

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



Planning Committee

Agenda

**Monday, 9th January, 2017
at 9.30 am**

in the

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



If you require parts of this document in another language, large print, audio, Braille or any alternative format please contact the Council Information Centre on 01553 616200 and we will do our best to help.

LATVIAN

Ja Jums nepieciešamas daļas no šī dokumenta citā valodā, lielā drukā, audio, Braila rakstā vai alternatīvā formātā, lūdzu, sazinieties ar Padomes informācijas centru (Council Information Centre) pa 01553 616200 un mēs centīsimies Jums palīdzēt.

RUSSIAN

Если вам нужны части этого документа на другом языке, крупным шрифтом, шрифтом Брайля, в аудио- или ином формате, обращайтесь в Информационный Центр Совета по тел.: 01553 616200, и мы постараемся вам помочь.

LITHUANIAN

Jei pageidaujate tam tikros šio dokumento dalies kita kalba, dideliu šriftu, Brailio raštu, kitu formatu ar norite užsisakyti garso įrašą, susisiekite su Savivaldybės informacijos centru (Council Information Centre) telefonu 01553 616200 ir mes pasistengsime jums kiek įmanoma padėti.

POLISH

Jeśli pragną Państwo otrzymać fragmenty niniejszego dokumentu w innym języku, w dużym druku, w formie nagrania audio, alfabetem Braille'a lub w jakimkolwiek innym alternatywnym formacie, prosimy o kontakt z Centrum Informacji Rady pod numerem 01553 616200, zaś my zrobimy, co możemy, by Państwu pomóc.

PORTUGUESE

Se necessitar de partes deste documento em outro idioma, impressão grande, áudio, Braille ou qualquer outro formato alternativo, por favor contacte o Centro de Informações do Município pelo 01553 616200, e faremos o nosso melhor para ajudar.



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, 9th January, 2017

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

TIME: 9.30 am

1. APOLOGIES

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

2. MINUTES

To confirm as a correct record the Minutes of the Meeting held on 5 December 2016, subject to a typographical error on minute PC61(a) being amended to read:

(iv) **16/01327/FM**

King's Lynn: Land at Greenpark Avenue: The construction of 89 dwellings, associated access roads, footways and new access of public open space and associated external works: BCKLWN

3. DECLARATIONS OF INTEREST

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

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

4. URGENT BUSINESS UNDER STANDING ORDER 7

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

5. MEMBERS ATTENDING UNDER STANDING ORDER 34

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

6. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

7. RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS

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

8. INDEX OF APPLICATIONS (Pages 6 - 7)

The Committee is asked to note the Index of Applications.

(a) Decisions on Applications (Pages 8 - 112)

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

9. DELEGATED DECISIONS (Pages 113 - 149)

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

To: Members of the Planning Committee

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

Site Visit Arrangements

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

If there are any site inspections arising from this meeting, these will be held on **Thursday 12 January 2017** (time to be confirmed) and the meeting reconvened on the same day (time to be agreed).

Please note:

- (1) At the discretion of the Chairman, items may not necessarily be taken in the order in which they appear in the Agenda.
- (2) An Agenda summarising late correspondence received by 5.15 pm on the Thursday before the meeting will be emailed (usually the Friday), and tabled one hour before the meeting commences. Correspondence received after that time will not be specifically reported during the Meeting.
- (3) **Public Speaking**

Please note that the deadline for registering to speak on the application is **12 noon** the working day before the meeting, **Friday 6 January 2017**. Please contact Planningadmin@west-norfolk.gov.uk or call (01553) 616443 to register.

For Major Applications

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

For Minor Applications

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

For Further information, please contact:

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

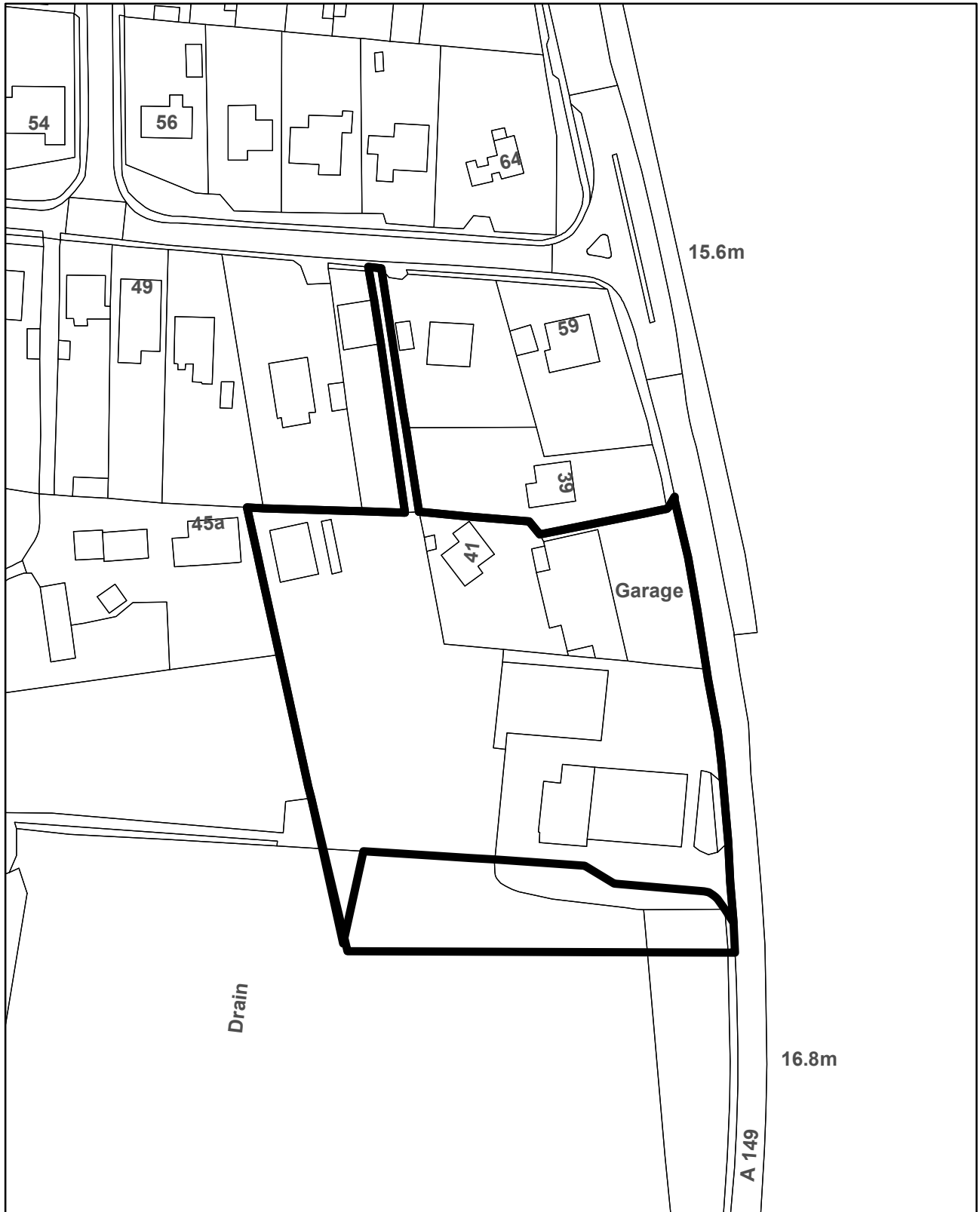
**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 9 JANUARY 2017**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	DEFERRED ITEMS			
8/1(a)	16/01712/FM Reg J Stainsby & Son 43 Lynn Road Demolition of existing building and construction of a Class A1 (retail) food store together with access, car parking, landscaping and associated engineering works.	HEACHAM	APPROVE	8
8/2	MAJOR APPLICATIONS			
8/2(a)	16/00493/FM Land between Bramcote House and Village Hall Lynn Road Proposed residential development (29 dwellings) with minor demolition of former opening in boundary wall for access to plot 24. To include parking and access to existing village hall.	STOKE FERRY	REPORT TO FOLLOW	
8/3	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE BOARD			
8/3(a)	16/00960/F Land at Little Lane Erection of a single dwelling with carport, parking and new vehicular access.	DOCKING	REFUSE	27
8/3(b)	16/01777/F Saughtree Orchard Close Construction of dwelling following demolition of existing dwelling.	DOWNHAM MARKET	REFUSE	34
8/3(c)	16/01747/O Land East of Marham Road Outline Application Some Matters Reserved: Erection of five detached dwellings.	FINCHAM	APPROVE	40

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/3(d)	16/01177/F White Dyke Farm Black Dyke Road Change of Use of the building from a cattery with ancillary offices to use as a cattery with ancillary offices, residential accommodation for the occupation by the cattery owner/manager, minor changes to the external appearance of the building and car parking.	HOCKWOLD	REFUSE	50
8/3(e)	16/01870/F 12 Wheatfields Conversion of first floor accommodation to form internal annex to cover both family use and letting.	HILLINGTON	APPROVE	60
8/3(f)	15/02076/F R & B Motors 64 High Street Demolition of existing on site structures with the construction of two detached dwellings.	METHWOLD	APPROVE	67
8/3(g)	16/01084/F The Bungalow Waterworks Road Construction of four new dwellings following demolition of existing bungalow.	OLD HUNSTANTON	APPROVE	76
8/3(h)	16/01900/F Out of Focus Main Road Proposed extension and alteration to existing building	TITCHWELL	APPROVE	91
8/3(i)	16/01753/RM Land South of 21 to 42 St Peters Road Reserved Matters Application: Affordable housing for plots 6, 7, 10, 11 and 13.	UPWELL	APPROVE	100
8/3(j)	16/01784/CU Land at Townsend Farm Church Road Change of Use of agricultural land to garden land.	WALPOLE	REFUSE	107
8/4	CONSULTATIONS			
8/4(a)	16/01838/BT Public Payphones throughout the Borough Removal of Public Payphones.	VARIOUS	REPORT TO FOLLOW	

16/01712/FM

Reg. J Stainsby & Son 43 Lynn Road Heacham



AGENDA ITEM NO: 8/1(a)

Parish:	Heacham	
Proposal:	Demolition of existing building and construction of a Class A1 (retail) foodstore together with access, car parking, landscaping and associated engineering works	
Location:	Reg J Stainsby & Son 43 Lynn Road Heacham Norfolk	
Applicant:	Lidl UK GmbH	
Case No:	16/01712/FM (Full Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 30 December 2016 Extension of Time Expiry Date: 13 January 2017

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

Case Summary

Full planning permission is sought for the construction of a Lidl store with access, car-parking, landscaping and associated engineering works following the demolition of existing buildings, including a bungalow, at the former petrol filling station and R J Stainsby & Son car sales site at Lynn Road, Heacham.

Approximately half of the site (53%) lies within the adopted development boundary for Heacham with the remaining (47%) in land designated as countryside.

The site is accessed from the A149 (a Primary Corridor of Movement), on the opposite side of which is an Area of Outstanding Natural Beauty (AONB).

The site lies within Flood Zone 1 as depicted on the Local Authority's Strategic Flood Risk Assessment maps.

This is a resubmission of recently refused application 15/02004/FM which was refused by the Planning Committee at their meeting of 6 June 2016. An application to appeal the 2015 has been submitted to the Planning Inspectorate. Dates for the Informal Hearing are yet to be confirmed. Notwithstanding that this application had a recommendation to approve, the application was deferred from the last Planning Committee meeting (December 2016) at the applicant's request to enable them to make further amendments to the design of the proposed building following comments from the Parish Council, some third parties and in light of the Planning Committee Member's comments at the June meeting. This has resulted in a large amount of local carrstone being used on the southern elevation to replace the previously proposed white render infills.

The other minor changes put forward and additional information submitted to address the highway congestion issue remains the same as the previously deferred submission.

Due to the consultation period extending to the 5th January additional comments received in relation to the amended design will be reported as late correspondence.

Key Issues

Principle of Development
Highway Safety
Impact on AONB

Recommendation

APPROVE

THE APPLICATION

Full planning permission is sought for the construction of a Lidl store with access, car-parking, landscaping and associated engineering works following the demolition of existing buildings at the former petrol filling station and R J Stainsby & Son car sales site, Heacham.

The proposed store is shown to cover c.2,243m² (GIA) with a sales area of c.1,425m² (net) containing 80% (1,142m²) convenience floorspace and 20% (285m²) comparison floorspace. The gross external area (GEA) of the store is c.2,515m².

The building is shown to measure c.69.5m x 32.7m (excluding the loading bay) and is 5.1m in height at the northern end and 8.1m high at the southern end. The building is to be constructed with white rendered walls, grey render piers, and metallic silver cladding under a slate-grey aluminium roof with extensive glazing on the eastern elevation and south-eastern entrance foyer. The piers and plinth on the southern elevation would be brick with carrstone infill.

It is anticipated that the store would employ 40 full-time equivalent members of staff. The opening hours of the store are proposed to be 07.00-22.00 Monday to Saturday and 10.00-19.00 on Sundays and Bank Holiday.

As with the previous application the store would occupy the northern part of the site, with the southern area (currently occupied by the former petrol filling station, canopy, sales kiosk and car repair workshop building associated with the main car dealership) laid to parking (129 car parking spaces (including 6 disabled bays and 3 parent and child bays) and 8 cycle stands). A single-storey loading bay (contained within the building) is proposed to the west of the site.

Access would be from the south-eastern corner of the site from the A149 (a Primary Corridor of Movement). Highway improvement works are proposed in the form of the provision of a right hand turning lane and footpaths across the frontage as far as The Broadway. Additionally, and in order to address the perceived 'conflict and interference with the passage of through traffic', 'yellow box' markings are proposed at the Lavender Farm junction and 'Keep Clear' markings at the site access.

Whilst the design is the same as the previous indicative version seen by Committee at the June meeting a large amount of local stone (carrstone) has been incorporated into the southern elevation of the building to reflect its setting.

SUPPORTING CASE

The applicant has submitted the following statements (contained in the Supplementary Planning Statement) in relation to addressing the two reasons for refusal.

Reason 1 (Transport): The CHA has recommended that the proposed access design is acceptable having regard to all relevant standards and policy, as well as local circumstances. It has repeated its recommendation both in writing and orally at Committee, notwithstanding challenges to that recommendation by the Parish Council and Members of the Planning Committee. Importantly, Reason (1) does not relate to either the location of the access, or to its design. On this basis it is clear that the LPA has no objection to the proposed means of access.

Instead, the reason for refusal says that the traffic using the site will lead to 'conflict and interference with the passage of through traffic'. This appears to result from the fact that traffic can currently queue south from the Lavender Farm junction past the site entrance at peak hours and at certain times of the year.

The reason for refusal is imprecise. It is unclear whether the conflict is thought to arise as a result of either:-

- customer traffic entering the site from the north and exiting to the south at times when traffic is flowing freely on the A149; or
- customer traffic entering the site from the north, and exiting either to the north or south, at times when traffic is backed up or beyond the site access.

If it is the former then the access has been designed to meet all relevant standards. Moreover there are currently three access 'bell-mouths' on the site frontage as well as a length of dropped kerb which allows uncontrolled access / egress across most of the site frontage. The benefits arising from the replacement of this 'ad hoc' arrangement of accesses and their replacement by a single crossing designed in accordance with standards are clear and are likely to reduce, rather than increase, conflict with the passage of through traffic.

If it is the latter then traffic on the A149 will be moving slowly so that the expectation is that customers will be able to enter and leave the site safely. Any potential for conflict in this scenario can be fully mitigated by the addition of 'Keep Clear' markings at the site access, if the LPA considers that to be necessary.

In either case the reason for refusal has to be considered in the context of the fact that the site benefits from lawful use for various commercial operations, and that traffic currently enters and leaves the site via the A149. In addition the proposals include a right turn lane that has capacity to accommodate traffic waiting to turn right, without interfering with traffic travelling past the site to the south.

Lidl does not consider there is any need or scope to revise the proposals, except that Lidl is prepared to offer to provide 'yellow box' markings at the Lavender Farm junction and 'Keep Clear' markings at the site access, if the LPA thinks this would address their reason for refusal. Whilst neither Lidl nor the CHA consider this to be necessary, Members may consider that these measures would remove or reduce the potential that they perceive exists for 'conflict and interference with the passage of through traffic'.

Reason 2 (Design): The second reason for refusal relates to the design of the development and to its potential impact on the setting of the AONB.

The design of the development is said to be “poor”. It is not clear whether this is directed at the appearance of the building or to the site layout. In either case Lidl does not agree. The proposal is for the Company’s latest generation of foodstore. Its appearance is simple, clean, functional and modern and it employs high quality materials and sustainable building management systems. In relation to the layout of the site Lidl notes the following points.

Store location: the store will replace buildings which are spread across the site. It is located close to the urban edge and acts as a ‘buffer’ between residential curtilage and the activity associated with the site access, car-park and customer entrance, protecting residential amenity.

Store orientation: the store is orientated with its shorter elevation facing the AONB and its active frontage facing the street. Servicing is to the rear (west) and away from most residential property.

Landscaping: landscaping is low along A149 frontage to ensure no interference with visibility splays. The hedgerow and trees proposed on the southern boundary reflect typical boundary treatments along the A149 corridor. The landscaped areas to the north of the store are wider and include more substantial planting. Close boarded fencing would be inappropriate on the southern boundary but is proposed on the northern and western boundary to protect amenity.

Access and Parking: the site access is in the optimum location having regard to the conclusions of the Transport Assessment and with the number of car parking spaces set to ensure that the store may be adequately serviced but without a risk of on-street parking in Broadway.

Nonetheless the reason for refusal asserts that the proposal would have an ‘adverse impact on the landscape and the setting of the Norfolk Coast AONB’ by virtue of its poor design. Lidl does not agree and so does not propose any change to the appearance of the building or to the layout of the site.

However, in order to provide a clear assessment of the impact of the development on the landscape and setting of the AONB, Lidl has commissioned the following:

- a) Landscape & Visual Impact Assessment (LVIA). This has been prepared to an accepted methodology and provides robust evidence on which to reach an objective conclusion on the potential impact of the development on the landscape generally, and on the setting of the AONB in particular, from carefully selected viewpoints in the vicinity of the site.
- b) Revised Design & Access Statement which includes an assessment of local character, and how the development relates to that character, and considers the proposals against the objectives of the relevant policies of the development plan;
- c) Visualisations of the proposals viewed on the approach to Heacham from the south and including the proposed landscaping scheme at maturity.

PLANNING HISTORY

15/02004/FM – Demolition of existing buildings and construction of Class A1 (Retail) food store together with access, car parking and landscaping and associated engineering works. Committee Refusal, Appeal submitted, currently awaiting dates.

2/03/0564/F - Construction of storage building -Permitted

2/97/0799/F - Provision of roof on existing car wash bay - Permitted

RESPONSE TO CONSULTATION

Parish Council: Heacham Parish Council (HPC) **OBJECT** to this application.

HPC recognises that a store similar to that proposed would likely be useful to some villagers and we would not object if access and construction did not cause difficulties or distress to other villagers or to people visiting or passing through the village.

HPC is disappointed that, in the almost five months since the BCKLWN Planning Committee rejected the original Lidl application, the only changes made to road access is to agree to put 'Keep Clear' signs on the road at the entrance/exit and also at the 'Lavender Lights' junction (as confirmed by NCC Highways on the 19th October). Consequently HPC remains concerned at the traffic implications for the proposed access and egress from the proposed store. There are implications for safety for traffic turning right, out of the store, towards Snettisham; the reason there is no right turn permitted out of The Broadway, adjacent to the store, is to avoid traffic conflict and potential accidents. There are implications for traffic delays at the 'Lavender Lights' due to traffic waiting to turn right from Heacham to access the store not having a 'space' to queue in and, similarly for traffic crossing the junction from Hunstanton or turning left from Sedgford.

In addition, traffic implications remain for people living along The Broadway, Nourse Drive and Lynn Road. The Broadway for two reasons: parking along it to avoid having to drive onto and off the A149 when shopping; driving along it from the store either into the village or as an exit from the village along Nourse Drive and Lynn Road (avoiding the right turn out of the store detailed above). There is no provision in the application to help the village cope with additional traffic generated by the store's operation.

The Borough Council objected to the proposed store's impact on the road network by stating: 'The proposed development would intensify the vehicular activity of the site which would lead to conflict and interference with the passage of through traffic which would be of detriment to highway safety and to the efficient operation of the highway network. The proposed development is therefore contrary to the NPPF in general and specifically to paragraph 32 of the NPPF, Core Strategy Policy 11 and emerging Development Management Policy DM12.' As nothing has changed, then HPC assumes this objection will stand.

HPC is similarly disappointed that, in the intervening months since the original application was refused, no significant changes have occurred to the external design of the store. Lidl are still convinced that their design is suitable for all locations. The excuse that what the proposed store will replace is a mess anyway is insufficient.

The Borough Council objected to the previous application by stating, 'The proposed development, due to its poor design, would have an adverse impact on the landscape and the setting of the Norfolk Coast AONB. The development is therefore contrary to the NPPF, CS Policies CS06 & CS07 and emerging Development Management Policy DM15.' Heacham Parish Council cannot disagree with this assessment which, presumably, must stand as the design remains the same.

Highways Authority: NO OBJECTION Subject to conditions

Lead Local Flood Authority: NO OBJECTION

Norfolk Coast Partnership: OBJECT As noted by Heacham Parish Council, there appear to be no differences in building design and landscaping from the previous proposal (15/02004/FM) that was refused, one of the reasons for refusal being that "the proposed development, because of its poor design, would have an adverse impact on the landscape and setting of the Norfolk Coast AONB". Since these aspects have not been amended, this application should also be refused for that reason.

Internal Drainage Board: NO OBJECTION to the principle of the drainage strategy. However any permission granted should be conditioned to provide full details following further investigations.

Environment Agency: NO OBJECTION in relation to contamination or proposed SuDS strategy.

Natural England NO OBJECTION although careful consideration should be given to any direct and indirect effects upon the adjacent AONB

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

Environmental Health & Housing – CSNN: NO OBJECTION subject to conditions relating to: Construction Management, Foul and Surface Water Drainage, Lighting, Ventilation and Extraction, Refrigeration Equipment, Hours of Delivery and Hours of Use.

Historic Environment Service: NO OBJECTION however, the proposed development site lies at the northern edge of a complex of cropmarks relating to Iron Age to Roman boundaries and trackways, and in an area where artefacts of Roman, Anglo-Saxon and medieval date have previously been recorded. Although buried archaeological remains in parts of the proposed development site are likely to have been truncated or destroyed by below-ground elements of the existing filling station this will not be the case with the entire development area, particular in the western part of the site. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. It is therefore recommended that conditions be appended to any permission granted.

REPRESENTATIONS

FOUR letters of **OBJECTION** have been received (compared to the **TWENTY** received in relation to the previous application). The reasons for objection are:

- Highway safety and congestion;
- Impinge on open land;
- The development is not wanted or needed;
- This is not a local store;
- Parking would occur on Broadway which would cause a hazard.

TWO letters of **CONCERN** have been received. The issues raised include:

- Congestion;
- Disamenity caused by noise to neighbouring property;

THREE letters of **SUPPORT** have been received (compared to **ELEVEN** received in relation to the previous application). The reasons for support are:

- The people in Heacham (excluding parish council members) want greater choice instead of having to travel to Hunstanton or King's Lynn;
- The current site is an eyesore;
- The applicants have gone a long way to address the concerns raised by the previous application;
- Development wise Heacham is bursting at the seams and needs facilities like the one proposed;
- There is no good reason to refuse the application;
- This is a good use of a brownfield site;
- It will bring much needed employment to the area;
- It will bring commercial competition which is long overdue.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM10 – Retail Development Outside Town Centres

DM12 - Strategic Road Network

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The main issue for consideration in the determination of this application is whether the reasons for refusal of application 15/02004/FM have been adequately addressed.

The principle of development, impact on residential amenity, drainage and pollution, archaeology, ecology and crime and disorder were all fully considered during the determination of the previous application and all found to be acceptable (subject to condition).

The changes proposed relate to the efficient operation of the highway network, the inclusion of a large amount of local material (carrstone) on the southern elevation and to the proposed opening hours. In relation to the latter issue the previous application proposed Monday to Saturday (inclusive) 08:00 to 22:00 and Sundays and Bank Holidays 10:00 to 16:00 with deliveries outside of these hours. This application proposes Monday to Saturday (inclusive) 07:00 to 22:00 and Sundays and Bank Holidays 10:00 to 19:00 again with deliveries outside of these hours. The Community Safety and Neighbourhood Nuisance Team (CSNN) have raised no objection to these hours of operation / delivery which can be suitably conditioned if permission is granted.

Refusal of Previous Application

Application 15/02004/FM was refused for the following two reasons:

1. The proposed development would intensify the vehicular activity of the site which would lead to conflict and interference with the passage of through traffic which would be of detriment to highway safety and to the efficient operation of the highway network. The proposed development is therefore contrary to the NPPF in general and specifically to paragraph 32 of the NPPF, Core Strategy Policy 11 and emerging Development Management Policy DM12.

2. The proposed development, due to its poor design, would have an adverse impact on the landscape and the setting of the North Coast Area of Outstanding Natural Beauty. The development is therefore contrary to the NPPF, Core Strategy Policies CS06 and CS07 and emerging Development Management Policy DM15.

Highway Safety

Reason one relates to highway safety and the efficient operation of the highway.

To address this reason for refusal the applicant is looking to provide 'yellow box' markings at the Lavender Farm junction and 'Keep Clear' markings at the entrance to the site.

The Local Highway Authority (LHA) considers these additional markings would assist in the operation of the Lavender Corner junction and in the operation of the site and should therefore be provided. This can be suitably conditioned.

In all other regards the proposal is a duplicate of application 15/02004/FM to which the LHA concluded that the right hand turn lane (RHTL) which would be designed and potentially delivered by the LHA, would be appropriate and adequate to serve the development. The LHA continues to consider that September flows (which are 12% above the annual average) are a suitable basis for the design of the RHTL. They also conclude that, whilst the impact of the peak summer months are a consideration, it would not be reasonable or appropriate to recommend refusal on the basis that peak months did not form the only basis of the design for the RHTL given that the flow figures that were used are already above the annual average.

It is therefore concluded that the additional highway markings will assist in the efficient operation of the highway thus countering any increase in vehicular activity associated with the site. These markings, together with a technically suitable right hand turn lane that the applicant has shown could accommodate cars and caravans, suggests that the development would not be of detriment to highway safety. The LHA has no objection to the application subject to conditions being appended to any permission granted.

Your officers therefore believe the applicant has suitably addressed the first reason for refusal.

Impact on AONB

The second reason for refusal relates to the design of the proposed building and the adverse impact it would have on the landscape and the setting of the adjacent AONB.

The scale, mass, design and location of the proposed development is the same as that tabled at the Planning Committee meeting in June and that which was deferred from the Planning Committee in December. However, the applicant has incorporated a large amount of local material into the southern elevation. Furthermore, as per the previous report, the applicant has gone to great length to show how they believe the development is not of poor design and that it would not have a detrimental impact on the AONB. To this end the application was accompanied by a Landscape and Visual Impact Assessment (LVIA), further artistic impressions and a revised DAS.

A key consideration in relation to the impact the proposed development would have on the setting of the AONB is to compare and contrast the current situation with the proposed development.

