



**Planning Committee**  
**Monday, 6th June, 2016 at 9.30 am**  
**in the Committee Suite, King's Court, Chapel Street,**  
**King's Lynn**

**7. Receipt of Late Correspondence on Applications (Pages 2 - 5)**

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

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**PLANNING COMMITTEE**  
**6<sup>th</sup> June 2016**

**SUMMARY OF ADDITIONAL CORRESPONDENCE RECEIVED SINCE THE  
PUBLICATION OF THE AGENDA AND ERRATA**

**Item Number** 9/1 (a) **Page Number** 24

**Third parties:** **TWO** additional representations **OBJECTING** to the proposal in relation to increased traffic levels.

**ONE** additional representation **SUPPORTING** the proposal.

**Norfolk Historic Environment Services:** Confirm **NO OBJECTION** subject to conditions as previously requested.

**Correction:** Amend Condition 20 in order to distinguish it from Condition 19 so that Condition 20 reads as follows:

Condition The premises shall only be open to members of the public between the hours of 7am and 10pm Monday to Saturday and 10am to 5pm on Sundays and Bank/Public Holidays.

**Item Number** 9/1(b) **Page Number** 46

**Agent:** **TWO** additional items of correspondence:

- Amended Block Plan 150163/02F clarifying that the layout is indicative; and
- Letter from solicitor advising that the applicant does not own the ditch along the northern boundary.

**Parish Council:** Additional comments received re-iterating PC's opinion that:-

- the number of homes for Snettisham is excessive compared to the proposals in the LDF;
- Access should be off Common Road; and
- The application is under-provided in terms of open space.

**Third parties:** **ONE** additional representation **OBJECTING** to the proposals because of the access arrangements.

**Assistant Director's comments:**

Ownership of the ditch – the drainage arrangements for the site do not rely on the applicant owning or being able to maintain the ditch. The proposal is to attenuate the surface water flows on-site to the current green field run-off rates before putting the water into the existing Anglia Water system in Teal Close. Flow rates in the existing system will therefore not increase.

Number of dwellings – The allocations in the Local Plan are not maxima although many have viewed them as such. Snettisham is a Key Rural Service Centre and therefore judged to be a sustainable location for development.

The proposal is also for part of a proposed allocation, which in total could accommodate at least 34 dwellings. This development plus the development of the northern portion of the site would deliver 33 dwellings.

**Access** – The Local Plan says safe access should be provided on to Common Road. It does not preclude a second access to the site via Teal Close. There is no objection on road safety grounds from Norfolk County Council.

**Open Space** – Open space is covered on page 55 of the agenda under 'Infrastructure Provision'. This section has been misunderstood by the Parish Council. The standard for open space under DM16 is graded on the size of development.

Under the policy, developments of up to 19 units are not required to provide open space to a formula so this application, in isolation, would not have to provide any open space.

However, the application is part of a larger allocation. With the development to the north 33 dwellings will be provided, which would require 17m<sup>2</sup> per dwelling of Open Space under DM16; a total of 561m<sup>2</sup> (the report quotes the requirement for a development of 34 dwellings as 0.057ha).

The northern part of the site provides 430m<sup>2</sup> (slightly more than it needs to as it is for 24 dwellings equating to 408m<sup>2</sup>). The application that is being considered by committee would therefore need to provide 131m<sup>2</sup> of Open Space to make up the total for a development of 33 units. Note: not the 160m<sup>2</sup> quoted in the report, which is based on a development of 34 dwellings.

The report states that as layout is not to be determined at this stage, there is the opportunity to provide a scheme at reserved matters stage to accommodate the Open Space required and that this should be secured through the Section 106 agreement.

**Amendment:** In addition to affordable housing and open space the Section 106 agreement should also secure a payment of £50 per dwelling to mitigate against the impact of the development upon European designated nature conservation sites on the coast. This point is addressed in the wording of the proposed allocation at G83.1.

