



# **Planning Committee**

## **Agenda**

**Monday, 4th July, 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, 4th July, 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 6 June 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. INDEX OF APPLICATIONS (Pages 6 - 7)**

The Committee is asked to note the Index of Applications.

**(a) Decisions on Applications (Pages 8 - 108)**

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

**9. DELEGATED DECISIONS (Pages 109 - 138)**

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 7<sup>th</sup> July 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 1<sup>st</sup> July 2016**. Please contact [Planningadmin@west-norfolk.gov.uk](mailto: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](mailto:kathy.wagg@west-norfolk.gov.uk)

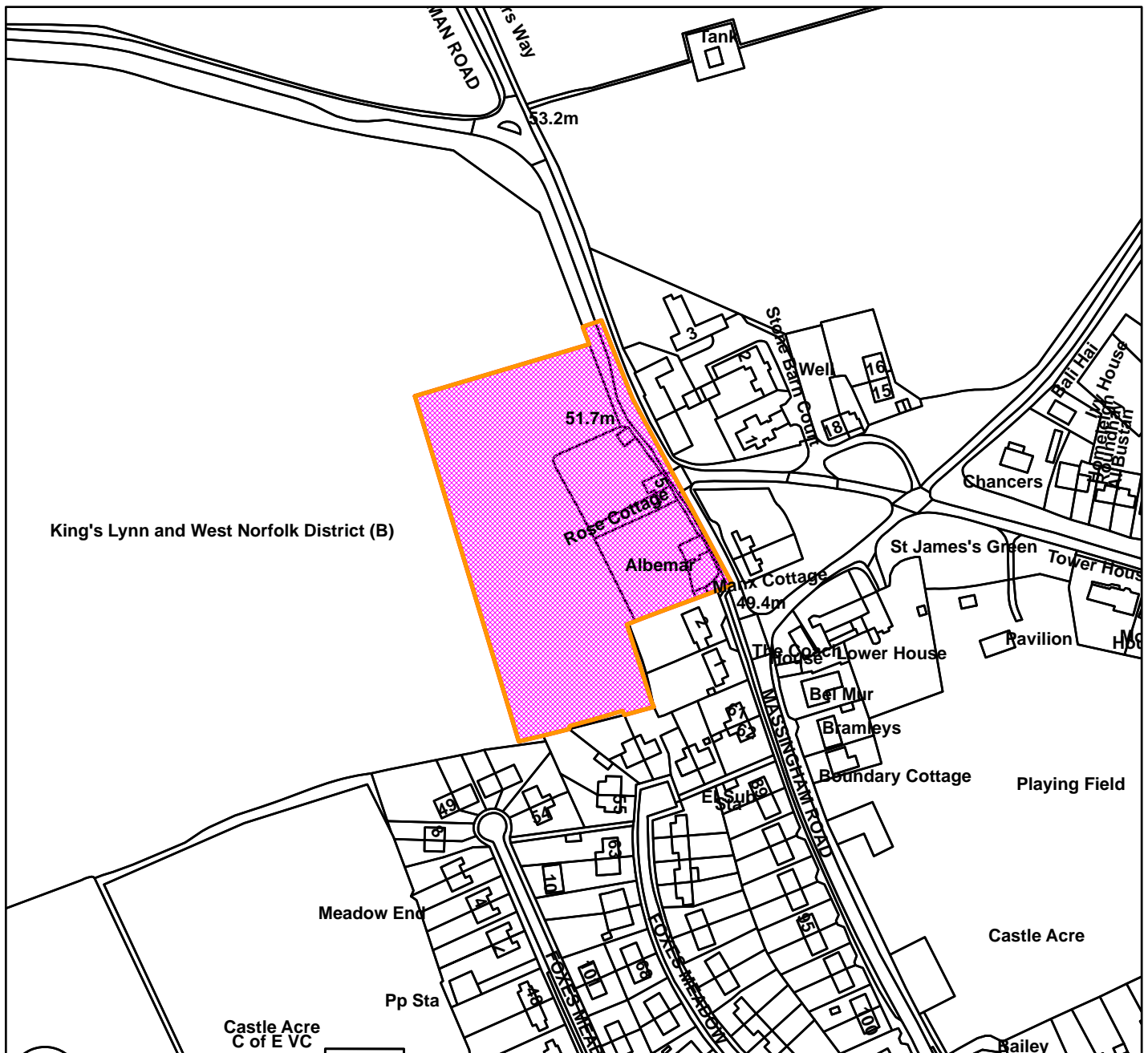
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE  
PLANNING COMMITTEE AT THE MEETING TO BE HELD ON  
MONDAY 4 JULY 2016**

<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
<b>8/1</b>	<b>MAJOR DEVELOPMENTS</b>			
8/1(a)	<b>15/00942/OM</b> Massingham Road Hybrid Application: Full Planning Application for the demolition of existing buildings and the erection of four dwellings (Class C3) with associated access, landscaping and infrastructure and Outline Planning Application (including access) erection of up to 11 dwellings (Class C3).	<b>CASTLE ACRE</b>	<b>APPROVE</b>	<b>9</b>
8/1(b)	<b>15/00135/OM</b> Land East and South of Denver Hill Outline Application for up to 170 dwellings, All Matters Reserved apart from access.	<b>DOWNHAM MARKET</b>	<b>REPORT TO FOLLOW</b>	
8/1(c)	<b>16/00097/FM</b> Land North of Lynnsport Construction of 54 dwellings, associated access roads, footways and new areas of public open space and associated external works.	<b>KING'S LYNN</b>	<b>REPORT TO FOLLOW</b>	
<b>8/2</b>	<b>OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE BOARD</b>			
8/2(a)	<b>16/00753/O</b> South of Jubilee Lodge Mill Hill Road Outline Application Some Matters Reserved: Site for construction of four dwellings.	<b>BOUGHTON</b>	<b>REFUSE</b>	<b>38</b>
8/2(b)	<b>16/00831/F</b> Heritage View Castle Square Bailey Street Single storey extension to create dining area, dormers to replace roof lights, free-standing pre-manufactured garden room.	<b>CASTLE ACRE</b>	<b>APPROVE</b>	<b>47</b>
8/2(c)	<b>16/00876/CU</b> Fir Tree Farm 110 Sluice Road Conversion of studio to single dwelling (no external alterations)	<b>DENVER</b>	<b>REFUSE</b>	<b>54</b>

<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>		<b>Recommendation</b>	<b>Page No.</b>
8/2(d)	<b>16/00867/CM</b> Land South of Back Street and North of the Drain and East of Winch Road County Matters Application: Change of Use from agricultural field to a 1FE (210 place) primary school and ancillary works.	<b>GAYTON</b>		<b>HOLDING OBJECTION</b>	<b>61</b>
8/2(e)	<b>16/00311/F</b> Land North 14 Caius Close Construction of dwelling.	<b>HEACHAM</b>		<b>APPROVE</b>	<b>69</b>
8/2(f)	<b>15/01879/F</b> Drove Orchards Thornham Road New retail unit.	<b>HOLME THE SEA</b>	<b>NEXT</b>	<b>APPROVE</b>	<b>76</b>
8/2(g)	<b>16/00376/O</b> Land at The Priory Nursery Lane Outline Application: Three new dwellings.	<b>NORTH WOOTTON</b>		<b>APPROVE</b>	<b>86</b>
8/2(h)	<b>16/00417/O</b> Land at Gatehouse Lane Outline Application All Matters Reserved: Proposed residential dwelling.	<b>NORTH WOOTTON</b>		<b>REFUSE</b>	<b>97</b>
8/2(i)	<b>16/00175/F</b> 94 High Street Proposed sub-division of 94 High Street.	<b>RINGSTEAD</b>		<b>APPROVE</b>	<b>103</b>

15/00942/OM

Massingham Road Castle Acre



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	21/12/2015
MSA Number	0100024314



**AGENDA ITEM NO: 8/1(a)**

<b>Parish:</b>	<b>Castle Acre</b>	
<b>Proposal:</b>	<b>Hybrid Application: Full Planning Application for the demolition of existing buildings and the erection of four dwellings (Class C3) with associated access, landscaping and infrastructure and Outline Planning Application (including Access) erection of up to 11 dwellings (Class C3)</b>	
<b>Location:</b>	<b>Massingham Road Castle Acre Norfolk PE32 2BG</b>	
<b>Applicant:</b>	<b>The Holkham Estate And Grange Developments</b>	
<b>Case No:</b>	<b>15/00942/OM (Outline Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 5 October 2015 Extension of Time Expiry Date: 4 April 2016</b>

**Reason for Referral to Planning Committee** – to seek an extension of time to allow the S106 agreement to be finalised and signed

Members may recall that this application was approved at the Planning Committee meeting of 11.01.2016, subject to the signing of a Section 106 legal agreement. The minutes refer:

RESOLVED: (a) That, the application be approved subject to conditions, and the additional conditions (amended to include the retention of hedging along the northern boundary of No.2 Massingham Road) in late correspondence and completion of a suitable Section 106 Agreement within 3 months of the date of resolution to approve.

(b) That the application be refused in the event that a Section 106 Agreement was not completed within 3 months of the resolution to approve due to the failure to secure affordable housing, and SUDS maintenance.

In this case progress has been made with the S106 agreement but the wording of the legal document has proved more difficult to agree given the number of landowners involved. This has delayed the process somewhat, although negotiations are underway between the legal representatives of both parties.

The applicants have provided the following statement:

‘The Applicants, the Holkham Estate and Grange Developments, together with their legal representatives have been working with the Council and its legal representative to prepare a draft S106. The timescales for the preparation of this S106 and the consideration of draft versions by all parties has become somewhat protracted for a number of reasons including: multiple legal ownerships and the requirement to seek a grant of probate following the death of 7th Earl of Leicester which did not materialise until May 2016.

The Applicants both continue to be committed to the development at the site which benefits from Committee resolution to grant subject to S106. The Applicant’s seek an extension of time of 1 month to finalise and agree the S106.’

As significant work has already been undertaken it would make no sense to refuse the application at this stage just because the legal agreement has not been signed within the originally stated time period. Accordingly Members are requested to extend the time period to allow for the wording of the legal agreement to be finalised and the document signed by all interested parties. Despite the request of the applicants it is suggested that another 2 month period is allowed to ensure that the required work can be completed and to prevent the need to seek further authorisation for additional time from the Planning Committee.

There is no requirement to review the application itself as there are no material changes to the application or policy terms. However, for information the previous application is attached to this report.

### **Recommendation**

**(A) APPROVE** subject to conditions and completion of Section 106 Agreement

**(B)** In the event that the Section 106 Agreement is not completed within 2 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing.

For ease of reference the original Committee report for the approved planning application is attached below:

**AGENDA ITEM NO: 8/1(a)**

<b>Parish:</b>	<b>Castle Acre</b>	
<b>Proposal:</b>	<b>Hybrid Application: Full Planning Application for the demolition of existing buildings and the erection of four dwellings (Class C3) with associated access, landscaping and infrastructure and Outline Planning Application (including Access) for the erection of up to 11 dwellings (Class C3)</b>	
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**Reason for Referral to Planning Committee** – levels of contribution; raises matters of wider concern.

**Case Summary**

The 1.23ha application site relates to a rectangular shaped parcel of land on the western side of Massingham Road at the northern end of the village of Castle Acre. The site comprises two elements; three unoccupied cottages and their corresponding garden land and land to the north and west which is in agricultural use.

The whole site lies on the western side of the Castle Acre Conservation Area. On the opposite side of the road to the north east is a Grade II listed barn which has been converted to residential use. It is part of a complex of residential properties.

To the north and west of the site are open agricultural fields. To the south are detached properties, accessed from Massingham Road and Foxes Meadow.

The land levels across the site fall from east to west so that Massingham Road is higher than the back of the site.

The application is a hybrid application that relates to the two different elements of the site. Full planning permission is sought for the demolition of the cottages and the construction of four new dwellings with associated access, landscaping and infrastructure and outline consent is sought for the erection of 11 dwellings on the agricultural land to the north and west of the cottages. All matters are reserved for the outline part of the application except for access.

This site is the proposed LDF site allocation for the village of Castle Acre and has been put forward for consideration as part of the 'Site Allocations and Development Management Policies Pre-Submission Document'. This site is supported and listed as the only allocated site for development of the village. Policy G22.1 sets out the planned policy intentions for the site for residential development of 15 dwellings.

## Key Issues

Principle of Development;  
Form and Character & Impact upon the Conservation Area and Listed Buildings;  
Impact upon Neighbour Amenity;  
Highway Safety;  
Flood Risk;  
Drainage;  
Affordable Housing;  
Contamination;  
Ecology;  
Landscaping;  
Other Matters

## Recommendation

**A) APPROVE** subject to conditions and completion of a suitable Section 106 Agreement within 3 months of the date of resolution to approve

**(B) REFUSE** in the event that a suitable Section 106 Agreement is not completed within 3 months of the resolution to approve due to the failure to secure affordable housing, and SUDS maintenance.

## THE APPLICATION

The 1.23ha application site relates to a rectangular shaped parcel of land on the western side of Massingham Road at the northern end of the village of Castle Acre. The site comprises two elements; three unoccupied cottages and their corresponding garden land and land to the north and west which is in agricultural use.

The whole site lies on the western side of the Castle Acre Conservation Area. On the opposite side of the road to the north east is a Grade II listed barn which has been converted to residential use. It is part of a complex of residential properties.

To the north and west of the site are open agricultural fields. To the south are detached properties, accessed from Massingham Road and Foxes Meadow.

The land levels across the site fall from east to west so that Massingham Road is higher than the back of the site.

The application is a hybrid application that relates to the two different elements of the site. Full planning permission is sought for the demolition of the cottages and the construction of four new dwellings with associated access, landscaping and infrastructure and outline consent is sought for the erection of 11 dwellings on the agricultural land to the north and west of the cottages. All matters are reserved for the outline part of the application except for access.

This site is the proposed LDF site allocation for the village of Castle Acre and has been put forward for consideration as part of the 'Site Allocations and Development Management Policies Pre-Submission Document'. This site is supported and listed as the only allocated site for development of the village. Policy G22.1 sets out the planned policy intentions for the site for residential development of 15 dwellings.

The site is located adjacent to the existing development boundary. There is housing to the east and south, as well as mature planting mostly screening the site from the wider landscape on the northern and western sides of the detailed application area. There is boundary hedging along the field which encompasses the area containing the outline application area, although this is generally open in its current state.

Access to the detailed application area is currently taken from Massingham Road. The existing informal driveway and parking area for the cottages is made up of rough ground. The land to the west (the outline application site) is currently accessed by a farm track leading from the north of the site (unnamed road).

Bus stops are located to the south of the site along Massingham Road, approximately 320m away. These provide services to Kings Lynn and Fakenham.

The site lies approximately 800m (walking) distance from Castle Acre Primary School. Doctor's surgeries can be found located at Swaffham, approximately 1.6km away. A number of local shops exist in the settlement, including a Costcutter 'Castle Acre Stores', Post Office, bookshop, toy shop, two pubs, café and tearooms. There is also a village hall, playing fields and a Church.

The areas of the detailed application sit within the Castle Acre Conservation Area. A number of Heritage Assets are located nearby. Directly east of the site is Stone Barn, a Grade II Listed Building.

Western House, a Grade II Listed Building, lies further south of the site. Numbers 15 and 16 St James Green is Grade II Listed and lies further east of the site. There are various other listed buildings within the settlement. Further south of the settlement lies Castle Acre Castle, town defences and Bailey Gate, a Scheduled Ancient Monument. South west of the settlement is Castle Acre Priory, another Scheduled Ancient Monument.

Further east, south and south west of the site lies the River Nar Site of Special Scientific Interest (SSSI). The application site therefore lies within the SSSI Impact Risk Zone.

## **SUPPORTING CASE**

A **Planning Statement** has been provided in support of the application and this concludes:-

'A hybrid application is submitted to Kings Lynn and West Norfolk Council for:

"Hybrid application comprising: full planning application for the demolition of existing buildings and the erection of four dwellings (Use Class C3) with associated access, landscaping and infrastructure, and; outline planning application with all matters reserved apart from access for the erection of up to eleven dwellings (Use Class C3)."

The development is proposed in context of the site being recognised as a draft allocation for residential development as part of the submitted Site Allocation and Development Management Policies Local Plan, under allocation reference G22.1.

The development is considered to be acceptable in principle, and is situated in a sustainable location which is not restricted in regards to any technical constraints.

The proposals are in accordance with the emerging Draft Site Allocation and Development Management Policies Local Plan and will help contribute to the Councils housing supply, including the delivery of affordable housing.

We respectfully request the Officers and Members of the Council support this planning application.'

The **Design and Access** concludes:-

The application site has been developed in conjunction with the requirements set out in Policy G22.1. It is considered that the design and layout of the development, in particular the massing and materials, shall preserve and enhance the Castle Acre Conservation Area, providing an attractive and sustainable development which will contribute positively to the Council's housing supply.

A **Heritage Statement** has been submitted which concludes:

'The proposal involves the demolition of Rose Cottages and Albemar, which have some historical significance, although not designated heritage assets. It is proposed to build four new dwellings to replace them. This forms part of the housing allocation for the village identified by the Borough Council. An outline application is being made concurrently to develop the remainder of the site to the west with access off Massingham Road to highway standards.

The demolition causes less than substantial harm to the significance of the Conservation Area. This harm is outweighed by the public benefit of developing the proposed allocated land in a co-ordinated manner to meet the Borough Council's housing target.

The present proposal accords with the intent expressed in policy G22.1 and it provides a co-ordinated scheme, delivering a satisfactory development of the allocated site, sensitive to the significance of the designated heritage assets.

The hybrid application, now delivers a comprehensive development as required by the Borough Council, improving the character and appearance of the area. Harm is outweighed by the public benefit the development brings, satisfying paragraph 134 of the NPPF.'

A **Transport Statement** concludes that:

- Facilities are considered to be accessible by walking if they are within 2km and accessible by cycling if they are within 5km.
- Safe highway access into the proposed development can be achieved in accordance with the policy requirement of Draft Allocation G22.1.
- Appropriate footway improvements that meet the satisfaction of the local highway authority can be achieved in accordance with Draft Allocation G22.1. This will provide a safe walking route to the primary school.
- The primary school, playground and village facilities are all within walking distance.
- The limited local bus services are available within walking distance from the development site.

A **Flood Risk Assessment & Surface Water Drainage Strategy** has been submitted in support of the application and this concludes:

'This report has evaluated the flood risk to the proposed developments in addition to considering the impact of the proposal on the surrounding area.

This report has shown that with the mitigation measure put in place as stated in Section 4.0 of this report that the proposed developments will result in low risk to the site users and residents.

No existing development adjacent or downstream of the site will be at an increased risk of flooding due to the effects of the proposed development.'

A **Phase I Geo-Environmental Assessment Report** has been submitted in support of the application. This identifies potential contaminants that will require further exploratory work.

The **Revised Ecological Impact Assessment** concludes:

'The proposed developments will not have any adverse impacts on wildlife designated sites within the ZoI, [Zone of Influence - identified as an 8km radius around both development sites] and/or add significantly to any cumulative impacts from other developments in the local area on said designated sites.

Although the detail of the precise landscaping and construction of all of the buildings on site is not yet determined at this stage, with the implementation of proposed mitigation, the developments would not be considered to give rise to significant adverse effects upon species identified as present/potentially present on site. There is the opportunity for the development to offer significant benefits for local wildlife with the implementation of enhancements.

The mitigation and enhancement measures comply with the intentions of national and local planning policies with regards to priority species and biodiversity by minimising the impact during development and by providing for the continued and enhanced use of the site by wildlife post-development.

By registering the site on the BLICL [Bat Low Impact Class Licence], and by undertaking suitable precautions during site clearance/construction works, the developments will comply with current legislation with regards protected species identified as present on site.'

A **Desk-Based Archaeological Assessment** has been submitted in support of the application. This concludes that no further works are required other than the building recording of the properties to be demolished.

A **Draft S106 Legal Agreement** has also been provided.

## **PLANNING HISTORY**

14/01181/F: Application Refused: 03/12/14 - Demolition of derelict cottages and construction of four dwellings and garages with access

14/00148/F: Application Withdrawn: 31/03/14 - Demolition of derelict cottages and construction of four dwellings and garages with access

11/00447/CA: Application Withdrawn: 26/04/11 - Conservation Area Consent - Demolition of dwelling in connection with construction of 4 dwellings

11/00445/F: Application Withdrawn: 26/04/11 - Demolition of dwelling and construction of 4 dwellings with garage

2/97/1017/PN: Application Withdrawn: 04/12/97 - Siting of 8m telegraph pole and associated apparatus

## RESPONSE TO CONSULTATION

**Parish Council: SUPPORT** – (amended plans) Castle Acre Parish Council reluctantly support the change from four distinct quality designs to four dwellings very similar in appearance, at the insistence of the conservation team. Cllrs are of the view that the conservation team has shown no imagination or creativity and has missed an opportunity to produce dwellings of real merit. (Original scheme) - While some of these observations will need further clarification during the consultation process for the full planning application, the Council wishes it to be noted that:

- The service road. This is now further north and away from the front of Stone Barn, as requested by the proprietors. It should not be moved from this agreed position.
- Landscaping. In order to meet the LDF criteria of 'a significant landscaping belt along the northern boundary to soften any impact on the wider landscape', there should be a planning condition requiring construction of a 2 metre high flint wall along that boundary that will enhance the visual appearance of the northern entry into the village and Conservation Area. This will also match the planned 1.2 metre high flint wall in front of the four dwellings along the Massingham Road.
- Preservation of hedges. In order to protect from damage/removal during housing construction, both the existing evergreen hedges at the rear of the gardens of the two bungalows No.1 and No.2 Massingham Road and the hedge along the eastern boundary of the outline site (opposite Stone Barn along the roadside) should be subject to preservation orders.
- Pumping station. Why does the illustrative plan show the station bottom left of the site and next to the garden of No. 56 Foxes Meadow? Is that due to the lay of the land? Castle Acre Parish Council will seek clarification as to why it cannot be placed in the north western point of the outline site.
- Car parking. It is important to ensure there is an over provision of parking allocation to discourage vehicles from parking on the busy Massingham Road.
- Street lighting. Castle Acre Parish Council wish to minimise light pollution and would seek a condition restricting illumination to only low level ground lights and not overhead lighting posts.

**Policy Team:** The application site is a proposed allocation in the Pre-Submission Site Allocation and Development Management Policies Document (SADMP). The document is subject to Examination and the Council will defend the allocation at a hearing session. Few comments were received at the previous pre-submission consultation but an objection was raised by Historic England regarding uncertainty about the status of the cottages on site which were identified in the conservation character statement as important unlisted buildings. On reviewing the material submitted by the applicant and upon further consideration of all representations regarding the site, the Council have proposed a minor modification to the Inspector to clarify that the buildings currently on site will be removed. The proposed wording is as follows 'In order to achieve a development which responds well to the local setting and provides access and footway improvements it is necessary to remove the buildings on site and to replace these with high quality new residential dwellings built using local materials'. A Heritage Statement was required in the policy and has been provided by the applicant. The design and layout of the proposed development appears to respond to its setting in the Conservation Area and therefore the policy team have no further comments on these points.

As the application is a hybrid application, it is difficult to determine whether the application adheres to all the policy clauses specified in proposed Policy G22.1 of the SADMP. Clause 4 of the policy states 'In order to achieve development that preserves and enhances the character of this part of the village, the Council requires a coordinated scheme on the entire site and the incorporation of a significant landscape belt along the northern and western site



boundaries to soften any impact of development on the wider landscape. Details of this shall be agreed by the LPA prior to use of the land taking place'.

There is concern that by not submitting a full application for the whole site, uncertainty remains as to whether such policy clauses will be met.

In summary, the full application for the front of the site appears to reflect the vision for the site as detailed in the policy, but the policy team would prefer to have seen a full application for the entire site to ensure all policy clauses will be met.

**Highways Authority: NO OBJECTION** - conditionally

**Environment Agency:** No comment

**Internal Drainage Board:** to date - No response

**Anglian Water:** to date - No response

**Historic England:** The application is a hybrid application that seeks Full Planning Permission for the demolition of Rose Cottages and the construction of four new dwellings with associated access, landscaping and infrastructure and an Outline Planning Application (including access) for the erection of 11 dwellings. The site lies on the western side of the Castle Acre Conservation Area on the approach to the village from the north. We gave advice on an earlier application for demolition and redevelopment of the site in 2011, application no. 11/00445/F, letter dated 18 April and again in 2014, application no. 14/0118/F, letter dated 6 November. Both of these concluded the building made a positive contribution to the character and appearance of the conservation area and the case for demolition was not substantiated. Paragraph 134 of the NPPF requires your authority to weigh the harm against the public benefits of the proposal.

The site lies at the entry to the town from the north and on the western edge of the conservation area. From here there is a view to the tower of St James Church (Grade I listed) at the centre of the village. The cottages are opposite a grade II listed barn which runs along the eastern side of the Massingham Road.

In our letter dated 23 October 2015 we expressed concerns that the outline application has the potential to impact on the setting of St James's Church. We recommended that your council seek further information including an assessment of the potential for views of both the church and the proposal from the castle mound. The applicants have now submitted this information.

Setting is defined in the National Planning Policy Framework (NPPF) as the way in which a heritage asset is experienced. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. The Visual Impact Statement shows that the tower of St James' Church would be visible from the application site and that the proposed dwellings would not be visible from within the churchyard. However there is not an assessment of whether the dwellings would be seen in the context of the church, for example, from the top of the castle mound. If the proposed development could be seen and experienced within the context of St James' Church it would cause harm to its significance. As a result of this we are satisfied that the proposed dwellings would not be seen in the same view points as St James' Church.

The proposed development would be set around a close that would run behind the proposed 4 dwellings on Massingham Road. With the exception of Foxes Meadow, development within the vicinity follows a linear pattern along Massingham Road. Foxes Meadow goes against

the grain of development and detracts from the historic development pattern. The proposed development would further erode the historic pattern and although this is not within the conservation area it would impact on its setting and therefore its significance.

As the application affects a conservation area, the statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (s.72, 1990 Act) must be taken into account by your authority when making its decision. The National Planning Policy Framework (NPPF) notes that great weight should be given to the conservation of a heritage asset, paragraph 132. It specifically encourages planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably (para.137 NPPF).

Having considered the additional information we are satisfied that the proposals would not have a negative impact on the setting of St James' Church. The Outline application would cause a degree of harm to the character and appearance of the conservation area as outlined in paragraph 132 of the NPPF. Paragraph 134 of the NPPF requires your authority to weigh the harm against the public benefits of the proposal.

The Outline application for 11 dwellings would cause a degree of harm to the character and appearance of the Castle Acre Conservation Area and the proposals would therefore not meet the requirements of paragraphs 132, 134 and 137 of the NPPF. Paragraph 134 of the NPPF requires your authority to weigh the harm against the public benefits of the proposal, unless your authority is satisfied that there are sufficient public benefits to outweigh the harm consent should be refused.

