



Planning Committee

Agenda

**Monday, 6th June, 2016
at 9.30 am**

in the

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



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

PLANNING COMMITTEE AGENDA

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

Please ensure that all mobile phones are switched to silent

DATE: Monday, 6th June, 2016

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

TIME: 9.30 am

1. APOLOGIES

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

2. MINUTES

To confirm as a correct record the Minutes of the Meeting held on 9 May 2016.

3. DECLARATIONS OF INTEREST

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

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

4. URGENT BUSINESS UNDER STANDING ORDER 7

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

5. MEMBERS ATTENDING UNDER STANDING ORDER 34

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

6. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

7. RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS

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

8. CHANGES TO GOVERNMENT POLICY ON AFFORDABLE HOUSING
(Pages 6 - 19)

To consider a report on the result of a recent Court of Appeal case, and the reinstated Government policy on affordable housing.

9. INDEX OF APPLICATIONS (Pages 20 - 22)

The Committee is asked to note the Index of Applications.

(a) Decisions on Applications (Pages 23 - 199)

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

10. DELEGATED DECISIONS (Pages 200 - 237)

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

To: Members of the Planning Committee

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

Site Visit Arrangements

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

If there are any site inspections arising from this meeting, these will be held on **Thursday 9 June 2016** (time to be confirmed) and the meeting reconvened on the same day (time to be agreed).

Please note:

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

Please note that the deadline for registering to speak on the application is 12 noon the working day before the meeting, **Friday, 3 June 2016**. Please contact Planningadmin@west-norfolk.gov.uk or call (01553) 616443 to register.

For Major Applications

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

For Minor Applications

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

For Further information, please contact:

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

Report title:	Changes to Government policy on affordable housing
<p>Reason for Referral to Planning Committee – To update Members on the recent changes to the Government’s national policy on affordable housing, and to seek amendments to previous resolutions for affordable housing on smaller sites, so that they can be brought into line with the reinstated national policy.</p> <p>Summary</p> <p>This report updates the Planning Committee on the recent changes to national policy on affordable housing, as a result of the Government’s successful legal challenge to a previous High Court decision; this has led to a reinstatement of that affordable housing policy in the national Planning Practice Guidance (PPG). It also seeks delegated authority from the Committee to allow those applications that have a resolution to approve subject to a S.106 agreement to be amended in line with the Government’s reinstated policy.</p> <p>RECOMMENDATION</p> <p>1) That Members of the Planning Committee note the result of the recent Court of Appeal case, and the reinstated Government policy on affordable housing.</p> <p>2) That delegated authority be granted to the Executive Director – Environment & Planning/Assistant Director – Environment & Planning, to ensure the S.106 agreements currently being progressed are altered in line with the Government’s reinstated policy on affordable housing.</p>	

1.0 Background

- 1.1 Members may recall that in November 2014, the Government introduced changes to its planning policy guidance on the issue of affordable housing. Essentially this introduced a new national 10 unit threshold for S.106 affordable housing contributions, to help reduce costs to builders of smaller sites. There was also a 1000 square metres threshold introduced where above this Local Authorities could ask for an affordable housing contribution. The new policy did give Councils in certain designated rural areas the chance to apply a requirement for a commuted sum on sites of between 6 – 10 units. Within the Borough this meant all settlements/parishes except King’s Lynn, Downham Market, Hunstanton, Dersingham, Heacham, South Wootton and Terrington St Clement (where the higher threshold of 11 or above applied, except for those small areas of these areas falling within the AONB). At the time this Council chose to apply this requirement (agreed at Full Council in January 2015), and as such issued a guidance note explaining the policy and how it would operate alongside our policy.
- 1.2 However, West Berkshire and Reading Councils launched a judicial review of the Government’s new policy, and the High Court came down in their favour in XXXX. As

a result of the successful challenge, the Government's policy was retracted, and nationally Council's reverted back to their own Development Plan policies on affordable housing. The Borough Council has been utilising its own development plan policies since this time.

- 1.3 The Government decided to challenge the High Court decision, and the case was heard in the Court of Appeal. The Court of Appeal came down in favour of the Government and overturned the High Court's decision. As such on 20 May 2016 the Government reinstated its planning policy guidance on affordable housing.

2.0 Impact of the Government's policy on the Borough Council's affordable housing policy

- 2.1 Affordable housing linked to development is required through policy CS09 of the adopted Core Strategy. This operates a two tier approach, in that in the towns of King's Lynn, Downham and Hunstanton, a threshold of 10 units (or 0.33ha) applies before affordable housing is sought. In the remaining rural area the threshold is 5 units (or 0.165ha) before affordable housing is sought. When affordable housing is triggered, 20% affordable housing provision is required in all areas except King's Lynn. Within King's Lynn the figure is 15%. If developers do not believe a site is viable with the required affordable housing, they can provide financial viability evidence which will be tested, to see if affordable housing is required.
- 2.2 The impact of the Government's policy in the Borough is that for sites of 5 dwellings or below, they will no longer be required to make any contribution to affordable housing, subject to them not exceeding the 1000 square metres floor space threshold. For sites of 6-10 dwellings in the rural areas and in an AONB, other than in the settlements/parishes mentioned in 1.1, the Council will require a commuted sum towards the provision of affordable housing. For sites of 11 and above, the normal affordable housing requirements will remain.
- 2.3 There is a 1000 square metre floor space threshold that is also in place, over which affordable housing in accordance with CS09 would be required.
- 2.4 The Government's policy also introduces the concept of the vacant building credit, which applies a discount to affordable housing requirements based on existing vacant buildings on a development site.
- 2.5 A revised guidance note is attached to this report for information, which explains fully the various aspects of the Government's policy.

3.0 Impact on decisions not yet determined

- 3.1 Going forward we will be implementing the Government's policy on affordable housing on all applications where a resolution has not yet been made.
- 3.2 However Members will be aware that there are a large number of applications which through a resolution of the Planning Committee (or indeed a delegated resolution), are required to provide affordable housing under policy CS09. These applications have been resolved to approve subject to a S.106 agreement in the normal way, to deal with the issue of affordable housing. However a number of these (we estimate approximately 37 S.106 agreements) currently being progressed but not yet signed, will be affected by the change in one way or another.

- 3.3 Rather than bring each application back to Committee on an individual basis to amend the resolution in line with the Government's policy on affordable housing, it is proposed that delegated authority be granted to the Executive Director –Environment & Planning/Assistant Director – Environment & Planning, to amend the S.106 agreements as necessary in line with the Government's policy on affordable housing, as previously implemented by the Borough Council.

4.0 RECOMMENDATION:

- 1) That Members of the Planning Committee note the result of the recent Court of Appeal case, and the reinstated Government policy on affordable housing.**
- 2) That delegated authority be granted to the Executive Director – Environment & Planning/ Assistant Director – Environment & Planning, to ensure the S.106 agreements currently being progressed are altered in line with the Government's reinstated policy on affordable housing.**

Report Author: Stuart Ashworth – Assistant Director – Environment & Planning

Changes in National Planning Policy and implications for policy CS09 of the adopted Core Strategy 2011

In early 2014 the Government consulted on a new 10 unit threshold for section 106 affordable housing contributions within national policy (NPPG) to reduce planning costs to developers. The changes mean that only developments of more than 10 dwellings or a 1,000 square metre gross floorspace and above would be liable for affordable housing contributions through S.106 agreements unless the Local Authority has discretion to apply a lower threshold.

On the 28th November 2014 the results of the consultation were published by Department for Communities and Local Government (DCLG) along with a Ministerial Statement introducing the new threshold. Full details of both the consultation response and Ministerial statement can be found by clicking on the below links.

<https://www.gov.uk/government/consultations/planning-performance-and-planning-contributions>

<http://www.parliament.uk/documents/commons-vote-office/November%202014/28%20Nov%202014/2.%20DCLG-SupportForSmallScaleDevelopersCustomAndSelf-Builders.pdf>

In May 2016 The Court of Appeal ruled that the written ministerial statement was lawful. This judgment set aside an earlier ruling of the High Court (West Berkshire District Council v Secretary of State for Communities and Local Government [2015]) which had upheld the council's claim that the ministerial statement was unlawful.

Along with the threshold changes a 'vacant building credit' was also introduced. This applies where existing vacant dwellings regardless of use are brought back into any lawful use or demolished for re-development. The credit does not apply to buildings that have been abandoned.

Threshold changes

Whilst the threshold changes as set out above have been introduced discretion has been given to Local Authorities in certain areas to have a lower 5 unit threshold as opposed to 10. The option of applying a lower threshold only applies to Local Authorities who have;

- Designated rural areas under section 157 of the Housing Act 1985
- Areas of Outstanding Natural Beauty
- National Parks

For designated rural areas under section 157 of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty, authorities may choose to implement a lower threshold of 5-units or less, below which affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions. Within these designated areas, if the 5-unit threshold is implemented then payment of affordable housing and tariff style contributions on developments of between 6 to 10 units should also be sought as a **cash payment only** and be commuted until after completion of units within the development.

95 out of the 101 parishes in West Norfolk have designated rural area status under section 157 of the Housing Act 1985 and are therefore eligible for the lower threshold. The remaining 6 parishes that are not listed are as follows;

- Dersingham,
- Downham Market
- Heacham
- Hunstanton,
- South Wootton
- Terrington St Clement.

In these areas along with the unparished area of King's Lynn town the 10 threshold applies ie affordable housing contributions can only be sought on sites of 11 dwellings or more provided that the Gross Internal Floor (GIA) area of all dwellings does not exceed 1000m².

Settlements in an Area of Outstanding Natural Beauty (AONB) are also eligible for the lower threshold. The majority of AONB areas in the Borough fall within designated rural areas and therefore the lower threshold of 5 already applies. However, for any developments coming forward in an AONB within a non designated rural area (these are likely to be within the 'parish' but outside of the named settlement) the 5 threshold will also apply. A map highlighting these areas can be found at appendix A.

These changes will not apply to Rural Exception Sites which, subject to the local area demonstrating sufficient need, remain available to support the delivery of affordable homes for local people.

The Borough approach

On 29th January 2015 Council agreed to adopt the option offered by Government to seek the provision of **financial contributions** towards affordable housing in the Borough on sites between 6 and 10 units in designated rural areas and with a combined maximum floor space of 1000m². For the avoidance of doubt affordable

housing contributions of any kind will not be sought on sites of 5 dwellings or less where the combined GIA of all dwellings does not exceed 1000m².

Calculating the financial contribution

National guidance suggests that cash equivalent sums should be broadly equivalent to the cost of providing affordable housing on site. The Council favours a fixed sum as an affordable housing contribution rather than using a formula. The sum sought will be £60,000 per equivalent whole dwelling.

Payment triggers

The new guidance suggests that where financial contributions are sought on lower threshold sites that payment be commuted until after completion of units within the development. Typically payment is required on 50% of the scheme being completed. This trigger may vary if required to on the grounds of scheme viability that has been clearly demonstrated.

Worked examples of threshold changes

For clarity worked examples of the threshold changes are shown below;

Example A

A site of 8 dwellings comes forward in a designated rural parish and has a combined maximum GIA of **less 1000m²**. Under policy CS09 a 20% affordable housing contribution would be sought.

20% of 8= 1.6 dwellings

1 dwelling = £60,000

0.6 of £60,000= £36,000

Total affordable housing contribution =£96,000

Example B

A site of 9 dwellings comes forward in King's Lynn, Hunstanton, Downham Market, Heacham, Dersingham, Terrington St Clement or South Wootton and has a combined maximum GIA of **less than 1000m²**. **No affordable housing contribution will be sought.**

Example C

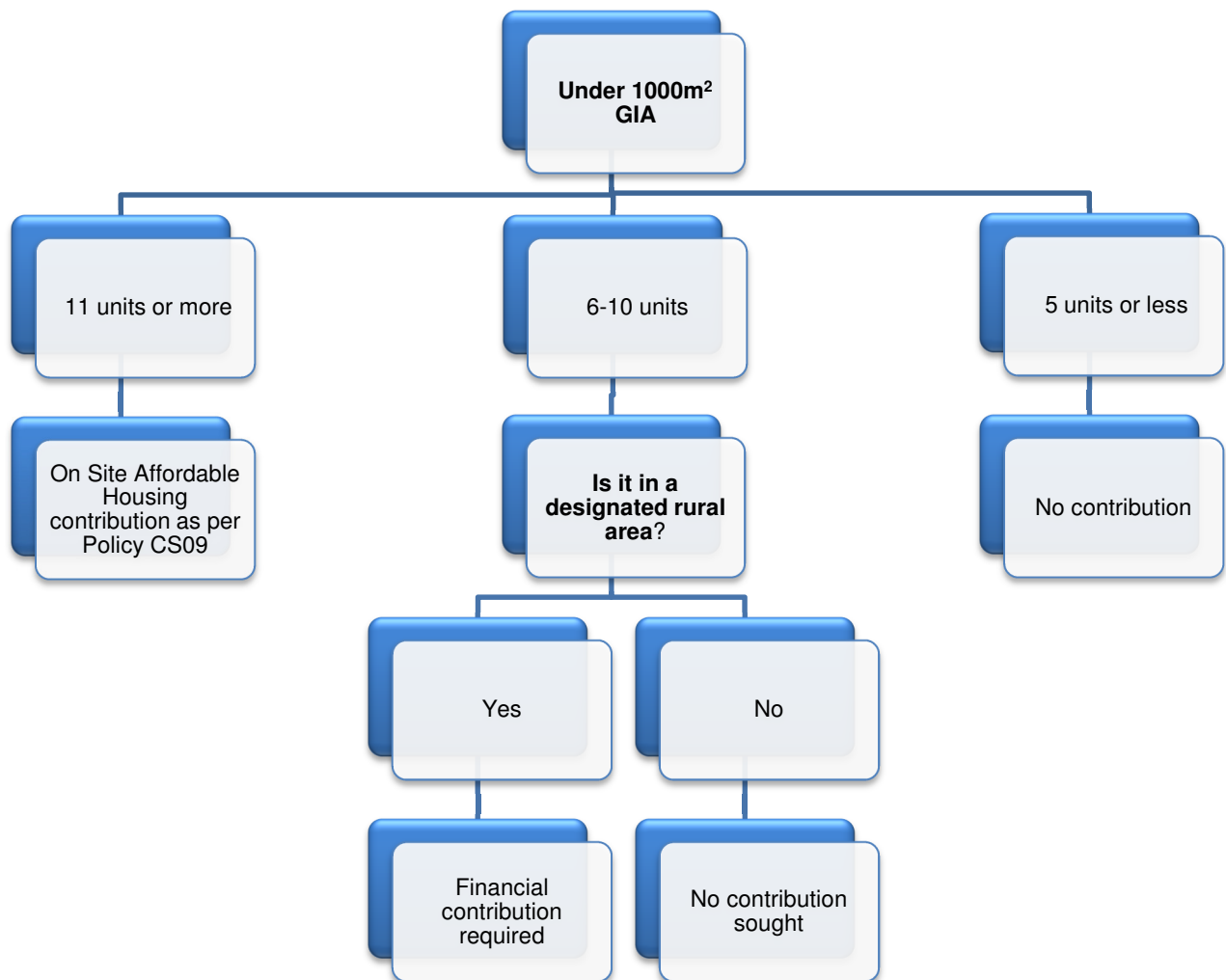
A scheme of 5 or less dwellings comes forward in any area of the Borough with a combined maximum GIA of less than 1000m². **No affordable housing contribution will be sought.**

Floorspace (1000m²)

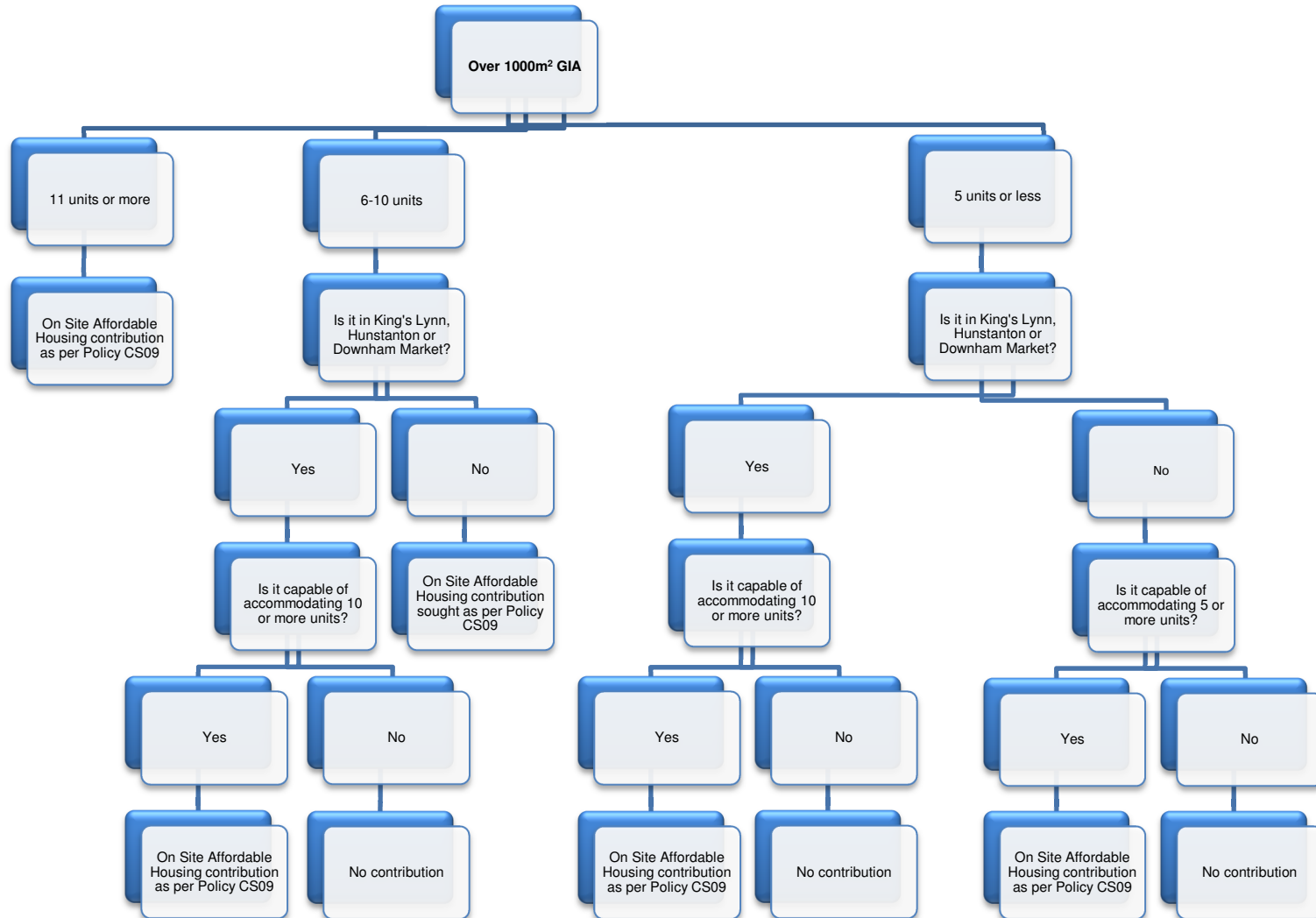
The national threshold of 10 only applies where the maximum combined gross floor space does not exceed 1000m². If a scheme of less than 10 dwellings has a combined GIA of more than 1000m² then the national threshold **does not** apply and the Councils relevant affordable housing policy ie CS09 applies.

For example a scheme of 8 dwellings in a rural area with a GIA of 1100m² would provide an on site affordable housing contribution as per policy CS09 of the adopted Core Strategy (threshold of 5). It is however, important to note that in this instance the policy reverts to the thresholds and areas as per policy CS09. The below flow chart demonstrate the different scenarios that may apply.

Applying the locally permitted option



CS09 Policy thresholds apply



Vacant building credit

In addition to the above threshold and floorspace changes a vacant building credit has also been introduced. This applies to all scales of development and not just sites of less than 10 dwellings. As set out in the NPPG ;

A financial credit, equivalent to the existing gross floorspace of any vacant buildings brought back into any lawful use or demolished for re-development, should be deducted from the calculation of any affordable housing contributions sought from relevant development schemes. This will not however apply to vacant buildings which have been abandoned.

Calculating the ‘vacant building credit’

Where the vacant building credit is applicable it will be calculated in the following way;

- The affordable housing requirement will be as per policy CS09 and if applicable as per the amended national policy.
- The existing vacant gross internal area (GIA) of any buildings proposed to be brought back into lawful use or demolished and redeveloped, will be deducted from the proposed residential GIA leaving the total increase in floorspace.
(Note: for wholly residential schemes this will be the total GIA of all dwellings, for mixed use schemes the GIA of the proposed residential elements only will be used. Where flatted development is proposed the GIA will include all communal and circulation areas).
- The average floorspace of the residential scheme will be calculated by dividing the total residential GIA by the total number of units proposed.
- The increase in total floorspace will then be divided by the average residential floorspace to calculate how many dwellings could be provided on the increase in floorspace.
- The required percentage of affordable housing will then be applied to the dwellings which are to be provided *only* on the increase in floorspace.

Worked examples of calculating the vacant building credit

Example D

- On a scheme of 20 dwellings a 20% affordable provision is required as per policy CS09 of the adopted Core Strategy 2011.
- In this example the existing GIA of the vacant floorspace is 500m² and the combined GIA of the 20 dwellings is 2000m² this results in a net increase in floorspace of 1500m²
- The average floor space GIA of the proposed residential scheme is 100m². Therefore 15 dwellings can be provided on the net increase floorspace.
- Therefore 3 affordable dwellings are to be provided ie 20% of 15 is equal to 3.

Example E

- A scheme of 6 dwellings in a designated rural area with a combined maximum floor area of 600m² (ie less 1000m²) a 20% affordable housing provision applies as per policy CS09. However with the national policy amendment a financial contribution of £72,000 is required.
- In this example the existing GIA of the vacant floorspace is 200m² and the combined GIA of the 6 dwellings proposed is 600m². This results in a net increase 400m².
- The average floorspace space GIA of the proposed residential scheme is 100m². Therefore 4 units can be provided on the net increase floorspace.
- Therefore 20% of 4 units equals 0.8 which equals a financial contribution of £48,000(0.8 of £60,000)

Implications for adopted Core Strategy 2011 Policy CS09

As a result of this National Planning Policy Change the thresholds and on-site affordable housing contributions set out in Policy CS09 of the Councils adopted Core Strategy 2011 do not provide a complete picture of the current situation.

Use of the flow charts above, will give a clear indication of the parts of CS09 which are affected by the National policy change . All other parts of the adopted Core Strategy policy CS09 will be applied in full.

It is not possible to vary the words in the Core Strategy policy (CS09) without going through the Plan amendment route. The Council has committed to an early review of the Local Plan once adopted and these technical changes can be fully incorporated at this time. In the meantime it is normal practice when Government policy changes to quote the original policy; a Cabinet resolution; and draft wording to guide developers as part of the 'other material considerations' category in considering planning applications.

Please note that DM8 of the emerging Site Allocations and Development Management Policies Submission Document is still a material consideration. This means that if an application site is considered to be part of a larger site, the affordable housing contribution may be calculated based on the whole site.

Planning applications

When submitting applications where 10 dwellings or less are proposed, full details of the Gross Internal Area (GIA) will need to be provided. In the case of outline applications this information will still be required. For indicative applications where this information is not yet known this is likely to be dealt with by way of a condition to restrict the floorspace to no more than 1000 square metres should the application be approved. In some instances the LPA could formally request this information at an early stage in the process if deemed necessary to determine the application.

It is important to note that in the case of applications where the vacant building credit is to be applied the combined GIA of the proposed new dwellings along with the GIA of the existing vacant dwelling/s on site will need to be provided.

The below table sets out what needs to be included when measuring the GIA.

Gross Internal Area (GIA)

Gross Internal Area is the area of a building measured to the internal face of the perimeter walls at each floor level.

Including

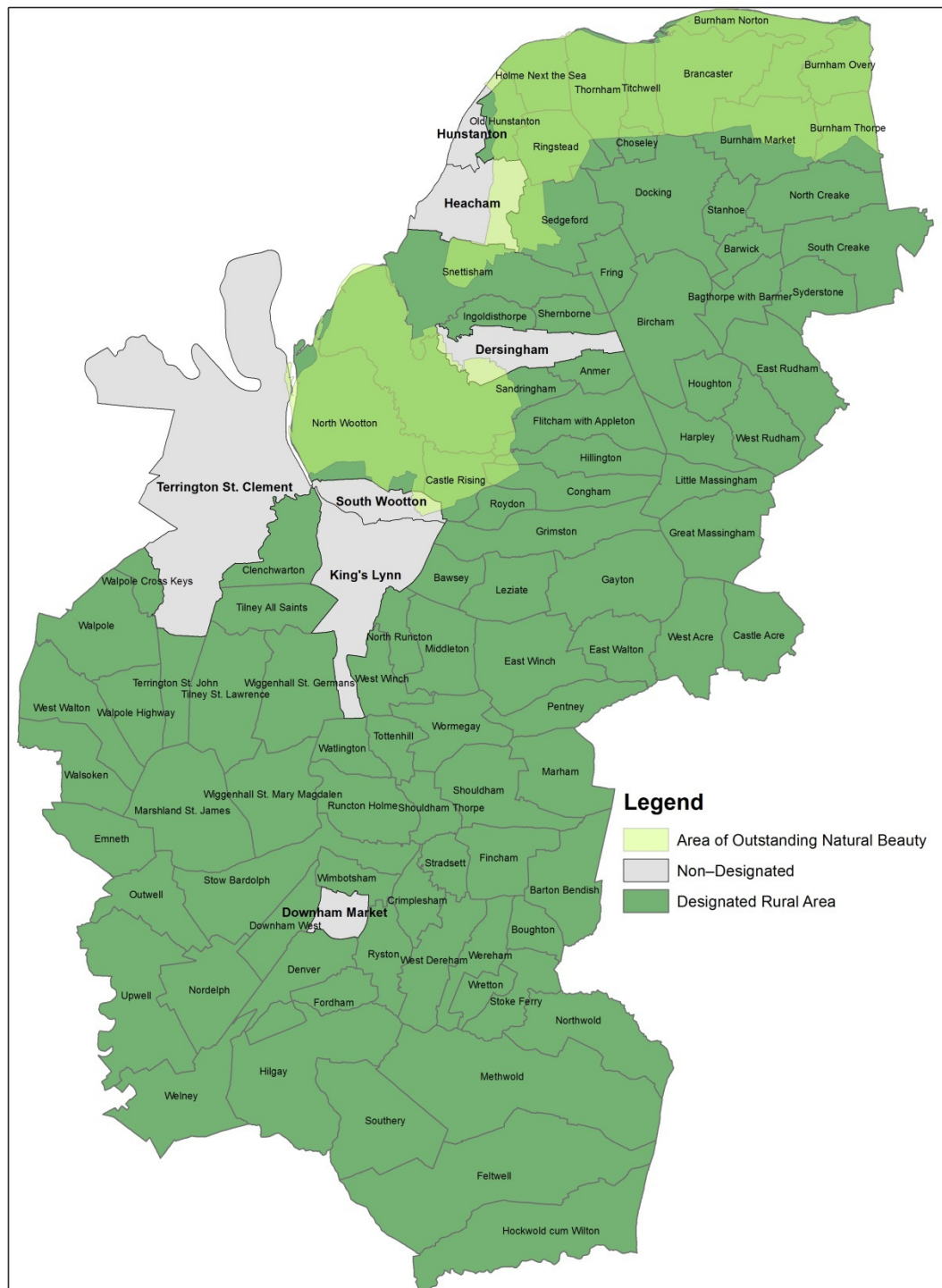
- Areas occupied by internal walls and partitions
- Columns, piers, chimney breasts, stairwells, lift-wells, and the like
- Atria and entrance halls, with clear height above, measured at base level only
- Internal balconies
- Structural, raked or stepped floors are to be treated as a level floor measured horizontally
- Horizontal floors, whether accessible or not, below structural, raked or stepped floors
- Mezzanine areas intended for use with permanent access
- Lift rooms, plant rooms, fuel stores, tank rooms which are housed in a covered structure of a permanent nature, whether or not above the main roof level
- Outbuildings which share at least one wall with the main building
- Loading bays
- Areas with a headroom of less than 1.5m
- Pavement vaults
- Garages
- Conservatories



Excluding

- Perimeter wall thickness and external projections
- External open-sided balconies, covered ways and fire escapes
- Canopies
- Open vehicle parking areas, roof terraces, and the like
- Voids over or under structural, raked or stepped floors
- Greenhouses, garden stores, fuel stores, and the like in residential property

If you have any queries relating to content of this document please contact the Strategic Housing team at strategic.housing@west-norfolk.gov.uk or 01553 616200

Appendix A



 <p>Borough Council of King's Lynn & West Norfolk</p> <p>Tel. 01553 616200 - Fax. 01553 691663</p>	<p>Title</p> <p>Designated Areas</p> <p>Project / Details</p> <p>AH Feb 15</p>		<p>Scale</p> <p>1:175,000</p>	<p>© Crown copyright and database rights 2013 Ordnance Survey 100024314</p>
			<p>Date</p> <p>20/02/15</p>	
			<p>Drawn by / Department</p> <p>AF/LDF</p>	
			<p>Drawing / Reference Number</p> <p>001</p>	

**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 6 JUNE 2016**

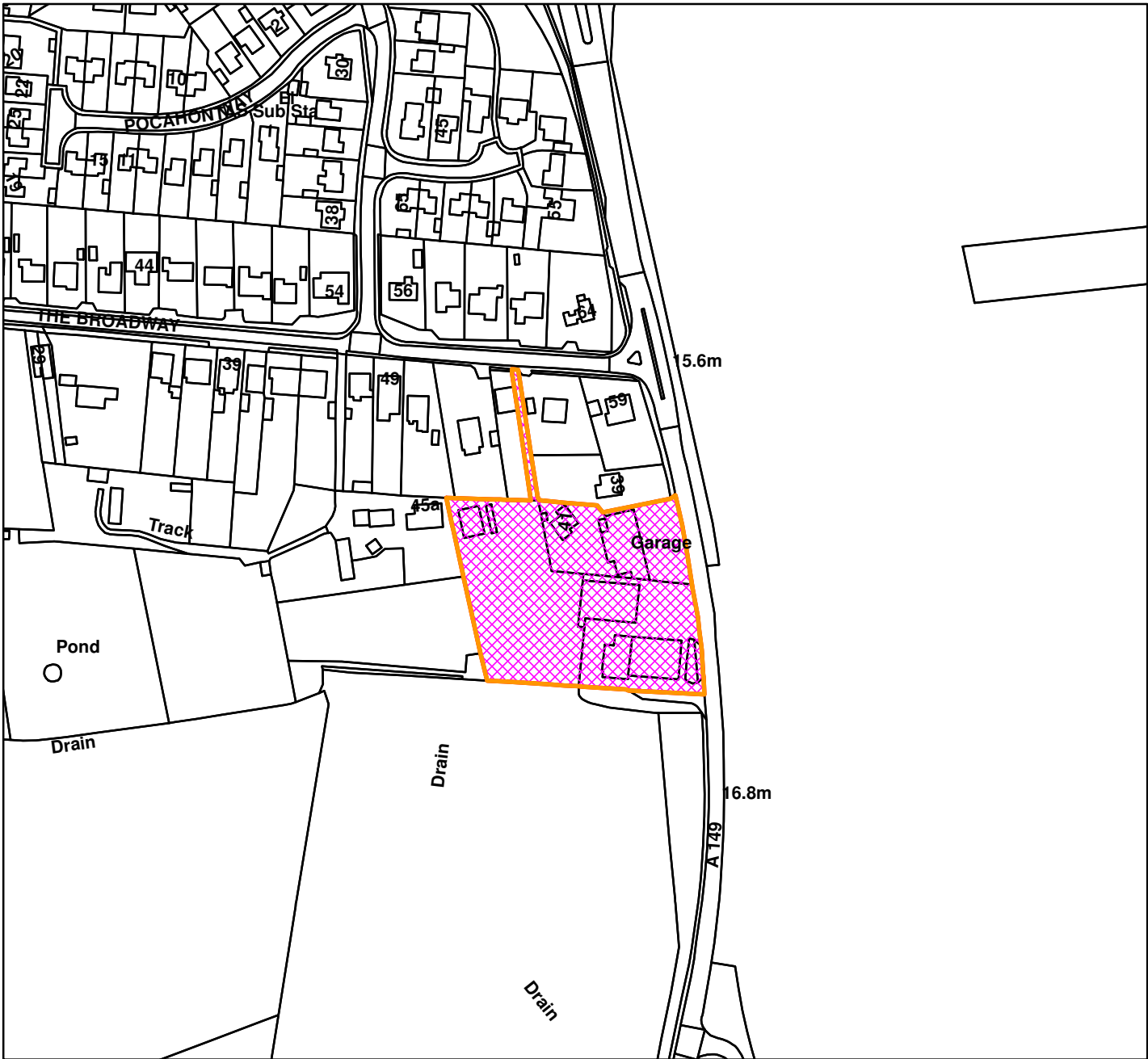
Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
9/1	DEFERRED ITEMS			
9/1(a)	15/02004/FM Former Petrol Station and R J Stainsby & Son Site 45 Lynn Road Demolition of existing buildings and construction of Class A1 (Retail) food store together with access, car parking and landscaping and associated engineering works.	HEACHAM	APPROVE	24
9/1(b)	15/02006/OM West of 6 Teal Close Outline Application: Construction of nine single storey dwellings with parking and garaging and the creation of a new access road.	SNETTISHAM	APPROVE	46
9/2	MAJOR DEVELOPMENTS			
9/2(a)	16/00305/OM Land West of The Grange 262 Main Road Outline Application: Construction of 16 dwellings.	CLENCHWARTON	APPROVE	61
9/3	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE BOARD			
9/3(a)	16/00026/F Salcombe Cross Lane Construction of a new dwelling following demolition of the existing house.	BRANCASTER	APPROVE	71
9/3(b)	15/02008/O Land East of The Grange Main Road Outline Application: Construction of four detached houses.	CLENCHWARTON	APPROVE	84

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
9/3(c)	16/00530/F Land North of 11 Bennett Street Construction of a new dwelling.	DOWNHAM MARKET	REFUSE	94
9/3(d)	16/00346/F Land South West of No. 82 (The plot next door) The Wroe Proposed residential dwelling and detached double garage in the form of chalet bungalow on part residential part former agricultural land.	EMNETH	REFUSE	101
9/3(e)	16/00577/F Land North of Outwell Road Construction of a dwelling.	EMNETH	REFUSE	107
9/3(f)	15/01989/F 91 South Beach Road Replacement house and studio annex.	HUNSTANTON	APPROVE	116
9/3(g)	16/00329/CU Istanbul Kebab House 4 London Road Change of Use from A1 shop to mixed use of A3 cafe/restaurant plus A4 drinking establishment and A5 take-away. Internal alterations to provide seating and WC for customer use.	KING'S LYNN	APPROVE	127
9/3(h)	16/00531/F Riverside Business Centre Cross Bank Road Construction of 300m of road in order to divert BOAT 1.	KING'S LYNN	APPROVE	134
9/3(i)	16/00428/O Water Treatment Works Isle Bridge Road Outline Application: Proposed residential development.	OUTWELL	APPROVE	155
9/3(j)	16/00008/F 11 Churchgate Way Replace old shop front with new front to match rest of house and internal alterations.	TERRINGTON ST CLEMENT	APPROVE	164

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
9/3(k)	16/00565/O Land on the West Side of Mill Road Outline Application: Construction of four detached dwelling houses.	WALPOLE HIGHWAY	REFUSE	169
9/3(l)	15/02037/F Sibley Field Farm Biggs Road Construction of building for vehicle preparation and storage.	WALSOKEN	APPROVE	179
9/3(m)	16/00680/F Site North West of Whinmill 1 Thieves Bridge Road Detached dwelling and double garage with associated landscape and paving works	WATLINGTON	APPROVE	186
9/3(n)	16/00629/F Gwenville 164 Salts Road Proposed 5 bedroomed house with detached garage.	WEST WALTON	REFUSE	193

15/02004/FM

Former Petrol Station And R J Stainsby & Son Site 45 Lynn Road Heacham



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:2,500

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	24/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/1(a)

Parish:	Heacham	
Proposal:	Demolition of existing buildings and construction of Class A1 (Retail) food store together with access, car parking and landscaping and associated engineering works	
Location:	Former Petrol Station and R J Stainsby & Son Site 45 Lynn Road Heacham Norfolk	
Applicant:	Lidl UK Gmbh	
Case No:	15/02004/FM (Full Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 16 March 2016 Extension of Time Expiry Date: 10 June 2016

Reason for Referral to Planning Committee – Deferred from May Committee

Case Summary

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

Approximately half of the site (53%) lies within the existing and proposed development boundary with the remaining (47%) in land designated as countryside.

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

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

Members will recall that this application was deferred from the previous committee meeting primarily to enable a representative from Norfolk County Council Highway's department to be present to answer questions. There was also some discussion regarding design and that it could better draw on local characteristics. The applicant has submitted some clarification in relation to highway issues and an amended indicative southern elevation.

This report remains the same as the previous report although under 'Supporting Case' the additional information mentioned above has been added – it is emboldened for ease of identification.

Key Issues

Principle of Development
Highway Safety
Impact on Residential Development
Drainage / Pollution
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

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

The proposed store is shown to cover c.2,240m² (GIA) with a sales area of c.1,425m² (net) containing 80% (1,140m²) convenience floorspace and 20% (285m²) comparison floorspace. The gross external area (GEA) of the store is c.2,515m².

The building is shown to measure c.69.5m x 32.7m (excluding the loading bay) and is 5.1m in height at the northern end and 8.1m high at the southern end. The building is to be constructed with white rendered walls, grey render piers, and metallic silver cladding under a slate-grey aluminium roof with extensive glazing on the eastern elevation and south-eastern entrance foyer. The store would occupy the northern part of the site, with the southern area laid to parking (129 car parking spaces (including 6 disabled bays and 3 parent and child bays) and 8 cycle stands). A single-storey loading bay (contained within the building) is proposed to the west of the site.

Access would be from the south-eastern corner of the site from the A149 (a Primary Corridor of Movement). Highway improvement works are proposed in the form of the provision of a right hand turning lane and footpaths across the frontage as far as The Broadway.

Landscaping buffers are proposed to the north, west and south.

It is anticipated that the store would employ six to eight full-time staff and between 20-25 part-time staff working shift patterns. The opening hours of the store are proposed to be 08.00-22.00 Monday to Saturday and 10.00-16.00 on Sundays and Bank Holidays, with deliveries preferred to be outside of these hours.

Approximately half of the site (53%) lies within the existing and proposed development boundary for Heacham with the remaining (47%) in land designated as countryside. The site is opposite an Area of Outstanding Natural Beauty (AONB).

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

SUPPORTING CASE

Committee noted the County had suggested that an alternative access “may help reduce the impact of summer congestion on the store users but the developer is reluctant to alter the layout”

We would emphasise that:-

1. the County's comment relates to users of the store; and

2. the alternative access arrangement would comprise separate ingress and egress. Lidl is indeed reluctant to provide this for the following reasons:

- First, it would result in vehicular traffic having to exit the site very close to the pedestrian access from Lynn Road and very close to the customer entrance to the store. This would cause undesirable and unnecessary conflict between pedestrians and customers and would represent a less safe option than the access as proposed.
- Second, a benefit of the submitted proposal is that it rationalises the existing ad hoc arrangement of access/egress to the site. The alternative would revert to multiple crossings and break up the footway along the frontage making it less friendly to pedestrians.
- Third, the right turn lane into the site would need to be shortened to avoid confusion for those making the right turn into the site from the north (otherwise, there would be a risk that right turners may mistake the egress for the ingress). Retaining a longer right turn lane is desirable (as noted by Members at committee on 9 May).
- Fourth, the consequent alterations to site layout, including due to changes in levels at the location of the egress, would result in a compromised car park layout with poor circulation. It would also lead to the loss of at least 11 spaces. This could result in customers being unable to park during peak hours which, in turn, could lead to vehicles waiting in the car park for a space or, potentially, waiting on the A149.

Committee noted that the A149 is congested, especially during holiday periods

Whilst this may be true SCP concludes that (i) the situation will not be materially affected by Lidl's proposals; and (ii) this does not make the proposal unsafe in terms of access. Moreover, the use of September survey data (which shows flows materially higher than the average flows) is robust. In addition a comparison between the trips generated by the site's lawful and proposed uses confirms that peak hour traffic movements will not materially increase. The TA confirms that:-

- A petrol filling station could generate 165 vehicles per hour (vph) two way on a weekday PM peak and 200 vph during a Saturday peak hour. Much of this would be pass-by traffic (i.e. already on the network) but it would access the site via an informal access/egress arrangement. This ignores traffic associated with the vehicles sales and workshops on the site.
- The proposed Lidl could generate 200 vph two way on a weekday PM peak and 300 vph on a Saturday. Again, a significant proportion will be pass-by but they will use a single point of access / egress to a design recommended by the Design Manual for Roads and Bridges.

Committee asked if the right turn lane is long enough to accommodate peak hour trips to the site

In this regard the right turn lane is approximately 50m long and can hold 8 vehicles (assuming 6m per queuing vehicle). The junction capacity analysis of the proposed site access contained in the TA confirms that there would be minimal queuing (and much less than 8 vehicles) in the right turn lane during peak hours of operation. On this basis SCP and the County conclude that the right turn lane can accommodate traffic without that extending back into the southbound carriageway.

Committee queried whether the Lavender Farm junction should be improved

SCP and the County have discussed potential improvements at the Lavender Farm junction. However, SCP and the County agree that the proposals would have no material impact on the operation of the junction so that its operation is not a matter for consideration this application. Any suggestion that Lidl might fund improvements that are not required as a consequence of the development that is proposed would conflict with the statutory tests set out in the CIL Regulations.

Committee questioned whether the development would increase 'rat running' in Heacham

Any rat running that takes place at present is clearly not as a consequence of Lidl's proposals. In any event this issue had not been raised by the County in scoping the TA and it is SCP's judgment that the impact of Lidl's proposals would be negligible both in terms of the capacity of nearby junctions and on any potential for rat-running. We understand that Liz Poole is attending committee to answer these and any other questions that Members may have. Jim Budd of SCP and I will also be attending to speak in support of the application and I have advised the Chair of Committee that we are happy to answer any questions direct.

Design Issues

Committee also commented on the design of the proposed store. In this regard, Section 2.0 of the Planning & Retail Statement explains the principles of Lidl's business model and how those relate to the design and layout of Lidl's foodstores and sites. Similarly, the Design & Access Statement explains the design rationale adopted including:-

- the attention paid to providing customers with a modern and attractive store layout;
- the quality of the materials that are used;
- the efficient methods of construction utilised in the construction of Lidl's foodstores;
- the energy efficient management systems that are integral to Lidl's foodstores.

Moreover, the landscape proposals have been designed to be consistent with the pattern of enclosures and boundary treatments that are typical of the locality and along Lynn Road through Heacham, including the use of locally native species. In response to comments from the Parish Council and Committee, Lidl has also considered the scope to add locally distinctive materials to the elevations. Accordingly I have attached an alternative version of the elevations which introduces a Carrstone plinth and columns on the southern elevation which also provides vertical emphasis to the elevation. This is provided as an indicative drawing; however, should the LPA support the revised elevations Lidl would be content with a condition that required that development proceed on this basis, and that materials be agreed.

Please note that Lidl has commissioned a CGI of the proposals which will show the landscape proposals at maturity, and the introduction of Carrstone detailing. This will be provided as soon as possible'.

The application was accompanied by a Planning and Retail Statement, Design and Access Statement, Transport Assessment, Travel Plan, Ecological Assessment and Flood Risk / Drainage Assessment. Supplementary drainage, transport and landscape impact information was submitted during the application process to address issues raised.

The conclusion of these reports is:

- The proposal will replace a disparate group of buildings, areas of hardstanding and vehicle storage / sales and associated paraphernalia with a single, well-designed and well managed building and parking area,
- The impact on the landscape will change, although it will be no more visible from or across the AONB than the existing development with views limited to glimpses from the north and east. From the south the development will be viewed in the context of the existing built form on the edge of Heacham,
- The store is located in the most appropriate part of the site on land currently occupied by workshops, thus minimising its impact on the open land adjacent to the site and orientated so that its quiet elevation is adjacent to housing,
- The pedestrian access from the Broadway will remain open for use by those residents who use it to access the rear of their properties, but will be closed at the site boundary to avoid access to the site and disturbance to those residents,
- The proposed access is inherently safer than the existing ad hoc movements that can occur into and out of the site,
- The footway will be widened along the site frontage to 3m as far north as The Broadway,
- Hunstanton has a more extensive retail and service provision than Heacham (in line with its position in the settlement hierarchy) yet Hunstanton has a population of 521 fewer than Heacham. In this context delivering a food store in Heacham is consistent with the objective of ensuring that new investment is directed to the most sustainable places and that locally appropriate levels of growth take place in KRSCs,
- The site is well located in terms of the opportunities to access the site by sustainable modes of transport including on foot, by bicycle and by bus,
- Parking provision (for vehicles and bicycles) is in accordance with current parking standards,
- The proposed junction could easily accommodate the traffic movements associated with the proposed development and is technically acceptable to the Local Highway Authority who raise no objection to the proposed development,
- The suggested SuDS system will provide both a reduction in flow and reduction in volume into the existing watercourse.

PLANNING HISTORY

2/03/0564/F: Application Permitted: 24/06/03 - Construction of storage building

2/97/0799/F: Application Permitted: 10/07/97 - Provision of roof on existing car wash bay

2/93/1807/A: Application Permitted: 07/02/94 - Non-illuminated projecting sign

RESPONSE TO CONSULTATION

Heacham Parish Council: Following a meeting between representatives of Lidl and Heacham Parish Council, the Parish Council still has concerns. The Parish Council will reconsider its objection if:

- The access to the A149 is revisited by both Lidl and Highways and suitable improvements made to the Lavender junction (as already discussed between Lidl and Highways but not fully agreed), and includes box junction markings (not discussed by Highways but considered sensible by HPC and the highways consultant used by Lidl);

- The appearance of the store satisfies the North Norfolk Coast Partnership and can be identified with Heacham. Also, landscaping on the south side, at least, is effective in merging the car park into the countryside;
- The Internal Drainage Board is fully satisfied with the new drainage arrangements; and
- The retail impact assessment commissioned by BCKLWN is satisfactory.

Hunstanton Town Council: SUPPORTS in principle, but takes on board Heacham Parish Council's concerns

Highways Authority: NO OBJECTION - The site is to be accessed via a Right Hand Turn Lane (RHTL). The RHTL will be designed by the Highway Authority and either delivered by the Highway Authority or delivered by the developer.

The Highway Authority accepts that for the majority of the year, the site layout as proposed should operate satisfactorily. However the developer should be aware that during summer months, the site may not operate satisfactorily and that customers of the development may suffer queuing within the site which may affect how the store operates.

