Application Permitted	20/01155/F	86A Lime Kiln Road Gayton King's Lynn Norfolk Construction of off road parking and front porch extension	Gayton
20.04.2020	02.10.2020 Application Permitted	20/00582/F	Elder Farm Elder Lane Grimston King's Lynn Renovation, alterations and extension to dwelling	Grimston
20.04.2020	25.09.2020 Application Permitted	20/00583/LB	Elder Farm Elder Lane Grimston King's Lynn Listed building application for renovation, alterations and extension to dwelling	Grimston
24.07.2020	16.10.2020 Application Permitted	20/01085/F	Cambrian 57 Lynn Road Grimston King's Lynn Proposed extension and loft conversion	Grimston

13.08.2020	19.10.2020 Application Permitted	17/02375/NMA_2	Stave Farm 3 Chapel Road Pott Row King's Lynn NON-MATERIAL AMENDMENT TO PLANNING CONSENT 17/02375/RMM: Minor amendments to details on Plots 5 and 6 where doors and windows are repositioned	Grimston
25.06.2020	09.10.2020 Application Permitted	20/00899/F	Washington 46 South Beach Heacham Norfolk Erection of raised decking around static caravan (retrospective)	Heacham
27.07.2020	02.10.2020 Application Permitted	20/01096/F	BCKLWN Beach Hut Site North Beach Heacham Norfolk Continued use of land for the standing of 105 beach huts	Heacham
08.09.2020	15.10.2020 TPO Partial	20/00086/TPO	6 Hadley Crescent Heacham King's Lynn Norfolk TPO/2/00041: Oak trees causing problems some branches are dead and overhanging issues	Heacham
29.04.2020	24.09.2020 Application Permitted	20/00632/FM	Land To The East 49 Field Farm Fakenham Road Hillington Change of use of the land from agricultural to a mixed use of agricultural and equestrian and the siting of a single pitch timber structure with storage container	Hillington
13.08.2020	08.10.2020 Application Permitted	20/01232/F	77 Main Street Hockwold cum Wilton Norfolk IP26 4LJ Single storey rear extension	Hockwold cum Wilton

16.07.2020	08.10.2020 Application Permitted	20/01034/F	1 & 3 (Studley Cottage & Kitley Cottage) Westgate Holme next The Sea Norfolk Construction of new porch, modifications to windows and doors, reconstruct ground floor bathroom with more appropriately pitched roof above, modifications to existing garage	Holme next the Sea
14.07.2020	02.10.2020 Application Permitted	20/01015/F	6 Clarence Road Hunstanton Norfolk PE36 6EG Extension and alterations to dwelling	Hunstanton
15.07.2020	06.10.2020 Application Permitted	20/01027/F	Cafe Legge 1 - 7 High Street Hunstanton Norfolk Change of use from cafe/restaurant into retail premise	Hunstanton
04.08.2020	28.09.2020 Application Permitted	20/01145/F	17 - 40 Westcliff Court Cliff Parade Hunstanton Norfolk Replacement of existing steel/glass balustrades with new aluminium/glass units	Hunstanton
10.08.2020	14.10.2020 Application Permitted	20/01173/F	53 Northgate Hunstanton Norfolk PE36 6DS Single storey rear extension with balcony and alterations to dwelling	Hunstanton
10.08.2020	05.10.2020 Application Permitted	20/01177/F	Salt Rock 64 Cliff Parade Hunstanton Norfolk Replacement garage/living space	Hunstanton
20.08.2020	14.10.2020 Application Permitted	20/01242/F	37 Bernard Crescent Hunstanton Norfolk PE36 6EP Proposed single storey extensions and alterations including erection of car port	Hunstanton

20.08.2020	15.10.2020 Application Refused	20/01245/F	73A South Beach Road Hunstanton Norfolk PE36 5BA Variation of condition 2 of planning permission 2/80/1920/F to extend the human habitation period to either 11 months a year or year round	Hunstanton
10.08.2020	13.10.2020 Application Permitted	20/01174/F	Land Around Pond And W of 30 Hill Road Lynn Road Ingoldisthorpe Norfolk REMOVAL OR VARIATION OF CONDITION 9 OF PERMISSION 18/02200/RMM: Reserved Major application: Residential development and new public amenity area	Ingoldisthorpe
15.09.2020	16.10.2020 TPO Work Approved	20/00091/TPO	Hollyoak 6 Manor Close Ingoldisthorpe King's Lynn 2/TPO/00124: T1 Dead Holly - Remove. T2 Dying Tree - Prune and cut back	Ingoldisthorpe
30.03.2020	05.10.2020 Application Permitted	20/00489/F	Land W of Travel Lodge And SW of The Gatehouse PH Kellard Place King's Lynn Norfolk Redevelop the site to provide an A3 drive-thru cafe/restaurant	King's Lynn
01.07.2020	29.09.2020 Split Decision - Part approve_refuse	20/00997/BT	Various Locations Throughout The Borough Removal of BT Payphones (9)	King's Lynn
24.07.2020	18.09.2020 Application Permitted	20/01093/F	2 Queensway King's Lynn Norfolk PE30 4AQ Two storey extension to form playroom with dressing room over	King's Lynn

