

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



DEVELOPMENT CONTROL BOARD AGENDA

**Monday 12 January 2009
at 10.30 am**

(Please note the time of the meeting)

Committee Suite
King's Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX



INVESTOR IN PEOPLE



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



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
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DEVELOPMENT CONTROL BOARD

Please note that due to the number of applications to be considered it is proposed that the Board will adjourn for lunch at 12.30 pm and reconvene at 1.00 pm.

DATE: 12 JANUARY 2009

VENUE: COMMITTEE SUITE, KING'S COURT, CHAPEL STREET, KING'S LYNN

TIME: 10.30 AM

1 APOLOGIES

To receive any apologies for absence.

2 MINUTES

To confirm as a correct record the Minutes of the Meeting held on 1 December 2008 and the Reconvened Meeting held on 4 December 2008 (previously circulated pages 634 – 658).

3 DECLARATIONS OF INTEREST

Members must indicate whether the interest is a personal one only or one which is also prejudicial. A declaration of a personal interest should indicate the nature of the interest and the agenda item to which it relates. In the case of a personal interest, the Member may speak and vote on the matter. Please note that Members who are exempt from declaring a personal interest because it arises solely from their position on a body to which they were nominated by the Council or a body exercising functions of a public nature (eg. another local authority), need only declare their interest if and when they intend to speak on a matter.

If a prejudicial interest is declared, the Member should withdraw from the room whilst the matter is discussed unless the Member has registered to speak in accordance with the adopted Public Speaking Protocol, in which case the Member may attend the meeting for that purpose. The Member must immediately leave the room when they have finished or the meeting decides they have finished, if earlier.

These declarations apply to all those 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

7 RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS

8 DECISIONS ON APPLICATIONS

To consider and determine the attached Schedule of Planning Applications submitted by the Head of Development Services (pages 6 - 94).

9 DELEGATED DECISIONS

To receive the Schedule of Planning Applications determined by the Head of Development Services (attached at pages (95 - 109).

To: Members of the Development Control Board:

Councillors Mrs V M Spikings (Chairman), M J Peake (Vice-Chairman), Mrs Z Christopher, D Collis, C Crofts, W Daws, R W Groom, D Johnson, John Loveless, T C Manley, D Markinson, Mrs J Mickleburgh, A Morrison, M Pitcher, M S Storey, H C Symington, G Wareham and A White

Press

Site Visit Arrangements

Please note that any site inspections will be held 3 days after the scheduled meeting of the Board (ie. on a Thursday following a Monday meeting). 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 15 January 2009** (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 Wednesday 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) Relevant plans will be available for inspection in the Committee Suite, King's Court from 8.45 am on the day of the Meeting. Any Member wishing specific application plans to be displayed on the wall for the Meeting should contact Lee Osler in the Planning Control Section before 12 noon on the working day before the Meeting (usually the Friday).

For further information please contact:

Kathy Wagg
Democratic Services Officer
King's Court
Chapel Street
King's Lynn PE30 1EX

Telephone: 01553 616276

Email: kathy.wagg@west-norfolk.gov.uk

**INDEX OF APPLICATIONS TO BE DETERMINED BY THE
DEVELOPMENT CONTROL BOARD AT THE MEETING
TO BE HELD ON 12 JANUARY 2009**

Item No.	Application No. Location and Description of Site Development	Parish	Recommendation	Page No.
8/1	DEFERRED ITEMS			
8/1(a)	08/02268/F 15 Hunstanton Road Demolition of existing bungalow and erection of 8 cottage style dwellings	HEACHAM	APPROVE	6
8/1(b)	08/02269/CA 15 Hunstanton Road Demolition of existing bungalow and erection of 8 cottage style dwellings	HEACHAM	APPROVE	22
8/2	APPLICATIONS REQUIRING REFERENCE TO THE DEVELOPMENT CONTROL BOARD			
8/2(a)	08/02293/F Poplars Caravan Park Creake Road Continued use of caravan site without fully complying with condition 1 of planning permission 2/82/1240/F, allowing holiday use without limited time period	BURNHAM MARKET	APPROVE	28
8/2(b)	08/02446/F Babingley House 70 Lynn Road Construction of 4 houses with private garages following the demolition of existing dwelling and outbuildings	DERSINGHAM	APPROVE	38
8/2(c)	08/02459/O Land East of 30 Nelson Avenue Erection of a detached bungalow	DOWNHAM MARKET	APPROVE	50
8/2(d)	08/02460/F Outbuilding at Chasewood Church Lane Conversion of outbuilding to residential dwelling	HARPLEY	APPROVE	60
8/2(e)	08/02486/F Land North of Mill Farm Lynn Road Conversion of barn for use as a holiday cottage plus associated works (Retrospective)	MIDDLETON	REFUSE	68

Item No.	Application No. Location and Development	Description of Site	Parish	Recommendation	Page No.
8/2(f)	08/02628/F 42 Tuxhill Road	Occupation of dwelling without complying with Condition 3 of Planning Permission 2/03/0387/F to allow the annexe to be occupied as a separate unit of residential accommodation	TERRINGTON ST CLEMENT	REFUSE	76
8/2(g)	08/02487/F Land South of Dunton Chalk Road	Construction of dwelling (previously approved under 08/00301/F) with revisions to access, house design and garaging	WALPOLE	APPROVE	84

Parish:	Heacham	
Proposal:	Demolition of existing bungalow and erection of 8 cottage style dwellings	
Location:	15 Hunstanton Road Heacham King's Lynn Norfolk	
Applicant:	Rachel Hodgkinson	
Case No:	08/02268/F (Full Application)	
Case Officer:	Mrs K Lawty Tel: 01553 616403	Date for Determination: 28th November 2008

Reason for Referral to DCB – The Parish Council are at variance with officer recommendation as they feel the site will be overdeveloped and does not preserve or enhance the conservation area. In addition, design, layout and highways concerns are raised.

Case Summary

Full planning permission is sought for the construction of 8 dwellings on site following the demolition of the existing bungalow. Access to the site will be via the existing access onto Hunstanton Road albeit altered and improved.

The site is within the Built Environment Type C and within the Conservation Area. There are listed buildings adjoining the site to the south.

The site has an area of 0.19ha and the density of residential development would amount to 42 dwellings per hectare.

A previous application for 14 terrace style dwellings was refused for five reasons including scale, form and design; detrimental impact upon the setting of the adjoining and nearby listed buildings; development in proximity to existing trees and insufficient mitigation planting; insufficient turning facilities for service vehicles, insufficient links for pedestrians at the front of the site and the deleterious impact to residential amenity by virtue of overlooking of private garden land to the eastern end of the site and increased activity, noise and general disturbance.

The application was initially considered by the Board at its meeting on 1 December 2008. It was decided to defer further consideration of the application in order to clarify certain details. Since this time an amended plan has been received removing a sliver of land (300mm wide) from the south eastern part of the site following discrepancies over land ownership. Also an additional plan has been submitted to illustrate more clearly the proposed improvements to the footpath to the front of the site requested by the Highways Authority.

Key Issues

The determining issues are:-

- Principle of development
- Impact upon Conservation Area and Listed Buildings
- Impact upon trees

Density
 Flood risk
 Drainage
 Highways implications
 Impact upon neighbours and Residential amenity
 Other material considerations

Recommendation

APPROVE

THE APPLICATION

This site comprises a large detached bungalow set in large gardens (approx.1900sqm) to the eastern side of Hunstanton Road and within the Heacham Conservation Area. The site is bounded to the west (front) and north by a brick and carstone wall approx 1.25m high and the Heacham River runs immediately to the north.

The adjacent properties are all residential with the terrace immediately to the south and several of the houses beyond the Heacham River being listed buildings. Two storey detached dwellings are to the south east, accessed from Lynn Road.

This application seeks full planning permission for the construction of 8 dwellings following the demolition of the existing bungalow.

A previous scheme for 14 dwellings was refused last year (ref 07/01285/FM) for five reasons relating to scale, form and design; detrimental impact upon the setting of the adjoining and nearby listed buildings; development in proximity to existing trees and insufficient mitigation planting; insufficient turning facilities for service vehicles, insufficient links for pedestrians at the front of the site and the deleterious impact to residential amenity by virtue of overlooking of private garden land to the eastern end of the site and increased activity, noise and general disturbance.

Following this refusal there has been a complete review of the site and the proposed scheme. This application attempts to address each of these reasons for refusal and, by reducing the number of units from 14 to 8, attempts to create a residential scheme which balances the amount of development and open space and which contributes to the character of the Conservation Area and the setting of the Listed Buildings.

SUPPORTING CASE

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

The layout for the proposed development comprises a pair of semi-detached dwellings to the front of the site facing Hunstanton Road and an 'L' shaped block of 6 terraced dwellings to the east and north. This block of terraced houses vary in size and have individual floor layouts to provide variety and provide choice. All units are two storey except for plot 7 which utilises the loft space for additional residential accommodation.

The units are a mixture of sizes; 2 two bedroom units and 6 three bedroom units. Great care has been taken to ensure that the scale of the proposed buildings does not have an over dominant effect on their surroundings. The variety of ridge heights of the main block to the

rear of the site is to introduce rhythm and interest and is designed to give the appearance of a single large dwelling that has been altered and converted over time.

Garages are not provided as this would intensify the built footprint, but outside stores are provided for garden equipment, bikes etc. These will be constructed of materials to match the houses.

A total of 13 parking spaces are provided for the 8 units. A bus stop is in close proximity to the site. The parking provision is slightly under the maximum recommended standards in the approved borough parking standards but preference has been given to the provision of landscaped areas rather than additional hardstanding.

The current scheme has been supported by an Arboricultural Implication Study which shows that most of the significant trees can be retained and there will be no significant impact upon the imposing Monterey Cypress on the adjoining site. In fact the hard surfacing to the root plate of this tree will be removed and replaced with grass which will improve the current situation. All properties have conventional private rear gardens to provide amenity space with the opportunity for tree, shrub and screen planting to individual requirements. Garden and boundary fencing will be woven willow panels.

Substantial planting margins have been incorporated either side of the improved vehicular entrance to create opportunities for a green corridor with new tree and dense shrub planting to restrict views of the buildings from outside the site and recreate the feel of the existing planted entrance.

The DAS explains how great care and attention has been given to the appearance of the proposed development in the Conservation Area particularly with regard to the materials.

Detailed discussions have taken place with the Planning and Conservation officers and the final design proposal takes account of their requirements and suggestions. The scheme was presented informally to the Conservation Areas Advisory Panel at their meeting of May 14'. The siting, house designs, massing and Layout were considered satisfactory.

The provision of garages was discussed and rejected on the grounds of increased urbanisation and it was agreed that an external store for each dwelling would be included within the application.

The DAS explains that the eight dwellings are arranged in two blocks to give the impression of a gatehouse adjacent to the entrance with a principal dwelling to the rear of the site. With the exception of the front pair of semi detached dwellings, each house is different in Layout and appearance.

The houses are unified by the use of common materials and detailing and all dwellings have a brick plinth detail with squint brick capping course. External materials were discussed in some detail and agreed during the negotiations for the previous failed application. Roofs will be tiled with Norfolk pantiles with clay ridge tiles. External walls will be constructed in coursed carstone with brick quoining and banding in Ibstock Capital multi stock bricks. A variety of projections, indents and ridge heights have been introduced to add interest and character and reflect the diverse nature of properties within the Conservation Area.

Brick chimney stacks are a traditional feature within the Conservation Area and these are featured on the proposed dwellings. The majority of the chimney stacks are Live and will serve closed wood burning stoves within the living/dining rooms and where this is not the case, the stack will be constructed within the roof space by corbelling out from the inner gable to match the building characteristics of other buildings in the vicinity.

All the dwellings would be built using traditional construction methods and materials with interlocking pantiles to roofs to achieve:

Green Guide to Housing - A

Green Guide to Specification - A

Low Ecopoint scoring of 0.68 or better environmental performance

Double glazed argon filled windows achieving u-values of 1.9 or lower.

The existing access point to Hunstanton road would be widened and improved and the highways department has recommended that the existing footpath to the front of the site be extended in order to achieve the recommended visibility splays of 75m. A 6m wide entrance pull in will be provided to allow vehicles to simultaneously enter and exit the site.

The access road serving the dwellings will be a private access way and therefore outside the scope of the Norfolk residential Design Guide, thus a Type 3 turning head will not be required within the site.

A Flood Risk Assessment supports the application.

PLANNING HISTORY

08/02269/CA – Demolition of bungalow – Please see accompanying DCB report

07/01285/FM – Development of 14 dwellings, to include demolition of existing bungalow – Refused.

07/01284/CA – Demolition of bungalow – Approved subject to a suitable replacement scheme being approved.

RESPONSE TO CONSULTATION

Parish Council: OBJECT - The current bungalow holds no historic or architectural value and there is no objection in principle to its demolition, however, it creates a sense of space and the set back location preserves the character of the lower part of Hunstanton Road; the proposal for 8 2/3 storey dwellings where there is currently only one dwelling does neither preserve or enhance the inherent character of the conservation area; this development is still too over-intensive in this setting; the two cottages at the front of the property will substantially alter the outlook of the lower end of Hunstanton Road; The Parish Council has also noticed with dismay the proliferation of designs which use the roof space to create 3 floors of living space; how many cottages have three floors? In reality these cottages would become the dominant feature of the street scene; Hunstanton Road is well used and the Council have concerns that 8 plus cars will be entering onto the Highway from a private driveway. In other parts of the village these types of development have been restricted to a maximum of 5 dwellings; The extended footpath will improve the entrance visibility, but will narrow the road. The layout will also encourage parking outside the new cottages; This development is very close to Heacham River and within the tidal flood plain; There have also been previous problems with water and sewage in this area, there should be careful consideration of whether the existing system would cope; Parking Bays 1-4: Not quite sure this would work in practice as any cars parked in 1 and 2 would be blocked in by cars parked in 3 and 4; Bin Area: Is this area big enough to hold 8 green bins, 8 grey bins and whatever brown bins the residents might have?

Highways Authority: A revised plan has been submitted following the Highways Authority's original comments. No objection subject to conditions.

Environmental Health & Housing – Environmental Quality: No objection – recommend informatives be added

Norfolk Constabulary: Comments – with a few adjustments to incorporate additional windows, a landscaping plan, a lighting plan, appropriate street lighting, clearly defined parking bays, secure fencing with no footholds, appropriate locking windows, doors and gates, the development could achieve a 'Secured by Design Award'.

Norfolk Landscape Archaeology: NO OBJECTION subject to conditions

Environment Agency: No objection subject to conditions

BCKLWN Conservation Team: NO OBJECTION subject to conditions

BCKLWN Landscape Officer: NO OBJECTION subject to conditions

BCKLWN Conservation Area Advisory Panel: Pre-application presentation to the Panel 14 May 2008 - That the Panel welcomed the idea, form and concept for the site however raised concern relating to the need for storage, car parking and garaging and requested that further consideration be given to providing outbuildings. Further consideration also needed to be given to surfacing of the courtyard and TV/satellite aerials. It was emphasized that attention to detail was very important for the scheme.

REPRESENTATIONS

TEN pieces of correspondence referring to the following:-

- The site incorporates land in our ownership
- The ditch at the rear of the site has been blocked off from flowing into the river and has a heritage bridge which should not be demolished
- The gateway through the heritage wall at the front of the site should not be allowed
- The site should provide 20 parking spaces
- Buses including school buses stop near the site and this is an accident waiting to happen (4)
- The bin storage area is insufficient for 24 bins and a long walk from people's homes(3)
- There are already sewerage problems and this will make the situation worse (9)
- Our natural light and sunlight will be severely restricted (2)
- A monitoring brief should be applied to any future development according to the Conservation Area Character Statement
- The proposed dwellings and 30-40 cars using the site daily will mean our exposure to noise will be increased/ noise pollution (2)
- Additional traffic would be dangerous (2)
- There is already too much development occurring in gardens and should be stopped (2)
- The visibility splays are not met
- Cars can park along the road and will cause further congestion from vehicles parked on the road
- Since the traffic lights at Norfolk Lavender have been installed this road has become a rat run and this road is already too busy. Coupled with the Manor Farm

development (12 room hotel, 33 cottages and golf course complex) this will be too much (7)

- The area is also congested on a Sunday morning with church services
- No more development in the Conservation Area (3)
- No more development on the flood plain (6)
- Concerns over safety and impaired visibility from bins and additional parked cars (2)
- Overlooking and loss of privacy (3)
- Detrimental impact on village services e.g. doctors surgery
- Lack of secure parking – the clutter of parked cars is every bit as urban as garaging
- Parking spaces 1 – 4 are impractical (2)
- There are no safe turning areas
- Insufficient parking for visitors to the site e.g. delivery vans, doctors, tradesmen (2)
- Can neighbours use the parking area?
- Toads breed in the ditch to the east (3)
- The design is a ghastly hodge podge with no consistency other than that of inconsistency
- The dormer windows are uncharacteristic
- Three storeys are out of keeping (2)
- The use of cream paint is out of keeping
- Woven willow panels are an aesthetic disaster
- Good to see chimneys but false one is inexcusable
- Wood burning stoves are not practical for those who work all day
- Widening the pavement will increase danger to pedestrians on the west side of the bridge
- These units should be for owner occupation; too many unoccupied for much of the year
- 8 units is too intensive and high density
- The dominant view would be buildings and not the trees as portrayed on the sketches (2)
- The carstone wall to the front should not be altered (2)
- The front dwellings are three storey and would dominate the front of the site
- Trees are protected and should not be disturbed
- Sketch plans are misleading and out of scale
- The gardens are too small and stems from cramming too much on the site
- This is Heacham's only beauty spot and this amenity will be diminished
- The new footpath will narrow the road
- Visual amenity with 3 storey buildings crammed into a small site (2)
- The pair of houses at the front should be removed from the scheme and trees planted here
- Planning permission for one bungalow on Hunstanton Road was refuse, how can this application for 8 dwellings be justified?

NATIONAL GUIDANCE

PPS1 - "Delivering Sustainable Development" (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS3 – Housing (2006) sets out the national planning policy framework for delivering the Government's housing objectives.

PPS9 - "Biodiversity and Geological Conservation" (2005) aims to promote sustainable development, to conserve, enhance and restore the diversity of England's wildlife and geology, and to contribute to rural renewal and urban renaissance.

PPG15 - "Planning and the Historic Environment" (1994) provides advice on development in Conservation Areas and that involving Listed Buildings.

PPS25 - "Development and Flood Risk" (2006) provides advice on land-use planning and flooding considerations.

PPG13 - "Transport" (2001) aims to integrate planning and transport, promote sustainable forms of development, improve accessibility by public transport, walking and cycling, and reduce the need to travel, especially by car.