The Highway Authority has requested a different layout which may help reduce the impact of the summer congestion on the store users but the developer is reluctant to alter the layout. That said, the assessment of the operation of the access has been undertaken based on September flows which are 12% above the annual average daily traffic flows and the access has been shown to operate satisfactorily. Whilst the impact of the peak summer months is a consideration, it is not an appropriate reason to recommend objection to the application.

In light of the above, the Highway Authority recommends no objection subject to conditions.

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

Environment Agency NO OBJECTION subject to conditions relating to pollution prevention

Lead Local Flood Authority: NO OBJECTION

Historic Environment Service: NO OBJECTION subject to conditions

Environmental Health & Housing – Environmental Quality NO OBJECTION subject to conditions

Environmental Health & Housing – CSNN NO OBJECTION subject to conditions

Norfolk Coast Partnership: NO OBJECTION - Although visibility of the site from the AONB would be limited, possibly to the adjacent, currently arable, field the impact on the setting of the AONB is a valid consideration (as provided in paras 113, 115 of the National Planning Policy Framework). The current petrol station does not contribute positively to the setting of the AONB, but the proposed store would represent a significant intensification of development on the site both in area and height, and would expand into the open countryside to the south with the loss of part of a hedgerow.

There is a potential opportunity to enhance the setting of the AONB relative to the current situation but the proposed design and landscaping, consisting essentially of planting of low ornamental shrubs, would not integrate effectively into the existing landscape setting.

I suggest that the applicants should be requested to reconsider the landscape setting and possible design improvements, particularly on the eastern elevation, but also improved landscaping proposals to achieve more effective integration of the building and car parking area.

CPRE: OBJECTS based upon impact on the AONB / damage to landscape and damage to potential rural businesses.

Natural England: NO OBJECTION - Careful consideration should be given to any direct and indirect effects upon the AONB.

Arboricultural / Landscape Officer: NO OBJECTION – the landscaping scheme is entirely appropriate for the surroundings

REPRESENTATIONS

TWENTY letters of **OBJECTION** have been received. The issues include:

- Impact on adjacent properties in terms of boundary treatments and noise and dust,
- Road safety and traffic flow concerns,
- Unacceptable impact on shops in Heacham,
- Impact on AONB,
- Design and materials (mostly glazing) are not in keeping with character of the locality,
- Will set a precedent for housing development along the A149 adjacent to the store,
- The granting of permission could turn out to be criminal negligence,
- Nuisance associated with abandoned trolleys,
- Site is too far from the centre of the village,
- Too close to residential development,
- Drainage and flooding – poor drainage in the locality will contribute to flooding
- The on-site congestion mentioned in the Highways comments will lead people to park on the Broadway which will lead to unacceptable impact on residents of the Broadway,
- There should be no activity (deliveries etc.) outside of the proposed hours of opening (8am to 10pm),
- Lights should be extinguished by 9pm and not relit until 7am,
- The proposal will have a negative impact on tourism as tourists will be put off coming because of the slow moving traffic,
- Emergency vehicles will get caught in even heavier traffic,
- The building should be orientated north to south with car parking on all sides to lessen the impact on existing residents,
- Impact on wider road network of Heacham,
- The northern end of the track from Broadway should be gated (to enable access only) to prevent rubbish dumping, dog fouling and other nuisance behaviour,
- The A149 is already incapable of dealing with the volume of traffic that now uses it, and this is only going to get worse because of the number of residential developments being approved / proposed in the Heacham / Hunstanton area and the closure of the recycling site in Docking going to the Heacham recycling units which is opposite the site,
- Norfolk County Highways is not sufficiently resourced to offer reliable and transparent assessments of the impacts of this (and other) developments,

- In the long term the proposed development would result in job losses not job gains because local stores would eventually close,
- Heacham is a village not a town, and the proposed supermarket belongs in a town and that's where it should be,
- The argument that that placing a supermarket in Heacham will reduce traffic by reducing necessary journeys to surrounding town is – the development will only increase traffic,
- More traffic surveys are required – in the summer months and in peak times,
- It should not be forgotten that turning right out of the village was very dangerous, and the reason for the installation of traffic lights at the nearby junction,
- Do we need another LIDL? Is one in King's Lynn and one in Fakenham not enough?
- The existing use of the site is irrelevant to the current application,

ELEVEN letters of **SUPPORT** have been received. The reasons are:

- Will no longer have to travel to Fakenham or King's Lynn in order to shop at Lidl,
- This is a good, properly researched, proposal,
- Heacham residents will be able to pay fair prices for groceries in the future rather than the inflated prices currently set for the holiday makers,
- In support, but suggests that the access should be protected with traffic lights,
- Several cash machines should be installed,
- The proposal will mean that the residents of Heacham can shop on their own doorstep without having to travel to King's Lynn or Hunstanton,
- Will offer much needed jobs that aren't seasonal,
- In support, but does have reservations about traffic generation,
- Questions whether vehicles wishing to travel south travel via Broadway, Nourse Drive, Lynn Road and back to the rights to turn right? If so this will cause problems – wouldn't a roundabout be a more sensible option?
- Fully support, the produce and prices are better than Tesco and Co-op,
- The issues of drainage and traffic currently exist – perhaps this will be the push needed to get them fixed,
- Holiday home owners will find this very useful and be able to drop in on the way through – the sooner the better,
- It is getting increasingly difficult to find a parking space in Sainsbury (or the surrounding streets) or Tesco in Hunstanton; this application will alleviate the pressure on both these stores,
- More choice,
- A business has operated from the site in excess of 80 years without comment or incident,
- This makes good use of a brownfield site.

NATIONAL GUIDANCE

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

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

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.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM10 – Retail Development Outside Town Centres

DM12 - Strategic Road Network

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Principle of Development (including the impact on the viability and vitality of Heacham and Hunstanton)
- Highway Safety
- Impact on the AONB
- Impact on Residential Amenity
- Drainage / Pollution
- Other Material Considerations

Principle of Development

The site is in Heacham, a Key Rural Service Centre (KRSC). KRSCs are centres that seek to provide a range of services to meet the day-to-day needs of residents as well as those of surrounding Rural Villages.

Paragraph 6.1.12 of the Core Strategy states that *'Local scale development will be concentrated in identified Key Rural Service Centres. This will include new housing, employment and retail development'*.

Part of the site lies within the existing and proposed development boundary for Heacham. The part that is inside the development boundary is previously developed land, whilst the part outside is designated as countryside. Core Strategy Policy CS06 and emerging Development Management Policy DM2 seek to restrict development outside of these boundaries; although both make provision for employment uses adjacent.

In relation to employment provision, paragraph 28 of the NPPF states that *'planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development... [LPAs should] support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings'*. Core Strategy Policy CS10 expands on this and seeks to retain existing employment land and suggests that permission may be granted on land which would not otherwise be appropriate for an employment generating business as long as the following criteria are met:

- It should be appropriate in size and scale to the local area;
- It should be adjacent to the settlement;
- The development and use should not be of detriment to the local environment or local residents.

However, both national and local policies also seek to protect the viability and vitality of town centres by ensuring that careful consideration is given to retail development outside of town centres. Paragraphs 25 and 26 of the NPPF require LPAs to apply a sequential test and require an impact assessment (the latter applies only to retail development exceeding 2,500m²) to such proposals. Applications that fail one or both should be refused (para. 27).

Discussions with the Local Development Framework Team suggest that there are no suitable sites in Hunstanton Town Centre (or the centre of Heacham) or in edge of centre locations. It is therefore concluded that the sequential test is passed.

The LPA procured the services of Carter Jonas (CJ) to review and appraise the Retail Impact Assessment that accompanied the application in relation to the impact on both of these centres specifically in relation to the convenience element of the proposal [as CJ considers that the 285m² comparison floorspace would have a negligible impact on the vitality and viability of the centres]. CJ concludes that:

- The Limited Assortment Discounter (LAD) model (as categorised by the Competition Commission) operates differently to other traditional convenience retailers both in terms of its customer profile and operational requirements (some key LAD characteristics include: concentration of own brands (about 80% of its product range) which avoids passing on the cost of brand name marketing to the consumer, much more limited produce range c.1,600 lines compared to c.10,000 lines of stores such as Tesco, Sainsbury, Morrison and Asda), and simple product display and stock handling procedures). This in turn influences how trade is diverted to the proposal and the level of impact the proposal will have on the existing centres;

- The Catchment Area adopted by the applicant is sound (Hunstanton, Heacham, Snettisham and Dersingham);
- The timeframe for assessing the impact (2015 as the base year and 2020 as the forecast period) is appropriate and in accordance with para 26 of the NPPF;
- Whilst the convenience data is an estimate only and should be treated with caution, JC considers it is sufficient to undertake an appraisal. The data submitted by the applicant suggests (in relation to Hunstanton):
- 40% of Lidl's turnover would come from Tesco, Hunstanton,
- 26.8% would come from outside of the catchment area (most likely from Lidl and Aldi in King's Lynn),
- 14.97% from Sainsbury, Hunstanton,
- 8.9% from other shops in Hunstanton (although JC consider this is likely to be closer to 10%)
- Even with the slightly higher impact level in relation to the last bullet point, JC concludes that the resultant impact on the vitality and viability of the centre is unlikely to be considered as 'significantly adverse',
- In relation to Heacham (where the key shopping areas were concluded to be: a small parade on Station Road (which includes the Co-op), the High Street, and Tesco Express on Lynn Road) the data submitted suggests:
- 2.6% of Lidl's turnover would come from Tesco Express with 2% from the Co-op.
- Whilst JC suggests that it is possible that the impact on these stores could be higher, they conclude, on balance, that the development would not result in the closure of any single store or have a significantly adverse impact on the 'centre' of Heacham as a whole.

In summary Carter Jonas concludes that the scale and type of out of centre retail floorspace proposed by the current application is unlikely to have a 'significant adverse impact' on the vitality and viability of either Hunstanton town centre or the centre of Heacham.

It is important to note that this conclusion is drawn on the basis that the applicant is a LAD (and not for example a 'normal' food-store (e.g. Tesco, Morrison, Sainsbury, Asda) which operates a different business model). Your officers therefore consider that it is necessary and reasonable to condition any permission to be used only by a Limited Assortment Discounter (as categorised by the Competition Commission) and for the net sales area not to exceed 1,425m².

Taking all of the above into account it is considered that the proposed development is in general accordance with national and local policy, and that the principle of the development is acceptable.

Highway Safety

Paragraph 32 of the NPPF requires all developments that generate significant amounts of movement to be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Core Strategy Policy CS11 *Dealing with transport issues in new Development* states that 'Development proposals should demonstrate that they have been designed to:

- Reduce the need to travel.
- Promote sustainable forms of transport appropriate to their particular location and related to the uses and users of the development. In order of preference this should consider:
 - Walking
 - Cycling
 - Public transport
 - Private car (development proposals which are likely to have significant transport implications will need to be accompanied by a transport assessment and travel plan to show how car based travel can be minimised)
- Provide for safe and convenient access for all modes.
- The Transport Assessment that accompanied the application suggests that:
- The site is well located in terms of the opportunities to access the site by sustainable modes of transport including on foot, by bicycle and by bus,
- Parking provision (for vehicles and bicycles) is in accordance with current parking standards,
- The proposed development would result in a net increase of 51 and 94 vehicle trips turning in / out of the site from the A149 during the weekday and Saturday peak hours respectively (compared to the consented use of the site (if fully operational)),
- The proposed junction could easily accommodate the traffic movements associated with the proposed development,
- The development could increase overall queuing at the Lavender Farm Junction (LFJ) by 2 – 3 vehicles (5-6%) compared to the consented use during peak hours of operation,
- Any queuing from the LFJ at peak times would not extend to, and therefore not impact on, the site's access.

The applicant has worked with the Local Highway Authority (LHA) to achieve a scheme that is technically acceptable. The final scheme includes off-site highway improvement works in the form of footpath provision and a right hand turn lane.

The LHA has no objection to the proposed development, although they do suggest that the internal layout of the site 'may not operate satisfactorily and that customers of the development may suffer queuing within the site which may affect how the store operates'. As this issue does not directly impact on highway safety, and clearly it is in the best interest of the applicant that the internal layout of the site works, the proposed scheme is considered acceptable.

However, some third party representatives suggest that people will get frustrated, because it will be difficult to turn right out of the site, and will therefore turn left into the Broadway, travelling through Heacham before coming out at the Norfolk Lavender traffic lights. They express concern that the narrower residential streets could not cope with this. It is the responsibility of the LHA to consider the impacts on the wider road network (not just the A149), and as previously stated, the LHA raises no objection to the proposed development.

One of the main concerns of third parties is not only highway safety, but also congestion. However, the TA suggests that the proposed development would not materially affect the current congestion that is more apparent during the summer months.

In summary there is no technical objection to the proposed development on the grounds of highway safety and it is therefore considered that the proposed development accords with the overarching policy objectives relating to sustainable transport.

A Travel Plan, the main aim of which is to reduce the number of vehicular trips generated by the development and identifies key measures which will be developed – largely in relation to employees (because it is difficult to influence the general public) accompanied the application. It is generally difficult to monitor and enforce recommendations in a travel plan, and members will need to consider whether they believe in this instance it is necessary.

Impact on the AONB

The site lies adjacent to, but outside of the AONB. Paragraph 115 of the NPPF states that *'Great weight should be given to conserving landscape and scenic beauty in... AONBs, which have the highest status of protection in relation to landscape and scenic beauty.* The need to conserve such areas is reiterated in Core Strategy Policy CS12.

Whilst there are no objections from statutory consultees in relation to the impact on the AONB, concerns were initially expressed by Natural England and The Norfolk Coast Partnership. Additionally the CPRE, as well as a number of third party representatives, object on a number of grounds including the impact on the AONB. The applicant sought to allay these concerns by improving and increasing soft landscaping on the southern, western and northern boundaries of the site. In terms of the amended landscaping scheme the Arboricultural / Landscape Officer has no objection and considers the scheme to be entirely appropriate for the surroundings.

In this instance the site is separated from the AONB by the A149 and the buildings that currently occupy the site make no contribution to the setting of the AONB (although it is acknowledged that they are not as high as the proposed store and do not have the same mass), and the site lies adjacent to existing built-form (albeit again generally of a smaller, primarily residential nature).

Whilst the site extends outside of the development boundary and into countryside, the actual building does not encroach any further into the countryside in a southerly direction than the existing. Indeed the only area that encroaches into countryside in a southerly direction is the southern boundary (planting) and the access. The building does however encroach westerly into countryside, and is taller and has a greater mass than the existing buildings that occupy the site. Your officers therefore consider, contrary to the applicant's view, that the proposed development will be more prominent than existing. However, this does not necessarily mean that the proposal is unacceptable. The existing buildings are utilitarian in nature not characteristic of buildings in the wider AONB.

In relation to the impact on the AONB, the elevation with the most glazing (and therefore likely to have the greatest impact) is the eastern elevation. Whilst this is the elevation that faces the AONB the two will only be glimpsed together. The southern elevation is the elevation that is likely to have the greatest impact on the AONB when one approaches Heacham from the south. This elevation, other than the glazing at the diagonal entrance foyer, will largely consist of greys and whites – colours that tend to blend into the skyline.

In summary a group of utilitarian buildings that are not characteristic of the AONB or wider landscape will be replaced by a single, larger modern utilitarian building on an edge of village location against a back drop of existing development.

Whilst additional comments have not been received from NCP, NE or CPRE at the time of writing the report (in relation to the updated landscaping scheme), your officers believe that the applicant has given due regard to the impact on the AONB, and that the impact is acceptable. If additional comments are received from the aforementioned bodies, they will be forwarded as late correspondence.

It is important to note that the advertisements are indicative only and separate advertisement consent will be required for these – that is to say that if permission is granted for the current application it does not grant consent for the advertisements.

Impact on Residential Amenity

The properties that would be most affected by the proposed development are No.39 Lynn Road to the immediate north of the site, and No.45a The Broadway, to the immediate west of the site. The main amenity issues are in the form of overbearing and overshadowing (due to the proximity of the store to these dwellings), and noise and light associated with the operation of the store.

The building is shown to be approximately 10 metres from the southern elevation of No.39. The height of the northern elevation of the building is 5.1m – the average eaves height of a two-storey dwelling. Currently the largest of the existing buildings is closer to No.39 than the proposed and, other than the parapet wall that faces eastwards (which is much higher), is of a similar height. The existing bungalow that occupies the site (No.41) is again closer to No.39 than the bulk of the proposed building will be. It is therefore considered that the relationship with No.39 will be comparable to existing.

In relation to No.45a The Broadway, the proposed building is shown to be approximately 16 metres from the south-eastern corner of No.45a. The single storey loading bay is the closest part of the proposed building to this dwelling (with a height of 4.1m). The greatest impact to No.45a is therefore likely to be from noise associated with deliveries (one of which is expected per day). However, in relation to operational disamenity, CSNN are satisfied that no statutory nuisance would occur and that noise along with lighting, smells, and hours of operation / delivery can all be suitably conditioned.

It is therefore concluded that the proposed development would not result in disamenity of a level to warrant refusal.

Drainage / Pollution

A revised Flood Risk / Drainage Assessment was submitted with the application. The Assessment suggests that run-off from the impermeable surface area of the building will be less than the current development (because the run-off will be restricted to a maximum flow rate of 5 litres per second whereas the current development has unattenuated discharge). The proposed parking and hardstanding areas are now planned to be permeable paving with the intention that flows will infiltrate into the ground.

Neither the IDB nor Environment Agency (EA) objects to this high level strategy (with the EA's remit relating to groundwater pollution). However, the IDB suggest that further investigations will be required before it is known if this precise strategy will work. Notwithstanding this the IDB is satisfied that a solution can be achieved. Both the IDB and EA recommend conditions be appended to any permission granted.

Other Material Considerations

Contamination and archaeology (the site lies at the northern edge of a complex of cropmarks and trackways where previous Roman, Anglo-Saxon and medieval artefacts have been recorded) can be dealt with by condition.

A Preliminary Ecology Appraisal accompanied the application. The Appraisal concludes that no further studies are required in relation to: Great Crested Newts, reptiles, bats, nesting birds or badgers.

Some replacement planting is recommended to replace potential foraging and nesting habitat for bats and birds, and that any site clearance works take place outside of the bird nesting season (March to September inclusive). These recommendations can be suitably conditioned.

There are no specific crime and disorder issues relating to the proposed development.

CONCLUSION

A number of objections have been received from third party representatives although it should be noted not an exceptional number. The main reasons for objection relate to highway safety and congestion, the impact on the vitality and viability of existing retail provision in the locality, and the impact the development would have on the appearance of the area and specifically the AONB. Likewise a number of letters of support have also been achieved (and likewise not an exceptional number). The main reasons for support are: choice, convenience, less distance to travel and job creation.

No objections have been received from statutory consultees and it is considered that safe access, drainage, the type of store that can operate from the site (LAD) and contamination can all be suitably conditioned. Furthermore the appraisal of the Retail Impact Assessment undertaken by Carter Jonas, on behalf of the LPA, has concluded that there would be no 'significant adverse impact' on the vitality and viability of either Hunstanton or Heacham retail centres. There are therefore no 'technical' reasons for refusing the application.

It is considered on balance that the proposed development accords with the overarching aims of national and local policy and should be approved subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos: PL-03 Rev.E, PL-04, PL-05A, SCP/15846/D03 Rev.B and SCP/15846/D05.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the commencement of the use hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 3 Reason In the interests of highway safety in accordance with the NPPF and Development Plan.

- 4 Condition Prior to the commencement of the use hereby permitted the proposed access / on-site car and cycle parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 4 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with the NPPF and Development Plan.
- 5 Condition Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 5 Reason To ensure adequate off-street parking during construction in the interests of highway safety in accordance with the NPPF and Development Plan.
- 6 Condition No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority. For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities.
- 6 Reason To prevent extraneous material being deposited on the highway in the interests of highway safety in accordance with the NPPF and Development Plan.
- 7 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing(s) number(ed) SCP_15846D03_RevB_3m_shared_cycle_footway, SCP_15846D05_proposed_site_access_against_topo_survey and SCP_15846_SK01 have been submitted to and approved in writing by the Local Planning Authority.
- 7 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the NPPF and Development Plan.
- 8 Condition Prior to the commencement of the use hereby permitted the off-site highway improvement works referred to in condition 7 shall be completed to the written satisfaction of the Local Planning Authority.
- 8 Reason To ensure that the highway network is adequate to cater for the development proposed in the interests of highway safety in accordance with the NPPF and Development Plan.
- 9 Condition The gradient of the vehicular access shall not exceed 1:12 for the first 10 metres into the site as measured from the near channel edge of the adjacent carriageway.
- 9 Reason In the interests of the safety of persons using the access and users of the highway in accordance with the NPPF and Development Plan.

- 10 Condition Notwithstanding the information that accompanied the application, no development shall begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Drainage infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.
- 10 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 11 Condition Prior to the commencement of any works on the foundations of the development hereby approved full details of the design of the foundations shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 11 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 12 Condition No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
 - 1) The programme and methodology of site investigation and recording,
 - 2) The programme for post investigation assessment,
 - 3) Provision to be made for analysis of the site investigation and recording,
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation and
 - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- 12 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 13 Condition No development shall take place other than in accordance with the written scheme of investigation approved under condition 12.
- 13 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 14 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 12 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 14 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

- 15 Condition Prior to the first occupation of the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 15 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 16 Condition Prior to commencement of development a detailed construction management plan, must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.
- 16 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 17 Condition The use hereby permitted shall not commence until a detailed scheme for the ventilation and extraction of fumes/cooking smells has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the precise details of the flue extraction equipment to be used, including: the stack height; the design and position of all ductwork; the noise/power levels of the fan(s); the number, type and attenuation characteristics of any silencers; details of anti-vibration mounts and jointing arrangements in the ductwork; the number of air changes per hour, and the efflux velocity. The scheme shall be implemented as approved prior to the commencement of the use and thereafter maintained as such.
- 17 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 18 Condition Prior to the installation of any refrigeration plant a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the noise/power levels of the equipment and provide details of anti-vibration mounts. The scheme shall be implemented as approved and thereafter maintained as such.
- 18 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 19 Condition No deliveries shall be taken at or despatched from the site outside the hours of 6am to 11pm on weekdays and Saturdays and 9am to 6pm on Sundays or Bank / Public Holidays.
- 19 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 20 Condition The premises shall only be used between the hours of 7am and 10pm Monday to Saturday and 10am to 5pm on Sundays and Bank / Public Holidays.

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

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

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

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets,
- woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

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

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

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

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

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

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

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

- 24 Condition In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 21, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 22, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 23.

- 24 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.

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

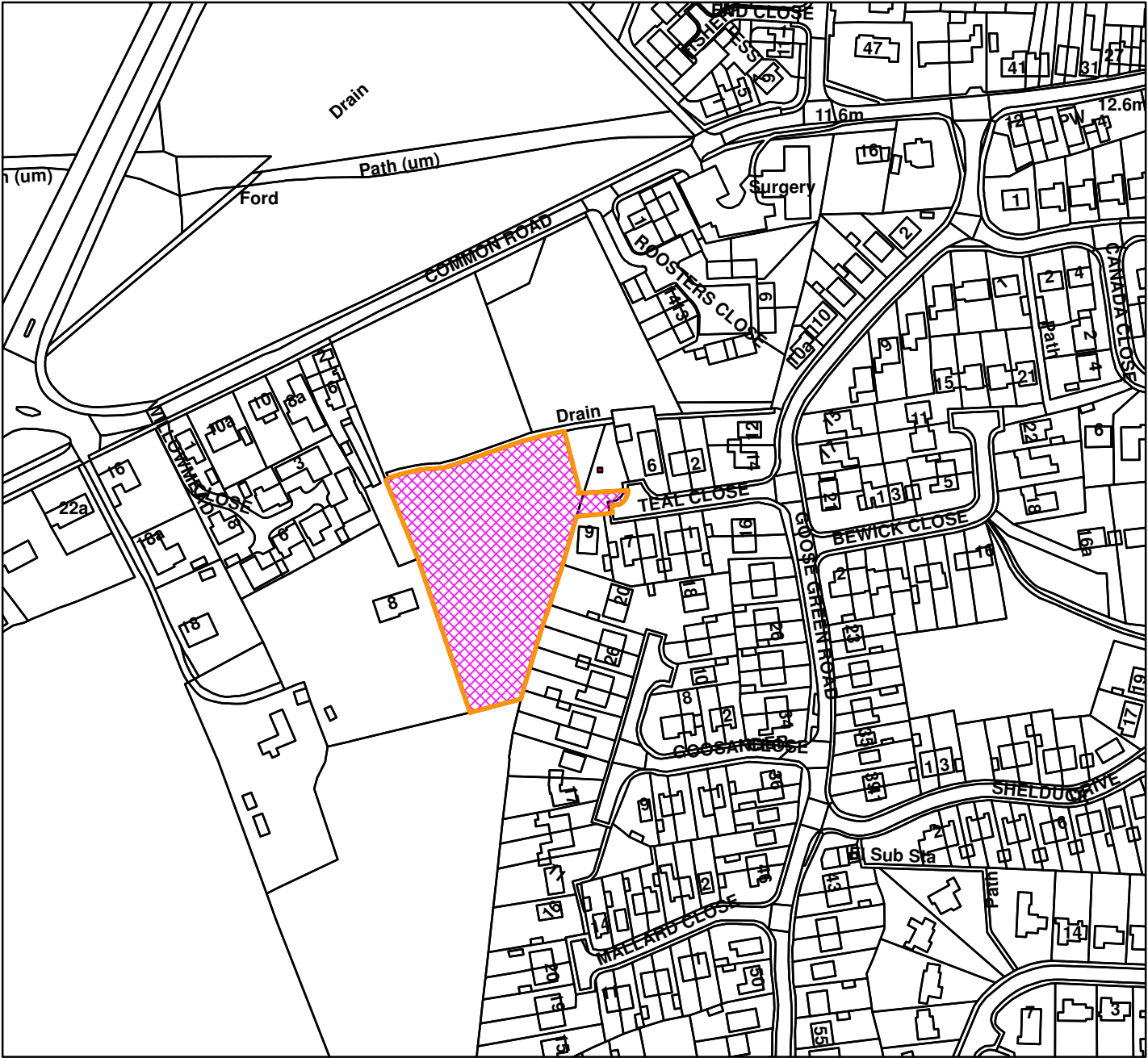
- 25 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

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

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

- 26 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 27 Condition All hard and soft landscape works shall be carried out in accordance with the details shown on drawing number 15/84/01 revision D. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 27 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 28 Condition The development hereby permitted shall be carried out in accordance with the recommendations of the Preliminary Ecological Appraisal (Ref CLE20296/005/01 dated November 2015) that accompanied the application.
- 28 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 29 Condition The development hereby permitted shall be used only for A1 retail use and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2015 or in any provision equivalent to that Class revoking or enacting that Order). The net sales area shall not exceed 1,325sq m and no more than 20% (245sq m) of this net sales area shall be used for the sale of comparison goods. The number of lines that shall be for sale in the store at any one time shall be limited to a maximum of 1,600; and the store shall not include any post office, pharmacy or butchers. For the purposes of this conditions, comparison goods are items not obtained on a frequent basis, including clothing, footwear, household and recreational goods.
- 29 Reason For the avoidance of doubt and to ensure that the permitted development does not have a negative impact on the vitality and viability of other centres in the locality in accordance with the NPPF and Development Plan.

West of 6 Teal Close Snettisham



Scale: 1:2,500

Borough Council of

King's Lynn & West Norfolk

Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	23/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/1(b)

Parish:	Snettisham	
Proposal:	Outline Application: Construction of nine single storey dwellings with parking and garaging and the creation of a new access road	
Location:	West of 6 Teal Close Snettisham King's Lynn	
Applicant:	Mr and Mrs Brian Cunningham	
Case No:	15/02006/OM (Outline Application - Major Development)	
Case Officer:	Mr C Fry	Date for Determination: 10 March 2016 Extension of Time Expiry Date: 19 October 2016

Reason for Referral to Planning Committee – Contrary to Snettisham Parish Council comments and called in by Cllr. Wright.

Case Summary

The site lies within an area designated as Countryside according to Local Plan Proposals maps for Snettisham

Snettisham is designated as a Key Rural Service according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The application site lies on the western side of Teal Close, and is grade 3 agricultural land.

The site formed part of a larger preferred site allocation in the Site Specific Allocation Document Policy G83.1 – Land south Common Road and behind Teal Close – for 34 dwellings. The northern element of this site allocation has since been granted planning permission for 24 dwellings.

This application seeks outline planning permission for 9 single storey dwellings with access only being determined at this stage. The application was deferred at the May Committee, to allow further consideration of highways issues.

Key Issues

The Principle of Development and planning history
Form and Character/impact upon the Countryside
Neighbour Amenity
Highways Impact
Flood Risk and Drainage
Ecology
Affordable Housing
Infrastructure provision
Other Material Considerations

Recommendation

A) APPROVE subject to conditions and completion of a suitable Section 106 Agreement to secure affordable housing provision and open space within 4 months of the date of resolution to approve.

B) REFUSE in the event that a suitable Legal Agreement to secure an affordable housing contribution and open space within 4 months of the date of resolution to approve.

THE APPLICATION

The application site lies within an area designated as Countryside according to Local Plan Proposals Maps for Snettisham.

The application site comprises of grade 3 agricultural land and is at the western end of Teal Close, Snettisham. The land is relatively flat and triangular in shape. The site is currently accessed via a pedestrian gate in a 1.8m high corrugated fence that runs across the site's frontage.

There are no structures on the site. Willow trees are located in the north west of the site and a hedgerow along the northern boundary with a drain behind.

The site is open to the south. The eastern and western boundaries are enclosed mainly with fencing.

The site forms part of a larger site allocation G83.1 Snettisham - Land South of Common Road and behind Teal Close. The land amounting to 1.5ha, as shown on the Policies Maps, is allocated for residential development of 34 dwellings. Development of the larger site is subject to compliance with all of the following:-

- Provision of a safe vehicular and pedestrian access connecting the site to Common Road
- Details of sustainable urban drainage measures
- Provision of affordable housing in line with current standards
- Submission of a heritage statement
- Submission of details showing how the sewer crossing on the site
- Enhanced informal recreation

The larger element of the allocated site has since gained planning permission 13/01736/FM for 24 dwellings on appeal. This site seeks consent for 9 single storey dwellings with access being determined at this stage only.

An indicative site layout plan has accompanied the application.

SUPPORTING CASE

The following documents have accompanied the application

Design and Access Statement

The application site comprises of 0.56ha of grassed land situated on the western side of Teal Close, Snettisham

- The site is included in the draft Site Allocations and Development Policies Plan and is considered as a preferred and sustainable site.
- Outline consent requested for 9 single storey dwellings and the creation of a new access road, which will be adoptable

- Location and block plans are included as part of the application to demonstrate that acceptable access, siting and scale of the proposed development is considered appropriate.
- The site was included in the initial layout plan submitted under Approved Planning Application ref: - 14/00944/FM but was removed.
- The existing site is relatively flat forming a triangular parcel of land. At present, the site is a paddock which has not been recently grazed
- There is an overgrown hedge and ditch along the northern boundary. A low pressure underground gas pipe runs along the south eastern boundary
- The site should be considered favourably in light of paragraph 79 of the NPPF.
- Affordable housing will be provided in line with policy requirements
- The site lies within flood zone 1

Arboricultural Report

- Cutting back of a hedgerow, clearing suckering growth and dead elm and a lay hedge alongside the existing ditch is required.
- Remove Willows in the north west section of the site
- Pruning back of Leylandii hedge and shrubs along the eastern boundary of the site.
- Construction exclusion zones will safeguard Root protection areas around trees.

Torc Ecology Report

- A desk study and Phase 1 habitat survey was undertaken. The survey found that the site held little potential for protected species, as it is largely comprised of a field of species poor semi-improved grassland.
- Clearance of a section of a species rich hedgerow at the northern edge of the proposal will require mitigation in the form of timed works to avoid impacts on breeding birds. A wet drain on the northern edge of the hedge was not considered to provide suitable habitat for water vole, otter, great crested newts due to low water levels and heavy shading from vegetation.
- Limited habitats for protected bird species.

Drainage Strategy

- Installation of water butts, permeable paving to drain private and shared driveway, controlled discharge to the existing watercourse at the natural greenfield run off rate, or 5 l/s, provision of attenuated storage, for roof water runoff located within individual plot curtilages.
- Estate road runoff will be drained to existing surface water sewer. The estate road will need to be raised to 11.20m AOD to facilitate a gravity connection of the road drainage.
- Due to prevailing ground levels it is recommended that finished floor levels be raised to 11.5m aOD to facilitate a gravity connection to the Anglian water foul drain in Teal Close.

PLANNING HISTORY

This particular application site's planning history:-

06/01067/F: Application Permitted: 06/07/06 - Construction of bungalow and detached garage

06/00450/F: Application Refused: 25/04/06 - Construction of bungalow and detached garage

2/03/2510/HEDGE: Application Permitted: 17/11/03 - Hedgerow Removal Notice (HR/027)

The adjacent site to the north planning history:-

13/01736/DISC_A: Discharge of conditions 3 - 13 of planning permission 13/01736/FM: Residential development of 24 dwellings together with associated access road, parking, garaging and public open space (Amended scheme)

14/00944/FM: Application Permitted: 01/09/15 - Residential development of land to provide 23 residential dwellings together with associated access road, parking, garaging and public open space (revised scheme to 13/01736/FM)

13/01736/FM: Application Refused: 16/06/14 - Residential development of 24 dwellings together with associated access road, parking, garaging and public open space (Amended scheme) - Appeal Allowed 02/02/15;

RESPONSE TO CONSULTATION

Parish Council: OBJECTION the River Snett drain, takes the entire surface water from the East of the Village, which has frequently been the source of flooding, and has been referred to in previous correspondence. Further properties may be included in the future plans, once the principle of development has been accepted.

This plan would increase the traffic in Teal Close considerably, and whilst this may not be a major problem, there have been complaints to Council over recent times about visibility at the junction of Teal Close with Goose Green Road. Traffic is frequently parked on or adjacent to the pavements leading north from the junction, making existing the Close hazardous at times.

NCC highways may not adopt the road.

Snettisham has reached its quota; nothing has changed in this regard.

Historic Environment Service: NO OBJECTION subject to condition

Housing Enabling Officer: Comments that an affordable housing contribution of 1.8 dwellings would be required, which equates to 1 affordable dwelling for rent, and a financial sum of £48,000. 1 3bed 5 person bungalow would meet an identified housing need.

Lead Local Flood Authority: Comments that the site is under the threshold for consultation.

Environmental Health & Housing - Community Safety Neighbourhood & Nuisance: NO OBJECTION subject to conditions.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Anglian Water Correspondence: Comments that they don't usually respond to developments less than 10 dwellings.

Norfolk Fire and Rescue: NO OBJECTION subject to a condition that secures a fire hydrant.

NCC Highways: NO OBJECTION subject to conditions

Arboricultural Officer: NO OBJECTION subject to conditions.

REPRESENTATIONS

FOURTEEN letters **OBJECTING** to the application on the following grounds:-

- Road not wide enough to take extra traffic
- Localised flooding issues
- Noise and disturbance from the extra traffic movements.
- Traffic calming measures will need to be put in place
- This is greenbelt land
- The timing of the application is not acceptable
- Headlights into bedroom windows
- Disruption from construction traffic
- Ground for local wildlife to enjoy
- Local services cannot withstand additional pressure
- Private access rights to the rear of properties on Goosander Close
- Too many properties in Snettisham
- Access was original proposed for this site to come through Common Road.
- Not suitable for houses.

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure

PLANNING CONSIDERATIONS

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

- The Principle of Development and planning history
- Form and Character/impact upon the Countryside
- Neighbour Amenity
- Highways Impact
- Flood Risk and Drainage
- Ecology
- Affordable Housing
- Infrastructure provision
- Other Material Considerations

Principle of Development and planning history

The application site lies within an area designated as Countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) proposals maps. Snettisham is classified as a Key Rural Service Centre in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy (2011).

The site is part of a preferred site in the Council's Site Allocations and Development Management Policies - Pre-submission Document (2015) which has been published and is the subject of minor modifications for the inspection of the independent inspector. The preferred site has been "allocated" for 34 dwellings under policy G83.1 - "Land south of Common Road and behind Teal Close". Development will be subject to the compliance with the following:-

1. Provision of safe vehicular and pedestrian access connecting the site to Common Road;
2. Submission of details of sustainable drainage measures and how they will integrate with the design of the development and how they will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;
3. Provision of affordable housing in line with current standards;
4. Submission of a Heritage Asset Statement that establishes that there will be no negative impact on Heritage Assets in the locality, accompanied by an Archaeological Field Evaluation of the site;
5. Submission of details showing how the sewer crossing the site can be accommodated within the development (including any easements/diversions) to the satisfaction of Anglian Water;
6. Enhanced informal recreational provision on, or in the vicinity of the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to exercising dogs) on Habitats Regulations protected nature conservation sites in the wider area. This provision may consist of some combination of informal open space (over and above the Council's normal standards for play space) pedestrian routes which provide a variety of terrain, routes and links to greenspace and/or the wider footpath network; a contribution to greenspace provision or management in the wider area within which the site is located.

The larger, northern section of the preferred allocated site has been granted permission under 13/01736/FM for 24 units on appeal and is currently under construction.

Subject to satisfying the principles outlined above, where applicable to be determined at outline stage, it is considered that the proposal would comply with the NPPF's presumption in favour of sustainable development.

Form and Character

The application site is a rectangular parcel of land and is relatively flat. The land can be described as scrubland. The features to note on site include significant hedging along the northern boundary and a few sporadic insignificant trees. A 3 phase electricity line cuts across the site from a south east to north west direction. The site is enclosed by neighbouring fencing on the eastern and western boundaries.

The form and character of the locality comprises generally of single storey detached bungalows to the east and west of the site. The recently permitted development in the northern section of the allocated site contains two storey houses.

Even though layout, appearance, scale and landscaping are reserved for later consideration it is considered that the indicative layout shown, demonstrating 9 dwellings, can be accommodated on the site without detrimentally affecting the form and character of the development in the locality.

Neighbour Amenity

Although the application seeks outline planning permission with all matters except access being reserved, the indicative site layout identifies that 9 dwellings can be satisfactorily accommodated on site without causing detrimental neighbour amenity issues.

The properties to the north, which are currently under construction, are adequately separated from development along the northern boundary of this site.

The neighbours in Goosander Close have 20m deep gardens and accordingly properties on the eastern boundary would not principally cause neighbour amenity issues. The neighbour at 9 Teal Close would not be detrimentally affected in terms of the indicative layout of the site nor would 8 Common Road.

Third party representations are concerned about noise and disturbance caused from the extra traffic movements associated with the site. Whilst there will be additional noise generated with a residential estate, it is considered that a residential use in this locality would not be detrimental to the enjoyment of the existing home owners in the locality.

It is noted that scale is not being determined at this stage. It would be reasonable to impose a condition in relation to the scale of the properties in order to avoid any potential overbearing issues upon adjacent residential neighbours given that finished floor levels will need to be raised to 11.5m Aod, which in some instances on the site is rise of 1.2m above existing levels, to facilitate the gravity fed drainage system.

Third party representations are concerned about general disruption from construction traffic. It is not considered necessary to impose a condition in regards to a construction management plan nor a lighting scheme, contrary to the Environmental Health and Housing Officer's comments.

Highways Impact

Third Party correspondence and the Parish Council raise highway safety issues.

The application seeks outline planning permission with all matters except access reserved for later consideration.

Norfolk County Council highways have originally commented in regards to the access not being satisfactory and the need for a type 6 road to serve the development and squaring off the north-western side of the turning head in Teal Close. This has since been amended.

The highways officer has no objection to the revised access arrangements subject to conditions.

Flood Risk and Drainage.

Third Party representations and the Parish Council are concerned that the proposal will give rise to localised flooding issues.

The site is located within Flood Zone 1 according to the Councils Strategic Flood Risk Maps. The Lead Local Flood Authority have been consulted but do not wish to comment on a site that proposes 9 dwellings.

Policy G83.1 Point 2 requires the details of sustainable drainage measures and how they will integrate with development and how they will contribute to the amenity and biodiversity of the development. A suitable plan and maintenance of the SUDS should be included in the submission.

Whilst the applicant owns the north eastern part of the drain, it is unknown as to who has the remainder of the drainage ditch as it runs along the remainder of the northern boundary of the site.

According to the drainage report that accompanied the planning application for developing the northern part of the allocated site, it is noted that this ditch drains into a culverted ditch that is along the western part of the Hopkins homes site. Localised flooding occurs at the corner of no.2 Common Road. A drainage strategy report has been submitted in order to ascertain how surface water drainage on the site can be successfully achieved. The original report stated that the water from the ditch runs west to east and does not head north towards Common Road. The revised report now acknowledges that the water heads north to Common Road.

In order to avoid more localised surface water drainage issues, a revised report has identified how surface water drainage can be adequately dealt with on site.

The underlying soils are unsuitable for infiltration drainage according to percolation testing. Based on the percolation testing, the most appropriate method of surface water drainage is to the existing surface water sewer near the entrance of the site. Surface water run-off from impermeable surfaces (roads, roofs and private shared drives) will be drained via a gravity fed piped network to a surface water pumping station via an attenuation storage tank. In order to facilitate a gravity fed system finished floor levels of the properties will need to be at a minimum of 11.5m Aod, which will mean an increase above current site levels by up to 1.2m. The attenuation storage will accommodate the 100 year + climate change storm event will be provided in a below ground attenuation tank under the road. The pumping station will then pump the surface water back to the Anglia Water surface water sewer in Teal Close.

Notwithstanding these details, which demonstrates that a suitable method of drainage can serve the 9 dwellings, the layout, scale and siting of the properties has yet to be finalised and are a reserved matter considerations. Accordingly, a condition has been attached in regards to surface water drainage details including the management thereof.

The Community Safety Neighbour and Neighbour Nuisance team recommend a condition in regards to dealing with surface water drainage; however it is considered that this principle issue needs to be determined.

Detail in regards to foul water drainage is to be conditioned.

Ecology.

Third Party representations are concerned that there will be a loss of habitat for protected species to enjoy.

A Phase 1 Protected Species Survey has been submitted, the site is said to have little potential for protected species, as it is largely comprised of a field of species poor semi-improved grassland. In respect to the drain and hedgerow on the northern boundary of the site, it is stated that the drain is unsuitable for water vole and otter and the clearance of the hedgerow would need to be carried out at certain times of the year in order to avoid impacts upon breeding birds. The ditch and lack of ponds in the local means that there is no potential to support great crested newts.

In summary, no further surveys are required, however the removal of any trees and hedges on the site should take place outside of the bird nesting season (1st March to 31st August). It would be appropriate to condition the timing of the works at this juncture. Compensation can be achieved as part of a landscaping scheme by planting trees such as beech and hedgerows such as dogwood, blackthorn and hawthorn as part of a reserved matters application.

Affordable Housing

The government has recently reinstated its policy on reducing affordable housing requirements from smaller sites. However this site forms part of a site allocation for a minimum of 34 properties thus the development will still be determined in accordance with Policy CS09.

In this instance based on a development of 9 dwellings of 34, 1 affordable rented property and financial contribution of £48,000 will be required. This is based on site of less than 10 dwellings, a fraction of a dwelling would be provided as a financial sum without rounding up or down to the nearest whole dwelling.

The S106 agreement provides flexibility on final affordable housing numbers in line with policy CS09, should the reserved matters application be submitted for fewer dwellings.

Infrastructure provision

At the time of writing Policy G83.1 – Snettisham – Land south of Common Road and behind Teal Close – Policy DM 16 of the Development Management Policies Pre-submission document would have required an open space provision of 0.190ha. Policy DM 16 of The Site Allocations and Development Management Policies Pre-submission Document has been modified at the Inspectors request that sites of up to 99 dwellings only have to provide 30% of the requirement under policy DM16. Accordingly across the site allocation 0.057ha of open space needs to be provided. The northern section of the site allocation has an open space provision of .043ha leaving a shortfall of 0.016ha.

Schemes of up to 19 dwellings do not require on-site open space or infrastructure provision is required on sites of this size, however the site needs to be taken in its context as forming part of one site allocation. The shortfall of 0.016ha – 160m² of open space can be provided on the site, without the development appearing cramped. The siting of the open space can be determined at reserved matters stage.

Other Material considerations

No Archaeological field surveys were submitted with the application as required by point 4 of Policy G83.1. According to the Historic Environment Service the proposed development site is located within an area of high archaeological interest. Park piece Roman Villa is located c.750m to the south east and large complexes of cropmarks of Roman date are visible on aerial photographs to the east, south and south west of the proposed development site. Cropmarks on an immediately adjacent to the site are thought to be ploughed out remains of field systems, linear features, a road, pits, structures and enclosures. The Snettisham Roman Jewellers hoard and associated settlement were excavated in the 1980s. Nevertheless, the Historic Environment Service is prepared to accept conditions in relation to a programme of archaeological works in order to address this issue.

An Arboricultural Report was submitted with the application that details two willows and scrub will be cleared leaving the original hedgeline on the northern boundary intact. A 2m wide RPA will be provided around the hedgeline. Towards the southern end of the site, neighbours trees and shrubs will also be protected from development. The Arboricultural officer recommends that a condition be imposed that the development be carried out in accordance with its findings.

The Environment Health and Housing – Environmental Quality officer has no objection to the proposal and does not recommend any conditions.

Third party representations are concerned about a loss of greenbelt land. The site is not contained within the greenbelt.

Any infringement of private access rights is a civil matter and not a material planning consideration.

The timing of the submission of the application is not under the control of the local planning authority.

CONCLUSION

Whilst the site lies within the countryside as identified by the Local Plan (1998) proposals maps and Core Strategy (2011), the site is part of a larger site has been allocated for a sum total of 34 dwellings under the draft management policy G88.1 of the Site Allocation document (2015).

The proposal seeks consent on this particular parcel of land for 9 dwellings with only access being determined at this stage.

The highways officer has no objection to the proposal subject to conditions and the indicative site layout is considered to be acceptable and conforms generally to the character of the development in the locality.

The S106 agreement will secure affordable housing and open space in line with policy G88.1 on the site.

In light of the above, it is considered that the proposal complies with the provisions of the NPPF and that planning permission maybe granted subject to the conditions below and the imposition of a S106 agreement.

RECOMMENDATION:

A) APPROVE subject to conditions and completion of a suitable Section 106 Agreement to secure affordable housing provision and open space within 4 months of the date of resolution to approve and subject to the imposition of the following condition(s):

- 1 Condition Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-

150613/03 Rev F dated 21st April 2016 received 21st April 2016.