28.07.2020	24.09.2020 Application Permitted	20/01100/F	39 South Wootton Lane King's Lynn Norfolk PE30 3BS Proposed single storey rear extension and alterations	King's Lynn
03.08.2020	28.09.2020 Application Permitted	20/01135/F	85 Gayton Road King's Lynn Norfolk PE30 4EH Replacement of fence to frontage of property	King's Lynn
03.08.2020	16.10.2020 Application Permitted	20/01137/CU	2 - 6 Avenue Road King's Lynn Norfolk PE30 5NW Change of use from supported house for community alcohol and drugs rehabilitation (approved 2/03/1090/CU) to shared dwelling	King's Lynn
07.08.2020	08.10.2020 Application Permitted	20/01169/F	14 Horton Road King's Lynn Norfolk PE30 4XU Removal of present conservatory and the enlargement of the kitchen area	King's Lynn
10.08.2020	05.10.2020 Application Permitted	20/01176/F	7 Houghton Avenue King's Lynn Norfolk PE30 3EG Proposed porch to accommodate disability requirements and garage conversion	King's Lynn
11.08.2020	16.10.2020 Application Permitted	20/01186/F	26 Railway Road King's Lynn Norfolk Conversion of existing ground floor shop unit to dwelling in conjunction with accommodation above including adjustment and reconstruction of single storey section to rear	King's Lynn

14.08.2020	06.10.2020 Application Permitted	20/01209/F	19 Burnham Avenue King's Lynn Norfolk PE30 3EN Proposed Extension and Alterations	King's Lynn
17.08.2020	07.10.2020 Application Permitted	20/01214/CU	43 Bergen Way North Lynn Industrial Estate King's Lynn Norfolk Change of used from Dance School to Motor Sales	King's Lynn
19.08.2020	07.10.2020 Application Permitted	20/01284/F	22 Kings Avenue King's Lynn Norfolk PE30 5NS Single storey rear extension	King's Lynn
24.08.2020	14.10.2020 Application Permitted	20/01261/F	109 Gaskell Way King's Lynn Norfolk PE30 3SG Variation of condition 2 of planning permission 19/00949/F: Single storey flat roof garden room extension to rear. Enclosed porch to front	King's Lynn
12.08.2020	05.10.2020 Application Permitted	20/01193/F	Donatos Takaway The Street Marham King's Lynn Variation of condition 4 of planning permission 08/02404/F: Variation of condition number 2 attached to planning permission 2/99/1438/CU relating to opening hours	Marham
22.06.2020	08.10.2020 Prior Approval - Approved	20/00896/PACU3	Barn E of Crown Farmhouse Middle Drove Marshland St James Norfolk Notification for Prior Approval for change of use of agricultural building to two dwelling (Schedule 2, Part 3, Class Q)	Marshland St James

22.06.2020	09.10.2020 Prior Approval - Approved	20/00897/PACU3	Crown Farm Middle Drove Marshland St James Wisbech Prior approval for a change of use from agricultural building to a dwelling house (Schedule 2, part 3, Class Q)	Marshland St James
03.03.2020	30.09.2020 Application Permitted	20/00338/F	39 Stoke Road Methwold Thetford Norfolk Construction of one dwelling following demolition of existing residential annexe	Methwold
11.08.2020		20/01230/CM	31 High Street Methwold Norfolk COUNTY MATTERS: Replacement of existing hose drying tower with the erection of a taller fire training tower facility	Methwold
01.09.2020	14.10.2020 Application Permitted	20/01312/F	British Sugar PLC Wissington Sugar Factory College Road Wissington Extension of liquid sugar out loading building	Methwold
27.07.2020	24.09.2020 NO OBJECTION TO NCC APP	20/01097/CM	Blackborough End Energy Ltd Power Energy Compound Mill Drove Blackborough End County matters application: Two replacement gas blowers and landfill gas flare in the existing power generation compound as permitted under application C/2/2006/2015 without compliance with condition 1 to allow for their retention until such time as it is no longer required for gas management	Middleton