The current buildings / canopy are, for want of a better description, dotted around the site. More importantly they occupy the parts of the site closest to the AONB (i.e. alongside the A149). The canopy, the tallest structure on the site is very prominent by virtue of its position on the apex of the bend. Furthermore it sits only 19m from the southern boundary of the site whereas the proposed building would sit 51m from this boundary. Additionally it is the shorter edge (32m) of the proposed building that runs adjacent to the AONB. The combined eastern elevations of the existing buildings measure 51m. Both existing and proposed buildings are industrial in nature.

The LVIA takes this comparing and contrasting exercise to a much higher level. It is stated that the LVIA was carried out in accordance with current guidelines and made judgements in respect of both landscape and visual effects in relation to the combined sensitivity of the receptor and magnitude of the landscape. The overall effect was considered at three timeframes: Construction, Completion and 10 Years Post Completion. 'Major', 'Moderate', 'Minor' and 'Negligible' are used in combination with 'Adverse' and 'Beneficial' to describe the effects.

Major: An effect that will fundamentally change and be in direct contrast to the existing landscape or views;

Moderate: An effect that will markedly change the existing landscape or views but may retain or incorporate some characteristics / features current present;

Minor: An effect that will entail limited or localised change to the existing landscape / views or will entail more noticeable localised change but including both adverse and beneficial effects and is likely to retain or incorporate some characteristics / features currently – present; and

Negligible: An effect that will be discernible yet of very limited change to the existing landscape or views.

The LVIA concludes:

a) At a national scale the development will be located on the edge of National Character Area 76 North West Norfolk. This is an extensive area and the effect on character at this scale would be negligible.

b) At a district scale the development will be located within "Area C1 Heacham" as described in the KL&WN Landscape Character Assessment 2007. The new store will be located on a site that is already developed so that the influence on the character of the wider area will be very low.

c) Overall there will be a minor beneficial long term landscape effect resulting from the clearance of buildings of low quality and their replacement with a single, well-landscaped development.

d) The site currently supports car sales, a car wash business and open storage uses in a collection of disparate building styles including a former petrol filling station and canopy. The site currently does not provide an attractive edge to the settlement.

e) There would be some disruption during demolition and construction but, once completed, a new modern and well managed development would replace the current clutter of buildings and external areas. New tree and hedge planting would provide long term enhancement and in the longer term there would, overall, be a minor beneficial landscape effect.

f) The Norfolk Coast AONB lies to the east. The AONB management plan summarises its key qualities which include:

- strong and distinctive links between land and sea
- diversity and integrity of landscape, seascape and settlement character
- sense of remoteness, tranquillity and wildness

g) The site is located next to the busy A149 and the location is not remote, tranquil or wild, so there would be no effect on these qualities (not least as the site is outside the AONB).

h) The new building would be bigger than the existing individual buildings but would be a simple, modern design incorporating some traditional materials such as Carrstone. The southern part of the site would be a car park, clearing the built structures from this area. There would be new boundary planting including native trees and hedgerows. There would be no adverse effect on the connection between the land and sea, and the diversity and integrity of the landscape would be protected. The new native planting to the boundary and removal of the existing detracting buildings would provide long term protection and enhancement to the AONB.

i) In terms of visual effects, properties adjacent to the site have some views towards it which vary dependant on aspect and boundary vegetation. The closest property is that adjacent on Lynn Road which has views towards the garage that would be replaced by the new store which would be set back from the boundary, with intervening planting, and with eaves of a similar height to a two storey house. The greatest level of effect would be experienced by residents of this property.

j) Other properties have more garden screening and the level of effect would be lower. Moreover, as the new landscape treatment becomes established the effects will reduce.

k) On completion a moderate adverse visual effect is predicted for the neighbouring properties but this will reduce as planting softens views. Views from more distant properties on Broadway and beyond are likely to be minor or negligible.

l) There are very few public rights of way in the vicinity of the site. There is a right of way along the road between the A149 and the household waste recycling centre from which the site may be glimpsed through gaps in the hedge. However, the foodstore would replace the existing collection of buildings and the overall visual effects would be minor / negligible.

m) The Millennium Wood is located on rising land to the east of the village adjacent to the recycling centre. From the majority of the wood there are no views of the site. The site is visible from its edges, the edge of the wood, across the adjacent farmland, but the new building would replace the current clutter of buildings and would be seen in front of the existing settlement. The visual change would be very low, leading to a minor overall visual effect.

n) Travellers approaching the site along Lynn Road from the south view the existing garage after passing the petrol filling station on the eastern side of the road. From the north the site comes into view after the junction with the B1454. There would be a visual change resulting from the replacement of the garage with the foodstore. However, the development would be a comprehensive, coordinated scheme with high quality landscape treatment, including native hedges and trees to the south. This would provide long term visual improvement. The overall visual effect for road users would be minor adverse in the short term during construction, becoming minor beneficial in the longer term with the new coordinated building design and as the boundary planting establishes.

o) The long term impacts are illustrated effectively by the CGIs which use viewpoints close to the petrol filling station on the eastern side of the road and then closer to the site itself.

Overall the LVIA concludes that there would be some short term landscape and visual disruption during the demolition and construction phase. However, there would be longer term landscape and visual benefits through the removal of the existing site buildings and uses and their replacement with a modern, single new building and associated landscape planting.

Taking the above into account it is considered that further information has been supplied to suggest that the design is appropriate for the site and would not have an adverse impact on the landscape or setting of the AONB. The addition of large areas of carrstone further supports this assertion. It is therefore considered that the second reason for refusal has been suitably addressed.

CONCLUSION

This application raises no additional issues regarding the principle of development (including the impact on the viability and vitality of both Hunstanton Town Centre and Heacham), impact on residential amenity, drainage and pollution, archaeology, ecology and crime and disorder than the 2015 application.

For the reasons outlined in this report it is considered that the proposed development accords with the overarching aims of national and local policy, would not have a significant detrimental impact on the visual amenity of the locality or setting of the AONB and would not result in highway inefficiency or safety issues. It is therefore recommended that this application be approved subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos: PL-03 Rev.C, PL-04, PL-05F and 15-84-01 Rev.D.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the commencement of the use hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 3 Reason In the interests of highway safety in accordance with the NPPF and Development Plan.

- 4 Condition Prior to the commencement of the use hereby permitted the proposed access, on-site car and cycle parking, servicing, loading, unloading, turning and waiting areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 4 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with the NPPF and Development Plan.
- 5 Condition Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 5 Reason To ensure adequate off-street parking during construction in the interests of highway safety in accordance with the NPPF and Development Plan.
- 6 Condition No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority. For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities.
- 6 Reason To prevent extraneous material being deposited on the highway in the interests of highway safety in accordance with the NPPF and Development Plan.
- 7 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing by the Local Planning Authority until a detailed scheme for the off-site highway improvement works as indicated on drawings SCP/15846/D03 Rev.B and SCP/15846/D07 both of which are contained in the Transport Assessment Appendix 1 have been submitted to and approved in writing by the Local Planning Authority.
- 7 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the NPPF and Development Plan.
- 8 Condition Prior to the commencement of the use hereby permitted the off-site highway improvement works referred to in condition 7 shall be completed to the written satisfaction of the Local Planning Authority.
- 8 Reason To ensure that the highway network is adequate to cater for the development proposed in the interests of highway safety in accordance with the NPPF and Development Plan.
- 9 Condition The gradient of the vehicular access shall not exceed 1:12 for the first 10 metres into the site as measured from the near channel edge of the adjacent carriageway.
- 9 Reason In the interests of the safety of persons using the access and users of the highway in accordance with the NPPF and Development Plan.

- 10 Condition Notwithstanding the information that accompanied the application, no development shall begin until a scheme for surface water disposal 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 before any part of the development is brought into use.
- 10 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 11 Condition No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- 11 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 12 Condition No development shall take place other than in accordance with the written scheme of investigation approved under condition 11.
- 12 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 13 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 11 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 13 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 14 Condition Prior to the first occupation of 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. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 14 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.

- 15 Condition Prior to commencement of development a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.
- 15 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 16 Condition The use hereby permitted shall not commence until a detailed scheme for the ventilation and extraction of fumes/cooking smells has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the precise details of the flue extraction equipment to be used, including: the stack height; the design and position of all ductwork; the noise/power levels of the fan(s); the number, type and attenuation characteristics of any silencers; details of anti-vibration mounts and jointing arrangements in the ductwork; the number of air changes per hour, and the efflux velocity. The scheme shall be implemented as approved prior to the commencement of the use and thereafter maintained as such.
- 16 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 17 Condition Prior to the installation of any refrigeration plant a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the noise/power levels of the equipment and provide details of anti-vibration mounts. The scheme shall be implemented as approved and thereafter maintained as such.
- 17 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 18 Condition No deliveries shall be taken at or despatched from the site outside the hours of 6am to 11pm on weekdays and Saturdays and 8am to 7pm on Sundays or Bank / Public Holidays.
- 18 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 19 Condition The premises shall only be used between the hours of 7am and 10pm Monday to Saturday and 10am to 6pm on Sundays and Bank / Public Holidays.
- 19 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.
- 20 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'.

- 20 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.
- 21 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.
- 21 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.
- 22 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.

- 22 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.

- 23 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 20, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 21, 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 22.

- 23 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.

- 24 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.

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

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

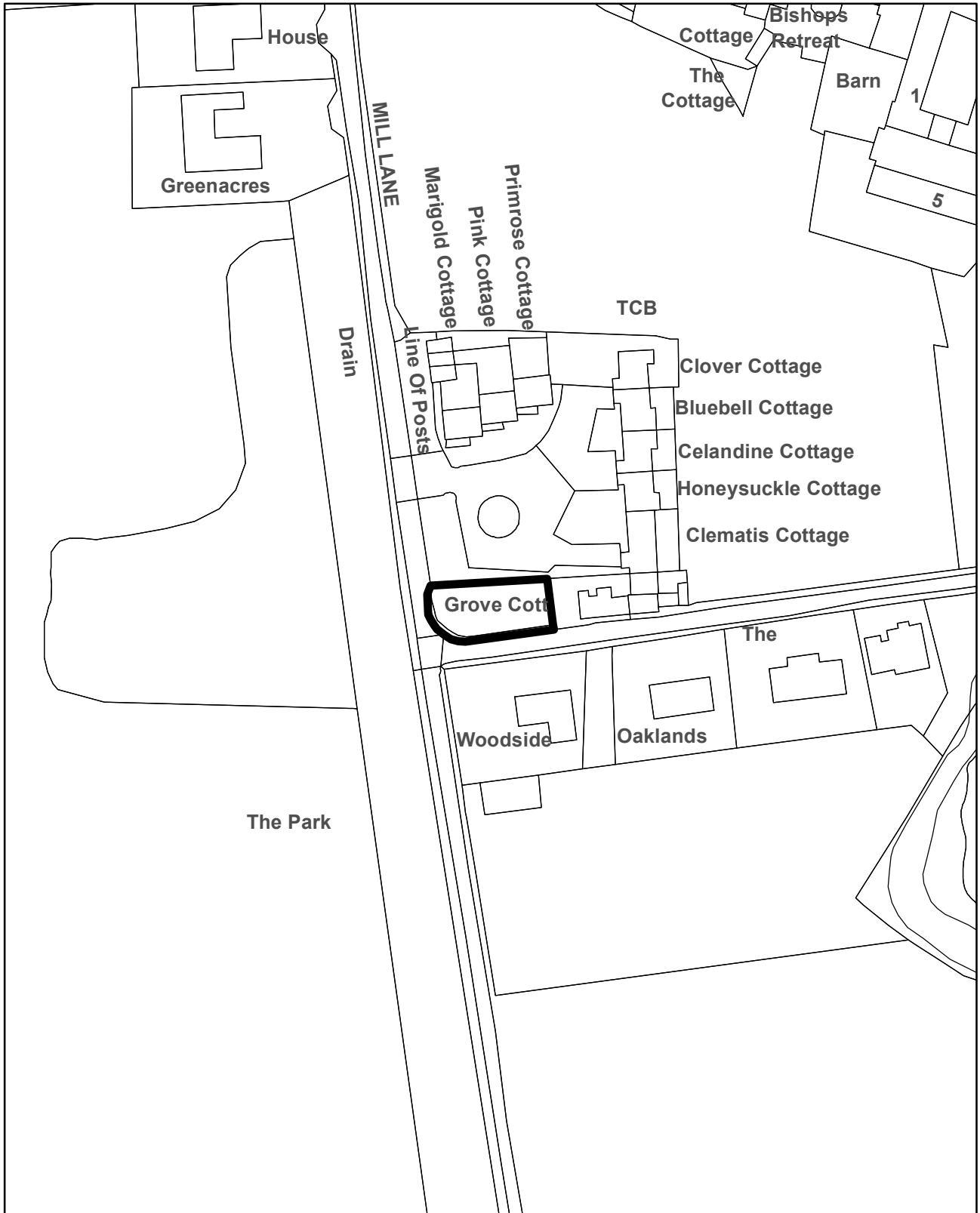
- 25 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.

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

- 26 Condition All hard and soft landscape works shall be carried out in accordance with the details shown on drawing number 15/84/01 revision D. 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.
- 26 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 27 Condition The development hereby permitted shall be carried out in accordance with the recommendations of the Preliminary Ecological Appraisal (Ref CLE20296/005/01 dated November 2015) that accompanied the application.
- 27 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 28 Condition The development hereby permitted shall be used only for A1 retail use and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2015 or in any provision equivalent to that Class revoking or enacting that Order). The net sales area shall not exceed 1,325sq m and no more than 20% (245sq m) of this net sales area shall be used for the sale of comparison goods. The number of lines that shall be for sale in the store at any one time shall be limited to a maximum of 1,600; and the store shall not include any post office, pharmacy or butchers. For the purposes of this condition, comparison goods are items not obtained on a frequent basis, including clothing, footwear, household and recreational goods.
- 28 Reason For the avoidance of doubt and to ensure that the permitted development does not have a negative impact on the vitality and viability of other centres in the locality in accordance with the NPPF and Development Plan.

16/00960/F

Land at Little Lane Docking



AGENDA ITEM NO: 8/3(a)

Parish:	Docking	
Proposal:	Erection of a single dwelling with carport, parking and new vehicular access	
Location:	Land At Little Lane Docking King's Lynn	
Applicant:	Mr M I Robinson	
Case No:	16/00960/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 23 November 2016 Extension of Time Expiry Date: 15 January 2017

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

Case Summary

The application is made for full planning permission for the erection of a single 3 bed dwelling with car port, access and parking on land at Little Lane Docking.

Key Issues

Principle of development
Scale and impact
Access and highways
Impact on Heritage assets

Recommendation

REFUSE

THE APPLICATION

The application is made for full planning permission for a single 3 bed dwelling, access and parking on land to the north of Little Lane, Docking.

The site is an area of land measuring approximately 25m by 10m which was formerly garden/ curtilage for the adjacent property Grove Cottage which has been sold and cleared of vegetation.

The site is bounded by Little Lane to the south and abuts an open area of land to the north which provides joint access to the row of cottages which run north from Grove Cottage.

There is a row of detached properties to the south of Little Lane adjacent to the site and woodland to the west.

The site lies within the defined village boundary for Docking as set out in SADMP and is also within the Docking Conservation area.

The site does not lie in an area identified as being at significant risk from flooding. (FZ 1)

During the application the design and scale of the dwelling proposed has been reduced and revised and the current version rev c received on the 9th Dec 2016 measures 12m by 8.6m in footprint with a ridge height of 7.3m.

The design has been revised so that the eastern wing is now single storey having been substantially reduced from full 2 storey in the initial submission.

The dwelling is proposed to be built in facing red brickwork with flint work detailing, painted timber fenestration and a pantile roof.

SUPPORTING CASE

The Application is accompanied by an extensive Design and Access Statement setting out the design process and evolution; and a Heritage Statement placing the design in the context of the surrounding conservation area.

The extract below is from the Conclusion of the revised Design and Access Statement (2nd December 2016).

The scheme submitted seeks to develop a one off 3 bedrooled single family dwelling with a design that reflects the areas' current architectural character.

The proposed design will make a positive contribution to its immediate setting whilst remaining sensitive to the character of the area and in line with the Docking Conservation Area objectives. The use of materials such as facing brickwork, flint work and pantiles reflect the surrounding houses.

The main issues addressed are the scale of the proposed dwelling compared with the surrounding properties, the orientation for internal solar gain and the consideration of the neighbourhood's privacy.

The proposed dwelling has paid great attention to ensure respect for the surrounding context to allow the new dwelling to integrate well with its surroundings, and takes full account of the neighbouring property, site features and local character by means of layout form, massing and proportions.

Design is a subjective matter, however the principles of good design such as proportion scale mass rhythm, etc. are and have been considered throughout the history of architecture as representative of quality design. All of these principles have been fully considered while designing the proposed dwelling.

The site of the proposed dwelling is bigger than adjacent properties to the east and northeast and it is reinforced by a north boundary of vegetation that will screen the proposed dwelling. Along with this, two roads border the south and west boundaries, giving extra barrier between any existing properties. To add to the privacy for other neighbours, no windows will be overlooking immediate properties and in replacement the use of roof lights have been used throughout the first floor.

It is the wish of the applicants to develop a house that fulfils their needs in the present and in the future, considering the environment and the nature of the character of the area.

PLANNING HISTORY

No material planning history.

RESPONSE TO CONSULTATION

Parish Council: **SUPPORT** proposal, but voice concern in relation to highway visibility.

Highways Authority: Norfolk County Council does not wish to resist the grant of consent (subject to conditions)

Norfolk County Council: Public Rights of Way: I have no issues with the application on Rights of Way grounds.

Environmental Health & Housing – Environmental Quality: No comments received.

Conservation officer raises an **OBJECTION**, the summary of which is set out below.

The design and scale of the proposed building bears no relevance to the character of the area. The site is located on a very small parcel of open land on the corner of Little Lane and is completely out of character with the area and would therefore be harmful to the setting of the conservation area and the adjacent historic assets.

Conservation Area Advisory Panel

The Panel felt that the proposed design (initial submission) did not fit in with the form and character of existing dwellings.

The Panel considered that no building should be permitted on the site and the land be retained as a verge or garden for community use.

REPRESENTATIONS

Two letters of support has been received to the amended plans, and there remains one letter of objection to the proposal, although it is noted that the objection was made to a previous version of the submission.

Support:

1. relates to agreement that the revised plans are a significant improvement which addressed previous concerns
2. High quality design
3. Proposal fits with surrounding area

Objection:

We wish to object to the plans for the proposed development. Whilst we have no objection to the development of this land in principle we object to the plans submitted as detailed below:

1. The scale and design of the proposed development is not in keeping with surrounding properties.
2. The development would adversely affect the character and appearance of the Conservation Area.

3. The close proximity and height of the proposed development would result in overshadowing and loss of natural light to habitable rooms in Grove Cottage.
4. The plans would adversely affect driver visibility when leaving Grove Cottage as it will significantly restrict the view of oncoming traffic from the Mill Lane direction.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS12 - Environmental Assets

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

- Principle of development
- Scale and impact
- Access and highways
- Impact on heritage assets

Principle of development

The site lies within the defined development boundary of the village of Docking which is identified in the core strategy (policy CS02) as a Key Rural Service Centre (KRSC) which allows limited growth of a scale and nature to secure the sustainability of the settlement in accordance with the provisions of CS06.

Policy CS06 sets out the criteria for controlling development within the countryside and particularly in villages and inter alia requires development to maintain local character and a high quality environment.

Scale and impact

In addition to consideration of CS06 above reference is made to DM 15 which provides a number of criteria against which applications can be considered.

The development plot proposed has been created by the sub division of the former curtilage of Grove Cottage which lies immediately to the east. The subdivision has left Grove Cottage with a very small curtilage most of which is parking, the former garden north of the dwelling has been largely taken up with a single storey extension approved in 2006; there is a very small grassed area adjacent to parking area however this is not private as it is open to Little Lane.

The application plot is to the west of the adjacent and is not considered to relate well to the surrounding dwellings as it forms a projection of development away from the existing built form into an area that is currently open.

In addition, the plot is of a very modest scale measuring only 25m by 10m and whilst this gives a reasonable site area, the proportions of the site are such that it provides a significant constraint to development, particularly as a portion of the frontage of the site is required for a visibility splay along Little Lane which again forces the development to the back (north) of this narrow site.

Whilst the revised plans and elevations do reduce the scale and impact of the dwelling and are considered to be of a high quality of design in themselves with generally attractive elevations and appropriate materials, it remains the case that the site would appear to be overdeveloped.

A consequence / indicator of this is that the site has inadequate amenity space, and what space is available is not private as it is immediately adjacent to Little Lane on 2 sides. Any fencing sufficient to make this area private would be harmful to the open nature of this corner and is considered unacceptable in terms of CS08 and DM15.

It is still considered that the development proposed is an overdevelopment of the plot and that the resultant development is not good design in terms of layout and overall impact on the character of the area and is therefore contrary to CS06 and DM15.

Access and highways

Whilst NCC highways does not object to the proposal it is noted that the visibility splay required across the front/ south of the site does form a constraint to the site forcing the development to the back/ north of the plot.

Impact on Heritage assets

The conservation officer raises concerns in respect to the impact of the proposal (as revised) on the character and appearance of the area and impact on the conservation area.

Officers agree with these concerns and consider that the development of the site as proposed would adversely impact on the conservation area and cause harm to a heritage asset.

In addition, the initial application was considered by the Council's Conservation Area Advisory Panel in November 2016;

The Panel felt that the proposed design did not fit in with the form and character of existing dwellings and concluded that 'no building should be permitted on the site and the land be retained as a verge or garden for community use.'

In accordance with NPPF para 131 it is not considered that wider public benefits offered by the proposal outweigh this harm.

It is considered that the development of the site as proposed would be harmful to the character of the surrounding conservation area and as such is contrary the provision of the NPPF and NPPG as well as policy CS08 and CS12 of the Core Strategy and DM15 of SADMP.

CONCLUSION

This proposal relates to the provision of a dwelling on what was side garden to the donor property.

It is a relatively narrow piece of land in a prominent location within the Conservation Area.

The development of the land is considered to be harmful to the Conservation Area, as well as an overdevelopment of the site.

The benefits of the provision of one dwelling do not outweigh this harm.

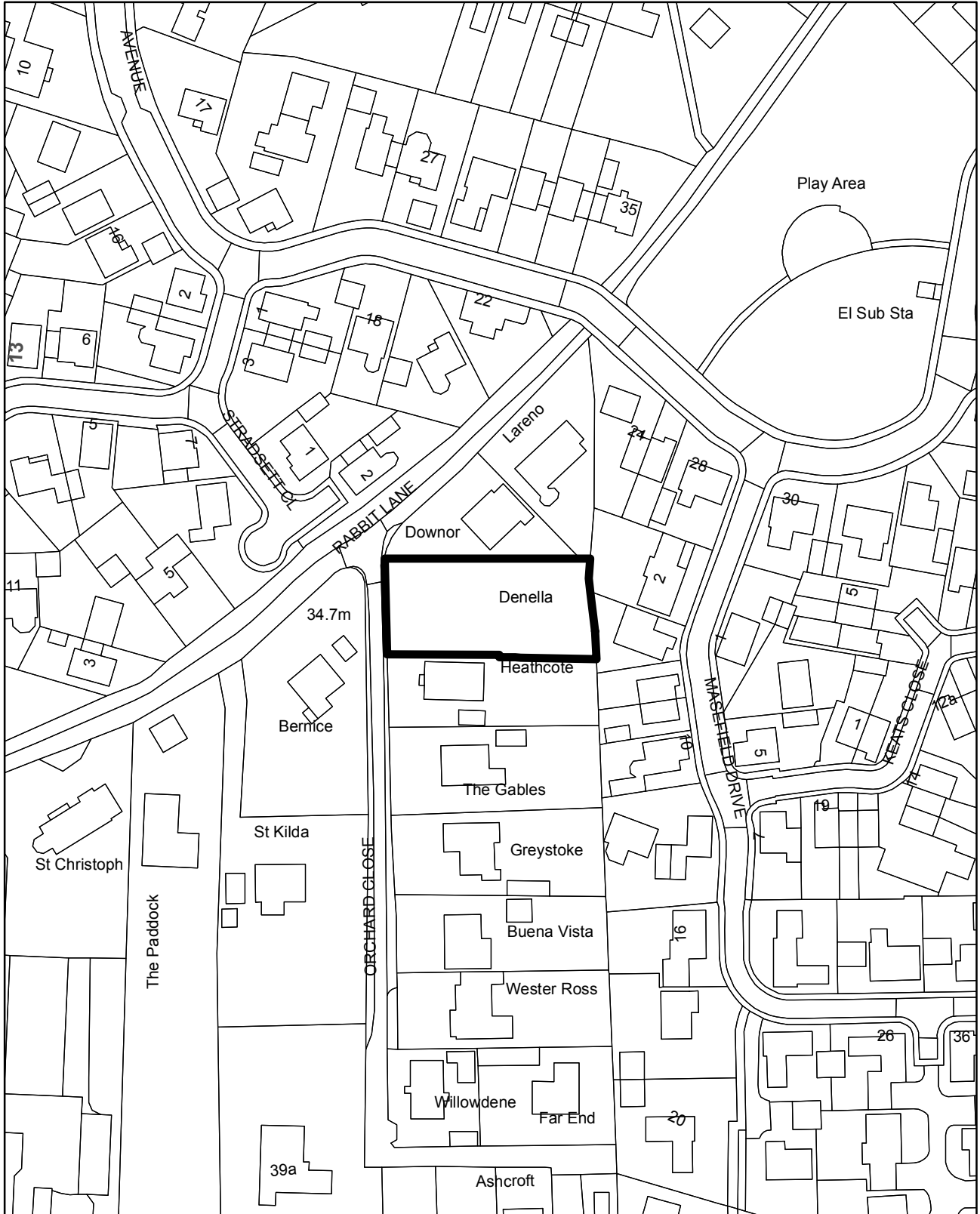
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposal is considered to be harmful to the character of the Docking conservation area through the loss of an open garden area which is considered an important feature of this part of the heritage asset; it is therefore considered contrary to the provisions of the NPPF and NPPG in relation to heritage assets as well as Core Strategy Policy CS08 and DM15 of the Site Allocations & Development Management Policies Plan (SADMP).
- 2 The proposed dwelling is an overdevelopment of the small plot leading to a contrived layout without adequate private amenity space and is considered to be out of character with the surrounding built form of this part of Docking and as such is contrary to the NPPF in relation to good design and Core Strategy Policy CS08 and DM15 of the SADMP.

16/01777/F

Saughtree Orchard Close Downham Market



AGENDA ITEM NO: 8/3(b)

Parish:	Downham Market	
Proposal:	Construction of dwelling following demolition of existing dwelling	
Location:	Saughtree Orchard Close Downham Market Norfolk	
Applicant:	Mr D Lawson	
Case No:	16/01777/F (Full Application)	
Case Officer:	Mr Tim Slater	Date for Determination: 2 December 2016 Extension of Time Expiry Date: 15 January 2017

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

Case Summary

The application is made for full planning permission for the erection of a single residential dwelling following demolition of an existing dwelling at Saughtree, Orchard Close, Downham Market, Norfolk

Key Issues

Principle of development

Design and impact of the proposal on the character of the area and residential amenities of adjacent properties

Recommendation

REFUSE

THE APPLICATION

The application is made in full for a replacement dwelling on the site of Saughtree, Orchard Close, Downham Market.

The site is within the defined development boundary of Downham Market which is defined as a 'Main Town' within the Borough and as such is in principle a sustainable and accessible location for new housing development.

