

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



Planning Committee

Agenda

Monday, 8th May, 2017
at 9.30 am

in the

**Assembly Room
Town Hall
Saturday Market Place
King's Lynn**



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, 8th May, 2017

VENUE: Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

TIME: 9.30 am

1. APOLOGIES

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

2. MINUTES

To confirm as a correct record the Minutes of the Meeting held on 3rd April 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 - 7)

The Committee is asked to note the Index of Applications.

(a) Decisions on Applications (Pages 8 - 144)

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

9. PLANNING ENFORCEMENT - 11 CHURCH CLOSE, PENTNEY (Pages 145 - 159)

To consider the attached report.

10. DELEGATED DECISIONS (Pages 160 - 194)

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

To: Members of the Planning Committee

Councillors Mrs C Bower, A Bubb, Mrs S Buck, C J Crofts, Mrs S Fraser, A Morrison, T Parish, M Peake (Vice-Chairman), Miss S Sandell, Mrs V Spikings (Chairman), M Storey, D Tyler, G Wareham, Mrs E Watson, A White, 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 11 May 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 5 May 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

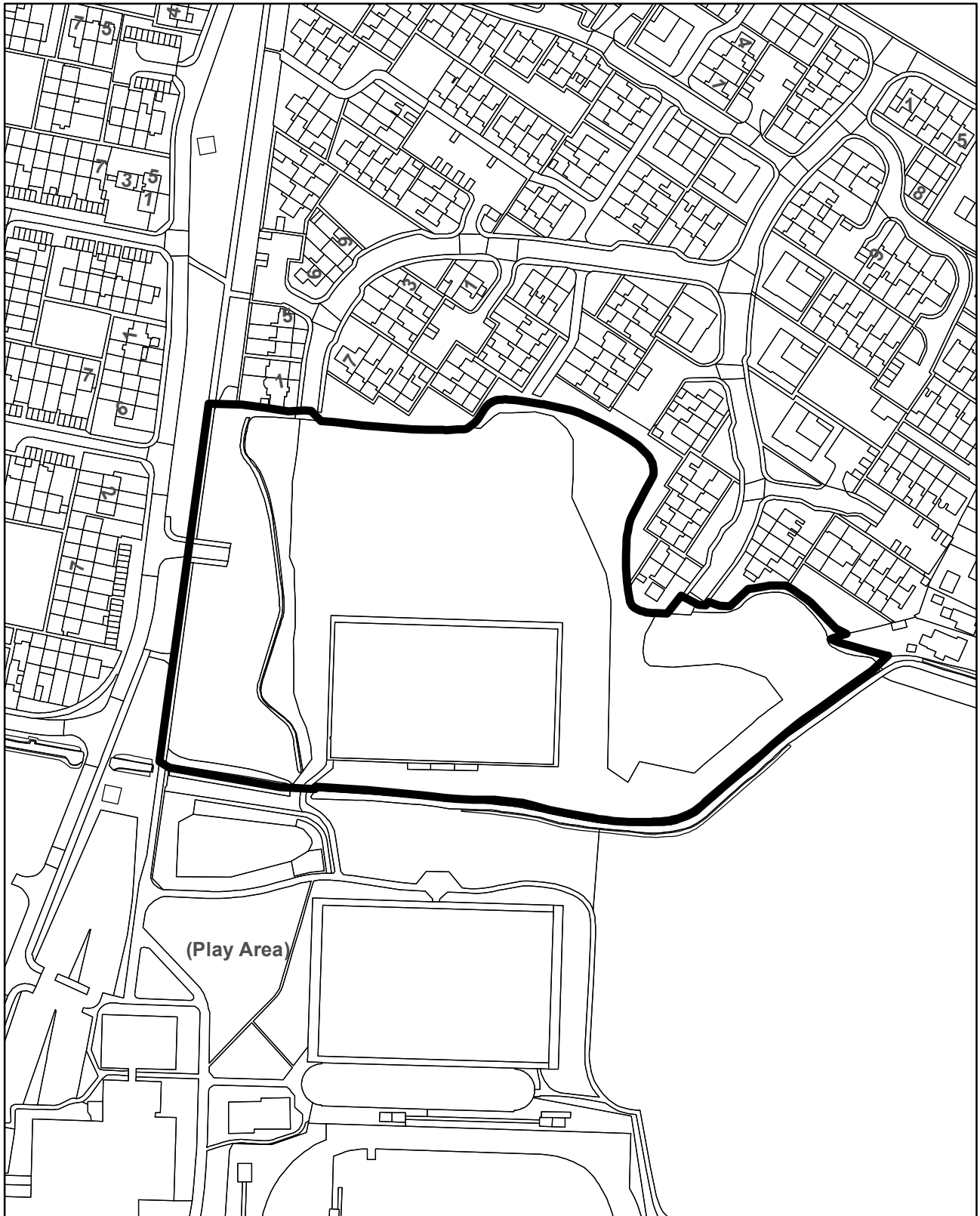
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE
PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 8 MAY 2017**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	MAJOR DEVELOPMENTS			
8/1(a)	16/02227/FM Alive Lynnsport Greenpark Avenue Construction of 82 dwellings, associated access roads, footways and new areas of public open space and associated external works.	KINGS LYNN	APPROVE	8
8/1(b)	16/01963/FM Methwold Airfield Brandon Road Proposed poultry unit.	METHWOLD	APPROVE	29
8/2	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE BOARD			
8/2(a)	16/00888/O Land South of 16 Lynn Road Great Bircham Outline Application: Construction of ten dwellings.	BIRCHAM	APPROVE	46
8/2(b)	17/00052/F Mayflower Butchers Lane Replacement of existing bungalow and shed with new two-storey dwelling, single storey annexe and detached garage	BRANCASTER	APPROVE	61
8/2(c)	17/00244/F Kenwick Lodge 86 Station Road Construction of sand ménage.	CLENCHWARTON	APPROVE	70
8/2(d)	16/01224/F Pine Cones Caravan and Camping Site Dersingham Bypass Replacement of three touring caravan pitches and seven tent pitches with ten static caravans.	DERSINGHAM	APPROVE	77
8/2(e)	17/00257/F Land immediately North of 105 and West of 101 Leziate Drove Pott Row Proposed dwelling and garage.	GRIMSTON	APPROVE	87

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/2(f)	17/00335/F 12 Wheatfields Conversion of first floor accommodation to form internal annexe to cover both family use and letting (revised design)	HILLINGTON	APPROVE	94
8/2(g)	17/00408/F Pump House Ferry Bank 30m high radio mast.	SOUTHERY	APPROVE	102
8/2(h)	17/00197/F Cowslip Barn School Road Proposed construction of seven new dwellings.	TERRINGTON ST JOHN	REFUSE	108
8/2(i)	17/00236/CU Field opposite 3 Gambles Terrace School Road Change of Use of the land to equestrian for personal use, repair/replacement of fencing and placement of movable shelters/storage.	TERRINGTON ST JOHN	APPROVE	116
8/2(j)	17/00027/O Land to the West of Medina Lynn Road Outline Application for the construction of five dwellings and associated external works.	TILNEY ALL SAINTS	APPROVE	123
8/2(k)	17/00377/F Craven Cottage 107 Croft Road Variation of Condition 1 of Planning Permission 16/02223/F: To amend plans.	UPWELL	APPROVE	134
8/3	TREE PRESERVATION ORDER			
8/3(a)	2/TPO/00557 Red Gables Wisbech Road Walpole St Andrew	WALPOLE	CONFIRM WITHOUT MODIFICATION	141

16/02227/FM

Alive Leisure Greenpark Avenue
King's Lynn



AGENDA ITEM NO: 8/1(a)

Parish:	King's Lynn	
Proposal:	Construction of 82 dwellings, associated access roads, footways and new areas of public open space and associated external works	
Location:	Alive Lynnsport Greenpark Avenue King's Lynn Norfolk	
Applicant:	Borough Council of Kings Lynn And West Norfolk	
Case No:	16/02227/FM (Full Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 6 April 2017

Reason for Referral to Planning Committee – Borough Council application with objections.

Case Summary

The application seeks full planning permission for the erection of 82 dwellings, associated access roads, footways and new areas of public open space. Twelve of the dwellings would be affordable.

The site comprises informal open space, small copses of trees and a disused hockey pitch. An informal and unlit right of way (in the form of a mud track) runs across the site in a north-south direction.

The site forms part of the Lynnsport complex (which comprises c.29ha of sports pitches, athletics facilities, indoor sports area, a nature area, areas of amenity space and areas of unused scrub land).

The site has residential uses to its north, east and west (the latter on the opposite side of the new Lynnsport Access Road) and the Lynnsport complex lies to the south.

The site forms part of a wider housing allocation in the Site Allocations and Development Management Policies DPD, September 2016 (SADMP) and within the development boundary as depicted on Inset E1 of the SADMP.

The site lies within Flood Zones 2 and 3.

Key Issues

Principle of Development
Flood Risk and Drainage
Form, Character and Design
Residential Amenity
Access, Transport and Parking
Open Space, Recreation and Ecology
Trees and Landscaping
Affordable Housing and Other Contributions
Crime and Disorder
Other Material Considerations

Recommendation

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

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

THE APPLICATION

The application seeks full planning permission for the erection of 82 new dwellings 12 of which would be affordable. The scheme comprises 24 x 2-bed units (15 x market; 8 x affordable); 39 x 3-bed units (36 x market; 4 x affordable) and 19 x 4-bed units (all market).

The majority of dwellings are either detached or semi-detached, two storey units. The exception to this is one terrace of three, three-storey dwellings.

The pallet of materials comprises red and yellow brick with some grey brick detailing and dark grey tiles. Boundary treatments will comprise 1.8m high close boarded timber fencing (CBTF), 1.5m CBTF with trellis atop (overall height 1.8m) and small areas of brick screen wall 2.4m in height.

The scheme proposes parking in line with current parking standards.

Vehicular and pedestrian access to the site will be via the new Lynnsport access road to the west and via Aconite Road (East) to the east. Additional pedestrian access will be via Aconite Road (West) and Grey Sedge as well as via an existing access from Lynnsport to the south over the Bawsey Drain.

The site lays adjacent to open space and recreational facilities at Lynnsport. The scheme not only includes onsite informal and formal open space but also proposes off-site LEAP / NEAP provision as well as measures to contribute to the River Gaywood Restoration Trust and a community wildlife site.

The development is proposed to be constructed in two main phases.

SUPPORTING CASE

The application is accompanied by a wealth of supporting documentation including:

- Design and Access Statement
- Planning Statement
- Ecological Mitigation Overview
- Open Space Strategy
- Transport Assessment
- Framework Travel Plan
- Flood Risk Assessment and Drainage Plan
- Habitat Regulations Mitigation Overview
- Utilities Report
- Archaeological Evaluation

- Ground Investigation Report

The following supporting statement was submitted by the applicant:

This application is the last of four sites in the Lynnsport and Marsh Lane locality which have been identified for development as part of a holistic plan for redevelopment of the area. These redevelopment plans include the new road which connects Edward Benefer Way and Green Park Avenue which offers significantly improved access to the Lynnsport site. The proposed redevelopment of these sites has already helped to deliver substantial infrastructure improvements to the local area, including the new road, improvements to the surface water management regime in the locality, new hockey pitch and tennis courts and will also deliver a new, neighbourhood scale equipped area of play, which will be delivered as part of a combined open space strategy across the sites.

As is typical for development at this scale, the sites are subject of a site specific policy contained in the adopted Site Allocations and Development Management Policies Plan (SADMP). Policy E1.7 allocates the site subject of this application (together with other sites at Lynnsport) for housing development and sets out the specific criteria against which any application must be judged.

With reference to these criteria, in respect of flood risk the application includes a comprehensive Flood Risk Assessment and proposes a Surface Water Management plan which includes sustainable drainage systems as well as contributing to the delivery of a wider package of flood management measures (for example provision of a new pumping station to manage water levels in the Bawsey Drain).

With regards to provision of open space, the application proposes the continuation of the previously approved approach which provides a comprehensive open space plan for this and the other Lynnsport sites, and creates small pockets of green space within the applications sites and a significantly enlarged and enhanced neighbourhood scale equipped area for play at the Lynnsport site. This approach is considered to offer a good balance of provision within the immediate vicinity of the proposed new houses, and delivery of a much-enhanced facility which is readily accessible by foot and cycle ways from all the development sites and existing neighbouring residential areas, and has allowed for the retention (and making available as public open space) pockets of copse woodland within the site.

Considering ecology, the application would have no unacceptable impacts on any protected species or their habitats. The wider development of Lynnsport sites has already enabled the creation of a new wildlife area, and will deliver landscape-scale improvements on existing low quality (poorly remediated) scrub land situated to the south of Lynnsport. This includes substantial areas of new tree planting, which will help to mitigate trees lost as a result of the development proposals at the Lynnsport 1 site. This comprehensive level of on and off-site mitigation would result in a development which satisfies the requirements of the adopted site specific policy.

Finally, with regards to design, the scheme proposes a high quality and distinctive design approach which would create a neighbourhood with definite character and create a positive addition to the Lynnsport site.

The development would deliver much needed market and affordable housing in a sustainable location, and the applicants have made significant efforts to create a scheme which is truly 'pepper-potted' and 'tenure blind'; meaning the affordable housing is spread throughout the development and is identical in character and appearance to the market housing. This results in a truly integrated neighbourhood.

In summary, this application seeks consent for 82 new dwellings, including 12 new affordable homes on a site which is allocated for new residential development in the adopted SADMPD. The scheme proposes a high quality development incorporating a mix of housing types and styles but retains a coherent modern design approach which will result in a development of genuine quality and distinctiveness. The proposal satisfies the specific criteria set out in the adopted policy and, for the reasons set out above, is therefore considered to be in accordance with the adopted development plan.

PLANNING HISTORY

No recent relevant history.

RESPONSE TO CONSULTATION

Highways Authority (NCC): NO OBJECTION although have one outstanding recommendation that a loop road be created.

Lead Local Flood Authority (NCC): NO OBJECTION subject to condition relating to surface water drainage

Historic Environment Service (NCC): NO OBJECTION subject to conditions relating to the Written Scheme of Investigation that was submitted with the application

Environment Agency: NO OBJECTION strongly recommends the mitigation measures proposed in the Flood Risk Assessment are conditioned.

PROW Officer: NO OBJECTION Amended plans have improved permeability

Internal Drainage Board: NO OBJECTION subject to conditions relating to drainage and flood risk

Anglian Water: NO OBJECTION – subject to condition

Arboricultural Officer: NO OBJECTION – following receipt of amended information subject to conditions relating to landscaping and tree protection

Sport England: NO OBJECTION

Housing Enabling Officer: NO OBJECTION The site area and number of dwellings proposed triggers the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy. A S106 Agreement will therefore be required to secure the affordable housing contribution

Natural England: NO OBJECTION The proposal is unlikely to affect any statutorily protected sites or landscapes. In relation to protected species the NE's Standing Advice should be followed

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

Environmental Health & Housing – Community Safety and Neighbourhood Nuisance: NO OBJECTION subject to conditions relating to noise, drainage and the submission of a construction management plan

District Emergency Planning Officer: NO OBJECTION recommends to conditions

Norfolk Constabulary: NO OBJECTION The overall layout and access into and out of the development is acceptable as is the parking provision

REPRESENTATIONS

King's Lynn Civic Society King's Lynn Civic Society remain opposed to the 'Lynnsport' phased housing development as we are of the view that the plan to expand housing provision whilst significantly reducing the available green spaces available at the heart of the King's Lynn, without providing alternative green infrastructure to compensate those losses, is fundamentally flawed.

We have previously commented at some length regarding the importance of the Lynnsport public open spaces for North Lynn and Gaywood, as well as its importance in serving the needs of the wider area (refer our letter on 16/00097/FM, Lynnsport 3, March 2016). We have also drawn attention to the apparent policy gap between stated BCKLWN goals for the provision of green infrastructure, and the desire to mitigate impacts on West Norfolk's important reserves and protected habitats, whilst simultaneously allocating new development on existing open space.

Nevertheless – we understand the need for new housing in King's Lynn. This is an important development for King's Lynn and the Borough Council – especially as BCKLWN are essentially the client and the planning authority. We feel it is essential that the Lynnsport projects all link together to create a cohesive overall environment – and that will include the existing sports facilities and public access lands within and adjoining Lynnsport, as well as the current development sites.

We are of the view that BCKLWN need to take a firmer hand in ensuring and steering this necessary overall masterplan for the whole Lynnsport site. This is an opportunity which is in danger of slipping away – with piecemeal development and no overall vision for the entire area. That is not to say we are critical of all the work being undertaken. The new hockey and tennis courts appear to be of a very high standard. We are pleased that the Norfolk Wildlife Trust are involved in developing plans for the wooded area adjacent Salters Road. We are very thankful that the previous plans for building on land at 'Lynnsport 2' has apparently been dropped and that these playing fields will be retained.

However, we remain critical of the standards being set on the overall planning, design and delivery of the project so far. It is certainly not a project that we believe is setting exemplary standards for the development of important new residential and public space provision in King's Lynn. There is an opportunity here to set a high standard for development that can be used as a benchmark example for all the other developers bringing forward large housing allocation in and around Lynn in coming years.

Some of our particular concerns on the current 'Lynnsport 1' application are as follow:

- Vague information on trees to be retained and trees to be removed.
- Insufficient detail on the design of proposed public open space, path provision, play equipment provision, new planting, ongoing management
- Apparently no clear plan for the Bawsey Drain frontage or most of the other peripheral site areas,
- Insufficient planting details in general – but especially inadequate along the streets and public frontages including the new link road site frontage. Many proposed trees

appear to be in private garden areas where BCKLWN will have little or no control over future management and retention

In fact, the only item in the external works plan that appears to have had some clear consideration is the location of bin storage areas – which are now proposed as the most prominent feature along the main road into the estate. The entire plan smacks of a builder and consultant team not being set a clear design brief by the client – which is BCKLWN. This level of design, rather than setting an exemplary standard, is just woefully inadequate.

King's Lynn Area Consultative Committee made the following comments:

The Sub-Group generally supported the application but made the following comments:

- Concern was expressed in relation to pepper-potting and it was considered that this could be improved.
- It was considered that additional traffic calming could be incorporated before the two open spaces at the eastern end of the site.
- Clarification was sought in relation to the 'edge of site boundary treatments' including the properties closest to the IDB drain.
- Are there still plans in place to provide parking for the existing residential developments adjacent to the site to ensure that parking does not spill onto the new development?
- The Sub-Group noted that they were happy to see the western Aconite Road access into the site was purely pedestrian and wished it to remain so

Nine letters of objection have been received. The issues raised include:

- Will be intrusive on the adjacent leisure uses,
- There is an informal right of way across the site,
- Visual impact,
- Impact on wildlife,
- Increase in vehicular activity – road network cannot cope
- Cycle and pedestrian safety,
- Loss of open space that is used frequently by people walking, jogging, kicking a ball, flying kites, exercising dogs and in the summer as a place to sit in the sun and relax,
- Not in accordance with the NPPF,
- Object to piecemeal development so that the Council can avoid guidelines on flooding, and
- The schools, hospital and doctors are already oversubscribed.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS13 - Community and Culture

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

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

- Principle of Development
- Flood Risk and Drainage
- Form, Character and Design
- Residential Amenity
- Access, Transport and Parking
- Open Space, Recreation and Ecology
- Trees and Landscaping
- Affordable Housing and Other Contributions
- Crime and Disorder
- Third Party Representations

Principle of Development

The application is made by the Borough Council for development it wishes to carry out and as such falls to be considered under the provisions of the Town and Country Planning General Regulations 1992. Regulation 3 states that the application may be determined by the Council as Local Planning Authority subject to any requirements of Section 77 of the 1990 Act; there are no such requirements relating to this application. Regulation 9 states that, if granted, any consent shall only enure for the benefit of the 'applicant interested planning authority', i.e. the Borough Council.

The site forms part of a wider proposed housing allocation in the adopted SADMP.

Policy E1.7 relates specifically to these sites and states: 'Land amounting to 9.1 hectares is allocated for residential development of at least 297 dwellings. Development will be subject to compliance with the following:

1. Provision of a new road linking the site to the A1078 Edward Benefer Way, minimising negative impacts on the existing cycleway;
2. Submission of a site specific Flood Risk Assessment;
3. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;
4. Informal recreation provision on, or in the vicinity of, the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to the exercising of dogs) on Roydon Common Special Area of Conservation. This provision may consist of some combination of:
 - Informal open space (new and/or existing);
 - Pedestrian and cycle routes (new and/or existing) which provide a variety of terrains, routes and links to greenspace and/or the wider footpath and cycle network;
 - A contribution to greenspace provision or management in the wider area within which the site is located;
5. In judging the amount of on-site open space appropriate under Policy DM16 (Provision of Recreational Open Space) regard will be given to the proximity of the development to existing safeguarded facilities (such as those at Lynnsport adjacent to the site). The Borough Council will consider flexibility of open space provision requirements where this would result in qualitative and quantitative benefits to the community and where the preceding habitats requirements are met;
6. Submission of an Ecological Study that establishes that either:
 - i) there would be no negative impact on flora and fauna;
 - ii) or, if any negative impacts are identified, establishes that these could be suitably mitigated;
7. Financial contributions towards the provision of infrastructure including additional primary and secondary school places;
8. Provision of affordable housing in line with the current standards.

The principle of development for residential use of this site is therefore in accordance with the Local Plan and should be supported subject to compliance with other national and local planning policy and guidance.

Flood Risk and Drainage

Flood Risk:

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

However it is not necessary to undertake the sequential test on allocated sites (as it is considered that this occurred during the allocation process (NPPF paragraph 104)). Further, and in line with Development Plan Policy DM21, only the second element of the exception test is required (as it is likewise considered that the first element (wider sustainability benefits) is deemed to be met by the allocation process).

The second part of the exception test requires that 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.

Neither the Environment Agency (EA) nor Lead Local Flood Authority (LLFA) object to the proposed development subject to conditions relating to finished floor levels and further information relating to surface water drainage.

Drainage:

The proposed foul water system will be connected to the adjacent adopted foul water system at Anglian Water manhole number 4401. Consultation with Anglian Water has determined that reinforcement works to the existing Anglian Water foul drainage network in the North Lynn catchment will be required. These works will be carried out by Anglian Water under a Section 98 requisition. The works are currently being designed by Anglian Water.