**Item Number** 9/2 (a) **Page Number** 60

**Correction:** Parish Council comments should close with the words 'main road'.

**Item Number** 9/3 (d) **Page Number** 101

**Local Highway Authority:** On the basis of the revised plan Dwg ADS/045/PL02D, **NO OBJECTION** subject to conditions regarding vehicular access, visibility splay, parking and turning and off site highways works

**Item Number** 9/3(c) **Page Number** 94

**Agent:** The officers report makes reference to 11 Bennett Street (the "donor" property) being a B & B. This has not been the case for some years now - the property is rented out as a single residential dwelling.

The officers report also makes reference to a previous planning application (stated to be "pertinent") for further development regarding the then B & B use - 08/02613/F, which included provision of 6 car parking spaces. This planning consent has never been implemented, and consequently is no longer valid. As such it is considered that the previous application is not "pertinent" and is in fact irrelevant.

Referring to the officer's opinion that the proposed dwelling would overshadow the neighbouring bungalow, it may be useful for members to be aware that the eaves height closest to said neighbour is 3.6m at a point 2.55m away from said bungalow, slopes away from the bungalow, separated by a 2.0m. high close boarded fence. 2 windows of the bungalow face the application site, one being a kitchen widow and the other being one of 2 serving the sitting room.

**Assistant Director's comments:** The report covers the relevance of two previous applications (one approved; one refused), and for the reasons given in the report they are considered to be relevant.

The LPA has received no application to change the use from the B&B to a dwellinghouse or, as required under amended legislation, prior approval. As such the lawful use of the donor property is a B&B and an application for change of use or lawful development certificate (whichever is most appropriate) will be required to regularise the existing use if it is indeed a dwellinghouse.

The officer's committee report is therefore considered to be correct.

**Item Number** 9/3 (h) **Page Number** 134

**Applicant:** Correspondence sent to members of the committee setting out the applicant's interpretation of the planning history of the site and how changes to the current application have been made to accommodate comments and objections. The correspondence closes with reference to a new application made to seek a change to the alignment of the track around the swept circumference of the turbine blades. An application to vary the alignment of the BOAT to coincide with the new application has also been made.

**Cllr Sandra Buck:** Comments sent to members of the committee expressing concern at maintenance liability to maintain the BOAT when it floods and consideration of more acceptable alternatives.

**NCC Public Rights of Way:** **NO OBJECTION** to the current application as a road for private use but advises that it is unlikely to be acceptable to NCC as a public route due to flooding.

**Third parties:** **ONE** additional letter **OBJECTING** to the proposal raising issues about maintenance, changes to the description of the application and matters relating to the diversion of the BOAT.

**ONE** letter received **SUPPORTING** the proposal saying that it is the only practical way of complying with the conditions imposed on the construction of the turbine.

**Assistant Director's comments:** The applicant has submitted a new application for a different alignment of the track, which he hopes will receive the support of NCC and form the basis of a new stopping up order to re-align the formal public right of way. However, this is not the application before committee.

The applicant wants this application determined and stresses, as does the report on the agenda, that the engineering works and the diversion of the public right of way are separate.

**Item Number 9/3 (i) Page Number 155**

**Applicant:** Having researched the Deed pack and Land Registry Documents, the site has never been designated as open space. The land was for the purpose of the sewage treatment works (STW). In September 2007, the Sewage Treatment Works was emptied but the use of the STW may have ended before then. Cannot confirm the exact date of the estate development.

**Assistant Director's comments:** There are areas of the site that are being used as garden land associated with the two neighbouring properties. However these have been granted under licence by the Borough Council and the land can be reverted back to its previous use following written notice being given.

**Item Number 9/3(m) Page Number 186**

**Amendment:** Add an extra Condition as Condition 7 to read:

Condition Prior to first occupation of the dwelling hereby approved details of replacement hedge planting along the Downham Road boundary of the site shall be submitted to and agreed in writing by the Local Planning Authority. The hedge shall be planted prior to first occupation of the dwelling or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

Reason To protect the amenity of the area in accordance with policies CS08 and CS12 of the Core Strategy and the NPPF as well as emerging policy DM15.