EAST OF ENGLAND PLAN

Policy SS1: Achieving Sustainable Development - The strategy seeks to bring about sustainable development by applying the guiding principles of the UK Sustainable Development Strategy 2005, the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All:

Policy ENV6: The Historic Environment - Local planning authorities should identify, protect, conserve and, where appropriate, enhance the historic environment of the region, its archaeology, historic buildings, places and landscapes, including historic parks and gardens and those features and sites (and their settings) especially significant in the East of England.

Policy ENV7: Quality in the Built Environment - Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

PLANNING POLICIES

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

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

4/7 - aims to protect and enhance important landscape features such as trees and woodlands.

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

PLANNING CONSIDERATIONS

The determining issues are:-

- Principle of development
- Impact upon Conservation Area and Listed Buildings
- Impact upon trees

- Density
- Flood risk
- Drainage
- Highways implications
- Impact upon neighbours and Residential amenity
- Other material considerations

Principle of development

The site is located within the settlement of Heacham and within the Built Environment Type C as depicted on the Local Plan Proposals Map and the Conservation Area. Of principle importance is the conservation area, and new development must preserve or enhance the character or appearance of the Conservation Area. In addition there are listed buildings adjacent to the site and their setting must be respected.

Impact upon Conservation Area and Listed Buildings

The form and character of the area shows a row of Grade II listed terraced properties to the south of the site along Hunstanton road, but otherwise properties are set back from the road on spacious plots, including the Grade II listed building to the south. The terraced properties to the south are sited on the back of the footpath; six dwellings in a row with a strong sense of rhythm with prominent front gables and symmetry. These are two storeys but the eaves level is almost at the height of the first floor window sill so the ridge height is fairly low. These terraces relate more in density terms to existing development around Lynn Road and in the more traditional core of Heacham to the south of Lynn Road.

Other than these terraced properties existing development to the north, east, south and west the form and character is much more relaxed with detached properties on larger plots.

The scheme proposes 8 two storey dwellings in place of the single detached bungalow, which in itself has no particular merit. The layout is of two building blocks; a pair of semi-detached properties to the front of the site and a single 'L' shaped block of 6 units towards the rear of the site.

The heights to eaves level and ridge of the pair of semi-detached dwellings are relatively low for the two storey properties, and respect the building characteristics of existing development in the vicinity. These dwellings utilise the loft space for additional accommodation to provide a third bedroom in the roof space.

The residential units to the rear have been designed to look like a single large dwelling which has been extended over time. The ridge and eaves heights vary across the building to add variety and interest, and the use of hipped roofs reduces the overall mass of the building. Plot 7 in the middle of this building utilises the roof space for an additional bedroom.

Great attention has been given to detail within the design of the buildings and the choice of building materials in order to ensure the development reflects the surrounding buildings and local characteristics.

Objection has been received stating that there should be no new development in Conservation Areas. However, the designation of a Conservation Area does not prohibit new development. PPG 15 - Planning and the Historic Environment gives Government advice on matters referring to Listed Buildings and Conservation Areas and states that development within Conservation Areas should be of high quality and should seek to preserve or enhance the character of the Conservation Area.

Objection was received to the proposed reduction in height of the carstone wall at the front of the site which is considered a characteristic of the village. However, this application proposes no change to its height or length. A single small opening is proposed through the wall with a boarded gate to form a pedestrian access to the pair of semi-detached properties.

Objection to the proposal has been received from local residents. One of the concerns is the impact of the proposal upon the Conservation Area. Other objections refer to the three storey height of some of the proposed dwellings which is not a characteristic of Heacham and not acceptable in this historic core of the village. However, there are no three storey buildings proposed; they are all of two storey height, but some of the units utilise the loft space for additional living accommodation with dormer windows providing light.

PPG15 refers to applications for planning permission which affect the setting of a listed building. It says that the 'provision for considering the impact of development upon the setting of a listed building should not be interpreted too narrowly: the setting of a building may be limited to obviously ancillary land, but may often include land some distance from it. Even where a building has no ancillary land - for example in a crowded urban street - the setting may encompass a number of other properties. The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under consideration, even if the redevelopment would only replace a building which is neither itself listed nor immediately adjacent to a listed building. Where a listed building forms an important visual element in a street, it would probably be right to regard any development in the street as being within the setting of the building. A proposed high or bulky building might also affect the setting of a listed building some distance away, or alter views of a historic skyline. In some cases, setting can only be defined by a historical assessment of a building's surroundings'.

It is considered that the scheme proposed now adequately balances the amount of built form with open space. The buildings would be visible from certain sections of Hunstanton Road. However, they are not considered to dominate the site or street scene and its characteristics (design, scale and form) would result in development in harmony with the building characteristics of the area.

The application has been reviewed by the Conservation Area Advisory Panel. They support the application in principle. Certain design improvements were suggested by the Panel and these have been incorporated into the current proposal.

It is considered the proposed development would not dominate this part of Hunstanton Road nor detract from the setting of the adjoining and nearby listed buildings to the south. The proposal is considered to preserve or enhance the character of the Conservation Area in line with the provisions of PPG15 - Planning and the Historic Environment.

Impact upon trees

One of the reasons the previous application for 15 units was refused was related to the development being in proximity to existing trees resulting in harm or their removal. In addition, insufficient mitigation planting was incorporated into the scheme.

This application, however, has been supported by an Arboricultural Implication Study. This confirms that one tree will need to be removed to achieve the proposed design. This tree, however, is of poor condition and its loss can be mitigated within the site replanting proposals.

The Study confirms that provision should be made for the protection of retained trees prior to any development, should permission be granted. Also the root protection areas of the retained trees will need to be kept clear and inspection pits will need to be dug during excavation works for the footings close to the Monterey Cypress (OT15) in the grounds of the adjoining listed house. The Study therefore recommends three stages of tree related works should planning permission be forthcoming; remedial tree work prior to any ground works being undertaken, tree protection measures to incorporate tree protection zones and root protection areas in compliance with the tree constraints plan and, thirdly, ground protection over the protected areas.

The Landscape Officer has raised no objection subject to preparation of and adherence to an arboricultural method statement to BS5833:2005 based on the recommendations of the submitted Arboricultural Implication Study.

Density

Objection has been made that too much development is proposed for the site and too much open space will be lost. The national trend for 'garden grabbing' has been cited as occurring in this instance which sees the loss of garden land in favour of increasing the intensity of the built form.

Physically the site can accommodate additional residential properties, parking and provide private amenity space; however, the concern from objectors is that the 8 dwellings proposed would be too cramped for the site and out of character with the local vicinity.

The density amounts to 42 dwellings per hectare. For the efficient use of land, PPS3 refers to 30 dwellings per hectare (dph) net as a figure which should be used as a national indicative minimum to guide policy development and decision-making, until local density policies are in place within the Local Development Framework.

This scheme has a density in excess of the national indicative minimum. However, the conservation area status seeks development which preserves or enhances the conservation area and this requirement needs to be weighed against any density proposed.

Officers consider that scheme as proposed can be accommodated without harm to the characteristics of the locality or the Conservation Area. The plans show that the number of units, the scale of the buildings, the parking and turning facilities and provision of private amenity space and bin storage can be accommodated without significant erosion of space, which currently forms part of the character of this part of Heacham, and without harm to the visual appearance.

Flood Risk

Local objection has been received regarding flood risk and building on a flood plain. The planning application has been supported by a Flood Risk Assessment (FRA).

The site is within fluvial flood zone 3 due to its proximity to the Heacham River and partly within the natural flood plain but not a functional flood plain. The site is also protected by tidal defences and there is a physical boundary between the river and the proposed dwellings (a brick and carstone wall). The FRA considers the probability of flooding as low due to measures already in place and managed by the Environment Agency. Nonetheless, a precautionary approach has been taken to raise the floor levels of the proposed dwellings.

The Environment Agency previously approved a FRA on this site for 14 dwellings. As this is a reduced number of units and the flood risk vulnerability is being reduced they have no

objection to the scheme, subject to conditions to be added with regard to finished floor levels and details regarding surface water drainage and foul water drainage.

Drainage

Local objection has been received relating to drainage issues. Claims that the area already suffers serious sewage overflow have been received from many of the objectors. Objection was due to the increased demand on the existing system.

Although full details of the foul and surface water drainage treatment have not been submitted, these would have to be submitted for scrutiny by the relevant bodies if planning permission was granted. In principle connection to the main sewer in Hunstanton Road is acceptable and soakaways should also be acceptable.

Referring to the Environment Agency's comments specifically, they did not raise objection to the proposal subject to the submission of full details of the surface water drainage and foul water drainage schemes.

Highway implications

The Highways Authority has no objection (conditionally) to the proposal following the submission of amended plans proposing to upgrade the footpath at the front of the site and also across the bridge to improve facilities and provide the recommended visibility splays.

Objectors have raised concern over the impact of the additional traffic generated by the dwellings on the immediate and surrounding network. The Highways Authority has not raised concerns on these grounds. Similarly concerns raised over increased danger near bus stops due to extra traffic have not been upheld by the Highways Authority. Indeed, the Government does not encourage dependency upon car use but encourages use of other modes of transport. The location of nearby bus stops will give the occupants of these dwellings a choice of which transport to use.

Concerns about the lack of a footpath link across the front of the site and at the point of the bridge have been raised by the Highways Authority. The applicant is proposing to upgrade the footpath at the front of the site, however, the land adjacent to the bridge is not within the ownership of the applicant and there are no proposals for works outside the site boundary.

Comments that the parking court will look as urban as garaging are noted, but garage buildings are a permanent, solid mass whereas parked vehicles are transient and moveable. Concern has been raised that the parking bays nos. 1-4 are impractical, however, these are designed for use by the semi-detached properties where each property would have 2 tandem spaces. The tandem parking spaces would be for use within the same household and therefore under their own control.

Objections have been raised about the lack of parking spaces provided within the site which it is claimed will lead to further on-street parking. In addition government policy encourages no more parking spaces than the developer is willing to provide so as not to encourage dependency on car use. The Highways Authority, however, has raised no objection to the number of parking spaces provided, their location or relationship with the proposed dwellings. There is no reason to refuse the application on the grounds of lack of parking provision.

Residential amenity

The relationship between the existing dwellings and the application site has been examined. Concern is raised over the relationship between the scheme and certain properties which share a common boundary with the site.

To the rear of the site the three proposed properties have rear gardens 10m deep. There is an existing hedge and some planting to this common boundary. Although the dwellings are set at an angle to the properties to the east so will not look directly into the windows of these neighbouring properties, the rear windows of these dwellings will look out towards the rear gardens of The Gables and Conifer Lodge. However, the length of the rear gardens means that the dwellings will not be unduly overbearing, and the length of garden means there will also be the opportunity for additional planting of significant trees to improve overlooking and privacy.

It is considered there will not be a significantly detrimental impact upon the amenity of the occupants of neighbouring properties as a result of dwellings in reasonably close proximity to the common boundary with these properties.

Concerns over natural light being restricted on neighbouring sites as a result of this development are noted, but the distances and orientation of the site are such that there will not be a significantly detrimental impact upon the amenity of the occupants of neighbouring properties through loss of day or sun light as a result of this proposal.

Objections have been received about the impact upon the amenity of occupants of neighbouring properties in terms of noise by increased traffic. Neither the Highways Authority nor Environmental Protection has raised this as a reason for objection. The Borough Planning Authority considers that the intensity of 8 dwellings on this site would not generate such a significant amount of additional activity, either within the site or using the access to and from the development, as to warrant an objection.

Other material considerations

Objection has been received claiming that part of the site is within the ownership of a neighbour. The applicant states that the ditch was maintained by the owners of the dwelling when it was built in the 1960's and continues to be maintained by the applicant. Furthermore, neighbouring properties have no access to the ditch via their rear planted boundary. In response to these claims, however, and to avoid further complication, the applicant has amended the site plan removing the 300mm wide sliver of land from the application.

References to a heritage bridge across this ditch are denied; the applicant claims that the ditch is spanned in one place by a sheet of corrugated iron and this has no historic merit.

Concern has been raised that these residential units should not be for second homes but for full time occupation. The application proposes residential properties (Use Class C3). The Borough Planning Authority, however, has no planning control over the tenancy of a house once it is built or how often an owner occupies the dwelling in any one year. This matter is, therefore, outside of the control of planning legislation.

Concern has been raised about the impact of the development upon village services e.g. doctors surgery. However, shortages of doctors and dentists are commonplace nationally and would not be sufficient reason to object to development of this scale.

Objection has been received that toads breed in the ditch at the rear of the site. As with any site which proposes more built form than currently exists there will be an impact upon local wildlife. In this case, however, there are no proposed changes to the ditch itself and the nearest building is several metres away.

There are no nature conservation sites within proximity of the site and no known protected species on the site. The applicant is not aware of any such breeding habits. Natural England has been contacted with regard to the possibility of natterjack toads being on site, but the environment is not conducive to the living conditions preferred by this species.

Objection has been received that the sketches provided are inaccurate and do not show the trees in the right place. These are, however, sketches which support the information shown on the scaled drawings and do not need to be to scale.

Norfolk Landscape Archaeology has responded to the consultation exercise and not objected subject to a condition requiring that a programme of archaeological works be implemented to determine the nature of features marked on the site shown on an 1883 first edition Ordnance Survey map.

Concerns about the storage of wheelie bins are noted. However, the plans show that there is provision within the site for their storage in a fenced area towards the front of the site for the ease of collection by service vehicles. Currently brown bins are optional but provision has been made for at least two wheelie bins per property. The area shown on the plans can hold up to 16 bins and is intended for use by the six dwellings to the rear of the site; the two dwellings facing Hunstanton Road can put theirs directly to the front of the site.

Comments were made about planning permission being refused for one bungalow opposite the church in Hunstanton Road and how this scheme could possibly be supported. However, each planning application is looked at on its individual merits and would be considered against the policies in place at that time.

Crime and Disorder Act 1998

Section 17 of the above act requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application will not have a material impact upon crime and disorder. Norfolk Constabulary raised no objections to the scheme but offered advice on improvements to security which the applicant will be upholding.

CONCLUSION

To summarise, the Borough Planning Authority considers the proposed development is now acceptable for this site. In terms of the number of units proposed and the associated provision of parking and private amenity space, the scheme has overcome the previous reasons for refusal. The proposal is no longer out of keeping with the character of the area and is considered to enhance the Conservation Area and the setting of listed buildings. There are no longer any outstanding highways issues and the previous landscape concerns have been overcome. There are no longer concerns regarding the relationship with neighbouring properties and the proposal would not have a significantly detrimental impact upon the amenity of the occupants of these neighbouring properties.

There are no other technical objections to the proposal.

In the light of National Guidance, Development Plan Policy and other material considerations, it is recommended planning permission 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 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition No development shall commence on site until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on 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.
- 2 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of PPS1.
- 3 Condition No development shall commence on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of PPS1.
- 4 Condition No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles and machinery) until a detailed Construction Specification/Method Statement to BS5833:2005 has been submitted to and approved in writing by the Local Planning Authority. This shall be based on the recommendations of the submitted Arboricultural Implication Study and shall provide for the long-term retention of the trees. It shall be implemented in complete accordance with the approved Construction Specification/Method Statement.
- 4 Reason To ensure that existing trees and hedgerows are properly protected in accordance with Policy 4/7 of the King's Lynn and West Norfolk Local Plan, 1998.
- 5 Condition No development shall take place until full details of both hard and soft landscape works 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.
- 5 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality.
- 6 Condition No development shall take place within the site until the applicant, or their agents or successors in title, has

- a) caused to be implemented a programme of archaeological evaluation in accordance with a first written scheme of investigation which has been submitted to and approved in writing by the local planning authority; and next
 - b) submitted the results of the archaeological evaluation to the local authority; and next
 - c) secured the implementation of a programme of archaeological mitigatory work in accordance with a second written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
- 6 Reason To safeguard archaeological interests in accordance with the principles of PPG16.
- 7 Condition Floor levels shall be set no lower than 7.36 metres above Ordnance Datum Newlyn (ODN).
- 7 Reason To protect the development from flooding in extreme circumstances.
- 8 Condition Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
- 8 Reason To prevent the increased risk of flooding.
- 9 Condition Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
- 9 Reason To prevent the increased risk of flooding and/or pollution of the water environment.
- 10 Condition Prior to the occupation of the development hereby permitted details of a Flood Plan shall be submitted to and agreed in writing with the Borough Planning Authority. The Plan should include details of the method of flood warning and evacuation procedure for the site.
- 10 Reason To ensure the safe use of the development in extreme circumstances.

BACKGROUND PAPERS

Application file reference: 08/02268/F

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

Parish:	Heacham	
Proposal:	Demolition of dwelling in relation to proposed 8 new dwellings	
Location:	15 Hunstanton Road Heacham King's Lynn Norfolk	
Applicant:	Rachel Hodgkinson	
Case No:	08/02269/CA (Conservation Area Application)	
Case Officer:	Mrs K Lawty Tel: 01553 616403	Date for Determination: 21st November 2008

Reason for Referral to DCB – Parish Council view at variance with officer recommendation.

Case Summary

Conservation Area consent is sought for the demolition of an existing dwelling in relation to the proposed construction of 8 dwellings.

The site is within the Built Environment Type C and within the Conservation Area. There are listed buildings adjoining the site to the south.

Key Issues

Impact upon the Conservation Area

Recommendation

APPROVE

THE APPLICATION

This site comprises a large detached bungalow set in large gardens (approx.1900sqm) to the eastern side of Hunstanton Road and within the Heacham Conservation Area. The site is bounded to the west (front) and north by a brick and carstone wall approx 1.25m high and the Heacham River runs immediately to the north.

The adjacent properties are all residential with the terrace immediately to the south and several of the houses beyond the Heacham River being listed buildings. Two storey detached dwellings are to the south east, accessed from Lynn Road and

This application seeks Conservation Area consent for the demolition of the existing bungalow. This application runs in conjunction with a full planning application for the erection of 8 dwellings.

SUPPORTING CASE

The Design and Access Statement submitted with the application relates to the proposed construction of 8 No dwellings which is the subject of planning application 08/02268/F. The

contents of the DAS are considered in the report for the full planning application also on this agenda.

PLANNING HISTORY

08/02268/F Demolition of existing bungalow and erection of 8 cottage style dwellings - Please see accompanying DCB report

07/01285/FM Development of 14 dwellings, to include demolition of existing bungalow - Refused

07/01284/CA Demolition of bungalow - Approved subject to a suitable replacement scheme being approved.