- 5 Reason For the avoidance of doubt and in the interests of proper planning.
- 6 Condition Notwithstanding details received in the Drainage Strategy Report dated April 2016, prior to the commencement of the development hereby approved, a full drainage strategy shall be carried out for the site, and shall be approved in writing by the Local Planning Authority. The strategy shall include an assessment of the site potential for disposing of surface water by means of a sustainable drainage system, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a period for its implementation; No building shall be occupied until the surface water drainage works have been implemented in accordance with the details as agreed in writing by the Local Planning Authority.
- 6 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 7 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 7 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

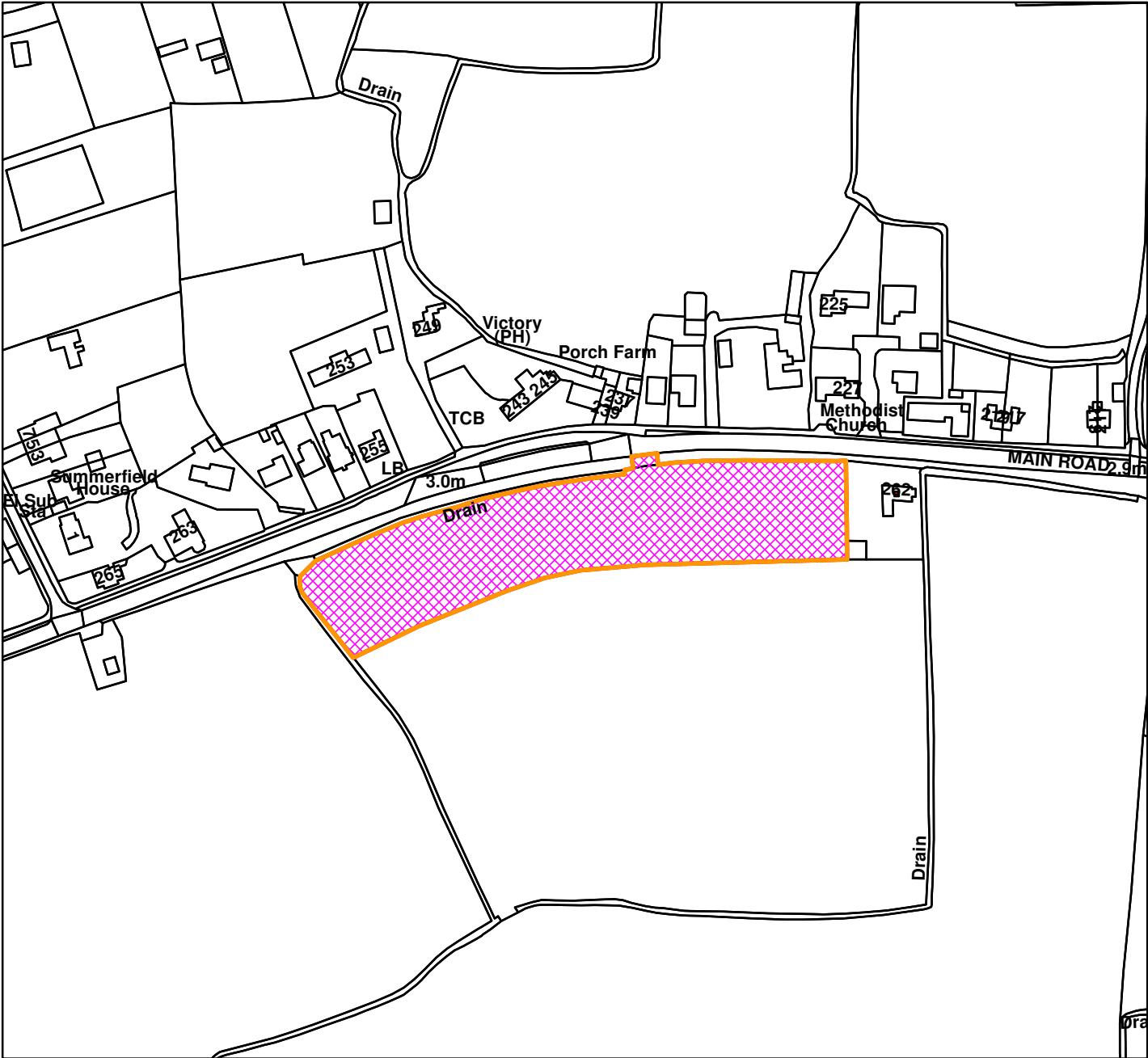
This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 8 Condition The finished floor levels of the properties shall be set no lower than 11.5m aod.
- 8 Reason In order to facilitate satisfactory surface water drainage from the site

- 9 Condition The dwellings hereby approved shall be single storey only.
- 9 Reason In order to avoid detrimental neighbour amenity issues.
- 10 Condition No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 10 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.
- 11 Condition No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.
- 11 Reason To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.
- This also needs to be a pre-commencement condition given the fundamental details linked to drainage and other infrastructure which needs to be planned for at the earliest stage in the development.
- 12 Condition No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority.
- 12 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 13 Condition Before any dwelling is first occupied the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 13 Reason To ensure satisfactory development of the site.
- 14 Condition Prior to the commencement of any works on site a Construction Traffic Management Plan, to incorporate details of on-site parking for construction workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing with the Local Planning Authority.
- 14 Reason In the interests of maintaining highway efficiency and safety
- 15 Condition For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and unless otherwise approved in writing with the Local Planning Authority.
- 15 Reason In the interests of maintaining highway efficiency and safety

- 16 Condition All tree and hedgerow removal and ground clearance works shall take place outside of the bird nesting season which is between 1st March to the 31 August in any given year unless otherwise agreed in writing by the Local Planning Authority.
- 16 Reason In the interests of the Wildlife Countryside Act 1981.
- 17 Condition The development hereby approved shall comprise no more than 9 residential units.
- 17 Reason To define the terms of permission
- 18 Condition The development hereby approved shall be carried out in accordance with the Aboricultural Report by Richard Morrish Associates dated November 2015 received 10th December 2015
- 18 Reason In the interests of the amenities of the locality in accordance with the NPPF.
- 19 Condition No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:
1. An assessment of the significance of heritage assets present
 2. The programme and methodology of site investigation and recording
 3. The programme for post investigation assessment of recovered material
 4. Provision to be made for analysis of the site investigation and recording
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 6. Provision to be made for archive deposition of the analysis and records of the site investigation
 7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 19 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 20 Condition No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 19.
- 20 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 21 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 19 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 21 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

B) REFUSE in the event that a suitable Legal Agreement to secure an affordable housing contribution and open space within 4 months of the date of resolution to approve.

Land west of The Grange 262 Main Road Clenchwarton



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:2,500

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	20/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/2(a)

Parish:	Clenchwarton	
Proposal:	Outline Application: Construction of 16 dwellings	
Location:	Land West of The Grange 262 Main Road Clenchwarton	
Applicant:	Mr PAJ and PR Kitchen	
Case No:	16/00305/OM (Outline Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 21 June 2016

Reason for Referral to Planning Committee – Recommendation is contrary to Parish Council recommendation and level of financial contribution.

Case Summary

The application is in outline for residential development on a site measuring approximately 0.89ha to the south of Main Road, Clenchwarton. This site forms the western element of one of the three housing allocations identified in the emerging Site Allocations and Development Management Policies Pre-Submission Document for Clenchwarton, and Policy G25.3 relates specifically to development of this allocation. Application 15/02008/O, which is also before this Committee, is for the eastern part of the allocation.

All matters are reserved although the description of the development is for 16 dwellings. Application 15/02008/O is for four dwellings – totalling 20 dwellings across the two sites / allocation.

The site is countryside but has residential development to its east and north (on the opposite side of Main Road).

The site lies within Flood Zones 2 and 3 and forms part of a wider agricultural field.

Key Issues

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

Recommendation

(A) APPROVE subject to conditions and completion of a suitable Section 106 Agreement within 4 months of the date of resolution to approve.

(B) REFUSE in the event that a suitable Section 106 Agreement is not completed within 4 months of the resolution to approve.

THE APPLICATION

The application is in outline, with all matters reserved, for residential development on a site measuring approximately 0.89ha to the south of Main Road, Clenchwarton.

The site forms part of a proposed housing allocation identified in the emerging Site Allocations and Development Management Policies Pre-Submission Document.

At present the land is part of a larger arable field to which access will be retained at the north-eastern corner of the site of the eastern part of the allocation.

SUPPORTING CASE

The site comprises part of the preferred residential allocation included in the Site Allocations & Development Management Policies (Site G25.3). The proposal seeks to formally establish the principle of residential development at this stage, notwithstanding that the Local Plan Examination is currently underway. The site itself is identified on the accompanying plans and it is the intention of the applicants to provide two storey dwellings within the development site to ensure the provision of first floor bedroom accommodation in addition to necessary flood mitigation measures. A flood risk assessment accompanies the current application.

The application proposes the construction of 16 dwellings on agricultural land with layout and all details reserved for future consideration. Adjacent to the eastern side of the site is The Grange, a two-storey white painted cottage. Opposite the site there is linear residential development and a public house, with bus stopes located close to the site on both sides of the road.

Clenchwarton has been allocated as a Key Rural Service Centre within the adopted Core Strategy (Policy CS02), with local scale housing development concentrated in such locations. The applicants are aware of the requirements set out in the submitted SS&DMP with regard to sustainable drainage requirements and footpath provision.

Furthermore heads of terms regarding the provision of affordable housing accompany the application.

Following the recent High Court ruling with regard to the Council's five year housing land supply, the current submission has been made with regard to Paragraph 14 of the National Planning Policy Framework. In light of the advice contained within the NPPF, it is asserted that the current proposal would contribute to the vitality and economic wellbeing of the village and would not result in any demonstrable harm to interests of acknowledged importance. Accordingly, it is considered that the outline application should be approved.

PLANNING HISTORY

15/02008/O – Outline application for the construction of four detached dwellings - pending consideration with recommendation of approval.

RESPONSE TO CONSULTATION

Parish Council: Has concerns regarding the access, which they consider is too near the bend in the main.

Highways Authority: NO OBJECTION subject to condition

Internal Drainage Board: NO OBJECTION

Environmental Health & Housing – Environmental Quality: No Comments to make in relation to contaminated land, recommends a construction management plan in relation to air quality

Environmental Health & Housing – CSNN: NO OBJECTION subject to condition relating to drainage

Environment Agency: NO OBJECTION subject to condition

District Emergency Planning Officer: NO OBJECTION subject to condition

Local Development Framework Team: The site has been subject to a detailed sustainability appraisal as part of the work for the Site Allocation and Development Management Policies Document. The SA scored the site highly and allocated this site as it performs generally favourably in comparison to other sites submitted in the village.

REPRESENTATIONS

TWO letters of **OBJECTION** / concern have been received. The issues raised are;

- Flooding,
- Ribbon development,
- Traffic and Highway Safety.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

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

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

Principle of Development

The site represents part of a proposed housing allocation in the emerging Site Allocations Plan (G25.3). Policy G25.3 states 'Land amounting to 1.2 hectares to the south of Main Road as shown on the Policies Map is allocated for residential development of 20 dwellings. Development will be subject to compliance with all of the following:

1. Submission of a Flood Risk Assessment (FRA) that should address all forms of flood risk (coastal inundation, fluvial, pluvial and groundwater). The FRA should explain how surface water drainage will be managed. The FRA must demonstrate how the development would provide wider sustainability benefits to the community that outweigh the risk associated with flooding and that the development would be safe for its lifetime without increasing flood risk elsewhere and, where possible, would reduce flood risk overall. The FRA should also suggest appropriate mitigation (flood resiliency measures);
2. Submission of details showing how sustainable drainage measures will be incorporated into the development to avoid discharge to the public surface water network, and also to the amenity and biodiversity of the development.

A suitable plan for the future management and maintenance of the Sustainable Drainage System (SUDS) should be included with the submission;

3. Development is subject to demonstration of safe access and visibility to the satisfaction of the local Highway Authority and the provision of the appropriate footway links;

4. Provision of affordable housing in line with the current standards'.

The weight to be given to the emerging local plan prior to adoption is set out in the NPPF para 216. The weight given depends on the stage reached, the extent of unresolved objections, and the consistency with the NPPF.

Other than drainage details (which would be secured by condition given the outline nature of the application), all the above policy criteria is met by the combined applications. As such it is considered that the principle of development for residential use of this site is to be supported.

Form and Character

Dwellings in the locality of the site are predominately two-storey detached or semi-detached in linear form fronting Main Road. Whilst scale, appearance and layout are reserved matters, the development will have to be two-storey in height to be acceptable in terms of the risks associated with flooding, and the narrowness of the site lends itself to linear development. It is therefore considered that the site could be developed to reflect these key characteristics and therefore without detriment to the visual amenity of the locality.

Neighbour Amenity

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

Highway Safety

The application seeks outline planning permission with all matters reserved although clearly access, either single or multiple, will be from Main Road. Norfolk County Highways have raised no objection to the proposal on highway safety grounds subject to condition. The proposed condition has been amended, due to the outline nature of the application, to secure the off-site highway improvement works only (footpath provision).

Flood Risk

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

However, the NPPF states that it is not necessary to undertake the sequential test on allocated sites (as it is considered that has occurred during the allocation process); a stance that is reiterated in emerging Development Management Policy DM21.

The exception test must however still be passed. For the exception test to be passed:

1. It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and

2. A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where, possible, will reduce flood risk overall.

In relation to the first element, this is an emerging housing allocation. As such it is considered that the development clearly provides wider sustainability benefits that outweigh the risks associated with flooding.

In relation to the second element, the Flood Risk Assessment that accompanied that application has satisfied the Environment Agency that the development can be made safe and would not increase flood risk elsewhere.

Drainage

It is indicated on the application form that surface water drainage will be via SuDS. This is in line with national guidance and emerging Site Allocation Policy G25.3. Given the outline nature of the proposal, any permission will be conditioned accordingly.

Foul drainage is to be via main sewer.

Affordable Housing and Other Contributions

The site forms part of a wider housing allocation, and application 15/02008/O, which is also being considered at this meeting, relates to the remaining element. The combined sites (that are in the same ownership) trigger the need for affordable housing and financial contributions towards library and primary school provision. In this instance the affordable housing provision will be four units provided on the allocation (over both sites), with a library contribution totalling £1200 (£60 per dwelling) and education contribution of £60,780 (£3,039 per multi-bed house). These contributions will be secured by a single S106 Agreement that covers both sites.

Crime and Disorder

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

CONCLUSION

The site is within one of the borough's Key Rural Service Centres where residential development of an appropriate scale will be supported. Additionally this site forms part of an emerging residential allocation.

It is considered that the site could be developed without material harm to the visual amenity of the locality, highway safety or neighbour amenity. Issues such as flood risk, drainage, provision of fire hydrants and contributions can be secured via condition or S106 Agreement. It is therefore considered that the proposal accords with the NPPF, NPPG and with emerging Site Specific Development Plan Policy G25.3 and should be approved subject to the following conditions.

RECOMMENDATION:

(A) APPROVE subject to conditions and completion of a suitable Section 106 Agreement within 4 months of the date of resolution to approve and 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 Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for off-site highway improvement works in the form of a footway fronting the site and continuing to link in an easterly direction with the existing footway provision located on the southern side of 248 Main Road and in a westerly direction to the bus stop located opposite number 265 Main Road have been submitted to and approved in writing by the Local Planning Authority.
- 5 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the NPPF and Development Plan.
- 6 Condition Prior to the first occupation of the development hereby permitted the footway referred to in condition 5 shall be completed to the written satisfaction of the Local Planning Authority.
- 6 Reason To ensure that the highway network is adequate to cater for the development proposed in the interests of highway safety in accordance with the NPPF and Development Plan.

- 7 Condition The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) January 2016, Geoff Beel Consultancy (GCB/JCJ Planning) and the following mitigation measures detailed within the FRA:

1. Finished floor levels will be raised 1.4 metres above existing ground level (4.30m above OD).
2. Flood resistant measures will be incorporated into the building construction up to 600mm above the finish floor level.
3. There will be no sleeping accommodation on the ground floor.

The mitigation measures shall be fully implemented prior to the first occupation of the development hereby permitted.

- 7 Reason To reduce the risks associated with flooding in accordance with the NPPF, NPPG and Development Plan.

- 8 Condition The development hereby permitted shall comprise of residential units that are no lower than 1.5-storeys in height.

- 8 Reason To reduce the risks associated with flooding in accordance with the NPPF, NPPG and Development Plan.

- 9 Condition The development hereby approved shall comprise of no more than 16 residential units.

- 9 Reason To define the terms of permission.

- 10 Condition No works shall commence on site until foul and surface water drainage (the latter to include SuDS) details have been submitted to and approved in writing by the local planning authority. The submitted details shall:

I. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

II. include a timetable for its implementation; and

III. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

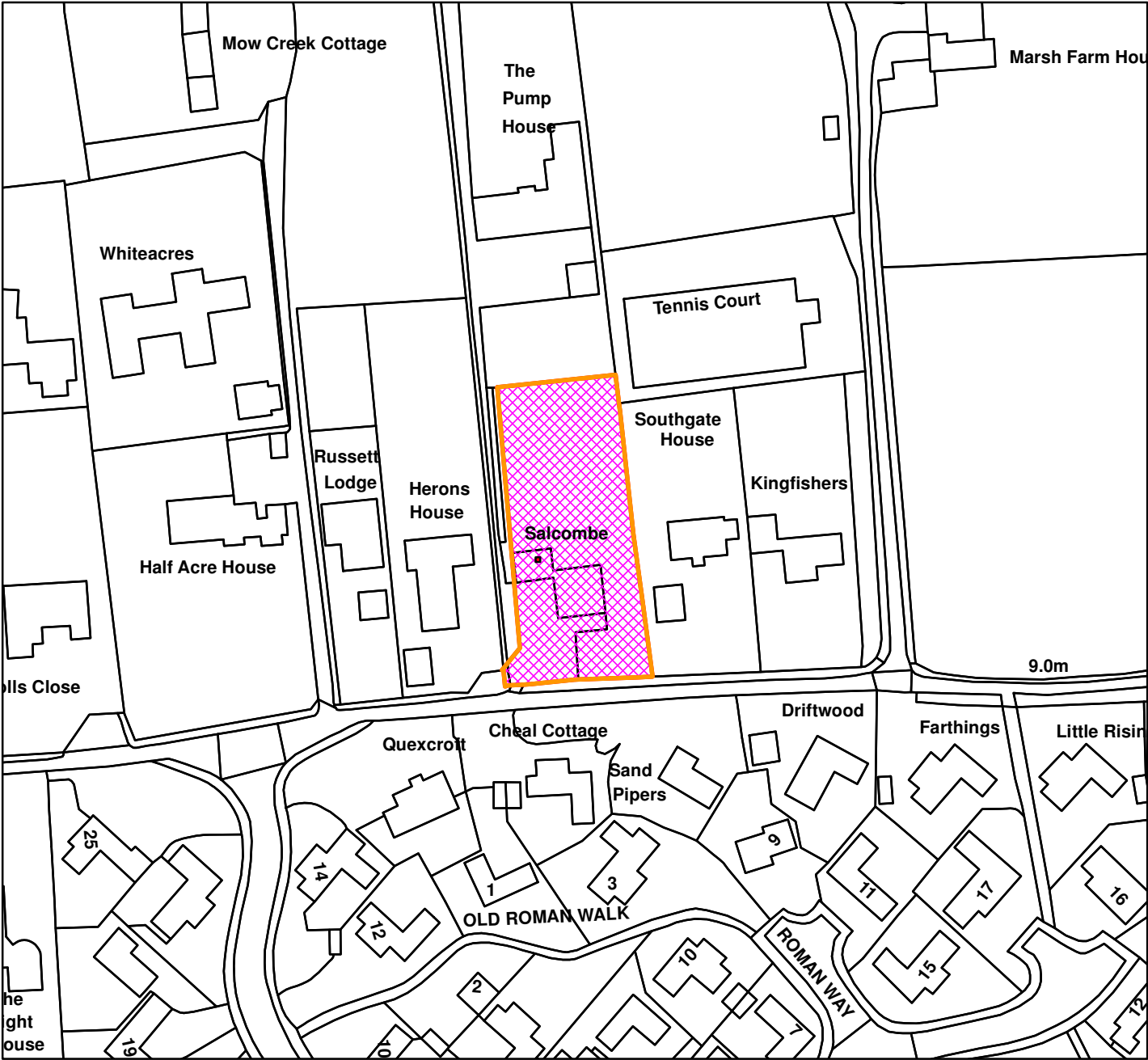
The development shall be implemented in accordance with the approved drainage scheme.

- 10 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 11 Condition The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 11 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.

(B) REFUSE in the event that a suitable Section 106 Agreement is not completed within 4 months of the resolution to approve.

Salcombe Cross Lane Brancaster



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:1,250

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	23/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(a)

Parish:	Brancaster	
Proposal:	Construction of a new dwelling following demolition of the existing house	
Location:	Salcombe Cross Lane Brancaster King's Lynn	
Applicant:	Mr T Ornellas	
Case No:	16/00026/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 8 March 2016 Extension of Time Expiry Date: 12 June 2016

Reason for Referral to Planning Committee – Contrary to Brancaster Parish Councils views and called in by Cllr. Watson.

Case Summary

This site lies within an area designated as Built Environment Type D, Conservation Area and an Area of Outstanding Natural Beauty.

The site lies within the buffer of the Scheduled Ancient Monument Branodunum.

Currently the site comprises of a modest 2 storey dwelling with attached flat roof double garage set behind a hedgerow that flanks the Cross Lane boundary.

The site benefits from an extant permission to demolish the existing dwelling and erect 2 4 bedroom detached dwellings.

The proposal seeks consent to demolish the dwelling and erect a 2 storey detached dwelling with 2 storey front and rear projections.

Building for Life Score

Principle of Development/Planning History/Form and Character
 Impact upon the Conservation Area
 Impact upon the Area of Outstanding Natural Beauty
 Impact upon the setting of the Scheduled Ancient Monument
 Impact upon Neighbour Amenity
 Highway Safety
 Other Material Planning Considerations

Recommendation

APPROVE

THE APPLICATION

The site lies within an area designated as Built Environment Type C according to Local Plan Proposals Maps for Brancaster. The site is also contained within the Conservation, Area of Outstanding Natural Beauty and close to a Scheduled Ancient Monument.

The site is on the northern side of Cross Lane, Brancaster set behind established hedging that fronts Cross Lane. The site contains a buff brick, pantile, two storey hipped roof dwelling with an attached flat roof double garage.

Access to the property is shared with a property behind the application site.

The site slopes away in a northerly direction.

The form and character of development in the locality comprises of substantial 2 storey detached dwellings on ample sized plots on the northern side of Cross Lane and single and two storey more dense development to the south, the Branodunum estate.

Cross Lane has a green feel to it with established trees and hedged boundary treatment.

The application seeks consent to demolish the existing property and erect a four bedroom detached property constructed from brick and flint with pantile roof. The property has a two storey central "tower" feature to the front and attached double garage. The proposed property will also have single and two storey rear projections.

The site does have an extant permission for the erection of 2 detached – 4 bedroom properties 14/000038/F.

SUPPORTING CASE

The application has been supported by a suite of documents:-

- Design and Access Statement
- Archaeological Assessment
- Tree Report
- Contamination Report
- Heritage Statement

Design and Access Statement

- The proposal site benefits from planning permission for the erection of 2 new dwellings following the demolition of the existing house (14/00038/f) approved on 12th March 2014
- The existing access will remain unaffected and serves the single house as it does at present
- Existing house is to be demolished and replaced by a single house
- The design of the proposed house has been carefully thought through to avoid overlooking and over-shadowing of the adjacent property and to minimise the views without comprising its neighbours
- The style is much like the style of recent houses constructed along Cross Lane and indeed the style of the houses already approved using chalk with brick dressings, pantile roofs and wooden painted windows

- The proposed development has a footprint of 346m² compared to 344m² for the previous permission and existing house at 143m².
- The proposal reduces the impact of 2 dwellings by proposing 1.
- The hedge at the front will be supplemented.

Archaeological Evaluation

- Three parallel ditches were found, one of which was dated as Roman and contained brick and animal bone. The other 2 ditches and were devoid of artefacts.

Tree Report

- Two scots pine trees are to be removed as a result of the siting of the dwelling.

Heritage Statement

- The site is located approximately 140m west of the boundary around Branodunum Fort itself.
- The site is not encapsulated by the blanket schedule of the monument associated with the Fort as this terminates at the eastern boundary of the site.
- Although the extended area of the scheduled ancient monument extends up to the boundary of the site there remains a significant distance between the actual fort and the proposed dwelling, there are 2 dwellings and their gardens separating the site from the open space associated with the fort and considerably more if a straight line is taken.
- From the north, on the coastal path the site and the fort cannot be seen in conjunction with each other.
- From the east, it is only just possible to see the site and northern most extent of the Fort boundary although the site is very much at an oblique angle to this view.

PLANNING HISTORY

14/00038/F: Application Permitted: 12/03/14 - Construction of two new dwellings following demolition of existing house

RESPONSE TO CONSULTATION

Parish Council: OBJECTION to the original scheme contrary to the Brancaster Neighbourhood Plan.

Highways Authority: NO OBJECTION subject to condition

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

Arboricultural Officer: Would wish to see the trees retained in the street scene.

Historic Environment Service: NO OBJECTION subject to condition

Conservation Officer: NO OBJECTION the revised proposal addresses many of my earlier concerns and those of CAAP in that its mass has been reduced and the various levels have been simplified making it look considerably less muddled and more comfortable in its setting. Conditions in regards to a sample panel and joinery details required.

Historic England: Comments – We welcome the applicant's amendments to the building, removing dormers and reducing the height of the eaves. This would reduce the scale and mass of the development; however the height and the visibility of the new building in views from inside the schedule monument would remain largely unchanged. In terms of the impact upon the setting, we are comfortable that this is unlikely to result in a high level of harm.

We do not have any objection to the site's redevelopment in principle. When determining the application, the Council should be satisfied that there is a clear and convincing justification for the "less than substantial" harm to the significance of the scheduled ancient monument, and that it is outweighed by the benefits of the proposal, in line with paragraphs 132 and 134 of the NPPF.

A condition should be attached in relation to the eastern boundary treatment and the need for Scheduled Ancient Monument Consent.

REPRESENTATIONS

THREE letters received **OBJECTING** to the application on the following grounds:-

- Overlooking issues into bedroom windows of the property to the north
- 2.4 times larger than the existing 4 bedroom house.
- Further encouraging holiday properties in a village
- Site plan shows parking for 5 cars as well as a double garage.
- Out of proportion with Cross Lane.
- Access to neighbouring property would be affected.

NATIONAL GUIDANCE

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

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

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.

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.

NEIGHBOURHOOD PLAN

Policy 1 - Size of Houses

Policy 2 - Design, Style and Materials

Policy 3 - Footprint for New and Redeveloped Dwellings

Policy 4 - Parking Provision

Policy 5 - Replacement Dwellings

Policy 6 - Affordable/Shared Ownership Homes

Policy 7 - Development of Shops, Workshops and Business Units

Policy 8 - Protection of Heritage Assets and Views

Policy 9 Protection and Enhancement of the Natural Environment and Landscape

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Brancaster Parish Plan

PLANNING CONSIDERATIONS

The main issues in relation to the determination of this application are:

- Principle of Development/Planning History/Form and Character
- Impact upon the Conservation Area

- Impact upon the Area of Outstanding Natural Beauty
- Impact upon the setting of the Scheduled Ancient Monument
- Impact upon Neighbour Amenity
- Highway Safety
- Other Material Planning Considerations

Principle of Development / Planning History /Form and Character

The site lies within the AONB and Built Environment Type C and the Conservation Area. Development will need to have regard for development the characteristics of the built environment. Great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection.

The site has permission for the erection of 2 dwellings granted in March 2014, 14/00038/F. The 2 dwellings are 4 bedroom properties with double garages. However, since the determination of 14/00038/F, the Brancaster Parish Neighbourhood Plan (NP) has been adopted and now forms part of the Development Plan. Policies 1-3 and 5 of the NP are particularly relevant to this proposal.

Policy 1: Size of Houses: The provision of smaller dwellings (those with one two or three bedrooms) will be encouraged. (Rooms otherwise designated on plans but clearly capable of use as bedrooms will be counted as bedrooms for the purposes of this policy).

- Dwellings of 5 bedrooms or more will, exceptionally, be allowed where evidence is provided that this is needed to provide the main residence of a household with long standing residency in the Parish.
- New dwellings should be a maximum of two storeys in height. If extra room is needed it should be obtained by putting rooms in the roof rather than a full third storey.
- Care and consideration should be given to retaining the views within, and of, the Area of Outstanding Natural Beauty, the Conservation Area, and listed buildings.

Policy 2: Design, Style and Materials requires any new dwelling, redevelopment or extension to a dwelling in the area to be carefully designed to blend in with adjacent properties and areas to maintain the character of the village. The use of traditional materials, especially those sourced locally and of low ecological impact material and techniques will be encouraged.

Policy 3: Footprint for New and Redeveloped Dwellings requires new, redeveloped and extended residential buildings to occupy no more than 50% of the plot unless the setting of a listed building, or the character and appearance of the conservation area would be better conserved by higher plot coverage.

Policy 5: refers specifically to replacement dwellings which should occupy no more than 50% of their plots, and where the replaced dwelling occupied greater than 50% of the plot the replacement dwelling should occupy a smaller proportion than its predecessor.

An increase in number of dwellings above those replaced will only be acceptable where the resulting plot coverage does not exceed 50%.

These requirements will be relaxed where the setting of a listed building, or the character and appearance of the conservation area, would be better conserved by greater plot coverage.

An increase in height over the replaced building will only be acceptable where this is compatible with the appearance of adjacent buildings and the amenity of their occupiers.

The original proposed dwelling had six bedrooms and 1 snug/bedroom. The property was 2/1/2 storey high with a flint, red brick and dormer windows. The property also had a lean to side element and two storey pitched and roof projections of the rear. A vertically dominant 2 ½ storey “tower” extension projected from the front elevation along with a double garage front projection. The proposed dwelling would have failed Policy 1 of the Brancaster Neighbourhood Plan.

Following discussion with the agent the scheme has been revised. The property is now two storey, albeit 1.4m higher than the original property at ridge height, has 4 bedrooms, has removed the lean to side element and has broadened the central tower feature on the front elevation.

The existing dwelling on site covers approximately 143 sqm which equates to approximately 9% of the total site. The proposed replacement dwelling has a floor area of 346m², approximately 22% of the total site.

In this case the size of the site is similar to that of Southgate House and Kingfishers. In footprint terms the proposed replacement would be 2.41 times the existing, but the dimensions of the site allow for this without harm to the streetscene. It is also worth noting that the footprint of the extant 2 dwelling houses permission total 344m² which is similar to that proposed.

The existing house on site is of modest proportions and retains a significant amount of space along the eastern boundary of the site and has spacing to the west of the site by virtue of the road serving the property behind. This spacing is not apparent in the street scene by virtue of significant trees that line the eastern boundary of the site and the hedging to the front. The revised scheme, as reduced in width, still allows for a significant amount of spacing around the western side of the dwelling and the single storey element along the eastern boundary would not enclose the spacing as the spacing along the eastern boundary is not evident in the street scene.

The replacement dwelling is marginally taller than the existing, but it is considered that this can be accommodated in the street scene. The proposed dwelling is shown to be constructed of traditional building materials, including brick and flint with a red clay pantile roof. This is in keeping with the village.

Impact upon the Conservation Area

The site is within the Conservation Area, and accordingly in line with S.72 of the Town and Country Planning Listed Buildings and Conservation Areas act, special attention must be paid to the desirability of preserving or enhancing the character of such an area. Policy CS12 of the Local Development Framework Core Strategy requires proposals to protect and enhance the historic environment.

The properties along this part of Cross Lane are varied in character. Those on the northern side are substantial two storey detached properties on ample sized plots compared to the estate Branodunum which is a denser form of single and two storey development.

Taking into account the massing of the extant scheme, taking up the plot's width, (albeit on a staggered siting), it is considered that the proposed property is an improvement in terms of its massing as it does not fill the whole extent of the plot. Additionally the massing of the main element of the property is broken up by the proposed projecting two storey element.

The Conservation Officer comments that the revised design renders the property to be more comfortable in its setting and has no objection to the proposal but would require conditions in respect to a sample panel of materials and joinery details.

With the submission of the revised set of plans and the extant permission, it is considered that the proposed dwelling would not result in a dwelling that is of a scale, mass or design that would be at odds with this particular part of Brancaster or the Conservation Area, which is characterised by a number of substantial dwellings of differing styles.

It is therefore considered that the proposed development is in general accordance with the relevant policies of Brancaster's Neighbourhood Plan, local and national policy.

Impact upon the Scheduled Ancient Monument

The Brancaster Scheduled Ancient Monument encompasses the wider area around the fort relating to the associated settlement.

According to the Heritage Statement, The site is approximately 140m west of the boundary of Branodunum Fort, but not contained within the blanket scheduled monument associated with the Fort as it terminates at the eastern boundary of the site.

Historic England essentially does not object to the amended design commenting that the removal of dormers and reducing the height of the eaves has reduced the scale and mass of the development.

Historic England requests 2 conditions. A condition in respect to details of the eastern boundary and a condition in respect to requiring scheduled ancient monument consent, as a Grampian condition. Both conditions are not considered to be necessary. There is no proposal to replace the existing eastern boundary treatment and with the marginal increase in height of the property beyond the existing property's ridge height, its scale compared to the existing property, the distance to the fort itself, and the extant permission for 2 dwellings, means it is not considered to cause harm to the setting of the Scheduled Ancient Monument. The requirement for Scheduled Ancient Monument consent will be covered by way of an informative.

Impact upon the AONB

Policy 9 of the Brancaster Neighbourhood plan requires new development to not adversely affect the statutory purposes of the Area of Outstanding Natural Beauty.

AONB's have the highest status of protection in relation to landscape and scenic beauty. The scale of the replacement dwelling is larger than the property it seeks to replace, but it is not considered this will likely have a detrimental impact upon the landscape character of the surrounding countryside nor the character of the village.

Given that the dimensions of the dwelling are compatible with surrounding development it is considered that the proposed development will not have a detrimental impact upon the natural beauty of the landscape in this designated area and there will be no harm to the wider scenic beauty of the AONB.

Impact upon Neighbour Amenity

Third party representations are concerned about being overlooked. The two storey element and balcony of the property is some 22.5m away from the northern boundary of the site and the property another 30m beyond.

The separation distance of 55m is also more than adequate to overcome any overbearing or overshadowing issues upon this neighbour. The balcony on the rear will be screened and a condition in respect to obscure glazing is to be attached to protect the neighbour's amenity.

Views will not be directly afforded into the neighbouring sites to the east or west, with outlook from the rear elevation being towards the rear garden of these neighbours only.

The bedroom window in the east facing gable will look towards the secondary window to a bedroom on the west elevation of the adjacent neighbour. The separation distance is 12.5m. It is considered that whilst this is not an ideal relationship, it is to a secondary window and therefore the relationship is not of sufficient detriment to warrant a refusal of the application.

Highway Safety

Brancaster Neighbourhood Plan Policy 4: refers to parking provision for new dwellings, and this application meets the terms of this policy.

The Local Highway Authority has no objection to this proposal on highway safety grounds subject to conditions.

Other Material Considerations

Crime and Disorder - There are no specific crime and disorder issues arising from the proposed development.

The Arboricultural Officer does not wish to see two trees towards the eastern boundary of the site removed. However they need to be removed as part of implementing 14/00038/F, accordingly a refusal of the proposal on the basis of the loss of these trees would be unreasonable.

CONCLUSION

Whilst contrary to the Parish Council and third party representatives, your officers believe the proposed development, as now amended, is in general accordance with national and local policy including those contained within the Brancaster Neighbourhood Plan.

The proposed development is considered to be of a scale, mass, design and of materials that relate adequately to the locality and would not result in any material harm to the character and appearance of the Conservation Area or the wider landscape qualities of the AONB, nor the scheduled ancient monument. The development, subject to conditions, would not be of detriment to neighbour amenity or highway safety.

It is therefore recommended that this application be permitted subject to the following conditions.

RECOMMENDATION:

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

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

- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - Site & Location Plans drawing no.2/833/3C dated May 2016 dated 4th May 2016
 - Proposed Ground Floor Plans 2/833/4A dated April 2016 received 3rd May 2016
 - Proposed First Floor Plans drawing no. 2/833/5B dated April 2016 received 3rd May 2016
 - Proposed Elevations drawing no. 2/833/6B dated April 2016 received 3rd May 2016.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 4 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

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

- 5 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 5 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 6 Condition Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage (and additionally along the flank frontage of the adjacent property as outlined in blue on the submitted details).

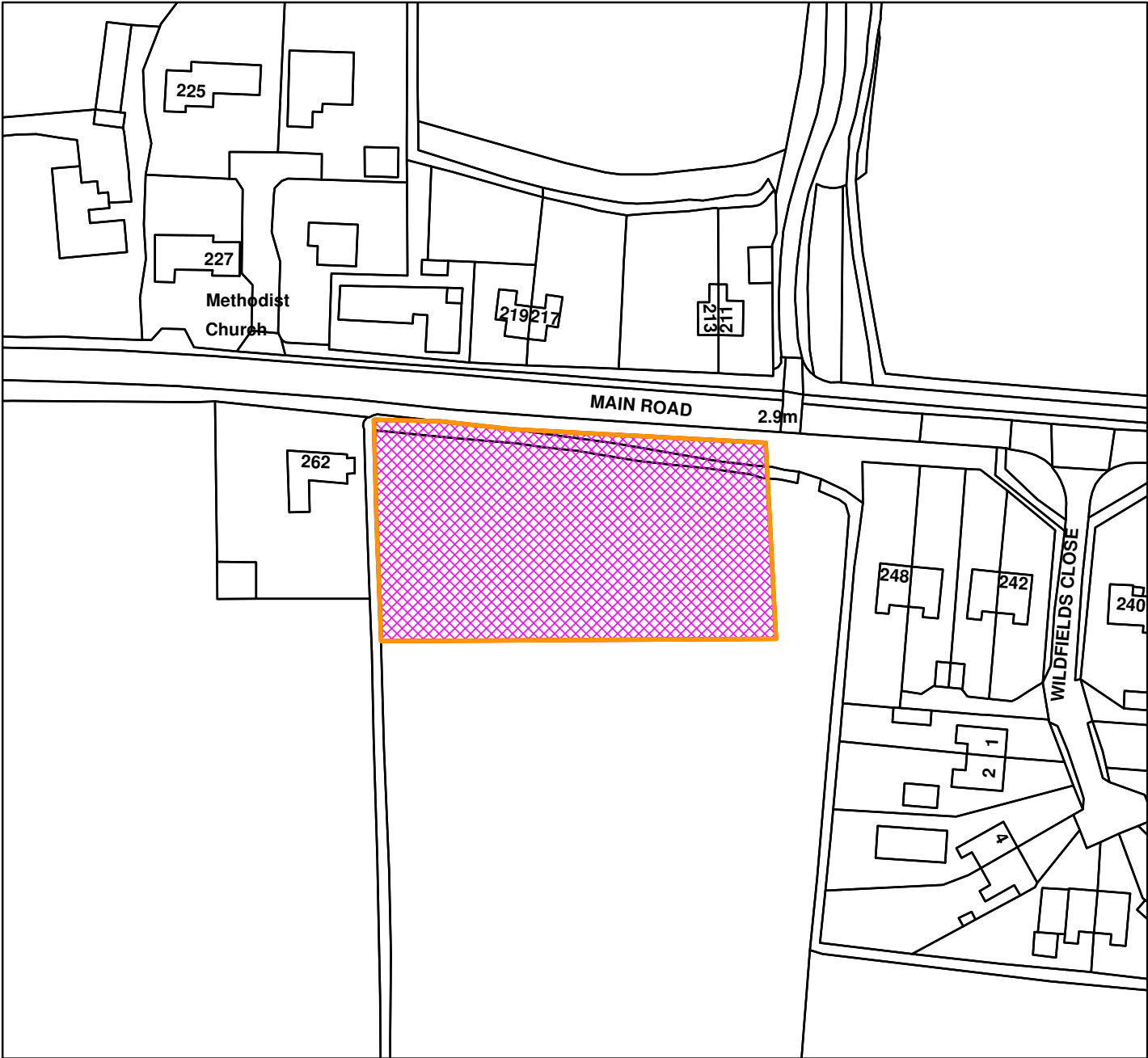
The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

- 6 Reason In the interests of highway safety.
- 7 Condition No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:
 1. An assessment of the significance of heritage assets present
 2. The programme and methodology of site investigation and recording
 3. The programme for post investigation assessment of recovered material
 4. Provision to be made for analysis of the site investigation and recording
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 6. Provision to be made for archive deposition of the analysis and records of the site investigation
 7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 7 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 8 Condition No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 7.
- 8 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 9 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 7; and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 9 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 10 Condition Prior to the first occupation of the development hereby approved the new hawthorn hedge shall be planted in accordance with details stated on drawing no. 2/833/3C dated 4th May 2016 received 4th May 2016. 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.
- 10 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 11 Condition Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the sound power levels of the proposed unit(s) and provide details of antivibration mounts, or noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.

- 11 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 12 Condition Notwithstanding the details received, prior to the first use of the roof terrace hereby permitted, full details of the proposed screening to be erected along the northern elevation of the balcony shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the appearance, height and positioning of the screening on the balcony. The screening shall be erected in accordance with the approved details prior to the first use of the roof terrace and be retained thereafter as approved.
- 12 Reason In the interests of neighbour amenity in accordance with the principles of the NPPF.
- 13 Condition Notwithstanding the approved plans, prior to the installation of the doors and windows to the property hereby approved:- details of the joinery works (with cross sections) at scale of 1:20 involving windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.
- 13 Reason To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.

15/02008/O

Land east of The Grange Main Road Clenchwarton



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:1,250

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	20/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(b)

Parish:	Clenchwarton	
Proposal:	Outline Application for the construction of 4 detached houses	
Location:	Land East of The Grange Main Road Clenchwarton Norfolk	
Applicant:	Client of JCJ Planning	
Case No:	15/02008/O (Outline Application)	
Case Officer:	Mrs N Osler	Date for Determination: 8 February 2016 Extension of Time Expiry Date: 7 June 2016

Reason for Referral to Planning Committee – Recommendation is contrary to Parish Council and level of financial contribution.

Case Summary

The application is in outline for residential development on a site measuring approximately 0.33ha to the south of Main Road, Clenchwarton. This site forms the eastern element of one of the three housing allocations identified in the emerging Site Allocations and Development Management Policies Pre-Submission Document for Clenchwarton, and Policy G25.3 relates specifically to development of this allocation. Application 16/00305/OM, which is also before this Committee, is for the western part of the allocation.

All matters are reserved although the description of the development is for four dwellings. Application 16/00305/OM is for 16 dwellings – totally 20 dwellings across the allocation.

The site is countryside but has residential development to its west, north (on the opposite side of Main Road) and east.

The site lies within Flood Zones 2 and 3 and forms part of a wider agricultural field.

Key Issues

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

Recommendation

(A) APPROVE subject to conditions and completion of a suitable Section 106 Agreement within 4 months of the date of resolution to approve.

(B) REFUSE in the event that a suitable Section 106 Agreement is not completed within 4 months of the resolution to approve.

THE APPLICATION

The application is in outline, with all matters reserved, for residential development on a site measuring approximately 0.33ha to the south of Main Road, Clenchwarton.

The site is adjacent to, but outside of the existing settlement boundary, and therefore designated as countryside. However, the site has residential development to its east, north and west and is part of a proposed housing allocation identified in the emerging Site Allocations and Development Management Policies Pre-Submission Document.

At present the land is part of a larger arable field to which access will be retained at the north-eastern corner of the site.

SUPPORTING CASE

The site concerned comprises part of the preferred residential allocation included in the Site Allocations & Development Management Policies (Site G25.3). The proposal seeks to formally establish the principle of residential development at this stage, notwithstanding that the Local Plan Examination is currently underway. The site itself is identified on the accompanying plans and it is the intention of the applicants to provide two storey dwellings within the development site to ensure the provision of first floor bedroom accommodation in addition to necessary flood mitigation measures. A flood risk assessment accompanies the current application.

The application proposes the construction of four detached dwellings, each with a plot size of 20m width and 40m depth and comprises the roadside section of a large agricultural holding. The site is located between a housing estate (Wildfields Close) and 262, Main Road, a detached dwelling. Opposite the site there is linear residential development, with bus stops located close to the site on both sides of the road.

Clenchwarton has been allocated as a Key Rural Service Centre within the adopted Core Strategy (Policy CS02), with local scale housing development concentrated in such locations. The applicants are aware of the requirements set out in the submitted SS&DMP with regard to sustainable drainage requirements and footpath provision, and heads of terms regarding a contribution towards affordable housing accompany the application.

Following the recent High Court ruling with regard to the Council's five year housing land supply, the current submission has been made with regard to Paragraph 14 of the National Planning Policy Framework.

In light of the advice contained within the NPPF, it is asserted that the current proposal would contribute to the vitality and economic wellbeing of the village and would not result in any demonstrable harm to interests of acknowledged importance. Accordingly, it is considered that the outline application should be approved.

PLANNING HISTORY

16/00305/OM – Outline Application for the construction of 16 dwellings - pending consideration with recommendation of approval

RESPONSE TO CONSULTATION

Parish Council: **OBJECT** their concerns being it is a greenfield site and no footpath exists

Highways Authority: Whilst the LHA consider that the site is not in a sustainable location they have **NO OBJECTION**, subject to condition, on highway safety grounds

Internal Drainage Board: **NO OBJECTION**

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

Environmental Health & Housing – CSNN: **NO OBJECTION** subject to condition relating to drainage

Environment Agency: **NO OBJECTION** subject to condition

District Emergency Planning Officer: **NO OBJECTION** subject to condition

Local Development Framework: The site has been subject to a detailed sustainability appraisal as part of the work for the Site Allocation and Development Management Policies Document. The SA scored the site highly and allocated this site as it performs generally favourably in comparison to other sites submitted in the village.

REPRESENTATIONS

None received at time of writing report.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

CS13 - Community and Culture

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

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

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

Principle of Development

The site represents part of a proposed housing allocation in the emerging Site Allocations Plan (G25.3). Policy G25.3 states '*Land amounting to 1.2 hectares to the south of Main Road as shown on the Policies Map is allocated for residential development of 20 dwellings. Development will be subject to compliance with all of the following:*

1. Submission of a Flood Risk Assessment (FRA) that should address all forms of flood risk (coastal inundation, fluvial, pluvial and groundwater). The FRA should explain how surface water drainage will be managed. The FRA must demonstrate how the development would provide wider sustainability benefits to the community that outweigh the risk associated with flooding and that the development would be safe for its lifetime without increasing flood risk elsewhere and, where possible, would reduce flood risk overall. The FRA should also suggest appropriate mitigation (flood resiliency measures);

2. Submission of details showing how sustainable drainage measures will be incorporated into the development to avoid discharge to the public surface water network, and also to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the Sustainable Drainage System (SUDS) should be included with the submission;

3. Development is subject to demonstration of safe access and visibility to the satisfaction of the local Highway Authority and the provision of the appropriate footway links;

4. Provision of affordable housing in line with the current standards'.

The weight to be given to the emerging local plan prior to adoption is set out in the NPPF para 216. The weight given depends on the stage reached, the extent of unresolved objections, and the consistency with the NPPF.

