

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



Planning Committee

Agenda

**Monday, 6th February, 2017
at 9.00 am**

in the

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



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

PLANNING COMMITTEE AGENDA

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

Please ensure that all mobile phones are switched to silent

DATE: Monday, 6th February, 2017

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

TIME: 9.00 am

1. APOLOGIES

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

2. MINUTES

To confirm as a correct record the Minutes of the Meeting held on 9 January 2017.

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 - 8)

The Committee is asked to note the Index of Applications.

(a) Decisions on Applications (Pages 9 - 237)

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

9. COMMUNITY INFRASTRUCTURE LEVY (CIL) & SECTION 106 AGREEMENTS - PLANNING COMMITTEE ITEMS (Page 238)

10. DELEGATED DECISIONS (Pages 239 - 273)

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

To: Members of the Planning Committee

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

Site Visit Arrangements

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

If there are any site inspections arising from this meeting, these will be held on **Thursday 9 February 2017** (time to be confirmed) and the meeting reconvened on the same day (time to be agreed).

Please note:

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

Please note that the deadline for registering to speak on the application is **12 noon** the working day before the meeting, **Friday 3 February 2017**. Please contact Planningadmin@west-norfolk.gov.uk or call (01553) 616443 to register.

For Major Applications

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

For Minor Applications

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

For Further information, please contact:

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

**INDEX OF APPLICATIONS TO BE DETERMINED BY THE
PLANNING COMMITTEE AT THE MEETING TO BE HELD ON
MONDAY 6 FEBRUARY 2017**

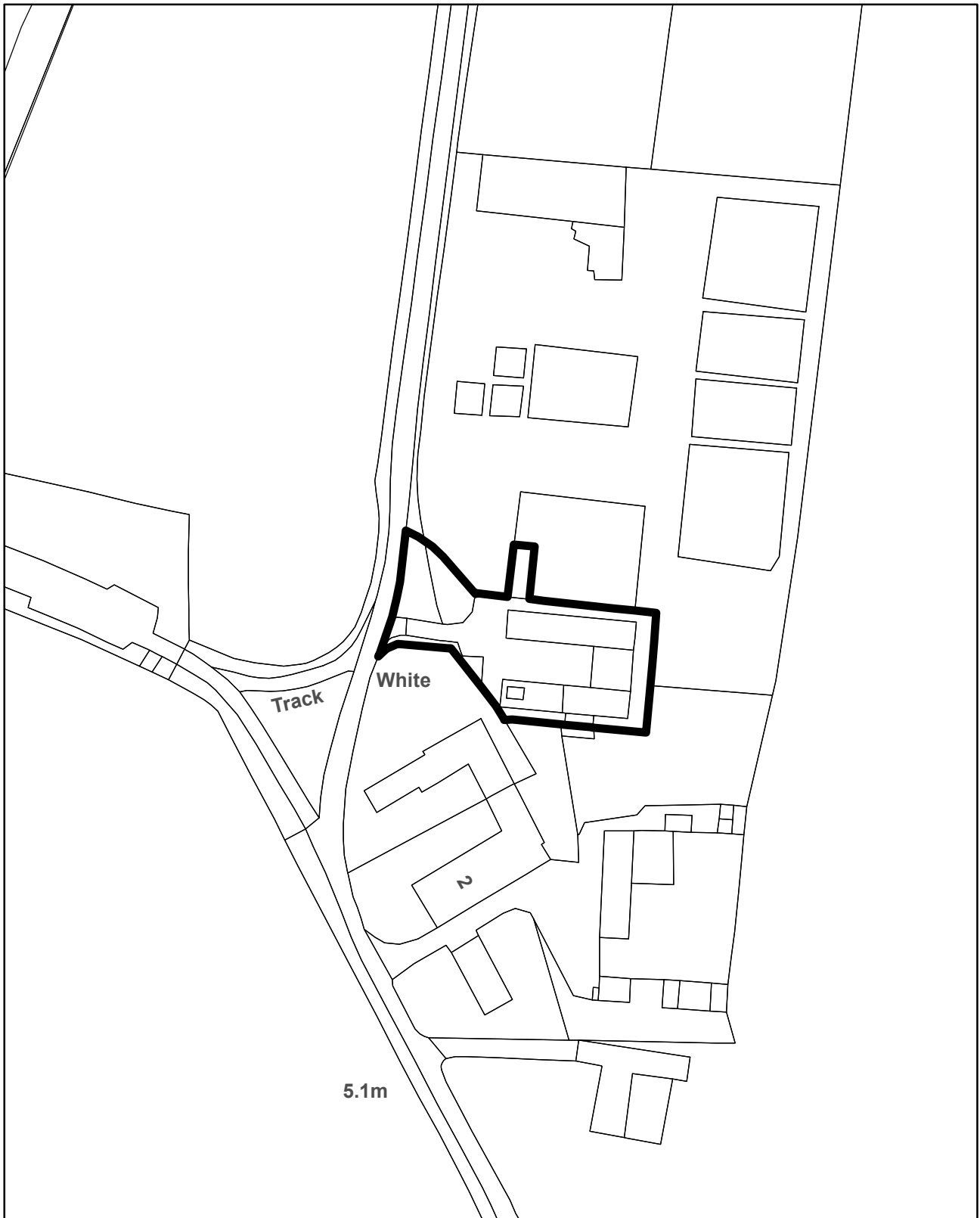
Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	DEFERRED ITEMS			
8/1(a)	16/01177/F White Dyke Farm Black Dyke Road Change of Use of the building from a cattery with ancillary offices to use as a cattery with ancillary offices, residential accommodation for the occupation by the cattery owner/manager, minor changes to the external appearance of the building and car parking.	HOCKWOLD WILTON	CUM REFUSE	9
8/2	MAJOR DEVELOPMENTS			
8/2(a)	16/00866/OM Land On the North Side of High Street OUTLINE APPLICATION SOME MATTERS RESERVED: Proposals for 33 new dwellings with means of access from the public highway from Pound Lane and a pedestrian route off Well Street with all other matters reserved for approval	DOCKING	APPROVE	19
8/2(b)	16/00947/FM 3 Church View Lane Construction of 15no. new dwellings and 2no. barn conversions	GAYTON	APPROVE	42
8/2(c)	16/00168/OM Land at Bradfield Place Fairfield Road Outline Application with Some Matters Reserved: Proposed residential development.	STOKE FERRY	APPROVE	65
8/2(d)	16/00812/FM Land at West Drove Establishment of plant nursery and associated glasshouses, growing beds, office and staff facilities.	WALPOLE HIGHWAY	APPROVE	76

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/2(e)	16/00813/OM Tamar Nurseries School Road Outline Application: Residential development including construction of village store and post office.	WEST WALTON	APPROVE	89
8/3	OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE BOARD			
8/3(a)	16/01938/F Annalea Cross Lane 2 storey side extension, first floor rear extension and new garage.	BRANCASTER	REPORT TO FOLLOW	
8/3(b)	16/02028/F Land between College Farm and Meadowfield Whin Common Road Construction of a new dwelling.	DENVER	REFUSE	109
8/3(c)	16/01846/O Land rear of 68 Chapel Road Pott Row Outline Application: Construction of two dwellings.	GRIMSTON	APPROVE	115
8/3(d)	16/01995/F 38 Philip Rudd Court Pott Row Construction of a dwelling	GRIMSTON	APPROVE	124
8/3(e)	16/01461/F Cedar House 45a The Broadway Construction of replacement workshop and store in builder's yard at Cedar House.	HEACHAM	APPROVE	131
8/3(f)	16/02023/RM The Old Coal Yard School Road Reserved Matters Application: Residential dwelling	HEACHAM	APPROVE	139
8/3(g)	16/01694/F Land W of 2 And 4 Seagate Road South Promenade Proposed retail units with first floor and ground floor seating areas	HUNSTANTON	REFUSE	149
8/3(h)	16/02085/F The Old Coal Yard Hardwick Narrows West Winch New residential dwelling.	NORTH RUNCTON	REFUSE	156

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/3(i)	15/01695/F Land at Greatmans Way Erection of six timber holiday lodges.	STOKE FERRY	APPROVE	164
8/3(j)	16/01843/F 1, 4 & 5 Church Bank Redevelopment of site for six No. dwellings following demolition of 1, 4 and 5 Church Bank.	TERRINGTON CLEMENT	ST APPROVE	176
8/3(k)	16/01844/F 7 & 8 Church Bank Re-development of site for four No. dwellings following the demolition of 7 and 8 Church Bank.	TERRINGTON CLEMENT	ST APPROVE	189
8/3(l)	16/02096/F 73 Sutton Road Construction of new private dwelling following demolition of former hair dressing salon.	TERRINGTON CLEMENT	ST APPROVE	202
8/3(m)	16/02068/O Fenland Lodge School Road Outline Application: Construction of two dwellings, one to facilitate home-working.	TERRINGTON JOHN	ST REPORT TO FOLLOW	
8/3(n)	16/00618/F Land S of Manor Farm And W of Ringstead Road Demolition of two barns and development of 8 new residential dwellings	THORNHAM	REFUSE	210
8/3(o)	16/01849/F The Willows The Marsh Walpole St Andrew Construction of detached chalet bungalow.	WALPOLE	APPROVE	228

16/01177/F

White Dyke Farm Black Dyke Road Hockwold



AGENDA ITEM NO: 8/1(a)

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

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

Case Summary

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

This application was deferred without been considered from the January Committee meeting due to the ill health of the applicant and his agent.

Key Issues

The key issues in relation to this application are;

The planning history.

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

Recommendation

REFUSE

THE APPLICATION

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

White Dyke farmhouse which is a Grade II listed building lies immediately south of the barn and beyond this lies an outbuilding that was previously occupied by the cattery. There is

also an annex which was granted a Certificate Lawful Use or Development Certificate (CLUD) for use as a single dwelling house.

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

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

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

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

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

SUPPORTING CASE

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

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

The proposal is considered to comply with SADMP policy DM6.

There is a clear intention to engage in the activity of managing the cattery, as the applicant's partner is the current owner of this established and expanding business;

The applicant is content for a condition to be in place to control the occupancy of the residential element;

This rural based enterprise is well established;

The proposal is not for a new permanent dwelling, but for the use of part of a building that already has planning permission;

There is a clear functional need for the occupant to be on site at the enterprise, both day and night, for security reasons and to provide the expected high level of care to the cats. This is supported by letters from the local vet and Cat Protection representative;

The need could not be suitably met by other dwellings in the locality. The existing farmhouse building is too large, and its value is too great to be supported by the existing cattery operation. The residential annex, recently granted a Lawful Development Certificate for a lawful residential use, is too small and inflexible, and would limit the potential sale of the cattery should the need arise, and does not provide an appropriate level of security (being some 80m distant and with no windows directly overlooking the cattery or the access drive). The former cattery building, recently granted planning permission under ref 15/01316 is too remote to provide an appropriate level of security to the cattery;

There is clear evidence of a financially sound business, in that the cattery has been operating since 2007, and is an established contributor to the local economy, and has recently expanded into the barn in order to accommodate the increasing demand;

The proposal is acceptable in all other respects.

On the 3rd of January the agent submitted additional information in relation to his client and made comments in respect to the report within the agenda.

Evidence was submitted in relation to the poor health of his client's partner (Mr Rolph) with a copy letter to his doctor outlining his serious condition.

Consideration of this additional information is addressed within the planning analysis section of the report.

The letter also criticised the council in relation to what the agent sees as an inconsistent approach to considering new development housing in the countryside and in particular the interpretation of NPPF Para 55 and DM06.

It also suggests that if a full permission is considered unacceptable a temporary permission for 2 years be considered.

PLANNING HISTORY

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

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

Ref. No: 05/01603/LB .Permitted

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

Ref. No: 05/01606/F. Permitted

Change of use of outbuilding to animal shelter (cattery)

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

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

Ref. No: 08/02698/F. Permitted

Re-application for loft conversion works

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

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

Ref. No: 11/01459/F. Withdrawn

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

Ref. No: 12/01302/F. Refused

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

Ref. No: 14/00265/F. Permitted

Relocation of two stable blocks in paddock

Ref. No: 14/01518/F. Permitted

NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 14/00265/F:
Ref. No: 14/00265/NMA_1 | Status: Application Permitted

Variation of conditions 2 and 7 attached to planning permission 14/00265/F to amend the approve plans and removal of conditions 5 and 6 (off site highway works)
Ref. No: 15/01314/F. Refused

Lawful Development Certificate: Use of annex as a single dwelling house (use class C3)
Ref. No: 15/01515/LDE. Lawful

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

CONSULTATIONS

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

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

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

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

CSNN; NO COMMENT

Conservation team; NO OBJECTION

REPRESENTATIONS

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

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

1 letter of support from Paul Jarman veterinary Surgeon.

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

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

PLANNING CONSIDERATIONS

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

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

History

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

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

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

1. The application as submitted would result in the provision of a self-contained residential unit within the cattery building which would fundamentally and substantially alter the proposals previously approved under planning permission 14/00265/F, contrary to advice contained within National Planning Policy Guidance (NPPG) (2016).
2. The proposed amendments to the previously approved drawings permitted under planning permission 14/00265/F, due to the provision of large, incongruous dormer windows on the east elevation and first floor windows on the north and south gable ends, would appear visually intrusive and result in the domestication of a non-residential building which would be at odds with the established form and character of the site, result in substantial harm to the intrinsic character and beauty of the countryside and have a detrimental impact on the setting and significance of adjacent listed buildings. The proposal is therefore contrary to Policies CS01, CS06, CS08 and CS12 of the Council's adopted Core Strategy (2011), draft Policy DM15 of the LDF Site Allocations and Development Management Policies – Pre-Submission Document (2015) and the provisions of the National Planning Policy Framework (NPPF) (2012).
3. The unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its poor alignment / restricted width/ lack of passing provision. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety, contrary to Policy CS11 of the King's Lynn and West Norfolk Borough Council Core Strategy (2011) as well as the provisions of the NPPF (2012).
4. The proposal would result in provision of a new residential unit in an unsustainable and isolated location. The NPPF at Paragraph 55 is clear that LPAs should resist new isolated homes in the countryside unless there are special circumstances and insufficient evidence has been submitted in support of this application to demonstrate there is an essential need for the cattery owner / manager to reside within the building when there is existing residential accommodation within the applicant's ownership and control that is in close proximity to the cattery.

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

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

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

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

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

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

Principle of new residential use as part of the business.

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

Policy DM 6 – Housing needs of rural workers states,

“New Occupational Dwellings”

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

Permanent occupational dwellings

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

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

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

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

However, it is also noted that this proposal would actually increase the number of potential dwellings within the wider site to 4, which are the main farmhouse, the former annex which now has a Certificate of Lawful Use or Development (CLUD) as a separate dwelling as well

as the former cattery building which has permission for conversion. This level of residential development associated with the wider site is already well in excess of what is functionally necessary to operate the business.

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

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

As with many animal care arguments it is considered that monitoring through CCTV can often be used to alleviate the need for direct supervision and given that close-by alternative accommodation is already available (and is currently used) it is not considered that a further essential need has been proven.

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

Other Considerations

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

Personal circumstances of the applicant;

The additional submission from the agent dated 3 January refers to the applicant's partner's health issues and consequent difficulties in walking, sitting and climbing stairs and as such the occupancy of the current annex is not suitable and use of the new cattery building would be beneficial.

Officers are of course sympathetic to Mr Rolph's medical condition and accept that medical conditions are capable of being a material consideration in the planning process; however in this instance it is considered that they can be given only very limited weight in decision making and do not outweigh the strong policy objection to the proposal as set out within the report.

Temporary permission

The applicant's offer to restrict the use of the residential area for 2 years is noted; however it is considered that the planning objections to the proposal are substantial and robust and a temporary permission is not justified.

CONCLUSION

This application seeks consent to introduce a residential element into the cattery building, to allow the owners to live in it. It also seeks authorisation for some other minor discrepancies from the approved plans. The site is located within a relatively remote location within the

countryside. It is a location where new dwellings clearly wouldn't be approved, unless for exceptional reasons, such as the essential need linked to a rural enterprise.

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

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

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

RECOMMENDATION:

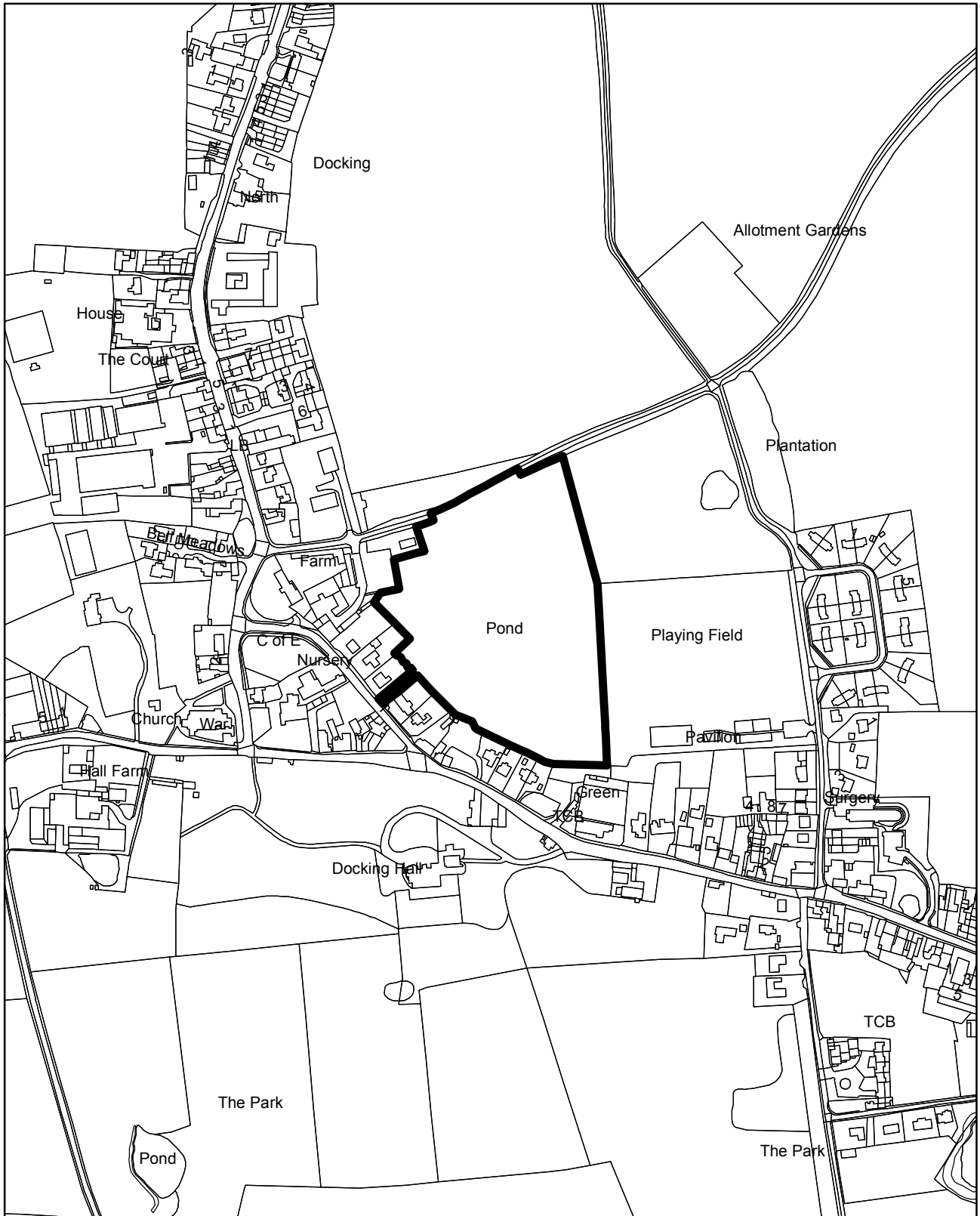
REFUSE for the following reason(s):

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

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

16/00866/OM

Land on the North side of High Street Docking



AGENDA ITEM NO: 8/2(a)

Parish:	Docking	
Proposal:	OUTLINE APPLICATION SOME MATTERS RESERVED: Proposals for 33 new dwellings with means of access from the public highway from Pound Lane and a pedestrian route off Well Street with all other matters reserved for approval	
Location:	Land on the North side of High Street Docking Norfolk	
Applicant:	Farm Supplies (East Anglia) Ltd	
Case No:	16/00866/OM (Outline Application - Major Development)	
Case Officer:	Mr C Fry	Date for Determination: 24 August 2016 Extension of Time Expiry Date: 14 March 2017

Reason for Referral to Planning Committee – Financial Contributions exceeds £60,000.

Case Summary

The site is an allocated site for housing in Docking. Policy G30.1 – Land situated off Pound Lane (Manor Pasture) for a minimum of 20 dwellings.

The site lies on the southern side of Pound Lane and slopes away to the south in an undulating manner. The western and eastern boundary contains established trees.

The proposal seeks outline consent for 33 dwellings including improvements in the form of a pedestrian route from Well Street and Pound Lane. Access only is to be determined at this stage.

Key Issues

Principle of Development
Impact upon Visual Amenity
Impact upon Designated Heritages
Impact upon Non-designated Heritages
Trees and Landscape
Impact upon Neighbour Amenity
Highway impacts
Ecology - upon European Designated Sites
Ecology - impact upon protected species
Infrastructure provision
Affordable Housing
Open Space
Flood Risk and Drainage
Contamination
Archaeology
Other Material Considerations

Recommendation

A) APPROVE subject to conditions and completion of a Section 106 agreement within 4 months of the date of decision

B) REFUSE in the event of the s106 agreement not being completed within 4 months of date of the Committee meeting, the application shall be REFUSED due to the failure to secure affordable housing, site specific public open space, financial contribution, county contribution, provision maintenance and management of SUDS and habitats mitigation contribution.

C) Should the S106 be completed before 15th February 2017, then the County contributions will need to be included within the S106; if it is after 15 February, CIL will be liable and County contributions do not need to form part of the S106.

THE APPLICATION

The site lies within an area designated as “Countryside” according to the Development Management Plan Document site boundary for “Docking”. The site is to the south of Pound Lane Docking.

The site is allocated for development for a minimum of 20 dwellings according to the Site Specific Allocation and Development Management Plan Document – Policy G30.1.

The site slopes away in an undulating fashion in a southerly direction towards the rear of the properties in Well Street. The site is mainly grassed with trees forming the western and southern boundaries. Wire and post fencing forms the northern boundary onto Pound Lane and post and rail forms part of the eastern boundary. Other features on the site include a pond and an overground 3 phase electric line, WW2 tect turrets and pill box.

The form and character of Pound Lane is extremely verdant and there is a sense of leaving the village into the wider countryside. The built form on Pound Lane comprises of single storey buildings that are constructed from red brick and flint. A detached chalet dwelling is immediately adjacent to the site and is constructed from red brick.

The properties in Well Street are a mix of detached bungalows, 2 storey dwellings and older flint constructed properties set behind substantial walls.

The Well Street properties are contained within the adjacent Docking Conservation Area.

The application seeks outline consent, with access only being determined at this stage, for 33 dwellings. The proposal retains and develops the pond in the centre of the site. Given the topography of the site and the position of the existing pond, an indicative SUDS basin has been proposed in the south east corner of the site.

The indicative layout identifies two storey terraced dwellings on the roadside frontage with an off-set access point. The access then splits around the pond to serve two storey detached properties within the centre of the site. Access is linked through to the adjacent playing field.

SUPPORTING CASE

The proposal has been accompanied by a suite of documents:-

- Design and Access Statement
- Transport Statement
- Phase 1 Habitat Survey
- Extended Phase 1 Contamination Report.
- Statement of Community Involvement
- Arboricultural Implications Assessment
- Archaeological Desk Based Assessment
- Flood Risk Assessment
- Landscape and Visual Impact Assessment
- Planning Statement

However in the interest of brevity the agent has summarised the application as follows:-

- The application is an outline application for 33 new dwellings
- Details of scale, layout, appearance, landscaping and design of the internal lanes are reserved for later approval.
- The site is currently pasture grazing and formed of one single field and part of a second field. The site measures 3.5ha
- The site slopes from north to south and the change in level is 2.15m
- The land is bounded by the rear of properties to Well Street to the south, the former Manor Farm to the west, Pound Lane and a single property Magnolia Cottage to the north. The woodland strip is subject of a TPO.
- WW2 “tett” turrets and Norcorn pillbox are located on the southern edge of the site
- The southern edge is within the Conservation Area
- A large field pond contains water most of the year and an overhead electricity line also crosses the site.
- The site is allocated for “at least 20” dwellings. It is close to local facilities that are readily accessible on foot and the primary school and nursery close by.
- No protected species on or affecting the site, the land is unlikely to be contaminated. Archaeological Assessment shown no evidence of previous occupation other than some WW2 remains, further surveys are recommended before development.
- The WW2 turrets could be listed (this is currently the subject of a listing/scheduling application with the Historic Environment Service)
- The tree belt to the south of the site will be unaffected by the development, only a few trees will be removed. The proposals offer the ability to manage the woodland properly.
- The pond will be re-positioned marginally to the east to allow for the access but also proposes to significantly enhance its appearance and bio-diversity potential. The pond is also incorporated in to the proposed SUDS scheme which then drains into a second proposed infiltration pond in the south-east corner of the site.
- The illustrative plan submitted with the application envisages detached and terraced dwellings fronting Pound Lane, with 2 courtyard groups. The properties contained within the site front onto the pond.
- The design will follow local character and use of materials.
- Affordable housing is proposed to be 20%

- A 5.5m wide lane is proposed to access the properties along with 2 courtyards and internal “closes”. A new access from Pound Lane is proposed about halfway along the site frontage. The lane and internal access is designed to meet adoptable standards.
- A footpath will be provided on Well Street and a pedestrian route to the adjacent recreation ground.
- Pound Lane will be widened and a footpath provided. The widening of a section to Well Street and the bus stop improvements have been agreed by the applicant’s, although the widening of the highway is not strictly justified.
- The existing tall poplar trees that form the existing boundary to the recreation area are to be removed and replaced with more appropriate boundary planting.
- The residents will manage all of the open spaces areas created by the development themselves, through an open spaces trust and management company. This includes the woodlands, pond areas and the WW2 features.
- The proposals provide for 6 pieces of play equipment or the equivalent with the provision to be agreed between the recreation ground, the planning authority and the applicants.
- S106 contributions will include the improvements to Pound Lane and Well Street, improved bus stop provision, contributions to education provision, affordable housing and preservation and interpretation of the WW2 remains.

PLANNING HISTORY

There is no recent relevant site history

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Local Highway Authority: NO OBJECTION subject to conditions

Environmental Quality: NO OBJECTION subject to condition

Community Safety Neighbourhood and Nuisance: NO OBJECTION subject to conditions

Conservation Officer; NO OBJECTION

Arboricultural Officer: NO OBJECTION subject to condition

Norfolk Constabulary: the final design will need to incorporate clear lines of sight and the avoidance of providing alcoves, recessed areas or opportunities for offenders to loiter. Active window at ground floor levels will provide levels of guardianship and remove blank windowless elevations. Landscaping will need to be maintained and a carefully designed lighting plan to cover all vulnerable areas should be in place.

Housing Enabling Officer: at present a 20% provision is required on sites capable of accommodating 11 or more dwellings and/or 0.165ha in Docking. This is further split into 70% for rent and 30% shared ownership or any other intermediate product that meets the intermediate definition within the NPPF, meets an identified need in the Borough and is agreed by the Council. In respect of this site 7 units would be required to be provided – 5 for affordable rent and 2 for shared ownership.

1 bed 2 person and 2 bed 4 person units should be provided. We expect the units to provide in groups of no more than 4, to ensure that they integrate into the overall development. If phasing were to be promoted than trigger points would need to be examined

Historic England: The proposed development would build on land to the north east of the Docking Conservation Area and the grade II listed Manor Farm complex. The site is part of an area of open land which plays a role in the setting of both heritage assets. The impact on the farmstead, in particular needs to be considered when weighing up any public benefit from the proposed housing against harm to the heritage assets.

Historic Environment Service: requests a field survey be carried out in respect to the site.

Comments from Historic Environment Service in regards to the latest heritage statement will be reported in late correspondence.

Environment Agency: NO OBJECTION

Open Space Officer: a contribution of £36,537 would be required which would be in the form of 5 pieces of play equipment, but this could be fairly flexible if refurbishment of existing equipment were to be provided.

NCC Infrastructure Provision contributions will be sort in respect to Docking CE primary School for a new self-contained class space, including any remodelling this would be £3,598 in the case of a house, £1800 in the case of a flat.

Representations:

THIRTEEN letters of **OBJECTION** in regards to the following

- No thought in regards to the layout for wheelchair users and those with physical disabilities.
- Increase in traffic on the congested one-way system.
- Disturbance to protected species habitats.
- Pound Lane is unsuitable for extra traffic movement.
- No footpath proposed on Pound Lane for the existing users.
- Increased traffic on Pound Lane could disrupt funeral services.
- Surface Water flooding elsewhere in the village as a result of development.
- WW 2 turrets on the site have not been mentioned in the report.
- Water pressure and electricity supply issues.
- No bus service in Docking.
- Over development of the site affecting the character of the village.
- Overbearing and overlooking issues upon neighbouring properties.
- Ownership and access rights are not correctly conveyed.
- Possible loss of trees.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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 planning considerations in regards to the application are:-

- Principle of Development
- Impact upon Visual Amenity
- Impact upon Designated Heritage Assets
- Impact upon Assets
- Trees and Landscape
- Impact upon Neighbour Amenity
- Highway impacts
- Ecology - upon European Designated Sites
- Ecology - impact upon protected species
- Infrastructure provision
- Affordable Housing
- Open Space
- Flood Risk and Drainage
- Contamination
- Archaeology
- Other Material Considerations

Principle of Development

Docking is classified as a Key Rural Service Centre in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy 2011.

The site is an allocated site in the Council's Site Allocations and Development Management Policies. This site has been "allocated" for a minimum of 20 dwellings under Policy G30.1 - Docking - Land situated off Pound Lane, Manor Pasture. Development will be subject to compliance with the following:-

1. Suitable provision/improvements to pedestrian links including road widening and links to footways on Pound lane from the site to Station Road and/or Chequers Street.
2. Submission of a Heritage Asset Statement that establishes that there will be no negative impact on Heritage Assets in the locality.
3. Incorporation of a high quality landscaping scheme including the retention of established hedgerow, where possible, to the west and south boundaries to minimise the impact of the development on the Conservation Area.
4. Retention of the existing pond at the centre of the site to form an integral part of the development scheme. Opportunities for ecological enhancement should be implemented, as identified in the Ecological Study.
5. 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.
6. Submission of an Ecological Study that establishes that either;
 - i) There would be no negative impact on flora and fauna
Or, if any negative impacts are identified, establishes that:
 - ii) These negative impacts could be suitably mitigated against;
7. Provision of affordable housing in line with current standards.

In respect to these provisions, the proposal seeks approval for the means of access only. Accordingly, the provision of pedestrian links and any form of road widening from the site to Station Road and/or Chequers Street has been included in the application. This can be controlled by condition.

A heritage assessment statement has been included in the application, albeit layout, scale and appearance are not being determined at this stage. A landscape strategy has been submitted based on the indicative layout and has incorporated the hedging and trees towards the west and southern boundaries of the site. The pond is detailed to be retained on the indicative layout and enhanced by increasing its surface area.

A SUDS basin has been indicated in the south east corner of the site, but the details cannot be formalised at this stage as this would be dependent on final layout and numbers of dwellings.

Information contained with the accompanying Flood Risk Assessment is therefore indicative at this stage, although this can be conditioned. A phase 1 - ecology study has accompanied the application to inform point 6 above.

The S106 will also secure affordable housing contributions. Other Matters to be secured in the S106 include the final Sustainable Urban Drainage System mechanism, management and maintenance thereof, securing county contributions (assuming the S106 is signed before the Community Infrastructure Levy (CIL) is enacted), open space provision (financial) and habitats regulation mitigation.

In light of the above, it is considered that the proposal could comply with the NPPFs presumption in favour of sustainable development and Policy G30.1

Impact upon Visual Amenity

Third party representations are concerned about the development being contrary to the form and character of development in the locality.

The application site falls away in a southerly direction towards Well Street and is grade 3 agricultural land that has been used for grazing. The site is bound to the north by Pound Lane and to the west by the properties on Well Street and Pound Lane. The eastern boundary is hedged. The southern boundary contains established trees. At present access to the site is via Pound Lane only.

The form and character of the development on Pound Lane and Well Street comprises of single and two storey detached dwellings, that are either infill C20th dwellings constructed from brick or earlier C18 and C19 flint dwellings and farm buildings.

Even though layout, appearance, scale and landscaping are reserved for later consideration it is considered that the indicative layout and street scene elevations shown, demonstrate that 33 dwellings and the enhanced pond/recreation area can be accommodated on the site whilst respecting the form and character of development in the locality.

The proposal has a low density of 9 dwellings to the hectare.

Impact upon Designated Heritage Assets

The site can be said to form the setting of and is in close proximity to Designated Heritage Assets. Docking Conservation Area crosses the south western part of the site that contains a dense wooded area. The nearest listed building is Manor Farm, Grade II listed, which lies to the west of the site on Station Road with its associated buildings on Pound Lane.

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places statutory duties upon Local Planning Authorities. In determining applications that affect a Listed Building or its setting Section 66(1) states that the Local Planning Authority 'shall have special regard to the desirability of preserving the building or its setting'. Section 72 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when determining applications affecting buildings or land within the Conservation Area or its setting.

Docking Conservation Area Character Statement refers to the area in the vicinity of the site, "Finally the north-eastern boundary of the core area (Conservation Area) is formed by the dominant presence of Manor Farm, its outbuildings, walled garden and its mature treed landscape, both in the garden itself and along the eastern boundary. The latter tree belt provides an important visual backdrop and sense of enclosure to this part of the Conservation Area. Modern infill buildings have been inserted to the north-east of Well Street and, whilst architecturally undistinguished, they are of reasonable scale and well hidden behind hedges." "To the south is perhaps the most attractive of the Docking ponds located at the junction of Station Road and Pound Lane. Views both north and south are delightful in this area but there are also attractive views outwards to the east and west".

The application has been accompanied by a Heritage Appraisal which assesses the impact of the proposal upon these designated heritage assets.

In respect to the listed Manor Farmhouse, it is stated that "the single residence to the west of the site blocks the site from the Manor Farmhouse and its garden, whose only view of the site will now be possible from its upper storey". In respect to the Conservation Area, from both the public realm and the back gardens of houses that border the Conservation Area glimpses of the site are stated to be "seen from both the public realm and the back gardens of the houses that border the Conservation Area to the east through the shelter belt of trees that borders the site along High Street and Well Street". However the report goes on to say "this shelter belt is tall and well-established, with both deciduous and evergreen trees and, as the pavement at this point is at a much lower level than the site itself, it is unlikely that any of the proposed new houses would be visible".

Notwithstanding the comments contained within the Heritage Appraisal, Historic England have commented in respect to the impact of the proposal on the Conservation that "whilst the proposed development would introduce modern housing to a previously undeveloped field and affect the experience of approaching the Conservation area from the north east the impact on the historic core of the village contained within the conservation area this will be mediated by the ribbon modern housing already on the streets. The proposed development will have an impact on the setting of the Conservation Area because of the effect of modern development on Well Street and High Street's historic relationship to fields to the north east but we do not feel the development would amount to harm to its historic significance terms of the NPPF so as to merit an objection".

In respect to Manor Farm, "we (Historic England) are more concerned with the effect of further housing and the Council need to consider this carefully to identify any harm to the significance of the grade II listed buildings"

The Conservation Officer comments that there would be little impact upon the Conservation Area and the setting of Manor Farm, given that the site is well screened from the public realm and Manor Farm not being seen in conjunction with the site.

The Conservation Area Advisory Panel comments are in line with the Conservation Officer comments. The Panel considered the proposal to be acceptable subject to details as it would have little or no impact on the Conservation Area if the tree belt were to be retained.

The trees that form the south western boundary of the site are considered to screen the effect of the mass of the development from the Conservation Area. Accordingly in line with the above mentioned comments it is considered there would be little harm to the significance of this Heritage Asset.

Overall, it is considered that the indicative layout is acceptable in terms of its massing and the setting of Manor Farmhouse. The cottages that are shown indicatively are of a scale akin to workers cottages. However the layout is indicative at this stage.

In line with paragraph 134 of the NPPF, where a development will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefit of the proposal, including its optimum viable use. The public benefit of this scheme would be in providing much needed housing within the borough, on a proposed allocation, and the contribution made to the local economy from the future residents of the development. The benefits are therefore considered to outweigh the amount of harm caused to the significance of the designated assets.

Impact upon non-designated heritage assets

Third party representations are concerned that the World War 2 tett turrets on the site have not been mentioned in the accompanying Heritage Statement.

The site contains 2 World War 2 tett-turrets and pill box on the western boundary of the site. These are very rare heritage assets and survive in a particularly complete condition. At the time of submitting the application, these assets were non-designated, however during the application an application for the assets to become listed has been submitted to Historic England.

The application for their listing or scheduling has not been determined at the time of writing this report.

However it is considered that the impact upon their setting would need to be considered as non-designated heritage assets.

At present the tett turrets are in a wooded area to the west of the properties on Well Street, with no public access afforded of them. The indicative layout has the tett turrets and pill box in this wooded area. The indicative siting of the houses would show an adequate separation from the Turrets and pill box.

The archaeological report has stated that because the tett turrets and pill box are contained within a woodland strip, which is to be retained, the proposal will have minimal impact upon their setting.

It is considered to be reasonable to impose a specific condition in regards to the future management and maintenance of these non-heritage assets as if no condition were imposed safeguarding these assets; they could be removed at any point in time by virtue of them not being listed.

Trees and landscape

Third party representations are concerned about the loss of trees on the site.

An arboricultural assessment has identified that some of the trees to the east of the site will need to be felled/replaced, in order to provide access to the playing fields to the east.

The selective trees within the woodland group W1 will also need to be removed to facilitate the footpath through to Well Street.

From the indicative proposal, the houses fall outside of the root protection areas of the trees on the site.

In order to improve the amenity to the dwelling houses closest the trees, the crowns of the trees will be raised to 4m.

Since the application has been submitted the group of trees in the south west corner of the site has been protected under a group TPO.

The Arboricultural Officer has no principle objection to the removal of the trees as stated in the report, but would require details by way of condition in respect to a method statement and formal tree protection plan and a detailed landscaping scheme.

It is also considered necessary at this juncture to secure the management of the group of Trees in this particular area of this site by way of planning condition.

Impact upon Neighbour Amenity

Third party representations are concerned about the proposal causing overbearing and overlooking issues upon neighbouring properties.

Although the application seeks outline planning permission with all matter except access being reserved, the indicative site layout identifies that 33 dwellings can be satisfactorily accommodated on site without causing principle detrimental neighbour amenity issues.

The neighbours that abut the western boundary of the site can be adequately protected at reserved matters stage.

The Environmental Health CSNN team have no objection to the proposal subject to a detailed construction management plan.

Highways Impact

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

Third Party representations and the Parish Council are concerned about the impact of additional traffic on the village and the suitability of Pound Lane accommodating additional traffic considering its restrictive width. Further issues are raised by 3rd party correspondence in respect to the lack of footpath provision on Pound Lane

A Transport Assessment has been submitted. Pound Lane runs east-west and is the subject of a 30mph speed restriction. The 30mph restriction increases to 60mph just past the eastern edge of the site. There is a narrow verge on the southern side of the carriageway and there is no footway provision on either side of Pound Lane in the vicinity of the site. The nearest footway provision is located on the eastern side of Station Road to the west of the site.

The Transport Assessment states "Traffic surveys indicate that Pound Lane is very lightly trafficked with only 10 two-way movements in the AM peak and 14 in the pm peak. This equates to 1 vehicle movement every 4-6 minutes. It is therefore considered that Pound Lane would be suitable to accommodate pedestrian movements on the carriageway.

Additionally it is considered that cycle movements can take place without the need for cycle paths.”

The nearest bus stop is on the B1454 High Street adjacent to the village hall. In order to achieve access to the bus stop, a new footpath will link the site to Well Street.

Following consultations with NCC Highways the proposal now promotes the provision of a footpath on Pound Lane and the widening of the carriageway. In addition to the provision of a footpath from the site to Well Street, the Highways Officer has requested further off-site highway works. The works involve widening an extent of footway to 1.8m within the existing highway verge and the upgrading of the unmarked bus stop on Well Street. The agent has intimated that the client would be willing to provide such off-site works.

The highways officer’s recommended conditions are to be imposed.

Ecology - Impact upon European Designated Sites

The Borough Council’s Habitats Regulation Assessment, conducted by Wild Frontier Ecology states in relation to this site that “the number of houses proposed (20) is small and the most likely close sites are already well visited, so the increase in usage would be almost imperceptible given the already heavy use of the area the trips may contribute to cumulative impacts on the North Norfolk Coast SPA from recreational disturbance”. The report states there are no likely significant effects and no need for an appropriate assessment in relation to this site.

The application has been supported by a Habitats Survey, which states that the development will have no effect upon any designated site, however the Habitats Survey carried out by the Council states that in combination with other sites, development should be required to provide a programme of publicity aimed at the occupants on the development and other residents highlighting for recreation in the vicinity avoiding the Norfolk North SPA. A condition will be imposed in relation to securing such publicity.

The site should also be the subject of mitigation measures as outlined in Policy DM 19 on-site provision. This has been achieved in the form of providing footpaths to Well Street links through to existing playfields and ecological enhancement has been achieved through the retention and increase of the pond area and its associated informal recreation to reduce the impact upon the SPA.

The developer will also pay the Habitat Mitigation and Monitoring Contribution of £50 per house to the Council. This will be secured in the S106 agreement.

Ecology - protected species

Third Party comments are concerned about the impact upon protected species.

The phase 1 ecological assessment has identified that the site is unlikely to support any flora species of conservation significance. No further surveys are required in regards to plants.

In respect of invertebrates no further surveys are required and through appropriate landscaping, this will provide additional shelter.

There is currently a seasonal pond in a central position on the site. The pond is said to have “average” suitability for great crested newts. Connectivity with other ponds in the village is somewhat limited by roads and no interconnecting habitats, with the exception of a pond located 35m to the south of the site and a further off-site pond. An eDNA survey of all 3 ponds has been carried out by the Ecologist. The eDNA survey concluded that there were no great crested newts presence and no further surveys are required in respect to great crested newts.

Enhancement of boundary hedgerows and log piles in a landscaping scheme will enhance the habitat for reptiles.

If scrub and trees on site are to be removed during the nesting bird season, March-September inclusive, a site visit by a suitably experienced ecologist should be conducted. It is recommended that 4 traditional wooden bird boxes are erected on trees or buildings across the site. These will provide alternative nesting provision and supplement the existing nesting habitat available within retained vegetation.

The woodland would be suitable foraging habitat for a range of bat species. If any tree felling is to occur, then an experienced bat ecologist should inspect the tree prior to felling. Recommendations are to enhance the boundary hedgerow, and incorporate a bio-diversity landscaping scheme. Artificial lighting along the southern boundary should be hooded, cowled or shielded and directed to the ground to avoid light spillage onto potential bat commuting or foraging habitats. Bat boxes are also recommended to be installed.

No further surveys are required in relation to badgers and dormice.

A lot of the guidance in respect to enhancement features can be designed in the layout of the estate, landscaping and design in the dwellings which will be at reserved matters stage. However it would be appropriate to condition the timing of works to the hedgerow and any vegetation clearance at this juncture.

Infrastructure Provision

North County Council are seeking £3039 per multi-bedroom house and £1520 per multi-bed flat towards Docking primary school, which is already at full capacity, to facilitate the need to remodel the classroom space. A development of 33 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and technology. It has been calculated that a development of this scale would require a total contribution of £2,475 - £75 per dwelling.

Norfolk Fire Services require a fire hydrant. This will be conditioned accordingly.

Affordable Housing Contributions

The Planning Design and Access Statement state that 20% of the dwellings will be affordable.

The Housing Enabling Officer comments that the mix of affordable housing can be discussed prior to the submission of reserved matters but essentially if 33 dwellings were to be submitted as part of a reserved matters application, 7 affordable housing units would be required, 5 rent and 2 shared ownership. On a site of more than 33 dwellings clusters of no more than 4 affordable units would be acceptable.

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

Open Space

In accordance with Policy DM16 of the Site Allocations and Development Management Policies document development between 20-99 houses, will only be expected to meet the requirements for suitably equipped children's play space only.

In this instance 17m² per dwelling towards formal open space is required – 561m². The planning statement has referred to a financial sum towards off-site provision commensurate to the costings of providing such facilities on site. The agent has been in discussions with the Playing Field Committee for the applicant to contribute towards the maintenance and management and facilitation of children's play space on the adjacent playing field. The playing field committee have identified the following works that are required to be carried out as part of their programme of works:- refurbishment of fencing, cleaning and repairing the tennis court surfaces and the installation of flood lighting. The agent has received a quote for the works involved, which totals approximately £58,000. The Public Open Space Officer has quoted a figure of £36,567.07 which would be commensurate to the provision of providing 5 pieces of children's play equipment on a site of 36 dwellings and 15 years' worth of maintenance.

Whilst the agent has intimated that their client is prepared to foot the cost of the works programme of the playing field committee, the costings of the projects put forward would be in excess of what is considered to be reasonable.

Accordingly it is considered that a contribution of £36,567.97 will be referenced within the S106 linked to, including but not prejudicing, any refurbishment of tennis courts, the provision of fencing and children's play equipment. Any additional funds would need to be agreed separately with the Parish Council.

Flood Risk and Drainage

Third Party representations are concerned about the proposal causing surface water flooding elsewhere in the village.

The site lies within an area designated as Flood Zone 1 according to the Council's Strategic Flood Risk Maps, however being a site in excess of 1ha in size; a flood risk assessment was submitted with the application.

There is no existing surface water drainage located on or in the vicinity of the site. Surface water flows towards a central pond or the southern corner of the site. Following infiltration testing it was determined that the southern corner of the site could support infiltration based means of draining surface water. Calculations have determined that attenuation storage of 890.5m² will be required to attenuate storm water discharges from the site based on the indicative plans. This will be in the form of using the existing pond and the pond in the southern corner of the site. A 10% increase in the storage capacity of the basins has been factored into the calculation to take into account extensions and alterations during the lifetime of the development.

The finalised methodology, management and maintenance of the SUDS will be secured in the S106.

In regards to foul water there is capacity at Heacham Water recycling centre to accept inflows from the proposed development. Connection to foul water drainage will be in Station Road. Detailed information in regards to foul water drainage will be secured by way of condition.

Contamination and air quality management

The application has been supported with a Phase 1 contamination report and a transport statement from which air quality impact can be assessed. The Environmental Quality team have assessed both reports and do not wish to impose any contamination conditions but wish to impose a construction management condition.

Archaeology

An archaeological desk-based assessment produced by University of Leicester states that the Historic Environment Record suggests that there is little potential for prehistoric archaeology. Anglo–Saxon and medieval remains have been found within the village. There is the potential for further deposits associated with the World War 2 tett turrets and pillbox.

An updated archaeological site investigation into the Pill box and Tett turrets has identified an interconnecting tunnel between the Tett turrets. Given the siting of the Tett turrets and the Pill Box, on the outer defensive ring, it is said to be unlikely that there will be any features in the proposed development area.

Historic Environment Service comments that a field evaluation should be carried out prior to the determination of the application, however this is not considered to be necessary. No specific field evaluation was referenced by Historic Environment Service in their consultation response during the site allocation process and through layout, which is determined at reserved matters stage; archaeological implications can be resolved through conditions.

Other Material Considerations

Third party comments raise issues in regards to accessibility for wheelchair users. This is covered under part M of the building regulations.

Anglian Water raises no particular issues in regards to water pressure. Whilst no comment has been received from UK Power networks in regards to supplying the site with electricity, this is a standard issue that would need to be adequately addressed by the developer.

There has been a query raised in regards to access rights for services and drainage. The right of access and services would not be prejudiced by this planning application, as such rights are covered through civil law.

The Parish Council have also raised concerns about the pond and the safety of children. The Council will not take responsibility on the for the maintenance and management of pond and accordingly this will need to be controlled by a 3rd party, the details of this can be secured by way of condition.

CONCLUSION

Whilst the Parish Council have objected to the application on highways grounds and the safety of children around the pond, the site is allocated for development under Policy G30.1 – Land situated off Pound Lane for a minimum of 20 dwellings.

The proposal seeks outline consent with only access being determined at this stage. With off-site highways improvements being secured by way of condition, it is considered that the proposal is satisfactory in highway terms.

The indicative layout has demonstrated that 33 dwellings on the site can be achieved without detrimentally affecting the designated and non-designated heritage assets in the area and adjacent neighbour's amenity. The proposal has been supported with appropriate surveys and studies in respect to ecological, archaeological and geological issues that raise no principle objections from statutory consultees.

It is considered that the proposal put forward through planning conditions, S106 obligations and issues to be dealt with at reserved matters, has or can meet the provisions of Policy G.30.1.

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

RECOMMENDATION:

A) APPROVE subject to the completion of a Section 106 agreement within 4 months of the date of decision and subject to the imposition of the following condition(s):

- 1 Condition Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

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

5 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.

6 Condition Prior to commencement of development a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.

6 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF. This also needs to be pre-commencement condition as it deals with safeguards associated with the construction period of the development.

7 Condition The development shall not be brought into use until a scheme for the provision of a fire hydrant has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.

7 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.

8 Condition The development hereby approved shall be carried out in accordance with the recommendations contained within section 5 “conclusions and recommendations” of the Ecological Impact Assessment dated 21st April 2016 and the recommendations contained in DF Clark Ecology’s letter dated 6th May 2016 unless otherwise agreed in writing by the Local Planning Authority.

8 Reason In the interests of safeguarding protected species in accordance with the provisions of the Wildlife Countryside Act 1981.

9 Condition No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

9 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.

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

- 10 To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

This also needs to be a pre-commencement condition given the fundamental details linked to drainage and other infrastructure which needs to be planned for at the earliest stage in the development.

- 11 Condition No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority.
- 11 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 12 Condition Before any dwelling is first occupied the road(s), footway(s) and cycleway(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.
- 12 Reason To ensure satisfactory development of the site.
- 13 Condition Prior to the first occupation of the development hereby permitted a visibility splay shall be provide in full accordance with the details submitted shall be provided in full accordance with the details indicated on the approved plan drawing no. JNY8948-02 REV F. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 13 Reason In the interests of highway safety.
- 14 Condition Prior to the commencement of any works on site a Construction Traffic Management Plan, to incorporate details of on-site parking for construction workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority.
- 14 Reason In the interests of maintaining highway efficiency and safety
- 15 Condition For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and unless otherwise approved in writing with the Local Planning Authority in consultation with the Highway Authority.
- 15 Reason In the interests of maintaining highway efficiency and safety
- 16 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 numbers JNY8948-02 Rev F and JNY8948-03 Rev A, have been submitted to and approved in writing by the Local Planning Authority.