RESPONSE TO CONSULTATION

Parish Council: OBJECTION The current bungalow holds no historic or architectural value and there is no objection in principle to its demolition, however, it creates a sense of space and the set back location preserves the character of the lower part of Hunstanton Road; the proposal for 8 2/3 storey dwellings where there is currently only one dwelling does neither preserve or enhance the inherent character of the conservation area; this development is still too over-intensive in this setting; the two cottages at the front of the property will substantially alter the outlook of the lower end of Hunstanton Road; The Parish Council has also noticed with dismay the proliferation of designs which use the roof space to create 3 floors of living space; how many cottages have three floors? In reality these cottages would become the dominant feature of the street scene; Hunstanton Road is well used and the Council have concerns that 8 plus cars will be entering onto the Highway from a private driveway. In other parts of the village these types of development have been restricted to a maximum of 5 dwellings; the extended footpath will improve the entrance visibility, but will narrow the road. The layout will also encourage parking outside the new cottages; This development is very close to Heacham River and within the tidal flood plain; There have also been previous problems with water and sewage in this area, there should be careful consideration of whether the existing system would cope; Parking Bays 1-4: Not quite sure this would work in practice as any cars parked in 1 and 2 would be blocked in by cars parked in 3 and 4; Bin Area: Is this area big enough to hold 8 green bins, 8 grey bins and whatever brown bins the residents might have?

Highways Authority: N/A

Landscape Officer: NO OBJECTION subject to conditions

Environmental Health & Housing – Environmental Quality: N/A

Conservation: NO OBJECTION

REPRESENTATIONS

Five letters of representations have been received in respect of this application. These letters express the following concerns:

- Issues relating to the construction of the dwellings, dealt within the full application;

- Believed that there is a tunnel between the church and Holy Lodge (then a monastery and now Holly Lodge, excavations may throw up problems);
- Will set precedent for anyone with a garden within the Conservation Area to put an application, thus eroding the character;
- The character of the river area alongside, with its ancient trees and wildlife must be ensured;
- Spoil the fabric of the Conservation Area; and
- Disgraceful to demolish a perfectly good bungalow which has stood there for many years.

NATIONAL GUIDANCE

PPG15 - "Planning and the Historic Environment" (1994) provides advice on development in Conservation Areas and that involving Listed Buildings.

EAST OF ENGLAND PLAN

Policy ENV6: The Historic Environment - Local planning authorities should identify, protect, conserve and, where appropriate, enhance the historic environment of the region, its archaeology, historic buildings, places and landscapes, including historic parks and gardens and those features and sites (and their settings) especially significant in the East of England.

PLANNING CONSIDERATIONS

The key issue to be determined in this case is the impact of the demolition of this dwelling on the Conservation Area.

Impact upon the Conservation Area

In general, applications for the demolition of a building in the Conservation Area are not approved unless planning permission has been granted for a replacement building/s. In this case planning application 08/02268/F also on this agenda seeks full planning permission for the construction of 8No dwellings on this site.

The primary issues associated with design of the proposed buildings to replace the building to be demolished are outlined in 08/02268/F and should be referred to in consideration and assessment of this application.

Planning application 08/02268/F has a recommendation for approval, and this recommendation for approval therefore follows. Should that application subsequently be refused then this application, following the principles of PPG15, should also be refused.

The Board should be satisfied that the scheme as a whole; the demolition of the existing building – 08/02269/CA and proposed buildings – 08/02268/F) will preserve or enhance the Conservation Area.

The Conservation Officer has reviewed the proposal and has raised no objection to the demolition of this existing dwelling

In the light of National Guidance, Development Plan Policies and other material considerations this application for Conservation Area Consent be approved subject to the condition.

RECOMMENDATION:

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

- 1 Condition This Conservation Area Consent is granted subject to the condition that the works to which it relates shall be begun not later than the expiration of three years from the date of this consent.
- 1 Reason To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition All material arising from the demolition of the buildings shall be removed from site within 3 months of the commencement of the works unless otherwise agreed in writing by the Local Planning Authority.
- 2 Reason In order to protect the character and appearance of the Conservation Area in accordance with the East of England Plan policy ENV6 and PPG15.
- 3 Condition No works of demolition shall commence on site until a contract for the redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.
- 3 Reason In order to protect the character and appearance of the Conservation Area in accordance with PPG15.

BACKGROUND PAPERS

Application file reference: 08/02269/CA

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

Parish:	Burnham Market	
Proposal:	Continued use of caravan site without fully complying with condition 1 of planning permission 2/82/1240/F, allowing holiday use without limited time period	
Location:	Poplars Caravan Park Creake Road Burnham Market Norfolk	
Applicant:	Mr Les White	
Case No:	08/02293/F (Full Application)	
Case Officer:	Mrs K Lawty Tel: 01553 616403	Date for Determination: 19th December 2008

Reason for Referral to DCB – Parish Council object to extension of time limit.

Case Summary

Poplars Caravan Park is an established park sited behind the petrol filling station on Creake Road. Planning permission was approved in 1982 for the site with conditions limiting the number of units on site and its use for holiday purposes to certain months of the year.

This application seeks the variation of condition 1 only of planning permission 2/82/1240/F to allow use of the caravan park all year round.

The site is within the Built Environment Type D and adjoins the Conservation Area to the north.

Key Issues

The determining issues are:-
 Principle of development
 Impact upon adjoining Conservation Area
 Impact upon neighbours and Residential amenity
 Other material considerations

Recommendation

APPROVE

THE APPLICATION

Planning permission was approved in 1982 for the continued use of the site as a caravan site subject to conditions relating to seasonal and occupancy use and limiting the artefacts to be stored on the site.

Condition 1 of planning permission 2/82/1240/F restricts the use of the land for the standing or occupation of caravans except for holiday purposes and the occupation of such caravans to the period from the 20 March to the 31 October in each year.

This application seeks the removal of the time limit only.

SUPPORTING CASE

The applicant gives the reason for the proposed variation of condition as being the following:-

Due to changes within people's leisure time they wish to have increased time to spend in their holiday homes.

PLANNING HISTORY

2/82/1240/F – Continued use of caravan site – Approved – conditionally

RESPONSE TO CONSULTATION

Parish Council: OBJECT – strongly feel that the permission should only be granted for holiday use with a time limit as existing with condition 1 which is for 8 months of the year.

Highways Authority: Awaiting Comments

Internal Drainage Board: N/A

Environmental Health & Housing – Environmental Quality: N/A

Norfolk Constabulary: N/A

REPRESENTATIONS

THREE representations received referring to the following:-

- With a little tweaking of the renting conditions the area could quickly become a permanent residential site, a wholly inappropriate situation close to the centre of this conservation village
- The likely increase in traffic movements in Back Lane and at the junction with Creak Road would be highly dangerous
- If successful, would this make it easier at some time in the future to be for property development?
- There are in excess of the 70 no. of caravans permitted under the conditions of the planning permission and this shows a disregard to planning conditions imposed by the LPA.
- The use of the site has been very low key even in the summer (up to 10 caravans being occupied at any one time) which suggests that the owners will wish, from an economic point of view, to change the use of the site so that it can effectively become a permanent residential site.

- The standard of accommodation offered by these caravans will not be suitable for year round use especially if they escalate into permanent homes. Will this become Burnham Market's answer to the need for "affordable housing"?
- I have found the owners difficult to contact with telephone calls left unanswered. An increase in occupation will mean that an onsite manager will be required. Are the owners prepared to provide this?
- The layout of caravans on the site with the excess numbers of units crammed in appears to present a fire hazard as a fire could quickly spread from unit to unit.
- The access road runs for 100m along the length of my property and is pea shingled. This makes it noisy and every vehicle movement very audible. With the extended time for opening the site this is going to generate a very significant increase in traffic, occupant noise, litter, etc.
- The access is at present unsuitable for a significant increase in vehicular traffic entering and exiting the site on to Back Lane with limited visibility available. It may be wise for the Highways Dept to assess the position. Certainly one can imagine that the traffic generated by 70 or so "homes" as they may become would be very disruptive.
- Burnham Market has an acute parking shortage and one assumes that the "caravan" site would need to provide adequate provision for parking the additional vehicles generated. If this is not provided on site the vehicles would overflow into Back Lane.

NATIONAL GUIDANCE

PPS1 - "Delivering Sustainable Development" (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS7 - "Sustainable Development in Rural Areas" (2004) aims to promote sustainable patterns of development in rural areas and contains specific advice on the consideration of applications for agricultural dwellings.

PPG15 - "Planning and the Historic Environment" (1994) provides advice on development in Conservation Areas and that involving Listed Buildings.

Tourism Best Practice Guide (2006): This Good Practice Guidance, to be read alongside national planning policies, is designed to:

- ensure that planners understand the importance of tourism and take this fully into account when preparing development plans and taking planning decisions;
- ensure that those involved in the tourism industry understand the principles of national planning policy as they apply to tourism and how these can be applied when preparing individual planning applications; and
- ensure that planners and the tourism industry work together effectively to facilitate, promote and deliver new tourism development in a sustainable way.

EAST OF ENGLAND PLAN

Policy SS1: Achieving Sustainable Development - The strategy seeks to bring about sustainable development by applying the guiding principles of the UK Sustainable Development Strategy 2005, the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All:

Policy SS9: The Coast - The strategy for the coast is to adopt an integrated approach that recognises: its needs for environmental protection and enhancement; the economic and social role of the region's ports, seaside towns and coastal areas important to tourism; and predicted sea level rise and the adaptation challenge this presents to coastal communities and decision makers.

Policy E6: Tourism - Identifies key principles to be adopted in Local Development Documents.

Policy ENV2: Landscape Conservation - Planning authorities and other agencies should, in accordance with statutory requirements, afford the highest level of protection to the East of England's nationally designated landscapes and in particularly in Areas of Outstanding Natural Beauty (AONB), priority over other considerations should be given to conserving the natural beauty, wildlife and cultural heritage of the area.

Policy ENV7: Quality in the Built Environment - Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

PLANNING POLICIES

The Norfolk Structure Plan (1999) contains the following policies that are relevant to this application:

EC.10 - indicates that the change of use of hotels, holiday parks, chalets and camping and caravan sites will not be acceptable if it reduces the range of facilities, the site makes a significant contribution to the local stock of accommodation, or it would be incompatible with other holiday uses.

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

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

4/14 - requires that development proposals within the vicinity of Conservation Areas should have regard for views into and out of the areas.

PLANNING CONSIDERATIONS:

The determining issues are:-

- Principle of development
- Impact upon adjoining Conservation Area
- Impact upon the local highway
- Impact upon neighbours and residential amenity
- Other material considerations

Principle of development

The caravan site is long established. The 1982 planning approval was for the retention of the caravan site and this use has been in situ for several decades.

In this case the issue is not whether the use is appropriate but whether it is appropriate for the established use to continue all year round. It should be clarified that the proposal is not to remove the holiday use classification, just the seasonal element.

In policy terms there are no specific saved Local Plan policies relating to extended seasonal use on established sites. East of England Plan Policy E6 encourages realistic and sustainable investment in the maintenance, improvement, regeneration, extension and diversification of the region's tourist industry.

Sited in the settlement of Burnham Market, the application site is located close to existing services and facilities. It is in a sustainable location.

The 'Good Practice Guide on Planning for Tourism' sets out the Government's policy on tourism after replacing PPG21: 'Tourism' in 2006 and is therefore material to the determination of this planning application. Annex B refers specifically to seasonal and holiday occupancy conditions. Paragraph 1 explains how the role of holiday makers has changed over recent years and how the tourist industry needs to respond accordingly. It states:

'The nature of holidays in this country has become increasingly diverse, in location, in season and in duration. Many people go away several times a year, often for short breaks and not exclusively in the summer months. Much of this demand is for self-catering accommodation – whether in new or converted buildings or in caravan holiday homes. This spread of demand improves the use that is made of this accommodation and so is advantageous to the businesses which provide it and to those host communities which are supported by the spending that it generates. It can help to reduce the disadvantages of seasonal employment, including the difficulties of retaining trained and experienced staff.'

Paragraph 23 of Annexe A also relates to holiday caravan sites and states: "Local Planning Authorities may attach conditions to planning permissions for holiday parks to ensure that they are used for holiday purposes only, however with better caravan standards and the trend towards tourism allowed under existing permissions."

The Good Practice Guide acknowledges the advantages of all year use but also recognises the need to restrict the type of development in certain circumstances. In this case, for example, the continued use of the occupancy condition to ensure that the holiday accommodation is used for its intended purpose.

In principle therefore the proposal to extend the holiday use of the caravan site accords with national government guidance. The question will be whether to allow unlimited all year around occupancy, or seek to add some restriction to the period the caravans can be occupied.

Impact upon adjoining Conservation Area

The site is well screened by existing, established fencing. The caravans are not visible from many vantage points outside the site. The proposed extended use of the site for holiday purposes all year round is not expected to have any significant impact upon the character of the Conservation Area.

Impact upon the local highway

The site currently functions between 20 March and 31 October for holiday purposes. The proposed extended all year use will not result in an increase in traffic at any one time. The number of caravans on the site will remain the same and the people likely to access the site at any one time will remain the same. There is unlikely to be any significant impact upon the local highway network in terms of increased volumes of traffic as a result of this application.

Impact upon neighbours and residential amenity

The level of activity at any one time will not increase as a result of this application. In addition occupancy during 'low season' is likely to be less than during the busy summer months. Therefore there will be no significant impact upon the local residents or their amenity as a result of this application.

An adjoining neighbour has referred to the use of pea shingle on the existing access road which runs alongside their property, and the noise of vehicles using it. In this case it is not considered that the noise generated by use of the pea shingled access will be such in the months outside of those currently permitted that would warrant a refusal of consent.

Other material considerations

Third party objections have been made which have not been addressed above. Concern has been raised regarding the marginal differences between all year round use of the caravan site and permanent residential homes. However, the use of the site is already restricted to holiday occupation and there is no request for this to be altered. It would not be appropriate for this site to be used as permanent residential accommodation which would place demands for local schools and social and health services that would not normally arise from visitors. In addition to the planning condition in place limiting the use to holiday purposes it is recommended that an additional condition be imposed seeking the recording of a list of owners/occupiers of individual caravans by the owner/site operator. This would ensure that the site is not used for unauthorised permanent residential accommodation. Any breach of conditions relating to occupancy would be easier to establish and enforce using such a register. These conditions are recommended in the Good Practice Guide for Tourism.

Concern has been raised that support of this application could make a future application for residential development easier. The site is within the Built Environment Type D where development is permitted provided it is in harmony with the building characteristics of the area. Any future plans for residential development would be considered on its individual merits against the planning policies in place at that time. The granting of this application would not make this an easier process.

It has been alleged that there are in excess of the 70 units permitted under this planning permission. At the time of the site visit there were drainage works underway and units were being moved around the site, so it was not possible to count the units. However, if the number does rise above 70 this would be in breach of condition 3 of planning permission 2/82/1240/F and the local planning authority can take enforcement action if necessary.

With regard to concerns over management of the site, this application does not seek a full time manager's unit on the site. With regard to fire hazards, the site has a valid site licence for 70 units issued by Environmental Health & Housing which deals with issues including safe distances between units and fire regulations.

Crime and Disorder

Section 17 of the above act requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Board will not have a material impact upon crime and disorder.

CONCLUSION

The extension of the use of the caravan for holiday use all year round accords with national policy on tourism. Encouraging holiday use all year round makes better use of the existing facilities, gives benefits to local businesses by the spending that tourism generates and can reduce the disadvantages of seasonal employment.

The site will remain in holiday use and will not become a residential park with full time occupants as a result of this application. An additional condition is recommended to be imposed to ensure the site is not used for unauthorised permanent residential occupation.

There is no increase in use at any one time and therefore the application will result in no significant amenity or highways issues. Similarly there is no impact on the adjoining character of the Conservation Area.

In the light of national and local guidance and other material considerations, the application may be approved, subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition This permission authorises the use of the land for the standing or occupation of caravans for holiday purposes only and the caravans shall not be occupied as a person's sole or main place of residence.
- 1 Reason To ensure that the site is used for holiday purposes only for which the facilities are designed.
- 2 Condition No railway vehicle, tramcar, omnibus body, aeroplane fuselage, packing case or similar structure shall be stationed or erected on the site and no shed or shelter, other than properly designed caravan awnings, shall be erected beside any caravans.
- 2 Reason To protect the amenities of the locality, which is within in an Area of Natural Beauty.
- 3 Condition At no time shall the number of caravans on the site exceed 70 as indicated on the amended plan deposited with the King's Lynn and West Norfolk Borough Council on the 1st September 1982.
- 3 Reason To protect the amenities of the locality.
- 4 Condition The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site and their main home addresses and shall make this information available at all reasonable times to the local planning authority.
- 4 Reason To ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation.

BACKGROUND PAPERS

Application file reference: 08/02293/F

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

Parish:	Dersingham	
Proposal:	Construction of 4 houses with private garages following the demolition of existing dwelling and outbuildings	
Location:	Babingley House 70 Lynn Road Dersingham King's Lynn	
Applicant:	Mr James Garner	
Case No:	08/02446/F (Full Application)	
Case Officer:	Mrs K Lawty Tel: 01553 616403	Date for Determination: 25th December 2008

Reason for Referral to DCB – Parish Council Objection to the demolition of the dwelling and its replacement with 4 dwellings which will not enhance the Parish. Also concerns about increased vehicle use.

Case Summary

Full planning permission is sought for the construction of 4 dwellings following the demolition of the existing detached dwelling and outbuildings on the site.

The site is a rectangular shaped plot with an area of 0.11ha. The density of residential development equates to 36 units per hectare. Access is via a relocated access road towards the middle of the site from the western side of Lynn Road (the B1440).

The site falls within the settlement of Dersingham and is within the Built Environment Type 'D' as depicted on the Local Plan proposals map.

Last year planning permission was refused by the Board for a redevelopment scheme for four dwellings. In response to the reasons for refusal, the scheme has been amended accordingly.

Key Issues

- Principle of development
- Access / Road safety
- Contaminated land
- Amenity
- Scale
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The site comprises a two/three storey detached dwelling, a detached single storey outbuilding and associated garden land. The site is bounded to the north by a commercial garage and south by a detached dwelling. To the north east, on the opposite side are

terraced dwellings and to the east and south east is common land. Land to the west is open, agricultural land.

This application seeks full planning permission for the construction of four dwellings and garages following the demolition of the existing dwelling and outbuildings. The four dwellings proposed are two pairs of semi-detached properties, each with three bedrooms.

Access is shown between the two blocks of semi-detached properties leading to garaging, parking and turning areas at the rear of the site. One garage and one additional parking space are proposed per unit.