The main proposed foul water sewers to serve the housing development will be adopted by Anglian Water.

A new surface water sewer system constructed to adoptable standards will serve the site. It is proposed that this will outfall directly to the KLIDB Bawsey Drain to the south of the site at a rate to be agreed with them. An allowance of a drained area of 70% of the total site area has been made by KLIDB when looking at the impacts of the proposed developments in the area. This development has a drained area of approximately 42% of the total site area.

An existing watercourse is present adjacent to the south east site boundary which receives surface water runoff from an Anglian Water sewer prior to connecting to the Bawsey Drain to the south. The majority of this watercourse will remain unaltered with a small section at the existing headwall to be culverted, subject to a formal application to the KLIDB.

A further shallow watercourse is situated within the development site although investigations have revealed that there are no surface water connections into this and no formal outfall to the Bawsey Drain. It is therefore proposed to infill this watercourse, subject to a formal application to the KLIDB.

Sustainable Urban Drainage Schemes (SuDS):

An appraisal of potential SuDS components was undertaken to assess the suitability of options for the development. A number of options were considered to be technically impracticable with further options considered technically achievable but unviable. In relation to the appraisal, the NPPG states that: 'Information sought by the local planning authority should be no more than necessary, having regard to the nature and scale of the development concerned'.

The drainage strategy will include permeable paving to act as a source control measure. Permeable paving will be provided in shared private paved areas which will be the responsibility of the Management Company (the latter to be managed by a management body which will be secured by S106). Water butts are also proposed to serve each dwelling.

It is concluded that the development accords with overarching national and local policy and guidance in relation to the risks associated with flooding, the more traditional methods of drainage and the provision of SuDS.

Form, Character and Design

The majority of the proposed dwellings are two-storey detached and semi-detached properties. Whilst the development is lower density than the housing to the north and west it is more in line with the other Lynnsport developments.

It is considered that the modern appearance of the new dwellings and the contemporary proportions of the fenestration would result in a development that not only contrasts but compliments the more traditional surrounding residential development.

The mix of housing types has been informed by consultation with the Local Authority's Housing Department to ensure the mix of dwellings meets the need identified in the borough.

It is considered that the house types, scales, masses and proposed materials represent an attractive scheme that would integrate well into its setting.

The proposed site layout demonstrates that development of the scale proposed can be accommodated within the application site in such a way as to achieve a high standard of design offering a high quality environment for new residents and providing attractive and accessible public open spaces for both the existing and new communities.

It is considered that the proposal would create a development that integrates with and enhances the exiting residential development in the locality. As such it is concluded that the proposed scheme incorporates the key aspects that contribute to the making of high quality places and therefore represents good design that takes the opportunities available for improving the character and quality of the area and the way it functions.

Residential Amenity

There would be no material overlooking, overbearing or overshadowing impacts from the proposed development on any existing properties.

Inter-development relationships are considered appropriate, with dwellings benefitting from an acceptable amount of private amenity space, parking in accordance with current standards, and rear access to mid-terrace property.

It is therefore concluded that the development would not result in any significant detrimental impact on the amenity of occupiers of neighbouring properties and achieves a good standard of amenity for future occupants of the development.

Access, Transport and Parking

Access:

The site would be accessed via Aconite Road to the east and the newly constructed Lynnsport Access Road to the west.

The site layout demonstrates that safe access can be achieved from the existing public highway network, with the required visibility splays achieved.

There are no existing public rights of way crossing the site, however there are a number of permissive routes which cross the site and, by way of a footbridge over the Bawsey Drain, provide a north/south link between the estates to the north and the Lynnsport site to the south. This north/south link would be improved and retained within the development and would offer good access to the proposed new areas of public open space which would be

delivered by the Open Space Strategy. As part of the improvement works the path would be suitably surfaced, enabling year-round use by all, including wheelchair users.

The site layout plan demonstrates that access to and within the site can be designed so as to be safe, easily understood and attractively landscaped.

Whilst the Local Highway Authority has requested a loop road, it is considered that this would result in the loss of trees and plots. Additionally the proposal is technically acceptable without the loop. Furthermore creation of the loop would be in direct contrast to comments made by the King's Lynn Area Consultative Committee who specifically asked for the Aconite Road (west) not to link in with the new development.

Transport:

Both a Transport Assessment (TA) and Residential Transport Plan (RTP) accompanied the application.

Nine junctions were assessed as part of the approved Lynnsport Access Road planning application. These same nine junctions were assessed as part of the current TA to identify weekday AM and PM peak periods (08:15 to 09:15 and 16:30 to 17:30 respectively).

The impact of the development on the operation of key local links and junctions was assessed for 2019 (opening year) and 2026 (forecast year). For each of the assessment years 'Do-Nothing' (without development) and 'Do-Something' (with development) forecasts were prepared. The Do-Nothing forecasts include committed schemes in the locality including, amongst others the Marsh Lane, Lynnsport 3, 4 and 5, Alderman Jackson and Russet Close schemes.

The conclusion of the TA is that out of the nine junctions considered only two Junction 8 - Columbia Way / Greenpark Avenue / Salter's Road, and Junction 9 - Hamburg Way / Spenser Road / Lynnsport Access Road junctions) are forecast to experience overall increases in traffic greater than 1%, whilst 'negligible' increases in traffic are forecast at the remaining five.

In summary the TA demonstrates that the site can be accessed safely and that development in this location and of the scale proposed could be accommodated by the existing and recently approved highway network and that the development would have no unacceptable impacts on traffic flows.

Parking:

Parking, in accordance with current parking standards, is provided in either garages (with a gross internal area of at least 21m²) and / or off-street parking.

Open Space, Recreation and Impact on Roydon Common Special Area of Conservation

Open Space:

Core Strategy Policy CS14 requires that 'all development will need to be accompanied by appropriate infrastructure (including offsite infrastructure)'; no specific detail is given as to how to calculate the level of 'appropriate infrastructure'. However, Policy DM16 provides further guidance as to how to calculate the level of infrastructure required by policy CS14.

Policy DM16 requires that schemes of 100+ homes must make provision for 2.4ha of open space per 1000 population and that this open space must comprise approximately 70% amenity, outdoor sport or allotments, and 30% suitably equipped play space; schemes of between 20 and 99 homes need only provide the 30% suitably equipped play element. Whilst this scheme is by itself for 82 houses, it forms part of a wider allocation (in combination with Lynnsport 3 and Lynnsport 4 and 5) for the delivery of 100+ houses.

There is no specific guidance as to how the 70% provision should be divided between amenity, outdoor sport and allotment, though the supporting text to emerging policy DM16 suggests that half of this space should be made available for pitch sports (1.2 ha of the 2.4ha total provision, per 1000 population). Notwithstanding this, it is the case that both site specific policy (E1.7) and policy DP16 make provision for some flexibility when applying this standard.

Policy DM16 enables the Council to adopt a flexible approach to the types of public open space required within a particular scheme where it can be demonstrated:

- 1) That there is an excess of provision available in the locality; or
- 2) Where opportunities exist to enhance existing local schemes; or
- 3) The townscape or other context of the development is such that the provision of open space is not desirable.

This flexibility is mirrored in site specific policy E1.7 (Lynnsport sites), which states: 'In judging the amount of on-site open space appropriate under Policy DM16 regard will be given to the proximity of the development to existing safeguarded facilities (such as those at Lynnsport adjacent to the site). The Borough Council will consider flexibility of open space requirements where this would result in qualitative and quantitative benefits to the community and where preceding habitats requirements are met.'

Given the site's proximity to Lynnsport and to the other two Lynnsport sites, the applicant, in consultation with the Local Authority's Greenspaces Team, proposes a comprehensive approach to open space provision across the three sites.

The proposal would provide a dedicated area of play for younger children (a LAP) and a small area of informal open space on each site. The shortfall would then effectively be 'pooled' to (in the case of equipped play) provide a single NEAP (neighbourhood equipped area of play) and in the case of open space by bringing into use an overgrown and inaccessible area to the immediate south of Lynnsport 4 & 5.

The NEAP would be provided by adding to and substantially extending an existing play facility at Lynnsport which lies directly to the south of Lynnsport 1 (the current application) and to the east of Lynnsport 3.

In summary, based on the Lynnsport sites Policy DM16 requires the allocation (all three Lynnsport sites) to deliver 0.85ha of amenity, outdoor sports or allotment space. The approach proposed by the applicant would deliver a minimum of 2.82ha of such space. With reference to equipped areas for play, DM16 requires 0.37ha; the applicant proposes 0.4ha.

It is the case that the majority of the equipped area for play would be delivered outside the development sites but within the Lynnsport site itself. The applicant considers that the combination of providing small areas for play within each site and the consolidation of the equipped play facilities in one single area, providing one large facility at a location already used for play and which is readily accessible by a series of foot and cycles ways from the development sites (and neighbouring residential developments) represents the best approach to open space provision for both existing and future residents and the users of the

Lynnsport site. This approach is supported by the Local Authority's Greenspaces Team, and your officers believe it accords with overarching policy aims.

Recreation:

Policy E1.7 requires enhanced recreational provision or contribution towards such provision on or in the vicinity of the allocated sites. This requirement is linked to the proximity to protected nature conservation sites in the wider area.

The overprovision of open space outlined above, along with a contribution of £10,000 towards the restoration of the Gaywood River Corridor (which is well in excess of the £4,100 that the £50 per dwelling habitat mitigation fee requires) suggests that the development would not place additional recreational pressure on, in particular, Roydon Common SPA.

Ecology:

The application is accompanied by a Phase 1 Ecological Survey, a Water Vole Survey, Reptile Survey, Great Crested Newt Survey (GCN), Badger Survey and Bat Survey.

The surveys identify the site as comprising a mixture of amenity grassland and dense scrub. The submitted Ecological Reports identify appropriate mitigation measures to protect and enhance retained habitats during the construction phase and, on completion of works, key areas of habitat (for example existing hedgerows, the Bawsey drain and retained copse woodland) will remain undeveloped, limiting impacts on protected species.

In summary the results are as follows:

Water Vole – It is likely that low numbers of water voles are present in the immediate area.

As such mitigation is proposed

Reptiles – no further action

GCNs – no further action

Badgers– a further survey will be required if there is a delay of over six months before site clearance

Bats – The site is considered to be of local value supporting small number of noctule and common, soprano and Nathusius Pipistrelle bat species. As such mitigation is proposed

Birds – collared dove, starling and house sparrows were all observed during the survey.

Where mitigation is proposed it will be secured by condition.

Trees and Landscaping

The Arboricultural Officer has no objection to the proposed development on condition that it is carried out in accordance with the amended Arboricultural Reports that accompanied the application.

Affordable Housing and Other Contributions

Accompanying this proposal is a S106 Agreement that covers:

- Affordable Housing (on-site provision in accordance with current policy (12 units));
- Open Space in the form of on-site and off-site provision;
- Financial contribution to the Gaywood River Restoration Project (£10,000); and
- SuDS management and maintenance,

Whilst the scheme is CIL liable, King's Lynn is exempt from CIL.

Crime and Disorder

Norfolk Constabulary has no objection to the principle of the development that they consider is broadly compliant with the principles of Secured by Design.

Third Party Representations

Third party objections / concerns relating to the loss of green space have been covered in the main body of this report

King's Lynn Civic Society (KLCS) suggests that the Lynnsport applications are piecemeal with no overall vision. Your officers disagree with this. The applications are all subject to the same specific policy criteria laid down in the SADMP DPD. The fact that the sites have come through separately does not alter the fact that they form a comprehensive scheme for the development of the Lynnsport sites.

In relation to particular concerns raised by KLCS, your officers comments as follows:

- Vague information on trees to be retained and trees to be removed – this is fully covered by the Arboricultural Report and supporting plan.
- Insufficient detail on the design of proposed public open space, path provision, play equipment provision, new planting, ongoing management – these issues will be covered in the S106 Agreement
- Apparently no clear plan for the Bawsey Drain frontage or most of the other peripheral site areas – the frontage has to be left clear for access and to comply with IDB Bylaws
- Insufficient planting details in general – but especially inadequate along the streets and public frontages including the new link road site frontage. Many proposed trees appear to be in private garden areas where BCKLWN will have little or no control over future management and retention – your officers consider the landscaping proposals are acceptable.
- The BCKLWN should be setting an exemplary standard – the Local Planning Authority cannot seek higher standards than they would seek from any other developer.

In relation to concerns raised by King's Lynn Area Consultative Committee (KLACC) your officers comment as follows:

- Concern was expressed in relation to pepper-potting and it was considered that this could be improved – this has been improved by changing plots 77 and 78 from affordable to market and changing either plots 41 and 42 or 43 and 44 from market to affordable.
- It was considered that additional traffic calming could be incorporated before the two open spaces at the eastern end of the site – the Local Highway Authority has no objection to the degree of traffic calming.
- Are there still plans in place to provide parking for the existing residential developments adjacent to the site to ensure that parking does not spill onto the new development – the BCKLWN is looking at ways of dealing with this issue outside of the planning process. It is not an issue for consideration in the determination of this application.
- The Sub-Group noted that they were happy to see the western Aconite Road access into the site was purely pedestrian and wished it to remain so – it is the intention to keep the western Aconite Road access as pedestrian only.

All issues raised by other third parties have been covered in the main body of the report.

CONCLUSION

This application is for development of part of a wider housing allocation in the adopted Local Plan and would provide 82 dwellings on a site that is extremely well located within the town.

The development of the wider allocation will result in overprovision of open space (as required by policy) in the locality of the site which will benefit not only the development, but the wider neighbourhood.

The development would provide appropriate SuDS, and contribute towards the protection of nearby protected sites in accordance with the requirements of the Habitats Regulations.

The supporting technical reports demonstrate that impacts relating to noise, pollution, traffic, flood risk, drainage and ecology have been fully considered and can be satisfactorily mitigated where necessary.

The proposal accords with the NPPF, NPPG and Local Policies contained in the Core Strategy, 2011 and SADMP, 2016. It is therefore considered that this application should be approved subject to the following conditions.

RECOMMENDATION:

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

- 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 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.
- 2 Reason To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in the interests of highway safety in accordance with the NPPF and Development Plan.
- 3 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.
- 3 Reason In the interests of maintaining highway efficiency and safety in accordance with the NPPF and Development Plan.
- 4 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.

- 4 Reason In the interests of maintaining highway efficiency and safety in accordance with the NPPF and Development Plan.
- 5 Condition Prior to commencement of works to construct any roads, footways, cycleways or highways drainage hereby approved, 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 in accordance with the NPPF.
- 6 Condition Before any dwelling is first occupied the roads, footways and cycleways 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.
- 6 Reason To ensure satisfactory development of the site in accordance with the NPPF and Development Plan.
- 7 Condition Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 7 Reason In the interests of highway safety in accordance with the NPPF and Development Plan.
- 8 Condition Prior to the first occupation of the development hereby permitted the proposed on-site accesses, car parking and 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.
- 8 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.
- 9 Condition No development shall commence until full details of the land drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development
- 10 Condition Notwithstanding the information that accompanied the application, no dwelling hereby permitted shall be occupied until surface water drainage (to include SuDS) details have been submitted to and approved in writing by the local planning authority. The submitted details shall:

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

The surfaces water drainage scheme shall be implemented as agreed unless otherwise agreed in writing.

- 10 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 11 Condition The development shall be carried out in accordance with the mitigation measures detailed in the Flood Risk Assessment and addendum to the Flood Risk Assessment that accompanied the application.
- 11 Reason To reduce the risks associated with flooding in accordance with the NPPF and Development Plan.
- 12 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).
 - (i) This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
- 12 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.
- 13 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.

- 13 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.
- 14 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.
- 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 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 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, 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 14.
- 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 No development shall commence on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority that provides for mitigation of environmental and amenity impacts during the period of construction. This must include, but is not limited to, the proposed timescales and hours of the construction phase(s) and must specify the sound power levels of any equipment and its location. The proposed mitigation methods must include protection of residents from noise and dust. The scheme shall be implemented as approved during the period of construction unless otherwise agreed in writing by the Local Planning Authority.

- 16 Reason In the interests of the amenities of the locality and to ensure that the amenities of future occupants are safeguarded in accordance with the NPPF. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 17 Condition All hard and soft landscape works shall be carried out in accordance with the approved plans. 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.
- 17 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF and Development Plan.
- 18 Condition The development hereby permitted shall be carried out in strict accordance with the Arboricultural Impact Assessment and Method Statement that accompanied the application (dated November 2016; Revised February 2017 by C.J.Yardley) and associated Tree Protection Plan No SK010 Rev.14.
- 18 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF and Development Plan.
- 19 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.
- 19 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 20 Condition The development hereby permitted shall include the proposed mitigation / enhancement recommendations listed in the Phase 1 Habitat Survey that accompanied the application (dated December 2015 by James Blake Associates), the Water Vole Survey (dated June 2016 by James Blake Associates), the Reptile Survey (dated July 2016 by James Blake Associates), the Great Crested Newt Survey (dated June 2016 by James Blake Associates), the Badger Survey (dated December 2015 by James Blake Associates) and the Bat Activity Survey (dated September 2016 by James Blake Associates).
- 20 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 21 Condition No development shall take place other than in accordance with the approved archaeological written scheme of investigation submitted with the planning application (Project Number 18968, dated 01 February 2016 by Oxford Archaeology East).
- 21 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 22 Condition The development shall not be occupied until all phases of site investigation and post investigation assessment have been completed in accordance with the programme set out in the archaeological written scheme of investigation submitted with the planning application (Project Number 18968, dated 01 February 2016 by Oxford

Archaeology East) 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 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.
- 23 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

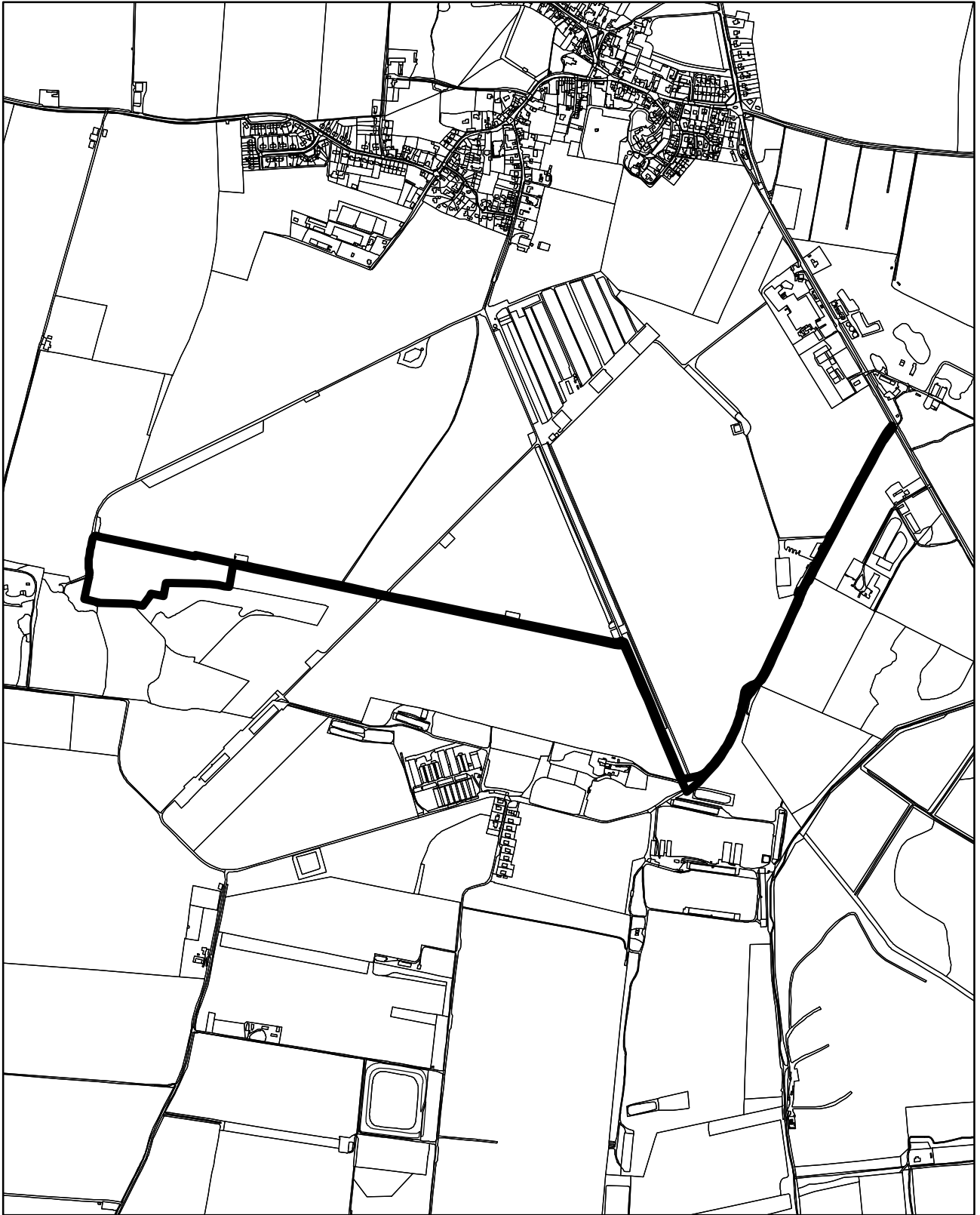
This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 24 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos: 003 PO3, 004 PO3, 005 PO3, 006 PO3, 007 PO3, 008 PO3, 009 P00, 050 PO1, 051 P00, 052 P01, 053 PO1, 054 PO2, 055 P00, 056 P00, 057 P00, 058 P00, 059 P00, 060 P01, 061 P01, 062 P01, 063 P01, 064 P01, 065 P00, 070 P00, 071 P00, 072 P00, 073 P00, 074 P00 and Plan No. 7968/002/A08/Arb.
- 24 Reason For the avoidance of doubt and in the interests of proper planning.

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

16/01963/FM

Methwold Airfield Brandon Road Methwold



1:15,000

© Crown copyright and database rights 2017
Ordnance Survey 100024314



AGENDA ITEM NO: 8/1(b)

Parish:	Methwold	
Proposal:	Proposed poultry unit	
Location:	Methwold Airfield Brandon Road Methwold Norfolk	
Applicant:	J W Spencer Farm Ltd	
Case No:	16/01963/FM (Full Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 10 March 2017 Extension of Time Expiry Date: 7 April 2017

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

Case Summary

The application is for full planning permission for a poultry unit on land within Methwold Airfield, off Brandon Road, Methwold.