- 16 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.
- 17 Condition Prior to the commencement of works on site the carriageway widening to Pound Lane referred to in condition 16 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- 17 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 18 Condition Prior to the first occupation of the development hereby permitted the footway along Pound Lane and the improvement to the bus stop and Well Street as referred to in condition 16 and shown on plan number JNY8948-03 Rev A shall be completed to the written satisfaction of the Local Planning Authority.
- 18 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 19 Condition Notwithstanding details received, Prior to the submission of a reserved matters application pursuant to this outline planning permission, and notwithstanding details received in regards archaeological works that were submitted as part of this application, the results of a programme of informative archaeological investigations (geophysical survey and/or trial trenching) shall be submitted to and approved by the local planning authority in writing. The results of these investigations shall be used to inform the Layout of the development submitted as part of any reserved matters application and any requirements for further archaeological mitigation if necessary. The geophysical survey and/or trial trenching will form the first phase(s) of a programme of archaeological mitigation work that shall be carried out in accordance with a written scheme of investigation which will need to be submitted to and approved by the local planning authority in writing prior to the submission of any reserved matters application. The scheme shall include:
- 1) The programme and methodology of site investigation, recording and/or preservation in situ through the layout of the site
 - 2) The programme for post investigation assessment,
 - 3) Provision to be made for analysis of the site investigation, recording and/or preservation in situ in the layout of the site
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation and
 - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- 19 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.
- 20 Condition No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 19
- 20 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

- 21 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 19 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 21 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 22 Condition The development hereby permitted shall for no more than 33 dwellings
- 22 Reason For the avoidance of doubt
- 23 Condition In so far as it relates to access the development hereby permitted shall be carried out in accordance with the following approved plans:-
- Site Plan DOCK001-sk03-C dated 6th July 2016 received 24th October 2016.
 - Proposed Access Arrangements JNY8948-02 Rev F dated 19th August 2016 received 1st September 2016
 - Proposed Off-site footway JNY8948-03 Rev A and bus stop improvements dated 9th August 2016 received 1st September 2016
- 23 Reason For the avoidance of doubt and in the interests of proper planning.
- 24 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.
- 24 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.
- 25 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

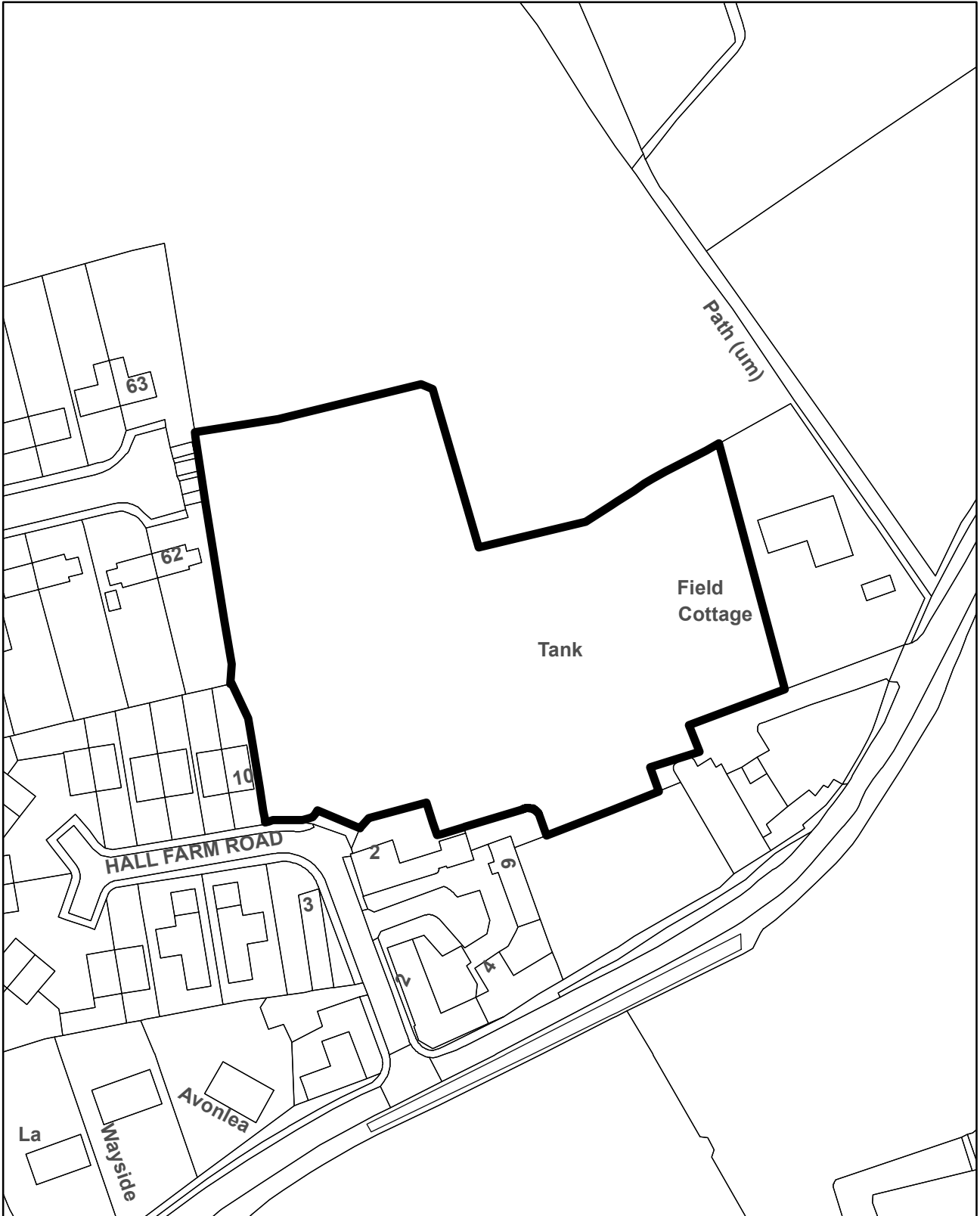
- 25 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 26 Condition Prior to the occupation of 25% of the dwellings compromised in the development hereby approved, a landscape management and maintenance plan including long-term design objectives, management and maintenance responsibilities (including the timings of and details relating to any transfer of the landscaped areas to any such body responsible for its management and maintenance), management and maintenance schedules (including the maintenance of such areas for a minimum period of 5 years) for all landscape areas except for small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority. The landscape management and maintenance plan shall be carried out as approved.
- 26 Reason To ensure that the landscaping is properly managed and maintained in accordance with the NPPF.
- 27 Condition Prior to the occupation of 25% of the dwellings hereby approved, or other such percentage as agreed by the Local Planning Authority, the landscape areas shall be provided in accordance with the landscape details submitted as part of a reserved matters application.
- 27 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 28 Condition Prior to the commencement of the development hereby approved, a scheme detailing the management and maintenance of the WW2 tett turrets shall be submitted to and approved in writing by the Local Planning Authority. The details of the scheme shall include the management and maintenance responsibilities and maintenance schedules of the WW2 tett turrets. The management and maintenance of the WW2 Tett turrets shall be carried out in accordance with the agreed scheme, unless otherwise agreed in writing by the Local Planning Authority.
- 28 Reason In the interests of preserving non-designated heritage assets in accordance with the principles of the NPPF.

B) REFUSE in the event of the s106 agreement not being completed within 4 months of date of the Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, site specific public open space, financial contribution, county contribution, provision maintenance and management of SUDS and habitats mitigation contribution.

C) Should the S106 be completed before 15th February 2017, then the County contributions will need to be included within the S106; if it is after 15 February, CIL will be liable and County contributions do not need to form part of the S106.

16/00947/FM

3 Church View Lane Gayton



AGENDA ITEM NO: 8/2(b)

Parish:	Gayton	
Proposal:	Construction of 15no. new dwellings and 2no. barn conversions	
Location:	3 Church View Lane Gayton Norfolk PE32 1PY	
Applicant:	Client of Holt Architectural	
Case No:	16/00947/FM (Full Application - Major Development)	
Case Officer:	Mr C Fry	Date for Determination: 5 September 2016 Extension of Time Expiry Date: 13 February 2017

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

Case Summary

The application site lies within the development boundary of Gayton. Gayton combined with Grimston and Pott Row is a Key Rural Service Centre.

The site contains a number of barn buildings both single and two storey in scale using buff and red brick and pantile.

The application site has had previous permissions granted for residential development. The most relevant planning permission is 08/01444/OM which granted permission for 29 dwellings on the majority of the site and land to the west. 19 of the 29 dwellings that were secured under outline planning permission have been built out under 09/01561/RMM.

The most recent planning permission on the application site is 15/01086/F which is for the construction of 7 dwellings. These 7 dwellings are contained towards the western and most northern elements of the application site.

This proposal seeks consent to demolish two barns, convert one into 2 dwellings and the erection of 15 dwellings.

In total, there would 36 dwellings across the application (19 + 17) which would be a net gain of 7 dwelling over and above the 08/01444/OM permission.

Key Issues

Principle of Development and Planning History
Impact upon Visual Amenity
Impact upon Designated Heritages
Trees and Landscape
Impact upon Neighbour Amenity
Highway impacts
Ecology - impact upon protected species
Infrastructure provision and open space

Affordable Housing
Flood Risk and Drainage
Contamination
Archaeology
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site lies within the development boundary of Gayton. The site is not contained within a Conservation Area but forms the setting of Hall Farmhouse (south east) which is Grade II listed and St Nicholas Church (North East) which is grade I listed.

The site lies on the northern side of Church View Lane and to the east of St Nicholas Close.

The site increases in gradient towards the northern boundary and is enclosed by ranch style fencing. The eastern section of the site has a substantial two storey scale barn and two single storey barns. The two storey barns are along the northern boundary of the site.

There are a variety of forms of dwellings in the locality. The later ex-authority developments on Church Lane are constructed from red brick. The traditional cottages on Church lane are constructed from flint and finished in render or partly painted.

The proposal seeks consent for 17 dwellings, 15 of which are to be new builds. The proposal has two distinctive elements, the western side is essentially a resubmission of that approved in 2015 for two storey semi-detached dwellings and detached dwellings and the eastern half a courtyard barn style development, the majority of which being new build with the exception of the largest two storey barn which is to be converted.

The proposed access will be adopted, with the adopted section extending towards the northern boundary with a type 3 turning head and the courtyard complex being served with a private drive leading to a crew yard.

SUPPORTING CASE

The agent has submitted a brief supporting case.

- Final Phase of a 2008 outline permission for 29 new residential units following relocation of farm yard outside of village
- Increased visibility of the Church view following inclusion of additional land area to the east
- Increased land area with historic permissions and approval to demolish redundant poor quality barns
- Backing of Historic England in relation to impact from and towards the Grade 1 listed church

- Single access point to entire scheme and improves the access integrity to Gayton Hall Farm House
- Substantial redesign of the eastern element to provide a more in keeping crew yard style development has been agreed with the conservation officer and planning team
- Ecology and archaeology conditions to implement
- Site will have delivered 10% over the required policy contribution for affordable house

PLANNING HISTORY

15/01086/F: Application Permitted: 11/09/15 - Construction of 7 no. new dwellings

13/00246/F: Application not required: - Conversion of existing farm buildings to provide 4no private residential dwellings

13/00066/F: Application Permitted: 08/07/13 - Conversion of existing farm buildings to provide 4No. private residential dwellings

13/00755/EXLB: Application Permitted: 17/07/13 - Extension of time for the implementation of planning consent 10/00862/LB: Listed Building Consent - Erection of two houses and conversion of existing stables to residential; including demolition of existing farm building and re-siting of existing access at Field Cottage. To include partial demolition and rebuilding of garden boundary wall to Hall Farmhouse (Listed Building).

13/00754/EXF: Application Permitted: 17/07/13 - Extension of time for the implementation of a planning consent 10/00861/F: Erection of two houses and conversion of existing stables to residential; including demolition of existing farm building and re-siting of existing access at Field Cottage. To include partial demolition and rebuilding of garden boundary wall to Hall Farmhouse (Listed Building)

12/00977/F: Application Withdrawn: 15/08/12 - Erection of new residential plots 25 to 29 inclusive

12/01350/F: Application Permitted: 12/10/12 - Revised application for erection of 5no residential units on land at redundant farm yard

10/00862/LB: Application Permitted: 23/07/10 - Listed Building Consent - Erection of two houses and conversion of existing stables to residential; including demolition of existing farm building and re-siting of existing access at Field Cottage. To include partial demolition and rebuilding of garden boundary wall to Hall Farmhouse (Listed Building).

10/00861/F: Application Permitted: 23/07/10 - Erection of two houses and conversion of existing stables to residential; including demolition of existing farm building and re-siting of existing access at Field Cottage. To include partial demolition and rebuilding of garden boundary wall to Hall Farmhouse

09/01561/RMM: Application Permitted: 02/12/09 - Reserved Matters Application:- Conversion of existing farm buildings and erection of new dwelling to provide 18 residential units

09/01442/F: Application Withdrawn: 07/10/09 - Erection of two houses and conversion of existing stables to residential dwelling; including demolition of existing farm building and re-siting of existing access.

08/01444/OM: Application Permitted: 30/09/08 - Conversion of existing farm buildings and erection of new dwellings to provide 29 residential units

06/01770/OM: Application Permitted: 13/08/07 - Outline Application for residential development including conversion of six traditional buildings and erection of 16 new dwellings

2/97/1369/F: Application Permitted: 16/10/97 - Construction of bungalow and garage

2/94/1033/AG: : 12/07/94 - Erection of dutch barn for storage and maintenance of estate farm machinery

RESPONSE TO CONSULTATION

All responses in regards to consultation are based on the latest set of plans except where stated.

Parish Council: Comments in regards to the latest scheme

- Represents overdevelopment. Since Gayton has recently seen development for 88 new dwellings approved in the Parish when the Site Specific Allocation document provides a number of 23... any further development would be inappropriate according to the core Strategy

- Insufficient access to services and facilities – the Core Strategy says that “everyone should receive quality services that meet their needs”. There are no significant infrastructure improvements or plans to build additional facilities like surgeries or shops to meet the needs of any new resident to the Parish. Therefore, not everyone will receive quality services to meet their needs
- Insufficient Water and Sewerage system; it’s clear that the current system is insufficient to cope with the existing demand on it; therefore further development should not be approved unless a full detailed plan to improve the system is included within the development and these improvements are undertaken before any new dwellings are built.

Housing Enabling Officer: I have looked at the above application and note that the applicant has suggested that there should be no further affordable housing requirement due to the affordable housing previously provided on the site under application 09/01561/RMM.

I would note that only 9 of the units provided on the site so far were provided via the existing S106 agreement. A further 9 units were purchased by the Guinness Trust but this transfer was not linked to the S106 agreement. However, I can confirm that no further affordable housing should be required as a result of this application for the following reasons.

The affordable housing requirement secured in the original S106 agreement was 30%. Based on the initial 18 units given consent (not including the conversion), this gives a requirement of 5.4 affordable units.

The current application proposes a further 15 new builds. The Council’s current Affordable Housing Policy requires a 20% contribution.

Therefore a further 3 affordable would be required. This makes a total contribution of 8.4 affordable units across the site which is within the 9 affordable units that have already been provided. Therefore, no further affordable housing is required as a result of this application.

Environmental Health & Housing – Environmental Quality: NO OBJECTION contaminated land conditions and a Construction Environmental Management Plan

NCC Highways: NO OBJECTION subject to condition

Environment Agency: NO OBJECTION

Internal Drainage Board: Whilst SUDS scheme states that surface water run-off from all roof areas and private drives/parking areas will be drained by infiltration, either by way of permeable paving or soakaways.

Site tests and suitable ground investigations will need to be carried out, and calculations undertaken, in due course in order to prove that this would be practical and effective means of surface water disposal. The proposal refers to the highway being discharged via a drainage system rather than an infiltration system, when the previous development 15/01086/F was permitted.

Given the lack of detail of a finalised surface water system design, if you're minded to approve this development I would suggest a surface water condition.

Lead Local Flood Authority this falls below our threshold.

Anglian Water: comment that foul drainage from the development from this catchment of Grimston Water Recycling Centre has capacity to accept these flows.

In regards to the network itself, there is currently limited capacity within the existing network to accommodate planning references 15/01776/OM, 15/01888/OM and 15/01946/OM.

The sewerage system at present has available capacity for the flows from this development. However it is important to note that A/W is unable to reserve capacity within the foul sewerage network to accommodate a specific development. There is a risk of downstream flooding in the event that 2 or 3 of the above sites are developed. In the event that upgrades are anticipated, in the event that the council is minded to approve more than one of the above applications we would recommend a foul drainage condition.

The method of surface water drainage does not relate to a/w assets

Comments in regards to the latest set of plans Comments that the revised set of plans show part of the development has been amended in layout to have a more courtyard-based plan. There is still some more conventional housing in the western part, but we would agree this is a positive chance, giving the edge of the new building facing the church a more traditional appearance.

Conservation Officer: NO OBJECTION Comments that whilst it is regrettable, the loss of traditional farm buildings the barns are not listed and their loss would be accepted subject to a satisfactory scheme overall. The revised proposal has taken account our concerns about layout and impact on the setting of the church and the design of the units. Recommend conditions in regards to materials and landscaping.

Historic England: NO OBJECTION

The heritage statement describes the existing barn and stables on the site and conclude they have some historic significance. Though perhaps not outstanding buildings they are of traditional form and construction and we consider them to make a positive contribution to the conservation area and the setting of the Parish Church. We therefore consider that their demolition could result in harm to the significance of these heritage assets in terms of the NPPF paragraphs 132 and 134. While it is a matter for the council to weigh any public benefit from the proposed housing against the harm we would recommend the scheme is revised to retain and convert these buildings. If this were done the harm would be reduced and we would not in principle object to the scheme.

Historic Environment Service: comments in regards to the original submission that a heritage statement has not been submitted, whilst there will be a need for archaeological trial trenching at the site, the presence of standing structure precludes this work being carried out at the pre-determination stage.

Consequently it will be acceptable for the archaeological investigations at the site to be carried out as a condition of planning permission. We will advise on appropriate condition wording once the heritage statement has been submitted and setting issues have been satisfactorily addressed

Comments in regards to the latest set of plans and following the submission of a heritage assessment

If planning permission were to be granted then a programme of mitigatory work should commence with informative trial trenching to determine if further mitigatory work is required. This can be secured by conditions.

Arboricultural Officer: NO OBJECTION

REPRESENTATIONS

FIVE letters received **OBJECTING** to the original application

- Sewerage problems
- Green Space lost
- Air Quality issues
- Noise issues
- Traffic
- Sewerage
- Overlooking issues
- Rights of way access for home
- Surface Water drainage
- No raising of gardens
- 265 dwellings in plan have been passed when the village was only meant to have 23
- Overloaded road network
- How will the school cope with expected 280 pupils from all this planning.
- Facilities are stretched

ONE letter received in regards to the amended scheme following a re-consultation

- Gayton is becoming overdeveloped
- The highways are not suitable for more housing
- The sewerage system is already unable to cope
- Gayton people deserved better voice
- No longer a 5 year supply issue

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Gayton Parish Plan

PLANNING CONSIDERATIONS

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

- Principle of Development and Planning History
- Impact upon Visual Amenity
- Impact upon Designated Heritages
- Trees and Landscape
- Impact upon Neighbour Amenity
- Highway impacts
- Ecology - impact upon protected species
- Infrastructure provision and open space
- Affordable Housing
- Flood Risk and Drainage
- Contamination
- Archaeology
- Other Material Considerations

Principle of Development and Planning History

The application site lies within the development boundary of Gayton and forms the setting of Hall Farmhouse, which is Grade II listed (south) and St Nicholas Church (north east) was is grade I listed.

Third Party representations have stated that over the plan period, 2011-2021, Gayton only needs to provide 23 dwellings, whereas recent planning permissions total 265 dwellings. This would cause services to be stretched and Gayton becoming overdeveloped

Gayton combined with Grimston and Pott Row is classified a Key Rural Service Centre in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy 2011. Whilst Gayton is required to provide 23 dwellings over the plan period, this figure of 23 is taken as being a minimum contribution to housing requirements in Gayton and where development accords with development plan policies and no other material considerations that indicate otherwise, planning permission should be granted.

The site historically forms part of a larger site which gained permission in 08/01444/OM. 08/01444/OM was for a 29 unit development which incorporated the large majority of this site and the land to the west. The land to the west gained reserved matters permission in 2009 (09/01561/RMM) which was for the conversion of existing farm buildings.

The most recent planning application on the application site was for 7 dwellings on the western section of this site granted under 15/01086/F and could still be implemented.

Impact upon Visual Amenity

The western side of the site once contained portal framed buildings, which have now been demolished. The eastern side of the site contains single storey and two storey brick built barns. The largest two storey barn with catslide roof pre-dates the tithe maps of 1834 and is located in an off centre position on the site and the single storey stable and two storey cartshed adjacent to the eastern boundary are mid C19th construction. Other features of note on the site include three trees along the western boundary and a tree in the eastern section of the site in the northern corner.

In terms of topography, the site increases in height by approximately a metre heading towards the central part of the site before gently falling away towards the northern boundary.

The site is classified as grade 3 agricultural land.

The western boundary of the site is shared with residential dwellings on both Church View Lane and St Nicholas Close. This boundary comprises of close boarded fencing. The northern boundary is currently enclosed with heras fencing, the eastern boundary comprises of hedging and close boarded fencing and the southern boundary comprising of walling and lap boarded fencing.

Dwellings in the locality are mainly two storey that are either constructed from red brick or flint. There are some single storey properties but these are in their infancy.

The site backs onto a large field that was the subject of a planning application for 50 dwellings which was refused consent under delegated powers (16/00647/OM) on the grounds that the site was outside development boundary. Development on that particular site was considered to have resulted in the loss of open land that was an important characteristic of the village of Gayton and would also have resulted in substantial harm to the setting of the Grade I Church St Nicholas.

A type 3 adoptable road serves the site which will contain semi-detached and detached properties that are both single and two storey in scale. The layout has two distinctive elements. The western side of the site adopts a conventional estate layout compared to the eastern side which has a farmyard complex layout.

The properties on the western side of the site are constructed from flint and with red brick quoin detailing and header treatment. These properties draw design reference from the development to the west of the site.

The eastern side of the site portrays a barn style complex. The complex is served by a private drive from the type 3 road. The properties on this complex vary in scale, in order to provide some form of hierarchy of scale. With the exception of plots 35-36 these properties are new builds following the demolition of single storey barns adjacent to the eastern boundary. These properties will be constructed from flint and small elements of timber boarding. Plot 37, to the front of the converted barn is meant to portray a stable block conversion.

The layout and boundary treatments proposed have also been partially dictated by the ability to preserve a view of Gayton Church, which has been a consistent approach to layout in all planning applications on this site.

It is noted that the private garden areas to 25-26a are rather small. However it must be noted that these amenity spaces are no smaller than that which was considered to be acceptable under extant permission 15/01086/F, and to therefore refuse the development on the grounds that 26b-28 would be a cramped form of development, would be unreasonable in these circumstances.

The demolition of the two storey cart-shed in the eastern corner of the site has already been considered to be acceptable under a planning application to also convert the single storey barn in the eastern corner of the site (10/00861/F).

It is considered that the two very different layouts on this application provides a development that adheres to the different characters of development that is portrayed in the locality, and on the whole provides a development that would be of good design.

Impact upon Designated Heritage Assets

The site can be said to form the setting of and is in close proximity to Designated Heritage Assets.

Hall Farmhouse, immediately to the south east, is grade II listed and St Nicholas Church is grade I listed. The grounds of the church are approximately 44m NE at its closest point to the site. During the application it was considered that the barns on the application site are not within the curtilage of Hall Farmhouse and are therefore not deemed to be curtilage listed.

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places statutory duties upon Local Planning Authorities. In determining applications that affect a Listed Building or its setting Section 66(1) states that the Local Planning Authority 'shall have special regard to the desirability of preserving the building or its setting'.

The application has been accompanied by a Heritage Appraisal which assesses the impact of the proposal upon these designated heritage assets.

In respect to St Nicholas Church, the church dates back to the C14th and coupled with its setting is said to be of high significance. Whilst some development has occurred close to the setting of the church, the experience of this heritage asset is that it still retains a form of openness. In the heritage statement it has been concluded that this openness is not detrimentally affected and at worst is said to be neutral to the overall experience of the Church and grounds.

Hall farmhouse dates back to 1587 as the main farm to Gayton Hall Estate whilst being altered in subsequent centuries it is considered to be of high significance. As the Farmhouse lies within its own grounds, the heritage statement considered that its setting is unaffected by the proposal. It is referenced that other buildings around the grounds of the farmhouse have either been built or converted to residential dwellings.

Notwithstanding the comments contained within the Heritage Appraisal, Historic England have commented that whilst having more conventional housing in the western element, the eastern section provides a more traditional appearance towards the church, but would have preferred a conversion of the barns in the eastern corner rather than a new build farmyard scheme. No commentary in regards to the impact upon the farmhouse has been provided from Historic England. Historic England have considered that there is some harm arising from the development upon the church, and in line with paragraphs 132 and 134 of the NPPF, state that it is the Local Planning Authority's responsibility to weight the public benefit of the scheme against any harm caused.

Acknowledging Historic England's comments and in line with paragraph 132 and 134 of the NPPF, the public benefit that the scheme would bring includes environment, social and economic benefits in both the short and long term. The site would be tidied and the proposal would preserve the most important barn from falling into decay. The future occupants would help to sustain the local economy and services in the village.

It should be noted that the Conservation officer considers that the revised proposal has taken into account the impact of the development upon the setting of the Church and the Farmhouse and does not object to the scheme.

Trees and landscape

The proposed landscaping plan does not indicate that any trees are to be removed and includes the planting of additional trees and hedging to “soften” boundary treatments.

The arboricultural officer has no objection to the loss of trees on the site and concludes that the landscape scheme is acceptable.

Impact upon Neighbour Amenity

Third party representations are concerned about the proposal causing overlooking issues upon neighbouring properties.

The plots 25-26a are in the same position and are the same design as that previously permitted under 15/01086/F

Plots 26b and C replace a detached property granted under 15/01086/F in a very similar siting. The width of the pair of semi-detached properties is only 1.5m wider in respect to the two storey element of the permitted dwelling. This additional width would not lead to detrimental overbearing or overshadowing issues upon 62 St Nicholas Close.

The plots 27-28 look down St Nicholas Close and not into private amenity spaces of the properties within the Close.

There are no residential properties immediately to the north of the site accordingly plots 29 and 30 do not cause any adverse-amenity issues.

Plot 31 has been designed as not to cause any detrimental impact upon the neighbours at plots 35 and 36.

Plot 32, is mainly two storey with its gable end some 9.75 m from the flank elevation with the bungalow to the east of the site, which is adequate distance to overcome detrimental overbearing and overshadowing issues. No windows are proposed at first floor in this gable end accordingly this overcomes any overlooking issues.

Plot 33 is single storey and accordingly causes no issues upon this neighbour.

Plot 34 is a chalet style dwelling. This property is to the north east of Hall farmhouse, which overcomes overshadowing issues upon this neighbour. Being a chalet style dwelling as opposed to a conventional two storey property overcomes overbearing issues to a degree that is acceptable. Windows in the front elevation of plot 34 primarily look towards plot 36. The windows on the rear look only over the parking area of the neighbour to the east.

Plot 36 is set some 8 m away from the shared boundary with the Farmhouse as is a conversion of the existing barn structure. Accordingly the proposal would not result in any overshadowing or overbearing issues beyond that which is already experienced by the occupier of the Farmhouse. The window in the southern gable end at first floor in plot 36 will be conditioned in be obscurely glazed.

Plot 37 causes no detrimental impact upon any neighbour given its scale and siting.

A condition will be imposed requesting a construction management plan to addresses issues such as noise and dust caused during the construction period.

Ultimately, the proposal does not cause detrimental neighbour amenity issues.

Highways Impact

Third Party correspondence raises issues in regards to the highway network not being able to accommodate the additional traffic generated by this development.

The application site will be served by a type 3 road. Pavements are to be provided on both sides of the road.

The highways officer has no objection to the proposal subject to conditions in respect to; details of roads, footways and drainage and the construction of the road to binder course level.

An additional condition will be imposed to ensure that the private driveway is managed and maintained in a suitable state.

Ecology - protected species

The site contains brick built and pantile roof barns and accordingly a phase 1 protected species has been submitted.

A Phase 1 protected species has identified the following:-

Bats:- Evidence suggests that it is an occasional roost site for one or two bats of a common species, and no maternity roost is, or has been, present. During the winter months it is considered that the size and construction of the buildings and their state of disrepair would render them unsuitable for hibernating. The main barn had a large population of pigeons and their extensive droppings and overpowering smells is unattractive to bats. As mitigation, a single temporary bat roost was identified; it is recommended at least one external bat box or a bat-cavity is provided.

Barn Owls:- There is minor old evidence of the use of the single storey barn adjacent to the northern boundary of the site. It is not recommended to install a barn owl box due to disturbances from the occupation of the development.

Birds:- Site clearance, in the form of demolition works to the barns, should start outside the nesting season, late march through to early September, so any potential nest sites are not disturbed. It is recommended that ten bird nesting boxes could be added to the site to cater for hole nesting species such as Blue and Great Tits with-open fronted boxes for robins and wrens.

Pre-cautionary approach to hedgehogs is advised by checking foundations or trenches each morning.

There is no evidence to suggest that there is the presence of any other European Protected Species frequently found in the Countryside, such as Water Voles, Badgers, Great Crested Newts.

It is therefore considered that no Natural England license is required for the works.

Conditions are to be imposed in relation to details of bat boxes and bird boxes and timing of works.

Infrastructure Provision

This site threshold does not trigger county council contributions and does not require any open space contribution.

Affordable Housing Contributions

No affordable housing is being promoted by the applicant. An accompanying statement with the application states that 18 of 19 dwellings on land adjacent to the site to the west (which was a reserved matters approval on part of a larger application site that included the majority of this application site), which was owned by the applicant at the time of the application, were given to Guinness Trust housing association. Accordingly a grand total of 36 dwellings would be provided across the land to the west and this site (19 + 17) would result in a 50% contribution towards affordable housing.

The Housing Enabling Officer has come to the same conclusion, albeit through a different method. The Officer notes that only 9 of the units provided on the site to the west were provided via in that particular S106 agreement. A further 9 units were purchased by the Guinness Trust but this transfer was not linked to the S106 agreement. The affordable housing requirement secured in the original S106 agreement was 30%, based on the initial 18 units given consent (as one was a conversion); this gives a requirement of 5.4 affordable units.

The barn conversions granted permission under 13/00066/F would not have attracted an affordable housing contribution at the time as they were conversions of existing buildings.

The current application proposes 17 dwellings, 2 of which are conversions. The Council's current Affordable Housing Policy requires a 20% contribution on sites of this size. Therefore 3 affordable houses would be required (20% of 15). This makes a total contribution of 8.4 affordable units across both sites which is within the 9 affordable units that have already been provided. Therefore, no further affordable housing is required as a result of this application.

It is your officer's opinion in line with that of the housing enabling officer, that there is no requirement to provide further affordable housing taking when the two sites are considered to be part of the same overall site and are in the same ownership.

Flood Risk and Drainage

Third Party representations are concerned about the proposal causing surface water flooding elsewhere in the village.

The site lies within an area designated as Flood Zone 1 according to the Council's Strategic Flood Risk Maps; accordingly a flood risk assessment was not required.

The application has been accompanied by a SUDS Statement. The SUDS Statement refers to surface water run/off from impermeable surfaces (roads, roofs and private drives) to be drained via a piped network to a surface water soakaways/permeable paving which will remain within private ownership.

Site Specific infiltration tests will need to be carried out at a detailed flood drainage design stage to accurately size the soakaways/permeable paving required to attenuate surface water run-off from the site. The adoptable highway will be drained to traditional surface water gullies and connected to the highways network constructed during phase 1 of the development.

The Kings Lynn Internal Drainage Board has confirmed that the site lies outside of the boards district but is contained within their catchment area and the proposal that the system will connect into the boards maintained middleton stop drain. The IDB considers that the surface water from the highway could discharge into to soakaways as the ground conditions are suitable.

It is considered that in respect to SUDS that the final design, subsequent management and maintenance can be controlled by way of condition.

In respect to Foul Water Drainage, it is proposed to connect to Anglian Water's sewerage network. Anglian Water has responded that there is capacity at Grimston Water Cycling Centre, but the foul water network in Gayton would require upgrading if 3 major planning permissions totalling a maximum of 93 dwellings were to be built out.

In order to deliver any required upgrades, the development can under s.98 of the Water Industry Act, require AW to carry out any necessary upgrades to require the development to connect to the sewerage system. The developer pays a contribution to the capital cost of the upgrades. The capital cost is offset against the cost AW will receive over a 12 year period from the sewerage charges from each of the dwellings. Alternatively the developer under section 104 of the Water Industry Act allows for the developer to enter into an adoption agreement with AW. The developer, subject to AW vetting and approval, design and constructs the necessary upgrades and on completion, transfer to AW to become part of the public sewerage system.

Furthermore, it must be acknowledged that the site already has the benefit of consent for the erection of 7 dwellings, which form part of this scheme as re-designated plots.

Final details in regards to foul water drainage will be secured by way of condition.

Contamination and air quality management

The Environmental Health Environmental Quality team require full contamination conditions imposed given the previous uses of the site.

In terms of air quality, the development would not significantly change an area where the background pollution is low. Therefore we have no objection in principle regarding the impact on air quality from additional traffic movements in the operational phase.

Archaeology

The heritage statement refers to the area containing pottery shards dating from the early mid and late saxon periods have been found in the churchyard. There is also evidence of early settlement in the vicinity of the church, and the application site, situated south-westwards, may have some archaeological significance.

The Historic Environment Service requires full archaeological conditions to be imposed.

Other Material Considerations

Third Party comments raise issues in regards to rights of way for access. Enforcing rights of way is not covered under planning legislation and is a civil matter.

Third party comments raise issues in regards to raising garden levels. The garden levels are not required to be raised to facilitate the development.

CONCLUSION

Members will need to consider whether the removal of the barns causes public harm to the significance of the setting of St Nicholas Church that cannot be outweighed by the public benefits the scheme brings.

It is your officer's opinion that the loss of these barns, which are not listed, one of which having previously had consent to be demolished, can be accommodated. The overall scheme provides a layout which draws inference from the layout of development in the locality. The dwellings on the western side of the site have already been deemed to be of suitable design, drawing inference from the development to the west of the site. The eastern side of the site by detailing a farmyard development, retaining the largest scale barn on the site, acknowledges the site and its historical relationship to Hall Farm. The massing of the built form on the eastern side of the site is not significantly different to that which already exists and accordingly it is considered that the proposal causes little public harm to the significance of the setting of the Church. Historic England and the Conservation Officer do not object in principle to the loss of the barns.

In respect to affordable housing, sites of this size would trigger the requirement for 3 dwellings, however your housing enabling officer has considered that the adjacent site that was in the client's ownership and part of the overall site has over provided and when combined with this site, there would be no additional requirement for affordable housing, and it would be unreasonable to request more.

All other material considerations are acceptable or can be adequately addressed by way of condition.

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:-
 - Proposed Site Plan drawing no. 16-GFB-03 Rev G dated 21.11.16
 - Proposed Residential Development of 15 New build houses & 2 Barn Conversions - Plots 25 and 25a 16-GFB-25 dated May 2015

- Proposed Residential Development - Floor Plans, Elevations and Section Plot 26/26a drawing no. 16-GFB-26 dated May 2015
- Proposed Elevations and Floor Plans plots 26b/26c dated 21st July 2016
- Floor Plans, Elevations and Section drawing no. 16-GFB-27 plot 27/28 dated May 2015
- Floor Plans, Elevations and Section drawing no. 16-GFB-31B Plot 31 dated May 2015
- Ground Floor Plans, Elevations Plot 32, 33 and 34 drawing no. 16-GFB-32C dated 28th November 2016
- First Floor Plans, Elevations Plot 32, 33 and 34 drawing no. 16-GFB-33 C dated 28th November 2016
- Proposed Plans and Elevations Plot 35 and 36 drawing no. 16-GFB-36A dated 28th November 2016
- Floor Plans, Elevations and Section Plot 37 drawing no. 16-GFB-37A dated 27th November 2016
- Proposed Garages drawing no. 16-GFB-39B dated 28th November 2016
- Boundary treatment drawing no.16-GFB-50 D dated 28th November 2016
- Landscape drawing no. 16-GFB-60C dated 28th November 2016
- Bins Store Plans and Elevations drawing no. 16-GFB-70

2 Reason For the avoidance of doubt and in the interests of proper planning.

3 Condition Notwithstanding the approved plans; details of the following items at a scale of 1:2 or as otherwise specified shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development in relation to plots 31-37 inclusive only.

a) drawings of all new joinery works involving windows and doors (with cross sections)

3 Reason To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.

4 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the buildings (Plots 25-30 only) 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.

4 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

5 Condition No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the dwellings on plots 31-37 (exc. Plots 35 and 36) 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.

5 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

- 6 Condition The screen walls and fences shown on the approved plans shall be erected prior to the occupation of the dwelling to which they relate.
- 6 Reason In the interests of the residential amenities of the future occupants of the development in accordance with the NPPF.
- 7 Condition All hard and soft landscape works shall be carried out in accordance with the approved details as shown on drawing Landscape drawing 60c. The works shall be carried in accordance with a programme to be agreed in writing with the Local Planning Authority, prior to the commencement of development. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 7 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 8 Condition No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 8 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.
- 9 Condition No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 9 Reason To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.
- This also needs to be a pre-commencement condition given the fundamental details linked to drainage and other infrastructure which needs to be planned for at the earliest stage in the development.
- 10 Condition No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority.
- 10 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 11 Condition Before any dwelling is first occupied the road(s), footway(s) and 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.
- 11 Reason To ensure satisfactory development of the site.

12 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

12 Reason In the interests of highway safety.

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

13 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.

14 Condition Notwithstanding details received, no development shall commence until full details of surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall include the following:-

- provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- include a period for its implementation; and
- provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The drainage details shall be constructed as approved prior to the first occupation of dwellings hereby approved.

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

15 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'.

- 15 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 16 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.
- 16 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 17 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.

- 17 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.
- 18 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 16 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 17, 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 18.

- 18 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.
- 19 Condition No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:
- the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used;

The development of that phase shall be carried out in accordance with the approved construction management statement.

- 19 Reason In order that the Local Planning Authority may retain control over the construction activities in the interests of the amenities of the locality in accordance with the NPPF.

This also needs to be a pre-commencement condition as this issue relates to the construction phase of the development.

- 20 Condition Notwithstanding details received, the following windows shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter:-
- Plot 25 first floor window on the northern elevation serving the bathroom
 - Plot 26 first floor window on the south elevation serving the bathroom
 - Plot 26a first floor window on the north elevation serving the bathroom
 - Plot 26 b first floor window on the south elevation serving the bathroom
 - Plot 26 C first floor window on the north elevation serving the bathroom.
 - Plot 27 first floor window on the south elevation serving the bathroom
 - Plot 28 first floor window on the north elevation serving the bathroom

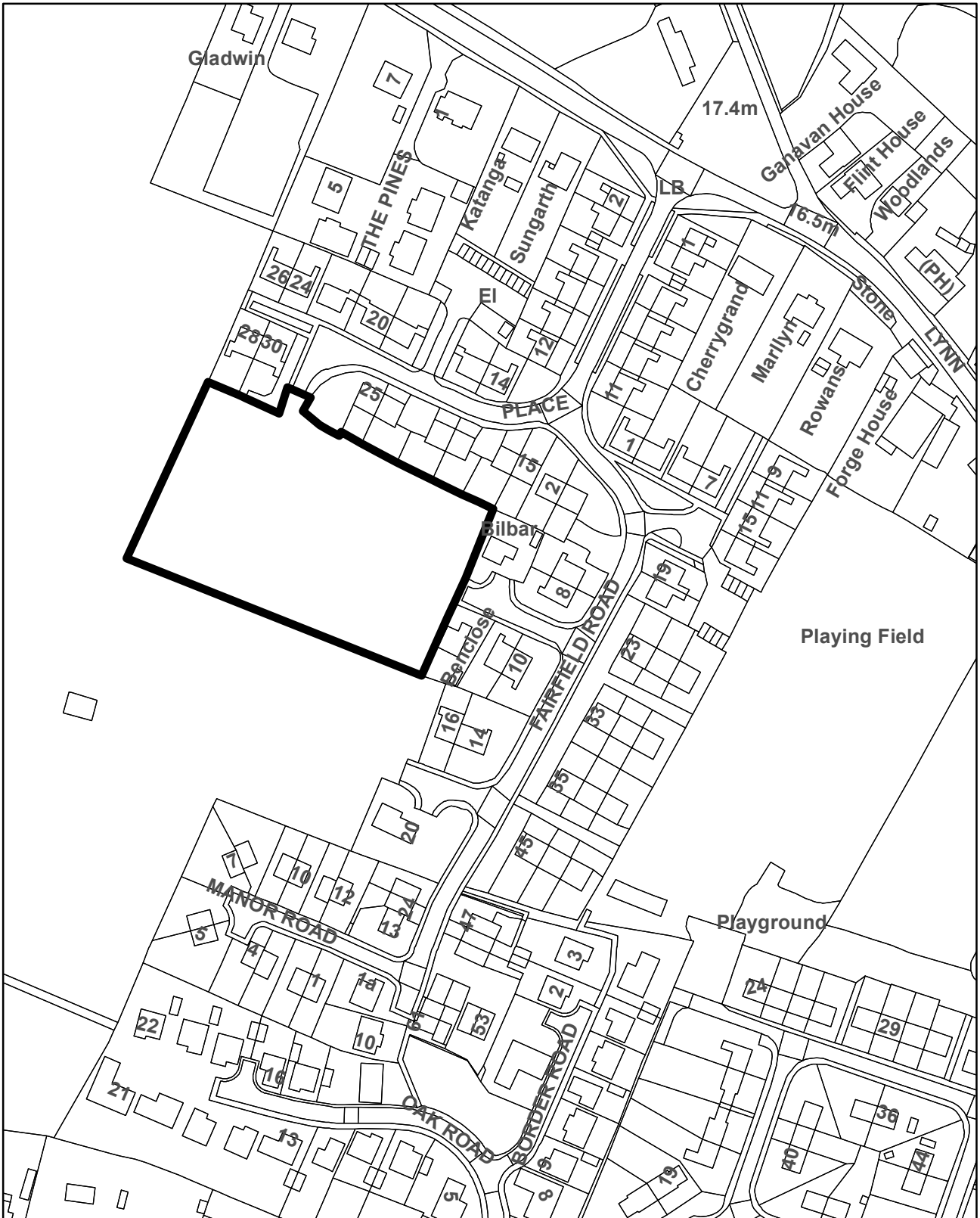
- Plot 29 first floor window in the west elevation serving the bathroom and the first floor window in the north elevation serving the en-suite
- Plot 30 first floor window in the east elevation serving the bathroom and the first floor window in the south elevation serving the en-suite.
- Plot 31 first floor windows on the east elevation serving en-suites
- Plot 32 first floor windows on the south elevation serving an en-suite to bedroom 1.
- Plot 33 velux-window on the east elevation roofslope.
- Plot 34 first floor windows on the east elevation serving bathroom and en-suite
- Plot 35 first floor velux window to the bathroom on the west elevation
- Plot 36 first floor windows on the south elevation serving en-suite and the velux windows on the eastern elevation roofslope serving the bathroom
- Plot 37 ground floor window to the bathroom on the east elevation

- 20 Reason To protect the residential amenities of the occupiers of nearby property.
- 21 Condition Prior to the commencement of development, including demolition of the barns, full details of bat boxes and owl boxes including their design and location shall be submitted to and agreed in writing by the Local Planning Authority. Installation shall be carried out in accordance with the approved details prior to the commencement of development.
- 21 Reason In the interests of safeguarding of protected species in accordance with the principles of the NPPF and the wildlife countryside act 1981.
- 22 Condition The demolition of the barns shall take place outside of the bird nesting/breeding season between the 1st March and 31st August in any given year. Should demolition be required during this period, prior to such demolition a bird nesting/breeding survey shall be submitted to and approved in writing by the Local Planning Authority. The result of the survey shall also include any mitigation/enhancement measures appropriate to the extent of any breeding/nesting bird recorded in order to minimise the impact of such landscape feature removal upon the bird species. The mitigation/enhancement works shall be completed and maintained in accordance with the agreed details and timetable other than with the prior written approval of the Local Planning Authority.
- 22 Reason In the interests of safeguarding of protected species in accordance with the principles of the NPPF and the wildlife countryside act 1981.
- 23 Condition No development (excluding the demolition of the barns hereby permitted) shall take place other than in accordance with the approved archaeological written scheme of investigation submitted with the planning application. For the avoidance of doubt the scheme shall include an assessment of significance and research questions; and
- 1) The programme and methodology of site investigation and recording,
 - 2) The programme for post investigation assessment,
 - 3) Provision to be made for analysis of the site investigation and recording,
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation and
 - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

- 23 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.
- 24 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 23 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 24 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

16/00168/OM

Land at Bradfield Place Fairfield Road Stoke Ferry



AGENDA ITEM NO: 8/2(c)

Parish:	Stoke Ferry	
Proposal:	OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Proposed residential development	
Location:	Land At Bradfield Place Fairfield Road Stoke Ferry Norfolk	
Applicant:	BCKLWN	
Case No:	16/00168/OM (Outline Application - Major Development)	
Case Officer:	Mrs H Wood-Handy	Date for Determination: 6 May 2016 Extension of Time Expiry Date: 9 April 2017

Reason for Referral to Planning Committee – The application is made by the Borough Council,

Case Summary

The site is located to the south of Bradfield Place, Stoke Ferry. The site is surrounded by bungalow development to the north and east and countryside to the south and west. The site is allocated for residential development by Policy G88.2 of the Site Allocations and Development Management Policies Plan 2016.

The proposal is for residential development. An indicative plan indicates that 11 dwellings would be proposed with access off the existing Bradfield Place and Fairfield Road spurs. Indicative house types proposed are mainly bungalows adjacent to existing bungalow development and two storey dwellings to the countryside edge.

The application has been amended since the original submission to make the red line consistent with the allocation. The application is in outline with all matters except access reserved for later consideration.

Key Issues

Principle of development
Form and character and neighbour amenity
Highway safety
S106 matters
Any other matters requiring consideration prior to the determination of the application

Recommendation

A) APPROVE subject to the satisfactory completion of a S106 Agreement within 4 months of the date of the Committee resolution;

B) In the event that the S106 is not completed within 4 months of the date of the Committee resolution, **REFUSE** on the failure to secure affordable housing and SuDS design/maintenance.

THE APPLICATION

The site is located to the south of Bradfield Place, Stoke Ferry. The site is surrounded by bungalow development to the north and east and countryside to the south and west. The site is allocated for residential development by Policy G88.2 of the Site Allocations and Development Management Policies Plan 2016.

The proposal is for residential development. An indicative plan indicates that 11 dwellings would be proposed with access off the existing Bradfield Place and Fairfield Road spurs. Indicative house types proposed are mainly bungalows adjacent to existing bungalow development and two storey dwellings to the countryside edge.

The application has been amended since the original submission to make the red line (application site) consistent with the allocation (Policy G88.2).

SUPPORTING CASE

Site

The existing site area of approximately 0.74 Hectares consists of an area of grassland containing no permanent structure on the site. The site is surrounded to the North, East and partial South elevation by existing single and two storey residential dwellings consisting of Bradfield Place and Fairfield Road.

Amount

Outline proposals for the site are for residential development of up to eleven new dwellings (all matters reserved bar access). It is proposed to construct the new development as detailed above complete with the new access road. As can be seen from the indicative sketch drawing the access road will be kept to a minimum therefore reducing the drainage requirements.

Layout

The new proposals for the site are for the construction of two, three and four bedroom single and two storey dwellings

Landscaping

A New landscaping scheme will be designed for the site which will include the following, driveway providing access to all the properties, all with garages. The boundaries to the plot will be fenced and the garden will be laid to lawn at both the front and rear together with border areas suitable for planting. A landscaping scheme will also be produced for the planting of trees and shrubs to provide a visual break for both the new and existing dwellings.

Appearance

The proposed new dwellings will be constructed in facing brickwork to match surrounding properties within the locality of the site. The new roof structure will be clad in roof tiles also to match the surrounding properties. Our clients are very keen to use sustainable elements both on the external structure and internally within the dwelling and it is with this in mind it is proposed to introduce several sustainable elements into the build.

Access

The existing vehicular and pedestrian access to the site will be continued on to the site off the existing access points of Bradfield Place and Fairfield Crescent all as indicated on the indicative site plan.

PLANNING HISTORY

None.

RESPONSE TO CONSULTATION

Parish Council: (Amended Scheme) – **SUPPORT** but makes the following comments:

- Properties 24/26/28 and 30 have no parking and therefore would have to park on the road. Parking needs to be made available, possible in front of their properties which are at present blocked off;
- The manned school crossing is being taken away by Norfolk County Council therefore provision must be made for children to cross Wretton Road to the Academy;
- School is almost at its maximum;
- Needs street light provision;
- Should only be one access to the new properties whether Bradfield Place or Fairfield Road;
- Parking on the site is totally inadequate as there is very limited public transport to and from the village and therefore [people] will need to have their own transport;
- Current Doctors Surgery in Boughton has now stopped its outreach clinic in Stoke Ferry which exacerbates the need for residents to have cars;
- As per comment in email dated 19th October with regard to an amended plan showing the link between the site and the Academy, this plan has not been received and the Parish would like to see a copy.

Highways Authority: NO OBJECTION subject to conditions regarding roads/footways, construction traffic management and offsite highways improvement works (pedestrian crossing to Wretton Road and 20mph signs)

NCC – Planning Obligations: The site area and number of dwellings has been reduced to under the 20 dwelling threshold for country contributions and therefore no contributions are required.

NCC – Minerals and Waste: NO COMMENT

NCC – LLFA: NO COMMENT

Internal Drainage Board: NO COMMENT

Anglian Water: NO OBJECTION subject to a condition regarding surface water management.

Historic Environment Service: The proposal site is within an area where artefacts of Bronze Age, Anglos-Saxon and medieval date have previously been recorded. Consequently there is potential that heritage assets with archaeological interest will be affected by the proposed development. However, in this case, a programme of

archaeological works can be secured via archaeological investigation and mitigations conditions.

Natural England: NO COMMENT

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Central Services: CSNN: NO OBJECTION subject to conditions regarding foul and surface water drainage and construction management plan.

Arboricultural Officer: NO OBJECTION but a landscaping scheme will be required at Reserved Matters stage.

Housing Strategy Officer: NO OBJECTION subject to the provision of 20% affordable housing in accordance with Policy CS09 of the Core Strategy 2011. In this case 2 affordable dwellings would be required – 1 for rent and 1 for shared ownership.

Greenspace Officer: NO OBJECTION – scheme reduced therefore no policy requirement for public open space.

Norfolk Constabulary: None received.

REPRESENTATIONS

Original consultation: **2** letters of **OBJECTION** regarding:

- Noise and disturbance to property as a result of access;
- Loss of privacy;
- Road width not suitable for additional vehicles;
- Creates a rat run from Fairfield Road to Bradfield Place;
- Local infrastructure (schools Doctors etc) needs improving;
- Alternative access through fields;
- No regular bus service;
- No emergency access.

Amended plans consultation: **4** letters of **OBJECTION** (including 1 duplicate) regarding:

- Whilst the scheme has reduced, still noise pollution and parking issues;
- Effects quality of life of elderly residents;
- Roads are not wide enough;
- Damage to road due to construction traffic;
- Will result in mud on roads;
- Damage to property.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The main issues are:

- Principle of development
- Form and character and neighbour amenity
- Highway safety
- S106 matters
- Any other matters requiring consideration prior to the determination of the application

Principle of development

The site is allocated for residential development by Policy G88.2 of the Site Allocations and Development Management Policies Plan 2016. The land amounts to 0.7ha and is allocated for at least 10 dwellings. In this case an indicative plan has been submitted indicating 11 dwellings within the allocated site. The proposal is acceptable in principle and complies with Policy G88.2. Comments from Third Parties regarding in principle issues therefore cannot be supported.

Form and character and neighbour amenity

The proposal is in outline form with all matters reserved bar access. The indicative plan demonstrates that 11 dwellings can be accommodated on the site whilst respecting the form and character of the locality. Indicative house types have been submitted for bungalows and two storey dwellings which when suitably sited, would not give rise to conditions detrimental to residential amenity. However, the exact details would be submitted at reserved matters stage.

Neighbours consider that the provision of two access points would give rise to noise and disturbance through additional vehicular movements but the proposal is small scale and has been fully considered as an allocation through the LDF process. Any disturbance would be to frontages and not to private garden areas.

The proposal is considered acceptable in accordance with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

Highway safety

Access forms part of the application. Two access points are proposed; one from Bradfield Place and the other from Fairfield Road which are adopted highways.

Whilst neighbours consider the proposed development would give rise to conditions detrimental to highway safety, the Local Highway Authority (LHA) raises no objection subject to conditions. The LHA considers (also supported by the Parish Council representation) that there is a desire for residents to access the school via Wretton Road. The route to school involves crossing Wretton Road close to the speed limit change from 30 to 40mph. Given that that the development should address its own impacts and the NPPF supports the need for safe and suitable access for all people, the LHA requires pedestrian safety improvements on Wretton Road i.e. a pedestrian crossing and part time 20mph signs. The Applicant has agreed to provide the crossing and signage, the details of which can be suitably conditioned.

The indicative plan clearly indicates that parking can be accommodated in curtilage but this matter would be dealt with at reserved matters stage.

S106 matters

The proposal requires 20% affordable housing in line with Policy CS09. In this case, 2 built units are required on site (1 shared ownership, 1 rent). Affordable housing shall be secured via S106 agreement.

Policy G88.2 requires that SuDS are incorporated into the scheme. An indicative drainage strategy has been submitted which indicates SuDS however the final details (including design and maintenance) would be secured via the S106 agreement. Anglian Water raise objection subject to conditions regarding a surface water drainage strategy. The IDB makes no comment.

No other matters are required to be secured via the S106. On the basis of the above, a draft agreement has been prepared which is fully acceptable to officers. In this regard, the proposal complies with Policies CS08, CS09 and CS14 of the Core Strategy 2011.

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

The Historic Environment Service states that the proposal lies within an area where artefacts of Bronze Age, Anglo-Saxon and medieval date have previously been recorded. As a result there is potential for heritage assets to be affected by the proposal. Notwithstanding the above, it is considered there is no requirement for trial trenching to be undertaken at this stage and that a programme of archaeological works can be secured via archaeological investigation and mitigation conditions. The proposal therefore complies with the NPPF and Policy CS12 of the Core Strategy 2011.

A Phase 1 Ecology Survey has been undertaken for the wider site. No granted European Protected Species licenses are shown within 2km of the proposal site although there are

records of woodland birds, bats, badger and grass snake. Notwithstanding the above, no further surveys are required to establish the presence/absence of protected species. Mitigation is recommended with regard to breeding birds but these are to the area to the south of the site and best practice measures are recommended during the construction process. Natural England raise no objection with regard to the proximity of the site to designated sites within 5km of the site.

CSNN require conditions regarding foul/surface water drainage and a construction management plan. Foul drainage and surface water drainage (SuDs dealt with via S106) may be conditioned however, given the limited number of dwellings proposed, it is considered unnecessary to impose a construction management plan condition.

The Greenspace Officer's and Arboricultural Officer's comments are noted.

Crime and Disorder

The application raises no issues regarding crime and disorder

CONCLUSION

The proposal is for residential development of up to 11 dwellings on an allocated site for residential development (Policy G88.2) which is acceptable in principle. The proposal is fully compliant with Policy G88.2 along with other relevant policies of the Development Plan and provision for affordable housing and SuDS is secured via a S106 agreement. The proposal is therefore acceptable and complies with the NPPF, Policies CS01, CS02, CS06, CS08, CS09, CS11, CS12 and CS14 of the Core Strategy 2011 and Policies DM1, DM2, DM15 and G88.2 of the Site Allocations and Development Management Policies Plan 2016.

RECOMMENDATION:

A) APPROVE subject to the satisfactory completion of a S106 Agreement within 4 months of the date of the Committee resolution and subject to the imposition of the following condition(s):

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

- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition The development hereby permitted shall be carried out in accordance with the following approved plans (GA) 1000 Revision E insofar as access only.
- 5 Reason For the avoidance of doubt and in the interests of proper planning.
- 6 Condition No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority.
- 6 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 7 Condition Before any dwelling / industrial unit is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling / industrial unit to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 7 Reason To ensure satisfactory development of the site.
- 8 Condition Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
- 8 Reason In the interests of maintaining highway efficiency and safety. This also needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 9 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 use only the Construction Traffic Access Route and no other local roads unless approved in writing with the Local Planning Authority.
- 9 Reason In the interests of maintaining highway efficiency and safety.
- 10 Condition No works shall commence on site unless otherwise agreed in writing until a detailed scheme for off-site highway improvement works which includes part time 20mph signs and a pedestrian crossing to Wretton Road (in the vicinity of the village school) have been submitted to and approved in writing by the Local Planning Authority.
- 10 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

This also needs to be a pre-commencement condition as these fundamental details needs to be properly designed at the front end of the process.