Previously planning permission was refused for four dwellings on the site because the design, height and layout was unacceptable. The development was considered visually intrusive and detrimental to the street scene. This amended scheme is of a similar layout, but the house types have been redesigned to take into account the views expressed by the Board by reducing the overall height and bulk of the buildings. The houses have hipped roofs which are lower and no longer utilise the second floor loft space for bedroom accommodation.

SUPPORTING CASE

The Design and Access Statement (DAS) indicates that the existing property is in a poor state of repair requiring urgent attention. The proposal is to demolish the existing dwelling and outbuilding and construct four three bedroom family properties each with private garage and additional parking space served by a central private driveway providing access to the rear parking area with two additional visitor parking spaces.

The density, at 36 units per hectare is within Government guidelines and similar to properties on the eastern side of Lynn Road and to the north of the site on the same side of Lynn Road.

The layout proposed ensures optimum use of the land available, to provide family houses in keeping with the majority of properties in the area, complete with adequate service facilities, good access and turning facilities and adequate parking both for residents and visitors.

The new amended design has taken into account the views expressed in the previous planning refusal by reducing the overall height and bulk of the buildings as viewed from the road. These houses have reduced internal floor areas of 87 sq metres each.

Existing boundary treatment will be retained as well as an existing tree on the front of the site. The houses have been designed using facing brickwork with contrasting brick features and carstone to the front elevation. Concrete interlocking tiles are proposed to all roofs with the private garages in matching materials.

Overall the scheme seeks to produce an attractive small residential development which will enhance the area and provide a good standard of family accommodation.

PLANNING HISTORY

2/96/1428/CU - Change of use of garage to retail craft shop and use of land for customer parking - Application Permitted

08/01437/F – construction of four dwellings and garages following demolition of existing dwelling and outbuildings - Refused

RESPONSE TO CONSULTATION

Parish Council: **OBJECT** – opposed to the demolition of the existing dwelling which would be replaced by four dwellings, the design of which would not enhance the Parish. There are also concerns regarding possibly eight vehicles entering and exiting at a dangerous bend.

Highways Authority (NCC): **NO OBJECTION** - conditionally

Environment Agency: n/a

BCKLWN Landscape Officer: **NO OBJECTION** - conditionally

Environmental Health & Housing – Environmental Quality: n/a

Norfolk Constabulary: **NO OBJECTION** but made comments regarding crime prevention

REPRESENTATIONS

Four representations have been received referring to the following:-

- Strongly object to the loss of Babingley House which should continue to be a detached house in keeping with this part of Dersingham village
- not compatible with surrounding land use and does not respect the scale of adjacent housing
- the proposed development does not overcome the previous reasons for refusal
- the design of the new dwellings would be an alien feature in the street scene
- the members of the DCB supported the retention of Babingley House; not its demolition
- has Babingley House been listed?
- Babingley House has had its roof repaired and several rooms redecorated and is not in the state of decay as described
- Possible contamination from petrol/oil storage tanks
- Possible loss of surface water drainage
- No bat survey undertaken
- Access/road safety is a significant issue
- Dense development at the entry to the village
- Four three storey dwellings with possible two cars per household would be a dangerous home for any children on this busy corner
- Visitors would have to park on the road
- This intensive development is more appropriate to a town
- No change to scale and height of dwellings
- It needs to be viewed from site to east to appreciate the impact of the scale of the development fully

NATIONAL GUIDANCE

PPS1 - “Delivering Sustainable Development” (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS3 – Housing (2006) sets out the national planning policy framework for delivering the Government’s housing objectives.

PPS7 - “Sustainable Development in Rural Areas” (2004) aims to promote sustainable patterns of development in rural areas and contains specific advice on the consideration of applications for agricultural dwellings.

PPS25 - “Development and Flood Risk” (2006) provides advice on land-use planning and flooding considerations.

EAST OF ENGLAND PLAN

Policy SS1: Achieving Sustainable Development - The strategy seeks to bring about sustainable development by applying the guiding principles of the UK Sustainable Development Strategy 2005, the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All:

Policy ENV7: Quality in the Built Environment - Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

PLANNING POLICIES

The Norfolk Structure Plan (1999) contains the following policies that are relevant to this application:

T.2 - requires that the traffic implications of new development are assessed.

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

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

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

PLANNING CONSIDERATIONS

A planning application for four dwellings on this site was refused permission last year as the design, height and layout of the scheme was unacceptable and would lead to a visually intrusive development, detrimental to the street scene and contrary to the provisions of national, strategic and local planning policy. This amended scheme attempts to address

these earlier concerns by re-examining the design and scale of the development and improve the impact on the street scene and relationship with other existing buildings. The layout is the same as for the previous application, albeit the shape of the footprint of the houses has changed.

The application raises the following key issues:

- Principle of development
- Access / Road safety
- Contaminated land
- Amenity
- Scale
- Other Material Considerations

Principle of Development

PPS3 Housing states that in general, in deciding planning applications, Local Planning Authorities should have regard to:

- Achieving high quality housing.
- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.
- The suitability of a site for housing, including its environmental sustainability.
- Using land effectively and efficiently.
- Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues.

The number of units specified in the application is 4 within the site area of 0.11 hectares. This ratio of 36 dwellings per hectare is comparable to the minimum density suggested in PPS3 of 30 dwellings per hectare. The document also supports the development of brown-field sites where appropriate.

The East of England Plan Policy ENV7 – Quality in the Built Environment indicates that Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration. Similarly local saved policy 4/21 recognises the principle of development in the Built Environment Type D area if it respects the form and character of the area.

The general locality is characterised by a mixture of residential properties, commercial activity, common land and agricultural land. The site itself has been used for a mixture of residential and retail use. The site is close to the edge of the settlement and is visible when approaching Dersingham from the south.

The Design and Access Statement indicates that the density of the scheme is similar to properties on the eastern side of Lynn Road and properties further north on the same side of Lynn Road. The Design and Access Statement says that the layout proposed ensures optimum use of the land available, to provide family houses in keeping with the majority of properties in the area, complete with adequate service facilities, good access and turning facilities and adequate parking both for residents and visitors.

In terms of design the dwellings have been amended in response to concerns raised at the Development Control Board last August. Previously the proposed dwellings utilised the loft

space for bedroom accommodation. This time the bedrooms have been retained at first floor only and hipped roofs have been introduced which reduces the overall scale and mass of the buildings. This design element replicates features of the existing dwelling which local residents are keen to retain.

The levels across the site fall from east to west significantly. The existing dwelling is of two storey height and a street scene has been provided with the application showing the location of the proposed new dwellings within the site. This shows that the overall ridge heights of the proposed new dwellings are now much lower than the ridge height of the existing dwelling. The ridge and eaves levels are now comparable with the existing property immediately to the south of the site.

The two storey part of the southern pair of semi-detached dwellings is sited no further forward than the detached property to the south. When viewed from the south, therefore, most of the new building will be screened by No 70A.

The commercial garage building to the north of the site is set at the back of its plot. The next nearest residential property is sited to the front of its plot adjacent to the highway. The proposed dwellings will be visible from the north. They will appear significantly taller than the buildings to the north. However, the reduction in height of the amended houses combined with the drop in land levels from front to back (east to west) will assist the development to assimilate into the site and prevent the development from being unduly prominent in the street scene.

Carstone panelling has now been incorporated into the principal elevations. The building materials adequately reflect local building materials in the vicinity.

Amenity

The relationship between the dwellings as proposed and existing dwellings has been carefully examined. There are first and second floor windows proposed to the side elevations of the dwellings, but these serve stair ways and not habitable rooms. The ground floor windows are to a hallway and a lounge, but existing boundary treatment will ensure no direct overlooking will occur.

In terms of overshadowing, there will be shadow cast over the commercial garage site to the north at certain times of the day, but this is the area where cars are stored and will have no adverse impact on the general amenity of the occupants of the site. The buildings will be significantly taller than the commercial garage building and also the bungalow further north, but the distances and siting of the buildings means that the new development will not be unduly overbearing.

There will be no significantly detrimental impact upon the amenity of the occupants of neighbouring properties in terms of overlooking, being overshadowed or the new dwellings being over bearing, as a result of this proposal.

Access / Road Safety

The Parish Council and local residents have raised concerns regarding the access onto Lynn Road on a bend. However, the local Highway Authority has no objection to the proposal subject to the imposition of standard conditions.

Contaminated land

Environmental Health and Housing do not object to the proposal but are aware that the site has been used for commercial purposes which may have generated contamination in the past and is also in close proximity to infilled land. They therefore recommend that conditions be imposed on any planning consent with regard to risk from contamination in accordance with the principles of PPS23.

Crime and Disorder Act 1998

Section 17 of the above act requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Board will not have a material impact upon crime and disorder.

Norfolk Constabulary has raised issues relating to crime prevention including the incorporation of more windows to overlook the car parking and garaging areas. However, this parking area is all to the rear of the properties where first floor bedroom windows overlook. Bedrooms are considered to be habitable rooms and in this case it is considered this relationship and level of surveillance is acceptable.

Other Material Considerations

In addition to the above, some third party comments require further consideration.

In planning terms there is no reason to resist the demolition of this house as it is not listed and it is not in a Conservation Area. The dwelling itself is of no significant age and is of no significant architectural merit and is not worthy of being listed.

The issue of the presence of bats in the house has been raised. There have been no sightings of bats reported on this site, although there are reports of them in the locality. All species of bats are protected by law under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats &c.) Regulations 1994. However, the protection against disturbance and harm to places of shelter does not apply within the living area of a house. This means they are protected if found in loft spaces, cavity wall, garages or outbuildings, but not if they are found within the living rooms themselves. In light of the lack of evidence of the presence of bats on the site it is not considered necessary to impose a condition in this instance. The applicant will need to ensure, however, that they work within the guidelines of the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats &c.) Regulations 1994 if planning permission is granted.

Surface water is proposed to be disposed to the existing drainage system. Adequate information has been provided with this regard for the purposes of this application.

CONCLUSION

The proposal to increase the density of the site for residential purposes accords with national policy to improve the efficient use of land. The increase in density can be achieved without harm to the form and character of this part of Dersingham. The proposed dwellings will not be as tall as the house currently on site and will not have a significantly detrimental impact upon the amenity of the occupants of neighbouring properties in terms of overlooking, being overshadowed or being over bearing. Similarly the development will not appear unduly conspicuous in the streetscene.

In the light of National Guidance, Development Plan Policies and other material considerations it is recommended that planning permission be approved for the development as proposed, 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 Prior to the commencement of the development, 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 in accordance with PPS23 Planning and Pollution Control.

- 3 Condition Prior to the commencement of the development, 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 in accordance with PPS23 Planning and Pollution Control.
- 4 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be constructed in accordance with the Norfolk County Council residential access construction specification, and additionally to accord with details to be approved in writing by the Local Planning Authority, for the first 5.0 metres into the site as measured back from the near edge of the adjacent carriageway and should be of a minimum width of 4.5m.
- 4 Reason To ensure that a safe means of access is available to serve the development in accordance with the principles of PPG13.
- 5 Condition Prior to the first occupation of the development hereby permitted the proposed access, on-site parking and turning areas shall be laid out, demarcated constructed, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.
- 5 Reason To ensure that parking and servicing facilities will be available to serve the development in accordance with the principles of PPS15.
- 6 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking, amending or re-enacting that Order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 6 Reason In the interests of highway safety in accordance with the principles of PPG13.
- 7 Condition The gradient of the vehicular access shall not exceed 1:12 for the first 5 metres into the site as measured from the near edge of the highway carriageway.
- 7 Reason In the interests of highway safety in accordance with the principles of PPG13.
- 8 Condition All garages and car ports should be provided with minimum internal dimensions measuring 2.9m x 5.5m and be retained in perpetuity as a parking space ancillary to the use of the associated property.
- 8 Reason To ensure that all garages and car ports are usable for parking a car and retained for that use.
- 9 Condition Vehicle and pedestrian access to and egress from the adjoining highway shall be limited to the access shown on Drawing No 08/DAC/D/1e only. Any other access or egresses shall be permanently closed and the footway/highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.
- 9 Reason In the interests of highway safety.

- 10 Condition No development or other operations shall commence on site in connection with the development hereby approved until the tree shown to be retained on Drawing No. 08/DAC/D/1e has been protected in accordance with the provisions of BS 5837:2005 – Trees in Relation to Construction.
- 10 Reason To ensure that existing trees and hedgerows are properly protected in accordance with Policy 4/7 of the King's Lynn and West Norfolk Local Plan, 1998.

BACKGROUND PAPERS

Application file reference: 08/02446/F

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

Parish:	Downham Market	
Proposal:	Erection of a detached bungalow	
Location:	Land East Of 30 Nelson Avenue Downham Market Norfolk	
Applicant:	Norfolk County Council	
Case No:	08/02459/O (Outline Application)	
Case Officer:	Ms C Tomkin Tel: 01553 616318	Date for Determination: 1st January 2009

Reason for Referral to DCB – Parish Council recommendation is at variance with officer recommendation.

Case Summary

The application site is a piece of vacant overgrown land adjacent to a cycle path in a residential area. To the south are two storey terraced and semi-detached houses, to the north is a mix of a more modern development, to the west and east are bungalows.

This application seeks outline planning permission for the construction of one detached dwelling.

Key Issues

The impact of the development on the form and character of the area
 Highway issues
 Crime & disorder issues
 The impact of the development on neighbour amenity
 Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site is overgrown, disused land which is owned by Norfolk County Council and adjacent to a newly constructed cycle path which runs north to south linking Nelson Avenue with Beech Road and Snape Lane. It was not designated as Public Open Space when the original development took place, however the land was originally purchased in order to provide a road which linked Nelson Avenue to Beech Road. This road was never constructed and is not now required.

The site is currently open to the cycle path on the eastern boundary. To the north, west and south is 1.5m chain link fencing.

The area is residential in character, with the dwellings to the south along Nelson Avenue being 2 storey ex-local authority terraced and semi-detached properties. To the north on the opposite side of Snape Lane is a newer development with a mix of single and two storey properties. Immediately to the west of the site is a small development of single storey ex-local authority dwellings and to the opposite side of the cycle path to the east is an older single storey property which has been extended.

This application seeks outline planning permission for one dwelling with all matters reserved. The design and access statement and the indicative layout propose a single storey dwelling with vehicular access indicated to be on the western side onto Nelson Avenue.

SUPPORTING CASE

An outline application was submitted for the construction of a detached dwelling on the 10th June 2008 which was refused on the 7th August 2008 on the grounds that the close proximity of the proposed development to a cycle path would result in reduced natural surveillance which would increase the opportunity for crime and anti-social behaviour and would be contrary to Planning Policy Statement 1, its companion guide 'Safer Places – the planning system and crime prevention' and Section 17 of the Crime and Disorder Act (1998). The revised illustrative landscaping plan submitted with this planning application, demonstrates how the proposal can overcome these concerns by providing security and privacy to the building and natural surveillance of the cycle path.

The site consists of an area of scrub land between Nelson Avenue and Snape Lane, which was not previously accessible to the public. To ensure the development does not have a detrimental impact upon the green nature of the area and continues to provide a visual break in the street scene, the design of the scheme can leave land to the front of the building facing Nelson Avenue to be open and can be conditioned in this manner. A one metre high fence could be erected on the boundary with the footpath to delineate the public and private space.

To the rear of the property to improve security and surveillance of the path and garden of the proposed property a 10 metre, 1.8 metre close boarded fence could be erected approximately 5 metres back from the footpath (see illustrative landscaping plan). This would help to achieve some private amenity space in close proximity to the house for future occupiers. It would also allow natural surveillance of the path from the window in the north elevation of the property. After the first 10 metres the remaining fence (18 metres) could be lowered to 1.2 metres in height with trellis above (to a height of 1.8 metres) as suggested in Secured by Design. In this case it would provide additional overlooking of the path and garden from the rear of 30 and 32 Nelson Avenue. It would also ensure the rear garden of the proposed house is visible from the path and neighbouring properties so that any offender could not benefit from good cover in the area. A one metre high fence could also be erected on the boundary with the footpath to define the public and private space and to meet highway requirements. On the northern boundary, facing Snape Lane a 2 metre high close-boarded fence could be erected behind the existing hedge and fence to protect future occupiers from potential intruders.

Prior to submission a letter and revised layout plan were sent to Norfolk Constabulary on the 20th August 2008 showing how the revised landscaping scheme would provide greater natural surveillance of the path and security of the property (see Appendix 1). Keith Beckett the Crime Prevention Officer confirmed that although he had reservations with regard to the principle of developing the land he felt that the revised layout plan had addressed the issues raised in his report

The planning application site is of sufficient size to accommodate a detached bungalow and this outline application demonstrates the manner in which a detailed design can be satisfactorily accommodated which provides security and privacy to the property and natural surveillance of the cycle path in accordance with Government Guidance in PPS1, Section 17 of the Crime and Disorder Act (1998) and the policy tests in the KLWNLP.

PLANNING HISTORY

08/01516/O – Construction of detached dwelling at Land East of 30 Nelson Avenue, Downham Market – Refused under delegated powers on 7 August 2008

RESPONSE TO CONSULTATION

Town Council: OBJECT on the following grounds:

- The front door of the proposed dwelling opens onto the pathway cycleway and would result in loss of privacy detrimental to the occupier.
- BCKLWN will recall that NCC submitted a retrospective application for the cycleway because they had constructed it without prior planning permission.
- Inadequate visibility splays are provided at the junction of the access with the County Highway, Nelson Avenue, and this would cause danger and inconvenience to the users of the adjoining public highway.
- The development would be detrimental to highway safety and vehicular movements associated with the use of the access would lead to conflict and interference with the passage of vehicles on Nelson Avenue.

Highways Authority: (NCC): NO OBJECTION. Vehicle speeds are low & believe that the location of the point of access would be acceptable to serve the development provided the parking accords with the relevant standards. For the interest of public and the inhabitant's safety, the height of the boundary feature fronting the cycle path should be restricted to a height of no more than 1m. A condition requiring suitable visibility splays, access arrangements, parking provision & turning areas is recommended.

Public Rights of Way (NCC): NO OBJECTIONS to make as although Snape Lane (North of the application site) is coincident with Downham Market Restricted Byway No 12, it does not appear to be affected by the proposals. The 'public footpath' documented along the eastern boundary is actually a detached cycle track (Road Number 2Y25) which would be under the control of Highways and may therefore require separate consultation with them.

Internal Drainage Board: As the proposal uses soakaways it will not affect drainage operations in the district The Borough Council will need to be satisfied with regards to flood risk.

Environmental Health & Housing – Environmental Quality: No comments to make regarding contamination.

Norfolk Constabulary: Express reservations about using this land for building, but the alterations which have been made address issues raised.