Saughtree is a modest bungalow located to the northern end of Orchard Close adjacent to its junction with Rabbit Lane.

SUPPORTING CASE

The application is supported by an extensive statement setting out the;

- Principle of development as a replacement dwelling
- Relative scale of the existing and proposed dwellings
- Policy considerations

The submission concludes that 'the proposal seeks full permission for the construction of a replacement dwelling on land within the development boundary of Downham Market, and accords with the principles of new development in this location. The proposal is considered to be of an appropriate scale and design to reflect the character of the site and wider area, and would be in keeping with the street scene whilst not undermining local amenity.

It is not considered that the proposal would result in any demonstrable harm to the character and appearance of this area, nor would it significantly detract from the amenities of existing residents in the locality.'

PLANNING HISTORY

No material planning history

RESPONSE TO CONSULTATION

Downham Market Town Council: At the meeting of Downham Market Town Council's Planning & Environmental Committee held on Tuesday 1st November 2016 Members recommended **APPROVAL** commenting 'The application is for the removal of an existing bungalow to be replaced with a superior property'.

Highways Authority: I note that this application site is for a replacement dwelling and it is accessed from Orchard Close which is an unadopted private section of road. As a result the highway would be unaffected by the proposal and I would not seek to restrict the grant of permission.

Internal Drainage Board: No Comments received

Environmental Health & Housing – Environmental Quality: The proposed development will include the demolition of the existing building. Given the age of the building it is considered highly likely that there will be asbestos containing materials within the building. Therefore I would recommend the following conditions.

- Asbestos Survey
- Safe disposal of Identified Asbestos.

Norfolk Constabulary: No Comment

REPRESENTATIONS

No third party comments or objections received.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS04 - Downham Market

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Downham Market Town Design Statement

PLANNING CONSIDERATIONS

Principle of development

The application is made for a replacement dwelling within the defined development boundaries of Downham Market. Replacement dwellings within urban areas are not covered by DM5 (which relates only to rural areas) and as such given that the site lies within Downham Market the proposal is considered against Core Strategy policies (SADMP) CS01, CS02 and CS04 as well as Site Allocation and Development management policies DM1, DM2, in relation to the principle of development and DM15 and DM17 in respect to impacts and appearance.

Design and impact

Matters of consideration of the proposal therefore relate mainly to appearance of the replacement dwelling within the street scene and its impact on the residential amenity of neighbouring dwellings.

The site is not within the Downham Market conservation area and is not visible from it; in addition it is not within or affecting the setting of a listed building and as such heritage assets are not considered material to the consideration of this application.

Matters in relation to the design and appearance of new development are addressed within the provisions of SADMP policy DM15 and the NPPF section 7 (para 64) in respect to good design.

Policy DM15 Environment, Design and Amenity, is a protective policy seeking to prevent development that would have an adverse environmental impact on amenity, character of the area heritage assets or pollution.

Key issues in relation to this proposal are

- overlooking
- overbearing
- overshadowing
- visual impact
- scale, height, massing
- quality of design

Character of the area

The prevailing character of development along Orchard Close is of modest bungalows set back from the roadway with shallow pitched roofs. The proposal significantly increases the bulk of the building through the increase in the depth of the house to 13.3 m and increase in frontage width to 16.8m, this large footprint combined with a second storey and pitched roof leads to a very bulky 2 storey home out of character with the scale of the surrounding plots.

The total external floor area of the existing bungalow is approximately 120 sqm whereas new dwelling is 440Sqm (4736 sq ft) which is a very large dwelling and significantly larger than the surrounding bungalows and will appear as an overly dominant and out of scale dwelling within the street scene.

The frontage plot width is 20m and the proposal would fill 17m of this with 2 storey development and given the prevailing character and scale of development in the vicinity this is considered to be an overdevelopment of the plot frontages and harmful to the street scene and character and amenity of the area and consequently contrary to DM15.

Design

The NPPF advocates good design as a key element in sustainable development and this is also contained within DM15 of SADMP. It is considered that the dwelling proposed is poorly designed and does not respect or reflect the design, scale or appearance of the adjacent properties and would be harmful to the street scene of Orchard Close/ Rabbit Lane.

Impact on residential amenity

The increased height and bulk of the building and proximity to the boundaries with both Downor and Heathcote is such that this will have a significant impact on residential amenity of these plots by virtue of being over bearing to both plots and causing overshadowing to the garden on Downor, it is therefore considered to be contrary to CS08 and DM15 of SADMP.

Internal floor layout

It is noted that the internal layout of the dwelling includes duplicate stairwells, kitchens and living rooms which suggest that the proposal may have the ability to be used as more than one dwelling rather than for a single dwelling as a replacement as applied for.

However the applicant has confirmed that the application is for a single dwelling and it is to include an integral residential annex for an elderly family member and as such this falls within the definition of a single dwelling as applied for.

Any future application for sub division would need to be considered on its merits having regard to the development plan and any other material considerations prevailing at the time.

CONCLUSION

Whilst the principle of the development is acceptable the scale and design of the replacement dwelling is such that the proposal would cause material harm to the visual amenity of the area and to the residential amenities of adjacent properties and as such is contrary to the provisions of CS08 of the Core Strategy and DM15 of the SADMP and section 7 (particularly para 64) of the NPPF.

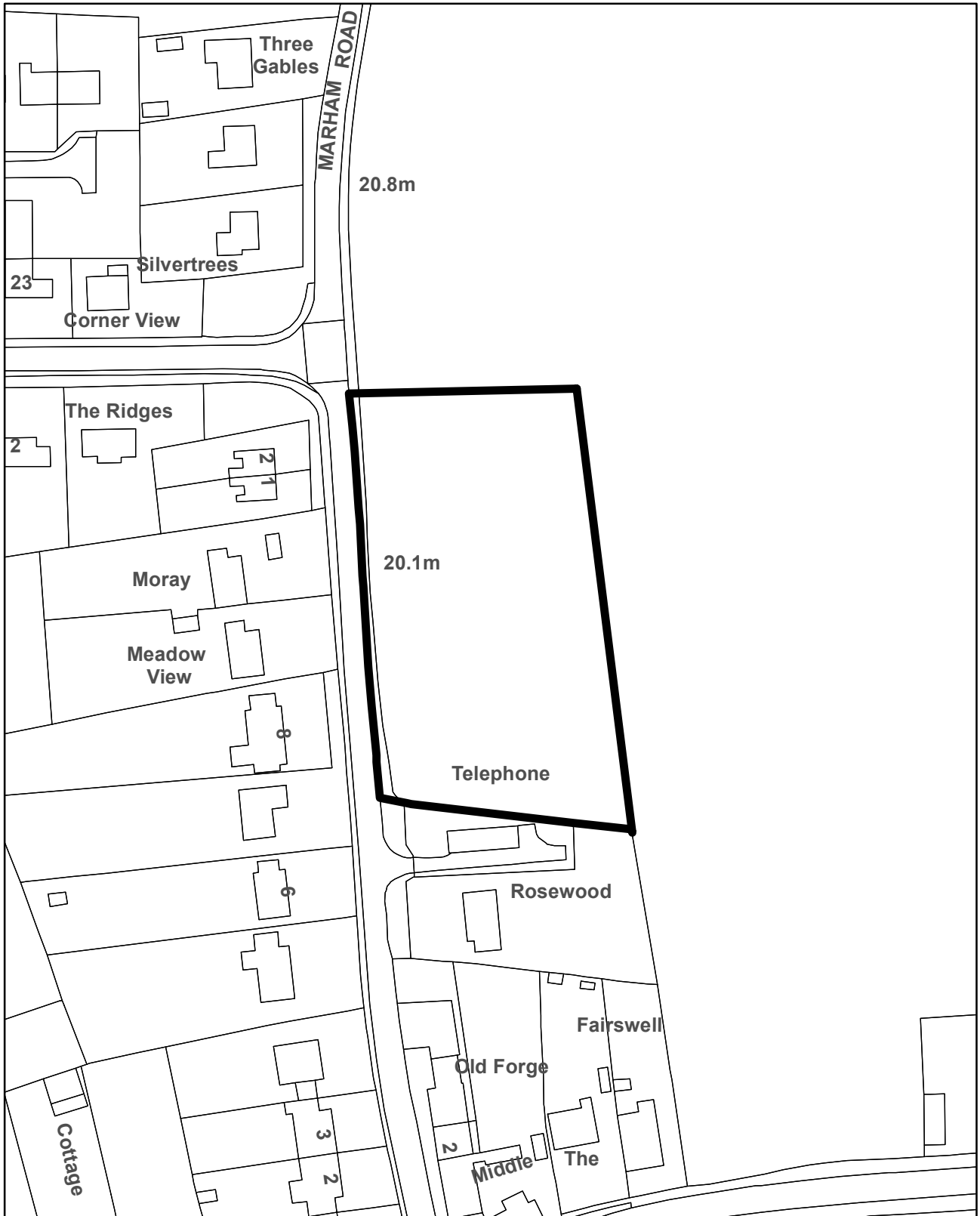
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed dwelling would have an adverse and unacceptable impact on the residential amenity of the adjoining property by virtue of its scale and height in relation to the boundary and consequent overbearing impact contrary to DM15 which seeks to prevent unacceptable impact on residential amenity.
- 2 The proposed replacement dwelling by virtue of its scale design and position is a discordant feature in the street scene, out of character with the adjacent bungalow development on Orchard Close and harmful to the visual amenity of the surrounding area, consequently is contrary to Core Strategy Policy SC08 and DM15 of SADMP.

16/01747/O

Land East of Marham Road Fincham



AGENDA ITEM NO: 8/3(c)

Parish:	Fincham	
Proposal:	OUTLINE APPLICATION SOME MATTERS RESERVED: Erection of 5 detached dwellings	
Location:	Land East of Marham Road Fincham Norfolk	
Applicant:	Norfolk County Council	
Case No:	16/01747/O (Outline Application)	
Case Officer:	Mrs N Osler	Date for Determination: 5 December 2016 Extension of Time Expiry Date: 13 January 2017

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

Case Summary

The application is in outline for residential development on a site measuring approximately 0.5ha to the east of Marham Road, Fincham. Whilst on land designated as countryside, the site represents the housing allocation in the Site Allocations and Development Management Policies DPD, 2016 (SADMP) and Policy G36.1 relates specifically to development of this allocation.

All matters except access are reserved for future consideration although indicative plans show 5 detached two-storey dwellings with detached double garages.

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

The application is in outline with all matters except access reserved for future consideration for residential development on a site measuring approximately 0.5ha to the east of Marham Road, Fincham.

The site represents the housing allocation in the SADMP, 2016.

At present the land is part of a larger arable field with residential development to the west (on the opposite side of Marham Road) and to the south (on the other side of a telephone exchange).

Amended plans, reducing the size of the site and the number of proposed dwellings (from nine to five) were received on 18 November 2016. All affected parties were re-consulted. The application has been considered in relation to these amended plans.

SUPPORTING CASE

The Planning Statement that accompanied the application states:

The current application seeks outline planning permission for the erection of five detached dwellings on the site. The site currently forms part of the applicant's county farms landholding.

Although submitted in outline form, to assist the LPA the application is accompanied by an indicative site layout plan which shows how the five detached dwellings can be delivered on the site without any unacceptable degree of impact on the existing character of the area or amenities of neighbouring properties. It should be acknowledged however that all detailed matters, with the exception of access are reserved for later consideration.

Additionally, the application is accompanied by an indicative street scene elevation from Marham Road to give an indication of scale and form. Given the level of information submitted (albeit indicative only) it is not considered necessary to provide details of appearance, landscaping, layout or scale, which are all reserved for later consideration.

Access forms an integral part of the application. This shows each plot having its own separate access, which again is characteristic to the frontage development along Marham Road. The layout will also allow flexibility for custom/self-build plots. Informal consultation with the Highway Authority at the pre-application stage did not suggest any highway safety concerns with this proposed means of access. Initial discussions with the Highway Authority indicated that a footway across the entire site frontage should be provided. The indicative site layout plan includes the necessary footway.

The site is devoid of any landscape features other than the hedge along the western boundary, adjacent to Marham Road. This hedge will be retained in the majority, with the exception of openings where new access points are required. Areas devoid of any hedging are proposed to be supplemented with new hedging. Any detailed or reserved matters application can include new landscaping within the respective curtilages of each dwelling.

It is noted that the draft allocation policy G36.1 requires details of odour assessment, suitable access, sustainable drainage and provision of affordable housing. The application is submitted in outline form only and therefore the majority of these details will be considered at the subsequent reserved matters stage.

In respect of odour, informal consultation with Anglian Water in September 2015 on the need for an odour assessment indicated that Anglian Water had no concerns regarding the risk of odour associated with Water Recycling Centre (formerly referred to as sewage treatment works) which are located to the south west of Fincham, approximately 750 metres from the application site, and therefore had no concerns regarding the risk of odour, and confirmed that an odour assessment would not be required for the proposed development.

The application is accompanied by an archaeological report undertaken by NPS Archaeology. This is on the basis that the area/site has been identified to have potential archaeological significance. Following the trial trenching undertaken on site, the results of which are covered within the archaeological evaluation report, consultation with Norfolk Heritage Environment Service (NHES) has confirmed that further archaeological work in the form of an excavation will be required as part of any planning permission granted for the development, and which can be conditioned as part of any planning permission granted.

PLANNING HISTORY

No recent relevant history

RESPONSE TO CONSULTATION

Parish Council: OBJECT as they have concerns over the additional traffic that this will generate on an already busy road and they do not think that an additional five entrances are suitable and would rather see a feeder road or lay-by in front of the dwellings so that there is only one entrance.

Highways Authority: NO OBJECTION on the grounds of highway safety subject to conditions

Internal Drainage Board: No Comments to make

Environmental Health & Housing – Environmental Quality: No Comments to make in relation to air quality or contaminated land

Environmental Health & Housing – CSNN: NO OBJECTION subject to a condition relating to surface water

Historic Environment Service: NO OBJECTION subject to conditions

Policy: The revised site area is reduced from the earlier proposal and now matches the allocation for Fincham. The proposal should be consistent with the policy clauses contained within Policy G36.1 as well as national policy.

Housing Enabling Officer: The site area and number of dwellings now proposed do not trigger the thresholds for affordable housing provision providing there are no more than five units and the GIA of those units does not exceed 1000m².

REPRESENTATIONS

Cllr Sandra Squire had originally called the application in, but following the revision of the site area and indicative plans (that brought the application in line with the adopted allocation) was happy for the decision to be made in accordance with the Scheme of Delegation. Occupants of five dwellings have objected to the proposed development. The issues raised are:

- Lack of infrastructure in Fincham
- Traffic does not stick to the 30mph speed limit
- The junction of Marham Road with the High Street is poor

- The development would be entirely out of the character and detrimental to the local environment
- Articles 1 and 8 of the Human Rights Act which relate to the right to peaceful enjoyment of all their possessions which includes the home and other land, and the protection of the countryside
- Shouldn't build on arable land.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Fincham Parish Plan

PLANNING CONSIDERATIONS

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

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

Principle of Development

The site represents the housing allocation in the adopted SADMP. Policy G36.1 states *'Land amounting to 0.5 hectares, as shown on the Policies Map, is allocated for residential development of at least 5 dwellings. Development will be subject to compliance with all of the following:*

- *Demonstration of safe highways access that meets the satisfaction of the Highway Authority;*
- *Submission of an Odour Assessment, to the satisfaction of Anglian Water, in relation to any impacts on residents of the site from the nearby sewage treatment works;*
- *Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;*
- *Provision of affordable housing in line with the current standards'.*

The following report will show that the Local Highway Authority has no objection to the proposed development on the grounds of highway safety; than Anglian Water has confirmed that they do not require an odour assessment, SuDS can be suitably conditioned and current standards show that an affordable housing contribution is not required. As such it is considered that the principle of development for residential use of this site is to be supported.

Form and Character

Dwellings in the locality range in height between single and two-storey and are primarily linear in form fronting Marham Road with individual accesses onto Marham Road. Whilst scale, appearance and layout are reserved matters, indicative plans show two-storey dwellings in linear format. Individual accesses onto Marham Road follow the aforementioned characteristic of the locality.

It is therefore considered that the site could be developed to reflect these key characteristics and therefore without detriment to the visual amenity of the locality.

Neighbour Amenity

Whilst layout, scale and appearance are reserved matters, it is considered that overlooking, overbearing and overshadowing impacts could be designed out.

Highway Safety

The majority of objections, including those from the Parish Council, are on the grounds of highway safety and access. However, the Local Highway Authority has no objection to the proposed development on the grounds of highway safety and your officers have no reason to question this assessment.

In relation to the issue of individual accesses, as mentioned above, this is a characteristic of the locality.

Off-site highway improvement works are proposed in the form of footpath provision. This can be suitably addressed if permission is granted.

Affordable Housing and Other Contributions

The number of dwellings (five) and the GIA of not more than 1000m² will be conditioned if permission is granted. As such there is no requirement for affordable housing or any other contributions (library, education, play, etc.)

Other Material Considerations

Drainage - It is indicated on the application form that surface water drainage will be via soakaway. Soakaways (infiltration) is the top tier of SuDS and therefore compliant with the drainage hierarchy and Policy G36.1. Further information will be required in relation to drainage, but this can be suitably conditioned if permission is granted.

Crime and Disorder - The proposal raises no specific issues in relation to crime and disorder. Due to the outline nature of the proposed development it is not possible to fully consider Secured by Design issues.

Ecology – An Ecological Report accompanied the application that suggests that there is little potential for the proposed development to negatively impact on protected species and other wildlife. Notwithstanding this some best practice measures are advised to respect the care taken during any clearance of vegetation and construction of the houses. This can be suitably addressed if permission is granted.

CONCLUSION

The site is within one of the borough's Rural Villages where residential development of an appropriate scale will be supported. Additionally this site represents the housing allocation in the adopted SADMP.

Parts of a native hedgerow will be removed to provide five individual accesses. This aspect has resulted in objections from some third parties and the Parish Council. However, the scale of the loss is small and there is nothing in Policy G36.1 stating that only one access should be made in the hedge. It is therefore considered that five individual accesses would not be of detriment to the visual amenity of the locality and follows the characteristics of vehicular accesses in the area. Indicative plans have shown that the site could be developed without material harm to the visual amenity of the locality, highway safety or neighbour amenity. Issues such as drainage, ecology, archaeology and highway safety can all be suitably conditioned. It is therefore considered that the proposal accords with the NPPF, NPPG and with emerging Site Specific Development Plan Policy G25.3 and should be approved subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition Approval of the 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.

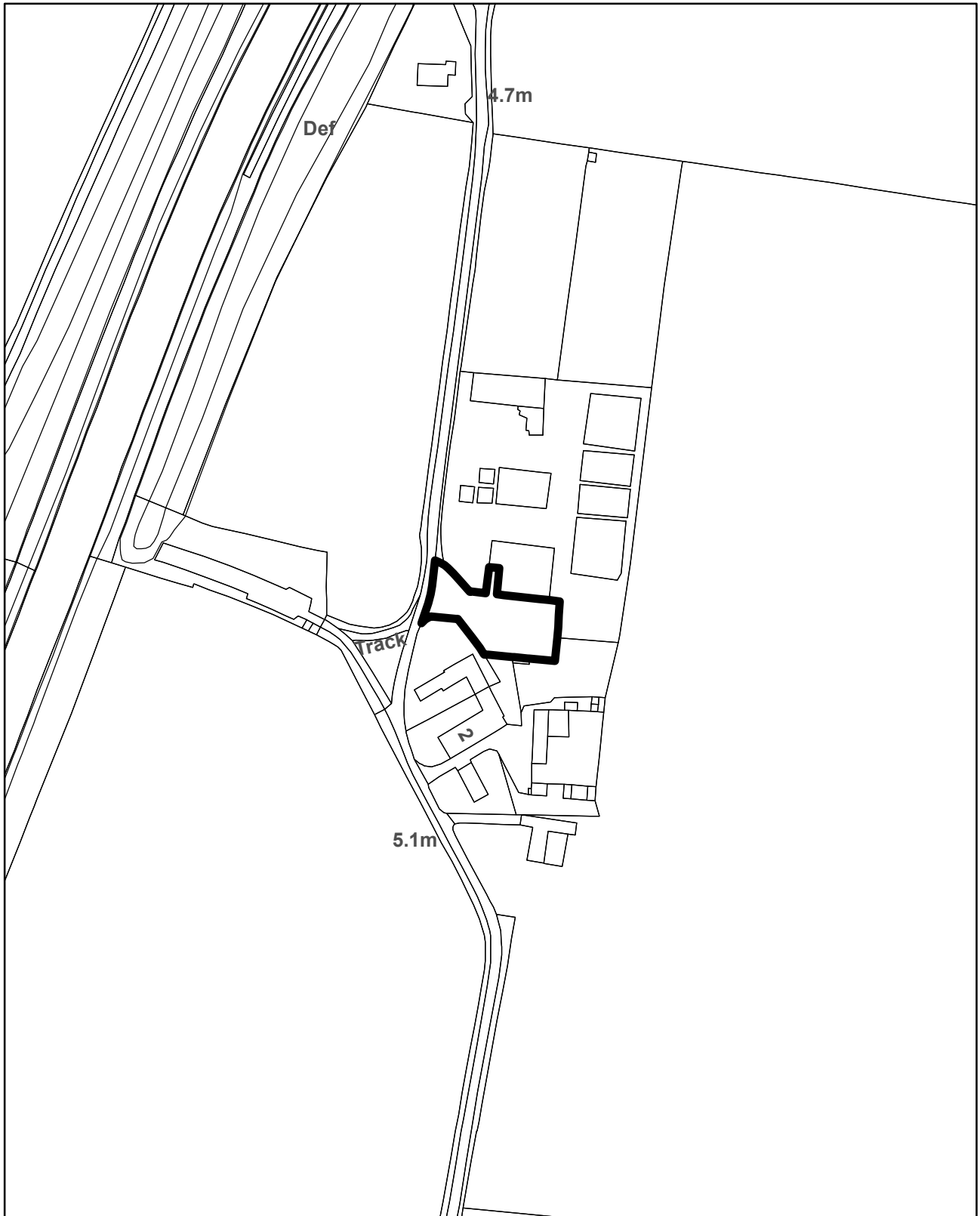
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority 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 In relation to access only, the development hereby permitted shall be carried out in accordance with the following approved plan drawing no: 01-01-16-2-1363 03 Rev.C.
- 5 Reason For the avoidance of doubt and in the interests of proper planning.
- 6 Condition Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage and additionally along the frontage of the adjacent land as outlined in blue on the submitted details. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 6 Reason In the interests of highway safety in accordance with the NPPF and Development Plan.
- 7 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing number 01-01-16-2-1363 03 C (footway and access works) have been submitted to and approved in writing by the Local Planning Authority.
- 7 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the NPPF and Development Plan.

- 8 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Condition 7 shall be completed to the written satisfaction of the Local Planning Authority.
- 8 Reason To ensure that the highway network is adequate to cater for the development proposed in the interests of highway safety in accordance with the NPPF and Development Plan.
- 9 Condition No development shall commence on site until full details of the surface water drainage arrangements 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.
- 9 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 10 Condition No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
- 1) The programme and methodology of site investigation and recording,
 - 2) The programme for post investigation assessment,
 - 3) Provision to be made for analysis of the site investigation and recording,
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation and
 - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- 10 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 11 Condition No development shall take place other than in accordance with the written scheme of investigation approved under condition 10.
- 11 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 12 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 10 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 12 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

- 13 Condition The development hereby approved shall comprise of no more than 5 residential units.
- 13 Reason To define the terms of permission.
- 14 Condition The Gross Internal Area of the development hereby permitted shall not exceed 1000m².
- 14 Reason To define the terms of the permission in accordance with the national indicative thresholds as specified in the NPPG.
- 15 Condition The development hereby permitted shall be carried out in accordance with the mitigation contained in the Ecology Report that accompanied the application (dated October 2016 undertaken by Wild Frontier Ecology).
- 15 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 16 Condition The hedge that comprises the western boundary of the site shall be retained except for the locations of the approved accesses and visibility splays as identified on approved plan 01-01-16-2-1363 03 Rev.C.
- 16 Reason In the interests of the visual amenities of the locality in accordance with the NPPF and Development Plan.

16/01177/F

White Dyke Farm Black Dyke Road Hockwold cum Wilton



AGENDA ITEM NO: 8/3(d)

Parish:	Hockwold cum Wilton	
Proposal:	Change of use of the building from a cattery with ancillary offices to use as a cattery with ancillary offices, residential accommodation for the occupation by the cattery owner/manager, minor changes to the external appearance of the building and car parking	
Location:	White Dyke Farm Black Dyke Road Hockwold cum Wilton Norfolk	
Applicant:	Mr John Scott	
Case No:	16/01177/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 28 October 2016 Extension of Time Expiry Date: 9 December 2016

Reason for Referral to Planning Committee – Referred by the Assistant Director – Environment & Planning.

Case Summary

This application seeks approval for residential accommodation within the existing cattery building. The business is located in an area of countryside where new dwellings are normally restricted. The justification put forward is that the new dwelling is needed in connection with the existing business. However, officers believe that there is no need for a further dwelling on the site, and that existing dwellings cater for this need.

Key Issues

The key issues in relation to this application are;

The planning history.

The principle of a new dwelling as part of the business.

Recommendation

REFUSE

THE APPLICATION

The application relates to Country Retreat Boarding Cattery, which comprises part of Whitedyke Farm situated on the eastern side of Black Dyke Road, Hockwold.

White Dyke farmhouse which is a Grade II listed building lies immediately south of the barn and beyond this lies an outbuilding that was previously occupied by the cattery. There is also an annex which was granted a Certificate Lawful Use or Development Certificate (CLUD) for use as a single dwellinghouse.

These are owned by the applicant and are therefore shown outlined in blue on the submitted site and location plans. Additionally to the south of the application site lays a complex of barns which have previously been converted into residential properties and are no longer owned by the applicant.

The site is located in the countryside as defined by the development plan. The site also lies within the Breckland Special Protection Area (SPA) and Breckland Farmland Site of Special Scientific Interest (SSSI).

Planning permission was granted in 2014 (14/00265/F) for the relocation and expansion of the existing cattery from the outbuilding on the southern side of White Dyke Farm to a new cattery building along with re-siting of existing cattery pens and provision of car parking and revised access.

A recent application sought the variation of conditions 2 and 7 of that permission to amend the approved plans and remove conditions 5 and 6 (relating to off-site highway works).

This application seeks to amend the approved development from 2014 from cattery with ancillary offices to cattery ancillary, offices and residential accommodation to enable residential use within the existing building for the owner/manager of the cattery.

SUPPORTING CASE

The applicant's agent has submitted the following case in support of this application:

The applicant's agent has submitted the following summary case in support of this application:

- The proposal is considered to comply with SADMP policy DM6.
- There is a clear intention to engage in the activity of managing the cattery, as the applicant's partner is the current owner of this established and expanding business;
- The applicant is content for a condition to be in place to control the occupancy of the residential element;
- This rural based enterprise is well established;
- The proposal is not for a new permanent dwelling, but for the use of part of a building that already has planning permission;
- There is a clear functional need for the occupant to be on site at the enterprise, both day and night, for security reasons and to provide the expected high level of care to the cats. This is supported by letters from the local vet and Cat Protection representative;
- The need could not be suitably met by other dwellings in the locality. The existing farmhouse building is too large, and its value is too great to be supported by the existing cattery operation. The residential annex, recently granted a Lawful Development Certificate for a lawful residential use, is too small and inflexible, and would limit the potential sale of the cattery should be need arise, and does not provide an appropriate level of security (being some 80m distant and with no windows directly overlooking the cattery or the access drive). The former cattery building, recently granted planning permission under ref 15/01316 is too remote to provide an appropriate level of security to the cattery;
- There is clear evidence of a financially sound business, in that the cattery has been operating since 2007, and is an established contributor to the local economy, and has recently expanded into the barn in order to accommodate the increasing demand;
- The proposal is acceptable in all other respects

PLANNING HISTORY

The site has a long and complex planning history relation to residential conversion and cattery uses.