Other than drainage details (which would be secured by condition given the outline nature of the application), all the above policy criteria has been met. As such it is considered that the principle of development for residential use of this site is to be supported.

Form and Character

Dwellings in the locality of the site are predominately two-storey detached or semi-detached in linear form fronting Main Road. Whilst scale, appearance and layout are reserved matters, the development will have to be two-storey in height to be acceptable in terms of the risks associated with flooding, and the narrowness of the site lends itself to linear development. It is therefore considered that the site could be developed to reflect these key characteristics and therefore without detriment to the visual amenity of the locality.

Neighbour Amenity

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

Highway Safety

The application seeks outline planning permission with all matters reserved although clearly access, either single or multiple, will be from Main Road. Norfolk County Highways have raised no objection to the proposal on highway safety grounds subject to condition. The proposed condition has been amended, due to the outline nature of the application, to secure the off-site highway improvement works only (footpath provision).

Flood Risk

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

However, the NPPF states that it is not necessary to undertake the sequential test on allocated sites (as it is considered that has occurred during the allocation process); a stance that is reiterated in emerging Development Management Policy DM21.

The exception test must however still be passed. For the exception test to be passed:

1. It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and

2. A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where, possible, will reduce flood risk overall.

In relation to the first element, this is an emerging housing allocation. As such it is considered that the development clearly provides wider sustainability benefits that outweigh the risks associated with flooding.

In relation to the second element, the Flood Risk Assessment that accompanied that application has satisfied the Environment Agency that the development can be made safe and would not increase flood risk elsewhere.

Drainage

It is indicated on the application form that surface water drainage will be via SuDS. This is in line with national guidance and emerging Site Allocation Policy G25.3. Given the outline nature of the proposal, any permission will be conditioned accordingly.

Foul drainage is to be via main sewer.

Affordable Housing and Other Contributions

The site forms part of a wider housing allocation, and application 16/00305/OM, which is also being considered at this meeting, relates to the remaining element. The combined sites (that are in the same ownership) trigger the need for affordable housing and financial contributions towards library and primary school provision. In this instance the affordable housing provision will be four units provided on the allocation (i.e. over both sites), with a library contribution totalling £1200 (£60 per dwelling) and education contribution of £60,780 (£3,039 per multi-bed house). These contributions will be secured by a single S106 Agreement that covers both sites.

Crime and Disorder

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

CONCLUSION

The site is within one of the borough's Key Rural Service Centres where residential development of an appropriate scale will be supported. Additionally this site forms part of an emerging residential allocation.

It is considered that the site could be developed without material harm to the visual amenity of the locality, highway safety or neighbour amenity. Issues such as flood risk, drainage, provision of fire hydrants and contributions can be secured via condition or S106 Agreement. It is therefore considered that the proposal accords with the NPPF, NPPG and with emerging Site Specific Development Plan Policy G25.3 and should be approved subject to the following conditions.

RECOMMENDATION:

(A) APPROVE subject to conditions and completion of a suitable Section 106 Agreement within 4 months of the date of resolution to approve and subject to the imposition of the following condition(s):

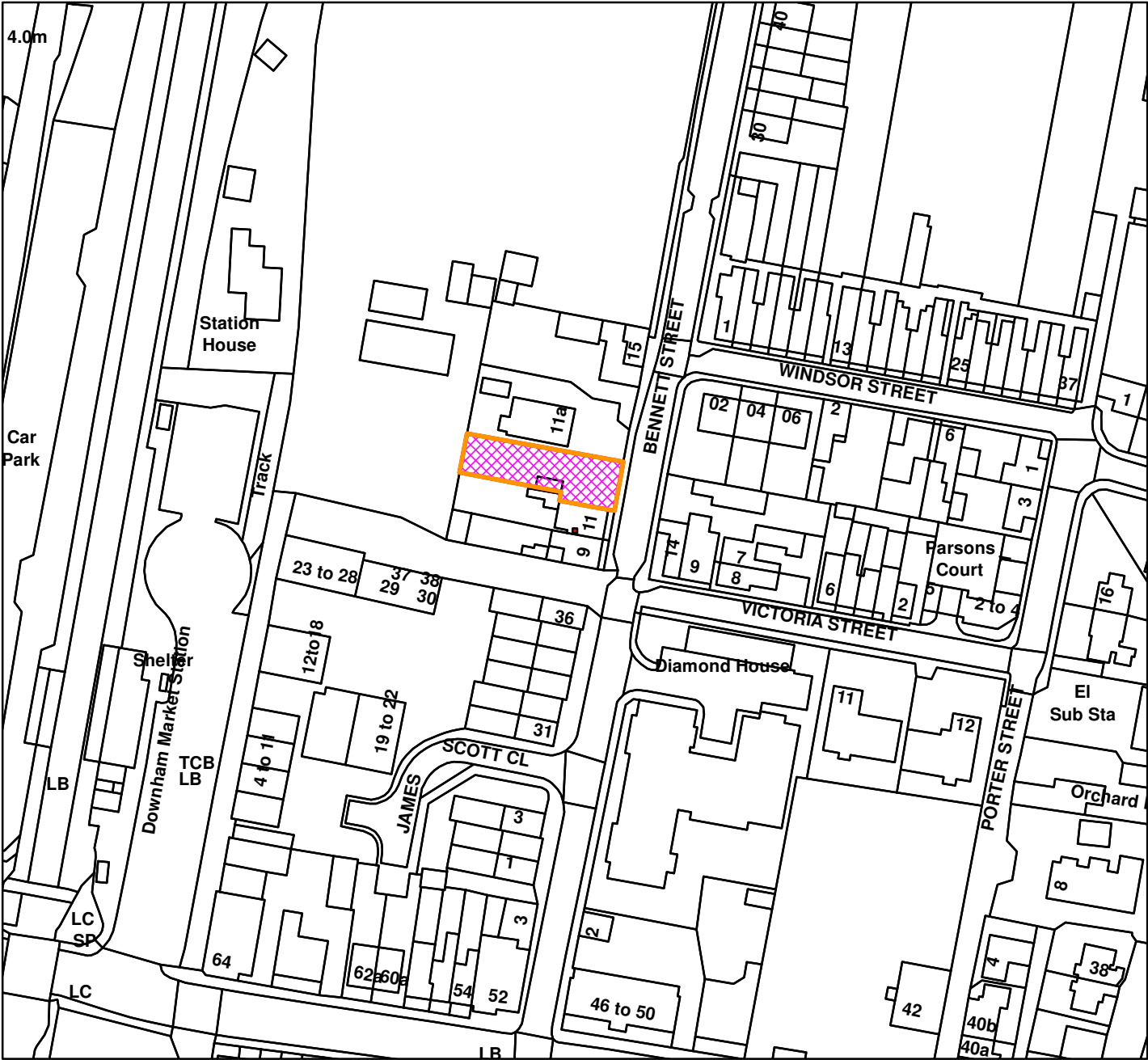
- 1 Condition Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and 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 Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for off-site highway improvement works in the form of a footway fronting the site and continuing to link in an easterly direction with the existing footway provision located on the southern side of 248 Main Road have been submitted to and approved in writing by the Local Planning Authority.
- 5 Reason In the interests of highway safety in accordance with the NPPF and Development Plan.
- 6 Condition Prior to the first occupation of the development hereby permitted the footway referred to in condition 5 shall be completed to the written satisfaction of the Local Planning Authority.
- 6 Reason In the interests of highway safety in accordance with the NPPF and Development Plan.
- 7 Condition The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) December 2015, Geoff Beel Consultancy (GCB/JCJ Planning) and the following mitigation measures detailed within the FRA:

1. Finished floor levels will be raised to a minimum of 4.30 metres aOD.
2. Flood resistant measures will be incorporated into the building construction up to 600mm above the finish floor level.
3. There will be no sleeping accommodation on the ground floor.
The mitigation measures shall be fully implemented prior to the first occupation of the development hereby permitted.
- 7 Reason To reduce the risks associated with flooding in accordance with the NPPF, NPPG and Development Plan.
- 8 Condition The development hereby permitted shall comprise of residential units that are no lower than 1.5-storeys in height.
- 8 Reason To reduce the risks associated with flooding in accordance with the NPPF, NPPG and Development Plan.
- 9 Condition The development hereby approved shall comprise of no more than 4 residential units.
- 9 Reason To define the terms of permission.
- 10 Condition No works shall commence on site until foul and surface water drainage (the latter to include SuDS) details have been submitted to and approved in writing by the local planning authority. The submitted details shall:
 - I. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - II. include a timetable for its implementation; and
 - III. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be implemented in accordance with the approved drainage scheme.
- 10 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 11 Condition The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 11 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.

(B) REFUSE in the event that a suitable Section 106 Agreement is not completed within 4 months of the resolution to approve.

Land north of 11 Bennett Street Downham Market



Scale: 1:1,250



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	20/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(c)

Parish:	Downham Market	
Proposal:	Construction of a new dwelling	
Location:	Land North of 11 Bennett Street Downham Market Norfolk PE38 9EE	
Applicant:	Mr and Mrs A B Archibald	
Case No:	16/00530/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 9 May 2016

Reason for Referral to Planning Committee – Officer recommendation is contrary to Town Council recommendation.

Case Summary

Permission is sought for the erection of a 1.5 storey dwelling in the curtilage of a two storey semi-detached dwelling on Bennett Street, Downham Market.

The site lies within Built Environment Type C in flood zone 1.

Key Issues

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

Recommendation

REFUSE

THE APPLICATION

The application proposes the erection of a 2-bed dwelling with accommodation in the roof following the demolition of an existing garage on a site measuring approximately 0.29ha. The dwelling would be constructed from carstone, brick and timber cladding under a slate roof.

Four parking spaces are proposed to cater for the new dwelling as well as the donor property which is a bed and breakfast.

The site lies with flood zone 1 and Built Environment Type C.

SUPPORTING CASE

The Planning Statement that accompanied the application states that the proposal would make good use of an area of under-used garden space in a highly sustainable location. The dwelling would be of an appropriate scale and design to reflect local character and would supply plentiful shared vehicular parking. The PS concludes that the proposal would not result in any demonstrable harm to the character and appearance of the area, nor would it significantly detract from the amenities of existing residents in the locality.

PLANNING HISTORY

08/02613/F - Additional 2 unit bed and breakfast rooms and managers accommodation to existing bed and breakfast facility - Permitted

08/01713/F - Conservatory/breakfast room extension to bed and breakfast - Permitted

08/01680/F - Construction of 3 unit bed and breakfast rooms and managers accommodation to existing bed and breakfast facility - Refused

07/01068/CU - Change of use from dwelling to bed and breakfast - Permitted

RESPONSE TO CONSULTATION

Town Council: SUPPORT – the application makes practical use of the available space, the application does not have any detrimental effect on existing parking problems and offers affordable housing in close proximity to both the station and town station.

Highways Authority: NO OBJECTION subject to condition

Internal Drainage Board: NO OBJECTION subject to the Board's Bylaws being complied with

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

REPRESENTATIONS

ONE letter of **OBJECTION** has been received from the occupier of the bungalow to the immediate north of the site (No.11A Bennett Street). The issues raised include:

- Loss of light to windows serving the sitting room and kitchen,
- Parking on Bennett Street is already a problem,
- Downham Market does not have the infrastructure to cope with the cumulative number of additional dwellings being permitted, and
- Loss of privacy.

NATIONAL GUIDANCE

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

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

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.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS04 - Downham Market

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Downham Market By Design

PLANNING CONSIDERATIONS

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

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

Principle of Development

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

Downham Market is one of the borough's main towns. Additionally the application site falls within Built Environment Type C and the defined area of the as identified in the King's Lynn & West Norfolk Local Plan, 1998. Within this area the principle of new residential development is generally considered to be acceptable under Policies CS02, CS04 and CS09 of the Core Strategy, Policy 4/21 of the Local Plan and emerging Development Plan Policies DM1 and DM2. Development must however have regard for and be in harmony with the building characteristics of the locality and comply with all other relevant policies.

As such it is considered that the principle of development is acceptable, unless material considerations indicate otherwise.

Form and Character

Paragraph 58 of the NPPF requires that planning decisions should 'ensure that developments will function well and add to the overall quality of the area...respond to local character...and be visually attract as a result of good architecture'. It goes on to state at paragraph 64 that 'permissions should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. This stance is reiterated in Core Strategy Policy CS08 and emerging Development Management Policy DM15.

Bennett Street is characterised by mainly residential dwellings. The dwellings themselves differ in age, style and design with the donor property being one of a pair of semi-detached dwellings and the other neighbour (11A) being a more modern bungalow.

Densities in the locality differ too. However, the higher density developments are in the form of terrace properties or flats, not detached dwellings as proposed by the current application.

In this regard the proposed development would infill a space that offers some relief. Furthermore it is considered that the limited spacing around the property, together with parking for four vehicles to the front, would result in a cramped form of development that would be of detriment to the visual amenity of the locality.

It is therefore concluded that the proposed development would not enhance the quality of the environment and represents poor design contrary to the NPPF and Development Plan.

Highway Impact

Whilst the Local Highway Authority (LHA) has no objection to the proposed development on the grounds of highway safety they have confirmed (in a telephone conversation) that the proposed parking layout is not achievable and that four vehicles could not be parked at any one time. They conclude that diagonal parking of three vehicles, at the most, could be accommodated in the proposed parking / turning area. Notwithstanding this, given the sustainable location of the site, the LHA does not consider that there is compelling justification for parking as required by paragraph 39 of the NPPF (as amended by HCWS488). Furthermore emerging DM Policy 17 states that 'reductions in car parking requirements may be considered for town centres and for other urban locations where it can be shown that the location and the availability of a range of sustainable transport links is likely to lead to a reduction in car ownership and hence the need for car parking provision'.

As such it is concluded by the LHA that parking standards can be lessened in this location without resulting in issues to the local road network or highway safety.

However, Bennett Street is relatively narrow, a situation that is exacerbated by on street parking. As such members need to consider whether the loss of the existing site (which forms part of the curtilage of a B&B), together with an increase in vehicular activity associated with a new dwelling, would result in an unreasonable degree of nuisance to occupiers of nearby residential dwellings to warrant a further reason for refusal.

It is pertinent to note that a previous approval for an additional two-bedroom unit to serve the bed and breakfast was conditioned to provide on-site parking and turning for six vehicles (08/02613/F).

Given the characteristics of this area and the specifics of the proposal, officers consider that the harm caused is enough to warrant a reason for refusal.

Neighbour Amenity

One of the Core planning principles laid down in the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This principle is reiterated in emerging Development Management Policy DM15 the preamble of which states that: 'Development proposal should aim to create a high quality environment without detrimental impact on the amenity of new and existing residents'.

In this regard, as well as the broader disamenity issue mentioned in the Highway Impact section above, it is considered that the specific impacts on the existing occupants of No.11A would be unacceptable. The proposed dwelling would lie only 1 metre to the south of No.11A's boundary fence and only 2.55m from its southern elevation. No.11A is a single-storey detached dwelling with windows serving the kitchen and sitting room on its southern elevation.

Without any specific daylight studies being submitted (it should be noted that none were requested given the 'in principle' reason for refusal to the proposed development) your officers conclude that there would be material loss of daylight resulting in overshadowing to habitable rooms of 11A that would be above an acceptable degree.

It is therefore considered that the proposed development would be of detriment to the amenity of existing residents and is therefore contrary to the NPPF, Core Strategy Policy CS08 and emerging Development Management Policy DM15.

It is pertinent to note that a previous application for a three-bed unit to serve the existing bed and breakfast, which was further away from No.11A, was refused on its overbearing and overshadowing impacts with 11A (08/01713/F).

Other Material Considerations

Contamination (asbestos) can be suitably conditioned.

There are no specific crime or disorder issues arising from the proposed development.

No objections have been received from statutory consultees.

CONCLUSION

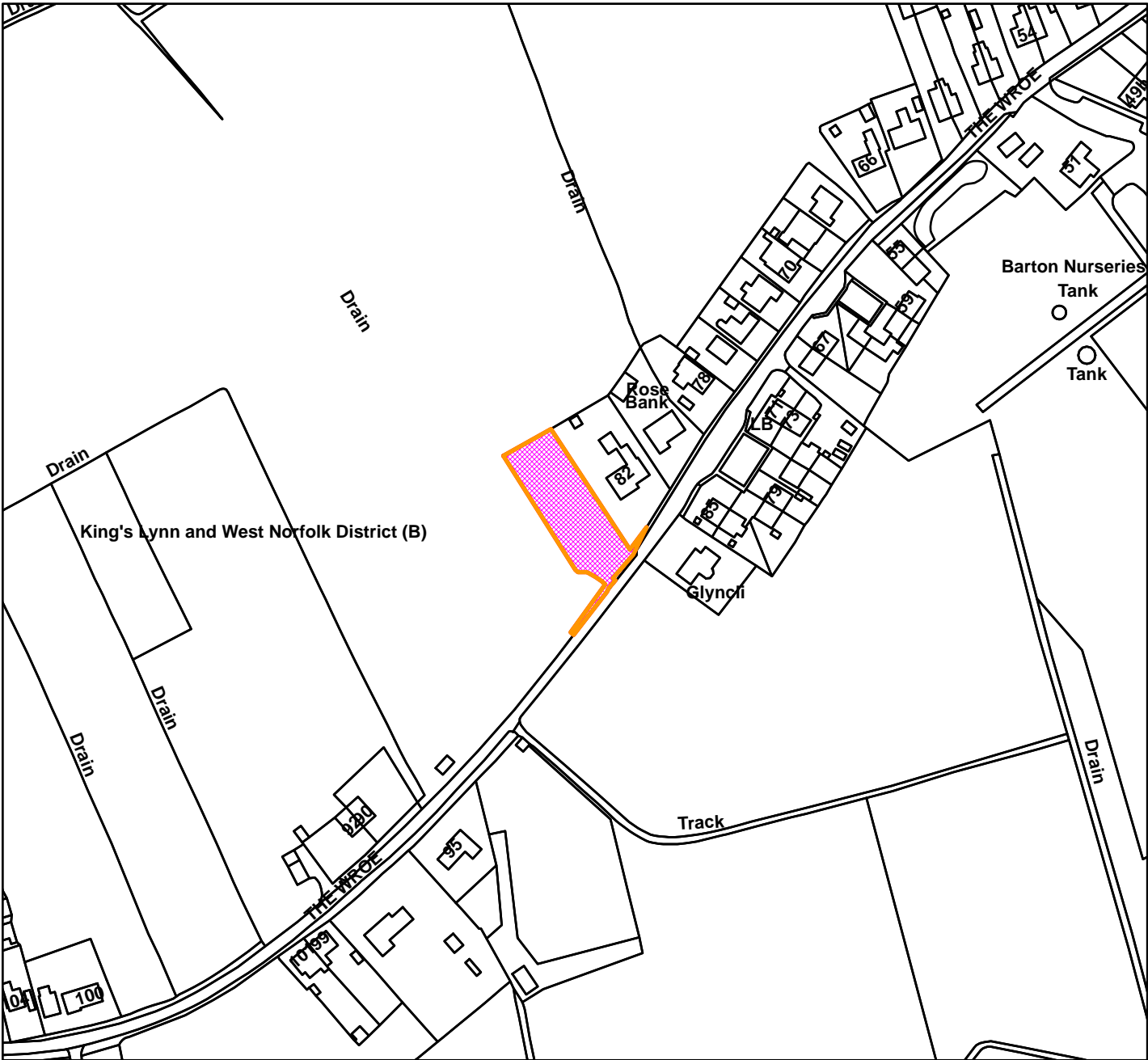
The site is within Downham Market, one of the borough's main towns, where residential development is actively sought. However, the proposed development would result in a cramped form of development that would be of detriment to the visual amenity of the locality, and the amenity of occupiers of neighbouring properties. It is therefore concluded that the development is contrary to the NPPF and Development Plan and should be refused for the following reasons.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed development would result in a cramped and overdeveloped scheme that would be of detriment to the visual amenity of the locality and fails to enhance the quality of the environment. The proposal is therefore contrary to the NPPF, Core Strategy Policy CS08 emerging Development Management Policy DM15.
- 2 The proposed development would result in a material and unacceptable degree of overshadowing to habitable rooms of No.11A Bennett Street (the property to the immediate north of the site) which would be of detriment to the amenity of existing residents and is therefore contrary to the NPPF, Core Strategy Policy CS08 and emerging Development Management Policy DM15.
- 3 The proposed development, by virtue of the increase in vehicular activity coupled with the loss of existing parking spaces, would cause extra congestion and disamenity to an unacceptable level. It is therefore considered that the proposed development fails to take the opportunities available for improving the character and quality of the area and the way it functions, and in addition does not provide a good standard of amenity for all existing and future occupants of land and buildings. The proposed development is therefore contrary to the NPPF in general and specifically to paragraphs 17, 58 and 64, to Core Strategy Policy CS08 and to emerging Development Management Policy DM15.

Land South West of 82 The Plot next door The Wroe Emneth



Scale: 1:2,500

Borough Council of

King's Lynn & West Norfolk

Tel. 01553 616200 - Fax. 01553 691663



Organisation	BCKLWN
Department	Department
Comments	1: 1250
Date	25/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(d)

Parish:	Emneth	
Proposal:	Proposed residential dwelling and detached double garage in the form of chalet bungalow on part residential part former agricultural land	
Location:	Land SW of 82 the Plot next Door The Wroe Emneth Norfolk	
Applicant:	Mr and Mrs Ladd	
Case No:	16/00346/F (Full Application)	
Case Officer:	Mr Bryan Meredith	Date for Determination: 18 April 2016

Reason for Referral to Planning Committee – Referred at the discretion of the Assistant Director.

Case Summary

The application proposes the residential development of a dwelling and detached double garage on land south-west of 82, the Plot Next Door, The Wroe, Emneth. Emneth is defined as a Key Rural Service Centre in the settlement hierarchy contained in the Core Strategy of the Local Development Framework. The site (red line) amounts to 0.14ha of land.

The site is located outside the settlement boundary of Emneth and as a result lies in an area classified as Countryside within the saved policies of the 1998 Local Plan and Policy DM2 of the emerging Site Allocations & Development Management Policies plan. The site does border a residential property to the north-east with the rest of the site surrounded by grade 1 agricultural land.

The site lies in Flood Zone 1 of the Strategic Flood Risk Assessment.

Key Issues

The principle of development
Form and character
Neighbour amenity
Highway safety
Other considerations

Recommendation

REFUSE

THE APPLICATION

The application site is situated on the south western side of 82, the Plot next the Door, the Wroe, Emneth and compromises part of an agricultural field.

Emneth is defined as a Key Rural Service Centre under the settlement hierarchy of Policy CS02 of the Council's adopted Core Strategy (2011).

The application seeks full planning permission for a proposed residential dwelling in the form of a chalet bungalow and detached double garage.

SUPPORTING CASE

The applicant has supplied a Design and Access Statement to accompany and support the application. The statement outlines the design proposal for the site showing how matters concerning design and access have been considered and incorporated by the applicant. The statement describes the layout, scale, design and access of the proposal whilst also setting out how the proposed dwelling aims to incorporate a number of features to reduce energy consumption and improve its environmental performance.

PLANNING HISTORY

2/02/2161/O: Application Refused: 06/03/03 - Site for construction of bungalow - Land west of Rose Bank, The Wroe, Emneth;

2/97/1769/O: Application Refused: 16/02/98 - Site for construction of bungalow - Site adjacent Rose Bank, The Wroe, Emneth;

2/97/1375/O: Application Refused: 06/11/97 - Site for construction of bungalow - Site adjacent Rose Bank, The Wroe, Emneth;

2/01/1802/O: Application Refused: 04/01/02 - Site for construction of bungalow - Land west of Rose Bank, The Wroe, Emneth;

CONSULTATIONS

Town/Parish Council: Emneth Parish Council recommend **REFUSAL** to this application. The chalet bungalow does not conform to the form or character of the street scene further stating that adjacent properties are single-storey.

Local Highway Authority: The current submission has taken on board the Highway Authority comments and whilst the change in carriageway width could be aligned less abruptly, it appears that the applicant does not control sufficient land to provide the appropriate visibility. The Highways Authority initially recommended refusal of the application as the Applicant did not appear to control sufficient land to provide adequate visibility at the site access. The proposed development would therefore be detrimental to highway safety and contrary to Development Plan Policies.

Advice was given that in order to overcome the Highway objection the applicant would have to either demonstrate that the land will be purchased or an appropriate Section 106 Agreement would need to be entered into with all parties to secure the visibility in perpetuity. Alternatively if it can be demonstrated that reduced visibility splays can be provided commensurate with 85th percentile traffic speeds that does not require third party land, the Highway Authority would duly consider such proposals.

Subsequent revisions of the access and vision splays were submitted to the Council to address the Highway Authority reasons for recommending refusal. The Highway Authority was re-consulted and confirm that the amendments addressed the Highway Authority's earlier concerns. However the Highway Authority did note that the Planning Authority will need to be satisfied that appropriate agreements are in place to ensure the provision and perpetuity of the visibility splay.

Accordingly in highway terms only there are no objections to the proposals as outlined on the amended plan numbered ADS/045/PL02D subject to the following conditions and informative note being appended to any grant of permission.

Environmental Quality: Based on the information supplied and held within this section, I have no comments to make for this proposal regarding contaminated land or air quality issues.

REPRESENTATIONS

ONE representation was received stating that their concerns were similar to those raised by the Parish Council stating that 'the proposed property as it's not in keeping with the properties in this area. The representation also had concerns that the road narrows at the point of the proposed property and had concerns that this will cause a problem as with such a large house there will be multiple vehicles.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM22 - Protection of Local Open Space

PLANNING CONSIDERATIONS

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

- The principle of development
- Form and character
- Neighbour amenity
- Highway safety
- Other considerations

The Principle of Development

Emneth is defined as a Key Rural Service Centre in the settlement hierarchy set out under Policy CS02 (as amended by the emerging Site Allocations and Development Management Policies Document (SADMP)) of the Core Strategy (2011). Until the SADMP is adopted, the King's Lynn and West Norfolk Local Plan (1998) Proposals Map indicates that this part of the village is located within "countryside", beyond the existing development boundary, where new housing development is not normally supported unless there is a case under paragraph 55 of the NPPF.

In this case the application site lies on the edge of the existing settlement boundary, the NPPF specifies that local planning authorities should avoid new homes in the countryside and as a result the principle of development in this location is not supported by local or national policy.

As the Council currently considers it has a five year supply of housing sites, the Council's housing policies are the basis for making planning decisions.

Form and character

The application site compromises part of an agricultural field on the periphery of Emneth. Although there are a row of existing properties to the north-east of the application site, these dwellings are located within the development boundary of the settlement whereas this site, although adjacent to the development boundary, is outside of it.

Beyond 82, the Wroe, beginning with the application site, the character of the surrounding area is rural in nature, characterised by an open agricultural landscape. The addition of a dwelling and garage would completely alter the site's existing rural appearance and be harmful to the established form and character of the area with the placement of a chalet bungalow on the site.

The adverse impacts of the proposed development upon the form and character of this locality would cause harm to the area, when assessed against the policies of the NPPF taken as a whole, Core Strategy policies CS06 & CS08 of the LDF and emerging policies DM2 and DM15 of the Site Allocations and Development Management Policies Plan.

Neighbour Amenity

The only neighbouring residential property immediately adjoining the application site is the dwelling to the north-east of the application site.

The design of the dwelling would not have an adverse impact upon the residential amenity of the neighbouring dwelling or those that are already lining The Wroe road which are predominantly bungalows. There are no issues of overlooking or overshadowing from the proposal on the neighbouring property.

Highway Safety

Having initially recommended a refusal for this application, the applicant submitted amended plans and the Highways Authority were re-consulted and, they removed their initial objection and approved the renewed plans subject to conditions being attached to a decision notice.

Other considerations

There are no other material considerations.

CONCLUSION

In light of the Council's declaration that it has a 5 Year Supply of Housing, the application is judged against the Council's LDF/Local Plan policies which are no longer deemed to be out of date. Whilst the proposed layout shows the proposed chalet bungalow and garage can satisfactorily be accommodated on site, it is considered the provision of the proposed dwelling and garage in this location would contravene Policies CS01, CS02, CS06 and CS08 of the Core Strategy (2011) as well as the emerging Policies DM1, DM2, DM15 and DM22 of the Site Allocations and Development Management Policies document (2015). There are no material considerations that would justify a departure from the established policy.

It is therefore recommended that outline planning permission be refused for the reasons set out below.

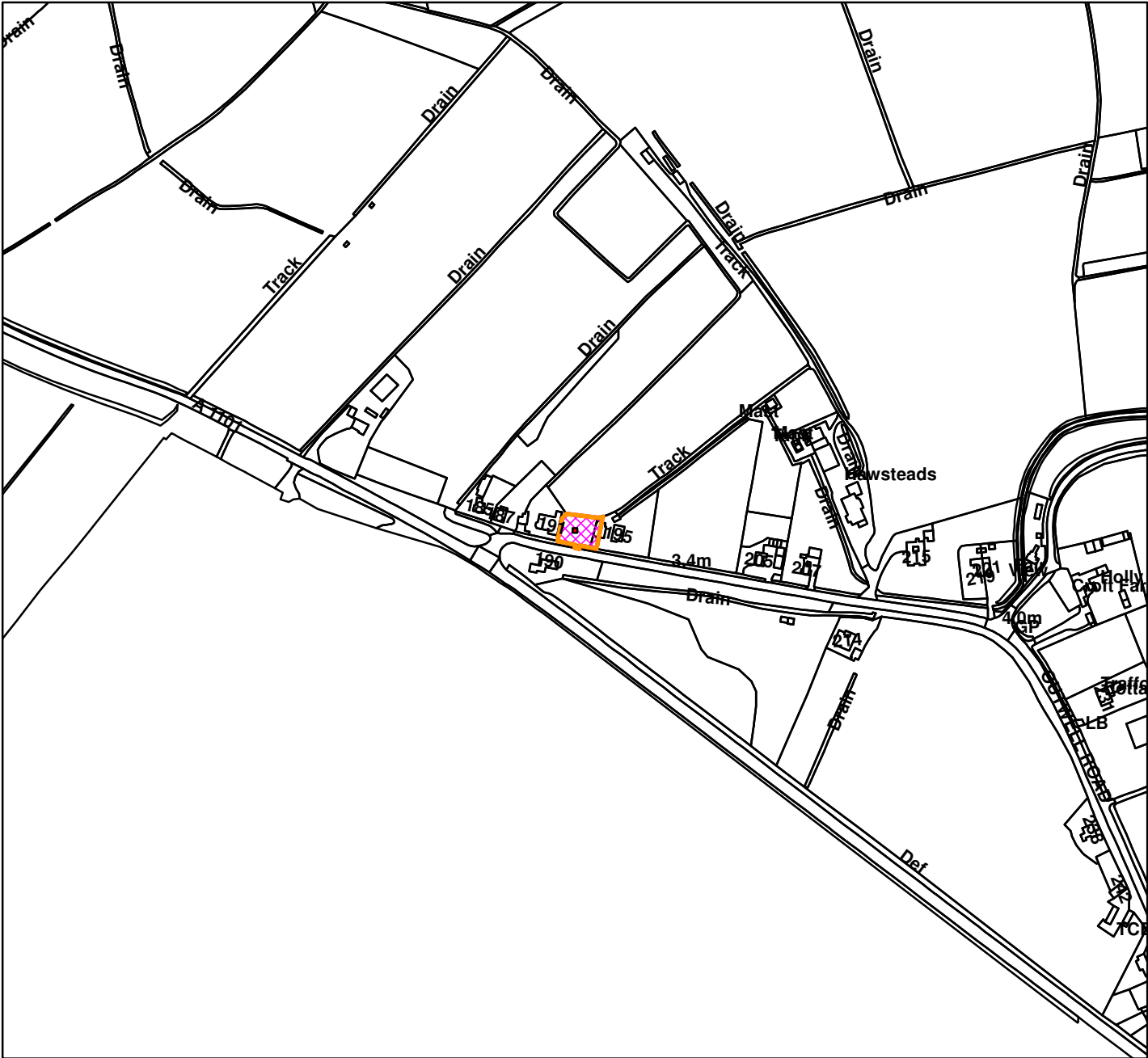
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Planning policy states that the countryside should be protected beyond the villages for its intrinsic character and beauty and that development will be resisted unless essential for agricultural, forestry or other rural enterprise needs. The proposed new dwelling is located outside of the settlement boundary with no justification that would warrant a departure from policy and is therefore contrary to the provisions of the NPPF, Policies CS01, CS02, CS06 and CS08 of the King's Lynn and West Norfolk Core Strategy 2011 and does not accord with Policies DM1, DM2, DM15 and DM22 of the emerging Site Allocations and Development Management Policies document.

16/00577/F

Land North of Outwell Road Emneth



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:5,000

Organisation	BCKLWN
Department	Department
Comments	1:5000
Date	24/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(e)

Parish:	Emneth	
Proposal:	Construction of dwelling	
Location:	Land North of Outwell Road Emneth Norfolk	
Applicant:	Mr P Strickle	
Case No:	16/00577/F (Full Application)	
Case Officer:	Mr Bryan Meredith	Date for Determination: 16 May 2016 Extension of Time Expiry Date: 10 June 2016

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

Case Summary

The application proposes the construction of a dwelling and a garage with parking and a turning area on a site measuring approximately 0.09ha on land immediately east of 191 Outwell Road, Emneth.

This site is located at to the north of Outwell Road on the outskirts of the village of Emneth. The site is contained on all sides with land drains to the north, neighbouring residential boundary treatments to the east and west and a road to the south. The land to the north is an orchard and neighbouring residential properties are located either side of the site.

Policy CS06 of the Core Strategy states that the strategy in rural areas such as this site will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs. No evidence has been submitted to meet this requirement.

The site lies within Flood Zone 1 of the Strategic Flood Risk Assessment.

Key Issues

Principle of Development
Form and Character
Other Considerations

Recommendation

REFUSE

THE APPLICATION

The application is for the construction of a dwelling at land immediately East of 191 Outwell Road, Emneth.

The application site lies in an area designated as open countryside, to the south-west of the village of Emneth on the northern side of Outwell Road between two existing dwellings. The surrounding countryside is typified by sporadic frontage developments separated by large and small gaps in the frontage.

SUPPORTING CASE

A Design and Access Statement supports the full planning application setting out how the impacts of the proposed development are sympathetic to its surroundings in terms of its design, layout, scale and access. The statement addresses the planning history and in particular Application Ref: 13/01123/OM (Appeal Ref: (PP/V2635/A/14/2219315)). In particular, the statement addresses a number of key factors which are listed in the appeal for reasons why the planning permission could not be upheld in order to support this application's case.

Further to the Design and Access Statement, an Initial Contamination Report accompanies the application to demonstrate how the risk of contamination to the proposed development has been considered and incorporated into the design proposal. The report states that no evidence of contamination has been found in the location of the new dwelling during multiple site visits and surveys.

RELEVANT PLANNING HISTORY:

15/02103/F: Application Refused: 18/02/16 - Proposed 2 new dwellings - Land Immediately E of 191 Outwell Road, Emneth, Norfolk;

2/04/0208/O: Application Refused: 24/03/04 - Site for construction of dwelling - Land To The West Of Wayside, 195 Outwell Road, Emneth, Wisbech, Norfolk, PE14 8BG, Appeal Dismissed 04/02/05;

RESPONSE TO CONSULTATION:

Parish Council: SUPPORT Emneth Parish Council recommends approval to this application. Despite this application being outside the development boundary, the Parish Council lends its support to the development of the site. The provision of a modest dwelling in this location would not be intrusive and is a sensible alternative for a non-productive plot with no economic agricultural value. Any overlooking issues are easily dealt with. Despite the site being some way from the main settlement we note the applicant's comments regarding sustainability and permissions granted for a number of other sites at similar distances.

Local Highway Authority: NO OBJECTION Having visited the site, I believe that the accesses for the proposal would be safe and parking and turning could be provided in accord with the parking standards for Norfolk.

The proposed development site is remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport.

It is the view of the Highway Authority that the proposed development is likely to conflict with the aims of sustainable development and you may wish to consider this point within your overall assessment of the site.

Should however your Authority seek to approve the application I would recommend conditions be attached to a decision notice.

Environmental Quality: Based on the information supplied and held within this section, I have No Comments to make for this proposal regarding contaminated land or air quality issues.

REPRESENTATIONS:

A total of **TWO** letters of **OBJECTION** have been received.

The issues raised are as follows:

- The site history;
- The appeal decision as issues of concern which have not been addressed or changed within this current application;
- The damage development will have in an area of countryside;
- A Public Right of Way present on the site;
- Flood Risk concerns;
- Consistency with decision making and assessment relating to application ref 15/02103/F.

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

PLANNING CONSIDERATIONS

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

- Principle of Development
- Form and Character
- Other Considerations
- Conclusion

Principle of Development:

The application site lies within a part of Emneth which is outside the development boundary, situated in open countryside as set out in the Settlement Hierarchy under policy CS02 of the Council's adopted Core Strategy (2011).

The application site lies in an area designated as countryside in the saved policies and as a result is required to remain open and protected from development. Development on the application site would result in the consolidation of the existing sporadic development which would cause harm to the character of the area. As a result the proposal conflicts with the aims of sustainable development. The harm caused by the proposal outweighs the benefits of an additional dwelling. Consequently, the proposal is contrary to paragraphs 14 and 55 of the NPPF.

The application site was considered by the Planning Inspector, in dismissing an appeal in 2004. The form and character of this locality has not changed in the interim and the conclusions still stand. An application, 15/02103/F, which was a proposal for 2 new dwellings on the same site was refused due to the site being considered unsustainable and set in land designated as open countryside.

In light of the above and the current policy position, it is therefore considered the principle of development is unacceptable.

Form and Character:

Outwell Road and the adjacent land, including the application site, is located some distance away from the settlement of Emneth in an area defined as countryside in the adopted Local Plan. In order to protect the intrinsic character of the countryside local plan policies, in particular Policy CS06 of the Core Strategy; strictly control residential development in the countryside only allowing development of greenfield sites which will be proved to be essential for agricultural or forestry needs. No justification has been submitted with the application on that basis. As a result the proposed development would have an adverse impact upon the form and character of this locality and would outweigh the benefits, when assessed against the policies of the NPPF taken as a whole and specifically saved Local Plan policy 4/20, plus Core Strategy policies CS06 & CS08 and policies DM1 & DM2 of the emerging Site Allocations & Development Management Policies Plan.

Other Considerations:

Emneth Parish Council recommends approval for the application. Whilst the Parish Council state support for this proposal, as they did in the previous application reference number 15/02103/F, this is not substantiated by planning policy grounds. Previous approvals which the Parish Council mentions in their support of the application were granted under different material circumstances where the Council was judged to not have a Five Year Supply of Housing and applications were being assessed against the National Planning Policy Framework's presumption in favour of sustainable development. However, following the recent declaration by the Borough Council that it has five years' supply of deliverable housing sites across the borough applications are now to be considered on the basis of the existing and emerging local policies within the council's LDF/Local Plan.

The site lies within Flood Zone 1 of the Strategic Flood Risk Assessment.

The proposal raises no specific issues in relation to crime and disorder.

The Public Rights of Way Officer was consulted regarding the presence of a PROW and responded stating that after searching the legal documents he could find no reference to a PROW in this location to the north of Outwell Road and that there is no recorded right of way in the vicinity of the plot.

CONCLUSION

The site lies outside the development boundary of Emneth, in an area designated as countryside, where approving residential development would consolidate existing sporadic development. The proposal effectively constitutes a new dwelling in the countryside without justification.

In light of the above, the proposed development is contrary to policies CS01, CS02, CS06 & CS08 of the Core Strategy (2011) as well as paragraphs 14 & 55 of the NPPF and Policies DM1 & DM2 of the emerging Site Allocations & Development Management Policies plan.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The site is in an area which classified as countryside by the Local Plan 1998, the Core Strategy 2011 and the Site Allocations and Development Management Policies Submission Document 2015. The site is located to the south of the village of Emneth, is remote from services and facilities and would consolidate existing sporadic development to the detriment of the character and appearance of the countryside. The proposal is not considered sustainable development and is therefore contrary to Paragraphs 14 and 55 of the NPPF and Policies CS06 and CS08 of the Core Strategy 2011.



Appeal Decision

Site visit made on 23 December 2004

by Peter Nock BA DipTP MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date - 4 FEB 2005

Appeal Ref: APP/V2635/A/04/1153697

Land to the west of Wayside, 195 Outwell Road, Emneth, Norfolk PE14 8BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr and Mrs G L Lake against the decision of Kings Lynn and West Norfolk Borough Council.
- The application (Ref.2/04/0208/O), dated 30 January 2004, was refused by notice dated 24 March 2004.
- The development proposed is the construction of a dwelling.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The planning application submitted was in outline and, as neither box on the planning application form relating to access was ticked, I will determine the appeal on the basis that all matters are reserved.

Main Issue

2. I consider that the main issue is the effect of the development on the character and appearance of the countryside.

Planning Policy

3. The Development Plan for the area includes the Norfolk Structure Plan (1999) and the Kings Lynn and West Norfolk Local Plan (1998). I consider that the following are the most relevant Development Plan policies. Both policies H.8 of the Structure Plan and 8/8 of the Local Plan do not allow for new dwellings in the designated countryside unless needed in relation to a rural enterprise. Policy 8/7 of the Local Plan relates to all developments in the countryside and development will only be permitted where they meet the criteria of the policy. Policies ENV.1 and ENV.4 of the Structure Plan are intended to protect the environmental assets of the County and the distinctive character of the countryside respectively with policy ENV.4 not allowing any development proposals that would harm the distinctive character of the countryside.
4. Planning Policy Guidance Note (PPG) 3 'Housing' and Planning Policy Statement (PPS) 7 'Sustainable Development in Rural Areas' provide the latest government guidance on their respective topics. Both documents emphasise the importance of promoting sustainable patterns of development and reusing previously developed land. One of the key principles of PPS7 requires that new development away from established settlements in the countryside, or outside areas allocated for housing in development plans, should be strictly controlled to protect, amongst other concerns, the intrinsic character and beauty of the countryside.

Reasons

5. The appeal site is located to the south-west of the village of Emneth on the northern side of Outwell Road between two existing dwellings. Outwell Road was previously part of the main A1101 but with the construction of a by-pass it is now a minor road for local traffic. It is fronted by sporadic development particularly on the north side and around the junction with the new by-pass just to the west of the appeal site. The surrounding countryside is typified by sporadic frontage developments either in small groups or isolated dwellings separated by large and small gaps in the frontage.
6. The appeal site is rectangular, flat and enclosed to the front and rear by trees and hedges. An unmade track runs along the eastern side of the site and this would provide access to the development. To the west of the site there are a number of residential properties of varying sizes and designs fronting onto Outwell Road and to the east there is a single residential property with agricultural land beyond. To the north there is agricultural land. On the opposite side of the road is a single residential property with agricultural land beyond.
7. Outwell Road and the adjacent land, including the appeal site, is located some distance away from the settlement of Emneth in the area defined as countryside in the adopted Local Plan. In order to protect the intrinsic character of the countryside the Development Plan policies for this area strictly control residential development in the countryside only allowing such development where it is needed to support local rural enterprises and operations. No justification has been submitted with the application on that basis.
8. The appellants refer to advice in PPG7 'The Countryside-Environmental Quality and Economic and Social Development' relating to small gaps in a built up frontage and infill housing. PPS7 has now replaced PPG7 and I consider that the undeveloped spaces along the Outwell Road frontage, including the appeal site, are important in giving the countryside its open rural character. Their retention is important in ensuring that this character is conserved. Infilling of the appeal site with a dwelling would significantly change its appearance and would see the further consolidation of built development at the western end of Outwell Road. I consider that this would prejudice the retention of the loose knit form of development that is an intrinsic characteristic of the rural area, and increase the visual prominence of built development in the countryside at the expense of its open appearance. There are many other undeveloped frontages of varying lengths along the highway and allowing this appeal would, in my view, encourage the submission of similar applications which, if approved, would cause further harm to the open rural character of the countryside.
9. I therefore conclude that the proposed development would have a harmful effect on the character and appearance of the countryside and would be contrary to policies H.8, ENV.1 and ENV.4 of the Structure Plan and 8/7 and 8/8 of the Local Plan.

Conclusions

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

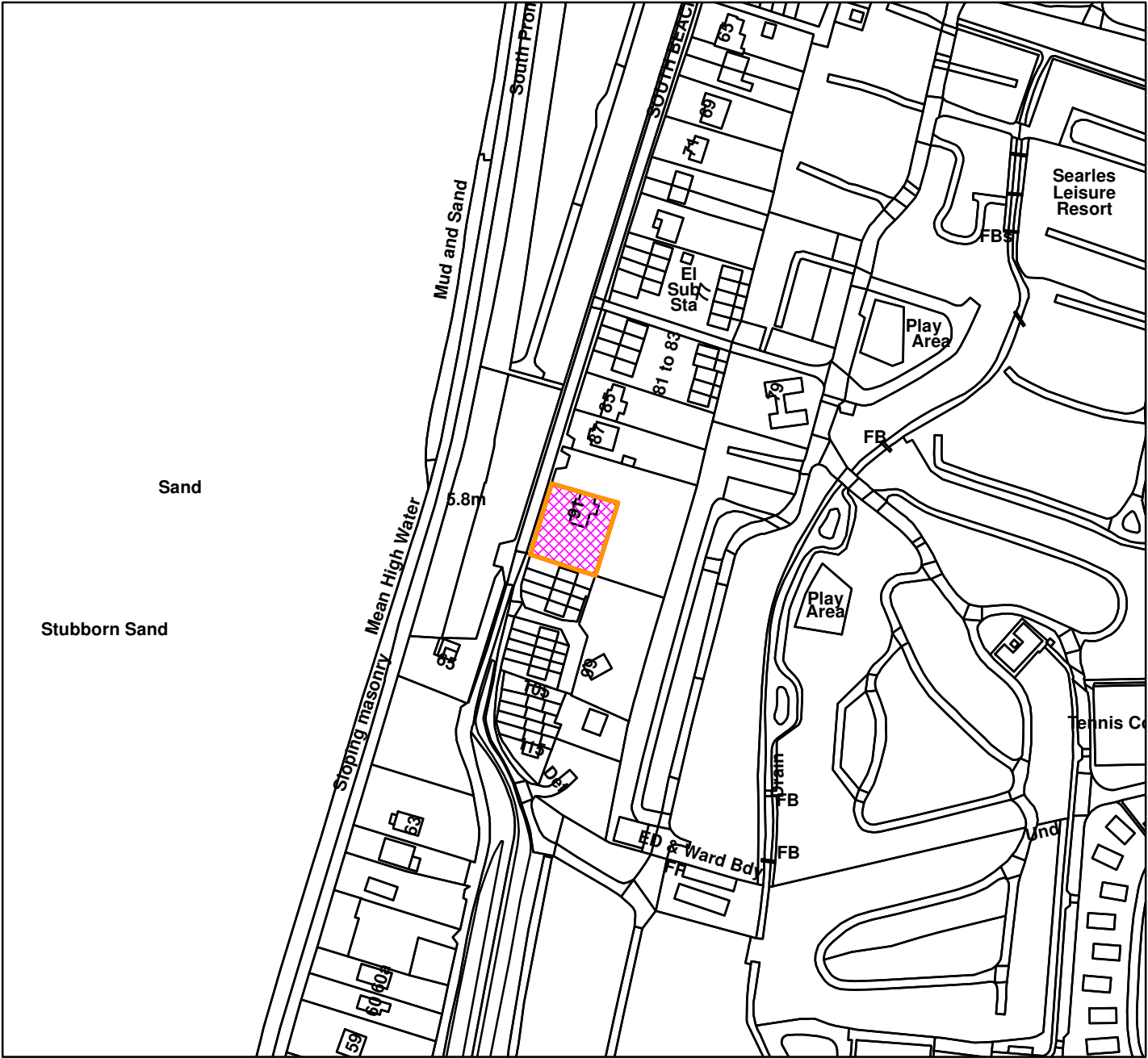
Formal Decision

11. I dismiss the appeal.


INSPECTOR

15/01989/F

91 South Beach Road Hunstanton



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:2,500

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	26/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(f)

Parish:	Hunstanton	
Proposal:	Replacement house and studio annex	
Location:	91 South Beach Road Hunstanton Norfolk PE36 5BA	
Applicant:	Mr And Mrs Lee	
Case No:	15/01989/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 4 February 2016 Extension of Time Expiry Date: 10 June 2016

Reason for Referral to Planning Committee – Environment Agency Objection.