The proposal is for 6 individual sheds each measuring 24.4m by 91.4 m, with eaves height of 2m and ridge of 5.5m. Each shed has 18 vent extract fans positioned in the roof which project 1.4m above the ridgeline.

The sheds are positioned in pairs with feeder bins measuring 7m in height posited between them.

Key Issues

Principle of Development
Landscape Impact
Impact on Heritage Assets
Impact upon Neighbour Amenity
Highway Implications
Habitats Regulations and Appropriate Assessment
Ecology
Pollution and Contamination Issues
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The site lies within an area designated as countryside according to the Development Plan Proposals Maps.

16/01963/FM

Planning Committee
8 May 2017

Methwold is classified as a “Joint Key Rural Service Centre” (with Northwold) according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site lies to the west of Brandon Road, Methwold and to the south of Methwold village and to the northeast of the settlement of Feltwell. Whilst wholly contained within the Parish Boundary of Methwold the site does lie adjacent to the northern most element of the Parish Boundary of Feltwell.

The site was historically part of Methwold airfield (a WWII airfield) and lies on the southern side of the former east-west runway, but is currently arable land.

The site is sheltered from wider public view although on a Public Right of Way (PROW). The PROW however finishes at a dead end and is therefore not heavily used if used at all.

The site is accessed via an existing entrance on the western side of Brandon Road, Methwold along existing tracks that serves arable land, a small cluster of dwellings and an anaerobic digestion plant.

The site will house up to 300,000 broilers (young chickens) in six individual sheds each measuring 24.2 m x 91.4m. Eaves and ridge heights will be 2.6 metres and 6 metres respectively. Each pair of houses will be equipped with 2 x 20 tonne feed bins which are 7m high.

Broilers will be purchased as day old chicks and will be a mixture of males and females. Female birds will be removed from the site at approximately 38 days old and males at 42 days old. Mortalities will be removed on a daily basis and stored in sealed containers. A specialist contractor then collects them from site once a week.

The total cycle length, including the clearing out and reinstatement period, will take approximately 52 days. It is likely therefore, that there will be around 6.5 cycles/annum.

The average number of vehicles per week is 9.1 (18.2 movements) with the most movements occurring at the beginning and end of each cycle.

In addition to the operational movements, there will be up to 3 staff using the site on a daily basis.

Constructing the facility is expected to take approximately 6 months.

SUPPORTING CASE

The site is major development and is supported by a Design and Access Statement, Environmental Statement (including FRA, Ecology report, Drainage Strategy, Odour report, Landscape and Visual impact report, non-technical Summary), Heritage Statement, Ammonia Report and Highways swept path analysis.

The following statement has been submitted in support of the application:

J W Spencer Farms Ltd has farmed in Methwold since the 1930's. They are a family business which has responded to market and environmental changes. For most of the 20th century the farm was arable and dairy, evolving more recently a progressive mix of arable, vegetable and potato enterprises dealing with retail customers such as Waitrose and Tesco and winning two Waitrose producer awards.

The farm now seeks to diversify into poultry production, recognising the UK as a net importer of poultry meat. This enterprise will provide new local employment, ensure production of ethically produced poultry to the highest environmental standards, in a safe manner for the birds and the surrounding environment alike.

This new enterprise will greatly reduce the environmental impact of poultry production compared to many existing aging units, it will reduce potential bird flu incidents in the national flock and improve UK's self-sufficiency for a healthy low fat, high quality protein food, rather than importing such food from the southern hemisphere without the same welfare and environmental standards.

PLANNING HISTORY

No recent relevant history.

RESPONSE TO CONSULTATION

Parish Council: The site lies within Methwold Parish and on the edge of Feltwell Parish therefore both Parish Councils were consulted.

Methwold Parish Council SUPPORT the proposal subject to Highways being satisfied in regards of traffic / turning movements on the Brandon Road

Feltwell Parish Council strongly OBJECTS due to the volume of construction and agricultural traffic this will generate through Feltwell and the smell the poultry unit will create.

Highways Authority: NO OBJECTION to the proposed development on highway safety grounds subject to a condition to improve the existing access

NCC Public Rights of Way: In principle I have **NO OBJECTION** to the proposal but would draw to your attention that the main access to the site is via a farm track that also carries Fp33 Methwold. The proposal will increase vehicular traffic to both construct and maintain the facility. The access track is largely of concrete construction so should withstand the additional traffic without damaging the surface of the footpath but the applicant does need to be aware that they may encounter pedestrians when using the route and retain the responsibility to maintain the track.

As a recreational footpath the route is somewhat compromised by being a dead end. The historic routes across the land were stopped up to facilitate the construction of the WW2 airfield and the link was never re-established once the airfield became redundant. The location of the application site offers the opportunity to use the access track to extend pedestrian access almost as far as the link to the remainder of the original path on the west of the airfield (now Feltwell Fp10) and it is possible that the landowner has control over sufficient land to re-establish the full connection between the two paths.

Heritage Environment Service, NCC (HES): HES is satisfied that the proposed development would have 'less than substantial harm' on the historic environment and do not believe conditions for a programme of archaeological works is necessary.

Environment Agency (EA): The previous use of the proposed development site as an airfield presents a risk of contamination that could be mobilised during construction to pollute controlled waters.

Controlled waters are particularly sensitive in this location because the proposed development site is within 200 metres of a known licensed groundwater abstraction and is located upon a Principal chalk Aquifer within the Water Framework Directive (WFD) designated Cam and Ely Ouse Chalk.

However, the EA considers that planning permission could be granted to the proposed development as submitted subject to the inclusion of conditions relating to contamination / pollution control.

Environmental Health & Housing - Environmental Quality:

Contaminated Land

No Comments to make regarding contaminated land.

Air Quality

The application is for 6 poultry sheds housing up to 300,000 birds. As the site will house > 40,000 birds, pollution control will fall under the environmental permitting regime regulated by the Environment Agency.

The application includes an Environmental Statement (ES), which contains an assessment of odour and brief sections on noise and dust. I understand that my colleagues in CSNN will comment on odour and noise.

I am concerned to ensure that the development will not cause an exceedance of air quality standards for particulates (PM10). The ES provides some detail of the ventilation system and concludes that due to the high speed ridge ventilation there will not be large amount of dust deposited locally and that the separation distance to the nearest sensitive receptors is such that standards will not be exceeded. The nearest receptors are identified in the odour assessment: 'The closest residences are at; the southern end of Buntings Lane, Methwold, which is approximately 930 m to the north-north-east of the site of the proposed poultry houses; Feltwell Farm, approximately 970 m to the south-east and Muriel's Farm, approximately 870 m to the south.'

I have checked the risk of exceeding the 24 hour mean PM10 using the screening methodology in Local Air Quality Management Technical Guidance (TG16, DEFRA April 2016). The screening suggests that the process contribution to PM10 is <1µg/m³ at the nearest sensitive receptor. This indicates that there is a very low risk of exceeding the 24 hour mean PM10 objective at the nearest sensitive receptor as a result of emissions from the poultry farm.

Therefore I have no objections to this application regarding air quality. Should the application be successful, we will take account of the presence of the poultry unit in our Annual Status Report for air quality.

CSNN: I have reviewed all the information submitted in relation to this application. As the proposal is for the site to house > 40,000 birds, pollution control will fall under the Environmental Permitting regime regulated by the Environment Agency, therefore control will fall to them to monitor odour and pollution levels. The design and fabrication of the buildings, along with the operational methods and requirements of infection control, should ensure that odour will be minimised and adequately dispersed so as not to affect residents in the locality. In terms of noise, the distance to the nearest residential receptors exceeds 900m, so noise from vehicles on site, extraction and cooling fans etc. should not affect them.

Naturally we would expect that there are regular checks done as part of the daily routines of housekeeping on site to check for any visible build-up of dust on roofs and the surrounding ground, in order that dampening down/washing away can be undertaken to prevent winds lifting and carrying this off-site. In the same way, we would expect significant odour issues, which should be rare, to be promptly addressed through housekeeping methods, and I recommend that staff consider a drive or walk-round the site perimeter, perhaps monthly, to undertake their own sniff-tests on the air and odour levels, with a view to taking mitigation action if needed.

I do recommend adding the EPA Informative to any approval issued.

Natural England (NE): Following the submission of further information [in relation to ammonia emissions] NE agrees that the onsite mitigation measures will be likely to result in a substantial reduction in ammonia emissions and are therefore satisfied that the proposal is not likely to significantly affect Breckland Forest Site of Special Scientific Interest (SSSI), a component of Breckland Special Protection Area (SPA), either alone or in-combination. In addition it confirms that the Council as the competent authority is required to carry out an appropriate assessment.

REPRESENTATIONS

ONE letter of **OBJECTION** has been received that relates to a public right of way that was closed when the airfield was built just before the Second World War. This development would prevent the PROW being reopened.

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

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

OTHER GUIDANCE

Methwold Parish Plan

PLANNING CONSIDERATIONS

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

- Principle of Development
- Landscape Impact
- Impact on Heritage Assets
- Impact upon Neighbour Amenity
- Highway Implications
- Habitats Regulations and Appropriate Assessment
- Ecology
- Pollution and Contamination Issues
- Other Material Considerations

Principle of Development

The application seeks consent for the erection of a Poultry Unit. The site is in an area designated as countryside according to the Local Plan proposals maps and is currently in arable use.

Paragraph 28 of The National Planning Policy Framework “Supporting a prosperous rural economy” states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well-designed new buildings; and
- Promote the development and diversification of agricultural and other land-based rural businesses.

Policy CS06 and CS10 of the Local Development Framework Core Strategy refer to the economy and farm diversification schemes.

In accordance with Policy CS10 ‘The Economy’ the council will be supportive of schemes that:-

- Meet sustainable development objectives and help to sustain the agricultural enterprise;
- Are consistent in scale with the rural area;
- Are beneficial to local economic and social needs; and
- Do not adversely affect the surrounding area or detract from residential amenity.

Whilst there are no specific Development Management Policies in regards to the rural economy, policy DM 2 'Development boundaries' states that new development in the countryside will be limited to certain types that are 'suitable for rural areas' including farm diversification; small scale employment; and tourism facilities.

The list in policy DM2 is not exclusive and allows other forms of development if they are deemed 'suitable'. It is difficult to envisage where a development such as that proposed would be located if not in the countryside. Consequently, it is considered that the proposal could be supported in principle in terms of National and Local Policy subject to satisfying other material considerations as outlined below.

Landscape Impact

The National Planning Policy Framework requires planning authorities to ensure that development functions well and adds to the overall quality of the area, not just for the short term but over the lifetime of the development (paragraph 56); and that the planning system contributes to and enhances the natural and local environment by protecting and enhancing valued landscapes (paragraph 109).

The NPPG refers to the opportunity for high quality hard and soft landscape design that helps to successfully integrate development into the wider environment from the outset.

In terms of local policy, Policy CS06 of the Local Development Framework Core Strategy requires development in rural areas to maintain the local character and to protect the countryside for its intrinsic character and beauty. Policy CS08 requires all new development to respond to the context and character of places in West Norfolk, by ensuring that the scale, density, layout and access will enhance the quality of the environment.

Development Management Policy DM15 requires development to protect and enhance the amenity of the wider environment and in respect of landscape impact, the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting.

In order to assess the landscape impact of the proposal, the application has been supported by a Landscape Visual Impact Assessment (LVIA) by.

The report analyses the sensitivity of the landscape to development and the effect the proposal would have on the landscape.

The LVIA concludes that the scale of the effect in this case is limited by the suggested location for the buildings where there is limited visibility due to the existing woodland and shelter belts.

The buildings themselves will have a uniform appearance and low eaves' heights which will further limit their visibility. The use of sympathetic colours for the cladding and roofing materials can also help to reduce visibility by preventing the creation of a strong contrast with the surrounding areas.

The landscape is relatively flat and open, but the intervening hedges, woodlands and shelter belts limit views into the site and effectively screen the development.

The location for the proposed group of buildings will not create a new focal point in the landscape as there are only limited views of the buildings from off the former airfield site and no views of the buildings from public roads or paths or from nearby residences.

The location of the proposed development is not a particularly sensitive location which limits the significance of the visual effect on the landscape.

The development will not result in the loss of any of the characteristic landscape features, or detract from the landscape character. The existing woodland and shelter belts are very effective in providing screening and actively contribute to the local landscape character.

Impact upon Heritage Assets

A Heritage Statement (HS) accompanied the application.

The HS concludes that the airfield is a non-designated heritage asset of some significance although the proposal causes no harm to the historic or commemorative values which contribute so much to that significance.

The scale of the airfield is large and the landscape is flat, affording long views along the runways and roads. The proposed sheds will appear as functional buildings set and absorbed into this landscape. They cause no visual harm to the airfield's setting.

There is precedent for the siting of agricultural buildings on this and other airfields. They are buildings of limited life and come and go over time. The site is fairly remote from habitation and softened by the presence of nearby plantations. The proposal causes no harm to surviving features of the airfield, including its runways and perimeter road.

If any harm is perceived, then in terms of the National Planning Policy Framework it is 'less than substantial'. The public benefits which accrue include supporting the national food supply, reducing reliance on imported food and reducing produce miles and therefore fossil fuel consumption. The proposal encourages rural employment and local agriculture, enabling farm diversification. The benefits outweigh any harm caused by the development to the significance of this non-designated heritage asset.

The site may have archaeological interest and there may be buried archaeology. Poultry sheds have shallow foundations and cause relatively little disturbance. However, if archaeology is a real concern, then an appropriate and proportionate condition could be attached to the planning permission. It should be noted that the site has been in long term arable cultivation and there are no records of any archaeology being found on there.

Paragraph 135 of the NPPF states that, "In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"

In this case the balance is in favour of the proposed development. It satisfies both national planning guidance and local planning policies.

Norfolk County Council's Historic Environment Service has studied the Heritage Statement and "agree with its conclusion that the proposed development will have 'less than substantial harm' on the historic environment". As such HES do not believe conditions for a programme of archaeological works are necessary.

Impact upon Neighbour Amenity

There is no detrimental impact upon neighbour amenity as a result of the structures given the distance from any residential properties.

However the Feltwell Parish Council has expressed concerns relating to traffic and odour.

Given that the number of birds on the site would exceed 40,000, an Environmental Permit application is required from the Environment Agency before any operations take place on the site. The permits have conditions that are designed to prevent or reduce pollution and prevent harm to human health.

The Environment Agency can look specifically at the following neighbour amenity issues in relation to poultry unit Environmental Permit applications:-

- General operational management of the proposed facility
- Handling and storing of raw materials or materials used in the activity
- Control of odour, noise, litter and pests
- Control of handling and storage of residual wastes from the process e.g. poultry manure, dirty waste, biomass boiler ash etc.
- Potential impacts on health, with advice from Public Health England as the responsible authority on the issue

Once a permit has been granted, the Environment Agency monitors how the operator complies with the conditions of the permit in order to protect the local environment and human health.

It is therefore not deemed necessary to discuss the impacts of any of the issues covered under the permit as the planning system should not replicate the provisions of other legislation. It is however worth noting that the Environmental Health Community Safety and Neighbourhood Nuisance team raises no issues to conclusions made in the noise and odour reports.

The Environment Agency does not however consider the impact of HGV movements associated with the site.

Highway Implications

The site is accessed from the Brandon Road (B1112) at a point approximately 1km outside of Methwold. The road is the main route between the settlements of Brandon and Methwold. The A11 and A10 are only a short distance away.

Traffic movements

The average number of vehicles per week is 9.1 (18.2 movements).

Proposed – 300,000 Birds

Commodity	Delivery/Collection	Week							Total
		1	2	3	4	5	6	7	
Gas & shavings	Delivery 25 tonnes	6	2						8
Feed	Delivery 38 tonnes	3	6	6	7	7	7		36
Chicks	Delivery 20 tonnes	5							5
Birds	Collection 21 tonnes						15	35	50
Litter	Collection 20 tonnes							16	16
Carcass	Collection 20 tonnes	1	1	1	1	1	1	1	7
Dirty Water	Collection							6	6
Total/Week		15	9	7	8	8	23	58	128

It can be seen from the table above that generally the predicted amount of traffic movements is low, apart from the relatively short periods at the beginning and particularly the end of each cycle when the mature broilers are taken away for slaughter.

The variety of vehicle types, loads and therefore starting points/destinations will mean that movements will be distributed fairly quickly on leaving the unit onto which the farm track accesses. Given this is an agricultural area where peaks and troughs in farm vehicle movements are common it is considered that the increase in movements will have little environmental effect.

In addition to the above HGV/tractor movements, there will be a requirement for staff to visit the site. There would be 3 staff if the unit was operating at capacity, it is hoped at least one of these will live on site.

The Transport Section of the EIA suggests that there is no requirement for any mitigation because the road network is good as is the access point which will mean the impact will be low.

The Local Highway Authority (LHA) raises no objection to the proposed development but does consider that the existing access should be improved. This can be suitably conditioned if permission is granted.

Habitats Regulations and Appropriate Assessment

Natural England has confirmed that the site is within 2km of Breckland Special Protection Area (SPA), a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The site is also notified at a national level as Breckland Forest Site of Special Scientific Interest (SSSI).

In accordance with the requirements of Regulations 61 and 62 of the Habitats Regulations, because the proposal is not necessary for the management of the European Site, and given the air quality assessment submitted with the application has concluded that significant effects on Breckland Forest SSSI due to ammonia deposition cannot be ruled out, it was necessary for the LPA to undertake an Appropriate Assessment (AA).

An updated ammonia report and ecology report were submitted along with proposals for mitigation to address effects due to changes in air quality to Breckland Forest SSSI/Breckland SPA to enable the LPA to undertake the AA.

The purpose of an AA is to assess the severity of any potential adverse impacts on the qualifying features of a European site with the aim to determine whether the proposal would adversely affect the integrity of the site.

The conclusion of the AA is that the development would not have a significant adverse effect on the integrity of a Natura 2000 site and that, in this regard, planning permission could be granted.

Ecology

A Preliminary Ecological Appraisal was undertaken. Individual impacts on protected species are listed below:

Bats - There are no trees or buildings within or bordering the application site that have bat roost potential. There are two corrugated sheet pre-fabricated agricultural buildings to the east with no bat roosting potential. The woodland trees to the south-west and south-east may support roosting bats but these are over 50m from the proposed buildings and so will not be directly or indirectly disturbed subject to sensitive lighting schemes.

Nesting birds - Skylarks were observed hovering and calling high above the arable field to the north of the site. This is characteristic of territorial behaviour, and suggests the presence of nests on the ground. The plantation woodland areas offer potential nesting sites for breeding birds. It is recommended that site clearance is carried out during the period between 15th September and end of February to avoid the main bird nesting season. If this is not possible, then a nesting bird survey should be carried out by an experienced ecologist. The site is outside of the 1.5km Breckland SPA consultation and stone curlew buffer zone.

Great crested newts - There are no ponds within 500m of the proposed buildings and the large arable fields are a poor terrestrial habitat for great crested newts and so it was considered extremely unlikely that great crested newts would occur on the development site. There are no historical records within the 2km search radius.

Reptiles - An assessment of the site to provide refuges and/or hibernaculum for common reptiles was made. There are no obvious reptile habitats present within the proposed construction areas although the scrub and semi-improved grassland habitat to the south and southeast that adjoin the site provide potential habitat. The landscape consists of predominantly arable land, it is therefore unlikely that reptiles would be present in the wider area or may utilize the development site. There are no historical reptile records in the immediate area.

Badgers - Mitigation is proposed and this can be suitably conditioned if permission is granted.

The report does not refer to the need to acquire a European protected species license, however 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 (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 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.

In this case, a Phase 1 habitat survey concluded that the potential for impacts to local wildlife is low.

However there is the possibility that badgers may be 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. Furthermore the requirements for economic or social development can be considered. The proposal would comply with the provisions of creating and sustain employment opportunities in the borough of West Norfolk.
2. No satisfactory alternatives – the Environmental Statement has identified that no satisfactory alternative is available for the proposal. The site has an existing access and is away from dwellings so there are no odour implications and the site is at distance from designated ecological sites.
3. Population maintenance - it is unlikely that development of a relatively small parcel of land, with appropriate mitigation, will detrimentally impact the conservation status of the protected species.

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.

Pollution and Contamination Issues

The Environmental Health and Housing – Environmental Health and Housing team have no objection to the impact upon air quality. Air quality and the impact on Human Health are also covered under the Environmental Permit regulations.

The Environment Agency has commented on the pollution of groundwater and has recommended 3 conditions in regards to potential groundwater pollution and contaminated land. Given the previous use of the field as an airfield, the excavation involved could result in potential contamination of the groundwaters. If permission is granted the requested conditions would be appended.

For the avoidance of doubt and in relation to the dirty water tanks, a condition is imposed in regards to their capacity and siting, under a foul water drainage condition.

The spreading of manure on adjacent farmland is appropriate according to the Environment Agency provided they adhere to the Nitrate Pollution Prevention Regulations 2015.

Other Material Considerations

Construction Phase

The construction of the unit will involve the following phases:-

- a) Preparation.
- b) Strip soil and put to one side
- c) Formation of new bases on new sites.
- d) Erection of frame and installation of services. The frame will be all pre-designed and the erection process will take a matter of a few days.
- e) Concreting and building works.

In total construction is expected to take approximately 6 months. During construction there will be vehicle movements, but these will last for only a short period whilst materials are being delivered, particularly stone and concrete which make up 2/3 of the likely vehicle movements. Over a typical construction period there would be expected to be 4 HGV and 3 light vehicles per day on average. Given the existing access and road network this will not cause any impact of concern.

All framework and equipment will be delivered ready to fit so there will therefore be no concern noise wise at building erection phase. There will, however, be some noise when finishing the concrete floor, although this will be for short periods.

One third party objector has raised a concern that a public right of way that he was hoping would be reopened will not be able to if this development goes ahead. In relation to this, the PROW officer suggests that the applicant could make an improvement to this right of way. However, the footpath has ended in a dead end since the site was used as an airfield in WWII. It is not considered reasonable or necessary to require the applicant to make improvements to the footpath as part of this application.

CONCLUSION

No objections have been received from statutory consultees on technical issues.

In terms of neighbour amenity issues, the proposal is subject to stringent controls on odour and noise by virtue of the requirement to comply with the Environmental Permit Regulations.