Any grant of consent should be conditional upon your approval of detailed design drawings and samples of the new materials.

**Conservation Officer: NO OBJECTION** – conditionally

**Conservation Area Advisory Panel: NO OBJECTION** – subject to materials and samples to be conditioned.

**Housing Development Officer: NO OBJECTION** subject to provision of appropriate affordable housing

**Environmental Health & Housing – CSNN: NO OBJECTION** – conditionally

**Environmental Health & Housing - Environmental Quality :) NO OBJECTION** - conditionally

**Norfolk Constabulary:** Advice offered on Secured by Design issues

## REPRESENTATIONS

9 pieces of correspondence received referring to the following:-

- These are not affordable dwellings, which is what the village requires (5)
- Another site should be chosen for development (5)
- Object to location of pumping station re: smell and noise (3)
- Loss of view (3)

- Loss of tranquillity (3)
- Loss of agricultural land (2)
- No need for the development (2)
- If anything is built it should be a row of cottages (2)
- Impact on Grade II listed barns (2)
- Impact on Conservation Area (2)
- Cars parked on St James Green (2)
- LDF Examination not finished yet, so why has this come forward now? (2)
- Profit led
- Overbearing/overshadowing to neighbouring bungalow (Plot 4 to No 2 Massingham Road)
- Location of vehicle access point on Massingham Road
- Houses should be more like the existing barn in design terms
- Dwellings should include bungalows
- Cottages should not be demolished
- Traffic/safety hazard from additional traffic
- 4 dwellings ok but not additional 11 dwellings
- Retain hedges and trees for privacy and character
- Access will be required to cess pits of existing bungalows on Massingham Road and should be considered at this stage
- Introduce a 'greenway' or unofficial footpath across the site
- Street lighting should be minimal

## **NATIONAL GUIDANCE**

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

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

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT**

**DM1** – Presumption in Favour of Sustainable Development

**DM15** – Environment, Design and Amenity

## **PLANNING CONSIDERATIONS**

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

- Principle of Development;
- Form and Character & Impact upon the Conservation Area and Listed Buildings;
- Impact upon Neighbour Amenity;
- Highway Safety;
- Flood Risk;
- Drainage;
- Affordable Housing;
- Contamination;
- Ecology;
- Landscaping;
- Other Matters

### **Principle of Development**

The development site comprises 1.23 hectares of residential and agricultural land on the edge of the village of Castle Acre. The residential part of the site is currently disused and the buildings are in a poor state of repair. The agricultural land is in use as part of the Holkham estate and there are no structures on site.

Most of the site currently lies outside the village boundary of Castle Acre and is denoted as countryside on the Adopted Local Plan inset map. The existing cottages are within the site boundary but the western part of their gardens and the agricultural land is outside of the village settlement boundary as amended for the Site Allocations document. Prior to this the dwellings and all of their gardens were wholly within the adopted settlement boundary from 2011.

The front part of the site is located within the Castle Acre Conservation Area and there are listed barns on the opposite side of the road. The site adjoins open fields and is the first built form on the western side of Massingham Road when arriving at the village from the north. Development on this site needs careful consideration to ensure that it does not harm the setting of the listed buildings and makes a positive contribution to the Conservation Area.

One of the key objectives of the NPPF is that the planning system should facilitate and promote sustainable and inclusive patterns of rural development by ensuring that new development is located where it would enhance or maintain the vitality of existing communities.

There are a number of policy statements relevant to this application and the key aspects are summarised below.

In the Core Strategy Castle Acre is identified as a Key Rural Service Centre where limited growth of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the Development Limits of the Key Rural Service Centre in accordance with Policy CS06 Development in rural areas. In this case, however, the site is not within the development limits and this policy does not apply.

This site is part of one of the site allocations for the village of Castle Acre and has been put forward for consideration as part of the 'Site Allocations and Development Management Policies Pre-Submission Document' in connection with the LDF review of settlement

boundaries. This site is supported and listed as the only allocated sites for development of the village.

Draft policy G22.1 relates to this site. It states:

**'Policy G22.1 Castle Acre - Land west of Massingham Road**

Land amounting to 1.1 hectares to the west of Massingham Road, as shown on the Policies Map, is allocated for residential development of 15 dwellings. Development will be subject to compliance with all of the following:

1. Submission of a Heritage Asset Statement that establishes that development would enhance and preserve the setting of the Conservation Area and the setting of the adjacent Grade II Listed Building.
2. The design and layout of the development, and in particular its massing and materials, shall preserve and enhance Castle Acre Conservation Area;
3. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;
4. In order to achieve development that preserves and enhances the character of this part of the village, the Council requires a coordinated scheme on the entire site and the incorporation of a significant landscaping belt along the northern and western site boundaries to soften any impact of development on the wider landscape. Details of this shall be agreed by the LPA prior to use of the land taking place;
5. Development is subject to the demonstration of safe highway access and provision of appropriate footway improvements that meets the satisfaction of the local highway authority;
6. Provision of affordable housing in line with the current standards.'

The site for the proposed development is currently outside the settlement boundary, where development is normally restricted. The site has been reviewed through the LDF process, is supported for residential development and has been found the largest, most suitable location for the expansion of the village. However, as Members are aware, this process is still on going and the hearing sessions for the Site Allocation and Development Management Policies have been heard and the Inspector's response is still awaited.

The weight to be given to the emerging LDF/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. In principle, any application for planning permission would need to be considered in light of the matters referred to at para. 216 of the NPPF in addition to the matters referred to in draft policy G22.1, as well as other practical and planning policy issues.

However, given that the Council does not currently have a five-year supply of deliverable housing sites, housing applications such as this should be considered in the context of the National Planning Policy Framework's (NPPF's) presumption in favour of sustainable development. This is because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date, planning permission should be 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.

In this case it is considered that the principle of development for residential use of this site is to be supported.

## **Form and Character & Impact upon the Conservation Area and Listed Buildings**

The site is located within the Castle Acre Conservation Area and there are listed barns on the opposite side of the road. The site adjoins open fields and is the first built form on the western side of Massingham Road when arriving at the village from the north. Development on this site needs careful consideration to ensure that it does not harm the setting of the listed buildings and that it makes a positive contribution to the Conservation Area.

In policy terms the NPPF requires that in determining planning applications, the desirability of sustaining and enhancing the significance of heritage assets is considered as well as the desirability of new development making a positive contribution to local character and distinctiveness. Policy CS12 of the Core Strategy states that the historic and built environment plays a crucial role in delivering environmental quality and well-being. Therefore the Council will preserve and where appropriate enhance its qualities and characteristics.

Proposed policy DM15 reiterates these intentions.

In addition to national and local planning policy the local planning authority has statutory duties relating to listed buildings, the setting of listed buildings and Conservation Areas. S66(1) Listed Buildings Act 1990 provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability or preserving the building or its setting or any features of special architectural or historic interest which it possesses."

S72 Listed Buildings Act 1990 provides: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [ the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The existing development comprises a dilapidated, detached dwelling known as Albemar and a pair of semi-detached, roadside cottages, known as Rose Cottages, which were renovated in 1915. They are all sited on the back of the highway and the surrounding ground falls away to the west.

The full part of the planning permission shows the demolition of these three properties and the replacement with four, detached dwellings set back in the site. This allows for a footway to be provided to the front of the site to link in with the existing to the south. A flint wall is shown to be provided to reinforce the character of the village. This removes the pinch point and opens up the views into the village from the north.

The applicant has considered the level changes across the site and provided references to existing buildings in the vicinity including the listed barns on the eastern side of Massingham Road. The proposed dwellings are set at a lower level and will not compete in terms of scale or mass.

The outline part of the application shows an indicative layout only for 11 dwellings. Only access is for consideration at this stage. Consequently no elevation or detailed plans have been provided at this stage as appearance, landscaping, layout and scale are all matters reserved for future consideration.

The design of the four dwellings along Massingham Road has evolved over time. The planning history shows former planning applications which considered the development of Albemar and Rose Cottages independently. This application seeks to consolidate all the elements of the larger site together to give a comprehensive and cohesive approach to the redevelopment of this part of the village.

Previously, in earlier applications, the principle of the demolition of the cottages has been considered and, following lengthy consideration after the submission of photographic records and a heritage assessment by the applicant, objection was dropped.

The design of the four houses has been amended following input from the Conservation Officer and the Conservation Area Advisory Panel. Each design remains bespoke and differs slightly from the others, but they have been simplified to blend in better with the streetscene and better relate to each other and the utilitarian nature of the listed barns on the opposite side of the road. This also reflects the comments of Historic England on earlier planning applications on the site which referred to the existing 'simple, vernacular cottages found in this part of the Conservation Area'.

The Conservation Officer considers the amended scheme to be a good scheme which will make a positive contribution to the entrance into the Conservation Area and will not detract from the setting of the listed building. He requests conditions and samples and a photographic record.

The Conservation Area Advisory Panel considered the revised proposal was satisfactory, subject to materials and samples to be conditioned.

Notwithstanding the views of other consultees, Historic England (HE) retains its position that the buildings proposed to be demolished make a positive contribution to the character and appearance of the Conservation Area and the case for demolition was not substantiated. Paragraph 134 of the NPPF requires the local planning authority to weigh harm against the public benefits of the proposal. Their response does not rule out development that involves the loss of the existing buildings but requires the harm caused to the significance of the Conservation Area as a designated heritage asset to be weighed against the wider public benefits of the scheme, in accordance with paragraph 134 of the NPPF. It is considered the level of harm caused by the proposed demolition is less than substantial. In this case, the scheme would deliver additional housing units on part of a site that is proposed for development to meet housing need across the Borough.

With regard to the outline element of the proposal, Historic England requested more information regarding the potential impact upon St James's Church in the village. This has been duly provided by the applicant and Historic England are satisfied that the proposed dwellings would not be seen in the same view points as St James's Church and would not have a negative impact upon its setting. Your officers consider that the proposed development would not harm the setting of this listed church or cause harm to its significance.

Historic England considers that the layout of the proposed outline development would erode the historic patterns of the village, stating that the existing adjoining development at Foxes Meadow, which is set out in a loose, close layout, is at odds with the more traditional linear pattern of development along Massingham Road. This, they consider, would create a degree of harm to the character and appearance of the Castle Acre Conservation Area and would not meet the requirements of paragraphs 132, 134 and 137 of the NPPF. They note that paragraph 134 requires the local planning authority to weigh the harm against the public benefits of the proposal.

In this case the inclusion of the outline site as part of the wider application is in response to HE's previous comments to applications and to the preferred options consultation, that highlight the sensitivity of the area and point to the need for a comprehensive scheme to develop site G22.1. As it is in outline only, the key elements of the scheme, including layout, scale and appearance, are not for consideration at this stage, but the indicative layout demonstrates that the number of dwellings can fit onto the site without harm in terms of

density or character. With appropriate detail and landscaping it is considered that a scheme could be developed which would not harm the character of the Conservation Area.

In summary, the harm caused to the significance of the Conservation Area as a designated heritage asset through the loss of the existing cottages has to be weighed against the wider public benefits of the scheme, in accordance with paragraph 134 of the NPPF. It is considered the level of harm caused by the proposed demolition is less than substantial. In this case, the scheme would deliver additional housing units on part of a site that is proposed for development to meet housing need across the Borough through the identification of the site through the LDF.

The design of the four new build dwellings, as amended, ensures the units make a positive contribution to the Conservation Area and the setting of the nearby listed buildings.

The requirement within Policy G22.1 that the design and layout of the development, and in particular its massing and materials, shall preserve and enhance Castle Acre Conservation Area can only be partially met through this hybrid application, given that the development proposed on most of the site is in outline, with only access for consideration. However, the indicative layout demonstrates that the site can accommodate such development and be in keeping with surrounding development in terms of density.

The linear development of the four dwellings along Massingham Road as part of the full permission element reinforces the local character and preserves the traditional layout of the village. This layout could be continued along Massingham Road through the details of the layout for the outline part of the site, although this can only be secured at reserve matters stage. However, it is considered that a cohesive approach to development can be achieved at reserved matters stage through the consideration of the details including layout, scale, appearance and landscaping so as to ensure that the scheme accords with the provisions of paragraphs 132, 134 and 137 of the NPPF and Policy CS12 of the Core Strategy.

### **Impact upon Neighbour Amenity**

There are existing residential properties to the south of the site and to the east, on the opposite side of Massingham Road.

The four dwellings proposed as part of the full permission are set at a lower ground level than the dwellings to the east. A detached bungalow is to the south and the proposed dwelling Unit 1 is shown to be sited in line with this adjoining property. No windows are shown to the southern elevation of this dwelling so there will be no direct overlooking of the property.

The proposed dwelling is significantly taller than the existing cottage, Albemar, and closer to the neighbouring bungalow, but it is stepped back in line with it. Massingham Road is a mixture of single and two storey properties of varying heights and designs. Third party concern has been raised that the proposed dwelling to the southern part of the site may be overbearing or cause overshadowing to the neighbouring bungalow on Massingham Road. However, it will not be overbearing or result in significant overshadowing due to the distances between properties and the orientation of the site.

An indicative site layout has been submitted for the outline part of the application, but no elevation plans. The ground levels change across the site. An assessment of the impact upon the amenity of neighbouring properties cannot be fully undertaken at this stage with such limited information and will need to be addressed at the detailed design stage.



The key areas for the consideration of the impact upon the amenity of the occupants of neighbouring properties are issues of overlooking, overshadowing and whether or not the dwellings will be over bearing. However, it is considered that the site is of sufficient size to ensure that appropriate measures can be designed into the scheme to ensure loss of privacy and loss of daylight is mitigated effectively.

It is unlikely that the proposed development would result in any significant neighbour amenity issues.

### **Highway Safety**

NCC Highways have been consulted on this application as amended. They raise no objection regarding the application subject to the implementation of appropriate planning conditions. These relate to the need to provide the required visibility splays for the proposed access road, works within the public highway, the need to provide an appropriate layout, turning dimensions and parking/garage provisions within the site.

Third party comments have been received that the additional traffic will create safety hazards and that the position of the proposed access point to serve the development is in a dangerous location. However, the Highways Authority has examined the proposal and raise no objection on this basis.

Concerns relating to parked vehicles extending beyond the site are noted, but the full part of the application satisfies the adopted parking standards for the borough and the outline part of the application will need to comply at the reserved matters stage.

### **Flood Risk**

This site lies within Flood Zone 1 (low risk) and the Environment Agency raise no objection to the proposal. There are no concerns regarding flood risk.

### **Drainage**

Point 3 of Policy G22.1 states that 'Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission.'

Drainage has been considered within the submitted FRA. This shows that appropriate SuDs drainage can be achieved across the whole site. The indicative layout incorporates public open space and the FRA states this will be set lower than the surrounding levels by 250mm to provide exceedance storage for storms greater than the 1 in 100 year storm event plus climate change.

The FRA states that by utilising the public open space for exceedance storage the drainage system will be adding to the ecology and amenity potential of the site. These accords with the provisions of the policy.

Full details of the SUDS are recommended to be secured by planning condition with maintenance controlled through the S106 legal agreement.

## **Affordable housing**

The site is of a size where it is expected to provide affordable housing in accordance with Core Strategy Policy CS09. The whole site would result in a net gain of 12 dwellings and there would be a requirement for 2 affordable dwellings.

The Housing Development Officer raises no objection to the proposal, citing that based on current need 1 dwelling would be required for Affordable Rent and 1 for Shared Ownership. This would need to be secured through a S106 legal agreement, signed before any planning permission could be issued, should planning permission be forthcoming.

## **Contamination**

A desk top study of the development area has been provided with the application. The Environmental Health Officer has raised no objection subject to the implementation of appropriate planning conditions.

## **Ecology**

A number of ecological surveys have taken place.

In January 2014 the original preliminary ecological assessment and bat roost potential assessment was undertaken. For Rose Cottages, this found that there were no constraints with regards to bats. Albemar had potential for roosting bats, with further nocturnal surveys recommended. A further survey was undertaken in June 2014 for Rose Cottages, which did not identify roosting bats.

In May 2015, a Preliminary Ecological Assessment was undertaken for the entire site. This found that there was no significant changes in relation to Rose Cottages, and no further survey work was required. For Albemar, fresh evidence of bats was found within the building.

It was therefore recommended that a back to back dusk and dawn survey along with two additional dusk or dawn surveys be carried out to determine the species of bat, locations/types of roosts and the locations of bat access points. There was no further work required for the Holkham land to the rear of the site.

The impact on bats has been considered fully within the revised Ecological Impact Assessment, September 2015. Paragraph 6.3.1 states that the demolition of Albemar will destroy the brown long-eared bat feeding perch, with the potential to disturb, kill or injure individual bats in the unlikely event that a bat chooses to day roost on the day of works. Consequently prior to any demolition works to Albemar, an appropriate licence issued by Natural England would be required to facilitate works to this building. Given that only a single bat roost of a common bat species is present a Bat Low Impact Class Licence (BLICL) would be appropriate to facilitate the demolition works, therefore a BLICL Registered Consultant (RC) will be commissioned to register the site under the BLICL.

As Albemar is only being used as an occasional feeding perch, no exclusion measures are considered necessary, as the roost is unlikely to be occupied during daytime works. However, as a precaution features suitable for roosting bats on the building will be destructively hand searched under the direct supervision of a licenced bat surveyor. These destructive searches do not require licencing. Following these searches the demolition works can continue without any further supervision either from the RC or a licensed bat surveyor. However, the RC will remain on call and accessible in the unlikely event a bat is discovered continuing conversion works.

As a precaution a dawn nocturnal survey will also be carried out on the morning of the destructive search, with an appropriate number of experienced bat surveyors supervised by the RC, to identify if any bats choose to day roost in the building, however unlikely.

No specific mitigation has been proposed for the loss of the feeding perch in Albemar as this is not a requirement of the BLICL.

The local planning authority has considered the contents of the Ecological Impact Assessment as part of its statutory duty under Regulation 3(4) to have regard to the requirements of the Habitats Directive. The three derogation tests have been considered. The demolition of the property and the activity to be licensed will have overriding public interest as it will result in new residential development in the village in accordance with local policy (the site forms a proposed allocation in the LDF) the property is in a derelict state and works would be required to improve or demolish the property in order to bring it back into use and therefore its replacement is in reality the only satisfactory alternative and the evidence found on site suggested only occasional use of the building by a common species of bat so it has a low conservation status.

Mitigation measures have been looked at in detail and can be secured by planning condition.

### **Landscaping**

Point 4 of Policy G22.1 states that 'In order to achieve development that preserves and enhances the character of this part of the village, the Council requires a coordinated scheme on the entire site and the incorporation of a significant landscaping belt along the northern and western site boundaries to soften any impact of development on the wider landscape. Details of this shall be agreed by the LPA prior to use of the land taking place.'

Landscaping is shown to the detailed part of the application but is a matter reserved for future consideration as part of the outline. Within the full part of the application the landscaping can be controlled through planning condition and there are no outstanding issues regarding trees. However, should planning permission be forthcoming it will be necessary to impose conditions relating to landscaping.

### **Other Matters**

The Environmental Health Officer (CSNN) raises no objections but requests that conditions be imposed in respect of the two separate parts of the application.

The Environmental Health Officer (Environmental Quality) raises no objections but requests that conditions be imposed relating to contamination.

Most of the third party comments have been addressed throughout this report. However one issue raised was that these dwellings proposed are not affordable dwellings, which is what the village requires. As discussed above, the site would be eligible to provide an element of affordable housing in accordance with local policy and therefore, subject to the signing of a legal agreement, the proposal will address his concern.

Third party concern has been raised that other sites in the village are preferable and should be chosen for development. However, this has been through the various stages of site selection through the LDF and is the preferred option. This has been considered fully in the policy documents.

Concern has been raised to the location of the pumping station and its impact on neighbours in terms of smell and noise. However, this part of the application is in outline and the layout

is not for consideration at this stage. Accordingly the precise location of the pumping station is not known at this stage.

Concern regarding the loss of a view is noted, but there is no right to a view in planning terms.

Concern regarding the loss of tranquillity is noted but the use is compatible with surrounding development and would not likely result in significant amenity issues.

Concern has been raised regarding the loss of agricultural land. However this is part of the issues for consideration to assess any adverse impacts that might 'significantly and demonstrably' outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

Comment has been made that the houses should be more like the existing barn in design terms and comment has also been made that if anything is built on the site it should be a row of cottages. These comments are noted, but the dwellings proposed as part of the full application are considered to be sufficiently in keeping with the form and character of this part of the village.

Comment that the proposal is profit led is noted, but the proposal has considered the necessary policies contained within the development plan.

Comment has been made that the proposal should include bungalows. However, this can be considered at the reserved matters stage.

Third party comment has been made that the existing cottages should not be demolished and this has been discussed above.

Comment that existing hedges and trees should be retained for privacy and character are noted. The planting scheme to the boundary of the site plays an important part of ensuring the development sits sympathetically into the landscape and will be covered by planning condition.

A neighbour has noted that access will still be required to the cess pits of the existing bungalows on Massingham Road. Access has historically been through the field behind these properties and this should be considered at this stage. However, this will be a matter to be discussed between landowners.

Comment has been made that a 'greenway' or unofficial footpath should be introduced across the site. The indicative layout shows public open space provision within the site but no cut through the site. There are no apparent public footpaths in the vicinity to link into so the public open space would likely be more beneficial than a 'green' path in this case.

Comment that street lighting should be minimal is noted. Details of this will be considered at reserved matters stage.

## **CONCLUSION**

As part of the review of settlement boundaries through the LDF process this site is supported and listed as the only site allocation for the village. The development would provide 15 dwellings and Draft Policy G22.1 sets out the policy requirements for this site.

The Council considers that the site is capable of accommodating the dwellings sought in the settlement at a density consistent with its surrounding without detriment to the form and character of the locality. It would form a continuation to the established residential development to the south. Castle Acre Parish Council supports the proposal.

Historic England refer to the requirement for the harm caused to the significance of the Conservation Area as a designated heritage asset through the loss of the existing cottages to be weighed against the wider public benefits of the scheme, in accordance with paragraph 134 of the NPPF. In this case, the scheme would deliver additional housing units on part of a site that is proposed for development to meet housing need across the Borough through the identification of the site through the LDF.

There is a pressing need for housing in the borough (both market and affordable), and this application, for the development of 15 dwellings, contributes to the authority's 5-year housing supply.

The linear development of the four dwellings along Massingham Road as part of the full permission element reinforces the local character and preserves the traditional layout of the village. A cohesive approach to development can be achieved at reserved matters stage through the consideration of the details including layout, scale, appearance and landscaping so as to ensure that the scheme accords with the provisions of paragraphs 132, 134 and 137 of the NPPF and Policy CS12 of the Core Strategy.

The development would provide appropriate drainage and fulfil SuDS requirements.

The supporting technical reports demonstrate that any impacts of the development can be satisfactorily mitigated. No adverse harm has been identified with regard to neighbouring amenity or flood risk.

Landscaping and highway details can be secured by planning condition.

In summary, the proposal accords with the NPPF, NPPG and both saved and emerging Development Plan Policies. It is therefore considered that this application should be approved subject to the following conditions.

## **RECOMMENDATION:**

**APPROVE** subject to conditions and completion of a suitable Section 106 Agreement within 3 months of the date of resolution to approve

- 1 Condition Development hereby permitted comprising of Units 1 – 4 on Drawing No. 1344.02 Rev A 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 Approval of the details of the layout, scale, appearance and landscaping (hereinafter called 'the reserved matter') of the development hereby permitted comprising the residential development referred to as Plots 1 - 11 on Drawing No. 1344.02 Rev A (referred to as the 'Phase 2' development) shall be obtained from the Local Planning Authority before the Phase 2 development is commenced.

- 2 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.
- 3 Condition Plans and particulars of the reserved matters referred to in Condition 2 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 3 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.
- 4 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.
- 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 for the 11 dwellings shown as Plots 1 -11 on Drawing No. 1344.02 Rev A, referred to as 'Phase 2', permitted pursuant to Condition 2 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.
- 5 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.
- 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 6, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 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 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.

- 10 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 10 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 11 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 11 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 12 Condition Prior to commencement of development of Phase 2 construction (the 11 dwellings) 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.
- 12 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 13 Condition No development shall commence on Phase 2 of the development (11 dwellings) 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.
- 13 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 14 Condition No development shall commence on the proposed estate of 11 dwellings 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 in consultation with the Highway 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).
- 14 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.
- 15 Condition No works shall commence on the proposed estate of 11 dwellings 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.