Conversion of redundant barn, cartsheds and grainstore to 3 dwellings and removal of covered area

Ref. No: 05/01603/LB .Permitted

Conversion of redundant buildings to 3 dwellings and change of use of land to residential garden land and alterations/new vehicle access

Ref. No: 05/01606/F. Permitted

Change of use of outbuilding to animal shelter (cattery)

Ref. No: 07/00006/CU | Status: Application Permitted

Permanent use of converted of farm building/animal shelter to cattery (retrospective) following temporary permission 07/00006/CU

Ref. No: 08/02698/F. Permitted

Re-application for loft conversion works

Ref. No: 11/00017/LB | Status: Application Permitted

Change of use and extension of existing cattery to dwelling and change of use of existing barn to cattery, poultry unit, associated office accommodation and work/live unit

Ref. No: 11/01459/F. Withdrawn

Remodelling of existing barns to facilitate the relocation and expansion of the existing cattery business, resiting of existing cattery pens, provision of swimming pool and gym for residential use, provision of car parking spaces and revised access to the site

Ref. No: 12/01302/F. Refused

Proposed new cattery building to facilitate the relocation and expansion of the existing cattery business, resiting of existing cattery pens and provision of car parking and revised access

Ref. No: 14/00265/F. Permitted

Relocation of two stable blocks in paddock

Ref. No: 14/01518/F. Permitted

NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 14/00265/F:

Ref. No: 14/00265/NMA_1 | Status: Application Permitted

Variation of conditions 2 and 7 attached to planning permission 14/00265/F to amend the approve plans and removal of conditions 5 and 6 (off site highway works)

Ref. No: 15/01314/F. Refused

Lawful Development Certificate: Use of annex as a single dwelling house (use class C3)

Ref. No: 15/01515/LDE. Lawful

15/01314/F: Application Refused: 28/01/16 - Variation of conditions 2 and 7 attached to planning permission 14/00265/F to amend the approve plans and removal of conditions 5 and 6 (off site highway works)

16/01177/F

Planning Committee
9 January 2017

CONSULTATIONS

Hockwold Parish Council: OBJECTION; The Hockwold Parish Council have voted not to support this application on the following grounds:

- Not in character with the area.
- They also feel that there should be an adequate foul water disposal system required for this if the County is to go ahead with it.

Norfolk County Highways: Following our conversation it is my understanding that this application differs from the 2014 application reference 14/00265/F in that a residential dwelling would be incorporated.

In terms of this application I would anticipate that the level of traffic is likely to be similar to the 2014 approval as that main part of the traffic would be attributed to the cattery and the attendance of the site manager if utilised. On balance therefore it would be difficult to substantiate an objection to the application on highway grounds however this would be subject to updated conditions and providing the highway improvements previously approved. Conditions proposed; revised access, visibility spays, off site passing bay on Corkway Drive.

CSNN; No comment

Conservation team; NO OBJECTION

REPRESENTATIONS

1 letter of representation has been received in relation to this application principally regarding foul sewage disposal.

1 letter of support from Ely and District branch of Cats Protection.

1 letter of support from Paul Jarman veterinary Surgeon.

A petition signed by 186 people has been received in support of the proposal for residential accommodation as part of the existing cattery.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

PLANNING CONSIDERATIONS

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

- Planning History
- Principle of a new residential use as part of the business
- Other considerations.

History

The original application for relocation and expansion of the existing cattery business (application ref: 12/01302/F) was previously refused by the Council and later dismissed at appeal on 5th August 2013.

Since this appeal was dismissed planning permission 14/00265/F has been granted for a new cattery building to facilitate the relocation and expansion of the existing cattery business, re-siting of existing cattery pens and provision of car parking and revised access. However, in order to overcome previous concerns raised by the Council and Inspector the scheme was substantially amended from that previously dismissed at appeal in terms of its design and also the omission of any ancillary residential use (swimming pool/gym) or other residential accommodation.

Recently permission was sought (under application ref: 15/01314/F) – to vary conditions 2 and 7 attached to planning permission 14/00265/F to amend the approved plans and remove conditions 5 and 6 (off site highway works) this was however refused under delegated powers in January this year. The reasons for refusal were as follows:

1. The application as submitted would result in the provision of a self-contained residential unit within the cattery building which would fundamentally and substantially alter the proposals previously approved under planning permission 14/00265/F, contrary to advice contained within National Planning Policy Guidance (NPPG) (2016).
2. The proposed amendments to the previously approved drawings permitted under planning permission 14/00265/F, due to the provision of large, incongruous dormer windows on the east elevation and first floor windows on the north and south gable ends, would appear visually intrusive and result in the domestication of a non-residential building which would be at odds with the established form and character of the site, result in substantial harm to the intrinsic character and beauty of the countryside and have a detrimental impact on the setting and significance of adjacent listed buildings. The proposal is therefore contrary to Policies CS01, CS06, CS08 and CS12 of the Council's adopted Core Strategy (2011), draft Policy DM15 of the LDF Site Allocations and Development Management Policies – Pre-Submission

Document (2015) and the provisions of the National Planning Policy Framework (NPPF) (2012).

3. The unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its poor alignment / restricted width/ lack of passing provision. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety, contrary to Policy CS11 of the King's Lynn and West Norfolk Borough Council Core Strategy (2011) as well as the provisions of the NPPF (2012).
4. The proposal would result in provision of a new residential unit in an unsustainable and isolated location. The NPPF at Paragraph 55 is clear that LPAs should resist new isolated homes in the countryside unless there are special circumstances and insufficient evidence has been submitted in support of this application to demonstrate there is an essential need for the cattery owner / manager to reside within the building when there is existing residential accommodation within the applicant's ownership and control that is in close proximity to the cattery.

The proposal therefore conflicts with the provisions of paragraph 55 of the NPPF as well as Policies CS01 and CS06 of the Core Strategy (2011) and draft Policy DM6 of the LDF Site Allocations and development Management Policies – Pre-Submission Document (2015). It is therefore considered that the adverse impacts of developing this site would 'significantly and demonstrably' outweigh the benefits, when assessed against paragraph 14 of the NPPF.

Three of the four reasons for refusal (set out above) specifically related to the S.73 application, but the key issue with this application is the residential occupation of part of the new cattery building.

Within the officer report pursuant to the above it is stated;

'Irrespective of the discrepancies with the plans, it is the view of the local planning authority that seeking to introduce a residential use into the previously approved cattery by means of a variation of condition application is not acceptable as it represents a significant change to the original consent (particularly given the recent appeal history) that cannot be considered in this way.'

The application under S73 was refused permission on the 24 August 2015 for the 4 reasons set out earlier in this report.

This current application is the latest to try to regularise aspects or make changes to the approved scheme.

Principle of new residential use as part of the business.

Having regard to the NPPF para 55 and appeal decisions which revert back to PPS7 annex A tests (notwithstanding the fact that PPS7 has been superseded) new dwellings in the countryside should only be permitted in exceptional circumstances where they comply with the policy exceptions within NPPF para 55, and policy DM06 of the adopted Site Allocations and Development Management Policies Plan (SADMP).

Policy DM 6 – Housing needs of rural workers states,

“New Occupational Dwellings

1. Development proposals for occupational dwellings must demonstrate the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained. Proposals should show that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.
2. Agricultural or rural based occupancy conditions will be placed on any new permanent or temporary occupational dwellings specifying the terms of occupation.

Permanent occupational dwellings

3. New permanent dwellings should only be allowed to support existing rural based activities on well-established rural based enterprises, providing:
 - a. there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night,
 - b. The need could not be met by existing dwellings within the locality,
 - c. The application meets the requirements of a financial test demonstrating that:
 - d. the enterprise(s) and the rural based activity concerned have been established for at least three years, have been profitable for at least one of them and;
 - i. are currently financially sound, and have a clear prospect of remaining so and;
 - ii. the rural based enterprise can sustain the size of the proposed dwelling;
 - iii. acceptable in all other respects.”

The cattery is an established and viable rural business and as such in relation to the financial sustainability of the business, it has previously been agreed that the business does have a functional need for staff to be nearby which was established through the approval of 14/00265/F. However, such a functional link already exists.

The approved scheme (14/00265/F) through Condition 7 links the use of the cattery with occupation of West Dyke Farmhouse, which is an existing property on the farm complex some 60m from the cattery.

It is noted that the applicant has provided a letter from the Ely and District Cats Protection and a supporting petition with 186 signatures from clients in support of the need for the accommodation to be within the building.

However, it is also noted that this proposal would actually increase the number of potential dwellings within the wider site to 4, which are the main farmhouse, the former annex which now has a Certificate of Lawful Use or Development (CLUD) as a separate dwelling as well as the former cattery building which has permission for conversion. This level of residential development associated with the wider site is already well in excess of what is functionally necessary to operate the business.

Notwithstanding the above it is not considered that it is established that there is an additional essential need for the on-site supervision to be within the cattery building as proposed, as opposed to being within West Dyke Farmhouse, or within the annex building, which currently occurs.

In this respect the proposal clearly fails to comply with policy DM06 (3b) and it is therefore considered unacceptable as the need could be met from one of two existing dwellings, or from conversion of the former cattery.

As with many animal care arguments it is considered that monitoring through CCTV can often be used to alleviate the need for direct supervision and given that close-by alternative

accommodation is already available (and is currently used) it is not considered that a further essential need has been proven.

In response to the refusal of the S73 application above (15/01314/F) the applicant cites a number of examples of catteries permitted within the Borough over the last 9 years where use of the cattery has not been tied to a particular dwelling. However, there are also catteries which do have tied properties, and it is likely to depend on the individual circumstances, not least of which is the location of the cattery.

Other Considerations

It is noted that the offsite passing bay between the site and Corkway Drove required by condition 5 of 14/00265/ F has not been implemented and enforcement action will need to be pursued on this matter. If this application is refused, then the other changes and discrepancies will also need to be picked up through this process, given the previous refusal of application 15/01314/F which also sought to amend the approved plans.

CONCLUSION

This application seeks consent to introduce a residential element into the cattery building, to allow the owners to live in it. It also seeks authorisation for some other minor discrepancies from the approved plans. The site is located within a relatively remote location within the countryside. It is a location where new dwellings clearly wouldn't be approved, unless for exceptional reasons, such as the essential need linked to a rural enterprise.

The application falls to be considered under the guidance set out in the NPPF, and particularly Development Management policy DM6 – Housing Needs of Rural Workers, as the case put forward is that this proposal is essential in connection with the existing business. However it is your officer's view that there are clearly other dwellings available on the same site and in the applicant's ownership, including the farmhouse and annex that could be used to meet that need. There is also permission that exists for conversion of the former cattery to dwelling, giving another potential residential dwelling on the site. Indeed the business is currently operating with the applicant living in the on-site annex building. The need therefore can quite clearly be met by other existing dwellings not only in the same locality, but actually on the same site.

The provision of the passing bay linked to the previous cattery approval is still considered necessary, and will need to be pursued as breaches of the 2014 consent; the remaining breaches will also need to be picked with the applicant separately.

Given the above the proposal for a new residential unit is therefore considered to be contrary to the provisions of the NPPF, Core Strategy policies CS01 and CS06, and development plan policy DM6, with no exceptional circumstances put forward by the applicant considered to outweigh this in principle objection; the application is consequently recommended for refusal.

RECOMMENDATION:

REFUSE for the following reason(s):

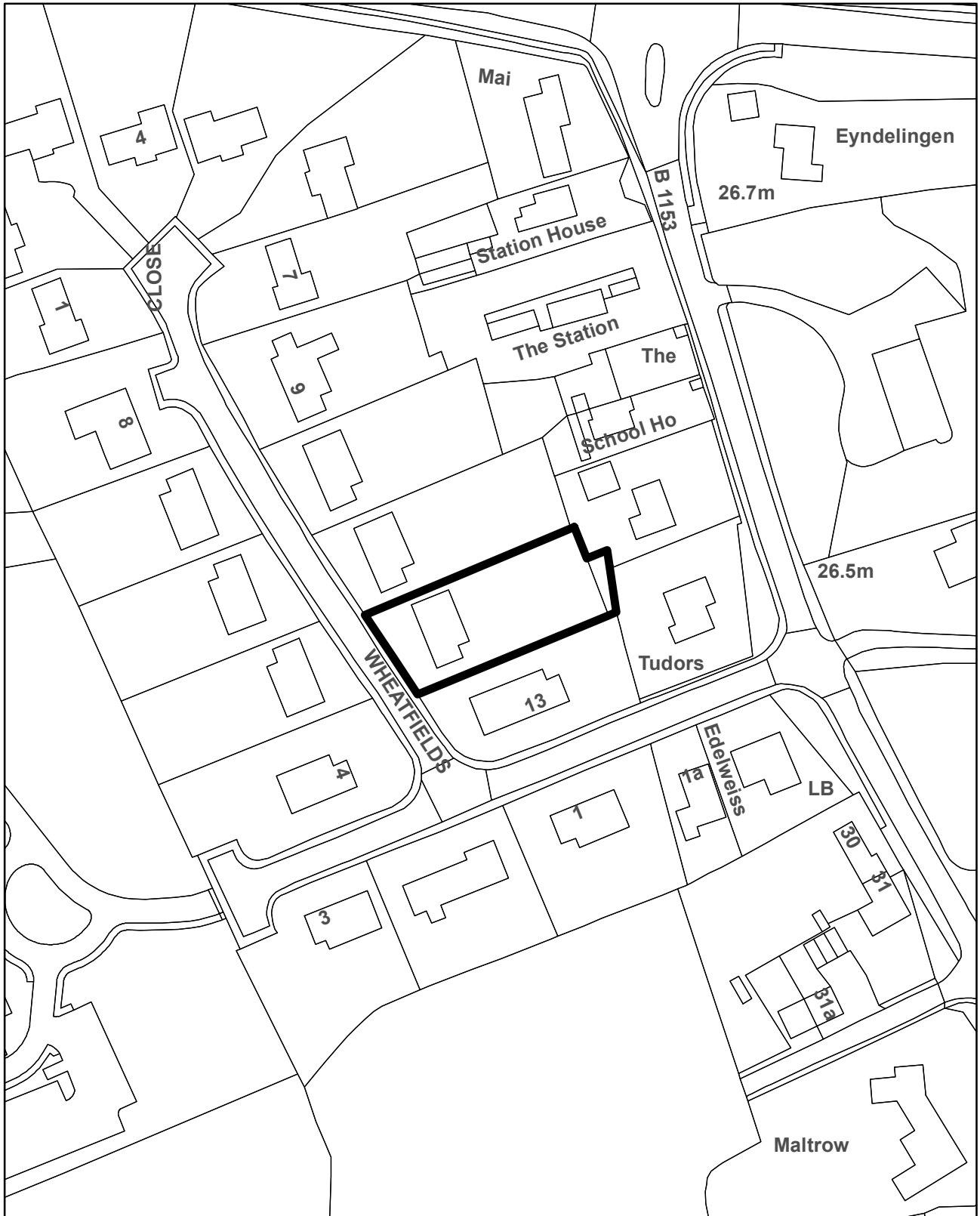
- 1 The proposal would result in provision of a new residential unit in an unsustainable and isolated location. The NPPF at Paragraph 55 is clear that LPAs should resist new isolated homes in the countryside unless there are special circumstances and insufficient evidence has been submitted in support of this application to demonstrate there is an essential need for the cattery owner / manager to reside within the building

when there is existing residential accommodation within the applicant's ownership and control that is in close proximity to the cattery.

The proposal therefore conflicts with the provisions of paragraph 55 of the NPPF as well as Policies CS01 and CS06 of the Core Strategy (2011) and particularly Policy DM6 of the LDF Site Allocations and Development Management Policies Plan 2016.

16/01870/F

12 Wheatfields Hillington



AGENDA ITEM NO: 8/3(e)

Parish:	Hillington	
Proposal:	Conversion of first floor accommodation to form internal annex to cover both family use and letting	
Location:	12 Wheatfields Hillington King's Lynn Norfolk	
Applicant:	Mr W Daw	
Case No:	16/01870/F (Full Application)	
Case Officer:	Mr Philip Mansfield	Date for Determination: 16 December 2016

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

Case Summary

The application site relates to a dwelling on the eastern side of Wheatfields, a small residential estate in Hillington.

The proposal is to convert part of the existing first floor accommodation of 12 Wheatfields, Hillington to annex accommodation for family use and letting.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011 and the King's Lynn and West Norfolk Development Management Policies Plan 2016 are relevant to this application.

Key Issues

Principle of Development
Form and Character and amenity
Highways
Other considerations

Recommendation

APPROVE

THE APPLICATION

The site comprises a two-storey, detached dwelling with integral garage and set back from the highway. Vehicular access is from Wheatfields, a cul-de-sac leading off the B1153. There is 2m close boarded fencing along the southern boundary enclosing this portion of the site.

The application seeks to convert part of the existing first floor accommodation to form an annex that would be used by the family and also letting to third parties. There would be no significant external changes to the appearance of the property, apart from an external staircase positioned on the southern elevation to access the first floor accommodation.

The proposal would be held in conjunction with the main dwelling 12 Wheatfields and an internal door would be retained providing a link with the main house. The existing driveway however would not accommodate additional parking leading to increased on-street parking which has been considered by the highways department in the planning considerations section.

SUPPORTING CASE

Hillington is a small, rural village situated on the A148 King's Lynn to Cromer road. The main focal point is the historic entrance to Hillington Hall, on the edge of the Sandringham Estate.

The proposal is a part conversion of an existing detached, red brick dwelling to create an internal annex to be used by family and also letting.

From a design and character perspective, there would be no enlargement or changes to materials but would incorporate a separate first floor access by virtue of the staircase.

In response to the Parish Council objections:

Neighbour amenity: It is not considered the proposed staircase would lead to a significant noise increase that would be harmful to neighbouring properties. The staircase would be solely used to access a new doorway with no new side facing windows proposed leading to a view it would not be harmful in terms of overlooking and loss of privacy.

Conclusion:

The proposed works would not be harmful to the character of the property or the locality.

PLANNING HISTORY

11/00806/F Extensions and alterations to Dwelling PER - Application Permitted

RESPONSE TO CONSULTATION

Parish Council: OBJECTION:

- Overlooking and loss of privacy
- Noise and disturbance

Highways Authority: NO OBJECTION

REPRESENTATIONS

There was **ONE** letter of **OBJECTION** from a neighbouring property concerning:

- Noise- increased activity of people visiting the apartment
- Residential Amenity- the staircase will directly overlook the neighbouring dwelling
- Highways- lack of additional car parking provision on site will lead to an increase in on-street parking to the detriment of neighbours and close to a T junction
- Over intensification of the residential use

NATIONAL GUIDANCE

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

LDF CORE STRATEGY POLICIES

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

- Principle of Development
- Form and Character and Amenity
- Highways
- Other considerations

Principle of development:

The National Planning Policy Framework (NPPF) seeks a high standard of design which can contribute positively to making places better for people. Some of the key objectives are for development which accords to the local context and creates or reinforces local distinctiveness that is visually attractive as a result of good architecture and landscaping.

In terms of the KLWNBC Core strategy 2011:

Policy CS08 advises that good design is a key element of sustainable development.

In terms of the West Norfolk Development Management Policies Plan 2016:

Policy DM1 supports the NPPF and states that when considering development proposals the Council will take a positive approach that reflects ‘the presumption in favour of sustainable development’ contained in the National Planning Policy Framework.

Policy DM2 states that development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.

Policy DM15 (environment, design, amenity) states that development must protect and enhance the amenity of the wider environment including its heritage and cultural value and that proposals will be assessed against their impact on neighbouring uses and their occupants. Furthermore, proposals will be assessed against a number of factors including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

Policy DM7 (Residential Annexes) states that any proposal must be held in conjunction with the principal dwelling, is subordinate to the main house and the access, garden and parking are shared.

Policy DM17 also requires new development to include car parking provision to minimum standards.

There are no known restrictions affecting development in this locality.

It is considered that the principle of the proposal is acceptable, as it accords with the provisions of the Core Strategy, Local and National Policy.

Form and Character and Amenity:

Wheatfields lies to the south east of the village of Hillington in close proximity to the junction of the B1153 and A148. It is inside the development boundary as detailed in the West Norfolk Development Management Policies Plan 2016 and features a number of similar dwellings with a fairly uniform pattern but also a number of single storey properties at the entrance.

Policy DM1 of the Development Management Policies 2015 supports the NPPF and states that when considering development proposals the Council will take a positive approach that reflects 'the presumption in favour of sustainable development' contained in the NPPF.

The changes would be largely internal so it is thought there would be no implications from a design and character perspective. The addition of an external staircase would not be an unduly prominent feature in the streetscene. The level of proposed works is thought to be relatively modest and with no increase in floorspace of the original building it would not be over intensification of the site.

Policy DM15 states that proposals will be assessed against their impact on neighbouring uses and their occupants including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of poor design.

Policy DM7 sets out the criteria as to what is classified as an annex. The proposal would convert part of the existing accommodation of the main house with an internal door linking the two units giving a clear relationship with the principal dwelling. The applicant has indicated however that this would also be let to third parties and taking into account the new staircase access it could also be viewed as a separate unit in its own right. It is understood the refuse and garden area would be shared between the occupants.

A number of comments were received with respect to the impact to neighbour amenity arising from the proposed works. While the staircase would provide access at first floor level, it is considered not to result in overlooking to the extent that would be materially harmful and warrant a refusal.

Highway Issues:

It was expressed that the existing driveway would not be able to accommodate any additional vehicular capacity leading to on street parking. The highways department have expressed concerns in terms of the adverse impact to highway safety but do not consider this to be grounds for a refusal. However policy DM7 requires minimum standards for parking for new development. Given this is proposed to be let as a separate unit of accommodation, it is considered that an additional space should be provided on the site frontage. This can be secured by condition.

Other Considerations:

There are no other issues to be addressed in this application.

CONCLUSION

The proposal creates a unit of accommodation which the applicant wishes to be able to let as a separate unit of accommodation within the existing first floor but would have a separate access by the addition of the staircase. There would be no significant external changes to the dwelling apart from this staircase and it would not impact negatively to the character of the streetscene.

The proposed use and the relationship with the main house are less distinct in this case as the unit can be seen to occupy two separate categories, namely a residential annex and a flat. The creation of a separate unit can in some instances lead to issues in terms of the intensification of the site and amenity. However, this proposal would broadly comply with policy DM7, maintaining a relationship to some degree with the main house. While no objection has been raised from highways in terms of the parking arrangements, it is clear that there is an intention to let the unit and therefore it will likely generate extra traffic movements. As such extra parking off street is warranted.

In terms of neighbour amenity, it is acknowledged that there will be some view of neighbouring dwellings by virtue of the staircase. However, it is considered that this arrangement, the sole purpose of which is to provide access to the first floor, would not be materially harmful to the amenity of any neighbouring properties.

Due to the nature of the proposal and its relationship to the main house (it would share facilities such as amenity space and bins), it should in this unusual case be tied to the main dwelling.

The proposal would accord with policies DM1, DM7 and DM15 of the Development Management Policies Plan 2016 and the provisions of the National Planning Policy Framework 2012 and is sustainable development. It is therefore recommended for approval.

RECOMMENDATION:

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

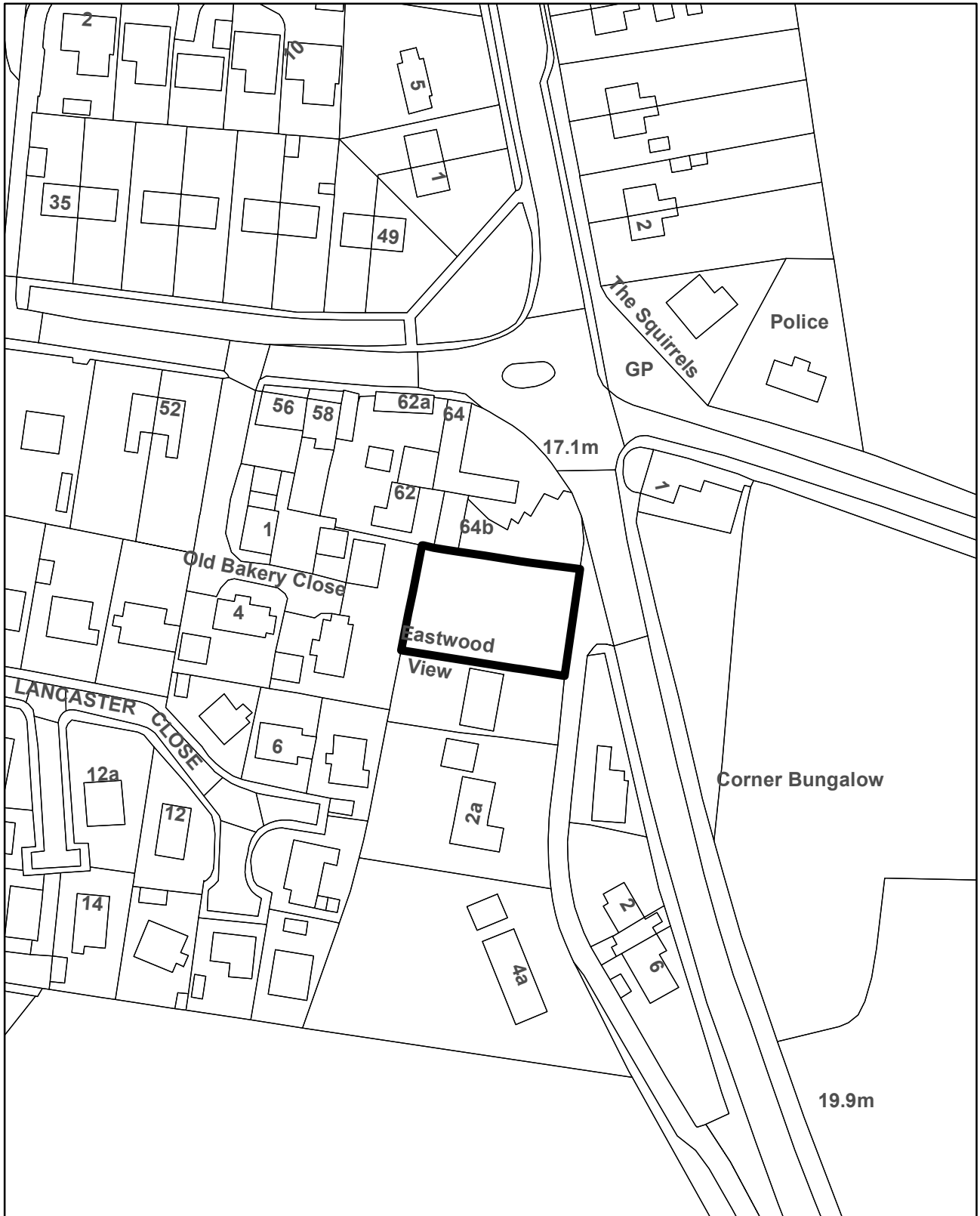
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

- 1 Reason To comply with Section 92 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 plan:

Proposed Plans and elevations, Drawing No 1167-02, Dated September 2016.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition This development hereby approved shall be held at all times in conjunction with 12 Wheatfields, Hillington.
- 3 Reason In order that the Local Planning Authority may retain control over the development, in the interests of the amenities of the locality, in accordance with the NPPF.
- 4 Condition Notwithstanding the plan submitted, prior to the first occupation of the development hereby permitted, an additional car parking space shall be provided in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority and thereafter kept available for that specific use.
- 4 Reason In the interests of satisfactory development and highway safety.