What noise emanates from the site is only slightly above background noise levels at the nearest residential receptor. Odour levels that are emitted from this process are on average below the EU tolerance rate of being a nuisance. The structures themselves are a considerable distance from the nearest neighbour that they would not cause any overbearing, overshadowing or overlooking issues.

As a percentage of the total amount of vehicular movements on the highway the proposal is not significant. The highways officer subject to conditions has no objection to the proposal.

The potential contamination of water supply can be adequately addressed by details in regards to remediation and foul and surface water drainage.

The impact upon protected species has been considered during the application and should a license be required for the works, to be gained from Natural England then it is likely to be granted.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans 200.01, 200.03, 200.04 and 21363/002 Rev.B.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
 3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.
 4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

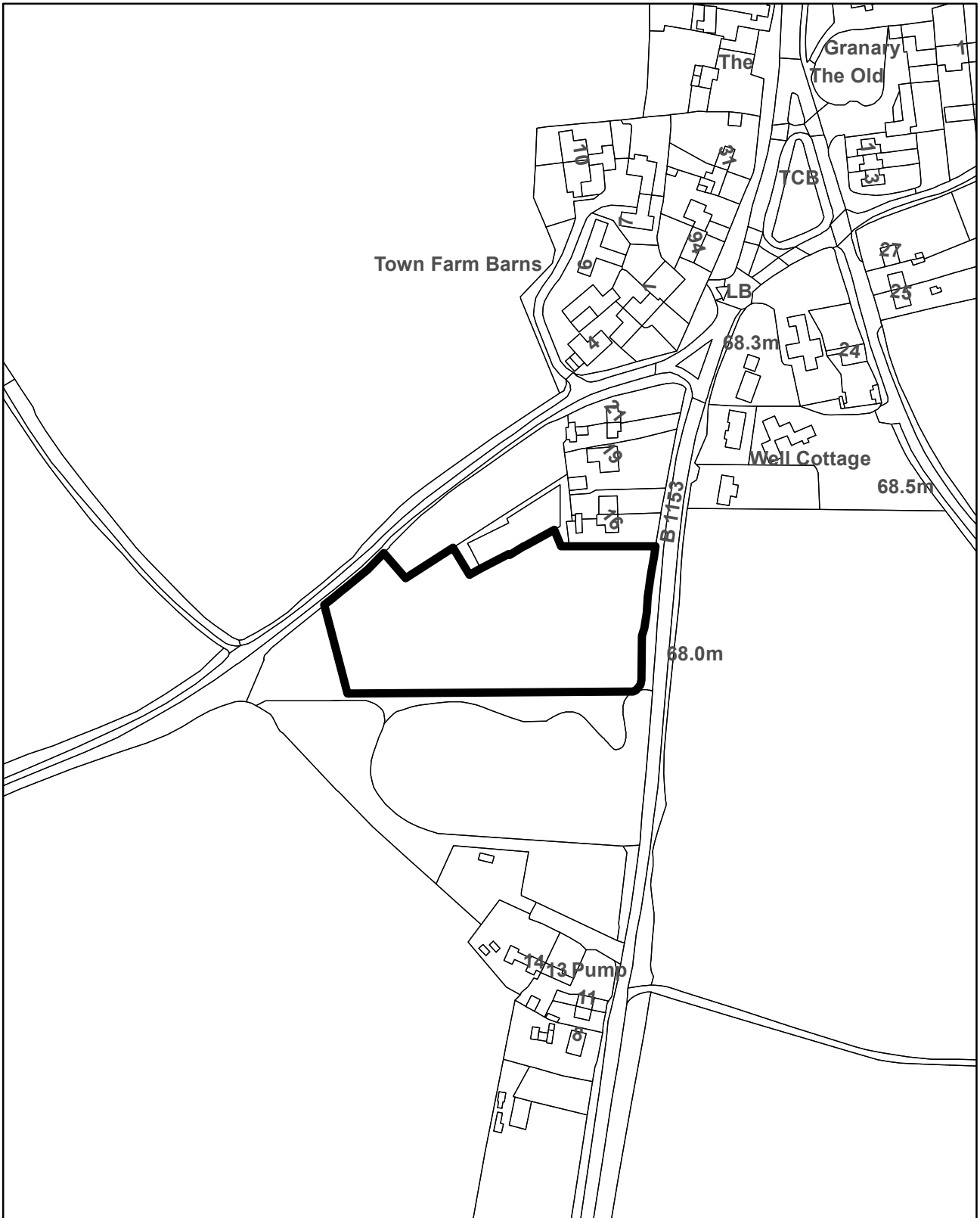
- 3 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 4 Condition If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 4 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 5 Condition Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.
- 5 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 6 Condition Prior to first occupation, the development hereby permitted shall be carried out in accordance with the mitigation contained in the supplementary Ammonia Report dated 22 March 2017.
- 6 Reason In order to protect Breckland Special Protection Area (SPA) and Breckland Forest Site of Special Scientific Interest (SSSI) in accordance with the NPPF and Habitats Regulations.
- 7 Condition Prior to the commencement of the use hereby permitted the vehicular access shall be widened in accordance with the Norfolk County Council industrial access construction specification in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority for the first 44 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 in accordance with the NPPF and Development Plan.
- 8 Condition The development hereby permitted shall be carried out in accordance with the mitigation, biodiversity enhancements and further survey sections (sections 7, 8 and 9) of the Preliminary Ecological Appraisal undertaken by ECO-CHECK dated August 2016 that accompanied the application unless otherwise agreed in writing.
- 8 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.

- 9 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.
- 9 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

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

16/00888/O

Land South of 16 Lynn Road
Great Bircham



AGENDA ITEM NO: 8/2(a)

Parish:	Bircham	
Proposal:	Outline Application: construction of 10 dwellings	
Location:	Land S of 16 Lynn Road Great Bircham Norfolk	
Applicant:	The Sandringham Estate	
Case No:	16/00888/O (Outline Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 21 July 2016 Extension of Time Expiry Date: 8 September 2017

Reason for Referral to Planning Committee – The Officer recommendation is at variance with the views of Norfolk County Highways.

Case Summary

The application seeks outline planning permission for the construction of 10 no. dwellings. Only access, layout and scale are to be considered at this stage with appearance and landscaping reserved for later consideration. Originally the application was submitted for 11 no. dwellings but this was reduced to 10 no. dwellings in December 2016.

The application site lies on the western side of Lynn Road (B1153), Great Bircham at the southern end of the village. It currently comprises 0.6 hectares of scrub land, used occasionally for grazing. Existing residential properties and gardens lie to the north with further scrub land to the west and south of the site.

The site is the allocation for Great Bircham / Bircham Tofts under Policy G42.1 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 10 dwellings.

Key Issues

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

Principle of development;
Form and character;
Neighbour amenity;
Highway safety;
S106 matters;
Trees;
Other considerations; and
Crime and disorder

Recommendation

A) APPROVE subject to conditions and the satisfactory completion of the S106 Agreement;

B) In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing and SUDS design and maintenance.

THE APPLICATION

The application seeks outline planning permission for the construction of 10 no. dwellings. Only access, layout and scale are to be considered at this stage with appearance and landscaping reserved for later consideration.

A revised site plan was received on 9th December 2016 in order to amend the number of proposed houses from 11 units to 10 units. A further revised plan was received on 20th December 2016 in order to address NCC Highways concerns.

The application site lies on the western side of Lynn Road (B1153), Great Bircham at the southern end of the village. It currently comprises 0.6 hectares of scrub land, used occasionally for grazing. Existing residential properties and gardens lie to the north with further scrub land to the west and south of the site.

The site is allocated for residential development of at least 10 dwellings under Policy G42.1 of the Site Allocations and Development Management Policies Plan (2016).

SUPPORTING CASE

A Design and Access Statement (DAS) and Sustainable Drainage Statement (SDS) have been submitted in support of the application.

In terms of layout and scale the DAS advises that the houses are laid out in a 'staggered terrace' extending away from the main road served by a new access road/drive from the B1153 along the northern side of the site. Garages and car ports are positioned to break up the plot into two loosely defined yards. The two-storey houses with single storey outbuildings will be of a similar scale to others in the street. The orientation of the houses is varied to break up the massing, give privacy between neighbours, to tuck parked cars away from frontages, widen the gardens and bring the houses closer to the South boundary and the open woodland to the South and Southwest.

Two long car-ports opening onto wider gravelled areas have the appearance of traditional rural cart lodges opening onto yards and provide shelter and containment to the clusters of buildings reflecting the historic groups or farm buildings and cottages that make up the southern end of the village.

Like Diamond Jubilee Cottages, a small development by the Sandringham Estate completed in December 2014 which lies 200 yards to the North-east, the design of the houses would use traditional Norfolk materials of red brick and red clay pantiles and local details such as the dentilled brickwork to the gables that feature on mid-19th century houses nearby and the rough brick-on-bed arches over the windows.

The elevational treatment will be similar to Diamond Jubilee Cottages but with two-storey painted timber bay windows to seven of the houses, serving staircases in houses 1 and 2 and for the other five, giving wide views from the principal rooms onto the woodland to the South. The bays would act as the one distinguishing mark of the group providing a unifying

feature to the whole development. Approaching from the South, the staircase bay to House 1 would act as a subtle single "marker" on entering the village (see sketch on drawing 15.401.1), whilst when leaving the village, two staircase bays on houses 1 and 2 would be seen in juxtaposition. The bay windows would be finished with lead flat roofs with a simple cornice.

The DAS continues by confirming that the houses will be served by individual separate general waste and recycling wheelie bins housed on or adjacent to each property with one or two waste collection points on the adopted section of the access road.

To the East of the site, the gardens will be bounded by soft red brick garden walls approximately 1.3m high. The South and West boundaries of the site will be planted with a mixed field hedge of native species. Gaps in the hedge boundaries to the north will be infilled where required. New trees will be planted in the centre of the site as indicated. Existing trees will be removed/retained as indicated on the site plan. Shared access roads will be in tarmacadam and finished with a topdressing of tar and pea shingle.

Access to the site is via a new adopted road from the B1153, giving onto shared unadopted road/drives. The site lies within easy walking distance of all local amenities including shop, pub, church and playing fields. A pedestrian footpath along the adopted road will provide access into the site on foot.

An adopted road to highway standards will provide access for emergency services and refuse lorries to within 70m of all properties. Shared unadopted drive areas serve houses 1, 3-6 and 7-10 with unit 2 having access directly from the adopted roadway.

PLANNING HISTORY

2/03/1022/O: Application Refused: 19/06/03 - Site for construction of 2 houses - Land south of 16 Lynn Road Great Bircham

RESPONSE TO CONSULTATION

Parish Council: Revised scheme - Bircham Parish Council has **NO OBJECTION** in principle to the development of 10 dwellings in this site with the following observations:

On the grounds of both pedestrian safety and community cohesion the Parish Council supports Norfolk County Council's view that a proper footpath should extend as far as possible into the village. The Parish Council does not feel that a trod is suitable in this instance.

Those same reasons apply to the Council's wish to see the speed limit extended much further back along the main road as the figures provided with the application state the traffic speeds are towards the upper limit. The Council would then like to see an additional (Solar Panel) flashing sign sited with the new speed limit sign.

Highways Authority: OBJECT - a lack of suitable pedestrian provision linking the site with the existing provision to the north in the village centre.

Summary of original comments:

Advice in the NPPF supports the need for safe and suitable access...for all people, and also encourages the importance of being able to make everyday journeys without reliance on a

motor car. Whilst it is acknowledged this is an allocated site the limited services precludes any realistic opportunity of encouraging a modal shift away from the private car towards walking, cycling and public transport and as such this is not a location where further estate sized development beyond this allocation should be supported.

What services there are in Great Bircham are located to the north of the site. There is no pedestrian provision linking the site to the village centre/services and nothing proposed in mitigation. If this application were approved all pedestrians wanting to access village services would be reliant on walking within the carriageway. It is accepted similar movements are already generated by the existing dwellings. Whilst these may already occur, this development in its current form would result in increased pedestrian movements within the carriageway, to the detriment of highway safety.

Comments in relation to revised proposal:

This development is poorly located on the edge of the village in a position which lacks continuous pedestrian facilities to link the site with the village centre. It remains our view that unless the developer is willing to fund appropriate mitigation measures then the application should be refused in the interest of highway safety. It is our recommendation that revised plans should be submitted and we strongly advise this be sought so that all parties are aware what scale of off-site works are proposed / can be achieved. Off-site highway works can be secured via condition. If your authority were minded to approve the application as it stands, contrary to our recommendation, other conditions are likely to relate to the permanent closure of existing access to No 15 Lynn Road, provision of visibility splays, parking & turning laid out and CTMP to be submitted agreed & implemented.

Environmental Health & Housing – Environmental Quality: NO OBJECTION.

Environmental Health & Housing – CSNN: NO OBJECTION subject to the imposition of conditions relating to foul and surface water drainage details and a detailed construction management plan.

Housing Enabling Officer: I have re-examined this case in the light of the proposed changes.

On a site of 10 no units, with a GIA of 1,000m² or fewer, in a designated protected area such as Great Bircham, no on site affordable housing is required. We would require a condition limiting the site to 1,000m² or fewer, and given how close to the threshold the proposals are, we would recommend verification of unit sizes is undertaken to avoid delays and changes at a later date.

Instead a commuted sum is paid for offsite affordable housing. This is calculated to be £120,000 for this site, i.e. 10 units times 20% affordable housing contribution = 2 units, times £60,000 per affordable housing unit gives £120,000.

In the event that the developer wished to provide 2no onsite units, this would also be acceptable; in this instance please contact me to discuss site mix etc.

Arboricultural Officer: NO OBJECTION, subject to the development being conditioned in accordance with the update arboricultural report and plans.

Policy Team: NO OBJECTION provided it complies with the policy clauses contained within Policy G42.1, those within the Local Plan (CS & SADMP) as well as national policies.

REPRESENTATIONS

8 letters of objection have been received from 6 local residents. Their expressed concerns can be summarised as follows:

- The proposed development will drastically change the character, outlook and ambience of the area irrevocably from that of semi-rural to one of semi suburban.
- Five of the houses are small two bedroom properties with very small gardens. These will be ideal for weekend occupation, second homes. We do not want or need more second homes in Great Bircham which already has a preponderance of empty properties and will do nothing for the community.
- Access to the site is from a particularly fast stretch of road and will be dangerous for people turning into the site when travelling from the south.
- The 30mph signs as you enter the village should be relocated.
- In addition a digital speed indicator sign should be erected on the road between the 30 signs and the new access turning.
- It is noted that the large Sweet Chestnut tree (marked as deciduous on the plan) is to be retained and this should be protected at all cost as it is not blighted by Horse Chestnut leaf blotch which affects the majority of these trees in the village.
- A very large mature Oak at the rear of plot 10 very close to the rear garden hedge should be given a retained status and protected at all costs.
- It should also be a requirement that for every tree removed a replacement 'standard' sized native tree is planted.
- It is vitally important that light pollution from the development is kept to a minimum with no street lights permitted and any external lights provided on the houses restricted to short time switches.
- The typical elevation drawing shows large white painted timber clad bay windows to the front elevations of the houses. This is not in keeping with the local vernacular of brick and flint.
- To provide safe access for dog walkers and other pedestrians to Dersingham Lane, the new path running south from the site should be extended along the southern boundary of the development, following the line of the old sunken track as shown on the 1:2500 location plan, to the lane. This path should be designated a permanent right of way.
- The location of this development defies common sense. It is not "in-filling" otherwise a roadside development of say 4 houses would be proposed. It is penetrating into the rural "hinterland" which thus far has been sacrosanct. There are many other in-filling sites in this village with proper access and services nearby.
- "Affordable housing" already exists in Great Bircham as delivered by Sandringham.
- The scheme will increase motor car use and resultant carbon emissions. This is inconsistent with policies to reduce carbon emissions. The development could be located in a less remote location that has better public transport links, schooling and shop.
- The plan shows a roadway running directly alongside our garden fence. The roadway could be located instead on the other side of the development away from any existing properties. There could be just a walking pathway running alongside our garden. This would avoid motor traffic right next to us. Visitor car parks could also be located away from existing properties.
- The rural aspect as viewed on entering the village from the south will be replaced by a somewhat cramped mini housing estate where the properties facing the B1153 fail to dovetail in with the existing cottages.
- No paths where speed limit sign ends.
- Large development too close to pond and wooded wildlife habitat.
- Noise and disruption of a large building site.

- There are more suitable sites in the village for this size development.
- The proposal does not satisfy the sustainability requirements of the NPPF.
- Consideration of endangered species such as bats should be taken into account and appropriate measures taken to protect them.
- The 30 MPH zone should be extended at least 150 metres to the south with a further 'buffer zone' at 40mph to the south of the extended 30MPH zone to reduce traffic speed along this straight section of road before the village is reached.
- The inadequate flashing warning sign currently located just before the hotel should be replaced with a speed indicator sign 50 metres to the south of the current 30MPH signs.
- The totally inadequate 'slow' sign currently painted on the road should be replaced with a bold 30 sign as is provided to the other two main road entrances into the village.
- I note a new footpath is proposed across the frontage of my house 19 Lynn Road. If this path will replace my existing grass verge with hard paving I object to this 'urbanisation' to my house.
- The road drainage is inadequate along the edge of the road across 16 to 20 Lynn Road. The gutter is frequently full of standing water, in particular the road gully located at the corner of number 20. The proposed development will only make matters worse unless the whole length of drainage is attended to.
- The double garage to house 10 is now to be a carport. I would like this to have a solid side to the east elevation.

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

- Principle of development;
- Form and character;
- Neighbour amenity;
- Highway safety;
- S106 matters;
- Trees;
- Other considerations; and
- Crime and disorder

Principle of Development

The site is allocated for housing under Policy G42.1 of the Site Allocations and Development Management Policies Plan 2016. The land is not previously developed and is therefore a greenfield site.

Policy G42.1 states:

“Land amounting to 0.58 hectares, as shown on the Policies Map is allocated for residential development of at least 10 dwellings. Development will be subject to compliance with adopted Core Strategy Policies and all of the following:

1. Provision of safe access onto Lynn Road;
2. 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;
3. Implementation of mitigation measures identified in the Ecological Appraisal undertaken by Wild Frontier Ecology (April 2012); and
4. Provision of affordable housing in line with the current standards.

In relation to this, although Norfolk County Highways maintain an objection due to the extent of the proposed footway provision, it has been demonstrated that safe access onto Lynn Road can be provided. A sustainable drainage statement has been submitted in support of the application and in this case a commuted sum is payable for offsite affordable housing provision, both of which can be secured by a Section 106 legal agreement.

It is therefore considered that the principle of the proposed development is acceptable.

Form and Character

Although the application site comprises Greenfield land, it immediately abuts the development boundary and is bounded by existing residential development along Lynn Road (B1153) to the north. The site itself mainly comprises of scrub land and there are no significant landscape features other than woodland approximately 30 metres south of the site.

The site description and justification for Policy G42.1 of the SADMP states that the majority of views of the site are limited to the near distance from adjacent properties; however there are wider views when entering the village from the south. New development will be partially screened by existing vegetation and hedgerows to the south of the site which will help to reduce the visual impact on the wider countryside.

Policy G42.1 of the SADMP requires the site to be developed for at least 10 dwellings and given its size and shape, with a relatively narrow frontage compared to its depth; it is considered there are relatively limited options in terms of layout.

Layout and scale are to be considered at this stage and a revised site plan was received in January 2017. Being adjacent to established housing at the southern end of the settlement, the 2 no. proposed frontage units would form a continuation of existing development on the western side of Lynn Road (B1153). Further into the site the proposed houses are laid out in a “staggered terrace” with a small terrace of 4 no. units and 3 no. detached dwellings beyond. All properties would be two-storey with single storey outbuildings of a similar scale to those already in the locality.

Although appearance is proposed to be reserved for later consideration, submitted drawing no. 15.402.1 gives an example of ‘typical elevations’ which would use traditional Norfolk materials of red brick and red clay pantiles and local details such as dentilled brickwork.

Overall it is considered that the revised site plan demonstrates that 10 no. dwellings in the layout proposed can satisfactorily be accommodated on the site without detriment to the form and character of the locality or wider countryside.

Neighbour Amenity

Although the application seeks outline planning permission, layout and scale are to be considered at this stage. Appearance of the individual dwellings is reserved for later consideration.

The revised site plan demonstrates that 10 no. dwellings of the type, scale and size proposed can be satisfactorily accommodated on the site without compromising the amenities of neighbouring residential properties. The flank boundary of No.15 Lynn Road immediately adjoins the site but it is considered that satisfactory separation distance is proposed between this property and the proposed access road in order to prevent any significant harm to the amenities of occupiers.

In order to protect existing residents from noise, dust or vibrations during the construction phase, the Council’s CSNN team have requested a condition is imposed requiring submission and approval of a detailed construction management plan. Norfolk County Highways have also requested the imposition of a condition relating to the management of construction traffic.

Highway Safety

Norfolk County Highways object to the application on the grounds that the proposal fails to include suitable pedestrian provision linking the site with the existing provision to the north in the village centre.

Various revisions have been made to the submitted scheme in order to address the concerns originally raised by Norfolk County Highways. This has included proposing a footpath north along the Lynn Road (B1153) beyond the most dangerous narrowing, where there is currently hedge up to the carriageway on both sides of the road. The proposed

footpath would run through to a grassed triangular area beyond which there are grassed verges to the north as far as the public house and village stores.

However, whilst NCC Highways have acknowledged the proposed footway set out on revised site plan 15.401.3 will provide some benefit, they have confirmed that their recommendation remains unchanged that this development is poorly located on the edge of the village in a position which lacks continuous pedestrian facilities to link the site with the village centre. As a result, they maintain that the application should be refused in the interest of highway safety.

The limited services that are in Great Bircham are indeed located to the north of the site where there is currently no pedestrian provision linking to the village centre. However, the site is allocated for housing development within the SADMP (Policy G42.1) therefore the location has been set, with no previous objection from NCC Highways. Furthermore, it is your officer's opinion that the proposed footpath link put forward by the applicant would offer safe pedestrian passage to a part of the village that is open and where visibility of vehicles and pedestrians is much improved. Running an engineered footpath across these 'green' areas would also change the character of this part of the village.