- 15 Reason To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.
- 16 Condition No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.
- 16 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 17 Condition Before any part of the proposed estate of 11 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 in consultation with the Highway Authority.
- 17 Reason To ensure satisfactory development of the site.
- 18 Condition Prior to the first occupation of the proposed estate of 11 dwellings 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 0.225metres above the level of the adjacent highway carriageway.
- 18 Reason In the interests of highway safety.
- 19 Condition Prior to the first occupation of plots 1-4 hereby permitted the proposed access / on-site car parking / turning shall be laid out in accordance with the approved plan, drawing number GD.CA/15-01A, and retained thereafter available for that specific use.
- 19 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 20 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 in consultation with Norfolk County Council Highway Authority.
- 20 Reason In the interests of maintaining highway efficiency and safety
- 21 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 in consultation with the Highway Authority.
- 21 Reason In the interests of maintaining highway efficiency and safety
- 22 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for

the off-site highway improvement works as indicated on drawing number 20028/002-RevA, and to include carriageway widening, extension of a site frontage footway and enhancements to the village gateway, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

- 22 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.
- 23 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Condition 22 of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- 23 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 24 Condition Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development of Units 1 – 4 until the type, colour and texture of all materials to be used for 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.
- 24 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 25 Condition Prior to first occupation/use of the development hereby permitted for Units 1 - 4, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 25 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 26 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 26 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 27 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years

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

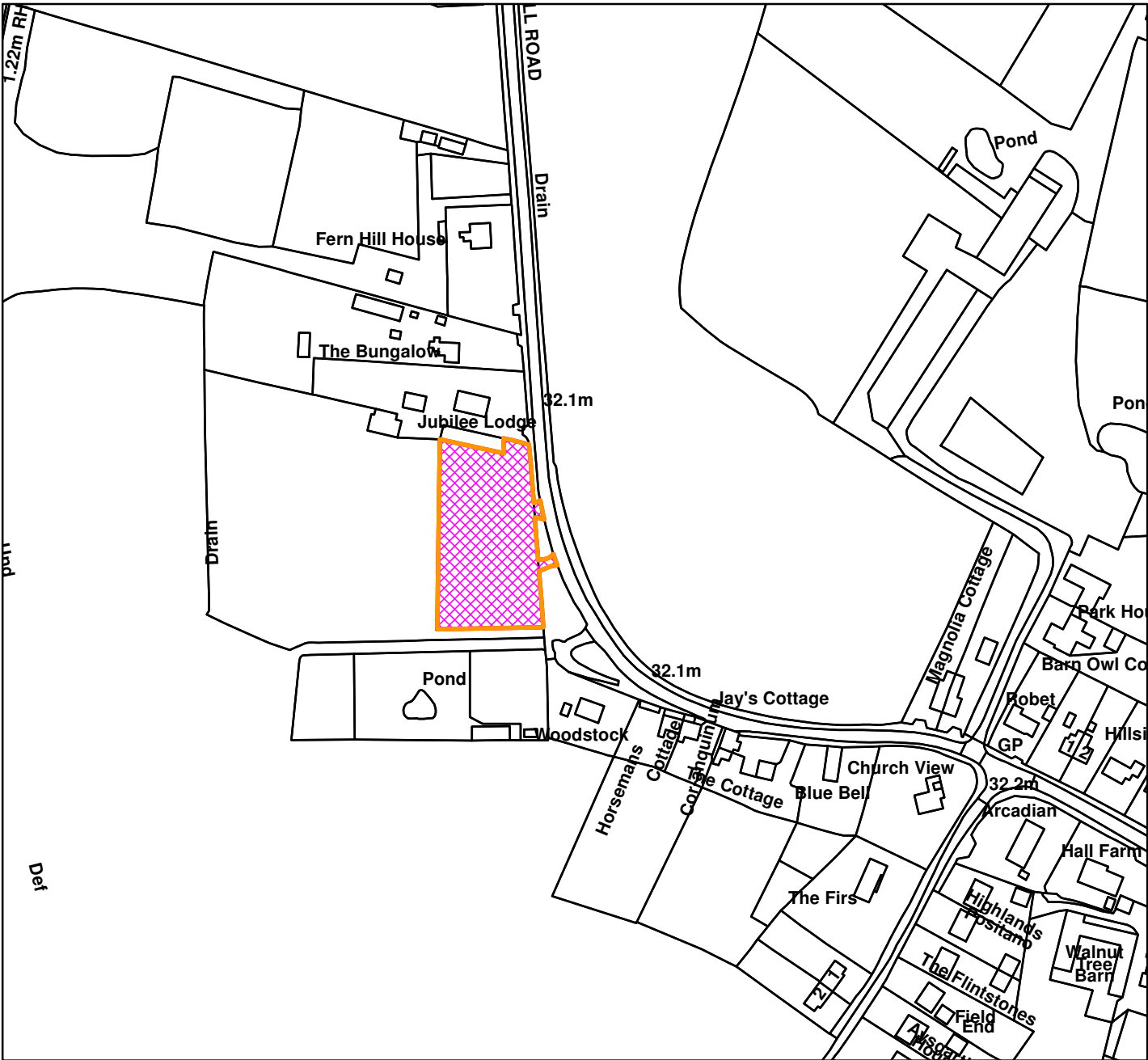
- 27 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 28 Condition Prior to the first occupation of the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. 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.
- 28 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 29 Condition The development shall be carried out in accordance with the mitigation measures set out in the Ecological Impact Assessment conducted by Torc Ecology Ltd, dated September 2015, unless provided for in any other conditions attached to this planning permission or unless otherwise agreed in writing by the Local Planning Authority prior to commencement of development.
- 29 Reason To ensure that the development takes place substantially in accordance with the principles and parameters contained with the Ecology Statement.
- 30 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on the rear section of the site until full details of the surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 30 Reason To ensure that there is a satisfactory means of SuDs drainage in accordance with the NPPF.
- 31 Condition No development including demolition shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording of the three cottages to be demolished so that they may be recorded as buildings of historic interest.
- 31 Reason To ensure that such details are recorded in the interests of the historic environment in accordance with the NPPF.
- 32 Condition No development shall commence on any external surface of the development of the four houses until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 32 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

- 33 Condition Prior to their installation into the development of the four dwellings hereby permitted 1:20 drawings of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 33 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 34 Condition The development for the four dwellings hereby permitted shall be carried out using only the following approved plans:-
- GD.CA/15 - 01 B Detailed Application - Site Plan;
  - GD.CA/15 - 05 B Floor Plans and Elevations Unit 1;
  - GD.CA/15 - 06 B Elevations - Unit 1;
  - GD.CA/15 - 07 B Floor Plans and Elevations Unit 2;
  - GD.CA/15 - 08 B Elevations - Unit 2;
  - GD.CA/15 - 09 A Floor Plans and Elevations Unit 3;
  - GD.CA/15 - 10-1A Elevations - Unit 3;
  - GD.CA/15 - 10 2A Elevations - Unit 3;
  - GD.CA/15 - 11 A Floor Plans/ Elevations Unit 4;
  - GD.CA/15 - 12 1A Elevations - Unit 4;
  - GD.CA/15 - 12 2A Elevations - Unit 5;
  - GD.CA/15 - 13 A Garage Plans.
- 34 Reason For the avoidance of doubt and in the interests of proper planning.

**(B) REFUSE** in the event that a suitable Section 106 Agreement is not completed within 3 months of the resolution to approve due to the failure to secure affordable housing, and SUDS maintenance.

16/00753/O

South of Jubilee Lodge Mill Hill Road Boughton



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	22/06/2016
MSA Number	0100024314

**AGENDA ITEM NO: 8/2(a)**

<b>Parish:</b>	<b>Boughton</b>	
<b>Proposal:</b>	<b>OUTLINE APPLICATION SOME MATTERS RESERVED: Site for construction of four dwellings</b>	
<b>Location:</b>	<b>South of Jubilee Lodge Mill Hill Road Boughton King's Lynn</b>	
<b>Applicant:</b>	<b>Mr B M Burton &amp; S R Chalmers</b>	
<b>Case No:</b>	<b>16/00753/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Mrs H Wood-Handy</b>	<b>Date for Determination: 16 June 2016 Extension of Time Expiry Date: 8 July 2016</b>

**Reason for Referral to Planning Committee** – Referred at the request of Councillor Sampson

**Case Summary**

The site amounts to approx. 0.3ha and is located on the west side of Mill Hill Road, Boughton. The site abuts Boughton Conservation Area.

The proposal is for outline permission for four dwellings with all matters reserved bar access. The indicative site plan indicates 4 large dwellings with garages to the front of the plots. The plan indicates that existing field accesses will be retained with one being upgraded to serve the dwellings and the other (adjacent the south boundary) being retained to serve the field to the rear of the site.

A public footpath is located to the south of the serve which is not affected by the proposal.

The proposal has been advertised as affecting the setting of the Conservation Area as well as a Departure from the Development Plan.

**Key Issues**

Principle of development

Form and character and the impact on the Conservation Area

Highways

Any other matters requiring consideration prior to the determination of the application

**Recommendation**

**REFUSE**

**THE APPLICATION**

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The proposal is for outline permission for four dwellings with all matters reserved bar access.

The indicative site plan indicates 4 large dwellings with garages to the front of the plots. The plan indicates that existing field accesses will be retained with one being upgraded to serve the dwellings and the other (adjacent the south boundary) being retained to serve the field to the rear of the site.

A public footpath is located to the south of the serve which is not affected by the proposal.

## **SUPPORTING CASE**

The application site is within the village of Boughton, an established settlement. This is not an application for an isolated dwelling in the open countryside. It is development of an “infill” nature, between Woodstock and the main village to the south and Jubilee Lodge and other properties to the north.

It is possible for people to live in rural areas and thrive in a community without their own transport if they choose to.

Boughton is located only 6.4 miles by road from the centre of Downham Market. There is a bus service into Downham Market. Further bus services are available from Stoke Ferry.

Schools for primary and junior education are available in Stoke Ferry, which is only a 10 mins cycle ride from the proposed site. Local bus companies run school bus services to collect children and take them to and from High School in Downham Market.

Grocery shopping – Local supermarkets offer online shopping and delivery service to Boughton.

Internet- Fibre broadband is available in Boughton. Working from home is possible, thus further reducing the need for reliance on the private car.

Boughton has its own Health Surgery which is a long established small country practice, committed to providing local medical care to the villages it serves. Services are offered for the whole family covering all aspects of health care for adults, children and infants. It is supported by a team of Administrative staff, Receptionists, Practice nurse, Healthcare Assistant as well as attached District Nurses, Health Visitors and Community Matron.

The proposed dwellings will be built with very high fabric insulation standards and fitted with an Air Source Heat pump (ASHP). They will be designed to exceed current Building Regulation standards, looking toward the regulation changes expected in 2016. The ASHP provides fairly low cost space heating and hot water and, because it uses only electricity, is more sustainable than using gas or oil because electricity is the only potentially “green” energy source. This is recognised by the fact that an ASHP installation is eligible under the Government Renewable Heat Incentive payments scheme.

In order to encourage the use of an electric vehicle, the proposed dwellings will be offered with an EV Charging Point. Such an installation is accredited by the Office of Low Emission Vehicles (OLEV) to access the Electric Vehicle Homecharge Scheme funding. Providing the occupiers use an electric vehicle, this funding subsidises the cost of installing a residential electric vehicle charging station for owners/primary users of electric vehicles.

It is suggested, therefore, that this proposal does meet the needs of the present without compromising the ability of future generations to meet their own needs and, as such, is indeed sustainable.

## CONTAMINATION

The site has only ever been used as agricultural land and there are no contamination issues. A brief report is included with the application.

## ARCHAEOLOGY

Although there are some findings of archaeological importance in the Boughton area, there is nothing specific recorded in the area of the application site. An archaeological investigation is therefore not considered necessary.

## ECOLOGY

The site is not considered notable for any protected or faunal species and is of limited botanical interest. The proposed development is unlikely to negatively impact upon any protected species.

## ACCESS

The existing field entrance will be improved to provide access for plots 1 & 2 and a new vehicular access will be formed to serve plots 3 & 4. Both these access points will be constructed to Norfolk County Highways specification TRAD 5 and both will have visibility well in excess of 2.4m x 43m in each direction, the standard required for the 30mph speed restriction on Mill Hill Road.

The access will lead to two individual driveways to courtyard turning and parking areas, surfaced with permeable rolled gravel surfacing.

Tegula Priora permeable setts, or similar, suitable for wheelchair use, will be used for paths and terraces leading to the access doors. The new dwellings will have a level access threshold, to be accessible to all.

## DESIGN

It is considered that, bearing in mind the form and character of development in this area of the village, the new development should be quite low density, with reasonably wide frontage, suitable for either single storey or one-and-a-half storey dwellings. No design details are being submitted with the application and will be reserved for later consideration.

It is not considered that the proposal will have any detrimental effects on the amenities of the adjacent properties. The design and materials will be considered carefully to blend with the character of the area and the local vernacular. Landscaping is also reserved for later consideration. The plot enjoys existing boundary hedging, which will be retained.

## PLANNING HISTORY

**DM6906** – Site for residential development – Refused – 27.07.73

**DM4501** – Site for residential development – Refused – 27.09.68

## RESPONSE TO CONSULTATION

**Parish Council:** No Response



**Highways Authority: NO OBJECTION** subject to a condition regarding vehicular access details.

**Historic England:** No Comment

**Historic Environment Service:** No Comment

**Conservation Officer:** Boughton is essentially a linear village with frontage development along the roads running east/west and to a lesser extent north. It derives its character from the mix of buildings, mainly in local materials but also from its sense of openness and its rural setting - the village is surrounded by open countryside and there are views out between the buildings.

The buildings are largely contained within the conservation area except on Mill Hill Road where there are further small clusters of buildings with development with large open spaces between. This proposal is to infill one such space will have some impact on the setting of the CA particularly as the curve in the road means the site is clearly visible from both directions.

However, given the spasmodic development which already exists on Mill Hill Road I think that four frontage properties could be acceptable subject to design and detail. Individual properties would be more in keeping than four the same and single storey would have less impact than two storey, particularly if the buildings at each end are low level.

It's disappointing that the planning statement which accompanies the application covers much of the NPPF but makes no mention of the sections dealing with the historic environment.

**Environmental Health & Housing – Environmental Quality:** No Comment

**Housing Strategy Officer: NO OBJECTION** subject to the provision of 20% affordable housing in accordance with Policy CS09.

## REPRESENTATIONS

**THREE** letters of **OBJECTION** regarding:

- Out of character – would change the look and feel of one of the main roads, disrupting last remaining open southerly view;
- Infill ribbon development;
- The Conservation Area Statement states that the character of Boughton is derived partly from its sense of openness and rural setting and indeed the views;
- 4 dwellings in a quiet rural area will cause disturbance in both noise and increased traffic;
- The new access to two of the properties is close to the water supply;
- The southernmost access is on a dangerous corner and crosses a public footpath and concerned that this is the preferred option rather than water disruptions;
- Increase in fast moving traffic;
- No details are provided about the dwellings, two or more storeys would have an oppressive impact.
- Other development in the village to the east has spoilt the character of the village and it would be a shame if this proposal was allowed.

## **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

**CS12** - Environmental Assets

**CS09** - Housing Distribution

## **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**

Conservation Area Character Statement

## **PLANNING CONSIDERATIONS**

The main issues are:

- Principle of development
- Form and character and the impact on the Conservation Area
- Highways matters
- Any other matters requiring consideration prior to the determination of the application

### **Principle of development**

Boughton is defined as a Smaller Village & Hamlet within Policy CS02 of the Core Strategy 2011. Smaller Village & Hamlets are locations where there are little or no services and it would be inappropriate to seek further development in these places.

However, in order that such settlements do not stagnate, Policy DM 3 of the Site Allocations and Development Management Policies Document 2015 provides:

“...The sensitive infilling of small gaps within an otherwise continuously built up frontage will be permitted where:

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

In exceptional circumstances the development of small groups will be appropriate where the development is of a particularly high quality and would provide significant benefits to the local community.”

However, if the development fails to comply with the aforementioned criteria, it falls to be determined against paragraph 55 of the NPPF and Policy CS06 of the Core Strategy 2011 where the presumption is to protect the character and appearance of the countryside and the development of greenfield sites will be resisted unless for agricultural or forestry purposes.

### **Form and character and the impact on the Conservation Area**

In considering this development, there are two elements; the impact on the setting of the Conservation Area and whether the development complies with DM3 of the Site Allocations and Development Management Policies Submission Document 2015.

The site is located directly adjacent to the west boundary of Boughton Conservation Area. The Council has a duty to preserve or enhance the setting of the Conservation Area. The Conservation Area Character Statement describes the village as being surrounded by agricultural land in all directions. The setting is one of linear settlement along the main east/west roads (Chapel Lane, The Green, Mill Hill Road) interspersed with pockets of mature landscape located between and beyond the buildings, containing trees, grass verges and hedgerows. Attractive views of the countryside beyond are afforded between these components. It is stated that all these components contribute to the overall quality of the conservation area and in combination, form an attractive and varied series of spaces and vistas.

The site is part of an open field network located between the public footpath to the south (linking Boughton and Wereham) and Jubilee Lodge to the north. All properties north of the site represent sporadic development leading to the wider countryside beyond. This gap represents a natural settled gap between the western edge of the village and sporadic properties along Mill Hill Road. There are views from the site through to Wereham (with its own Conservation Area) and the wider countryside. In turn, there are views of the site from the Cavenham Road to the south west which indicates a clear gap between the main part of the village and sporadic development beyond.

In light of the above and notwithstanding the Conservation Officer's comments, it is considered that this gap contributes positively to the setting of the Conservation Area and therefore its loss to residential development (with the trappings of domestication) would have a detrimental impact and thus affect the significance of the heritage asset contrary to paragraph 134 of the NPPF and Policy CS12 of the Core Strategy 2011. Historic England and the Historic Environment Service make no comments on the application.

In terms of assessment against Policy DM3 of the Site Allocations and Development Management Policies Submission Document 2015, again for reasons outlined above, the gap positively contributes to the street scene and for that reason, the proposal is not considered sensitive infilling and thus fails Policy DM3 and Policy DM15.

As a result, the proposal is for new development in the countryside that is not supported in policy terms. There is no exceptional justification put forward as part of the Applicant's case that would override policies of the Development Plan. The Council has in excess of a 5 year deliverable housing supply and thus paragraph 49 does not apply.

The proposal is therefore contrary to paragraph 17, 55 and 134 of the NPPF, Policy CS06, CS08 and CS12 of the Core Strategy 2011 and Policy DM2 and DM15 of the Site Allocations and Development Management Policies Submission Document 2015.

### **Highways matters**

The applicant proposes to remove hedgerow to facilitate two access points to serve the dwellings; one to serve Plots 1 & 2 and the other to serve Plots 3 & 4. The existing field access to the south of the site would be retained.

The Local Highway Authority raises no objection subject to conditions.

### **Any other matters requiring consideration prior to the determination of the application**

The Housing Officer states that affordable housing is required in accordance with Policy CS09 of the Core Strategy 2011. However, in accordance with the recently altered NPPG, Affordable housing is no longer required on sites of 5 or less provided that the gross internal area across the site does not exceed 1000m<sup>2</sup>. The Agent has confirmed that the GIA is unlikely to exceed 1000m<sup>2</sup> across the site but this could be dealt with via condition.

The Environmental Quality Team has no comment to make on the application.

### **Crime and Disorder**

The application raises no issues regarding crime and disorder.

### **CONCLUSION**

The proposed development results in the loss of a gap which contributes positively to the setting of the Conservation Area as well as the street scene as a whole. The Council maintains in excess of a five year deliverable housing supply and as a result paragraph 49 and paragraph 14 do not apply. The site is in the countryside where protection policies apply, and given the harm identified above, there is not considered to be suitable justification to approve dwellings in this location. As a result, the proposal is contrary to Paragraphs 17, 55 and 134 of the NPPF, Policies CS02, CS06, CS08 and CS12 of the Core Strategy 2011 and Policies DM2, DM3 and DM15 of the Site Allocations and Development Management Policies Submission Document 2015.

### **RECOMMENDATION:**

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

- 1 The site lies in part of an open field which is identified by the King's Lynn and West Norfolk Local Plan 1998, the Core Strategy 2011 and the Site Allocations and Development Management Policies Submission Document 2015 as countryside and thus where countryside protection policies apply. 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 Paragraphs 17 and 55 of the NPPF, Policy CS06 of the Core Strategy 2011 and Policy DM2 of the Site Allocations and Development Management Policies Submission Document 2015.
- 2 The application site comprises part of an agricultural field on the western periphery of Boughton where the character of the surrounding area is undoubtedly rural in nature, characterised by hedgerows and an open agricultural landscape and sporadic development. The provision of 4 new dwellings in this location, along with the associated hard surfacing required for parking and turning, the necessary removal of the existing hedgerow and introduction of domestic paraphernalia, would consolidate development resulting in the loss of a gap which contributes positively to the street scene and the setting of the Conservation Area and would therefore completely alter the existing rural appearance and be harmful to the established form and character of the area. The proposal is therefore contrary to the provisions of the National Planning Policy Framework (2012), Policies CS01, CS06, CS08 and CS12 of the Core Strategy (2011), and draft Policies DM3 and DM15 of the Site Allocations and Development Management Policies Submission document (2015).

Heritage View Castle Square Bailey Street Castle Acre



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	21/06/2016
MSA Number	0100024314

## AGENDA ITEM NO: 8/2(b)

<b>Parish:</b>	<b>Castle Acre</b>	
<b>Proposal:</b>	<b>Single storey extension to create dining area, dormers to replace roof lights, free-standing pre-manufactured garden room</b>	
<b>Location:</b>	<b>Heritage View Castle Square Bailey Street Castle Acre</b>	
<b>Applicant:</b>	<b>Mr &amp; Mrs Moriarty</b>	
<b>Case No:</b>	<b>16/00831/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr C Fry</b>	<b>Date for Determination:</b> <b>5 July 2016</b>

**Reason for Referral to Planning Committee** – The applicant is Councillor Moriarty.

### Case Summary

The application comprises a detached bungalow and associated amenity space, situated to the south-east of Castle Square off Bailey Street, Castle Acre.

The site lies within Built Environment Type C and Conservation Area as depicted on the Local Plan Proposals Map.

Full planning permission is sought for the construction of a single storey extension to create a dining area, the installation of dormers instead of rooflights and a free-standing pre-manufactured garden room.

### Key Issues

Principle of development  
Impact upon the Conservation Area and Listed Building  
Impact upon Neighbour Amenity; and  
Other Material Considerations

### Recommendation

**APPROVE**

## THE APPLICATION

The application site comprises a detached bungalow and associated amenity space. The site lies within Castle Acres Conservation Area.

The area is characterised by residential development, mixed in scale and style.

The materials on-site include red/orange brick, uPVC doors and frames and red pantiles. The site is bounded by a 1.8m close boarded timber fence.

Full planning permission is sought for the construction of a garden room measuring approximately 9 square metres in footprint and 2.5m in height which will be flat roofed; a single storey mono-pitched dining room extension scaling 4.1m (d) x 3m (w) x 3.3m (h) and replacement of rooflights on the north east elevation with dormer windows. The proposed building will have a curved roof constructed of plastic coated steel alloy.

The proposed building will be positioned in the south-western corner of the site, approximately 700mm from the south-eastern boundary and approximately 600mm from the south-western boundary.

It is proposed to use the building as a study.

## **SUPPORTING CASE**

Due to the scale and nature of the proposal development, a supporting case is not required.

## **PLANNING HISTORY**

08/02690/NMA\_2: Application Permitted: 14/07/14 - NON MATERIAL AMENDMENT TO PLANNING CONSENT 08/02690/F: construction of one and a half storey dwelling  
14/00618/F: Application Refused: 03/07/14 - Erection of a small wooden building with no permanent foundations for personal use  
10/02072/F: Application Permitted: 31/01/11 - Extension to dwelling  
10/02073/CA: Application not required: 08/12/10 - Conservation Area Consent: Extension to dwelling  
08/02690/NMA\_1: Application Permitted: 23/02/10 - NON MATERIAL AMENDMENT TO PLANNING CONSENT 08/02690/F: construction of one and a half storey dwelling  
08/02690/F: Application Permitted: 14/05/09 - Construction of one and a half storey dwelling  
08/00338/F: Application Refused: 23/04/08 - Construction of single and part 1 1/2 storey dwelling  
07/01712/F: Application Withdrawn: 19/10/07 - Construction of dwelling with garage, part 1 1/2 storey  
07/00096/F: Application Permitted: 13/03/07 - Construction of two storey extension to rear of cottages

## **RESPONSE TO CONSULTATION**

**Parish Council: NO OBJECTION** the residence is within the Conservation Area in a plot between Bailey Street and the Castle and in the Council's opinion; the proposed amendments to the design and the addition of a pre-manufactured garden room fit the style of the existing building which is a recently built dwelling of brick

**Historic England: NO OBJECTION** in principle to the extension or modifications and do not consider that they would impact unduly on the setting of the adjacent Scheduled Monument. We note however that this is a sensitive location within the medieval town of Castle Acre and there we would recommend that the Historic Environment Service be asked for a view on the need for an archaeological condition

**Conservation: NO OBJECTION** subject to a condition that the materials to be used in the extension and alterations to the property shall closely match the existing materials used in its construction.



**Historic Environment Service:** comments to be forwarded on it late correspondence

## **REPRESENTATIONS**

1 letter in support of the application.

- In keeping and does not distract from the amenity of the area

## **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

**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

## **PLANNING CONSIDERATIONS**

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

- Principle of development and Planning History
- Impact upon the character of the Conservation Area and listed building
- Impact upon Neighbour Amenities and
- Other Material Considerations

## **Principle of Development**

The site is located within the settlement of Castle Acre as classified within the Core Strategy and within Built Environment Type C as depicted on the Local Plan Proposals Map. Local Plan Policy 4/21 relates to these designations and states that in principle, new development will be permitted provided it has regard for and is in harmony with the building characteristics of the locality.

The site also lies within Castle Acre's Conservation Area where the desirability of new development should preserve or enhance the Conservation Area. Core Strategy Policy CS12 also states that the design of new development should be sensitive to its surrounding area, and not detract from the inherent quality of the environment. The NPPF further reinforces this.

Members will recall that the applicant applied in 2014 for the erection of a timber shed to the rear of their garden area. The application was refused by the committee for the following reason:-

1. The proposed wooden building by virtue of its scale and siting would be an undesirable and unneighbourly form of development, detrimental to the amenities of 2 Moat View, the neighbour to the south, particularly by reason of it being overbearing on this neighbour's small private amenity space. The proposal is therefore contrary to Policy CS08 of the Local Development Framework and paragraphs 17 and 56 of the National Planning Policy Framework.

The application seeks approval for a timber building is a different siting to that previously considered under the 2014 application, the erection of a single storey extension and the replacement of velux windows to dormer windows.

## **Impact upon the Conservation Area and Listed Building**

The previous planning application for the erection of the shed was not refused on its impact upon the Conservation Area. This proposed shed is of different style, no longer having a doomed roof, is now in close proximity to the western boundary of the site as opposed to the southern boundary of the site considered previously.

The proposed wooden building is modest in scale and design and will be located to the rear of the dwelling. The neighbour's 1.8m close boarded fence will result in only 700mm of the roof being seen in passing between the properties on Bailey Street and their respective garage block to the south of their property.

It is therefore considered that the proposed building would cause no detrimental harm to the character and appearance of the Conservation Area, in accordance with Core Strategy Policy CS12 and the provisions of the NPPF.

The single storey lean to extension would not be seen from the Conservation Area and nor would the dormer as these are located on the north elevation of the property.

The extension to the side does not protrude beyond the existing living room to the property and is subservient in height. Accordingly it does not impact upon the setting of the Grade I listed building (the castle) to the east. The dormer windows can be seen at a distance from

within in the ground of the castle but the style and scale of the dormer do not cause any harm to the significance of the setting of this designated heritage asset.

Historic England has no objection to the proposal and do not request that any conditions to be imposed.

The Conservation team requests that the extension and alterations be constructed from materials that closely match the type, colour and texture of the materials used in the construction of the existing dwelling.

### **Impact upon neighbour amenities**

The previous application for a timber shed to the rear of the property was refused on the grounds of its scale and siting being undesirable and un-neighbourly in its form, particularly in its overbearing nature in respect to the neighbour amenity's (2 Moat View's amenity Space).

The proposed garden room outbuilding is still 2.5m high but no longer has a doomed shape roof and has been moved to within 1m of the western boundary of the site. This would be adjacent to a pathway that provides access to a property in Bailey Street and not directly adjacent to a neighbour's private amenity space. The neighbours on Bailey Street, whilst having a significantly lower garden area than the site, have a relatively flat garden area and a larger garden area than that belonging to no.2 Moat View. It is therefore considered that the scale of the outbuilding would not cause any detrimental impact upon these neighbours.

The single storey extension on the south-east elevation of the property is no taller than the existing single storey lean to element on the south east elevation of the property. Whilst the eaves level will protrude above the fence line to 3 Moat View, 3 moat view has a large private amenity space that extends in an easterly direction, unlike that at no.2 Moat view. Accordingly by virtue of its scale and siting and there being no windows in the extension this neighbour would not be detrimentally affected by the single storey extension.