REPRESENTATIONS

ONE letter of objection from a neighbour, the points are summarised as follows:

- Would be better employed as Public Open Space;
- Will affect the security of neighbouring properties by making the boundary more vulnerable;
- It could become a haven for anti-social behaviour & crime
- The privacy of adjacent dwellings could be affected;
- It could cause a loss of light to the neighbours property;
- Could affect services running across the land;
- Reduction of visibility could cause pedestrian & cyclist collisions

NATIONAL GUIDANCE

PPS1 - “Delivering Sustainable Development” (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS3 – Housing (2006) sets out the national planning policy framework for delivering the Government’s housing objectives.

EAST OF ENGLAND PLAN

Policy ENV7: Quality in the Built Environment - Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

PLANNING POLICIES

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

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

9/13 - aims to promote the provision of footpaths/cycleways and improve accessibility.

PLANNING CONSIDERATIONS

The application site is within Built Environment Type D and adjacent to a footpath and cycle path as defined by the King's Lynn and West Norfolk Local Plan (1998). The construction of a dwelling is acceptable in principle provided it has regard for the building characteristics of the area and does not have a negative impact with regard to the security of users of the public rights of way.

The main issues to consider when determining this application are:

- The impact of the development on the form and character of the area
- Highway issues
- Crime & disorder issues
- The impact of the development on neighbour amenity
- Other material considerations

The impact of the development on the form and character of the area

The application is for Outline Planning Permission with all matters reserved. Within the design and access statement it is proposed to construct a single storey detached dwelling with a driveway access off Nelson Avenue (which is indicated within the indicative layout plan).

Whilst the shape of the plot is considerably larger than the majority of the plots surrounding it (which are terraced and semi-detached properties), Redcroft which is immediately to the East of the cycle path, has a plot larger than those around it.

The proposed construction of a single-storey detached dwelling, although different from the predominantly two storey terraced and semi-detached dwellings within the locality, would not be completely out of character, given that the dwellings to the immediate East and West are also single storey.

Highway issues

Concerns have been raised by the Town Council and by written representations which express concerns regarding the visibility of the proposed access and its impact on the chicane like bend in Nelson Avenue.

County Highways however have no concerns regarding the proposed access provided that the applicant can provide suitable visibility splays, and parking and a turning area within the site so that any vehicles can enter and exit in forward gear. They have also stated that vehicle speeds are low in this location and the point of access shown on the indicative layout is acceptable.

Crime & Disorder issues

Section 17 of the Crime and Disorder Act (1998) states that it shall be the duty of each authority (including the Local Planning Authority) to do all it reasonably can to prevent crime and disorder in its area. Planning Policy Statement 1 also states that planning should facilitate development which supports existing communities and contributes to the creation of safe, liveable communities.

As a result of the previous refusal, this outline application provides details with regard to the height of the boundary treatment and any potential natural surveillance. The design and access statement has shown how the site could be subdivided to allow for amenity space for the occupier of the property, as well as sufficient clearance with the cycle path, thereby preventing the creation of a narrow corridor.

Concerns about the development have been expressed regarding the proposed developments close proximity to the cycle path on its eastern boundary. At present the site is open with good natural surveillance to users of the cycle path from both the south and west. The construction of a single storey dwelling has been argued to limit the existing visibility from the west. However, it is acknowledged that if positioned suitably, the new dwelling can provide good overlooking of the footpath. The illustrative layout shows how this could be done.

Formal comments have been received from the Police Architectural Liaison Officer (ALO), and following informal discussions there is a softening of the Police's view of this proposal. A copy of a letter from the ALO is submitted with the application and whilst expressing some reservations about the principle of development, it is stated that "For the reasons I have highlighted above I would still have reservations about using this land for building but it is fair to say that the alterations you have made have addressed the issues I raised in my report".

Although the neighbouring property expresses concerns about security because of the development, the potential for additional overlooking of the cycle path from a new property could actually act to increase security.

The response from the Highways Officer states that in the interest of public and any inhabitants' safety the height of the boundary feature fronting the path should be restricted to a height of no more than one metre. This arrangement is shown indicatively on the submitted plan and can be a condition attached to any consent. The indicative layout shows how there could be a limited amount of 2m high fencing (approximately 7m in length) to Snape Lane to serve private amenity space, whilst the remaining length could be limited in height. However, there is limited overlooking of Snape Lane from the west at present because of existing vegetation along the boundary. The proposal will not alter the present situation materially. In addition Snape Lane is already overlooked by the dwellings on its north side.

The impact of the development on neighbour amenity

The proposed development would have little impact on neighbour amenity with regards to overlooking, overshadowing and having an overbearing impact.

Whilst the positioning of windows would be dealt with at reserved matters it is unlikely that a single storey dwelling would have an adverse impact on privacy, particularly given potential and existing boundary treatments.

The proposed dwelling is to the east and west of its immediate neighbours and any overshadowing would be mitigated not only by its orientation, but also by the fact it would be single storey.

Other material considerations

Comments received regarding the retrospective planning permission for the cycle path is not material to this application. The possible alternative use of the land as open space is not being considered within this application, and it was never proposed that this was the use for the land. It was originally designed to provide a link road which is no longer required. The possible effect of construction on the services to Redcroft is a civil matter and cannot be considered within the determination process.

The remaining representations made are already dealt with in the report apart from the objection to the front of the property opening straight out onto the cycle path. However it is considered that this could be seen as a positive in introducing an active frontage to the cycle path and is no reason to refuse the scheme.

CONCLUSION

This application is made following a previous refusal of planning permission solely on the grounds that the proposal would adversely affect crime and disorder through reduced natural surveillance of the cycle path. Since then the applicant has approached the Architectural Liaison Officer and has produced evidence showing how the cycle path would continue to be overlooked by the new property, whilst maintaining a degree of private amenity space for the new property. This is considered to be sufficient to withdraw the previous objections to this scheme.

There are no highway objections to the scheme and all other issues can be dealt with at the reserved matters stage or through condition. Given the above, a recommendation of approval is made.

RECOMMENDATION:

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

- 1 Condition Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and/or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:
 - i) visibility splays (2.4 parallel around road side frontage)
 - ii) access arrangements
 - iii) parking provision in accordance with adopted standard
 - iv) turning areas
- 5 Reason To ensure a satisfactory standard of highway design and construction in accordance with policy 4/21 of the King's Lynn and West Norfolk Local Plan (1998).
- 6 Condition Prior to the commencement of development the boundary treatment for the site shall be agreed in writing by the Borough Planning Authority, and prior to first occupation of the dwelling the boundary treatment shall be erected as approved, and thereafter maintained as approved. The boundary treatment hereby required shall include the provision of a fence at a maximum height of 1m along the entire boundary with the cycle path.
- 6 Reason To ensure satisfactory boundary treatment in the interests of security along the cycle path and the amenity of residents.

BACKGROUND PAPERS

Application file reference: 08/02459/O

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

Parish:	Harpley	
Proposal:	PROPOSED CONVERSION OF OUTBUILDING TO RESIDENTIAL DWELLING	
Location:	Outbuilding At Chasewood Church Lane Harpley King's Lynn	
Applicant:	Mr STEPHEN DAY	
Case No:	08/02460/F (Full Application)	
Case Officer:	Mrs K Lawty Tel: 01553 616403	Date for Determination: 2nd January 2009

Reason for Referral to DCB – The Parish Council object due to the impact on parking and the access to the site.

Case Summary

The site is part of an existing courtyard of residential properties with vehicle access onto Nethergate Street. The site comprises an existing one and a half storey height terraced outbuilding with garage doors at ground level and a single storey outbuilding. It is within the Built Environment Type C.

Planning permission has previously been approved for the conversion of the building into a single residential unit. However, this application proposes an amended layout which results in changes to fenestration and the raising of the roof of the existing building by five brick courses to achieve the conversion of the existing outbuildings into a residential property. This will improve the internal head height of the upper floor resulting in better living conditions for the occupant.

Key Issues

Acceptability of the principle of development;
Relationship with adjoining occupiers
Highways; and
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The site comprises an existing one and a half storey height building currently used for garaging and storage, a single storey outbuilding and associated land. The buildings are set within a courtyard of existing cottages. The site is bounded to the north east, south west and north west by other detached and terraced dwellings and cottages. Access to the site is through an existing archway onto Nethergate Street.

Planning permission was approved by the Board last year for the conversion of these existing buildings to a single dwelling. The principle of the use of this building as a separate dwelling has, therefore, already been established.

This application also seeks full planning permission for the conversion of these existing buildings into an independent residential property, but now incorporates some physical changes to the building and a revised internal layout. Physical changes include the raising of the roof of the existing building by five brick courses to improve the internal head heights of the upper floor, the infilling of a small area between the two forward projections to create a simple lean-to and the reconfiguration of doors and windows. The revised layout enables the retention of one of the garages and a second bedroom.

SUPPORTING CASE

The applicant confirms that the outbuildings form an integral part of the existing courtyard of residential properties and that the buildings are currently used for storage. The buildings are in good condition and show no sign of any damage or structural problems.

These buildings, which are constructed of traditional materials, have been previously extended using unsympathetic materials. This proposal will see these unflattering extensions demolished and replaced with something more in keeping.

The applicant confirms that a turning head will be provided within the site ensuring vehicles can leave the site in a forward gear.

The applicant confirms that the main difference to the previous approval is the raising of the existing walls by 5 courses of brickwork to improve the usability of the first floor. The eaves will remain subservient to the adjacent property as shown on the proposed elevation plans.

PLANNING HISTORY

07/01245/F - Conversion of two cottages and outbuilding to four cottages – Refused

08/01192/F – Conversion of outbuilding to residential - Approved

RESPONSE TO CONSULTATION

Parish Council: OBJECT – the opinion of the Parish Council remains unchanged – the council is opposed to the application on grounds of parking/access.

Highways Authority: NO OBJECTION

Internal Drainage Board: N/A

Environmental Health & Housing – Environmental Quality: N/A

Norfolk Constabulary: N/A

REPRESENTATIONS

ONE piece of correspondence in support of the application because of the following:-

- If the proposal is refused, the two garages will be let to other local residents. This will cause more traffic, both vehicular and pedestrian, to use the exit in Nethergate Street than will be the case if permission is granted.
- Raising of the upper floor by five brick courses will not cause any problem of privacy, neither our garden nor any other adjoining property will be adversely affected by an extra foot of height. We have been overlooked from the rear by both Chasewood and Rosedene for nearly forty years without cause for complaint; this is the nature of this cluster of dwellings and the addition of one more will have no effect. I would therefore strongly urge you to permit the proposal.

NATIONAL GUIDANCE

PPS1 - "Delivering Sustainable Development" (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS3 – Housing (2006) sets out the national planning policy framework for delivering the Government's housing objectives.

PPG13 - "Transport" (2001) aims to integrate planning and transport, promote sustainable forms of development, improve accessibility by public transport, walking and cycling, and reduces the need to travel, especially by car.

EAST OF ENGLAND PLAN

Policy SS1: Achieving Sustainable Development - The strategy seeks to bring about sustainable development by applying the guiding principles of the UK Sustainable Development Strategy 2005, the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All:

Policy ENV7: Quality in the Built Environment - Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

PLANNING POLICIES

The Norfolk Structure Plan (1999) contains the following policies that are relevant to this application:

T.2 - requires that the traffic implications of new development are assessed.

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

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

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

PLANNING CONSIDERATIONS

The site is located within the settlement of Harpley and within the Built Environment Type C as depicted on the Local Plan Proposals Map. In principle new development will be permitted provided it has regard for and is in harmony with the building characteristics of the locality. Planning permission has already been approved for a change of use of the building to provide a single dwelling. The principle has, therefore, already been established.

The key issues to be determined in this case are:-

- Acceptability of the principle of development in terms of design and scale;
- Relationship with adjoining occupiers
- Highways; and
- Other material considerations.

Principle of development

Planning permission was approved last year for the change of use of these outbuildings to a modest residential unit. This is a material consideration.

There have been no policy amendments or physical changes to the site or the surrounding development since the previous application was approved. This application results in only modest changes to the building by raising the height of the eaves level and roof by five brick courses. The proposed amendments to the fenestration simplify the design and are an improvement on the previous scheme; they do not increase overlooking. Similarly, the revised layout gives an improved and more useable internal living area.

The proposed works will generally improve the visual amenity of the building and the courtyard. Despite the raising of the eaves level and roof, the building will remain subservient to the adjoining building to the north east. The revised internal layout is an improvement on the previously approved scheme.

In terms of form and character the proposal is in keeping with the existing development around it. The proposal accords with Local Plan Policy 4/21.

Relationship with adjoining occupiers

The cottages in this part of Harpley are close knit and have shared accesses and gardens immediately adjacent to other properties' windows. There is, therefore, already a degree of overlooking between existing cottages and their gardens.

Previously the relationship between the dwelling as proposed and other existing dwellings was examined and found to be acceptable.

In this case no additional windows are proposed, the most significant change being the raised roof. The increased mass will cause a small amount of additional overshadowing throughout the day. However, the extent of the impact of the increased height of the building has been assessed and it is considered there will be no significantly detrimental impact upon the amenity of the occupants of neighbouring properties in terms of overshadowing as a result of this proposal.

Similarly the increased mass will not appear unduly overbearing.

Highways issues

Concern has been raised by the Parish Council regarding the lack of off street parking and the potential increase of parked vehicles on the highway in this narrow section of Nethergate Street. However, the changes to the internal layout now sees the retention of one of the garage spaces and still allows room for parking and turning within the courtyard area.

The Highways Authority again raises no objection to the proposal and the principal of one additional residential unit has already been agreed.

Crime and Disorder Act 1998

Section 17 of the above act requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Board will not have a material impact upon crime and disorder.

CONCLUSION

The principle of an additional dwelling has recently been agreed and this proposal seeks only minor alterations to that scheme. Parking will be improved in this latest scheme and the alterations do not have a material impact upon neighbours. Permission shall therefore be approved.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Prior to the first use of the development hereby permitted the on-site parking, and turning areas shall be laid out, constructed and surfaced in accordance with the approved plans and retained thereafter available for that specific use.
- 2 Reason To ensure that turning facilities are available in the interests of highway safety in accordance with the principles of PPG13.
- 3 Condition Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, and no new windows/dormer windows/roof lights (other than those expressly authorised by this permission), shall be allowed without the granting of specific planning permission.
- 3 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.

BACKGROUND PAPERS

Application file reference: 08/02460/F

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

Parish:	Middleton	
Proposal:	Retention of single storey building, associated access gates and boundary treatments and proposed use for holiday accommodation	
Location:	Land North Of Mill Farm Lynn Road Middleton Norfolk	
Applicant:	Mr Robert Bull	
Case No:	08/02486/F (Full Application)	
Case Officer:	Mr K Wilkinson Tel: 01553 616794	Date for Determination: 7th January 2009

Reason for Referral to DCB – This application has been requested to be referred to the DCB for decision by Cllr. Tony White.

Case Summary

Full permission is sought for the retention of a single storey building and its use for holiday purposes, at Mill Farm in the countryside approximately 600m to the east of the defined village of Middleton and south of the A47. The building is currently unauthorised and has been the subject of enforcement investigation. A previous application for its use as a new dwelling was refused under delegated powers in June 2008 (ref: 08/01156/F).

Key Issues

Principle of the development;
Design and appearance;
Impact upon the countryside;
Access and highway issues;
Crime and disorder; and
Any other material considerations.

Recommendation

(A) REFUSE

(B) ENFORCEMENT ACTION be authorised

THE APPLICATION

Full permission is sought for the retention of a single storey building and its use for holiday purposes, at Mill Farm in the countryside approximately 600m to the east of the defined village of Middleton and south of the A47. The building is currently unauthorised and has been the subject of enforcement investigation. A previous application for its use as a new dwelling was refused under delegated powers in June 2008 (ref: 08/01156/F).

SUPPORTING CASE

A Design and Access Statement accompanies the planning application and raises the following issues:

The site was purchased in 2007 by Mr Robert Bull and appears to have previously been part of a furniture/antiques business. This particular barn was utilised for the display and storage of antique furniture. We are informed that the premises had a stove, sinks and the toilet and had the overall appearance of being utilised during its lifetime as a residential unit. With this in mind the new owners elected to extend and refurbish the premises, making them into a more usable unit of accommodation. What had not been appreciated by the new owner was that the last use of the building (A1) effectively extinguished any prior residential use of the property. The development came to the attention of the Borough Council and was investigated by the Enforcement Team in January 2008.

A planning application was submitted in April 2008 for use the new building as a separate dwelling. This was refused under delegated powers in June 2008.

As can be appreciated, there has been substantial investment in the conversion of the premises and Mr Bull is obviously anxious to retain the structure as now converted. He is however now resigned to the understanding that full residential use does not accord with local plan policies. There are however, other uses that the premises can be utilised for with appropriate consents that accord with the local plan policies hence this application.

The property has the benefit of all services and is accessed off the A47 by a private drive, which separates to give independent accesses to both Mill Farm and the barn.

The modifications to the original building and the materials used in the construction are considered to be sympathetic, resulting in an attractive single storey unit. Substantial planting and landscaping of the immediate environs of the premises will in due course create an attractive setting.

Local Plan Policy 8/5 relating to conversion of rural buildings and Policy SS5 regarding local economy are referred to, however these are not saved policies.

The use of this building as a holiday cottage demonstrates that its reuse can be for non-residential purposes in compliance with the aims of Planning Policy Statement 7. Further, the aspirations of the local plan can be met allowing the conversion and thus promoting tourism, which is recognised as being important to the local economy.

Whilst it is recognised that the conversion has included a considerable additional area of building, it is argued that although this is a departure from the ethos of the local plan, the benefits of keeping the building for holiday accommodation outweighs the alternatives of leaving it derelict and/or reverting back to A1 use, which would be an economic nonsense.

PLANNING HISTORY

08/01156/F - Conversion of barn for use as dwelling plus associated works – Refused 16.06.2008 (Delegated Decision)

08/01372/F – Remodelling and extensions to Mill Farm – Withdrawn 19.08.2008

RESPONSE TO CONSULTATION

Parish Council: OBJECTION – 1) The site is located some way outside of the village and is accessed only by a narrow track, which leads directly onto a major trunk road. This fails to meet the criteria set out in PPS7 paragraph 17 as such buildings to be “appropriately located”. Users would be heavily reliant on cars to access services and facilities which conflicts with criteria in PPS1 and PPS7. 2) The conversion, as acknowledged by the applicant involves “a considerable additional area of building”. This, together with the erection of a boundary fence to an effective height of 6 feet 6 inches (with the gravel boards) is detrimental to the character of the building at the rural nature of the surrounding countryside. It is therefore contrary to both PPS1 and PPS7.