11 Condition Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) the off-site highway improvement works referred to in Condition 10 shall be completed to the written satisfaction of the Local Planning Authority.

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

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

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

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

13 Condition No 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.

13 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.

14 Condition No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under Condition 13.

14 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

15 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 13 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

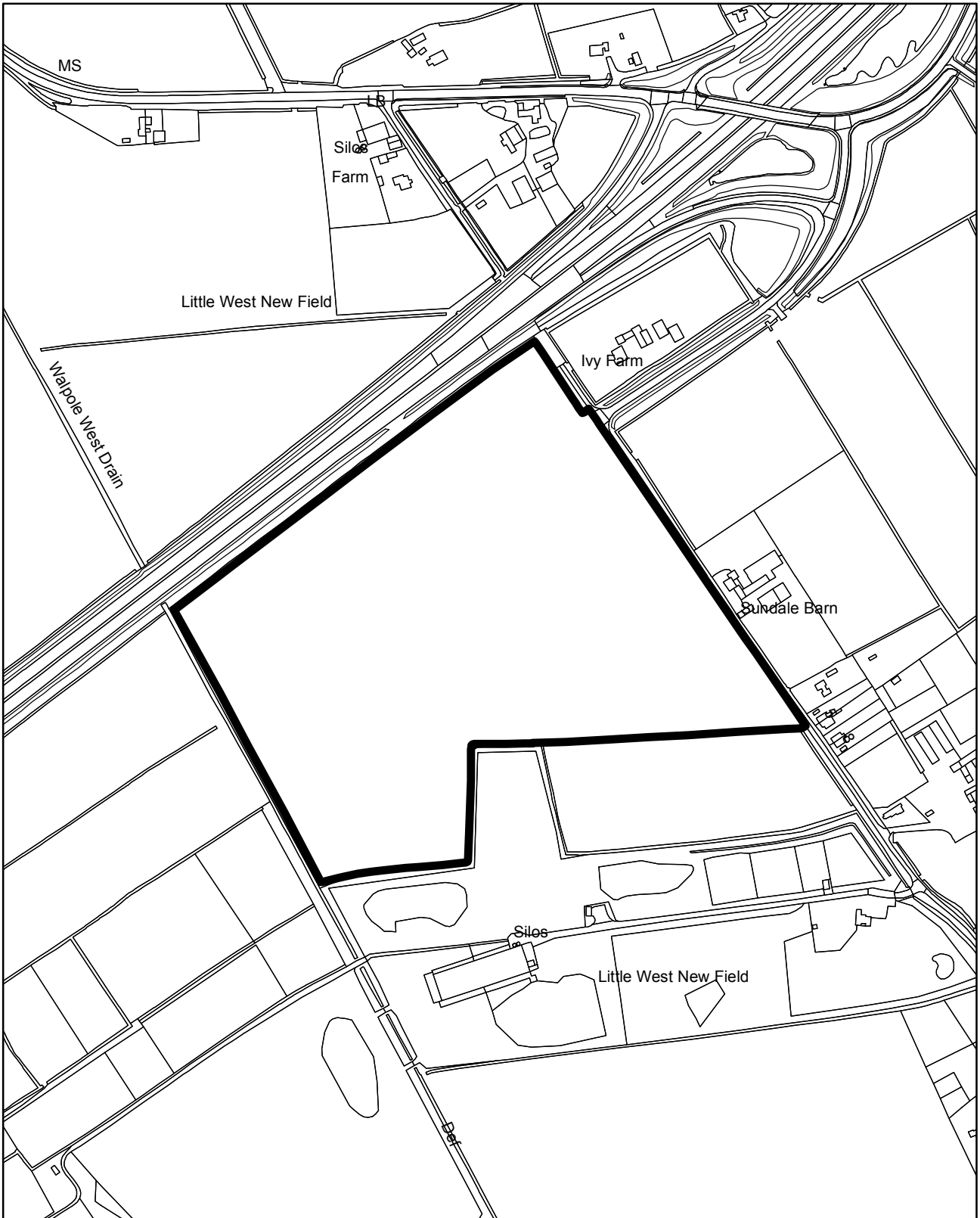
15 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

- 16 Condition The development shall be implemented in complete accordance with the mitigation and enhancements measures specified within the Wild Frontier Ecology Report May 16.
- 16 Reason In the interests of ecology in accordance with Policy CS12 of the Core Strategy 2011

B) In the event that the S106 is not completed within 4 months of the date of the Committee resolution, **REFUSE** on the failure to secure affordable housing and SuDS design/maintenance.

16/00812/FM

Land at West Drove Walpole Highway



AGENDA ITEM NO: 8/2(d)

Parish:	Walpole Highway	
Proposal:	Establishment of plant nursery and associated glasshouses, growing beds, office and staff facilities	
Location:	Land at West Drove Walpole Highway Norfolk	
Applicant:	Tamar Nurseries Ltd	
Case No:	16/00812/FM (Full Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 4 October 2016 Extension of Time Expiry Date: 10 February 2017

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

Case Summary

Full planning permission is sought for a horticultural nursery with associated access, structures and facilities.

The site lies in open countryside adjacent to the A47 and would be accessed via West Drove South.

The site lies within flood zones 2 and 3.

Key Issues

Principle of Development
Form and Character
Highway Safety
Residential Amenity
Flood Risk and Drainage
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The site is shown to measure approximately 13.3ha and lies adjacent to the A47 in open countryside in productive agricultural use.

The site is boarded to its north by the A47, to the east by agricultural land and a handful of sporadic residential properties, to the south by an egg production unit and to the west by further agricultural land.

The application seeks permission for a horticultural nursery with associated glasshouses (29.925m²), office and staff facilities (400m²), service yard, staff parking, customer parking (including disabled bays), growing beds, water storage reservoir and a retail area (1500m²).

Tamar Nurseries (the applicant) already own and operate a nursery business from School Road, West Walton, which is less than a mile from the proposed new site. The existing site has been expanded to its limits and the new glasshouses are required to meet the growing needs of the business and the demands of its customers. The proposed development would allow the company to relocate to a new, purpose built, modern facility that would enable the expansion of the business. It is envisaged that the development will require up to 4 additional full-time members of staff and a further 6 seasonal employees.

Residential development of part of the West Walton site (the existing nursery site) is required to finance the relocation of the new nursery, and a separate application is before committee today in relation to this (16/00813/OM).

The site lies within flood zones 2 and 3.

SUPPORTING CASE

The supporting information that accompanied the application suggests:

The business needs to relocate to enable expansion (financial information has been supplied).

In relocating, production can be increased by virtue of having a larger growing area; with a more efficient purpose-designed layout. With a new site turnover can be increased steadily by 7-8 % annually. As can be seen from the accompanying document 'Tamar Business Model' the company is ambitious and voracious in opening up new markets and raising its customer profile which has led to significant and 'high-end' contracts.

An intended consequence of this will be that less will be required to be imported thus further reducing the carbon footprint of the business (and not an increase as is currently occurring - at present the importing of stock accounts for around 15% of our turnover). All the imported stock has to be off loaded, consolidated and reloaded; most of this would be cut out, resulting in a huge saving to the environment and is especially financially more attractive.

Another issue relates to our relationship with our current neighbours. An unfortunate fact is that we now find ourselves as an intensive production unit, at the capacity of our output, surrounded by residential development. It is understandable that some residents have come to resent our presence as a result.

A significant investment will be required to take Tamar Nurseries and it is impossible to sell the existing site as a going concern to fund the relocation. Any relocation must be transitional in order that the business can continue to fulfil contracts. The only means open to achieve this is by part residential development of the current site – this proposal cannot come forwards without a successful proposal to redevelop a considerable proportion of the existing nursery for housing.

The proposed glasshouses would be constructed in phases. Traditional in design, they would consist of an aluminium frame with glass roof and walls, they would be conspicuous on site until such time as a planting and landscaping programme could be fully implemented, however this sight is not an uncommon one and has become part of the vernacular of the Fen landscape.

Landscaping will invariably be a prime consideration both in terms of celebrating and promoting the applicant's business.

It is not considered that the scheme would be detrimental to the local environment of residents immediately adjacent, particularly given the proposed landscaping; it is held that the relocation of Tamar Nurseries will actually bring an enhancement in the quality of life for a greater number of people.

The proposal indicates an area of approximately 30,000sqm under glass. Once fully developed the business will have at its disposal over 6 times the glasshouse facility under which it currently operates.

Sitting as it does adjacent the A47 Trunk Road it is well served by slip roads and a fly-over 400m north of the proposed site entrance.

Access would be greatly improved when compared to the existing trading location, in terms of safety, disturbance, inconvenience and practicality. The access to the current Tamar Nurseries Ltd site is not business specific, with the company having grown organically. The entrance would not meet current highway specification standards, particularly in terms of use by articulated lorries – which are further hampered in accessing the site by cars parked along School Road, adjacent and opposite the entrance.

In relation to drainage, the IDB's guidance will be incorporated into any final proposal, and it is the intention to work with the IDB, particularly in respect of the capture and retention of recycled rainwater.

The retail unit (Cash and Carry) was born in May 2002. Originally situated in a small area adjacent to the offices, it became necessary to relocate it around 7 years ago due to expansion. It is now based near the entrance, on a purpose built site, and is now a separate unit trading as 'Rachael's Plant Outlet'. This unit employs 2 full-time and 1 part-time members of staff. The Cash & Carry supplies an extensive range of plants and other growing peripherals to the general public and too many small landscape gardeners, designers and market traders. 'Rachael's' has built up a loyal core of customers, many who have seen their business grow with our own, and it is a core factor within the business plan to extend and promote the retail outlet. Highly profitable it is expected that this aspect of the business will see the most rapid growth in the immediate future.

The NPPF advocates the need to support a prosperous rural economy and it is expected that the LPA will support this proposal to consolidate and secure the current business position of Tamar Nurseries and thus facilitate plans for immediate expansion and future growth. The net result will be not only the retention of rural jobs but increased employment opportunity and local prosperity.

This proposal affords the business wider opportunities to develop and diversify this successful rural business; it is considered that this proposal accords with the 4 strategic objectives of The West Norfolk Economic Strategy, Shaping Norfolk's Future The Vision for 2015, East of England Regional Economic Strategy, Borough Council of King's Lynn & West Norfolk Corporate Business Plan 2015/16-2019/20, and will lead to wider support of the aims and principals of the West Norfolk Tourism Strategy.

In summary, the existing site has been expanded to its limits and the new site is required to meet the growing needs of the business as it expands to meet the demands of its customers.

PLANNING HISTORY

No recent relevant history

RESPONSE TO CONSULTATION

Parish Council: OBJECT - there are still many unresolved matters particularly in relation to the IDB watercourses and surface water disposal.

The transport plan talks of an estimated 150 vehicle movements to and from the site a day along with additional vehicle movements within the site. Is this to be a 24hr operation? If so what will be the disturbance to nearby residents? Should the hours of operation be restricted in the interests of residential amenity?

This is a site in open countryside and the Parish Council are anxious that any lighting should have minimal impact and request that a lighting scheme should be designed so as to have minimal impact on the ecology, night sky and nearby dwellings.

Highways Authority: The amended plans are broadly acceptable to the Highway Authority. However, a number of minor amendments will be required to the off-site highway improvements when the detail design is drawn up – these can be picked up as part of the Section 278 process. In the circumstances I have no objection subject to the following conditions:-

Internal Drainage Board: Although the Board would not entirely agree with the figures / information submitted to date – certainly a storage area as deep as currently indicated is highly likely to be permanently part-full of water – I appreciate why the applicant would wish to retain as much surface water run-off as possible, and see no reason in principle why this should not be achieved with this scheme.

Provided that one or more conditions are imposed requiring that full details and supporting information regarding the storage area design and surface water calculations have to be submitted and approved prior to commencement of works on site, and that the condition(s) wording is on the basis of “Notwithstanding the information submitted to date”, I am happy to withdraw the Board’s holding objection. Ideally, the Board would also wish to see that the surface water storage area has to be fully-constructed and operational prior to the erection/construction of any buildings or other impermeable surfaces which will drain to it, if it’s possible for you to condition that.

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

Environmental Health & Housing – CSNN: NO OBJECTION subject to condition relating to foul and surface water drainage

Lead Local Flood Authority: No Comments to make

Environment Agency: NO OBJECTION subject to condition relating to foul and surface water drainage

Natural England: No Comments to make

REPRESENTATIONS:

OBJECTIONS relating to the impact on **THREE** properties have been received. The objections relate to:

- Unacceptable overlooking and overbearing impacts,
- Impact on wildlife,
- Loss of agricultural land,
- Loss of views,
- Noise,
- Increased traffic,
- Drainage and flooding,
- West Drove South is not capable of accommodating such an increase in vehicular activity and / or type (HGVs),
- Decrease in property values,
- Impact on quality of life,
- Impact on speed of currently poor broadband.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Principle of Development
- Form and Character
- Residential Amenity
- Highway Safety
- Flood Risk and Drainage
- Other Material Considerations

Principle of Development

As can be seen from the supporting case the size of the existing nursery does not have the capacity to meet the current and growing demands of its customers.

The applicant states that the present site measures just under 22 acres with two of these under glass. The business model and projections suggest that the expected capacity needed will be 30 acres of land with eight acres under glass.

To enable relocation, financial evidence has been submitted that suggests that residential development of half of the existing site is necessary to fund the development (this proposal is the subject of a separate application before Committee today (16/00813/OM)). Your officers have no reason to doubt the financial evidence submitted.

The plan is for the business to sell approximately half the present nursery (with outline planning permission for residential development), and to continue growing on the remainder of the site, supplemented by outside suppliers, until the new site is operational.

Paragraph 19 of the NPPF states The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. It goes on at paragraph 21 to say ...local planning authorities should...support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances....

In relation to the rural economy the NPPF requires the planning system to 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....

This support is reiterated in Core Strategy Policy CS01 which, amongst other things, seeks to:

- encourage economic growth and inward investment;
- ensure strong, diverse, economic activity, whilst maintaining local character and a high quality environment;
- protect the countryside beyond the villages for its intrinsic character and beauty.

In relation to development in rural areas, Policy CS06 mirrors the aims of Policy CS01 and encourages economic growth whilst protecting the countryside beyond the development boundaries.

In relation to land-use, horticulture (the science and art of growing fruits, vegetables, flowers, or ornamental plants) is defined as agriculture in S336 of the Town and Country Planning Act 1990. It is therefore considered that the use itself is clearly appropriate in this countryside location.

The retail element (1500m²) is large, but well beneath the 2500m² floorspace threshold at which point an impact assessment is required. Furthermore a condition restricting the retail element (to the sale of plants grown on the site and to horticultural paraphernalia) could, and should, be appended to any permission granted.

As such, subject to the impact on the countryside being considered acceptable, and accordance with other relevant planning policy and guidance, it is considered that the principle of the proposed development in this rural location is acceptable.

Form and Character

The site is visible from the A47 and the structures will therefore have a visual impact on the locality. However, also due to the site's location adjacent to the A47, the location cannot be considered tranquil.

In relation to the glasshouses and staff building (the size and mass of which are not considered disproportionate), such structures associated with horticulture are a common feature of the Fen landscape. It is therefore considered that the development would not be incongruous in its setting.

As such, whilst clearly the development will have a significant impact on the visual amenity of the locality, your officers do not believe that the impact would be of such detriment to warrant refusal of the application.

Highway Safety

The Transport Assessment (TA) that accompanied the application suggests that whilst pedestrian access to the site is poor (because there is a lack of footways and the need to cross main roads), cycle access is excellent with national cycle network route 1 passing the site and going through West Walton and Walton Highway. However, whilst this may suggest some employees would cycle to work, it is unlikely that those visiting the retail element would do so for practical reasons. It is reasonable therefore to assume that the vast majority of visitors to the site would use a private car.

Vehicular access to the site will be from West Drove South (WDS), a 7.3m wide carriageway that the TA suggests is 'lightly trafficked'. The A47 eastbound has direct access (via an overbridge) to WDS and traffic heading in a westbound direction has direct access onto the A47. However, there is no access from the A47 from those travelling westbound or those leaving the site travelling eastbound at this junction. As such traffic needing to leave the westbound carriageway must either go full circle round a roundabout located approximately 2km to the south of the site or use the junction at Terrington St John (c.4km to the northeast). Traffic using the Terrington St John junction would travel along Main Road through Walpole Highway.

In response to concerns raised by third parties and your officers that the development would lead to an increase in HGV traffic through Walpole Highway further information was submitted.

The addendum to the TA suggests that: With little time difference between the two routes and the higher risk of being delayed by disruptions in traffic flow on a journey through Walpole Highway, it is by no means guaranteed that all HGV traffic to/from the north would prefer the Walpole Highway route, and in any event all such traffic to the site will be instructed not to take this route.

Main Road passing through Walpole Highway is the former trunk road between King's Lynn and Wisbech. Its alignment is relatively straight and the carriageway is of generous proportions and so is able to accommodate HGV traffic without significant issue. The road is certainly of a higher standard than School Road, which currently provides access to Tamar Nurseries in West Walton, and is better able to accommodate and is more suitable for HGV traffic should a proportion of the development's HGV traffic use this route. However the new position open to the company in respect of directing their drivers to take an alternative access route will ensure the number of HGV vehicle movements passing through a residential developed area to access Tamar Nurseries will in fact be reduced.

Thus the impact of the development's traffic on Walpole Highway will be controlled and limited. The company's drivers will be instructed, when travelling to or from the north, to undertake a U-turn at the A47 roundabout rather than use the Terrington St John grade separated junction and travel through Walpole Highway, similar instructions will be directed to all suppliers once operational, and construction related traffic in the interim. The routing of HGV's could be controlled by an appropriately worded planning condition.

In terms of vehicular activity, the TA suggests that a total of 150 daily movements are generated by the current business onto the roads:

Wholesale Business

36 staff & visitor vehicle movements per day (18 arrivals & 18 departures)

30 HGV movements per day (15 arrivals & 15 departures)

Retail Outlet

6 staff & visitor vehicle movements per day (3 arrivals & 3 departures)

80 customer vehicle movements per day (40 arrivals & 40 departures)

The TA suggests The current site is estimated to generate some 150 daily vehicle movements. As described above the volume of traffic will be reduced through greater efficiencies and the substantial reduction in the need to import plants. This will be balanced by the traffic increase associated with the growth of the business. On balance therefore the proposed development's traffic generation is estimated to be broadly similar to the existing i.e. some 150 daily vehicle movements.

The Local Highway Authority has not questioned this projection and has no objection to the proposed development on the grounds of highway safety.

Residential Amenity

There are five dwellings adjacent to the site that will be affected by the proposed development; the main impact being on Ivy Farm.

However, discussion with Community Safety and Neighbourhood Nuisance (CSNN) suggests that because of the existing background noise, due to the proximity of the A47 to Ivy Farm, any noise associated with the proposed development is unlikely to result in a statutory nuisance. CSNN raises no objection to the scheme and does not consider it necessary to restrict the hours of operation.

It should be noted that no complaints have been received since 1998 in relation to the current operation of the nursery at its West Walton site and the West Walton site is closer to a larger number of residential properties than that proposed under the current application.

Flood Risk and Drainage

The site lies in flood zones 2 and 3. The NPPF states that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The proposed development is classed as 'less vulnerable' in Table 2 'Flood risk vulnerability classification' of the NPPG. Table 3 'Flood risk vulnerability and flood zone compatibility' suggests that less vulnerable uses are 'appropriate' in flood zone 3. Table 3 also confirms that the exception test is not required for such development.

In relation to the sequential test the applicant has provided evidence that suggests there are no other available sites at a lower risk of flooding. The LPA has no evidence to the contrary.

The Environment Agency, Internal Drainage Board, Lead Local Flood Authority and CSNN raise no objection to the principle of development on the grounds of flood risk or drainage. However, all require further information to be submitted. This can be suitably conditioned if permission is granted.

Other Material Considerations

Impact on wildlife – The field itself is in agricultural use. The requirement for a 9m easement strip around the edge of the site means, other than the access, the peripheral habitat will remain. It is therefore not considered that the development would have a significant detrimental impact on protected species.

In relation to third party comments not covered above, your officers respond as follows:

- Unacceptable overlooking and overbearing impacts – your officers do not believe there would be any material overlooking or overbearing impacts
- Loss of views – the loss of a private view is not a material planning consideration; the impact on the setting of the countryside is covered above,
- Decrease in property values – this is not a material planning consideration.

Crime and Disorder

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

CONCLUSION

The proposed development is for a rural enterprise, in open countryside, that falls largely under the definition of agriculture in planning law.

Whilst the structures associated with the use will be visible, they are a relatively common site in the Fen landscape and therefore would not appear incongruous after a period (once the landscaping starts to screen the site). On technical grounds there are no objections, and the issues raised by the Parish Council can be dealt with by condition. It is therefore considered that the proposed development is in general accordance with national and local planning policy and guidance and should be approved subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: 15-TN-21 Rev.G, 15-TN-50 Rev.A, 15-TN-51 Rev.B and 15-TN-60.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Notwithstanding the provisions of Part 3 of the Second Schedule of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order amending or revoking and subsequently re-enacting said Order and the provisions of Class A1 Part A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any order revoking and subsequently re-enacting said order the retail element of the development hereby approved shall only be used for selling goods grown on / at the site or goods otherwise associated with horticulture.
- 3 Reason To define the terms of the consent (for the avoidance of doubt and in the interests of proper planning) and to minimise the impact of the development upon the viability of nearby town centres in accordance with the NPPF and Development Plan Policies CS10 and DM10.
- 4 Condition The retail element of the development hereby approved shall not exceed 2500m².
- 4 Reason To minimise the impact of the development upon the viability of nearby town centres in accordance with the NPPF and Development Plan Policies CS10 and DM10.
- 5 Condition Prior to the first occupation of the development hereby permitted a vehicular crossing over the ditch/watercourse shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority.
- 5 Reason To ensure construction of a satisfactory access and in the interests of highway safety in accordance with the NPPF and Development Plan.
- 6 Condition Prior to the first occupation of the development hereby permitted 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 8 metres from the near channel edge of the adjacent carriageway.
- 6 Reason To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened in the interests of highway safety in accordance with the NPPF and Development Plan.
- 7 Condition Prior to the first occupation of the development hereby permitted signs shall be provided and thereafter retained at the means of ingress and egress to the car park as indicated upon drawing 15-TN-60.

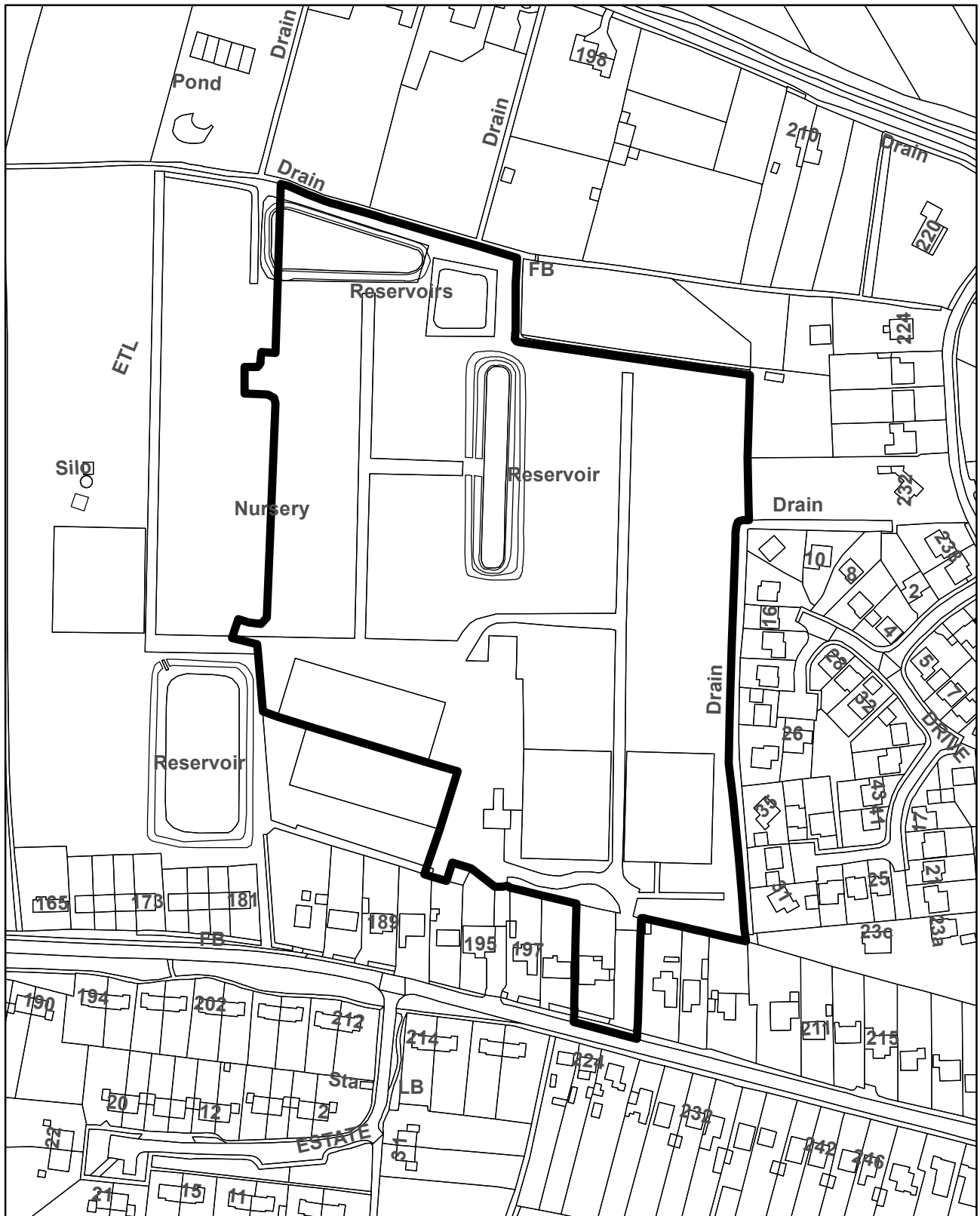
- 7 Reason In the interests of highway safety and traffic movement in accordance with the NPPF and Development Plan.
- 8 Condition Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6metres above the level of the adjacent highway carriageway.
- 8 Reason In the interests of highway safety in accordance with the NPPF and Development Plan.
- 9 Condition Prior to the first occupation of the development hereby permitted the proposed on-site car and cycle parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 9 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with the NPPF and Development Plan.
- 10 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 shown upon the approved drawings have been submitted to and approved in writing by the Local Planning Authority.
- 10 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the NPPF and Development Plan.
- 11 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 10 shall be completed to the written satisfaction of the Local Planning Authority.
- 11 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 12 Condition Notwithstanding the information submitted to date 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 surface water storage area shall be constructed and operational as approved before the erection / construction of any buildings or other impermeable surfaces which will drain into it. The remainder of the drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 12 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

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

- 13 Condition Prior to commencement of development a HGV Management Plan for the routing of HGVs to and from the site both during construction and in relation to the on-going operation of the site shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall make provision for: -
- Monitoring of the approved arrangements during the life of the site.
 - Ensuring that all drivers of vehicles under the control of the applicant are made aware of the approved arrangements.
 - The disciplinary steps that will be exercised in the event of a default.
 - Appropriate signage, details to be approved in writing by the Local Planning Authority, to be erected advising drivers of the vehicle routes agreed. The Plan shall thereafter be implemented as approved before any development commences on the site.
- 13 Reason In the interests of maintaining highway efficiency and safety in accordance with the NPPF and Development Plan.
- 14 Condition Prior to the installation of any method of external lighting details of the method of lighting and extent of illumination within the site shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented as approved prior to the occupation of the development or any phase of the development to which it relates and thereafter maintained and retained as agreed.
- 14 Reason In the interests of the amenity of the locality in accordance with the NPPF and Development Plan.
- 15 Condition Notwithstanding the information submitted, 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, 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.
- 15 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 16 Condition All hard and soft landscape works shall be carried out in accordance with the details approved under Condition 15. 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.
- 16 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

16/00813/OM

Tamar Nurseries School Road West Walton



AGENDA ITEM NO: 8/2(e)

Parish:	West Walton	
Proposal:	OUTLINE APPLICATION: Residential development including construction of village store and post office	
Location:	Tamar Nurseries School Road West Walton Wisbech	
Applicant:	C/o Agent	
Case No:	16/00813/OM (Outline Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 2 September 2016 Extension of Time Expiry Date: 10 February 2017

Reason for Referral to Planning Committee – Referred by the Executive Director and raises issues of wider concern.

Case Summary

Outline consent with all matters reserved except access is sought for residential development of the site and provision of a village shop and Post Office. The indicative plan shows 49 dwellings around a central area of open space. The development is required to facilitate the relocation, expansion and modernisation of the existing wholesale and retail nursery that currently occupies the site (Tamar Nurseries). The relocation application is also before Committee today.

The site lies outside of the development boundary for West Walton, a Joint Key Rural Service Centre (with West Walton Highway) and therefore in land designated as countryside. However, in this case specific material considerations are considered to outweigh the general policy objection to housing on this site. In addition a recommendation of approval is reliant on approval of application 16/00812/FM to be considered earlier on this agenda.

The site lies within flood zones 2 and 3.

Key Issues

- Principle of Development
- Form and Character
- Residential Amenity
- Highway Safety
- Flood Risk
- Affordable Housing, Other Contributions and CIL
- Other Material Considerations

Recommendation

A) APPROVE – subject to:

- the approval of application 16/00812/FM (relocation of existing nursery),
- the conditions listed at the end of this report, and

the completion of a suitable Section 106 Agreement (for the provision of on-site affordable housing, on-site open space, provision of a retail unit, SUDS maintenance and to tie this application with application 16/00812/F) within 4 months of the date of the resolution to approve

B) REFUSE In the event that application 16/00812/FM (relocation of existing nursery) is refused, then on the basis that the application is contrary to established policy seeking to protect the countryside.

THE APPLICATION

The site, that is shown to measure approximately 5.18ha, forms the majority of the Tamar Nurseries site that lies to the north of School Road, West Walton. The site accommodates a number of buildings, glass houses, growing beds, areas of hardstanding, internal access roads (hard) and reservoir. There is also a substantial network of irrigation pipework across the site.

The application seeks outline consent with all matters except access reserved for future consideration for residential development of the site including the construction of a village shop and post office. Indicative plans show 49 dwellings positioned around a central area of open space.

The application states that residential development of the site is required to finance the relocation and expansion of the existing nursery business (refer to application 16/00812/FM).

Part of the wider nursery site (to the west of the development site and shown as blue land on the location plan) will remain in its current use to provide transitional arrangements.

The site lies within flood zones 2 and 3 and outside the development boundary for West Walton and is therefore designated as countryside in the development plan.

The applicant asserts the site is 'brownfield' or 'previously developed land'. However, horticulture, the science and art of growing fruits, vegetables, flowers, or ornamental plants, falls within the definition of agriculture given in Section 336 of the Town and Country Planning Act 1990. Agriculture is excluded from the definition of previously developed land given in the NPPF. One could argue that the retail element does not fall within this definition; although it could also be argued that this element is ancillary to the main horticultural element. The latter is the position your officers have taken. It is therefore concluded that the site is not brownfield / previously developed land but falls within the definition of agriculture.

SUPPORTING CASE

The Planning Statement that accompanied the application states: The material submitted with this application demonstrates the site's suitability and achievability for residential development, and these reports should be referred to in this respect. More specifically consideration should be given to the following:

- Economic Case for the Relocation of Tamar Nurseries
- Flood Risk Assessment

- Transport and Access Assessment
- Environmental Impact Statement
- Design and Access Statement

Site Achievability:

Supporting material has demonstrated that the development of the application site is deliverable within the forthcoming 5 year period.

Delivering Sustainable Development:

The overarching objective of the Framework [the NPPF] is to deliver sustainable development; including, a presumption in favour of sustainable development, requiring local authorities to approve such proposals 'without delay'. There being little question of the need for the proposed development, it is appropriate to consider the specifics of the proposed development and its relative suitability. This is addressed against the 'three dimension' set out below, the saved policies of the Local Plan and the NPPF.

Economically Sustainable:

An important aspect of the economic consideration of the proposed development is the delivery of new homes, which in turn will result in inward investment and job creation in a deprived rural area. In the short-term the development will result in additional construction jobs, which are created across the supply chain, directly and indirectly. The proposal also has the additional benefit of a new village store and Post Office resulting in new, long-term employment, with the prospect of an additional retail unit/area.

The Localism Act of 2011 addresses local finance considerations which are a material consideration in the determination of planning applications. The key local finance consideration arising from the proposal is that arising from the increase in Council Tax receipts, including any uplift derived from the New Homes Bonus.

Whilst the proposed development is at the Outline stage and individual house types will not be determined until a Reserved Matters application is made, it is possible for the Local Authority to make an assumption of the likely receipts achievable over the following 6 years from the information provided.

The result is significant finance consideration in support of the proposed development and demonstrates further significant economic benefits deriving from this approving application.

The design aspects of the proposal will not be confirmed until such time as a Reserved Matters application is submitted. However the Outline Application does seek to provide a strong indication of the ethos and intent of any final design in order to allow the Council to consider the proposal's suitability – this is particularly relevant in terms of dwelling and public amenity space. This illustrative 'master plan' has regard to crime prevention, child safety, and public health.

Social Sustainability:

In addition to the overall supply of housing the proposal facilitates the delivery of affordable housing.

As the business has grown organically its success has brought with it problems associated with running a commercial enterprise in a predominantly residential location. The operation of a '2 shift system' necessary in a competitive market and due to site constraints, has

understandably meant an increase in noise and vehicle movements at less social hours – the result being an increase in inconvenience and upset amongst immediate neighbours. Wedded to this has been the increase in HGVs using the access and encountering issues with residents and their visitors parking in School Rd.

Environmental Sustainability:

The application site is situated in a highly sustainable location with West Walton and Walton Highway forming a Joint Key Rural Service Centre. There is a bus stop a short walk from the access to the proposal site which gives immediate access to both Wisbech and King's Lynn at all times of the day/evening for employment, shopping and entertainment purposes. The village contains both primary and secondary schools. Due to the existing intensive commercial activity on site it is considered to be of very low ecological value. As such the proposed development, incorporating as it does significant areas for additional planting and garden development, new amenity areas, removal of mechanical and commercial plant and operations, provides for the ecological improvement and enhancement of the site.

Economic Sustainability:

The site is used in its entirety for the operation of Tamar Nurseries; it can therefore be argued that the site is brownfield – particularly given the potential for the change of use of the warehousing. Currently the business has the projected prospect to decline unless there is major inward investment. This investment would need to be significantly greater in terms of the re-design of the current site than that which would be required under re-location, as proposed. In any event it is considered that the disruption necessary to achieve the required working layout and facilities would prove too costly to the day to day running and productivity of the business, in turn risking damaging the supply and service chains. In addition the business has now outgrown the current site, requiring not only a larger, purpose built enterprise, but the prospect of additional land for future expansion, which is not available at the current location.

Notwithstanding the creation of jobs referred to via construction of the residential development, and those subsequent to the establishment of the retail outlet and Post Office, it is the current staff of Tamar Nurseries which the applicant wishes to not only safeguard but add to in the coming years.

SUMMARY AND CONCLUSIONS

The proposal serves not only the economic viability of an existing rural employer but also represents a suitable development location for housing.

With reference to the accompanying Financial Statement there is an overwhelming statement of case in support of the redevelopment of this site for housing to support the growth and development of an ambitious and successful employer within an area of economic deprivation.

With reference to the Client Statement and Tamar Business Model it is evident that this business needs to move forwards simply to consolidate its recent expansion and to survive 5 years hence.

The proposal accords with the 4 strategic objectives of The West Norfolk Economic Strategy, Shaping Norfolk's Future The Vision for 2015, East of England Regional Economic Strategy, and the Borough Council of King's Lynn & West Norfolk Corporate Business Plan 2015/16-2019/20. By facilitating the relocation, expansion and diversification of the business the

success of the proposal will lead to wider support of the aims and principals of the West Norfolk Tourism Strategy.

The proposal brings with it considerable community gain, principally in the form of:

- Safe, attractive environment for new homes – many of them ‘affordable’
- Secure & accessible children’s play area where none currently exists in the village
- The introduction of a village shop
- The introduction of a Post Office
- Removal of significant numbers of HGVs from School Road
- Removal of a commercial enterprise from within a predominantly residential location

PLANNING HISTORY

2/96/0606/F: Application Permitted: 01/07/96 - Construction of offices for existing nursery business

2/97/0376/CU: Application Permitted: 13/06/97 - Change of use of part of barn to retail

RESPONSE TO CONSULTATION

Parish Council: West Walton Parish Council **SUPPORT** the application for the following reasons:

- (1) The proposed development will provide housing for local families;
- (2) The proposed village store and Post Office will be a welcome amenity for the village;
- (3) the additional play space will supplement that already located on the Village playing field and will again be a welcome amenity for the village;
- (4) the number of units proposed (circa 50) is a comfortable number of units for the land area proposed for development. However, if more than 50 units are built, this would be a concern.

West Walton Parish Council states that they will not assume responsibility for the additional street lighting and green spaces which would be installed in the development. This additional lighting and green spaces must be adopted and maintained by the Borough Council.

Highways Authority: I have now been provided with sufficient detail to show adequate visibility can be provided. In the circumstance I have **NO OBJECTION** subject to conditions

Internal Drainage Board: **NO OBJECTION.** However, given the lack of information relating to drainage (due to the outline nature of the application) further information is requested by pre-commencement condition

Environmental Health & Housing – Environmental Quality: **NO OBJECTION** subject to conditions relating to contamination and the submission of a construction management plan

Environmental Health & Housing – CSNN: **NO OBJECTION** subject to conditions relating to drainage, the submission of a construction management plan and lighting

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

Natural England: No comments to make

Housing Enabling Officer: The site area and no of dwellings trigger the threshold for affordable housing which in this instance would require 10 on site units to be secured by S106 Agreement

Anglian Water: NO OBJECTION – the sewerage system has available capacity for the flows.

District Emergency Planning Officer: NO OBJECTION – recommends conditions

Historic Environment Service: NO OBJECTION subject to conditions

District Emergency Planning Officer: NO OBJECTION – recommends conditions

Lead Local Flood Authority: No comments to make

Arboricultural Officer: **NO OBJECTION**, but a detailed tree protection plan will be required in relation to the tree belt on the northeast boundary of the site and a detailed landscaping plan will be required

Infrastructure and Growth Team (NCC): Contributions will be required in relation to extending the primary school and to library stock and equipment

Norfolk Constabulary: NO OBJECTION – comments made to applicant

REPRESENTATIONS Two letters of support have been received, one from a neighbour who:

- Welcomes the provision of a shop and post office,
- The play area would make a great contribution,
- Would like to see the retention of some of the boundary trees,
- and one from the Ward Councillor (Cllr Roy Groom) who states: “As Ward Councillor I wish to record my support for the application, principally to assist in the further progress and expansion of the company as a local employer, in the provision of homes within a high quality environment, the return of a village store and the removal of an intensely operated commercial unit from a well-developed residential area. In pursuit of the last point I also would like to record my support for application 16/00812/FM for the relocation of the business”.

Three letters neither objecting nor supporting have been received:

- Wonders whether local school and nursery provision could be extended,
- Would like the applicant to sign over the watercourse to neighbouring properties
- Expressed some concern relating to the loss / reduction in height of border trees

Nine letters of objection have been received:

- Object to the pathway linking the new site to Salts Road,
- Overlooking / loss of privacy,
- Increase in traffic and impact on highway safety,
- Decrease in property values,
- The existing tree line and dyke / watercourse should be gifted to neighbours properties,
- Security (would be more vulnerable to burglars),

- What will happen to the area of land the applicant is seeking to retain for transitional arrangements – would not be surprised to see a further application for residential development of this land,
- The decision should be put on hold until detailed plans are submitted,
- Scale of development too great for the village,
- This is agricultural land and should not be built on,
- There may be a covenant on the land preventing development,
- Impact on bungalow opposite the site's entrance from the increase in vehicular activity.

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

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

CS13 - Community and Culture

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are:

- Principle of Development
- Form and Character
- Residential Amenity
- Highway Safety
- Flood Risk
- Affordable Housing, Other Contributions and CIL
- Other Material Considerations

Principle of Development

The NPPF draws attention to the requirements of planning law that states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Borough Council of King's Lynn & West Norfolk has an up-to-date Development Plan namely the Core Strategy (CS), 2011 and Site Allocations and Development Management Policies Plan (SADMP), 2016.

The site lies outside of the development boundary for West Walton and currently accommodates Tamar Nurseries, a successful rural enterprise. Application 16/00812/FM (also before Committee today) seeks approval to relocate the business to allow for its further expansion.

If the current application was before Committee as a standalone application for housing the officer recommendation would be to refuse it. This is because the site lies outside of the development boundary and the proposal would result in the loss of an existing employment use. The proposal would therefore be contrary to the NPPF, Core Strategy Policies CS06 and CS10 and SADMP Policies DM1 and DM2.

However in this case there are important material considerations to consider in that a successful expanding business wants to relocate to another site within the borough, using the money received from this application to finance the move. In addition, the current site is in a residential area and the operation of the site, primarily in terms of vehicular activity / access, is far from ideal.

It is clear that Tamar Nurseries is a successful rural enterprise. Both national and local policies seek to support a prosperous rural economy and therefore the planning system has an economic role in supporting this business (as far as it accords with other planning policy and guidance). The business has outgrown the current site and therefore to continue to prosper it needs to relocate to a larger site. To be able to finance this relocation the applicant needs to sell the current site and the most viable use for the site is residential.

Local policies CS06 and CS10 seek to retain existing rural employment uses unless it can be clearly demonstrated that continued use for employment (including tourism or leisure) of the site is economically unviable, or cannot overcome an overriding environmental objection, or a mixed use could not continue to provide local employment opportunities and also meet other local needs.

In this instance one could argue that the proposed development would not result in the loss of an employment use because the business is being relocated. However, on the other hand, the use of the site itself as a business use would be lost. Perhaps a smaller nursery

or an alternative business could be found to take over the site. Whilst one cannot totally rule such scenarios out, any business use would have to be compatible with the adjacent residential uses. This significantly reduces the types of businesses that would be acceptable. Furthermore the proceeds would not finance the relocation of the existing use, which is a particular factor to be taken into account with this application.

A balanced decision therefore needs to be taken as to whether the specific material considerations suggest that the development plan policies can be set aside.

In relation to the proposed development, which the applicant suggests is the only use that would generate the funds for the relocation; the site is physically well located to existing residential development and to services and the facilities in the locality. Additionally the proposal includes the provision of a new village shop and post office, and the applicant has confirmation from the post office that it is interested in the scheme.

SADMP Policy DM9 (Community Facilities) relates to this aspect and states The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth.... Clearly such facilities would benefit not only the proposed development but the wider community. However, it is important to note that the LPA cannot make the developers of the site supply a shop or post office. What the LPA can do though is include a clause in the S106 Agreement preventing any development of a specific part/size of the site, for any use other than for retail, for a set period of time (for example 5 years). This would give developer's time to market that part of the site for retail use.

It is also pertinent to note that the site was put forward as part of the allocation process and scored very highly. Indeed it would appear that the main downfall of allocating the site would have been the loss of the existing employment use; a scenario that is potentially no longer the case. Furthermore the applicant suggests that if the existing business cannot continue to be competitive then its future is questionable.

Another 'in principle' consideration relates to the scale of the proposed development and whether it is appropriate in a Key Rural Service Centre (KRSC). The scale of development in the 21 KRSCs ranges from 10 dwellings (East Rudham) up to 105 dwellings (Feltwell). West Walton with Walton Highway was allocated 20 dwellings in the SADMP. The guideline figure based on its population size was higher (23 dwellings), but the 2 sites were not considered capable of accommodating more than 20. All figures in the plan were changed to 'at least' in line with the Core Strategy approach and to provide for flexibility in meeting our housing requirements. It is therefore reasonable to conclude that the scale of development is not disproportionate when compared to the scale of development in other KRSCs.

This application would not be acceptable if it were not necessary to enable the relocation of an existing business and if the site were not so well located within an existing settlement. With this in mind, this application cannot be justified if the preceding application for the relocation has been refused. On a practical note, if permission were granted for both, they would need to be suitably 'tied' by Legal Agreement to prevent residential development of this site without development of the new nursery.

Taking the above issues into account it is considered that there are specific and extraordinary material considerations that indicate that this application could be determined contrary to the development plan.

Form and Character

Whilst the predominant form of residential development in the locality is linear development fronting the road there are examples of cul-de-sac and estate type development in the locality. An example of which is the development to the immediate east of the site (Orchard Drive).

Dwellings on the site would have to be at least 1.5 storeys in height to address the risks associated with flooding. Given the form and character of development in the locality (a mix of single and two-storey dwellings) this would be acceptable. However it is considered that dwellings of greater than two-storeys in height would be inappropriate in this semi-rural setting. Whilst appearance is a reserved matter, it would be appropriate to condition the height of the proposed dwellings at this outline stage and your officers suggests that the dwellings should be no lower than 1.5-storeys in height and no higher than two-storeys in height.

The indicative plans show a proposed development of very low density (10dph). Given the semi-rural location of the site this is considered appropriate, and any permission could restrict the number of dwellings to the 49 indicated on the plan.

It is therefore considered that residential development of the site (with the restrictions outlined above) would be acceptable in this location in terms of impact on the character of the locality.

Residential Amenity

Whilst indicative only, the submitted plans show that considerable distances could be achieved between proposed and existing dwellings. This suggests that, contrary to some third party views, there would be no material overlooking / loss of privacy.

It is true to say that there would be intensification in vehicular activity associated with the site. However, the vehicular activity would be largely domestic not HGV movements as is the case currently. Furthermore, and of particular note, is that the existing use does not have restrictive conditions relating to hours of operation. This could result in the operation of vehicles throughout the night both to and within the site. Members will need to consider whether there is the potential for the current use of the site to have a greater negative impact on neighbouring amenity than the proposed residential development. With this in mind it should be noted that no complaints have been received by the Community Safety and Neighbourhood Nuisance Team in relation to the current operation of the site by nearby residents in the past 19 years.

Highway Safety

The Transport Statement that accompanied the application suggests that the existing site generates up to 150 daily vehicle movements at peak times and that the proposed development (residential and retail combined) would generate 443 vehicle movements per day.

The LHA does not believe this intensification would lead to highway safety issues and the applicant has worked closely with the Local Highway Authority (LHA) to address the LHA's initial concerns with visibility. The LHA has no objection to the proposed development, and your officers have no reason to question this assessment.

Flood Risk

The site lies with flood zones 2 and 3.

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

However, the application relates to the relocation of an existing use on an existing site. This proposal can therefore only take place on this site. Furthermore there are no sites at a lower risk of flooding of a size that could accommodate the proposed development.

The exception test must also be passed. For the exception test to be passed:

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

In relation to the first element, for the reasons raised previously (Principle of Development) it is considered that there are wider sustainability benefits that outweigh the risks associated with flooding.

In relation to the second element, the Environment Agency has no objection to the proposed development believing that it could be made safe and would not increase flood risk elsewhere.

In relation to making the development safe, the Flood Risk Assessment (FRA) that accompanied the application suggests that:

- finished floor levels should be set 500mm above existing ground levels (at 1.70m aOD),
- flood resilient measures should be incorporated into the buildings up to 300mm above finished floor level, and
- there should be no ground floor sleeping accommodation (i.e. all dwellings must be at least 1.5 storeys in height).

It is therefore concluded that the exception test is passed and that the proposed development accords with the overarching aims of planning policy and guidance in relation to development in areas at risk of flooding.

Affordable Housing, Other Contributions and CIL

Affordable housing in line with current standards (10 on-site units) will be secured via S106 Agreement as will: open space provision, the provision of a retail unit and SUDS management and maintenance. In the event of approval of both applications, the S106 Agreement will also be used to tie them together to prevent residential development of the existing site without implementing the relocation.

Whilst the proposal is CIL liable (as the S106 will not be finalised until well after the 15 February implementation date for CIL), due to the outline nature of the application, CIL is not triggered until the Reserved Matters stage.

Other Material Considerations

In relation to Crime and Disorder the applicant has indicated willingness to work with Norfolk Constabulary to 'design out crime'.

In relation to points raised by third parties that have not already been covered the LPA responds as follows:

- local school and nursery provision– Norfolk County Council has indicated that a financial contribution would be required to go towards expanding the primary school. This would be captured by CIL at reserved matters stage,
- Object to the pathway linking the new site to Salts Road - this has been removed from the scheme,
- Decrease in property values – this is not a material planning consideration,
- The existing tree line and dyke / watercourse should be gifted to neighbours – the trees are not considered necessary in relation to prevent overlooking (given the indicative distances shown). As such there would be no planning requirement to retain the conifer trees. If the applicant wishes to pass ownership of the trees and the watercourse to existing neighbours it is not a material consideration in the determination of this application and should be pursued outside of the planning process.
- Would not be surprised to see a further application for residential development of the land to the west of the site – any proposal for residential development of this land would need to be considered on its merits.
- The decision should be put on hold until detailed plans are submitted – this is an outline application,
- There may be a covenant on the land preventing development – this is a civil matter.

CONCLUSION

The proposed development for housing in this location outside the settlement boundary is in principle contrary to the Development Plan. However, there are important material considerations to consider and take into account when determining this application.

Firstly Tamar Nurseries is an expanding business which has outgrown its site. It wishes to relocate to a new site which will allow the business to expand, and is closer to the A47 for transporting goods. This application for housing on the current site would allow that move to be financed. This application for housing is of course reliant on the application for the relocation being approved, and this is considered separately on the agenda.

It is of note that the current nursery site has grown within a predominately residential area; and given the number of HGV and other vehicle movements associated with this expanded business in this residential area, and the fact there are no restrictions on the operation of the business, it could be argued that this is also a material consideration to be given weight in the determination of this application.

These could be argued to be the unacceptable environmental or accessibility problems identified as allowing the loss of employment uses in Policy CS10 of the Core Strategy. Should another business use come forward, these problems will also likely arise, and it is clear that residential will provide more value in seeking to finance the move to a new site.

Indicative plans have shown that the site could be developed in a manner that would not give rise to material neighbour amenity or highway safety issues, and the applicants have

also offered to provide site for a village shop as part of the overall scheme. This can be secured as part of the S106 agreement

It is therefore concluded, on balance, that there are significant material considerations that suggest the benefits of approving this application (in combination with application 16/00812/FM) outweigh the departure from the development plan.

In the event that application 16/00812/FM for the relocated nursery business is approved, it is therefore recommended that this application be approved subject to a S106 which must secure amongst other things the development of the relocated business ahead of the housing coming forward, and subject to the following conditions.

RECOMMENDATION:

A) APPROVE – subject to:

- the approval of application 16/00812/FM (relocation of existing nursery),
 - the conditions listed at the end of this report, and
 - the completion of a suitable Section 106 Agreement (for the provision of on-site affordable housing, on-site open space, provision of a retail unit, SUDS maintenance and to tie this application with application 16/00812/F) within 4 months of the date of the resolution to approve
- 1 Condition Approval of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
 - 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
 - 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
 - 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
 - 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
 - 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
 - 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
 - 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
 - 5 Condition No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved

management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

- 5 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.
- 6 Condition No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, and the foul and surface water drainage of these specific areas have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 6 Reason To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.
- 7 Condition Prior to the first occupation of the development hereby permitted the vehicular crossing over the ditch (shown on drawing 0933 003 C) shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority.
- 7 Reason To ensure construction of a satisfactory access and in the interests of highway safety.
- 8 Condition Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway (as shown on drawing no 0933 003 C) and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 8 Reason In the interests of highway safety.
- 9 Condition Prior to the commencement of any works a Construction Traffic Management Plan incorporating wheel washing facilities and parking provision for construction works shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using a "Construction Traffic Access Route". For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan.
- 9 Reason In the interests of maintaining highway efficiency and safety.
- 10 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 comprising footway provision; dropped kerbs and tactile paving have been submitted to and approved in writing by the Local Planning Authority.
- 10 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 11 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Condition 10 of this permission shall be completed to the written satisfaction of the Local Planning Authority.

- 11 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 12 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 12 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

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

- 13 Condition The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA), February 2016, GCB/Hereward, Geoff Beel Consultancy, and the following mitigation measures specifically detailed within the FRA:
1. Finished floor levels are to be set no lower than 1.70 m above Ordnance Datum (AOD).
 2. Flood resilient measures are to be incorporated into the buildings up to 300mm above finished floor level wherever practicable.
 3. No sleeping accommodation at ground floor level.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

- 13 Reason To reduce the risks associated with flooding in accordance with the NPPF and Development Plan.
- 14 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:
 1. human health,
 2. property (existing or proposed) including buildings, crops, livestock, pets,
 3. woodland and service lines and pipes,
 4. adjoining land,
 5. groundwaters and surface waters,
 6. ecological systems,
 7. 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'.

- 14 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.
- 15 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.
- 15 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 16 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.

- 16 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.
- 17 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 14, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 15, 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 16.

- 17 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.
- 18 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.
- 18 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

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

- 19 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.
- 19 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.
- 20 Condition No demolition / development shall take place / commence within each phase of development until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 20 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.
- 21 Condition No demolition / development shall take place other than in accordance with the Written Scheme of Investigation approved under Condition 20.