15/02076/F

R & B Motors 64 High Street Methwold



AGENDA ITEM NO: 8/3(f)

Parish:	Methwold	
Proposal:	Demolition of existing on site structures with the construction of two detached dwellings	
Location:	R & B Motors 64 High Street Methwold Thetford	
Applicant:	Mr B Schumda	
Case No:	15/02076/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 15 February 2016 Extension of Time Expiry Date: 13 January 2017

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

Case Summary

The site is that of R & B Motors – a commercial garage and car sales – on the western side of the B1122/Brandon Road close to the junction with High Street. To the south off a private drive are bungalows, more traditional houses to the north towards High Street and chalet/cottages to the rear/west on Old Bakery Close.

This application seeks full permission to demolish the existing buildings on the site and construct two detached 4 bedroomed houses.

The applicant also owns the house to the immediate north of the site No. 64b High Street.

Key Issues

Principle of development
Impact on form and character
Impact upon adjoining properties
Highway issues
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The site is that of R & B Motors – a commercial garage and car sales – on the western side of the B1122/Brandon Road close to the junction with High Street. To the south off a private drive are bungalows, more traditional houses to the north towards High Street and chalets to the rear/west on Old Bakery Close.

This application seeks full permission to demolish the existing buildings on the site and construct two detached 4 bedroomed houses.

SUPPORTING CASE

The agent has offered the following points in support of this proposed development:

- The BCKLWN 'Strategic Housing Market Assessment' has identified a shortfall of 4 bedroomed houses within the borough.
- The dwellings were designed because of this shortage of 4 bedroom dwellings within Methwold.
- There is a presumption in favour of sustainable development, due to the locality of amenities within the immediate area.
- We have taken on board the planner's comments and revised / reduced the scheme to blend in with the locality.
- All consultees approve the development, only parish have objected not to the development but only to the type of dwelling on site.

PLANNING HISTORY

11/00092/O: Non-determined Invalid now returned: 07/10/11 - Outline Application: Residential development

11/01787/O: Non-determined Invalid now returned: 12/12/12 - Outline Application: Demolition of garage, office, workshop and dwelling. Construction of five block terraced residential dwellings with associated works

CONSULTATIONS:

Methwold Parish Council: Amended Scheme: **OBJECT** - Whilst it is acknowledged that there has been some reduction in the size of the two buildings it is still considered that the plot is still over developed as two detached dwellings. A proposal involving a pair of semi-detached properties and increased clearance on the boundaries to either side of the plot would be more appropriate.

Local Highway Authority: **NO OBJECTION** subject to conditions relating to no gates, visibility splay and parking area provision and off-site works

IDB: No Comments received

CSNN: **NO OBJECTION**

Environmental Quality: **NO OBJECTION** subject to conditions relating to contamination

Historic Environment Service: No Comments received

Natural England: **NO OBJECTION**

REPRESENTATIONS:

Original submission: **TWO OBJECTIONS** raising concerns regarding the following grounds:

- Loss of commercial/employment site
- Scale and materials of development out of character
- Overdevelopment of the site
- Highway concerns

ONE letter of **SUPPORT** on the following grounds:

- Removal of problematic car sales – parking congestion etc.
- But need to implement footpath improvements and speed limits reconsidered

Amended scheme: **ONE OBJECTION** raising the following concerns:

- Parish Council not aware of amended plans
- Highway concerns on dangerous junction
- Poor visibility and street lighting
- Prefer bungalows

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Methwold Parish Plans

PLANNING CONSIDERATIONS

The key issues for consideration of this application are as follows:

- Principle of development
- Impact on form and character

- Impact upon adjoining properties
- Highway issues
- Other material considerations

Principle of development

The site lies within the development area of Methwold, which combined with Northwold, creates a Key Rural Service Centre as identified in Policy CS02. Sustainable residential development is promoted within these types of villages subject to being in context with the character of the settlement. This will be addressed later in the report.

The proposal must also be judged against Policy CS10 of the LDF which states inter alia: "Retention of Employment Land

The Council will seek to retain land or premises currently or last used for employment purposes (including agricultural uses) unless it can be demonstrated that:

- continued use of the site for employment purposes is no longer
- viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand; or
- use of the site for employment purposes gives rise to unacceptable
- environmental or accessibility problems particularly for sustainable modes of transport; or
- an alternative use or mix of uses offers greater potential benefits to the community in meeting local business and employment needs, or in delivering the Council's regeneration agenda."

It is your officers' opinion that this proposal would result in the loss of a 'bad neighbour' use of no detriment to the overall facilities of the village. The current commercial use has limited employment benefit given the scale of the operation. The present use also gives rise to unacceptable environmental and accessibility problems and its development for housing does not therefore conflict with Policy CS10 of the LDF.

The principle of developing the site with houses is therefore considered to be acceptable.

Impact on form and character

The house types and palette of facing materials have been amended via negotiation during the processing of this application.

The new dwellings are considered to respond to the form and character of this locality, which contains a mixture of styles and facing materials. These are two sizable plots which afford ample private garden areas to the rear and parking/turning to the front to meet County Highways standards.

They are simple 2 storey houses with projecting feature gabled porches with timber support posts, brick detailing to eaves and verges plus arched window heads to the front. They have single storey elements to the rear projecting the kitchen areas into the rear gardens.

In streetscene terms, the houses would successfully bridge the gap between bungalows and more traditional houses on High Street. The proposal therefore accords with the requirements of Policy CS06 & CS08 of the LDF.

There is also no impact upon the nearby Methwold Conservation Area.

Impact upon adjoining properties

The inter-relationships between existing and proposed properties are considered to be acceptable, given land levels, existing and proposed boundary treatments, orientation of habitable room windows and separation distances involved.

Highway issues

Local concerns have been raised regarding the implications of parking and access to the existing site close to a dangerous junction with no footpath provision. Accesses and associated on-site parking/turning spaces to serve the two new dwellings and No.64b, plus off-site improvement works are now demonstrated on the amended plans and have the support of County Highways. These facilities and works may be secured via condition.

The number of vehicular movements associated with the proposed two new dwellings would also be a significant reduction relative to what a commercial use could possibly generate. Combined with the built-out area in highway land to define the accesses relative to Brandon Road, this will present a much safer situation and has officer support.

Other material considerations

Potential contamination issues may be controlled via conditions, given former use of the site, as recommended by Environmental Protection.

The application lies within the consultation area for the Breckland SSSI. Natural England raises no objection to this proposal.

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

CONCLUSION

Whilst the concerns of the Parish Council are noted, it is considered that the proposal constitutes the development of a brownfield site within the village the current use of which gives rise to unacceptable environmental and accessibility problems. The proposal accords with the provisions of the NPPF, Core Strategy Policies CS02, CS06, CS08, CS10 & CS11 of the LDF and Policies DM1, DM2, DM15 & DM17 of the SADMPP. The application is therefore recommended for approval subject to certain conditions identified 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 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'.

2 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.

3 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.

- 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 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.

- 4 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 5 Condition 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 2, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 3, which is subject to the approval in writing of the Local Planning Authority.

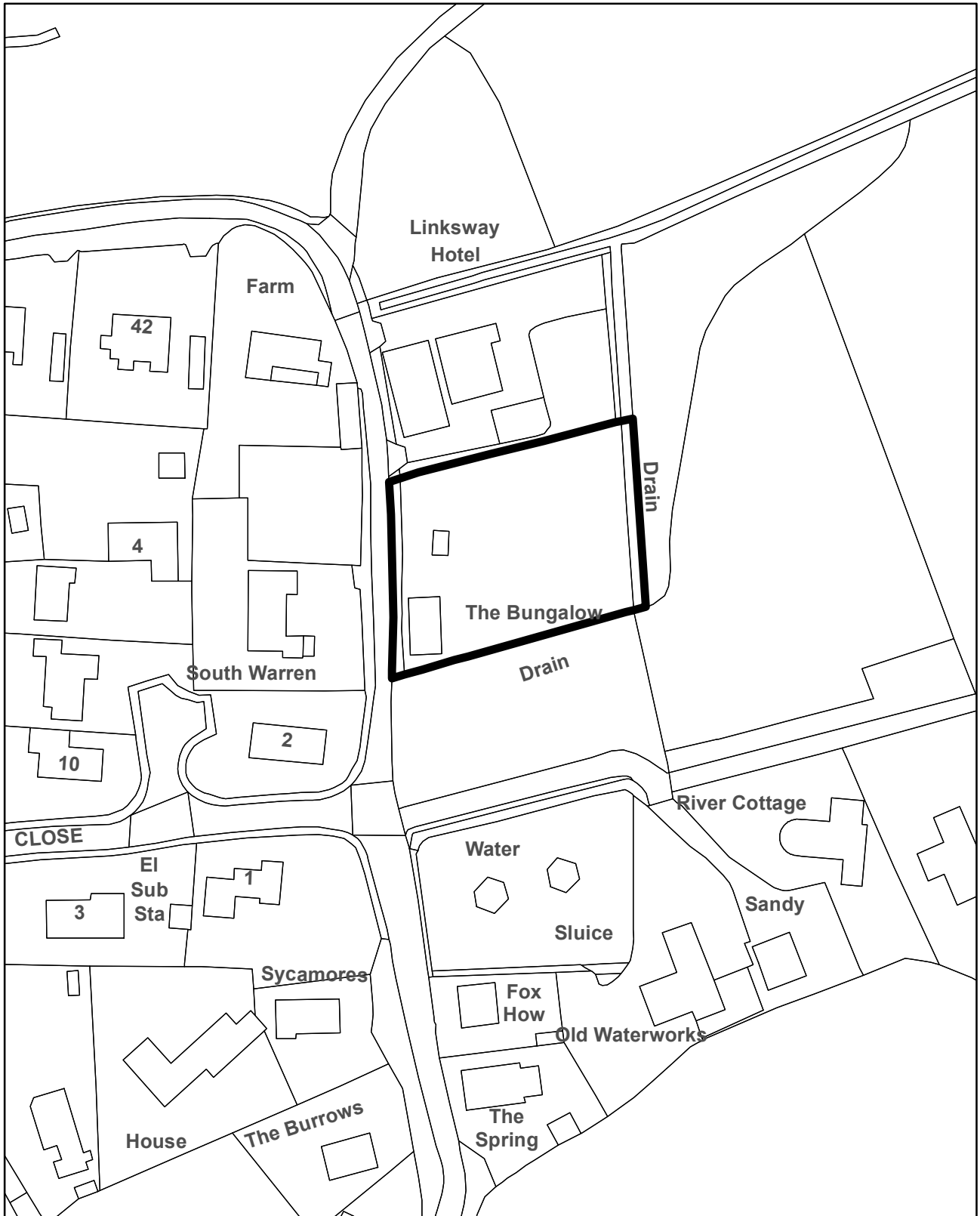
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 4.

- 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 The development hereby permitted shall be carried out in accordance with the following approved plans: 0694-13/01 Revision B & 0694-13/02 Revision B.
- 6 Reason For the avoidance of doubt and in the interests of proper planning.
- 7 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 7 Reason In the interests of highway safety.

- 8 Condition Prior to the first occupation of the development hereby permitted, the proposed associated access, on-site car parking and turning areas shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 9 Condition Prior to the first occupation of the development hereby permitted, a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 9 Reason In the interests of highway safety.
- 10 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works as indicated on Drawing number 0694-13/01 Revision B have been submitted to and approved in writing by the Local Planning Authority.
- 10 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- This also needs to be a pre-commencement condition as these fundamental details needs to be properly designed at the front end of the process.
- 11 Condition Prior to the first occupation of the development hereby permitted, the off-site highway improvement works referred to in condition 10 shall be completed to the written satisfaction of the Local Planning Authority.
- 11 Reason To ensure that the highway network is adequate to cater for the development proposed.

16/01084/F

The Bungalow Waterworks Road Old Hunstanton



AGENDA ITEM NO: 8/3(g)

Parish:	Old Hunstanton	
Proposal:	Construction of 4 new dwellings following demolition of existing bungalow	
Location:	The Bungalow Waterworks Road Old Hunstanton Hunstanton	
Applicant:	Mr D Lloyd	
Case No:	16/01084/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 17 August 2016

Reason for Referral to Planning Committee – The views of Old Hunstanton Parish Council and the North Norfolk Coast Partnership are contrary to the Officer recommendation.

Case Summary

The site lies at the northern end of the village of Old Hunstanton and backs onto open countryside. The site consists of a modest, detached, single storey dwelling and associated curtilage.

The site is within the settlement of Old Hunstanton and is in the settlement boundary and is within the AONB.

This application seeks full planning permission for the demolition of the existing bungalow and the construction of four detached dwellings.

Key Issues

The Principle of Development
Impact on AONB
Form and Character
Neighbour Amenity
Highways Impact
Flood Risk and Drainage
Ecology
Other Material Considerations

Recommendation

A) APPROVE subject to conditions and completion of a suitable agreement or undertaking under S106 for the Habitats Mitigation Tariff and also to secure offsite conservation management elsewhere within the Borough to compensate for the loss of an area of fen meadow, within 4 months of the date of resolution to approve.

(B) REFUSE in the event that a suitable agreement or undertaking under S106 is not completed within 4 months of the resolution to approve.

THE APPLICATION

The site lies at the northern end of the village of Old Hunstanton and backs onto open countryside. The site consists of a modest, detached, single storey dwelling which sits on a large curtilage.

The site is within the settlement boundary of Old Hunstanton and is within the AONB. There are nature conservation sites within proximity of the site.

Full planning permission is sought for the demolition of the existing bungalow and the construction of four detached dwellings with associated access road and garaging.

SUPPORTING CASE

The application has been supported by an Ecology Report and Flood Risk Assessment.

PLANNING HISTORY

15/01010/F: Application Withdrawn: 15/09/15 - Construction of 4 new dwellings following demolition of existing bungalow - The Bungalow Waterworks Road

RESPONSE TO CONSULTATION

Parish Council: OBJECTION - Old Hunstanton Parish Council object to this application as the proposal is for too many houses for the size of the plot and the increase in the traffic that these houses would generate to and from the site on a very dangerous road. This road is a pedestrian way to the beach with no footpath.

Highways Authority: HOLDING OBJECTION (original plans)– pending the submission of further information re: the provision of a new 1.5m footpath along the entire roadside frontage and the highway element of the adjacent site to connect across the carriageway with the existing provision at Smugglers Close; The proposed development site is remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by public transport; the proposed development are likely to conflict with the aims of sustainable development.

Environment Agency: NO OBJECTION - conditionally

Anglian Water: No comments on sites below 10 dwellings

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

Environmental Health & Housing – CSNN: NO OBJECTION - conditionally

District Emergency Planning Officer: NO OBJECTION - conditionally

Norfolk Coast Partnership: OBJECTION - The existing bungalow is in the AONB (the AONB boundary runs along Waterworks Road) but is relatively low in height and a low-key, unassuming building with some garden landscaping, providing some open views to and from

the east over the open countryside and coast of the Hun valley. Some existing trees, possibly in the grounds of the adjacent hotel, provide screening to the north.

This is therefore a highly sensitive site where even one replacement dwelling would need careful consideration to be acceptable.

There appears to be no recognition of the location in the AONB and its sensitivity, no Planning Statement, Design and Access Statement, or Landscape and Visual Impact Assessment to support the proposal.

The 4 dwellings proposed are all 4-bedrooms (compared to the existing 3-bedroom bungalow) and each would be of significantly greater in scale and height than the existing bungalow; even the 1.5 storey 'cart shed' would be larger than the existing bungalow, with roof windows and steps to an upper floor. 12 parking spaces are proposed compared to the two existing.

I therefore regard this as an unacceptable intensification of development in the AONB, which would effectively extend the developed area of Old Hunstanton into the AONB and have significant adverse landscape impacts.

REPRESENTATIONS

Representations from 5 addresses referring to the following:-

- Overdevelopment of the site
- 'Linksway' is no longer a hotel but a dwellinghouse
- Overbearing impact on Linksway House; particularly Unit 4; contrary to Policy DM15
- Concerned for the future of the willow tree to the north of the boundary within neighbour's garden
- Overlooking from balconies to neighbouring properties
- Too many dwellings on the site; should be 2 No.
- Increased traffic
- Narrow road and impact on traffic congestion
- No footpaths in this area and concern for safety of pedestrians
- Plans are inaccurate do not show the current situation with regard to neighbouring property
- Detached garage building is overbearing and unnecessary
- Impact on AONB
- This area is prone to flooding and the raised floor levels raises ridge heights etc. which has an impact on views and will overwhelm other properties
- Sewage problems in the area and sewage is at capacity; ground levels prevent the sit dealing with raw sewage
- No objection in principle but concerned about high watercourse within site and two dykes running along one side being ineffective
- The visual impact photos supplied have been taken from the same view point, rather than actually showing the impact of the site from neighbouring properties.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS07 - Development in Coastal Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

Principle of Development

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

Old Hunstanton is identified as a Rural Village in the Settlement Hierarchy of the Core Strategy. The site is within the development boundary of the adopted Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016). As such the principle of new residential development is generally acceptable as long as it has regard for and is in harmony with the built characteristics of the locality and other relevant planning policies and guidance.

Impact on 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.

The Norfolk Coastal Partnership considers that there appears to be no recognition of the location in the AONB and its sensitivity, no Planning Statement, Design and Access Statement, or Landscape and Visual Impact Assessment to support the proposal. It considers that the proposal would result in an unacceptable intensification of development in the AONB, which would effectively extend the developed area of Old Hunstanton into the AONB and have significant adverse landscape impacts.

The whole of the site is within the AONB and the eastern boundary of the site is important as it marks the edge of the village. The proposal would increase the amount of built form across the site, increasing from a single, detached bungalow to four, detached, two and a half storey properties.

The applicant has submitted a photographic survey showing the site from five different vantage points. Four of these are from the east/ north east and one from the north. The applicant attempts to show the impact of the proposed development upon the wider landscape character from key public viewpoints. This information does not contain details of how the proposed development might sit within the landscape on completion or some years later, so there are limitations. However, the photographs of these long views do show that any development on this site would be seen against a backdrop of existing development and landscaping so would not appear unduly prominent in the landscape.

Views of the site from the south and south east are restricted due to the position of existing development to the south of the site, which is sited further to the east and therefore blocks long views from public vantage points. Public views of the site from due east are also limited.

Whilst the proposed buildings would be greater in terms of mass and height, the screening provided by the existing vegetation on the boundaries would help soften the impact of the development and the backdrop of existing built form within the village would help it merge into the settlement. This combined with the limitations of public viewpoints from the east and south east mean that the proposed development should not be unduly prominent in the wider landscape. As such it is your officer's opinion that the proposed development would not adversely impact on the public views across the open landscape from the AONB.

Consequently, it is considered that the proposal would not cause harm to the character and appearance of the open landscape of the AONB. The development would therefore not conflict with Policy CS12 of the Core Strategy and Policy DM 15 of the SADMP and the Framework in this regard. These policies seek, amongst other things, to protect and enhance the landscape character and the amenity of the wider environment including the heritage and cultural value of the area.

Form and Character

The proposal seeks consent for four detached dwelling houses with garaging facilities and private amenity space.

The design of the dwellings is a mix of modern with some traditional features. The contemporary style dwellings have unusual window formations with a mix of styles and sizes. These include corner windows, projecting windows, full height glazed panels, dormers, high level windows and rooflights. Balcony areas also feature on each property. This unusual fenestration arrangement results in dwellings with unique characteristics.

The dwellings are significantly taller than the dwelling they seek to replace. This is because of the need to raise floor levels to overcome issues of being in a high risk flood zone. The ground floor accommodation is comprised of garaging and non-habitable accommodation e.g. utility rooms, shower rooms and stores, whilst the main living accommodation is on the upper two floors.

The proposed external building materials are shown to be a mix of rendered panels, red brick, cedar boarding and clay pantile roofs. Within this part of the village there is a mix of building designs, from bungalows to two and a half storey buildings, constructed of a mixture of materials including red brick, yellow brick, carstone, horizontal boarding and render with concrete or clay pantiles.

A single vehicle access point onto Waterworks Road is proposed with parking and turning provided for each property within the site.

During the course of the application the applicant has been invited to demonstrate how the design of the dwellings fits in with the surrounding development. Information has been provided relating to the heights of the buildings and ground levels showing how the buildings will sit within the site, but no additional information has been provided regarding matters of design.

A cross section shows that the properties will be set at a similar level to the existing bungalow, which is significantly lower than the level of the road. Immediately to the north of the site is a row of three terraced properties and the information submitted shows that the ridge height of the proposed dwellings is comparable to the ridge height of these properties.

In terms of height and scale the proposed development appears to be in keeping with the existing development to the north of the site. Development on the opposite side of the road to the west is set at a higher level but the buildings are generally lower in height at single or one and a half storeys high.

On balance it is considered that the proposed development should fit into the village in terms of scale and that it has sufficient regard for the built characteristics of the locality. It therefore generally accords with the provisions of national and local planning policy in terms of design.

Neighbour Amenity

The relationship between the proposed dwellings and neighbouring properties has been examined and the impact upon the amenity of the occupants of these properties has been assessed. Consideration has been given to overlooking, overshadowing and whether the dwelling would be overbearing.

Each of the properties faces north/south. Property No 1 has north facing windows and a first floor balcony to the northern side. The windows and balcony are at least 15m away from the windows of the nearest property to the north and between them are mature trees along the boundary, within the application site, that are shown to be retained.

Property No 4 has high level windows to the north elevation. This is to avoid overlooking of the property and garden of the residential property to the north as there is no established planting along this part of the boundary. A balcony is shown to the eastern end of this property but the plans show a 2m tall privacy screen to the northern end to prevent overlooking.

The properties to the southern part of the site are separated from dwellings to the south by a distance of at least 65 metres and there are no overlooking or overshadowing concerns with this regard.

Property No. 2 has a side elevation to the road and there are first and second floor windows facing west. A distance of 25m separates this proposed property with the nearest property on the western side of Waterworks Road. There will be overlooking towards this existing property, but not directly into windows and not to such a degree that would warrant the refusal of the application.

It is not considered there will be a significantly detrimental impact upon the amenity of the occupants of the neighbouring properties in terms of overlooking, being overshadowed or the dwelling being over bearing, as a result of this proposal.

Consideration has also been given to the relationship between occupants within the development and impact on neighbour amenity. There are windows to side elevations facing towards other proposed plots, but they are slightly offset from one another and are set more than 10m apart. Consequently the degree of overlooking and impact on privacy is not so significant to warrant refusal.

Highways Impact

The Highways Authority placed a holding objection on two grounds; sustainability issues and the lack of a footpath across the front of the site. Amended plans have since been received showing that a footpath can be provided along the roadside boundary of the site as requested by the Highways Authority.

Sustainability issues raised by the Highways Authority relating to the lack of services and facilities for future occupants are not upheld given that the site is within a Rural Village where development is permitted to meet local needs and maintain the vitality of the community.

The proposed development provides for its own parking provision and there is adequate space for turning.

Your officers consider that the amended plans showing the provision of a footpath satisfy the concerns of the Highways Authority and also the objections of the Parish Council relating to footpath issues.

Flood Risk and Drainage

The site is in tidal Flood Zone 3, with an actual risk of flooding from the sea during extreme events caused by overtopping/breaching of the sea defences.

The application has been supported by a Flood Risk Assessment which states that it is proposed to raise residential habitable floor levels of the development above ground level to a level of 6.75m aOD with flood resistant/resilient mitigation measures to offer protection against the 1 in 200 year return period event inclusive of climate change.

Safe access/egress is available for the occupants as a result of tidal warnings being received to Waterworks Lane and Old Hunstanton where land is in Flood Zone 1. The FRA advises that property owners should register with the Environment Agency Flood Warning Service to receive any future flood warnings.

The Environment Agency raises no objection subject to the proposal passing the sequential test.

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

The applicant owns no other sites within the village and there are no other sites known to be capable of this development within a lower risk of flooding currently within the village. The sequential test is considered to be passed. The exception test must however still be passed. For the exception test to be passed:

1. It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
2. A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where, possible, will reduce flood risk overall.

In relation to the first element, there is a need for housing in the borough. As such it is considered that the development clearly provides wider sustainability benefits that outweigh the risks associated with flooding.

In order to satisfy the first part of the second element, finished floor levels will be set 300 millimetres above the 1 in 200 year with climate change flood level (6.69m ODN), and flood resilience/resistance measures will be incorporated into the building construction up to the 1 in 200 year with climate change flood level. The LPA is therefore satisfied that the development can be made safe and the EA has raised no objection in relation to this issue.

In relation to the second part (not increasing flood risk elsewhere), the EA has not raised an objection. It is therefore concluded that the exception test is passed and that the proposed development accords with the overarching aims of planning policy and guidance in relation to development in areas at risk of flooding.

Anglian Water has not commented on the application given the modest number of dwellings proposed.

Ecology

A number of statutory designated sites are located within 5km of the site. Most notably, a section of The Wash and North Norfolk Coast SAC network falls within 400 metres of the site. This section of the SAC network also comprises parts of both The Wash SPA/SSSI and North Norfolk Coast SPA/SSSI.

The application has been supported by an ecological appraisal. A desk study, Phase 1 habitat survey and building assessment for roosting bats were undertaken to meet that requirement.

The report confirms that the development site comprises an area of semi-improved grassland close to house, merging into an area of marshy grassland towards the centre and eastern edge of the site, with wet ditches along the northern, southern and eastern boundaries of the site.

The area of marshy grassland (part of the broad Phase 1 habitat categories) covers an area of approximately 0.10 hectares, and most closely resembles the vegetation classification 'fen

meadow' (M22 in the National Vegetation Classification (NVC)). This habitat is listed as a priority habitat under the National Planning Policy Framework (NPPF) 2012.

The ecology report states that 'The area of marshy grassland/fen meadow is considered to be of district importance, and loss of this habitat will incur an intermediate negative impact on the district resource with a certain probability. Compensatory measures suggested below are expected to reduce this impact to a minor negative.' (para 6.7)

Paragraph 7.3 refers 'In order to offset the loss of the marshy grassland/fen meadow habitat within the development site it is suggested that a payment be made to aid conservation management elsewhere within the Borough to manage an area of fen meadow. This payment could possibly be made under a section 106 agreement. An alternative is that the site be re-designed to accommodate fewer properties, to allow retention of the priority habitat area.'

Paragraph 117 of the NPPF refers that to minimise impacts on biodiversity and geodiversity, planning policies should... promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;

Paragraph 118 of the NPPF refers that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:...if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

In this case the applicant has been liaising with Norfolk Wildlife Trust regarding potential schemes which could be supported to compensate for the loss of this area of fen meadow. NWT has confirmed there is a viable scheme within the borough which could satisfy the issues identified within Wild Frontier's Ecology Report and would benefit from a developer contribution. The scheme relates to the restoration of the valley mire at NWT Roydon Common and details of the scheme have been provided by NWT.