Extending the proposed footpath further than currently shown on the revised plan is considered by the applicant's agent to go beyond the scope of this application. It would also have a significant aesthetic impact on the character of the rural green to the north of the site that is unrelated to the proposal. Officer's would concur with this view and consider that the extent of footway proposed by the applicant is an acceptable compromise in this case.

The Parish Council and local objectors to the scheme have advised they would like to see the 30mph speed limit extended much further back along the main road with additional signage but this is considered to be outside the remit of this application.

S106 Matters

On a site of 10 no. units, with a GIA of 1,000m² or fewer, in a designated protected area such as Great Bircham, no on site affordable housing is required to be provided. Instead a commuted sum is payable for off-site affordable housing provision. This is calculated to be £120,000 for this site, i.e. 10 units times 20% affordable housing contribution = 2 units, times £60,000 per affordable housing unit gives £120,000. A S.106 Agreement is in the process of being prepared in order to secure the affordable housing commuted sum. A condition is also required to be imposed on any consent limiting the site to 1,000m² or fewer.

With regard to SUDS drainage (point 2 of Policy G42.1) the application has been supported by a Sustainable Drainage Statement. This states 'It is proposed that all the above surface water is drained by means of gullies on site to soakaways on the adjoining land to the south so that all water from the site continues to be discharged locally to the groundwater by infiltration. The proposed 'soakaway land' does not form part of the application site but is in the Applicant's ownership and all necessary rights of drainage discharge and access for maintenance will be incorporated in the Planning Approval by means of a Section 106 agreement.'

The Environmental Health department have no objection to this and it will be a requirement that this is incorporated into the Sec 106 agreement.

Trees

The site is adjacent to a well treed area. A Tree Survey and Arboricultural Impact Assessment have been submitted by the applicant. The Arboricultural Officer raises no objection, subject to the imposition of appropriate conditions.

Other Considerations

With regard to ecology (point 3 of Policy G42.1) the application has been supported by an Ecological Appraisal undertaken by Wild Frontier Ecology.

The impact summary within this document concludes that to assess fully the potential impacts of the development a presence/ absence survey of the development area for reptiles would be required due to the potential for foraging by grass snake and slow worm. In this case it is considered appropriate for this to be dealt with by condition, as should a presence be found, it is considered that appropriate mitigation can be incorporated into the development.

In regards to the other ecological aspects of the site, no significant negative impacts to other protected species are predicted for the development of this site as long as appropriate mitigation measures are in place. This involves precautionary methods of working as well as the retention of boundary hedges where possible.

The same report proposes the erection of bat and bird boxes and appropriate planting as compensation and enhancement for habitat.

It is recommended that the need for a reptile survey, the need to comply with the appropriate mitigation measures and the need for compensation and enhancement are covered by planning condition.

Crime and Disorder

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

CONCLUSION

The application site represents the housing allocation for Great Bircham / Bircham Tofts under Policy G42.1 of the adopted SADMP therefore the principle of development is considered acceptable. Furthermore, the revised site plan demonstrates that 10 no. dwellings in the layout proposed can satisfactorily be accommodated on the site without detriment to the form and character of the locality or the amenities of neighbouring properties.

Although Norfolk County Highways continue to object to the proposed scheme, it is your Officer's opinion that the extent of footway proposed by the applicant is an acceptable compromise in this case as it would offer safe pedestrian passage to a part of the village that is open and where visibility of vehicles and pedestrians is much improved.

An affordable housing commuted sum plus future management and maintenance of the SUDS will be secured by a S106 legal agreement and the implementation of ecological mitigation measures will be dealt with by condition.

The application proposal is therefore considered to comply with the requirements of Policies G42.1, DM1, DM2, DM15 and DM17 of the SADMP, Policies CS01, CS02, CS06, CS08,

CS09, CS11 and CS12 of the Core Strategy as well as the provisions of the NPPF and NPPG.

RECOMMENDATION:

A) APPROVE subject to conditions and the satisfactory completion of the S106 Agreement;

1 Condition Approval of the details of the 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 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.

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 the commencement of the development hereby permitted a survey to identify the extent of any reptile populations on or adjacent to the development site shall be undertaken in accordance with a written survey proposal which shall have been submitted to and approved in writing by the Local Planning Authority prior to the survey taking place.

6 Reason To identify the extent of any reptile populations and potential mitigation in accordance with the NPPF and NPPG.

- 7 Condition The results of the survey required under Condition 6 above shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby permitted, including site clearance works. The results shall also provide for any mitigation / enhancement measures appropriate to the extent of any reptile populations recorded in order to minimise the impact of the development upon the reptiles both during construction and upon completion. A timetable for the implementation/completion/maintenance of the mitigation / enhancement works shall also be submitted with the results. 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 or where a different mitigation scheme or timetable scheme is required under any license issued by Natural England.
- 7 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 8 Condition Other than in relation to reptiles that are covered under separate conditions, the development hereby permitted shall be carried out in accordance with the recommendations contained in the Ecological Appraisal that accompanied the application (dated October 2011 undertaken by Wild Frontier Ecology). Full details of the proposed mitigation measures and compensation and enhancement proposals shall be submitted to and approved in writing by the local planning authority prior to the commencement of development and 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.
- 8 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 9 Condition Prior to commencement of development a detailed construction management plan must be submitted to and approved in writing 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.
- 9 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF. This needs to be a pre-commencement given the need to ensure that potential noise and disturbance to neighbours is fully dealt with at the outset of development.
- 10 Condition Vehicular access to No15 Lynn Road to and egress from the adjoining highway shall be limited to the access shown on the approved drawing only. The existing access shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.
- 10 Reason In the interests of highway safety.
- 11 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 (drawing no. 15.401.3). 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.

- 11 Reason In the interests of highway safety.
- 12 Condition Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area(s) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 12 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 13 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.
- 13 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.
- 14 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.
- 14 Reason In the interests of maintaining highway efficiency and safety.
- 15 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 as indicated on Drawing(s) number 15.401.3 has been submitted to and approved in writing by the Local Planning Authority.
- 15 Reason In the interests of highway safety. This also needs to be a pre-commencement condition as this issue needs to start to be resolved at an early stage in the process.
- 16 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works (new footway) referred to in condition 15 shall be completed to the written satisfaction of the Local Planning Authority.
- 16 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 17 Condition The development hereby permitted shall be carried out in strict accordance with the submitted arboricultural impact assessment (by M.J. Tree Services, dated July 2016) and tree protection plan (drawing no. 15.401.1).
- 17 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 18 Condition The development hereby approved shall comprise of no more than 10 residential units.
- 18 Reason To define the terms of the permission.

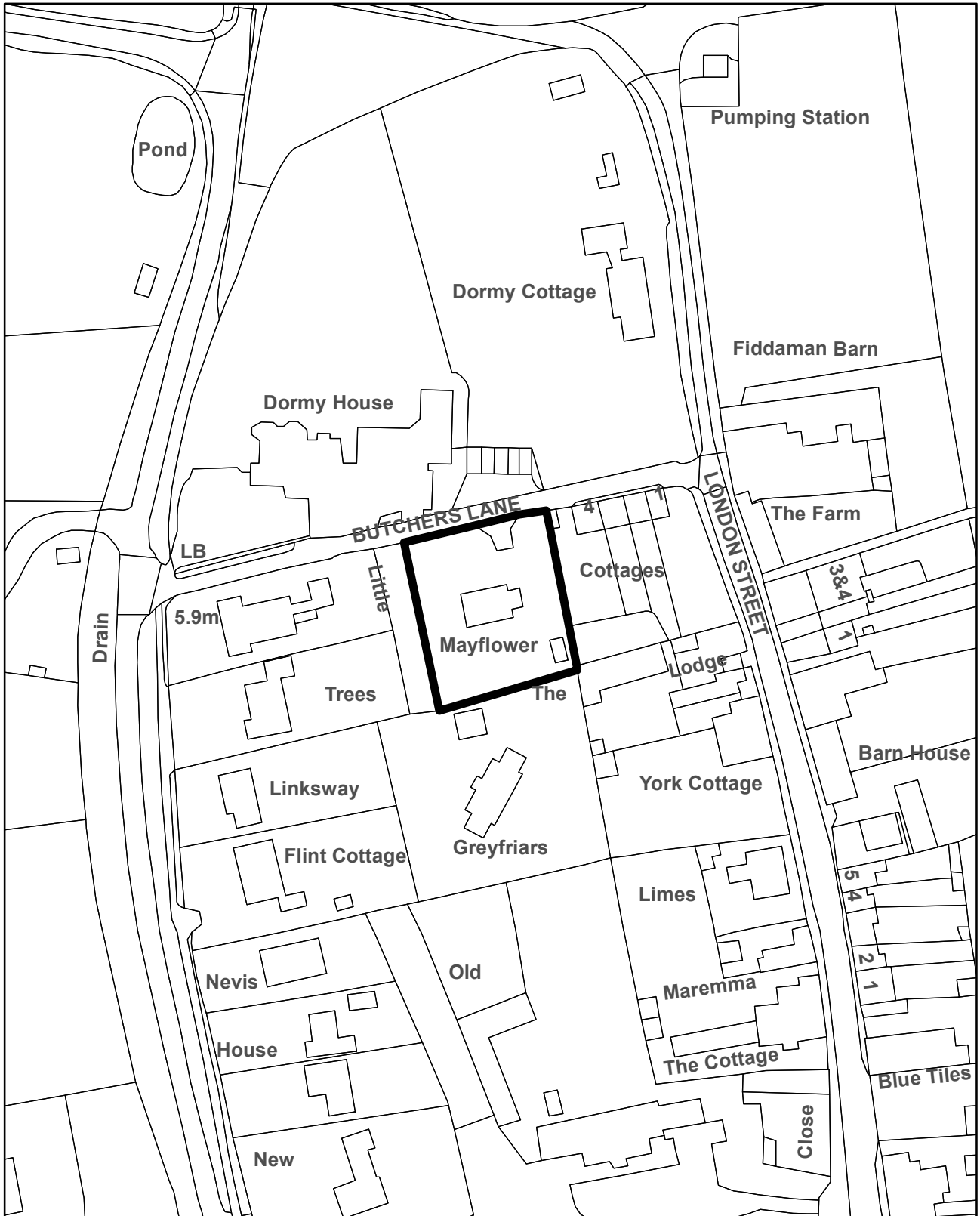
19 Condition The Gross Internal Area of the development hereby permitted shall not exceed 1000m².

19 Reason To define the terms of the permission in accordance with the national indicative thresholds as specified in the NPPG.

B) In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing and SUDS design and maintenance.

17/00052/F

Mayflower Butchers Lane Brancaster



AGENDA ITEM NO: 8/2(b)

Parish:	Brancaster	
Proposal:	Replacement of existing bungalow and shed with new two-storey dwelling, single storey annex, and detached garage	
Location:	Mayflower Butchers Lane Brancaster Norfolk	
Applicant:	Mr & Mrs Coney	
Case No:	17/00052/F (Full Application)	
Case Officer:	Mr Philip Mansfield	Date for Determination: 13 April 2017

Reason for Referral to Planning Committee – The views of Brancaster Parish Council is contrary to the Officer recommendation. The application has also been called into Committee by Councillor Watson.

Case Summary

The application site relates to a dwelling on the southern side of Butchers Lane in Brancaster.

The proposal is to demolish the existing bungalow 'Mayflower' and construct a new two-storey dwelling with single storey annex and a detached garage.

Revised plans were received over the course of the application amending the first floor layout to create a dressing room as part of the master bedroom in place of a separate study.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011, the King's Lynn and West Norfolk Site Allocations and Development Management Policies Plan 2016 and the Brancaster Parish Neighbourhood Plan 2015-2026 are relevant to this application.

The site is within the Brancaster Conservation Area and also within the AONB.

Key Issues

Principle of Development
Form and Character and amenity
Highways
Trees
Other considerations

Recommendation

APPROVE

THE APPLICATION

The site comprises a late 20th century detached bungalow with an attached garage. Vehicular access is from Butchers Lane, a narrow passage between Broad Lane and London St. There is a brick retaining wall along the front (northern) boundary and also close boarded fencing to the rear.

The application seeks to replace the existing bungalow with a contemporary, two storey four bedroom dwelling with a separate annex and detached garage. The proposed annex would be held in conjunction with the main dwelling with the same vehicle access, a condition has been added to secure this.

A previous scheme 16/00282/F for a more traditional two storey dwelling was approved in April 2016. Subsequent to this, a pre-application meeting was held to discuss a revised design approach in which it was recommended that such a scheme would likely gain officer support subject to design and materials.

SUPPORTING CASE

Brancaster is a small, rural village situated on the A149 King's Lynn to Cromer coastal road. It is located within the Norfolk Coast Area of Outstanding Natural Beauty and is one of a number of coastal settlements that has developed in a linear pattern along this route.

The proposal is to replace an outdated bungalow with a new modern two storey dwellinghouse with an annex and garage.

From a design and character perspective, the proposal would feature a modern design in terms of form and character but would incorporate traditional materials that reflect the surrounding area. It would be located on a narrow laneway and not visible from the main thoroughfare through the village which would lessen the impact in terms of visual amenity.

In response to the Parish Council objections:

Neighbour amenity: It is not considered the proposal would be harmful to the AONB or the character of the area. While the modern design is noted, the use of traditional materials would be in keeping with the locality. The additional residential accommodation would be an annex and not a separate dwelling.

Conclusion:

The proposed works would not be harmful to the character of the surrounding area.

PLANNING HISTORY

16/00282/F Proposed replacement of existing bungalow with two storey dwelling PER - Application Permitted

RESPONSE TO CONSULTATION

Parish Council - OBJECTION:

- Residential Amenity
- Design and character
- Out of keeping

Highways Authority: - NO OBJECTION - subject to conditions

Conservation Officer - NO OBJECTION: - subject to conditions

Tree Officer - NO OBJECTION:

Environmental Quality - NO OBJECTION: - subject to conditions

REPRESENTATIONS: There were **FOUR** letters of objection from neighbouring properties concerning:

- Design & Character-out of keeping with the surrounding area
- Residential Amenity- overlooking neighbouring dwellings
- Loss of trees- impact to screening of the site
- Annex- would not be ancillary to the main dwelling
- Materials- out of character with the area

There was one letter in support of the application on the grounds of design and the ridge height that would reduce impact to neighbours.

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

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM7 - Residential Annexes

DM15 – Environment, Design and Amenity

OTHER GUIDANCE

BRANCASTER PARISH NEIGHBOURHOOD PLAN 2015 – 2026

Policy 1 – Size of

PLANNING CONSIDERATIONS

- Principle of Development
- Form and Character and Amenity
- Highways
- Trees
- Other considerations

Principle of development:

The site lies within the village boundary of Brancaster, where the principle of development is acceptable. It also lies within an area designated as an Area of Outstanding Natural Beauty and a conservation area. The character and appearance of the conservation area should be preserved or enhanced through new development.

The National Planning Policy Framework (NPPF) seeks a high standard of design which can contribute positively to making places better for people. Some of the key objectives are for development which accords to the local context and creates or reinforces local distinctiveness that is visually attractive as a result of good architecture and landscaping.

In terms of the KLWNBC Core strategy 2011:

Policy CS12 advises that proposals to protect and enhance the historic environment and landscape character will be encouraged and supported.

In terms of the Site Allocations and Development Management Policies Plan 2016:

Policy DM2 states that development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.

Policy DM15 (environment, design, amenity) states that development must protect and enhance the amenity of the wider environment including its heritage and cultural value and that proposals will be assessed against their impact on neighbouring uses and their occupants. Furthermore, proposals will be assessed against a number of factors including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

Policy DM7 (Residential Annexes) states that any proposal must be held in conjunction with the principal dwelling, is subordinate to the main house and the access, garden and parking are shared.

In terms of the Brancaster Neighbourhood Plan:

Policy 1 (Size of Houses) states that new dwellings should be a maximum of two storeys in height and that the provision of smaller dwellings of up to three bedrooms will be encouraged. It also states that dwellings with five bedrooms or more will be allowed in the case where evidence is provided that this is needed to provide the main residence of a household with long standing residency in the Parish.

Policy 2 (Design, Style and Dwellings) states that any new dwelling in the area should be carefully designed to blend in with adjacent properties to maintain the character of the village. The use of traditional materials is to be encouraged.

Policy 5 (Replacement Dwellings) states that replacement dwellings should occupy no more than 50% of their plots.

Form and Character and Amenity:

The site lies in the coastal settlement of Brancaster on a narrow road adjacent to the A149. It is inside the development boundary as detailed in the Site Allocations and Development Management Policies Plan 2016. The surrounding area comprises a mix of dwelling types and features, most notably is the adjacent Almshouses, which are important unlisted buildings in the conservation area located to the east of the site.

The proposed replacement dwelling is distinctively different in character from the adjacent C20th century dwellings and is more akin to modern styles of architecture. The design incorporates a mono pitched style roof as opposed to a traditional pitched form and blends flint and brick with timber cladding. The proposal breaks up its massing by the garage and annex accommodation to the eastern side of the dwelling.

The site forms the setting of an Area of Outstanding Natural Beauty and a conservation area. The conservation officer has expressed no principal objections subject to materials and detailing. While the overall design of the proposal is distinct when compared with many of the neighbouring properties, the use of brick and flint reflects the local context and provides balance with the contemporary form and massing. Such criteria can be given weight in the context of the Brancaster Neighbourhood Plan which advises the use of local materials. In addition this plan advises a two storey design with a plot coverage no more than 50% in which the proposal would comply with. The main dwelling proposes four bedrooms, one more than what is generally preferred but would not be a significant increase when viewed relative to the previous approval. However the proposed annex would also provide modest, studio style accommodation that would be detached from the dwelling and whilst it could be argued that this provides the five bedrooms that the Neighbourhood Plan policy 1 seeks to discourage, officers are of the view that as it would not increase the size of the main dwelling it would not contravene the aims of this policy, and on balance is acceptable.

Policy DM15 states that proposals will be assessed against their impact on neighbouring uses and their occupants including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of poor design.

A number of comments were received with respect to the impact to neighbour amenity. While the proposal would be greater in scale than the existing bungalow, the distance retained and generous plot size would lead to a view it would not be overbearing on neighbouring dwellings. The principal windows would be concentrated to the north and south elevations in which it is considered there would be no harmful impact in terms of overlooking neighbouring properties. There would be a distance of 9.9m to the southern boundary while the proposal features Juliet balconies that would respect the privacy of the neighbour on this side.

Highway Issues:

NCC Highways expressed no objections subject to conditions. It was advised that the proposed annex should not be occupied as a separate dwelling due to the increased intensification and traffic generation. A condition has been added to ensure this.

Trees:

The arboricultural officer has raised no objections.

Other Considerations:

The proposal is not considered to be harmful to the Norfolk Coast Area of Outstanding Natural Beauty.

CONCLUSION:

The proposed dwelling would replace a 20th century bungalow and comprise a detached dwelling with garage and annex accommodation to the side and rear. This application seeks to revise the design from a previous two storey dwelling that was granted planning permission in April 2016.

The principal issue rests on whether the proposed design approach would be acceptable in the context of the location. Such a design would be distinctive from that generally found in the surrounding area and to that which was approved in the previous submission. The modern design however must be viewed in relation to the site specifics which are a relatively secluded location on a secondary road that is well screened by trees and vegetation. In addition, while the proposed mono pitch roof would contrast with the traditional form of the period dwellings observed, the use of materials would respect the local vernacular and broadly comply with the Brancaster Neighbourhood Plan. Also, the scale and massing is thought to be acceptable and actually lesser than the more traditional form of design that was previously approved.

In terms of neighbour amenity, the proposed site layout does give a good level of separation with neighbouring dwellings. The proximity of the neighbour to the rear boundary has been observed but the proposed dwelling is not considered to impact upon the amenity of this property. The proposal is not considered to impact either the neighbouring Almshouses to the east or neighbour to the west.

The proposal would accord with policies DM1, DM2 and DM15 of the Development Management Policies Plan 2016, The Brancaster Parish Neighbourhood Plan 2015-2026 and the provisions of the National Planning Policy Framework 2012 and is sustainable development. It is therefore recommended for approval.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plan:
Proposed plans & elevations drawing no 3156-01G, proposed block plan drawing no 3156-04B, proposed landscaping plan drawing no 3156-05B
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

- 3 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.
- 3 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.

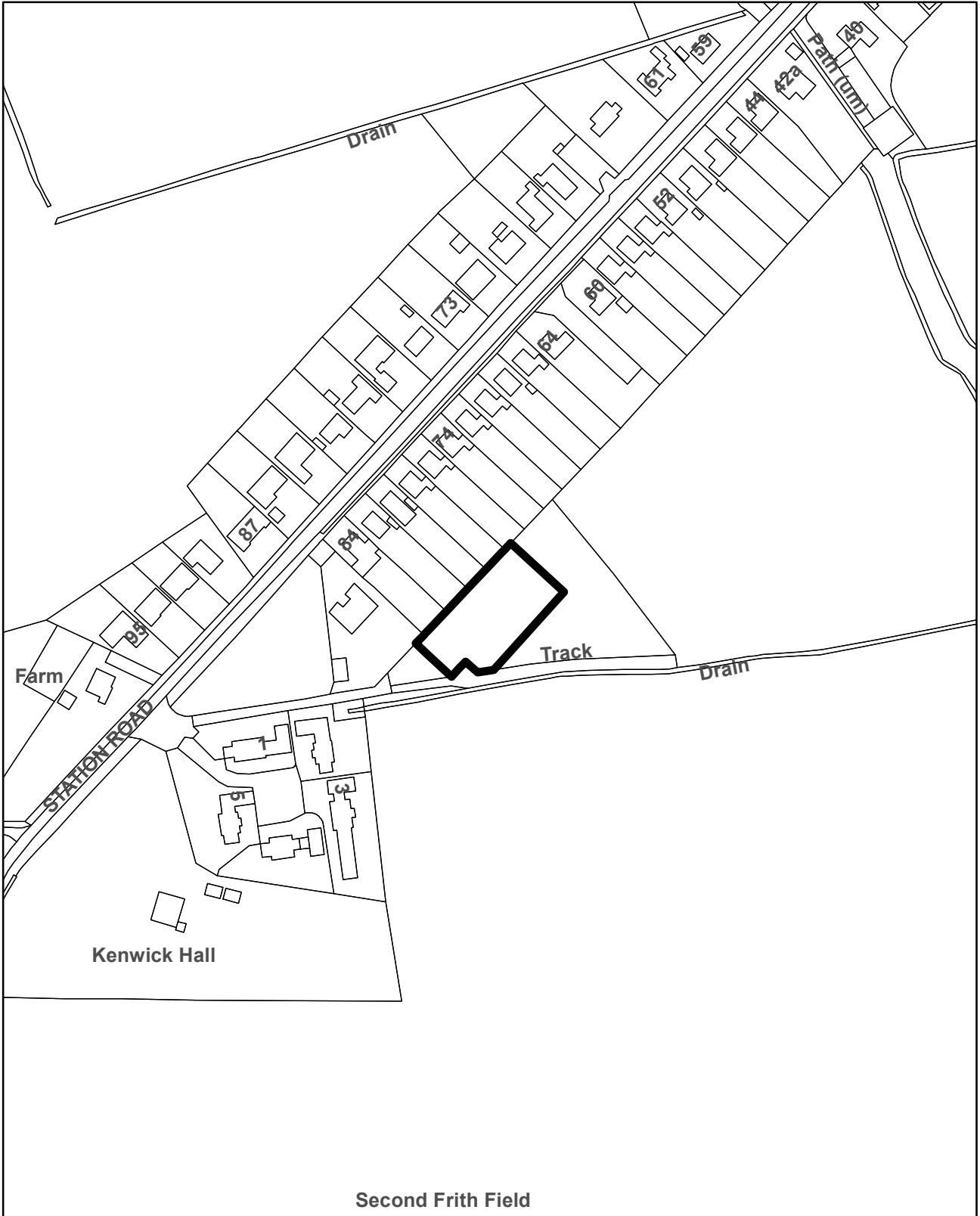
This also needs to be a pre-commencement condition given the fundamental details linked to asbestos containing materials which need to be planned for at the earliest stage in the development.