The dormer windows afford the same outlook as the velux windows; accordingly the ability to overlook the very rear of 3 Moat view's garden already exists.

### **Other Material Considerations**

The Historic Environment Service comments will be forwarded on in late correspondence.

### **CONCLUSION**

The scale, siting and appearance of the proposed alterations and extension and the erection of the garden room, in its new form and siting is considered to be acceptable.

There is no harm to the significance of the Conservation Area or Grade I listed building and the siting of the garden room, erection of the single storey extension and dormer window insertions do not give rise to unacceptable neighbour amenity issues.

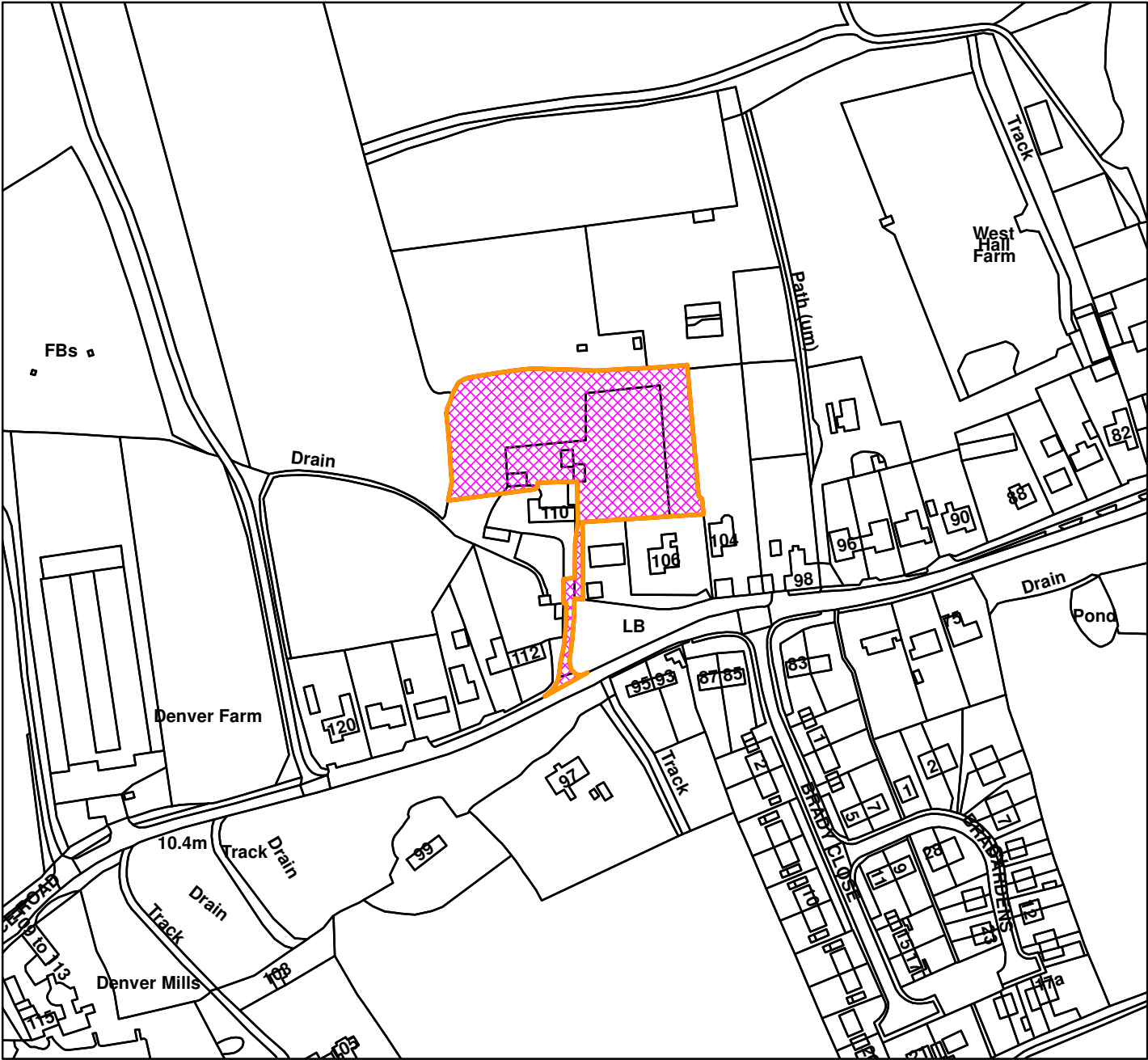
Subject to the following conditions the application is recommended for approval

### **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:-
  - Layout and Elevations drawing no. P/375/16-1 received 3rd May 2016
  - Site and Location Plan drawing no. P/375/16-2 received 3rd May 2016
  - Henley Canto 9 dated 23rd January 2016 received 3rd May 2016
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The materials to be used in the construction of the external surfaces of the extension and alterations to the existing property hereby permitted shall match, as closely as possible, the type, colour and texture those used for the construction of the existing building.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

Fir Tree Farm 110 Sluice Road Denver



**AGENDA ITEM NO: 8/2(c)**

<b>Parish:</b>	Denver	
<b>Proposal:</b>	Conversion of studio to single dwelling (no external alterations)	
<b>Location:</b>	Fir Tree Farm 110 Sluice Road Denver Downham Market	
<b>Applicant:</b>	Mr R Howes	
<b>Case No:</b>	16/00876/CU (Change of Use Application)	
<b>Case Officer:</b>	Mrs N Osler	<b>Date for Determination:</b> 11 July 2016

**Reason for Referral to Planning Committee** – Called in by Councillor White

**Case Summary**

The application site lies on the northern side of Sluice Road, Denver and comprises an existing studio building and part of the residential curtilage associated with Fir Tree Farm, 110 Sluice Road the latter of which is a relatively large two-storey farmhouse that lies immediately south east of the existing studio.

The site lies predominantly within the countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) Inset Map for Denver. A small part of the site, including the access drive and majority of the existing building lies within Built Environment Type C.

The application seeks full planning permission for conversion of the studio to a single dwelling. No external alterations are proposed.

**Key Issues**

Principle of development;  
Form and character;  
Neighbour amenity;  
Highway safety;  
Other considerations; and  
Crime and disorder

**Recommendation**

**REFUSE**

**THE APPLICATION**

The application site lies on the northern side of Sluice Road, Denver and comprises an existing studio building and part of the residential curtilage associated with Fir Tree Farm, 110 Sluice Road. This is a relatively large two-storey farmhouse which lies immediately south east of the existing studio.

The site lies predominantly within the countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) Inset Map for Denver. A small part of the site, including the majority of the building and access drive, lies within Built Environment Type 'C'.

The application seeks full planning permission for conversion of studio to single dwelling (no external alterations).

## **SUPPORTING CASE**

The Design and Access Statement that accompanied the application suggests:

- The site is close to the centre of the village of Denver with a wide variety of amenities including shop, public house, school, village hall, recreation field, golf course, café and a number of other businesses. The town of Downham Market is located approximately 1 mile to the north with footpath access to a comprehensive range of facilities and public transport;
- There is a recognised demand for residential dwellings within the locality, as identified within the BCKL & WN LDF plan, and this proposal will provide a modest additional unit of independent accommodation without additional building;
- This application provides further information to support the assertion that visibility is adequate, with no calculable increase in traffic flow following withdrawal of previous application 16/00035/CU which was being recommended for refusal on the grounds of highway safety;
- There will be little change to the form & character of the area;
- There will be minimal change to the landscape and minimal effect on the wider landscape with existing trees and hedgerow within and surrounding the site will be maintained, with driveway access formalised with shingle surfacing;
- It is considered that the proposal for conversion to a single dwelling as submitted is in accordance with local plan and NPPF presumption in favour of sustainable development, without any adverse impacts that would 'significantly and demonstrably' outweigh the benefits. It is also considered that there will be no calculable increase in traffic movements and that highway visibility is adequate. As such, when assessed against local plan and NPPF policies, the development should not be restricted.

## **PLANNING HISTORY**

16/00035/CU - Conversion of studio to single dwelling (no external alterations) – Refused 7 April 2016

14/01475/F – Retention of veranda – Permitted 28 November 2014

2/95/0330/F - Alteration and extension to dwelling including detached summerhouse and construction of agricultural shed – Permitted 21 April 1995

2/95/0329/F – Temporary standing of residential caravan during building works – Permitted 21 April 1995

99/0529/F – Extension to dwelling – Permitted 28 May 1999

## RESPONSE TO CONSULTATION

### Parish Council: SUPPORT

**Highways Authority: OBJECT** – The LHA considers that approval of this application would result in conditions to the detriment of highway safety

**Internal Drainage Board:** No Comments to make

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

## 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

## 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.

## 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**

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

- Principle of development;
- Form and character;
- Neighbour amenity;
- Highway safety;
- Other considerations; and
- Crime and disorder

#### **The Principle of Development**

Denver is identified as a 'Rural Village' in the Settlement Hierarchy set out in Policy CS02 of the King's Lynn & West Norfolk Core Strategy, 2011. Furthermore the main part of the building itself (excluding the veranda) falls within both the existing and proposed development boundary for the settlement. Within these areas the principle of new residential development is generally considered to be acceptable under Policies CS02 and CS09 of the Core Strategy, Policies 8/1 and 4/21 of the Local Plan and emerging Development Management Policy 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.

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

#### **Form and Character**

Given that no external alterations are proposed to the existing building there would be no significant impact on the established form and character of the area or the surrounding countryside.

#### **Neighbour Amenity**

There are no neighbouring residential properties immediately adjoining the application site other than the host dwelling.

Although the existing studio building is situated only 6.5 metres from the rear elevation of Fir Tree Farmhouse (the host dwelling), they are already suitably separated by existing 1.8m high close board fencing with trellis above and relatively mature planting and trees. It is therefore considered overall that there would be no significant amenity or privacy issues between the proposed conversion and the existing residential property, particularly given that the main outlook of the proposed conversion is to the north.

## **Highway Safety**

Both the NPPF (paragraph 32) and Development Plan (Core Strategy Policy CS11) require new development to provide safe and suitable access for all modes.

The applicant asserts that there would be no calculable increase in traffic flow from the property as a result of the change of use because the existing Annexe may reasonably be occupied by one or two car users or by a non-car user receiving multiple visits per day from carers etc. By comparison, use of a separate dwelling will not increase the number of bed spaces and therefore the number of vehicle movements will not increase. However, the LHA considers that the existing use of the existing use of the studio is ancillary to the main dwelling and its alteration to a standalone unit of occupation will generate its own additional independent traffic through an access that has been found to be substandard by the Local Highway Authority (LHA). It is pertinent to note that this is a conclusion that the LPA generally concurs with, and the reason behind the restrictive conditions placed on annexes.

The applicant considers that *“vehicles usually exit the site to the east side of the access (as demonstrated on the ground by tyre marks and reinforced further by the location which dictates that most vehicles exit in an easterly direction)”*. In this instance the applicant therefore considers *“it to be pragmatic to measure visibility from the point that vehicles exit the site rather than at the centre of the drop kerb, which artificially reduces the visibility to the west”*. However, the LHA maintains its view that, to accord with the adopted standards, visibility should be measured from the centre of the access point and should be on land in the applicant's control. As such the LHA concludes that splays of only 2.4 x 35m can be achieved; only 78% of the standard required.

As a result NCC Highways consider the increase in traffic using the site where there is inadequate visibility splays would result in conditions to the detriment of highway safety, contrary to Policy CS11 of the Core Strategy (2011).

## **Other Considerations**

There are no other material considerations relevant to this application.

## **Crime and Disorder**

There are no specific crime or disorder issues associated with the proposed development.

## **CONCLUSION**

The proposed conversion to create a dwelling is in general accordance with the NPPF and Development Plan and would raise no material impacts in terms of visual or neighbour amenity. However, Norfolk County Highways have raised an objection to the proposal on highway safety grounds due to the increase in traffic that would be expected from an independent dwelling and the inadequate visibility splays that are provided at the junction of the access with the County Highway.

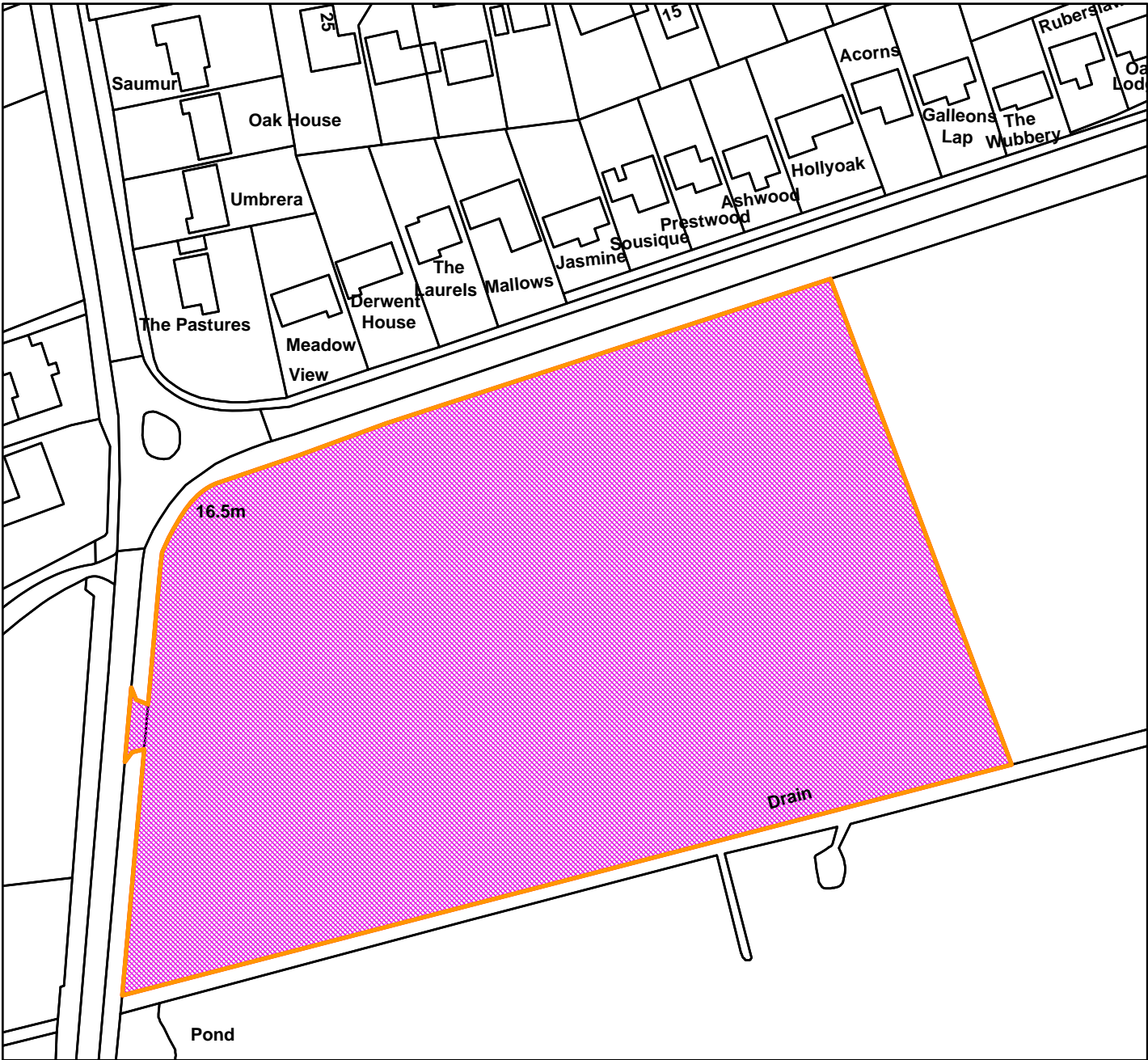
The proposal is therefore contrary to Policy CS11 of the Core Strategy (2011) as well as the provisions of the NPPF (2012). It is therefore recommended that planning permission be refused for the following reason.

**RECOMMENDATION:**

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

- 1 Inadequate visibility splays are provided at the junction of the access with the County highway and this would cause danger and inconvenience to users of the adjoining public highway. The proposed development is therefore contrary to paragraph 32 of the NPPF and Core Strategy Policy CS11.

Land South of Back Street East of Winch Road Gayton



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	22/06/2016
MSA Number	0100024314

**AGENDA ITEM NO: 8/2(d)**

<b>Parish:</b>	<b>Gayton</b>	
<b>Proposal:</b>	<b>County Matters Application: Change of use from agricultural field to a 1FE (210 place) primary school and ancillary works</b>	
<b>Location:</b>	<b>Land S of Back Street N of the Drain And E of Winch Road Gayton Norfolk</b>	
<b>Applicant:</b>	<b>Executive Director of Children's Services</b>	
<b>Case No:</b>	<b>16/00867/CM (County Matter Application)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 3 June 2016</b>

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

**Case Summary**

The application proposes a new school on Back Lane at Gayton and is made by Norfolk County Council as the Local Education Authority. The application is to be determined by Norfolk County Council and the Borough Council is a consultee.

The application relates to a 1.6ha site on the southern side of Back Street, Gayton at the junction with Winch Road. The site is part of a field in agricultural use with more fields to the south and east. Residential development lies to the north on Gayton Road and to the west on the opposite side of Winch Road.

The application proposes a 210 place primary school in a single building located along the northern edge of the site. Vehicular access would be off Winch Road with a pedestrian access off Back Street. Parking is provided within the site for 25 cars plus 2 disabled spaces. A 2.0m wide footway is proposed across the northern edge of the site with dropped kerbs to allow people to cross Back Street and get to the existing footway on the opposite side.

**Key Issues**

Main issues:-

Principle of development;  
Form and character;  
Flood risk & drainage; and  
Traffic and transport.

**Recommendation**

**i)** The Council raises a **HOLDING OBJECTION** until such time as matters relating to flood risk are addressed and the conflict between the access arrangements approved under application 15/01888/OM and the proposed narrowing of Back Street is resolved.

**ii)** The applicant should be encouraged to adopt a palette of materials that better reflects the agricultural style of building that the new school attempts to emulate.

## THE APPLICATION

The application is made by Norfolk County Council for construction of a new primary school at Gayton. The County Council is also the determining authority with the Borough Council acting as a consultee.

The application relates to a 1.6ha site on the southern side of Back Street, Gayton at the junction with Winch Road. The site is part of a field in agricultural use with more fields to the south and east. Residential development lies to the north on Gayton Road and to the west on the opposite side of Winch Road.

The application proposes a 210 place primary school in a single building located along the northern edge of the site. Vehicular access would be off Winch Road with a pedestrian access off Back Street. Parking is provided within the site for 25 cars plus 2 disabled spaces. A 2.0m wide footway is proposed across the northern edge of the site with dropped kerbs to allow people to cross Back Street and get to the existing footway on the opposite side.

The site is laid out with wild flower meadows along the Internal Drainage Board easements to the south and west. As above, vehicular access is off Winch Road with the staff car park to the western end of the site. Space is shown for a nursery at this end of the site but does not form part of this application.

Play space is provided in the southern half of the site, wrapping round the school building into the north-eastern corner of the site. A multi-use games area (MUGA) is proposed adjacent to the southern boundary with a sports pitch adjacent to the east along with a running track. An equipped play area is proposed in the north-east corner.

The school building itself is single storey. It has pitched roofs that divide the building into 4 distinct elements with flat roofed links between them. The ridges of all 4 elements run parallel with Back Street. The element closest to the junction with Back Lane and Winch Road covers the school hall and has the highest eaves (around 5m) and ridge height (around 12m). The second element sits to the east of the school hall and contains the reception classroom and the Year 1 and 2 classrooms; it has an eaves height of around 3.5m and a ridge height of around 9m. The two remaining elements sit to the south of the hall and classrooms and contain the Years 3 to 6 classrooms and staff facilities; they are similar in height and scale to the second element. The buildings will be finished in buff bricks and dark grey slate.

## SUPPORTING CASE

The application, which is made to Norfolk County Council, is accompanied by a range of documents as follows:-

- Planning Statement;
- Design and Access Statement;
- Sustainability Statement;
- Transport Statement;
- Travel Plan;
- Arboricultural Impact Assessment;
- Noise Assessment;
- Lighting Assessment;
- Flood Risk Assessment;
- Ecological Survey;

- Ground Investigation Report;
- Archaeological Written Scheme of Investigation;
- Ground Investigation Report; and
- Landscape and Visual Impact Statement.

The Planning Statement advises that the County Council's Children's' Services department has identified a need to a new primary school within Gayton to replace the existing school. The new school will have a capacity of 210 spaces.

The Planning Statement goes on to describe the search for new sites stating that the application site was the most suitable site for the size of school required notwithstanding that it is outside the settlement boundary.

The Statement concludes that "The proposed primary school is of an attractive appearance which has been sensitively designed to avoid any unacceptable impact upon the site, surroundings and residential amenity of neighbouring properties. It is located in a sustainable location without any impact on any acknowledged heritage asset or site specific constraints, and will therefore help maintain and strengthen educational provision within the village of Gayton and the surrounding catchment area, in accordance with the central Government advice, NPPF advice and relevant Development Plan policies".

## **PLANNING HISTORY**

None relevant.

## **RESPONSE TO CONSULTATION**

The application is made to Norfolk County Council with the Borough Council as a consultee. Norfolk County Council has carried out a full consultation on the proposals.

## **REPRESENTATIONS**

As a consultee the Borough Council as Local Planning Authority has not carried out neighbour consultation of its own. However, four comments have been made to the LPA raising the following issues:-

- Ground too wet; flood plain;
- Not central to the village;
- Access roads not appropriate for additional traffic;
- Target for troublemakers on the edge of the village;
- Layout poor;
- Buildings too tall to accommodate sports facilities? Activities in summer for financial gain?
- Despite many attempts to repair and update the sewage system to meet the increased demands of the village, problems still exist;
- In the event of Planning Permission being granted, it is essential for the public to have sight of The Construction, Design and Management documentation for the construction site, with particular reference to Part 4-26 Prevention of Drowning, and Part 4-27 Traffic Routes.

These comments will be passed on to Norfolk County Council for their consideration.

## **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

**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

**DM9** - Community Facilities

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM21** - Sites in Areas of Flood Risk

## **PLANNING CONSIDERATIONS**

The main issues raised by this application are:-



- Principle of development;
- Form and character;
- Flood risk & drainage; and
- Traffic & transport.

## **Principle of Development**

The spatial strategy for development in the Borough is set out in CS01 of the Core Strategy and is intended to direct development to the most sustainable location. Regarding rural areas (including Gayton and the surrounding area) the strategy includes focussing most new development 'within or adjacent to' Key Rural Service Centres (KRSCs).

KRSCs are identified in policy CS02 and include the combined villages of Grimston, Pott Row and Gayton. CS02 goes on to say that limited growth of a scale and nature appropriate to secure the sustainability of each KRSC will be supported 'within' the development limits of the settlement in accordance with policy CS06.

CS06 describes the strategy for development in the rural areas, including promoting sustainable communities and sustainable patterns of development. The policy states that beyond village boundaries, the strategy will be to protect the countryside for its intrinsic character and beauty and that development of green field sites will be resisted 'unless essential for agricultural or forestry needs'.

Policy CS13 refers to community and culture and supports the creation of sustainable communities through the provision of community infrastructure. The policy recognises the importance of community facilities and services in improving peoples' quality of life, reducing inequality and improving social cohesion.

The emerging Site Specific Allocations and Development Management Policies Development Plan Document (SSADMP DPD) is a material consideration in considering this application. Policy DM2 refers to development boundaries and to what kind of development may be acceptable outside these boundaries. The policy refers to community facilities and development that could support community facilities, as supported by CS13.

## **Form and character**

The site is on the edge of Gayton but with residential developments to the north and to the west. The development to the north is a mix of 1980s estate-style houses and bungalows with a strong building line. To the west, the houses are more mixed in style with some older properties as well as newer in-fill. The plots are generally larger than those to the north of the site with larger, undeveloped gaps in between.

The southern, northern and eastern site boundaries are open with low hedges and some individual trees. The Eastern boundary is also open as the site occupies only half of the agricultural field. The western boundary of the field is marked by substantial tree planting.

The Design and Access Statement describes the four elements of the school building as 'barns'. It says they have been designed to reflect the local context in terms of form, scale and finish. It also says that the roof form has been 'designed to respond to a common language of agricultural buildings in Norfolk'. The DAS also states that the smaller 'barns' at around 7m in height are of a similar height to the houses on Back Street. The larger 'barn' is higher at around 10m to its highest point.

The predominant materials will be buff brick and grey slate tiles. The latter will be used on the roofs of the 'barns' but also hung on parts of the walls of the buildings. The DAS states

that the walls 'will be brickwork to match the existing school building and the roofs will be slate to make reference to the legacy of education in the village'.

There are a number of issues with the approach adopted in the DAS; first of all whilst the scale of the buildings is similar to a large barn and outbuildings the layout is not. The buildings are not grouped around a farmyard as barns would be but are grouped closely together. Secondly, and most significantly, the type of building that the new school is seeking to emulate does not match the materials with which it is proposed to finish the school. The units are described as 'barns' but the materials are chosen to reflect those on the current school. The use of hanging tiles is particularly incongruous. Barns in West Norfolk are generally red brick with pan tiles and in Gayton they feature chalk and flint panels.

### **Flood Risk & Drainage**

The application site is accompanied by a Flood Risk Assessment (FRA) that identifies it as being in Flood Zone 3 and consequently at high risk of flooding from surface water. The proposed school is classed as a 'More Vulnerable' use under national policy in the Planning Practice Guidance (PPG); the same document states that for such development to be acceptable in Flood Zone 3 the Exception Test must be passed.

However, prior to applying the Exception Test the developer should first provide to the decision making authority (in this case Norfolk County Council) sufficient information to demonstrate that there are no suitable alternative sites at lower risk of flooding, i.e. the Sequential Test should be applied.

The FRA states that different sites were examined but then simply states that the application site was considered to be the best option for the school. There is no information on these alternative sites in the FRA but cross reference between the DAS, the Planning Statement and the FRA indicates that only the application site of the 6 alternative sites looked at is in Flood Zone 3. At the time of writing this report there are objections to the proposal from the Lead Local Flood Authority (LLFA) and the Environment Agency (EA) due to the failure of the submission to adequately address the sequential test.

The objections from the LLFA and EA also state that the FRA does not adequately assess the flood risk to the application site regardless of the sequential test. This view is supported by the Water Level Management Alliance. Without an acceptable FRA demonstrating that the site itself is safe from flooding the proposal cannot pass the Exception Test even if the Sequential Test issues are addressed.

As it stands, the proposal is contrary to national planning policy on flood risk as expressed in the National Planning Policy Framework (NPPF).

It is proposed to connect the school to the existing foul drainage system. There is no objection from Anglia Water (AW) to this but they refer to the amount of development that has permission in Gayton and state that capacity cannot be reserved for a specific development within the system. Whilst AW advise that there is capacity for the school as a stand-alone development, additional capacity may be required if other consented developments come through first. If permission is granted, a condition to secure details of the foul drainage system should be attached, which should include any necessary improvements to the off-site sewage system.