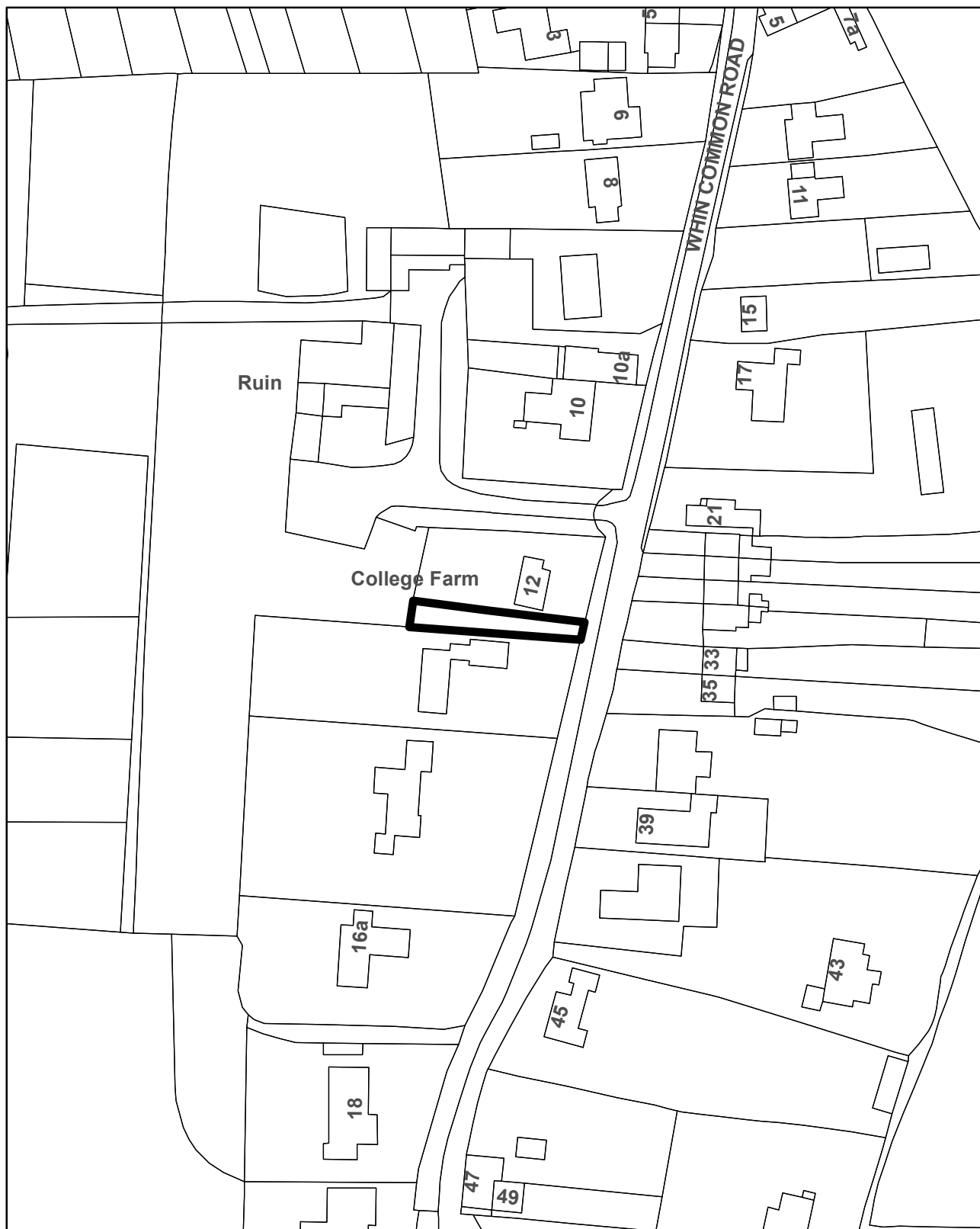
- 21 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 22 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 20 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 22 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 23 Condition Prior to commencement of development a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also provide the location of any fixed machinery, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.
- 23 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 24 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.
- 24 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 25 Condition The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 25 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 26 Condition The development hereby permitted shall comprise of no more than 49 dwellings.
- 26 Reason To define the terms of the permission.
- 27 Condition The dwellings hereby permitted shall be at least 1.5 storeys in height and no higher than 2 storeys in height.
- 27 Reason To reduce the risks associated with flooding and in the interests of the amenities of the locality in accordance with the NPPF and Development Plan.
- 28 Condition In relation to access only the development hereby permitted shall be carried out in accordance with approved plan drawing no: 0933 003 C.
- 28 Reason For the avoidance of doubt and in the interests of proper planning.

- 29 Condition Prior to the first occupation of the development hereby approved, details of the method of lighting, the management and maintenance of the proposed lighting and extent of illumination to the access roads, footpaths, parking, and circulation areas shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented as approved prior to the occupation of the development or any phase of the development to which it relates and thereafter maintained and retained as agreed.
- 29 Reason In the interests of proper planning and the future occupiers of the dwellings in accordance with the NPPF and Development Plan.
- 30 Condition No development or other operations shall commence on site until the tree belt on the northeast boundary of the site has been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of the trees before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 30 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.

B) REFUSE In the event that application 16/00812/FM (relocation of existing nursery) is refused, then on the basis that the application is contrary to established policy seeking to protect the countryside.

16/02028/F

Land between College Farm and Meadowfield
Whin Common Road Denver



AGENDA ITEM NO: 8/3(b)

Parish:	Denver	
Proposal:	Construction of new dwelling	
Location:	Land Between College Farm And Meadowfield Whin Common Road Denver Norfolk	
Applicant:	Mr Graham Smolen	
Case No:	16/02028/F (Full Application)	
Case Officer:	Mrs N Osler	Date for Determination: 26 January 2017

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

Case Summary

The application seeks full planning permission for the construction of 1no. new dwelling on land between College Farm and Meadowfield (Nos 12 and 14) Whin Common Road, Denver.

Key Issues

Principle of development
Form and Character
Residential Amenity
Highway Safety
Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The application site is a narrow strip of land to the west of Whin Common Road between Nos 12 and 14.

Historically the site was a farm access track and it measures 4.4m in width at the site access with Whin Common Road increasing to 6.6m at the rear of the site. Overall the site is approximately 37m in length giving an area of c. 0.018ha.

The site is bounded to the south by the house and residential curtilage of No14 and to the north by the house and residential curtilage of No12. The eastern boundary adjoins Whin Common Road and the west abuts farmland.

The site is bounded to the south, west and north by a mixture of evergreen hedges and close boarded timber fencing.

SUPPORTING CASE

The application is supported by a brief design and access statement that states:

1. A planning application for a 2 storey dwelling was submitted on 4th August 2016 under your reference no. 16/01460/F and was withdrawn on 13th October 2016, so that amendments could be considered to deal with the planning officer's concerns. These concerns related to the following:
 - 1.1 Eaves height and scale of the proposed dwelling vis-à-vis the impact upon 12 and 14 Whin Common Road.
 - 1.2 The position of the dwelling
 - 1.3 The lack of a front door
2. The revised application therefore reduces the overall eaves height of the building and it is moved away from the common boundary of No.12. The design has been revised so that it has the appearance more of a converted barn in line with other dwellings in the vicinity. The scale is very similar to the converted barn adjoining No.10, and does not compete with the single storey element of No.14. The 2 storey element of no.14 is also set further away. The planning officer's concerns regarding the overbearing nature of the conservatory to no12 is also overcome.
3. We are of the view that the proposals, as now revised, should be approved. We have varied the materials and introduced black boarding, as well as brick and pantile. The proposal provides a modest single bedroom dwelling suitable for a retired couple or single person and satisfying the needs of those who wish to downsize their properties.
4. The proposal is supported both by the Denver Parish Council and Local Members and we look forward to receiving planning permission at the earliest opportunity.

PLANNING HISTORY

07/01156/F Erection of one unit for holiday accommodation - Refused

07/01719/F Erection of one unit for holiday accommodation - Refused

RESPONSE TO CONSULTATION

Parish Council: None received at time of writing report

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

Internal Drainage Board: Stoke ferry IDB raises **NO OBJECTION.**

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

REPRESENTATIONS

None received at time of writing report.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Principle of development
- Form and Character
- Residential Amenity
- Highway Safety
- Other Material Considerations

Principle of Development

The site lies within the development boundary for Denver, which is classified as a Rural Village in the settlement hierarchy of Core Strategy Policy CS02. In such settlements new residual development, of an appropriate scale, is generally considered acceptable as long as it accords with other relevant planning policies and guidance.

Form and Character

The applicant suggests that the current proposal addresses the officer’s concerns relating to the previously withdrawn application. However, the design issues raised were only secondary to the principle issue which is that the site is not of a size capable of

accommodating a dwelling that would respond to the character of the western side of Whin Common Road.

The site varies in width between 4.6m and 6.6m which provides for an extremely narrow and constrained site which is significantly different from the substantial detached dwellings in large plots which characterises the western side of Whin Common Road in the vicinity of the site. Development to the east of the road is more mixed with a combination of detached, semi-detached and terraced properties around the site. Whilst there are plot widths similar to the application proposal on the opposite side of the road they are occupied by terraced properties rather than detached ones and as such do not appear to be out of place.

The design proposed is a combination of single storey and 1.5 storey (5.6m to ridge) accommodation giving a modest 1-bed dwelling. However within the context of the surrounding built form the proposal is considered to be out of character and regardless of its small scale, due to the limited size of the site, represents overdevelopment.

Furthermore, and contrary to the applicant's opinion, your officers do not consider that the design is reflective of the built characteristics of the locality. In your officers opinion it resembles an outbuilding that would be more appropriate in the rear garden of one of the adjacent dwellings rather than a dwelling with roadside frontage.

Paragraph 64 of the NPPF states that development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions should be refused.

The proposed development by virtue of the limited size of the site would result in overdevelopment which would have a detrimental impact on the form and character of the locality. Consequently the proposal fails to constitute good design and does not accord with paragraph 64 of the NPPF. The proposal also fails to accord with Policy CS08 of the King's Lynn and West Norfolk Core Strategy, 2011 and Policy DM15 of the SADMP, 2016.

It is pertinent to note that both the previous 2007 applications were refused, on amongst other grounds, due to the site not being able to accommodate the proposed development. The precise reason, relating to this aspect, read, in both instances: *The proposed plot is not of a sufficient size to satisfactorily accommodate development of a standard comparable with the existing development in the area. The proposed development would, in consequence, be out of keeping with, and detrimental to, the character and amenities of the area contrary to Policy 9/29 of the Local Plan, 1998.*

Residential Amenity

The development is to the south of No.12, and the 1.5-storey element of the proposal is located close to the private rear garden and conservatory of No.12. This relationship is considered poor and would result in overshadowing of an unacceptable degree to the conservatory in particular. As a point of reference the ridge height of 5.6m is well above the 2.5m height allowed under permitted development for an incidental building in a neighbouring property in such close proximity to a boundary. Whilst not directly comparable this is a useful guide as to the height above which something, in close proximity to a boundary, can begin to have a material impact on neighbouring amenity.

Highway Safety

The proposal makes provision for a single car parking space, but no turning facilities are possible due to the constrained width of the site. Notwithstanding this NCC Highways have not raised an objection.

Other Material Considerations

Whilst the applicant suggests that the Parish Council supports the application, no response was received from the Parish Council at the time of writing this report.

CONCLUSION

Denver is considered to be an appropriate location for limited new residential development. However the size of the site is such that it is not considered capable of satisfactorily accommodating a new dwelling and the contrived layout proposed is considered to uphold this view.

The development proposed is out of character with the surrounding built form and its development would be harmful to the character and appearance of the area. Additionally whilst modest in height, the height of the proposed development, in such close proximity to the southern boundary of the neighbouring property, would result in unacceptable overshadowing. The proposal is therefore contrary to the NPPF in respect of good design and to Development Plan Policies CS08 and DM15.

It is therefore recommended that this application be refused for the following reasons.

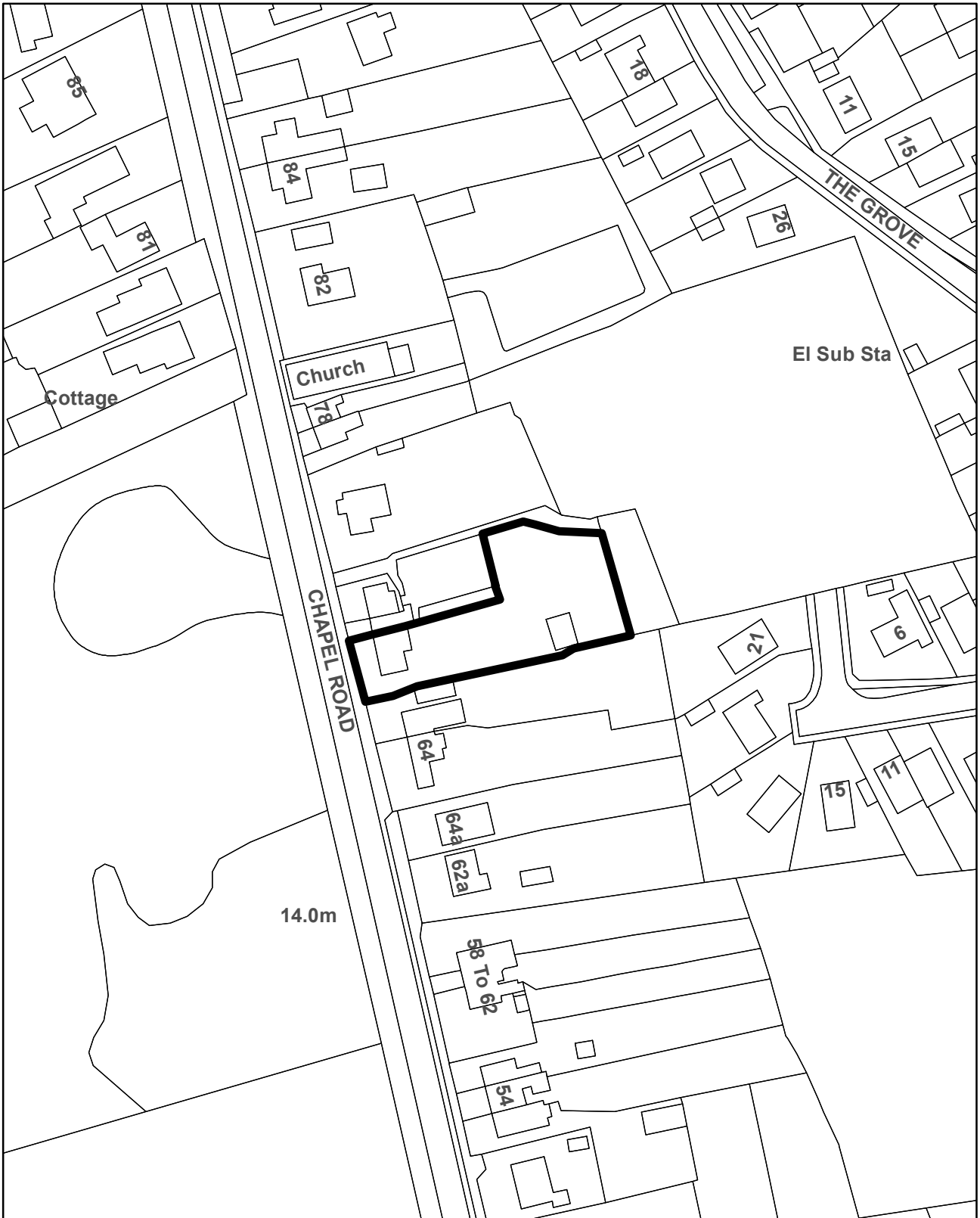
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The development proposed is out of character with the surrounding built form and its development would be harmful to the character and appearance of the area. The proposal is therefore contrary to the NPPF in respect of good design and to Development Plan Policies CS08 and DM15.
- 2 The development proposed due to its height and proximity to the southern boundary of No.12 Whin Common Road would result in an unacceptable degree of overshadowing that would be of detriment to the amenity of occupiers of the neighbouring property. The proposal is therefore contrary to the NPPF in respect of good design and to Development Plan Policies CS08 and DM15.

16/01846/O

Land rear of 68 Chapel Road Pott Row Grimston



Parish:	Grimston	
Proposal:	Outline Application: construction of two dwellings	
Location:	Land Rear of 68 Chapel Road Pott Row King's Lynn Norfolk	
Applicant:	Mr Roy Butler	
Case No:	16/01846/O (Outline Application)	
Case Officer:	Mr C Fry	Date for Determination: 16 December 2016 Extension of Time Expiry Date: 16 February 2017

Reason for Referral to Planning Committee – Contrary to the views of Heacham Parish Council

Case Summary

The site is contained within the defined settlement limits of Pott Row. Pott Row is linked with Gayton and Grimston and combined these settlements are designated as being a Key Rural Service Centre in the settlement hierarchy.

The site is on the eastern side of Chapel Road, Pott Row behind no. 64 and 68.

The application seeks consent outline permission for 2 dwellings with access only being determined at this stage.

Key Issues

The Principle of Development
Form and Character
Neighbour Amenity
Highways Impact
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site is within the defined settlement limits of Pott Row. Pott Row combined with Gayton and Grimston serves the role of a Key Rural Service Centre, according to Policy CS02 of the Local Development Framework Core Strategy

The site lies on the eastern side of Chapel Road, Pott Row behind no. 66 and 68 Chapel Road. Access to the site, is via a shingle gravel track, on the southern side of no. 68, the donor property.

Features on site include timber sheds and timber constructed garage at the end of the shingle access. The site has 1.8m close boarded fencing on the southern boundary and mesh fencing on the northern. The boundary separating the site from the donor property and adjoining property at no.66 is sporadic hedging.

The form and character of development comprises both single and two storey dwellings. The dwellings are constructed from brick and tile and retain either a plain brick façade, painted façade or rendered façade fronting chapel road.

The donor property is an end terraced 2 storey property that has been the subject of extensions and alterations. The property demonstrates the use of carrstone.

The majority of the development on Chapel Road is linear in form, with the exception of a recently granted planning permission for properties to the rear of no.82 Chapel Road (14/01584/O) for 4 dwellings.

The proposal seeks outline consent for 2 detached properties at the rear of the site. Indicative floor plans submitted with the application shows 3 bed – 2 storey dwellings with 2 parking spaces per property. A garage is provided to serve no.68.

The outline permission has been revised during its lifetime, removing the determination of both scale and layout, leaving only access to be determined at this stage.

SUPPORTING CASE

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

- The pre-application response was received with a decision of approval with amendment
- The site area is approx. 1179m²
- The proposal is for 2- 3bed chalet type dwellings with a maximum ridge height of 7.07m together with associated access, parking areas, residential curtilage and landscaping
- The proposal has been revised from that contained within the pre-application by reducing the number of dwellings to 2 as 3 would have resulted in a cramped form of development
- Two storey properties were considered to be over-powering.
- Dwellings are not considered to cause detrimental neighbour amenity issues. With the design a reduced eaves level, use roof windows and internal layout were considered to further protect neighbour amenity
- Highways had no objection to the pre-application
- The proposal is to upgrade the vehicular and pedestrian access to the site serving no.68. the positions of Plots 1 and 2 have been informed by the proposed access driveway each with amenity spaces
- The layout has been designed to minimise impact on neighbour amenity
- All properties have private rear gardens, secured by boundary fencing.

PLANNING HISTORY

There is no recent relevant planning history.

RESPONSE TO CONSULTATION

Parish Council: OBJECTION over intensive for the plot. The facility for car parking appears to be limited. There appears to be limited turnaround space for vehicles (especially if there are other cars parked) to ensure they can exist the development front facing onto Chapel Road.

Councillors also had concerns that the dimensions of the proposed new entrance from Chapel Road are inaccurate, as they appear to take land from the property next door; land which is believed to be of some medieval archaeological significance.

NCC Highways: NO OBJECTION subject to conditions

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Historic Environment Service: NO OBJECTION no archaeological works required.

REPRESENTATIONS

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

- Two storey development will overshadow our garden
- Overlooking from the upstairs windows
- Noise disturbance from cars
- Two storey development out of keeping
- Sets a precedent

2 letters received **OBJECTING** to the amended revisions removing both layout and scale.

- Overshadowing
- Overlooking
- Noise disturbance from cars
- Sets a precedent

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

1. The Principle of Development
2. Form and Character
3. Neighbour Amenity
4. Highways Impact
5. Other Material Considerations

Principle of Development

Pott Row combined with Gayton and Grimston is a Key Rural Service Centre.

Development of this scale within Key Rural Service Centre is generally considered to be appropriate, subject to other material considerations.

Form and Character

The application site is a roughly L shaped and is the donor property's extended garden area and contains a detached timber garage and timber sheds.

The site is slightly elevated above the level of the road and the properties on Chapel Road.

The site is enclosed to the south by 1.8m close boarded fencing, mesh fencing to the east and north and sporadic hedging along the western boundary.

The form and character of development comprises both single and two storey dwellings. The dwellings are constructed from brick and tile and retain either a plain brick façade, painted façade or rendered façade fronting chapel road. Chalet type dwellings are evident on Chapel Road, both to the north and south on the western side.

The donor property is an end terraced storey semi-detached property that has been the subject of extensions and alterations. The property also demonstrates the use of carrstone.

The majority of the development on Chapel Road is linear in form, with the exception of a recently granted planning permission for properties to the rear of no.82 Chapel Road (14/01584/O) for 4 dwellings.

The proposal seeks outline consent with only access being determined at this stage for 2 dwellings. The indicative layout and plans shows two 3 bedroom dwellings that are described within the design and access statement as being chalet type dwellings.

The resultant amenity space for no.68, a terraced property would be acceptable for a modest sized property.

Given that there is a slight increase in the height of the land in the easterly direction from the roadside and in order not to dwarf the cottages to the front, the scale of these dwellings will be restricted to being no more than 1/1/2 storey in scale.

Even though layout, appearance, scale and landscaping are reserved for later consideration it is considered that the indicative layout shown, demonstrating 2 detached dwellings, can be accommodated on the site without detrimentally affecting the form and character of the development in the locality.

Neighbour Amenity

Third Party representations are concerned about being overlooked and overshadowed from the dwellings.

The western boundary of the application site is 18m at its closest point to the rear façade of the properties that front Chapel Road. It is considered that at this distance there would be no principle neighbour amenity issues arising from the erection of the dwellings on the site.

Given the angles and 20m distance between the northern boundary of the site and the property to the north of the site, no. 74 there would be no principle amenity issues with this neighbour from developing the site.

The land to the east of the site is accessed to the side of one of the properties on Chapel Road. This land would appear to be tended to but does not appear to be used as private amenity space. Accordingly it is not considered to be reasonable to refuse the principle of developing on this site in terms of the impact upon the enjoyment of this particular parcel of land.

The indicative siting of plot 1 is adjacent to this shared boundary with the neighbour to the south, however the neighbour to the south benefits from a garden that extends beyond the application site and the indicative siting has plot 1 some 26m away from the rear façade of no. 66. It is considered that a dwelling in this location, albeit indicative, would not cause principle amenity issues.

Additionally as referenced in the previous subsection, the properties will be conditioned to be single storey only.

Third party representations are concerned about noise and disturbance caused from the extra traffic movements associated with the site. Whilst there will be additional noise generated with new residential properties on the site, it is considered that a residential use in

this locality would not be detrimental to the enjoyment of the existing home owners in the locality.

Highways Impact

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

The application seeks outline planning permission with all matters reserved, but the principle of attaining a suitable access does need to be considered.

The highways officer at the time of his response also considered the layout of the site and the scale of the proposal, as this was originally requested to be determined.

The highways officer has no objection to the proposal subject to conditions that the access be provided to highway specification and widened to 4.8m wide for the first 5 metres into the site

Other Material Consideration

The Parish Council have commented that not all of the application site is within the applicant's control. The agent has confirmed that the applicant does own the site and the correct certificate have been served.

The scale and siting of the garage would not cause any detrimental impact upon the amenity visual or neighbour amenity.

The Parish Council have raised the issue that there might be archaeological remains on the site. The Historic Environment Service have no objection to the application and do not require any archaeological conditions.

CONCLUSION

The application seeks consent for outline consent for erection of 2 dwellings on the site. During the lifetime of the application, the layout and scale which was due to be determined as part of this outline application were removed for consideration.

It is your officer's opinion that the principle of development behind no.68 would be acceptable and not harm the character of the locality. It would be considered reasonable at this juncture to impose a condition on the scale of the dwellings to be no more than 1 1/2 storey in scale in order to not dwarf the modest two storey cottages that front Chapel Road. The development is not considered to cause principle neighbour amenity issues that cannot be addressed at design stage through the submission of a reserved matters application.

The highways officer has no objection to the intensification of the access subject to a condition securing its widening.

The proposal is therefore considered to be appropriate subject to the following conditions.

RECOMMENDATION:

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

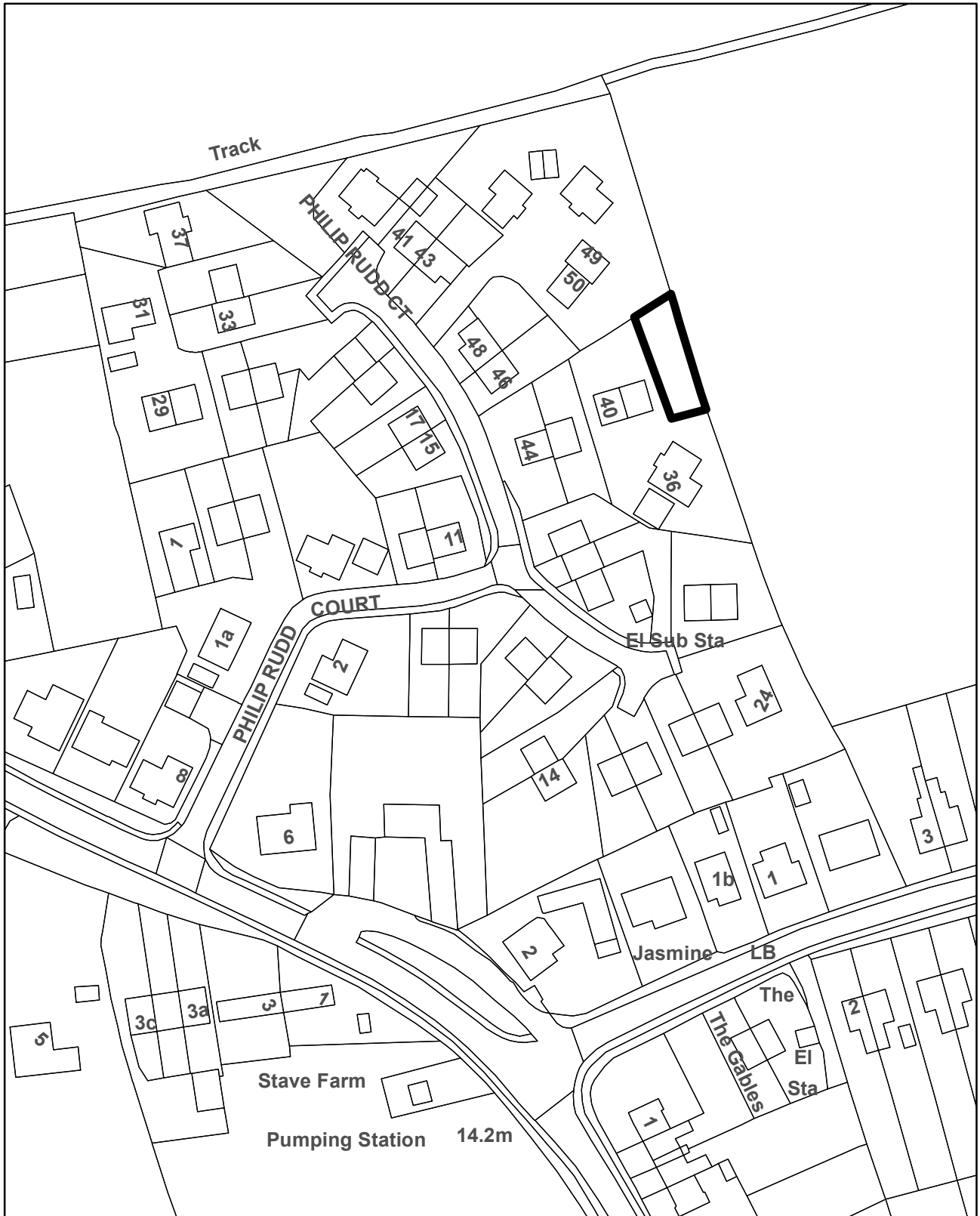
- 1 Condition Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition The development hereby permitted shall be carried out in accordance with the following approved plans in so far as access only:-
 - o Drawing no.21586-PL001 Rev A dated 10th January 2017 received 10th January 2017 in so far as access only.
- 5 Reason For the avoidance of doubt and in the interests of proper planning.
- 6 Condition The dwellings hereby approved shall be no more than 11/2 storey in scale.
- 6 Reason In the interests of the amenities of the locality in accordance with the NPPF.
- 7 Condition Prior to the commencement of the use hereby permitted the vehicular access (indicated for improvement on drawing No PL001) shall be upgraded/ widened to a minimum width of 4.8 metres in accordance with the highway specification dwg.Trad 1 for the first 5 metres as measured back from the near channel edge of the adjacent carriageway. 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.
- 7 Reason In the interest of highway safety and traffic movement.
- 8 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any

Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

- 8 Reason In the interests of highway safety.
- 9 Condition Prior to the first occupation of the development 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 0.6 metres above the level of the adjacent highway carriageway.
- 9 Reason In the interests of highway safety.
- 10 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 10 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

16/01995/F

38 Philip Rudd Court Pott Row King's Lynn



AGENDA ITEM NO: 8/3(d)

Parish:	Grimston	
Proposal:	Construction of a dwelling	
Location:	38 Philip Rudd Court Pott Row King's Lynn Norfolk	
Applicant:	Ms Molly O'Brien	
Case No:	16/01995/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 10 January 2017 Extension of Time Expiry Date: 13 February 2017

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

Case Summary

The application site lies within the development boundary of Pott Row. Pott Row combined with Grimston and Gayton is a Key Rural Service Centre.

The site forms part of the garden area to 38 Philip Rudd Court. 38 Philip Rudd Court is a two storey semi-detached dwelling.

The application seeks consent for the erection of a two storey detached dwelling on the site.

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 is located within the defined settlement boundary for Pott Row.

Pott Row combined with Grimston and Gayton is a Key Rural Service Centre accordingly to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site is currently garden area to side of 38 Philip Rudd Court and contains hedging along the eastern boundary and fencing along the northern boundary. There is no western

boundary treatment and the site has hedging to the front. Access is achieved from a shared driveway with 5 other properties

The form and character of Philip Rudd Court contains mainly two storey semi-detached dwellings and detached dwellings that are constructed from brick. The character dwellings are rather uniformed, the properties have pitched roof porches, header treatments, brick banding and dental coursing.

The proposal seeks consent for the erection of a two storey detached dwelling with 2 parking spaces provided to the front of the property.

During the application the siting of the dwelling has been revised in order to provide more room for the cars at the front of the dwelling to reverse back and leave the property in forward gear.

SUPPORTING CASE

The agent has submitted a supporting case with the application that states the following:-

Pott Row being part of Grimston and Gayton is a Key Service Village and together they form one of the largest combined villages in the Borough.

- The layout still allows access and parking for two cars to the donor dwelling.
- Both the donor property and the new dwelling have gardens in excess of 10m depth.
- The principle windows of the proposed dwelling are front and rear and the outlook has no impact on overlooking neighbours.
- There is good screening at the end of the existing garden and mature hedging sits alongside the eastern field.
- Materials will be similar to those used on the existing properties.
- All aspects have been considered and the proposed dwelling will match the existing properties within the development.
- Its scale is proportional to the available land space.
- Both the donor property and the new dwelling will have adequate space for garden and parking.
- The impact upon neighbours is negligible.
- All in all this makes valuable use of a large piece of land which is a generous garden of the donor property, possibly a leftover of the previous development which could have accommodated an additional dwelling.

PLANNING HISTORY

2/94/1815/D: Application Permitted: 25/05/95 - Construction of 45 dwellinghouse and 4 bungalows (revised proposal)

RESPONSE TO CONSULTATION

Parish Council: OBJECTION The proposed dwelling is over intensive and cramped thus would affect both the proposed dwelling and the donor dwelling.

Philip Rudd court has parking issues and another dwelling would only exacerbate these, although parking spaces for the new dwelling are provided on plan, these are in the original turning area for the donor dwelling.

Highways Authority: NO OBJECTION

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Natural England: NO OBJECTION

REPRESENTATIONS

6 letters objecting to the original layout of the site.

- Foul Water Drainage issues
- Additional traffic will cause neighbour amenity issues
- Highway safety issues
- Loss of hedgerows
- Overdevelopment of the site
- Bland, featureless and poorly landscape proposal
- Trees and shrubs have already been removed from the site with the hedge contravening a covenant in respect to its height.
- Out of character with the existing properties which all have reasonable open space around them with landscaping features.
- Overlooking issues
- Construction hours should be restricted

4 letters objecting to the proposal with regards the revised set of plans

- Foul water drainage issues
- Noise from additional traffic movements
- The hedges on the site are subject to a planning condition on the original permission for the site that requires them to be maintained at a height of no less than 3m.
- Overdevelopment on an inadequately sized plot serviced by a drainage system that cannot support an additional property

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

Principle of Development

The site lies within the defined development boundary of Pott Row. Pott Row combined with Gayton and Grimston is a Key Rural Service Centre.

Development of this scale within the Key Rural Service Centre is generally considered to be appropriate, subject other material considerations.

Impact upon Visual Amenity

The site lies tucked away on the northern side of a private shared drive that serves 5 properties and is accessed by way of a private drive from Philip Rudd Court.

The site forms part of the garden to no.38 Philip Rudd Court. 38 Philip Rudd Court is a two storey semi-detached dwelling constructed from red/orange brick with upvc windows and doors. Features in the design of no.38 and other properties in Philip Rudd Court include brick quoin detailing, contrasting brick coursing, dental coursing and curved header treatments.

The semi-detached properties on the estate have similar sized amenity spaces with the detached properties having slightly larger amenity spaces.

The proposal is for a detached property on the site scaling 8.1m (h) x 7.9m (d) x 6.7m (w) constructed from brick and tile. The property will have arched header treatments and dental coursing on the gable ends.

Parking is proposed for two cars to the front of the proposed house.

The proposed property is considered to be of a scale, siting and appearance that would conform to the form and character of the development in the locality without appearing cramped and would leave the donor property with a similar sized amenity space to others in the locality.

Impact upon Neighbour Amenity

The property is 19m away, wall to wall, with the properties to the north. This separation distance and angles between these properties overcomes any detrimental overlooking, overshadowing and overbearing issues experienced by these particular neighbours.

There are no residential neighbours to the east of the site.

The property to the south of the site, no.36, is angled in such a way in relation to the proposed property that there is no direct relationship. Nevertheless, the proposed property is some 17m away from the gable end of this neighbour and it is not considered that this neighbour's amenity will be detrimentally affected given this separation distance.

The donor property will be conscious of the new dwelling, with approximately 5m of the gable end protruding beyond the plane of the donor property's rear elevation. This will cause some overshadowing in the morning period and will be some overbearing presence upon the enjoyment of the donor properties garden area, however to refuse the application on this basis would be unreasonable.

No other neighbours are materially affected by this proposal.

The residents in the close have raised concerns in regards to noise and disturbance caused by additional traffic movement associated with the new dwelling. It is considered that the proposal would be likely to generate two additional cars and their subsequent movements. The subsequent movements of the two additional cars which are likely to be at low speed given the single car width driveway would cause minimal disturbance to these neighbours.

Given the scale of the development (1 dwelling) it is not considered to be reasonable to impose a construction management plan that would restrict the hours of construction and delivery times of construction vehicles.

Highway Safety

Access to the site is from a shared drive leading off Philip Rudd Court.

The highways officer has no objection to the intensification of this access.

Other Material Considerations

Third Party representations are concerned about foul water drainage issues. The foul water is described as going to the main sewer which is acceptable method of dealing with foul water drainage.

Third parties raise issues about a breach of condition 3 of the original consent for the estate (2/94/1815/D). The condition states that the height of the hedges should not be reduced below a height of 3m without the written consent of the authority. The breach of condition has been raised with the planning enforcement team.

CONCLUSION

The application seeks consent for the erection of a two storey detached property in the garden area of no.38 Philip Rudd Court. It is your officer's opinion that the scale, design and appearance of the dwelling would be appropriate and would conform to the form and character of dwellings in the locality.

The internal layout and siting of the dwelling has managed to avoid detrimental visual and neighbour amenity issues and there are no highway safety issues arising from the proposal.

The proposal is therefore considered to be appropriate subject to the following conditions.

RECOMMENDATION:

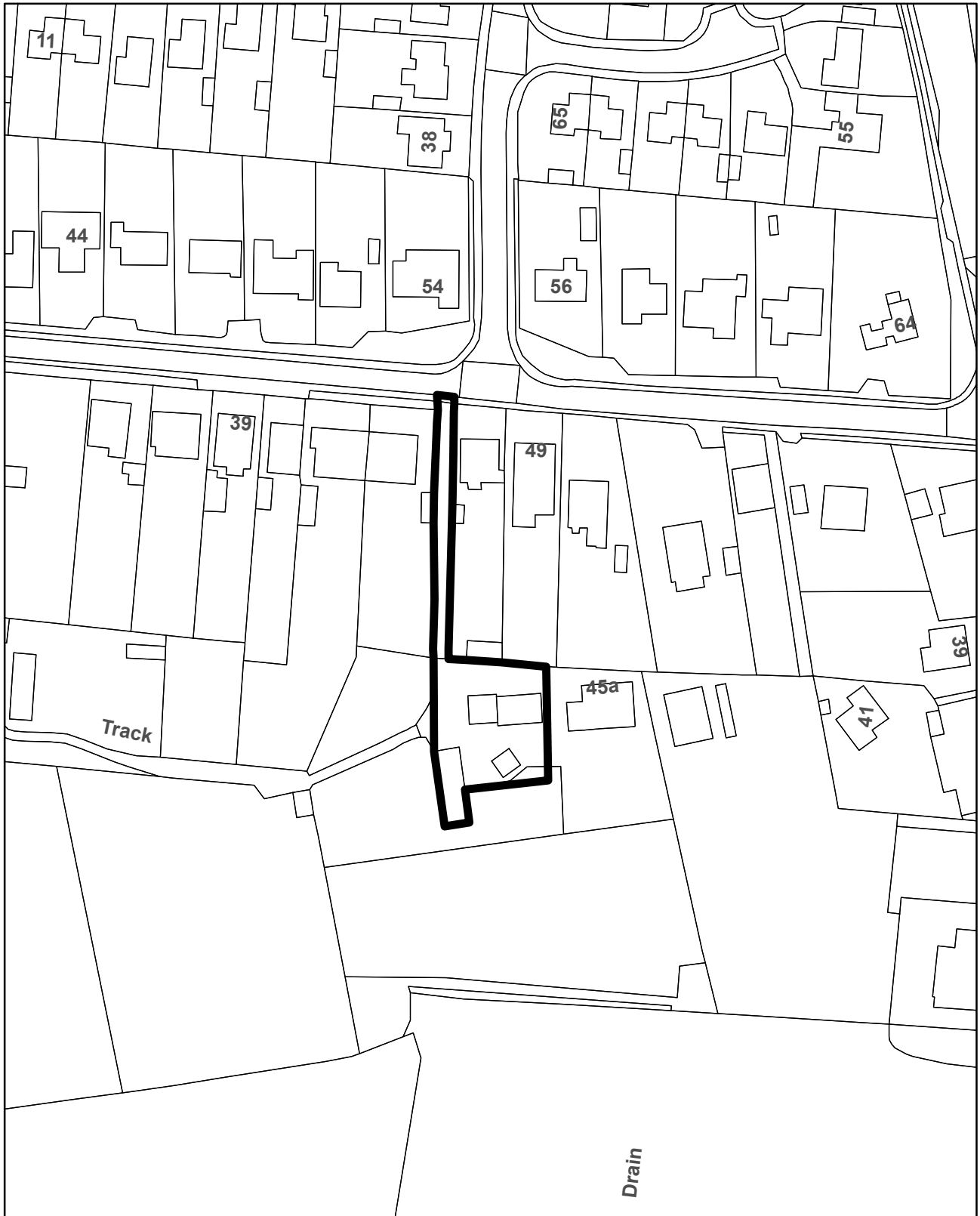
APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - Proposed Site Plans drawing no. 2017-01 A dated 9th December 2016
 - Proposed Plans and Elevations dated 31st October 2016
 - Proposed Site Section dated November 2016
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 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.
- 3 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.
- 4 Condition The 1.8m close boarded fencing between the donor property and the dwelling hereby approved shall be erected prior to the occupation of the dwelling hereby approved.
- 4 Reason In the interests of the residential amenities of the future occupants of the development in accordance with the NPPF.

16/01461/F

Cedar House 45a The Broadway Heacham



AGENDA ITEM NO: 8/3(e)

Parish:	Heacham	
Proposal:	Construction of replacement workshop and store in builders yard at Cedar House	
Location:	Cedar House 45A the Broadway Heacham Norfolk	
Applicant:	Mr & Mrs M McGinn	
Case No:	16/01461/F (Full Application)	
Case Officer:	Mr M Broughton	Date for Determination: 8 November 2016 Extension of Time Expiry Date: 13 February 2017

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

Case Summary

The land is situated in designated countryside, on the south side of The Broadway, Heacham. It is accessed via a 55m track, with entrance to the site opposite to Rolfe Crescent junction, approximately 125m west of the A149 junction. The site forms a builder's yard at 45A The Broadway, Heacham

The application seeks to demolish existing office, workshop and storage buildings and a storage greenhouse and construct storage/workshop building with open plan office accommodation in the roof space. One open ended storage building is retained in situ

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

Key Issues

Principle of development
Form and character and amenity
Highways
Other considerations

Recommendation

APPROVE

THE APPLICATION

The land is situated in designated countryside, on the south side of The Broadway, Heacham, opposite to Rolfe Crescent junction and approximately 125m west of the A149 junction.

The site forms a builder's yard at, and is associated with, 45A The Broadway, Heacham – both in the ownership of the applicant. It is accessed via a 55m narrow track, bordered by 2m fence or conifer hedge between Nos 45 and 47 The Broadway,

As the track terminates into the open countryside, to the west and south are paddocks in ownership, whilst the land to the immediate east is open and in use as the builder's yard, comprising two mis-matched large workshops forming the centrepiece of the site. There is also a greenhouse and a mix of smaller units, all used for builder's storage and an area of hard standing for turning / parking and an office porta-cabin. It was evident the site was in use as a builder's business.

The said buildings are destined for demolition, bar one open ended, relatively new storage building and the hard standing area, both are retained in situ.

To the immediate east of the builder's yard is the applicants dwelling and curtilage, with access via the builder's yard.

Whilst the builder's yard is effectively open on its east and west sides, the south boundary has 1.2m timber slatted fencing, forming a divide between the yard and the paddocks. The rear northern boundary of the site forms the southern boundary to the elongated gardens of Nos 47/49 'The Broadway' and comprises a mix of 2m fence or wall, with some hedge. It is of note there is a relatively large outbuilding on the southern boundary of No 47 on its divide with this proposal site.

Following demolition of buildings and the greenhouse, the application seeks to construct a new storage / workshop building with open plan office accommodation in the roof space. The works are related to the said builder's business use and as such there is no change of use.

SUPPORTING CASE

When the 2012 application 12/02028/F was submitted for construction of the replacement dwelling at No 45A Broadway, the application site boundary (red line) encompassed the new dwelling, an area of garden land and a vehicular access to the site.

It did not extend to include the existing storage buildings / workshops / storage greenhouse and office on the adjoining land west, forming a builder's yard operated by the applicant, which had always been associated with the site and dwelling and which was detailed as such in application 12/01160/LDE.

This application would remove the existing dilapidated, pre-fabricated mix of storage buildings, some of which have industrial profile clad roofing. A new workshop / storage building, with office over, in materials in keeping with the dwelling 45A (facing brickwork, cedar cladding and Norfolk pantiles would provide a replacement

The provision of the replacement workshop / office would create no increase in vehicular movements or staff at the site

The total floor area of all the buildings to be removed is 218m². The total floor area of the proposed building is 204m².

In terms of impact from the proposals upon neighbouring properties and amenity, the position of the proposed building being some 32.5m away from the rear of the closest dwelling should have little or no effect.

Upon the neighbouring side of the closest boundary to the north is a large workshop/storage building and there are also a number mature trees and shrubs within the neighbouring gardens that provide a natural buffer/screen to prevent neighbours overlooking our Clients site.

To further reduce impact of the proposed new building, the pitch of the roof has lowered by 450mm from that originally proposed

PLANNING HISTORY

13/01093/F: Permitted: 25/09/13 - Variation of condition 2 of planning consent 12/02028/F to replace approved drawing with amended drawing - 45 the Broadway

12/02028/F: Permitted: 08/02/13 - Replacement dwelling and demolition of existing dwelling - 45 the Broadway

12/01160/LDE: Was Lawful: 31/10/12 - Lawful Development Certificate: Retain permanent residential unit, with parking area and garden - 45 the Broadway

94/1062/O: Refused: 19/09/94 - Site for construction of chalet bungalow - Land Rear of 49-51 the Broadway

Associated land west:

14/01398/F: Refused: 28/11/14 - New build single storey dwelling & garage – rear of 45 the Broadway Heacham

- Appeal Dismissed 03/06/15

RESPONSE TO CONSULTATION

Parish Council: OBJECTION:

Comments: This constitutes an increase to the village envelope.

Highways Authority: NO OBJECTION:

CSNN: NO OBJECTION – Informative applies re noise nuisance.

REPRESENTATIONS One neighbour objection (No 51 The Broadway)

Comments: Scale of proposal creates loss of view

NATIONAL GUIDANCE

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

LDF CORE STRATEGY POLICIES

CS08 - Sustainable Development

CS11 - Transport

CS12 - Environmental Assets

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS10 - The Economy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

DM2 – Development Boundaries

PLANNING CONSIDERATIONS

Key Issues:

- Principle of development
- Form and character and amenity
- Highways
- Other considerations - Crime and Disorder:

Principle of development:

The site is on the edge of the settlement boundary, in area deemed countryside in the local plan. Research has identified the area of land in question to have been in use as a builder's yard for a substantial period of time, and accepted as such in previous applications. Thus history identifies the use of the proposal site as an established builder's yard, in use by the applicant since 2001 and similarly by relative 1981 – 2001. The site is a brownfield site on the edge of the settlement.

This application seeks to construct one building, in a style in keeping with the applicant's adjacent dwelling, to cater for the continued use of the site for the said purpose, with no alterations or increase in use, staff or vehicular movements envisaged.

Nationally, the National Planning Policy Framework (NPPF) 2012 seeks a high standard of design that takes the opportunity to improve an area. Some of the key objectives referred to in the NPPF are for development which responds to the local context and creates or reinforces local distinctiveness are visually attractive as a result of good architecture and appropriate landscaping.

S17 NPPF - Core planning principles:

- encourage the effective use of land by reusing land that has been previously developed (brownfield land)
- support sustainable economic development
- seek to secure high quality design
- considering the intrinsic character and beauty of the countryside
- support thriving rural communities

S28 NPPF - A prosperous rural economy:

Supports 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

In terms of the KLWNBC Core Strategy 2011:

- Policies CS01 and CS02 identify Heacham as a Key Rural Service Centre in the settlement hierarchy, where local scale development will be concentrated, including new housing, employment and retail development.
- Policy CS08 advises that good design is a key element of sustainable development
- Policy CS10 supports the rural enterprise and the retention of employment land in these circumstances

Policy DM15 advises that proposals should not impact on the amenity of existing residents and the wider environment, and this will be considered in detail later in this report.

It is therefore considered the principle of the development is acceptable and accords with the National Planning Policy Framework 2012, Core Strategy 2011 and the Site Allocations and Development Management Policies Plan 2016.

Form and character and amenity:

The Broadway, Heacham provides a thoroughfare, from the A149 towards the centre of the village and is lined either side by a mix of dwellings, with those on the south side having elongated 55m depth plots, backing onto land in designated countryside.

The existing builder's yard, in use since 1981, is accessed by a 55m track between two dwellings No's 45 and 47. The applicant uses this track to also access his dwelling and serve the grass paddocks as required

To the east of the track and backing the greater site are bungalow dwellings (No 47, 49 and 51) with 2m high southern boundary wall or fence on the divide with the proposal site. In addition on the said boundary, No 47 has a large outbuilding.

Land to the south of the builder's yard comprises paddocks in ownership with open countryside thereafter

The proposed workshop/ storage/ office building has been reduced in height to 5.8m in a revised scheme, retaining south facing dormer windows to serve the office accommodation in the roof space. It is noted the overall ground floor layout of that proposed is relative to a small reduction on that to be demolished. Overall the scale and design is considered acceptable, and it will effectively tidy the site and is considered overall appropriate to the location and use it is to serve.

Comments submitted relative to loss of view from a neighbour at No 51 are not considered to be a material consideration. The proposed building will have minimal impact on

neighbouring dwellings north, given separation distances, and is not considered to be overbearing. There are no windows facing the neighbours to the north.

The removal and clearance of existing buildings and materials can be controlled by condition

The existing status of the builder's yard has not changed and therefore it is not necessary to apply a 'use' condition to the replacement building. A change of use would likely require consent in its own right.

Highways:

The builder's yard is accessed by a narrow track on the south side of The Broadway, situated between No's 45 (west) and 47 (east). It also serves as access, via the builder's yard to the applicants dwelling situated on land adjacent east of the proposal site and also the paddocks in ownership, forming land to the west of the said builder's yard.

Due to the substandard access arrangements NCC Highways would not wish to see any uses which would increase the vehicular use of the access.

At present the site is lawfully used by the applicant for the storage of building materials and this will continue, should the application be approved, with no increase in staff or vehicular movements. The application will consolidate the existing storage.

Based upon the above situation, given that the application would not result in an increase in traffic above the levels which could lawfully happen at present, NCC Highways recommend approval of the application.

Other considerations - Crime and Disorder:

There are no known issues affecting this site in relation to crime or disorder and no known complaints of noise. Having an indoor workshop/store in a modern building would only help in regards any impact through noise.

CONCLUSION:

Policies CS01 and CS02 of the KLWNBC Core Strategy 2011 identify and promote Heacham as a Key Service Centre in the Borough. The status of the locality provides a presumption in favour of development.

The site is within the countryside, but on the edge of the village settlement boundary. The proposal effectively creates a replacement workshop / storage and office building for the existing builder's yard business

The proposed layout, scale and appearance are considered to be acceptable, demonstrating good design in accordance with the principles of the National Planning Policy Framework.

In terms of visual and residential amenity, it is acknowledged there will be some view of the building from neighbouring dwellings (north) but there will be minimal visual intrusion afforded to the passer-by from either The Broadway or the A149 (east). There is no increase in vehicles or staff numbers, thus site activity in terms of noise is unlikely to increase.

The proposal to replace the existing workshop, storage and office units is supported by Policies CS08 and CS10 of the Core Strategy 2011, Policy DM15 of the Development Management Policies 2015 and is in accordance with the principles of the National Planning

Policy Framework 2012, as overall it is considered to be sustainable development, supporting rural business and the rural /local economy.

In the light of National Guidance, Development Plan Policies and other material considerations, it is recommended that this application be approved.

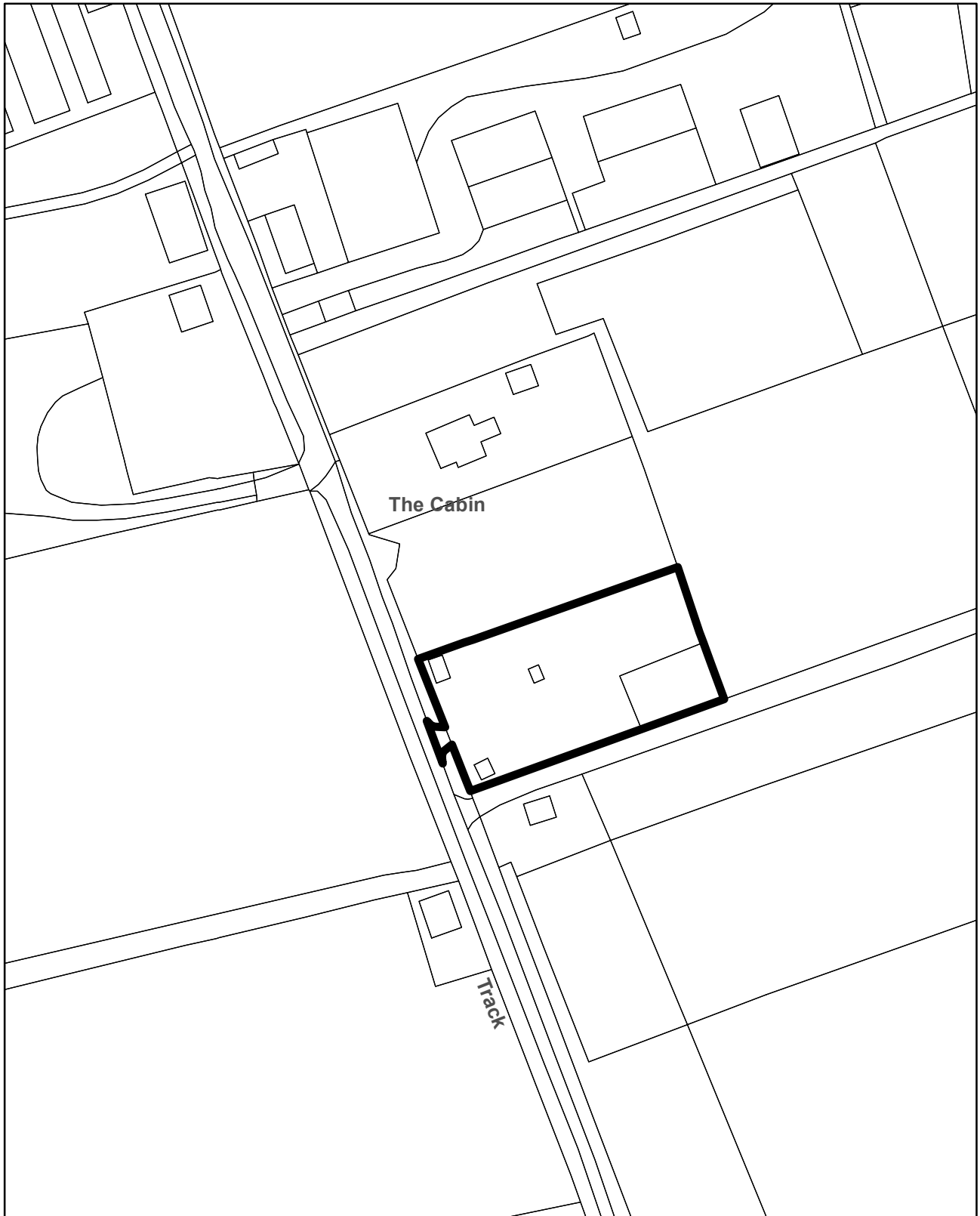
RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location plan – drawing 1652-23C – receipt dated 6/12/16
 - Block plan – drawing 1652-22B – receipt dated 15/11/16
 - Elevations, layout and sections – drawing 1652-21C – receipt dated 15/11/16
 - Site section – drawing 1652-24A – receipt dated 2/12/16
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition All material arising from the demolition of the existing storage buildings, office and the greenhouse (as detailed on the block plan drawing 1652-22B received 15/11/16) shall be removed from site within 3 months of the commencement of the works unless otherwise agreed in writing by the Local Planning Authority.
- 3 Reason In the interests of amenity, in accordance with the NPPF 2012

16/02023/RM

The Old Coal Yard School Road Heacham



AGENDA ITEM NO: 8/3(f)

Parish:	Heacham	
Proposal:	Reserved Matters Application: Residential dwelling	
Location:	The Old Coal Yard School Road Heacham King's Lynn	
Applicant:	Mr And Mrs R Bray	
Case No:	16/02023/RM (Reserved Matters Application)	
Case Officer:	Mr C Fry	Date for Determination: 16 January 2017

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

Case Summary

The application site comprises a rectangular shaped parcel of land measuring 1835.5 square metres. The land was formally a coal yard and appears to have once been an orchard. It is currently used for storage of building materials and comprises a small allotment.