Highways Authority: NO OBJECTION

Highways Authority - Public Rights of Way Officer: NO OBJECTION

Highways Agency: No Response

Internal Drainage Board: No comments at the time of writing this report.

Environmental Health & Housing –Community Safety and Neighbour Nuisance: NO OBJECTION

Norfolk Fire Service: NO OBJECTION - advice that as the property is proposed to be used for holiday accommodation, it would be subject to the Fire Safety Order 2005. As such certain fire precautions mainly to be installed over and above that already present.

REPRESENTATIONS

None received at the time of writing this report.

NATIONAL GUIDANCE

PPS1 - “Delivering Sustainable Development” (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS7 - “Sustainable Development in Rural Areas” (2004) aims to promote sustainable patterns of development in rural areas and contains specific advice on the consideration of applications for agricultural dwellings.

Tourism Best Practice Guide (2006): This Good Practice Guidance, to be read alongside national planning policies, is designed to:

- ensure that planners understand the importance of tourism and take this fully into account when preparing development plans and taking planning decisions;
- ensure that those involved in the tourism industry understand the principles of national planning policy as they apply to tourism and how these can be applied when preparing individual planning applications; and
- ensure that planners and the tourism industry work together effectively to facilitate, promote and deliver new tourism development in a sustainable way.

EAST OF ENGLAND PLAN

Policy ENV7: Quality in the Built Environment - Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

PLANNING POLICIES

The Norfolk Structure Plan (1999) contains the following policies that are relevant to this application:

T.2 - requires that the traffic implications of new development are assessed.

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

4/6 - aims to protect areas of important landscape quality from inappropriate development.

PLANNING CONSIDERATIONS

The key issues for consideration in assessing this application are:

- Principle of the development;
- Design and appearance;
- Impact upon the countryside;
- Access and highway issues;
- Crime and disorder; and
- Any other material considerations.

Principle of the development

The application site is located within the Norfolk countryside in an Area of Important Landscape Quality as defined within the proposals map accompanying the King's Lynn and West Norfolk Local Plan (1998).

As accepted by the agent, the modifications to the original outbuilding are extensive in that the eave height was reduced, the pitched roof replaced by a hipped roof and a large wing added to the rear (which is of a scale that makes it the dominant element) plus a conservatory. There is very little left of the original building and for all intents and purposes, this is a new replacement building in the countryside. The suitability of the design and appearance will be addressed later in this report.

This proposal must therefore be judged as a new replacement building in the countryside that is for holiday use.

Paragraph 19 of PPS7 allows for the replacement of suitably located, existing buildings of permanent design and construction for economic development purposes. It also goes on to state that buildings should be favoured where it would result in a more acceptable and sustainable development than might be achieved through conversion. It refers to the impact of the development on its surroundings and landscape. In the absence of specific criteria for replacement buildings set out in a Local Development Document, each case will need to be assessed on its merits against the general advice in PPS7.

PPS7 also states that the replacement of non-residential buildings with residential development in the Countryside should be treated as new housing development. Holiday (tourist) accommodation does offer economic development benefits, and can reasonably be seen as a type of business use.

PPS7: Sustainable Development in Rural Areas states at paragraph 37 that the Government expects most tourist accommodation requiring new buildings to be located in, or adjacent to, existing towns and villages. In terms of the sustainability of the site, it is located some 900 metres away from the defined village settlement of Middleton as depicted on the proposal maps of the King's Lynn and West Norfolk Local Plan, 1998. The site is considered to be in an isolated position where access to shops, doctors and other services are not easily accessible (walking and cycling along the A47 without refuge is considered to be dangerous) and only accessible by car. This situation is not ideal and would seem to be contrary to the locational aims of tourist accommodation, as set out in PPS7 and PPS1.

The Good Practice Guide on Planning for Tourism recognises the economic benefits to an area created by tourism accommodation, and is generally supportive of such a use. However the benefits need to be assessed alongside other issues such as the suitability of the location in terms of sustainability (Annex A paragraph 1).

Design and appearance

As stated above the modifications to the original outbuilding are extensive in that the eave height was reduced to single storey level, the double pitched roof replaced by a hipped roof and a large wing added to the rear of a scale that makes it the dominant element, plus a conservatory. The new building approximately doubles the floor area of the original building.

In terms of the materials used, these are compatible to the local palette in that carstone panelling with brick detailing was used on the original building. The windows, doors and conservatory are uPVC in light oak effect. A box bay window is positioned on the front/east elevation. With rural buildings, there is an encouragement to use timber casement windows and doors to reflect and enhance the rustic character of buildings. The door style and the additions of a box bay window and conservatory are too contemporary and adversely affect the character of the building.

The proportions of the rear wing are rather unusual in that there is an overhanging/projecting eave, which provides a covered walkway area adjacent to the patio area the rear. This results in the roof mass being dominant and having the appearance of a bungalow rather than that of a rustic outbuilding. Had the proposal been submitted as a planning application prior to the works being undertaken, improvements to the design and appearance would have been sought.

The application also seeks to regularise the boundary treatments and access gates along the eastern side of the site adjoining the lane. The wall is mainly 1.8m high with carstone panels and buff brick detailing rising to two ornamental piers with stone balls on top (3.4m overall height) framing the access gates - wrought iron frame with light oak stained solid timber panelling. New close board fencing 1.8m high has also been erected on the eastern boundary of the site. This presents a solid boundary to the edge of this complex and is open to public view, given that the lane is a bridleway and footpath.

Impact upon the countryside

The application site falls within a locally recognised sensitive area of countryside – an Area of Important Landscape Quality (AILQ). Local Plan Policy 4/6 therefore applies which states that in this area, development which damages the distinctive character or appearance of the landscape will not be permitted. It is considered that the design and appearance of the building, which has the proportions and features of a bungalow, and the solid nature of the boundary treatment and gateway creates an urbanising effect upon the character and appearance of this rural locality.

Access and highway issues

Vehicular access is gained from the A47 via a lane that is a bridleway and footpath. Whilst there is no response from the Highways Agency, the traffic generated by this use would not create significant vehicle movements (in comparison to the former A1 use) that would warrant concern. This view is shared by County Highways.

There is no adverse impact upon the bridleway as confirmed by the Public Rights of Way officer.

Crime and Disorder

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

Any other material considerations

The site falls within Flood Zone 1 as defined on the Strategic Flood Risk Assessment maps. It is not therefore prone to flooding and a flood risk assessment is not required.

Norfolk Fire Service has given advice with regards to fire precautions and meeting the requirements of the Fire Safety Order 2005.

CONCLUSION

Although this building replaces a former single-storey rural outbuilding, the new build approximately doubles the floor area of the previous. In addition, the design is such that the new building has the appearance of a bungalow and taken with the new walling, is characteristic of urban areas, rather than one sensitive to this rural location, and it does not reflect the appearance of the former rustic outbuilding. The development as constructed therefore harms the countryside and landscape of this rural area.

Whilst tourist accommodation is more appropriate than the separate dwelling which was the subject of a previous refusal, and such accommodation will have some positive benefits, there are also problems with the isolated location of this property, and its complete reliance on the car.

Overall, for the reasons given above, a recommendation of refusal is proposed. Given the retrospective nature of the scheme, enforcement action will also be required.

RECOMMENDATION:**(A) REFUSE** for the following reason(s):

1 The proportions and detailing of the new building and boundary treatments create a contemporary structure with the appearance of a bungalow at odds with this rural location, and creating an urbanising effect upon the character and appearance of this locality. It is considered that the proposal would not accord with National Guidance as set out in PPS7, and be contrary to Policies ENV7 of the East of England Plan 2008 and 4/6 of the King's Lynn and West Norfolk Local Plan (1998).

2 National policy in PPS1 and PPS7 states that the Government expects most tourist accommodation requiring new buildings to be located in or adjacent to, existing towns and villages. In terms of the sustainability of the site, it is located some 900 metres away from the defined village settlement of Middleton as depicted on the proposal maps of the King's Lynn and West Norfolk Local Plan, 1998. The site is considered to be in an isolated position where access to shops, doctors and other services are not easily accessible (walking and cycling along the A47 without refuge is considered to be dangerous) and only accessible by car. Therefore, the location of the proposed development is not considered to be sustainable and is contrary to the advice contained in PPS1 and PPS7.

(B) That powers be delegated to the Head of Development Services to pursue Enforcement Action for the removal of the building.

BACKGROUND PAPERS

Application file reference: 08/02486/F

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

Parish:	Terrington St Clement	
Proposal:	Occupation of dwelling without complying with Condition 3 of Planning Permission 2/03/0387/F to allow the annexe to be occupied as a separate unit of residential accommodation	
Location:	42 Tuxhill Road Terrington St Clement King's Lynn Norfolk	
Applicant:	Mr B Reddington	
Case No:	08/02628/F (Full Application)	
Case Officer:	Mr K Wilkinson Tel: 01553 616794	Date for Determination: 19th January 2009

Reason for Referral to DCB – This application has been requested to be determined by the DCB by Cllr. Brian Long.

Case Summary

Planning permission was granted in May 2003 for the construction of a self-contained residential annexe under planning ref: 2/03/0387/F. This was a two-bedroom unit that was to accommodate the special circumstances of the applicants' son and grandson. Condition 3 attached to that consent restricted the accommodation to being ancillary to the existing dwelling, and for occupation in connection with the dwelling. The ancillary accommodation would all times be held on occupied with the existing dwelling within the same curtilage and at no time be occupied a separate unit of residential accommodation. The annexe is part-built in that the structure is sound and roofed, but the interior is not finished.

The circumstances of the applicants have subsequently changed and the special need no longer exists. This application therefore seeks the removal of Condition 3 attached to the initial permission to allow the annexe to be occupied as a separate independent dwelling.

Key Issues

Principle of the development;
Access and highway issues;
Flood risk;
Crime and disorder; and
Any other material considerations

Recommendation

REFUSE

THE APPLICATION

The site lies on the western side of Tuxhill Road approximately ½ km south of the A17. Tuxhill Road comprises sporadic residential development but is mainly rural in form and character. The site lies in the countryside as defined on the Local Plan inset map. Number 42 is one of a pair of semi-detached houses with substantial grounds contained by mature landscaping.

Planning permission was granted in May 2003 for the construction of a self-contained residential annexe to the south of the dwelling under planning ref: 2/03/0387/F. This was a two-bedroom unit that was to accommodate the special circumstances of the applicants' son and grandson. The building takes the form of an outbuilding with a garage associated to the house and the annexe linked by an archway providing vehicular access into the rear of the site.

Condition 3 attached to that consent restricted the accommodation to being ancillary to the existing dwelling, and for occupation in connection with the dwelling. The ancillary accommodation would at all times be held and occupied with the existing dwelling within the same curtilage and at no time be occupied as a separate unit of residential accommodation. The annexe is part-built in that the structure is sound and roofed, but the interior is not finished, and it has never therefore been occupied as an annexe.

The circumstances of the applicants have subsequently changed and the special need no longer exists. This application therefore seeks the removal of Condition 3 attached to the initial permission to allow the annexe to be occupied as a separate independent dwelling.

SUPPORTING CASE

A Design and Access Statement accompanies the application which identifies the following issues:

The annexe was originally granted planning permission due to a family situation involving Mr and Mrs Reddington, and particularly unfortunate circumstances of their son and grandson. Such that the annexe would be occupied in order to provide respite care in close proximity to the main unit. Due to happier circumstances this intensive care involvement is no longer needed.

Whilst the annexe was carefully designed as an outbuilding, so as not to be too visually intrusive, it is in fact a completely self-contained one-bedroom dwelling, should one-bedroom be utilised as a lounge. This self-containment is evident on the submitted drawing and is as described in the title of the original decision notice. This is contrary to the reasoning given as to why Condition 3 was imposed.

Two independent curtilages can be created, each with their own separate private amenity space and parking facilities. The separation could be provided by a 1.8 metre high close boarded fence and would not create any inappropriate domination, overshadowing or overlooking problems.

It is appreciated that this request is not within the spirit of the original grant, but it has been brought about by changed circumstances. Hopefully this omission will be viewed as making the best use of an existing asset as required by national policy.

It should be noted that the property lies in Flood Zone 2 and following the comments from the Environment Agency on the previously withdrawn application, the applicant upon an approval will have the Flood Plan carried out for their approval and welcomes any condition tied to an approval.

The site plan has also been amended to take into account the comments of the highway officer from the withdrawn application, and the conifer hedge will either be reduced or removed and replaced with a tender picket fence.

This should be seen as a sustainable use of an existing structure, which has the feel of a separate dwelling, due to its design and positioning on the street scene.

PLANNING HISTORY

2/02/1808/O - Site for construction dwelling – Withdrawn 16.05.2003

2/03/0387/F - Construction of self-contained residential annexe – Approved 20.05.2003

08/02213/F - removal of condition three attached to planning permission 2/03/0387/F to allow annexe to be occupied as a separate independent dwelling – Withdrawn 22.10.2008

RESPONSE TO CONSULTATION

Parish Council: OBJECT - this development was allowed in 2003 for a specific family reason, although we did object then as we felt it would be once developed, open to an application such as this, which is against the original plea for it being allowed. This will result in the creation of an additional dwelling in the countryside and outside the development area. It would also, if allowed, set a precedent for other properties in the countryside to follow suit. It should remain as part of the original property.

Highways Authority: NO OBJECTION conditionally.

Internal Drainage Board: No response received at time of writing the report.

Environment Agency: NO OBJECTION subject to a condition relating to a Flood Plan.

REPRESENTATIONS

Cllr Brian Long - request that the application is considered by the Development Control Board. The building in question has been built as an annexe to the main dwelling but separated by a large brick archway, this gives the appearance of a group of farm type buildings located around an arched courtyard. Whilst I appreciate the strict position with regard to new buildings in the countryside, what is being created here is an attractive addition to the main dwelling that will now find itself uninhabited, because of the condition imposed on the application. Unfortunately circumstances change and it would be far better now for this annexe to become an individual dwelling than for it to be left uninhabited. If the restriction remains in place the sustainability of the whole site is brought into question, as the financial position of the build now dictates the sale of the main dwelling to finally complete the annexe.

NATIONAL GUIDANCE

PPS1 - “Delivering Sustainable Development” (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS7 - “Sustainable Development in Rural Areas” (2004) aims to promote sustainable patterns of development in rural areas and contains specific advice on the consideration of applications for agricultural dwellings.

PPS25 - “Development and Flood Risk” (2006) provides advice on land-use planning and flooding considerations.

PLANNING POLICIES

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

PLANNING CONSIDERATIONS

The key issues in considering this application are:

- Principle of the development;
- Access and highway issues;
- Flood risk;
- Crime and disorder; and
- Any other material considerations

Principle of development

The site lies within the countryside as defined on the Local Plan inset maps. Paragraph 10 of PPS7 makes it clear that isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work. The new permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units providing that there is an existing functional need and the business is financially sound.

Planning permission was granted in May 2003 for this self-contained residential annexe under planning ref: 2/03/0387/F. This was a two-bedroom unit that was to accommodate the special circumstances of the applicants’ son and grandson (the latter who has physical problems that require special care). Condition 3 attached to that consent restricted the accommodation to being ancillary to the existing dwelling, and for occupation in connection with the dwelling. The ancillary accommodation would all times be held on occupied with the existing dwelling within the same curtilage and at no time be occupied a separate unit of residential accommodation. Although stated, the ancillary accommodation has never been completed and never occupied as an annexe.

The proposal to remove Condition 3 effectively seeks to create a new dwelling in the countryside, which would fail to comply with the guidance contained in PPS7.

Access and highway issues

There is an existing access serving the current property off Tuxhill Road, which is effectively a gap in a significant leylandii hedge along the road frontage. Visibility is severely restricted in both northerly and southerly directions on exiting the site. In order to negate the County highways concerns raised on the previous application, it is proposed to reduce the existing hedge to one metre in height, or replace it with a 1.0m high timber picket fence along the entire road frontage. Whilst County highways comments have not been received at the time of writing this report, it is anticipated that the proposal would be acceptable, subject to the visibility splays being improved and a turning facility created within the site to serve the has demonstrated on the application plans.

Flood risk

The site lies within Flood Zone 2 as indicated on the Strategic Flood Risk Assessment maps. Residential is a 'more vulnerable use' as defined by PPS25. However applying the sequential test it is accepted that the relevant locality is also within Flood Zone 2, and there is no objection on this ground.

PPS25 Good Practice Guide at paragraph 6.17 states: single storey residential development is generally more vulnerable to flood damage and occupants do not have the opportunity to retreat to higher ground floor levels. Safe refuge above flood level should be designed into new development within Flood risk zones. The design and access statement acknowledges that the development is in the Flood Zone 2 and has minimum mitigation. The Environment Agency therefore would recommend the provision of a Flood Plan for the development, which should include the method of Flood warning and evacuation to ensure the safe use the development in extreme circumstances. This could be controlled via condition.

Occupants of the annexe could gain access to the main dwellinghouse, and therefore refuge to first floor level in the event of flooding. This would not occur if it is used as a separate entity. In mitigation, the Environment Agency has proposed a flood evacuation plan be conditioned in the event of an extreme event. Given this, on balance no objection is raised on the grounds of flood risk.

Crime and Disorder

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

Any other material considerations

No other issues have been raised in response to consultation, which need to be considered as part of this application.

CONCLUSION

The proposal is quite clearly contrary to national advice contained in PPS7 and PPS1 as this effectively creates a new permanent dwelling in the countryside. The annexe was initially approved to meet a particular need with regards to the care of family members. The development was commenced in full knowledge of the restriction in terms of its occupation and use but was never completed and was never used for the special circumstances for which it was originally granted.

To grant unrestricted consent on the basis of a change in personal circumstances would result in a development that would never have been granted in the first place because it flies in the face of national policy seeking to protect the Countryside. Whilst the applicant states the building will stay empty if approval is not forth-coming, it can still be used as an annexe by family members.

For the reasons above the planning application is recommended for refusal.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposal to remove Condition 3 attached to planning permission 2/03/0387/F effectively creates a new dwelling in the countryside which is strictly controlled away from established settlements or from areas allocated for housing in development plans. The proposal is not justified or related to a rural enterprise, and is therefore contrary to the provisions of PPS7: Sustainable Development in Rural Areas and PPS1: Delivering Sustainable Development.