## Traffic & Transport

The application is accompanied by a Transport Statement and a Travel Plan. The application proposes a 2.0m wide footpath across the site's northern boundary with dropped kerbs at the eastern and western end to allow people to cross to the existing footpath on Back Street. In addition, it is also proposed to provide a new stretch of footpath on the northern side of Back Street to fill in the gap to the east of the site between Birch Road and Lavender Cottages further east. It is also proposed to narrow the carriageway to a consistent 4.8m wide to provide a speed reducing feature along with new signage for the length of the new footpath.

At the time of writing this report there is no consultation response from Norfolk County Council highways to indicate whether or not this is acceptable. However, the Transport Assessment does not refer to traffic generated by the permission for 40 houses granted on land at Manor Farm under ref. 15/01888/OM (SSADMP DPD allocation G41.1). Indeed, the proposed narrowing of Back Street to accommodate walking trips from the school conflicts with the approved access arrangements for the residential development that proposes widening the road.

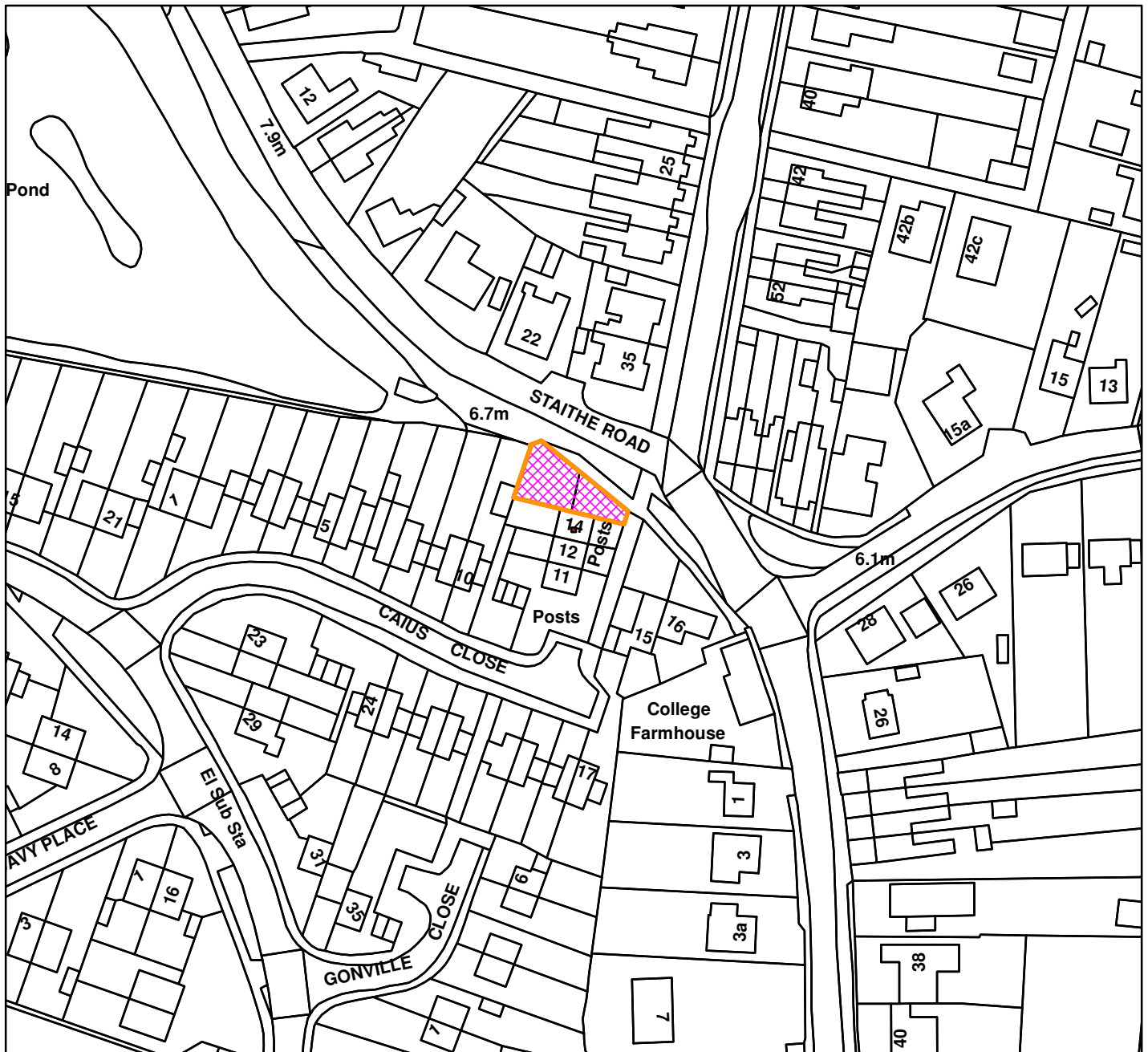
## CONCLUSION

Development Plan policies support the provision of community facilities outside settlement boundaries subject to the particular site being acceptable in all other respects. The outstanding objections on flood risk and the failure to take into account committed development in the transport assessment indicate that the applicant has not satisfactorily addressed these site-specific issues. The applicant should also be encouraged to investigate the use of an alternative pallet of materials that better reflect the 'agricultural' style of building that the new school is intended to emulate.

## RECOMMENDATION:

- i) The Council raises a **HOLDING OBJECTION** until such time as matters relating to flood risk are addressed and the conflict between the access arrangements approved under application 15/01888/OM and the proposed narrowing of Back Street is resolved.
- ii) The applicant should be encouraged to adopt a palette of materials that better reflects the agricultural style of building that the new school attempts to emulate.

Land North of 14 Caius Close Heacham



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



Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	20/06/2016
MSA Number	0100024314

**AGENDA ITEM NO: 8/2(e)**

<b>Parish:</b>	<b>Heacham</b>	
<b>Proposal:</b>	<b>Construction of dwelling</b>	
<b>Location:</b>	<b>Land North 14 Caius Close Heacham King's Lynn</b>	
<b>Applicant:</b>	<b>Mr P Fade</b>	
<b>Case No:</b>	<b>16/00311/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs Jade Calton</b>	<b>Date for Determination:</b> <b>21 April 2016</b> <b>Extension of Time Expiry Date:</b> <b>10 June 2016</b>

**Reason for Referral to Planning Committee** – Parish Council comments at variance with Officer recommendation

**Case Summary**

The application site comprises a triangular shaped parcel of land, measuring approximately 189 square metres. The land is currently used as residential garden to the side of no. 14 Caius Close, Heacham.

Full planning permission is sought for the construction of a two storey end-terraced dwelling.

Heacham is classified as a Key Rural Service Centre within the Core Strategy Settlement Hierarchy.

**Key Issues**

Principle of development;  
Form and character;  
Neighbour amenities;  
Highway safety;  
Other material considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application site comprises a triangular shaped parcel of land, measuring approximately 189 square metres. The land is currently used as residential garden to the side of no. 14 Caius Close, Heacham.

Full planning permission is sought for the construction of a two storey, one bedroom, end-terraced dwelling.

It is proposed to lower the ridge height of the proposed dwelling compared to No.14 by approximately 300mm. The proposed dwelling is also marginally narrower than that adjoining at no.14, by approximately 400mm. The fenestration proportions and materials are proposed to match those of the donor dwelling.

A new access is proposed to serve the new dwelling sited towards the northern corner of the site from Staithe Road. One parking space will be provided to the rear of the property with adequate on-site turning space (compliant with Parking Standards for Norfolk 2007).

## **SUPPORTING CASE**

There is no supporting case accompanying this application.

## **PLANNING HISTORY**

No recent planning history.

## **RESPONSE TO CONSULTATION**

**Parish Council OBJECT** Over intensive development of site. Access dangerous particularly to pedestrians using footpath - lack of visibility. There is no vehicular access at this point as it is for pedestrians only due to safety issues with busy Staithe Road-Poplar Avenue-Collins Lane junction with multiple bus routes. Access to this property as drawn is not consistent with the rest of the terrace which comply with safety issues and come in from Caius Close.

**NCC Highways: NO OBJECTION** conditionally.

**Environment Agency: NO OBJECTION**

**Environmental Quality: NO OBJECTION**

## **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

**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

**DM17** - Parking Provision in New Development

## **PLANNING CONSIDERATIONS**

The key considerations in the determination of this application are:

- Principle of development;
- Form and character;
- Neighbour amenities;
- Highway safety;
- Other material considerations

### **Principle of Development**

Heacham is classified as a Key Rural Service Centre within the settlement hierarchy of the Core Strategy. Such centres are considered to help sustain the wider rural community. They provide a range of services that can meet basic day-to-day needs. Local scale development will be concentrated in identified Key Rural Service Centres.

It is considered that the site is of sufficient size to accommodate a dwelling, parking and turning space and amenity space comparable to its surroundings.

The proposal is therefore acceptable in principle, subject to other planning policy and material considerations.

### **Form and Character**

The area is characterised predominantly by two storey dwellings, comprising terraced, semi-detached and detached properties. Caius Close forms a relatively modern cul-de-sac when compared to the carrstone cottages on Staithe Road. A new terraced dwelling would not be out of keeping with the character of the area.

Rear gardens within the vicinity vary in size but are generally relatively small and particularly narrow in some cases. The garden left for the donor dwelling and that provided for the proposed dwelling are sufficient in size to provide adequate usable private amenity space, comparative to surrounding plots, in particular no. 12.

The proposal will bring the development on Caius Close closer to Staithe Road. However, a footpath runs along the northern boundary of the site and a wide grass verge bounds the footpath and the highway, providing adequate space within the built form. Furthermore, because the northern site boundary is angled, the front corner of the proposed dwelling will be sited approximately 1m from the boundary and the rear corner approximately 5.6m from the boundary.

The proposed development would therefore cause no detrimental impact upon the form and character of the area.

### **Neighbour Amenity**

The rear elevation of the dwelling is proposed to be level with the rear elevation of the donor dwelling and its adjoining neighbours. Thus any outlook from the first floor rear windows would be too acute to cause a material loss of privacy to the neighbouring residents.

The relationship between the first floor front bedroom windows and the dwellings opposite at nos. 15 and 16 is no worse than the existing situation with the donor property and its adjoining neighbours. Therefore there will be no material overlooking to residential amenity.

Due to the relationship of the proposed dwelling with adjacent properties and the direction of the sun, there will be no material overbearing or overshadowing impact upon neighbouring residents.

### **Highway Safety**

Following the submission of amended plans providing suitable visibility for pedestrians, the Local Highway Authority raises no objection to the proposed development subject to conditions.

### **Other Material Considerations**

#### *Crime and Disorder:*

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

#### *Parish Council Comments:*

Concerns were raised with regards to over intensive development of the site and dangerous access to pedestrians. These issues have been addressed above in the report.

### **CONCLUSION**

It is considered that the proposed development relates adequately to the density, form and character of the area in terms of its scale, design and appearance. The application site is capable of accommodating a new terraced dwelling comparable to its surroundings. Adequate parking, turning and private amenity space is proposed.



The proposed dwelling will cause no material overlooking, overshadowing or overbearing impact to any neighbouring residents.

On the basis of the above, the proposal accords with the provisions of the NPPF, Local Plan Policy 4/21, Core Strategy Policies CS01, CS02 and CS08 and emerging Development Management Policies DM1, DM2, DM15 and DM17.

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

## **RECOMMENDATION:**

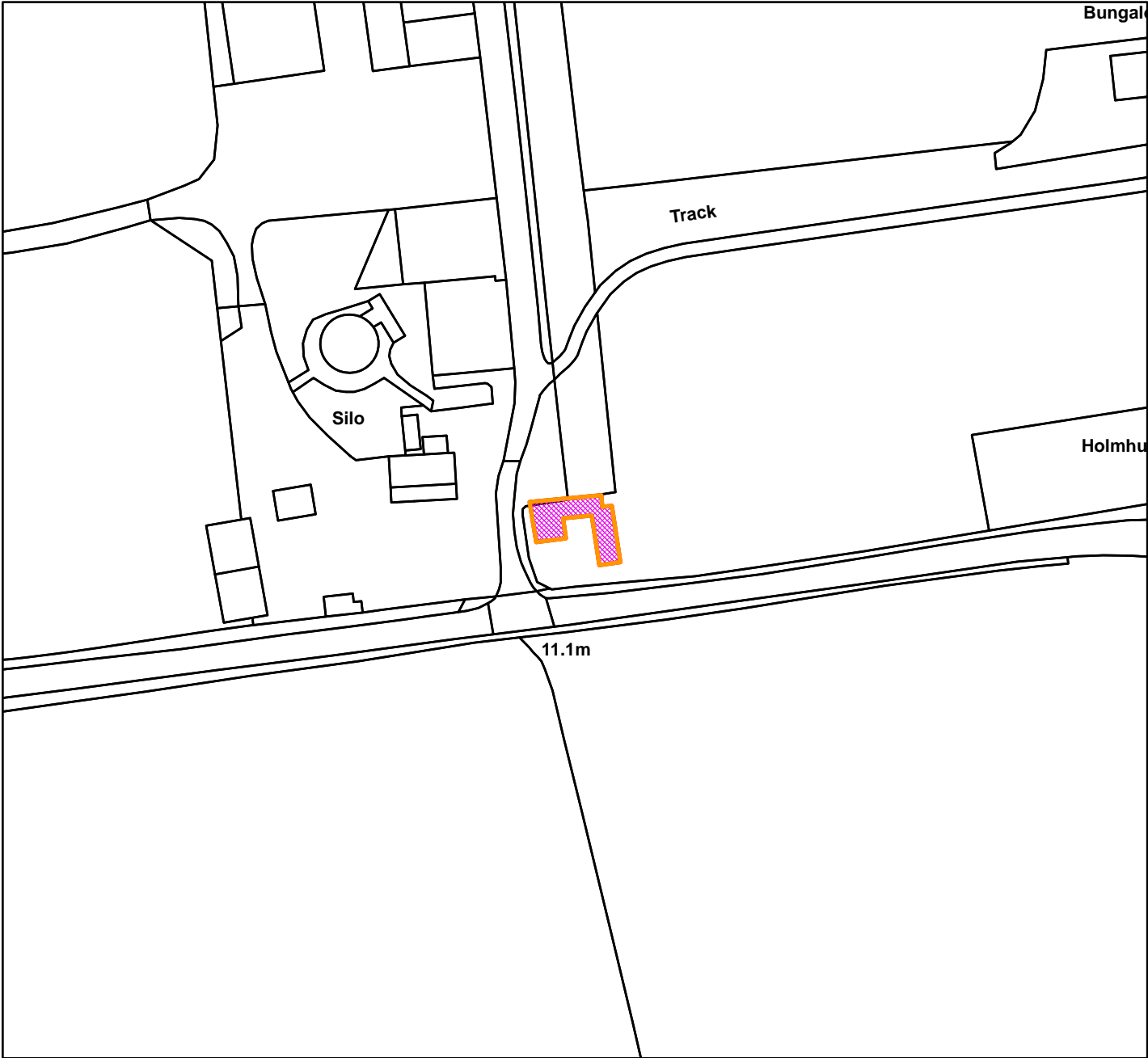
**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plan as amended; 249-02C.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The materials to be used on the external surfaces of the development hereby approved shall match as closely as possible the type, colour and texture of the materials used in the construction of the donor dwelling.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition Prior to first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 5 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

- 6 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 in accordance with the highway specification (Dwg. No. TRAD 1 ). 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.
- 6 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 7 Condition Prior to the first occupation of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway. Any sidewalls / fences / hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the (outside) gateposts to the front boundary of the site.
- 7 Reason To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened.

15/01879/F

Drove Orchards Thornham Road Holme Next the Sea



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	22/06/2016
MSA Number	0100024314

**AGENDA ITEM NO: 8/2(f)**

<b>Parish:</b>	<b>Holme next the Sea</b>	
<b>Proposal:</b>	<b>New retail unit</b>	
<b>Location:</b>	<b>Drove Orchards Thornham Road Holme next the Sea Norfolk</b>	
<b>Applicant:</b>	<b>Drove Orchards Ltd</b>	
<b>Case No:</b>	<b>15/01879/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 3 February 2016</b>

**Reason for Referral to Planning Committee** – Called in by Councillor Mrs Bower and the views of Holme next the Sea Parish Council is contrary to the Officer recommendation.

**Case Summary**

The application site is part of the Drove Orchards Farm site, located on the northern side of the main A149 coastal road which runs between Hunstanton in the west and Wells in the east. The site is approximately 1 km west of the village of Thornham but lies within the parish of Holme-next-the-Sea. The village of Holme is approximately 1.5km away.

The site comprises a parcel of land to the eastern side of the existing courtyard area at the front of the orchard site.

The surrounding orchards lie to the north, east and west of the site. Other existing retail and commercial uses are to the east of the site, set around the gravelled courtyard area which also serves as part of the parking area for the wider site. South of the site, on the opposite side of the road, are open, arable fields.

This application seeks full planning permission for one new retail unit for a use which is already on another part of the site without the benefit of planning permission.

**Key Issues**

Principle of Development;  
Use of the site;  
Impact upon the AONB,  
Impact upon Neighbour Amenity;  
Accessibility;  
Highway Safety.

**Recommendation**

**APPROVE**

## THE APPLICATION

This application seeks full planning permission for one new retail unit for Gurneys Fish Shop, which is already within a mobile unit located at the front of the site without the benefit of planning permission. The fish shop has been on site for some time, but the planning application submitted for Gurneys in this position was withdrawn, pending objection from officers. This current application seeks to relocate the retail unit to the eastern part of the site.

The application site is part of the Drove Orchards Farm site, located on the northern side of the main A149 coastal road which runs between Hunstanton in the west and Wells in the east. The site is approximately 1 km west of the village of Thornham but lies within the parish of Holme-next-the-Sea. The village of Holme is approximately 1.5km away.

The site comprises a parcel of land to the eastern side of the existing courtyard area at the front of the orchard site.

The surrounding orchards lie to the north, east and west of the site. Other existing retail and commercial uses are to the east of the site, set around the gravelled courtyard area which also serves as part of the parking area for the wider site. South of the site, on the opposite side of the road, are open, arable fields.

## SUPPORTING CASE

No supporting documentation accompanies this application.

## PLANNING HISTORY

14/00193/F: Application Permitted: 15/04/14 - New retail unit, change of use of the land for siting of tea room and extension to existing farm shop - Drove Orchards

12/00835/F: Application Permitted: 18/07/12 - New retail unit on A3 class designated land - Drove Orchards

09/01281/CU: Application Permitted: 08/12/09 - Change of use from agricultural land to siting of a 'yurt' tent and ancillary structures to be used as a restaurant - The Yurt Restaurant, Drove Orchards

## RESPONSE TO CONSULTATION

**Parish Council: OBJECTION** (Amended plans) Holme-next-the-Sea Parish Council considers the oak cladding represents an improvement to the containerised buildings. However, there seems to be a number of outstanding matters and we request additional information relating to the use of the site and future development.

### Highways Authority: NO OBJECTION

**Norfolk Coast Partnership:-** Further development of the site in this way is inconsistent with para 114 of NPPF on Heritage Coasts ("Local planning authorities should...maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast...") and with the purpose of designation of AONBs.

It is also not an appropriate location for such development under Local Plan policy CS10 The Economy, and the development of an isolated site in the open coastal countryside of the AONB and Heritage Coast in this way is also inconsistent with Local Plan policy CS12 Environmental Assets, in that through an increasingly developed site, with the additional traffic and erosion of tranquillity, it does not conserve and, where possible, enhance the special qualities and local distinctiveness of the area.

## **REPRESENTATIONS**

Third party correspondence was received from a neighbour regarding land ownership but this has since been resolved.

## **NATIONAL GUIDANCE**

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

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

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS07** - Development in Coastal Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT**

**DM1** – Presumption in Favour of Sustainable Development

**DM10** – Retail Development Outside Town Centres

**DM15** – Environment, Design and Amenities

## **PLANNING CONSIDERATIONS**

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

- Principle of Development;
- Use of the site;
- Impact upon the AONB,
- Impact upon Neighbour Amenity;
- Accessibility.
- Highway Safety.

### **Principle of development**

The site lies outside the village settlement boundary of either Holme Next the Sea. The site lies within the confines of the Heritage Coastline and an Area of Outstanding Natural Beauty.

The Drove Orchards site is already used for several retail purposes including a farm shop and clothes shops, as well as two restaurants and play area. This application seeks an additional unit on land to the eastern side of the courtyard area at the front of the larger site.

The Norfolk Coast Area of Outstanding Natural Beauty Management Plan 2004-2009 looks to support the local economy provided that products are sourced from the locality and maintains the traditions that characterise the area, provided that they are not detrimental to the conservation of the area of outstanding natural beauty.

Nationally the NPPF advises 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. At paragraph 28 it states that to promote a strong rural economy, local and neighbourhood plans 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;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

However, the underlying principle is for development to be sustainable and this involves economic growth in the right place and which seeks to protect and enhance the natural environment. Paragraph 9 of the NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment.

Paragraph 114 requires that local planning authorities should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast.

Paragraph 115 states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

The Norfolk Coast Management Plan is not an adopted planning policy document but provides guidance as to the character of the area and the role tourism has to play in it. The Plan states that tourism plays an important part in the local economy within areas of outstanding natural beauty. Tourism supports local jobs indirectly and supports community services. However a dependence on tourism for trade leads to part-time jobs and seasonal peaks in unemployment occur. Overall there is a shortage of full-time jobs in the AONB. For sustainability reasons the provision of jobs needs to at worst not damage the conservation status of the area's natural beauty.

At a local level Core Strategy Policy CS06 refers to 'Development in Rural Areas'. It states that:

'Beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs.

The strategy will be supportive of farm diversification schemes and conversion of existing buildings for business purposes in accordance with Policy CS10 providing any proposal:

- meets sustainable development objectives and helps to sustain the agricultural enterprise;
- is consistent in its scale with its rural location;
- is beneficial to local economic and social needs;
- does not adversely affect the building and the surrounding area or detract from residential amenity.'

Core Strategy Policy CS10 supports the rural economy through allowing employment exception sites subject to meeting set criteria. The site is between the settlements of Holme and Thornham, on the coastal A149 route, and in this context should be considered as a rural employment exception site in relation to Core Strategy Policy CS10. Policy CS10 refers:

'The Council will support the rural economy and diversification through a rural exception approach to new development within the countryside; and through a criteria based approach to retaining employment land and premises.

Permission may be granted on land which would not otherwise be appropriate for development for an employment generating use which meets a local business need. Any development must satisfy the following criteria:

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

Policy DM10 refers to retail development outside town centres. This policy seeks to support and maintain the borough's town centres as major retail centres. The policy states that all new proposals for main town centre uses will be required to locate in the town centre or where sites cannot be found in edge of centre sites.

The proposed development needs to demonstrate that it is acceptable as a rural exceptions site and is acceptable in terms of sustainability.



## **Use of the site**

Drove Orchard is primarily an apple orchard but use of the site for commercial purposes has been steadily growing over the past decade.

The farm has diversified over recent years and the site currently contains a farm shop, a restaurant (yurt), two clothes shops, two other general shops, a fish and chip restaurant and parking facilities. In principle, national planning policy (NPPF) and local planning policy (Policy CS06 Rural Areas) supports rural enterprise and farm diversification schemes. In this context, the business has been permitted to grow to its present level.

The existing Gurneys Fish Shed has been in place at the front of the site for approximately a year. This current application seeks permission for its location to the eastern side of the existing courtyard, in an area where planning permission was previously approved for sheds to be stationed for retail purposes. This location is considered to be less conspicuous than the former location along the roadside frontage of the site. The repositioning of the unit would have a more cohesive layout and the proposed buildings would relate better to the existing use of the site.

The proposed buildings are single storey in height and amended plans have shown the containers to be clad in natural timber. It is considered the design now complements that of other retail units approved on the site.

The Parish Council and Norfolk Coast Partnership have both objected to the fact that development on the site is increasing in a piecemeal fashion. The Parish Council would have preferred a masterplan so that the site would function more effectively and that the extent of the development could be confined. However the nature of the site so far has been to grow in an ad hoc manner as the business grows in response to demand to offer more facilities on this existing site.

In summary, it is considered that the proposed extra retail unit is compatible with existing uses on the site. Whilst it is not recommended that the use of the proposed retail unit is limited to one particular retailer in this case, it is considered that a retail unit of this proportion is well related to the existing business on the site and is therefore consistent with the principles of policies CS06 Rural Areas, CS10 Employment DM10 and consequently would not undermine the principles of sustainability of the NPPF and Core Strategy which seek to concentrate retail developments in settlements or areas designated for growth in development plans and not the countryside.

## **Impact upon the AONB**

Planning permission has previously been granted for several retail units and a restaurant on the site and Drove Orchards is establishing itself as a tourist attraction for the orchard itself as well as the retail elements.

Norfolk Coast Partnership has objected to the proposal. They consider that further development of the site in this way is inconsistent with para 114 of NPPF on Heritage Coasts ("Local planning authorities should...maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast...") and with the purpose of designation of AONBs.

They consider it is not an appropriate location for such development under Local Plan policy CS10 The Economy, and the development of an isolated site in the open coastal countryside of the AONB and Heritage Coast in this way is also inconsistent with Local Plan policy CS12 Environmental Assets, in that through an increasingly developed site, with the additional

traffic and erosion of tranquillity, it does not conserve or enhance the special qualities and local distinctiveness of the area.

The physical development of the proposed retail unit, as now proposed, is not considered to have a significantly detrimental impact on the landscape character of the protected landscape given its proposed location and that it is of single storey height.

Concerns regarding the attraction of additional visitors to the site and the impact upon the AONB are noted but the site is already used for retail purposes, a restaurant, school educational visits to the orchard and tourism. The site already has adequate parking facilities across the wider site. It is not considered the location of this single unit within an established site would have such a significant impact upon the AONB to warrant refusal of planning permission.

In summary it is not considered that this amended scheme for further development will have a significantly harmful impact upon this sensitive coastal area through its scale or additional activity associated with such use. It is considered that this proposal is not contrary to the provisions of the NPPF or the Core Strategy policy.

### **Impact upon Neighbour Amenity**

The application site lies on the northern side of the A149; the predominant land use in the surrounding area is agricultural. The nearest residential neighbours are sited over 200m north of the application site and approximately 75m to the east (nearest garden boundaries). It is considered that the neighbours would not be materially affected by the proposed development given the distances involved, the nature of the use of the building and the position of trees between the application site and the properties.

There are no outstanding neighbour issues.

### **Highway Safety**

The Highways Authority initially sought additional information regarding surface water drainage and parking arrangements. However, these matters have been resolved following on site meetings and there are no outstanding highway safety issues.