Case Summary

The application site comprises a single storey dwelling situated on the eastern side of South Beach Road, Hunstanton.

The application proposes to construct a replacement dwelling and detached garage.

The site lies within a Main Town as classified within the Core Strategy's Settlement Hierarchy.

Key Issues

Principle of development;
Form and character;
Impact on neighbour amenities;
Highway safety; and
Flood Risk

Recommendation

APPROVE

THE APPLICATION

The application site comprises a single storey dwelling situated on the eastern side of South Beach Road, Hunstanton. The dwelling has no occupancy restriction. The site is under the same ownership as the 10 berth caravan site to the rear.

The area is characterised by residential properties, some holiday homes and some used permanently. Directly to the north is a bungalow and to south are two storey flats.

Full planning permission is sought for a replacement dwelling and a detached garage.

The proposed dwelling is two storeys in height with accommodation in the roof. All habitable accommodation will be located to the first and second floors due to flood risk. A swimming pool, gym, store and changing room / WC will be located at ground floor.

The proposed dwelling will have three bedrooms (the same as the existing dwelling) located on the first floor and the lounge area and kitchen diner will be located on the second floor to enjoy views towards the sea.

The existing dwelling has a footprint of approximately 102 square metres compared to the proposed dwelling which has a footprint of 157 square meters.

It is also proposed to construct a detached garage to the south of the site. Amended plans have been submitted addressing concerns over the scale of the garage and omitting the proposed annexe accommodation to the first floor.

The garage is now in-line with the scale of a previously approved garage on the site under planning reference: 10/00466/F, in terms of its footprint and height. The first floor is now proposed to be used as a games room.

SUPPORTING CASE

A Planning Statement accompanies the application and makes the following case:-

"The application is for a house and garage, designed to be used as holiday accommodation. The new main house replaces a present bungalow that has no occupancy restrictions. The garage is on part of the site that benefits from a permission for a replacement garage/office building.

It lies within the Hunstanton Holiday Zone and is a high zone 3 flood risk area.

The existing property has no occupancy restriction so can be occupied all year round, including during the period when the highest risk of flooding occurs in the winter months. All the bedrooms in the existing house are on the ground floor. The existing dwelling is unlikely to withstand the hydrostatic pressures it would be subject to in the event of a severe flood.

It is suggested the proposed property need not have an occupancy restriction as habitable accommodation would be provided at 1st floor level and within the roof. This is all well above anticipated flood levels. There is no increase in the number of bedrooms to be provided. The new dwelling would be constructed to withstand hydrostatic pressures and would incorporate flood resilient construction techniques. A flood evacuation plan will also be secured.

The proposed dwelling therefore offers significant betterment compared to the existing house that would reduce the impact of flood events upon occupants as well as upon the structure itself.

The form and character of the development in the locality is mixed with single, two storey and three storey dwellings evident in the street scene. The proposed dwelling fits in well with the street scene".

PLANNING HISTORY

12/01633/CU: Application Permitted: 06/12/12 - Use of caravan park for 10 static caravans and retention of existing caravan as office / security unit - 91 South Beach Road, Hunstanton

10/00466/F: Application Permitted: 07/05/10 - Erection of double garage with office to first floor - 91 South Beach Road, Hunstanton

09/01783/CU: Application Permitted: 16/12/09 - Change of Use Application to site 10 caravans - 91 South Beach Road, Hunstanton

09/01027/CU: Application Refused: 25/08/09 - Siting of 10 touring caravans - 91 South Beach Road, Hunstanton

06/00213/O: Application Refused: 15/03/06 - Outline Application: construction of dwelling following demolition of existing dwelling following fire damage (renewal) - 93 South Beach Road, Hunstanton - Appeal Dismissed 22/12/06;

2/93/1559/F: Application Permitted: 15/12/93 - Continued use as caravan site for ten touring caravans and retention of toilet block - 91 South Beach Road, Hunstanton

2/02/1930/O: Application Permitted: 18/02/03 - Site for construction of dwelling following demolition of existing dwelling following fire damage - 93 South Beach Road, Hunstanton

2/02/0823/F: Application Withdrawn: 04/02/03 - Construction of 12 holiday apartments - 91 - 93 South Beach Road, Hunstanton

RESPONSE TO CONSULTATION

Parish Council: SUPPORT – it's a vast improvement on the existing building, is of a water compatible design, flood resilient with first floor accommodation being higher than worse flood risk scenario. HTC is aware of the approval of the applications for number 71 and 53 in 2014 when no occupancy restrictions were imposed.

Highways Authority: NO OBJECTION conditionally.

Environment Agency: OBJECT – The Planning Statement indicates that the dwelling will be occupied all year round, which is contrary to the third criteria of the Coastal Flood Risk Planning Protocol.

Emergency Planner: Recommends conditions are imposed requesting the occupiers sign up to the Floodline Warnings Direct and a Flood Evacuation Plan is prepared.

REPRESENTATIONS

None received.

NATIONAL GUIDANCE

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

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

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.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS05 - Hunstanton

CS07 - Development in Coastal Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM18 – Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham)

DM21 - Sites in Areas of Flood Risk

OTHER GUIDANCE

Hunstanton Parish Plan

PLANNING CONSIDERATIONS

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

- Principle of development;
- Form and character;
- Impact on neighbour amenity;
- Highway safety; and
- Flood Risk

Principle of Development

Hunstanton is classified as a 'Main Town' within the Core Strategy's Settlement Hierarchy. The focus for such areas is to maintain and enhance the roles of the town providing essential convenience services, opportunities for employment, residential and / or tourist facilities.

Emerging Policy DM18 states that replacement dwellings will only be permitted in Flood Zone 3 where all seven of the criteria regarding replacement dwellings are satisfied. This will be addressed later in the report.

Form and Character

South Beach Road is characterised by linear development fronting the highway but varying in scale and design. There are a mix of bungalows, chalet style properties, two storey properties (some being flats) and two-and-a-half storey properties.

There has been some larger, more contemporary replacement dwellings approved recently at numbers 53, 71 and 85 South Beach Road which are comparable to the proposal.

The proposed dwelling would be two storeys with accommodation in the roof to avoid ground floor living accommodation. Its ridge line is comparable to other two storey properties within the area. The ridge line of the front gable projection sits approximately 1.8m higher than the remainder of the property and the central section of the gable is fully glazed to benefit from the views towards the sea.

This contemporary design and scale is becoming more apparent in the locality and is not considered to cause detrimental harm to the street scene.

Impact on Neighbour Amenity

There is a bungalow to the north of the application site and a block of two storey flats to the south within the site. Although the proposed dwelling is taller than the existing dwelling, it is sited no further north of the site than the existing dwelling and there will be a separation distance between the proposed property and the neighbouring property of approximately 16m (entrance to the associated caravan site).

The lower two storey element of the proposed dwelling is located to the north of the site, closest to the neighbouring bungalow. However, the separation distance of 16m will reduce any overshadowing or overbearing impact resulting from the proposed dwelling, thus causing no material impact to the amenities of the neighbouring occupants.

There is a balcony on the north elevation serving a bedroom but it is not considered to cause material harm to the amenity of the neighbouring residents due to the separation distance of 16m between the two properties.

There is another small balcony on the southern side elevation of the proposed dwelling which also serves a bedroom. There is a separation distance of approximately 17m between the proposed dwelling and the neighbouring flats to the south. However, the proposed garage will be located to the south of the application site and will help to obscure views from the balcony.

Following the submission of amended plans, reducing the overall size of the proposed garage, due to its nature and scale, together with the direction of the sun, there will be no material overlooking, overshadowing or overbearing impact upon neighbouring residents to the south.

Overall there are no amenity issues which would warrant a refusal of the proposal.

Highway Safety

It is proposed to utilise the existing vehicular access. The Local Highway Authority has raised no objection to the proposal subject to conditions relating to gates and barriers to open inwards; the laying out of the parking and turning area; and the garage to provide ancillary accommodation only.

Flood Risk

The application proposes the replacement of an existing dwelling house, which is situated in Flood Zone 3 and is at high risk of tidal flooding according to the Council's adopted Strategic Flood Risk Assessment (SFRA). The SFRA also shows the site to be in a Hazard Zone meaning that it would flood rapidly and to some depth in the event of a breach or over-topping of the flood defences.

NPPF states that development should be guided towards areas at lowest risk of flooding and should be subject to the Sequential Test and if required the Exception Test. This is reflected in National Planning Policy Guidance on development and flood risk. The same stance is broadly reflected in Policy CS08 of the Local Development Framework Core Strategy.

The proposal is for a replacement dwelling. Given this, it is not considered appropriate to apply the sequential test as the unit would remain even if other sites at lower risk of flooding were to be identified.

Policy CS07 – Development in Coastal Areas of the Local Development Framework Core Strategy states that the Council will, amongst other things, resist new and replacement dwellings and the extensive alteration of dwellings and relaxation of occupancy limitations unless the outcome of the Shoreline Management Plan (SMP) acknowledge the absence of risk or promotes the retention and/or improvement of local defences. The SMP does not acknowledge the lack of risk and improvement to the defences is not assured at present.

Detailed local guidance has been provided in a joint position statement between the EA and the Council, entitled Coastal Flood Risk – Planning Protocol, Wolferton Creek to Hunstanton (2010). This position statement is embodied in and will eventually be superseded by emerging Policy DM18.

Both the Protocol and DM18 state replacement dwellings will only be permitted in flood zone 3, where “all of the following 7 criteria are satisfied”.

The criteria are:-

1. A Flood Risk Assessment (FRA) must be undertaken for the development.
2. All habitable accommodation will be provided above ground floor level.
3. The dwelling will only be occupied between 1st April and 30th September in any one year.

4. The dwelling will incorporate flood mitigation and resiliency measures in accordance with CLG publication Improving the flood performance of new buildings: flood resilient construction.

5. The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/ overtopping of the tidal defences.

6. A flood warning and evacuation plan will be prepared for the property and retained on site.

7. The level of habitable accommodation provided by the new dwelling would not be materially greater than that provided by the original dwelling. Proposals should not result in an increase in the number of bedrooms over and above the number in the original dwelling.

1 - Flood Risk Assessment

The FRA states and the Supplementary Planning Statement indicates that the site is in an area where flooding could occur up to depths of +2.0m. The site survey shows land levels vary slightly with a level of +3.20m.ODN. If the maximum flood level of over +2.0m, and therefore the maximum level of the flood would be +5.20m.ODN this would be below the First Floor Level of +6.50m.ODN. This criteria is therefore satisfied.

2 - Habitable Accommodation

There is no habitable accommodation at ground floor. The proposal therefore satisfies the second point of the protocol. The EA agrees on this point.

3 - Occupancy

The existing dwelling has no occupancy restriction associated with it, therefore the applicant does not wish for the replacement dwelling to be restricted.

4 - Flood Resilient Construction

Details have been submitted with the application and these can be secured by condition.

5 – Able to Withstand Hydrostatic Pressures

Details of construction methods can be secured by condition. A similar approach has been adopted on other sites on South Beach Road and is considered to be appropriate in this instance as well.

6 – Flood Warning & Evacuation Plan

Full details can be secured by condition.

7 – No Material Increase in Accommodation

The existing property has 3 bedrooms and the proposed property also has 3 bedrooms, consequentially the proposal is considered to be in accordance with point 7 of the coastal protocol.

The proposal meets 6 of the 7 criteria in the protocol. Given the lack of any occupancy restriction on the existing dwelling, it is material for the Council to consider the fall-back position wherein that dwelling remains on the site and can be occupied all year round.

In this instance, any restriction on the new dwelling would be unreasonable given that the new dwelling would provide betterment in flood risk terms because: all the accommodation is at first floor level above likely flood levels; it would incorporate flood resilient construction techniques; be built to withstand hydrostatic pressures and occupants would have a flood warning and evacuation plan.

The betterment provided by the proposal is considered sufficient to justify approval of the application notwithstanding the EA's objection.

CONCLUSION

This proposal is for a single dwelling to replace the existing unit. The new dwelling is of an acceptable scale and appearance, so as not to cause any detrimental visual or neighbour amenity issues.

The EA has objected on the basis that the proposal is contrary to the Coastal Flood Risk Protocol and emerging policy DM18.

The existing property has no occupancy restriction so can be occupied all year round, including during the period when the highest risk of flooding occurs in the winter months. All the bedrooms in the existing house are on the ground floor. The existing dwelling is unlikely to withstand the hydrostatic pressures it would be subject to in the event of a severe flood.

The proposed property would not have an occupancy restriction either but habitable accommodation would be provided at 1st floor level above anticipated flood levels. There is no increase in the number of bedrooms to be provided. The new dwelling would be constructed to withstand hydrostatic pressures and would incorporate flood resilient construction techniques. A flood evacuation plan could also be secured.

The proposed dwelling therefore offers significant betterment compared to the existing house that would reduce the impact of flood events upon occupants as well as upon the structure itself. This betterment is a material consideration that can be set against the objections from the EA. In light of the betterment that would be secured, the application is recommended for approval.

RECOMMENDATION:

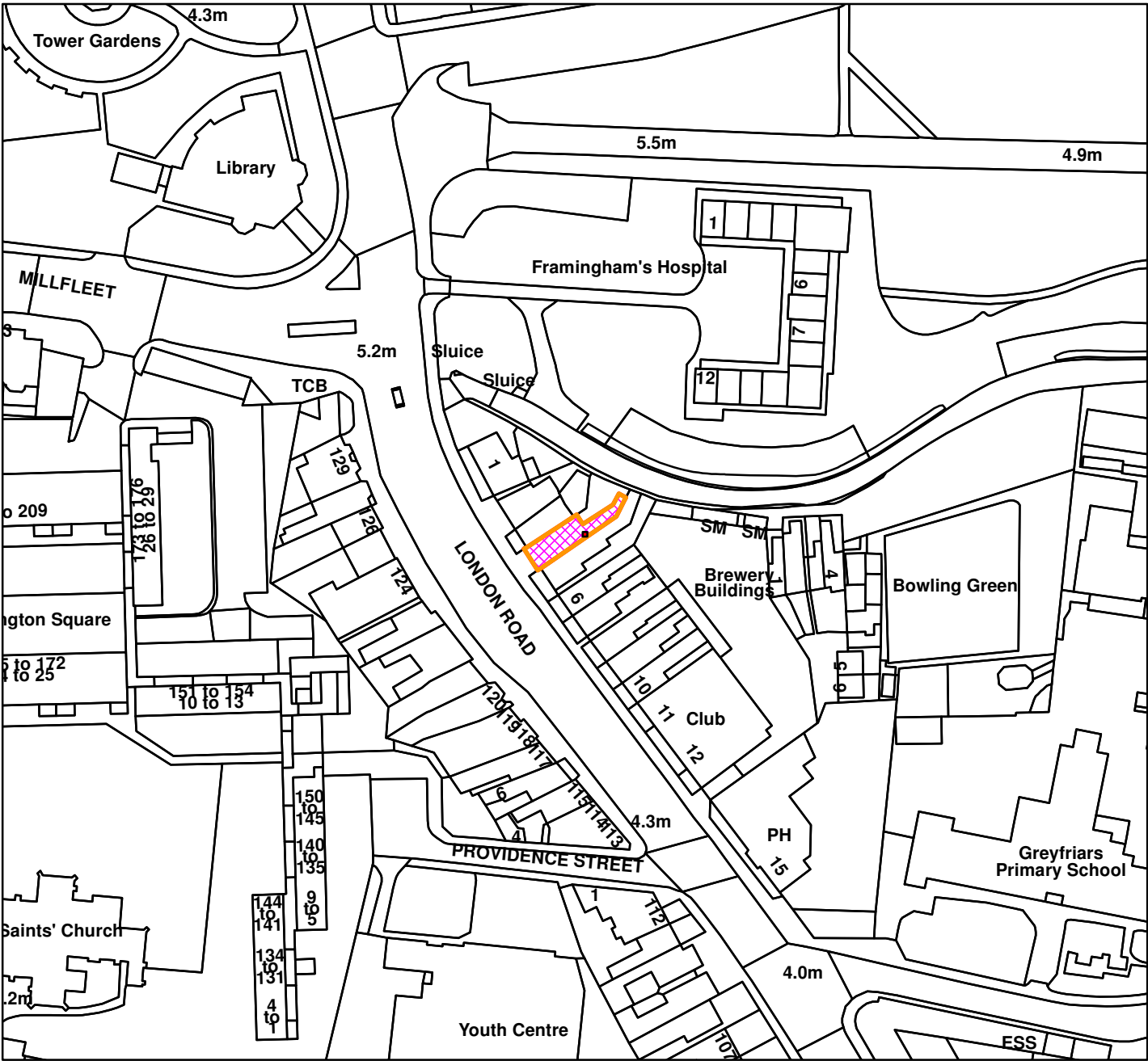
APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans as amended; 0955-12-1 Rev A and 0955-12-4 Rev A.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, in accordance with the approved plan and retained thereafter available for that specific use.

- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition The use of the garage building hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling and shall at no time be used for business or commercial purposes or as an independent unit of residential accommodation.
- 4 Reason For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF.
- 5 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 5 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 6 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 7 Condition Notwithstanding the details submitted with the application, prior to the occupation of the dwellinghouse hereby permitted full details of a flood evacuation plan shall be submitted to and be approved in writing by the Local Planning Authority. This flood evacuation plan shall include a commitment to sign up to an appropriate flood warning scheme as well as actions to take on receipt of different flood warning levels, evacuation procedures e.g. isolating services and taking valuables etc. and evacuation routes.
- 7 Reason To ensure the appropriate protection to the occupants of the development in accordance with the principles of the NPPF.
- 8 Condition Prior to any works associated with the construction of the replacement dwelling, including the laying of foundations, a scheme to demonstrate that the dwelling will be designed to withstand and be resilient to hydrostatic pressure resulting from a breach / overtopping of the tidal defences must be submitted to and be agreed in writing by the Local Planning Authority. The development must proceed in accordance with the approved scheme.
- 8 Reason To reduce the risks associated with flooding in accordance with the NPPF.

- 9 Condition Prior to the commencement of the development hereby approved, full details of the Flood Resilient Measures to be incorporated into the design of the building shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented and retained in accordance with the approved details prior to the first occupation of the development hereby approved.
- 9 Reason To reduce the risks associated with flooding in accordance with the NPPF.
- 10 Condition There shall be no ground floor sleeping accommodation within the dwelling or ancillary buildings hereby approved.
- 10 Reason To reduce the risks associated with flooding in accordance with the NPPF.

Istanbul Kebab House 4 London Road King's Lynn



Scale: 1:1,250

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	25/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(g)

Parish:	King's Lynn	
Proposal:	Change of use from A1 shop to mixed use of A3 cafe/restaurant plus A4 drinking establishment and A5 take-away. Internal alterations to provide seating and WC for customer use	
Location:	Istanbul Kebab House 4 London Road King's Lynn Norfolk	
Applicant:	Mr Oter Saik	
Case No:	16/00329/CU (Change of Use Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 22 April 2016 Extension of Time Expiry Date: 10 June 2016

Reason for Referral to Planning Committee – Cllr. Bambridge requested that the application be referred.

Case Summary

The application site relates to a two storey mid-terrace building operating under use class A3 (café) with ancillary uses (A4: drinking establishment and A5: takeaway) situated on the eastern side of London Road, King's Lynn.

The application seeks retrospective consent for the change of use from A1 (shop) to A3 (café) with ancillary A4 (drinking establishment) and A5 (takeaway) uses.

The site lies on the edge of Kings Lynn Town Centre, within an area of small shops, restaurants/ cafés and takeaways.

Key Issues

Principle of the change of use;
Relevant planning history;
Impact on neighbour amenities;
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site relates to a two storey mid-terrace building operating under use class A3 (café) situated on the eastern side of London Road, King's Lynn in a mixed use area of the Town Centre. There is a residential flat above which is let out by the owner / applicant. Residential dwellings are attached to both the north and south.

The application seeks retrospective consent for the change of use from A1 (a butchers shop) to A3 (café) with ancillary A4 (drinking establishment) and A5 (takeaway) uses.

SUPPORTING CASE

No supporting case has been submitted.

PLANNING HISTORY

06/02462/F: Application Refused: 16/01/07 - Variation of condition to extend the opening hours to close at 0100 Mondays to Thursdays, 0200 Fridays and Saturdays and Midnight on Sundays - Istanbul Kebab House , 4 London Road, King's Lynn - Appeal Dismissed 03/12/07;

2/97/0161/F: Application Permitted: 15/04/97 - Extension of trading hours to midnight (Monday to Thursday inc) 1.30 am (Fridays and Saturdays) and 11.00pm Sunday - 4 London Road, King's Lynn

2/03/1412/F: Application Refused: 04/09/03 - Extension of trading hours to 1.30am (Monday to Thursday inclusive) 2.00am (Friday and Saturday) and 1.30am Sunday - 4 London Road, King's Lynn

RESPONSE TO CONSULTATION

Parish Council: N/A

Highways Authority: NO OBJECTION

Environmental Health & Housing – CSNN: NO OBJECTION conditionally.

REPRESENTATIONS

None received.

NATIONAL GUIDANCE

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

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

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.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

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

- Principle of the change of use;
- Relevant planning history;
- Impact on residential amenities; and
- Other material considerations

Principle of Development

Chapter 2 of the NPPF sets out its objectives to promote vitality and viability of town centres. It encourages competitive town centres with a diverse range of complementary uses that provide customer choice. Provision should be made, where appropriate, for retail, leisure, office, commercial, cultural, community and residential.

Locally, the site falls within King's Lynn Sub-Regional Centre of the Core Strategy Settlement Hierarchy. In support of Spatial Strategies the Council will seek to promote the regeneration of Kings Lynn and focus major growth in and around the town to enable the sub-regional centre to deliver the services and facilities necessary. Throughout the urban area, schemes of renewal or replacement that positively contribute to the regeneration of the town will be encouraged where there is no detrimental impact upon flood protection; transportation network; local services and facilities; historic assets; public realm and crime prevention.

The northern end of London Road is characterised by a range of mixed uses, including residential, shops (of varying kinds), cafes, takeaways and restaurants. The application site was previously a butcher's shop and prior to that it operated as a takeaway.

In terms of the compatibility of uses, as this is an established mixed use area of the town, the principle of the change of use from A1 to A3 (with ancillary A4 and A5) is acceptable and meets the need to provide diverse town centres as set out in the abovementioned policies.

Relevant Planning History

There are residential dwellings attached to the application site to both the north and south. There have been complaints raised in the past regarding the takeaway that used to operate at the premises and the noise and disturbance associated with that use.

An application was submitted in 1997 (97/0161/F) to vary and extend the opening hours of the original application ref: 2/89/2946/CU/F to midnight Monday – Thursday, 1:30 on Fridays and Saturdays, and 11:00pm on Sundays. This was granted a temporary consent for one year to monitor the impact.

Once the temporary consent had lapsed, the takeaway was trading in breach of planning and licensing legislation.

Further applications were submitted (03/1412/F and 06/02462/F) to extend the opening hours until between 12:00 midnight and 2:00am but were refused following noise complaints to Environment Health. The proposed hours of use were considered to be unreasonable and would be detrimental to the residential amenity of neighbouring properties by virtue of late night noise and disturbance.

The takeaway changed use fairly recently to A1; a butcher's shop under the Use Classes Order Permitted Changes (which held a license for the sale of alcohol by retail). The proposed use started operating a few months ago under a different owner to the historic takeaway use.

The applicant has applied for a license, which has been granted, for the sale of alcohol for the consumption on and off the premises. Their license is strictly conditioned, including the following:-

- Opening hours Monday to Saturday 10:00 to 23:00 and Sundays 10:00 to 22:00;
- A noise management plan to be submitted;
- No deliveries or refuse collections made between 0800 hours and 1900 hours Monday to Saturday and at no time on Sundays or bank holidays;
- The main entrance door should remain closed after 7pm;
- Patrons shall be prevented from smoking / congregating in any outdoor area of the premises after 10:30pm;
- A CCTV system shall be maintained at the premises which shall record the front of the premises;
- A regular litter patrol must take place immediately outside the premises.

Impact on Residential Amenities

Emerging Development Management Policy DM15 (Environment, Design and Amenity) states that development must protect and enhance the amenity of the wider environment. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:

- Overlooking, overbearing, overshadowing;

- Noise;
- Odour;
- Air quality

Development which has significant adverse impact on the amenity of others will be refused.

CSNN have not received any noise complaints relating to the current uses and therefore raise no objection to the proposal. However, given the history of excessive noise from previous activities at the premises, they would recommend some conditions be attached to the permission, if granted, in order to minimise any adverse impact on neighbouring properties. These relate to amplified music; general noise protection and hours of use.

The LPA have also received no objections from local residents regarding the change of use. Whilst elements of the proposed use are similar to the historic use, a takeaway is not the main use which is associated with attracting late night patrons when leaving bars and nightclubs, thus more likely to cause noise and disturbance. The main use of the premises is a café with ancillary (small scale) drinking and takeaway uses.

The noise and disturbance problems associated with the historic takeaway use existed after midnight until at least 2:00am. Opening hours have been strictly controlled by conditions within the premises License and can also be controlled under the planning permission to reinforce this. The opening hours as applied for and recommended by CSNN will be altered slightly to reduce Sundays closing hours to 22:00. This will accord with the License condition, which was reduced to appease the neighbours' concerns.

The use of conditions will protect residential amenity and reduce the significant adverse impacts of antisocial behaviour, in accordance with emerging Development Management Policy DM15.

A condition will also be imposed requesting details of the ventilation and extraction equipment for the kitchen in order to ensure that cooking smells are dispersed properly and noise from the system does not disturb neighbours.

Other Material Considerations

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

CONCLUSION

Given the site is located within an established mixed use part of the town where residential uses neighbour other A1, A2, A3, A5 and other such uses, it would not be unreasonable to approve the proposed use in this location.

Taking into account the history of noise and disturbance associated with a takeaway at the premises, the current / proposed use is a less intense use which is less likely to cause antisocial behaviour, particularly given the restricted opening hours. There have been no objections to the planning application or complaints to CSNN regarding noise and disturbance associated with the proposed use which currently operates at the premises and has done so for a few months.

The recommended conditions will protect residential amenity in accordance with emerging Development Management Policy DM15 and negate any significant adverse impact relating to antisocial behaviour.

In light of national and local planning policy and guidance and other material considerations it is recommended that this application be approved subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted has been determined in accordance with the following approved plan titled; 'Proposed New Layout' at a scale of 1:100.
- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition The premises shall only be used between the hours of 8am and 11pm Monday to Saturday and 8am to 10pm on Sundays and Bank Holidays unless otherwise approved in writing by the Local Planning Authority.
- 2 Reason In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.
- 3 Condition No amplified or other music shall be played in the premises at any time.
- 3 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 4 Condition Within 28 days from the date of this decision a scheme to protect the nearby residents from noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved at a timescale to be agreed.
- 4 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 5 Condition Within 28 days of the date of this permission, a detailed scheme for the ventilation and extraction of fumes/cooking smells shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the precise details of the flue extraction equipment to be used, including: the stack height; the design and position of all ductwork; the noise/power levels of the fan(s); the number, type and attenuation characteristics of any silencers; details of anti-vibration mounts and jointing arrangements in the ductwork; the number of air changes per hour, and the efflux velocity. The scheme shall be implemented as approved within a timeframe agreed and thereafter maintained as such.
- 5 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.

Riverside Business Centre Cross Bank Road King's Lynn



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



Organisation	BCKLWN
Department	Department
Comments	1:5000
Date	26/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(h)

Parish:	King's Lynn	
Proposal:	Construction of 300m of road.	
Location:	Riverside Business Centre Cross Bank Road King's Lynn Norfolk	
Applicant:	Mr Michael Stollery	
Case No:	16/00531/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 13 May 2016

Reason for Referral to Planning Committee – Called in by Cllr. Moriarty

Case Summary

The application site lies within an area designated as Countryside according to local plan proposals Maps for King's Lynn.

The site lies between the River Great Ouse and the existing byway on the higher level land.

The application site is relatively flat and is to the north of the route provided by the EA.

The proposal seeks consent to provide a road that extends from the EA route and diverts back onto the existing BOAT navigating around the turbine blades.

Key Issues

Planning History and Principle of Development
Impact upon Amenity
Flood Risk
Highway Safety
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The site is approximately 2.2km north of the junction of Crossbank Road and Edward Benefer Way; 415m south of Point Cottages on Crossbank Road; 275m east of the Sewerage Works, West Lynn; and 20m west of an existing byway that is open to all traffic (BOAT 1). The site is relatively flat and comprises a grassed area on the western side of an existing hedge that flanks the existing byway.

The site is approximately 20m west of the applicant's Wind turbine.

The site can be seen from distant views from West Lynn.

The application site is approximately 300m in length and 4m wide.

This application seeks consent for engineering works to provide a roadway beyond an existing hard surfaced area provided by the Environment Agency, on the applicant's land.

SUPPORTING CASE

The application has been supported with the following suite of documents:-

Planning Statement

- The construction of a new route is required to comply with the provisions of the stopping up order for BOAT 1
- Provision of a 5 bar gate.
- The stopping up of BOAT 1 is required in order to facilitate a diversion to comply with a condition on the wind turbine application
- The first 700m of the new BOAT has been constructed by the EA under its statutory powers
- The application seeks permission for the engineering works for a 300m part of the BOAT x 4m in width x 300mm deep.
- A geo-textile membrane will be laid in the channel,
- 500 tonnes of Type 1 crushed concrete will be laid to a depth of 250mm and 200 tonnes of road planning to complete the surface at a depth of 50mm.

An updated statement

- The removal of a 5 bar gate from the proposal.
- During elements of higher tides, where parts of the new road are flooded, the upper section can be used. Mickram Ltd will enable this via alerts from the EA.

Flood Risk Assessment

- it is intended to continue the surface of the existing access road that was installed by the EA, that suggests a surface level of 4.58m AOD.
- During times of tidal inundation access

PLANNING HISTORY

In relation to this application, the following planning applications are relevant:-

15/00591/F: Application Refused: 16/03/16 - Removal of condition 10 for planning permission 14/00398/F

14/00936/F: Application Refused: 15/09/14 - Removal of condition 11 of planning permission 14/00398/F: for new site layout, smaller turbine and external transformer Appeal Dismissed 08/01/16;

14/00398/F: Application Permitted: 04/06/14 - Variation of Condition 2 of Planning Permission reference 13/01191/F to allow a new site layout, a smaller turbine and the transformer to be externally housed

13/01191/F: Application Permitted: 04/12/13 - Erection of a 500kw wind turbine

RESPONSE TO CONSULTATION

Parish Council: N/A

NCC Highways: this application impacts a section of public right of way and therefore for the NCC comments in relation to this aspect would need to be provided by our Public Rights of Way team

PROW Officer: OBJECTION No flood risk assessment has been provided, the application plan does not match the diversion order plan.

Insufficient detail about the placement of the route to be constructed in relation to the riverbank. A cross section drawing supplied as part of the diversion order was based on information provided by the EA about the placement of the route in relation to existing features, which ensured the route remained higher up the bank and at less risk to flooding events.

NCC has provided a construction specification but would not recommend removal of the topsoil only vegetation.

This application only covers the northern end of the route. The remainder of the route, originally constructed by the EA may require additional work to bring up to a suitable standard to become the new route for the Byway. NCC has concerns about both the alignment and quality of construction of this section which will be the subject of future discussion with the applicant. This of course could be covered by a separate planning application in due course and does not directly affect this current application.

The application refers to the erection of a gate on the current route of the byway. The gate itself may not require planning consent.

Revised comments from the highway's officer in regards to the revised proposal, involving the removal of gates from the scheme, will be reported in late correspondence.

Internal Drainage Board: NO OBJECTION but would like to highlight the following points:-

- The board suggests liaising with the EA and the Emergency Planning team about the safety of the new route. The amended route may not be safe to use with river levels somewhat lower than those required to trigger the EA's flood alert system.
- The board is pleased to see the applications assertion that the existing rights of access will not be affected by the proposals, and that the current route will be available to all
- The EA route was only a temporary feature, installed to assist contractors undertaking bank revetment repair works along the River Great Ouse.
- The applicant would have to obtain prior written consent from the board for any section of the track above/adjacent to the Board's discharge pipe

Civic Society: OBJECTION there is no safe land west of the existing by-way on which to build a new road. It will consistently flood and the river bank is equally unsustainable requiring a huge amount of work relative to the gain.

A re-routed byway will disrupt the continuity of the river bank

Environment Agency: NO OBJECTION the applicant already has Flood Defence Consent for the work (reference: CB-2014-162) and we have no further concerns on the submission of this application.

The site is located within Flood Zone 3 of the EA Flood Map. The site also lies within Tidal Category 3 on King's Lynn and West Norfolk Strategic Flood Risk Assessment for the predicted situation in 2115. However, the work itself will not impact on flood risk in this location and has no impact on the tidal defences.

A condition is requested that the development be carried out in accordance in the FRA and the mitigation method that when the re-aligned road is flooded the EA will be allowed to use the original access road.

Emergency Planning Officer: NO OBJECTION

Ramblers Society: OBJECTION The cross section would have more relevance and meaning if it was a cross section of the whole slope or shelf from the river to the top of the bank, and showing where the byway were to sit. It would be more logical to enforce condition 11 of 14/00398/F and move the turbine away from the BOAT.

REPRESENTATIONS

FIFTY THREE letters of **OBJECTION** to the application on the following grounds:-

- The road will be prone to flooding
- Hinder access to point cottages
- Hinder access for emergency vehicles
- Not wide enough for 2 way traffic
- Affect the ability to use the area for leisure pursuits
- No barrier between the new track and the river
- Erecting of a gate along the present byway will hinder access
- The risk of travelling under the turbine blades is less than the risk of going to the river bank especially in dark or in icy conditions.
- Concerns about protected species being disturbed in the hedgerow.
- Should not be approved as a method to overcome the condition on the turbine permission
- No relative heights shown on the cross section drawings
- Who is going to be responsible for the upkeep of the roadway
- Contrary to points 3 and 13 of the Human Rights Act, preventing the right to live in freedom and safety and the freedom to move and travel.
- Part of the existing track which will be used for the BOAT is not suitable.
- Documents in the planning portal however indicate that it is possible to make adjustments to the operation of the turbine.
- The council has to take due regard to the health and safety of the public and in this case would not expect them to be forced to drive into the flood channel.
- The planning department stated that December 2014 the moving of byway would not be a suitable solution
- The Public Right of Way diversion is longer than necessary is this to facilitate an anaerobic digester plant?
- Material will be deposited on the track leading to hazardous obstructions
- No room to create passing places

- Impede the common law right of fishing along the Ouse.
- Ice shards would fall on people opening up the access gate
- Service vehicles will not drive along the lower track for safety reasons.
- The BOAT can be diverted onto the adjacent farmland
- The applicant has queried the rights of those at point cottages to gain access to their properties
- The hedge has been partially destroyed

SIX letters of SUPPORT

- The proposal will not stop people doing what they do now
- Car access to the road will still be available and passing place in place
- Better views of the river
- No lower than the current section which is already there
- No closer to the river than the tarmac level of the road.
- The applicant has written to the residents advising them that anybody who has a legal right and the emergency services will be able to use the upper route.

SIXTEEN letters of **OBJECTION** to the revised proposal since the removal of gates being erected as part of this application

- The possible option of having a route on lower land is not acceptable
- Has advice been sought from emergency services in regards to the suitability of the proposal.
- No cross sectional drawing of the road that shows the river bank.
- Welfare of animals.
- Upkeep of the road.
- Why is part of the road not the same standard.
- The length of diversion is not necessary.
- The higher route will only be opened when the lower route is flooded.
- No need for the alternative route.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

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

- Planning History
- Impact upon Amenity
- Flood Risk
- Highway Safety
- Other Material Considerations

Planning History

The application has been made in order to facilitate compliance with condition 11 of 14/00398/F. 14/00398/F was a variation of planning condition 2 on 13/01191/F to allow a new site layout, a smaller turbine, and the transformer to be externally housed.

Condition 11 of 14/00398/F states the following:-

Prior to the installation of the turbine hereby approved details of how the turbine shall be set up to prevent the blades rotating when they are over-hanging Byway Open to All Traffic No.1 shall be submitted to and approved in writing by the Local Planning Authority. The turbine shall be installed in accordance with the agreed details and thereafter maintained in accordance with them.

The applicant applied to remove Condition 11 to 14/00398/F, under application no. 14/00936/F, which was refused by the Planning Committee on the 1st September 2014 and unsuccessfully appealed (Appeal reference no. APP/V2635/W/14/2228508 – determined 7th January 2016)

The Inspector determined that the oversailing of the byway by the blades would be an overwhelming sight when crossing directly underneath and would diminish enjoyment of the route or cause anxiety, whether on foot, using a bicycle or in a vehicle in terms of the perception of risk. The biggest perceivers of risk would, according to the inspector, be horse riders.

The inspector concluded that the condition enabled the turbine to function, and was not an onerous condition. The condition was stated to be reasonable, necessary, relevant to planning and to the development, precise and enforceable.

The inspector concluded that planning policies should protect and enhance the public rights of way, and should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings and considered that the protection of this public right of way from the active oversailing by the blades of the wind turbine is in accordance with the thrust of that policy.

The turbine has been erected and is fully operational and is in breach of condition 11. Whilst never being able to apply to formally discharge condition 11 of 14/00398/F, as details of how the blades will not rotate over the byway should have been agreed prior to the installation of the turbine, the applicant has sought to comply with the restriction of the blades oversailing the byway whilst rotating by stopping up the existing BOAT and providing a new BOAT at lower level.

The stopping up order for the existing BOAT comprises of two separate processes before it becomes effective; the “made” stage and the “authorisation” stage. At present the stopping up order has passed the made stage, no objection to the stopping up order was received at this stage and the Secretary of State has authorised the stopping up order subject to compliance with a number of conditions that are to be enforced by Norfolk County Council. No part of the highway will be stopped up pursuant to this Order until the Council (Norfolk County Council) certify to the developer that the provisions of article 3 (1) of this Order have been complied with. The first provision relates to:-

1. The developer shall to the reasonable satisfaction of the Council provide a new highway which shall be a Byway Open to All Traffic, which will provide the realigned Byway Open to All Traffic 1 (BOAT1) route to replace the length of that Byway which is to be stopped up as described in the Schedule) along the route shown.

It is the engineering works that are required to satisfy the first provision of the Order that are the subject of this application only. The merits of stopping up the byway are not being determined in this application.

Impact upon Amenity

The proposed roadway will be 4m wide as required by the Order and is 300m in length. The road surface will be 300mm above the existing ground surface; the first 250mm will be crushed concrete and 50mm of road planings to finish off the surface.

The finish to the surface of the road does not cause any detrimental visual impact.

Paragraph 17 of the National Planning Policy Framework requires local planning to seek a good standard of amenity for all existing and future occupants of land and buildings.

By no longer erecting gates on the existing BOAT and the new roadway, which is subject of this application, no-one's enjoyment of land and buildings beyond the applicant's land is detrimentally affected. A condition is attached to the decision notice which prohibits the erection of gates and fences on the applicant's land.

Flood Risk

The new road will be on a lower level than the existing route and 20m away from the existing BOAT route. The road will be susceptible to flooding during high tides as referred to in the Flood Risk Assessment.

The Flood Risk Assessment states that the road is to be built on top of the existing surface, in accordance with NCC specification in order to comply with the stopping up order in the maintenance of the new BOAT, when the order becomes effective. This would render the road to be 4.393m AoD. The road will be covered at high tide on a total of 16 occasions in the year.

The Environment Agency has no objection to application. The works will not impact on the existing levels of flooding experienced in this location and has no impact on the tidal defences. A condition is requested by the EA that they will have access to the original BOAT in the event of the tide being flooded this would be in line with paragraph 4.4 of the FRA. However this is not necessary, a condition that restricts the permitted development rights for the erection of gates and means of obstruction on this will ensure under planning legislation that route remains open.

The Emergency Planner originally objected to the scheme. The Emergency Planner was concerned that no flood risk assessment had been carried out, in particular stating, it would be of benefit to have data indicating at what level flooding may occur, potential depth and how often the proposed access/egress properties and land and how emergency access were required this could be a concern.

Following the submission of the Flood Risk Assessment carried out by Engineering Support Practice and a statement provided by the applicant, the existing route will be made available at all times and the proposal has removed the erection of gates prohibiting access to the higher, existing BOAT. A condition is imposed that the land outlined in red and blue, will have the permitted development rights for the erection of gates removed.

Highway Safety

Norfolk County Council Highways department has no objection to the proposal. However, the Public Rights of Way officer objected to the application as no flood risk assessment was provided, the application plan does not match the diversion order plan and insufficient detail provided in relation to the construction specification of route and its siting in relation to the riverbank.

According to the Public Rights of Way Officer, the diversion order proposal was meant to be 3.5m from the hedgeline, as shown on a cross-sectional plan. The cross-section however was not to scale, and was a "typical cross section" through the road. The order plan clearly identifies the route being some 20m away from the existing BOAT.

The rights of way officer requires that the construction of the route should not remove the topsoil, which has now been addressed in further correspondence. NCC highways officer also requires the upgrading of the EA route, outlined in blue. The upgrading of the EA route needs planning permission and would be the subject of an additional planning application.

The applicant has been made aware of this issue.

The application has now provided a flood risk assessment, and the location plan is aligned with the BOAT order plan. The cross-section shows the road being built on top of the existing surface and its specification referred to in earlier correspondence.

The cross-section that was submitted with the BOAT order and any inaccuracies with the cross section that formed part of the Stopping up Order is an issue for NCC highways to resolve.

The Public Rights of Way Officer's comments in regards to the revised proposal, i.e. removal of the gates and the submission of the FRA will be reported in late correspondence.

CONCLUSION

The application relates solely to engineering works to provide a road at lower level than the existing BOAT.

The road is intended to be used as part of the revised BOAT route which has been the subject of a stopping up order. The stopping up order is at the authorisation stage, which requires any form of planning permission for any engineering works to provide the surface to the new BOAT to be determined as its first proviso.

The flood risk assessment and accompanying cross-sectional drawings identifies that the road will be 300mm higher than existing site levels and whilst susceptible to flooding, the applicant has stated that the existing BOAT will be free to all traffic movement.

Subject to conditions the proposal is considered to comply with the provisions of the National Planning Policy Framework, National Planning Practice Guidance and Local Plan Policies.

RECOMMENDATION:

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

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 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 The development hereby permitted shall be carried out in accordance with the following approved plans
 - Location Plan BOAT 1 - received 22 May 2015
 - BOAT 1 plans received 8th May and 24th May identifying blue land ownership
 - Cross Sectional drawings - received 24th May 2015.
 - Cross Sectional drawing of road construction in so far as materials only received
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the following parcels of land:-
 1. The land that forms part of this application outlined in red on location plan received 22nd May 2016

2. The blue land as identified on BOAT 1 plans received 3rd May 2016
3. The blue land as identified on BOAT 1 plans received 24th May 2016 unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 3 In the interests of safeguarding public amenity and in the interests of flood risk in respect to the residential neighbours at Point Cottages in accordance with the principles of the NPPF

Appeal Decisions

Site visit made on 15 September 2015

by Mrs Zoë Hill BA(Hons) DipBldgCons(RICS) MRTPI IHBC

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

Decision date: 7 January 2016

Appeal A Ref: APP/V2635/A/14/2228508

Riverside Business Centre, Crossbank Road, King's Lynn, Norfolk

PE30 2DH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with a condition subject to which a previous planning permission was granted.
 - The appeal is made by Mr Michael Stollery against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref: 14/00936/F, dated 25 June 2014, was refused by notice dated 15 September 2014.
 - The application sought planning permission for the erection of a 500kw wind turbine without complying with a condition attached to planning permission Ref: 14/00398/F, dated 4 June 2014.
 - The condition in dispute is No. 11 which states that: Prior to the installation of the turbine hereby approved details of how the turbine shall be set up to prevent blades rotating when they are overhanging Byway Open to All Traffic No.1 shall be submitted to and approved in writing by the Local Planning Authority. The turbine shall be installed in accordance with the agreed details and thereafter maintained in accordance with them.
 - The reason given for the condition is: In order to preserve the amenity of users of the by-way.
-

Appeal B Ref: APP/V2635/W/15/3005780

Riverside Business Centre, Crossbank Road, King's Lynn, Norfolk

PE30 2DH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Michael Stollery against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref: 14/01381/F, dated 23 September 2014, was refused by notice dated 12 February 2015.
 - The development proposed is to erect a 500Kw Wind Turbine, Max hub height 75m, Max tip height 102m.
-

Preliminary Matters

1. On the 18 June 2015 a Written Ministerial Statement (WMS) was made in respect of on-shore wind turbine development. The main parties have been given the opportunity to comment on this WMS which I shall refer to in this Decision.

2. In terms of Appeal B the appellant has requested that I consider a larger red-line application site to accommodate a different wind turbine with larger blades (but the same maximum tip height) to that considered by the Council. I am not satisfied that this would be acceptable given that all consultations and all assessments (including visual, noise and ecological assessments) on which consultations were made relate to a different scheme. I therefore shall deal with the appeal on the basis of the scheme which the Council considered.
3. The Council's Statement for Appeal B says that the BOAT is the subject of a stopping up order. However, nowhere else is this referred to and there is no indication that the byway has been stopped up. I therefore have dealt with it on the same basis as the main appeal documentation before me; that is that there is no restriction on the BOAT No.1.