- 4 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.
- 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.
- 5 Condition The annex hereby approved shall be incidental to the use of the main dwelling and shall not be occupied at any time as a separate and un-associated unit of accommodation.
- 5 Reason In the interests of highway safety and to define the terms of the consent.
- 6 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.
- 6 Reason In the interests of highway safety.
- 7 Condition Prior to the first occupation of the development 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.
- 7 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 8 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 building(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.

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

17/00244/F

Kenwick Lodge 86 Station Road Clenchwarton



AGENDA ITEM NO: 8/2(c)

Parish:	Clenchwarton	
Proposal:	Retention of stables and hardstanding and construction of sand ménage	
Location:	Kenwick Lodge 86 Station Road Clenchwarton Norfolk	
Applicant:	Miss Jody Taylor	
Case No:	17/00244/F (Full Application)	
Case Officer:	Mr Bryan Meredith	Date for Determination: 21 April 2017 Extension of Time Expiry Date: 11 May 2017

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

Case Summary

The application seeks the retention of the existing stables and construction of a sand ménage on the application site, located to the south-east of number 26 Station Road. The parcel of land is classified as a mix of Grade 1 and 2 agricultural land.

The application site is located to the west of the settlement of Clenchwarton, and is classified as Countryside in Policy CS02- Settlement Hierarchy of the Core Strategy (2011).

The site comprises of a rectangular plot that has existing stables and hardstanding located to the west of the application site. Vehicular access to the site is provided by the existing laneway which leads onto Station Road.

Key Issues

Principle of development
Impact upon the appearance and character of the countryside
Neighbour Amenity
Access
Flood risk
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks the retention of the existing stables and construction of a sand ménage on the application site, located to the south-east of number 26 Station Road. The parcel of land is classified as a mix of Grade 1 and 2 agricultural land.

The application site is located to the west of the settlement of Clenchwarton, and is classified as Countryside in Policy CS02- Settlement Hierarchy of the Core Strategy (2011).

The site comprises of a rectangular plot that has existing stables and hardstanding located to the west of the application site. Timber boarded fencing surrounds the stables. The proposed ménage will be lined with 15x10cm treated timber posts, 6 metres apart, connected by 3 rows of rails. The proposed ménage will measure 25m by 45m. The proposed lighting will be located on the northern boundary of the ménage and lighting will be directed southwards towards the site, away from neighbouring residential units.

SUPPORTING CASE

The application is not supported by a Planning Statement but key points set out in the application are set out below:

- The sand ménage will be lined with 15x10cm timber posts, 6m apart connected by three rows of rails. The corner posts and gate posts will be thicker at 20x20cm for stability. The wood will be treated with creosote.
- Three floodlights are to be mounted on street lamp posts to light up the sand ménage whilst exercising in the evening.
- Access to the site is proposed through the laneway north of the properties at Kenwick Hall Gardens
- Horse manure and stable bedding to be spread on a nearby field, and harrowed into the ground.
- Approximately four inches of topsoil will be removed from the 25x45m area of the sand ménage.
- Herringbone shaped trenches will be dug in and laid with 100mm
- drains, which will run out to the nearest dyke (to the south).
- The trenches would then be filled with cleaned pea shingle and covered with geotextile membrane.
- The drainage bed will then be lined with one inch retaining board, to stop the materials leaking out into the paddock.
- On top of the membrane (the drainage bed) will be 40mm cleaned stone, approximately 100mm thick. This will be rolled to ensure it is compact.
- Another layer of geotextile membrane will be added. On top of the second membrane will be approximately 100mm of clean, washed silica sand. There will then be a working surface added which is to be either one of
- a sand fibre, or chopped carpet.

PLANNING HISTORY

08/01123/DISC_A: Discharge of Condition final letter: 30/03/10 - Discharge of Conditions 3, 4 and 5: Construction of a single detached dwelling with detached garage - Land South Of 84, Station Road, Clenchwarton, Norfolk;

08/01123/NMA_1: Application Permitted: 17/12/09 - Non-Material Amendment to Planning Consent 08/01123/F: - Land South Of 84 Station Road, Clenchwarton, King's Lynn, Norfolk, PE34 4DG;

08/01123/F: Application Permitted: 30/07/08 - Construction of a single detached dwelling - Land South Of 84 Station Road, Clenchwarton, King's Lynn, Norfolk, PE34 4DG;

RESPONSE TO CONSULTATION

Parish Council: OBJECT In light of concerns raised by several neighbours regarding the close proximity to residential properties, possible noise and lighting issues Clenchwarton Parish Council wish to withdraw their support for this application.

Highways Authority: NO OBJECTION On the basis that the proposed development is for personal stabling and exercising area for the occupants of Kenwick Lodge and not for commercial purposes/livery yard, I am able to comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to resist the grant of consent, however, I would seek to append a condition to any consent notice issued.

Internal Drainage Board: NO OBJECTION King's Lynn IDB has commented that the site is within the Board's District and the Board's Byelaws therefore apply.

Environment Agency: NO OBJECTION We have reviewed the submitted Flood Risk Assessment (FRA) and find that the details provided do not adequately assess the flood risk posed to the proposed development. However, we do not require any flood mitigation measures to be integrated to the design of this development and consider safe access and egress from the site to be the major cause for concern. As it is not for us to object to planning application on the basis of access and egress, we have no objection to the proposed development. This site is located in an area of Flood Zone 3 and an area benefitting from defences of our Flood Map for Planning. This area is also covered by our River Ouse Tidal Hazard Mapping, indicating that the site is at risk of flooding from a breach to the River Ouse tidal defences in a 1 in 200 year event, with an allowance for climate change. The mapping indicates that such an event would produce flood depths reaching up to 1.5 metres, thereby posing a risk to the development and its occupants.

Public Rights of Way Officer: NO OBJECTION The access to the site is concurrent with Public footpath No1 Tilney All Saints (although now in Clenchwarton Parish by virtue of a historic boundary change) but is unaffected by the proposal. The applicants will be responsible for maintaining the access in a suitable condition and promptly repairing any damage to the access route by vehicular use.

I have no objection to the proposal

CSNN Officer NO OBJECTION

REPRESENTATIONS

FIVE letters of **OBJECTION** were received raising the following concerns:

- Extra Traffic causing hazards onto Station Road
- Invasion of privacy on neighbouring rear gardens/ private amenity space
- Floodlights will be a nuisance
- Flood risk
- Possibility of a livery year round or a riding school being in place
- Fumes and smells from waste

ONE letter of **SUPPORT** was received stating:

- The proposal is for the sole use of the resident of 86 Station Road to ride their two horses in a safe surrounding for pleasure only.
- The proposal will not be used as a livery yard.

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

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

The application raises the following issues:

- Principle of development
- Impact upon the appearance and character of the countryside
- Neighbour Amenity
- Access
- Flood risk
- Other material considerations

Principle of development

The application site lies within an area designated as ‘countryside’ as specified within the SADMPD, to the west of Clenchwarton. This proposal is for retention of the existing stables and hardstanding on the site and to construct a sand ménage. Despite the site lying in the countryside where policies are restrictive equine related development is considered acceptable.

The scale and location of the development is considered to be sustainable, and in principle accords with Policy DM1 and DM15 of the SADMP.

Impact upon the appearance and character of the countryside

The application site is a parcel of land amongst a larger area of agricultural land to the south-east of the dwellings along Station Road. As a result, there is a rural feel to the locality. The north-western boundary of the site is currently well screened from the neighbouring dwellings private amenity space by established hedges, fences and some trees, but exposed to the south. Overall the impact of the proposal on the character of the countryside is minimal and is in keeping with similar type of developments across the borough.

Neighbour Amenity

The site plan identifies that proposed ménage can be satisfactorily accommodated on site without causing detrimental neighbour amenity issues. There is adequate distance between the existing stable and proposed ménage and any neighbouring property to the north-west.

There are no concerns regarding overbearing or overshadowing as the proposal is a single storey building. The neighbouring dwellings to the north-west of the ménage will experience minimal issues of overlooking into their private amenity space as there are boundary treatments existing which screen those properties from the area where the proposed ménage is to be located. The lighting proposed is located on the north-western boundary of the ménage only, facing southwards away from neighbouring properties, minimalising the lighting to neighbouring gardens.

Regarding the issue of waste and odour on the site the applicant has confirmed that the waste produced will be spread on the 6.5 acre field adjacent to the application site, approximately 50 metres away from the boundary which links to the neighbouring houses. The adjacent land will be harrowed regularly and the waste will be spread into this land. By spreading the waste so thinly across the land, and being so far away from the neighbouring housing the odour experienced by neighbouring properties will be minimalised. A CSNN Officer was consulted with the proposed waste management scheme and raised no objections and also raised no objection to the proposed lighting scheme.

Access

The site has an existing access route to the stables and adjacent land from the lane which leads from the application site to the west, joining Station Road north of the Kenwick Hall Gardens units. The Highway Officer has commented that as this proposal does not affect the current traffic patterns or the free flow of traffic, the Highway Authority does not wish to resist the grant of permission.

Flood risk

The site is located on land designated as Flood Zone 3 and Hazard Zone of the Council's adopted Strategic Flood Risk Assessment. The Environment Agency has commented that the details provided do not adequately assess the flood risk posed to the proposed development but they do not require any flood mitigation measures to be integrated to the design of this development. Furthermore this site benefits from the defences on their Flood Map for Planning.

Other material considerations

Third party representations received have raised concerns with the proposal regarding the negative impact of lighting, waste, invasion of privacy resulting from the proposal.

Concerns were also raised regarding highway safety, additional traffic and a possible placement of a livery in this location. These issues have been dealt with above in the commentary on the merits of the application.

CONCLUSION

For the reasons outlined in this report it is considered that the proposed development accords with the overarching aims of national and local policy and would not have a material detrimental impact on the amenity of the locality. The proposal is therefore acceptable in principle with Policies CS06 and CS08 of the Core Strategy and Policies DM1 and DM15 of the Site Allocations. It is therefore recommended that this application be approved subject to the following conditions.

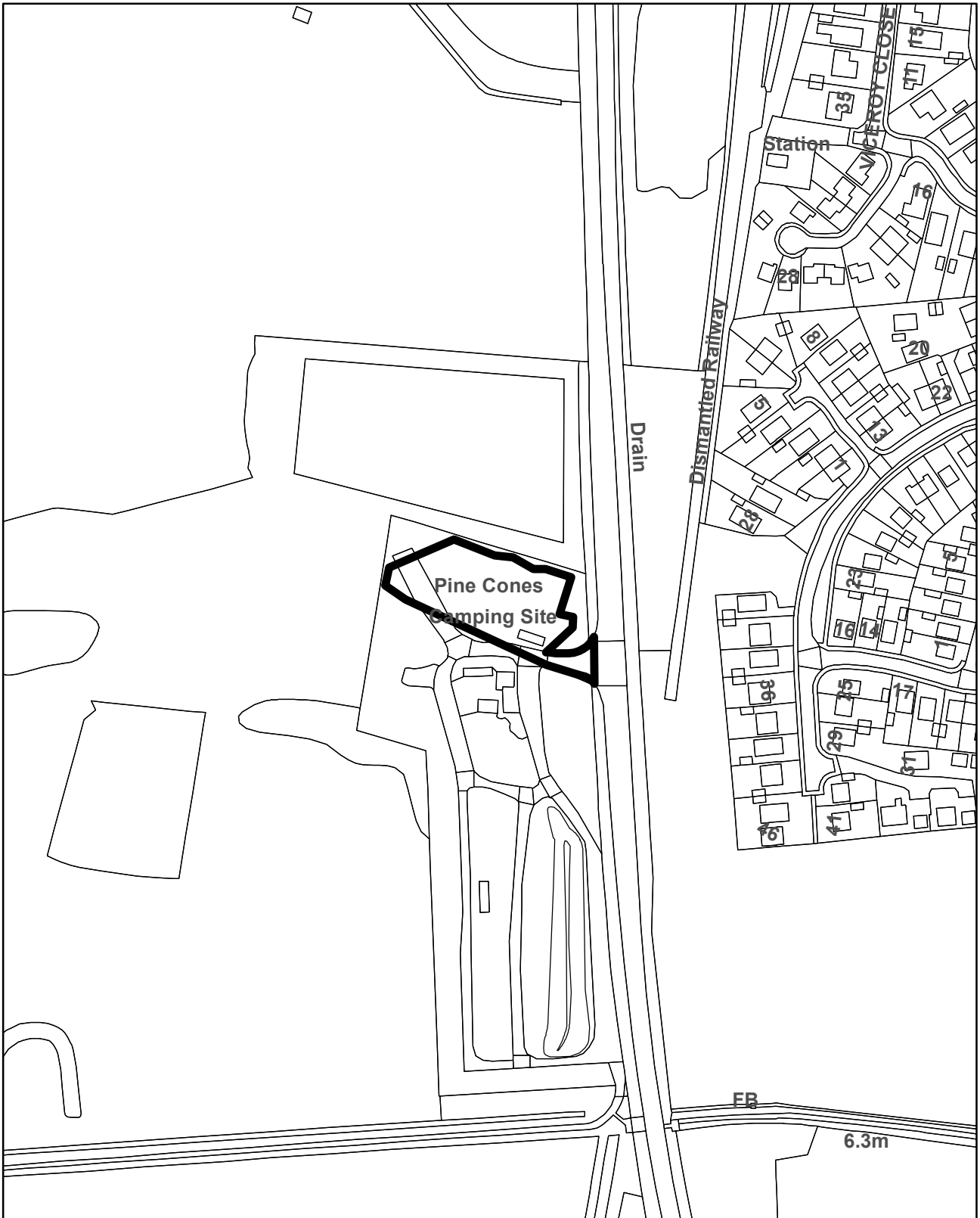
RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans titled:
 - Site Location Plan and Block Plan, drawing number 1056.001,
 - Proposed Ménage Plan and Details, drawing number 1056.002,
 - Existing Stables, Plan and Elevations, drawing number 1056.003.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No external lighting shall be installed other than in accordance with the lighting plan on plan number 1056.002 and described on the email received, date 12/04/17, which sets the height of the lighting posts at 6 metres, which will be retained as approved thereafter.
- 3 Reason In the interests of highway safety and the amenity of residents.
- 4 Condition The use of the stables and sand ménage hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of 86 Station Road and shall at no time be used for business/ commercial purposes or livery yard.
- 4 Reason In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.

16/01224/F

Pine Cones Caravan and Camping Dersingham Bypass
Dersingham



AGENDA ITEM NO: 8/2(d)

Parish:	Dersingham	
Proposal:	Replacement of 3 touring caravan pitches and 7 tent pitches with 10 static caravans	
Location:	Pine Cones Caravan And Camping Dersingham Bypass Dersingham Norfolk	
Applicant:	C/o Agent	
Case No:	16/01224/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 3 January 2017

Reason for Referral to Planning Committee – The views of Dersingham Parish Council is contrary to the Officer recommendation and called in by Councillor Bubb.

Case Summary

The application is made for full planning permission for the replacement of 3 touring caravan pitches and 7 tent pitches with 10 log cabin type permanent static caravans on land at Pinecones Caravan and Camping, west of the A149 Dersingham.

The site is the former rest stop and picnic area adjacent to the A149. In 2014 planning permission was granted for a change of use to a camping and caravan site (amended in 2015) and the site is currently operating as a touring camping and caravan park.

The main road (A149) runs to the east of the site but otherwise the site is surrounded on three sides by fields.

The application site is located within the countryside and is close to, but not within, the AONB.

Key Issues

Principle of development
Planning history
Character and appearance and impact upon AONB;
Impact upon residential amenity;
Tourism and local economy;
Highway issues;
Ecology; and
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application is made for the replacement of 3 touring caravan pitches and 7 tent pitches, with 10 static caravans within the existing Pine Cones caravan and camping operation off Dersingham bypass.

The application site was formerly a roadside rest and picnic area to the west of the A149 Dersingham Bypass.

In 2014 planning permission was granted for a change of use of the site to a touring caravan and camping site with ancillary buildings.

The site is currently in operation as a camping and caravan site.

SUPPORTING CASE

The application is supported by existing and proposed plans and a Flood Risk Assessment, Tree Survey, Arboricultural Impact Assessment, Visual Impact Assessment.

PLANNING HISTORY

14/00508/FM - Change of use from redundant picnic area to touring caravan and camping site with associated disabled camping pods, site shop, toilet and amenities block and wardens lodge - Application Permitted

14/01816/F - Variation of conditions 2 and 3 of planning permission 14/00508/FM: Change of use from redundant picnic area to touring caravan and camping site with associated disabled camping pods, site shop, toilet and amenities block and wardens lodge - Application Permitted

RESPONSE TO CONSULTATION

Parish Council: Dersingham Parish Council recommend refusal, concerns in relation to site becoming a permanent residential site and possible transport impacts.

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

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

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

Natural England: Overall **NO OBJECTION**

Natural England's comments in relation to this application are provided in the following sections:

Statutory nature conservation sites - no objection

Natural England has assessed this application using the Impact Risk Zones data (IRZs). Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Dersingham Bog RAMSAR has been classified. Natural England therefore advises

that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Dersingham Bog SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Protected landscapes:

The proposed development is for a site within or close to a nationally designated landscape namely Norfolk Coast AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Protected species:

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

REPRESENTATIONS

No third party comments or objections received.

NATIONAL GUIDANCE

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

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

CS10 - The Economy

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM11 – Touring and Permanent Holiday Sites

DM1 – Presumption in Favour of Sustainable Development

PLANNING CONSIDERATIONS

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

- Principle of development
- Planning history
- Character and appearance and impact upon AONB;
- Impact upon residential amenity;
- Tourism and local economy;
- Highway issues;
- Ecology; and
- Other material considerations

Principle of development:

The site already functions as a touring caravan & camping site with associated disabled camping pods, site shop, toilet and amenities block and out of hours reception building. The site is already in use for tourism in the countryside.

Policy DM 11 supports the provision of holiday accommodation with in the rural areas away from the environmental protection areas (AONB) on the coast.

The site lies outside of the AONB although is visible from it and therefore in principle is acceptable for permanent holiday accommodation as set out in DM11 subject to compliance with the visual and environmental criteria.

Reference is made to the planning history of the site below which explains the current position in planning terms.

Planning history:

The former rest stop was granted permission for a change of use to a camping and caravan site in 2014 (see history above) Subsequently a further application was made under section 73 to vary conditions 2 and 3 in relation to approved plans and the use and occupation of the 'staff facility'. This alteration was approved January 2015.

The effect of the permission in place is to enable up to 52 touring caravans and 7 tents to be stationed on site at any one time as controlled though condition 16. And that no caravan or tent shall be on site for a period exceeding 28 days or affixed to a hardstanding (C17).

Character and appearance and impact upon AONB;

Policy DM11 refers to the need for proposals for touring and permanent sites to demonstrate a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environmental qualities of the surrounding landscape and surroundings.

The current application seeks to replace 3 touring caravan pitches and the 7 tent pitches on the existing site with 10 static caravans.

The static caravans will be 'log cabin' style and will be clad in stained timber in order to help blend into the landscape and minimise visual impact from the main road and the AONB to the south west.

The applicant contends that notwithstanding the fact that the cabins will be on site all year their visual impact will be much reduced against the impact of predominantly white touring caravans and colourful tents.

The applicant has submitted additional visual impact appraisal information in the form of a photo montage and it is considered that this supports his contention.

It is considered the proposal accords with the provisions of Policy DM11 in this regard and there will be no visual harm to the wider landscape or the AONB.

Impact upon residential amenity;

The site is separated from any residential properties in Dersingham to the east by the A149 main coast road and significant planting. The proposal should not lead to significant new issues with regard to increased noise and disturbance to the occupants of the nearest properties.

Tourism and local economy;

The National Planning Policy Framework (NPPF) seeks to support a prosperous rural economy. Paragraph 28 states inter alia:

"Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- promote the development and diversification of agricultural and other
- land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit
- businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres...”

Policy CS10 states that opportunities to improve and enhance visitor economy will be promoted. Smaller tourism opportunities will be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to the valuable natural environment.

The policy also states that the Council will permit the development of new tourism accommodation in rural areas provided it is located in or adjacent to villages and towns, it is of a high standard of design, will not be detrimental to the landscape and mechanisms will be in place to permanently retain the tourism related use.

Policy DM11 allows new touring holiday caravan sites outside the AONB subject to meeting a number of criteria. It is considered that the proposal satisfies these and is compliant with DM11.

The proposal would allow for a mix of visitor accommodation appropriate to this area which would add to the tourist facilities of the Borough. The layout shows the retention of significant areas of planting so that the impact upon the landscape in visual amenity terms is limited and the impact on the surrounding landscape has been considered above not to result in significant harm.