### **Other matters**

The Parish Council has raised concerns regarding inaccuracies within the application, and the lack of Environmental Assessment for the whole development as it is within the AONB and within 500m of a RAMSAR site and an SSSI. They also seek a Traffic Impact and Safety Assessment, to be undertaken to coincide with the summer peak and not off-season, and a review of both the vehicle and pedestrian access, circulation and parking arrangements.

However, this application is for a single retail unit on the existing site and is not for major retail development. Officers do not consider this application warrants the need for such extensive and expensive background reports, when the infrastructure for the site is already in place and the scale of the proposal is relatively modest.

## **CONCLUSION**

The site is between the settlements of Holme and Thornham, on the coastal A149 route, and in this context should be considered as a rural employment exception site in relation to Core

Strategy Policy CS10. The location is not within close proximity to the village envelopes of Thornham and Holme-Next-The-Sea and does not strictly comply with the criteria within Policy CS10.

However, it is acknowledged that the proposals seek to reinforce the current business use of the site and provide improved facilities for an existing rural enterprise. Whilst the principles of sustainability of the NPPF and Core Strategy generally seek to concentrate retail developments in settlements or areas designated for growth in development plans rather than the countryside, the NPPF states there is support for 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. It also promotes the development and diversification of agricultural and other land-based rural businesses and supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

Following concerns regarding the location of the Fish Shed at the front of the site, the proposal has been amended to provide a more cohesive and comprehensive scheme. It results in a more efficient use of the site and provides improved facilities for visitors. It is not considered the proposed development will have a harmful impact upon this sensitive coastal area, through its scale or additional activity associated with such use.

The proposal will not undermine the character of the undeveloped coast or the distinctive landscape of the AONB and Heritage Coast. It is considered that the proposal accords with the general provisions of the NPPF and Core Strategy Policies CS10, CS12 and DM10.

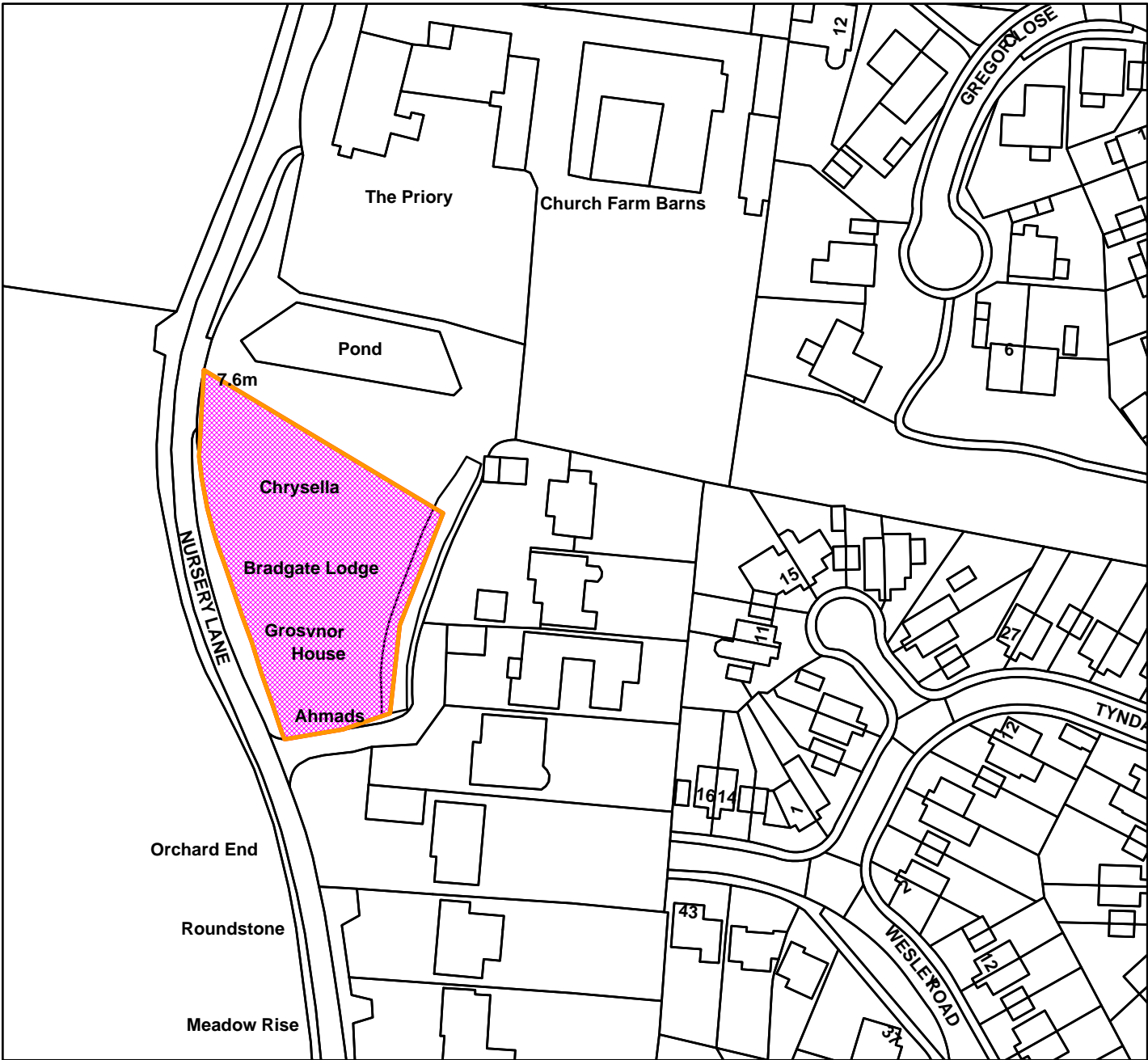
## **RECOMMENDATION:**

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Drawing No. DWG NO. 239-9C, Existing Part Site Plan, Proposed Retail Unit 1:250
  - Drawing No. DWG NO. 239-14B, Location Plan 1:1250
  - Drawing No. DWG NO. 239-13H, Proposed Part Site Plan, Proposed Retail Unit 1:250
  - Drawing No. DWG NO. 239-15A, Proposed Plans & Elevations 1:100
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the installation of any flue details of its height, diameter and finish shall be submitted to and approved in writing by the Local Planning Authority. The flue shall be installed as approved 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 development hereby permitted shall not be brought into use until the retail unit in the courtyard to the west of the application site, shown as 'Retail unit to be removed' on Drawing No DWG NO. 239-13H has been removed from the Drove Orchard Farm site (blue land on Drawing No. DWG NO. 239/14B) and the land reinstated to its former condition to the satisfaction of the local planning authority.
- 4 Reason In order that the Local Planning Authority may retain control over the development, in the interests of visual amenity and to ensure that the character of the AONB is retained.

Land at The Priory Nursery Lane North Wootton



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	22/06/2016
MSA Number	0100024314

**AGENDA ITEM NO: 8/2(g)**

<b>Parish:</b>	<b>North Wootton</b>	
<b>Proposal:</b>	<b>Outline Application: 3 new dwellings</b>	
<b>Location:</b>	<b>Land At The Priory Nursery Lane North Wootton</b>	
<b>Applicant:</b>	<b>Mr S Evans</b>	
<b>Case No:</b>	<b>16/00376/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Mr C Fry</b>	<b>Date for Determination:</b> <b>16 June 2016</b> <b>Extension of Time Expiry Date:</b> <b>11 July 2016</b>

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

**Case Summary**

The application site lies within an area defined as Built Environment Type A according to Local Plan Proposals Maps for North Wootton. North Wootton acts to support the growth of King's Lynn in Policy CS02 of the Local Development Framework Core Strategy 2011.

The site is relatively flat and lower than the road level and is bounded by hedgerows and contains trees.

The proposal seeks outline planning permission with all matters reserved for the erection of 3 properties. A centralised access will serve the properties.

**Key Issues**

Principle of Development  
Impact upon Visual Amenity  
Impact upon designated heritage assets  
Impact upon Neighbour Amenity  
Highway Safety  
Other Material Considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The site lies within Built Environment Type A as classified in the saved village map for the area, on the eastern side of Nursery Lane, North Wootton.

North Wootton is classified as a settlement adjacent to the main town in policy CS02 of the Local Development Framework Core Strategy.

16/00376/O

Planning Committee  
4 July 2016

The site is enclosed by boundary hedging and is slightly lower than road level. A vehicular access is provided along the southern boundary of the site served from a private track directly off Nursery Lane.

The properties in the area are mainly 2 storey detached and constructed from red brick and red pantile, although there is also carstone in this older part of the village.

These properties are set back from Nursery Lane and are on ample size plots.

The character of Nursery Lane has a verdant feel with hedgerows along the western side of the lane and trees and hedging along the front boundaries of the properties that front the lane.

The proposal seeks outline planning permission with all matters reserved for the erection of 3 dwellings. The 3 dwellings will be served by a central access point following the removal of the northern part of the hedgerow that faces onto Nursery Lane.

## **SUPPORTING CASE**

The application has been supported by a Heritage and Design and Access Statement which has been appraised below:

- 3 no. dwellings are proposed to the south of The Priory, a grade II listed building dating back to 1718.
- The site is separated from the formal garden area to the north and the proposed site area is approximately 2000m<sup>2</sup>
- The proposed dwellings will benefit from similar size amenity spaces to those immediately to the east of the site and the properties of similar proportions.
- Due to the 60m separation distances from the plot and the donor dwelling and the mature trees separating, there will be no impact upon the setting of the listed building
- Access is shown indicatively in a centralised position and visibility splays provided by re-aligning the hedgerow.
- Each property will be served with 3 parking spaces.
- An arboricultural survey will be produced at reserved matters stage.

## **PLANNING HISTORY**

Nothing site specifically, but the donor dwelling has the following planning history:-

13/01526/LB: Application Permitted: 18/12/13 - Listed building application: Completion of conversion of outbuilding into habitable accommodation with extension to provide garage store and greenhouse

13/01525/F: Application Permitted: 23/12/13 - Completion of conversion of outbuilding into habitable accommodation with extension to provide garage store and greenhouse

2/99/1128/LB: Application Permitted: 11/10/99 - External and internal alterations

2/99/1152/LB: Application Permitted: 26/01/00 - Conversion of outbuilding to granny annexe

2/99/1151/CU: Application Permitted: 26/01/00 - Conversion of outbuilding to granny annexe

## RESPONSE TO CONSULTATION

**Parish Council: OBJECTION** overdevelopments of the site, detrimental to the character of the countryside, add to the volume of traffic on Nursery Lane, archaeological interests on the site, sets a precedent.

**Highways Authority: NO OBJECTION** subject to condition

**Arboricultural Officer: NO OBJECTION** subject to condition

**Environmental Health & Housing – Environmental Quality: NO OBJECTION**

**Conservation Officer: NO OBJECTION** subject to condition in regards to heights of the buildings.

**Environment Agency: NO OBJECTION**

**Historic Environment Service: NO OBJECTION** subject to condition

## REPRESENTATIONS

**10** letters received objecting to the application on the following grounds:-

- Highway safety issues coming out onto a bend
- Erode the rural nature of Nursery Lane
- Detrimently affects the setting to The Priory
- Noise disturbance, overshadowing, overlooking issues
- Soakaways are not suitable in this area

## 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:

**4/20** - indicates that in order to protect important undeveloped spaces or well treed areas that contribute to the character of towns or villages, development will not be permitted in areas identified on the Proposals Map as Built Environment Type A. In areas identified as Built Environment Type B only small-scale ancillary development will be allowed.

**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

**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**

North Wootton Parish Plan 2006- 2008

## **PLANNING CONSIDERATIONS**

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

- Principle of Development
- Impact upon Visual Amenity
- Impact upon designated heritage assets
- Impact upon Neighbour Amenity
- Highway Safety
- Other Material Considerations

### **Principle of Development**

The application seeks consent for 3 dwellings with all matters reserved.

North Wootton is classified as a “Settlement adjacent to King's Lynn and the main towns” according to Policy CS02 – The Settlement Hierarchy. The application site lies within an area designated as Built Environment Type A according to the 1998 Local Plan Proposals Maps for North Wootton. According to saved policy 4/20 covering these areas development is strictly controlled within Built Environment Type A in order to protect important undeveloped spacious or well treed areas that this designation seeks to protect.

However, the site allocations and development management policies – pre submission document – January 2015 identifies the site within a future development boundary without such a restriction that prohibits its development. The Site Specific Allocations and Development Management Policy Document is currently being scrutinised by the Inspector. The Inspector has proposed main and minor modification comments to the document. None of the modifications requested involve the alteration of the future development boundary of North Wootton.

Whilst in future there will be no specific development management plan policy for safeguarding these particular areas, the visual impact of developing the green space remains an important principle issue of whether the site can be developed.

### **Impact upon Visual Amenity**

The site is on the eastern side of Nursery Lane, North Wootton. This part of Nursery Lane has a very rural feel with grass verges and hedges flanking the roadside. This area forms a transition between the built up parts of Nursery Lane to the South and the Church and older development to the north.

The adjacent, substantial dwellings with off road parking are set back from the road, off a private track and recede into the background.

The indicative site plan shows the garden area to a grade II listed building (impact upon setting discussed below), being divided up into three plots. An indicative cross section identifies the properties as being 2 storey in scale. A new centralised access onto Nursery Lane will serve all three dwellings.

The National Planning Policy Framework requires development to be of good design, function well and add to the overall quality of the area for the lifetime of the development. Permission should be refused that is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

In this particular proposal, whilst the plots sizes are commensurate to the size of plots in the locality, a two storey form of development are considered to be too tall, notwithstanding that scale is a reserved matter.

The indicative cross section identifies a first floor ceiling height at 11.6m AOD for a 2 storey dwelling that would protrude well above the existing hedge line. This would be unduly prominent, as the existing properties on Nursery Lane recede into the background. The 2 storey scale would act to enclose the openness of the space in the street scene, however if the properties on the site are conditioned to be no more than 1 ½ storey in scale, it is considered that the street scene would retain some of its open “rural” feel, and the dwellings would be less dominant.

In other landscape matters, there will be the need to remove the northern part of the hedge that is setback from the roadside and the removal of ornamental and fruit trees in the garden to facilitate the development. The loss of the northern part of the hedge would have an impact but is not considered to be of detriment to the overall rural character of this part of Nursery Lane. The likely siting of the properties will result in the loss of ornamental and fruit trees. Their loss in the street scene can be accommodated, they are of little visual interest, unlike the trees that separate this part of the site from the formal garden area to the donor dwelling. Conditions in respect to details of the replacement hedge can be detailed at reserved matters stage.

## Impact upon designated heritage assets

S.66 of the Town and Country Listed Building and Conservation Areas Act 1990 requires Local Planning Authority to have special regard to the desirability of preserving the building or its setting. A heritage statement has accompanied the application, to aid in the determination of whether there is any harm caused to the setting of the listed building and if that harm is substantial in accordance with paragraph 134 of the National Planning Policy Framework.

The heritage statement refers to the Grade II listed "The Priory" (donor property) as dating back to 1718. "The Priory" is said to be prominent in the street scene, by virtue of being some 1.5m above the level of the road. The application site is stated to be approximately 1m lower than the height of the road, thus equating to a 2.5m difference in levels between the ground floor of The Priory and the site. By virtue of the difference in land levels across the site and the adjacent land in blue, the 60m separation distance from the donor dwelling to the nearest proposed dwelling and the mature trees separating the site from the more formal grounds of the Priory, it is considered that there is little material impact upon the setting of the listed building.

The site forms part of the garden area of the Priory, which as stated earlier a Grade II listed property.

The garden forms part of the setting of the listed building. The garden has two distinct characteristics. The area with the pond to the north of the site property is the more formal garden area associated with the property compared to the southern part which is more informal characterised by small trees and an embankment that flanks the eastern boundary of the site.

From public view it is not obvious that this site forms part of the garden of the listed building, especially with the established trees around the pond acting to divide the garden into two separate spaces. Indeed the Conservation Officer comments that the garden is very large screened from the road and well treed at present so there is no public view of the guardhouse (which is associated with the Grade II listed donor property) and the whole garden at present even though the house is at the high point. The Officer considers that the southernmost part of the garden could be split away from the house without harm to its setting so long as the trees between the two parts are retained and also the hedges.

The Conservation Officer requests that properties are single or 1.5 storeys so that they don't stand taller than the Priory when viewed from the south. The cross section drawing supplied would show an indicative first floor level at the same height as the ground level of the priory and a first floor ceiling height at 11.6m AOD, notwithstanding the ridge height of any roof.

As referred to earlier, in the visual amenity section of the report, it is considered that whilst scale is a reserved matter, it would be in the interests of safeguarding the setting of the heritage asset and the character of Nursery Lane, that the properties are retained at no taller than 1 ½ storey.

The Historic Environment Service requests that archaeological conditions are imposed on the decision notice, as the site sits within an area of early iron working.

In accordance with Paragraph 134 of the National Planning Policy Framework states, where the development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The public benefits of the scheme would be a contribution of 3 dwellings to the overall housing requirement for King's Lynn. Whilst the provision of 3 houses is a small contribution to the overall housing provision it is commensurate to the scale of harm to the setting of the Grade II listed building that could be caused by the proposal, especially when the scale of the properties is conditioned at this stage.

### **Impact upon Neighbour Amenity**

The siting of the properties is not being determined at this stage. It is considered that from the indicative layout there is adequate separation between the proposed properties and those to the east of the site.

Those to the east are separated from the closest plot by 22m. This is an adequate separation distance to overcome overshadowing, overbearing and overlooking issues.

The nearest neighbour to the south east is some 20m away from the rear elevation of the indicative siting of the southernmost dwelling, an adequate separation. 60m separates the donor property from the northernmost plot.

The site is within an area which is predominantly residential and the site is already used for residential recreational purposes. It is therefore not considered reasonable to refuse the application on noise and disturbance caused by future occupiers of the dwellings upon existing residential neighbours.

In all it is considered that there would not be detrimental neighbour amenity issues.

### **Highway Safety**

The removal of the hedge to the north of new access is required in order to achieve the required visibility splay standard.

The Highways Officer comments that a centralised access would be appropriate provided that visibility splays can be achieved that would correlate to the requirement of 85% of the speed of traffic

Parking is shown indicatively, to NCC standard requirements.

The highways officer has no principle objection to the proposal. The recommended condition by the highways officer, requesting further details in respect to drainage, visibility splays, access, parking and turning arrangements will not be imposed, as both access and layout are reserved matters considerations.

### **Other Material Considerations**

The Environmental Health and Housing – Environmental Quality team have no objection to the application.

The Arboricultural Officer does not wish to impose any Tree Preservation Orders on the trees that separate the site from the donor dwelling. The Arboricultural Officer has no objection in principle to the proposal but would need to see a full tree survey, arboriculture implication assessment and arboriculture method statement to BS 5837:2012 as part of the reserved matters application. Additionally a landscaping scheme is requested to be submitted as part of the reserved matters application, as detailed in the visual amenity section of the report.

The Environment Agency has no objection to the proposal and does not wish to see any planning conditions imposed.

The proposal will involve the realign and clearing of shrubs, the applicant's attention is drawn to the provisions of the Wildlife Countryside Act 1981. A protected species is not required for these modest works.

Foul and surface water drainage details have been conditioned.

## CONCLUSION

Members will need to consider that whether the loss of this current open area can be accepted, or whether the space in the street scene is important to be retained. The site is currently afforded protection by being sited within Built Environmental Type A according to local plan proposals maps for North Wootton where development is prohibited. However the Site Specific Allocations and Development Management Policies Document, which is the subject of consideration by the Planning Inspector does not safeguard this area from being developed. No modifications are proposed to the development boundaries of North Wootton.

It is your officer's opinion that the site can accommodate development provided it does not erode the character of the area to a degree that its verdant rural feel is lost. In order to achieve this balance, it is considered that a condition that restricts the scale of the development to 1 ½ storey only at this stage is merited in order to accept the principle of developing this site. Restricting the scale of the dwellings at this stage will not only limit some of the built mass in the street scene, but it will also offset any significant harm to the setting of the donor grade II listed dwelling.

On balance, the proposal is therefore recommended to be approved subject to the following conditions.

## RECOMMENDATION:

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

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

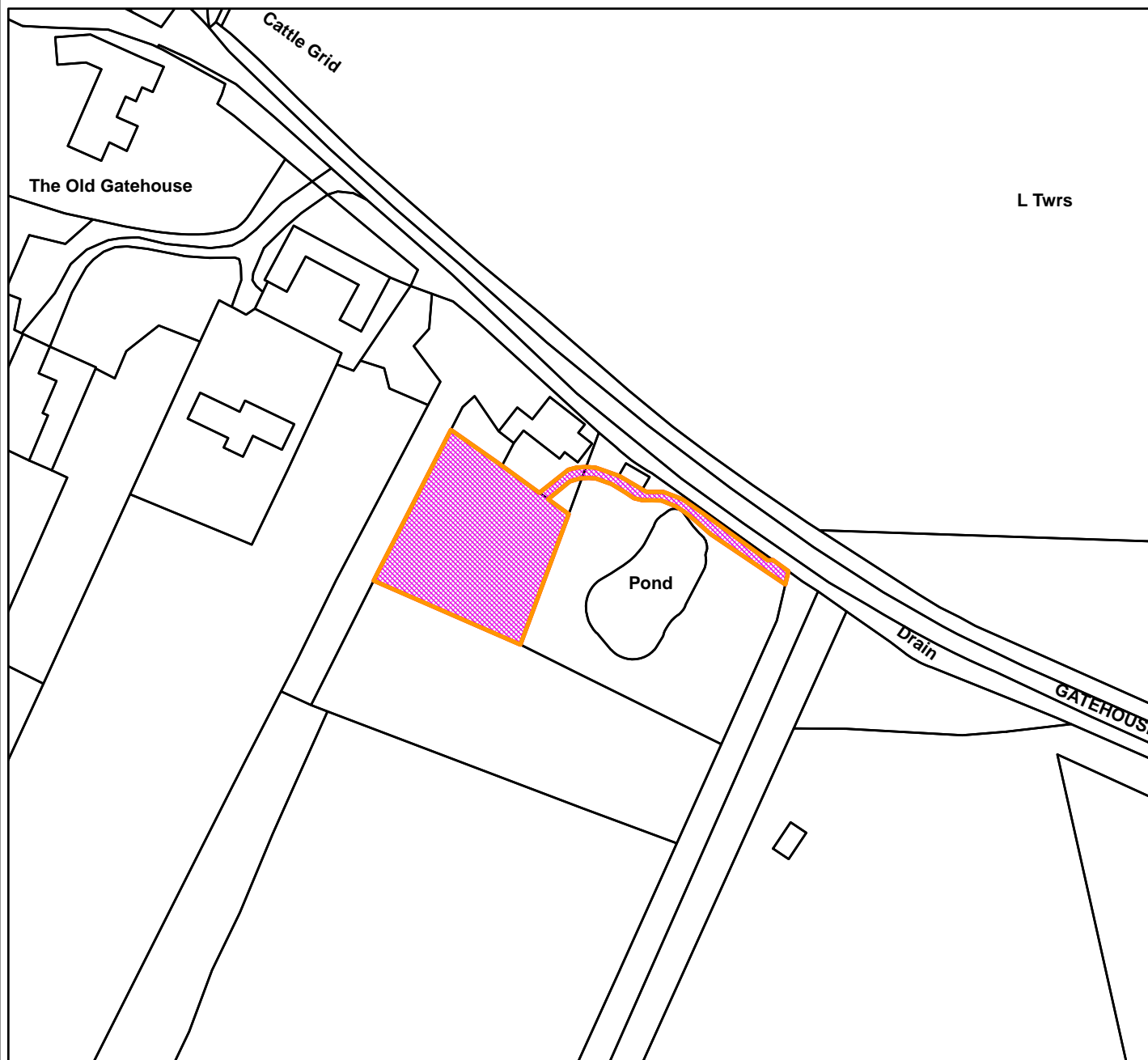
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition No building or other operation shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, engineering work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles) until a tree survey showing the following has been submitted to and approved in writing by the Local Planning Authority:
- a) a plan indicating the location of and allocating a reference number to each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing clearly which trees are to be retained and which trees are to be removed, and the crown spread of each tree;
  - b) details of the species, diameter, approximate height and condition of each tree in accordance with the current version of BS:5837, and of each tree which is on land adjacent to the site where the crown spread of that tree falls over the application site and where any tree is located within 15m in distance from the application site.
- 5 Reason To ensure that the existing trees are properly surveyed and full consideration is made of the need to retain trees in the development of the site in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for trees to be lost during development.
- 6 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
- Location Plan received 4th March 2016.
- 6 Reason For the avoidance of doubt and in the interests of proper planning.
- 7 Condition The development hereby approved shall be for no more than 3 dwellings.
- 7 Reason For the avoidance of doubt and in the interests of proper planning.
- 8 Condition The dwellings hereby approved shall be no taller than 1.5 storey in scale.
- 8 Reason In the interests of safeguarding visual amenity and the setting of designated heritage assets in accordance with the principles of the NPPF.
- 9 Condition No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

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

- 10 Condition No development shall take place until 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.
- 10 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 11 Condition No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 10.
- 11 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 12 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 10; and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 12 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

16/00417/O

Land at Gatehouse Lane North Wootton



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	22/06/2016
MSA Number	0100024314



## AGENDA ITEM NO: 8/2(h)

<b>Parish:</b>	North Wootton	
<b>Proposal:</b>	OUTLINE APPLICATION ALL MATTERS RESERVED: Proposed residential dwelling	
<b>Location:</b>	Land At Gatehouse Lane North Wootton Norfolk	
<b>Applicant:</b>	Mr D Mitchell	
<b>Case No:</b>	16/00417/O (Outline Application)	
<b>Case Officer:</b>	Mrs Jade Calton	<b>Date for Determination:</b> 27 April 2016 <b>Extension of Time Expiry Date:</b> 12 May 2016

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

### Case Summary

The application site comprises a parcel of land measuring approximately 1097 square metres, situated on the southern side of Gatehouse Lane, North Wootton.

The land lies within the countryside and AONB.

Outline planning permission is sought for the construction of a dwelling with all matters reserved.

### Key Issues

Principle of development;  
Character of the Landscape;  
Trees;  
Highway safety;  
Other material considerations

### Recommendation

**REFUSE**

## THE APPLICATION

The application site comprises a parcel of land measuring approximately 1097 square metres, situated on the southern side of Gatehouse Lane, North Wootton.

The site is accessed via a private tree lined track from Gatehouse Lane which currently serves the paddock. Mature trees and a hedgerow form the roadside boundary. The application site sits behind part of a wider site (defined by the blue line on the location plan) so does not front the lane. There is a pond and a heavily treed area beyond the site boundary to the east within blue land.

The site itself is an open paddock. It forms part of the wider, low lying open countryside to the south.

Outline planning permission is sought for the construction of a dwelling with all matters reserved.

## **SUPPORTING CASE**

There is no supporting case accompanying the application.