Decisions

Appeals A and B

4. Both appeals are dismissed.

Application for Costs

5. An application for costs was made by Mr Michael Stollery against King's Lynn and West Norfolk Borough Council in respect of Appeal A. That application is the subject of a separate Decision.

Main Issue for Appeal A

6. The main issue in Appeal A is whether the condition is necessary, having regard to the impact of the wind turbine upon the users of the Byway Open to All Traffic (BOAT), and reasonable in all other respects having regard to the advice on the use of conditions set out in the Planning Practice Guidance.

Reasons - Appeal A

7. The wind turbine, the subject of this appeal, has already been erected. I saw that the blades would fully oversail the BOAT which runs along the river bank to the north-east side of the Great Ouse. Whilst there maybe limited risk to pedestrians or drivers from the oversailing, given the scale and height of the structure, it is likely to be an overwhelming sight when crossing directly underneath and I note that in respect of the linked appeal, of which all parties are aware, the owners of No 1 Point Cottages, which only gains access along this route, have safety concerns about the oversailing. Point Cottages consist of a group of 4 cottages. Also accessed by this route is Point Green Nature Reserve which is managed by Natural England. In terms of access along the route I consider that oversailing by such large blades would, for some people, diminish enjoyment of that route or cause anxiety, whether on foot, using a bicycle or in a vehicle, because of a perception of risk from the oversailing. Whilst perception of risk is not the same as safety concerns, the harm to the enjoyment of this public right of way is a matter to which I attach weight.
8. However, I agree with the Council that the biggest safety risk, is likely to be that for horse riders who are entitled to use a BOAT. The appellant has provided, for the purposes of the appeal, an assessment of activity on the track which indicates no equestrian use. However, it is not clear why the dates surveyed were chosen. The supporting text refers only to 1-24 October 2014.

It is unclear as to whether such a period is likely to reflect times of greatest use. Nor is there evidence relating to what else might have been happening on the route at that time which may have affected the findings, for instance development works for the installation of the wind turbine. This limits the weight I can afford it. Moreover, it was evident at the site visit that horses/ponies are kept in the paddocks near to the turbine area, a matter also recorded in the Council's committee report when considering the proposal to erect the wind turbine, and so there is a strong likelihood of use of this track for equestrian purposes. Furthermore, it is reasonable to consider the impacts on all user groups of a public right of way (PROW).

9. In line with the PROW officer's initial assessment, and as I heard on site, the noise from the wind turbine is likely to be significantly greater for those on the track approaching the turbine when the blades are in a position which will oversail the route. Thus, the visual impacts would be exacerbated by the associated noise, which may be particularly alarming for horses, and would further diminish the attractiveness of the route for walkers. Whilst in a later report the PROW officer suggests the open nature of the path is likely to give approaching horses chance to adjust to the presence of the turbine I do not consider that openness is particularly helpful in this location. This is because it does not give a rider the comfort of an alternative route. Rather there is a bramble covered bank at one side and a scrubby bank at the other beyond which there is the tidal channel of the River Great Ouse.
10. It is not for me to consider whether or not it was acceptable to locate a turbine so close to a BOAT in dealing with this appeal. However, I have no doubt that the condition imposed on the wind turbine I saw, which is so close that it fully oversails the BOAT, was in accord with the requirements for conditions as it was necessary to resolve a concern that could only be addressed by the condition or else the scheme should have been refused. As such, the condition does not unreasonably restrict development; rather it allows for it to happen.
11. In terms of reasonableness and viability the appellant, in a new point made since the Council considered the proposed removal of the condition, has provided a letter which sets out that adapting the yawing action of the wind turbine to restrict its movement over the BOAT is likely to significantly impact on the viability of the wind turbine as it could well result in production being reduced by 60%¹. However, the developer has constructed the wind turbine in full knowledge of the condition which it is clear would have required some consideration of the restriction in advance of the build given that the details of the scheme for shutting down had to be agreed with the Council prior to commencement. It is also likely that the turbine was constructed after the appellant received the letter regarding impact on viability given it was dated 30 September 2014. Thus, whilst that may be a significant issue for the appellant, it was a developer risk of which he should have been aware before the time of construction.
12. Moreover, it adds to my concerns as it implies that the wind turbine would spend much time oversailing the BOAT increasing potential risk to equestrian users and reducing the attractiveness of the BOAT for them and other users of this right of way. This also clearly contradicts the reported evidence supplied to the Council at the time the application for this wind turbine was submitted as

¹ This is a little unclear from the letter which says "the expected production will be reduced with at least 60%". But the interpretation I have used reflects that of the appellant

the committee report states 'the applicant has provided wind direction data that indicates the prevailing wind direction is from the southwest and that consequently the turbine will spend most of its time aligned with the blades along a northwest-southeast axis. In this position the blades would not oversail the highway'.

13. I am satisfied that the condition is acceptable in respect of the other tests for conditions set out in the Framework, in that the condition is relevant to planning and to the development, precise and enforceable. On that latter point I note the Council Officer appears to have thought, in dealing with the application to which this appeal relates, that it was not possible to close down the turbine when it oversails the BOAT. However, from my professional experience I am aware that this is both possible and enforceable and I also note that the appellant does not dispute this point.
14. The Framework makes it clear that planning policies should protect and enhance public rights of way, and should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. I consider protection of this public right of way from the active oversailing by the blades of the wind turbine is in accord with the thrust of that policy. The Framework, which the Council's Core Strategy policy CS08 is in line with, sets out that planning authorities should approve applications for renewable energy development if its impacts are, or can be made, acceptable. In terms of decision taking, it advises that, local planning authorities should look for solutions rather than problems and that they should consider whether unacceptable development could be made acceptable through the use of conditions. It seems to me that the Council has acted in the spirit of that national policy and it has sought to support development to the point to which it can be regarded as sustainable.

Conclusion - Appeal A

15. In terms of the Appeal A I conclude that the condition is both reasonable and necessary and satisfies all other tests for conditions and, as such, the appeal is dismissed.

Other Matter - Appeal A

16. Whilst the application to which this appeal relates was in respect of one condition, the appellant seeks another condition is considered too. However, I have dismissed the appeal on the condition which had been the subject of the application and so will not be drafting a new decision which would necessitate looking at the other conditions.

Main Issues for Appeal B

17. The main issues for Appeal B are the effect of the proposed wind turbine on:-
- (a) the character and appearance of the surrounding landscape, having particular regard to cumulative impacts with existing wind turbines;
 - (b) the setting of the King's Lynn Conservation Area; and,
 - (c) the benefits of the scheme and how they balance with conclusions on the first two main issues.

Reasons - Appeal B

Character and Appearance

- Landscape

18. The landscape surrounding the appeal site is identified in the Landscape Character Assessment for this Area (prepared by Chris Blandford Associates in 2007) as being within the long stretch of drained coastal marshes of North Wootton. Sea banks are a key element on the skyline in views to the west, evoking a strong sense of place. Openness, with vast skies, is apparent throughout the area, brought about by the flat, low-lying landform with its lack of built structures and vertical elements. The main land use in this uncomplicated landscape is farming. Field boundaries include drainage ditches. There is some vegetation with tree groups, isolated farmsteads and caravan parks. It is described as tranquil though tranquillity is disturbed at the urban edge, and urban fringe characteristics such as pony paddocks are noted. The landscape planning guidelines include conservation of panoramic views and screening of the King's Lynn settlement edge. This descriptive landscape character document reflects what I saw although I also observed that there are some pylons on the urban fringe and approaches to King's Lynn.
19. I have also noted the appellant's comments regarding the Wind Turbine Development – Landscape Character Assessment, Evaluation and Guidance Report Adopted 2003 which, as he explains, describes the character of the landscape in similar terms. The appellant also records that this document concludes that this engineered flat landscape has capacity for wind turbines, including for single and small scale groups.
20. Clearly things have changed since those documents were produced. More recent Government advice in the Planning Practice Guidance (the Guidance) identifies that the impact of wind turbines can be as great in predominantly flat landscapes as in hilly or mountainous areas. In more site specific terms, I have seen that two wind turbines have been erected in the urban fringe/river corridor. However, those changes, whilst introducing striking features of vertical emphasis, with added rotational movement, do not significantly dominate the wider landscape.
21. That said adding a further turbine, possibly of slightly different form to those existing (which themselves are of differing design), would begin to significantly consolidate the wind turbine development along that part of the Great Ouse which flows from King's Lynn to the sea. The consolidation would be more significant as the proposed turbine would fill a gap in between two existing wind turbines. This consolidation of turbine development would be particularly noticeable from rural view points on both sides of the river, for instance at viewpoint 5 (North Wootton) and from the lanes in this area, at viewpoint 7 (the Ferry Terminal), and at viewpoint 3 (Clenchwarton) and the lanes towards the sewage works. The impact on viewpoints 3 and 7 would appear more significant as the backdrop appears more open when seen from the opposite side of the river, beyond its expanse, and the existing turbines appear more strident.
22. On the matter of landscape impact I concur with the Council that there would be harm, but in my view moderate harm, as a result of the consolidation. The harm would be that the landscape would become defined as one where the eastern side of the coastal river approach to King's Lynn, would begin to appear lined by wind turbines. I note that the riverside location renders the

character of this site as different to the wider area of agricultural land. In my view the development would, because of the cumulative impact and particular location, have an adverse influence on the wider landscape character of the coastal marsh area.

- Local Character

23. Closer to, when arriving at the proposed turbine site the sequential approach takes one through the industrial estate such that the first turbine approached appears in keeping and the relationship is eased by the distance from the PROW. However, in approaching the proposed turbine site along the PROW the existing furthest wind turbine is a dominating and significant feature, particularly given its proximity to the track. Adding a further wind turbine would have the effect of consolidating the urbanised appearance of the route this track takes and would render it a much less pleasant coastal route to Point Cottages and the nature reserve as can be seen in viewpoint 1 (Public Byway BOAT1). I note that this photomontage lines up an existing turbine with the proposed turbine reducing the impact from the viewpoint, a situation which would only be seen at one point along the track, so that it does not provide a particularly useful image of what would be seen for those using the route. That photomontage is also directed towards the town rather than towards the open countryside and sea beyond so represents the least impact when seen from this track. Even so, the harm that would arise is notable.
24. I have already concurred with the owner of one of the cottages that the oversailing by the blades of a turbine would appear overwhelming for people using this route, adding a further turbine which would oversail would significantly exacerbate that harm even if the blades were not moving.
25. In terms of localised character the proposed development, both individually (given its proximity) and cumulatively, would detract from the character and appearance of the area and, in particular, of BOAT No.1. This harm counts considerably against the scheme.
26. The Guidance identifies the need to consider both landscape and visual impacts. The proposed development would harm the character and visual appearance of the surrounding area, particularly in respect of cumulative impacts with existing wind turbines. The scheme would fail to accord with the Council's Core Strategy policy CS06 insofar as it seeks to maintain the local character and high quality of the rural area. This broadly accords with the Framework but is a general policy rather than one specific to renewable energy.
27. Policy DM20 of the Draft Management Policies Document, to which I can only accord limited weight given it relates to a pre-submission document and so may be liable to change, requires consideration of various factors, including landscape, when assessing renewable energy schemes. Where the impacts can be satisfactorily mitigated such schemes will be supported but that would not be the case here so that conflict with the provisions of this policy would arise too.

Conservation Area

28. The appeal site is not situated within a Conservation Area. However, being situated seaward from the heart of King's Lynn, the Council considers that it

would adversely affect the setting of the King's Lynn Conservation Area and particularly the St. Margaret's Area. The Conservation Area Statement records, in terms of setting and location, that King's Lynn is a low-lying conurbation, with salt marshes to the north and the dyke-lined Fens stretching away to the south and west, often below sea level. Huge skies dominate the nearly featureless landscape. It also records 'one of the best views is from West Lynn over the River Great Ouse to the long and varied quays of the town'. The surrounding low lying fields and watercourses significantly contribute to the setting of the town, giving it both visual status and direct links to its historic establishment and development derived from water for both transport and agricultural purposes. The landscape is largely rural in appearance although there are power lines which serve the settlement.

29. From within the quayside area there would be views out towards the proposed wind turbine. Viewpoints 2 and 6 clearly show that the wind turbine would have a distinct impact on views out along the River towards the sea. I appreciate that two existing wind turbines can be seen in this view, one being the wind turbine which is the subject of Appeal A and the other being a turbine located closer to the town on land near to the dockside industrial estate. That latter turbine, despite being closer is less prominent because its main mast is screened from view by buildings and, as I saw, views are largely limited to a single blade, out of three, being seen at any one time.
30. The proposed wind turbine would be seen between the two existing wind turbines and, in this instance, in some quayside views the whole of the proposed structure would be seen. I appreciate that it would also be seen with the existing linear features, of electricity pylons situated to the north of the King's Lynn, and that there is a strong vertical emphasis within the townscape at this point formed by buildings, street furniture and quayside features, as well as by boat masts when tied alongside or anchored nearby. Despite those elements which would help assimilate the proposed wind turbine, it would add to visual clutter in views out of the Conservation Area towards the sea. The existing clutter detracts from the 'nearly featureless' landscape in which views to the level horizon, formed by the tidal river and the surrounding, nearly flat, drained land form a distinct setting for the historic core of the settlement seen from the quayside. As such, the addition of a further turbine would result in cumulative harm to the historic setting of the Conservation Area which would detract from its significance by eroding the historic landscape setting that links the town to the sea and the visual importance of the quayside within the Conservation Area.
31. The quayside in the St. Margaret's area of the Conservation Area is not a large area, and I acknowledge that from other parts of the King's Lynn Conservation Area there would be no change seen as a result of the scheme as can be seen, for example, in viewpoint 8 from the Tuesday Market. However, because this part of the Conservation Area is so closely linked with the sea and the associated shipping route that harm is, in my view, a moderate harm to significance that must be weighed in the planning balance. My assessment accords with that of English Heritage² who expressed concern that the presence of a further tall turbine with rotating blades would detract from the panoramic

² English Heritage has now been separated into two organisations, with advice been given by Historic England. However, I have referred to English Heritage as that was the body whom submitted to consultee responses in this case.

views of South Quay such that there would be harm to the significance of the Conservation Area which should be weighed in the planning balance.

32. I conclude that the proposed development would harm the setting of the King's Lynn (St. Margaret's) Conservation Area. It would conflict with policy CS12 of the Core Strategy which seeks, amongst other things, to preserve and, where appropriate enhance, the qualities and characteristics of the historic environment. This policy largely accords with the Framework so I afford it considerable weight although the requirement to undertake a balancing of benefits and harms is required. Similarly, and noting I cannot accord the Draft Management Policies full weight, the scheme would fail to accord with policy DM20 because harm to this designated heritage asset would not be satisfactorily mitigated. The Guidance explains that the significance of a heritage asset derives not only from its physical presence, but also from its setting and that careful consideration should be given to the impact of wind turbines on such assets and that is what I have done in this case. However, the harm identified does not amount to substantial harm and thus, in accordance with the Framework, I must weigh that harm against the public benefits of the scheme.

Other Considerations

33. Although not a matter raised specifically in respect of Appeal B, I am mindful that the proposed wind turbine in this case would oversail the BOAT as does the wind turbine in Appeal A. For the same reasons I am not satisfied that this is acceptable. Moreover, the cumulative impact of two wind turbines oversailing the BOAT would be significantly worse and would exacerbate the harm identified for users of this PROW both in terms of perception of threat to walkers and those in vehicles, and in terms of risk to safety for equestrian users.

Benefits of the Scheme

34. In final comments it is indicated that the turbine would provide 1,650kwh a year which reflects the original submission prediction. However, also in the final comments the appellant indicates that the current turbine (the Appeal A turbine) is saving £100,000 per annum. Further, it is suggested, that the power which could be generated for export to the grid could be between 1,800,000 to 4,200,000kwh enough, it is claimed, to power 180-500 homes in the local area. Alternatively this energy could be used by their industrial partner so reducing their costs and helping to keep local people employed. This potential energy export figure covers a wide range, which limits the certainty of the benefits at the upper end of the scale. Moreover, in Appeal A the appellant has indicated that energy generation might be reduced by as much as 60% by the need to avoid oversailing, reducing the benefits from that turbine, a situation which would be likely to impact on these figures even if not considering the comparable situation for this appeal site.
35. The wide range given for potential electricity generation, the questions over viability of the existing turbine (which might similarly apply in this case), and the suggestion that a turbine of other dimensions is likely to be required, make it difficult to attach well-defined benefits to the scheme.
36. Nonetheless, I accept that the benefits of providing electricity to local businesses and improving job security would be a positive benefit of the

scheme (albeit partly a private benefit). I also accept the energy generated would result in carbon saving which would be a public benefit. The Framework makes it clear that all contributions to cutting greenhouse gas emissions are valuable and that renewable energy schemes should be approved if its impacts are or can be made acceptable; this follows the thrust of the National Policy Statements relating to energy EN-1 and EN-3. I shall therefore deal with the planning balance on that basis.

Planning and Heritage Balances

37. As set out above there would be harm to the setting of the King's Lynn (St. Margaret's) Conservation Area. That harm, when weighed in the balance with benefits identified from the level of energy anticipated from the scheme before me, would not be outweighed. As such, the harm to this heritage asset counts significantly against the scheme.
38. Turning to the planning balance, the harm to the setting of the Conservation Area combined with the harm to the landscape and to the visual amenities of the surrounding area which derives, in part, from cumulative impacts are such that the adverse impacts would significantly and demonstrably outweigh the benefits. This is the test established by the Framework for situations where the development plan does not have relevant up-to-date policies, which applies here. I therefore consider that the appeal should fail. Concerns regarding the impact on the users of the BOAT in terms of the perception of risk and harm to safety for equestrian users add to that harm even with the potential to restrict oversailing by condition although this in turn would reduce benefits.
39. The parties have had the opportunity to comment on the WMS as set out above. The appellant points to the fact that there were 10 letters in support of the scheme, that the wind turbine would be sited with two existing wind turbines and that the scheme had gained officer support. He also notes that no letter of objection was made by anyone living close to the site and that no-one had attended his public meeting. However, there were clearly concerns raised about the proposal by local representatives as set out in the committee documentation. English Heritage raised concerns, as did the non-resident owner of one of the nearest properties. The Written Ministerial Statement requires that regard is taken of local views. Those limited views have been taken into account. However, the critical issues, which are also raised by the WMS relate to cumulative impacts, landscape impact and heritage assets and I am satisfied that the decision reached accords with the advice of the WMS along with local and national planning policy and guidance.

Other Matters

40. The Ministry of Defence sought conditions regarding aviation lighting were the appeal to succeed. Given infrared lighting could have been used this does not add to my concerns in respect of impact on the surrounding area or heritage assets.
41. Matters relating to ecology are not at issue between the main parties and Natural England does not object to the proposal having specifically considered the risk to bird populations. From the evidence before me relating to this particular proposal I find no reason to disagree. However, the Royal Society for the Protection of Birds remains concerned about the impact on the Herring Gull breeding colony nearby given that the collision risk is close to the 1%

threshold. As such, they were only prepared to remove their objection on the basis of a monitoring condition. Given my decision it is not necessary to do so, but this reinforces my concerns that an amended scheme of the type sought by the appellant would necessitate a new application so that all implications can be properly considered by consultees.

42. From the evidence before me it appears that an archaeological watching brief would be justified were I to have found the scheme acceptable.

Conclusion - Appeal B

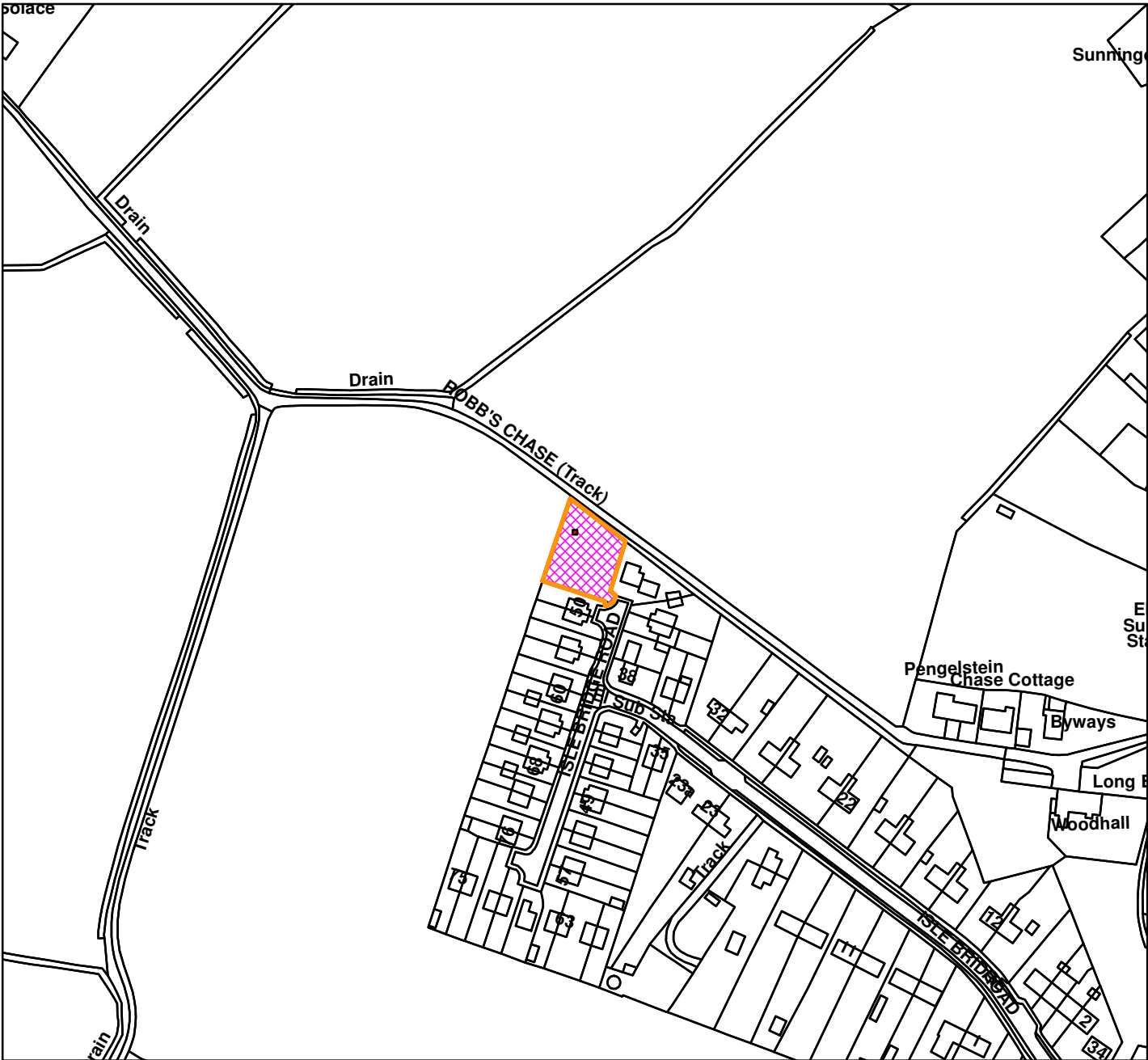
43. The Framework sets out the presumption in favour of sustainable development. However, the harms identified are such that the scheme would not accord with that presumption. There would also be conflict with the development plan, in so far as its policies are relevant, and the draft plan in terms of the policy cited. Thus, for the reasons set out above and having had regard to all matters raised, I conclude that the appeal should fail.

Zoë Hill

Inspector

16/00428/O

Water Treatment Works Isle Bridge Road Outwell



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:2,500

Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	25/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(i)

Parish:	Outwell	
Proposal:	Outline Application: Proposed residential development	
Location:	Water Treatment Works Isle Bridge Road Outwell Norfolk	
Applicant:	BCKLWN	
Case No:	16/00428/O (Outline Application)	
Case Officer:	Mr Bryan Meredith	Date for Determination: 27 April 2016 Extension of Time Expiry Date: 9 June 2016

Reason for Referral to Planning Committee – The application is submitted on behalf of the Borough Council for its own development, and objections have been made.

Case Summary

The outline application proposes the residential development for two, three bedroomed dwellings at Water treatment Works, Isle Bridge Road, Outwell. Outwell is defined as a Key Rural Services Centre in the settlement hierarchy contained in the Core Strategy of the Local Development Framework. The site is located within the settlement boundary of Outwell and in particular lies within an area classified as Built Environment Type D.

The outline application is seeking approval for the access only with the appearance, landscaping, layout and scale to be judged at a reserved matters stage.

The site lies in Flood Zone 1 of the Strategic Flood Risk Assessment.

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

The site seeks outline permission for residential development of two, three bedroom properties on a site which is measured at approximately 0.08 ha to the north-western corner of Isle Bridge Road, Outwell. Outwell is grouped together with Upwell in the Core Strategy to form a Key Rural Service Centre.

The site is located in a vacant plot between dwellings numbered 48 and 50 Isle Bridge Road.

The site has formerly been used as a water treatment works.

SUPPORTING CASE

The application is accompanied with a Site Contamination Assessment report which describes the current land use as an area of approximately 0.08 ha consisting of an area of short grassland containing no permanent structures on the site. The site is accessed from Isle Bridge Road which consists of a mix of two storey residential dwellings.

The report states that there are services nearby the site, in particular with a portable water supply running adjacent to the eastern boundary of the site and the Anglian water foul drains runs adjacent to the southern boundary of the site. All other services are located close to the site.

The site has previously been used as a site for a sewage treatment plant serving the estate until such time as sewers were connected.

RELEVANT PLANNING HISTORY

09/01902/F: Application Permitted: 06/01/10 – Two storey extension to dwelling with single storey store - 48 Isle Bridge Road, Outwell
Wisbech, PE14 8RB;

12/00585/F: Application Permitted: 06/06/12 - Residential extension to existing house - 50 Isle Bridge Road, Outwell, Wisbech, Norfolk, PE14 8RB;

2/95/1424/F: Application Permitted: 16/01/96 - Construction of 5 dwellings - Plots 2929a309 & 10, Isle Bridge Road, Outwell;

2/97/1098/F: Application Permitted: 27/08/97 - First floor extension to dwelling - 48 Isle Bridge Road, Outwell;

CONSULTATIONS

Parish Council: **SUPPORT** the application within the building regulations but raised concerns regarding public access, stating that public have had access through the application site to Robb's Chase since 1989. Concerns of contamination on site and the roadway not being adopted by the Highways Authority were raised too.

Local Highway Authority: Norfolk County Council does not wish to restrict the grant of permission. This site accesses onto a road that is unadopted / private and therefore the public highway would not be directly impacted by the application.

Environmental Quality: The site is a former water treatment works and as such has the potential to contain contamination which would be harmful to human health. Therefore conditions are recommended to be attached to a decision notice should a recommendation for approval be put forward.

Public Rights of Way Officer: Outwell Isle FP1 is adjacent (Robb's Chase) but unaffected by the proposal. Therefore I have **NO OBJECTION** on Public Rights of Way issues.

Middle Level Commissioners: The MLC made a representation stating that the land which the application is based upon is either sited within the above Authority's district or has the potential to drain into it. In this case, a development contribution is payable. Where a solution is proposed that does not appear to increase the rate or volume of discharge as compared to the pre-developed site, then the Authority requires satisfactory evidence to properly demonstrate that no such increase will occur. Further details of the information supplied by the Middle Level Commissioner are attached as an informative for the applicant.

REPRESENTATIONS

SIX representations have been submitted **OBJECTING** to the application on similar grounds.

The issues raised are listed below:

- Unsafe highways access with the creation of a blind turning spot,
- Traffic generation and highway safety,
- Overlooking and overshadowing,
- Removal of access to Robbs Chase
- Removal of public greenspace and play area
- Damage to road network during construction work

Following a review of the transfer papers from the previous use of the land as a water treatment plant serving the estate to its current use as a vacant plot, there was no designation of the site as amenity land or public open space.

The existing roadway and access to the site are deemed sufficient by Norfolk County Council and address concerns raised by residents.

NATIONAL GUIDANCE

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

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

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.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

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

- Principle of Development
- Form and Character
- Neighbour Amenity
- Highway Safety
- Other Considerations

Principle of Development

The application site lies to the west of the settlement of Outwell which is defined as a Key Rural Service Centre (KRSC) in the Settlement Hierarchy set out under Policy CS02 of the Council's adopted Core Strategy (2011).

In this case the application site lies within the existing settlement boundary for Outwell in an area designated as Built Environment Type D and also within the development boundary in the emerging Policy DM2- Development Boundaries of the Site Allocations & Development Management Policies document. Development of the site will result in infill of an existing gap in the estate. This gap has previously been used as a sewage treatment plant serving the rest of the neighbouring estate until such time as the main sewers were connected.

In light of the above and the current policy position, it is therefore considered that the principle of development is acceptable.

Form and Character

Isle Bridge Road compromises frontage development in the existing estate. Immediately to the south and east of the application site are adjoining semi-detached houses set on similar sized plots. The land to the north and west of the site consists of open Greenfield land which is located outside the development boundary for Outwell.

The application site covers an area of 0.08ha and the indicative layout plan. The design is similar to that of the existing dwellings on the estate and is located within the existing development boundary from the existing 1998 Local Plan and the development boundaries in the emerging Site Allocations & Development Management Policies document.

In terms of form and character the site is located at the end of an existing cul-de-sac off the north-western side of Isle Bridge Road which is part of the estate development. It is considered that development would create a natural continuation of housing along Isle Bridge Road and therefore not conflict with the form and character of this locality.

Neighbour Amenity

Whilst the layout, scale and appearance are reserved matters, it is considered that overlooking, overbearing and overshadowing impacts could be designed out, given the likely separation distances between the site and existing adjoining dwellings. Boundary treatments may be secured as part of the reserved matters application.

Highway Safety

In relation to highways issues Norfolk County Council does not wish to restrict the grant of permission.

Other Considerations

Outwell Parish Council recommended approval of the application.

The site lies within Flood Zone 1 of the Strategic Flood Risk Assessment.

The Middle Level Commissioners have not objected but attached an informative to be complied with by the applicant. Whilst the concerns of the MLC are taken into consideration they can be dealt with under their Bylaws. The matter can be dealt with by way of an informative note.

The proposal raises no specific issues in relation to crime and disorder.

Noise and disturbance during the construction phase is to be expected but would be relatively short-lived. Damage to adjacent property during construction work would be a civil matter between the developers of the site and adjoining property owners.

CONCLUSION

The site lies within the development boundary of a Key Rural Service Centre where residential development of an appropriate scale will be supported.

It is considered that the site could be developed without material harm to the visual amenity of the locality, highway safety or neighbour amenity. It is therefore considered that the proposal generally accords with the provisions of the NPPF, NPPG, the Core Strategy (2011) and with emerging Site Allocations & Development Management Policies document and should 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 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.
- 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 Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition In relation to the means of access the development hereby permitted shall be carried out in accordance with the following approved plans project numbered: 16/597, drawing numbered (GA) 1000.
- 5 Reason For the avoidance of doubt and in the interests of proper planning.
- 6 Condition Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
- human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

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

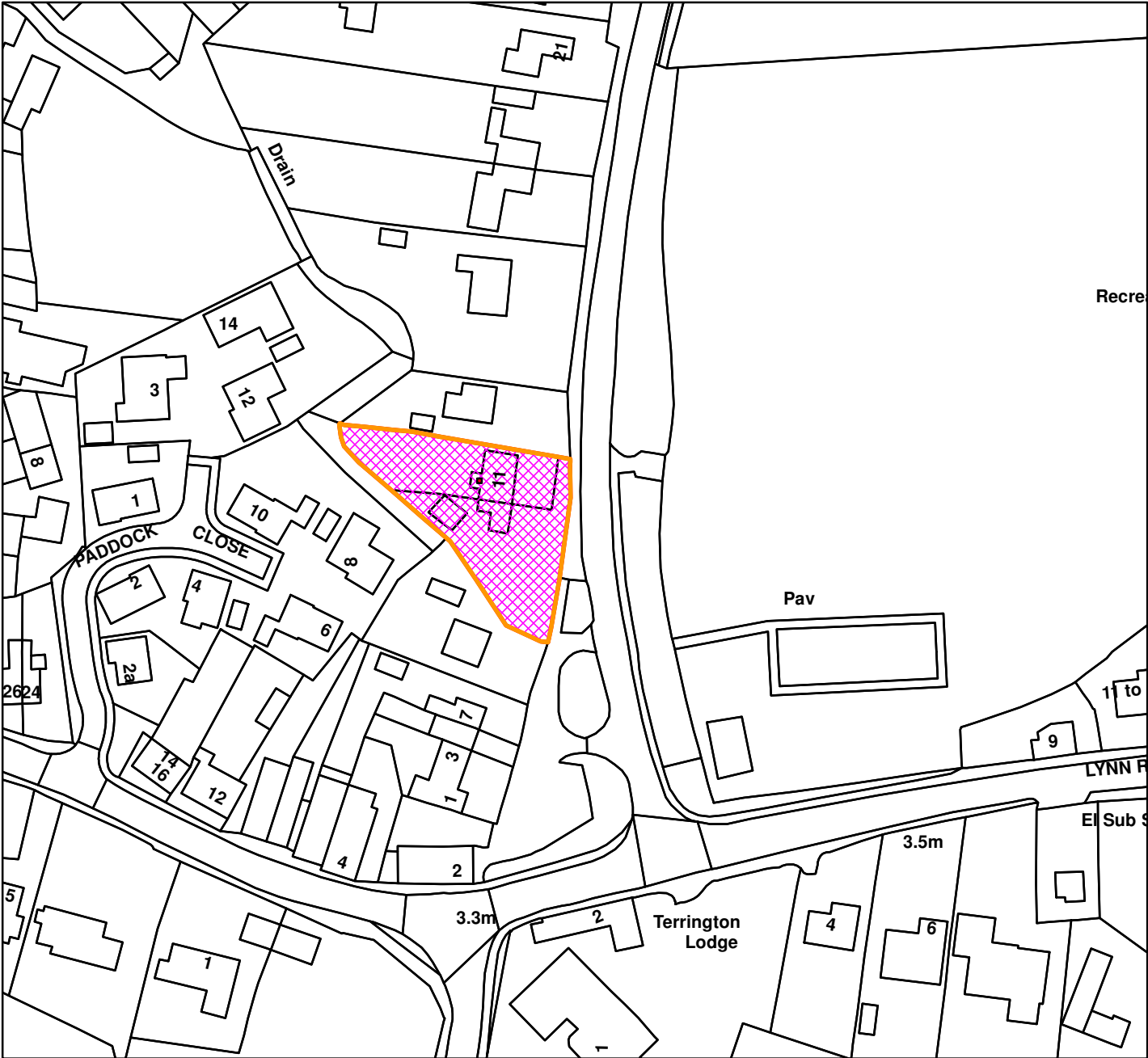
- 8 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours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

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition number 8.

- 9 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.

16/00008/F

11 Churchgate Way Terrington St Clement



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:1,250

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	24/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(j)

Parish:	Terrington St Clement	
Proposal:	Replace old shop front with new front to match rest of house and internal alterations (retrospective)	
Location:	11 Churchgate Way Terrington St Clement King's Lynn Norfolk	
Applicant:	Mark Wilson	
Case No:	16/00008/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 10 May 2016

Reason for Referral to Planning Committee – The application has been called in by Cllr. Young.

Case Summary

The application is for retrospective permission to carry out alterations to the existing building which was formally a shop. Alterations involve removing the old shop front, raising the roof by approximately 800mm to create first floor accommodation above the former shop.

The alterations are considered acceptable and are in harmony with the locality.

Key Issues

The principle of development
Impact on the Conservation Area
Neighbour Amenity
Other material considerations
Crime and Disorder

Recommendation

APPROVE

THE APPLICATION

The application site comprises no.11 Churchgate Way which is a two storey double fronted cottage and a former shop which is attached. Planning permission was granted in 2004 for the change of use of the shop to a residential use.

Alterations have been carried out on the former shop which now forms part of 11 Churchgate Way, raising the roof and altering the former shop front.

This application is for retrospective planning permission for the works which have already been undertaken.

SUPPORTING CASE

No supporting statement was submitted as this is a householder application.

PLANNING HISTORY

07/00517/O: Application Refused: 06/06/07 - Outline Application: construction of pair of semi-detached dwellings
Appeal Dismissed 30/11/07

06/00126/O: Application Refused: 10/03/06 - Outline permission: Site for construction of a two storey dwelling and garage

04/02251/CU: Application Permitted: 02/12/04 - Change of use from beauty salon to residential

RESPONSE TO CONSULTATION

Parish Council: SUPPORT with no further observations

IDB: NO OBJECTION There is a piped watercourse close to the south-western boundary which is part of a Board maintained watercourse. Byelaw 10 applies and although the proposed works will not be affected by Byelaw 10, should further works be carried out in the future within 9 metres of the drain then prior written consent would be required from the Board.

Conservation Officer: NO OBJECTION, the property is on the external boundary of the Conservation Area. The extension which has already been built, does not have a negative impact on the views into and out of the Conservation Area or any nearby heritage assets.

Emergency Planning: Due to the location conditions are recommended regarding EA FWD Service and Evacuation Plan.

REPRESENTATIONS

None received

NATIONAL GUIDANCE

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

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.

LDF CORE STRATEGY POLICIES

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

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

- The principle of development
- Impact on the Conservation Area
- Neighbour Amenity
- Other material considerations
- Crime and Disorder

The principle of development

Extensions and alterations to an existing dwelling are acceptable in principle provided they are in harmony with the building characteristics of the locality.

The application site is in the heart of Terrington St Clement with the dwellings in the immediate locality being a mix of old period cottages as well as more modern two and single storey dwellings. Whilst the majority of dwellings have a ridgeline parallel to the road there is a dwelling to the north which also has a projecting front gable. The alterations to the former shop front and roof are considered acceptable and in character with the locality.

Impact on the Conservation Area

The application site lies immediately to the north of the Conservation Area of Terrington St Clement. The proposal does not have a detrimental impact on this adjacent heritage asset and there are no objections to the proposal from the Conservation Officer.

Neighbour Amenity

The alterations have no material impact on any neighbouring dwellings due to the orientation and distance of the proposal to any dwellings to the south and west.

Other material considerations

Whilst the application site is within Flood Zone 3 the proposal is for the alteration of an existing building and the new residential accommodation is at the first floor and therefore does not require an FRA.

Crime and Disorder

There are no issues which would arise from this application with regard to crime and disorder.

CONCLUSION

The alteration of the former shop front and roof-line is acceptable in principle and would not have any material impact upon neighbour amenity or the adjacent heritage asset. Consequently the proposal complies with the National Planning Policy Framework, saved Policy 4/21 of the King's Lynn and West Norfolk Local Plan (1998), Policies CS08 and CS12 of the King's Lynn and West Norfolk Adopted Core Strategy 2011 and Policy DM15 of the emerging Site Allocations and Development Management Policy Document and therefore planning permission should be granted.

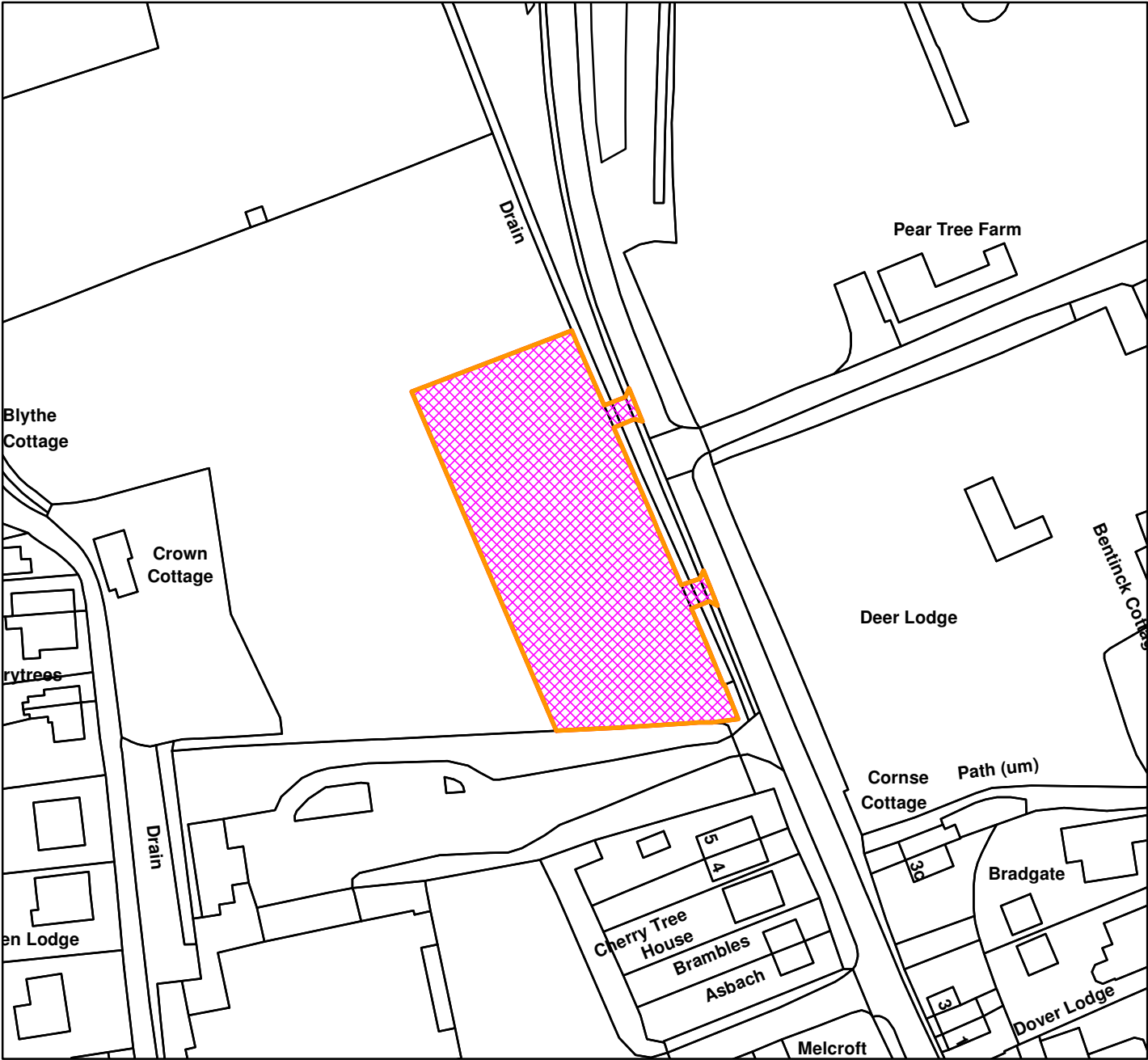
RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans 'proposed' elevations and 'proposed' floor plans received by the Local Planning Authority on 15th March 2016.
- 1 Reason For the avoidance of doubt and in the interests of proper planning.

16/00565/O

Land on the West Side of Mill Road Walpole Highway



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:1,250

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	23/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(k)

Parish:	Walpole Highway	
Proposal:	Outline Application: Construction of 4 detached dwelling houses	
Location:	Land on the West side of Mill Road Walpole Highway Norfolk	
Applicant:	Mr and Mrs J Williams	
Case No:	16/00565/O (Outline Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 27 May 2016 Extension of time Expiry Date: 10 June 2016

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

Case Summary

The site comprises part of a Grade 2 agricultural field (0.29Ha) with frontage onto the western side of Mill Road, Walpole Highway, opposite the access to Pear Tree Farm.

Outline permission is sought for the construction of 4 detached dwellings; all matters are reserved for future consideration with the exception of the means of access which is to be considered at this stage.

The site lies beyond the defined development boundary of Walpole Highway (which is classed as a Rural Village in the settlement hierarchy) and is therefore considered to be 'countryside'. It also lies within Flood Zone 2 of the Strategic Flood Risk Assessment.

Key Issues

Principle of development
Impact on appearance and character of the countryside
Access and highway implications
Other material considerations

Recommendation

REFUSE

THE APPLICATION

The site comprises part of a Grade 2 agricultural field (0.29Ha) with frontage onto the western side of Mill Road, Walpole Highway, opposite the access to Pear Tree Farm.

The site lies beyond the defined development boundary of Walpole Highway (which is classed as a Rural Village in the settlement hierarchy) and is therefore considered to be 'countryside'. It also lies within Flood Zone 2 of the Strategic Flood Risk Assessment.

Outline permission is sought for the construction of 4 detached dwellings; all matters are reserved for future consideration with the exception of the means of access which is to be considered at this stage. An indicative layout shows 4 equally sized plots with detached houses and single garages served off two shared accesses off Mill Road.

SUPPORTING CASE

The application was not accompanied by a Design & Access Statement due to its limited size, but the agent raises the following matters in support of the proposal:

The sustainability of the site has been considered and whilst Walpole Highway is a small village, it does benefit from good bus links with both Wisbech and King's Lynn and bus stops for either direction are within comfortable walking distances from the site of the proposed dwellings. More local amenities include a primary school and post office in the village itself (again within walking distance) whilst in Walton Highway (2 miles) there is a takeaway, post office and public house and in Terrington St John (1.1 miles) there is a doctors surgery and further public house, takeaway and a restaurant. Further afield, Watlington and a direct rail link to London is approximately 7 miles from the site.

The site proposed does not expand the village in principle as although located just outside Type D Built Environment envelope, it is in effect enclosed by the village with existing dwellings to the East (Ratten Row) and immediately to the North where permission has been granted for the construction of a dwelling between the site and the care home. The site chosen therefore represents an infilling of a void and a natural progression of development along Mill Lane.

There need be no negative impact on the village posed by the development in terms of intrusion, overlooking or excessive traffic given the appropriate location, orientation and scale of the plots proposed, something that can be cemented through detailed design for a Reserved Matters application and which has been reinforced through receipt of support for the proposal from the Parish Council.

Whilst this application is Outline only, the inherent nature of the scheme for which approval is sought lends itself to the preparation of detailed designs that will be commensurate with the local vernacular in terms of layout, materials and appearance further reducing the impact of the development upon the wider area.

PLANNING HISTORY

2/93/0817/O: Application Refused: 02/11/93 - Site for residential development - Appeal Dismissed 21/09/94

RESPONSE TO CONSULTATION

Parish Council: SUPPORT - Walpole Highway Parish Council approve this application validated on 1st April before the press release of 19th April re the 5 year housing supply. In September a dwelling was approved further to the North of this site at Coopers Mill.

This was deemed a sustainable development - this site is closer to the village centre & equally sustainable. The site is fronted by a footpath & the road is of adequate width. Plots will be of adequate size to ensure that on road parking will not be an issue.

Highways Authority (NCC): NO OBJECTION but concerns expressed relating to traffic speeds and appropriate visibility splays.

King's Lynn Drainage Board: NO OBJECTION – byelaw implications apply to culverting of drain and surface water disposal

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Environment Agency: NO OBJECTION – standing advice applies

District Emergency Planning Officer: NO OBJECTION subject to conditions relating to signing on to EA's Floodline service and an evacuation plan being produced.