The proposal accords with the general provisions of the NPPF and Policies CS10 and DM11.

Highway issues;

It is not considered that the proposal will materially alter traffic generation or highway safety from the site as it is essentially swapping one form of holiday accommodation (tents or touring vans) for another. It is noted that NCC highways do not object.

Ecology:

The site lies approximately 440m north of the closest point of Dersingham Bog SSSI. Dersingham Bog is an area of mire, heath and woodland and is important for its bog mosses, uncommon plants, and its rich variety of insects. One hundred and forty eight species of bird have been recorded at Dersingham Bog NNR. Of these, at least 56 species regularly breed on the site.

Dersingham Bog NNR supports nationally important numbers of breeding Nightjar and other notable breeding populations/species include woodlark, grasshopper warbler, tree pipit and stonechat.

In terms of ecology the alterations to the site resulting from the proposed development will be limited, amounting to additional hard surfacing and underground services. The site already has a restriction of no dogs given the concerns of Natural England regarding the

proximity of the site to Dersingham Bog, a SSSI, a SAC, A Ramsar site and a NNR. Preventing dogs from being allowed on the site helps to reduce the effects of disturbance to breeding birds on Dersingham Bog.

Whilst the caravan site is not within the SSSI, it is only 440m away. Visitors to the site will likely utilise the adjoining bridleway and rights of way which run close to the site and therefore visits to Dersingham Bog will likely increase. Although dog walkers can already access Dersingham Bog along these same footpaths, the proposed use is seen by Natural England to unnecessarily exacerbate the potential harm to the protected site, unless conditioned by allowing no dogs on site. That said, the area of the site in question can already accommodate 10 touring caravans and tents', with the commensurate number of people associated with them.

The local planning authority has a duty to consider matters of nature conservation and conserving biodiversity. Further, Paragraph 118 of the NPPF requires that local planning authorities should refuse planning permission if significant harm from development cannot be avoided, adequately mitigated or compensated for and local policy CS12 seeks to protect and enhance the landscape character, biodiversity and geodiversity of the borough.

In this case it is considered that by imposing this 'no dog' policy, this adequately mitigates the impact upon the nearby nature conservation site and for this reason the development can be supported.

Given this proposal is seeking to replace one type of tourist accommodation with another within the existing site, there are no protected species directly affected by this proposal.

Conditionally therefore it is considered that the development complies with the NPPF and Policy CS12 of the Core Strategy.

Trees:

The applicant has been requested to update the original arboricultural impact report as the proposal has the potential to increase the impact on trees through creation or hard standings and installation of underground services. This report has been received and assessed by the tree officer, who raises no objection.

Other material considerations:

The application has been supported by a Flood Risk Assessment. The flood map shows that the site is outside flood zones 2 & 3.

The District Emergency Planning Officer recommends that the applicant should sign up to the Environment Agency Floodline Warnings Direct (FWD) Service and that a flood evacuation plan should be prepared. This can be added as an informative to any planning permission granted.

CONCLUSION

In summary, the principle of a part of the existing touring caravan site being used for static caravans generally accords with the provisions of planning policy at a national and local level. The site is well planted and much of this will be retained. The development can be created without harm to the landscape character of the area in general and without significant impact on the adjoining AONB.

The continued use of this site for static units is supported as it offers an alternative form of accommodation which generally complies with planning policy regarding tourism in the Borough.

The proximity of the site to Dersingham Bog results in no direct harm in nature conservation terms but the continuation of the mitigation measures to restrict the use of the site to 'no dogs' is recognised in this case as a necessary condition to enable the development to proceed.

Conditionally the proposal is acceptable in terms of highway safety and landscaping.

The proposal raises no flood risk issues or neighbour amenity issues.

Accordingly, it is considered that the development proposal accords with the provisions of national and local planning policy and for this reason it can be supported subject to the following conditions.

RECOMMENDATION:

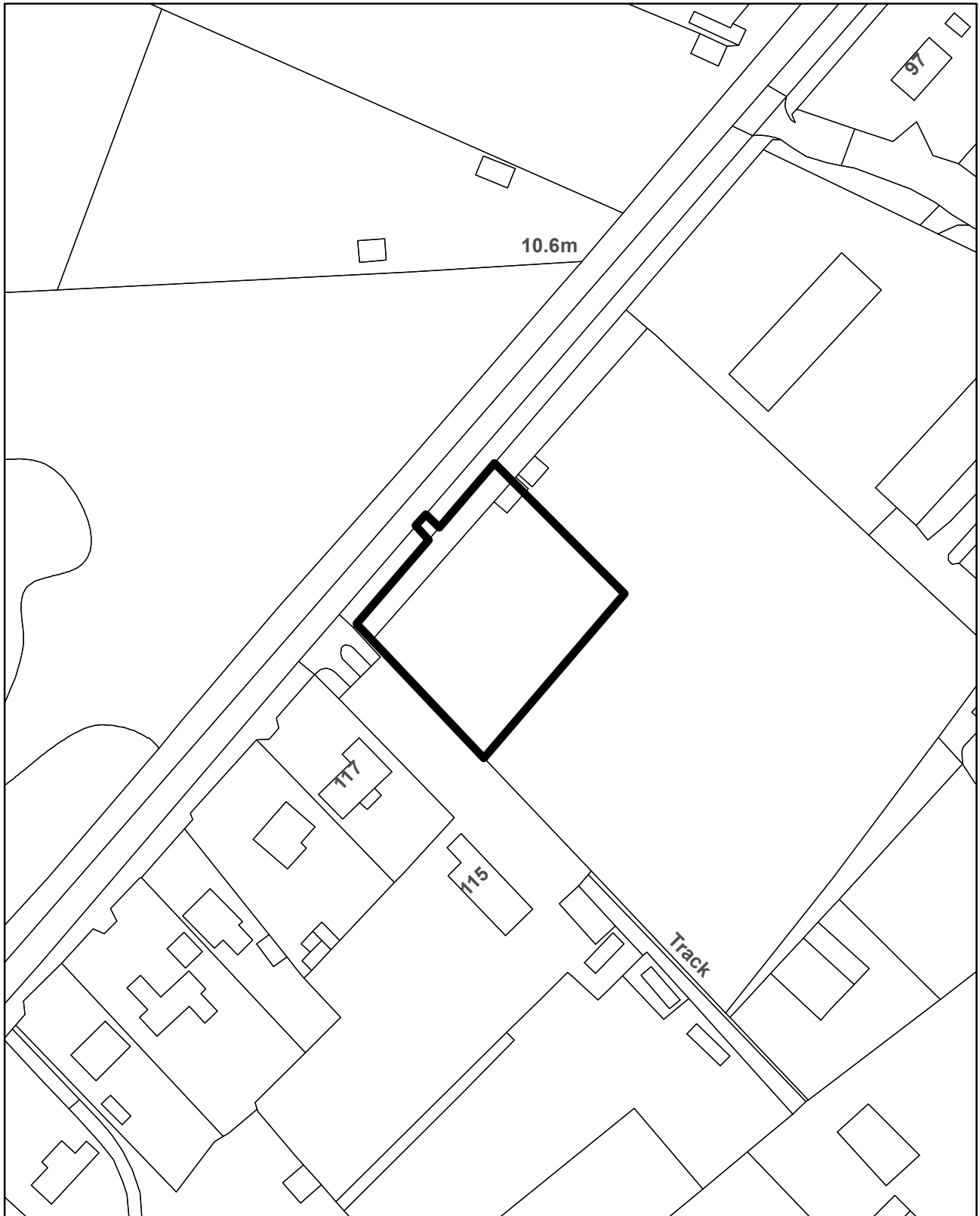
APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby approved shall be carried out in accordance with the following approved plans:-
 - Site Location Plan HAL16-06-01A dated June 2016;
 - Proposed Site Plan HAL16-06-03A dated June 2016;
 - Proposed Static Caravan Plans and Elevations HAL16-06-030A dated June 2016.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the commencement of the use hereby permitted the proposed on-site car parking, turning and 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.
- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition Prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 4 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 5 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.
- 5 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 6 Condition All underground services and works undertaken in relation to the proposal shall be carried out in accordance with the conclusions and recommendations of the Arboricultural Impact Assessment by Ravencroft Arboricultural Services dated 28.03.2017.
- 6 Reason To ensure the protection and retention of existing trees that make an important contribution to the character of the area in accordance with policy CS08, policy DM15 of the SADMP and the NPPF.
- 7 Condition Users of the development hereby approved shall at no time be allowed to bring dogs with them on to the site.
- 7 Reason In order to minimise the impact of the development upon the protected species and habitats on the nearby designated nature conservation sites and in particular Roydon Common and Dersingham Bog, in accordance with policy CS08 and the NPPF
- 8 Condition The development hereby permitted shall only be used as holiday accommodation and shall not be used as a permanent residence at any time.
- 8 Reason The site lies within in an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.
- 9 Condition The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site and their main home addresses and shall make this information available at all reasonable times to the local planning authority.
- 9 Reason To ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation.
- 10 Condition At no time shall the number of static caravans stationed on the site exceed 10.
- 10 Reason For the avoidance of doubt and to safeguard the visual amenity of the site in accordance with the NPPF.

17/00257/F

Land immediately North of 105 and West of
101 Leziate Drove Pott Row Grimston



AGENDA ITEM NO: 8/2(e)

Parish:	Grimston	
Proposal:	Proposed dwelling and garage	
Location:	Land Immediately N of 105 And W of 101 Leziate Drove Pott Row Norfolk	
Applicant:	Mr B Sandle	
Case No:	17/00257/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 11 April 2017

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

Case Summary

The application site relates to an area of land north of 105 and west of 101 Leziate Drove, Pott Row, Norfolk.

The proposal is to construct a two storey dwellinghouse and adjacent garage to the north. The site lies outside the settlement boundary for Pott Row in which new development is normally restricted as per policy DM2 of the Development Management Policies Plan 2016. There are however other material considerations in this case given the outline consent on this site for two new dwellings which were granted in June 2016.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011 and the Site Allocations and Development Management Policies Plan 2016 are relevant to this application.

Key Issues

Principle of Development
Form and Character and amenity
Neighbour Amenity
Highways
Affordable Housing
Other considerations

Recommendation

APPROVE

THE APPLICATION

The proposal relates to an area of land in use as a paddock to the east of Leziate Drove and designated as countryside by virtue of being outside the development boundary for Pott Row.

An application for outline planning permission was approved in June 2016 for two dwellings. At this time the council did not have a 5 year housing land supply and as such the policies in the local plan were not up to date and the application was assessed in line with the presumption in favour of sustainable development outlined in the NPPF.

This application proposes one, two storey dwelling with detached triple garage. It would be set back from the highway and comprise a spacious parking and garden area.

SUPPORTING CASE

Pott Row along with Gayton and Grimston are designated a joint Key Rural Service Centre in the settlement hierarchy of the Core Strategy. The proposal is to construct a two storey, detached dwellinghouse with garage.

From a design and character perspective, the proposal would feature a mix of both traditional and contemporary elements but would incorporate traditional materials that reflect the surrounding area. It would occupy a large plot with the proposed dwelling set back from the highway to lessen the impact in terms of the streetscene.

In response to the Parish Council objections:

Development Boundary: A previous application for outline permission for two dwellings was approved by the planning committee last year. This would be a material consideration in any subsequent applications received for the site.

Form and Character: The proposed dwelling would occupy a spacious plot and set back from the main road leading to a view it would not be dominant and harmful to the surrounding area.

Conclusion: The proposed dwelling would not be harmful to the character of the surrounding area.

PLANNING HISTORY

16/00213/O Outline Application: Proposed new dwellings application permitted

15/02084/O Proposed new dwelling and garage application permitted

15/02085/O Proposed new dwelling and garage application permitted

RESPONSE TO CONSULTATION

Parish Council: OBJECTION:

- Outside the development boundary
- Dominant form of development

Highways Authority: NO OBJECTION subject to conditions

REPRESENTATIONS

There was **ONE** letter of **OBJECTION** from a neighbouring property concerning:

- Dominant form of development
- Impact to biodiversity/SSSI
- Lighting levels
- Out of character with surrounding area

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

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

- Principle of Development
- Form and Character and Amenity
- Highways
- Affordable Housing
- Other considerations

Principle of development

The site lies outside the defined settlement boundary for Pott Row in which new development is generally resisted unless there are special circumstances. The site has outline consent for two new dwellings which is a consideration that has been given significant weight with the principle of development therefore being accepted in this case.

The National Planning Policy Framework (NPPF) seeks a high standard of design which can contribute positively to making places better for people.

Some of the key objectives are for development which accords to the local context and creates or reinforces local distinctiveness that is visually attractive as a result of good architecture and landscaping.

In terms of the KLWNBC Core strategy 2011:

Policy CS08 advises that good design is a key element of sustainable development.

In terms of the Site Allocations and Development Management Policies Plan 2016:

Policy DM1 supports the NPPF and states that when considering development proposals the council will take a positive approach that reflects 'the presumption in favour of sustainable development' contained in the NPPF.

Policy DM2 states that development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.

Policy DM15 (environment, design, amenity) states that development must protect and enhance the amenity of the wider environment including its heritage and cultural value and that proposals will be assessed against their impact on neighbouring uses and their occupants. Furthermore, proposals will be assessed against a number of factors including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

Form and Character and Amenity

The site is an undeveloped portion of land situated on Leziate Drove in Pott Row. The surrounding area comprises a mix of dwelling types consisting of a number of 20th century bungalows surrounded by open fields adding to the rural character of the area.

The proposed dwelling blends traditional and modern form and features a distinctive glazed atrium style entrance as part of the North West elevation. The design incorporates a gable roof form with chimney on the south west elevation and comprises red facing brickwork with slate roof tiles. The application also proposes a triple garage with a pitched roof design situated to the north of the site.

The proposal is undoubtedly a very large house on a generous sized plot. While the overall design of the proposal may differ from that of the observed character in the context of neighbouring dwellings, the proposed dwelling is not thought to be harmful to the character of the surrounding area. The positioning in terms of the set back from the road would help to respect the surroundings and not result in an overly dominant frontage when viewed in the streetscene. With regards to the proposed materials, these would give a traditional emphasis and provide balance to the contemporary entrance proposed.

The Parish Council feel the proposal will be an overly dominant form of development. There is no doubt the house will be very visible in the rural locality, particularly the north-east elevation which extends back at two storey level some 10.6m approx. from the main section of the house. Members will need to consider this point, and on balance officers feel that the set back from the road and overall size of the plot, allow this form of development to come forward.

Policy DM15 states that proposals will be assessed against their impact on neighbouring uses and their occupants including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of poor design.

While the proposal would be greater in scale than neighbouring properties, the site characteristics in terms of the spacious plot and separation distance would lead to no concerns from the perspective of neighbour amenity.

Highway Issues

NCC Highways expressed no objections in principle subject to conditions. It was expressed that the rural site location would mean reliance on the private car as a means of transport to access amenities which would conflict with the aims of sustainable development outlined in local and national policy. However this site already benefits from a planning permission granted in 2016.

Affordable Housing

The proposed dwelling would have a Gross Internal Area (GIA) of less than 1000m² and a contribution for affordable housing has therefore not been sought. The application forms part of a larger site and the GIA overall must be below the 1000m² threshold. The applicant's agent has been advised of this.

Other Considerations

The proximity of the proposal to the Site of Special Scientific Interest (SSSI) has been noted but not considered to have an adverse effect in this regard.

CONCLUSION

The proposal is a large, two storey dwelling with detached garage located in Pott Row. The site lies outside the development boundary but the planning history with respect to the outline planning consent has established the principle of development in this case.

While concerns may arise in terms of the scale and proposed design approach, such matters have been taken into account in the assessment with the view being on balance that the proposal would not result in undue harm to the surrounding area so as to warrant a refusal of permission.

The proposal would accord with policies DM1 and DM15 of the Development Management Policies Plan 2016 and the provisions of the National Planning Policy Framework 2012 and is sustainable development. It is therefore recommended for approval.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

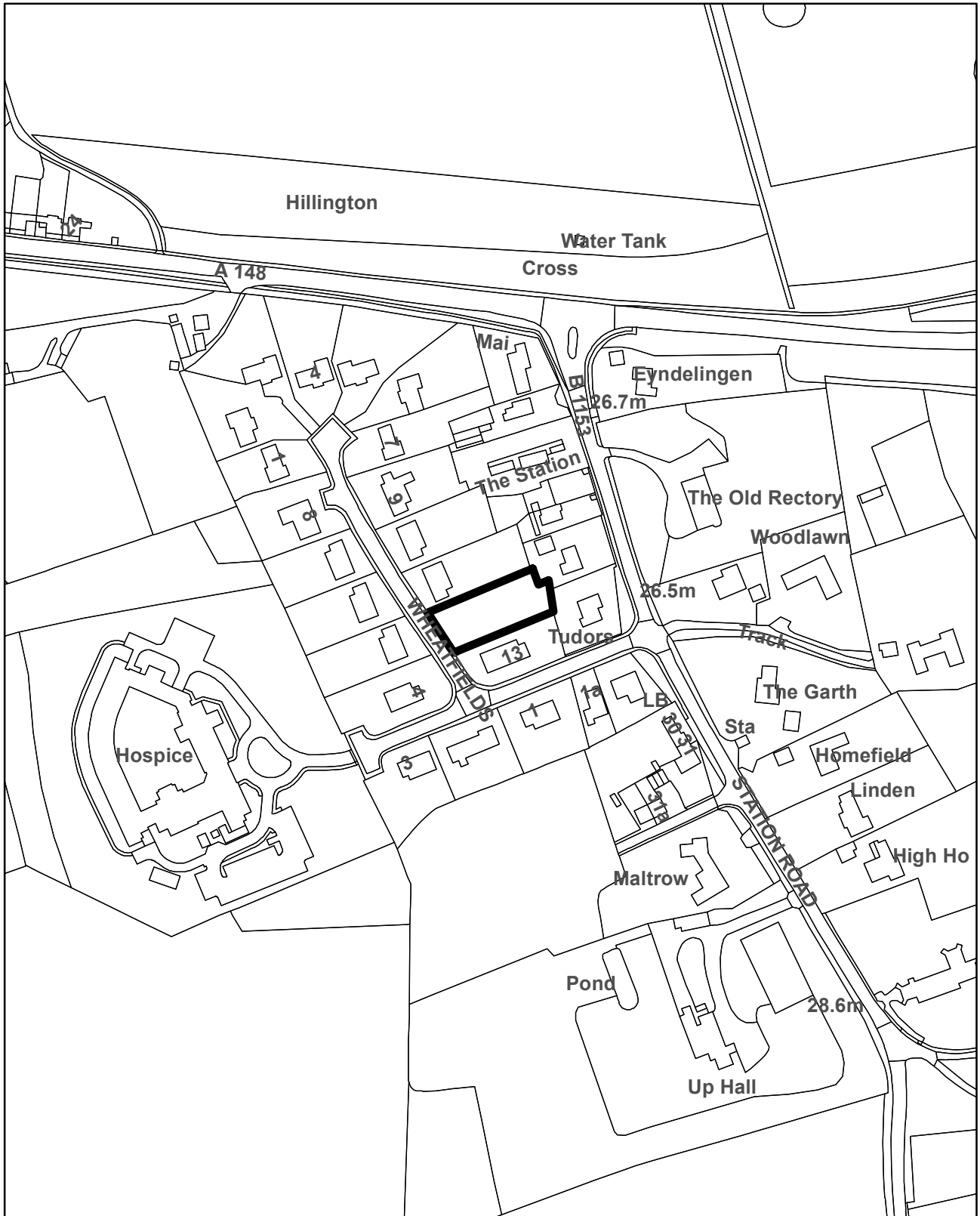
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed elevations drawing no 326-03, proposed floor plan drawing no 326-02 and existing and proposed site plan, location plan and garage drawing no 326-01

- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification (Dwg. No. TRAD5) attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 4 Condition Prior to the first occupation of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway.
- 4 Reason To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened.
- 5 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.
- 5 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 6 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, D and E of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, the erection or construction of a porch outside any external door of a dwelling house, or the provision within the curtilage of the dwelling house of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.
- 6 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.

17/00335/F

12 Wheatfields Hillington King's Lynn



AGENDA ITEM NO: 8/2(f)

Parish:	Hillington	
Proposal:	Conversion of first floor accommodation to form internal annexe to cover both family use and letting (revised design).	
Location:	12 Wheatfields Hillington King's Lynn Norfolk	
Applicant:	Mr W Daw	
Case No:	17/00335/F (Full Application)	
Case Officer:	Mr Philip Mansfield	Date for Determination: 19 April 2017

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

Case Summary

The application site relates to a dwelling on the eastern side of Wheatfields, a small residential estate in Hillington.

The proposal is to convert part of the existing first floor accommodation of 12 Wheatfields, Hillington to annex accommodation for family use and letting.

This application is a re-submission following the refusal of a previous scheme. The applicant has revised the design to incorporate a 1.8m high screen as part of the proposed staircase.

The National Planning Policy Framework 2012, the Kings's Lynn and West Norfolk Core Strategy 2011 and the King's Lynn and West Norfolk Development Management Policies Plan 2016 are relevant to this application.

Key Issues

Planning History
Principle of Development
Form and Character and amenity
Highways
Other considerations

Recommendation**APPROVE**

THE APPLICATION

The site comprises a two-storey, detached dwelling with integral garage and set back from the highway. Vehicular access is from Wheatfields, a cul-de-sac leading off the B1153. There is 2m close boarded fencing along the southern boundary enclosing this portion of the site.

The application seeks to convert part of the existing first floor accommodation to form an annex that would be used by the family and also letting to third parties. There would be no significant external changes to the appearance of the property, apart from an external staircase positioned on the southern elevation to access the first floor accommodation.

The proposal would be held in conjunction with the main dwelling 12 Wheatfields and an internal door would be retained providing a link with the main house. The existing driveway however would not accommodate additional parking leading to increased on-street parking which has been considered by the highways department in the planning considerations section.

This application follows a previous submission for a first floor annex which was refused on the grounds of overlooking and the impact to neighbour amenity arising from the new staircase on the southern elevation. The revised scheme proposes a 1.8m high screen as part of the new access to alleviate the concerns expressed.

SUPPORTING CASE

Hillington is a small, rural village situated on the A148 Kings's Lynn to Cromer road. The main focal point is the historic entrance to Hillington Hall, on the edge of the Sandringham Estate.