The site lies on the eastern side of School Road (to the southern end), Heacham.

Outline planning permission was granted by the Planning Committee (16/00074/O) at March's Planning Committee for the construction of one dwelling with access determined at that stage.

This application seeks reserved matters approval for a 1 ½ storey dwelling, with layout, scale, appearance and landscaping to be determined.

Key Issues

Principle of development;
Impact upon form and character;
Impact on highway safety;
Trees; and
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site is outside of the defined settlement limits for Heacham.

The site comprises a rectangular shaped parcel of land measuring approximately 1835.5 square metres and is situated on the eastern side of School Road, Heacham. The land is

16/02023/RM

Planning Committee
6 February 2017

currently used for the storage of building materials. There is a small allotment on the site and some large apple trees.

A single dwelling is sited to the north of the neighbouring site and open countryside surrounds the site to its south, east and across the access track to the west.

This part of School Road is characterised by agricultural land and uses and lies approximately 189.2 metres south of Woodside Avenue, which forms the development boundary of Heacham.

Outline planning permission was granted by the Planning Committee (16/00074/O) at March's Planning Committee for the construction of one dwelling with access determined at that stage.

This is a reserved matters application for the construction of a 1 ½ storey dwelling and detached garage.

SUPPORTING CASE

The application has submitted a Design and Access Statement:-

- The proposed dwelling has been positioned to follow the pattern of development in the area with a layout to ensure the proposal would have the least possible impact. Furthermore, it would seek to replicate the scale and materials seen in the immediate area to ensure the proposal is in keeping with the locality.
- The previous application was withdrawn on concerns of the design of the property in relation to the impact upon the character of the area. This proposal has include amendments to the design and main outbuilding following discussions with the case officer
- The dwellings in the area consist of buildings of various ages, but are in the main two storey. Plot sizes vary; there is a loose structure of building and a limited scale of development with few active frontages. There are varied buildings lines, a mix of boundary treatments and materials.
- No windows are proposed on the north elevation to avoid overlooking into a recent permitted dwelling to the north of the site.
- The design of the proposed dwelling would not detract from the character of the area, nor would they be out of keeping with the pattern of development seen in the existing locality.

The agent has also submitted the following:-

- The proposed dwelling has been positioned to follow the development in the area with a layout to ensure it has the least possible impact
- The design of the dwelling has been altered to address the matters raised by the planning officer over pre-application meetings and seeks to replicate the scale and materials seen in the immediate area
- The proposal will clearly improve the site
- Access is already provided off School Road
- Turning areas are available within the site to ensure that all vehicles can enter the site and leave in forward gear. Visibility splays are good
- There is already a site to the north been granted planning permission for a residential dwelling. No windows have been proposed at first floor level with the potential for extensive overlooking of the neighbour's properties. It is worth noting that the

neighbouring dwelling has first floor window within the southern side elevation which looks towards the application site.

- This proposal is a self-build
- The site is in close proximity to existing services.

PLANNING HISTORY

In relation to the site;

16/00964/RM: Application Withdrawn: 06/07/16 - Reserved Matters Application: construction of a dwelling

16/00074/DISC_A: Discharge of Condition final letter: 25/07/16 - DISCHARGE OF CONDITIONS 13 - Outline application: Residential dwelling

16/00074/O: Application Permitted: 15/03/16 - Outline application: Residential dwelling

In relation to the adjacent site

Full planning permission was granted by the Planning Committee in January 2016 for the construction of a one-and-a-half storey dwelling on the neighbouring site directly to the north (15/01623/F).

RESPONSE TO CONSULTATION

Parish Council: OBJECT This application is not dissimilar to the previous one which was withdrawn. The outline planning permission was for a single dwelling; the “garage” is out of proportion and has the potential to be a second dwelling. In addition, the inspector at the recent appeal for adjacent development stated, “I find the rural character of this bridleway, including from the slight vantage point at its southern end to provide a generally attractive appearance such that it provides considerable local amenity value”. Heacham Parish Council considers the size of the proposed property, including outbuildings, will, if accepted, detract from this “generally attractive appearance”. In addition “Policy DM2 reaffirms the principle of settlement boundaries and seeks to restrict development in the countryside outside of these boundaries”. Heacham Parish Council acknowledges that the planning authority gave outline planning permission for the construction of a single property but considers it is now beholden on them (the authority), at reserved matters stage, to restrict the proposal to a more modest design

Historic Environment Service: NO OBJECTION subject to conditions.

NCC Highways: NO OBJECTION subject to condition.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Principle of development;
- Impact on form and character;
- Impact on highway safety;
- Trees; and
- Other material considerations

Principle of Development

The site lies within the Countryside where policies are restrictive, protecting the landscape for its intrinsic character and beauty. Core Strategy Policy CS06 states that the development of Greenfield sites should be resisted unless essential for agriculture or forestry

However, the site has the benefit of outline planning permission for the construction of a detached dwelling granted by the Planning committee in March of last year (16/00074/O) with a restriction that it be no more than 1 ½ storey in scale.

A recent reserved matters application for a detached dwelling on the site, 16/00964/RM, was withdrawn. It was considered that the proposed dwelling was too broad in its appearance and did not resemble a more conventional chalet style of dwelling and would be very much an incongruous feature in the locality.

This application has sought to resolve such issues.

Form and Character

Most of School Road is characterised by residential properties lining both sides of the road varying in scale and design. The application site is located towards the southern end of School Road where the character changes to agriculture; including various agricultural buildings operating rural businesses open countryside and other B1 / B2 uses.

There is already a 1 ½ storey dwelling to the north of the application site; 'The Cabin'. This dwelling is 1 1/2 storey and is constructed from brick and has been the subject of various extensions during its lifetime. The property extends across the majority of the plot width.

The application site directly to the north has consent for a chalet style dwelling with pitched roof running on an east to west axis. The property is sited adjacent to the southern boundary of the site and has ample garden area associated with it.

The proposed dwelling will be sited back on the site with a detached garage with studio above in front of the dwelling.

The Parish Council are concerned about the scale of the development.

The maximum height of the dwelling will be 8.4m high reducing to 7.7m in height for the southerly projecting extension of the scheme. The property is 19.3m wide, but this width has been broken up by projecting elements and stepped back elements in its design to alleviate its broadness which was the main issue with the previously submitted scheme. The maximum depth of the property is 18m but this is not fully appreciated as some elements are stepped in from the side elevation.

The previous scheme was also withdrawn as it did not convey a more conventional chalet style dwelling. Whilst features in the design of this property include ground to apex fenestration detailing and a balcony on the south elevation, the overall appearance is more akin to a conventional chalet style dwelling than the previous scheme. Having stepped down and stepped back elements in its design, the proposal portrays a property that would have evolved over its lifetime. Above all, it is considered that the proposal is still 1 1/2 storey thus complying with condition 16 of 16/00074/O.

The Parish Council raise issues of the scale of the garage. The garage roof is 6.5m (h), 1.9m lower in height than the front projecting element of the dwelling. The width of the garage is 13.3m wide (including roof overhang and stairs) and the depth is 7.1m. Whilst a rather wide garage, the footprint of the buildings can be accommodated on the site without appearing to result in a cramped form of development and there is ample amenity provided to the dwelling and is on balance considered to be acceptable.

Impact upon Neighbour Amenity

There are no residential neighbours to the south, east and west of the site.

Whilst single storey extensions of the proposed property are approximately 5m to the shared boundary with the recently permitted development immediately to the north of the site, the highest part of ridge to the property is 11.5m from the shared boundary. This limits any overbearing impact of the dwelling on this neighbour to an acceptable level. The neighbour will experience some overshadowing from the proposed property in the mid-late morning period but this would not be detrimental to the amenity of the occupier of the neighbouring dwelling to a level that the proposal would warrant a refusal. The only window in the north-west elevation of the proposed property serves the gallery landing area which is some 15m from the northern boundary, which is an adequate separation as to avoid detrimental

overlooking issues. It must be noted that all other windows at first floor either look directly to the east, south or west, ultimately away from residential properties.

In regards to the garage structure, there will be some overshadowing into the front garden of the neighbouring property but not to warrant a refusal of the application especially with the neighbouring property facing from being in the westerly direction. The proposal is not considered to be overbearing upon this neighbour with the mass of the roof moving away from the shared boundary. In order to avoid overlooking from the platform of the staircase, a condition will be imposed requesting details of screening in respect to the platform at the top of the staircase which provides access to the gym above. The gym and associated facilities will also be condition that it is only used for ancillary purposes to the residential dwelling and not for any business or commercial use.

Highway safety

Access has already been determined at outline stage; the highways officer has no objection to the proposed layout and a condition in regards to layout of the parking.

Trees

Condition 13 of the outline consent (16/00074/O) required a tree survey to be submitted detailing the trees that were on the site, as the apple trees were well established and were considered to make a positive contribution to the local environment and the landscape character.

A discharge of condition application was submitted but refused as the apple trees were cut down before the discharge of condition was determined. However enforcement action was not taken as landscaping was a matter reserved for determination at this particular stage.

A landscaping scheme has been submitted detailing the replacement of the fruit trees with 4 apple trees a lawn and gravel area, which is considered to be acceptable.

Other Material Considerations

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

Third Party and Parish Council's representations have been taken into consideration and mostly addressed above in the report.

The Parish Council's comments in regards to the garage becoming an independent unit of accommodation have been addressed by way of condition.

With regards to the Parish Council's concerns relating to the appeal decision site for residential and care home uses (ref: 13/01541/OM), the appeal site and scale of that proposal differs significantly from the current proposal that is the subject of this application. The appeal site covers an area of open countryside which measures 11 hectares and the proposal comprises 70 houses; 60 'Housing with care' dwellings; and a 60 bed care home.

In comparison, this application site is just under 0.2 hectares and although is situated within the countryside, it is used as a storage yard for building materials and is by no means open landscape. The proposal includes the site for construction of one dwelling only.

As stated above, the site directly to the north benefits from extant planning permission for the construction of one dwelling and beyond that to the north is an existing detached bungalow. The proposed development would therefore be part of a small group of houses so would not be isolated within the countryside but equally the scale of the development would not impact upon the open landscape in the same way as the proposed development subject of the appeal. The proposed design of this dwelling in this location would not compromise the open setting of this part of Heacham with only and would be only a distant feature from the A149.

CONCLUSION

Members have already decided that the principle of a dwelling and proposed access arrangements on this site are acceptable. This reserved matters application requests the determination of the appearance, scale, layout and landscaping of the dwelling.

The Parish have objected to the scale of the dwelling and its impact in terms of visual amenity. It is considered that this submission has overcome the reasons for withdrawing the previous application, the design draws some reference from a conventional 1 1/2 storey dwelling especially with a projecting gable element, dormer windows and rooms in the roof. The garage has lost its dormers and is on balance, considered to be acceptable.

It is your officer's opinion; the proposed dwelling would cause no adverse impact upon neighbour or visual amenity, and provides for the replacement of the 4 apple trees, that were removed prior to the determination of condition 13 of the outline permission.

On the basis of the above, the proposal would accord with the provisions of the NPPF, Core Strategy Policies CS01, CS06 and CS08 and Development Plan Policies DM1 and DM15.

RECOMMENDATION:

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

- 1 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 1 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 2 Condition Prior to the first occupation of the dwelling hereby permitted the proposed 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.
- 2 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 3 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation 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.

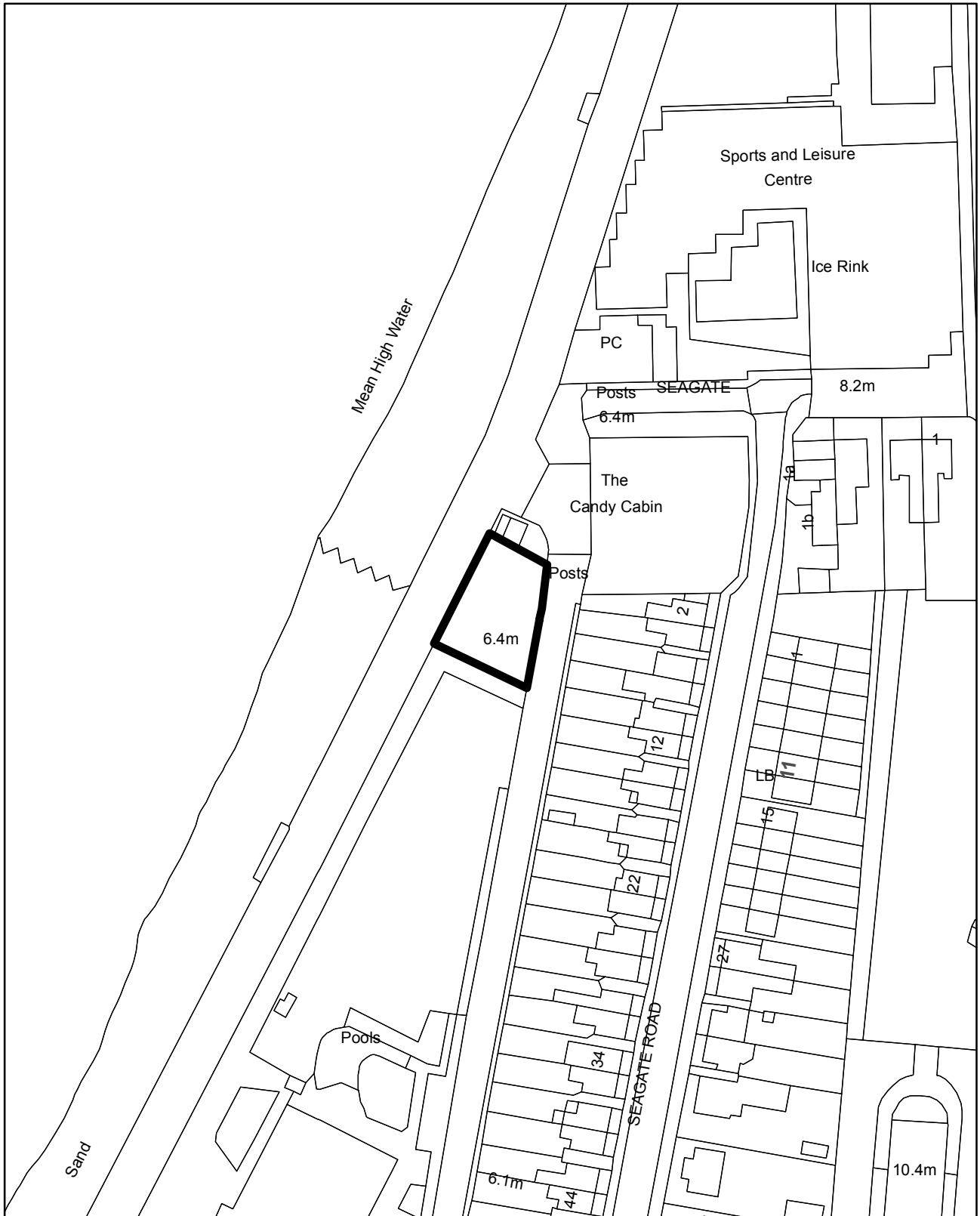
- 3 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 4 Condition The use of the garage and gym building hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling and shall at no time be used for business or commercial purposes or separate residential accommodation.
- 4 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 5 Condition Notwithstanding information received, 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 occupation of the dwelling hereby permitted 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.
- 5 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 6 Condition Prior to the first use of the first floor accommodation above the garage, details of screening to be installed on the North West and North East elevations of the staircase platform shall be submitted to and approved in writing by the Local Planning Authority. The details of the screening shall include its appearance and height. The screening shall be erected in accordance with the approved details prior to the first use of the roof terrace and be retained thereafter as such.
- 6 Reason In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF.
- 7 Condition Notwithstanding details received, before the first use of the upper floor of the garage building the velux window serving the gym areas as shown on the north east elevation on drawing no. 262-07 shall be top opening only and shall be fitted with obscured glazing. The window shall be permanently retained in that condition thereafter.
- 7 Reason In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF.
- 8 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - Floor Plan and Street View - 262-05 dated October 2016 received 11 November 2016

- Elevations, Sections, Site and Location Plans - 262-06 Rev A dated November 2016 received 26th January 2016
- Proposed Outbuilding 262-07 dated October 2016 received 11th November 2016

8 Reason For the avoidance of doubt and in the interests of proper planning.

16/01694/F

Land West of 2 and 4 Seagate Road South Promenade Hunstonton



AGENDA ITEM NO: 8/3(g)

Parish:	Hunstanton	
Proposal:	Proposed commercial units with associated first floor and ground floor seating (4 units in total to be for A1,A3 and A5 uses)	
Location:	Land West of 2 and 4 Seagate Road South Promenade Hunstanton Norfolk	
Applicant:	Rainbow Amusement Park Ltd	
Case No:	16/01694/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 13 December 2016 Extension of Time Expiry Date: 13 January 2017

Reason for Referral to Planning Committee – Called in by Councillor Bower and the views of Hunstanton Town Council are contrary to the Officer recommendation.

Case Summary

The application site lies within the development boundary for Hunstanton.

The site comprises of a retail unit which is concrete block and corrugated roof and part children rides.

The site is adjacent to the oasis centre and the sea life centre.

The proposal seeks consent to erect retail units (used for A1, A3 and A5 purposes) on the site with a seating/decked area.

Key Issues

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

Recommendation

REFUSE

THE APPLICATION

The application site is within the development boundary of Hunstanton.

The site comprises of a single storey retail unit with portal framed roof and play equipment on the eastern side of Hunstanton Promenade.

Adjacent commercial premises in the form of Hunstanton Sealife Centre and Oasis Centre are to the north and south of the site. To the east are the residential properties on Seabank Road. The properties are separated from the site by a service road.

The application seeks consent to demolish the current building and provide 4 retail units that are accessed via a ramp to a seating/decking area.

The floor level of the units will be 200mm above existing ground level.

The shops will have glazed frontages and a balcony area, which is accessed from Unit 2.

The building scales 23.8m (w) x 17 (d) x 4.8m (h) and is steel framed.

During the lifetime of the application revisions have been made that removes the ability of the retail units to from being serviced at the rear (east).

SUPPORTING CASE

The application has been supported by a letter which states the following:-

- The proposed retail units will receive deliveries and be serviced via the promenade before 10am. Access via Seagate Road to the turning point adjacent to the Oasis and public toilets will allow for deliveries to be barrowed to the front of the retail units – a method also adopted by the Oasis and other businesses.
- There is adequate turning point in question also allows for delivery vehicles to manoeuvre and turn around, driving back south down Seagate Road in forward gear. The proposed opening through the site boundary wall has now been omitted following public consultation
- Overlooking will not occur by virtue of the rear wall of the roof deck to be 1.8m from the floor level. No views looking east upon neighbouring properties will be possible due to the height of the proposed rear wall of the development.
- The height of the rear of the building is approximately 4.65m
- The height of the balustrading, is approximately 4.5m
- The loss of a private view is not a planning consideration
- The design and materials of the building proposed reflect that of the buildings in close proximity to the application site. The colours are sympathetic to its surroundings – merlin grey, wedgewood blue and anthracite
- The hours of opening are from 8am to 10pm. There will be no 24hr access to the roof as the access to the staircase is internal.
- Staff parking is available within the town centre.
- The noise output of the proposed development, will be reduced compared to existing levels of noise. The current use of the site involves the operation of amusement rides and machinery of which can be noisy and consistent throughout the day, therefore by changing the sites use to permanent retail units the level of noise pollution will be significantly reduced following the change of use of the site; I feel that this is difficult to disagree with.

PLANNING HISTORY

No recent relevant planning history

RESPONSE TO CONSULTATION

Town Council: SUPPORT the amended plan has removed the gate at the rear of the proposed development and the town council finds this acceptable. Furthermore a letter from the agent has addressed all the issues of local residents.

NCC Highways: OBJECTION The proposal does not incorporate adequate facilities for the servicing of the premises and involves the delivery vehicles parking on double yellow lines at a point where road is already narrow thereby obstructing highway users. Inadequate turning facilities exist forcing delivery vehicles to drive on the footway to turn around. Contrary to development plan policies.

Environment Agency: NO OBJECTION it is strongly recommended that the applicant incorporates flood resilient measures to the design of the development in order to render it as resistant as possible to flooding.

Emergency Planner NO OBJECTION subject to conditions in respect to the EA Floodline warnings direct and a flood evacuation plan.

Environmental Health & Housing – Environmental Quality: NO OBJECTION

REPRESENTATIONS

FOURTEEN letters received in regards to the original set of plans

- The proposed gate in the sea wall would weaken the wall.
- Overlooking into neighbouring bedrooms
- Should be single storey scale only.
- Overshadowing
- Noise pollution
- Odour
- Loss of view
- Incongruously modernistic appearance
- No thought in regards to deliveries
- Elevation annotation is incorrect
- No mention of any extraction fans
- Where will staff park
- How will emergency services be able to access the site

THREE received in regards to the amended plans

- Overlooking
- Overshadowing
- Loss of view
- Staff are likely to park close by
- Smell from the retail units and bins
- Can the seating and viewing be controlled that this area is not accessible 24 hours a day.

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

CS05 - Hunstanton

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

OTHER GUIDANCE

Hunstanton Parish Plan

PLANNING CONSIDERATIONS

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

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

Principle of Development

Hunstanton is a “main town” according to Policy CS02 of the Local Development Framework Core Strategy. “Main Towns” will provide significant development with a focus on maintaining and enhancing their roles in delivering essential services, opportunities for employment and residential development and enhancement of tourist facilities.

Policy CS10 – “The Economy” policy of the Core Strategy states that “retail, tourism, leisure and cultural industries are key elements of the economic and social vibrancy of our borough, and contributes to the regeneration and growth of the area... and the council will seek to retain land or premises as used for employment purposes...”

The existing site has a premises and associated land that have been used for employment purposes. This proposal retains and intensifies the use of the land for employment purposes and thus principally the proposal adheres to policy CS10.

The proposal therefore could be acceptable in principle although other material considerations also need to be considered.

Impact upon Visual Amenity

The site is to the east of the seafront promenade between the Sealife Centre and The Oasis – leisure facility. These buildings demonstrate the use of portal framed steel cladding.

The site currently contains a single storey mono-pitched building that has a portal framed roof and pieces of play equipment.

The building and play equipment is set back behind the promenade wall.

To the west of the site are the residential dwellings on Seagate road.

These dwellings are two storey brick painted and carrstone semi-detached properties. The properties have rear gardens that back onto a service road that splits the site from these properties.

The proposal is to demolish the brick built buildings and replace them with a larger building that is split into 4 units.

The building will be steel framed and has glass bi-folding doors that lead onto a decked area. The building will have a roof decked area which is accessed from inside unit 2. The decked area will have glass balustrading on the west elevation and a combination of steel screening and glass balustrading on the south elevation.

It is considered that the design and scale of the building is visually acceptable and draws reference from the design and scale of other buildings in the vicinity.

Impact upon Neighbour Amenity

The area is characterised by mixed uses with residential to the west and commercial uses to the north and south.

The hours of use of the premises 08:00-22:00 Monday –Friday including Sundays and Bank holiday would not cause a detrimental impact upon residential neighbour amenity given that the area is characterised by mixed uses that includes some night-time opening hours. Furthermore the site is currently being used for a commercial use.

Whilst no information has been provided in regards to any flues/mechanical ventilation systems in association with the use of the A3 and A5 retail units, such details can be submitted to discharge a condition that covers these particular issues.

Third party representations raise issues in regards to the scale of the building and the layout causing overshadowing and overlooking issues. The site is on lower land than the residential properties to the west. Taking into account the level of the service road to the rear and the height of the building being little over 5m in height it is not considered that their amenity spaces will be detrimentally overshadowed.

It is considered that the overlooking issues raised by third parties into upper floor windows of the properties on Seagate Road can be addressed by imposing a condition that a scheme for screening along the proposed northern elevation be submitted to the Authority for determination in order to protect the neighbour's amenity.

The siting and scale of the building does not cause overbearing issues upon the neighbours.

Highway Safety

Initially it was proposed that the units were to be serviced from the service road between the properties on Seagate Road and the site, this would have involved puncturing into the wall that runs along the rear of the rear of the site. This way of servicing the building has since been revised by removing the service gates in the wall following third party objections.

The proposed method to serve the building involves delivery vehicles being stationed on Seagate Road, whilst goods are barrowed round to the promenade. The agent also refers within the statement that the proposed retail units will be serviced via the promenade before 10am. The delivery vehicles will use the turning head at the bottom of Seagate road to enable the vehicles to leave Seagate Road in forward gear. The agent makes references to the barrowing of goods as the current method use to serve The Oasis Centre and other business in the vicinity of the area.

Notwithstanding the ability to service the retail units in the area via the promenade, the highways department have responded objecting to the proposed delivery arrangements. The highways department state that "the intention is to service the retail units by vehicles parking on the double yellow lines where the road is already narrow. Given the narrowness of the road, vehicles will have no alternative but to also obstruct the footway preventing free passage by pedestrians... whilst the applicants state delivery vehicles would be able to use the turning point on Seagate Road, I would point out that the turning area is actually positioned further back along the road. Accordingly rather than reverse along Seagate Road to the turning area, the service/delivery vehicles will drive on the footway and use the footway to turn around".

Whilst the Oasis and other businesses service their premises in the way described by the agent, it is considered that this proposed arrangement for servicing the 4 units would cause highway safety issues contrary to the provisions of Policy CS 11 – transport of the core strategy 2011 and paragraph 35 of the NPPF which requires development to be located and designed, where practical, to accommodate the efficient delivery and supplies.

Flood Risk

The site lies in flood Zone 2.

The Environment Agency (EA) has no objection to the proposal provided that the finished ground floor levels will need to be set at 6.40m Aod as indicated on the submitted drawings.

Contrary to the Environment Agency's comments the proposal is not required to pass the exception test as the proposed use is classified as being "less vulnerable" in terms of floor risk and is contained within flood zone 2.

The Emergency Planner has suggested conditions be imposed that occupiers of the units ought to sign up to EA Flood warnings direct service and a flood evacuation plan being prepared and submitted to the council. It's your officer's opinion that it would be a reasonable to impose such conditions should members wish to approve this application.

Other Material Considerations

The units will require bin storage. The storage area is located to the rear of the units. The Waste and Recycling manager's comments in respect to the adequacy of the area will be reported in late correspondence.

CONCLUSION

The proposed building does not cause any detrimental impact in terms of visual amenity as its scale and appearance is considered to be satisfactory. Neighbour Amenity issues can either be addressed by way of condition or are already addressed in the design of the proposal.

Whilst the site currently has a commercial use in the form of an amusement arcade and children's rides, the proposal will involve an intensification of commercial uses on the site, with very little space in which these buildings can be serviced. These premises will need to be serviced and in order to do so, the agent has detailed that vehicles be stationed on Seagate Road. NCC highways have stated that in order to turn around in Seagate Road, this is likely to result in the mounting of footpaths putting pedestrian users of the highway at risk. The proposal would therefore be contrary to the provisions of ensuring that development must be located and designed where practical to accommodate efficient delivering and supplies in accordance with paragraph 35 of the NPPF.

It is considered that this reason alone outweighs the benefits of the scheme, and leads to a recommendation of refusal.

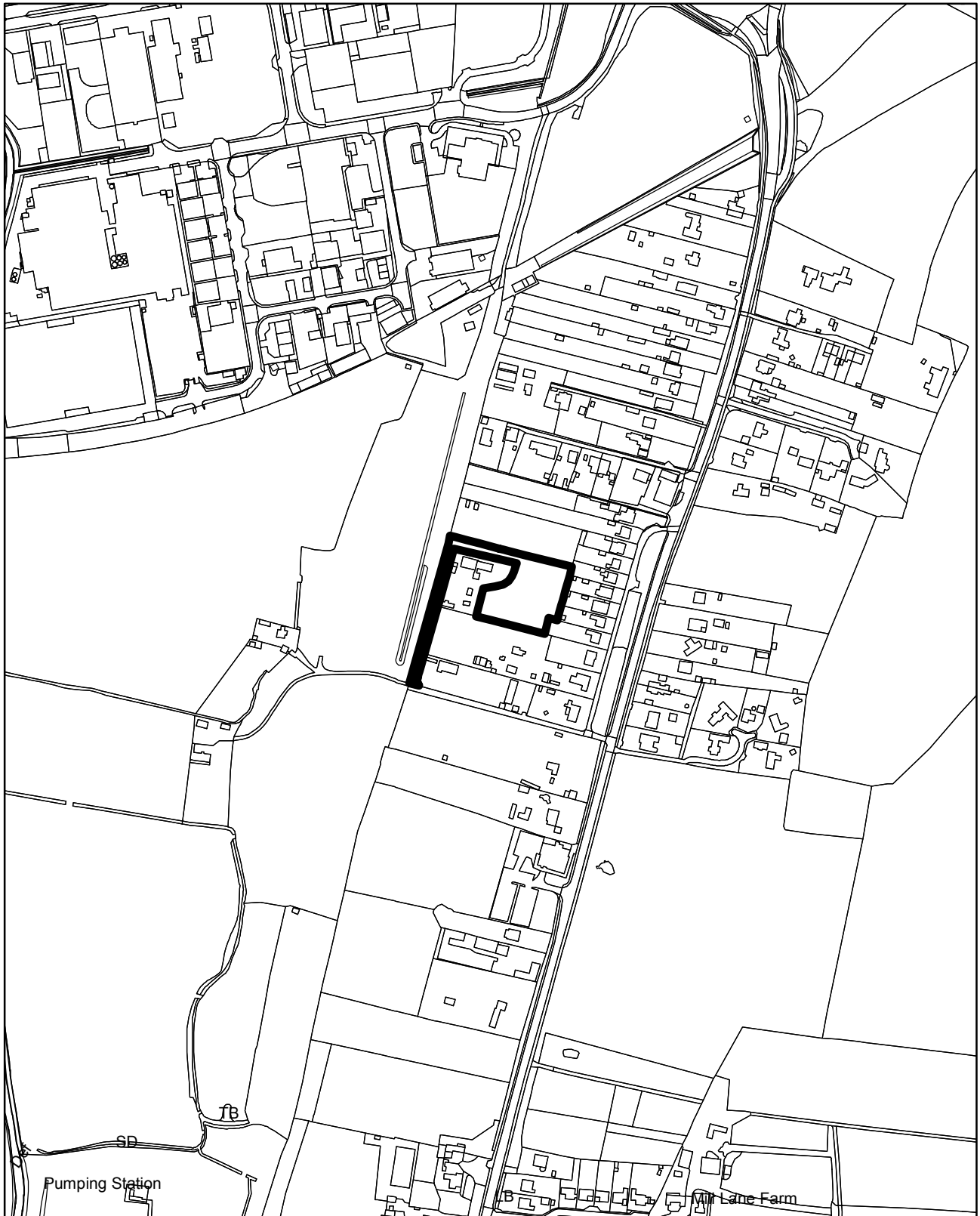
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposal does not incorporate adequate facilities for the servicing of the premises and involves delivery vehicles parking on double yellow lines at a point where the road is already narrow thereby obstructing highway users, inadequate turning facilities exist forcing delivery vehicles to drive on the footway to turn around, causing a hazard to pedestrians. The benefits of the scheme do not outweigh this harm, and the proposal is therefore contrary to paragraph 35 of the National Planning Policy Framework and Policy CS11 of the Local Development Framework Core Strategy.

16/02085/F

The Old Coal Yard Hardwick Narrows West Winch



AGENDA ITEM NO: 8/3(h)

Parish:	North Runcton	
Proposal:	New residential dwelling	
Location:	The Old Coal Yard Hardwick Narrows West Winch Norfolk	
Applicant:	Mr And Mrs A Carman	
Case No:	16/02085/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 25 January 2017 Extension of Time Expiry Date: 15 February 2017

Reason for Referral to Planning Committee – Councillor Anota has requested that the application is determined by the Planning Committee.

Case Summary

The site is located within the development boundary for West Winch, a settlement adjacent to King's Lynn and designated as a Growth Area in the adopted Local Plan.

The application is made for full planning consent for the erection of a new residential dwelling, a substantial two bedroom detached bungalow on land to the rear of West Winch Road.

Key Issues

The principle of development
Form and character
Residential amenity
Access

Recommendation

REFUSE

THE APPLICATION

The application is made for full planning consent for the erection of a new residential dwelling, a substantial two bedroom detached bungalow on land to the rear of West Winch Road. The bungalow measures approximately 13.5m by 16.5m, with a central atrium design and the glass rooflights at a maximum height of 5.3m.

Notwithstanding the site address described as The Old Coal Yard, Hardwick Narrows, West Winch, the application site sits to the rear of a row bungalows on West Winch Rd which are served by a secondary access track (i.e. not directly off A10).

This secondary access road then leads on to a private non-adopted track which would serve the proposed dwelling.

The character of this part of West Winch Road is of modest bungalows fronting the secondary access track. There is already development to the rear of the bungalows, which are of a mix of dwellings all larger in scale.

SUPPORTING CASE

The proposal for the site are for the construction of a new single storey dwelling consisting of two bedrooms, an open plan kitchen, dining and living space, a utility and study all accessed off a central atrium area. The dwelling will be constructed within the grounds of an existing property which has a large garden area, therefore making better use of the land. The access will be via an existing private driveway onto the existing A10 which forms one of the main access roads into Kings Lynn.

The existing access road is currently used by at least fifteen properties and therefore we fail to see how one additional property can be an issue for highways. As the site address suggests, the site was a former coal yard which involved the use of lorries to and from the site which would have created more traffic issues than a new dwelling. Also bearing in mind that a development of seventeen houses and a development of caravans has recently been approved in close proximity to the site on the same side of the road, both of which have direct access on to the A10 we fail to see how Highways can have an objection to this proposal.

A letter has been submitted from Cambridge University Hospitals supporting the application which states that in the longer term the applicant could experience severe disability.

PLANNING HISTORY

16/02085/F: - New residential dwelling - The Old Coal Yard, Hardwick Narrows, West Winch, Norfolk, PE33 0NA

16/01336/F: Application Refused: 06/10/16 - New residential dwelling - The Old Coal Yard, Hardwick Narrows

09/00016/F: Application Permitted: 09/03/09 - Construction of dwelling and annexe - Land NW of 50 West Winch Road

08/00365/LDE: Was/would be Lawful: 08/04/08 - Certificate of lawfulness - Continued siting of 2 caravans - 2 _ 3 Hardwick Narrows

08/01487/F: Application Permitted: 30/07/08 - Construction of dwelling and self-contained annexe - Land NW of 50 West Winch Road

RESPONSE TO CONSULTATION

Parish Council: No Comment.

Highways Authority: You will be aware that NCC previously passed comment in relation to the development of the site under planning application 16/01336/F. Unfortunately the highway considerations are unaltered by this application and I therefore refer you to the

comments made for 16/01336/F and continue to recommend a refusal for the reasons previously given.

NCC response to application 16/01336/F dated 15 August 2016:

The proposed development ultimately accesses through a private drive directly onto the A10 which is a principle route in Norfolk's Route Hierarchy and designated as a Corridor of Movement under the Kings Lynn and West Norfolk Local Policy.

The A10 carries a very high volume of traffic and we consider that an approval of this application, would lead to increases in conflict and interference with the passage of through traffic on this principle route, ultimately caused by additional vehicles, slowing, waiting, and turning into the private access.

Norfolk County Council as the highway authority for the A10 has consistently sought to resist development that would increase vehicle movements of the nature described above. All planning inspectors' decisions have been found in favour of this authority's stance when challenged at appeal.

A residential development will typically generate 6 vehicular trips per day.

At the private point of access with the A10 the driveway/track it is found to narrow, being of only single track width and is steep, its conditions therefore leads to additional waiting on the A10 while a car waiting to turn in has to wait for the access point to be clear of any egressing vehicles.

There are no less than 5 recorded accidents being registered within 250m of the site access with 4 being attributed to waiting in the highway, 3 to vehicles turning right.

As I believe an approval of this application would lead to conditions to the detriment of safety and efficiency on the A10, I therefore recommend the application be refused for the following reason:

SHCR 11 The proposed development, if permitted, would lead to right hand turning movements across the opposing traffic stream of a busy traffic route / principal route which would interfere with the free and safe flow of traffic and cause danger and inconvenience to highway users. Contrary to Development Plan Policy CS11.

Internal Drainage Board: No Comment.

Environment Agency: NO OBJECTION.

Environmental Health & Housing – Environmental Quality: NPPF stated that the planning system should prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of land pollution.

The site is part of a former coal yard. Therefore there is the potential for contamination to exist on site. Therefore I would recommend conditions are attached.

Groundwater protection and potential pollution of controlled waters is the responsibility of the Environment Agency and their advice should be sought on this.

REPRESENTATIONS

ONE letter of **SUPPORT** received from a neighbouring dwelling which states:

'there is no reason to refuse the planning application as there is already a property adjacent to the site and good access is already in place, the planned property would not in my opinion prove to pose a problem to any of the other existing properties and also would not pose a problem nor increase any problems with access or exit from the site in question.'

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

PLANNING CONSIDERATIONS

The key issues in relation to this application are;

- The principle of development
- Form and character
- Residential amenity
- Access

The principle of development

The site is located within the development boundary for West Winch, a settlement adjacent to King's Lynn and designated as a Growth Area in the adopted Local Plan. In accordance with Policy DM2: Development Boundaries, development will be permitted ... provided it is in accordance with the other policies in the Local Plan.

While the applicant has provided information relating to their health issues, such personal circumstances unfortunately are not planning considerations to be given weight when determining this application.

Form and Character

The proposed dwelling lies to the rear of an established frontage of bungalows on West Winch Road. However there are already a number of dwellings developed in the land to the rear, which differ in design and scale. The dwelling proposed again differs in design, however it would not be visible from any public vantage point. There would only be glimpses from West Winch Road between the existing dwellings. Therefore it is our view it is acceptable in this location in terms of form and character.

Residential Amenity

The dwelling takes the form of a large detached bungalow. There are no issues of overlooking to the neighbouring dwellings. Similarly access to the site, via the un-adopted roads/ tracks, would not have a detrimental impact on neighbour amenity of existing or proposed residents.

However while the site boundaries are identified on the plans, the details of the boundary treatments are not specified and were planning consent to be granted, these would need to be conditioned and further details provided.

Access

The significant issue for this application is access off West Winch Road, from the A10 to the secondary access road/ track. The Local Highways Authority has objected to this application on the grounds of highway safety.

The full comments are detailed above but in summary their view is that an approval of this application would lead to increases in conflict and interference with the passage of through traffic on this principle route, ultimately caused by additional vehicles, slowing, waiting, and turning into the private access. A residential development will typically generate 6 vehicular trips per day. These conditions would be to the detriment of highway safety and efficiency on the A10, in this particular location.

Norfolk County Council as the highway authority for the A10, state that they have consistently sought to resist development that would increase vehicle movements of the nature described above.

CONCLUSION

The proposal seeks permission for a substantial detached two bedroom dwelling.

The site is within the development boundary for West Winch. West Winch is also designated as a Growth Area in the adopted Local Plan. Therefore the principle of development in this location is acceptable.

It is considered the design and layout of the bungalow proposed is entirely acceptable in relation to form and character, and residential amenity.

However, the access arrangements are via existing unadopted roads/tracks out onto the A10, in a location where there have been recorded accidents. The Local Highways Authority has therefore recommended that the application is rejected on the grounds that the

proposed development would create conditions which would be detrimental to highway safety, which is an approach they have consistently taken to new development accessing onto the A10, particularly in this locality.

It is therefore recommended that planning permission be refused.

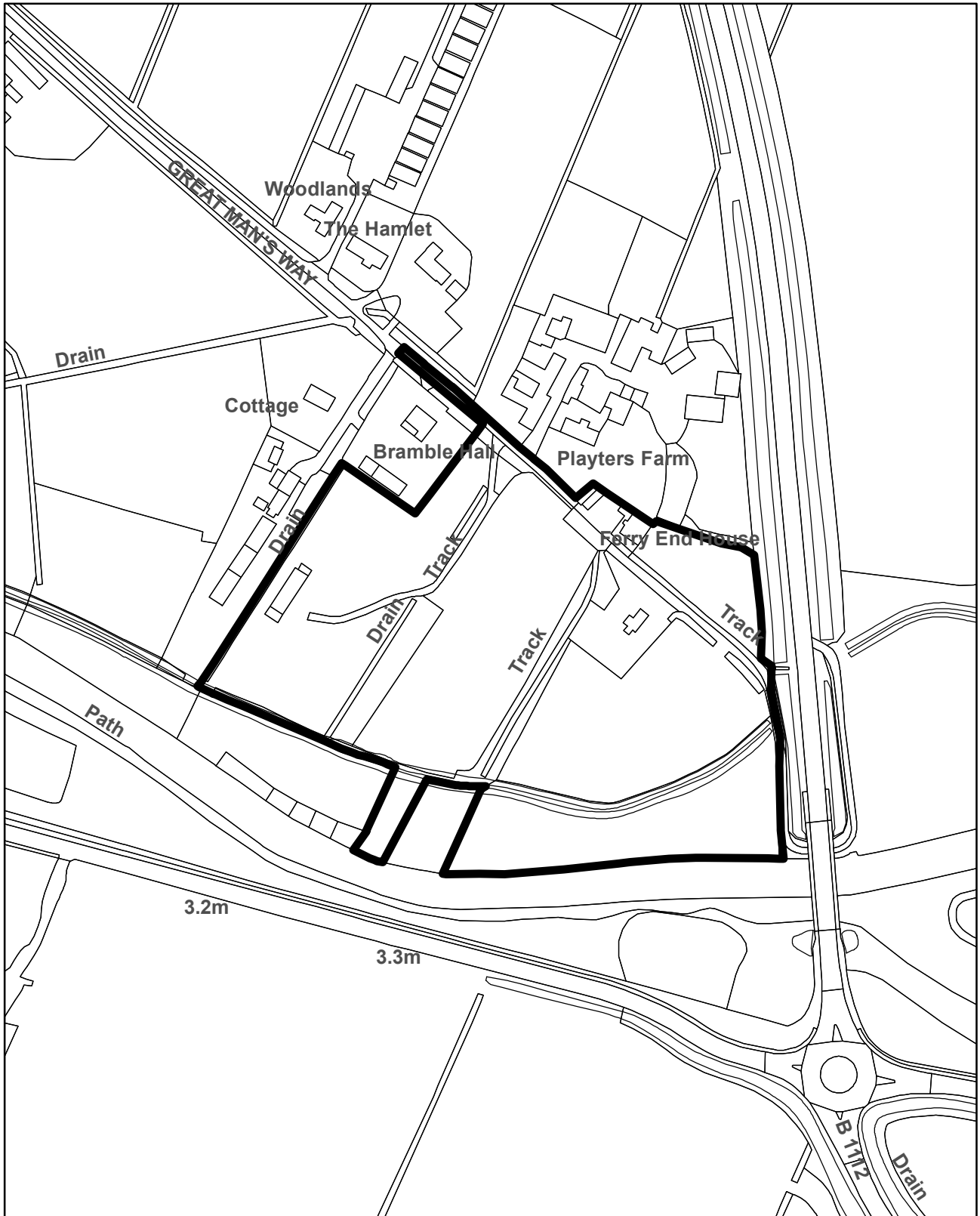
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed development, if permitted, would lead to right hand turning movements across the opposing traffic stream of a busy traffic route / principal route which would interfere with the free and safe flow of traffic and cause danger and inconvenience to highway users. Contrary to Development Plan Policy CS11.

15/01695/F

Land at Greatmans Way Stoke Ferry



AGENDA ITEM NO: 8/3(i)

Parish:	Stoke Ferry	
Proposal:	Erection of 6 timber holiday lodges	
Location:	Land At Greatmans Way Stoke Ferry Norfolk	
Applicant:	Mr John Coleridge	
Case No:	15/01695/F (Full Application)	
Case Officer:	Mr Bryan Meredith	Date for Determination: 19 September 2016 Extension of Time Expiry Date: 10 February 2017

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

Case Summary

The site lies on an area of land measuring 3.25ha to the east of the settlement of Stoke Ferry. The site is located outside the development of Stoke Ferry.

Whilst the proposal is on land designated as countryside, where new development is normally restricted; the proposal represents a development which complies with Policy DM11 (Touring and Permanent Holiday Sites) of the Site Allocation and Development Management Policies Plan. Conditions are attached to this recommendation that require the new holiday accommodation use to be operated and maintained as tourist facilities in the future.

The application seeks full planning permission for the erection of six timber holiday lodges.

Key Issues

The key issues in relation to this application are:

- Principle of development
- Design and layout
- Impact on the character and appearance of the countryside
- Impact on neighbour amenity
- Flood risk
- Highway safety
- Any other material considerations

Recommendation

APPROVE

THE APPLICATION

The application is made for full planning permission for the erection of 6 timber holiday lodges on land at Greatman's Way, Stoke Ferry.

The site is in an area of land measuring 3.25ha. The site lies outside the defined settlement boundary for Stoke Ferry as set out in the Site Allocations and Development Management Policies Plan document (2016). The site lies in an area identified at risk from flooding, with the application site designated as Flood Zone 2 and 3 in the Council's adopted Strategic Flood Risk Assessment.

The site is bounded by the A134 highway to the west, the River Wissey to the south, existing trees and hedgerows to the west and residential properties and Greatman's Way to the north.

There are detached properties adjacent to the application site on the northern boundary, along Greatman's Way.

SUPPORTING CASE The Application is accompanied by an extensive Design and Access Statement which sets out the:

- proposal of this application, which seeks to construct 6 timber holiday lodges on the application site,
- site area,
- existing site use, its features and the use of adjacent land,
- design process and placing the design in the context of the surrounding area,
- planning history,
- relevant planning policies which are relevant for this proposal,
- design principles, including the layout of the proposal, scale of the proposal and its appearance and the landscaping of the site,
- planning issues, which are set out as the attempt to address the benefit to local businesses, the plans to overcome the concern of flood risk on this site, the visual impact of the proposal on the area, the accessibility of the site, the wider sustainability of the proposal and the impact of the proposal on the ecology of the site.

The statement describes how the proposed design is consistent with material planning policy in relation to encouraging sustainable tourism activity within rural areas, adding to local economy and promoting rural diversification. The lodges will be visible from the riverside; however their construction will mean that they will blend into the wider landscape in time. The proposal will make a positive contribution to its immediate setting by bringing additional leisure expenditures to the village and will as a result support local businesses and services.

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

The site of the proposed development is bigger than adjacent residential properties to the north of the site. Boundary treatments of vegetation, trees and hedgerow will screen the proposed lodges from neighbouring properties. Along with this, the A134 borders the site to the east and the River Wissey and a bridleway border the site on the southern boundary.

The statement concludes that the proposal is for 6 attractively designed wooden holiday lodges to be located in an attractive riverside location close to the village of Stoke Ferry and as such is not in a truly isolated location far away from local services, the lodges can be installed without harm to flood risk and ecology and will bring significant benefits to local businesses.

The statement considers that the proposals are consistent with both the NPPF and material local plan policy, in particular DM11 and as such it is requested that planning permission be granted.

PLANNING HISTORY

11/01904/F: Application Permitted: 03/01/12 - Retention of shed/barn - Ferry End House, Greatman's Way, Stoke Ferry, Norfolk, PE33 9SZ;

RESPONSE TO CONSULTATION

Parish Council: Stoke Ferry Parish Council **OBJECTED** to this application on the 15/11/2015 for the following reasons:

This narrow road is not suitable for extra traffic, neither is it suitable for the heavy plant required during development. At least 100 yards of the roadway is mostly a dirt track not made up.

Is the owner of the land prepared to repair any damage to the roadway following construction should the application be approved. A Section 106 Agreement should be entered into whereby money is put in for road improvements once development is completed.

There will be no mains drainage only soakaways for foul/sewerage. The area is on a flood plain.

It is felt this planning application should be called in for further discussion by the Borough Council.

Highways Authority: A Highway Officer commented when the original application was submitted in 2015 that having examined the plans submitted it would appear that the applicant did not have rights over Greatman's Way at the last section towards the site. The Officer therefore sought confirmation that the applicant has control / right of access over the area and recommended that the applicant be asked to provide a revised plan if they are able to address this matter.

Following the resubmission of the application, the Highways Officer commented on the 01/12/16 that Greatman's Way is narrow, of single track width, and passing is currently only available on grass verges and private points of access. Should the application be considered in its current form then the officer would recommend a holding objection as the unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width / lack of passing provision. However, the Officer did remark that they are aware that Greatman's Way has wide verges (which are highway) along its length and that there is scope therefore for the applicant to mitigate the concerns set out above by incorporating a scheme of some localised carriageway widening (Passing bays) to achieve safe access/passing.

Following the comments above, the applicant agreed to the provision of passing bays on Greatman's Way. The Highways Officer has as a result withdrawn their holding objection and states **NO OBJECTION SUBJECT TO CONDITION AND PROVISION OF FOPUR PASSING BAYS ALONG GREATMAN'S WAY.**

Internal Drainage Board: Stoke Ferry IDB has **NO OBJECTION** to the application subject to conditions attached to the informative submitted to the application being adhered to.

Environmental Quality: Based on the information supplied, I have no comments to make regarding contaminated land or air quality.

CSNN: NO OBJECTION to the proposal subject to conditions attached to this informative being attached to a decision notice, which relates to foul water drainage arrangements for the site and a protection scheme from construction.

This is also on the basis that the applicant is able to satisfy EA concerns regarding flood risk and that satisfactory surface water provisions are in place subject to any prior discharge permissions from the drainage board and EA.

NCC Public Rights of Way Officer: The Officer had commented on the proximity of the proposed development to the adjacent public bridleway, which might have had a negative impact on the enjoyment of the use of the route and for the privacy of the lodges.

Following the submission of the revised plan, the Officer notes that the revised plan does increase the separation between the two and this proposal is more acceptable with regards to the public right of way.

The Officer notes further that the revised application introduces moorings to the proposal. It is not entirely clear how these will be accessed. While the Officer has no objection to their inclusion they will be on the other side of the bridleway to the lodges, but request that any aids to crossing the bank for private means, steps, handrails or surfacing for example, must not interfere with access along the bridleway.

REPRESENTATIONS

There were no representations submitted supporting the application. There were **17** representations received in 2015, when the application was initially considered, objecting to the proposal. There were 14 representations received in 2016 objecting to the amended application, with some of those representations made on the same grounds as those which were submitted with the original application in 2015. Below are a summary of the issues and concerns raised:

- High flood risk
- Access to the site inadequate and route cannot cope with additional traffic
- Pollution concerns
- Highway safety
- Drainage on this site and proposal is inadequate
- Construction traffic the road if permitted
- Query relating to the ownership of the upkeep and repair of the road following construction
- Negative affect on local amenity, species and their habitats
- Site is on a flood plain
- Septic tanks will be an impossible addition to the existing water table
- Noise and effects of construction on exiting neighbours to this site
- Right of Way and public bridleway affected by proposal

- Proximity of the proposed lodges to the bridleway affects public amenity
- Not enough facilities in the village to support this 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

CS06 - Development in Rural Areas

CS07 - Development in Coastal Areas

CS08 - Sustainable Development

CS10 - The Economy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM11 – Touring and Permanent Holiday Sites

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

In this case, the main considerations are:

- Principle of development
- Design and layout
- Impact on the character and appearance of the countryside
- Impact on neighbour amenity
- Flood risk
- Highway safety
- Any other material considerations

Principle of development

National and local policies expect new buildings relating to tourist accommodation to be located in or adjacent to existing towns and villages. Section 3 of the NPPF, Supporting a Prosperous Rural Economy, and in particular paragraph 28 sets out the need to support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. Local Planning Authorities should ensure that new sites are not prominent in the landscape and that any visual intrusion is minimised by effective high quality screening.

The application site is located on land classified as a mixture of Grade 2 and Grade 3 agricultural land, on a site designated as open countryside outside the development boundary of Stoke Ferry. In terms of the services and local business that will be supported by this proposal in Stoke Ferry, there is a village hall and church, a pub, two takeaways, a post office and a shop. To the south of the application site lays the River Wissey and to the west the A134 highway acts as a permanent boundary to this area. The location of the proposed development to the east of the settlement of Stoke Ferry is not considered to be isolated from facilities and there are neighbouring tourist accommodation sites in the locality.

Policy CS10 of the Core Strategy (2011) promotes opportunities to improve and enhance the visitor economy: supporting tourism opportunities throughout the borough and smaller scale tourism opportunities will also be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to the natural environment. This application for 6 timber holiday lodges is of an appropriate size and scale for this area adjacent to the settlement of Stoke Ferry and following consultations with various statutory bodies and amendments by the applicant to the proposed development, the proposed use will not be detrimental to the local environment or local residents in relation to its impact on flood risk, highway safety, community safety and neighbourhood nuisance.