Accordingly the applicant is proposing to provide a contribution of £50,000 towards this project, secured through a S106 legal agreement. It is considered that achieving this this will meet the policy requirements with regard to compensatory priority habitat.

It is also recommended that a tree protection condition is imposed as well as landscaping conditions.

Other Material Considerations

The scheme requires a Habitats Tariff Payment of £200 (£50 per property).

Third party concern has been raised regarding sewage problems in the area and ground levels preventing the site dealing with raw sewage. However, the Environmental Health has reviewed the application and raises no objection.

Third party concern has been raised that plans are inaccurate and do not show the current situation with regard to neighbouring properties. It is correct to say that the location plan provided to identify the boundaries of the site is outdated with regard to recent development. These base plans are controlled by Ordnance Survey who only update them on a periodic basis. However, the more detailed plans appear to be up to date and the case officer has visited the site to assess the situation.

Third party concern has been raised that the detached garage building is overbearing and unnecessary. The siting of this detached building at the eastern part of the site forms an enclosed end to the development and adds interest when entering the site. It is not considered overbearing in context.

CONCLUSION

It is clear that this case is finely balanced. Concern has been raised by the Norfolk Coast Partnership, Parish Council and third parties regarding the height, scale and mass of the proposed development. The proposed scale is of significant dimension, but the site is large and it will not appear out of keeping in the plot. The lower levels on site also help to accommodate the increased height. The appearance of the dwellings promotes interest and has sufficient regard for the built characteristics of the locality. It therefore generally accords with the provisions of national and local planning policy in terms of design.

The applicant has demonstrated that the proposed dwelling will fit into the landscape and, in context, will not be unduly conspicuous. It is not considered it will have a harmful impact upon the wider landscape and scenic beauty of the AONB given its location within the settlement boundary.

Neighbour amenity issues have been demonstrated to be acceptable, subject to condition.

The site itself is not in an area of designated natural importance although there are international and national designations close to the site. However, there is some important habitat within the land associated with the bungalow. Provided the off-site compensatory ecology mitigation payment is secured and conditions are imposed regarding to on-site works there are no outstanding nature conservation issues.

Conditionally, there are no outstanding issues relating to flood risk, highway safety or landscaping.

The proposal accords with the policies and provisions of the NPPF and local policy and it is recommended that the proposal is approved subject to appropriate planning conditions.

RECOMMENDATION:

A) APPROVE subject to conditions and completion of a suitable agreement or undertaking under S106 for the Habitats Mitigation Tariff and also to secure offsite conservation management elsewhere within the Borough to compensate for the loss of an area of fen meadow, within 4 months of the date of resolution to approve.

- 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. 208-00, Location Plan
 - Drawing No. 208-10D, Proposed Site Plan

- Drawing No. 208-02B, House 1 - Proposed Plans
- Drawing No. 208-03B, House 1 - Proposed Elevations
- Drawing No. 208-04B, House 2 - Proposed Plans
- Drawing No. 208-05B, House 2 - Proposed Elevations
- Drawing No. 208-06C, House 3 - Proposed Plans
- Drawing No. 208-07C, House 3 - Proposed Elevations
- Drawing No. 208-08C, House 4 - Proposed Plans
- Drawing No. 208-09B, House 4 - Proposed Elevations
- Drawing No. 208-11A, Site sections
- Drawing No. 208-100, Proposed Cart Shed

- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall take place on any external surface of the development hereby permitted until 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.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition Prior to the first occupation of the development hereby permitted the proposed access, on-site car and turning area shall be laid out, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 4 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 5 Condition The development shall be carried out in accordance with the mitigation measures set out in the accompanying Ecology Statement by Wild Frontier Ecology, dated June 2016, unless provided for in any other conditions attached to this planning permission or unless otherwise agreed in writing with the Local Planning Authority.
- 5 Reason In the interests of safeguarding protected species in accordance with the provisions of the Wildlife and Countryside Act 1981.
- 6 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 6 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 7 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously

damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

- 7 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 8 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 8 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.
- 9 Condition No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 9 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 10 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 10 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

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

- 11 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a

suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.

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

12 Condition No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

12 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

13 Condition No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.

13 Reason To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

14 Condition No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.

14 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.

15 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

15 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety.

16 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 15 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

16 Reason To ensure that the highway network is adequate to cater for the development proposed.

17 Condition Notwithstanding the details shown on the approved plans prior to the occupation of the dwellinghouse referred to as 'Unit 4' full details of the screening to the balcony to Unit 4 shall be submitted to and approved in writing by the local

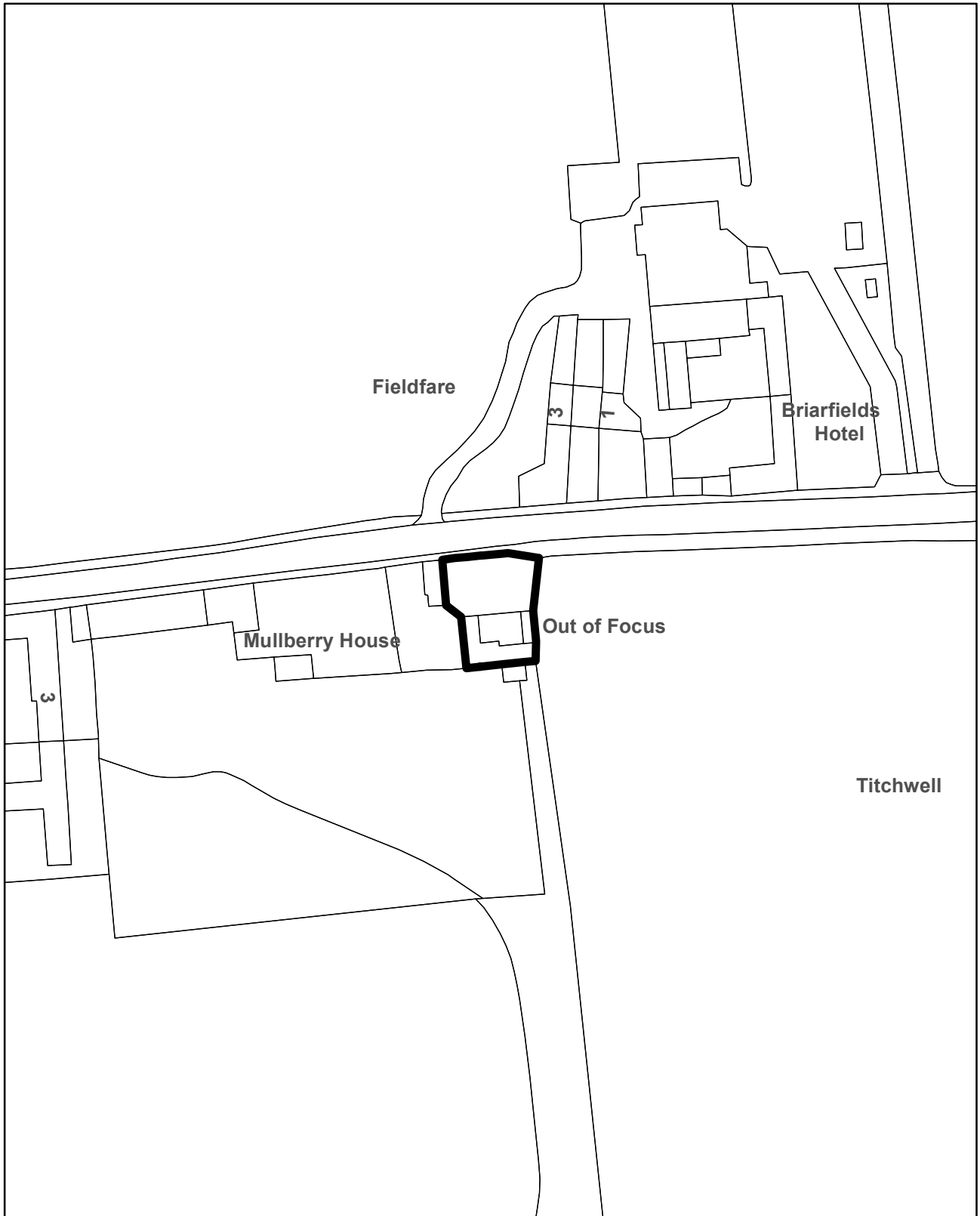
planning authority. The development shall be carried out in accordance with the approved details and thereafter retained in that manner.

- 17 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

(B) REFUSE in the event that a suitable agreement or undertaking under S106 is not completed within 4 months of the resolution to approve.

16/01900/F

Out of Focus Main Road Titchwell



AGENDA ITEM NO: 8/3(h)

Parish:	Titchwell	
Proposal:	Proposed extension and alteration to existing building	
Location:	Out of Focus Main Road Titchwell King's Lynn	
Applicant:	Mr Richard Peggs	
Case No:	16/01900/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 21 December 2016 Extension of Time Expiry Date: 16 January 2017

Reason for Referral to Planning Committee – There has been a previous dismissed appeal on the site for a similar proposal.

Case Summary

The application is made for full planning permission as a householder application for the extension and alteration of the existing dwelling known as at 'Out of Focus', Main Road, Titchwell. The site is within the Titchwell Conservation Area

This application is referred to Committee as the previous submission for a similar extension to the dwelling on site was refused planning permission and dismissed at the subsequent appeal.

Key Issues

Principle of the residential extension
Impact on general amenity
Impact on heritage assets

Recommendation

APPROVE

THE APPLICATION

The application is made for full planning permission as a householder application for the extension and alteration of the existing dwelling known as at 'Out of Focus', Main Road, Titchwell.

The site consists of a relatively modern two storey flint cottage with red brick detailing and pantile roof. It has a single storey lean-to type extension as a car port to its east (left hand side as you look from the road)

The application property lies to the south of Main Road, Titchwell some 450m from the village Cross in the village centre. It is located within a line of sporadic linear development on Main Road and almost opposite Briarfields Hotel.

The application is made for a two storey side extension to the west (right hand side as you look from Main Road) and internal and external alterations.

A previous application for a similar description of development was refused planning permission by the council and a subsequent appeal was dismissed on design grounds.

SUPPORTING CASE

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

- The principal of the side extension has been accepted by both the Planning Officer and Inspectorate.
- The proposal now contains the continuation of the main building eaves level through to the extension, with no dormer window but with rooflights within the slope of the roof.
- This has been discussed with the officer who considers that the design satisfies the appeal statement.
- The scale of the apertures has been reviewed and the proposal discussed with the officer
- The brick face to this extension is proposed to respond to but to be defined as a contrast to the main building, in a subservient manner by being set back and of a brick only finish.
- The use of traditional and local materials is continued throughout the extension.
- The following provides the reasoning for the proposed works, all of which were acceptable in the original application but with the revision to the front façade as covered above.
- Various formats of alteration have been investigated and the present proposal avoids encroachment onto the access and turning/parking area to the front, avoids encroachment on the parking and storage space underneath the existing building and allows a rearrangement and tidying of the end portion of the building.
- It also expands on the existing use of the decking which is used at first floor level whilst maintaining a secure and shaded ground floor covered area, thus keeping some of the amenity space available to the house. The house is not expanded in terms of accommodation or number of rooms, but in size of spaces making it much more flexible for living use.
- The proposal is to build up to the boundary on the Western edge with a solid wall but with some glazed blocks (which are translucent and fire-protective) and a high level window so that there is an opportunity for a small amount of daylight but no view out.

PLANNING HISTORY

Ref: No: 2/00/1077/CA, Proposed extension and alteration to existing building - Permitted

Ref: No: 2/00/1076/F Construction of house and car port (amended design) - Permitted

Ref: No: 2/01/1351/F Construction of house and garage (revised proposal) Permitted
Proposed extension and alterations to existing dwelling

Ref: No: 14/00514/F Proposed extension and alterations to existing building-Withdrawn

Ref: No: 14/01301/F Proposed extension and alterations to existing building - Refused. This application was subsequently appealed under 15/00029/REF and the appeal was dismissed.

RESPONSE TO CONSULTATION

Parish Council: Comments not yet received

Highways Authority: I am able to comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic that Norfolk County Council does not wish to resist the grant of consent.

Conservation Officer: NO OBJECTION although would like to see the removal of the velux windows and a condition imposed in relation to a sample panel.

REPRESENTATIONS No Comments or objections received.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATION

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

- Planning History
- Impact upon the Character of the existing dwelling.
- Impact upon the Conservation Area
- Impact upon Neighbour Amenity
- Other Material Considerations

Planning History

The site has been the subject of an application for two storey extension to the west elevation and an extension to a balcony area on the rear of the property.

The latest application 14/01301/F, for two storey and rear balcony extension was refused under delegated powers as it was considered that whilst the scale of the two storey extension would not cause a detrimental impact upon the character of the existing dwelling, it was the fenestration detailing of a pitched roof box window to this two storey side extension being out of scale to the proportions of the existing house, penetrating through the eaves line of the extension, would be detrimental to the character of the existing dwelling and would be a prominent alien feature in the Titchwell Conservation Area.

The application was appealed, under appeal reference no. APP/V2635/D/15/3128786, and subsequently dismissed. The Inspector concluded that whilst a contemporary two storey side extension was acceptable in principle, the design was not appropriate. It was stated that "The window would appear top heavy and at odds with the proportions of the extension and overall design. It was considered that rather than adding interest, it would appear an incongruous and prominent addition. The design detailing would not complement the existing building and would represent an alien feature that would detract from the house and its setting failing to preserve or enhance the character of appearance of the conservation area. Whilst the harm is less than substantial, as described in paragraph 134 of the Framework, I am not satisfied that the public benefits would be sufficient to outweigh it." A full copy of the appeal decision is attached to this application.

The proposed design of the two storey extension tries to overcome this particular reason for refusal.

Character of the existing dwelling

The front elevation of the two storey extension will be constructed solely from brick, with the side elevation with brick quoin detailing and chalk infill. The slight set back from the front elevation and a marginally lower roof allows the two storey extension to appear sub-ordinate to the existing dwelling. This design detail has been continued in this submission. The principle of a two storey extension has been considered to be acceptable according to the Inspector.

The proposed fenestration detailing has a vertical emphasis, drawing influence from the existing windows. The three paned window design has vertical glazing bars. Two velux windows are provided in the front elevation roofslope.

The proposed fenestration no longer protrudes beyond the plane of the front elevation nor does it detail a pitched roof dormer element that protrudes above the ridge line of the extension.

In regards to the scale of the balcony it is no bigger than that previously submitted, which has been considered to be acceptable in relation to the proportions of the existing property.

The character of the existing dwelling in this new proposal is sustained.

Impact upon the Conservation Area

From within the Conservation Area the western gable end, first floor only and the first floor northern elevation of the property can be seen. The ground floor of the property is screened from public view by high level chalk walls.

The property sits back on the site and is not imposing on the setting of the Conservation Area.

The previous scheme with a top heavy window would have led to the property imposing itself unduly on the Conservation Area that resulted in harm to its character that was not outweighed by the benefits of the proposal.

The revised window design no longer protrudes out beyond the front elevation of the property nor does it protrude beyond any ridge line and therefore does not result in a feature which would be alien to the characteristics of the Conservation Area.

The Conservation Officer has no objection to the proposal, but would prefer to see the removal of velux windows from the scheme. This is not considered to be necessary, given the property's setback position on the site and velux windows could be installed under Part C, Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 without requiring planning permission.

Impact upon Neighbour amenity

There are no neighbours immediately to the east or north of the site. The neighbours to the north are on the opposite side of Main Road and set back from the road frontage. Their amenity is not considered to be affected by the extension.

The balcony and two storey side extension extends towards the western boundary. The land and buildings to the west are used commercially and accordingly whilst adjacent to the shared boundary, the two storey extension and balcony extension with screening would not be of detriment to the enjoyment of this commercial user's amenity.

CONCLUSION

Members are being asked to consider whether the revised two storey extension overcomes the reasons in the Inspector's decision for dismissing the previous application.

It is your officer's opinion that the revised fenestration design overcomes the Inspector's comments in dismissing the appeal namely by removing the protruding elements of that particular scheme.

There are no other material considerations that cannot be addressed by way of condition.

The proposal is therefore recommended to be approved subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
 - 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - Location and Plans drawing no. 2/639/3B dated 19th October 2016 received 31st October 2016
 - Elevations and Floor Plans drawing no.2/629/2H dated 18th October 2016 received 31st October 2016
 - 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 extension(s), namely the western elevation 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 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 the commencement of development.
 - Drawings of all new joinery works involving the north elevation windows (with cross section)
- The development shall be carried out in accordance with the agreed details.
- 4 Reason In the interests of safeguarding the characteristics of the Conservation Area in accordance with the provisions of the National Planning Policy Framework.
 - 5 Condition The 1.8m high screening on drawing no. 2/629/2H dated 18th October 2016 shall be installed prior to the first use of the extended balcony area hereby approved.
 - 5 Reason In the interests of safeguarding neighbour amenity.



Appeal Decision

Site visit made on 3 December 2015

by **P Eggleton BSc(Hons) MRTPI**

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

Decision date: 08 December 2015

Appeal Ref: APP/V2635/D/15/3128786

Out of Focus, Main Road, Titchwell, King's Lynn, Norfolk PE31 8BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R Peggs against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 14/01301/F was refused by notice dated 3 December 2014.
 - The development proposed is an extension and alterations to the existing building.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

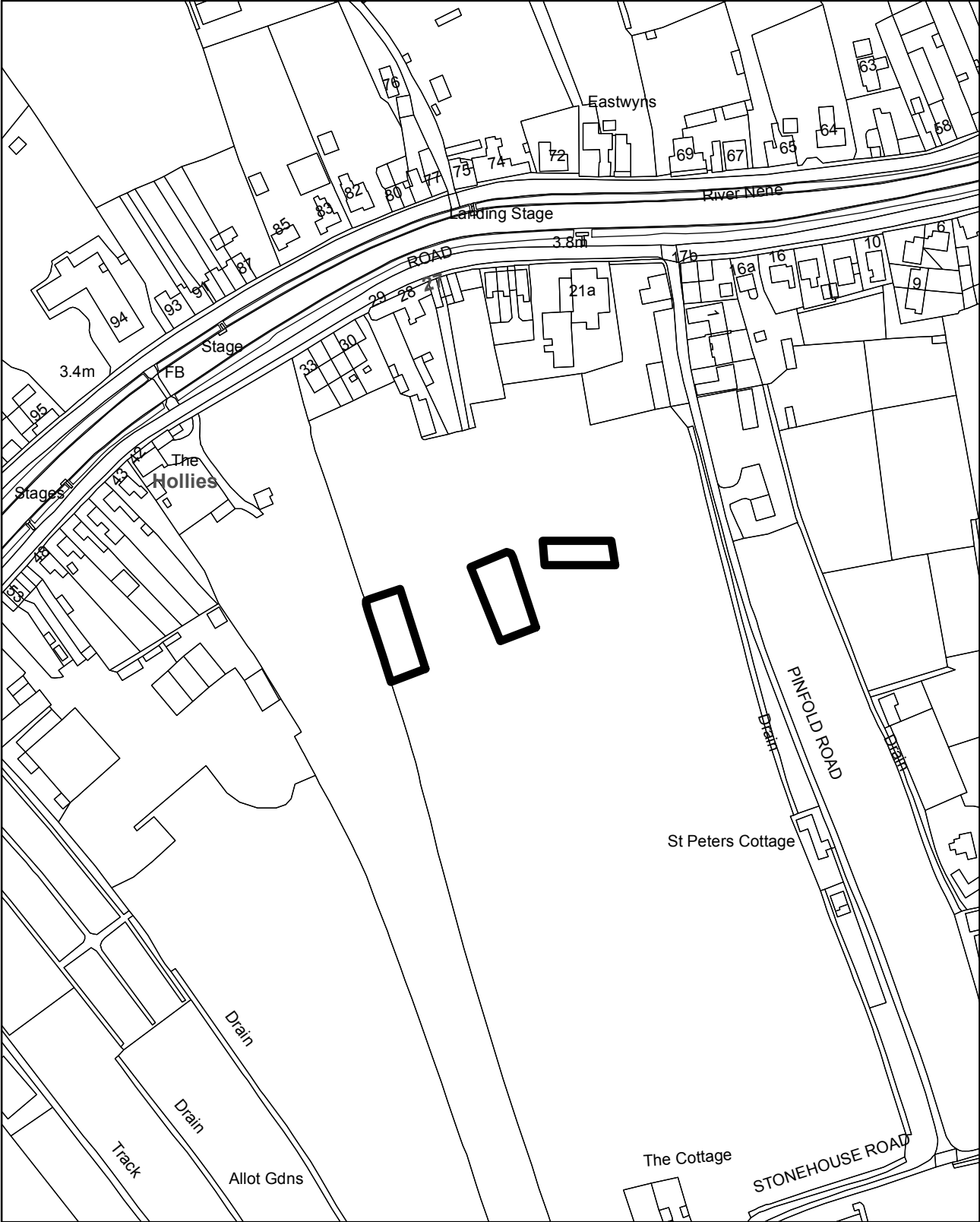
3. The property lies within the Titchwell Conservation Area which has a concentration of development in the vicinity of the village cross and church but it is predominantly characterised by the linear and scattered areas of development alongside the main road. The roadside walls and the buildings built close to the carriageway are particularly distinctive features. There are a range of building styles and designs but the simple forms of many of the properties and their use of traditional and local materials are also important characteristics.
 4. The Council's only concern relates to the design of the frontage of the extension. I agree that the principle of a side extension is acceptable. The alterations to the rear would not have a wider impact on the conservation area and would not result in harm to the living conditions of neighbouring residents.
 5. The proportions of this property differ from the historic properties in the vicinity. However, it has a simple form and complementary materials. As it is set back from the road, behind a high wall, it sits comfortably and relatively unobtrusively within the conservation area. The two storey extension would be set slightly back from the front elevation and would have a marginally lower roof. The overall form of the extension would therefore be subordinate to the main dwelling and I find that this would be an acceptable approach.
-

6. It is proposed that a feature window with a pitched dormer style roof be included in the front elevation. Although the extension has been designed to have a subservient form, the window design would ensure that it would become a prominent new feature. This is a relatively modern house and I accept that contemporary additions, even to more traditional houses, can be designed to contrast with, but still complement the original character of a dwelling and bring interest to it.
7. The scale of this window feature would result in it appearing top heavy and at odds with the proportions of the extension and the overall design of the dwelling. Rather than adding interest, it would appear as an incongruous and prominent addition. The design detailing would not complement the existing building and it would represent an alien feature that would detract from the appearance of the house and its setting. I find the proposal to represent poor design in this context.
8. Although the property is set back and the extension would only be visible from limited viewpoints, it would detract from the general character of the wider area. I must pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The inclusion of this uncharacteristic and relatively strident design feature would fail to preserve or enhance the character or appearance of the conservation area.
9. Policy 4/21 of the King's Lynn and West Norfolk Local Plan 1998 requires that developments have regard for and should be in harmony with the building characteristics of the locality. Policies CS06 and 08 of the Core Strategy 2011 seek high quality design that responds to the existing context and maintains local character and a high quality environment. Policy CS12 requires that development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area.
10. Given my assessment, I find that the window feature would conflict with the development plan policies. The policies generally accord with the design and heritage requirements of the *National Planning Policy Framework* and can be afforded considerable weight. The *Framework* is also clear that any harm to a heritage asset, such as a conservation area, should be weighed against the public benefits of the proposal.
11. There are other dormer windows in the conservation area and I am advised that this window feature is found elsewhere in this coastal area. The window would provide benefits to the residents with regard to light and outlook. Although I have had regard to the matters put forward by the appellant, I have also found that the development would result in harm to the conservation area. The harm would be less than substantial, as described in paragraph 134 of the *Framework*, but I am not satisfied that the public benefits would be sufficient to outweigh it. This proposal would be contrary to the development plan policies and it would conflict with the design and heritage requirements of the *Framework*. I therefore dismiss the appeal.

Peter Eggleton
INSPECTOR

16/01753/RM

Land South of 21 to 42 St Peters Road Upwell



AGENDA ITEM NO: 8/3(i)

Parish:	Upwell	
Proposal:	Reserved Matters Application: Affordable housing for plots 6,7, 10, 11 and 13	
Location:	Land South of 21 To 42 St Peters Road Upwell Norfolk	
Applicant:	The Hollies (Upwell) Ltd	
Case No:	16/01753/RM (Reserved Matters Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 29 November 2016 Extension of Time Expiry Date: 13 January 2017

Reason for Referral to Planning Committee – The application is submitted on behalf of The Hollies (Upwell) Limited and the husband of Cllr. Mrs Spikings is a Member there of.

Case Summary

Outline planning permission was granted on 20 June 2016 (following referral to the Planning Committee on 08 February 2016) for an estate of 25 dwellings under application ref: 15/01496/OM, subject to a Section 106 agreement which included the provision of 20% affordable housing (i.e. 5 units). The matters of access and layout were considered at that stage and all others were reserved for future consideration. It involved an allocated site for residential development contained in the Site Allocations & Development Management Policy Plan (referred to under Policy G104.4); with the addition of a parcel of garden land to the rear of Nos. 25 – 29 St Peter's Road (in which Cllr Mrs Spikings has a financial interest).

This application seeks reserved matters approval for those affordable housing units on Plots 6, 7, 10, 11 & 13.

Key Issues

Compliance with affordable housing criteria;
Impact upon character and appearance of the locality and setting of Conservation Area;
Layout;
Landscaping; and
Other material considerations

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

Outline planning permission was granted on 20 June 2016 (following referral to the Planning Committee on 08 February 2016) for an estate of 25 dwellings under application ref: 15/01496/OM, subject to a Section 106 agreement which included the provision of 20% affordable housing (i.e. 5 units).

16/01753/RM

Planning Committee
9 January 2017

This application seeks reserved matters approval for those affordable housing units on Plots 6, 7, 10, 11 & 13.

These comprise as follows:

- 1 pair of 2 bedroomed semi-detached houses (Plots 6 & 7);
- 1 pair of 3 bedroomed semi-detached houses (Plots 10 & 11); and
- 1 No. 2 bedroomed detached house (Plot 13).

SUPPORTING CASE

The application is accompanied by a statement which reads:

The site has outline planning permission reference number 15/01496/0 dated 20 June 2016 and is for 25 dwellings of 18 houses and 7 bungalows.

Clause 2.1 of the section 106 agreement calls for 20% of the dwellings to be affordable and this equates to:-

- 1 pair of 2 bedroom semi-detached houses
- 1 pair of 3 bedroom semi-detached houses
- 1-2 bedroom detached house

The sizes of the houses are as follows:-

- 2 bedroom semis 79.4m² per unit
- 3 bedroom semis 88.1m² per unit
- 2 bedroom detached 79.4m²

In accordance with the Section 106 agreement the affordable housing must meet the minimum standards contained in the design and quality standards.

All of the affordable units will be built to the same construction specification as all the private units on site. In addition all the affordable housing units will have ground floor windows and doors which meet the requirements of Secure by Design.

The position of the 5 units is shown on drawing number 16/9/2008/2 and was agreed with Nikki Patton at an office meeting, this year.

A Reserved Matters application has been submitted to King's Lynn Council dated 28 September 2016.

All other dwelling on the estate will be submitted individually as the site is intended for self builds.

The estate road and services will be provided by the owners of the land and is expected to be available in spring 2017.

The layout of the new estate and the positioning of the affordable units ensure that they will not be built in isolation but will be well integrated into the estate.