27.08.2020	09.10.2020 NO OBJECTION TO NCC APP	20/01387/CM	Middleton Carrstone Ltd Quarry Land S of East Winch Road E of Village W Side of Mill Drove Blackborough End Norfolk COUNTY MATTERS: Variation of condition 1 of planning permission ref C/2/2000/2015 to allow continued use of weighbridge, generator and office until 23 January 2033	Middleton
01.09.2020	09.10.2020 NO OBJECTION TO NCC APP	20/01364/CM	Middleton Aggregates Limited Offices Mill Drove Blackborough End King's Lynn COUNTY MATTERS APPLICATION: Continued use of bagging plant and storage of bagged aggregates until 23 January 2033, without compliance with conditions 1 (approved details) and 2 (cessation date) of planning permission C/2/2012/2004	Middleton
01.09.2020	09.10.2020 NO OBJECTION TO NCC APP	20/01365/CM	Middleton Aggregates Limited Offices Mill Drove Blackborough End King's Lynn COUNTY MATTERS APPLICATION: Continued use of storage bays until 23 January 2033 without compliance with condition 1 (cessation date) of planning permission C/2/2012/2006	Middleton

01.09.2020	09.10.2020 NO OBJECTION TO NCC APP	20/01366/CM	Middleton Aggregates Limited Offices Mill Drove Blackborough End King's Lynn COUNTY MATTERS APPLICATION: Continued mineral extraction and landfill of waste materials until 23 January 2033 without compliance with conditions 1 and 2 of permission reference C/2/2008/2028	Middleton
01.09.2020	12.10.2020 NO OBJECTION TO NCC APP	20/01367/CM	Middleton Aggregates Limited Offices Mill Drove Blackborough End King's Lynn COUNTY MATTERS APPLICATION: Continued use of Site Office until 23 January 2033 without compliance with condition 1 of planning permission reference C/2/2012/2008	Middleton
01.09.2020	09.10.2020 NO OBJECTION TO NCC APP	20/01368/CM	Middleton Aggregates Limited Offices Mill Drove Blackborough End King's Lynn COUNTY MATTERS APPLICATION: Continued use of Plant Workshop until 23 January 2033 without compliance with condition 1 of planning permission reference C/2/2012/2005	Middleton

04.09.2020		20/01399/CM	Middleton Carrstone Ltd Quarry Land S of East Winch Road E of Village W Side of Mill Drove Blackborough End Norfolk COUNTY MATTERS: Variation of condition 1 of planning permission C/2/1996/2024 to allow the continued use of an existing recycling facility until 23 January 2021	Middleton
14.09.2020	15.10.2020 TPO Approved Work	20/00087/TPO	The Beeches 22 Hall Orchards Middleton King's Lynn 2/TPO/00075: T1 Oak overall crown reduction of 2m - please see attached report	Middleton
05.10.2020	15.10.2020 TPO Approved Work	20/00096/TPO	Middleton Mount Medieval Motte And Bailey Castle Mount Park Close Middleton Norfolk 2/TPO/00075: Ash Tree (T7) Reduce height by 1.5-2m north and east side. Lime Tree (T6) Remove deadwood of 30mm diameter and greater from crown. Cherry trees on south boundary - fell both	Middleton
03.08.2020	05.10.2020 Application Permitted	20/01141/F	96 West Street North Creake Fakenham Norfolk Domestic extension	North Creake
12.03.2020	07.10.2020 Application Permitted	20/00403/F	12 New Road North Runcton King's Lynn Norfolk Two storey side extension and single storey rear extension with alterations.	North Runcton