Policy DM11 of the Site Allocations and Development Management Policies (SADMP) Plan (2016) is the relevant policy when judging this. In terms of the requirements:

- The proposal is supported by a business plan and planning statement which demonstrates how the site will employ a single employee who will manage the holiday lodges year round and it will support tourism in the area;
- The proposal demonstrates a high standard of design with stilted platforms and raised floor levels overcoming flood risk concerns, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environmental qualities of the surrounding landscape and surroundings; and
- The site can be safely accessed following the provision of four passing bays along Greatman's Way in accordance with guidance provided by the Highway Authority;
- It is in accordance with national policies on flood risk and the submitted FRA overcomes concerns of the Environment Agency;
- The site is not within the Coastal Hazard Zone indicated on the Policies Map, or within areas identified as tidal defence breach Hazard Zone in the Borough Council's Strategic Flood Risk Assessment and the Environment Agency's mapping.

In relation to permitting such a use, the LPA includes conditions which have been supplied from statutory bodies to ensure that such uses are genuine and will be operated and maintained as tourist facilities in the future. To achieve this aim, occupancy conditions will be placed on future planning permissions requiring that:

- The accommodation is occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets;
- The accommodation shall be for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence; and
- The owners / operators shall maintain an up-to-date register of lettings/occupation and shall make these available at all reasonable times to the Local Planning Authority.

The remaining land would be centrally managed by the owner with communal landscaped areas and a centralized waste and recycling area. A neighbouring resident will manage the site 7 days a week. In addition the business expects to employ two local part time cleaners

and two local groundsmen on a part time basis to maintain the exterior of cabins and the surrounding grounds.

The applicant has stated that the cabins will have displays advertising local amenities and leaflets from the tourist information centre. In addition local businesses will be advertised and used as much as possible with a booklet of maps and directions being provided in the lodges with information on the local stores for groceries and provisions, pubs and restaurants in the village and immediate surrounds and it is hoped that these established businesses will benefit from holiday makers using the proposed development.

This creation of additional tourist related development throughout the borough is in accordance with the general economic policies in CS10 as well as the more specific tourism policy in DM 11.

Overall, the proposal complies with national policy statements and the Development Plan.

Design and the effect on the character and appearance of the countryside

The site is located in an area of open countryside as defined by the SADMP document. The application site is bounded to the east by the A134, which bypasses the village with the River Wissey located south of the site. Beyond the river to the southeast is an existing caravan park at Grange Farm on the opposite side of the river. The western boundary is defined by an existing field boundary which incorporates a partial hedgerow and a number of mature trees. The site currently consists of rough pasture running along the east boundary and domestic boundaries. It was also noted on the site visit that there was a hedgerow, mixed with mature willow trees lining the western boundary of the site.

The majority of the proposed development is located to the south of the site. The development on the whole is screened from the public domain by the existing mixture of hedgerows, trees and planting. The visual impact of the proposal will be lessened by natural and existing screening on the site but the development will be visible from the A134 and riverside.

The timber lodges are of timber construction and relate to 6 x 3 bedroom units. The lodges would be served by an internal road and parking and turning facilities are provided for 18 vehicle spaces. The applicant intends to retain the 'wild' character of the site and its setting and is not proposing to carry out any major landscaping works or planting. The grass within the site will be cut periodically to provide an area for sitting out and playing, but it is not intended that this will become manicured lawn. However, the applicant has noted that should this be an issue for the LPA, they request a condition requiring a landscape management/maintenance plan be included for this scheme.

The design of the two storey units, including their elevation, will make these units more visible on site than alternative units but the level of screening provided by the row of planting and trees north of the bridleway will limit the visual impact of the units. As a result of the existing screening on site, the proposal is considered acceptable. The Tree Officer raises no objection to the scheme.

Impact on neighbour amenity

Whilst the holiday lodges are two storey buildings, the units are located to the south of the site and as a result there would be little impact regarding noise and disturbance or overlooking from their location.

The access road and entrance to the site would be located to the north of the site adjacent to the nearest neighbouring properties and runs through the middle of the site giving limited opportunity for noise and disturbance.

Despite the fact that the southern boundary of the site only has sporadic planting, the location of the front elevations of the lodges, which are south facing, are located at an acceptable distance from the bridleway to remove any concerns of impacting on the privacy and amenity of people using the bridleway.

Flood risk

There were objections from the Environment Agency, members of the public and Parish Council concerned with the flood risk on this site and the possibility of an increase in localized flooding as a result of proposed development. The applicant has acknowledged these flood risk issues in their Planning Statement which accompanies the application and as a way of overcoming these concerns, the proposal mounts the lodges on stilts which raise the floor level of the timber holiday lodges above the existing ground level at 3.00m aOD. It is also noted that this proposal is for timber holiday lodges and not permanent residential dwellings.

The flooding issues relate mainly to the proposed development and these concerns have been addressed with the revised FRA, which the Environment Agency has approved of. Furthermore the IDB raise no comment and CSNN and the Environment Agency raise no objection subject to the provision of a scheme for surface water drainage based on sustainable drainage principles and a scheme for foul drainage and the submitted FRA being complied with.

Highway safety

The scheme proposes to access onto Greatman's Way using an access point to the north of the site. Third party representations and objections have been received with regard to the narrow, single track width on the roadway, and that passing is currently only available on grass verges and private points of access.

The Highways Officer initially had concerns that the applicant did not have the rights over Greatman's Way at the last section towards the application site, with their records indicating the public highway terminated at Bramble Hall. The Officer therefore sought confirmation that the applicant has control / right of access over the area and recommended that the applicant be asked to provide a revised plan if they are able to address this matter.

Following the submission of the amended plan, the Highways Officer commented that Greatman's Way is narrow, of single track width, and passing is currently only available on grass verges and private points of access. The Officer commented that they would not consider the section of highway to be suitable in its present form to cater for the additional traffic that this site would generate resulting in a Highways objection.

The Officer did remark that they are aware that Greatman's Way has wide verges, which are highway, along its length and that there is scope therefore for the applicant to mitigate the concerns set out above by incorporating a scheme of some localised carriageway widening, in the form of passing bays, to achieve safe access/passing. Such similar facilities have previously been considered and approved in relation to recent approvals (Reference numbers: 16/00230/O and 15/01595/O) on Greatman's Way however the Highways Officer noted that these are yet to come forward.

The Agent has since confirmed that they accept the condition as proposed by NCC highways on the understanding that the condition will require assessment prior to first use of the cabins and the number of bays to be provided will be assessed at that time having regard to the provision (or otherwise) of bays to the north to the site along Greatman's Way.

Traffic generation as a result of 6 holiday lodges is not considered to be so significant as to warrant a reason for refusal and the concerns raised above by the Parish Council, public representations and Highways Officer have been overcome by attaching conditions supplied by the Highway Officer. The LPA has no objection to the proposal in highway terms subject to conditions regarding the provision of 4 passing areas along Greatman's Way, to accord with the NCC specifications being included in any recommendation which may come forward from previously approved schemes.

Other material considerations

Public comments were received objecting that there are already holiday developments within the local area. The proposal has been considered on its merits and considered to comply with national and Development Plan policies.

Environmental Quality considers that the application raises no issues with regard to contamination.

CONCLUSION

The proposed development for six holiday lodges is located in an area east of the settlement of Stoke Ferry. The proposal would have little impact on the character and appearance of the countryside and complies with Policy DM11 of the SADMP Plan. The proposal would not create additional flood risk in the area and would have limited impact on highway safety. Furthermore it is considered that these units would not be materially harmful to the amenity of any neighbouring properties.

For the reasons outline in this report it is considered that the proposed development accords with the aims of the national and local policy, specifically Policy CS10 of the Core Strategy (2011) and Policy DM11 of the SADMP Plan (2016).

On this basis, the application is considered acceptable and therefore recommended for approval subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans titled:
 - Proposed Site Plan, drawing number 205-01SK01, Revision E,
 - Typical Lodge Details, drawing number 205-01SK02,

- Proposed Location Plan, drawing number 205-01SK04, Revision B and
 - Site Sections, drawing number 205-01SK05.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
 - 3 Condition No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, The soft landscape works shall include planting plans showing native trees, shrub and hedgerow species giving 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.
 - 3 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
 - 4 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
 - 4 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase
 - 5 Condition Prior to the commencement of development details of the method of lighting and extent of illumination to the holiday lodges, access roads, footpaths, parking, and circulation areas shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented as approved prior to the occupation of the development or any phase of the development to which it relates and thereafter maintained.
 - 5 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
 - 6 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
 - 6 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
 - 7 Condition The owners/operators of the site shall maintain an up-to-date register of the names and the main addresses of all owners/occupiers of individual lodges visiting the

site together with details of their arrival and departure dates and this information shall be made available at all reasonable times to the local planning authority.

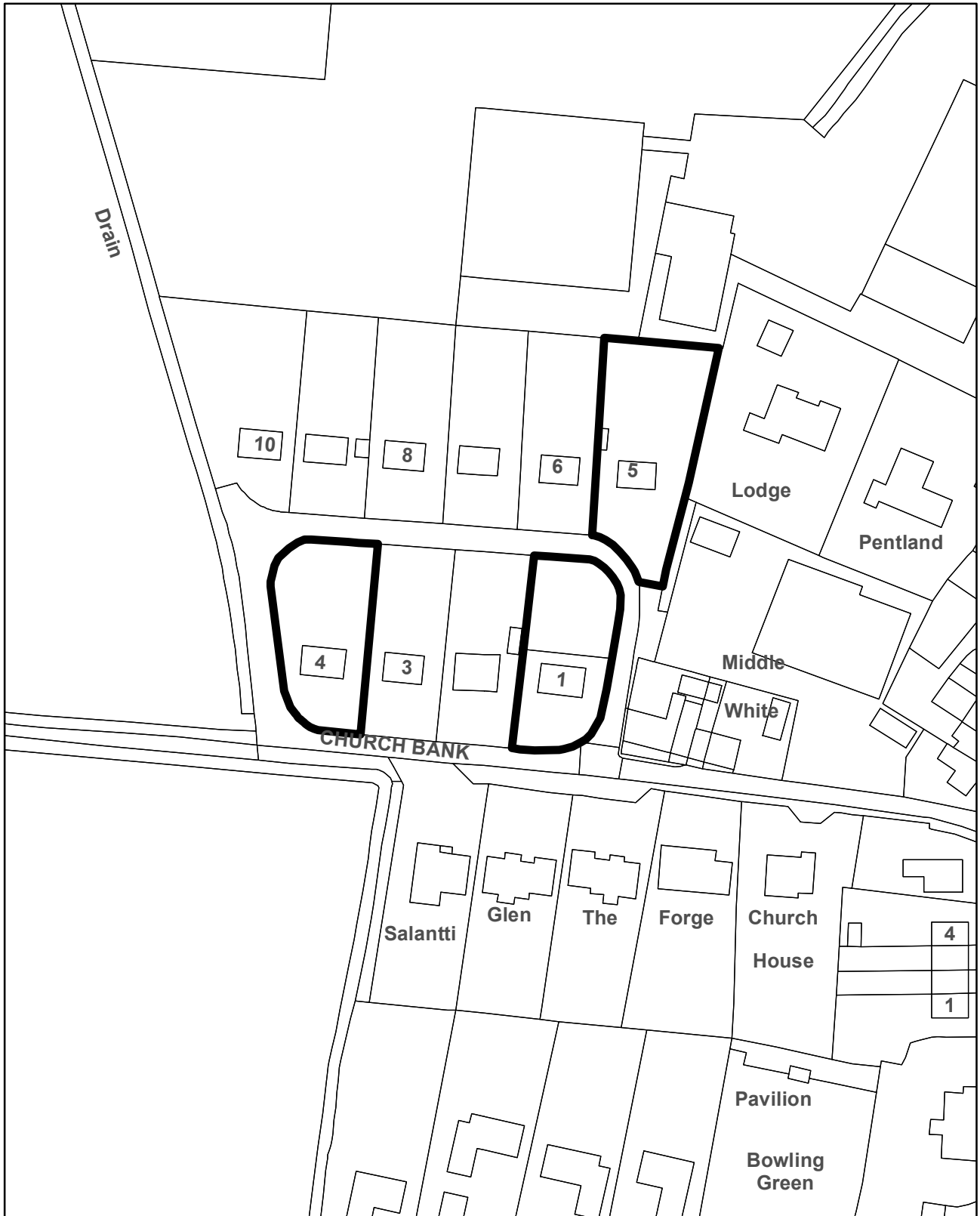
- 7 Reason To ensure that the use of the site and occupation is inappropriate in this location in accordance with Policy CS10 of the Council's LDF Core Strategy and the provisions of the NPPF.
- 8 Condition The development hereby permitted shall only be used as short stay holiday accommodation (no more than 28 days per single let) and shall not be occupied as a person's sole or main residence at any time.
- 8 Reason For the avoidance of doubt and to ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation which would be inappropriate in this location and contrary to provisions of the National Planning Policy Framework (2012) and Policies CS01, CS06 and CS10 of the Core Strategy (2011).
- 9 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works; provision of two passing bays, have been submitted to and approved in writing by the Local Planning Authority.
- 9 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

This also needs to be a pre-commencement condition as these fundamental details needs to be properly designed at the front end of the process.
- 10 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 10 of this condition shall be completed to the written satisfaction of the Local Planning Authority.
- 10 Reason To ensure the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

This also needs to be a pre-commencement condition as these fundamental details needs to be properly designed at the front end of the process.
- 11 Condition The minimum ground floor level of any building involved in the development shall be at least 3.00m aOD unless otherwise agreed in writing by the Local Planning Authority.
- 11 Reason In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 12 Condition Prior to the first occupation or use of the development hereby permitted the proposed access, on-site parking, servicing, turning and waiting areas shall be laid out, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.
- 12 Reason To ensure that parking and servicing facilities will be available to serve the development.

16/01843/F

1, 4 & 5 Church Bank Terrington St Clement



AGENDA ITEM NO: 8/3(j)

Parish:	Terrington St Clement	
Proposal:	Redevelopment of site for 6 No. dwellings following demolition of 1, 4 and 5 Church Bank	
Location:	1, 4 & 5 Church Bank Terrington St Clement King's Lynn Norfolk	
Applicant:	Freebridge Community Housing	
Case No:	16/01843/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 19 December 2016 Extension of Time Expiry Date: 13 February 2017

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

Case Summary

The application relates to the redevelopment of three plots within Church Bank following the demolition of the three pre-fabricated bungalows which are currently on site. The proposal seeks to replace these three bungalows with three pairs of semi-detached dwellings which would result in six residential dwellings. The application site is located within the development boundary of Terrington St Clement which is a Key Rural Service Centre as defined by Policy CS02 of the Core Strategy and thus the proposal is acceptable in principle.

Key Issues

Form and Character
Design and Scale
Amenity Issues
Highways Issues
Flood Risk Issues
Ecology
Other material considerations
Crime and Disorder

Recommendation

APPROVE

THE APPLICATION

Church Bank is currently a small development of former local authority dwellings which are located to the northern side of Church Bank and immediately adjacent to farmland which is to the west. The existing dwellings are predominantly pre-fabricated bungalows with some replacement bungalows which have some first floor accommodation within the roof space. Much of the access road is private unadopted road which is narrow (single width).

The application seeks planning permission to demolish three of the pre-fabricated bungalows and replace them with three semi-detached properties which would result in six dwellings, thus doubling the number of units.

There is a second application (16/01844/F) also to be considered at planning committee which seeks to replace an additional two pre-fabricated bungalows at Church Bank with a semi-detached pair and two detached properties thus doubling the units from two to four. Overall in conjunction with this application the two applications should they be approved would result in a net increase of five dwellings.

SUPPORTING CASE

- Freebridge Community Housing seeks approval for the demolition of 3 No. substandard single storey dwellings and replacement with 6 No. 1½ storey dwellings.
- The proposals consider the siting of the development within a flood risk area which precludes the replacement of the dwellings “like for like” and instead provides for sleeping accommodation to be at first floor level.
- In order to minimise impact on the adjacent properties the proposals suggest a low ridge line, with roof lights to reduce the massing and to minimise overlooking. The eaves internally are reduced to 1.2m, considering this as a practical minimum before losing usable floor space.
- Initial enquiries with NCC Highways Department have been carried out which suggests that there is no objection in principle to the redevelopment subject to the scale of the scheme.

PLANNING HISTORY

16/01844/F: Pending Consideration at Planning Committee: - Re-development of site for 4No. dwellings following the demolition of 7 and 8 Church Bank - 7 & 8 Church Bank

14/00039/PD: GPD HH extn - Not Required: 18/11/14 - Single storey rear extension which extends beyond the rear wall by 4.4 metres with a maximum height of 3.86 metres and a height of 2.7 metres to the eaves - 6 Church Bank

11/00650/F: Application Permitted: 01/07/11 - Removal of present conservatory and construction of single storey extension to form new lounge area - 9 Church Bank

2/96/1469/F: Application Permitted: 16/12/96 - Conservatory extension to dwelling - 10 Church Bank

2/01/0817/F: Application Permitted: 25/07/01 - Construction of domestic garage/workshop - 6 Church Bank

2/00/0922/F: Application Permitted: 26/07/00 - Demolition of existing arcon bungalow and construction of replacement bungalow - No 6 Church Bank

RESPONSE TO CONSULTATION

Parish Council: OBJECT

- The land is running silt and not suitable for building. Permission was refused for a two storey building when the High School was built and has caused problems with sewers.
- Consideration should be given to Drainage Board requirements should the development go ahead.
- There are over eight dwellings and therefore in line with the highways recommendations the highway should be improved to the standard of Highways recommendations.
- The site is adjacent to an agricultural access to nearby farmland and a hard standing area used by agricultural vehicles when collecting produce. There will be noise issues associated with large vehicles and combine harvesters and issues with mud.
- A precedent has been set with previous refusals to build two storey dwellings on the site.
- Two storey dwellings will have an impact upon amenity of the existing privately owned bungalows which remain on site.
- The access road leads to a public footpath and bridleway and further traffic increases will impact upon the amenity of the footpath and the enjoyment of it.
- The BCKLWN resolved not to build on or lose gardens and this goes against that resolution.
- If there is any development it should be single storey only and approved only after the social care needs of residents are rigorously assessed to prevent any reduction in quality of life.
- If approved dwellings should be like for like so as not to overshadow existing private dwellings and accommodate needs of the elderly.
- Existing elderly residents should be given priority to the housing on site.
- Site is on the boundary of the village conservation area and near the church, the proposal would have a visual impact upon both.
- There is a moral issue as there will be a profound impact upon existing elderly residents who have lived on site undisturbed for many years.
- To request fragile residents to move is at best thoughtless but could prove to be extremely detrimental to their well-being. Such a move for people in their 90s would prove traumatic. Also many private owners have health issues. The social and moral needs of the residents could be resolved by building one dwelling and housing and existing resident and then doing the same for the second resident etc.
- Like for like rather than re-house elderly residents in houses with a stair lift they may not have the capability of using or in housing away from their local neighbourhood.

Highways Authority: NO OBJECTION

Church Bank from the east is a highway and is adopted as a road up to property no.3 and thereafter becomes a public right of way as it travels west.

Following a site visit it is observed that the traffic in this area is very light and it effectively operates as a cul-de-sac, traffic speeds are low and traffic is local.

Amended plans were requested to provide access off the private section of road to the rear as these would not adversely affect the highway. Following receipt of amended plans so that all access positions are to the private section of road the Highways Officer is of the view that the proposed development is unlikely to significantly impact the highway and conditions are recommended.

NCC Public Rights of Way: NO OBJECTION Church Bank appears to terminate as a public road outside the current plot No3, it then turns into Public Footpath No7 Terrington, continuing westwards past the current No4. The vehicular access to No4 is to the rear (north) of the plot and it would appear that there may not be a vehicular right to access No4 from the south side.

If the proposal were to remain unchanged the applicant would need to demonstrate a private vehicular access to the existing No4 in order to be able to access it from the south. Otherwise the existing arrangement would need to remain where the plot is accessed from the existing private drive to the north of No4.

Housing Enabling Officer: NO OBJECTION No contribution required on either site due to the netting off of demolished units.

Environment Agency: NO OBJECTION the site is located in Flood Zone 3 and in an area benefitting from defences. It lies within Flood Category 3 but not in a hazard zone as defined by the SFRA. The site also lies in an area covered by our Tidal mapping with depths of 0.5m in the event of a breach of tidal defences.

We have no objection to the application but strongly recommend that the mitigation measures proposed in the submitted FRA including raising floor levels 500mm above existing flood levels and incorporating flood resistance and resilience measures to a depth of 300mm above finished floor levels are adhered to.

Community Safety and Neighbourhood Nuisance: NO OBJECTION A condition is recommended regarding a scheme to protect residents from construction amenity issues.

Environmental Health & Housing - Environmental Quality: NO OBJECTION The review of the Site Investigation Report produced by Delta Simons indicated that no elevated level of contamination was encountered. As such even though the site investigation was limited it considered that no additional site investigation was warranted. The proposed development will include the demolition of the existing buildings. Given the age of the building it is considered highly likely there will be asbestos containing materials within the building. Therefore conditions are recommended relating to asbestos.

Emergency Planning: NO OBJECTION The application site is located in an area at risk of flooding and there recommend they sign up to the EA Flood Warning Direct Service and prepare an evacuation plan.

REPRESENTATIONS

THIRTEEN OBJECTIONS covering the following:-

- The proposed dwellings are out of character and visually intrusive.
- The existing character is smaller cottage style dwellings and bungalows.
- The existing pre-fabs need replacing but should be replaced with bungalows benefitting the older population as there are few bungalows in the village.
- There were size / height restrictions placed on the re-building of no.6 (details submitted).
- The current residents will not be able to live in the proposed dwellings as they are not single storey (moral issues relating to re-locating current elderly residents).
- Will cause amenity issues relating to loss of light, being overbearing and causing overlooking due to their proximity and height.
- Additional parking due to additional vehicles will cause amenity issues to other residents (noise and pollution).
- The highway / road is inadequate to cope with the increased number of vehicles and potential on-road parking generated. Church Bank is a private, poorly maintained single width road.
- The access from Churchgate Way onto Church Bank is very narrow with no footpath provision along Church Bank.

- There are existing problems down Church Bank which is due to the existing engineering works which often have large vehicles visiting the site and obstruct properties. It experiences heavy farm traffic at certain times (seasonal) due to the farmland immediately adjacent to it. There are two schools in very close proximity so at certain times of the day (pick up / drop off) the road gets extremely congested.
- Church Bank has a public right of way which crosses the fields to Orange Row and it is well used by pedestrians and horses. There are no footpaths and therefore how safe will pedestrians be during construction and also due to increased vehicles associated with extra dwellings.
- The parking is now situated at the rear of plots 1 and 4 and therefore there will be a number of blind spots within Church Bank which could be a safety issue.
- Flood risk in the area is low.
- There are water drainage issues on some adjacent plots.
- There are problems with the existing sewer and also problems with the water pressure. More houses will cause more problems.
- Running silt can cause problems with construction.
- Some of the existing site / location plans do not accurately reflect the garages / extensions on site.
- There have been newts in neighbouring gardens due to the nearby drain, what will happen to them?
- Amended plans were received relating to the parking, why were neighbours not informed? (They were informed; a letter was issued on 5th December 2016).

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

The application site is located within the development boundary of Terrington St Clement which is identified as a Key Rural Service Centre (Policy CS02) and therefore an application to materially increase the number of residential dwellings is acceptable in principle. The main issues to consider when determining the application is as follows:

- Form and Character
- Design and Scale
- Amenity Issues
- Highways Issues
- Flood Risk Issues
- Ecology
- Other material considerations
- Crime and Disorder

Form and Character

Church Bank is a relatively narrow road which meets Churchgate Way to the north-west of the Church. Slightly north of the junction is Terrington High School as well as the primary school on either side of Churchgate Way. Along Church Bank there are a variety of dwellings. Along the southern side are more modern detached two storey dwellings and to the northern side is a mix of business premises, modest two storey terraced cottages and the development at the western end of Church Bank which has two parallel rows of predominantly single storey dwellings, most of which are pre-fabricated ex-local authority housing.

The pre-fabricated bungalows have low-profiled roofs and are set in generous plots. There is evidence of two brick built replacement dwellings one of which has first floor accommodation in the roof-space. The proposal will reduce the spatial separation of the units as the proposed semi-detached properties are wider than the existing bungalows. There are examples along Church Bank of terraced cottages and a mix of style age dwellings and therefore this is not considered a reason to refuse the application.

The character of the plots in the immediate locality on this northern side of Church Bank are single storey and the proposal is to replace these detached units with semi-detached 1 ½ storey dwellings which have a significantly steeper roof pitch to the pre-fabricated bungalows which they are to replace. The pre-fabricated bungalows will have to be replaced at some point and whilst replacing them with single storey units would be much more in character with the existing single storey development, this is not possible given the sites location in an area of flood risk. In order to comply with the current flood risk requirements the floor levels need to be raised above the surrounding ground area by 0.5m and in addition to this there must be first floor sleeping accommodation. These in combination have resulted in a form of development which is considerably higher than the existing form of development (and which is illustrated in the drawings showing the proposed street scene).

There are objections to the proposal on the grounds that the proposal is not like-for-like and should be single storey. As stated above in order to comply with current flood risk policy it is not possible to construct single storey accommodation. The existing replacement dwellings were approved prior to current flood risk guidance and policy.

Design and Scale

The proposed replacement dwellings are different in design and scale to the existing form of development for the reasons outlined above.

Whilst there have been objections to the proposal on the basis that the proposal will impact upon the conservation area informal discussions with the Conservation Officer have raised no issues. The proposed materials are red / brown brick walls and clay roof-tiles (pantiles and plain clay tile to porch) and this is a characteristic of Terrington conservation area which lies to the eastern end of Church Bank. Additionally Church Bank itself is narrow reducing views from the conservation area to the application site and there is also a business premises and row of two storey terraced dwellings screening the development to some degree from the east. As the site is approached from the west along the public right of way the dwellings will be clearly seen, however they will be seen against the backdrop of existing development to the east and the proposed materials are in character with the locality.

Amenity Issues

The impact upon the neighbours abutting the application site has been assessed. There have been objections from the neighbours on amenity grounds.

The impact upon no.3 and no.2 Church Bank from the proposals either side at no's. 1 and 4 Church Bank (plot 2 and plot 3 in the application) will be minimal with regard to overshadowing and being overbearing given the orientation and the relatively low eaves height of 4 metres. There would be no material overlooking of these dwellings as there are no first floor side windows. The dwellings to the rear of these properties (no.5 to no.10) are well in excess of 20 metres and there will be no material overlooking or overshadowing from the proposed dwellings.

The impact upon no.6 from the proposal on no.5 (plots 5 and 6) has been assessed. There will be no material overshadowing due to the orientation, distance and height of the proposal. Whilst there may be some impact during the early morning, with regard to loss of light, this will be minimal given the orientation of the property. There are first floor rear windows however these are not considered to cause material overlooking of the neighbour given their position in relation to the boundary and are not out of character for a dwelling with first floor accommodation. There are no proposed side windows which would give rise to material overlooking issues. The height and distance to the boundary is acceptable and would not give rise to any issues with regard to being overbearing.

There is a dwelling to the eastern side of plot 6. There would be no material overlooking from the proposal given the angle of the proposed dwelling and distance.

There have been objections to the proposal with regard to the noise and disturbance created by the increase in vehicular traffic to the sites and corresponding additional parking. The vehicles would utilise an existing private road and the parking is at a sufficient distance from the existing dwellings that it would not cause a material disturbance.

Highways Issues

Church Bank is a relatively narrow road which leads to the public right of way joining Orange Row to Churchgate Way. The proposal has been amended so that the proposed access to all six plots would be off the private access road within the two rows of houses.

There have been a number of objections to the proposal on highways grounds, i.e. the junction at Churchgate Way is too narrow, the road is very busy with people dropping off and

picking up children due to proximity of schools, the road is often blocked due to heavy vehicles both with regard to the existing business located further east along Church Bank and also due to farm vehicles accessing the fields to the west. The visibility from the proposed access points is not good and there could be a conflict with other vehicles / pedestrians.

The proposed parking in the application accords with parking standards and in fact includes additional visitor parking. Therefore whilst the proposal will generate more vehicular movements to the site it would be unreasonable to refuse the application on the basis that other vehicle user's park or utilise Church Bank in an inconsiderate way. Church Bank is a narrow private road where traffic speeds are low and there are relatively low levels of traffic. There are no objections from the Highways Officer subject to conditions relating to the parking areas.

There have been objections, including from the Parish Council, based upon the fact that it is not proposed to widen the road at the junction of Churchgate Way as per some pre-application advice from NCC Highways Department. This advice stated that should future development be in excess of 8 dwellings then improvements would be needed along the site frontage and at the junction. However, whilst the approval of the two applications would result in ten new dwellings, the proposal would also result in the loss of 5 existing units and therefore the proposed development (in conjunction with application reference 16/01844/F) would result in a net increase of 5 dwellings which is below the threshold over which NCC would require improvements. This has been confirmed verbally with the Highways Officer.

Flood Risk Issues

The application site lies within Flood Zone 3 of the SFRA but not in a Hazard Zone. Additionally the site lies in an area covered by the Tidal Hazard Maps where depths of 0.5m could be reached in the event of a breach of the tidal defences. The submitted FRA proposes to raise finished floor levels to 0.5m above surrounding ground levels and to incorporate flood resistance and resilience techniques into the construction. There are no objections from the Environment Agency to the proposal provided the recommendations within the FRA are implemented. The LPA do not need to apply the sequential test as it involves the redevelopment of a site with existing residential use and therefore could not be relocated elsewhere.

There are objections regarding the existing mains drainage on the site; however it is the responsibility of Anglia Water to ensure that the drainage is effective.

Ecology

The European Habitats Directive (the Directive) prohibits activities such as the deliberate capturing, killing or disturbance of protected species, subject to derogation in specific and limited circumstances. These requirements are enforced in England and Wales by the Conservation of Habitats and Species Regulations 2010 (the Regulations) and any derogation is regulated and overseen by a system of licensing administered by Natural England (NE).

In exercising its functions, including determining planning applications, a Local Planning Authority (LPA) is required to have regard to the requirements of the Habitats Directive in so far as they may be affected by the exercise of those functions. It is not the role or responsibility of the LPA to monitor or enforce NE's obligations under the Regulations. However, if a development proposal could potentially result in a breach of the Directive, the LPA is required to form a view on the likelihood of a licence being granted under the

Regulations by NE in order to fulfil its own obligation to have regard to the Directive requirements.

NE will only grant a licence if satisfied that the three statutory tests prescribed under the Directive and the Regulations have all been met.

The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and
3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status.

It is understood that the level of detail required for a licence application to NE under the Regulations may not yet be available at the planning application stage. Also, the level of detail required for NE to satisfy the tests of derogation will usually be higher than that required in the planning consent process. However, the obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

The Ecological Impact Assessment by Torc Ecology has identified a small population of Great Crested Newts (plots 5 and 6 of this application). Mitigation measures are proposed both during the construction phase which would involve removing the newts under licence prior to clearing works and erecting amphibian fencing around the perimeter of the working area. It is proposed to provide an area to the north of the northern boundary of the site by including planting hedgerow and native shrubs which should enhance the habitat for the newts and create a high quality environment which is to mitigate for the loss of the low and medium quality habitat which currently exists at the site.

The LPA can therefore conclude that there are Greater Crested Newts present and that if development were to proceed there is the possibility of a breach of the Directive. Therefore the LPA is required to consider the tests:

1. IROPI - NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. The Local Plan shows a need for additional housing in the Borough over its fifteen year life (2011 – 2026). Therefore the need for housing sites adds to the indication that there is an IROPI.
2. No satisfactory alternatives –The proposal is located where there is existing residential development which could impact upon the GCN. The redevelopment could not be moved elsewhere and it is therefore considered to be reasonable to conclude that there are no satisfactory alternatives.
3. Population maintenance - it appears to be unlikely that this development with the appropriate identified mitigation, will detrimentally impact the conservation status of GCNs and long-term should enhance their habitat.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application that NE would not be unlikely to grant a derogation licence under the Regulations in relation to this development and that planning permission should not be refused for this reason.

A condition will be imposed in line with the submitted report from Torc Ecology relating to the demolition of the existing dwellings and the provision of mitigation measures.

Other material considerations

The Parish have made comment regarding the Drainage Board requirements; all the proposed development is in excess of 9m from any ditch and therefore would comply with Byelaw 10 of the IDB.

There are objections regarding the type of soil that the plots are on and that it is unsuitable for building. It is a matter for the applicant to find an engineering solution and to comply with building regulations and not a reason to refuse the planning application.

Potential mud and noise from the agricultural traffic and the business located down Church Bank is intermittent and seasonal and not a reason to refuse the application.

There are objections regarding the disruption to existing elderly and fragile residents, both of the dwellings to be demolished and in the surrounding homes. Whilst sympathy can be had for the possible re-homing of existing residents the moral issues arising from the granting of planning permission are not material to the application but are a matter for the applicant to resolve with the tenants.

Crime and Disorder

There are no issues arising from the application with regard to crime and disorder.

CONCLUSION

The proposed development, whilst not emulating the existing character of this part of Church Bank would not have a detrimental impact upon the built characteristics of the locality or the nearby conservation area. The proposal would not have a detrimental impact upon amenity or ecology, highway safety nor flood risk in the area.

The proposal complies with the National Planning Policy Framework, Policies CS02, CS06, CS08, CS09 and CS11 of the King's Lynn and West Norfolk Adopted Core Strategy 2011 and Policies DM2, DM15, DM17 and DM21 of the Site Allocations and Development Management Policies Plan. Members are asked to consider the application 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 3264.06RevB received by the Local Planning Authority on 1st December 2016.

- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 4 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

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

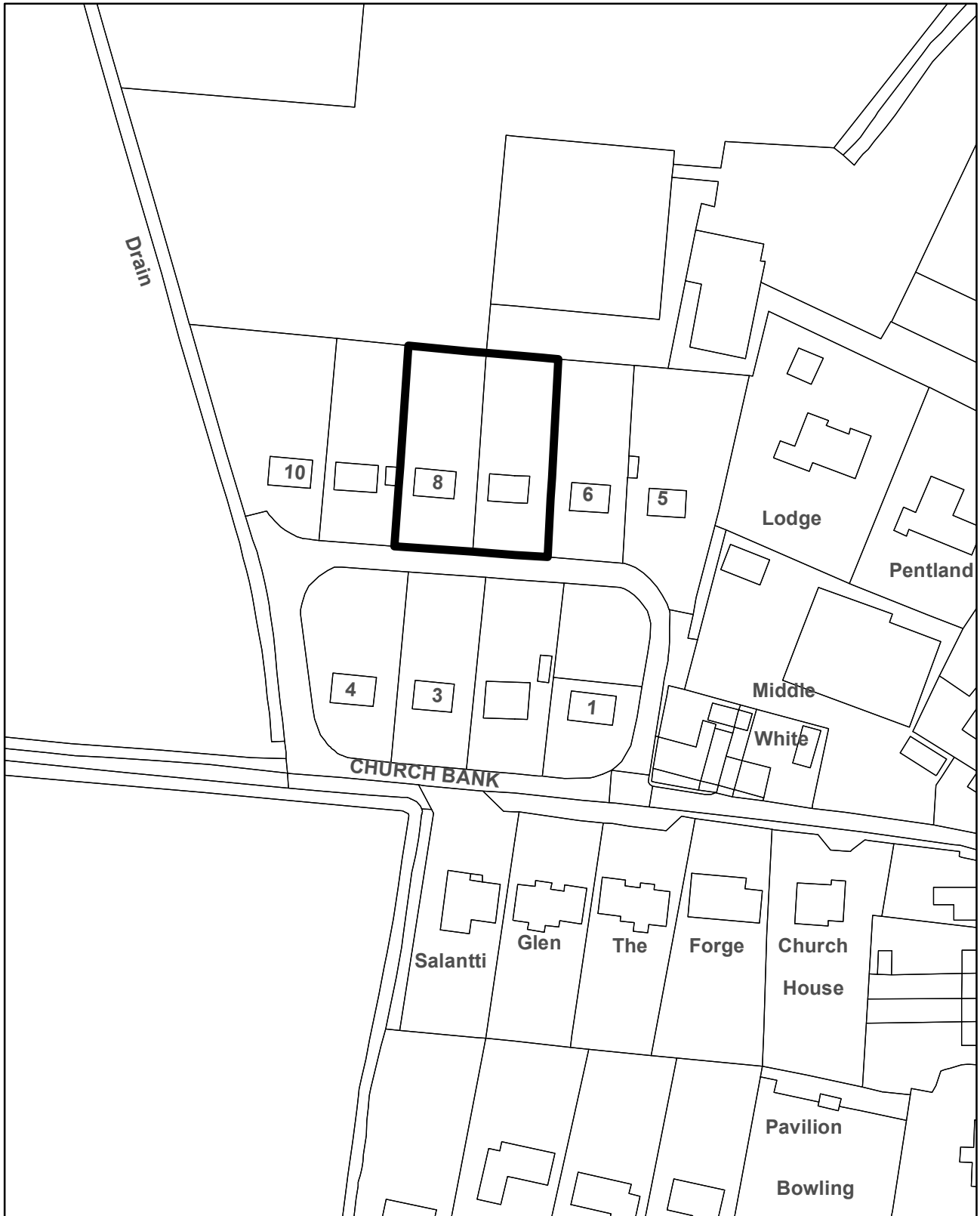
- 5 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 5 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 6 Condition The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment by Geoff Beel Consultancy dated April 2016 with regard to the following mitigation measures:-
 - Finished ground floor levels shall be 500mm above existing surrounding ground levels.
 - Flood resilient construction methods shall be incorporated into the development up to 300mm above finished ground floor level.
- 6 Reason In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 7 Condition The development hereby approved shall be carried out in complete accordance with Section 6. (assessment of effects and mitigation measures) of the Ecological Impact Assessment by Torc Ecology (Project Ref: TE/SB/2016_368) and dated October 2016.

- 7 Reason To ensure that the development takes place in accordance with the principles and parameters contained with the Ecological Assessment and in accordance with the principles of the NPPF.
- 8 Condition No development shall take place on any external surface of the development hereby permitted until full details and samples of the materials to be used in the construction of the external surfaces of the buildings 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.
- 8 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 9 Condition Prior to commencement of development a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also provide the location of any fixed machinery, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.
- 9 Reason To ensure that the amenities of neighbouring occupants are safeguarded during demolition / construction.

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

16/01844/F

7 & 8 Church Bank Terrington St Clement



AGENDA ITEM NO: 8/3(k)

Parish:	Terrington St Clement	
Proposal:	Re-development of site for 4No. dwellings following the demolition of 7 and 8 Church Bank	
Location:	7 & 8 Church Bank Terrington St Clement King's Lynn Norfolk	
Applicant:	Freebridge Community Housing	
Case No:	16/01844/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 19 December 2016 Extension of Time Expiry Date: 13 February 2017

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

Case Summary

The application relates to the redevelopment of two plots within Church Bank following the demolition of the two pre-fabricated bungalows which are currently on site. The proposal seeks to replace these two bungalows with a pair of semi-detached dwellings and two detached dwellings which would result in four residential units in total. The application site is located within the development boundary of Terrington St Clement which is a Key Rural Service Centre as defined by Policy CS02 of the Core Strategy and thus the proposal is acceptable in principle.

Key Issues

Form and Character
Design and Scale
Amenity Issues
Highways Issues
Flood Risk Issues
Ecology
Other material considerations
Crime and Disorder

Recommendation

APPROVE

THE APPLICATION

Church Bank is currently a small development of former local authority dwellings which are located to the northern side of Church Bank and immediately adjacent to farmland which is to the west. The existing dwellings are predominantly pre-fabricated bungalows with some replacement bungalows which have some first floor accommodation within the roof space. Much of the access road is private unadopted road which is narrow (single width).

The application seeks planning permission to demolish two of the pre-fabricated bungalows and replace them with one pair of semi-detached properties and two detached dwellings which would result in four dwellings, thus doubling the number of units.

There is a second application (16/01843/F) also to be considered at planning committee which seeks to replace an additional three pre-fabricated bungalows at Church Bank with three semi-detached dwellings thus doubling the units from three to six. Overall in conjunction with this application the two applications should they be approved would result in a net increase of five dwellings.

SUPPORTING CASE

- Freebridge Community Housing seeks approval for the demolition of 2 No. substandard single storey dwellings and replacement with 4 No. 1½ storey dwellings.
- The proposals consider the siting of the development within a flood risk area which precludes the replacement of the dwellings “like for like” and instead provides for sleeping accommodation to be at first floor level.
- In order to minimise impact on the adjacent properties the proposals suggest a low ridge line, with roof lights to reduce the massing and to minimise overlooking. The eaves internally are reduced to 1.2m, considering this as a practical minimum before losing usable floor space.
- Initial enquiries with NCC Highways Department have been carried out which suggests that there is no objection in principle to the redevelopment subject to the scale of the scheme. The two applications combined do not exceed the capacity limit suggested by NCC Highways.

PLANNING HISTORY

16/01843/F: Pending Consideration at Planning Committee: - Re-development of site for 6No. dwellings following the demolition of 1, 4 and 5 Church Bank – 1, 4 and 5 Church Bank

14/00039/PD: GPD HH extn - Not Required: 18/11/14 - Single storey rear extension which extends beyond the rear wall by 4.4 metres with a maximum height of 3.86 metres and a height of 2.7 metres to the eaves - 6 Church Bank

11/00650/F: Application Permitted: 01/07/11 - Removal of present conservatory and construction of single storey extension to form new lounge area - 9 Church Bank

2/96/1469/F: Application Permitted: 16/12/96 - Conservatory extension to dwelling - 10 Church Bank

2/01/0817/F: Application Permitted: 25/07/01 - Construction of domestic garage/workshop - 6 Church Bank

2/00/0922/F: Application Permitted: 26/07/00 - Demolition of existing arcon bungalow and construction of replacement bungalow - No 6 Church Bank

RESPONSE TO CONSULTATION

Parish Council: OBJECT

- The land is running silt and not suitable for building. Permission was refused for a two storey building when the High School was built and has caused problems with sewers.
- Consideration should be given to Drainage Board requirements should the development go ahead.
- There are over eight dwellings and therefore in line with the highways recommendations the highway should be improved to the standard of Highways recommendations.
- The site is adjacent to an agricultural access to nearby farmland and a hard standing area used by agricultural vehicles when collecting produce. There will be noise issues associated with large vehicles and combine harvesters and issues with mud.
- A precedent has been set with previous refusals to build two storey dwellings on the site.
- Two storey dwellings will have an impact upon amenity of the existing privately owned bungalows which remain on site.
- The access road leads to a public footpath and bridleway and further traffic increases will impact upon the amenity of the footpath and the enjoyment of it.
- The BCKLWN resolved not to build on or lose gardens and this goes against that resolution.
- If there is any development it should be single storey only and approved only after the social care needs of residents are rigorously assessed to prevent any reduction in quality of life.
- If approved dwellings should be like for like so as not to overshadow existing private dwellings and accommodate needs of the elderly.
- Existing elderly residents should be given priority to the housing on site.
- Site is on the boundary of the village conservation area and near the church, the proposal would have a visual impact upon both.
- There is a moral issue as there will be a profound impact upon existing elderly residents who have lived on site undisturbed for many years.
- To request fragile residents to move is at best thoughtless but could prove to be extremely detrimental to their well-being. Such a move for people in their 90s would prove traumatic. Also many private owners have health issues. The social and moral needs of the residents could be resolved by building one dwelling and housing an existing resident and then doing the same for the second resident etc.
- Like for like rather than re-house elderly residents in houses with a stair lift they may not have the capability of using or in housing away from their local neighbourhood.

Highways Authority: NO OBJECTION

The site is accessed via a private drive. Having visited the site I find traffic levels and speed is low and traffic is local. As a result I believe it would be difficult to substantiate an objection on highway safety grounds.

Housing Enabling Officer: NO OBJECTION No contribution required on either site due to the netting off of demolished units.

Environment Agency: NO OBJECTION The proposal is within Flood Zone 3, the recommendations of the FRA should be followed.

Environmental Health & Housing - Environmental Quality: NO OBJECTION The review of the Site Investigation Report produced by Delta Simons indicated that no elevated level of contamination was encountered. As such even though the site investigation was limited it considered that no additional site investigation was warranted. The proposed development will include the demolition of the existing buildings. Given the age of the building it is

considered highly likely there will be asbestos containing materials within the building. Therefore conditions are recommended relating to asbestos.

Emergency Planning: NO OBJECTION The application site is located in an area at risk of flooding and there recommend they sign up to the EA Flood Warning Direct Service and prepare an evacuation plan.

REPRESENTATIONS

SEVEN OBJECTIONS covering the following:-

- The proposed dwellings are out of character and visually intrusive.
- The proposal will look like a car park to the front of the dwellings.
- The proposal is overdevelopment of the plot.
- The existing character is smaller cottage style dwellings and bungalows.
- The existing pre-fabs need replacing but should be replaced with bungalows benefitting the older population as there are few bungalows in the village.
- There were size / height restrictions placed on the re-building of no.6 (details submitted).
- The current residents will not be able to live in the proposed dwellings as they are not single storey (moral issues relating to re-locating current elderly residents).
- Will cause amenity issues relating to loss of light, being overbearing and causing overlooking due to their proximity and height.
- Additional parking due to additional vehicles will cause amenity issues to other residents (noise and pollution).
- The highway / road is inadequate to cope with the increased number of vehicles and potential on-road parking generated. Church Bank is a private, poorly maintained single width road.
- The access from Churchgate Way onto Church Bank is very narrow with no footpath provision along Church Bank.
- There are existing problems down Church Bank which is due to the existing engineering works which often have large vehicles visiting the site and obstruct properties. It experiences heavy farm traffic at certain times (seasonal) due to the farmland immediately adjacent to it. There are two schools in very close proximity so at certain times of the day (pick up / drop off) the road gets extremely congested.
- Church Bank has a public right of way which crosses the fields to Orange Row and it is well used by pedestrians and horses. There are no footpaths and therefore how safe will pedestrians be during construction and also due to increased vehicles associated with extra dwellings.
- The parking is now situated at the rear of plots 1 and 4 and therefore there will be a number of blind spots within Church Bank which could be a safety issue.
- Flood risk in the area is low.
- There are water drainage issues on some adjacent plots.
- There are problems with the existing sewer and also problems with the water pressure. More houses will cause more problems.
- Running silt can cause problems with construction.
- Some of the existing site / location plans do not accurately reflect the garages / extensions on site.
- There have been newts in neighbouring gardens due to the nearby drain, what will happen to them?
- Amended plans were received relating to the parking, why were neighbours not informed? (They were informed; a letter was issued on 5th December 2016).

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

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

The application site is located within the development boundary of Terrington St Clement which is identified as a Key Rural Service Centre (Policy CS02) and therefore an application to materially increase the number of residential dwellings is acceptable in principle. The main issues to consider when determining the application is as follows:

- Form and Character
- Design and Scale
- Amenity Issues
- Highways Issues
- Flood Risk Issues
- Ecology
- Other material considerations
- Crime and Disorder

Form and Character

Church Bank is a relatively narrow road which meets Churchgate Way to the north-west of the Church. Slightly north of the junction is Terrington High School as well as the primary school on either side of Churchgate Way. Along Church Bank there are a variety of

dwelling. Along the southern side are more modern detached two storey dwellings and to the northern side is a mix of business premises, modest two storey terraced cottages and the development at the western end of Church Bank which has two parallel rows of predominantly single storey dwellings, most of which are pre-fabricated ex-local authority housing.

The pre-fabricated bungalows have low-profiled roofs and are set in generous plots. There is evidence of two brick built replacement dwellings one of which has first floor accommodation in the roof-space. This proposal will reduce the spatial separation of the units as the proposed semi-detached properties and detached dwellings are wider than the two existing bungalows. There are examples along Church Bank of terraced cottages and a mix of style age dwellings and therefore this is not considered a reason to refuse the application.

The character of the plots in the immediate locality on this northern side of Church Bank are single storey and the proposal is to replace these detached units with a semi-detached 1 ½ storey dwelling which would be pushed further back into the plot in order to allow for two detached dwellings to be sited further forward in line with the neighbouring bungalows. The proposed dwellings would have a significantly steeper roof pitch to the pre-fabricated bungalows which they are to replace. The pre-fabricated bungalows will have to be replaced at some point and whilst replacing them with single storey units would be much more in character with the existing single storey development, this is not possible given the sites location in an area of flood risk. In order to comply with the current flood risk requirements the floor levels need to be raised above the surrounding ground area by 0.5m and in addition to this there must be first floor sleeping accommodation. These in combination have resulted in a form of development which is considerably higher than the existing form of development (and which is illustrated in the drawings showing the proposed street scene).

There are objections to the proposal on the grounds that the proposal is not like-for-like and should be single storey. As stated above in order to comply with current flood risk policy it is not possible to construct single storey accommodation. The existing replacement dwellings were approved prior to current flood risk guidance and policy.

There are objections to the proposal in that it is overdevelopment of the site and the proposed car parking would look like a car park to the front of the dwellings.

It is true that the proposed form of development does not follow the existing low density layout of Church Bank; however there would be adequate garden space and sufficient parking. There would also be a significant amount of parking to the front of the proposed dwellings, some of which will be screened to either side by the two detached dwellings (plots A and D). Given the front to back relationship between the two rows of dwellings in Church Bank, the rear parking to plots 1 and 4 (shown in application 16/01843/F) would be visible to properties which are to the north of these plots and this parking relationship would not be dissimilar albeit to the front of the proposed dwellings.

Design and Scale

The proposed replacement dwellings are different in design and scale to the existing form of development for the reasons outlined above.

Whilst there have been objections to the proposal on the basis that the proposal will impact upon the conservation area informal discussions with the Conservation Officer have raised no issues. The proposed materials are red / brown brick walls and clay roof-tiles (pantiles and plain clay tile to porch) and this is a characteristic of Terrington conservation area which lies to the eastern end of Church Bank. Additionally Church Bank itself is narrow reducing views from the conservation area to the application site and there is also a business

premises and row of two storey terraced dwellings screening the development to some degree from the east. As the site is approached from the west along the public right of way the dwellings will be clearly seen, however they will be seen against the backdrop of existing development to the east and the proposed materials are in character with the locality.

Amenity Issues

The impact upon the neighbours abutting the application site has been assessed. There have been objections from the neighbours on amenity grounds.

The proposed development will be much nearer to no.6 than the existing relationship. Plot D will be immediately west of no. 6 which has two windows on its western elevation facing the application site. The occupier of no.6 has confirmed that these two windows serve a utility room and a bathroom which for planning purposes are not considered habitable rooms. Consequently whilst the proximity of the proposal will impact upon the light to these two rooms it would not be material to the degree which would warrant a refusal. For similar reasons the proposal is not considered to be overbearing to the degree that would warrant a refusal. There are windows to the rear of the proposed dwellings which would look down the garden. The first floor window closest to the boundary would serve the stairwell and it is not considered that the proposal would cause overlooking to the degree that would warrant a refusal.

The impact of plot A on no.9 has been considered. Plot A is directly east of no.9 however its material impact is lessened by the fact that there is an existing garage to no.9 between the proposal and the dwelling. There is an extension to the rear of no.9 which wraps around the garage (not shown on the submitted plans) and is close proximity to the shared boundary. There would be some impact upon this extension in the morning due to the extensions proximity to the boundary, however later in the day there will be minimal impact due to the orientation. The proposal whilst higher than the existing bungalows on site would not have an overbearing impact upon this neighbour. The proposal is screened to some degree by no.9s garage and the height of the eaves at 4.0m is not considered to be intrusive. There will be first floor windows in the rear of the proposal which will look down the garden. The window which is nearest to the boundary would serve a stairwell which is not a habitable room and therefore overlooking is not considered to be material to the degree that would warrant a refusal.

The plots in the middle of the proposed development (B and C) are set back and due to their orientation to the north-west and north-east of no.6 and no.9 respectively are not considered to cause any issues with regard to loss of light, being overbearing or overlooking.

There have been objections to the proposal with regard to the noise and disturbance created by the increase in vehicular traffic to the sites and corresponding additional parking. The vehicles would utilise an existing private road and the parking has been moved away from the boundary edges so that it will reduce any potential disturbance to the existing dwellings.

Highways Issues

Church Bank is a relatively narrow road which leads to the public right of way joining Orange Row to Churchgate Way.

There have been a number of objections to the proposal on highways grounds, i.e. the junction at Churchgate Way is too narrow, the road is very busy with people dropping off and picking up children due to proximity of schools, the road is often blocked due to heavy vehicles both with regard to the existing business located further east along Church Bank and also due to farm vehicles accessing the fields to the west. The visibility from the

proposed access points is not good and there could be a conflict with other vehicles / pedestrians.

The proposed parking in the application accords with parking standards and in fact includes additional visitor parking. Therefore whilst the proposal will generate more vehicular movements to the site it would be unreasonable to refuse the application on the basis that other vehicle user's park or utilise Church Bank in an inconsiderate way. Church Bank is a narrow private road where traffic speeds are low and there are relatively low levels of traffic. There are no objections from the Highways Officer.

There have been objections, including from the Parish Council, based upon the fact that it is not proposed to widen the road at the junction of Churchgate Way as per some pre-application advice from NCC Highways Department. This advice stated that should future development be in excess of 8 dwellings then improvements would be needed along the site frontage and at the junction. However, whilst the approval of the two applications would result in ten new dwellings, the proposal would also result in the loss of 5 existing units and therefore the proposed development (in conjunction with application reference 16/01843/F) would result in a net increase of 5 dwellings which is below the threshold over which NCC would require improvements. This has been confirmed verbally with the Highways Officer.

Flood Risk Issues

The application site lies within Flood Zone 3 of the SFRA but not in a Hazard Zone. Additionally the site lies in an area covered by the Tidal Hazard Maps where depths of 0.5m could be reached in the event of a breach of the tidal defences. The submitted FRA proposes to raise finished floor levels to 0.5m above surrounding ground levels and to incorporate flood resistance and resilience techniques into the construction. There are no objections from the Environment Agency to the proposal provided the recommendations within the FRA are implemented. The LPA do not need to apply the sequential test as it involves the redevelopment of a site with existing residential use and therefore could not be relocated elsewhere.

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NE will only grant a licence if satisfied that the three statutory tests prescribed under the Directive and the Regulations have all been met.