Not only does the new estate provide a play area but also a nature walk is being provided to the south of the estate with its own parking area. This is being provided at the wishes of the late Miss Edith Blunt who owned the orchard and asked if the trustees would create the nature walk for the benefit of the residents of the village.

PLANNING HISTORY

15/01496/DISC_A: Discharge of Condition final letter: Discharge of conditions 12, 13, 15 and 17 of planning permission 15/01496/OM: Outline application with some matters reserved for 25 dwellings consisting of 18 houses and 7 bungalows. Access, road and plot layout committed

15/01496/OM: Application Permitted: 20/06/16 - Outline application with some matters reserved for 25 dwellings consisting of 18 houses and 7 bungalows. Access, road and plot layout committed

15/01505/F: Application Permitted: 14/12/15 - Change of use from Old Orchard to Nature Walk - Land To Rear of The Hollies, 42 St Peters Road

14/00504/F: Application Permitted: 17/10/14 - Construction of two houses and detached garages along with the demolition of outbuilding and wall - Land To the East of The Hollies

RESPONSE TO CONSULTATION

Parish Council: APPROVE

Highways Authority: NO OBJECTION subject to conditions

Conservation Officer: APPROVE - The proposed houses are quite traditional in style and appearance with good detailing and an acceptable palette of materials has already been agreed. I think they will sit comfortably on this site which is adjacent to the conservation area and make a positive contribution to the overall character of the village.

Housing Development Officer: NO OBJECTION - The affordable housing for this site was secured via an S106 agreement as part of the outline application. The S106 agreement secures a 20% affordable housing contribution, this equates to 5 dwellings.

The applicant has submitted an Affordable Housing Scheme with the reserved matters application as required by the S106 agreement. Whilst the scheme refers to 3 x 3 bed houses and 2 x 2 bed houses, plot 13 has been amended to a 2 bed house resulting in a mix of 3 x 2 bed houses and 2 x 3 bed houses. I can confirm that this revised mix is the most appropriate mix to meet an identified housing need. I can also confirm that the size and location of the units is acceptable. The applicant will need to amend the Affordable Housing Scheme to reflect the revised mix.

REPRESENTATIONS

ONE item of correspondence raising **OBJECTION** on the following grounds:

- Loss of privacy and views for the cottage at rear of premises which is occupied;
- Loss of privacy and overlooking of business premises and security issues that may arise;
- Noise and disruption during development;
- Extra traffic on St Peter's Road – not suitable;
- Impact upon facilities in village; and
- Ground stability and drainage.

ONE item of correspondence raising **SUPPORT** for the development, but asks the following:

- I am all for this development but, what is affordable housing? Affordable to whom? Local raised people or those who come from away? Kids raised in this area must be given priority and it must be affordable to them! Perhaps the council should take these on and sell on a rent/buy basis?

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM15 – Environment, Design and Amenity

OTHER GUIDANCE

Upwell Parish Plans

PLANNING CONSIDERATIONS

As stated above, the key issues for consideration in determining this application are as follows:

- Compliance with affordable housing criteria;
- Impact upon character and appearance of the locality and setting of Conservation Area;
- Layout;
- Landscaping; and
- Other material considerations

Compliance with affordable housing criteria

The size of the proposed houses is considered acceptable and meets the required standards as confirmed by our Housing Development Officer. The tenure will be controlled by the provisions of the Section 106 legal agreement with 3 houses rented and two shared ownership. The mix was initially 3 x 3 bedroomed units and 2 x 2 bedroomed units, but this was modified at the request of the HDO to the current proposal/mix in order to meet local needs. The units are sited to enable integration into the overall estate. This fully accords with the provisions of Policy CS09 of the LDF.

Impact upon character and appearance of the locality and setting of Conservation Area

The scale and appearance of the dwellings, layout and landscaping are reserved matters to be considered as part of this application. The dwellings are all two storey houses with same eave heights (5.1m) and similar ridge heights (3 bedroom units approx. 400mm higher than 2 bedroom units). The design of the houses corresponds with the Design Code agreed as discharge of Condition 18 attached to the outline permission, with brick arch detail and eave/verge detailing, dummy chimneys and casement windows. There is a palette of materials also agreed to match those in this locality i.e. Terca Renaissance Multi red bricks with Red pantiles to roof or Olde Ely Cream Multi bricks with Tudor brown pantiles.

Whilst these particular plots do not directly abut the Conservation Area, they will be seen in context with it from peripheral areas. Our Conservation Officer considers that the proposed houses are quite traditional in style and appearance with good detailing and an acceptable palette of materials has already been agreed. They will sit comfortably on this site which is adjacent to the conservation area, and make a positive contribution to the overall character of the village.

Layout

The layout of the plots are considered acceptable, with the dwellings set centrally, providing front and rear gardens with appropriate on-site parking to meet NCC standards. County Highways recommend a condition to state that the driveways shall be at least 3m wide as measured from the dwelling to the adjacent boundary. This is not considered to meet the tests of conditions as the driveways are 3m scaled off the submitted plans – it is therefore not ‘necessary’ as the development is usually conditioned to accord with those approved plans.

Landscaping

The landscaping of the plots comprises 1.8m high close boarded fencing on side boundaries dropping to 1m in front of the dwellings with brick walling (800mm) at the front. 1.2m high post and rail fencing is proposed on rear boundaries with an indigenous hedgerow planted to establish and soften the appearance of the estate from peripheral views.

The objector's comments mainly relate to issues addressed at the outline stage as they refer to matters of principle. The plots are some considerable distance away from the objector's property and would not cause overlooking issues.

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

CONCLUSION

The proposed development accords with the outline permission and would contribute positively to the setting of the conservation area and the overall character of the village. The proposal therefore accords with the provisions of the NPPF, Policies CS06, CS08, CS09 & CS12 of the LDF, and Policy DM15 of the SADMPP.

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

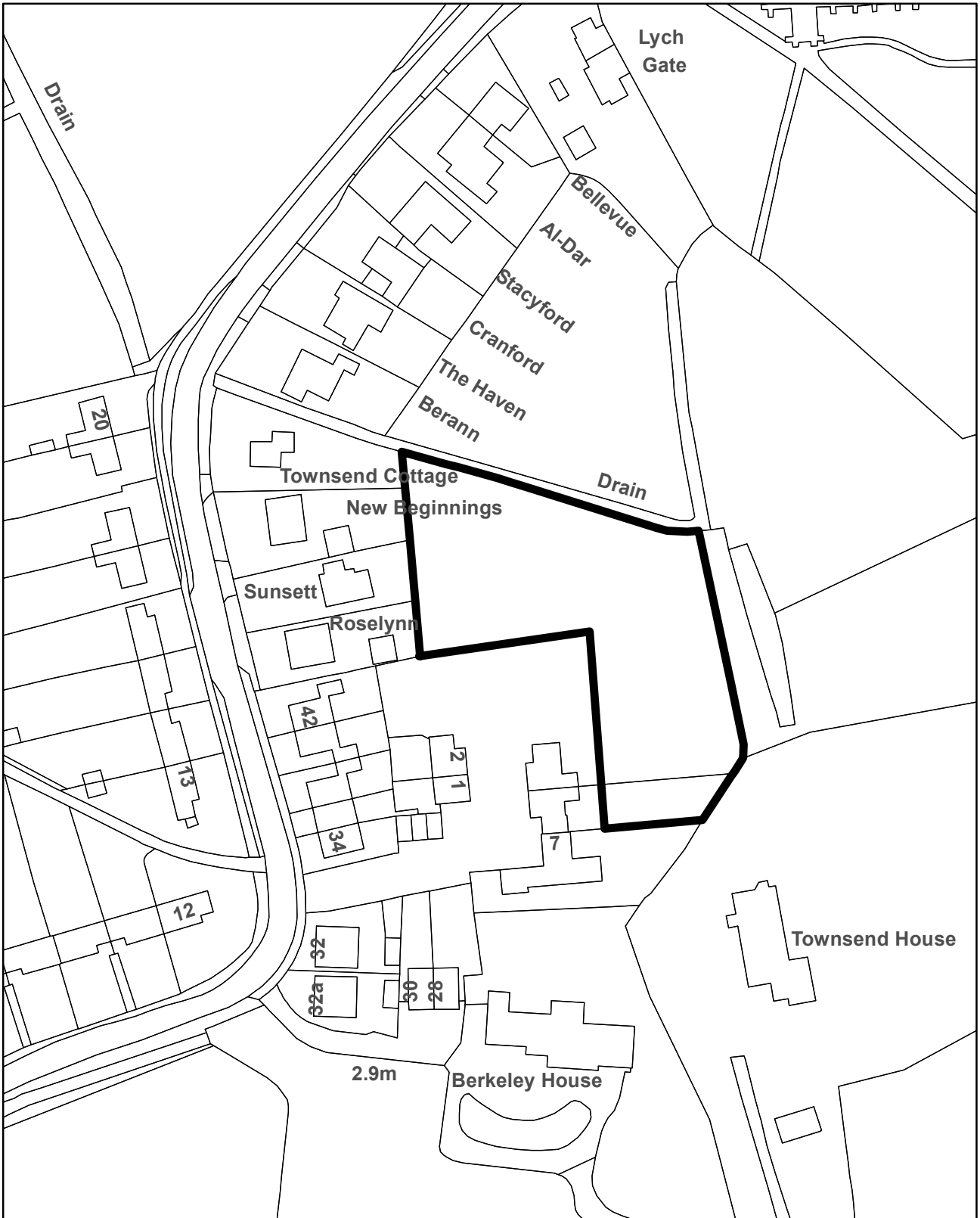
RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: 16/9/2008/2 Revision A, 16/9/2008/3, 16/9/2008/4 & 16/9/2008/6.
- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Prior to the first occupation of the development hereby permitted, the proposed associated access and on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 2 Reason To ensure the permanent availability of the parking area, in the interests of highway safety.
- 3 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 of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any 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.
- 3 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

16/01784/CU

Land at Townsend Farm Church Road Walpole St Peter



AGENDA ITEM NO: 8/3(j)

Parish:	Walpole	
Proposal:	Change of use of agricultural land to garden land	
Location:	Land At Townsend Farm Church Road Walpole St Peter Norfolk	
Applicant:	Dene Homes Ltd	
Case No:	16/01784/CU (Change of Use Application)	
Case Officer:	Mr Bryan Meredith	Date for Determination: 12 December 2016 Extension of Time Expiry Date: 13 January 2016

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

Case Summary

The site comprises of 0.32 Ha of land to the eastern side of Church Road, Walpole St. Peter. The land currently consists of a mixture of domesticated, fenced off gardens and agricultural land to the rear of the properties permitted with planning permission reference number 05/00107/F.

The site lies outside the village development boundary for Walpole St. Peter as is outlined in the Site Allocations and Development Management Policies Plan (SADMP) document.

Full permission was granted in 2005 (05/00107/F) for the construction of 15 dwellings after the demolition of the existing buildings. Two more applications were permitted in 2007. Permission reference number 07/00221/F permitted the construction of 5 dwellings and triple garage block (amended design) and permission reference number 07/00820/F permitted the construction of two dwellings on plots 13 and 14 (amended design).

The current proposal seeks to change the use of the agricultural land at the rear of properties 3 to 7 at Townsend Farm to garden land.

The application is referred to the Planning Committee for decision as the view of Walpole Parish Council is contrary to the Officer recommendation.

Key Issues

Policy context
Effect of the proposal on the character and appearance of the countryside
Other material considerations

Recommendation**REFUSE**

THE APPLICATION

The site comprises approximately 0.32 Ha of land on the eastern side of Church Road, Walpole St. Peter. It currently consists of a mixture of domesticated gardens and agricultural land but was historically agricultural land.

The western boundary of the application site is bordered by a boundary treatment associated with dwellings with some properties occupied and some properties unoccupied but close to completion. To the north and east of the application site lies an established, mature hedgerow and row of trees which is visible on Google Earth imagery as far back as 01/01/1999. To the south of the application site, a 1.8 metre timber clad fence lines the garden boundary of dwelling number 7, Townsend Farm, Walpole St. Peter.

The site lies outside the defined village development boundary in the SADMPD. This current proposal seeks to change the use of agricultural land to garden land.

SUPPORTING CASE

No supporting case was submitted with the application.

PLANNING HISTORY 05/00107/F: Application Permitted: 15/06/06 - Construction of 15 dwellings after demolition of existing buildings - Land at Townsend Farm Church Road, Walpole St Peter, Walpole, Norfolk;

07/00820/F: Application Permitted: 06/06/07 - Construction of two dwellings on plots 13 & 14 (amended design) - Townsend Farm Church Road, Walpole St Andrew, Norfolk;

2/04/0391/F: Application Withdrawn: 15/06/04 - Construction of 15 dwellings after demolition of existing buildings - Townsend Farm Church Road, Walpole St Peter, Walpole;

07/00221/F: Application Permitted: 12/06/07 - Construction of 5 dwellings and triple garage block (amended design) - Land at Townsend Farm Church Road, Walpole St Andrew, Norfolk;

RESPONSE TO CONSULTATION

Parish Council: Walpole Parish Council **SUPPORT**. However, the Parish Council requests that there is a clause within any permission granted that the land should only be used for purposes incidental to the needs of the occupants of the dwelling that is attached to the garden land and shall at no time should be used for further residential, business or commercial development.

REPRESENTATIONS

Two representations were received **SUPPORTING** the application for the following reasons:

- the area will be tidied, planted and maintained for the first time in ten years
- the application as this will keep brambles from encroaching onto gardens.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

OTHER GUIDANCE

The Walpole’s

PLANNING CONSIDERATIONS

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

- Policy context
- Effect of the proposal on the character and appearance of the countryside
- Other material consideration
- Conclusion

Policy context

The NPPF outlines twelve core planning principles which should underpin both plan-making and decision-taking. One of the core principles refers to recognising the intrinsic character of the countryside.

Core Strategy Policy CS06 states that beyond the villages and in the countryside the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife and its natural resources to be enjoyed by all.

Policy DM2 of the Site Allocations and Development Management Policies Plan document states that the areas outside development boundaries 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. No justification to ease the restrictions on development of countryside land has been submitted with this application.

Effect of the proposal on the character and appearance of the countryside

The site is located within countryside and is Grade 1 agricultural land, although not within a designated area.

At the time of a site inspection the area subject of this application was being used as vacant agricultural land to the north section of the site, with stakes lined out to the rear of the northern properties of Townsend Farm. The land to the south of the application site, the rear of the properties at number 5 and 6 of Townsend Farm, have been claimed as rear gardens; with domestic paraphernalia and manicured lawns present on an area where timber cladded fencing outlines the claimed land. This unauthorised encroachment into the agricultural land has resulted in a domestication of the countryside.

Having reviewed aerial photographs since 1999 the site has always been in use for agricultural purposes since then and previously formed part of Townsend Farm. The application for the 15 dwellings, approved in 2005, with two subsequent permissions approved in 2007 afforded a relatively generous curtilage which was to the north and east of the respective dwellings.

On this basis the proposed formal change of use would change the character of the land and undermine the rural character of the area. The proposal also fundamentally conflicts with planning policies aimed at protecting the countryside.

Other Material Considerations

It is recognised that the Parish Council support this proposal, however in your officers opinion it is considered that planning policies need to be applied consistently. If this proposal was permitted without any special justification it may be more difficult to resist similar proposals on other sites.

CONCLUSION

The proposal relates to the change of use of agricultural land to form domestic gardens. The main thrust of National and Local policies are to seek to protect the 'Countryside' for the sake of its intrinsic character and beauty, and to preserve its character and appearance.

It is considered that the dwellings as approved in 2005 had an adequate curtilage and this proposal would result in an inappropriate incursion into countryside which would also alter the character of this open setting, resulting in a domestication of the countryside. There is therefore considered to be a clear policy objection to this proposal, and no justification for going against the policy.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Both the NPPF and Policy CS06 of the Core Strategy protect the 'Countryside' for the sake of its intrinsic character and beauty and, in order to preserve its character and appearance, and in order to prevent development that damages the distinctive character and appearance of the landscape and locality. In addition the Site Allocations & Development Management Polices (SADMP) Plan seeks to define development boundaries, with Policy DM2 restricting development outside of the development boundary.

This proposal relates to the change of use of agricultural land outside of the development boundary to form an extension to residential gardens. The proposal would represent an unacceptable level of domestication of the landscape, which would have an adverse visual impact on the character and appearance of the countryside, as well as being contrary to policies seeking to restrict development outside of development boundaries. The proposal is therefore contrary to the one of the Core Planning Principles of the NPPF, Policy CS06 of the Core Strategy (2011) and Policy DM2 of the SADMP.

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the December Planning Committee Agenda and the January agenda. 155 decisions issued, 145 decisions issued under delegated powers with 10 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area
- (4) Majors are assessed against a national target of 40% determined in time. Failure to meet this target could result in the application being dealt with by PINS, who would also receive any associated planning fee.

RECOMMENDATION

That the reports be noted.

Number of decisions issued from 23/11/16 – 19/12/16

	Total	Approved	Refused	Under 8 weeks or within agreed ext of time (Minor/Other)	Under 13 weeks or within agreed ext of time (Major)	Performance %	Former National target %	Current National target %	Planning Committee decision	
									Approved	Refused
Major	1	1	0		1	100%	60	50	3	0
Minor	79	75	4	65		82%	65		5	1
Other	75	72	3	69		92%	80		1	0
Total	155	148	7							

Planning Committee made 10 of the 155 decisions, 6%

PLANNING COMMITTEE -

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

114

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
12.10.2016	05.12.2016 Application Permitted	16/01800/F	W R Chapman & Son The Bungalow Lilac Farm Stoke Ferry Road Eastmoor Variation of conditions 2 and 4 of planning permission 14/00118/F - To re-site proposed new access and amend previously approved drawings	Barton Bendish

20.09.2016	13.12.2016 Application Permitted	16/01673/F	Mr Christopher Abel Innisfree Park Homes Gayton Road Bawsey Norfolk Ground mounted solar photovoltaic installation consisting of 920 seraphim 260w photovoltaic modules and 10 Zegersolar 20000kW inverters mounted on Zimmermann ground mount framework	Bawsey
10.10.2016	07.12.2016 Application Permitted	16/01778/F	Mr David Howell Cricket Pavilion Lynn Road Great Bircham Norfolk Extension to pavillion	Bircham
21.10.2016	13.12.2016 Application Permitted	16/01872/O	Mr N Courtenay Cherry Ridge Docking Road Great Bircham King's Lynn Outline Application: Proposed dwelling following partial demolition of the donor dwelling	Bircham
31.10.2016	15.12.2016 Application Permitted	16/01922/F	Mr & Mrs Pearson Pond View Stanhoe Road Bircham Tofts King's Lynn Demolition of existing lean-to conservatory and construction of single storey extensions	Bircham

26.09.2016	07.12.2016 Application Permitted	16/01710/F	Mr And Mrs Cowper Island House Tower Road Burnham Overy Staithe King's Lynn Extension and alterations to existing dwelling including the conversion of existing boat store and undercroft to residential accommodation. Construction of new double garage with one bed guest accommodation over. Amendment to position of previously approved summer house (2/91/1079/CU/F) and conversion of existing shed to a conservatory	Burnham Overy
26.10.2016	14.12.2016 Application Permitted	16/01893/F	Mrs Warren 30 New Road Burnham Overy Staithe King's Lynn Norfolk Erection of single storey glazed canopy	Burnham Overy

10.11.2016	19.12.2016 Application Permitted	16/01978/LB	The National Trust The Windmill Tower Road Burnham Overy Staithe King's Lynn Listed Building Application: Internal alterations to the C20 extension to the windmill to enlarge the kitchen area. Works to include removal of flue and internal loadbearing wall and provision of new fire compartmentation around the stairs leading to the first floor	Burnham Overy
14.10.2016	01.12.2016 Application Permitted	16/01830/F	Mr And Mrs M Bliss Candleford House Oxborough Road Boughton King's Lynn Single storey extension to rear of house	Boughton
26.10.2016	12.12.2016 Application Permitted	16/01891/RM	Mr B M Burton And S R Chalmers South of Jubilee Lodge Mill Hill Road Boughton King's Lynn Reserved Matters Application: construction of four dwellings	Boughton
30.09.2016	25.11.2016 Application Permitted	16/01733/F	Mr Greg Cooke Cocklebox Main Road Brancaster Staithe King's Lynn Variation of condition 2 of planning permission 15/01138/F - to vary previously approved drawings	Brancaster

21.10.2016	09.12.2016 Would be Lawful	16/01869/LDP	Mr Christopher Pratt Bramble Choseley Road Brancaster Norfolk Lawful Development Certificate: Single storey rear extension	Brancaster
31.10.2016	15.12.2016 Application Permitted	16/01907/F	Mr Bernard Reading Northend 23 Branodunum Brancaster King's Lynn Single storey rear extension and garage	Brancaster
30.09.2016	25.11.2016 Application Permitted	16/01734/F	Mr Richard Haines 1 Walsingham Road Burnham Thorpe King's Lynn Norfolk Variation of condition 2 of planning permission 15/01285/F - To vary previously approved drawings re: construction of single storey extensions linking cottages no. 1 and 2 (Hobson's Cottage) to create one single dwellinghouse, general refurbishment and internal alterations.	Burnham Thorpe
11.10.2016	28.11.2016 Application Permitted	16/01795/F	Mr John Middleton 8 Back Lane Burnham Market King's Lynn Norfolk Erection of log store	Burnham Market

12.10.2016	28.11.2016 Application Permitted	16/01803/F	Mr J Throgood Ilex Cottage 10 Mill Green Burnham Market King's Lynn Proposed loft conversion and alterations to provide additional accommodation	Burnham Market
14.10.2016	15.12.2016 Application Permitted	16/01823/F	Mr Greg Shepherd Fiddlers Hill Cottage St James Road Castle Acre Norfolk Single storey extension to create self-contained annexe and first floor balcony to rear elevation	Castle Acre
18.10.2016	13.12.2016 Application Permitted	16/01848/F	Dennis Pedersen Water Tower Peddars Way Castle Acre Norfolk Variation of conditions 2, 5, 14 of planning permission 16/00034/F: To amend previously approved drawings, bank to protect hedgerow, shipping containers to be used for site office and storage and removal of obscured glazing	Castle Acre
06.10.2016	07.12.2016 Application Permitted	16/01765/F	Mr K Mummery Hawcroft 76 Low Road Congham King's Lynn Extension to dwelling	Congham

12.10.2016	07.12.2016 Application Permitted	16/01801/F	PKS Construction Ltd Mill View 99 Sluice Road Denver Downham Market Two storey extension to dwelling, alterations and detached garge	Denver
01.11.2016	13.12.2016 Application Permitted	16/01932/F	Mr Matt Valentine 23 Sluice Road Denver Downham Market Norfolk Two storey front and rear extension	Denver
12.10.2016	08.12.2016 Application Permitted	16/01805/F	Mr G & Mrs L Christie 19 Viceroy Close Dersingham King's Lynn Norfolk Extension to rear of bungalow and conversion of garage to habitable room	Dersingham
27.10.2016	13.12.2016 Application Permitted	16/01901/F	Gemstone Building Surveyors Ltd Gemstone Amber House 53 Lynn Road Dersingham Retention of storage building	Dersingham
02.11.2016	19.12.2016 Application Permitted	16/01936/F	Ms J King 29 Manor Road Dersingham King's Lynn Norfolk Extension and Alterations	Dersingham
15.09.2016	08.12.2016 Application Permitted	16/01651/F	Mr & Mrs R Lowe Mill Pasture Mill Yard Station Road Docking Garage/garden store	Docking

03.10.2016	28.11.2016 Application Permitted	16/01735/F	Add 2 Builders Ltd Lancefield Fakenham Road Stanhoe King's Lynn Erection of conservatory	Docking
10.10.2016	12.12.2016 Application Permitted	16/01781/F	Mr And Mrs D Hutchinson 2 Langtry Cottage Fakenham Road Docking Norfolk Single storey rear extension	Docking
24.10.2016	13.12.2016 Application Permitted	16/01881/F	Mr And Mrs Tobitt Wardle The Hideaway Fakenham Road Docking King's Lynn Alterations to front elevation. Removal of existing windows and door replacing with new cottage style smaller windows and single entrance door with canopy over	Docking
30.11.2016	15.12.2016 Application Permitted	15/01753/NMA_2	Mr And Mrs Dunn Field To East of Rosedene Bircham Road Stanhoe Norfolk Non-material amendment to planning permission 15/01753/F: Erection of 2 no detached bungalows with garages and associated works	Docking
28.06.2016	07.12.2016 Application Permitted	16/01198/F	Mr Martin Stewart Blacksmith House 5B Priory Road Downham Market Norfolk Construction of a new house	Downham Market

06.07.2016	25.11.2016 Application Permitted	16/01232/F	Mrs Dorothy Jarvis South East of 128 Lynn Road Downham Market Norfolk Construction of 1 house and garage	Downham Market
26.09.2016	15.12.2016 Application Permitted	16/01700/CU	Mr Steven Cornelius 118A Bexwell Road Downham Market Norfolk PE38 9LJ Proposed change of use from gym/store to self contained dwelling and the creation of a new vehicular access for 118A	Downham Market
26.09.2016	25.11.2016 Application Permitted	16/01701/F	Mr Steven Cornelius Annexe 118A Bexwell Road Downham Market Norfolk Change of use from granny annex to self-contained dwelling	Downham Market
05.10.2016	05.12.2016 Application Permitted	16/01755/LB	Mr Andrew Stuart Rampant Horse House 1A High Street Downham Market Norfolk LISTED BUILDING APPLICATION: Replacement of PVC windows on sides and rear with wooden windows.	Downham Market
18.10.2016	08.12.2016 Application Permitted	16/01841/F	Fountain Construction (Anglia) Ltd 42 Lynn Road Downham Market Norfolk PE38 9NN Variation of condition 2 of planning permission 16/00561/F - To amend previously approved drawings	Downham Market

21.10.2016	25.11.2016 NO OBJECTION TO NCC APP	16/01875/CM	Mr And Mrs W Bishop 14 St Johns Way St John's Business Estate Downham Market Norfolk County Matters Application: Erection of an industrial building, with offices/staff facilities, perimeter fence, concrete yard, associated parking and use of site as skip hire and recycling business with ancillary sale of aggregate	Downham Market
01.11.2016	13.12.2016 Application Permitted	16/01925/F	Mr R Argent 14 Porter Street Downham Market Norfolk PE38 9EH Single storey extension and detached garage	Downham Market
01.11.2016	13.12.2016 Application Permitted	16/01930/F	Martin Reynolds Construction Technology House 58 High Street Downham Market Norfolk Conversion of existing office to 1x one bed ground floor flat and 1x two bed ground floor flat with the addition of two new external windows to provide light to bedroom areas	Downham Market

27.05.2016	24.11.2016 Application Refused	16/01019/PACU3	Mr Daniel Garner Straw Hall Downham Road Salters Lode Norfolk Prior Notification Application: change of use of agricultural building to residential dwelling	Downham West
30.09.2016	01.12.2016 Application Permitted	16/01732/F	Mr & Mrs R Edwards Braemore Lynn Road East Winch King's Lynn Proposed change of use from residential annexe to new dwelling	East Winch
09.08.2016	05.12.2016 Application Permitted	16/01459/F	Mr And Mrs S Stroud Hill Cottage 6 Short Beck Feltwell Norfolk Variation to condition 2 of planning permission 15/01815/F (construction of dwelling): To amend previously approved drawings - Creation and retention of access	Feltwell
14.10.2016	15.12.2016 Application Permitted	16/01824/F	Mr John Leamon 4 Bell Street Feltwell Thetford Norfolk Two storey extension	Feltwell
14.10.2016	15.12.2016 Application Permitted	16/01825/F	Mr John Leamon 1 Bell Street Feltwell Thetford Norfolk First floor extension to dwelling	Feltwell