10.08.2020	12.10.2020 TPO Work Approved	20/00071/TPO	The Old Rectory 38 Rectory Lane North Runcton King's Lynn 2/TPO/00032: T1 Oak - Approximately 10% reduction of crown, along with removal of dead wood within the canopy over driveway and tidying up remains of previous large tear out	North Runcton
01.07.2020	01.10.2020 Application Permitted	20/00961/F	26 Little Carr Road North Wootton KINGS LYNN Norfolk Extensions and alterations to cottage	North Wootton
05.08.2020	24.09.2020 Application Permitted	20/01154/F	33 Buckingham Close North Wootton King's Lynn Norfolk Extension and Alterations to dwelling	North Wootton
07.09.2020	12.10.2020 TPO Work Approved	20/00088/TPO	10 Old Rectory Close North Wootton King's Lynn Norfolk 2/TPO/00044: T1 Oak Tree - Remove dead branch	North Wootton
05.08.2020	23.09.2020 Was Lawful	20/01196/LDE	4 Pinfold Lane Northwold Norfolk IP26 5LH LAWFUL DEVELOPMENT CERTIFICATE: Retrospective change of use of agricultural land to residential curtilage and garden land.	Northwold
02.06.2020	24.09.2020 Application Permitted	20/00780/F	Greenbank 12 Old Hunstanton Road Old Hunstanton Hunstanton New cart shed where former shed was sited	Old Hunstanton

13.07.2020	09.10.2020 Application Permitted	20/01004/F	The Old Vicarage Church Road Old Hunstanton Hunstanton Increase existing headroom to rear first floor, construction of open porch, re-roof and insert of rooflights over kitchen and forming of balcony to south elevation	Old Hunstanton
17.07.2020	25.09.2020 Application Permitted	20/01041/F	Hungate Lodge 17 Golf Course Road Old Hunstanton HUNSTANTON Extensions, alterations and refurbishment of existing bungalow	Old Hunstanton
29.06.2020	07.10.2020 Application Permitted	20/00920/F	Hastings Cottage 14 Well Creek Road Outwell Wisbech Proposed Replacement Dwelling and Detached Garage	Outwell
30.07.2020	09.10.2020 Application Permitted	20/01121/F	10 Rectory Road Outwell Wisbech Norfolk Re-submission for the construction of the two dwellings previously approved under 18/00894/F	Outwell
08.06.2020	14.10.2020 Application Permitted	20/00813/F	The Paddocks Downham Road Runcton Holme King's Lynn Outdoor swimming pool and extension to existing single storey garden store to form home office, greenhouse, and converting existing garden store to annex	Runcton Holme

31.07.2020	02.10.2020 Application Permitted	20/01150/F	Esso Service Station Stonecross Services Downham - Eastern Bypass (A10) Extension to existing sales building, re-arrangement of existing HGV filling positions and above ground tanks, kerbs removed and re-aligned. Addition of 2no. jet washes and adjacent parking area	Ryston
07.08.2020	28.09.2020 Application Permitted	20/01168/F	1 Goodminns Estate Sedgeford Hunstanton Norfolk Utility and bedroom extensions	Sedgeford
26.08.2020	19.10.2020 Application Permitted	20/01288/LB	High House Docking Road Sedgeford Hunstanton Listed building application: Various internal works as detailed in Design, Access and Heritage Statement	Sedgeford
16.09.2020	12.10.2020 Tree Application - No objection	20/00179/TREECA	The Old Vicarage Church Lane Sedgeford Hunstanton T1 - Multi stem Thorn - Fell T2 - Damson - Fell	Sedgeford
31.07.2020	29.09.2020 Application Permitted	20/01158/F	Malby Cottage 30 Westgate Street Shouldham King's Lynn Two storey rear extension and alterations	Shouldham
14.09.2020	15.10.2020 Tree Application - No objection	20/00186/TREECA	Sea Wind Dawes Lane Snettisham King's Lynn Eycaluptus Tree and Honey Locust Tree - Cut down to ground levels. New trees will be planted to replace the old trees	Snettisham

28.09.2020	16.10.2020 Tree Application - No objection	20/00190/TREECA	2 Norton Hill Snettisham King's Lynn Norfolk T1- Possibly Lilac 1 Meter crown reduction T2 - Apple Pollard to 7ft T3- Conifer hedge Reduce height by 1/3 T4- Mixed conifers and shrubs- Conifers fell to ground level - shrubs Pollard to 6ft T5- Acer Fell to ground level T6- Birch Fell to ground level. T7- Apple pollard to 7ft T8- Possibly Privet Fell to ground level T9- Beech 2 meter crown reduction	Snettisham
19.08.2020	15.10.2020 Tree Application - No objection	20/00159/TREECA	1 Bluestone Crescent South Creake Fakenham Norfolk Trees in a Conservation Area: T1-T20 Conifers to fell to ground level. T21-T23 Silver birch 2 meter crown reduction. T24 Lime Reduce height by 4 meters and re-shape crown. T25 Conifer crown reduction by 1 meter.	South Creake
24.07.2020	06.10.2020 Application Permitted	20/01087/F	14 St Marys Close South Wootton King's Lynn Norfolk Extending current porch, changing orientation of front door, moving window	South Wootton
28.07.2020	24.09.2020 Application Permitted	20/01108/F	21 Ullswater Avenue South Wootton KINGS LYNN Norfolk Extensions to dwelling	South Wootton
18.08.2020	20.10.2020 Application Permitted	20/01226/F	Hillside 134 Grimston Road South Wootton King's Lynn Proposed extension and internal alterations	South Wootton