The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and
3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status.

It is understood that the level of detail required for a licence application to NE under the Regulations may not yet be available at the planning application stage. Also, the level of detail required for NE to satisfy the tests of derogation will usually be higher than that required in the planning consent process. However, the obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

The Ecological Impact Assessment by Torc Ecology has identified a small population of Great Crested Newts on the application site. Mitigation measures are proposed both during the construction phase which would involve removing the newts under licence prior to clearing works and erecting amphibian fencing around the perimeter of the working area. It is proposed to provide an area to the north of the northern boundary of the site by including planting hedgerow and native shrubs which should enhance the habitat for the newts and create a high quality environment which is to mitigate for the loss of the low and medium quality habitat which currently exists at the site.

The LPA can therefore conclude that there are Greater Crested Newts present and that if development were to proceed there is the possibility of a breach of the Directive. Therefore the LPA is required to consider the tests:

1. IROPI - NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. The Local Plan shows a need for additional housing in the Borough over its fifteen year life (2011 – 2026). Therefore the need for housing sites adds to the indication that there is an IROPI.
2. No satisfactory alternatives – The proposal is located where there is existing residential development which could impact upon the GCN. The redevelopment could not be moved elsewhere and it is therefore considered to be reasonable to conclude that there are no satisfactory alternatives.
3. Population maintenance - it appears to be unlikely that this development with the appropriate identified mitigation, will detrimentally impact the conservation status of GCNs and long-term should enhance their habitat.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application that NE would not be unlikely to grant a derogation licence under the Regulations in relation to this development and that planning permission should not be refused for this reason.

A condition will be imposed in line with the submitted report from Torc Ecology relating to the demolition of the existing dwellings and the provision of mitigation measures.

Other material considerations

The Parish have made comment regarding the Drainage Board requirements; all the proposed development is in excess of 9m from any ditch and therefore would comply with Byelaw 10 of the IDB.

There are objections regarding the type of soil that the plots are on and that it is unsuitable for building. It is a matter for the applicant to find an engineering solution and to comply with building regulations and not a reason to refuse the planning application.

Potential mud and noise from the agricultural traffic and the business located down Church Bank is intermittent and seasonal and not a reason to refuse the application.

There are objections regarding the disruption to existing elderly and fragile residents, both of the dwellings to be demolished and in the surrounding homes. Whilst sympathy can be had for the possible re-homing of existing residents the moral issues arising from the granting of planning permission are not material to the application but are a matter for the applicant to resolve with the tenants.

Crime and Disorder

There are no issues arising from the application with regard to crime and disorder.

CONCLUSION

The proposed development, whilst not emulating the existing character of this part of Church Bank would not have a detrimental impact upon the built characteristics of the locality or the nearby conservation area. The proposal would not have a detrimental impact upon amenity or ecology, highway safety nor flood risk in the area.

The proposal complies with the National Planning Policy Framework, Policies CS02, CS06, CS08, CS09 and CS11 of the King's Lynn and West Norfolk Adopted Core Strategy 2011 and Policies DM2, DM15, DM17 and DM21 of the Site Allocations and Development Management Policies Plan. Members are asked to consider the application 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 3264.07RevA received by the Local Planning Authority on 18th October 2016.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning areas shall be laid out, demarcated,

levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 4 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

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

- 5 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 5 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 6 Condition The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment by Geoff Beel Consultancy dated April 2016 with regard to the following mitigation measures:-
 - Finished ground floor levels shall be 500mm above existing surrounding ground levels.
 - Flood resilient construction methods shall be incorporated into the development up to 300mm above finished ground floor level.
- 6 Reason In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 7 Condition The development hereby approved shall be carried out in complete accordance with Section 6. (assessment of effects and mitigation measures) of the Ecological Impact Assessment by Torc Ecology (Project Ref: TE/SB/2016_368) and dated October 2016.
- 7 Reason To ensure that the development takes place in accordance with the principles and parameters contained with the Ecological Assessment and in accordance with the principles of the NPPF.
- 8 Condition No development shall take place on any external surface of the development hereby permitted until full details and samples of the materials to be used in the

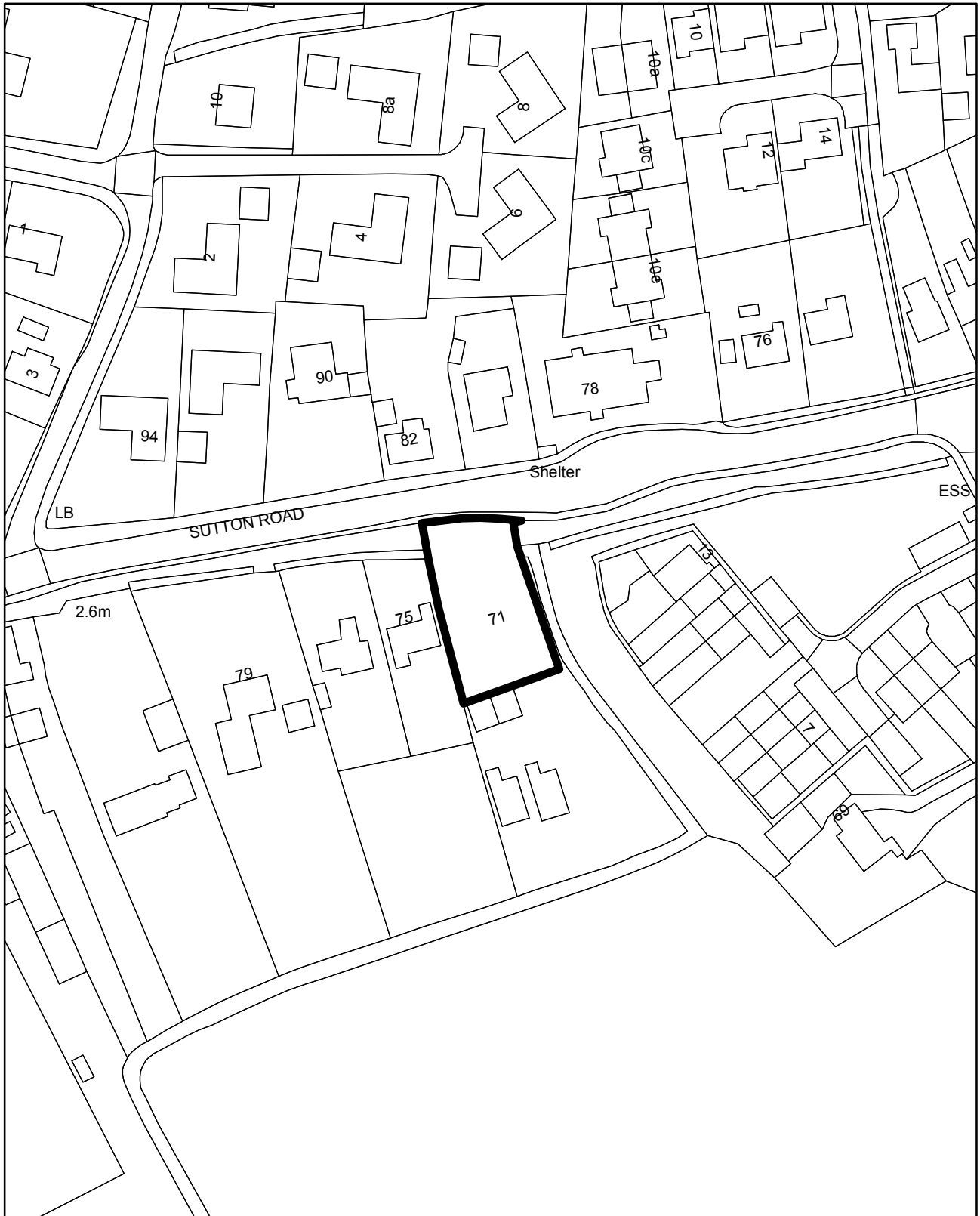
construction of the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 8 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 9 Condition Prior to commencement of development a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also provide the location of any fixed machinery, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.
- 9 Reason To ensure that the amenities of neighbouring occupants are safeguarded during demolition / construction.

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

16/02096/F

73 Sutton Road Terrington St Clement



AGENDA ITEM NO: 8/3(I)

Parish:	Terrington St Clement	
Proposal:	Construction of new private dwelling following demolition of former hair dressing salon	
Location:	73 Sutton Road Terrington St Clement Norfolk PE34 4PJ	
Applicant:	Mr Trey Spark	
Case No:	16/02096/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 26 January 2017 Extension of Time Expiry Date: 10 February 2017

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

Case Summary

The application seeks full planning permission for the erection of a single dwelling house following the demolition of the former hair dressing salon at 73 Sutton Road, Terrington St Clement.

The site lies within the development boundary of Terrington St Clement, is on previously developed land (brownfield) and surrounded by residential development.

Key Issues

Principle of development
Impact on amenity
Access

Recommendation

APPROVE

THE APPLICATION

The application seeks full planning permission (resubmission) for the erection of a new private 4 bedroomed dwelling, following demolition of the former hairdressing salon at 73 Sutton Road, Terrington St. Clement.

Access to the site is off Sutton Road via a private drive which serves three new houses to the rear/south and two dwellings to the west.

SUPPORTING CASE

The Agent offers the following statement in support of the proposal:

“Following the withdrawal of Application Ref: 16/01617/F in order to address the concerns raised by the neighbours of the site, the Parish Council and Mr Keith Wilkinson of the Planning Authority. It is disappointing that the revised plan, despite now meeting with the approval of the widely experienced Senior Planning Officer, Mr Wilkinson, has attracted just as much (largely unjustified) objection as the previous application.

I can fully understand that the people living off the same access will be 'tired' of the ongoing disruption from construction works within the site, but it is a fact that such disruption is true of any and all development and should not in itself prejudice any particular application. It is not the fault of the current applicant that the previous and ongoing development has been fragmented and somewhat protracted and it is still very much the case that the development of a single final dwelling, in place of the currently disused Hairdressing Salon, is the only logical conclusion to the development of this particular area. I find it hard to believe that this will not have been in the minds of those responsible for giving approval to the building which has already taken place. It surely cannot be the most desirable outcome for the empty Salon to remain as it is if permission to replace with a dwelling is not forthcoming.

The proposed dwelling has been considerably amended to reduce the size and be brought forward to be in line at the rear of its neighbour to reduce further any issues of unreasonable overlooking. This also gives a more generous rear garden whilst allowing for sufficient off road parking to be retained and not cause any access issues to anyone further along the driveway. The scale and style of the dwelling has been dictated by both the pre-existing dwelling (alongside which it will sit) and that of the new homes built immediately behind. An even smaller dwelling would not look right here, as because of the Perceived Flood Risk, the ground floor has had to be raised out of the ground considerably. The expansive 'L' shape of the current footprint and split level floor and roof effectively negate the effect of the house resembling a 'tower' as would be the case if a simpler/smaller design were to be employed.

Comment received which makes claim to the drawings being in any way misrepresentative of the site or the status of the ownership, are entirely misleading. Every effort has been made to accurately represent the extent of the site boundaries, within which the applicant assures me he has sole ownership whilst granting a 'right of way' to those who access their properties over his land”.

PLANNING HISTORY

16/01617/F: Application Withdrawn: 08/11/16 - Construction of new dwelling following demolition of former hairdressing salon

Reference is also made to the recent planning history on the site to the rear which shares the access:

06/02461/O: Application Permitted: 07/02/07 - Outline Application: residential development of land - 2 plots

12/00199/F: Application Permitted: 16/08/12 - Erection of three dwellings and associated works following the demolition of the existing bungalow

12/00199/NMA_1: Application Permitted: 22/04/14 - NON-MATERIAL AMENDMENT TO PLANNING CONSENT 12/00199/F: Erection of three dwellings and associated works following the demolition of the existing bungalow

15/01120/F: Application Permitted: 14/09/15 - Variation of Condition 2 attached to planning permission 12/00199/F to allow each plot a double garage

RESPONSE TO CONSULTATION

Parish Council: OBJECT – The council still object to the development of this site. They request that the drainage board requirements are referred to and the requirements in their report should be satisfied.

The council feel it is over development of the site and the access goes over private land and the owner of this land has not given permission for wayleave over the land. The access is on a dangerous part of a busy road and will cause an additional hazard.

Local Highway Authority: NO OBJECTION subject to conditions in relation to provision of access and turning.

King's Lynn Drainage Board: NO OBJECTION but refers to the need to address byelaw requirements.

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

District Emergency Planning Officer: NO OBJECTION subject to conditions relating to signing up to Floodline and an evacuation plan. These requirements fail to pass the tests applied to conditions regarding enforceability however may be covered by an informative note applied to any permission.

Environment Agency: NO OBJECTION subject to condition relating to finished floor level (on previous application now withdrawn)

REPRESENTATIONS

FOUR letters of **OBJECTION** have been received on the following grounds:

- Overdevelopment
- Conflict with parking and access
- Impact on residential amenity
- Overshadowing
- Overlooking
- Noise and disturbance (particularly during construction)
- Misleading plans

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

CS02 - The Settlement Hierarchy

CS11 - Transport

CS10 - The Economy

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The main issues in relation to the consideration of application are as follows:

- Principle of development
- Impact on amenity; and
- Access

Principle of development

The site lies within the village development boundary of Terrington St Clement, which is identified in the development plan as a Key Rural Service Centre and an appropriate location for limited growth to secure the sustainability of the settlement. The nature of this development is further controlled through Core Strategy policies CS06, CS08 & CS11 of the LDF and Policy DM15 of the SADMPP.

The existing single storey salon building is of no historical or architectural merit and the re-development of this site would result in the removal of an eyesore. The unit has been vacant for several years, has deteriorated from neglect and the asbestos roof has recently been removed. There is no prospect of it being re-used for commercial purposes and its loss would not detract from the range of facilities within the village. It is considered to be compatible to the provisions of Core Strategy Policy CS10 of the LDF.

It is considered that in principle the site is an appropriate location for a single dwelling, having regard to the strategic policies of the development plan.

Impact on amenity

The physical and visual impact of developments are largely addressed within Policies CS08 and DM15, which seek to ensure that new development is sustainable and attractive whilst not adversely impacting on residential amenity or wider visual amenity.

The proposal is a resubmission of an application made in 2016, which was subsequently withdrawn. The previous submission was significantly larger than this revised scheme and was considered to adversely impact on visual and residential amenity.

The current application is for a 4 bedroomed 2 storey family home with the principal element measuring 9.9m by 6.6m with a subservient front projecting wing measuring 5.2m by 5.62m containing an integral garage at ground floor and master bedroom above served by an east-facing dormer window. Eaves are at 6m and ridge 8.5m above existing general ground level (4.6m and 7.6m respectively to the forward projection). It is noted that the Flood Risk Assessment requires Finished Floor Level to be 1m above general ground level as part of resilience measures.

The dwelling is sited in line with the rear of the adjoining house No.75 and the front projection does not infringe upon the access track serving Nos. 75 & 77. Given the siting and orientation of the proposed new house, there would be no overshadowing or overbearing implications in relation to adjoining properties.

The scale and design of the dwelling is now considered to be acceptable, having regard to its context and the requirements of Policy DM15. The facing materials have been identified and match those used on the dwellings to the rear of the site.

Given the proposed elevated floor level, the decking indicated to the rear of the dwelling has the potential to enable overlooking into the rear garden of the adjacent property No.75. The plans however show provision of a 1.8m screen along the western edge of the decking to negate this potential problem. The provision and retention of a screen may be secured via condition.

Concerns have been raised regarding overlooking from a window in the western elevation, however this relates to a stairwell and not a habitable room. There are no windows to habitable rooms in the eastern elevation of No.75 only a w.c and an en-suite. This relationship is considered to be acceptable.

Access

The site is shown to share access with 2 established homes to the immediate west of the application site and 3 new properties that have recently been approved on land to the rear.

The provision of an improved access onto Sutton Road required as part of the approval for the 3 dwellings to the rear is currently subject to ongoing enforcement action for non-compliance with agreed details; however that is not directly material to this application.

It is noted that one of the objectors has raised an issue in respect to questioning the right of access of the plot across the access and junction with Sutton Road. This is clearly a civil rather than a planning matter and not one that is material to the consideration of this submission.

Given the historic use of the site and the trip generation that the hair salon would have attracted, it is considered that the use as a dwelling will not materially increase trip generation over the access from this plot. The Local Highway Authority has not raised an objection to the proposal and as such it is considered to be acceptable.

There is an integral garage and two parking spaces indicated within the site which meets County Council standards for a dwelling of this size. There is potential for an additional space alongside the eastern gable of the house should the need arise.

Other material considerations

All other matters of planning importance may be secured via condition – contamination, finished floor levels, approved plans etc.

Byelaw issues relating to IDB land drains will need to be addressed separately – the agent and applicant are aware of this requirement.

CONCLUSION

Notwithstanding the concerns of the Parish Council and local residents, it is considered that the proposed development accords with the provisions of the Development Plan and would make a positive enhancement to the locality. Rights of way and byelaw issues will need to be addressed separately but are not affected by the granting of planning permission.

The proposal is therefore duly recommended for approval subject to certain conditions indicated below.

RECOMMENDATION:

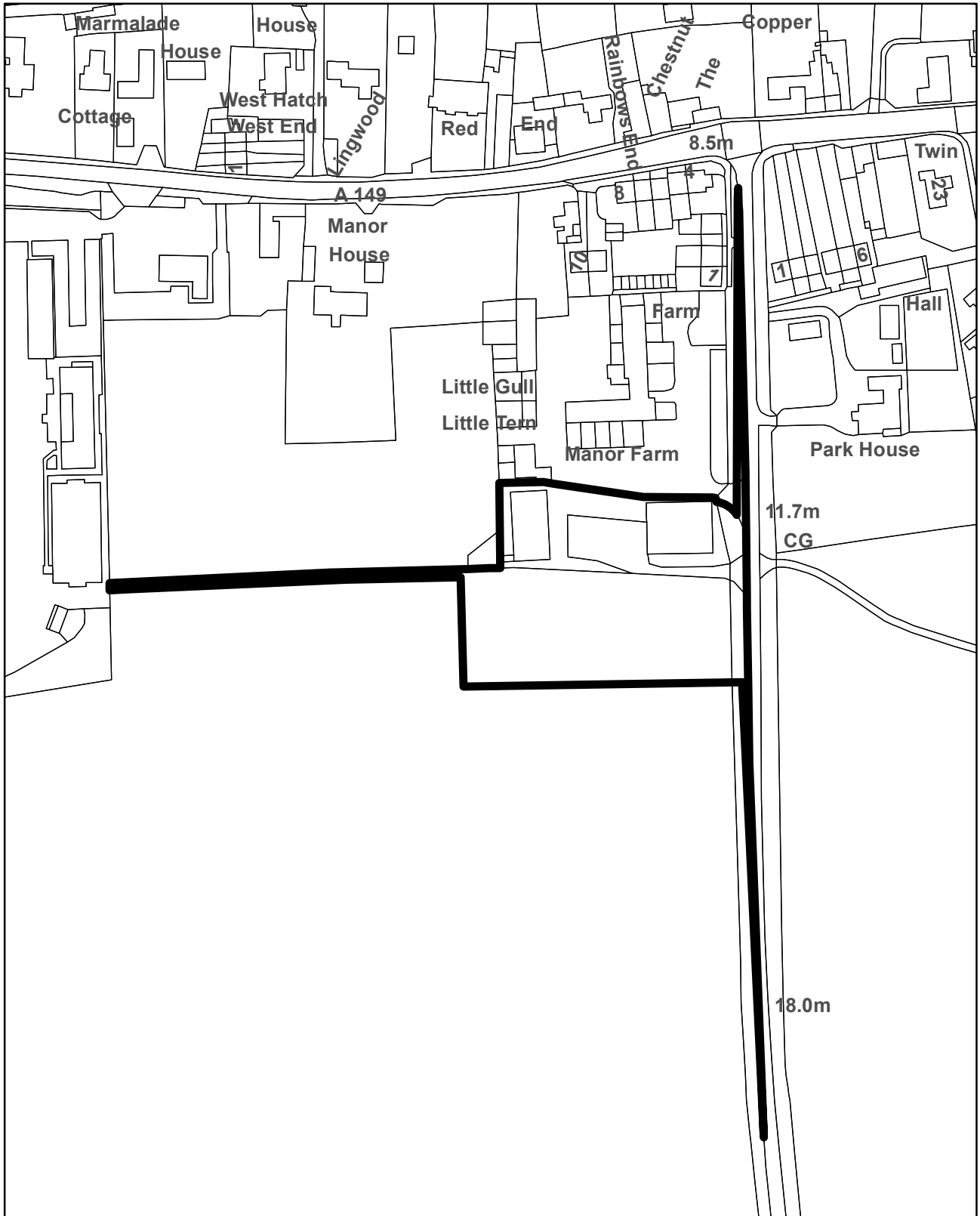
APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans 858-02C and 03C.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

- 4 Condition Prior to the first occupation of the development hereby permitted, a vehicular crossing over the ditch/watercourse to the north of the site shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority.
- 4 Reason To ensure construction of a satisfactory access and in the interests of highway safety in accordance with the provisions of the NPPF.
- 5 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 (858-3C) in accordance with the Highways Authority specification (Dwg. No. TRAD 2). 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.
- 5 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with the provisions of the NPPF.
- 6 Condition The development permitted by this planning permission shall be carried out in accordance with the approved revised Flood Risk Assessment GCB/NORFOLK ARCHITECTURAL DESIGN (dated September 2016) and the following mitigation measures detailed within the FRA:
 - Finished floor levels will be set at a minimum of 3.90m above Ordnance Datum (AOD).
 - Flood resistant construction to be incorporated into the building up to a level of 4.2m above Ordnance Datum (AOD).
- 6 Reason To reduce the impact of flooding on the proposed development and future occupants in accordance with the provisions of the NPPF.

16/00618/F

Land South of Manor Farm and West of Ringstead Road Thornham



AGENDA ITEM NO: 8/3(n)

Parish:	Thornham	
Proposal:	Demolition of two barns and development of 8 new residential dwellings	
Location:	Land S of Manor Farm And W of Ringstead Road Thornham Norfolk	
Applicant:	Fleur Development Ltd	
Case No:	16/00618/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 31 May 2016 Extension of Time Expiry Date: 28 February 2017

Reason for Referral to Planning Committee – Called in by Councillor Watson and the views of Thornham Parish Council is contrary to the Officer recommendation.

Case Summary

The application site lies within an area of “Countryside” and an Area of Outstanding Natural Beauty. The site is adjacent to the development boundary of Thornham and Thornham Conservation Area.

The site lies on the western side of Ringstead Road and contains 2 portal framed buildings with associated hard standing.

The application seeks consent for the demolition of the 2 barns and the construction of 8 units, 3 of which will be affordable housing units.

Key Issues

Principle of Development
Form and Character
Impact upon the Area of Outstanding Natural Beauty
Impact upon Designated Heritage Assets
Impact upon Neighbour Amenity
Highway Safety
Ecology
Affordable Housing Provision
Flood Risk and Drainage
Other Material Considerations

Recommendation**REFUSE**

THE APPLICATION

The application site lies within an area designated as “Countryside” according to proposal maps for Thornham. The site is also contained within an Area of Outstanding Natural Beauty and abuts the Conservation Area to the north. Opposite the entrance to the site is Thornham Hall Grade II* listed building. The site is approximately 660m north east of a Roman Signal station which is a Scheduled Ancient Monument.

The application site is on the western side of Ringstead Road. The site is accessed via an unmade track that serves two portal framed barns on the site. One barn is adjacent to the access track with its ridge line at 90 degrees to the road and the other barn is set back on the site towards the north-west corner with its ridge line parallel to Ringstead Road.

The site slopes away in a northerly direction with hedging along the roadside and northern boundaries. The site is only partially enclosed on the western boundary with ranch style fencing. The fencing acts to enclose a communal area used by the residents of the Manor Farm holiday cottage complex. The complex is immediately to the north of the site.

Agricultural fields lie to the south of the site. Residential properties are to the north and east of the site.

The properties on Ringstead Road are primarily two storey in scale and are either terraced or detached in form. There is a distinct difference in character between the western and eastern sides of Ringstead Road. Beyond the first few cottages on the western side of Ringstead Road is the Manor farm complex which is set back from the road and only has low level hedging to the roadside frontage to enclose it. The western side heading south on Ringstead Road has a green and open feel to it at this point. On the eastern side of Ringstead Road the properties are contained behind established, dense roadside hedging and walling that screens them from being active in the street scene.

The proposal was originally a scheme for 7 dwellings with 1 affordable unit and a footpath linking the site with Thornham Deli and the Village Hall to the west, following the demolition of the barns on the site. The scheme now proposes 8 dwellings, 3 of which are to be affordable with a footpath provided from the site to the junction of High Street with Ringstead Road.

The layout, appearance and scale of the properties portrays a converted barn complex and tries to draw inference in its design from the adjacent Manor Farm complex and properties in the vicinity. The appearance and scale of the properties range from single storey through to full storey in height.

Parking is provided in the form of cart-sheds and a wildlife/biodiversity grassed area is provided along the majority of the southern boundary.

SUPPORTING CASE

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

- Planning Statement
- Design and Access Statement
- Landscape Visual Impact Assessment
- Heritage Statement
- Ecological Report
- Planning Statement

- Contamination Report
- Surface Water Drainage Report

The agent has provided a summary of their case

The Councils housing delivery requirements and 5 year land supply calculations detail that to meet with housing demand a large proportion of new dwellings will need to be provided for through windfall development.

As this proposal is not in a town, smaller village or hamlet the Councils adopted definition (p439 SADMP) allows for development to take place subject to the outcome being sustainable.

The proposal has been fully informed by an analysis of the site and its landscape context; the resulting scheme will provide a high quality small-scale residential development that is a logical extension to the village and contributes positively to its character.

As set out in the consultation response by the Norfolk Coastal Partnership, the current “agricultural buildings are modern and functional design, and do not provide a positive landscape element” This is reinforced by comments from Historic England. The proposal provides an opportunity to replace these unattractive buildings with a development that respects the qualities of Thornham Conservation Area and its surrounding countryside.

The Landscape and Visual Impact Assessment (LVIA) submitted with the final scheme appraises the effects of the proposed development that respects the qualities of Thornham Conservation Area and its surrounding countryside.

The Landscape and Visual Impact Assessment (LVIA) submitted with the final scheme appraises the effects of the proposed development on townscape, landscape character and views, including the Thornham Conservation Area and Norfolk Coast AONB. The LVIA concludes that the residual local landscape and visual effects of the completed development are positive. In respect of the AONB the LVIA concludes that the proposals will not change the key characteristics that contribute to the quality of the area; and will provide local landscape and visual benefits.

Dwellings are designed to positively front on to the Manor Farm on Ringstead Road, with car parking and the domestic gardens visually contained in the centre of the site; the buildings will be enclosed by a multi-functional landscape buffer providing wildlife habitat with strategic planting to integrate the buildings into the landscape against the backdrop of the existing village.

The positive setting and views of the village from the south, of varied rooftops set amongst trees, will be maintained and enhanced through the removal of the functional modern agricultural buildings and the landscape planting.

The proposal also comes forward in lieu of a conversion into one or two large dwellings under Permitted Development Rights, which would not meet any identified need nor would it, deliver affordable housing.

The planning balance to be applied in this instance results the positive benefits of the development strongly outweighing any negative matters. These benefits include:-

- 5 Market Dwellings, in Thornham responding to the Core Strategy which saw Thornham as a settlement capable of accommodating 5 new homes.
- 3 affordable dwellings – one affordable home for rent and two shared equity units.

- Delivery within 3 years
- Removal of significant existing agricultural barns in close proximity to existing dwellings to the benefit of their residential amenity, the conservation area and AONB.
- Replacement dwellings of the highest quality design and materials that reinforce and enhance character of the Conservation Area.
- Landscape planting to benefit the AONB.
- Ecology/bio-diversity improvements
- Economic investment to make the viability of the village more robust
- Upgrade of a road access and provision of a footpath along Ringstead Road to Highway Authority standards.

Fleur have not sought to extract themselves from any community or public benefit and have delivered a scheme with no objections and the support of Thornham Parish Council and Historic England and will deliver both an affordable and market mix of new homes that the general public in the village entirely support.

This application should be viewed positively and proactively and offers a window of opportunity to provide an unrivalled number of affordable homes to meet an identified need in the village.

PLANNING HISTORY

There is no recent relevant site history

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION to the original scheme, the parish council would also like to be involved regarding affordable housing and the 106 funding of £24,000. Please can the Parish Council be involved in any decisions regarding ownership/who lives in it and in which way/s the £24,000 will be spent.

in regards to the 8 unit scheme: NO OBJECTION the Parish Council are not happy with the development being outside the village envelope as they do not wish to set precedent, but feel that the need for affordable housing is a priority to sustain the community. The Council would like to see a condition placed on the application regarding drainage, and making sure that it does not add to the continuing problem within the village with regards to the surface water.

NCC Highways: comments that whilst the proposed layout is acceptable, a pedestrian footpath linking the existing footpath, which ceases outside 7 Ringstead Road, with the application site would be both commensurate with the proposed development and necessary to accommodate the increased number of pedestrian movements from the dwellings. I would request that the applicant details a new footpath link measuring 1.5m along Ringstead Road into the proposal site.

In regards to the 8 unit scheme – the officer has confirmed that NCC has no objection to the 8 unit scheme subject to condition.

Environment Agency: NO OBJECTION to the 7 unit scheme, Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems system within the development have capacity.

Surface water from roads and impermeable vehicle parking areas shall be discharged into trapped gullies.

The site is located above a principal aquifer; however we do not consider this proposal to be high risk.

We consider any infiltration (SuDS) greater than 2m below ground level to be a deep system that are generally not acceptable. All Suds will require a minimum of 1.2m clearance between the base of infiltration SuDs and peak seasonal ground water levels.

In regards to the 8 units scheme no further comments to add.

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to contamination and asbestos conditions being imposed

Housing Enabling Officer: comments in regards to the 8 unit scheme that a 20% provision is required on sites capable for accommodating 5 or more dwellings and/or 0.165ha in Thornham. This is split into 70% being made available for rent and 30% for shared ownership or any other intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council. In this instance 1.6 units would be required. This would be a dwelling for rent and financial contribution of £36,000. Alternatively the owner could provide 2 dwellings and no financial contribution. This would be one rent dwelling and 1 shared equity dwelling should be provided.

I note the application has proposed 3 affordable dwellings, 1 for rent and 2 for shared equity. Whilst this is overprovision and welcomed, this would be voluntary and the s106 agreement would only secure the policy requirement as set out above.

The applicant has stated that all of the affordable housing will be 2 bed houses and I confirm that this would meet an identified need.

Historic Environment service: NO OBJECTION subject to conditions

Minerals and Waste Policy: the application site is not on mineral safeguarding area nor does it fall within the consultation area of any existing mineral site

NCC Lead Local Flood Authority: this relates to minor development accordingly there is no requirement to consult.

Norfolk Coastal Partnership manager: comments in relation to the 7 unit scheme although affordable housing is needed along the North Norfolk Coast and public response has included several letters of support with no objections, I have a number of concerns regarding it.

Primarily the site is outside of the development boundary and there would be a case of an application as an exception site that provided exclusively “affordable housing” to meet proven needs, which could be retained, but this is not what is being proposed. Whilst there is a requirement for 5 dwellings in Thornham, and the proposed development being not much larger in the nominal allocation, the development of seven dwellings on this single proposed site is also not acceptable in principle because it is outside the village development envelope.... One social rented dwelling is not sufficient public benefit to justify the scheme or precedent to develop outside the village envelope.

Also although the agricultural buildings are modern and functional in design, and do not provide a positive landscape element, they could be replaced in a position near the proposed development, so this minor benefit could be negated.

In regards to the 8 unit scheme recognition that the replacement of a previously proposed 4-bedroom dwelling with 2 x 2 bedroom shared equity properties is likely to provide more local benefit as long as locally “affordable” dwellings can be retained as such in the long term.

However I still have concerns about this proposed development and do not consider that the concerns expressed in my response in August 2016 to previous proposals have been fully overcome, and refer you to these comments. A number of valid reasons for constraint on development in Thornham are stated in the Local Plan allocations document.

However, I am happy for the Borough Council to assess the potential local benefits of the proposed development against potential impacts and consequences, including on the special qualities of the Norfolk Coast AONB and nearby North Norfolk Heritage Coast, as well as its various nature conservation designations.

Historic England comments in regards to 7 unit scheme the revised layout including the repositioning of buildings along the street frontage of Ringstead Road which now have a better relationship with the character of the conservation area. Although a gable would be visible on the approach to the village, this would not be uncharacteristic and there would be some screening from planting on the boundary.

Rooflines have been revised to create more varied ridge height which has improved the relationship with existing buildings.

A limited pallet of materials should be used including brick and possibly some flint and that all roofs should be red clay pantiles to relation the existing roofscape.

In regards to the 8 unit scheme our previous comments still stand.

Conservation Area Advisory Panel: comments in regards to the 8 unit scheme although the Conservation Area Advisory Panel consider the removal of the existing agricultural building would be a positive move in that it would enhance the setting of the Conservation Area etc. They felt that if the developed the revised layout and perspective were looking acceptable.

In regards to the 8 unit scheme – the panel were generally supportive but would wish to see revisions to the fenestration around the doors to Plot 1.

Conservation Officer: comments in regards to the 8 unit scheme are in line with those of the Conservation Area Advisory Panel.

Police Architectural Liaison Officer: comments in regards to the 7 unit scheme that the cul-de-sac design overlooking the public area gives a sense of ownership and encourages a feeling of community and discourages anyone intent on criminal behaviour.

Good surveillance onto the public areas from all the plots. The cartsheds do not protect vehicles or items within them and the footpath (towards the village hall) should not be included in the design

Comments in regards to the 8 unit scheme will be reported in late correspondence if received.

Norfolk Fire and Rescue Service comments that they would require a fire hydrant installed.

REPRESENTATIONS

13 letters received in support of the original submitted application on the following grounds:-

- Well considered and designed and limited impact on the surrounding countryside.
- Improvement on the existing barns which blight the view and this part of the village
- Design and materials proposed look in keeping
- No more larger homes built for second ownership
- Supports facilities in the village
- The current metal barns are an eyesore
- As you are aware Thornham and the surrounding areas rely heavily tourism and are in an AONB.
- Thornham is capable of seeing a development of around 5 new homes.
- Volume and size of building is much less than the existing and would provide a better entrance to the village
- Better neighbour than the existing barns
- The properties would enjoy a wonderful view

7 letters received in support of the amended 8 unit scheme

- Great improvement on what is presently there
- Sustains the village hall and Thornham Deli
- Brings younger people into the village

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM22 - Protection of Local Open Space

OTHER GUIDANCE

Conservation Area Character Statement.

PLANNING CONSIDERATIONS

The Main Planning Considerations in regards to this application are:-

- Principle of Development and Planning History
- Form and Character
- Impact upon the Area of Outstanding Natural Beauty
- Impact upon the Conservation Area.
- Impact upon Neighbour Amenity
- Highway Safety
- Ecology
- Affordable Housing Provision
- Other Material Considerations

Principle of Development and Planning History

The proposal was originally for 7 dwellings (1 of which would be affordable) which has since been revised to 8 dwellings, 3 of which are to be affordable. The site is contained in an area defined as “Countryside” according to the Site Allocation and Development Management Plan Document.

Justification for the proposal, according to the Applicant’s planning agent is based on the site being a “windfall” site. The agent refers to the Council relying on windfall development as part of the Council’s requirement to demonstrate a 5 year supply of deliverable housing sites.

The agent refers to documentation provided by the Planning Policy team at the Public Inquiry for an appeal at Heacham, where Thornham was said to be able to accommodate 5 dwellings over the plan period, albeit no suitable site was identified in the site allocation process. The agent therefore considers this site to satisfy Thornham’s requirement for housing over the 5 year period and is a suitable windfall site. However windfall sites will be those coming forward within the villages, not generally justified unallocated sites outside of the settlement boundaries.

Policy CS01 – Spatial Strategy – Sustainable development locations states “that approximately 90% of new residential development will take place in areas identified within the settlement hierarchy to ensure reasonable access to services satisfying basic day to day

needs. Policy CS02 - identifies Thornham as being a Rural Village. Rural villages can accommodate limited minor development which meets the needs of settlements and helps to sustain existing services in accordance with Policy CS06 – development in rural areas.

The strategy for Rural Villages as outlined in Policy CS06 is to consider more modest levels of development as detailed in Policy CS09 to meet local needs and maintain the vitality of these communities where this can be achieved in a sustainable manner, particularly with regard to accessibility to housing, employment, services and markets and without detriment to the character of the surrounding area or landscape. Sites may be allocated for affordable or exception housing in accordance with criteria to support the housing strategy. Policy CS06 goes on to state “Beyond the villages and in the countryside the strategy will be to protect the countryside for 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.”

Policies DM2 of the Development Management Plan Document provide further guidance in regards to the principle of development. Policy DM 2 – Development Boundaries states “the areas outside of development boundaries (except for specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as being suitable in rural areas by other policies of the local plan, including, farm diversification, small scale employment, tourism facilities community facilities, renewable energy generation, rural workers housing and affordable housing.”

In policy CS09 and DM2 (above) it states “it is appropriate to consider the exceptional provision of affordable housing within the Rural Village Classification”.

Accordingly unless other material considerations in respect to the proposal outweighs the development plan policies in regards to the principle of the development in accordance with S38 (6) of the Town and Country Planning Act 1990, the proposal would fail on principle grounds.

In terms of the planning history of the site, the site has been submitted for allocation in the Site Specific Allocation and Development Management Plan Document, but it is important note that it was not considered for allocation due to the impact of the development upon the AONB.

The site has been re-submitted for allocation in the call for sites process.

Form and Character

The site is on the western side of Ringstead Road, Thornham, contained behind hedging. The site slopes away in a northerly direction and contains 2 farm buildings that are served from Ringstead Road. The farm buildings on the site are portal framed pitched roof buildings. One portal framed building has its ridge line parallel with the northern boundary of the site and the other farm building is set further back on the site and has its ridge line at 90 degrees to the northern boundary.

The form and character of development of Ringstead Road comprises of two storey cottages and detached properties. The two storey cottages, that form the Manor Farm complex, immediately to the north of the site, are constructed from flint and pantile with red brick quoin, header and cill detailing. These properties have evolved over time with some having wedge style dormers. Small amenity spaces are provided to these holiday cottages, but these are not private and are enclosed areas by virtue of being enclosed with low level hedging or low height walling. Parking is laid out informally on a large gravel area around the complex. This complex is set back from the roadside frontage.

The opposite side of Ringstead Road has larger detached properties contained behind dense hedging. These properties are two storey in scale, and are only partially seen in the street scene through driveways or above the height of the hedging. The dense hedging and trees on the eastern side of the road offers a sense of enclosure which is contrary to the character of the western side of Ringstead Road which is more open with views of the wider landscape beyond.

Beyond Ringstead Road, High Street, with the exception of odd infill development, has two storey cottages constructed in red brick, pantile and flint. There is also evidence of 1/1/2 storey forms of development but this form of development is in the minority. The properties on High Street are generally hard onto the street with parallel ridge lines with the odd property being gable end on to the road.

The original layout proposed 7 dwellings and a footpath that linked the site to Thornham Deli and the Village Hall.

The revised layout proposes 8 dwellings served from the existing access that serves the farm buildings, albeit upgraded. Plots 2-4 are on the northern side of the access and are 2 storey in scale. Plot 2 has a gable end onto the Ringstead Road. On the southern side of the access plot 1, is a large 1/1/2 storey dwelling. This property has ridge lines both at 90 degrees and parallel to Ringstead Road.

Continuing into the site, towards the western boundary are plots 5-8. Plot 5 is single storey detached, Plot 6 is two storey link detached to Plot 7 and plots 7-8 are semi-detached two storey cottages.

Other features to note in the layout of the site include the provision of a wildlife flower grassed area adjacent to the southern boundary of the site and the planting of trees across the site. A footpath is also proposed to link the site to High Street.

The properties all demonstrate the use of multi-brick, flint and boarding.

The proposal provides a continuation of the Manor Farm complex development in terms of its scale, appearance and the layout. The use of parallel and gable end on features of the properties on the Ringstead Road frontage draws on the character of development in the wider locality.

The use of cart-sheds to provide covered parking is a common approach to designing covered parking in farm complex schemes.

The designs of the dwellings and the layout of the development conform to the form and character of development in the locality,

Impact upon the Area of Outstanding Natural Beauty

The site is fully contained within the Norfolk Coast AONB. The site was submitted for site allocation but was ruled out on the impact development would have on the Area of Outstanding Natural Beauty. In considering the impact of development on the AONB, Paragraph 115 of the National Planning Policy Framework states that "great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty".

In terms of development plan policies, Policy CS 12 of the Local Development Framework Core Strategy – requires the Local Planning Authority to protect and enhance the landscape character.

In order to assess the impact upon the AONB of developing the site, a Landscape Visual Impact Assessment (LVIA) has accompanied the application by James Blake Associates; this is based on the original 7 unit scheme. The report refers to the massing of the existing buildings being broken down by their removal and redistributed across a slightly larger area, concentrating two storey elements of the new dwellings in the same locations as the current buildings/hard standing. The proposal is said to integrate into both the existing settlement and landscape context. The framework of planting, including the landscape buffer will provide further enhancement over time, contributing to the structure of vegetation into which the village sits. On completion of the development, the report states that there will subsequently be a moderate to minor beneficial visual effect within the immediate area. The residual permanent effects are subsequently classed Major Moderate to Moderate Beneficial.

No updated LVIA has been submitted in regards to the 8 unit scheme,

The Coastal Partnership manager commented in regards to the original unit scheme is referenced in the consultation response section of the report.

In regards to the 8 unit scheme, the coastal partnership manager comments that, in recognition of an additional smaller dwelling, following the removal of a 4 bedroom property, his concerns raised in his previous comments have not been fully overcome and states "there are a number of valid reasons for constraint on development in Thornham as stated in the Local Plan Document". The Manager's concluding paragraph refers the decision on whether the public benefit of the scheme outweighs the impact upon the special qualities of the Norfolk Coast AONB and nearby North Norfolk Heritage Coast, as well its various nature conservation designations, back to the Local Authority.

The Local Authority's Landscape Character Assessment would suggest that that the site lies on the very edge of the I3 classification of- Ringstead. The key characteristics of the I3 classification are the strong sense of tranquillity and isolation throughout the area. Landscape planning guidelines, according to the Assessment are to; - seek to conserve the generally undeveloped, rural character of the area and related strong sense of remoteness and tranquillity, seek to ensure that any new appropriate development responds to historic settlement pattern and is well integrated into the surrounding landscape and to seek to conserve the landscape setting of existing villages.

Heading into Thornham from the north, views of the built form of the village are partly screened by green landscape features. What views are afforded of the built form are of limited massing and only when directly stood in front of the site is it appreciated that it the site is adjacent to the built form of the village.

Heading south out of the village on Ringstead Road, the built form soon recedes into the background either being screened by soft landscaping boundary treatments or the built form being set back a considerable distance from Ringstead Road. The relationship between the two portal framed barns provides a glimpse of the wider rolling landscape beyond.

Whilst the landscaping scheme details the use of hedgerows and soft landscaping features to break up the massing of the built form of the scheme, the hedgerows also acts to isolate and segregate the development from the existing built form.

The layout, therefore results in some harm to the character of the AONB which would need to be outweighed by the benefits of the scheme.

The main benefit to the scheme is providing over and above the policy requirements for affordable housing by providing 2 extra units on the site. This will be discussed later in the report.

Another benefit that the scheme is said to bring is the loss of agricultural barns on the site. These barns are standard agricultural barns seen across the rural area, and they are not in a state of disrepair and appear to be of sound structure. It would be expected that there are portal framed barns and as the Coastal Partnership manager states in his correspondence the barns could be replicated adjacent to the residential properties, subject to relevant consents.

The Agent's comment that the barns could be converted into three residential dwellings under Class Q of the Permitted Development Rights is not correct, by virtue of the barns being within an Area of Outstanding Natural Beauty.

Impact upon the Designated Heritage Assets

The site abuts Thornham Conservation Area and is opposite the grounds of Thornham Hall which is Grade II* listed. Approximately 660m to the south west of the site is a Roman Signal Station which is a scheduled ancient monument.

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places statutory duties upon Local Planning Authorities in determining applications that affect a Listed Buildings or its setting. Section 66(1) states that the Local Planning Authority 'shall have special regard to the desirability of preserving the building or its setting'. Section 72 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when determining applications affecting buildings or land within the Conservation Area or its setting.

The Thornham Conservation Area Character Statement refers to Ringstead Road in the following statement.

“On the west side Manor Farm buildings have been sympathetically converted to holiday cottages. Wedge Style dormer and occasional sky lights have been used to light roof spaces. On the east side the former vicarage, now Park House is an attractive early 20th Century Queen Anne style house”. In respect of materials, the Conservation Area Character Statement refers to the use of Clunch chalk, rubble or squared with small pieces of carstone, flint and carstone.”

No mention has been made within the Conservation Area Character statement of the character of development on Ringstead Road with the setting back of the Manor Farm complex and the green landscaping treatments of the properties on the eastern side.

In respect to Thornham Hall, the Conservation Area Character Statement states “it's a Neo-classical building in Adam style. Five bays of three storeys within one bay wings of two storeys. Diocletian windows top floor centre bay and first floor of wings”.

The application has been accompanied by a Heritage Appraisal. The Heritage Statement provides an analysis of the Conservation Area, Thornham Hall and the Roman Fort and the impact the proposal will have on their significance as designated heritage assets.

The Heritage Statement identifies that the buildings in the Conservation Area are hard up against the pavement or only slightly set back. Some of the buildings on High Street have their gable ends fronting the road. In respect of Ringstead Road, the Heritage Statement states “when heading into the village, the properties are characterised by red pantiles and the high hedgerows on this road filters views to the application site”

In terms of Thornham Hall, Grade II* listed, the entrance driveway to which is on opposite the side of Ringstead Road, is said to be a later C20th addition according to the Heritage Statement and is of no historic significance. There is no known association between Thornham Hall and the application site.

The Heritage Statement refers to the Scheduled Ancient Monument as a Roman Fort (which may have served as a signal station) said to be of archaeological significance and this forms its primary heritage interest. There are no standing structures on the site only a defensive ditch with ramparts.

Historic England has no objection to proposal and its impact upon the setting of Thornham Hall, the Conservation Area and the Roman Fort.

The Conservation Area Advisory panel has made comments that whilst in general support of the scheme; they would prefer to see an alteration to the detailing of the fenestration above the door to Plot 1. The Conservation Officer's comments are in line with the Conservation Advisory comments.

As referred to within the Heritage Statement, not negating the paragraphs of 126 and 131 of the National Planning Policy Framework that in determining planning applications, local planning authorities should take in account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses and the desirability of new development making a positive contribution to local character, the statutory test in the legislation is to preserve or enhance the setting of heritage assets.

Whilst the proposed dwellings do not use clunch, the dwellings are of similar proportions, portray barn/farmstead features akin to the neighbouring properties they do reinforce the significance of the Conservation Area, what current exists.

The current agricultural buildings are not considered to be a detractor to the Conservation Area, setting of the Thornham Hall or the setting of the Roman Fort. It must be noted that Historic England do not refer to these barns as a being detractors to the setting of these heritage assets, only referring to the barns as "not making a positive contribution" to the setting of these assets. Accordingly, the benefit of removing these barns to the significance of the setting of these heritage assets is not as great as that which is trying to be portrayed.

Impact upon Neighbour Amenity

There are no residential neighbours immediately to the west and south of the site and the neighbour directly opposite the site, Thornham Hall, is set well back in its extensive grounds.

The nearest residential neighbours are those at the Manor Farm barn complex.

Plots 2-4 overlook a communal access/parking area to the complex and are set inside the northern boundary of the site. The separation distance between plots 2-4 from those directly opposite is some 20m. This separation distance is considered to be adequate to overcome principle neighbour amenity issues.

Plot 5's outlook from first floor will look primarily over agricultural fields.

Plots 6-8 back onto a communal area that is used by the residents of the Manor Farm barn development; the very rear of the communal area will be overlooked from bedrooms at first floor from plots 6-8. However this communal area is for holiday occupants enjoyment and it is considered that this relationship is acceptable.

Plot 8 is adjacent to a pair of semi-detached dwellings on the Manor Farm complex. The nearest window in Plot 8 to these neighbours serves an en-suite. Provided this is obscurely glazed, which can be controlled by way of condition, this neighbour will not be detrimentally overlooked. The existing portal framed agricultural building is sited directly adjacent to this particular neighbour at Manor Farm and accordingly with plot 8 being sited further away from this neighbour than the existing portal framed building it would be an improvement in terms of this neighbour's experience of being overshadowed. The siting of the dwelling is not considered to cause overbearing issues upon this neighbour.

Emphasis has been placed on the removal of the agricultural barns being an improvement in terms of neighbour amenity, by their physical presence and use. The occupiers of the adjacent Manor Farm holiday complex would have been aware of the agricultural use of the adjacent land when purchasing the properties and would also be aware of the barns presence. Accordingly little weight is attached to this benefit.

Highway Safety

The proposal utilises the existing access between the portal framed barns.

A footpath that linked the site with Thornham Deli and the village hall was removed during the application as this footpath would not have been appropriately observed from rooms that are commonly used throughout the day/evening period and would potentially have been susceptible to crime.

The proposal has now included a footpath that runs from the site to join up with High Street and Ringstead Road at the recommendation of the Highways Officer.

The parking arrangements are in line with NCC standards and being carports, in a cartshed style, the internal dimensions do not need to be in line with the 7m x 3m dimensions as outlined in Policy DM 17 of the Development Plan Document.

The Highways Officer has commented that the proposal is satisfactory subject to conditions.

Ecology

The site contains a hedgerow along the Ringstead Road boundary and a low privet hedge. Hedgerows can contain nesting birds and can be foraging roosts for bats.

The nearest wooded area is some 420 metres south-east of the site within grounds of Thornham Hall. The nearest water course is the tidal creeks at Thornham and two potential ponds, the nearest being 282m to the north east. The ponds are marked on the OS map but not visited to confirm their continued existence or suitability.

The portal framed buildings on the site are enclosed and offer little potential habitats for bats and barn owls.

Nevertheless a phase 1 protected species report has accompanied the application.

The report states the following in relation to protected species

-Birds: - the hedgerows and barns presented are almost certain to support nesting songbirds; the improved grassland area has potential for ground nesting birds. However given the area is close to the village it is considered to be of relatively low significance for nesting birds.

The proximity to the village also makes adjacent arable field largely unsuitable for wintering waders and geese. The barns and a section of poor hedgerow will be removed, which will have a minor negative impact upon breeding birds. Breeding and wintering birds near to the site might be affected by disturbance and displacement.

-Mammals - there is no habitat on site for water vole and otter. There is no badger activity on site and no potential for bats to roost on the site. The habitat on site is not to be significant for foraging bats.

-The nearest pond is over 250m from the site and separated from it by houses and roads. The potential for transient individual such as a grass snake cannot be ruled out.

The report states in relation to species of principal importance such as brown hare and hedgehog may also occur close to the site; however given the small site footprint a disturbance is extremely unlikely and not significant.

Mitigation in the form of a replacement hedgerow with details of 5 native plant species and the £50 per house towards mitigation and monitoring of European sites will be required. Best practice measures can also be incorporated.

The scale of development and the characteristics of the site would rule out the need of a Habitats regulations assessment.

Affordable Housing provision

The site is in excess of 0.165ha and is a site in theory capable of accommodating 5 units. At a rate of 20% of the dwellings, 1.6 affordable housing units would be required. The 0.6 financial contributions equates to £36,000. The affordable housing unit would be a dwelling made available for rent. Alternatively the developer could choose to provide 2 dwellings and no financial contribution according to the Housing Enabling Officer. In that particular scenario 1 rented dwelling and 1 shared equity dwelling.

It is noted that the proposal is offering 3 affordable houses, which is in excess of the policy requirements, as a means of providing a benefit against the principle that this site is outside of the development boundary.

Flood risk and Drainage

The Environmental Agency have commented that the site is located above a principal aquifer, however they do not consider that the proposal is to be of high risk in terms of contaminating the principal aquifer.

The site lies within Flood Zone 1 of the Council's Strategic Flood Risk Assessment maps which is the least restrictive flood zone.

In respect to drainage, a Surface Water Drainage Strategy has been submitted with the application. The development of the site will occupy 0.201 of hardstanding, including 0.105ha of porous construction techniques.

In order to mitigate against the increased hardstanding, the surface water drainage strategy refers to the use of rainwater butts to be provided, plot infiltration techniques, permeable drives and private access roads could be utilised. There will be no discharging of surface water to any watercourses.

Soakaways and permeable access drives have been designed to accommodate the 1 in 100 year event including the effects of climate change.

Future maintenance of the surface water drainage system will be the owner's responsibility. Where the surface water drainage is outside of the responsibility of the owner's individual plot, a Management Company will be formed. The maintenance company details could be secured by way of condition.

Foul water connection is available on Ringstead Road, The EA have commented that Anglian Water be contacted to ensure there is sufficient capacity in the network to accommodate the additional flows. Anglian Water does not ordinarily comment on sites of less than 9 dwellings. With Anglian Water asset maps identifying a foul water drainage connection in Ringstead Road it is not considered necessary to impose a foul water condition.

Other Material Considerations

The proposal offers an area of open space as a wildlife/grass area in the south west corner of the site. The area is not required for open space purposes and is not required for any protected species form of mitigation. Its provision is therefore a benefit in terms of bio-diversity, but it does not offset the loss of agricultural land in terms of its size. Accordingly little weight can be attached to this consideration.

The Police Architectural Liaison Officer has been consulted on the 8 unit scheme and comments will be reported in late correspondence if received.

Notwithstanding the contamination report conducted by Plandescil, the Environmental Health – Environmental Quality team require full contamination and asbestos conditions imposed.

The Historic Environment Service requires full archaeological conditions as the site is located in an area where artefacts of prehistoric to medieval date have been found.

Any benefits in terms of employment and facilitation of jobs during the construction of the development would be a short term benefit and not significant to outweigh principle issues. The number of dwellings proposed aid in the sustainability of existing services, but this would not outweigh the principle issue.