Housing Enabling Officer: NO OBJECTION subject to affordable housing contribution of £60,000 (equivalent to the value of one unit) to be covered by a Section 106 agreement.

REPRESENTATIONS

None received

NATIONAL GUIDANCE

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

OTHER GUIDANCE

The Walpole's Parish Plan

PLANNING CONSIDERATIONS

The key considerations in assessing this application are as follows:

- Principle of development
- Impact on appearance and character of the countryside
- Access and highway implications
- Other material considerations

Principle of development

The application site lies outside of the defined development area of Walpole Highway village as shown in both the King's Lynn and West Norfolk Local Plan (1998) and the proposed Site Allocation & Development Management Policies Document.

Whilst the views of the Parish Council are noted, with regards to the application being validated on 1st April 2016 prior to the 5 year housing land supply being considered met and statement issued on 19th April 2016, there has been a significant change with regards to policy.

The decision must now be made in accordance with provisions of the Development Plan as endorsed Section 54a of the Town & Country Planning Act 1990 as amended by Section 38(6) of the Planning and Compensation Act 2004.

Recent residential development may indeed have been approved further along this road to the north of this site, but the consideration at that time would be a judgement in light of the lack of a 5-year supply of housing land. Planning permission could have been granted unless: any adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted. However, this is no longer the situation, and development plan policies for the supply of housing are once again the basis for making decisions on development in the countryside.

In this particular case, the applicant has not provided any special justification why countryside protection policies should be relaxed. The proposed development is therefore contrary to the provisions of the NPPF (paragraph 55), Core Strategy Policy CS06 of the Local Development Framework 2011 and emerging policy DM2 of the Site Allocations & Development Management Policies Document (April 2016).

It will be noted from the history section above that there was a previous refusal (application ref: 2/93/0817/O) and appeal dismissed for residential development on part of this site, combined with additional land to the south and west. For reference the appeal decision is appended to this report.

Impact on appearance and character of the countryside

Policy CS06 states:

“Beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs.”

The proposed housing development would obviously change the character of this road frontage from agricultural land set behind a tree-lined drainage ditch into an extension of the built environment.

Once again it is considered that the proposed development would create harm to the character and beauty of the countryside and be contrary to the Development Plan.

Access and highway implications

County Highways have not objected to this application, but initially raised concerns regarding the visibility available to serve the proposed northern-most access point. Further investigation of highway land ownership indicates that adequate splays may be achieved and there are now no objections subject to certain conditions.

Other material considerations

The site lies in Flood Zone 2 of the SFRA (as is the majority of the village) within which residential development is deemed to be compatible. The Environment Agency raises no objections to the development of this site and likewise the Internal Drainage Board. Byelaw issues apply to culverting of the land drain to create access off Mill Road and would require appropriate consent from the IDB.

The District Emergency Planning Officer suggests conditions relating to connection to Floodline and an evacuation plan, but these matters may be covered by an informative note as they fail the tests applied to conditions.

There are no obvious contamination issues associated with this site.

There are no significant crime and disorder issues associated with this proposal.

Affordable housing criteria have changed most recently and schemes of 5 dwellings and less do not now attract affordable housing contributions.

CONCLUSION

Whilst the views of the Parish Council are noted, with regards to the application being validated on 1st April 2016 prior to the 5 year housing land supply being considered met and statement issued on 19th April 2016, there has been a significant change with regards to policy. The decision must now be made in accordance with provisions of the Development Plan as endorsed Section 54a of the Town & Country Planning Act 1990 as amended by Section 38(6) of the Planning and Compensation Act 2004.

The proposal lies outside the development area of the village in an area classed as countryside, and is duly recommended for refusal on the grounds identified in the above report and reason specified below.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The application site lies outside of the defined development area of Walpole Highway village as shown in both the King's Lynn and West Norfolk Local Plan (1998) and the proposed Site Allocation & Development Management Policies Document. The applicant has not provided any special justification why countryside protection policies should be relaxed. The proposed development is not therefore considered to be sustainable development and is contrary to the provisions of the NPPF (paragraph 55), Core Strategy Policy CS06 of the Local Development Framework 2011 and emerging policy DM2 of the Site Allocations & Development Management Policies Document (April 2016).



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

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Hewitson Becke & Shaw
Solicitors
Shakespeare House
42 Newmarket Road
CAMBRIDGE
CB5 8EP

Your Ref:
PJB/CLL/WILLIAMS
Our Ref:
T/APP/V2635/A/94/234005/P5

Date:

27 SEP 1994

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY J A WILLIAMS
APPLICATION NO: 2/93/0817/O

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of Kings Lynn and West Norfolk Borough Council to refuse outline planning permission for residential development on land at Mill Road, Walpole Highway, Wisbech. I held a local inquiry into the appeal on 4 and 5 August 1994. At the inquiry applications were made by J A Williams and by King's Lynn and West Norfolk Borough Council for awards of costs against each other. These are the subject of separate letters.
2. Notwithstanding the wording of the decision notice, at the Inquiry the main parties agreed that the appeal was against the Council's refusal of outline planning permission. The application site plan was accompanied by a plan showing a possible vehicular access to the site which was later supplemented by a plan showing an access road with visibility splays. Since the application was in outline with all detailed matters reserved, I determine the appeal on the basis that these plans are for illustrative purposes only.
3. The appeal site comprises some 0.8 hectares of land on the northern edge of Walpole Highway, a small village in open countryside, lying astride the A47 Trunk Road, about 12km south west of King's Lynn. In 1989 outline planning permission was granted for residential development of the appeal site but this has now lapsed.
4. From all that I have seen, heard and read I consider that the main issue is the effect of the proposed development on the form, character and setting of the village having regard to the planning history of the site and the policy background to this case.

5. The development plan for the area consists of the Norfolk Structure Plan, approved by the Secretary of State in 1993. The emerging King's Lynn and West Norfolk Local Plan reached the deposit draft stage in June 1994.

6. The Council stated that over the years residential developments in West Norfolk villages have had an average density of 20 dwellings per hectare rising to a high of 37 per hectare. On this basis the appeal site could accommodate in the region of between 16 and 30 dwellings. The guidance to the implementation of Structure Plan Policies H4 and H5 does not envisage development of this sort of scale in villages, indicating that small scale development can generally be regarded as being up to 10 units. While I note that this is to be interpreted according to local circumstances, in my view a development of the generally achieved density on the edge of this village would not come within the definition of small scale.

7. The Structure Plan reflects a reduced strategic requirement for housing land which is a changed circumstance since the previous planning permission for the site was granted. The Plan also contains policies aimed at conserving the countryside and the landscape setting of towns and villages. In line with the thrust of government guidance to protect the countryside, to make best use of urban land and to reduce the need to travel, it aims to locate major residential and commercial development in the county's main towns and selected development locations along strategic routes.

8. In my judgement a development of 16 dwellings in Walpole Highway would not accord with the Structure Plan's strategic objectives. Since the proposal is neither small scale development, nor an individual dwelling or small group of houses, I conclude that it would not accord with the approved Structure Plan.

9. A non-statutory Village Guideline, produced by the Council in 1986/87, sought to interpret the previous Structure Plan. Part of the appeal site was included within the defined village settlement boundary, and the whole of the site was identified as being a preferred site for limited estate development. However, this plan is now superseded by the emerging Local Plan which, in line with the changed strategic circumstances, is seeking to reduce the extent of the village boundary. In so doing it excludes the appeal site and another previously identified site for limited estate development.

10. The Local Plan is at an early stage and its policies remain to be tested. However, I am mindful of the Council's view that the District's requirements for housing land might be met without the need to allocate sites in villages of the size of the appeal site. By indicating that developments of such a size on the edge of villages could be considered as being small scale, a grant of planning permission would make it difficult for the Council to resist similar proposals in this and other villages. I consider that the cumulative effect of such schemes would seriously undermine the Structure Plan objectives of protecting the countryside and restraining rural development outside identified locations.

11. In reaching this conclusion I have had regard to the other recent applications in the area to which the appellant's witness referred. However, each case should be considered on its merits and in my view there is no evidence to suggest that the Council assessed the development plan policies in a significantly different way. In any event I have considered the present proposal on the basis of my own understanding of the local policies and government planning guidelines.

12. The village is centred on the A47, Main Road but it has a somewhat loose and open form with strips of residential, horticultural and commercial development spread out along outlying roads to the north and south. A public footpath and line of poplar trees runs east to west across the site and bisects it into two roughly equal parcels of land with different characteristics. The southern half adjoins a pair of semi-detached houses facing Mill Road, and the roller skating rink and car park. It is currently used, under a temporary planning permission, as site offices by contractors constructing the nearby A47 trunk road by-pass. The northern half of the site comprises part of a grassed field adjoining agricultural land of a generally open character.

13. I note that the appeal site lies within the line of the historic Marshland Drove which the emerging Local Plan seeks to protect. In my judgement the development would extend the village into the surrounding countryside at a point where the openness of the Marshland Drove is still apparent. It is likely that the public footpath would need to be moved and that most of the poplar trees, identified by the emerging Local Plan as significant trees, would need to be felled. I conclude that such changes would significantly change the landscape at this point, causing material harm to the form, character and setting of this part of the village and the surrounding countryside. Such harm would be contrary to approved Structure Plan policies concerned with the need to protect the countryside and the rural landscape.

14. I have considered the support of the Parish Council and local residents for housing development to help maintain the services and social life of the village. While I understand these views, in my opinion, they do not outweigh the serious policy and environmental objections I have identified.

15. I have had regard to all other matters raised but they are outweighed by the considerations leading to my decision.

16. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

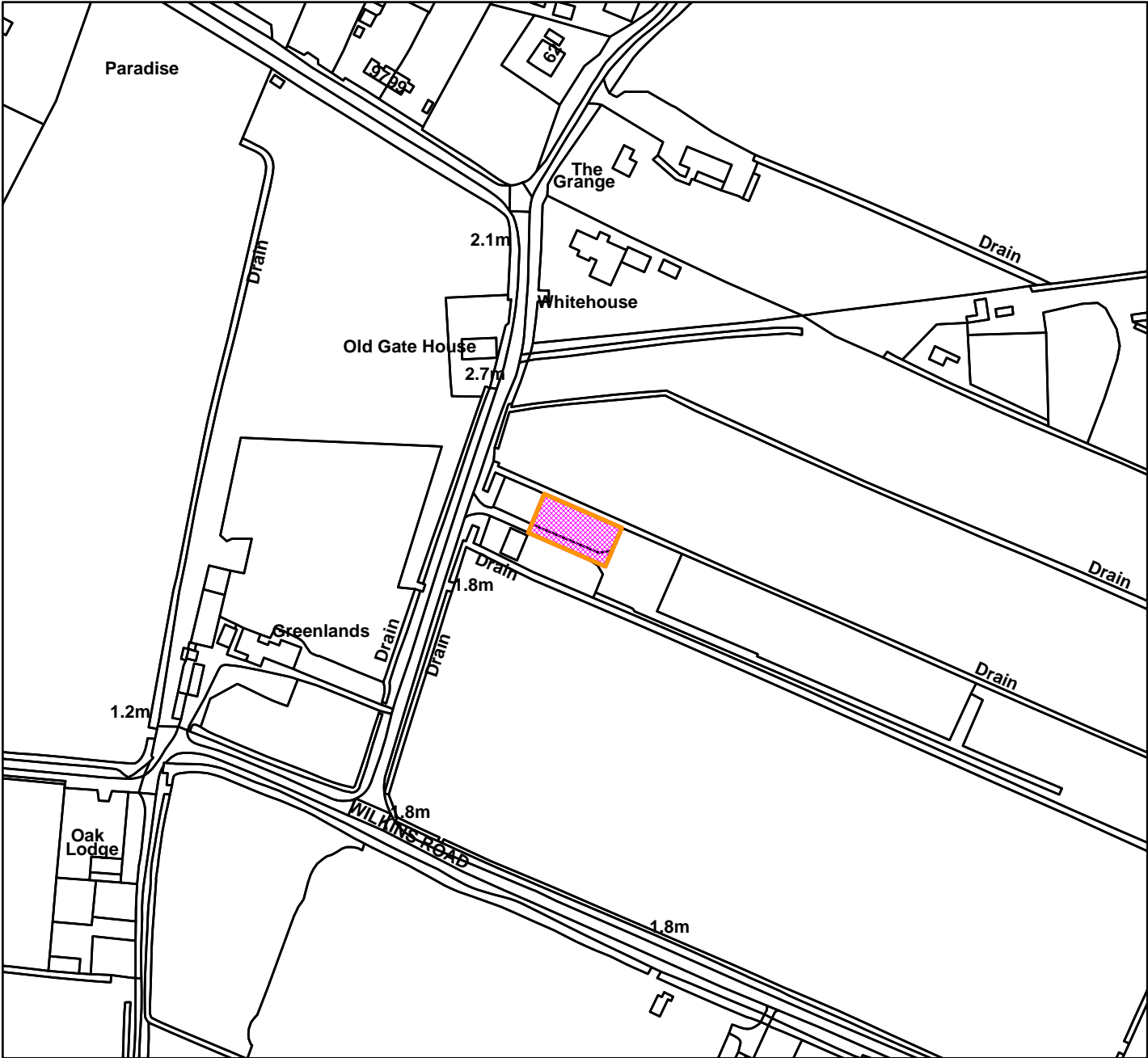
Yours faithfully

Philip A. Goodman

PHILIP A GOODMAN BA(HONS) DMS MRTPI MIMgt
Inspector

15/02037/F

Sibley Field Farm Biggs Road Walsoken



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: **1:2,500**

Organisation	BCKLWN
Department	Department
Comments	1: 2500
Date	24/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(I)

Parish:	Walsoken	
Proposal:	Construction of building for vehicle preparation and storage	
Location:	Sibley Field Farm Biggs Road Walsoken Wisbech	
Applicant:	Mr R Gill	
Case No:	15/02037/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 10 February 2016

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

Case Summary

The site is at a former nursery and within the countryside. The application is for a building which would have a mixed use covering vehicle preparation / banger racing hobby, business storage (welding equipment) and also storage of equipment used to maintain the applicant's land (edged blue).

The proposed uses are predominantly those which would be acceptable within the curtilage of a dwellinghouse but the proposed siting of the building would be adjacent to the curtilage (north of the existing garden) on an area currently used for parking. Whilst the proposal is not for agricultural purposes (although part of the building will be used to store equipment for maintaining the land) it is not a use which would normally be permitted outside the existing curtilage.

However, given the potential amenity issues created by the proposed uses and the screening provided by the close proximity of the applicant's dwelling and the conifer hedging to the north of the proposal, the proposal is considered acceptable subject to condition.

Key Issues

Principle of Development
Amenity Issues
Flood Risk
Other material considerations
Crime and Disorder

Recommendation

APPROVE

THE APPLICATION

The site is located within the existing yard area of Heathfield Nursery, to the east of Wilkins Road, Walsoken. The property is located to the east of the settlement of Walsoken and to the north of the settlement of Emneth.

The application is for the construction of a building for vehicle preparation and storage that the applicant asserts is required in connection with serving their combined hobby of vehicle restoration (for personal use), semi-professional sport of banger racing and base for their mobile welding business.

The site lies within land designated as countryside.

SUPPORTING CASE

The applicant and their family have a need for a suitable building to serve their combined hobby of vehicle restoration, semi-professional sport of banger racing and a base for their mobile welding business. The building will also serve to store tractor/implements for use in cultivating and maintaining the land in the ownership of the applicant.

The nature of the proposed uses are space consuming and could be noisy so it is best suited to a semi-rural location where the site cannot only accommodate the scale of the building but will not create a nuisance for neighbours.

The proposal serves to support sustainable principles as it will reduce the need to travel by providing a facility close to home, and will optimise the potential of the site, supporting sport and recreation.

The area is not at significant risk of flooding as identified by the 2015 Tidal Hazard Mapping.

There will be little change in form and character as the proposal will be on a site which previously had buildings and glasshouses.

The scale reflects the size of the buildings previously on the site and the design is simple, with a low pitched roof and profile sheet walls.

No change to the existing access.

The site is secure with security gates at the entrance and due to its location will have passive security by the occupants of the dwelling during the day.

PLANNING HISTORY

15/01130/F: Application Withdrawn: 05/11/15 - Construction of steel framed workshop to the rear of property for personal hobby and tending to the land use - Wilkins Road

13/00475/F: Application Permitted: 30/07/13 - Removal of condition 3 of planning consent

2/91/3377/F to remove an agricultural occupancy restriction - Heathfield Nursery Broadend Road East

07/02117/F: Application Refused: 29/11/07 - Occupation of dwelling without complying with Condition 3 of Planning Permission reference number 2/91/3377/F which restricts the occupancy to those employed or last employed in agriculture - Heathfield Nursery Broad End Road

Appeal Dismissed 30/07/08

07/00599/F: Application Refused: 16/05/07 - Removal of agricultural occupancy condition- Condition 3 of planning permission 2/91/3377/F - Heathfield Nursery Broad End Road

2/00/1267/F: Application Permitted: 13/09/00 - Extension to dwelling - Heathfield Nursery Broadend Road

RESPONSE TO CONSULTATION

Parish Council: **OBJECT** the businesses are not related to the countryside

Highways Authority: **NO OBJECTION** Having visited the site I note that the access is of a good standard and having examined the information submitted the business is of a relatively small scale. Therefore on balance, I would not be against the principle of the application on highway safety grounds.

Internal Drainage Board: **NO OBJECTION** the site is around 200m from a Board-maintained watercourse at its closest point, so Byelaw 10 will not affect the planned position of the building. The application form says surface water disposal will be to soakaway. The Board has no objection to that, but would wish to ensure that it is what actually happens, as it would be very easy for a pipe to be connected into the adjacent watercourse instead, which wouldn't be acceptable to the Board unless the applicant has obtained prior written consent from the IDB and complied with all conditions imposed.

Community Safety and Neighbourhood Nuisance: **NO OBJECTION** but conditions recommended relating to noisy operations and sound insulation as there are concerns that the noise from banger car maintenance and operations may cause nuisance or annoyance to nearby residential properties. If these conditions are adhered to then it would negate the need for an hours of use condition.

Environmental Health & Housing - Environmental Quality: No Comment regarding contaminated land or air quality

Environment Agency: **NO OBJECTION** but comments made.

The site is within Flood Zone 3 of the SFRA although not located within a Tidal Hazard Mapping area. As such the site is not considered to be at risk of flooding in the event of a breach or overtopping of the River Great Ouse. No flood risk mitigation measures are proposed within the submitted FRA. As the proposal is for 'less vulnerable' development and the main source of flood risk is from IDB maintained drains the EA have no objection, however you may wish to consider if the submitted FRA is acceptable. Advice given for applicant regarding finished floor levels and flood risk mitigation measures.

The IDB should be consulted regarding flood risk from their watercourses and surface water drainage proposals.

REPRESENTATIONS

No representations received.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM15 – Environment, Design and Amenity

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

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

- Principle of Development
- Amenity Issues
- Flood Risk
- Other material considerations
- Crime and Disorder

Principle of Development

The proposed building is simple in style and looks for all intents and purposes like a building which could be used for agricultural purposes and would be screened to the north by an existing conifer hedge and to the south by the applicant’s dwelling and further conifer hedging.

Notwithstanding the fact that the appearance of the proposed building is acceptable, the proposed uses of the building are not primarily for agricultural purposes or a rural enterprise, which in this countryside location and outside of the curtilage of the dwelling would be contrary to planning policy. There are objections from the Parish Council on this basis.

During the course of the application discussion was carried out regarding re-siting the proposal within the curtilage of the applicant’s dwelling, however given the constraints regarding the size of the curtilage and size of the proposal it would have resulted in a cramped and uncomfortable relationship between the built forms on site and a considerable reduction in amenity space.

On balance, the proposed position very close to the curtilage with screening to the north and south, as well as the fact that the proposed noisy uses are best located away from residential buildings, the view was taken that the proposal was more acceptable in this proposed location. Given that the proposal is contrary to policy members must take a view as to whether development for this use, in this location would be acceptable.

Amenity Issues

The proposed uses have the potential to be noisy and cause disturbance to residential properties.

The closest residential property is approximately 65m to the north of the application site. There are no objections to the proposal from CSNN, however due to the nature of the proposed uses they have requested conditions relating to sound insulation and noisy operations being carried out within the building only.

Flood Risk

The application site is located within Flood Zone 3 of the SFRA in an area at high risk of flooding. The site is not within a Tidal Hazard Mapping Area and as such is not considered at risk of flooding in the event of a breach or overtopping of the River Great Ouse.

No flood risk mitigation measures are proposed however the proposal is for a 'less vulnerable' form of development and therefore there are no objections to the proposal from the Environment Agency.

The main source of flood risk at the site is from watercourses under the jurisdiction of the IDB however there are no objections to the proposal from them.

Other material considerations

There are no objections from the Highways Officer as the access is of a good standard and from the information submitted the business use is of a relatively small scale.

Crime and Disorder

There are no issues with regard to crime and disorder. The application site has security gates and is in close proximity to the existing dwelling.

CONCLUSION

The spatial relationship between the proposed and existing buildings on site would not materially harm the form and character of the locality. The proposed uses would not cause a disamenity to nearby residential dwellings provided conditions were imposed upon any decision. The proposal is therefore recommended for approval.

RECOMMENDATION:

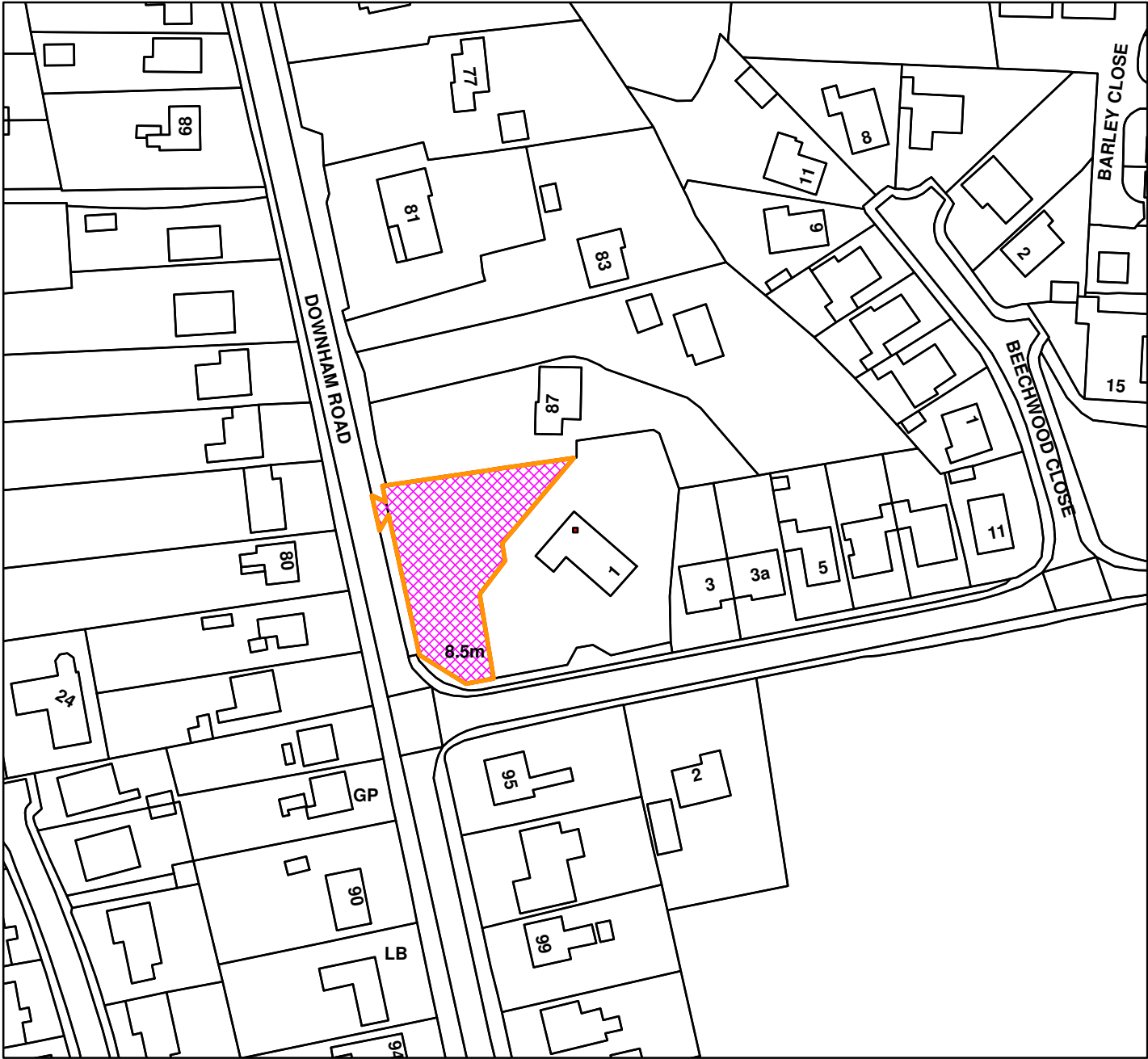
APPROVE subject to the imposition of the following condition(s):

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

- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans 936-01A 'Plans as Proposed' and 936-04A 'Site Plan as Proposed'.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development above foundation level shall take place on site until a detailed scheme for the sound insulation of the building has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and thereafter maintained as such.
- 3 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 4 Condition The grinding and hammering of metal and other noisy operations linked to banger car maintenance shall not take place anywhere on site except within the building hereby approved and with its doors closed.
- 4 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 5 Condition The building hereby approved shall be held at all times in conjunction with the dwelling immediately to the south (Sibley Field Farm) and shall be used for the storage of agricultural equipment, vehicle restoration, vehicle preparation and storage for a mobile welding business as set out within the Design and Access Statement by Ian J M Cable dated November 2015 and for no other purpose business or commercial purpose.
- 5 Reason For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF.

16/00680/F

Site North West of Whinmill 1 Thieves Bridge Road Watlington



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:1,250

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	20/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(m)

Parish:	Watlington	
Proposal:	Detached dwelling and double garage with associated landscape and paving works	
Location:	Site North West of Whinmill 1 Thieves Bridge Road Watlington King's Lynn	
Applicant:	Ms M Allflat	
Case No:	16/00680/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 6 June 2016

Reason for Referral to Planning Committee – The Parish Council object to the proposal which is at variance with the Officer recommendation.

Case Summary

The application is for one single storey dwelling with detached garage. It is located within the village of Watlington which is classed as a Key Rural Service Centre and the construction of a dwelling is acceptable in principle provided it is in character with the built characteristics of the locality.

Key Issues

Principle of Development
Form and Character
Amenity
Highways
Other material Considerations
Crime and Disorder

Recommendation

APPROVE

THE APPLICATION

The site is located to the east of Downham Road, Watlington close to its junction with Thieves Bridge Road. The site is located within Built Environment Type D. Watlington is identified as a 'Key Rural Service Centre' in the Settlement Hierarchy contained in the Core Strategy. The area is primarily residential in nature.

The site lies to the west of No.1 Thieves Bridge Road and constitutes part of its curtilage. The site is bounded to its west by a hedgerow of approximately 2.3m in height, a c.1.8m high close boarded timber fence to the north, and a conifer hedge to the south and a 1.8m close board fence between the site and the donor property to the east.

Full planning permission is sought for the erection of one detached dwelling with detached double garage.

SUPPORTING CASE

- The proposal is within the development boundary.
- There has been an approval on the site before.
- The site and position provides an opportunity for an attractive, contemporary design.
- The proposal is in scale with adjoining dwellings.

PLANNING HISTORY

15/00542/RM: Application Permitted: 28/05/15 - Reserved Matters Application following outline planning permission 14/00386/O: construction of one dwelling - Adjacent 1 Thieves Bridge Road

14/01257/F: Application Permitted: 17/10/14 - Proposed side extension and internal alterations. Detached garage – Whinmill 1 Thieves Bridge Road

14/00386/O: Application Permitted: 01/05/14 - Outline Application: Construction of one dwelling and associated access - 1 Thieves Bridge Road

RESPONSE TO CONSULTATION

Parish Council: OBJECTION The proposal would create a cramped form of development, with the property and double garage representing an over-intensive use of the site. The scheme fails to provide adequate amenity space to accompany the proposed dwelling which would be detrimental to any future occupiers.

Highways Authority: NO OBJECTION. The neighbour at no.87 maintains their hedge at a distance of 2.4m from the edge of the carriageway which enables them to adequately see from their point of access. This in turn would enable the point of access in relation to this application to have the ability (with appropriate conditions fronting the application site) to see a vision splay to an appropriate standard. This would offer improvements to the visibility of the Thieves Bridge Road highway junction, as the splays needed for the private access would extend through. Conditions requested regarding construction of the access, parking and turning area, a parallel visibility splay and removal of PD rights regarding means of obstruction.

Internal Drainage Board: The application is within the catchment area of the Board but not within the Board's District. As the application indicates surface water disposal is to a soakaway system the proposed development will not adversely affect drainage operations within the district. However, should the method of surface water disposal be changed in any way e.g. to a positive piped system, then full details of the drainage arrangements must be submitted to the Board, and their consent to any additional discharge to their system obtained prior to development commencing. No doubt the Borough Council will satisfy yourselves that no flooding problems are likely to occur in connection with the proposals.

Environmental Health & Housing - Environmental Quality: No Comments regarding contaminated land or air quality issues.

REPRESENTATIONS

No letters of representation received.

NATIONAL GUIDANCE

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

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

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.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Principle of Development
- Planning History
- Form and Character

- Amenity
- Highways
- Other material Considerations
- Crime and Disorder

Principle of Development

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

Watlington is identified as a Key Rural Service Centre in the Settlement Hierarchy set out in Policy CS02 of the King's Lynn & West Norfolk Core Strategy, 2011. Furthermore the application site falls within Built Environment Type D as identified in the King's Lynn & West Norfolk Local Plan, 1998. Within this area the principle of new residential development is generally considered to be acceptable. Development must however have regard for and be in harmony with the building characteristics of the locality and comply with all other relevant policies.

Planning History

Planning permission has already been granted for the construction of one dwelling under planning permission 14/00386/O and 15/00542/RM which would utilise the same proposed access position.

The approved dwelling was 1 ½ storey with first floor accommodation and was positioned fronting onto Downham Road, where the proposed parking and turning area and garage are within this application. There was some proposed amenity space to the rear of the approved dwelling and the majority of the amenity space and parking / turning was to the area of land where this proposal is sited.

Form and Character

Whilst the majority of development in the immediate locality of the site is characterised by linear development fronting the road; development to the north of the site follows no such pattern.

To the north of the application site the majority of the dwellings are set back from the highway having front amenity spaces that primarily accommodates parking and turning areas as well as areas of green space.

The proposed development differs from that which was originally approved by re-positioning and re-orientating the proposed dwelling so that it's end gable fronts Downham Road and the principle elevation faces north. In addition the proposed dwelling has been lowered so that it is single storey and consequently the proposed building has a larger footprint on site. The proposed double garage would be sited facing west with the parking and turning to the front of it and the dwelling.

Whilst this would result in a form of development which would differ from that in the immediate locality, the site could be considered an end-stop where the form and character changes to the north from the rest of the locality.

There has been an objection from the Parish on the basis that the proposal is overdevelopment of the plot and lacks amenity space.

However whilst there has been a reduction in the amount of amenity space compared to what was originally approved it would still have an amenity space to the rear (south) which would be up to 15m in depth and 14m in width and therefore it is not considered that the proposal could be refused on this basis.

Overall the alterations to that which was originally approved are considered acceptable and would not materially harm the form and character in the locality.

Amenity

The impact upon the donor dwelling has been assessed. The proposal is for a single storey dwelling and all of the windows have been sited on the north and south elevations so consequently there would be no material impact with regard to overlooking. The most eastern part of the proposal has been stepped down and therefore the proposal would have no material impact with regard to being overbearing. The proposal is to the west of the donor dwelling and therefore there would be some loss of light at the end of the day, however the proposal is single storey and the impact would not be to the degree which would warrant a refusal.

There would be no material impact upon any other neighbours due to the position and height of the proposed buildings on site.

Highways

There are no objections from the highway officer subject to conditions. In order to provide a 2.4m wide parallel visibility splay some of the existing hedging to the western boundary may need to be cut back, however this is the same condition which was placed on the previous outline approval (14/00386/O).

Other material Considerations

The application site is within Flood Zone 1 and therefore does not require a Flood Risk Assessment.

Crime and Disorder

There are no issues regarding crime and disorder which would arise due to this application.

CONCLUSION

The principle of development has been accepted by the previous approval. However, the change in layout and design needs to be considered.

On this basis the proposed development would not materially harm the form and character of the locality and would have no material impact on neighbour amenity or highway safety.

Consequently the proposal complies with the National Planning Policy Framework, Policies CS01, CS02, CS08, CS09 and CS11 of the King's Lynn and West Norfolk Adopted Core Strategy 2011, Policy 4/21 of the saved Local Plan Policies and Policies DM2, DM15 and DM17 of the emerging Site Allocations and Development Management Policy Document and is recommended for approval.

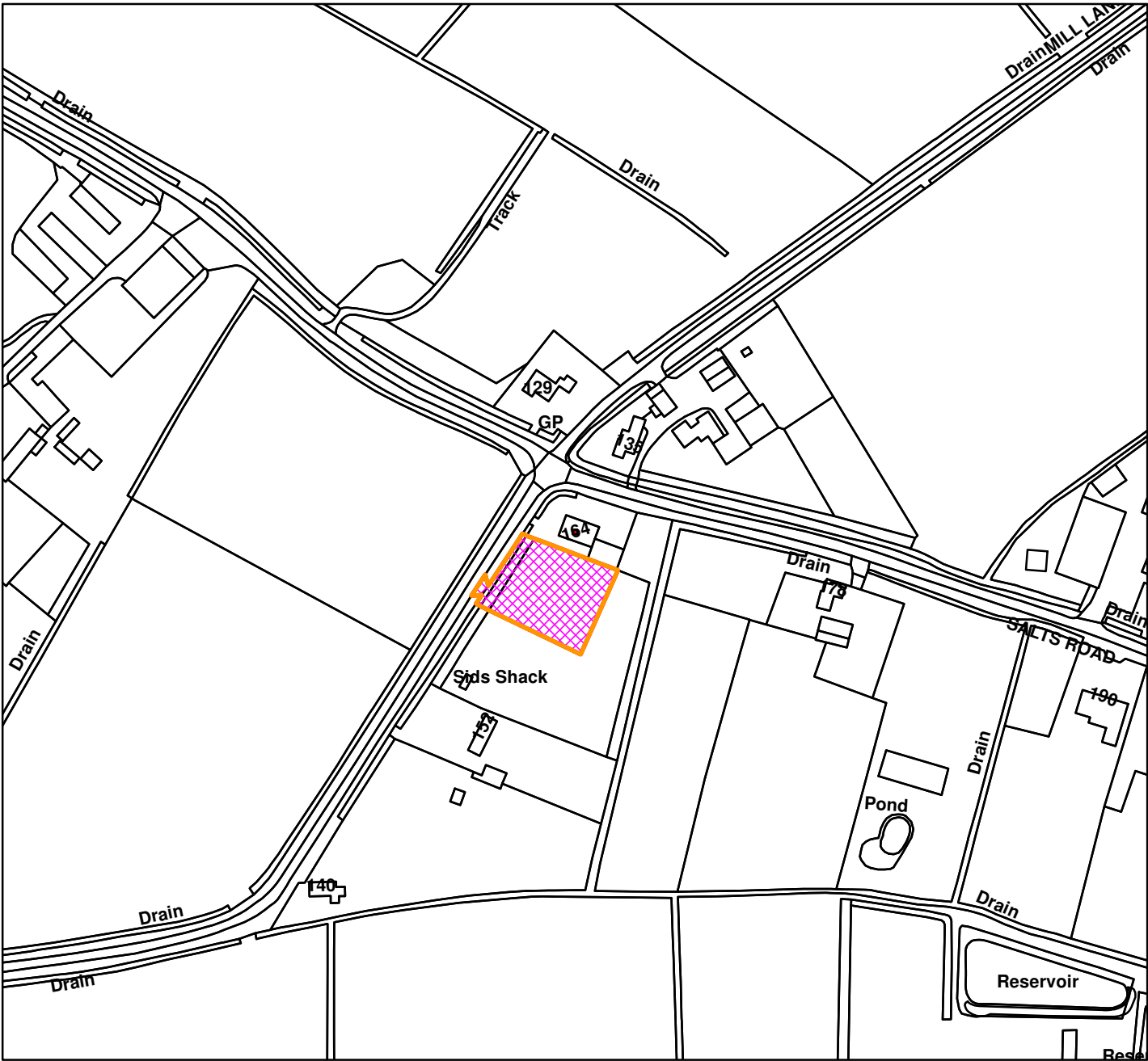
RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plan 1153-16-1 'Detached dwelling & Garage'.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 1153-16-1) in accordance with the highway specification (drawing No TRAD 4) attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 4 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 4 Reason In the interests of highway safety.
- 5 Condition Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's Downham Road roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 5 Reason In the interests of highway safety.
- 6 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

16/00629/F

Gwenville 164 Salts Road West Walton



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:2,500

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	23/05/2016
MSA Number	0100024314

AGENDA ITEM NO: 9/3(n)

Parish:	West Walton	
Proposal:	Proposed 5 bed house with detached garage	
Location:	Gwenville 164 Salts Road West Walton Norfolk	
Applicant:	Mr C Crowson	
Case No:	16/00629/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 24 May 2016

Reason for Referral to Planning Committee – Called in by Cllr. Groom

Case Summary

The site lies within an area designated as Countryside according to local plan proposals maps for West Walton.

The site is on the eastern side of Salts Road, West Walton. The site is open on the western boundary and fairly flat, lower than road level.

The site has tree and hedged boundaries on the western and southern boundaries. Other features on site to note include a mobile home which has vegetation around its base.

The site has been the subject of a two recent planning applications. 15/01313/F – for the erection of a two storey detached property which was refused.

16/00233/F – for the erection of a two storey detached property which was withdrawn.

Key Issues

Principle of development and Planning History;
Form and character;
Neighbour amenity;
Highway safety;
Flood risk; and
Other material considerations

Recommendation

REFUSE

THE APPLICATION

The application site lies within an area of countryside according to local plan proposals maps of West Walton.

The site is on the eastern side of Salts Road, West Walton on lower land than the road. The site is relatively flat and contains hedging and trees on the South East boundary and on the south west boundary of the site. The northern boundary comprises of a wall and part of the donor dwelling's elevation.

Also on the site is a mobile home, which does not appear to be lived in given the vegetation growth around the base of the caravan.

The form and character of the development in the locality consists of single, chalet style and two storey detached properties. The properties demonstrate a rendered finish on the front elevation and exposed brickwork to the rear.

The character of this part of Salts Road is fairly open and verdant and less dense than the parts of Salts Road that are closer to the centre of the village.

This application seeks full planning permission for the erection of a 5 bedroom detached two storey house with detached double garage with office above. The property has two storey subservient elements that project from the SW and NE elevations that are finished in render. The main element of the house is to be finished in exposed brickwork.

SUPPORTING CASE

The application has been supported with a Design and Access Statement which refers to the following:-

- 5 bedroom dwelling with detached garage located on land on Salts Road
- The council has only 1.91 year housing supply.
- The existing site is currently garden land with dense shrubbery to the rear. The proposed use for this site is residential which fits into the surrounding land use. The sense of community in this area by introducing a new family who would have the opportunity to be part of a typical rural village community.
- The total floor area of 282.2m²
- The size, layout and accommodation are driven by the desire to provide good quality, modern living accommodation for the occupants and users of the building.
- 3 boundaries to the site exists, the layout of the proposal derives from the position of the proposal to the neighbouring properties.
- The scale of the proposal is sympathetic to the site and provides parking and recreation area for the occupants of the new property.
- Depth 11.8m, width 18.2m, 8.6m finished floor level to ridge height, finished floor level to eaves height 5.2m
- The proposed dwelling will include landscaping and driveway to the front garden with planting to soften the front of the property. The rear garden will be levelled and seeded with grass and along with decking and patio areas for the full enjoyment of the occupants.
- This is not agricultural land therefore no food production will be lost as part of this proposal.
- The form of the proposal reflects a more traditional solution as it is felt that it is the most appropriate form given the location of the site, local context and style of the buildings in the village. These features include red pantile type roof with black rainwater goods, and casement windows with sub-cills, as well as a rustic red multi brickwork and off-white render, and timber cladding to the garage.

- The site lies within flood zone 3 of the King's Lynn and West Norfolk Strategic Flood Risk Assessment flood map. No ground floor sleeping accommodation is proposed.
- In light of an appeal decision (ref: APP/V2635/W/15/3065789) for a detached dwelling in Walpole St Peter, it was concluded that sequential testing should occur on a village by village basis and not on a strategic grouping as part of the hierarchy in the Core Strategy.
- The site benefits from being in close proximity to major transport facilities. Bus stops in the village provide a service to Wisbech, which has bus links to train stations in Peterborough, King's Lynn and Downham Market.
- the following public amenities are in walking distance from the site; primary school, secondary school, butcher, public house, village church, village hall, village playing field, a doctor's surgery in Wisbech.
- The site will be accessed from Salts Road for pedestrian and vehicular concerns with parking to front/rear of the new property. Motor cars will have easy access to the front door of the property. There are two parking spaces at the side of the dwelling accessed by a new private driveway and turning to the front of the dwelling.
- Pedestrian access to the property complies with Part "M" of the Building Regulations.

PLANNING HISTORY

16/00233/F: Application Withdrawn: 22/03/16 - Proposed 5 bed house with detached garage

15/01313/F: Application Refused: 13/10/15 - Proposed 5 bed house with detached garage

2/01/1570/LD: Application Permitted: 27/05/02 - Retention of residential caravan

RESPONSE TO CONSULTATION

Parish Council: SUPPORT subject to a condition being applied to the planning permission that the proposed office is never to be used for residential or holiday accommodation.

Highways Authority: NO OBJECTION subject to condition

Environmental Health & Housing – Environmental Quality: NO OBJECTION I have no comments to make for this proposal regarding contaminated land or air quality.

Emergency Planner: NO OBJECTION subject to the imposition of the conditions.

Environment Agency: NO OBJECTION subject to condition.

REPRESENTATIONS

None received

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

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

- Principle of development and Planning History;
- Form and character;
- Neighbour amenity;
- Highway safety;
- Flood risk; and
- Other material considerations

Principle of development and Planning History

The village of West Walton is defined as a Key Rural Service Centre, together with West Walton.

The site has been the subject of 2 recent planning applications for the erection of a 5 bedroom dwelling. The second application was withdrawn but the first application 15/01313/F was refused on 2 grounds:-

1. The proposed development is for a dwelling within an area that is predominately rural in nature with only sporadic housing and is located away from the village edge. By consolidating existing sporadic development, the proposal would result in an adverse impact upon the character and appearance of the countryside that would significantly and demonstrably outweigh the benefits of providing a unit of residential accommodation. The proposal is therefore contrary to paragraph 14 and Chapter 6 of the NPPF.

2. The application site falls within Flood Zone 3 as defined in the Council-adopted Strategic Flood Risk Assessment and sequential testing is therefore required. Sequentially there are sites located within the defined Key Rural Service Centre (which includes the settlement of West Walton and West Walton Highway) at a lower probability of flooding. The proposed development is therefore contrary to the overarching aims of the NPPF and in particular to section 10 of the NPPF and to Core Strategy Policy CS08.

It is recognised that, at the time of the previous application that the Council did not have a five-year supply of deliverable housing sites. Notwithstanding the inability to provide a five-year supply of deliverable sites and presumption in favour of sustainable development, the application site was not considered to be in a sustainable location. The site is some distance from the main village in an area of sporadic development and is not linked by footpaths or served by street lighting. On balance it was considered that the proposal would not benefit from being sufficiently close to the village and its associated facilities and in principle it would have resulted in significant or demonstrable harm by virtue of consolidating development.

This reason for refusal for a dwelling in this location remains valid. There has been no special circumstances as specified in paragraph 55 that has been put forward as part of this re-submission. Additionally and especially considering that the Council has recently announced that it has a 5 year supply of deliverable housing sites.

The previous application also failed the sequential test. This issue is considered in the flood risk section of the report.

Form and character

To the north of the application site is a detached chalet bungalow, which has been previously extended. The boundary with the application plot is formed by a brick wall and part of the building itself. To the south is an existing caravan and a pitched roof rendered building (application 2/01/1570/LD), they appear unoccupied due to the vegetation growing on and around the caravan and building. At this point in Salts Road, housing development becomes more inter-dispersed by larger gaps and a much more loose-knit character. The proposal is to in-fill one of these areas.

The proposal is well-balanced in terms of its proportions and has been designed so as to appear to have been extended with subservient wings to either end of the main dwelling. The resulting dwelling is large in nature, but the plot is of sufficient size to accommodate a dwelling of these proportions.

Notwithstanding the above, it is considered a single dwelling in isolation if permitted would result in an incremental change to the character of this rural location and would result in harm contrary to the aims of the NPPF.

Neighbour amenity

The proposed property is approximately 7.8m away from the shared boundary with the donor property at its closest point.

The closest point of the proposed property is 7.25m tall. The main bulk of the dwelling is some 12.4m away from the shared boundary. By virtue donor property's amenity space being mainly to the front of their property the proposed property would not cause detrimental overshadowing or overbearing issues upon their amenity space.

The neighbour to the south west is some 34.4m from the proposed property and 29.4m away from the detached garage. At this distance the neighbour would not be detrimentally affected by the proposal.

The proposal has limited window openings within the side elevations of the property; only ground floor. The impact in terms of overlooking is therefore considered to be negligible upon both the donor property and the neighbour to the south west.

There are no neighbours directly opposite or to the rear of the site.

In all, there is minimal impact upon neighbour amenity.

Highway safety

NCC Highways, have confirmed that they consider the proposal could be safe, subject to conditions, and parking and turning would be provided and accord with the parking standards for Norfolk. The drain to front of the site is not maintained by the IDB, however any works to it will require the consent from the IDB.

Flood risk

The site is within Flood Zone 3 on both the EA maps and the SFRA 2009. The Environment Agency have reviewed the submitted flood risk assessment and have advised that it is acceptable. Conditions are recommended in order to secure the safety of future occupants of the dwelling.

The agent states that a recent appeal decision (ref: APP/V2635/W/15/3065789) has been allowed which is of particular note when it comes to assessing the sequential test. The appeal site is at Walpole Marsh, Walpole St Andrew and was for a detached dwelling. The agent states that the inspector concluded that the sequential test needs only to be applied to the Village in which the site is contained and not as, where referenced in Policy CS02 as a collective settlement. This is not correct.

The inspector in conducting the sequential test indeed did apply the collective grouping of the Walpole villages, as directed by the Council whom considered that the parish of Walpole forms the basis of the administrative area of the sequential test, to come to his conclusion. The appeal was upheld on the flood risk issue as there was no sequential information that demonstrated that the sites in Walpole St Peter were in areas of little risk or no risk of flooding and other sites or was available.