BACKGROUND PAPERS

Application file reference: 08/02628/F

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

Parish:	Walpole	
Proposal:	Construction of dwelling (previously approved under 08/00301/F) with revisions to access, house design and garaging	
Location:	Land South Of Dunton Chalk Road Walpole St Peter Wisbech	
Applicant:	Mr Shane Cummins	
Case No:	08/02487/F (Full Application)	
Case Officer:	Mr M Broughton Tel: 01553 616418	Date for Determination: 26th December 2008

Reason for Referral to DCB – The Parish Council is at variance with the Officer recommendation, as they object on the grounds that the application represents incremental planning gains, the siting of the proposed garage is not in keeping with the locality, unsafe access points, building over a former drain and inaccuracies to that already approved for this site.

Case Summary

This application relates to the construction of a two storey detached dwelling on land south of Dunton, Chalk Road, Walpole St Peter, in an area designated Built Environment Type D in the Development Plan.

The ground floor of a two storey detached dwelling is already constructed (08/00301/F applies). This application seeks to complete the construction with revisions to the approved design, scale and point of access and incorporates the construction of a single detached garage.

PPS1, PPS3, PPG13, PPS25, Policies SS1, ENV7, T8 and WAT4 of the East of England Plan 2008, Policy T2 of the Norfolk Structure Plan 1999 and Policies 4/21, 4/7 and 8/1 are relevant to the proposed development.

Key Issues

The form and character of the locality / residential amenity
 Highway issues
 Surface water drainage
 Crime and disorder
 Any other material considerations

Recommendation

APPROVE

THE APPLICATION

The land is situated on the eastern side of Chalk Road, Walpole St Peter, approx 156m N of the Church Road junction, in an area designated Built Environment Type D in the Development Plan.

The site (0.063ha) has planning permission to construct a two storey dwelling with integral garage and a new access to serve both the approved dwelling and Dunton. At the time of the site visit the ground floor of a two storey detached dwelling had been constructed on the land. The ground floor level has been constructed with an increase in the floor plan and alterations in scale /design.

The site is approximately 60 m in depth, with the width decreasing from approximately 13m on the frontage to 10m at the rear boundary. The site is formed by the sub-division of the land associated with 'Dunton', which forms the northern edge of the settlement boundary in this part of Walpole St Peter.

Boundary treatment comprises:

- A 1.8m fence on the northern boundary with Dunton
- Post and rail fencing at 1.5m on the east (rear) and west (front) boundaries
- A 3/4m thicket hedge on the southern boundary, dividing the site and the adjacent dwelling 'Kirk View'. This forms a mix of tree and hedge (with no set height or particular format) and interspersed low fencing

The original access serving Dunton is 'in use' serving the site of the proposed new dwelling. A separate access point to the remaining frontage of Dunton is partially completed to serve Dunton.

This application seeks revisions to the approved design and point of access and includes:

- An increase in floor area
- Re-positioning of the chimney stack and rear door
- Deletion of integral garage door and replacement with window to create habitable room
- The construction of a single detached garage to be constructed at the front the dwelling.

SUPPORTING CASE

The Design and Access Statement and other information submitted highlights:

- This application has been submitted following consultations with the LPA to regulate the site.
- Planning permission (08/0301/F) was granted in April 2008 for the construction of a two storey detached dwelling with integral garage
- The ground floor level of the dwelling has been constructed, but not fully in accordance with the approved plans. Specifically the position for the chimney, use of the integral garage as a habitable room, insertion of window and the omission of a door on the rear elevation
- The approved floor plan was 9.45m width x 9.5m depth. The proposed floor plan represents an increase on that already approved, with measurements 9.8m width x 9.6m depth, with a similar height of 7.45m, which is comparable to that of Dunton.
- The scale and design are in keeping with the locality
- Retention of willow trees at front of site and hedge on the southern boundary

PLANNING HISTORY

08/1962/F: Withdrawn 25/09/08: construction of detached snooker / games room

08/00301/F: Delegated approval 23/04/08: construction of detached dwelling with integral garage

06/02112/O: Delegated refusal 27/11/06: outline application for the construction of one dwelling

06/01065/O: Delegated refusal 15/06/06: outline application for the construction of one dwelling

Land adjacent (site of 'Dunton'):

08/01982/F: Withdrawn 25/09/08: construction of detached double garage

RESPONSE TO CONSULTATION

Parish Council: OBJECTION: the following comments apply:

- Application represents incremental planning gains beyond that which would have been acceptable in the initial application (proximity to neighbouring boundary and property, disregard for neighbours privacy and increase in accommodation)
- Siting of garage in front of dwelling not in keeping with the character of the Walpole's
- New vehicle access unnecessary and potentially risky on tight bends. No substantial reason for separate access points
- Building works over former drain
- Inaccuracies and contradictions to application already approved include width of dwelling and relocation of boundary. Some aspects of this application have not been transparent and may have been deliberately obscured

Highways Authority: NO OBJECTION: Conditions and informal advice apply

Environmental Agency: NO OBJECTION: Standard advice letter applies. Recommended conditions re floor levels, flood resilient measures and method of surface water drainage have already been discharged (08/00301/DISC_A)

Environmental Health & Housing – Environmental Quality: NO OBJECTION:

Environmental Health & Housing – Community Safety / Neighbourhood Nuisance Officer: NO OBJECTION:

Landscape Officer: NO OBJECTION:

Building Control Officer: NO OBJECTION: Awaiting percolation test to clarify size of soakaways. No issues with siting.

REPRESENTATIONS

ONE letter of **OBJECTION**, with the following issues raised:

- Proposed revision of house plans and garage plans identifies construction across a former drain
- Size of dwelling under construction is larger than the original approved plans by 1m
- Applicant has re-defined boundary without consultation
- Hedgerow on southern boundary is in the ownership of Kirk View, not Dunton. The applicant has been refused permission to cut the ivy down in the hedge
- The applicant has not respected boundary lines between the site and Kirk View, where there was formerly a drain which has been in-filled. The ground floor of the house has been constructed over the course of the drain. The drain was filled without permission
- The applicant has been in breach of the original approval regarding access points and erection of protective fencing for the hedge dividing the site and Kirk View
- Surface water drainage will increase flooding to Kirk View site
- Access is not in accordance with approved plans
- Proposed garage is not in keeping with Dunton and Kirk View as it is in front of the proposed dwelling and existing dwellings

NATIONAL GUIDANCE

PPS1 - "Delivering Sustainable Development" (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS3 – Housing (2006) sets out the national planning policy framework for delivering the Government's housing objectives.

PPG13 - "Transport" (2001) aims to integrate planning and transport, promote sustainable forms of development, improve accessibility by public transport, walking and cycling, and reduces the need to travel, especially by car.

PPS25 - "Development and Flood Risk" (2006) provides advice on land-use planning and flooding considerations.

EAST OF ENGLAND PLAN

Policy WAT4: Flood Risk Management - States that the priorities are to defend existing properties from flooding and locate new development where there is little or no risk of flooding.

Policy SS1: Achieving Sustainable Development - The strategy seeks to bring about sustainable development by applying the guiding principles of the UK Sustainable Development Strategy 2005, the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All:

Policy H1: Regional Housing Provision 2001 – 2021 - Identifies key principles for the facilitation of delivery of targeted additional dwellings over the period. In King's Lynn and West Norfolk, the minimum number of additional dwellings to be built is 12,000.

Policy T8: Local Roads - Local Authorities should manage the local road network in accordance with their local transport plan objectives to complement the aims of Policies T2 to T7 and in accordance with set priorities.

Policy ENV7: Quality in the Built Environment - Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

PLANNING POLICIES

The Norfolk Structure Plan (1999) contains the following policies that are relevant to this application:

T.2 - requires that the traffic implications of new development are assessed.

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

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

4/7 - aims to protect and enhance important landscape features such as trees and woodlands.

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

PLANNING CONSIDERATIONS

The key issues to be determined are:

- The form and character of the locality / residential amenity
- Highway issues
- Surface water drainage
- Crime and disorder
- Any other material considerations

The form and character of the locality / residential amenity:

Two previous applications for outline planning permission were refused for a detached dwelling on this site, based primarily on the lack of visibility splays, but also in relation to the intensification of development. No integral matters were included in either of those applications and following negotiations with the Agent, a full application (08/1962/F) was submitted in which it was considered the previous reasons for refusal had been addressed. This application represents a revised scheme to that approved for the construction of a two storey detached dwelling and detached single garage on the site.

The site is within the designated settlement boundary (Built Environment Type D) in the Development Plan for the villages of Walpole St Peter and Walpole St Andrew. The site is in close proximity to the northern rural edge of the settlement boundary and the open agricultural land beyond.

The principle of residential development in this location falls within the remit of Planning Policy Statements 1 and 3, and Local Plan Policies 4/21 and 8/1 which identify that the effective use of land for residential development should be sought in such settlement boundaries and that development which has regard for and is in harmony with the building characteristics of the locality should be permitted.

The adjacent property Dunton is a standard 2 storey detached, typical 'Fenland cottage' style dwelling, with single storey extensions on the eastern elevation of the main structure and an elongated single storey, annexe style element attached to the eastern elevation. It is constructed from a ruddy-brown brick and natural grey slates. The remaining site of Dunton is comparable to the proposal site.

The dwelling immediately to the south of the site (Kirk View) comprises a relatively standard, rectangular, 2 storey dwelling, with the main bulk of the dwelling similar to the main frame of Dunton. There is a 3/4m thicket hedge between Kirk View and the proposal site and Kirk View also has an outbuilding very close to that same boundary edge.

Dwellings further south and west (opposite) to the site are a mix of single and 2 storey detached dwellings in age, style, scale and plot size. The plots south of the site are generally elongated between Chalk Road (west) and the Shire Drain boundary (east) and vary slightly in width. There is at least one dwelling in the Chalk Road with a detached single garage fronting the respective dwelling, though garages fronting dwellings are not common features.

The proposed layout extends to the virtual width of the site, with minimal, but acceptable, clearance on the north and south boundaries. Ample rear garden and further garden and parking and turning areas are available at the front of the site.

The building line is stepped and considered both proportionate and appropriate to Dunton (north) and Kirk View (south). The design (as amended) is modern in comparison to both Dunton (1929) and Kirk View (1949) but not uncommon given the modern development in the general street scene.

It is noted that the siting will have a relatively close association with Dunton on the northern boundary of the site. Whilst the siting abuts the southern boundary, the nearest points between Kirk View and the proposed dwelling is approximately 14m. Taking into account the stepped building line, separation distance between the proposed dwelling and Kirk View, orientation (affecting overshadowing) and no overlooking windows, it is considered that the proposal will not unduly affect either of the adjacent sites.

The provision of a garage fronting a dwelling is not a common site in Chalk Road, but likewise there is at least one dwelling with that precise format. Taking into account the design and scale of the garage, in comparison with that of the dwelling, its position on the site and with the thicket hedge on the southern boundary providing screening, it is unlikely to create any adverse impact on the street scene.

Permitted development rights (as revised 2008) apply a degree of control to any future first floor windows on the side elevations and this should negate any overlooking. In addition, to a degree, with the retention of the existing foliage (hedge and trees) on the southern boundary there is an existing element of screening.

Highway issues:

Chalk Road is within a restricted 30mph speed limit. The road is a two lane, tarmac surfaced carriageway, but has no road markings. It forms a thoroughfare for traffic between Market Lane and Mill Road / Walnut Road on the eastern fringes of the villages.

In application 08/00301/F, the construction of a joint access with one point of access onto Chalk Road was proposed and approved. It was considered that application had addressed previous highway issues (permission refused for previous outline applications) in relation to visibility splays. The highway officer considered the scheme and appropriate conditions applied to access, parking, turning and highway works. No order was made to stop up the original access point serving the whole site.

In this application it is requested to retain the original site access to serve the new dwelling and create a new access (at the point approved in 08/00301/F) to serve the existing dwelling (Dunton). Effectively these arrangements would provide separate accesses to Dunton and the application site, which would abut each other on emerging. It is considered that this development will not create conditions adverse to the detriment of highway safety

Whilst the comments of the Parish Council are noted, the local Highway Authority raises no objection to the scheme.

Surface water drainage:

The King's Lynn Internal Drainage Board were consulted on the previous application (08/00301/F) and raised no objection. The IDB stated the drain north of Dunton is Chase Drain and that to the east is Shire Drain, both of which are IDB maintained. The IDB issued a notification to the applicant which advised on a 9m clearance distance for those drains was required for any form of development, including landscaping, unless clearance from the IDB is first obtained.

The Agent has identified that foul water drainage would be to the mains sewer in Chalk Road, surface water drainage would be by 'soakaway' to the front and rear of the site, and that floor levels and flood resilient construction methods, as identified in application 08/00301/F and approved by the Environment Agency in a discharge of conditions application (08/00301/DISC_A), are / have been included in this application.

The scheme has been considered to be satisfactory by the Environment Agency, who raises no objection, and any subsequent issues can be addressed by other legislation.

The KLWNBC Building Control Officer has been carrying out ongoing inspections of the site as the building works progressed and confirms:

- At the ground floor stage, a percolation test is awaited to determine the size of soakaways to be installed, however, the proposed scheme is satisfactory
- Footings were inspected before construction commenced in the area of the former drain and backfill in that area followed.
- The former drain was likely to have been a tiny ditch at one time, but has not been recognised as a watercourse

Crime and Disorder:

This application raises no significant crime and disorder issues in relation to Section 17 of the Crime and Disorder Act 1998

Any other material considerations:

Boundary disputes:

The applicant has provided a statutory declaration and additional information regarding land ownership as per the plan submitted and specifically in relation to the southern boundary with Kirk View. The applicant has confirmed that the land ownership certificates served are correct and appropriate. It is the responsibility of the applicant to serve the correct land ownership certificates. Any boundary dispute between Kirk View and the site is not an issue to be addressed further by the Local Planning Authority.

The IDB, in 08/00301/F, were consulted in relation to the siting of a 'former drain' on the southern boundary of the site. This had not been Board maintained, as are the drains on the aforementioned Chase and Shire Drains. It was not known if or when a former drain had been in-filled. The IDB has issued informal advice in respect of the current application, in that if any ditch in the IDB district is in-filled then IDB permission should first be sought, whether or not it is IDB controlled. It is unclear if and / or when the in-fill began, however, the applicant confirms in his statement that the 'former ditch' has always formed part of the site of 'Dunton'. This issue will not prevent the grant of planning permission.

Trees:

This application identifies the retention of willow trees at the front of the site and a tree at the rear of the site on the southern boundary. The plan identifies the existing hedge on the southern boundary to remain.

There are no known restrictions on the site in relation to the removal / clearance of shrubs, hedge and trees and no tree protection orders exist for the site. No trees on the site and in the immediate locality are defined as 'prominent' in the Local Plan.

The hedge and tree foliage on the southern boundary of the site is likely to be retained. It has not been considered necessary or appropriate to apply a condition for protective screening of the hedge in this application.

Floor levels:

Floor levels have already been included in the ground floor construction with flood resilient construction methods and, with means of surface water disposal, are considered appropriate, based on the information submitted. The KLWNBC Building Control Officer has carried out relevant site inspections and confirms footings and levels were constructed accordingly.

CONCLUSION

The application site is within the settlement boundary for the village. The site has had the benefit of full planning permission for the construction of one detached, two storey dwelling. This application seeks permission to complete the construction on the basis of a revised design and scale, with the inclusion of a detached single storey garage to the front of the dwelling and changes to the access. Overall it is considered that the design and scale of the dwelling relates to the form and character of the locality without creating any adverse effect on the neighbouring sites (Dunton and Kirk View), and the garage is acceptable in the street scene. With regards to the new access, the Highway Authority has no objection.

In the light of National Guidance, Development Plan Policies and other material considerations, it is recommended that Planning Permission be granted.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Prior to the first occupation of the development hereby permitted the vehicular accesses shall be constructed in accordance with the Norfolk County Council residential access construction specification, and additionally to accord with details to be approved in writing by the Local Planning Authority, for the first 10 metres into the site as measured back from the near edge of the adjacent carriageway.
- 2 Reason To ensure that a safe means of access is available to serve the development in accordance with the principles of PPG13.
- 3 Condition Prior to the first occupation of the development hereby permitted any access gate or gates, shall be hung to open inwards and shall be set back a minimum distance of 5 metres from the near edge of the adjoining highway carriageway.
- 3 Reason In the interests of highway safety in accordance with the principles of PPG13.
- 4 Condition Prior to the first occupation of the development hereby permitted the proposed accesses, on-site parking and turning areas shall be laid out, constructed, surfaced and drained in accordance with the approved plans 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 PPG13

BACKGROUND PAPERS

Application file reference: 08/02487/F
Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

DEVELOPMENT CONTROL BOARD - 12 JANUARY 2009

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the November DCB agenda and December agenda. 114 decisions issued, 97 decisions issued under delegated powers with 17 decided by the Development Control Board.
- (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.

RECOMMENDATION

That the reports be noted.