CONCLUSION

This site is outside of the development boundary, where as an established principle it should be refused. It is also within the AONB, where national guidance is clear that preservation of the AONBs character should have great weight.

Members will need to consider whether the proposal of 8 dwellings and the proposal of 3 affordable dwellings outweighs the in principle consideration that this site is within the countryside, and the restrictions that are applied to this restriction on residential development.

The benefits of the scheme are said to be the overprovision of affordable housing, the removal of the existing barns, an enhancement to the conservation area, ecology/bio-diversity improvements and economic investment in the village.

It is your officer's opinion that little weight should be attached to the benefits of the scheme, when weighing them against the principle issue of developing in the Countryside and the AONB.

The proposal would in fact only provide 1 additional affordable dwelling over and above what can be provided in policy terms.

The removal of the barns to be replaced by the development is acknowledged that to be enhancement beyond what currently exists, but the barns are not in a state of disrepair and not referred to any documentation as being a specific detractor to the AONB and the setting of designated heritage assets. Thus the removal of what are considered to be neutral structures in the rural landscape would be of small benefit that would not outweigh the principle of developing in the countryside and AONB.

The ecological/bio-diversity enhancements would be limited, especially considering the protected species report stating that the site being close to the built area of village is somewhat limiting in attracting wildlife.

Economic investment would be short term in the creation of jobs associated with the development and will have a limited effect in sustaining services within the village.

Given the above the in principle objection to developing the site should be upheld, and the application should be refused.

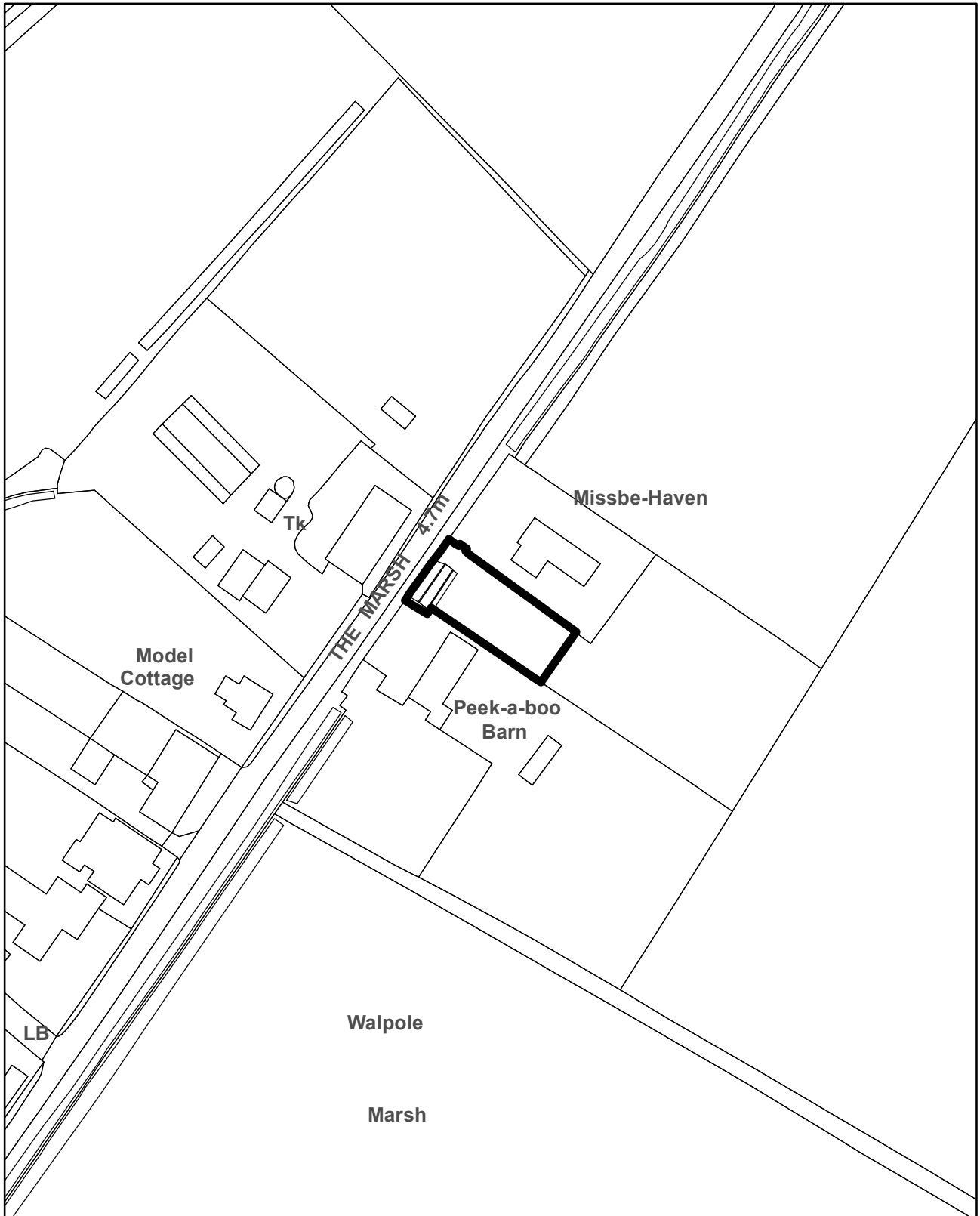
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The site lies outside the settlement boundary for Thornham as identified in the Site Specific Allocations and Development Management Policies Document 2016. The site is a greenfield site contained within an Area of Outstanding Natural Beauty and it is considered that the merits of the scheme do not outweigh the general harm caused to the intrinsic character of the Area of Outstanding Natural Beauty and Countryside and the general conflict with the provisions of the National Planning Policy Framework (NPPF) and the policies of the development plan. The proposed development is therefore contrary to the provisions of Paragraphs 17, 55, 115 of the NPPF, Policy CS06, CS12 of the Core Strategy 2011 and Policy DM 2 of the Site Allocations and Development Management Policies Document 2016.

16/01849/F

The Willows The Marsh Walpole St Andrew



AGENDA ITEM NO: 8/3(o)

Parish:	Walpole	
Proposal:	Construction of detached chalet bungalow	
Location:	The Willows The Marsh Walpole St Andrew Norfolk	
Applicant:	Mr Lee Walton	
Case No:	16/01849/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 13 January 2017 Extension of Time Expiry Date: 10 February 2017

Reason for Referral to Planning Committee – Previous appeal history on this site.

Case Summary

This application is made for the construction of a detached chalet bungalow at The Willows, a plot of land on the south-eastern side of The Marsh, Walpole St Andrew.

An earlier application for reserved matters approval was refused and the subject of an appeal which was dismissed.

Key Issues

Planning History
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks full planning permission for the erection of a single 3 bedroomed chalet bungalow on land at The Willows, a plot of land on the south-eastern side of The Marsh, Walpole St Andrew.

There are residential properties either side of the plot and a large land drain adjoining the road.

SUPPORTING CASE

The application is for a single dwelling and does not require the submission of a Design & Access Statement.

PLANNING HISTORY

15/00819/RM: Application Refused: 24/07/15 - Reserved Matters Application: construction of one dwelling - Appeal Dismissed 09/05/16

12/01717/O: Application Permitted: 13/12/12 - Outline Application: construction of residential dwelling

15/00766/F: Application Withdrawn: 26/05/15 - Construction of new dwelling

12/00397/O: Application Withdrawn: 03/05/12 - Outline Application - Erection of Residential Dwelling

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION

Local Highways Authority: NO OBJECTION subject to condition to provide parking and turning facilities.

King's Lynn Internal Drainage Board: NO OBJECTION but requests informative note regarding the need to comply with IDB byelaw.

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Environment Agency: NO OBJECTION subject to development according with the Flood Risk Assessment.

District Emergency Planning Officer: NO OBJECTION subject to conditions relating to signing up to Floodline and a flood evacuation plan. This however fails the tests applied to conditions and is covered by an informative note.

REPRESENTATIONS

No third party comments or objections received.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS01 - Spatial Strategy

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

OTHER GUIDANCE

The Walpoles

PLANNING CONSIDERATIONS

Planning History

The site has an involved planning history with a series of applications having been made for residential development since 2012 (see history above). The principle of developing this plot remains acceptable as the site lies within the Village Development Area (VDA) as defined in the recently adopted SADMPP.

In 2012 outline permission was granted for a single dwelling, however the following reserved matters submission (ref: 15/00047/RM) was refused permission on the grounds of poor design and lack of private amenity space.

That refusal was appealed and this was subsequently dismissed by the Planning Inspectorate, primarily in relation to lack of private amenity space – a copy of the appeal decision notice is appended to this report for reference. The key issue is addressed at Paragraph 8 where the Inspector states:

“I therefore find that the lack of a suitable private outdoor space would result in harmful living conditions for future occupants and for this reason the proposal would fail to comply with the Development Plan and the National Planning Policy Framework (the Framework). The proposal would specifically conflict with Policy CS08 of the King’s Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011) (CS) which seeks to achieve good design and a good quality of life for residents.”

Conversely the Inspector did not agree with the concerns of the Council with regards to the design and appearance of the proposed chalet. At Paragraph 12 the Inspector stated:

“I find that the proposal would not result in a form of development that would appear out of character in an area which has a varied character and appearance.”

The current application is a response to the above appeal decision, and involves the re-positioning of the dwelling forward on the site to relate better to the adjoining dwellings and create a larger rear garden depth of some 8 – 8.5m. This is now considered to be acceptable to serve a 3 bedroomed dwelling of this size and remains contained within the VDA.

The application has retained the same design of chalet and, in light of the Inspector’s findings above, this is acceptable.

Other material considerations

The site lies within the Rural Village comprising Walpole St Peter, Walpole St Andrew and Walpole Marsh. Policy CS06 enables limited development in the rural villages to support and maintain these communities. The principle of development on this site has been established through the planning history.

The appeal was determined in May 2016 and as such the SADMP was available in draft form and was referred to in the Inspector's decision notice. Although now adopted, it is not considered that there have been any material changes to the policies in the interim that would impact upon this application.

The site lies within Flood Zone 3 of the Strategic Flood Risk Assessment and is accompanied by a site specific FRA. The proposal passes both sequential and exception testing and has received no objection from the Environment Agency subject to the recommendations of the FRA being implemented – this may be controlled via condition.

There are no contamination or drainage issues of concern. The byelaw issues will be addressed with the IDB.

There are no highway issues to resolve and no crime and disorder concerns.

CONCLUSION

The proposed development accords with the provisions of the Development Plan and, in light of the Planning Inspector's recent decision, it is concluded that the proposal is now acceptable subject to certain conditions indicated below.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 scale Location Plan & 1:500 Block Plan received 11.10.16, Dwg No. 1 First Floor Plan, Dwg No. 1A Ground Floor Plan, Dwg No. 2 Elevations and Dwg No. 3 Roof Plan received 02.12.16.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The development shall be constructed in accordance with the recommendations of the Flood Risk Assessment submitted as part of this application i.e. finished floor levels to be 300mm above existing ground level and incorporating flood resistance and resilience measures.
- 3 Reason To protect the development and future residents from the risk of flooding in accordance with the provisions of the NPPF and Core Strategy Policy CS09 of the LDF.

- 4 Condition Prior to the first occupation of the development hereby permitted, the proposed access, on-site car parking and turning areas shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

- 4 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

Appeal Decision

Site visit made on 12 April 2016

by **L Fleming BSc (Hons) MRTPI**

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

Decision date: 09 May 2016

Appeal Ref: APP/V2635/W/15/3132978

The Willows, The Marsh, Walpole St Andrew, Norfolk PE14 7JG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Lee Walton against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 15/00819/RM, dated 23 May 2015, sought approval of details pursuant to conditions 1,5,6,8,9,11 of planning permission Ref 12/01717/O, granted on 13 December 2012.
 - The application was refused by notice dated 24 July 2015.
 - The development proposed is construction of a new dwelling.
 - The details for which approval is sought are layout and scale, appearance and landscaping, foul water drainage, parking and turning, surface water drainage floor levels.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's decision notice refers to draft Policy DM15 of the Site Allocations and Development Management Policies Pre-Submission Document (2015). In accordance with paragraph 216 of the National Planning Policy Framework (the Framework) weight may be given to emerging policies subject to the extent of unresolved objections. There is no evidence before me which allows me to make this judgement and as this Policy has not yet been examined I have attached little weight to it. However the aims of draft Policy DM15 do not appear so materially different from the adopted Development Plan Policies referenced such that it would have significantly influenced the outcome of the appeal.

Main Issues

3. The main issues are:
 - the effect of the proposal on the living conditions of future occupiers with regard to the provision of appropriate private outdoor space;
 - the effect of the proposal on the character and appearance of the area.

Reasons

Living conditions

4. The appeal site is a relatively small parcel of land between two detached properties which occupy relatively large plots. To the rear of the site is an area of land which at the time of my site visit accommodated a mobile home. Whilst the land to the rear of the application site is shown on the plans as lawn and in the ownership of the appellant, it is outside of the appeal site.
5. The proposed detached dwelling would be relatively large in comparison to the plot with three large bedrooms, each with en-suite bathrooms. It would be positioned deep into the plot behind a lawn, parking area and turning space leaving a small area of private outdoor space to the rear.
6. Due to the size of the proposed dwelling, it would be likely to be occupied by a family or a large household. In my view, the limited size of the proposed private outdoor space to the rear would make it difficult to collectively accommodate features such as a comfortable sitting area, lawn, space for planting or a garden shed and overall would result in a cramped outdoor space which would have limited use and would be disproportionate to the amount of internal living space proposed. Furthermore, whilst I do not have details of the proposed boundary treatments, the distance of the ground floor rear elevation from the rear garden boundary, is such that if bound by a tall fence, wall or thick landscaping, it would be oppressive resulting in a poor ground floor outlook for future occupants.
7. I acknowledge that a relatively large outdoor space would be provided to the front of the proposed dwelling. However, the majority of this space would be taken up by parking and a turning area. Whilst a hedge may provide some privacy to this space, it would take some time to become established and the proposed lawn area is directly adjacent to the narrow road, such that the frequent passage of vehicles close by would be significantly detrimental to the enjoyment of this space, which I therefore consider is inappropriate as a private outdoor space for a relatively large detached dwelling.
8. I therefore find that the lack of a suitable private outdoor space would result in harmful living conditions for future occupants and for this reason the proposal would fail to comply with the Development Plan and the National Planning Policy Framework (the Framework). The proposal would specifically conflict with Policy CS08 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011) (CS) which seeks to achieve good design and a good quality of life for residents.

Character and appearance

9. The appeal site sits between two detached dwellings in a ribbon of dwellings of varied character, size and height along The Marsh, a narrow rural lane.
10. The outline planning permission was subject to a condition including that the proposed dwelling should be of a chalet style. Although there would be a sizable amount of accommodation in the roof space, the ridge and eaves height would be below the height of a typical two storey building. I am therefore satisfied that the proposal would be of a chalet style.

11. The proposed dwelling would be set further back from the road than the neighbouring dwellings and would have a small rear private garden. However, it would be within in an area where the dwellings are of contrasting styles and set varying distances from the road. Due to the limited space to the side of the proposed dwelling, the uncharacteristically small rear garden would not be widely visible. Whilst the appeal property would be taller than Peek-a-boo Barn and Missbe-Haven, on the opposite side of The Marsh are 1 and ½ and 2 storey buildings sitting comfortably alongside single storey dwellings. Furthermore the proposed section of flat roof would not be prominent in the street scene as the proposed dwelling would be set some distance back from the road.
12. I have taken into account the planning permissions at Peek-a-boo Barn and Beacon Cottage; however, overall, I find that the proposal would not result in a form of development that would appear out of character in an area which has a varied character and appearance.
13. For these reasons, the proposed development would comply with the Development Plan and the Framework, specifically saved Policy 4/21 of the King's Lynn & West Norfolk Local Plan (1998) and Policy CS06 and CS08 of the CS which aim to ensure good design and that new development is in harmony with the characteristics of the locality.

Other Matters

14. I note that the appellant is dissatisfied with the Council's handling of the planning application. This is a matter which would need to be pursued with the Council. I also note the Council's comment with regard to unauthorised development and whether there have been breaches in planning conditions. However, these matters are not before me, and I can confirm that I have had regard only to the planning merits of this proposal.

Conclusion

15. For the reasons set out above, whilst I have found no harm to the character and appearance of the area, I have found harm to the living conditions of future occupiers with regard to insufficient private outdoor space, which is the prevailing factor. I therefore conclude that the appeal should be dismissed.

L Fleming

INSPECTOR

PLANNING COMMITTEE

6 FEBRUARY 2017

Community Infrastructure Levy (CIL) & S.106 agreements –

Planning Committee items

1.0 Background

- 1.1 Members will be aware that from 15 February 2017, the Borough Council will be introducing a CIL regime. This means that from that date, any qualifying application not determined will be subject to CIL.
- 1.2 Members will also be aware that a number of planning applications have been approved at Committee with a 4 month date for compliance with the requirement to sign a S.106 agreement, including in some cases the requirement to pay financial contributions, mainly County Council charges for educational purposes. CIL will automatically supersede these payments, and it is unlawful to 'double charge' developments. There are some planning applications where the S.106 is not due to be completed until after the 15 February, & where the S.106 agreement will not be signed in time. Technically at present these applications have a resolution to sign the S.106 for the reasons set out in the Committee Report, which could give rise to double charging.
- 1.3 It should be noted that S.106 agreements will still be required for other site specific items such as affordable housing, Public Open Space and SUDS etc., but not for items to be covered by CIL.
- 1.4 This report therefore seeks a general resolution to give delegated powers to the Executive Director to amend as necessary any previous resolution for applications affected by CIL, to bring them into line with the new CIL and S.106 regime, and to prevent any unlawful consents through double charging. Rather than bring each individually affected application back to Committee, this report seeks a general resolution to allow the Executive Director to amend the resolution to correct the anomaly caused by the introduction of the CIL regime. The S.106 requirements unaffected by the introduction of CIL, will remain as per the original Committee resolution.

2.0 Recommendation

- 2.1 That permission is granted to the Executive Director – Environment & Planning to amend previous Committee resolutions on the applications that are affected by the introduction of CIL, to reflect the fact that there cannot be double charging through the introduction of CIL.

**Contact: Stuart Ashworth
Assistant Director
Telephone: 01553 616417**

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the January Planning Committee Agenda and the February agenda. 153 decisions issued, 141 decisions issued under delegated powers with 12 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – 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 19/12/16 – 24/1/17

	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	5	5	0		5	100%	60	50	2	0
Minor	78	65	13	61		78%	65		3	4
Other	70	67	3	60		86%	80		2	1
Total	153	137	16							

Planning Committee made 12 of the 153 decisions, 8%

PLANNING COMMITTEE -

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.

RECOMMENDATION

That the report be noted.

DETAILS OF DECISIONS

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DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
19.07.2016	20.01.2017 Application Refused	16/01331/O	Mr Steven Tigh Keepers Cottage 29 Church Lane Barton Bendish King's Lynn Outline Application: New house and garage	Barton Bendish
17.08.2016	11.01.2017 Application Permitted	16/01522/CU	Bircham Stores Bircham Stores Ltd 32 Lynn Road Great Bircham Norfolk Change of use of barn to extend Country Stores services	Bircham

18.08.2016	11.01.2017 Application Permitted	16/01523/A	Bircham Stores Bircham Stores Ltd 32 Lynn Road Great Bircham Norfolk Advertisement Application: 2x non-illuminated fascia sign	Bircham
08.11.2016	23.01.2017 Application Permitted	16/01957/F	Client of Ian J M Cable Architectural Design Church Farm Docking Road Bircham Newton Norfolk Conversion of stable block to dwelling	Bircham
08.11.2016	09.01.2017 Application Refused	16/01959/F	Client of Ian J M Cable Ltd Church Farm Docking Road Bircham Newton Norfolk Construction of new dwelling	Bircham
29.11.2016	19.01.2017 Application Permitted	16/02073/F	Mr Richard Ayres 15 Stanhoe Road Bircham Tofts King's Lynn Norfolk Removal of existing timber garage, to be replaced by a new 2 storey extension and new low level dwarf wall to the south boundary	Bircham
24.10.2016	23.12.2016 Application Permitted	16/01911/F	Mrs Caroline Edwards 6 Mill Farm Mill Road Burnham Overy Town King's Lynn Erection of boundary wall to front of dwelling	Burnham Overy

22.11.2016	13.01.2017 Application Permitted	16/02045/F	Mr And Mrs Scoles Fuchsia New Road Burnham Overy Staithe King's Lynn Demolition of existing single storey garage and beach hut. Erection of two storey side and rear extension. Erection of single storey rear extension	Burnham Overy
26.10.2016	22.12.2016 Application Refused	16/01862/O	Mr Michael Bucher The Palus Main Road Brancaster Staithe King's Lynn Outline Application: New residential dwelling	Brancaster
09.11.2016	05.01.2017 Application Permitted	16/01970/F	Mr & Mrs M Morgan Wols Main Road Brancaster Staithe Norfolk Replacement of existing windows with painted timber framed windows, new timber framed glazed front door, extended window projection and addition of rooflight to main roof.	Brancaster
24.11.2016	20.01.2017 Application Permitted	16/02058/F	Mr N Archer Salcombe Cross Lane Brancaster King's Lynn Construction of two new dwellings following demolition of existing house	Brancaster

25.11.2016	17.01.2017 Application Permitted	16/02062/F	Mr Paul Roe 53 Dale End Brancaster Staithe Norfolk PE31 8DA Single storey rear extension	Brancaster
21.12.2016	16.01.2017 Application Permitted	16/01578/NMA_1	Mr And Mrs Chilvers 25 Branodunum Brancaster King's Lynn Norfolk Non-material amendment to planning permission 16/01578/F: Extension and Alterations	Brancaster
31.10.2016	06.01.2017 Application Permitted	16/01923/F	Mr And Mrs Roy 42 Sutton Estate Burnham Market King's Lynn Norfolk Two storey side extension and single storey rear extension	Burnham Market
14.11.2016	11.01.2017 Application Permitted	16/01994/CU	C Evans St Edmunds Cottage North Street Burnham Market King's Lynn Change of use from personal art studio to public viewing gallery (Class A1 and D1)	Burnham Market
28.11.2016	16.01.2017 Application Permitted	16/02070/F	Mr Groves 6 Old Railway Yard Burnham Market King's Lynn Norfolk Proposed loft conversion, rear extension and internal alterations	Burnham Market

13.12.2016	09.01.2017 Application Permitted	13/01630/NMA_1	Mr Rash Singh Costcutter Foxes Meadow Castle Acre Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 13/01630/F: Proposed fish and chip shop with accommodation, extension to existing shop and car park alterations	Castle Acre
05.04.2016	12.01.2017 Application Withdrawn	16/00675/O	Elm Park Holdings Ltd Fosters Sports Ground 107 Ferry Road Clenchwarton Norfolk Outline Application: residential development up to 9 dwellings (Phase 4)	Clenchwarton
14.10.2016	10.01.2017 Application Permitted	16/01822/F	Mr Adrian Hurst 224 Main Road Clenchwarton King's Lynn Norfolk Variation of condition 2 attached to planning permission 15/00969/F to allow the retention of the workshop and relocation of the approved garages	Clenchwarton
11.11.2016	22.12.2016 Application Permitted	16/01981/F	Client of Holt Architectural Ltd Meadow View Black Horse Road Clenchwarton King's Lynn Proposed manege	Clenchwarton

11.11.2016	22.12.2016 Application Permitted	16/01982/F	Client of Holt Architectural Ltd Meadow View Black Horse Road Clenchwarton King's Lynn Proposed stable	Clenchwarton
24.10.2016	18.01.2017 Application Permitted	16/01875/LB	Mr J Kenny The Dairy Warren Farm Lynn Road Hillington King's Lynn extension	Congham
26.10.2016	21.12.2016 Application Permitted	16/01897/F	Albanwise Ltd Home Farm Downham Road Crimplesham King's Lynn Car park extension for veterinary practice	Crimplesham
21.11.2016	16.01.2017 Application Permitted	16/02031/F	Mr & Mrs W Sweetman 41 Ryston Road Denver Downham Market Norfolk Part two storey, part single storey extension to side of dwelling	Denver
14.09.2016	20.12.2016 Application Permitted	16/01648/F	Mrs Margaret Langridge 56 Manor Road Dersingham King's Lynn Norfolk Construction of new porch following removal of existing, new white PVC door	Dersingham
21.10.2016	20.12.2016 Application Permitted	16/01866/RM	Mr C Hipkin 15 Woodside Avenue Dersingham King's Lynn Norfolk Reserved Matters Application: New dwelling	Dersingham

05.10.2016	17.01.2017 Application Permitted	16/01757/O	Mrs A Hammond Bernaleen Station Road Docking King's Lynn OUTLINE APPLICATION ALL MATTERS RESERVED: Erection of two number two storey dwellings with garages on land adjoining Bernaleen Station Road	Docking
21.11.2016	16.01.2017 Would be Lawful	16/02036/LDP	Jane And David Tobitt Wardle The Hideaway Fakenham Road Docking King's Lynn Lawful Development Certificate: Removal of existing conservatory and replace with new kitchen, new windows at first floor and two roof lights to loft area	Docking
23.11.2016	19.01.2017 Application Permitted	16/02050/F	Mr Laurence Smith 5 the Mount Bircham Road Docking King's Lynn Extension and Alterations to existing house	Docking
01.11.2016	03.01.2017 Application Permitted	16/01927/F	Upstream Ltd 47 - 49 Bridge Street Downham Market Norfolk PE38 9DW Renovation and two storey extension to create additional flat	Downham Market

01.11.2016	22.12.2016 Application Permitted	16/01928/LB	Unpstream Ltd 47 - 49 Bridge Street Downham Market Norfolk PE38 9DW Listed Building Application: renovation of existing building and creation of additional flat	Downham Market
03.11.2016	22.12.2016 Application Permitted	16/01942/F	Client of Ian J M Cable Architectural Design 1 Glebe Road Downham Market Norfolk PE38 9QJ Construction of a dwelling	Downham Market
16.11.2016	11.01.2017 Application Permitted	16/02018/F	Mrs Dawn Ryan 59 Coriander Road Downham Market Norfolk PE38 9WB 2 1/2 storey side extension	Downham Market
27.10.2016	21.12.2016 Application Permitted	16/01903/F	Mr Wayne Armstrong Cullen Downham Road Salters Lode Norfolk Two storey side extension and demolition of existing conservatory	Downham West
09.09.2016	22.12.2016 Application Permitted	16/01624/O	Mr R Crofts Land Adjacent 72 Gaultree Square Emneth Wisbech Outline Application: Two proposed dwellings	Emneth

26.09.2016	22.12.2016 Application Refused	16/01696/F	Mr Paul Elliott 26 Raceys Close Emneth Wisbech Norfolk Erection of a 1.8 metre high fence to enclose part of the front of the property. A second 1.8 metre high fence to then be taken down the driveway to meet the garage wall creating an enclosed side garden area.	Emneth
20.10.2016	21.12.2016 Application Permitted	16/01860/CU	Karen Melton-Means Notlems 45 Hollycroft Road Emneth Wisbech Change of use from private swimming pool to spa	Emneth
26.10.2016	18.01.2017 Application Permitted	16/01894/F	Miss Sterry Walnut House Fendyke Road Emneth Wisbech Retention of and extension to create four bay stables, hay barn with tack room	Emneth
09.11.2016	21.12.2016 Prior Approval - Approved	16/01967/PACU3	Mr Neville Moyes Land To the North Strawberry Fields 28 Mill Road Emneth Change of use from agricultural building to dwelling house	Emneth
18.11.2016	20.01.2017 Application Permitted	16/02025/F	Mr Leonardo De Boovillae 22 St Nicholas Drive Feltwell Thetford Norfolk Erection of extension	Feltwell

16.08.2016	10.01.2017 Application Permitted	16/01498/O	Client of Holt Architectural Ltd Land West of The Retreat 29 Lynn Road Grimston Outline Application: Residential dwelling	Grimston
14.11.2016	10.01.2017 Application Permitted	16/02004/F	Mr Jason Todd 15 Bracken Way Grimston King's Lynn Norfolk Retention and completion of single storey extensions	Grimston
15.11.2016	13.01.2017 Application Permitted	16/02010/F	Ashwicken Farms LLP Spot Farm Sandy Lane South Wootton King's Lynn Construction of agricultural general purpose building to store farm implements and grain	Grimston
22.11.2016	17.01.2017 Application Permitted	16/02043/F	Mr O'Brien Mill Hill Nursery Cliffe En Howe Road Pott Row Norfolk Variation of condition 2 of planning permission 11/01658/F: To amend previously approved drawings	Grimston
14.10.2016	06.01.2017 Application Permitted	16/01819/F	Dr And Mrs Pearson Daffodil Cottage 12 Weasenham Road Great Massingham King's Lynn Proposed 1.5 storey side extension and conservatory to the rear of dwelling	Great Massingham

15.11.2016	11.01.2017 Application Permitted	16/02001/F	Mr & Mrs J Gray 18 St Lawrence Close Harpley King's Lynn Norfolk Proposed demolition of existing rear projection and construction of new single storey extension, together with demolition of existing precast garage and replacement with new double garage	Harpley
26.10.2016	17.01.2017 Application Permitted	16/01892/F	Mr & Mrs Ford 4 Ringstead Road Heacham King's Lynn Norfolk Single storey extensions including attached garage and replacement roof containing 1st Floor accomodation	Heacham
02.11.2016	06.01.2017 Application Permitted	16/01935/F	Mrs Carole Matthews Woodcroft Jubilee Road Heacham Norfolk Conversion from sun-room to extension and render to front of dwelling	Heacham
11.11.2016	06.01.2017 Application Permitted	16/01980/F	Mr W Proctor 8 Folgate Road Heacham King's Lynn Norfolk Construction of detached garage	Heacham

16.11.2016	10.01.2017 Application Permitted	16/02009/F	Mr P Cribb 53 the Broadway Heacham King's Lynn Norfolk Extensions and Alterations to dwelling, and proposed access gates	Heacham
30.11.2016	16.01.2017 Application Refused	16/02089/F	Mr A Peake Ocean View 1F the South Beach Heacham Norfolk Variation of condition 2 of planning permission 2/98/1559/F to enable permanent occupation as the clients home	Heacham
15.12.2016	16.01.2017 Application Permitted	15/01381/NMA_2	Mrs S Young 7 Ringstead Road Heacham King's Lynn Norfolk NON-MATERIAL AMENDED TO PLANNING PERMISSION 15/01381/F: Proposed chalet further to subdivision	Heacham
24.10.2016	23.12.2016 Application Permitted	16/01876/F	Mr J Kenny The Dairy Warren Farm Lynn Road Hillington King's Lynn Extension	Hillington
14.11.2016	10.01.2017 Application Permitted	16/01989/F	Mr L Jarvis Ardbeg Fakenham Road Hillington King's Lynn Extensions & Alterations to dwelling & proposed cart shed	Hillington

14.11.2016	06.01.2017 Application Permitted	16/01993/LB	Dr & Dr M Kenny Warren Farm Barn Lynn Road Hillington Norfolk Listed Building Application: Barn conversion and extension to form dwelling	Hillington
04.11.2016	21.12.2016 Application Permitted	16/01950/F	Mr And Mrs G Goldsmith 55 Main Street Hockwold cum Wilton Norfolk IP26 4LQ Extensions and change of roof covering	Hockwold cum Wilton
07.11.2016	21.12.2016 Application Permitted	16/01953/F	Mr And Mrs Young Grange Cottage Burdock Lane Hockwold cum Wilton Norfolk Alteration and extension of cottage to form porch and construction of freestanding garage	Hockwold cum Wilton
19.11.2015	22.12.2016 Application Refused	15/01883/F	Ocean Breaks Land To North-East of The Old Smithy 26 Eastgate Holme next the Sea Use of the land for the stationing of 6 mobile homes for holiday use together with associated formation of hardstandings, new boundary treatments and minor engineering works	Holme next the Sea

20.04.2016	06.01.2017 Application Permitted	16/00767/F	Mrs Pam Griffin Land On the West Side of Beach Road Holme next the Sea Norfolk Demolition of lean to stable and erection of new timber stable block	Holme next the Sea
11.11.2016	21.12.2016 Application Permitted	16/01983/F	Mr And Mrs Pallant Brook House 32 Beach Road Holme next the Sea Norfolk Variation of condition 2 of planning permission 16/00094/F: To vary previously approved drawings	Holme next the Sea
21.12.2016	16.01.2017 Application Refused	12/02033/NMA_1	Mr And Mrs M Starr Vine Cottage 49 Main Road Holme next the Sea Norfolk Non-material amendment to planning permission 12/02033/F: Erection of 2 residential annexes, amended design	Holme next the Sea
24.08.2016	23.01.2017 Application Refused	16/01555/F	Mr Justin Wing 97 South Beach Road Hunstanton Norfolk PE36 5BA Erection of new residential dwelling with integral double garage and associated external works	Hunstanton
17.11.2016	11.01.2017 Application Permitted	16/02022/F	Mrs Sharon Wigfull 10 Campbell Close Hunstanton Norfolk PE36 5PJ Single storey rear extension	Hunstanton

24.11.2016	19.01.2017 Application Permitted	16/02054/F	Yourlife Management Services Ltd Eastland House Westgate Hunstanton Norfolk Variation of condition 2 of planning permission 16/00833/FM: To vary previously approved drawings	Hunstanton
28.11.2016	16.01.2017 Application Permitted	16/02067/F	Mr S Pye Flat 14 Avenue Road Hunstanton Norfolk Subdivision of existing 4 bed flat to create 1no. 2 bed flat and 1no. 1 bed flat	Hunstanton
22.04.2016	11.01.2017 Application Permitted	16/00775/F	Norwich Diocesan Board of Finance Land At Lawrence Road King's Lynn Norfolk Proposed new parsonage dwelling and detached garage	King's Lynn
29.09.2016	10.01.2017 Application Permitted	16/01728/F	Mr Neal Ratcliffe 3A New Road Gaywood King's Lynn Norfolk Remove brick garage then put larger residential log cabin	King's Lynn
13.10.2016	10.01.2017 Application Permitted	16/01812/LB	Smith Building Services Ltd 15 King Street King's Lynn Norfolk PE30 1ET Listed Building Application: Removal of timber lintels and replacement with new concrete lintels	King's Lynn

13.10.2016	16.01.2017 Application Permitted	16/01814/CU	Laynhawk Ltd 16 Broad Street King's Lynn Norfolk PE30 1DP Change of use from Retail (Class A1) to noodle bar/restaurant (Class A3)	King's Lynn
18.10.2016	20.12.2016 Application Permitted	16/01850/F	Eastgate Academy Eastgate Primary School Wyatt Street King's Lynn Norfolk Proposed external timber cabin for educational related uses	King's Lynn
28.10.2016	21.12.2016 Application Permitted	16/01914/F	Kelly And Ian Fox 44B Methwold Road Northwold Norfolk IP26 5LN Construction of chalet bungalow	King's Lynn
03.11.2016	20.12.2016 Application Permitted	16/01946/A	McDonalds Restaurant Ltd McDonalds King's Lynn Service Station Clenchwarton Road West Lynn Advertisement Application: Reconfiguration of signage suite with the retention/relocation of existing signs and the installation of new suite to comprise of 9 freestanding signs, 3 banner signs and 1 side-by-side directional sign	King's Lynn

04.11.2016	04.01.2017 Application Permitted	15/00738/NMA_1	West Norfolk Islamic Association 14 - 15 London Road King's Lynn Norfolk PE30 5PY NON MATERIAL AMENDMENT TO PLANNING CONSENT 15/00738/F: reduction in wall and pier width and reduction in size of wall coping stones and brick pier caps	King's Lynn
11.11.2016	06.01.2017 Application Permitted	16/01976/F	Mr & Mrs W Reeve 99 Wootton Road Gaywood King's Lynn Norfolk Extension and re-roofing	King's Lynn
14.11.2016	09.01.2017 Application Permitted	16/01987/F	Mr & Mrs R Nicholson 2 Point Cottages Cross Bank Road King's Lynn Norfolk Extension	King's Lynn
15.11.2016	05.01.2017 Application Permitted	16/02006/F	Foster Refridgeration 14 - 15 Campbells Meadow King's Lynn Norfolk PE30 4YN Variation of condition 2 of planning permission 16/01302/F: To amend the proposed parking arrangement	King's Lynn
16.11.2016	11.01.2017 Application Permitted	16/02011/CU	Mr L Gould 122 London Road King's Lynn Norfolk PE30 5ES Change of use of shop store room (A1) to domestic bedroom (C3)	King's Lynn

18.11.2016	13.01.2017 Application Permitted	16/02027/F	Mr B Rhodes 15 Marsh Lane King's Lynn Norfolk PE30 3AD Extension and alterations to dwelling	King's Lynn
21.11.2016	17.01.2017 Application Permitted	16/02029/F	Mr L Talbot 114 Anthony Nolan Road King's Lynn Norfolk PE30 4GJ Construction of veranda to rear of property	King's Lynn
22.11.2016	22.12.2016 GPD HH extn - Not Required	16/02047/PAGPD	Mr And Mrs A Foreman 70 Temple Road King's Lynn Norfolk PE30 3SS Single storey rear extension which extends beyond the rear wall by 3.5 metres with a maximum height of 4.0 metres and a height of 3.0 metres to the eaves	King's Lynn
28.11.2016	23.01.2017 Application Permitted	16/02072/LB	The Religious Society of Friends 38 Bridge Street King's Lynn Norfolk PE30 5AB Listed Building Application: Alterations to existing premises	King's Lynn
30.11.2016	19.01.2017 Application Permitted	16/02082/F	Clients of David Taylor And Associates 9 Riverside King's Lynn Norfolk PE30 3AA Detached dwelling and garage and associated landscape works	King's Lynn

13.12.2016	05.01.2017 Application Permitted	16/01392/NMA_1	Royal Gourmet Restaurant Marmaris Turkish Restuarant 5 Out South Gates King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 16/01392/F: Installation of new external fire exit, alterations to elevations with new windows and doorway, installation of new decorative guard rails at first floor level	King's Lynn
14.12.2016	19.01.2017 Application Permitted	16/02165/F	Borough Council of King's Lynn & West Norfolk Alive Lynnsport Greenpark Avenue King's Lynn Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 16/01444/F: Construction of external staircase, internal mezzanine floor and recladding of existing building - The Shed	King's Lynn
20.12.2016	17.01.2017 GPD HH extn - Not Required	16/02205/PAGPD	Mr Danny Cook 142 Wootton Road Gaywood King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 3.6 metres with a maximum height of 3.85 metres and a height of 2.75 metres to the eaves	King's Lynn

31.10.2016	22.12.2016 Application Permitted	16/01919/RM	Mr And Mrs T Crane Wildwood 54 East Winch Road Ashwicken Norfolk Reserved Matters Application: Proposed new 5 bed dwelling	Leziate
11.11.2016	18.01.2017 Application Permitted	16/01977/F	Dr Firas Haddadin Gorsemoor 77 East Winch Road Ashwicken King's Lynn Proposed side extension, loft conversion with dormers and front porch.	Leziate
01.12.2016	23.01.2017 Application Permitted	16/02097/F	C/O Agent Wicken House 1 East Winch Road Ashwicken King's Lynn Variation of condition 1 of planning permission 16/00022/RM: To vary previously approved drawings	Leziate
19.10.2016	21.12.2016 Application Permitted	16/01855/F	Mrs A Wiles Land Rear of 282 Smeeth Road Marshland St James Wisbech Norfolk Construction of two dwellings	Marshland St James
20.10.2016	16.01.2017 Application Permitted	16/01859/F	Mrs M Button Button Hole Lake School Road Marshland St James Norfolk Retrospective application for the retention of a day room of brick and concrete tile construction used in association with existing mobile home	Marshland St James

02.11.2016	23.01.2017 Application Permitted	16/01934/F	Mr J Lunny Farm Buildings Adjacent To Bishops Lodge Moyses Bank Marshland St James Norfolk Change of use of agricultural land to paddocks and erection of stables and provision of new access	Marshland St James
03.11.2016	23.01.2017 Application Permitted	16/01941/F	Mr J Lunny Farm Buildings Adjacent To Bishops Lodge Moyses Bank Marshland St James Norfolk Construction of a manege	Marshland St James
21.12.2015	12.01.2017 Application Refused	15/02076/F	Mr B Schumda R & B Motors 64 High Street Methwold Thetford Demolition of existing on site structures with the construction of two detached dwellings	Methwold
23.03.2016	16.01.2017 Application Permitted	16/00611/F	Mr David Waters Mulberry House 61 Globe Street Methwold Norfolk Erection of 5 new dwellings being phase 2 of the redevelopment of a former coal yard and paddock	Methwold

24.08.2016	04.01.2017 Application Permitted	16/01559/F	Mr Richard Pooley Tylnextyme 46 High Street Methwold Thetford Single storey extension for residential use	Methwold
22.11.2016	20.01.2017 Application Permitted	16/02044/F	Mr & Mrs N Ayres 31 Holders Lane Brookville Thetford Norfolk Demolition of existing outbuilding and construction of replacement with new larger outbuilding to store & maintain private collection of vintage tractors	Methwold
10.11.2016	23.01.2017 Application Refused	16/01971/F	Mr Roger Turner Archway Cottage 1 West Street North Creake Fakenham Installation of cladding to walls at first floor level and upwards	North Creake
26.10.2016	09.01.2017 Application Permitted	16/01890/F	Mrs Alison Muir Land Rear of 14 Thetford Road Northwold Thetford Norfolk Construction of new dwelling and cart shed	Northwold
09.11.2016	03.01.2017 Application Permitted	16/01961/F	Mrs Lorraine Wright 43 Carlton Drive North Wootton King's Lynn Norfolk First Floor Extension	North Wootton

15.11.2016	17.01.2017 Application Refused	16/02008/O	Mr D Mitchell Land East of Greenacres Gatehouse Lane North Wootton Norfolk Outline Application: Proposed new residential dwelling	North Wootton
17.11.2016	17.01.2017 Application Permitted	16/02017/F	Mr & Mrs R Gosnell 12 Carlton Drive North Wootton King's Lynn Norfolk Extension	North Wootton
22.11.2016	17.01.2017 Application Permitted	16/02041/F	Mr And Mrs Mark Hamilton Sundial Cottage Nursery Lane North Wootton King's Lynn Demolition of rear single storey extension and the replacement with a two storey extension, alterations to dormer windows with additions to main building and extension	North Wootton
08.11.2016	23.12.2016 Application Permitted	16/01958/F	Mr G Clark 1 Wodehouse Road Old Hunstanton Hunstanton Norfolk Proposed first floor extension, single storey extension and alterations	Old Hunstanton

30.11.2016	16.01.2017 Application Refused	16/02079/O	C/O Agent 6 Hamilton Road Old Hunstanton Hunstanton Norfolk Outline application: Construction of two dwellings following demolition of existing dwelling and garage	Old Hunstanton
08.12.2016	20.01.2017 Application Permitted	16/02133/F	Mr & Mrs Leadbeater 336 Outwell Road Outwell Wisbech Norfolk Extension to dwelling	Outwell
27.06.2016	20.01.2017 Application Permitted	16/01186/OM	Client of Ian J M Cable Architectural Design Land North of School Road Runcton Holme Norfolk Outline Application: Construction of at least 10 dwellings	Runcton Holme
24.11.2016	20.01.2017 Application Permitted	16/02055/RM	Mr And Mrs C Hipkin Land South of Black Horse Bungalow Docking Road Sedgeford Reserved Matters Application: Construction of three dwellings	Sedgeford
14.11.2016	06.01.2017 Application Permitted	16/02000/F	Mr & Mrs Ian & Hannah Snelling Brink House 46 Lynn Road Shouldham King's Lynn Extension to ground and first floor at rear of cottage	Shouldham

26.05.2016	11.01.2017 Application Permitted	16/01009/F	West Norfolk Academies Trust Snettisham County Primary School School Road Snettisham King's Lynn Proposed demolition of existing classroom building and installation of replacement modular building to provide teaching and nursery accommodation	Snettisham
17.08.2016	11.01.2017 Application Permitted	16/01518/A	Food Programme Delivery Orchid Group 16 Lynn Road Snettisham Norfolk Advertisement Application: Non-illuminated fascia sign, internally illuminated fascia sign, 4 x wall mounted signs and non-illuminated free standing sign	Snettisham
02.12.2016	23.01.2017 Application Permitted	16/02103/F	Mr & Mrs Gee Southgate Barn 1 Southgate Lane Snettisham King's Lynn Single storey extension and alterations to ground floor window	Snettisham
10.11.2016	10.01.2017 Application Permitted	16/01972/F	Mr And Mrs Birkin 10 Winston Drive South Creake Fakenham Norfolk Proposed demolition of free-standing garage and proposed extensions	South Creake

19.12.2016	13.01.2017 Application Permitted	16/00851/NMA_1	Mr & Mrs J Freedland Mulberry 4 Leicester Meadows Leicester Road South Creake NON-MATERIAL AMENDMENT OF PERMISSION 16/00851/F: Erection of two single storey rear extensions	South Creake
14.11.2016	21.12.2016 Application Permitted	16/01997/F	VRC Homes Ltd Harrington Gardens Southery Norfolk Variation of Condition 1 attached to Planning Permission 11/00658/RM to install an air source heat pump to Plots 2, 3 and 4	Southery
14.11.2016	24.01.2017 Application Permitted	16/01991/RM	Mr D Turner Coach House 12 Church Lane South Wootton Norfolk Reserved Matters Application: construction of one dwelling	South Wootton
21.11.2016	13.01.2017 Application Permitted	16/02034/F	Mr & Mrs P Wrightman 5 Oxborough Drive South Wootton King's Lynn Norfolk Extension	South Wootton
19.10.2016	22.12.2016 Application Permitted	16/01839/F	Mr & Mrs Jarratt Willow Green 101 the Drove Barroway Drove Norfolk Proposed extension and internal alterations	Stow Bardolph

08.11.2016	13.01.2017 Application Permitted	16/01956/O	Mr And Mrs D Pilcher Plot Between 199 And 195 The Drove Barroway Drove Norfolk Outline application: Construction of detached dwelling and double garage	Stow Bardolph
09.11.2016	22.12.2016 Application Permitted	16/01964/F	Wootton Bros (Farms) Ltd West Head Farm West Head Road Stow Bridge King's Lynn Construction of building in connection with storage and distribution of natural stone and products and change of use from existing B8 Storage and distribution site at the poultry house back to agricultural	Stow Bardolph
18.11.2016	12.01.2017 Application Permitted	16/02030/RM	Mr S Evlett Plot E of 77 The Drove Barroway Drove Norfolk Reserved Matters Application for Plot 1: New dwelling	Stow Bardolph
03.05.2016	22.12.2016 Application Permitted	16/00844/F	Mr Roger Myers The Laurels Lynn Road Stoke Ferry Norfolk Internal and external alterations to create a seperate dwelling	Stoke Ferry
22.11.2016	20.01.2017 Application Permitted	16/02038/F	Miss Kate Thomas Ferry End House Greatmans Way Stoke Ferry Norfolk Detached car port and store	Stoke Ferry

29.11.2016	20.01.2017 Consent Required	Not	16/02078/AG	W R Chapman And Son Furlong Drove Stoke Ferry Norfolk PE33 9SX Agricultural Prior Notification: Construction of a lined storage reservoir for irrigation	Stoke Ferry
07.03.2016	16.01.2017 Application Permitted		16/00467/FM	Persimmon Homes Hillgate Nurseries Hillgate Street Terrington St Clement King's Lynn Erection of 10 dwellings	Terrington St Clement
30.06.2016	16.01.2017 Application Permitted		16/01214/F	Mr And Mrs D Dey 6 Hay Green Road North Terrington St Clement Norfolk PE34 4PZ Self Contained attached annex with incidental occupation to the main dwelling house (revised design to 15/00556/F)	Terrington St Clement
15.08.2016	23.12.2016 Application Permitted		16/01497/CU	BSP Auto Specialists Land North of 29 Wanton Lane Terrington St Clement Norfolk Change of use from workshop to workshop and car sales	Terrington St Clement
18.10.2016	12.01.2017 Application Permitted		16/01840/F	Mr And Mrs Pickett Four Winds Jankin Lane Terrington St Clement Norfolk Proposed replacement dwelling following demolition of bungalow and re-siting of wind turbine	Terrington St Clement

04.11.2016	22.12.2016 Application Permitted	16/01952/F	Mr Martin Newdick 15 Rhoon Road Terrington St Clement King's Lynn Norfolk Retention of annex as a seperate dwelling	Terrington St Clement
24.11.2016	04.01.2017 Prior Approval - Approved	16/02060/PACU3	L Symington Farms Ltd Unit A Beacon Hill Farm Beacon Hill Lane Terrington St Clement Change of use from agricultural building to 2 dwelling houses	Terrington St Clement
25.11.2016	18.01.2017 Application Permitted	16/02065/PACU3	L Symington Farms Ltd Unit B Beacon Hill Farm Beacon Hill Lane Terrington St Clement Change of use from agricultural building to dwelling house	Terrington St Clement
30.10.2015	19.01.2017 Application Permitted	15/01764/F	Mr Stephen Hamilton-Davis Archway House Main Road Terrington St John Wisbech Roof extension to existing garage/workshop	Terrington St John
08.06.2016	10.01.2017 Application Permitted	16/01074/F	Mr David Press Barn Main Road Terrington St John Norfolk Change of use from Class A4 to Class B1 (Business) and associated works	Terrington St John

26.09.2016	22.12.2016 Application Permitted	16/01706/F	Mr And Mrs K Knight Hollycroft 47 Old Church Road Terrington St John Wisbech Variation of condition 2 of planning permission 13/00055/F (Construction of 3 dwellings and associated buildings) - To vary previously approved drawings	Terrington St John
22.09.2016	10.01.2017 Application Permitted	16/01687/F	Mr Charles Milner Copper Hall High Street Thornham Hunstanton Reinstatement of existing dwelling as two seperate dwelling houses	Thornham
06.10.2016	23.12.2016 Application Permitted	16/01766/F	New Street Properties West Hatch Cottage High Street Thornham Hunstanton Construction of a dwelling following demolition of existing bungalow	Thornham
13.10.2016	10.01.2017 Application Refused	16/01818/O	Mrs Elaine West Land Rear of 16 Castle Cottages Thornham Hunstanton Norfolk Outline Application: construction of dwelling	Thornham

12.12.2016	04.01.2017 Application Refused	16/00273/NMA_1	Laura Karran Church View Church Street Thornham Hunstanton NON-MATERIAL AMENDED TO PLANNING CONSENT 16/00273/F: Refurbishment of existing outbuilding	Thornham
01.11.2016	22.12.2016 Application Permitted	16/01926/F	Mr Dean Partridge 40 Spice Chase Tilney St Lawrence King's Lynn Norfolk Retention, extension and provision of external staircase of detached garage to south west of dwelling	Tilney St Lawrence
29.11.2016	24.01.2017 Application Permitted	16/02074/O	Mr And Mrs P Downham Land Adjacent Eastfield Barn Chapel Road Tilney Fen End Outline Application: Proposed new dwellings	Tilney St Lawrence
20.05.2016	23.12.2016 Application Permitted	16/00970/F	Mr Steve Amps 31 Dovecote Road Upwell Wisbech Norfolk Extension and alterations to former butchers shop to form dwelling	Upwell
12.08.2016	18.01.2017 Application Permitted	16/01480/O	Mr S And J Bradley Land E New Road S Townley Close N Listers Road Townley Close Upwell Norfolk Outline Application: construction of 5 dwellings	Upwell

14.11.2016	10.01.2017 Application Permitted	16/01990/F	Mr And Mrs Aston-Dive Willow Farm Cock Fen Road Lakes End Norfolk Proposed barn conversion to dwelling	Upwell
11.12.2016	06.01.2017 Application Permitted	15/01239/NMA_1	Space New Homes Land At 145 Croft Road Upwell Wisbech Norfolk NON MATERIAL AMENDMENT TO PLANNING APPLICATION 15/01239/F: Erection of 1 bedroom retirement bungalow	Upwell
03.10.2016	21.12.2016 Application Permitted	16/01738/F	Land At Willowfen Lodge Trinity Road Walpole Highway Norfolk To site a single timber shepherds hut for purpose of holiday accommodation. Addition of one car parking space within field with 20m track leading from entrance to site. Installation of a compact package treatment plant and landscaping of site.	Walpole Highway
27.10.2016	21.12.2016 Application Permitted	16/01905/F	Mr Ian Dent Berkeley House Walnut Road Walpole St Peter Norfolk Construction of detached garage with hobby room over	Walpole

27.10.2016	22.12.2016 Application Permitted	16/01910/F	Mr Ian Dent Berkeley House Walnut Road Walpole St Peter Norfolk Alterations to attached garage to form self-contained annexe	Walpole
07.12.2016	23.01.2017 Application Permitted	16/02131/F	Mrs Karrina Rowe Willow Tree House Chalk Road Walpole St Peter Norfolk Proposed extension to existing property in order to create a larger kitchen and dining area	Walpole
23.11.2016	13.01.2017 Prior Approval - Refused	16/02053/PACU3	Mr Kirk Meredyke Farm Harps Hall Road Walton Highway Norfolk Change of use from agricultural building to dwelling house	West Walton
04.11.2016	12.01.2017 Application Permitted	16/01948/O	Hylton Gott Ltd Land West of Karoo Close Bexwell Business Park Bexwell Outline Application: Proposed car showroom, associated offices and workshop (Sui Generis)	Wimbotsham
29.11.2016	23.01.2017 Application Permitted	16/02076/F	Mr Brendan Shepherd 24 Honey Hill Wimbotsham King's Lynn Norfolk Extension to dwelling	Wimbotsham

21.11.2016	16.01.2017 Application Permitted	16/02032/RM	Robertson Homes (East Anglia) Ltd Land S of ASHMEDE Low Road Wretton Norfolk Reserved Matters Application: Site for construction of two dwellings	Wretton
03.10.2016	04.01.2017 Application Permitted	16/01737/FM	Mr W Hooper Hall Farm School Road West Rudham Norfolk Erection of an agricultural building for the storage of grain, machinery and equipment	West Rudham