Whilst West Walton itself has no preferred option sites, using the parish of West Walton, which includes the settlement of Walton Highway, as the basis of the sequential test area, there are sequentially preferable sites that are in a lower risk flood zone and available. Policy G120.1 – Land adjacent to Common Road Walton Highway for 10 dwellings is in Tidal Flood Zone 2 and has been granted outline planning permission by the Planning Committee – 16/00023/OM – on the 4th April 2016 subject to the S106 being resolved. Policy G120.2 – Land north of School Road for 10 dwellings is also in Tidal Zone 2, which is the subject of a current application 16/00482/OM.

Accordingly the proposal fails the sequential test and therefore there is no need to apply the exception test.

The Council's Emergency Planner has suggested conditions, should planning consent be approved.

Other material considerations

There are no outstanding issues in relation to contaminated land or air quality.

The Parish Council support the application, but wish to see the office not become used for residential or holiday accommodation. The use of the office can be conditioned so it does not become anything other than ancillary accommodation.

CONCLUSION

In this case the application site lies outside of the defined settlement of West Walton/Walton Highway which is considered to be a sustainable location as a Key Rural Service Centre. The site is some distance from the main village and is not linked by footpaths or served by street lighting. It is considered a single dwelling in isolation if permitted would result in an incremental change to the character of this rural would result in significant and demonstrable harm contrary to the aims of the NPPF.

Furthermore it is not considered that the application has passed the sequential test. Using the parish of West Walton as a basis of the sequential test, there are sequential preferable sites in a lower risk flood zone. Therefore the proposal fails paragraph 101 of the National Planning Policy Framework.

Issues relating to highway safety, neighbour amenity and design are considered satisfactory.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The site lies outside the settlement boundary for West Walton as identified by the King's Lynn and West Norfolk Local Plan 1998 and the emerging Site Allocations and Development Management Policies Submission Document 2015. The applicant has not provided any special justification why countryside protection should be relaxed. The proposed development is therefore contrary to the provisions of Paragraphs 17 and 55 of the NPPF, Policy CS06 of the Core Strategy 2011 and Policy DM 2 of the Site Allocations and Development Management Policies Submission Document 2015.
- 2 The application site falls within Flood Zone 3 as defined in the Council-adopted Strategic Flood Risk Assessment and sequential testing is therefore required. Sequentially there are sites located within the defined Key Rural Service Centre (which includes the settlement of West Walton and West Walton Highway) at a lower probability of flooding. The proposed development is therefore contrary to the overarching aims of the NPPF and in particular to section 10 of the NPPF and to Core Strategy Policy CS08.

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the May Planning Committee Agenda and the June agenda. 171 decisions issued, 159 decisions issued under delegated powers with 12 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area
- (4) Majors are assessed against a national target of 40% determined in time. Failure to meet this target could result in the application being dealt with by PINS, who would also receive any associated planning fee.

RECOMMENDATION

That the reports be noted.

Number of decisions issued from

	Total	Approved	Refused	Under 8 weeks or within agreed ext of time (Minor/Other)	Under 13 weeks or within agreed ext of time (Major)	Performance %	Former National target %	Current National target %	Planning Committee decision	
									Approved	Refused
Major	8	5	3		6	75%	60	50	4	0
Minor	82	57	25	68		83%	65		7	1
Other	81	79	2	69		85%	80		0	0
Total	171	141	30							

Planning Committee made 12 of the 171 decisions, 7%

PLANNING COMMITTEE - 6 JUNE 2016

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.

RECOMMENDATION

That the report be noted.

DETAILS OF DECISIONS

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
09.03.2016	29.04.2016 Application Permitted	16/00472/F	Mr & Mrs M Carter Cottontail Lodge 11 Bagthorpe Road Bircham Newton Norfolk Proposed new detached garage	Bagthorpe with Barmer
18.02.2016	10.05.2016 Application Permitted	16/00304/F	Mr Glen Barham Wits End Church Lane Boughton King's Lynn Raising existing garage roof to accommodate a bedroom with ensuite and study both with dormer windows	Boughton

23.03.2016	13.05.2016 Application Permitted	16/00590/F	Mr & Mrs G Coyne Hall Farmhouse The Green Boughton Norfolk Amendments to extension design along with first floor window openings to rear.	Boughton
11.03.2016	05.05.2016 Application Permitted	16/00503/F	Mr Scarlett Ulph Lodge 15 Ulph Place Burnham Market Norfolk Conversion of roofspace to create bedroom and showerroom	Burnham Market
16.03.2016	13.05.2016 Application Permitted	16/00505/F	Holkham Estate Agricultural Barn At Whitehall Farm Walsingham Road Burnham Thorpe Norfolk Proposed conversion of the existing barn to residential use and the modification of an existing structure to provide an outbuilding for parking and storage	Burnham Thorpe
04.03.2016	11.05.2016 Application Permitted	16/00411/F	Mr A Gathercole Holly Lodge 66 Ferry Road Clenchwarton King's Lynn Proposed replacement sunlounge to existing dwelling. Regularise permitted development work to attic space used as accomodation for over past decade with provision of new staircase and dormer windows and rooflights and construct garage as originally approved under 96/0829	Clenchwarton

11.03.2016	17.05.2016 Application Permitted	16/00519/F	Mr D Evans Rose Cottage Market Lane Crimplesham King's Lynn To construct a two storey extension, forming kitchen, dining area and new master bedroom and en-suite	Crimplesham
22.01.2016	12.05.2016 Application Refused	16/00106/O	Classicstone Properties Ltd Barn Adj 22 Whin Common Road Whin Common Road Denver Norfolk Outline Application: Construction of a single dwelling	Denver
14.04.2016	19.05.2016 Prior Approval - Not Required	16/00731/PAGPD	Mr R Jackson 7B Downham Road Denver Norfolk Single storey rear extension which extends beyond the rear wall by 4.38 metres with a maximum height of 3.73 metres and a height of 2.96 metres to the eaves	Denver
14.03.2016	05.05.2016 Application Permitted	16/00515/F	Mr David Crown The Rickles Caravan Site Bircham Road Stanhoe Norfolk Variation of Condition 2 attached to planning permission reference 15/02104/F to amend the design of the building	Docking
16.03.2016	13.05.2016 Application Permitted	16/00545/F	Mr Edward McDonnell The Old Observatory Sandy Lane Docking King's Lynn Variation of condition 2 of planning consent 15/02054/F to amend drawings	Docking

16.12.2015	29.04.2016 Application Permitted	15/02043/O	Mr & Mrs K Baxter 59 Denver Hill Downham Market Norfolk PE38 9BE OUTLINE ALL MATTERS RESERVED: Two dwellings following removal of existing dwelling	Downham Market
07.03.2016	29.04.2016 Application Permitted	16/00430/F	Mr J Peacock 55 Rosemary Way Downham Market Norfolk PE38 9UB To erect a white PVC-u conservatory to the rear of the existing property	Downham Market
15.03.2016	12.05.2016 Application Permitted	16/00527/F	Mr & Mrs M Thorrold 9 Churchill Way Downham Market Norfolk PE38 9RW Rear extension to bungalow	Downham Market
16.03.2016	11.05.2016 Application Permitted	16/00541/F	Mr And Mrs C Hartley Land To the Rear of 27B Bexwell Road Downham Market Norfolk Construction of two dwellings following removal of existing agricultural buildings	Downham Market
17.03.2016	12.05.2016 Application Permitted	16/00561/F	Mr And Mrs D Wiffen 42 Lynn Road Downham Market Norfolk PE38 9NN Construction of two dwellings including alterations to access, adjustments to ground levels and construction of retaining walls	Downham Market
02.11.2015	12.05.2016 Application Permitted	15/01769/F	Mr G Newman Orchard Farm Lady Drove Barroway Drove Downham Market Proposed replacement dwelling	Downham West

02.03.2016	27.04.2016 Application Refused	16/00429/O	Mr Phillip Jones Land South of 62 Outwell Road Emneth Wisbech Outline Application: construction of four dwellings	Emneth
04.03.2016	05.05.2016 Application Refused	16/00415/F	Cowles And Sutton Land East OF 33 Ladys Drove Emneth Norfolk Erection of 2No semi detached dwellings	Emneth
07.03.2016	19.05.2016 Application Withdrawn	16/00460/O	Mrs Cheryl Sidgwick Jubilee Bungalow 93 Elmside Emneth Wisbech Outline Application: Single building plot on land adjacent to existing dwelling	Emneth
11.03.2016	12.05.2016 Application Permitted	16/00504/F	E W Porter And Sons Ltd Hall Farm Barns 11 Lodge Road Feltwell Thetford Conversion of barns to create 3 dwellings	Feltwell
14.03.2016	29.04.2016 DM Notification NOT Required	16/00526/DM	Mr And Mrs Steve Hart Snowre Hall Main Road Fordham Downham Market Demolition of existing open store and workshop building	Fordham
14.03.2016	29.04.2016 Application Permitted	16/00528/LB	Mr And Mrs Steve Hart Snowre Hall Main Road Fordham Downham Market Listed Building Application: demolition of existing open store and workshop building	Fordham

07.03.2016	29.04.2016 Application Permitted	16/00435/F	Mrs Liza Bird Honey Pot Cottage Barrack Yard Winch Road Gayton Single Storey rear extension	Gayton
16.03.2016	13.05.2016 Application Permitted	16/00510/F	Mrs Clare Howard JE Howard Butchers And Delicatessan Lynn Road Gayton Norfolk Dormer extensions to dwelling house	Gayton
21.03.2016	16.05.2016 Application Permitted	16/00580/LB	Mr And Mrs Kevin Bristow Church Farm Cottages East Walton Road Gayton King's Lynn Listed Building Application: external repair and internal modifications	Gayton
09.03.2016	29.04.2016 Application Permitted	16/00475/F	Mr A Allen 46C Station Road Great Massingham Norfolk PE32 2HW Construction of lean-to-workshop to east of dwelling	Great Massingham
10.03.2016	05.05.2016 Application Refused	16/00486/F	Mr And Mrs Tillbrook 35 Sunnyside Road Great Massingham King's Lynn Norfolk Construction of semi-detached dwellings	Great Massingham
10.03.2016	28.04.2016 Application Permitted	16/00490/F	Mr & Mrs Yeend Brookland Villa 20 Station Road Great Massingham King's Lynn Demolish existing single storey extension and conservatory, replace with new to form open plan living space.	Great Massingham

04.03.2016	29.04.2016 Application Refused	16/00451/O	Mr And Mrs R Irwin Land Betwee 51 And 65 Leziate Drove Pott Row Norfolk Outline application: 6 dwellings	Grimston
14.03.2016	04.05.2016 Prior Approval - Refused	16/00524/PACU3	Geoffrey Mason Ltd Tithe Farm Broad Drove Grimston King's Lynn Prior Notification: Agricultural building to dwellinghouse	Grimston
29.02.2016	28.04.2016 Application Refused	16/00406/O	Mr Ian Rix The Rose And Crown Nethergate Street Harpley King's Lynn OUTLINE APPLICATION SOME MATTERS RESERVED: Proposed building plot for dwelling	Harpley
23.11.2015	29.04.2016 Application Permitted	15/01893/F	Mr Chris Cannon 31 School Road Heacham King's Lynn Norfolk Extension and storage building	Heacham

22.02.2016	27.04.2016 Application Permitted	16/00351/LB	JDS Construction Norfolk Ltd 4 Mulberry Place Heacham Norfolk PE31 7FD Listed Building Application: To rebuild the existing single storey section of Mulberry Barn into a residential dwelling whilst providing a new extension to provide additional floor space. The works involves demolition and rebuild to failing parts of the structure including north elevation and part of south elevation. The existing roof will require removal of asbestos and new roof structure. Original brick detailing and carstone infill to remain	Heacham
25.02.2016	27.04.2016 Application Permitted	16/00389/F	Care And Repair 32 Poplar Avenue Heacham King's Lynn Norfolk Removal of sash window from bay window on principal elevation, removal of lower section of brickwork and installation of uPVC level access french doors to allow for wheelchair access	Heacham
16.03.2016	13.05.2016 Application Permitted	16/00546/F	Mr Kevin Mann 8 Pine Mall Heacham King's Lynn Norfolk Rear extension to Bungalow	Heacham
16.03.2016	13.05.2016 Application Permitted	16/00555/F	Mr Paul Curson 42 Marram Way Heacham King's Lynn Norfolk Erection of single-storey extension	Heacham

17.03.2016	12.05.2016 Application Permitted	16/00554/F	Mrs F Pedel 38 Ringstead Road Heacham King's Lynn Norfolk Two storey extension and alterations following removal of existing conservatory	Heacham
17.03.2016	13.05.2016 Application Permitted	16/00563/F	Mr And Mrs Bradfield Former Slaughter House School Road Heacham King's Lynn Change of use from former slaughter house to residential	Heacham
18.03.2016	13.05.2016 Application Permitted	16/00543/F	Mr Dean Jose Conifers 24A Ringstead Road Heacham Norfolk Revised garage and store with washroom facilities.	Heacham
21.03.2016	16.05.2016 Application Permitted	16/00579/F	Mrs Jemma Greef 25 Cheney Hill Heacham King's Lynn Norfolk Single storey rear extension	Heacham
06.04.2016	13.05.2016 Prior Approval - Refused	16/00668/PAGPD	Angie Marshall 4 Ruskin Close Heacham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 7 metres with a maximum height of 3.75 metres and a height of 2.5 metres to the eaves	Heacham
02.03.2016	29.04.2016 Application Permitted	16/00403/CU	Mr Dave Stubbings Glebe Cottage Station Road Ten Mile Bank Downham Market Change of use from residential to mixed use of residential and business	Hilgay

04.03.2016	20.05.2016 Application Permitted	16/00443/F	Mr I Fox & Ms H Hancox The Brambles Hubbards Drove Hilgay Downham Market Rear Extension to dwelling	Hilgay
22.03.2016	29.04.2016 GPD HH extn - Approved	16/00602/PAGPD	Mr Ian Fulton 36 St Peters Walk Hockwold cum Wilton Norfolk IP26 4JE Single storey rear extension which extends beyond the rear wall by 5 metres with a maximum height of 3.98 metres and a height of 2.29 metres to the eaves	Hockwold cum Wilton
31.03.2016	09.05.2016 Prior Approval - Not Required	16/00633/PAGPD	Mr Gavin Stacey 9 St Peters Walk Hockwold cum Wilton Norfolk IP26 4JE Single storey rear extension which extends beyond the rear wall by 5 metres with a maximum height of 3.855 metres and a height of 2.25 metres to the eaves	Hockwold cum Wilton
23.03.2016	17.05.2016 Application Permitted	16/00609/F	Mr & Mrs Adam Pallant Brook House 32 Beach Road Holme next the Sea Norfolk Single Storey Workshop (for glass working) in rear garden	Holme next the Sea
14.03.2016	29.04.2016 Application Permitted	16/00529/F	Mr Bill Coleman 24 Philips Chase Hunstanton Norfolk PE36 5NL Front and rear dwelling extensions	Hunstanton
22.03.2016	13.05.2016 Application Permitted	16/00584/F	Mr M Wright 2 Astley Crescent Hunstanton Norfolk PE36 6HA Extension and Alterations to Dwelling	Hunstanton

24.12.2015	27.04.2016 Application Permitted	15/02135/OM	Mr James Wilson Land N 130 Lynn Road And E 147 Lynn Road Lynn Road Ingoldisthorpe Norfolk Outline Application: Residential development of 15 houses	Ingoldisthorpe
23.03.2016	13.05.2016 Application Permitted	16/00596/F	Mr Paul Beaumont 7 Sandy Crescent Ingoldisthorpe King's Lynn Norfolk Single Storey extension to front of bungalow	Ingoldisthorpe
16.07.2015	27.04.2016 Application Permitted	15/01113/A	BOOKER Ltd Booker Cash & Carry Hansa Road Hardwick Industrial Estate King's Lynn Advertisement application for 3 x fascia signs and 1 x freestanding sign	King's Lynn
12.01.2016	05.05.2016 Application Permitted	16/00048/F	National Grid Electricity Transmission PLC White House Farm Saddlebow Road King's Lynn Norfolk Construction of one stone access track link and one new culvert	King's Lynn
20.01.2016	27.04.2016 Application Permitted	16/00093/F	Mr S Balls 17 Lynn Road Gaywood King's Lynn Norfolk Retrospective permission for conversion of outbuilding to annexe dwelling	King's Lynn

05.02.2016	04.05.2016 Application Permitted	16/00222/F	Mr Celal Kara Marmaris Turkish Restuarant 5 Out South Gates King's Lynn Norfolk New roof structure and installation of new door to existing single storey structure. New uncovered decked area (retrospective)	King's Lynn
09.02.2016	05.05.2016 Application Permitted	16/00246/A	RBS Royal Bank of Scotland 38 New Conduit Street King's Lynn Norfolk Advertisement Application: 2x non- illuminated fascia signs, 1x internally illuminated fascia sign, 1x internally illuminated hanging sign, 1x internally illuminated ATM sign and 1x non-illuminated welcome vinyl	King's Lynn
09.02.2016	28.04.2016 Application Permitted	16/00252/F	Mr Matt Gilchrist 250 Wootton Road King's Lynn Norfolk PE30 3BH Demolition of existing garage and construction of a detached single garage and carport.	King's Lynn
19.02.2016	03.05.2016 Application Permitted	16/00313/F	Mr & Mrs D Nimmo 8 Avenue Road King's Lynn Norfolk PE30 5NW Proposed single storey extensions	King's Lynn

22.02.2016	29.04.2016 Application Permitted	16/00344/F	Shaun Hodgson Engineering Sprayshed Shaun Hodgson Engineering Sprayshed Hamlin Way Hardwick Narrows King's Lynn Proposed extension to side and end of existing spray shed to form new material store	King's Lynn
22.02.2016	16.05.2016 Application Permitted	16/00352/LB	BCKLWN Town Hall Saturday Market Place King's Lynn Norfolk LISTED BUILDING APPLICATION: Amended design to stairwell screen and external wall coping (retrospective)	King's Lynn
02.03.2016	27.04.2016 Application Permitted	16/00399/F	Mr & Mrs Jon Noble 206 Wootton Road King's Lynn Norfolk PE30 3BQ Loft conversion and rear extension to 206 Wootton Road, kings lynn	King's Lynn
03.03.2016	27.04.2016 Application Permitted	16/00445/F	McDonalds Restaurants Ltd Mc Donalds Hamburgers Ltd 71 High Street King's Lynn Norfolk Refurbishment of shopfront to include replacement windows	King's Lynn
03.03.2016	29.04.2016 Application Permitted	16/00446/A	McDonalds Restaurants Ltd Mc Donalds Hamburgers Ltd 71 High Street King's Lynn Norfolk 2 x halo illuminated fascia signs, 1 x non illuminated hanging sign and 1x internal LCD promotional screen	King's Lynn

04.03.2016	28.04.2016 Application Permitted	16/00427/F	Mr & Mrs B Shipp 15 Saddlebow Road King's Lynn Norfolk PE30 5BQ Extension and Alterations to dwelling	King's Lynn
04.03.2016	29.04.2016 Application Permitted	16/00450/F	Justsam Properties Tower Place King's Lynn Norfolk PE30 5DF Construction of 5 dwellings following demolition of existing buildings	King's Lynn
10.03.2016	29.04.2016 Application Permitted	16/00495/A	Ford Motor Ford 11 Scania Way Hardwick Industrial Estate King's Lynn 1 x internally illuminated 6m pole sign, 1 x internally illuminated dealer sign, 1 x non illuminated parking sign, 3 x non illuminated wall mounted parking signs, 2 x non-illuminated fence mounted parking signs, 1 x non-illuminated information sign, 1 x internally illuminated entrance sign	King's Lynn
10.03.2016	10.05.2016 Application Permitted	16/00496/F	Mr & Mrs Ian Angus 48 Rainsthorpe South Wootton King's Lynn Norfolk Side and Rear Extension	King's Lynn
11.03.2016	11.05.2016 Application Permitted	16/00479/LB	Mr Robin Burton 16 St James Street King's Lynn Norfolk Listed Building Application: Single storey extension with mono pitched roof following demolition of rear store/kitchenette	King's Lynn

16.03.2016	13.05.2016 Application Refused	16/00536/A	WHSmith PLC Vacant 50 High Street King's Lynn Norfolk ADVERT APPLICATION: 1 x externally illuminated fascia sign and 1 x externally illuminated hanging sign	King's Lynn
16.03.2016	13.05.2016 Application Permitted	16/00542/F	Mr M Turner 12 Avenue Road King's Lynn Norfolk PE30 5NW Variation of condition 2 of planning consent 15/01910/F	King's Lynn
17.03.2016	16.05.2016 Application Permitted	16/00550/F	Metric Property Kings Lynn Ltd Pierpoint Retail Park Hansa Road Hardwick Industrial Estate King's Lynn Installation of a two metre high timber close boarded fence around two sides of the proposed GRP Enclosure covered by permitted development rights as detailed in the GDPO 2015	King's Lynn
22.03.2016	17.05.2016 Application Refused	16/00599/LB	WHSmiths PLC Vacant 50 High Street King's Lynn Norfolk Listed Building Application: Alter exterior signage	King's Lynn

12.04.2016	10.05.2016 Application Permitted	15/00744/NMA_1	Caretech Community Services Annexe At 161 Wootton Road Gaywood King's Lynn Non-material amendment to planning permission 15/00744/F: Demolition of conservatory and bathroom to rear of annex and proposed extension to rear and refurbishment	King's Lynn
13.04.2016	09.05.2016 Application Permitted	11/02022/NMAM_4	Equity Estates Kellard House Hardwick Road King's Lynn Norfolk Non-material amendment to planning permission 11/02022/FM: Development of 68 bedroom travelodge hotel with associated reception and vending facilities together with all relevant support areas to Travelodge design standards. The creation of external areas including parking for 61 cars	King's Lynn
14.04.2016	13.05.2016 DM Prior Notification Refusal	16/00722/DM	Freebridge Community Housing Garage Block Silver Green King's Lynn Norfolk Prior Notification: Demolition of damaged garage block	King's Lynn
21.04.2016	19.05.2016 Application Permitted	11/02119/NMA_1	The Norfolk Building Co (UK) Ltd Land To the West of 10 Tower Street King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 11/02119/F: Two terrace houses and a flat	King's Lynn

21.04.2016	19.05.2016 Consent Not Required	16/00772/AG	RWC Tittleshall Ltd North Lynn Farm Estuary Road King's Lynn Norfolk Prior Notification: Erection of grainstore	King's Lynn
07.03.2016	06.05.2016 Application Permitted	16/00462/F	Mr And Mrs T Crane Wildwood 54 East Winch Road Ashwicken Norfolk Proposed house and garage	Leziate
21.03.2016	13.05.2016 Application Permitted	16/00578/F	Client of Matt Gosling Architectural Design 6 Fen Lane Ashwicken King's Lynn Norfolk Side, rear and porch extensions to dwelling	Leziate
24.03.2016	28.04.2016 Prior Approval - Not Required	16/00623/PAGPD	Mr And Mrs D Chapman Lantern Cottage Station Road Little Massingham Norfolk Single storey rear extension which extends beyond the rear wall by 5.50 metres with a maximum height of 3.20 metres and a height of 2.90 metres to the eaves	Little Massingham
12.04.2016	11.05.2016 Prior Approval - Not Required	16/00713/PAGPD	Mr And Mrs G Jeffries 2 Lime Close Marham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 5.5 metres with a maximum height of 3.4 metres and a height of 2.4 metres to the eaves	Marham

25.01.2016	29.04.2016 Application Permitted	16/00125/O	Mr L Mottram 73 Smeeth Road Marshland St James Wisbech Norfolk OUTLINE APPLICATION SOME MATTERS RESERVED: Residential development for 4 new dwellings	Marshland St James
03.03.2016	13.05.2016 Application Permitted	16/00414/F	Mr Peters Westfield Bungalow School Road Marshland St James Norfolk Proposed single storey extensions to form a family annex.	Marshland St James
04.03.2016	27.04.2016 Application Permitted	16/00412/F	Mrs DR Copping 291 Smeeth Road Marshland St James Wisbech Norfolk First floor extension over garage	Marshland St James
11.03.2016	05.05.2016 Application Refused	16/00499/O	Mr And Mrs G Williams Endycott School Road Marshland St James Wisbech Outline Application: construction of dwelling	Marshland St James
14.03.2016	09.05.2016 Application Permitted	16/00514/F	N B Construction (UK) Ltd Land South East The Trundle 23 School Road Marshland St James Proposed 4No. 3-bed dwellings and associated works	Marshland St James
14.03.2016	12.05.2016 Application Permitted	16/00523/F	Mr Rob Cumming Tiptoe 85 Smeeth Road Marshland St James Norfolk Proposed extensions and internal alterations	Marshland St James

24.02.2016	27.04.2016 Was Lawful	16/00378/LDE	Mr And Mrs M Paddick Shemer Scotts Lane Brookville Thetford Lawful Development Certificate: Occupation of dwelling without compliance with the agricultural occupancy condition	Methwold
04.03.2016	27.04.2016 Application Permitted	16/00454/F	Mr And Mrs I Griffin 46 Hythe Road Methwold Thetford Norfolk Demolition of lean-to side extension and two front garden walls	Methwold
08.03.2016	29.04.2016 Application Permitted	16/00453/F	Mr & Mrs S Steel 35 Whiteplot Road Methwold Hythe Thetford Norfolk Extension to rear of existing bungalow	Methwold
09.03.2016	29.04.2016 Application Permitted	16/00477/F	Mr K Walters 15 Holders Lane Brookville Thetford Norfolk Side and rear extensions and front porch on existing bungalow and construction of a detached garage.	Methwold
21.03.2016	29.04.2016 GPD HH extn - Not Required	16/00585/PAGPD	Mr And Mrs J Rodwell 12 Methwold Road Methwold Hythe Thetford Norfolk Single storey rear extension which extends beyond the rear wall by 6 metres with a maximum height of 3.905 metres and a height of 2.4 metres to the eaves	Methwold

25.02.2016	12.05.2016 Application Permitted	16/00355/F	Mr M Holland Laurel Cottage Wormegay Road Blackborough End King's Lynn Extension to dwelling following demolition of existing sub-standard extension	Middleton
29.02.2016	05.05.2016 Application Permitted	16/00409/F	Mr Tony Aldridge Sunnyside Farm Setch Road Blackborough End Norfolk Change of use of land to residential and construction of garage building/garden store to service existing dwelling, with holiday let to accommodation above, following removal of existing structure	Middleton
02.03.2016	27.04.2016 Application Permitted	16/00401/F	Mr N Winterbone Janotte 19 Brookwell Springs Middleton King's Lynn Extensions and Detached Garage	Middleton
17.12.2015	29.04.2016 Application Permitted	15/02063/F	Althorp Estates Shammer Crossroads Barns Shammer North Creake Norfolk Conversion of barns to 4 residential units	North Creake
24.02.2016	13.05.2016 Application Permitted	16/00340/F	Mr Stefan Nicholls 2 the Paddock Dunns Lane North Creake Fakenham Two Storey side extension to the existing property	North Creake

16.03.2016	13.05.2016 Application Permitted	16/00532/F	Sainsburys Supermarkets Ltd Sainsbury's Supermarket 2 Scania Way Hardwick Industrial Estate King's Lynn Erection of a free standing modular retail (Class A1) pod	North Runcton
16.03.2016	13.05.2016 Application Permitted	16/00533/A	Sainsburys Supermarkets Ltd Sainsbury's Supermarket 2 Scania Way Hardwick Industrial Estate King's Lynn Advertisement Application: 4x externally illuminated fascia signs and 4x non-illuminated signs	North Runcton
26.01.2016	29.04.2016 Application Permitted	16/00139/F	Mr Gary Webb The Barns Methwold Road Whittington Norfolk Retention of agricultural building (resubmission of 14/01123/F)	Northwold
17.02.2016	06.05.2016 Application Permitted	16/00303/F	Ms Mary Daniel Bulldog Service Station 14 Thetford Road Northwold Thetford Continued siting of portable building	Northwold
14.03.2016	12.05.2016 Application Permitted	16/00591/F	Mr D Abrahams Hill Farm Barn Methwold Road Whittington King's Lynn New garage for classic car storage	Northwold

18.03.2016	19.05.2016 Application Permitted	13/00735/NMAM_1	Fauth Energy Ltd Solar Farm NW of Reaches Drove Thetford Road Northwold Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 13/00735/FM: Installation and operation of solar farm and associated infrastructure, including PV panels, mounting frames, inverters, transformers, client side substation, communications building, fence and pole-mounted security cameras	Northwold
21.03.2016	16.05.2016 Application Permitted	16/00571/F	Mrs H McGuirk Northwind 1 Methwold Road Northwold Thetford Single storey side extension following demolition of existing garage and flat roofed extension	Northwold
24.03.2016	13.05.2016 Application Permitted	16/00613/F	Mr & Mrs Baker South Warren Waterworks Road Old Hunstanton Hunstanton Extension and renovation with conversion of roofspace	Old Hunstanton
16.12.2015	29.04.2016 Application Permitted	15/02042/F	Mr K Edgson And Ms R Shepherd Cliftonville The Cottons Outwell Norfolk Proposed erection of 4 bedroom 2 storey dwelling with separate double garage and temporary siting of mobile home whilst building works take place	Outwell

03.03.2016	28.04.2016 Application Permitted	16/00407/F	Mr N George Briarwood Basin Road Outwell Wisbech Proposed extensions and alterations to dwelling	Outwell
04.03.2016	29.04.2016 Application Permitted	16/00452/F	Mr P Fitzpatrick Secker And Sons Downham Road Outwell Norfolk Construction of an office	Outwell
09.03.2016	11.05.2016 Application Permitted	16/00484/F	Ms D Armstrong Clements Cottage 4 Hall Road Outwell Norfolk Alterations and extensions to existing dwelling	Outwell
10.03.2016	05.05.2016 Not Lawful	16/00497/LDP	Mr Leonard Sinclair Fenway Basin Road Outwell Wisbech Lawful Development Certificate: rear extension to provide en-suite	Outwell
18.04.2016	18.05.2016 Discharge of Condition letter	15/01922/DISC_A	Mr T Santhirakumaran The Post Office Church Terrace Outwell Norfolk DISCHARGE OF CONDITIONS 5 - Front extension to enlarge shop and rear extension to form a store	Outwell
25.02.2016	28.04.2016 Application Refused	16/00386/F	Mr John Coleridge Pentney Lakes Common Road Pentney Norfolk Proposed new brick boundary walls and green metal access gates to existing vehicular access	Pentney

05.04.2016	28.04.2016 Application Refused	14/01313/NMA_1	Mr Gregory Munson Villa Park Narborough Road Pentney King's Lynn NON-MATERIAL AMENDMENT TO PLANNING CONSENT 14/01313/F: Erection of a 4 bed bungalow	Pentney
07.03.2016	29.04.2016 Application Permitted	16/00463/F	Mr & Mrs R Maynard 28 High Street Ringstead Norfolk PE36 5JU Insertion of windows, glazed entrance, garden wall and covered parking.	Ringstead
07.03.2016	04.05.2016 Application Permitted	16/00466/LB	Mr & Mrs R Maynard 28 High Street Ringstead Norfolk PE36 5JU Listed Building Application - Insertion of Windows, glazed entrance, garden wall and covered parking	Ringstead
18.03.2016	13.05.2016 Application Permitted	16/00567/F	Mr T Dixon 10 Banyards Place Runcton Holme King's Lynn Norfolk Alterations and rear extension to bungalow	Runcton Holme
23.03.2016	13.05.2016 Application Permitted	16/00595/F	Mrs D Landymore 1 Thorpeland Close Runcton Holme King's Lynn Norfolk Construction of Conservatory	Runcton Holme

10.03.2016	06.05.2016 Application Permitted	16/00494/LB	Mr M Kenny 37 - 39 Lynn Road Snettisham King's Lynn Norfolk Listed Building Application: infill rear courtyards including rooflights and glazed entrance area to number 39, rear window to no. 37 to be removed and new doorway formed, floors to both to be levelled	Snettisham
14.03.2016	09.05.2016 Application Permitted	16/00516/F	Mrs Samdra Easom 5 Park Farm Barns Bircham Road Snettisham Norfolk Conversion of detached double garage to create annexe and porch extension to existing dwelling	Snettisham
25.04.2016	16.05.2016 Application Permitted	15/00237/NMA_1	Co-operative Food Group The Compasses 16 Lynn Road Snettisham Norfolk Non-material amendment to planning permission 15/00237/F: Change of use and extension to provide ground floor retail and first floor office space	Snettisham
16.03.2016	20.05.2016 Application Permitted	16/00540/F	Mr Craig Yarham Goldcrest House Avondale Road South Creake Norfolk Variation of condition 2 of planning permission 14/01567/F: To amend previously approved drawings	South Creake

14.01.2016	06.05.2016 Application Permitted	13/00047/NMA_1	Mr Michael Condra The Beeches 122 Grimston Road South Wootton King's Lynn Non-material amendment to planning permission 13/00047/F: Extension, Alterations and Detached Garage	South Wootton
26.02.2016	13.05.2016 Application Permitted	16/00371/F	Mr Frank Neal Fairacres 56 Castle Rising Road South Wootton King's Lynn Single storey extension and roof conversion including dormer windows.	South Wootton
02.03.2016	27.04.2016 Application Permitted	16/00402/F	Mr & Mrs Manning 4 Furness Close South Wootton King's Lynn Norfolk Extension and Alteration	South Wootton
02.03.2016	03.05.2016 Application Refused	16/00431/F	Mrs Rachel Munson Smiths Cottages 53 Grimston Road South Wootton King's Lynn Erection of new dwelling house and associated site works	South Wootton
03.03.2016	28.04.2016 Application Permitted	16/00421/F	Mr Graham Hatley 15 Willow Road South Wootton King's Lynn Norfolk Proposed garage extension with shower room and utility and alterations.	South Wootton
17.03.2016	12.05.2016 Application Permitted	16/00558/F	Mrs J Hellewell The Shielling 11 Castle Rising Road South Wootton King's Lynn Two storey rear extension to dwelling	South Wootton

22.02.2016	12.05.2016 Application Refused	16/00361/O	Mr And Mrs Osler Land S Mill Lane Southery Norfolk Outline Application: Development of 5 dwellings	Southery
29.03.2016	18.05.2016 Application Permitted	16/00626/F	Mr W Shackcloth Petersfield Cross Lane Stanhoe Norfolk Brick and Flint Cladding to the existing front elevation & regularisation of use of part existing garage to bedroom & bathroom accommodation	Stanhoe
19.04.2016	12.05.2016 Application Permitted	15/01887/NMA_1	M & M Norfolk Services Ltd Plt SW of Marmic Wretton Fen Drove Wretton Norfolk Non-material amendment to planning permission 15/01887/RM: Reserved application for one dwelling	Stoke Ferry
10.09.2015	12.05.2016 Application Permitted	15/01425/O	Mrs Janice Thomson CVN E of 36 The Drove Barroway Drove Norfolk Outline application for five detached dwellings	Stow Bardolph
17.02.2016	19.05.2016 Application Refused	16/00320/O	Mr & Mrs Jakings Land East of Midway The Drove Barroway Drove Norfolk OUTLIN APPLICATION SOME MATTERS RESERVED: Proposed dwelling	Stow Bardolph

25.02.2016	17.05.2016 Application Permitted	16/00385/O	Miss Emma Fennymore Rose Cottage Farm 164 the Drove Barroway Drove Norfolk OUTLINE ALL MATTERS RESERVED: Proposed residential development	Stow Bardolph
08.03.2016	16.05.2016 Application Refused	16/00480/O	Client of Ian J M Cable Architectural Design Land To the East of Waverley Farm West Head Road Stow Bridge Norfolk Outline Application: Construction of eight dwellings	Stow Bardolph
16.03.2016	13.05.2016 Application Permitted	16/00537/F	Mr C Teeples Pleasant Cottage The Causeway Stow Bridge King's Lynn Change of use of existing storage buildings into boarding dog kennels and a detached new dog kennel block	Stow Bardolph
13.04.2016	18.05.2016 Discharge of Condition final letter	10/01289/DISC_A	Mr S Carter Amley The Causeway Stow Bridge Norfolk DISCHARGE OF CONDITIONS 2,3,4,5,7,8,9 - Construction of one dwelling (amended design)	Stow Bardolph
09.02.2016	05.05.2016 Application Refused	16/00243/OM	Client of Holt Architectural Ltd Land On the North Side of Popes Lane Terrington St Clement Norfolk Outline Application: 8 new dwellings and 2 replacement dwellings following demolition of 24 and 26 Popes Lane	Terrington St Clement

18.02.2016	20.05.2016 Application Refused	16/00309/OM	D And D Builder Land East of Kerkham Close Off Sutton Road Terrington St Clement Norfolk Outline Application: residential development	Terrington St Clement
23.02.2016	17.05.2016 Application Permitted	16/00362/F	Mr Hurn Fairview 3 Eastgate Lane Terrington St Clement King's Lynn Construction of a detached dwelling	Terrington St Clement
08.03.2016	05.05.2016 Application Permitted	16/00456/F	Sherrie Moreland Terrington Veterinary Centre 24 Marshland Street Terrington St Clement Norfolk New prefabricated glulam log cabin office to enclosed rear garden of veterinary centre	Terrington St Clement
31.03.2016	20.05.2016 Application Refused	16/00642/O	Mr And Mrs M Hayes The Gambles School Road St John's Fen End Terrington St John Outline Application: Proposed new dwelling	Terrington St John
02.03.2016	27.04.2016 Application Permitted	16/00436/F	B & L Properties Ltd Land Adj Mulberry Cottage 2 Choseley Road Thornham Norfolk Variation of condition 2 of planning permission 15/00482/F to include additional rooflights	Thornham
04.03.2016	05.05.2016 Application Permitted	16/00457/F	The Lifeboat Inn The Lifeboat Inn Ship Lane Thornham Hunstanton Positioning of two timber pavilions within the rear patio area	Thornham

17.03.2016	17.05.2016 Application Permitted	16/00551/O	Mr & Mrs Roger Clark 7 Shepherds Pightle Thornham Hunstanton Norfolk OUTLINE APPLICATION SOME MATTERS RESERVED: Removal of existing bungalow and replacement with two new dwellings	Thornham
20.07.2015	12.05.2016 Application Permitted	15/01126/F	Mr Denis ORiordan The Walnuts Lynn Road Tilney All Saints King's Lynn Conversion of one dwelling into two dwellings	Tilney St Lawrence
25.01.2016	28.04.2016 Application Refused	16/00121/O	Mr R Askew Land E of Melmont N Chapel Road NW of Subscription Bridge Chapel Road Tilney Fen End Tilney St Lawrence Outline application: 6 new dwellings	Tilney St Lawrence
15.02.2016	12.05.2016 Application Refused	16/00288/O	Mr A Bideau Land On the South East Side of Spice Chase Tilney St Lawrence Norfolk Outline Application: Proposed residential development comprising of two pairs of 3 bed semi-detached dwellings	Tilney St Lawrence
16.02.2016	20.05.2016 Application Refused	16/00316/OM	Mr S Bates Land West of New Road Terrington St John Norfolk Outline Application: erection of 10 dwellings	Tilney St Lawrence

26.02.2016	06.05.2016 Application Permitted	16/00365/F	Mr T Petts The Hollies New Road Tilney St Lawrence King's Lynn Replacement Barns	Tilney St Lawrence
10.03.2016	05.05.2016 Application Permitted	16/00492/CU	Mr And Mrs Paul Downham D E Downham Haulage Ltd Eastfield Barn Chapel Road Tilney Fen End Change of use of land from HGV transport yard to a mixed use of HGV transport yard and the operation of a carpentry business	Tilney St Lawrence
11.03.2016	12.05.2016 Application Refused	16/00508/O	Mrs S Fuller The Paddock Chapel Road Tilney Fen End Tilney St Lawrence Outline Application: Proposed residential development	Tilney St Lawrence
21.03.2016	12.05.2016 Application Refused	16/00573/O	Mr G Turner Land Adjacent 28 Spice Chase Tilney St Lawrence Norfolk PE34 4RD Outline Application: construction of dwelling	Tilney St Lawrence
24.03.2016	05.05.2016 Application Permitted	16/00601/F	Mr & Mrs Girling 19 Spice Chase Tilney St Lawrence King's Lynn Norfolk Proposed extension and alterations to existing dwelling	Tilney St Lawrence
29.10.2015	17.05.2016 Application Refused	15/01752/O	Mr R Gooch Land Adjacent Lode Cottage Low Side Upwell Wisbech Outline Application: residential development	Upwell

23.02.2016	12.05.2016 Application Permitted	16/00368/F	Mr M Roberts The Hollies 42 St Peters Road Upwell Wisbech Construction of timber mooring with steps	Upwell
26.02.2016	19.05.2016 Application Permitted	16/00397/F	Mr B Smith 1&2 Mudds Cottage Mudds Drove Three Holes Norfolk Proposed extension and alteration to existing cottage	Upwell
18.04.2016	18.05.2016 Discharge of Condition final letter	13/00405/DISC_A	Mr Gabor Valdmann Genesis Main Road Lakes End Norfolk DISCHARGE OF CONDITIONS 3 - Proposed workshop/garage	Upwell
03.03.2016	10.05.2016 Application Refused	16/00449/O	Mr Terry Pitcher Land Between the Beeches And Homeleigh S of the Lane Market Lane Walpole St Andrew Norfolk Outline Application: Residential development (market and affordable housing)	Walpole
09.03.2016	10.05.2016 Application Permitted	16/00485/F	Mr Shevlin Drew Rhos Isa Hall Road Walpole Highway Wisbech Single storey extension following removal of lean-to	Walpole Highway
18.03.2016	13.05.2016 Application Refused	16/00569/O	Mr And Mrs J Williams Land On the East Side of Ratten Row Walpole Highway Norfolk Outline Application: Construction of single chalet bungalow type dwelling and detached garage	Walpole Highway

22.12.2015	05.05.2016 Application Permitted	15/02109/O	McCurry Developments Ltd The Barn Bucksholt Road Walsoken Wisbech Outline Application: industrial units	Walsoken
01.02.2016	05.05.2016 Application Permitted	16/00180/FM	Harrington Nurseries Land North of Willow Tree Farm Wheatley Bank Walsoken Norfolk Use of land as a nursery involving a new access, drive-way, vehicle turning area and the erection of glasshouses and water storage tank	Walsoken
03.02.2016	05.05.2016 Application Permitted	16/00212/F	Mr G Harrington Land North of Willow Tree Farm Wheatley Bank Walsoken Norfolk Construction of a reservoir	Walsoken
15.02.2016	05.05.2016 Application Permitted	16/00299/F	Mr Robert Hostler Yosemite 68 Broadend Road Walsoken Norfolk Change of use from out storage building to granny annex to house immediate family	Walsoken
04.03.2016	05.05.2016 Application Refused	16/00455/O	Mr P Finch 83 Broadend Road Walsoken Norfolk Outline Application: construction of a dwelling	Walsoken
04.04.2016	20.05.2016 Application Permitted	16/00655/F	Mr & Mrs R Vine The Vineyard Wilkins Road Walsoken Norfolk Variation of condition 6 of planning permission 15/00277/F to change materials	Walsoken

23.03.2016	13.05.2016 Application Refused	16/00615/O	Mr And Mrs R Symons Land East of Zion Baptist Chapel Wisbech Road Tipps End Welney Outline application: Construction of one dwelling and garage	Welney
18.01.2016	12.05.2016 Application Permitted	16/00081/F	Mr Shaun Klyn The Croft Flegg Green Wereham King's Lynn Extension to dwelling and erection of garage	Wereham
21.03.2016	29.04.2016 GPD HH extn - Not Required	16/00583/PAGPD	Mr & Mrs N Vice Brookside Flegg Green Wereham King's Lynn Single storey rear extension which extends beyond the rear wall by 5 metres with a maximum height of 3.97 metres and a height of 2.35 metres to the eaves	Wereham
17.03.2016	12.05.2016 Application Permitted	16/00553/F	Mr C More 9 River Road West Acre King's Lynn Norfolk Single storey rear extension	West Acre
09.04.2016	10.05.2016 Consent Required is	16/00698/AG	Glover Agricultural Contractors Ltd Hill House Farm Bath Road West Dereham King's Lynn Extension to agricultural building	West Dereham
06.11.2015	12.05.2016 Application Permitted	15/01808/O	Mr And Mrs M Painter The Mount 24 River Road West Walton Wisbech Outline Application: Erection of four bedroom detached dwelling	West Walton

22.01.2016	18.05.2016 Application Refused	16/00109/O	Mr Geoff Jones White House Farm 63 Salts Road West Walton Norfolk OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Proposed 6 dwelling	West Walton
09.03.2016	09.05.2016 Application Permitted	16/00481/F	Mr P Hawes Holly House 37 St Pauls Road North Walton Highway Norfolk Proposed 2-Storey rear extension to dwelling and detached single garage, including demolition of existing rear extension and outbuildings	West Walton
14.03.2016	17.05.2016 Application Refused	16/00513/F	Mr S McKenna Plot N of the Bungalow Bellamys Lane West Walton Norfolk Construction of two chalet bungalows	West Walton
04.04.2016	20.05.2016 Application Permitted	16/00662/F	Mr Steve Vincent Kilmory 29 Common Close West Winch King's Lynn Bungalow Extension and Refurbishment	West Winch
08.03.2016	06.05.2016 Application Permitted	16/00448/F	Mr Jonathan Poole 3 Edinburgh Place Wiggshall St Germans King's Lynn Norfolk Two Storey Extension to rear of Dwelling	Wiggshall St Germans

09.03.2016	17.05.2016 Application Permitted	16/00474/F	Mrs Kirty Clarke 74 Mill Road Wiggshall St Germans King's Lynn Norfolk Second story extension on a current ground floor section, following the exact existing floor plan of the property. To - This will add domestic living space. A pitched roof will mirror that of the existing property.	Wiggshall St Germans
07.03.2016	16.05.2016 Application Permitted	16/00441/F	Mr B Stannard Land W of 17 Southside Low Road Wimbotsham Norfolk Construction of a welfare building	Wimbotsham
16.03.2016	11.05.2016 Application Permitted	16/00538/F	Mr A Joyce Kirkwall 67 Church Road Wimbotsham King's Lynn Extension to dwelling	Wimbotsham
05.02.2016	05.05.2016 Was_Would be Lawful	16/00225/LDE	Mr And Mrs Edwards And Mr Appelback Nar Valley Lodges Wormegay Road Blackborough End Norfolk Lawful Development Certificate: Occupation of residential holiday units as single residential dwellings	Wormegay
16.02.2016	05.05.2016 Application Permitted	16/00354/F	Mr Ray Ballance Water - Sewage Facility 13A Church Road Wretton Norfolk Change of use of sewage treatment works to erect a double garage to store a classic car	Wretton

23.03.2016	17.05.2016 Application Permitted	16/00617/RM	Robertson Homes (East Anglia) Ltd Land South of Ashmede Low Road Wretton King's Lynn RESERVED MATTERS APPLICATION:Construction of two dwellings	Wretton
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