Number of decisions issued from 20/11/08 – 16/12/08

8

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National target %	DCB decision	
								Approved	Refused
Major	4	2	2	1	3	100	60	2	2
Minor	49	39	10	40		82	65	8	4
Other	61	57	4	59		97	80	1	0
Total	114	98	16	100	3			11	6

DCB made 17 of the 114 decisions, 15%

DEVELOPMENT CONTROL BOARD - 12 JANUARY 2009

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

DETAILS OF DECISIONS

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
30.10.2008	15.12.2008 Application Permitted	08/02488/F	Mr A Blackmur Conifers Lynn Road Bawsey King's Lynn Extension to garage complex to form new double covered parking area	Bawsey
15.09.2008	21.11.2008 Application Permitted	08/02210/F	Mrs Sandra Graham Land West Of 3 Alma Terrace Main Road Brancaster Staithe King's Lynn Construction of new dwelling attached to end of existing terrace	Brancaster
08.10.2008	04.12.2008 Application Refused	08/02328/F	Client Of Richard Waite Cornerways Cottage Main Road Brancaster King's Lynn New dwelling	Brancaster
08.10.2008	04.12.2008 Application Refused	08/02330/F	Client Of Richard Waite Cornerways Cottage Main Road Brancaster King's Lynn Conversion of house into two dwellings following demolition of existing garage and house facia	Brancaster
08.10.2008	08.12.2008 Application Permitted	08/02332/CA	Client Of Richard Waite Cornerways Cottage Main Road Brancaster King's Lynn Demolition of existing garage and house facia	Brancaster

08.08.2008	26.11.2008 Application Refused	08/01971/F	Mr J S Bruce Wrights Barn Ulph Place Burnham Market King's Lynn Alterations and extension to dwelling to form two dwellings	Burnham Market
25.09.2008	26.11.2008 Application Permitted	08/02258/CU	Client Of Richard C F Waite Treasure Island North Street Burnham Market King's Lynn Change of use at First Floor from residential to retail	Burnham Market
01.10.2008	10.12.2008 Application Permitted	08/02301/F	Mrs Alison Marcuse Lion Cottage The Green Market Place Burnham Market Removal of existing oversized dormer and replacement with smaller ones. Single storey lean to extension link	Burnham Market
01.10.2008	26.11.2008 Application Permitted	08/02302/LB	Mrs Alison Marcuse Lion Cottage The Green Market Place Burnham Market Removal of existing oversized dormer and replacement with smaller ones. Single storey lean to extension link	Burnham Market
09.10.2008	10.12.2008 Application Permitted	08/02341/F	Lizzie Mullin Windfall Cottage Back Lane Burnham Market King's Lynn Single storey timber outbuilding	Burnham Market
03.10.2008	21.11.2008 Application Permitted	08/02310/F	Mr And Mrs Mfalvey And E Catt And G Dean 3 & 4 Council Houses Norton Street Burnham Norton King's Lynn Raise the existing boundary/road wall by 450mm	Burnham Norton

30.09.2008	28.11.2008 Application Permitted	08/02280/LB	Mr And Mrs Dowley Staithe House Wells Road Burnham Overy Staithe King's Lynn Conversion of attic to bedroom and addition of a staircase, window and rooflights and creation of bathroom on floor below	Burnham Overy
04.08.2008	11.12.2008 Application Permitted	08/01933/F	Mr Tim Zoll Brickyard Cottage Burnham Road Burnham Overy Statihe Wells-Next- The-Sea Glass and wood lean to roof between kitchen and existing sheds, plus retrospective permission for car port	Burnham Thorpe
30.09.2008	21.11.2008 Application Permitted	08/02275/O	Mr I McGowan 16 Black Horse Road Clenchwarton King's Lynn PE34 4DN Construction of detached chalet dwelling	Clenchwarton
28.10.2008	12.12.2008 Application Permitted	08/02478/F	Mr Heighton 50 Lynn Road Dersingham King's Lynn Norfolk Extension to dwelling	Dersingham
24.09.2008	27.11.2008 Application Permitted	08/02322/F	Mr Philip Sykes Land West Of 16 Bridle Lane Downham Market Norfolk Variation of Condition 5 of planning permission 07/01984/O	Downham Market
30.09.2008	03.12.2008 Application Permitted	08/02295/FM	Dr Douglas Anderson Faculty Press Ltd 45 Priory Road Downham Market Norfolk Construction of 14 flats following demolition of modular offices	Downham Market
30.09.2008	26.11.2008 Application Permitted	08/02277/F	Mr & Mrs A J Foreman Lavender Farm Downham Road Salters Lode Downham Market Construction of one dwelling	Downham West

10.10.2008	10.12.2008 Application Withdrawn	08/02364/F	Client Of David Taylor 7 Town Close East Winch King's Lynn Norfolk Construction of a single detached 3 bedroom house	East Winch
19.09.2008	21.11.2008 Application Permitted	08/02230/F	Smith 17 Bell Street Feltwell Thetford Norfolk Extension to existing dwelling to provide sunroom.	Feltwell
03.10.2008	28.11.2008 Application Permitted	08/02308/F	Mr Roy Curtis 2 The Grove Grimston King's Lynn PE32 1DG Car Port - rear store	Grimston
07.10.2008	09.12.2008 Application Permitted	08/02323/F	Dr J Brown Land West Of The Old Rectory Nethergate Street Harpley Norfolk Construction of 4 bedroom dwelling	Harpley
07.08.2008	26.11.2008 Application Permitted	08/01951/F	Heacham Wildfowlers Association Site For Portacabin Heacham Chalk Pit Lynn Road Heacham Siting of portacabin	Heacham
24.09.2008	19.11.2008 Application Permitted	08/02255/F	Mr Francis Marshall 1A Manor Road Heacham King's Lynn Norfolk Addition of attached annexe to domestic bungalow	Heacham
02.10.2008	08.12.2008 Application Permitted	08/02300/F	Mr P Marshall Land SW Of 2 Woodside Avenue Heacham King's Lynn PE31 7EW Construction of dwelling and detached garage	Heacham
16.10.2008	08.12.2008 Application Permitted	08/02394/F	Mr Colin Clarke Anglian Water Services Ltd Abbey Road Flitcham King's Lynn Construction of a new contact tank and GRP kiosk	Hillington

24.09.2008	10.12.2008 Application Permitted	08/02252/A	Anglia Regional Co-Operative Westgate Optical Westgate Street Hunstanton Norfolk 1 double sided swing sign and 1 non illuminated shallow folded white panel	Hunstanton
27.10.2008	12.12.2008 Application Permitted	08/02447/F	Marc Kimpton Sense 34 High Street Hunstanton Norfolk Replacement of existing shop front with new shop front	Hunstanton
03.11.2008	15.12.2008 Application Permitted	08/02498/F	Mrs Carol Maloney Stoke Cottage 35A Northgate Hunstanton Norfolk Extension to existing dwelling	Hunstanton
13.10.2008	11.12.2008 Application Permitted	08/02361/F	Mr Bob Wood Glebe Cottage Shernborne Road Ingoldisthorpe King's Lynn Proposed 2 storey extension	Ingoldisthorpe
17.10.2008	12.12.2008 Application Permitted	08/02400/F	Mr Mark Tootell St Germans Pumping Station Sluice Road Wiggshall St Germans King's Lynn Construction of pumping station for land drainage and flood defence - Variation of conditions 18 & 22 of planning permission 06/01530/FM	Wiggshall St Germans
17.07.2008	24.11.2008 Application Permitted	08/01828/F	Mr J Engledow Land North Of Fair-Rest Bungalow Cresswell Street King's Lynn Norfolk Three bedroom dwelling	King's Lynn
17.09.2008	04.12.2008 Application Permitted	08/02212/F	St. Nicholas Retail Park Ltd Partnership St Nicholas Retail Park Edward Benefer Way King's Lynn Norfolk Construction of 2 A5 food units	King's Lynn

19.09.2008	25.11.2008 Application Permitted	08/02228/F	Mrs T Harpham 28 All Saints Street King's Lynn Norfolk PE30 5AD Single storey extension to dwelling	King's Lynn
19.09.2008	25.11.2008 Application Permitted	08/02229/LB	Mrs T Harpham 28 All Saints Street King's Lynn Norfolk PE30 5AD Single storey extension and internal alterations (retrospective)	King's Lynn
26.09.2008	20.11.2008 Application Refused	08/02263/A	24-25 High Street King's Lynn Norfolk PE30 1BP Non-illuminated fascia and projecting signs	King's Lynn
26.09.2008	02.12.2008 Application Permitted	08/02264/F	Mr A Stevens 111A Wootton Road Gaywood King's Lynn Norfolk Extension to Dwelling and Construction of Detached Garage & Carport	King's Lynn
07.10.2008	10.12.2008 Application Permitted	08/02320/F	Fenland Windows On Behalf Of Residents Properties At South Street & County Court Road King's Lynn Norfolk PE30 5ER Replacement windows and doors (partly retrospective)	King's Lynn
08.10.2008	25.11.2008 Application Permitted	08/02338/F	Mr Aaron Day 298 Wootton Road Gaywood King's Lynn Norfolk Two storey extension to dwelling	King's Lynn
08.10.2008	04.12.2008 Application Permitted	08/02351/F	Tesco Stores Ltd River Lane Bowls Club Beulah Street Gaywood King's Lynn Partial demolition and reconstruction of the former bowls club pavilion for use as scout hut	King's Lynn

09.10.2008	25.11.2008 Application Permitted	08/02343/F	Mrs Diana Wilson 183 Saddlebow Road King's Lynn Norfolk PE30 5BN Erection of double garage	King's Lynn
10.10.2008	27.11.2008 Application Refused	08/02363/CU	Mr Gjergi Uka Vancouver Avenue Southgate Street King's Lynn Norfolk Change of use from car sales to hand car wash	King's Lynn
15.10.2008	08.12.2008 Application Permitted	08/02373/F	Mr K E Moore 40 Burghley Road South Wootton King's Lynn PE30 3TU Construction of one bed end of terraced property built onto an existing block of terraced houses (amended design)	King's Lynn
15.10.2008	11.12.2008 Application Permitted	08/02375/F	Mr Martin Noble Land At Crofters Close Gaywood King's Lynn Norfolk Construction of 2No semi detached dwellings forming 4No dwellings	King's Lynn
15.10.2008	15.12.2008 Application Permitted	08/02380/CA	Mr Darren/Leigh Gould 18A Tower Street King's Lynn Norfolk PE30 1EJ Demolition of existing building in connection with construction of 2 No flats	King's Lynn
16.10.2008	11.12.2008 Application Permitted	08/02387/F	Mr Robert Manning Rose Cottage Low Road Saddlebow King's Lynn Extension to dwelling	King's Lynn
22.10.2008	12.12.2008 Application Permitted	08/02426/F	Mr & Mrs Nick Grey 49 Hulton Road Gaywood King's Lynn Norfolk Rear extension to dwelling	King's Lynn

27.10.2008	16.12.2008 Application Permitted	08/02444/LB	Mrs P Bussell 6 St Ann's Street King's Lynn Norfolk PE30 1LT Listed Building Consent - Alterations to convert former shop into one residential unit	King's Lynn
27.10.2008	20.11.2008 Application Permitted	08/02454/A	D2 Clothing Ltd D2 Clothing Ltd 1 - 5 St Dominics Square King's Lynn Norfolk Advertisement Consent - Erection of signage	King's Lynn
27.10.2008	16.12.2008 Application Permitted	08/02457/LB	Mr Richard And Mrs Lorraine Bone 9 Valingers Road King's Lynn Norfolk PE30 5HD Listed Building Consent - Internal alterations to create shower room	King's Lynn
27.10.2008	11.12.2008 Application Permitted	08/02458/F	Mrs P Bussell 6 St Ann's Street King's Lynn Norfolk PE30 1LT Alterations to convert former shop to one residential unit	King's Lynn
29.10.2008	12.12.2008 Application Permitted	08/02462/F	Mr Marsters 20 Portland Street King's Lynn Norfolk PE30 1PB Replacement windows and door.	King's Lynn
07.10.2008	11.12.2008 Application Permitted	08/02319/F	Mr Dave Gagen St Mary's Cottage Station Road Little Massingham King's Lynn Proposed sitting room extension, cloakroom extension and alterations	Little Massingham
20.10.2008	15.12.2008 Application Permitted	08/02404/F	Mrs Josephine Salamone Donatos Takaway The Street Marham King's Lynn Variation of condition 2 attached to planning permission 2/99/1438/CU relating to opening hours.	Marham

20.10.2008	08.12.2008 Application Permitted	08/02425/F	Mr Mark Tolley Wissington Sugar Factory Wissington Sugar Access Road Stoke Ferry Norfolk Construction of a steel shelled milk of lime storage tank	Methwold
13.10.2008	02.12.2008 Application Permitted	08/02360/F	Mr M & Mrs V Jurascheck The Old Well High Street Nordelph Downham Market Extension to dwelling	Nordelph
20.10.2008	05.12.2008 Application Permitted	08/02401/F	Mr Nick Garrett 31 The Green North Runcton King's Lynn Norfolk Pitched roof over existing attached garage	North Runcton
15.10.2008	25.11.2008 Application Permitted	08/02377/F	Mr Ian Prentice 71 Pingles Road North Wootton King's Lynn PE30 3RW Domestic Extension	North Wootton
21.10.2008	12.12.2008 Application Permitted	08/02409/F	Mr W Smith 25 High Street Northwold Thetford IP26 5LA Conversion of attached 2 storey outbuilding to form ancillary accomodation to existing dwelling	Northwold
29.09.2008	25.11.2008 Application Refused	08/02274/A	Mr Derrick Lloyd Land South Of Coach House Cromer Road Hunstanton Norfolk New advertising road side sign	Old Hunstanton
02.10.2008	04.12.2008 Application Permitted	08/02303/F	Mr And Mrs J R May Land To East Of Horseshoe Cottage Basin Road Outwell Norfolk Retention of loose boxes and tack room without complying with conditon 3 of 08/01190/F	Outwell

16.10.2008	12.12.2008 Application Refused	08/02397/F	Mr John Kok Land To The North East Of The Vineries 132 Wisbech Road Outwell Norfolk Standing of 8 mobile homes in connection with agricultural business	Outwell
12.09.2008	25.11.2008 Application Permitted	08/02202/F	Mr Colin Carter-Harrod Pentney Lakes 3 Common Road Pentney King's Lynn Boat house and workshop.	Pentney
02.09.2008	21.11.2008 Application Permitted	08/02136/F	Butten Fen Farm Spring Lane Shouldham King's Lynn Erection of Portal Framed Structure for Agricultural Storage purposes	Shouldham
23.10.2008	27.11.2008 Application Permitted	08/02432/LB	Mr Mervyn Peake Storom Cottage 9 The Green Shouldham Norfolk Extension to dwelling	Shouldham
08.10.2008	10.12.2008 Application Permitted	08/02333/F	Mr John South 117 Station Road Snettisham King's Lynn Norfolk Conversion of existing barns to residential unit	Snettisham
13.10.2008	08.12.2008 Application Permitted	08/02357/F	Mrs Stewart South Wing Snettisham House St Thomas Lane Snettisham King's Lynn Replacement of Open Garage with Construction of New Open Garage	Snettisham
13.10.2008	28.11.2008 Application Permitted	08/02358/LB	Mrs Stewart South Wing Snettisham House St Thomas Lane Snettisham King's Lynn Replacement of Open Garage with Construction of New Open Garage	Snettisham

21.10.2008	11.12.2008 Application Permitted	08/02407/F	CHRISTA SWAIN 10 Common Road Snettisham King's Lynn Norfolk PROPOSED EXTENSION AND ALTERATIONS TO EXISTING DWELLING	Snettisham
21.10.2008	15.12.2008 Application Permitted	08/02419/F	G H Owen Property Ltd The Willows 42 Common Road Snettisham King's Lynn Erection of garage, hard surfacing & porch extension	Snettisham
03.10.2008	15.12.2008 Application Permitted	08/02312/F	Mr And Mrs Joplin Longwood Cottage 6 Leicester Meadows South Creake Fakenham Two storey extension to house	South Creake
29.09.2008	20.11.2008 Application Permitted	08/02273/F	Mr P Bowers 28 Grimston Road South Wootton King's Lynn Norfolk Flat roofed single storey rear extension as kitchen/diner	South Wootton
30.08.2008	11.12.2008 Application Permitted	08/02119/F	T M Browne Ltd The Pea Mill Market Lane Terrington St Clement King's Lynn Construction of 2 industrial buildings	Terrington St Clement
16.09.2008	25.11.2008 Application Permitted	08/02206/F	Mr R Wilson 18 Sutton Road Terrington St Clement King's Lynn Norfolk Proposed replacement dwelling	Terrington St Clement
24.09.2008	25.11.2008 Application Refused	08/02254/F	Miss Debra Lake 10 Moat Road Terrington St Clement King's Lynn Norfolk Erection of timber clad building as beauty salon	Terrington St Clement
29.09.2008	21.11.2008 Application Permitted	08/02270/F	Mr Raymond LLOYD 72 Marshland Street Terrington St Clement King's Lynn Norfolk Erection of new wall	Terrington St Clement

29.09.2008	26.11.2008 Application Permitted	08/02278/F	Mr K Canfor 54 Sutton Road Terrington St Clement King's Lynn Norfolk Construction of two storey extension	Terrington St Clement
01.10.2008	28.11.2008 Application Permitted	08/02291/F	Mr M Stockdale Plot 2 Market Lane Terrington St Clement King's Lynn Construction of detached dwelling with integral garage	Terrington St Clement
21.10.2008	16.12.2008 Application Permitted	08/02411/F	Mr Clive Jackson 56 Northgate Way Terrington St Clement King's Lynn Norfolk Siting of static caravan for temporary occupancy for 18 months	Terrington St Clement
21.10.2008	16.12.2008 Application Permitted	08/02413/F	Mr Vincent Judge 69 Chapel Road Terrington St Clement King's Lynn Norfolk Construction of attached garage	Terrington St Clement
22.10.2008	16.12.2008 Application Permitted	08/02422/LB	Mr P ALLEN 35 - 37 Churchgate Way Terrington St Clement King's Lynn Norfolk ALTERATIONS TO THE EXISTING BUILDING TO FORM TWO DWELLINGS AND ALTERATIONS TO AN EXISTING REAR EXTENSION TO FORM AN ANNEXE.	Terrington St Clement
06.10.2008	01.12.2008 Application Permitted	08/02314/F	The Practice Partnership Doctors Surgery Main Road Terrington St John Wisbech Formation of gravelled extension to car park	Terrington St John
02.10.2008	05.12.2008 Application Permitted	08/02298/F	Mr David Worrall Lords Bridge Farm 11 High Road Tilney Cum Islington King's Lynn Construction of dwelling following demolition of existing	Tilney St Lawrence

24.09.2008	28.11.2008 Application Permitted	08/02250/F	Mrs R Mason Land At Primrose Farm Small Lode Upwell Wisbech Temporary standing (one year) of existing residential caravan	Upwell
01.10.2008	16.12.2008 Application Refused	08/02292/F	Mr J Myles Land East Of The Olde Mill Town Street Upwell Norfolk Proposed 5no. dwellings	Upwell
21.10.2008	12.12.2008 Application Permitted	08/02412/RM	Mr John Hanslip Land West Of Providence Villa Pius Drove Upwell Wisbech Reserved Matters Application: construction of dwelling	Upwell
13.10.2008	12.12.2008 Application Permitted	08/02367/F	Mr Chris Hennelly And Ms J Eales Marsh Farm Gooses Lane Walpole St Andrew Wisbech Porch extension to dwelling	Walpole
15.10.2008	02.12.2008 Application Permitted	08/02378/F	Mr Ben Rumbelow & Mrs Jackie Sansom Country Cottage Mill Road Walpole Highway Wisbech Two storey extension to dwelling following removal of existing single storey extension	Walpole
24.09.2008	21.11.2008 Application Permitted	08/02257/CU	Mr Christopher Purlant Copes Hill Barn Wisbech Road Welney Wisbech Change of use of pasture land to all weather turnout area	Welney
21.10.2008	08.12.2008 Application Permitted	08/02415/F	Mr Clive Haycock School House Suspension Bridge Welney Wisbech Alteration and extension to dwelling	Welney

08.10.2008	02.12.2008 Application Permitted	08/02354/F	R G Produce R G Produce New College Farm College Road Wereham Extension to existing agricultural storage building	Wereham
23.10.2008	15.12.2008 Application Permitted	08/02452/F	Mr David Kernon Recreation Ground School Road East Rudham King's Lynn Retention of multi-use games area and associated hard standing	West Rudham