02.09.2020	30.09.2020 AG Prior Notification - NOT REQD	20/01370/AG	Estuary Farm Edward Benerfer Way King's Lynn Norfolk Agricultural Prior Notification: Agricultural general purpose building	South Wootton
30.05.2019	15.10.2020 Application Permitted	19/00968/O	Service Station 14 Westgate Street Southery Norfolk OUTLINE APPLICATION SOME MATTERS RESERVED: Demolition of existing vehicle repair facility, clearance of the site and erection of 4 no dwelling houses with access road and parking areas	Southery
28.07.2020	07.10.2020 Application Permitted	20/01111/F	The Laurels The Causeway Stow Bridge King's Lynn Proposed garage conversion and rear extension	Stow Bardolph
11.08.2020	05.10.2020 Application Permitted	20/01228/O	Land SE of 233 And NW 224 The Drove Barroway Drove Norfolk OUTLINE APPLICATION ALL MATTERS RESERVED: Two detached dwellings and garages	Stow Bardolph
17.08.2020	09.10.2020 Application Permitted	20/01217/CU	170A The Drove Barroway Drove DOWNHAM MARKET Norfolk Change Of Use from B8 Storage to Sui Generis Personal Equestrian Arena	Stow Bardolph
18.08.2020	12.10.2020 Application Permitted	20/01223/F	Carriage House Docking Road Syderstone Norfolk New first floor window to side elevation	Syderstone

26.08.2020	13.10.2020 Application Permitted	20/01289/F	2 Ashside Syderstone Norfolk PE31 8RZ Revised plan to replace small Porch with larger porch 3.6m x 2m with cloakroom toilet. Replace front windows with Anthracite grey windows	Syderstone
21.07.2020	08.10.2020 Application Permitted	20/01065/F	Land Off Goshold Park Bullock Road Terrington St Clement Norfolk Construction of agricultural building (barn 1)	Terrington St Clement
22.07.2020	02.10.2020 Application Permitted	20/01066/F	Land Off Goshold Park Bullock Road Terrington St Clement Norfolk Construction of agricultural building (barn 2)	Terrington St Clement
19.08.2020	14.10.2020 Application Permitted	20/01237/F	17 Hillgate Street Terrington St Clement King's Lynn Norfolk Proposed alterations and extension to rear of bungalow	Terrington St Clement
07.04.2020	28.09.2020 Application Refused	20/00516/F	Land E And NE of The Stet School Road St John's Fen End Terrington St John Proposed dwelling and use of agricultural land as gardens	Terrington St John

22.07.2020	28.09.2020 Application Permitted	20/01061/F	Middlegate Main Road Terrington St John WISBECH Retrospective planning permission for 2 no. tanks in existing tank bund (approved under application reference 14/00296/F). Construction of 4 no. tanks in new tank bund (approved under application reference 20/00466/F).	Terrington St John
06.08.2020	01.10.2020 Application Permitted	20/01159/F	The Hirsell Staithe Lane Thornham Hunstanton Erection of 3 bay Cart Shed to Rear of property	Thornham
17.08.2020	19.10.2020 Application Permitted	20/01215/LB	Dairy Farm House High Street Thornham Hunstanton Listed building application for the replacement of an existing 1980s casement window with a new one with alterations to the dimensions of a window	Thornham
20.08.2020	16.10.2020 Application Permitted	20/01244/F	The Cottage Ploughmans Piece Thornham Hunstanton Two storey extension to rear of property	Thornham
26.08.2020	23.09.2020 Application Permitted	20/00188/NMA_1	Oldfield The Green Thornham HUNSTANTON Non-material amendment to planning permission 20/00188/F: Replacement dwelling	Thornham