## **PLANNING HISTORY**

2/94/1396/F: Application Permitted: 11/10/94 - Accommodation for staff and dormitory for riding holidays Renewal. – Greenacres, Gatehouse Lane, North Wootton

## **RESPONSE TO CONSULTATION**

**Parish Council: SUPPORT** - Secluded location, not seen from the road.

**Highways Authority: OBJECT** – Inadequate unclassified road.

**Environment Agency: STANDING ADVICE**

**Environmental Health & Housing – Environmental Quality:** NO COMMENTS TO MAKE.

**Arboricultural Officer:** Will need to see a tree survey before I can comment fully. The tree survey should be carried out in conjunction with BS 5837:20012; this should include an arboricultural implications assessment and arboricultural method statement.

## **REPRESENTATIONS**

**THREE** representations received in SUPPORT of the proposal.

## **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**

**CS12 - Environmental Assets**

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT**

**DM1 – Presumption in Favour of Sustainable Development**

### **OTHER GUIDANCE**

North Wootton Parish Plan 2006 - 2008

### **PLANNING CONSIDERATIONS**

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

- Principle of development;
- Character of the landscape;
- Trees;
- Highway safety; and
- Other material considerations

#### **Principle of Development**

The site lies within designated countryside as depicted on the Local plan Proposals Map. Policy CS06: Development in Rural Areas, states that the countryside should be protected 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 application site also lies within the AONB which has the highest status of protection in relation to landscape and scenic beauty. Paragraph 115 of the NPPF states that "Great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty". Additionally, paragraph 109 requires the planning system to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes

#### **Character of the landscape**

The area is characterised by sporadic development surrounded by large open fields. Whilst the Rugby Club is located opposite to the application site that also comprises large open sports pitches, retaining the rural character of the area.

The application site is well screened from Gatehouse Lane by a line of mature trees and hedgerow along the roadside boundary. The access track is also tree lined and the land adjoining to the east is densely treed around the pond. However, the site itself remains open and forms part of the extensive flat landscape within the AONB to the south.

Whilst the Norfolk Coast Partnership and Natural England have not been consulted on this specific application, they do not support development in this location because of the visual impact on the countryside and AONB (discounted in the Site Specific Allocation, Ref: 1180).

Notwithstanding the fact that the site cannot be seen from Gatehouse Lane and that the application seeks outline consent with full details to be considered at a later stage, the principle of developing this parcel of land would change the use of the open landscape. It would result in a domestic intrusion into the countryside, detrimental to the natural beauty and special landscape qualities of the AONB, contrary to national and local policy.

### **Trees**

The site is surrounded by mature trees and hedgerows and the access from Gatehouse Lane is lined with attractive trees worthy of retention. The Council's Arboricultural Officer has assessed the application and recommends that a Tree Survey is submitted before he can comment fully. He has concerns with the access driveway being so close to the established hedge and there are some nice mature specimens on the proposed plot.

### **Highway Safety**

The Local Highway Authority objects to the proposal, making the following comments:-

"Gatehouse Lane at its south eastern most end has a tight bend with signs that warn of 'oncoming vehicles in middle of the road'. It has substandard levels of forward visibility at this corner due to its tightness and adjacent boundary vegetation. Beyond the bend Gatehouse Lane extends northwest, it has a very narrow single lane width carriageway; it is a cul-de-sac with narrow verges and is without formal passing provision. Ditches are found to its sides which restricts passing on verges and also prevents the ability to undertake highway improvements to address the concerns.

Given the narrowness of the road and substandard tight bend that would need to be negotiated, I am of the view that an approval of the application would result in conditions detrimental to highway safety; in relation to reversing and passing on the highway and meeting oncoming vehicles in the middle of the road".

### **Other Material Considerations**

#### *Crime and Disorder:*

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

### **CONCLUSION**

It is considered that a new dwelling in this location would result in an unjustified intrusion into the countryside, detrimental to the open landscape and character of the AONB. Consequently the proposal is contrary to paragraph 115 of the NPPF and Core Strategy Policy CS06.

There are also highway safety concerns given that the unclassified road has a poor alignment, restricted width and lack of passing provision which is considered inadequate to serve a new dwelling. The proposal is therefore contrary to the provisions of Core Strategy Policy CS11.

Whilst it is unclear at this stage whether or not there would be any detrimental impact upon the trees surrounding the site, it is likely that there would be means of mitigating against any permanent damage, therefore this would not form a reason for refusal.

In light of national and local planning policy and guidance and other material considerations it is recommended that this application be refused for the following reasons.

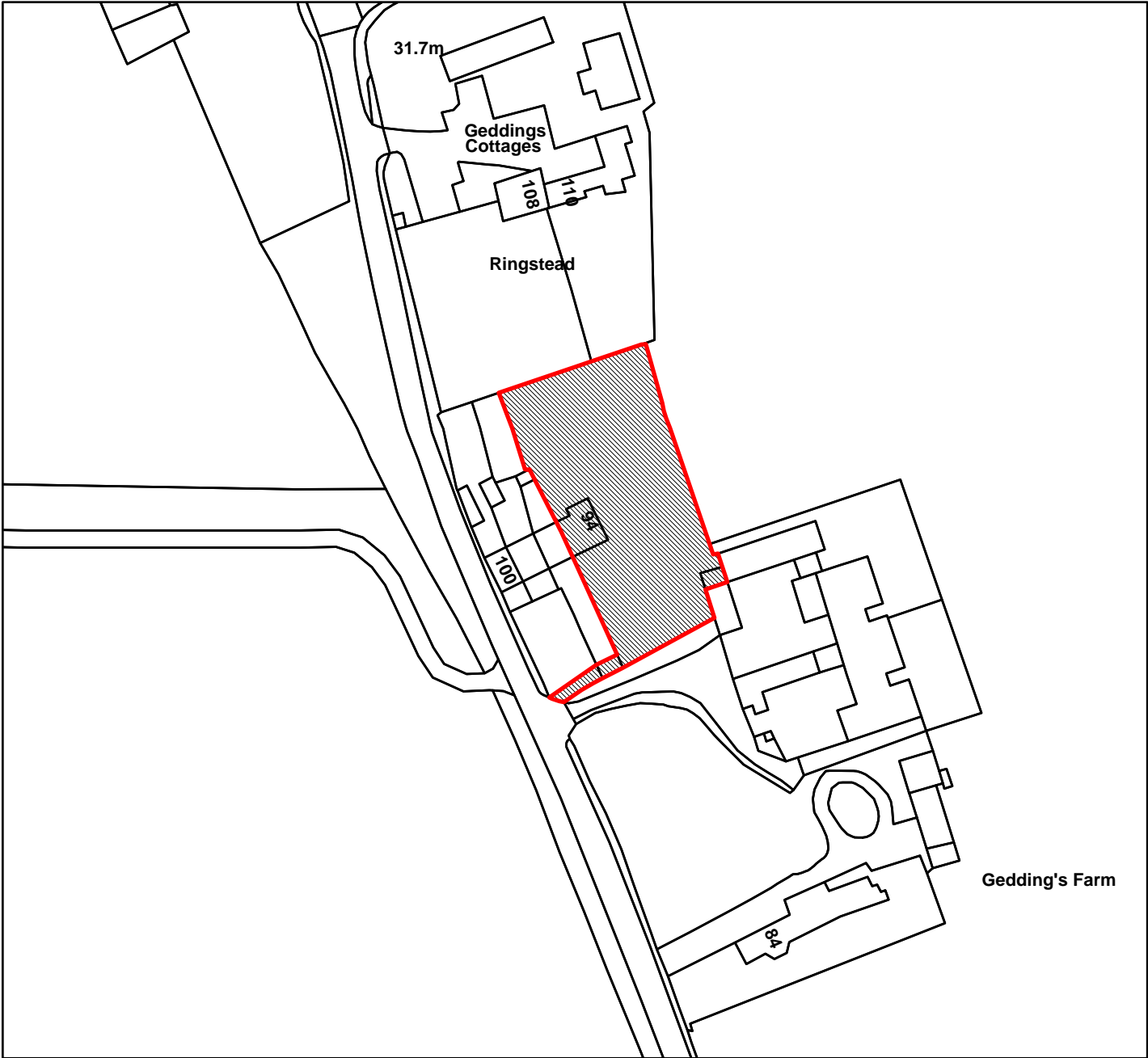
**RECOMMENDATION:**

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

- 1 The principle of developing this parcel of land would change the use and setting of the open landscape. It would result in a domestic, unjustified intrusion into the countryside, detrimental to the natural beauty and special landscape qualities of the AONB, contrary to paragraph 115 of the NPPF and Core Strategy Policy CS06.
- 2 The unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its poor alignment / restricted width / lack of formal passing provision. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety, contrary to the King's Lynn and West Norfolk Borough Council Core Strategy Policy CS11.

16/00175/F

94 High Street Ringstead



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	22/06/2016
MSA Number	0100024314

**AGENDA ITEM NO: 8/2(i)**

<b>Parish:</b>	<b>Ringstead</b>	
<b>Proposal:</b>	<b>Retention and completion of the sub-division of 94 High Street</b>	
<b>Location:</b>	<b>94 High Street Ringstead Hunstanton Norfolk</b>	
<b>Applicant:</b>	<b>Mr David Wann And Ms Anelli Taylor</b>	
<b>Case No:</b>	<b>16/00175/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr C Fry</b>	<b>Date for Determination:</b> <b>29 March 2016</b> <b>Extension of Time Expiry Date:</b> <b>11 July 2016</b>

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

**Case Summary**

The application site lies within an area designated in the 1998 Local Plan as Built Environment B within Ringstead.

Ringstead is classified as a Smaller Village and Hamlet according to Policy CS02 of the Local Development Framework Core Strategy.

The application site comprises of a 2 storey end terraced property which has been the subject of extensive alterations and extensions.

The proposal seeks consent for the subdivision of the original part of the property to provide a single bedroom unit.

**Key Issues**

Principle of Development  
 Impact upon Visual Amenity  
 Impact upon Neighbour Amenity  
 Highway Safety  
 Other Material Considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application site lies within an area designated as Built Environment Type B according to Local Plan Proposals Maps for Ringstead.

Ringstead is classified as a Smaller Village and Hamlet according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The application site is on the eastern side of High Street, Ringstead and comprises of a 2 storey terraced dwelling constructed in red brick and chalk. The site is accessed via a shared driveway with the donor property and the adjoining neighbours.

The site has been subdivided already. The garden area to the donor property is proposed to be separated into 2 sections.

The application seeks consent to sub-divide the donor property into 2 properties. The donor property will have 3 bedrooms and the new property 1 bedroom. The new property will have two parking spaces given over the front of the site and the donor property will retain two parking spaces to the front of unit 2.

Part of the proposal has been implemented through an approved scheme to extend the existing property 13/01383/F; the extension on the rear of unit 1 was almost complete at the time of the site visit.

## **SUPPORTING CASE**

The application has been supported with a Design and Access Statement which states the following:-

- The application site is towards the northern end of High Street, Ringstead. The proposal relates to the 2 end properties of terrace cottages.
- The terrace is two storey in form.
- The proposal is to split two units which comprise the original cottage forming one unit and the recent extension to the site will be another unit.
- The access is currently across a driveway that allows access to both 94 and 96 high street. Numbers 98 and 100 have a garden area to the front and have no vehicular access. From the front garden to 94 there are pedestrian gates allowing access to the parking area between the front garden and driveway. There is enough parking space to No.94 and 3 spaces to the new unit has shown on the block plan

## **PLANNING HISTORY**

13/01383/F: Application Permitted: 09/12/13 - Variation of condition number 2 of planning permission 11/01829/F to replace approved drawings allowing proposed alterations

13/01097/F: Non-determined Invalid now returned: 18/10/13 - Summer Room Extensions to 94 and 96 High Street

13/00433/F: Application Permitted: 20/05/13 - New cart shed

11/01830/CA: Consent Not required: 22/12/11 - Extension and refurbishment to 94 and 96 High Street

11/01829/F: Application Permitted: 22/12/11 - Extension and refurbishment to 94 and 96 High Street



## RESPONSE TO CONSULTATION

**Parish Council: OBJECTION** the roadside is in the Conservation Area and that the various walls within the village are mentioned in the Character Statement

As the walls run parallel with the road, it would disturb the balance to have the walls splayed.

There is also the feeling that if this was allowed back door development in the Conservation Area may set a precedent to future developments.

**NCC Highways Authority: NO OBJECTION** subject to conditions that will be reported in late correspondence

**Conservation Officer: NO OBJECTION**

## 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

## 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.

## 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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**PLANNING CONSIDERATIONS**

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

- Principle of Development and Planning History
- Impact upon Neighbour Amenity
- Impact upon Conservation Area
- Highway Safety
- Other Material Considerations

**Principle of Development and Planning History**

The existing property has been the subject of applications for extensions and alterations. The property has had extensive extensions to the side and rear cumulating in a property that has 4 bedrooms, large kitchen dining area and living area.

Planning Enforcement investigations have concluded that the property has already been partially subdivided.

The proposal therefore seeks to retain and complete the subdivision of the property into, 1-1 bedroom unit and 1-3 bedroom unit.

The site lies within an area designated as Built Environment Type B according to Local Plan Proposals Maps for Ringstead.

Development within Built Environment Type B is restricted to ancillary buildings to the existing principal building or development involving the alteration, extension or change of use of an existing building and, where such development would not disturb the spatial relationship between existing buildings and their open heavily treed settings.

Policy CS02 of the Local Development Framework Core Strategy 2011 classifies Ringstead as a Smaller Village and Hamlet which restricts development in the Smaller Villages and Hamlets to sensitive infilling of gaps within an otherwise continuously built up frontage by new dwellings will be permitted in Smaller Villages and Hamlets where:-

- The sensitive infilling of small gaps within an otherwise continuously built up frontage where the development to the scale and character of the group of buildings and its surroundings; and
- It will not fill a gap which provides a positive contribution to the street scene

In exceptional circumstances the development of small groups of dwellings in Smaller Villages and Hamlets may be considered appropriate where the development is of a particularly high quality and would provide significant benefits to the local community.

In this case this relates to subdividing existing built form which is considered to be acceptable in principle.

### **Impact upon the Conservation Area and Area of Outstanding Natural Beauty**

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 s.72 requires local planning authorities to have special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

The proposal involves does not involve any significant external alterations to facilitate the subdivision of the property, however alterations to an existing wall that flanks the existing access to the property will need to be reduced in height in order to facilitate a 45m x 2.4m set back from the junction of the existing access to the main road as required by the highways officer.

Ringstead Conservation Area Character Statement makes reference to “traditional” walls can be seen everywhere in Ringstead, usually of chalk and often terra cotta coloured “saddle” copings. Their contribution to the character of the village “cannot be too highly stressed”.

Notwithstanding Ringstead Parish Council sentiments that the wall should be retained, it is unstable. Following the removal of vegetation from the wall, the carrstone boulders are loose and it will be the case that the wall needs to be repaired.

The wall will not be lost in its entirety, 600mm will be retained and it is intended to reclaim the copings. The Conservation Officer raises no particular objection to the reduction in the height of the wall.

The minimal alterations to facilitate the subdivision are not considered to harm the character of the Area of Outstanding Natural Beauty. The character of the AONB is retained.

### **Impact upon Neighbour Amenity**

The proposal does not involve any extensions to the existing property in order to facilitate the sub-division. Only the infilling of internal walls to create the subdivision, are proposed. Accordingly there would be no detrimental impact upon neighbour amenity. The area to the rear of the existing property has been used as the donor property’s garden area. The use of the garden area would not alter as a result of this application.

### **Highway Safety**

The proposal has been revised to take into account the highways officer’s comments. The highways officer objected to the original scheme as there was a lack of visibility in the northern direction. Accordingly, the agent has amended the plans and the applicant purchased no.100 High Street in order to be able to provide the required visibility splays.

The highways officer has no objection to the revised plans and recommends conditions in respect to: - the access being widened to 4.5m, no gates to be erected across the access, visibility splays provided in accordance with the submitted plans and parking and turning provided on-site.

## Other Material Considerations

The proposal would not cause a detrimental impact upon the Hunstanton Park SSSI and Ringstead Downs SSSI, which are within 2km of the site

## CONCLUSION

Members will need to consider whether the proposal to sub-divide the property into 2 residential dwellings is acceptable.

The site lies within Built Environment Type B which restricts development to ancillary buildings or the alteration, extension, change of use of an existing building.

The proposal would not conform to Policy DM3 in so far as the proposal not being an “infill” however it is considered that the proposal would not cause any harm and is a sensitive form of development.

The effect of reducing the level of the wall is not considered to cause any detrimental harm to the character of the Conservation Area.

There is no detrimental impact upon neighbour amenity.

Subject to conditions the proposal is considered on balance to comply with the provisions of the National Planning Policy Framework, National Planning Practice Guidance, Local Plan Policies and policies of the draft development management plan document.

## RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
  - Location Plan as shown on drawing no. 160640/01 Rev B dated 9th May 2016 received 11th May 2016.
  - Floor Plans as proposed on drawing no. 160640/03 dated 31st January 2016 received 1st February 2016.
  - Elevations as proposed on drawing no. 160640/04 Rev C dated 11th May 2016 received 11th May 2016.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

## APPLICATIONS DETERMINED UNDER DELEGATED POWERS

### PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the June Planning Committee Agenda and the July agenda. 154 decisions issued, 140 decisions issued under delegated powers with 14 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 24/05/16 – 22/06/16**

	Total	Approved	Refused	Under 8 weeks or within agreed ext of time (Minor/Other)	Under 13 weeks or within agreed ext of time (Major)	Performance %	Former National target %	Current National target %	Planning Committee decision	
									Approved	Refused
Major	9	3	6		7	78%	60	50	1	1
Minor	83	63	20	62		74%	65		4	4
Other	62	60	2	54		87%	80		4	0
Total	154	126	28							

Planning Committee made 14 of the 154 decisions, 9%

## PLANNING COMMITTEE – 4 JULY 2016

### APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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#### 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

110

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
14.04.2016	15.06.2016 <b>Application Permitted</b>	16/00725/O	Mr & Mrs A Blackmur Conifers Lynn Road Bawsey King's Lynn OUTLINE WITH ALL MATTERS RESERVED: Plot for construction of dwelling	Bawsey
02.02.2016	06.06.2016 <b>Application Permitted</b>	16/00193/O	BCKLWN Land North of 12 Fring Road Great Bircham Norfolk Outline Application: Proposed residential development of one unit	Bircham

24.03.2016	06.06.2016 <b>Application Refused</b>	16/00619/O	Mr N Courtenay Cherry Ridge Docking Road Great Bircham King's Lynn Outline Application: 3 residential dwellings	Bircham
03.02.2016	17.06.2016 <b>Application Permitted</b>	16/00207/F	B & L Properties Ltd Land Adj Hamilton Antiques 21 North Street Burnham Market Norfolk Proposed shop and flat	Burnham Market
02.03.2016	17.06.2016 <b>Application Permitted</b>	16/00432/F	BCKLWN Land North of 3 Crofts Close Burnham Market Norfolk Residential development and additional parking	Burnham Market
06.04.2016	06.06.2016 <b>Application Permitted</b>	16/00660/F	Mr Martin Flowerdew Galen House Church Walk Burnham Market King's Lynn Rear extension	Burnham Market
11.04.2016	06.06.2016 <b>Application Permitted</b>	16/00705/F	Mr And Mrs P Hoffman Winstone Creake Road Burnham Market King's Lynn Variation of condition 2 of planning permission 15/01619/F: To amend previously approved drawings	Burnham Market
18.04.2016	13.06.2016 <b>Application Permitted</b>	16/00747/F	Mr And Mrs Ormond Winerels 10 Front Street Burnham Market Norfolk Extension and alterations to existing building to create residential annexe ancillary to main dwelling	Burnham Market

28.04.2016	17.06.2016 <b>Application Permitted</b>	16/00824/F	Ms Jane Ward 11 Station Road Burnham Market Norfolk PE31 8HA Single storey rear extension and detached studio	Burnham Market
21.04.2016	17.06.2016 <b>Application Permitted</b>	16/00771/F	R M Smith (Builders) Ltd Larksfield Gong Lane Burnham Overy Staithe King's Lynn Demolition of existing house and erection of new house. Existing garage to be retained	Burnham Overy
26.04.2016	16.06.2016 <b>Application Permitted</b>	16/00796/F	Mr & Mrs M Simpkin The Limpet Wells Road Burnham Overy Staithe Norfolk Extension & Alterations	Burnham Overy
16.02.2016	08.06.2016 <b>Application Refused</b>	16/00279/F	Mr & Mrs K Williams Holly Cottage Walsingham Road Burnham Thorpe King's Lynn New Canopy porch to front of dwelling	Burnham Thorpe
27.04.2016	22.06.2016 <b>Application Permitted</b>	16/00804/F	The Holkham Estate The Brickyard Burnham Road Peterstone Burnham Overy Town Conversion of the existing barn to residential use with associated parking and landscaping and removal of derelict building	Burnham Thorpe



19.04.2016	15.06.2016 <b>Application Permitted</b>	16/00755/F	Mr & Mrs Hunnam Minns Farm Barns Priory Road Castle Acre King's Lynn Installation of flue for wood burning stove. Installation of external boiler with vertical flue. Removal of a door and sidelight and replacement with a window. Lowering the sill height of a window opening and inserting a new window.	Castle Acre
07.04.2016	02.06.2016 <b>Application Permitted</b>	16/00689/RM	Mr & Mrs K Cornwell Land Adj Bumbles Folly Market Lane Crimplesham King's Lynn RESERVED MATTERS: Construction for one dwelling	Crimplesham
10.05.2016	07.06.2016 <b>Consent Not Required</b>	16/00884/AG	Mr & Mrs Hutchinson Land At Bank Farm Sluice Road Denver Downham Market Prior notification of agricultural proposed building to store farm machinery	Denver
01.04.2016	06.06.2016 <b>Application Permitted</b>	16/00650/F	Mr Steward Bradley 12 West Hall Road Dersingham King's Lynn Norfolk Sunroom bathroom extension and alterations	Dersingham
13.04.2016	08.06.2016 <b>Application Permitted</b>	16/00717/F	Mr R Childs 50 Lynn Road Dersingham King's Lynn Norfolk Recovering of roof and construction of porch	Dersingham

18.04.2016	15.06.2016 <b>Application Permitted</b>	16/00743/F	Mr & Mrs Eels 9 Hunstanton Road Dersingham King's Lynn Norfolk Extensions and Alterations to dwelling	Dersingham
19.04.2016	31.05.2016 <b>Prior Approval - Refused</b>	16/00746/PAGPD	Mr And Mrs M Staff 17 Mountbatten Road Dersingham King's Lynn Norfolk Single storey side extension which extends beyond the side wall by 4 metres with a maximum height of 4 metres and a height of 3 metres to the eaves	Dersingham
04.04.2016	03.06.2016 <b>Application Permitted</b>	16/00652/F	Mr Ross Edmonds 2 Stanhoe Road Bircham Newton Norfolk PE31 6EG NCC to install dropped kerb to provide vehicular access on to Stanhoe Road from the property	Docking
15.04.2016	15.06.2016 <b>Application Permitted</b>	16/00732/O	Mr Mark Prior Building 14 Construction Industry Training Centre (CITB) Stanhoe Road Bircham Newton OUTLINE APPLICATION ALL MATTERS RESERVED: Demolition of B1a offices and construction of three four bedroom detached dwellings	Docking

25.04.2016	20.06.2016 <b>Application Permitted</b>	16/00780/F	John Oakley & Valerie Rylance Haroldstone Brancaster Road Docking King's Lynn Variation of condition 2 of planning permission 13/00037/F for the provision for air source heat pumps	Docking
14.03.2016	10.06.2016 <b>Application Permitted</b>	16/00489/F	Mr And Mrs Jon Bates 10 Glebe Road Downham Market Norfolk PE38 9QJ Proposed end of terrace property	Downham Market
05.04.2016	25.05.2016 <b>Application Permitted</b>	16/00673/F	Mr And Mrs Starreveld 22 Bridle Lane Downham Market Norfolk PE38 9QZ Variation of condition 2 of planning permission 14/01665/F: To vary design and materials	Downham Market
13.04.2016	09.06.2016 <b>Application Permitted</b>	16/00719/F	Mr D Cavill 64 London Road Downham Market Norfolk PE38 9AT Proposed extensions and alterations to dwelling	Downham Market
04.04.2016	26.05.2016 <b>Application Permitted</b>	16/00665/F	Mr & Mrs Anthony Elburn The Oaks Fakenham Road East Rudham King's Lynn Side and rear extensions	East Rudham
05.04.2016	08.06.2016 <b>Application Permitted</b>	16/00645/O	Mr And Mrs Franklin Holland House Lynn Road East Winch King's Lynn Outline Application: Proposed construction of new dwelling and garage following demolition of existing outbuilding	East Winch

02.11.2015	21.06.2016 <b>Application Permitted</b>	15/01771/F	Mr And Mrs G Crane Three Lakes Nurseries Meadowgate Lane Emneth Norfolk Proposed two storey house	Emneth
23.02.2016	25.05.2016 <b>Application Refused</b>	16/00364/OM	Mr Stephen Wadsley Land South And West Elm High Road And Outwell Road Emneth Wisbech Outline Application: Residential development	Emneth
04.03.2016	01.06.2016 <b>Would be Lawful</b>	16/00459/LDP	Mr Robert Green 5 Church Road Emneth Wisbech Norfolk Lawful Development Certificate: proposed sun lounge extension to dwelling	Emneth
07.03.2016	24.05.2016 <b>Application Refused</b>	16/00476/O	Mr M Coleman Banyer Hall 121 Ladys Drove Emneth Wisbech Outline Application: residential development	Emneth
21.03.2016	10.06.2016 <b>Application Refused</b>	16/00575/O	C R Melton And Sons Land South East of Pebble Cottage 130 Church Road Emneth Wisbech Outline Application: construction of a dwelling	Emneth
07.04.2016	09.06.2016 <b>Application Refused</b>	16/00688/O	C R Melton And Sons Land South East of Meadowgate Lane Emneth Norfolk Outline Application: construction of four dwellings	Emneth

20.04.2016	20.06.2016 <b>Application Permitted</b>	16/00754/F	Mr Colin Hopper Eagle House Church Road Emneth Wisbech Construction of a detached dwelling and detached garage	Emneth
14.04.2016	08.06.2016 <b>Application Permitted</b>	16/00733/CU	Sandringham Estate Old Rifle Range next To Community Centre Church Road Flitcham Norfolk .Proposed conversion, alterations and refurbishment of the redundant Flitcham rifle range into small commercial premises (General Use Classes Order B1 Business)	Flitcham with Appleton
04.04.2016	01.06.2016 <b>Application Refused</b>	16/00635/O	Mr And Mrs Rudd Land Between 21- 31 Leziate Drove Pott Row King's Lynn Outline Application: Proposed residential development (4 dwellings)	Grimston
12.04.2016	06.06.2016 <b>Application Permitted</b>	16/00707/F	Mr & Mrs T Lyne Holly Tree Farm 6 Chapel Road Pott Row King's Lynn Single storey extension to cottage	Grimston
07.04.2016	06.06.2016 <b>Application Permitted</b>	16/00686/F	PCC St Mary's Parish Church Church of St Mary the Virgin Hunstanton Road Heacham Norfolk Reconstruction of sections of existing boundary wall to west of Church	Heacham