14.10.2016	15.12.2016 Application Permitted	16/01827/F	Mr John Leamon 3 Bell Street Feltwell Thetford Norfolk Single Storey Side Extension	Feltwell
20.09.2016	25.11.2016 Application Permitted	16/01677/LB	Fincham Timbers Ltd Timbers Lynn Road Fincham King's Lynn Listed Building Application: Conversion of first floor functions room into three additional bedrooms	Fincham
07.10.2016	28.11.2016 Application Permitted	16/01759/F	Fincham Timbers Limited Timbers Lynn Road Fincham King's Lynn Conversion of first floor functions room into three additional bedrooms	Fincham
25.10.2016	15.12.2016 Application Refused	16/01887/F	Mrs V Arrowsmith Church Farm Cottage 35 Docking Road Fring King's Lynn Extension and Alterations to dwelling	Fring
24.10.2016	19.12.2016 Application Permitted	16/01883/F	Mr M Williamson Land East of St Winifreds Lynn Road Gayton King's Lynn Construction of dwelling	Gayton

19.09.2016	28.11.2016 Application Permitted	16/01668/F	Mr And Mrs A P And K A Kerry White House Farm Barn 2 White House Farm 28 Chapel Road Pott Row Variation of Condition 2 attached to planning permission 14/01062/F to allow an amended dormer style for Plot 2	Grimston
03.10.2016	25.11.2016 Application Permitted	16/01741/F	Mr And Mrs W Hornigold Holly House 29 Chapel Road Pott Row King's Lynn Single storey side extension and addition of rear second storey extension	Grimston
28.10.2016	19.12.2016 Application Permitted	16/01908/F	Mr S O'Brien Mill Hill Nursery Cliffe En Howe Road Pott Row Norfolk Proposed garden room extension	Grimston
23.11.2016	16.12.2016 Not Lawful	16/02052/CM	Anglian Fallen Stock Anglia Fallen Stock Company Cliffe En Howe Road Pott Row Norfolk County Matters Application: Application for a Lawful Development Certificate for the siting of a replacement 50kg/hour incinerator and external storage in lidded bins and skips of waste materials	Grimston

07.10.2016	28.11.2016 Application Permitted	16/01775/F	Mrs Suzanne Allen 19 Station Road Great Massingham King's Lynn Norfolk Demolition of garden wall which is 1.8m including an arch which is 2.23m	Great Massingham
12.10.2016	28.11.2016 Application Permitted	16/01787/F	Mr And Mrs Eldridge Archway Cottage 7 Mill Lane Great Massingham King's Lynn Demolition of existing single-storey extension and construction of replacement single and two-storey rear extensions	Great Massingham
10.10.2016	16.12.2016 Application Permitted	16/01779/O	Mr Peter Jarvis 37 Hunstanton Road Heacham King's Lynn Norfolk Outline Application: construction of dwelling following demolition of existing dwelling	Heacham
14.10.2016	13.12.2016 Application Permitted	16/01836/F	Mr A Thomas 43A High Street Heacham Norfolk PE31 7DB Extension to existing garage to form car port and installation of solar panels to garage and car port	Heacham

22.11.2016	19.12.2016 GPD HH extn - Not Required	16/02046/PAGPD	Mr And Mrs S Eve 13 the Broadway Heacham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 5.5 metres with a maximum height of 3.2 metres and a height of 2.82 metres to the eaves	Heacham
12.10.2016	16.12.2016 Application Permitted	16/01798/CU	Nimalini Nims 31 Main Street Hockwold cum Wilton Norfolk IP26 4LQ Temporary change of use from domestic garage to commercial retail outlet	Hockwold cum Wilton
30.09.2016	25.11.2016 Application Permitted	16/01726/F	Mr Colin Duckworth Holmebush Drove Orchards Thornham Road Holme next the Sea Dormer window on second floor : This proposal is for the creation of a new dormer window to match existing Lead Clad : This proposal is for the cladding in lead of the existing dormer windows cheeks Window on first floor :- This proposal is for the creation of a new window to match ground floor windows	Holme next the Sea

04.10.2016	29.11.2016 Application Permitted	16/01744/F	Mr A Arnold Driftwood 31 Main Road Holme next the Sea Norfolk Extension to garage providing open car port, solar PV panels to the south elevation	Holme next the Sea
11.10.2016	15.12.2016 Application Permitted	16/01794/F	Mr And Mrs B Wicks White Cottage 3 Main Road Holme next the Sea Norfolk Two storey extension to dwelling	Holme next the Sea
13.10.2016	28.11.2016 Application Permitted	16/01813/F	Ms Danielle Sanders 8 Queens Drive Hunstanton Norfolk PE36 6EZ Rear and front extensions and construction of detached garage	Hunstanton
20.09.2016	15.12.2016 Application Permitted	16/01666/F	Mr Charles Neale Oak Farm The Drift Ingoldisthorpe Norfolk Erection of timber stable/field store on land adjacent to paddock	Ingoldisthorpe
06.07.2016	28.11.2016 Application Permitted	16/01223/F	Steel Build Master Ltd Units 3-6 St Hilary Park Road King's Lynn Norfolk Variation of condition 2 of planning permission 16/00095/FM to make amendments to plans in respect of boundaries, layout, cycle and bin store	King's Lynn

28.07.2016	28.11.2016 Application Permitted	16/01382/A	Mrs Helen Payne Gios 103 High Street King's Lynn Norfolk Advertisement Application: 1x externally illuminated fascia sign	King's Lynn
11.08.2016	12.12.2016 Application Permitted	16/01465/F	Mr And Mrs Dickerson 127 Wootton Road Gaywood King's Lynn Norfolk New side and rear extensions, loft conversion and retrospective planning application for conversion of garage to annex	King's Lynn
03.10.2016	28.11.2016 Application Permitted	16/01736/F	Mr John Harding Flat 26 Trinity Quay Page Stair Lane King's Lynn Norfolk Replacement of existing timber windows with UPVC to match existing	King's Lynn
03.10.2016	28.11.2016 Application Permitted	16/01739/F	Premier Inn Premier Inn Clenchwarton Road West Lynn King's Lynn Addition of new window and inverted dormer to existing front elevation to create new bedroom	King's Lynn
04.10.2016	28.11.2016 Application Permitted	16/01746/A	B & M Retail B & M (Was D F S Upholstery) Pierpoint Retail Park 5 - 6 Hansa Road Hardwick Industrial Estate ADVERT APPLICATION: For two internally illuminated fascia signs	King's Lynn

05.10.2016	25.11.2016 Application Permitted	16/01750/F	Mr & Mrs Maslin 25 Gresham Close King's Lynn Norfolk PE30 3EJ Single storey front extension to dwelling	King's Lynn
06.10.2016	28.11.2016 Application Permitted	16/01751/F	Miss K Smith 20 Wingfield King's Lynn Norfolk PE30 4XG Extension	King's Lynn
06.10.2016	28.11.2016 Application Permitted	16/01761/LB	North & Hawkins Hanse House South Quay King's Lynn Norfolk Amendments to plans already approved under Listed Building Consent 16/01207/LB in connection with change of use from A1 (retails) to A2 (office)	King's Lynn
06.10.2016	05.12.2016 Application Permitted	16/01772/F	Hawthorn Leisure The Lattice House 37 - 39 Chapel Street King's Lynn Norfolk Minor internal works and erection of smoking shelter to rear garden.	King's Lynn

06.10.2016	12.12.2016 Application Permitted	16/01773/LB	Hawthorn Leisure The Lattice House 37 - 39 Chapel Street King's Lynn Norfolk Listed Building Application: Minor internal works including re-configuration of existing steps to first floor, minor alterations to improve visibility between rooms to first floor, new internal lighting and new flooring, full internal decorations. External signage and pergola to rear garden	King's Lynn
10.10.2016	29.11.2016 Application Permitted	16/01780/F	Mr R Farmer 5A Albion Street King's Lynn Norfolk PE30 1NJ Conversion of Retail (Class A1) to three residential units and demolition	King's Lynn
11.10.2016	15.12.2016 Application Permitted	16/01789/F	North And Hawkins Hanse House South Quay King's Lynn Norfolk Change of use from A1 retail to A2	King's Lynn
11.10.2016	28.11.2016 Application Permitted	16/01793/F	Mrs Sylvia Cumbley 58 Railway Road King's Lynn Norfolk PE30 1NE Replacement windows	King's Lynn

11.10.2016	28.11.2016 Application Permitted	16/01796/A	Steel Build Masters Adjacent Euro Car Parts Unit 5 St Hilary Park Road King's Lynn Advertisement Application: Externally illuminated free standing sign	King's Lynn
14.10.2016	12.12.2016 Application Permitted	16/01820/F	Kings Lynn Bowls Club KINGS LYNN BOWLS CLUB Beulah Street Gaywood King's Lynn Refurbishment and alteration to existing pavillion	King's Lynn
14.10.2016	19.12.2016 Application Permitted	16/01832/F	Freebridge Community Housing Hillington Square King's Lynn Norfolk Variation of condition 1 of planning consent 15/00252/F to allow the drawings to be amended to alter frame configurations to ground floor units, addition of obscure glazing to lower panels and change of pattern of some entrance door styles	King's Lynn
17.10.2016	12.12.2016 Application Permitted	16/01831/F	Client of Holt Architectural Ltd 8 Churn Court Gaywood King's Lynn Norfolk Proposed rear single storey extension	King's Lynn

19.10.2016	12.12.2016 Application Permitted	16/01851/A	Roman Catholic Diocese of East Anglia St Martha's Primary School Field Lane Gaywood King's Lynn Advertisement Application: non illuminated fascia sign	King's Lynn
21.10.2016	15.12.2016 Application Permitted	16/01873/A	Hawthorne Brewery The Lattice House 37 - 39 Chapel Street King's Lynn Norfolk Advertisement Application: Externally illuminated fascia sign, externally illuminated hanging sign, non-illuminated fascia sign, 4 x up/downlights, externally illuminated menu case and non-illuminated signwritten signs	King's Lynn
25.10.2016	09.12.2016 Application Permitted	16/01886/F	Sensient Colors UK Limited Sensient Colors UK Limited Oldmedow Road Hardwick Industrial Estate King's Lynn Extension, refurbishment and re-cladding of existing warehouse for use as offices	King's Lynn
25.10.2016	15.12.2016 Application Permitted	16/01888/F	Mr S Everitt Fenland Typewriter Services 2 Gaywood Road King's Lynn Norfolk Change of use of shop and workshop to dwelling and single storey extension	King's Lynn

26.10.2016	28.11.2016 DM Notification Required	16/01895/DM	Mr Roger Warnes Roger Warnes Transport Wisbech Road King's Lynn Norfolk Prior Notification: Proposed demolition of small office and workshop	King's Lynn
27.10.2016	13.12.2016 Application Permitted	16/01904/F	Client of Holt Architectural Ltd Oldmedow Road Hardwick Industrial Estate King's Lynn Norfolk Construction of building for use within Classes B1, B2 and B8	King's Lynn
28.10.2016	15.12.2016 Application Permitted	16/01909/F	Mr & Mrs M Thacker 2 Daseleys Close King's Lynn Norfolk PE30 3SL Single storey extension	King's Lynn
28.10.2016	14.12.2016 Application Permitted	16/01917/F	Mr And Mrs Kevin Moulton 256 Wootton Road King's Lynn Norfolk PE30 3BH Erection of covered patio and store for use incidental to the enjoyment of the dwelling house	King's Lynn
08.11.2016	29.11.2016 Application Permitted	15/01432/NMAM_1	Norfolk Pride Development Marsh House Marsh Lane King's Lynn Norfolk Non-material amendment to planning permission 15/01432/RMM: RESERVED MATTERS: Residential development 14 dwellings	King's Lynn

19.09.2016	28.11.2016 Application Permitted	16/01672/O	Messrs Ryan And Aaron Daly Sandyway 25 Station Road Leziate King's Lynn Demolish existing bungalow and construct a new 4 bedroom house	Leziate
13.10.2016	16.12.2016 Application Permitted	16/01808/F	C/o Agent Costcutters Squires Hill Upper Marham Norfolk Single detached dwelling	Marham
11.07.2016	01.12.2016 Application Permitted	16/01266/F	Mrs S Muraz Land At Black Drove Marshland St James Norfolk Retention of existing mobile log cabin	Marshland St James
16.08.2016	02.12.2016 Application Permitted	16/01505/F	Mr & Mrs D McGuffog The Vicarage Church Bank Marshland St James Norfolk Proposed annex accommodation	Marshland St James
27.09.2016	25.11.2016 Application Permitted	16/01714/RM	Mr M R Askew Plot 6 Land Adj 46 Smeeth Road Marshland St James Wisbech RESERVED MATTERS: Erection of dwelling (Plot 6)	Marshland St James
04.10.2016	05.12.2016 Application Permitted	16/01748/F	Mrs N Bantoft Fenhaven 326 Smeeth Road Marshland St James Wisbech Proposed stables	Marshland St James

06.10.2016	01.12.2016 Application Permitted	16/01762/RM	Mr & Mrs G Wenn Plot 2 Land Adj 46 Smeeth Road Marshland St James Wisbech RESERVED MATTERS APPLICATION: Construction of one dwelling (Plot 2)	Marshland St James
19.10.2016	12.12.2016 Application Permitted	16/01853/RM	Mr And Mrs Gonzalez Land NE of 46 NW of 46 Smeeth Road Marshland St James Norfolk Reserved Matters Application: Plot 4 - construction of dwelling	Marshland St James
19.10.2016	14.12.2016 Was Lawful	16/01856/LDE	Mr And Mrs R And C Coleman Brenwilber 135 Smeeth Road Marshland St James Wisbech Lawful Development Certificate: Use of land as garden land for more than 10 years	Marshland St James
20.10.2016	13.12.2016 Application Permitted	16/01865/F	Mr M Handley 2 Trinity Road Marshland St James Norfolk PE14 8JA Erection of rear 2 storey extension to dwelling	Marshland St James
23.09.2016	28.11.2016 Application Permitted	16/01695/CU	Premier Children Services 51 Main Road Brookville Norfolk IP26 4RG Change of use from a non- residential school (D1a) to a Care Home (residential institution C2) with the potential to revert back to a house (C3)	Methwold

29.09.2016	28.11.2016 Application Permitted	16/01721/F	Mr M Hoy Rear of Jomatt Birchfield Road Nordelph Construction of agricultural storage building	Nordelph
30.09.2016	29.11.2016 Application Permitted	16/01731/F	C/O Agent Common Farm 18 Chequers Lane North Runcton King's Lynn Proposed rear and side extension	North Runcton
01.03.2016	19.12.2016 Application Permitted	16/00392/F	Ms Candy Shaw South View Langhorns Lane Outwell Wisbech Demolition and replacement outbuilding to provide school classroom for resident teaching and facilities in associated use with main dwelling.	Outwell
08.08.2016	30.11.2016 Application Permitted	16/01450/RM	Mr D Cuckow Land South of Woodhall Robbs Chase Outwell Norfolk RESERVED MATTERS: Construction of 3 dwellings and garages	Outwell
05.09.2016	15.12.2016 Application Refused	16/01598/CU	Mrs Zowie Bishop-Saunders The Woodlands Isle Road Outwell Wisbech Continued use of dwelling as dwelling and child-minding business	Outwell

10.10.2016	08.12.2016 Application Permitted	16/01782/F	Mr Jason McElligott Clare Cottage Molls Drove Outwell Norfolk Full demolition of existing timber stables and construction of new stables with mezzanine level and external galvanised steel staircase clad in timber slats and cedar shingles	Outwell
14.10.2016	05.12.2016 Application Permitted	16/01829/F	Mrs Alison Packer The Cottage 14 High Street Ringstead Hunstanton Rear single storey extension	Ringstead
07.10.2016	28.11.2016 Application Permitted	16/01758/F	Mr Robert Bramham The Ferns 37 Church Lane Roydon King's Lynn Front and rear single storey extensions	Roydon
01.11.2016	15.12.2016 Application Permitted	16/01931/F	Mr & Mrs R Waller 3 Holme Close Runcton Holme King's Lynn Norfolk Extension to bungalow following removal of existing garage	Runcton Holme
04.11.2016	13.12.2016 Prior Approval - Approved	16/01951/PACU3	F Harold Rockcliffe Ltd The Old Meeting House Runcton Bottom Runcton Road Shouldham Thorpe King's Lynn Change of use from agricultural building to dwellinghouse	Runcton Holme

29.09.2016	28.11.2016 Application Permitted	16/01727/F	Mrs Carol Weaver 6 Hillside Ringstead Road Sedgeford Hunstanton Dropped kerb	Sedgeford
12.10.2016	15.12.2016 Application Permitted	16/01802/F	Mr D Clarke The Beagles South Road Shouldham Thorpe King's Lynn Rear extension to dwelling	Shouldham Thorpe
12.08.2016	28.11.2016 Application Permitted	16/01481/F	Miss Meg Phillips 123 Lynn Road Snettisham King's Lynn Norfolk Addition of conservatory to rear of house	Snettisham
06.10.2016	28.11.2016 Application Permitted	16/01769/F	Mr P Wright Myrtle Cottage 69 Station Road Snettisham King's Lynn Single storey extension to dwelling	Snettisham
27.10.2016	07.12.2016 GPD HH extn - Refused	16/01912/PAGPD	Miss Anne-Marie And Danielle Rankin 13 Parkside Snettisham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 4.5 metres with a maximum height of 2.7 metres and a height of 2.7 metres to the eaves	Snettisham

04.11.2016	15.12.2016 Application Permitted	16/01947/F	VRC Homes Ltd 16 Westgate Street Southery Norfolk PE38 0PA Retain timber cladding to garages	Southery
12.10.2016	28.11.2016 Application Permitted	16/01804/F	Mr & Mrs A Osbourne 7 the Boltons South Wootton King's Lynn Norfolk Single storey side extension	South Wootton
18.10.2016	09.12.2016 Application Permitted	16/01847/F	Mr And Mrs J Mitchley 7 Clare Road South Wootton King's Lynn Norfolk Car port extension	South Wootton
20.10.2016	09.12.2016 Application Permitted	16/01858/F	Mrs E Byrne Hilltops 85 Nursery Lane South Wootton Norfolk Construction of a dwelling (Plot 2)	South Wootton
20.10.2016	09.12.2016 Application Permitted	16/01863/F	Mr S Clark 12 Rushmead Close South Wootton King's Lynn Norfolk Extensions and new garage (demolition of existing garage)	South Wootton
20.10.2016	16.12.2016 Application Refused	16/01864/F	Mr C Webb 7 Blickling Close South Wootton King's Lynn Norfolk Extensions to dwelling	South Wootton

24.10.2016	14.12.2016 Application Permitted	16/01882/F	Mr & Mrs D Roythorne 9 Maple Drive South Wootton King's Lynn Norfolk Extensions	South Wootton
23.09.2016	16.12.2016 Application Permitted	16/01697/O	Mr Clive Shuttleworth Ducks Nest 189 the Drove Barroway Drove Norfolk OUTLINE APPLICATION SOME MATTERS RESERVED: Replacement of existing dilapidated bungalow and out- buildings with new substantial two storey dwelling and garage	Stow Bardolph
26.09.2016	16.12.2016 Application Permitted	16/01704/O	Mr Baxter Woodlands The Causeway Stow Bridge King's Lynn Outline Application: Proposed storage shed at rear of existing garage	Stow Bardolph
26.09.2016	15.12.2016 Application Permitted	16/01709/RM	A & R Morley Plot 2 Land E of 77 The Drove Barroway Drove Norfolk RESERVED MATTERS: One dwelling (Plot 2)	Stow Bardolph
03.10.2016	02.12.2016 Application Permitted	16/01745/RM	MRC Group Land South of Chestnuts The Drove Barroway Drove Norfolk RESERVED MATTERS: Two new three bedroom chalet bungalows	Stow Bardolph

07.10.2016	02.12.2016 Application Permitted	16/01774/CU	Stow Bardolph Parish Council St Peters Church West Head Road Stow Bridge Norfolk Change of use from agricultural land to extend the church cemetery	Stow Bardolph
17.10.2016	08.12.2016 Application Permitted	16/01835/F	Mr And Mrs A Payne Land West of Woodlands Greatmans Way Stoke Ferry Norfolk Construction of general purpose agricultural shed	Stoke Ferry
20.10.2016	16.12.2016 Application Permitted	16/01857/RM	Mr And Mrs A Payne Land Adj Hazel Dene Greatmans Way Stoke Ferry Reserved Matters Application: Residential development plot 1	Stoke Ferry
06.10.2016	12.12.2016 Application Permitted	16/01767/F	Mr And Mrs Williams Birstone 1 the Street Syderstone Norfolk Conversion of existing garage to living accommodation	Syderstone
19.10.2016	14.12.2016 Application Permitted	16/01854/F	Mr & Mrs Britton 3 Benns Lane Terrington St Clement King's Lynn Norfolk Two Storey side extension to dwelling	Terrington St Clement

10.11.2016	05.12.2016 Application Refused	15/01787/NMA_1	Mr And Mrs Dave Reynolds 14 Hay Green Road North Terrington St Clement King's Lynn Norfolk Non-material amendment to planning permission 15/01787/F: Extensions and alterations to dwelling and detached garage (revised design)	Terrington St Clement
16.08.2016	28.11.2016 Application Permitted	16/01501/RM	Mr And Mrs D Gay The Woolpack Inn Main Road Terrington St John Wisbech Reserved Matters Application: Construction of residential dwelling	Terrington St John
10.10.2016	05.12.2016 Application Permitted	16/01786/RM	Mr And Mrs D Richardson Land Adjacent The Woolpack Inn Main Road Terrington St John Reserved Matters Application: Construction of 4 bed dwelling with attached garage for plot 1	Terrington St John
13.01.2016	15.12.2016 Application Permitted	16/00055/F	Mr John Mayers Norfolk House The Green Thornham Norfolk Variation of condition 2 of planning permission 13/00260/F: To vary previously approved plans	Thornham
28.09.2016	09.12.2016 Application Permitted	16/01718/F	Mr Gary Ball Walbeth 154 Church Road Tilney St Lawrence King's Lynn Proposed single storey extensions	Tilney St Lawrence

06.10.2016	16.12.2016 Application Permitted	16/01764/F	Mr R Savage Land Opposite Sycamore Farm New Road Terrington St John Norfolk Extension to cattle shed (retrospective)	Tilney St Lawrence
06.10.2016	28.11.2016 Application Permitted	16/01770/F	Mr D Lloyd Briarfields Hotel Main Road Titchwell King's Lynn Extension to kitchen and laundry room and single storey extension providing a bedroom	Titchwell
15.08.2016	05.12.2016 Application Permitted	16/01490/F	W Hircock, L Pears & C Parsons D Hircock School Road Upwell Wisbech Construction of 4 dwellings following demolition of existing bus garages	Upwell
04.10.2016	09.12.2016 Application Refused	16/01749/RM	Client of Holt Architectural Land South 22 Green Road Upwell Wisbech Reserved Matters Application: Construction of one dwelling	Upwell

06.10.2016	09.12.2016 Application Refused	16/01752/F	Client of Holt Architectural Land South 22 Green Road Upwell Wisbech Proposed change of use of rear agricultural land to paddock for keeping of horses and construction of stables, garage and extension to residential curtilage	Upwell
10.10.2016	16.12.2016 Application Permitted	16/01785/RM	P B Construction Ltd Land E of Pius Drove Upwell Norfolk Reserved Matters Application: construction of 4 dwellings	Upwell
12.10.2016	09.12.2016 Application Permitted	16/01807/F	Top House Solutions Ltd Brenda 114 Church Drove Outwell Wisbech Removal of condition 2 of planning permission M174 to remove the agricultural occupancy restriction	Upwell
24.10.2016	16.12.2016 Application Permitted	16/01880/F	Mr And Mrs Aston-Dive Willow Farm Cock Fen Road Lakes End Norfolk Construction of stable block and partial demolition of existing stable	Upwell

02.11.2016	08.12.2016 GPD HH extn - Not Required	16/01940/PAGPD	Mrs Marisa Allen Santa-Anna 26 Listers Road Upwell Wisbech Single storey rear extension which extends beyond the rear wall by 4 metres with a maximum height of 2.66 metres and a height of 2.36 metres to the eaves	Upwell
26.09.2016	29.11.2016 Application Permitted	15/01400/NMA_2	DONG Energy RB (UK) Ltd Land East of Walpole Substation Walpole Bank Walpole St Andrew Norfolk NON MATERIAL AMENDMENT TO PLANNING REFERENCE 15/01400/F: Variation of conditions 6 and 14 of planning permission 14/01059/FM to allow for an alternative wheel washing arrangement and to allow for an update to the CMP	Walpole
31.10.2016	28.11.2016 DM Prior Notification NOT Required	16/01920/DM	CARR-Go UK Ltd Homewood Bustards Lane Walpole St Peter Norfolk Prior Notification for demolition of existing dwelling and outbuilding	Walpole
07.11.2016	16.12.2016 Application Permitted	16/01955/F	Mr & Mrs Bingham Willowdene Biggs Road Walsoken Wisbech Proposed two storey extension & internal alterations	Walsoken

11.11.2016	16.12.2016 Application Refused	16/01979/F	Mr And Mrs M Bush East of Bungalow 35 Fen Road Watlington Construction of two bungalows and garages	Watlington
17.08.2016	28.11.2016 Application Permitted	16/01519/F	Welney Parish Council Cricket Pavilion And Playing Field Hurn Drove Welney Norfolk Variation of Conditions 2 and 5 of planning permission 15/00427/F to make minor design changes to cricket pavillion	Welney
21.10.2016	19.12.2016 Application Permitted	16/01877/F	Mrs Garlinda Birkbeck Abbey House Church Green West Acre Norfolk First floor extension to dwelling, replacement chimney breast and alterations to windows/doors on south elevation	West Acre - VACANT
21.10.2016	16.12.2016 Application Permitted	16/01878/LB	Mrs Garlinda Birbeck Abbey House Church Green West Acre Norfolk Listed Building Application: first floor extension to dwelling, alterations to kitchen windows/doors on south elevation, internal refitting of electrical and heating systems and replacement chimney breast	West Acre - VACANT

17.05.2016	14.12.2016 Application Permitted	16/00950/F	Mr R Reeve Willow Tree Forge High Road Saddlebow Norfolk Variation of condition 9 of planning permission 09/02215/F: To amend previously approved drawings	Wiggenhall St Germans
03.10.2016	28.11.2016 Application Permitted	16/01743/F	Mr Simon Rasberry 6 Lynn Fields West Rudham King's Lynn Norfolk Erection of side extension to form garage and single storey rear extension	West Rudham
28.06.2016	05.12.2016 INFORMAL - Likely to refuse	16/00109/PREAPP	Mr And Mrs Kew Swiss Cottage 68 Main Road West Winch King's Lynn Pre-application Enquiry: Provision of access and for five dwellings to the rear	West Winch
06.10.2016	01.12.2016 Application Permitted	16/01771/F	Mr And Mrs N Fray 24 Fir Tree Drive West Winch King's Lynn Norfolk Replacement porch and first floor extension over garage	West Winch