01.06.2020	07.10.2020 Application Permitted	20/00797/F	Norfolk Cars Limited Shepherdsgate Barn Shepherdsgate Road Tilney All Saints Continued and extended mixed use of Class E and car sales and storage, plus construction of new building to accommodate associated office, staffroom, parts storage, and vehicle preparation area'	Tilney All Saints
02.06.2020	12.10.2020 Application Permitted	20/00782/RM	Land South East of 5 New Road Upwell Norfolk Reserved Matters Application: Residential development - Erection of 5 dwellings with garages (Details for plot 2)	Upwell
11.06.2020	29.09.2020 Prior Approval - Refused	20/00859/PACU5	167 New Road Upwell Wisbech Norfolk Prior Notification: Proposed change of use from B1(c) light industrial to C3 residential, two dwellings (Schedule 2, Part 3, Class PA)	Upwell
28.07.2020	28.09.2020 Application Permitted	20/01105/F	The Hall 115 Town Street Upwell Norfolk Proposed Single Storey Extension with minor internal alterations	Upwell
28.07.2020	23.09.2020 Application Permitted	20/01106/LB	The Hall 115 Town Street Upwell Norfolk Listed building application for proposed single storey extension with minor internal alterations	Upwell

29.07.2020	02.10.2020 Application Permitted	20/01114/F	Homeleigh 83 School Road Upwell Wisbech Change of use to use existing summerhouse as a hairdressing salon	Upwell
19.08.2020	09.10.2020 Application Permitted	20/01233/F	Upwell Academy 61 School Road Upwell Wisbech Proposed new ramp and new level threshold door including external landscaping	Upwell
10.07.2020	28.09.2020 DM Approval Req/Grant Prior	20/01011/AG	Cross Keys Nursery Little Holme Road Walpole Cross Keys Norfolk Prior Notification: General farm building to store agricultural crops, farm machinery crop drier and associated heat pump equipment connected to ground source heat pipes on the surrounding land.	Walpole Cross Keys
04.08.2020	07.10.2020 Application Permitted	20/01147/RM	Land S of Pitchers Transport And W of Sunnyside Market Lane Walpole St Andrew Wisbech Reserved Matters application: Construction of two dwellings	Walpole Cross Keys
28.08.2020	24.09.2020 Application Permitted	18/00832/NMA_2	Station House 10 Station Road Walpole Cross Keys WISBECH NON-MATERIAL AMENDMENT TO PLANNING CONSENT 18/00832/F: Demolition of Storage Building and construction of a pair of Semi detached 3 bedroom houses	Walpole Cross Keys

29.07.2020	25.09.2020 Application Permitted	20/01118/F	Orchard Barn 7A Burrett Road Walsoken Norfolk Two-storey rear extension to dwelling	Walsoken
31.07.2020	02.10.2020 Application Permitted	20/01130/F	The Gables Wheatley Bank Walsoken Wisbech Proposed side extensions and alterations to dwelling. (amended to approval 19/00865/F)	Walsoken
05.08.2020	09.10.2020 Application Permitted	20/01198/F	R G Produce New College Farm College Road Wissington Agricultural potato chitting store	Wereham
20.08.2020	07.10.2020 Application Permitted	20/01294/LB	The Cottage Church Road Wereham King's Lynn Listed building application to re-open an original window which has previously been bricked up	Wereham
03.07.2020	05.10.2020 Application Permitted	20/00979/F	The Poplars Lynn Road Walton Highway Norfolk Construction of new access including dropped kerb	West Walton
13.08.2020	15.10.2020 Application Permitted	20/01206/F	The Woodlands Lynn Road Walton Highway Norfolk Replacement roof structure with 2nd floor accommodation and garden room existing conservatory to be removed	West Walton

20.08.2020	19.10.2020 Application Permitted	20/01247/LB	Ingleborough Mill House Mill Road West Walton Wisbech LISTED BUILDING APPLICATION: Proposed new railings and pedestrian gate, reduce ground level to front of house, install new Aco Drainage system and pave over with York Stone, building base of columns to front porch.	West Walton
05.08.2020	29.09.2020 Application Permitted	20/01151/F	1 Watering Lane West Winch King's Lynn Norfolk Single storey side extension to existing bungalow	West Winch
10.08.2020	02.10.2020 Application Permitted	20/01178/F	Brook Meadow 159 Main Road West Winch King's Lynn Proposed single storey side extension	West Winch
10.08.2020	15.10.2020 Application Permitted	20/01181/F	Waldeck 3 Dohamero Lane West Winch King's Lynn Proposed new double carport	West Winch