14.04.2016	09.06.2016 <b>Would be Lawful</b>	16/00723/LDP	Mr D Harvey 47 Marram Way Heacham King's Lynn Norfolk Lawful Development Certificate: Demolition of the existing attached garage with the construction of a new utility room	Heacham
07.03.2016	10.06.2016 <b>Application Refused</b>	16/00469/F	Mr G Wilding Land On the East Side of Ely Road Hilgay Norfolk Proposed conversion and extension to stable to form dwelling	Hilgay
24.03.2016	09.06.2016 <b>Application Permitted</b>	16/00622/F	Mr Bobby Storey Aurora Ely Road Hilgay Downham Market Two storey extension to side and rear of existing property, and front porch.	Hilgay
12.04.2016	09.06.2016 <b>Application Permitted</b>	16/00711/F	Mrs T Wilson & Mr P Carter 43 And 45 Tower Road Hilgay Downham Market Norfolk Repair of PRC Airey properties in accordance with MDS Halifax scheme including new facing brick external skin	Hilgay
27.04.2016	22.06.2016 <b>Application Permitted</b>	16/00799/F	Mr Daniel Mercer Marian Cottage Ely Road Hilgay Downham Market Swap flat lounge window for a bay window to the front of the property to match the joining property.	Hilgay

18.09.2015	31.05.2016 <b>Application Permitted</b>	15/01472/F	Mr & Mrs C Williams The Old Stack Yard South Street Hockwold cum Wilton Norfolk Construction of three dwellings	Hockwold cum Wilton
04.04.2016	27.05.2016 <b>Application Permitted</b>	16/00661/F	Mr And Mrs A Rake 9 Cromer Road Hunstanton Norfolk PE36 6BZ Internal and external alterations to dwelling	Hunstanton
14.04.2016	06.06.2016 <b>Prior Approval - Not Required</b>	16/00730/PACU6	Cafe Mochha Ltd 6 High Street Hunstanton Norfolk PE36 5AF Change of use from Shops (Class A1) to restaurant and cafes (Class A3)	Hunstanton
25.04.2016	20.06.2016 <b>Application Permitted</b>	16/00787/LB	Mr D Lloyd The Lighthouse Lighthouse Close Hunstanton Norfolk Internal alterations to attached cottage to provide additional accomodation and open plan Kitchen, Dining _ Living. Installation of new balcony area and external spiral stair.	Hunstanton
18.02.2016	02.06.2016 <b>Application Permitted</b>	16/00324/F	BCKLWN The Nar Ouse Regeneration Area (NORA) Wisbech Road King's Lynn Norfolk Removal of Condition 2 attached to Planning Permission 14/01199/RMM	King's Lynn

21.03.2016	08.06.2016 <b>Application Permitted</b>	16/00581/F	Messrs Bell, Delamore And Peacock 32, 41 And 47 Trinity Quay Page Stair Lane King's Lynn Norfolk Replacement of timber windows with UPVC to match existing	King's Lynn
23.03.2016	26.05.2016 <b>Application Permitted</b>	16/00605/A	Lidl UK GmbH Lidl 80 Austin Street King's Lynn Norfolk ADVERT APPLICATION: 1 x Non illuminated free standing pylon sign (4.05m) and removal of existing 5m flagpole sign	King's Lynn
24.03.2016	01.06.2016 <b>Application Refused</b>	16/00621/F	Mr Anthony Barnett 40 Gayton Road King's Lynn Norfolk PE30 4EL 3 bedroom 2 storey chalet development with access from Regency Avenue	King's Lynn
29.03.2016	03.06.2016 <b>Application Permitted</b>	16/00628/F	Mr Steve Adcock The Queen Elizabeth Hospital King's Lynn NHS Foundation Trust Gayton Road King's Lynn Norfolk Creation of parking area in an open area that is laid to grass	King's Lynn
31.03.2016	26.05.2016 <b>Application Permitted</b>	16/00643/F	Clients of David Taylor Associates 9 Riverside King's Lynn Norfolk PE30 3AA Detached dwelling, double garage and associated landscape works following demolition of the existing property	King's Lynn



04.04.2016	07.06.2016 <b>Application Permitted</b>	16/00651/F	Mr And Mrs De Fonseka 8 Whitefriars Road King's Lynn Norfolk PE30 5AH Single storey rear extension to dwelling	King's Lynn
04.04.2016	27.05.2016 <b>Application Permitted</b>	16/00666/F	Mr And Mrs N Owen 9 Queensway King's Lynn Norfolk PE30 4AQ Extension and porch	King's Lynn
06.04.2016	27.05.2016 <b>Application Permitted</b>	16/00684/F	Mr & Mrs Bunting 9 Edinburgh Avenue Gaywood King's Lynn Norfolk Two Storey Front Extension to Dwelling	King's Lynn
11.04.2016	06.06.2016 <b>Application Permitted</b>	16/00709/RM	Client of David Taylor Associates Land To the South of 123A Gaywood Road King's Lynn Norfolk Reserved Matters Application: Detached dwelling	King's Lynn
12.04.2016	06.06.2016 <b>Application Permitted</b>	16/00708/F	Mrs Jane Delanoy 36 Elsing Drive King's Lynn Norfolk PE30 3UT Proposed single storey side extension including internal alterations for disabled access	King's Lynn
13.04.2016	08.06.2016 <b>Application Permitted</b>	16/00716/F	Mr And Mrs D Farr 17 South Wootton Lane King's Lynn Norfolk PE30 3BS Infill extension to the dwelling frontage	King's Lynn

15.04.2016	10.06.2016 <b>Application Permitted</b>	16/00734/F	Marks And Spencer Marks & Spencer Plc 57 - 60 High Street King's Lynn Norfolk Removal of existing ATM (cash machine) from shopfront window. Make good and infill window to match existing. Remove existing black vinyl graphics in the window and replace with new vinyl graphics fitted to the inside facing of the glazing. No change of use.	King's Lynn
15.04.2016	10.06.2016 <b>Application Permitted</b>	16/00736/CU	Mr & Mrs Davey 44 Kings Green King's Lynn Norfolk PE30 4SH Change of use of amenity land to residential garden and erection of fencing	King's Lynn
19.04.2016	15.06.2016 <b>Application Permitted</b>	16/00744/F	Mrs K Laroia 43 Fenland Road King's Lynn Norfolk PE30 3EU Extensions and Alterations	King's Lynn
22.04.2016	17.06.2016 <b>Application Permitted</b>	16/00774/F	Mr & Mrs Wise 3 Riverview Way Gaywood King's Lynn Norfolk Extension and Alterations to existing dwelling	King's Lynn
27.04.2016	22.06.2016 <b>Application Permitted</b>	16/00807/LB	EE Limited EE Ltd 54 High Street King's Lynn Norfolk LISTED BUILDING: Replace existing fascia signage & projecting sign with new signage	King's Lynn

27.04.2016	17.06.2016 <b>Application Permitted</b>	16/00808/A	EE Limited EE Ltd 54 High Street King's Lynn Norfolk ADVERT APPLICATION: 1 x fascia sign 1 x hanging sign and frosted vinyl displays to glazing	King's Lynn
28.04.2016	22.06.2016 <b>Prior Approval - Refused</b>	16/00821/PACU6	Ms Helen Payne Gios 103 High Street King's Lynn Norfolk Change of use from Shops (Class A1) to restaurant and cafes (Class A3)	King's Lynn
04.04.2016	01.06.2016 <b>Application Permitted</b>	16/00653/F	Mr & Mrs T Richardson Braeside 15 Holt House Lane Leziate King's Lynn Extensions and alterations to dwelling incorporating new roof structures and first floor habitable rooms	Leziate
10.03.2016	26.05.2016 <b>Application Permitted</b>	16/00488/F	Michael McNamara Associates Middle Farm Church Lane Little Massingham King's Lynn Conversion of former agricultural barns to 4 dwellings	Little Massingham

19.02.2016	26.05.2016 <b>Application Permitted</b>	16/00332/F	Defence Infrastructure Organisation RAF Marham Burnthouse Drove Upper Marham Norfolk Change of use of existing agricultural field for a new traffic access adjacent to White Lane (Known as Crash Gate 7), associated car parking and 5x portable buildings and a gate house for security/pass office use	Marham
20.04.2016	20.06.2016 <b>Application Permitted</b>	16/00765/F	R Howard Ltd The Bungalow 9 Mill Lane Marham Norfolk Variation of conditions 1, 2, 4, 5 and 6 of planning permission 14/01790/F: To amend drawings and site layout	Marham
25.01.2016	24.05.2016 <b>Application Permitted</b>	16/00122/OM	Mr J Johns Land North of 7 Walton Road Marshland St James Norfolk OUTLINE APPLICATION SOME MATTERS RESERVED: Residential development for 15 new dwellings	Marshland St James
23.02.2016	25.05.2016 <b>Application Permitted</b>	16/00357/F	Mr And Mrs D Williams Willowdene Farm Middle Drove Marshland St James Wisbech Proposed conversion of outbuilding to offices for the use in conjunction with the B&B	Marshland St James

11.03.2016	03.06.2016 <b>Application Permitted</b>	16/00511/O	Mr James Thompson Land At Smeeth Road Marshland St James Norfolk Outline Application: construction of a dwelling	Marshland St James
21.04.2016	22.06.2016 <b>Application Permitted</b>	16/00773/F	Mr & Mrs Arlington Plot South of Marshland Farm Middle Drove Marshland St James Norfolk Construction of one three bed house	Marshland St James
28.10.2015	20.06.2016 <b>Application Permitted</b>	15/01736/O	Mr J Bachmann 1 Scotts Lane Brookville Thetford Norfolk OUTLINE APPLICATION SOME MATTERS RESERVED: Proposed residential development for 6 dwellings	Methwold
08.04.2016	02.06.2016 <b>Application Permitted</b>	16/00700/F	Mr J Webb The Yews 10 Buntings Lane Methwold Thetford Construction of replacement dwelling and garage following demolition of existing dwelling	Methwold
24.02.2016	13.06.2016 <b>Application Permitted</b>	16/00377/O	Mr R Bishop Fernhill Lodge Wormegay Road Blackborough End King's Lynn OUTLINE APPLICATION SOME MATTERS RESERVED: Construction of 4, 2 storey dwellings with single storey garages	Middleton

25.02.2016	10.06.2016 <b>Application Permitted</b>	16/00391/F	Leonard Towler & Co Land Between 18 & 24 Common Lane North Runcton King's Lynn Construction of new dwelling	North Runcton
24.05.2016	17.06.2016 <b>Prior Approval - Not Required</b>	16/00988/AG	Mr Jeremy Fuller Church Farm 21 the Green North Runcton King's Lynn Prior Notification: Proposed road	North Runcton
15.04.2016	15.06.2016 <b>Application Permitted</b>	16/00738/F	Mr S Peach Dalmally 3 Frederick Close North Wootton King's Lynn Single storey extension to form additional bedroom and en-suite	North Wootton
16.05.2016	08.06.2016 <b>Application Permitted</b>	15/01042/NMA_1	T M Browne Ltd Land Off Priory Road North Wootton King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 15/01042/NMA_1: Demolition of 4 existing residential properties and development of the site to provide 7 residential units with associated landscaping and highways works and temporary use of no.50 Priory Road as site office during the construction period	North Wootton
14.01.2016	26.05.2016 <b>Application Permitted</b>	16/00057/F	Mrs Anne Stephens 54 West End Northwold Thetford Norfolk Block skin to one elevation and render	Northwold

14.03.2016	06.06.2016 <b>Application Permitted</b>	15/00243/NMA_1	Mr Peter Martin 92 High Street Northwold Thetford Norfolk NON MATERIAL AMENDMENT TO PLANNING CONSENT 15/00243/F: to amend the materials	Northwold
13.04.2016	09.06.2016 <b>Application Permitted</b>	16/00712/F	Ms Emily Peake-Carter & Luke Henry 66 High Street Northwold Thetford Norfolk Extension to rear of bungalow	Northwold
15.01.2016	14.06.2016 <b>Application Permitted</b>	16/00062/F	Crown Services Station (Outwell) Ltd Crown Lodge Hotel 40 Downham Road Outwell Wisbech Change of use from agricultural land to land associated with Crown Lodge Hotel to include car parking, amenity space, waste collection and fuel tanks and extension to workshop building to provide ground floor workshop and staff flat over	Outwell
02.03.2016	25.05.2016 <b>Application Refused</b>	16/00434/O	Hereward Services Victoria Barn Basin Road Outwell Norfolk Removal of storage building and 2 residential mobile homes and replacement with 4 detached 2 storey dwellings	Outwell

15.04.2016	13.06.2016 <b>Application Permitted</b>	16/00735/F	Mr Carl Baddeley Willow Cottage 51 Church Drove Outwell Wisbech Proposed side extension to dwelling	Outwell
18.04.2016	10.06.2016 <b>Application Permitted</b>	16/00748/RM	Mr And Mrs S Ripley Land South of Trevendale 69 Church Drove Outwell Reserved Matters Application: Construction of three bed bungalow	Outwell
09.05.2016	07.06.2016 <b>Application Permitted</b>	15/00746/NMA_1	Dene Homes Ltd Sayersfield Basin Road Outwell Wisbech Non-material amendment to planning permission 15/00746/F: Proposed 4 No. Semi detached houses and garages	Outwell
27.11.2015	21.06.2016 <b>Application Permitted</b>	15/01929/F	Mr K Ward Oaklands Pentney Lane Pentney Norfolk Construction of storage and distribution building in connection with horticultural business (Class B8), following rescinding of building approved under planning reference 11/01556/F	Pentney
22.03.2016	09.06.2016 <b>Application Refused</b>	16/00603/O	Mr Richard & Michael Edwards Land North of Pentney Baptist Church Pentney Lane Pentney OUTLINE APPLICATION ALL MATTERS RESERVED: Proposed building plot for single dwelling adj to The Old Chapel	Pentney



14.04.2016	17.06.2016 <b>Application Refused</b>	16/00727/O	Mr Edward Carter Land S of West View Narborough Road Pentney Norfolk OUTLINE APPLICATION ALL MATTERS RESERVED: Erection of five new dwellings	Pentney
19.04.2016	17.06.2016 <b>Application Permitted</b>	16/00752/F	Mr Paul Mace Falgate Farm Narborough Road Pentney Norfolk Conversion of existing stone barn to dwelling house	Pentney
29.04.2016	20.06.2016 <b>Application Permitted</b>	16/00829/F	Mr J Mayor Twin Oaks Abbey Road Pentney Norfolk Single storey extension to form new bedrooms and farm office	Pentney
29.02.2016	26.05.2016 <b>Application Permitted</b>	16/00398/F	Astley Period Homes Ltd The Gin Trap 6 High Street Ringstead Hunstanton Change of use from former gallery and store to Bed and Breakfast accommodation with an extension forming new access to first floor	Ringstead
05.04.2016	26.05.2016 <b>Application Permitted</b>	16/00677/LB	Astley Period Homes Ltd The Gin Trap 6 High Street Ringstead Hunstanton Listed Building Application: Change of use from former gallery and store to bed and breakfast accommodation with an extension forming new access to first floor	Ringstead

29.02.2016	10.06.2016 <b>Application Refused</b>	16/00405/OM	Mr Flint North of Thorpland House Downham Road Runcion Holme Outline Major Application: Residential development	Runcion Holme
06.04.2016	26.05.2016 <b>Application Permitted</b>	16/00683/F	Mr C Horton The Willows Bexwell Road Bexwell Norfolk Extension to Hobby Building	Ryston
15.04.2016	10.06.2016 <b>Application Permitted</b>	16/00739/F	Mr ACB Ramsay West Hall Snettisham Road Sedgeford Norfolk Raising of a section of boundary wall	Sedgeford
15.04.2016	08.06.2016 <b>Application Permitted</b>	16/00741/LB	Mr ACB Ramsay West Hall Snettisham Road Sedgeford Norfolk Raising of a section of boundary wall	Sedgeford
06.04.2016	24.05.2016 <b>Application Permitted</b>	16/00678/F	Mr And Mrs S Carter Field Barn Marham Road Shouldham Norfolk Conversion of barn to residential dwelling	Shouldham
14.04.2016	16.06.2016 <b>Application Permitted</b>	16/00728/F	Mrs Tania Kitchen 24 Winston Drive South Creake Norfolk NR21 9PS Side extension comprising utility room & play room at ground floor and bedroom with ensuite at first floor	South Creake

25.04.2016	20.06.2016 <b>Application Permitted</b>	16/00779/F	Mr Ben Sexton 56 Church Lane South Creake Norfolk NR21 9LX Demolition of western lean-to extension, rebuild with a two storey extension to the west. In addition No 56 to be combined with No 54; repairs and upgrading.	South Creake
05.04.2016	06.06.2016 <b>Application Permitted</b>	16/00674/F	Mr Mike Calvert 29 Deas Road South Wootton Norfolk PE30 3PE The proposal is for an extension to the rear of the property	South Wootton
08.04.2016	03.06.2016 <b>Application Permitted</b>	16/00696/F	Mr Alexander Land To the Rear of Spreydon 19 Nursery Lane South Wootton King's Lynn Variation of condition 2 for planning permission 15/02077/F to make amendments to the drawings and the removal of conditions 4, 5, 6 and 7 as agreed with EHH	South Wootton
09.07.2015	25.05.2016 <b>Application Refused</b>	15/01072/F	Mr Christie Satchwell 60A Jolly Farmers Feltwell Road Southery Downham Market To provide living accommodation by means of caravan/mobile home for one nomadic family of four and their livestock	Southery

20.04.2016	20.06.2016 <b>Application Refused</b>	16/00763/O	Mr Clive Shuttleworth Ducks Nest 189 the Drove Barroway Drove Norfolk Replacement of existing bungalow with new dwelling and garage plus development of one additional dwelling and garage	Stow Bardolph
21.04.2016	16.06.2016 <b>Application Permitted</b>	16/00769/F	Mr B R Good Ashlea 212 the Drove Barroway Drove Norfolk Variation of condition 5 and removal of condition 8 of planning permission 16/00281/O	Stow Bardolph
13.04.2016	08.06.2016 <b>Application Permitted</b>	16/00721/CU	Mrs Mandy Gynn The Lynn Arms The Street Syderstone King's Lynn Convert residential living accommodation on the first floor of the premises to rental rooms	Syderstone
04.03.2016	21.06.2016 <b>Application Permitted</b>	16/00418/F	Mrs Sharon Means The Laurels Ongar Hill Road Terrington St Clement King's Lynn Change of use from domestic and agricultural store to commercial, domestic storage and agricultural work accommodation	Terrington St Clement
04.04.2016	26.05.2016 <b>Application Permitted</b>	16/00663/F	Mr H Watts Fairfield 55 Lynn Road Terrington St Clement King's Lynn Extension and garden room	Terrington St Clement

04.04.2016	08.06.2016 <b>Application Permitted</b>	16/00667/F	Mr Cockle Sybil Cottage Tuxhill Road Terrington St Clement King's Lynn Proposed extension to existing property	Terrington St Clement
18.03.2016	08.06.2016 <b>Application Permitted</b>	16/00570/F	Thornham Village Hall And Playing Field Ltd Thornham Village Hall And Sports Pavilion High Street Thornham Norfolk Retention of 2No external air conditioning units	Thornham
29.03.2016	27.05.2016 <b>Application Permitted</b>	16/00627/A	Agellus Hotels (Norfolk )Ltd Chequers Cottage High Street Thornham Hunstanton ADVERT APPLICATION: 2 x fascia signs	Thornham
01.04.2016	16.06.2016 <b>Application Permitted</b>	16/00648/F	Mr Tony Needham Trees Cottage High Street Thornham Hunstanton Replacement Porch	Thornham
06.04.2016	26.05.2016 <b>Application Permitted</b>	16/00679/LB	Agellus Hotels (Norfolk) Ltd Chequers Cottage High Street Thornham Hunstanton Listed Building Application: two non-illuminated signs	Thornham
06.04.2016	01.06.2016 <b>Application Permitted</b>	16/00681/F	Agellus Hotels (Norfolk) Ltd The Chequers Inn High Street Thornham Norfolk Three pavillions within garden area	Thornham

07.04.2016	02.06.2016 <b>Application Permitted</b>	16/00694/F	Mr & Mrs T Townsend Old Drill Hall Ringstead Road Thornham Norfolk Proposed garage at Old Drill Hall, Ringstead Road, Thornham	Thornham
18.03.2016	24.05.2016 <b>Consent Not Required</b>	16/00568/AG	Emorsgate Seeds Land SW of the Old Shoreboat Inn Lynn Road Tilney All Saints Norfolk AGRICULTURAL PRIOR NOTIFICATION: Erection of a new polytunnel	Tilney All Saints
30.10.2015	20.06.2016 <b>Application Permitted</b>	15/01758/F	Mr M Lawrence Halfpenny Toll Farm Ha Penny Toll Road Lott's Bridge Three Holes Proposed dwelling along with the change of use and modification of agricultural buildings to the storage of the applicants reclaimed materials	Upwell
03.02.2016	09.06.2016 <b>Application Permitted</b>	16/00205/O	Mr Greg Brown Land E Pius Drove Upwell Norfolk Outline Application: construction of 4 dwellings	Upwell
03.03.2016	09.06.2016 <b>Application Refused</b>	16/00447/O	Mr M Starr Small Lode Upwell Norfolk Outline Application: construction of two dwellings	Upwell
29.03.2016	02.06.2016 <b>Application Refused</b>	16/00632/F	Fountain Developments (Anglia) Ltd Land S of Plawfield Back Drove Upwell Norfolk Proposed residential development of 4 new dwellings	Upwell

07.03.2016	02.06.2016 <b>Application Refused</b>	16/00470/OM	Mr S E Pitcher Land SW of 2 To 8 Springfield Road And E of Wisbech Road Walpole St Andrew Norfolk Outline Application: Proposed residential development	Walpole
18.04.2016	15.06.2016 <b>Application Permitted</b>	16/00745/F	Rose And Crown Solar PV Ltd Rose And Crown Farm Walpole Bank Walpole St Andrew Norfolk Variation of conditions 6 and 8 of planning permission 14/00283/FM: To amend landscaping details	Walpole
11.11.2015	16.06.2016 <b>Application Permitted</b>	15/01833/O	Mr A C Clifton Land South of Casa Mia Hall Road Walpole Highway Wisbech OUTLINE APPLICATION SOME MATTERS RESERVED: Construction of three dwellings and garages	Walpole Highway
16.03.2016	01.06.2016 <b>Application Refused</b>	16/00547/F	Mr S Drew Rhos Isa Hall Road Walpole Highway Wisbech Construction of double garage	Walpole Highway
23.03.2016	27.05.2016 <b>Application Permitted</b>	16/00607/F	H Melton And Son Pear Tree Farm Mill Road Walpole Highway Wisbech Proposed crop and agricultural machinery store	Walpole Highway
08.04.2016	03.06.2016 <b>Application Permitted</b>	16/00703/LB	Mr Peter Bunning Faulkner House West Drove North Walton Highway Norfolk Extension to outbuilding and change of use to annex ancillary to main dwelling	Walpole Highway

25.05.2016	20.06.2016 <b>Application Permitted</b>	15/01954/NMA_1	Mr A Melton Deer Lodge Mill Road Walpole Highway Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 15/01954/F: Proposed rear single storey extension to dwelling and detached 3-bay car hovel	Walpole Highway
01.02.2016	25.05.2016 <b>Application Refused</b>	16/00178/OM	Mr P Goodale Land S Black Bear Lane N of Pump House 38A E of Burrett Road Walsoken Norfolk Outline application: Proposed residential development	Walsoken
01.02.2016	25.05.2016 <b>Application Refused</b>	16/00179/OM	Mr P Goodale Land East of Burrettgate Road Walsoken Wisbech Norfolk OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Proposed residential development for 16 dwellings	Walsoken
05.02.2016	22.06.2016 <b>Application Permitted</b>	16/00227/F	Hereward Services Maipop Farm Biggs Road Walsoken Norfolk Retrospective application for the siting of a caravan intended for temporary use for seasonal workers	Walsoken



24.03.2016	01.06.2016 <b>Application Refused</b>	16/00620/O	Mr Stocks Land At Sparrowgate Road Walsoken Norfolk PE14 7AY Outline Application: Proposed residential development comprising of 4 No. 4/5 bed detached houses and detached double garages	Walsoken
29.04.2016	22.06.2016 <b>Application Permitted</b>	16/00823/F	Mr B Chase And Ms S Hart 10 S-Bend Lynn Road Walsoken Norfolk Construction of rear extension, front porch and detached garage	Walsoken
16.03.2016	01.06.2016 <b>Application Permitted</b>	16/00535/F	Mr J McGuirk & L Webb High House Lynn Road Wereham King's Lynn Front extension and new main roof incorporating second floor accommodation	Wereham
04.05.2016	10.06.2016 <b>Prior Approval - Not Required</b>	16/00809/PAGPD	Mr Jake Stansfield 8 Ryston Road West Dereham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 6 metres with a maximum height of 4 metres and a height of 3 metres to the eaves	West Dereham
20.04.2016	15.06.2016 <b>Application Permitted</b>	16/00760/F	Mr & Mrs J Jewson The Poplars Lynn Road Walton Highway Norfolk Alterations and extensions to existing garage	West Walton

27.05.2016	15.06.2016 <b>Application Permitted</b>	16/00120/NMA_1	Mr P Dawson Ivy House Common Road Walton Highway Norfolk NON MATERIAL AMENDMENT TO PLANNING CONSENT 16/00120/F	West Walton
29.02.2016	13.06.2016 <b>Application Permitted</b>	16/00408/F	E N Suiter And Sones Ltd Land East of The Barn 42A Hall Lane West Winch Proposed four dwellings	West Winch
28.04.2016	20.06.2016 <b>Application Permitted</b>	16/00803/F	Mr Kevin Carvell Brook Meadow 159 Main Road West Winch King's Lynn Proposed single storey extension	West Winch
18.04.2016	17.06.2016 <b>Application Permitted</b>	16/00751/CU	Miss Sally Long Land To the South Ruff Barn Common Road Wiggshall St Mary the Virgin Change of use of the land from agricultural to equestrian	Wiggshall St Germans
20.04.2016	10.06.2016 <b>Application Refused</b>	16/00766/O	Mr A & R Morton North of Ashcroft Chequers Road Wretton King's Lynn OUTLINE APPLICATION SOME MATTERS RESERVED: Site for construction of two single storey dwellings	Wretton