The proposal is a part conversion of an existing detached, red brick dwelling to create an internal annex to be used by family and also letting.

From a design and character perspective, there would be no enlargement or changes to materials but would incorporate a separate first floor access by virtue of the staircase.

In response to the Parish Council objections:

Neighbour amenity: It is not considered the proposed staircase would lead to a significant noise increase that would be harmful to neighbouring properties. The proposed screen as part of the staircase is considered to mitigate any harmful impact that would occur in terms of overlooking and loss of privacy. The plans submitted show this would have a height of 1.8m which is thought to be adequate.

Form and Character: Apart from the staircase to the side, there would be no significant alterations to the character of the existing property and therefore the proposal is not considered to be out of keeping with the surrounding area.

Conclusion:

The proposed works would not be harmful to the character of the property or the locality.

PLANNING HISTORY

11/00806/F Extensions and alterations to Dwelling PER - Application Permitted

16/01870/F Conversion of first floor accommodation to form internal annex to cover both family use and letting REF - Application Refused

RESPONSE TO CONSULTATION

Parish Council: OBJECT:

- Overlooking and loss of privacy
- Noise and disturbance
- Out of Character
- Sewerage

Highways Authority: NO OBJECTION

REPRESENTATIONS

There was **ONE** letter of **OBJECTION** from a neighbouring property concerning:

- Noise- increased activity of people visiting the apartment
- Residential Amenity- the staircase will directly overlook the neighbouring dwelling
- Highways- lack of additional car parking provision on site will lead to an increase in on-street parking to the detriment of neighbours
- Over intensification of the residential use
- Out of character with surrounding area

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

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM7 - Residential Annexes

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

- Planning History
- Principle of Development
- Form and Character and Amenity
- Highways
- Other considerations

Planning History:

In January 2017 a similar application was refused for the following reason:

'The proposal, by virtue of the external staircase, represents an undesirable and unneighbourly form of development, harmful to the amenities of neighbouring properties, particularly by reason of overlooking and loss of privacy. It would therefore not comply with paragraph 7 of the NPPF and policy DM15 of the Site Allocations and Development Management Policies Plan 2016.'

In response to this previous application, the design has been revised to incorporate a 1.8m high privacy screen as part of the external staircase.

Principle of development:

The National Planning Policy Framework (NPPF) seeks a high standard of design which can contribute positively to making places better for people. Some of the key objectives are for development which accords to the local context and creates or reinforces local distinctiveness that is visually attractive as a result of good architecture and landscaping.

In terms of the KLWNBC Core strategy 2011:

Policy CS08 advises that good design is a key element of sustainable development.

In terms of the Site Allocation and Development Management Policies Plan 2016:

Policy DM2 states that development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.

Policy DM15 (environment, design, amenity) states that development must protect and enhance the amenity of the wider environment including its heritage and cultural value and that proposals will be assessed against their impact on neighbouring uses and their occupants. Furthermore, proposals will be assessed against a number of factors including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

Policy DM7 (Residential Annexes) states that any proposal must be held in conjunction with the principal dwelling, is subordinate to the main house and the access, garden and parking are shared.

Policy DM17 also requires new development to include car parking provision to minimum standards.

There are no known restrictions affecting development in this locality.

It is considered that the principle of the proposal is acceptable, as it accords with the provisions of the Core Strategy, Local and National Policy.

Form and Character and Amenity:

Wheatfields lies to the south east of the village of Hillington in close proximity to the junction of the B1153 and A148. The area features a number of similar dwellings with a fairly uniform pattern but also a number of single storey properties at the entrance.

The changes would be largely internal so it is thought there would be no implications from a design and character perspective. The addition of an external staircase would not be an unduly prominent feature in the streetscene. The level of proposed works is thought to be relatively modest and with no increase in floorspace of the original building it would not be over intensification of the site.

Policy DM7 sets out the criteria as to what is classified as an annex. The proposal would convert part of the existing accommodation of the main house with an internal door linking the two units giving a clear relationship with the principal dwelling. The applicant has indicated however that this would also be let to third parties and taking into account the new staircase access it could also be viewed as a separate unit in its own right. It is understood the refuse and garden area would be shared between the occupants.

A number of comments were received with respect to the impact to neighbour amenity arising from the proposed works. The applicant has revised the design from the previous application to include a screen alongside the proposed staircase which is now thought to address any issues that may occur in this regard.

Highway Issues:

It was expressed that the existing driveway would not be able to accommodate any additional vehicular capacity leading to on street parking. The highways department have expressed concerns in terms of the adverse impact to highway safety but do not consider this to be grounds for a refusal. However policy DM7 requires minimum standards for parking for new development. Given this is proposed to be let as a separate unit of accommodation, it is considered that an additional space should be provided on the site frontage. This can be secured by condition.

Other Considerations:

There are no other issues to be addressed in this application.

CONCLUSION

The proposal creates a unit of accommodation which the applicant wishes to be able to let as a separate unit of accommodation within the existing first floor but would have a separate access by the addition of the staircase. There would be no significant external changes to the dwelling apart from this staircase and it would not impact negatively to the character of the streetscene.

The proposed use and the relationship with the main house are less distinct in this case as the unit can be seen to occupy two separate categories, namely a residential annex and a flat. The creation of a separate unit can in some instances lead to issues in terms of the intensification of the site and amenity.

However, this proposal would broadly comply with policy DM7, maintaining a relationship to some degree with the main house. While no objection has been raised from highways in terms of the parking arrangements, it is clear that there is an intention to let the unit and therefore it will likely generate extra traffic movements. As such extra parking off street is warranted.

In terms of neighbour amenity, the proposed screen would ensure there would be no issues in terms of overlooking neighbouring properties. It is considered that this arrangement of the staircase to the side, the sole purpose of which is to provide access to the first floor, would, given the change from the previously refused scheme, not be materially harmful to the amenity of any neighbouring properties.

Due to the nature of the proposal and its relationship to the main house (it would share facilities such as amenity space and bins), it should in this unusual case be tied to the main dwelling.

The proposal would accord with policies DM1, DM7 and DM15 of the Development Management Policies Plan 2016 and the provisions of the National Planning Policy Framework 2012 and is sustainable development. It is therefore recommended for approval.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plan:

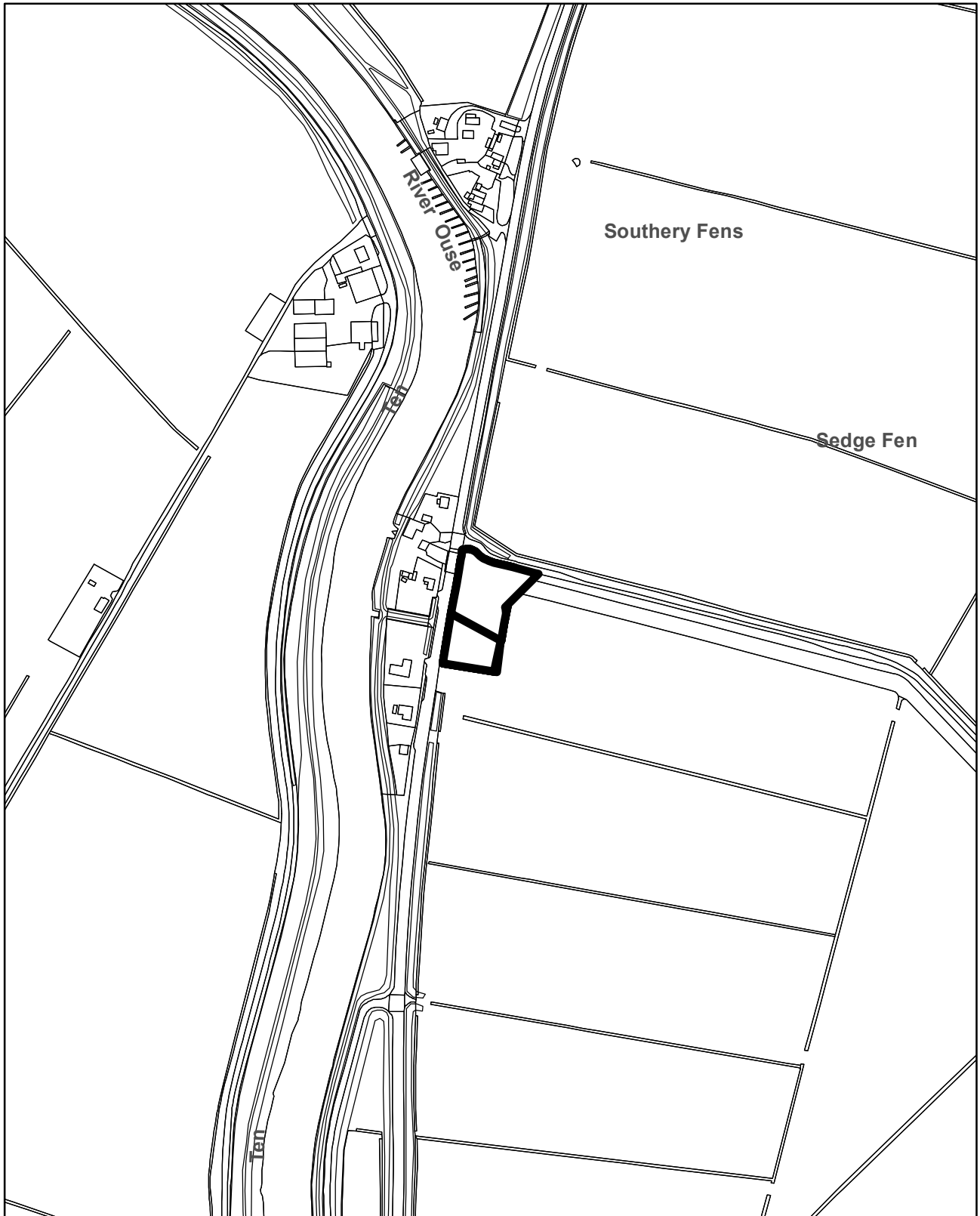
Proposed Plans and elevations, Drawing No 1167-02B, Dated September 2016.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition This development hereby approved shall be held at all times in conjunction with 12 Wheatfields, Hillington.
- 3 Reason In order that the Local Planning Authority may retain control over the development, in the interests of the amenities of the locality, in accordance with the NPPF.
- 4 Condition Notwithstanding the plan submitted, prior to the first occupation of the development hereby permitted, an additional car parking space shall be provided in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority and thereafter kept available for that specific use.
- 4 Reason In the interests of satisfactory development and highway safety.

- 5 Condition No development shall commence until details of the proposed screen have been submitted and approved in writing by the local planning authority. Prior to first use of the staircase, the screen shall be constructed in accordance with these details and thereafter retained in perpetuity.

- 5 Reason To protect the residential amenities of the occupiers of nearby property.

17/00408/F

Pump House Ferry Bank Southery



AGENDA ITEM NO: 8/2(g)

Parish:	Southery	
Proposal:	30m high radio mast	
Location:	Pump House Ferry Bank Southery Norfolk	
Applicant:	Southery & District IDB	
Case No:	17/00408/F (Full Application)	
Case Officer:	Mr Bryan Meredith	Date for Determination: 28 April 2017 Extension of Time Expiry Date: 12 May 2017

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

Case Summary

The site comprises the existing Southery Pumping Station, located to the east of the A10 on Ferry Bank, to the south of Southery village. The site is bounded by a row of mature trees to the west of the site, a drain to the north and a timber boarded fence along the eastern and southern boundaries. Vehicular access to the site exists from the A10, with good visibility in both directions. There is adequate space within the site to accommodate large vehicle manoeuvring and construction and maintenance of the mast.

The application seeks full planning permission for the construction of a 30 metre high radio mast.

Key Issues

Principle of Development
Visual Impact
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks the installation of a 30 metre high radio mast in order to monitor and control IDB pumping stations and equipment in the Drainage Board area.

The application site is located on a site to the south of the settlement of Southery and classified as Countryside according to Policy CS02- Settlement Hierarchy of the Core Strategy (2011).

The site comprises of a rectangular plot that contains an existing IDB Pumping Station. The site has an established row of tall trees along the western boundary, a drain to the north of the site and timber boarded fencing along the eastern and southern boundaries.

The proposed concrete base and proposed mast is to be located on the west of the site adjacent to the existing pumping station unit.

SUPPORTING CASE

The application is supported by an accompanying Planning Statement with the key points set out below:

- The radio mast is required for the automatic monitoring and control of IDB pumping stations and equipment in the Drainage Board area.
- The proposed radio mast will be sited behind the existing pump house building, as shown on the site plan.
- The pumping station is located in Flood Zone 3(a) where a Flood Risk Assessment would normally be required. However, this is water compatible development and is required in connection with the prevention of flooding.
- It is deemed unnecessary, therefore, for a full FRA to be prepared for this simple proposal.
- The Environment Agency has confirmed that a full Flood Risk Assessment is not required.
- The height requirement for the mast is because the signal needs to be passed over higher ground at Southery & Hilgay, to the north of the site. - The ground level at the Southery pump is only around minus 1.00m AOD, whereas ground levels in Southery rise to 10.50m AOD and there is a high spot to the southeast of Hilgay which is approximately 20.00m AOD.
- Parts of Hilgay village itself rise to between 17.00-18.00m AOD which makes the tops of buildings around 27.00m AOD, compared with the top of the proposed 30m high mast at approx. 29.00m AOD.
- The proposed mast is, therefore, required to be up to 30m in height in order to function properly.
- It will become a vital part of the IDB flood protection and land drainage management.
- Excellent vehicular access to the site exists from the A10, with very good visibility in both directions. This access will not be affected by the proposal.
- There is adequate space within the site to accommodate large vehicle manoeuvring and construction and maintenance of the mast.

PLANNING HISTORY

None

RESPONSE TO CONSULTATION

Parish Council: OBJECT Southery Parish Council has raised an objection to the planning application. Objections were raised on the basis that the mast would have a negative visual impact on the area and a detrimental effect on the openness of the green belt. Concerns were raised as to what effects the mast would have on TV, radio and phone signals in the area and the structure may be a danger to the highways.

Local Highway Authority: NO OBJECTION It is very difficult to consider that this proposed mast will engender significant levels of additional traffic to, and from, the site or represent any detriment to highway safety and therefore have no reason for objection to the granting of permission.

IDB: NO OBJECTION Southery & District IDB have no objection to this application subject to the Board's Byelaws being complied with.

Civil Aviation Authority: NO OBJECTION The CAA has No Comments on the proposal.

Ministry of Defence: NO OBJECTION This application relates to a site outside of Ministry of Defence safeguarding areas. Therefore the Ministry of Defence has no safeguarding objections to this proposal.

National Air Traffic Services: NO OBJECTION The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

REPRESENTATIONS

THREE representations were received **OBJECTING** to the application for the following reasons:

- Excessive height of the proposed mast
- Overbearing structure
- Out of character with the surrounding agricultural land and countryside setting

One representation was received which stated they had no objections to 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

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

PLANNING CONSIDERATIONS

This application raises the following issues:

- Principle of Development
- Visual Impact
- Other Material Considerations
- Conclusion

Principle of Development

The site is located to the south of Southery village. Southery is designated as a Rural Village as defined by Policy CS02 where limited minor development will be permitted which meets the needs of settlements and helps to sustain existing services in accordance with Policy CS06 Development in Rural Areas of the Core Strategy (2011). The proposal meets the requirements set out in the NPPF which identifies that high quality communications networks play a vital role in enhancing the provision of local community facilities and services. The proposed 30 metre high radio mast is required as part of the Internal Drainage Board flood protection and land drainage management system.

The principle of development is acceptable as the application has provided evidence to justify the proposed development including the need for communication coverage in the area. On this basis the proposal accords with section 5 of the NPPF.

Visual Impact

To the north, west and south of the site is open countryside. The site sits to the east of the A10. Whilst the mast is set to the west of the site, between the pumping station and existing western boundary treatment consisting of a mature row of trees it will be seen in the majority of public views across the countryside. However, this proposed mast is required infrastructure for the IDB and on balance, taking into account the visual appearance of the proposed mast and its operational requirements, the impact of the mast in this location is considered acceptable.

Other Material Considerations

The pumping station is located on land designated as Flood Zone 2, 3 and Hazard Zone of the Council's adopted Strategic Flood Risk Assessment where a Flood Risk Assessment would normally be required. However, the proposed radio mast is classified as water compatible development and is required in connection with the prevention of flooding.

It is deemed unnecessary, therefore, for a full FRA to be prepared for this proposal. Correspondence between the applicant and the Environment Agency is provided in the Planning Statement, which accompanies the application, and confirms that a full Flood Risk Assessment is not required for this proposal.

Southery Parish Council and third party representations received have raised concerns with the proposal regarding the negative impact the mast would have on the visual amenity and the countryside regarding its height, creating a proposal which is out of keeping with the area which is predominantly farmland. Concerns were also raised regarding highway safety and one representation suggested moving the proposed mast to another site belonging to the IDB at the Denver Complex.

CONCLUSION

On balance, the siting and appearance of the mast are considered appropriate and necessary in the context of being a vital part of the Internal Drainage Board's flood protection and land drainage management.

For the reasons outlined in this report it is considered that the proposed development accords with the overarching aims of national and local policy and would not have a significant detrimental impact on the visual amenity of the locality. Any visual harm is outweighed by the benefits to the IDB's infrastructure in connection with preventing flooding. It is therefore recommended that this application be approved subject to the following conditions.

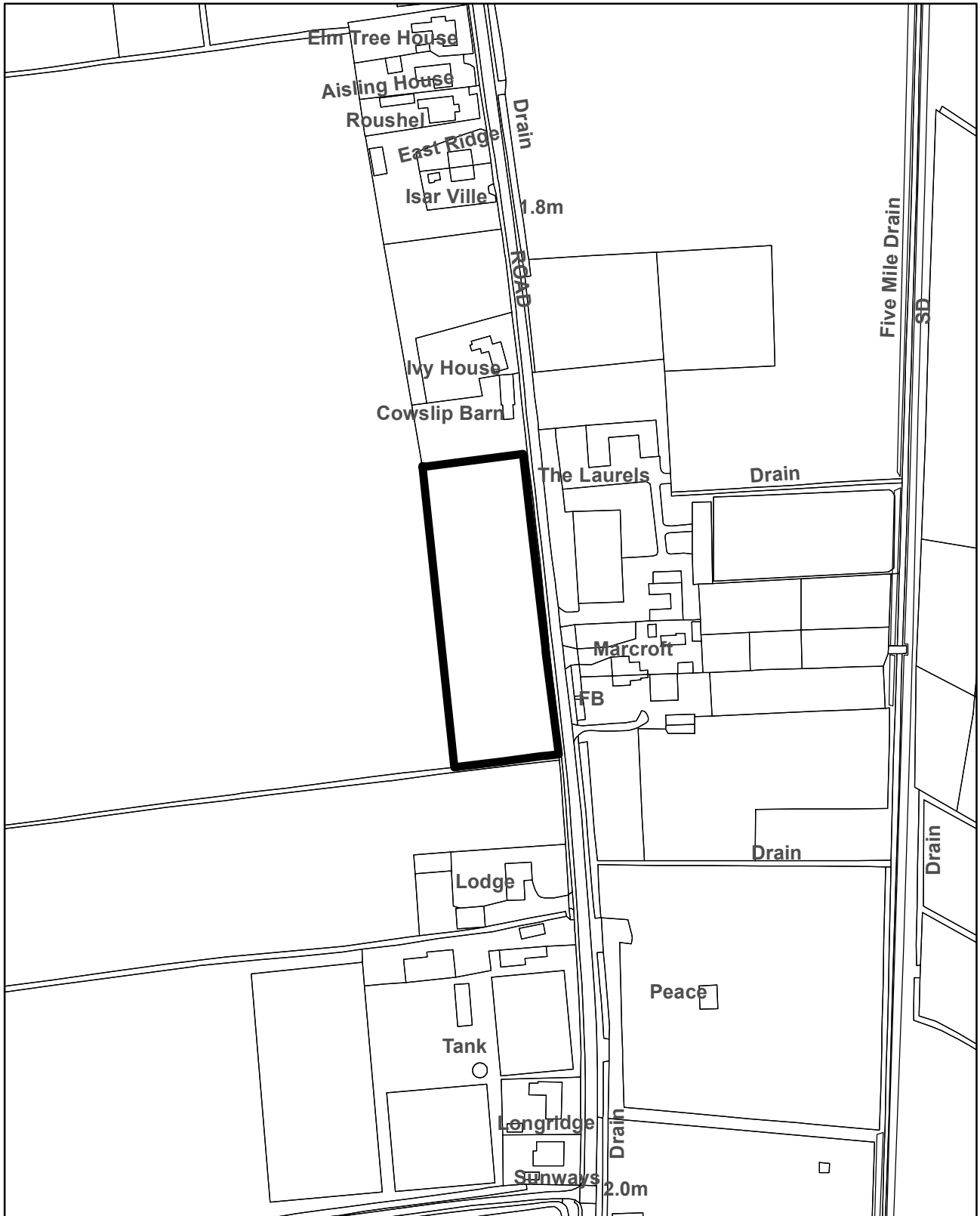
RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans titled:
 - Site Plan, Location Plan and Section, drawing plan number 12637
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

17/00197/F

Land South of Cowslip Barn School Road Terrington St John



1:2,500

AGENDA ITEM NO: 8/2(h)

Parish:	Terrington St John	
Proposal:	Proposed construction of 7 number new dwellings	
Location:	Land South of Cowslip Barn School Road Terrington St John Wisbech	
Applicant:	Client of Holt Architectural Ltd.	
Case No:	17/00197/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 7 April 2017 Extension of Time: 12 May 2017

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

Case Summary

Seven detached dwellings are proposed on a green field site (0.58 Ha) on the western side of School Road, Terrington St John (a Joint Key Rural Service Centre) approx. 500m south of the primary school. The site has the benefit of an extant outline permission for 5 dwellings, approved at the time when the Council could not demonstrate a 5 year supply of housing land. This was approved under application ref: 15/01660/O after reference to the Planning Committee on 08.02.16.

The site was part of an agricultural field with an open road frontage, but has recently been fenced off. A barn conversion lies to the north, a bungalow to the south beyond a field and a cluster of 3 houses and agricultural style buildings on the opposite side of the road.

The site lies within Flood Zone 3 as defined in the Council-adopted Strategic Flood Risk Assessment.

Key Issues

Principle of development
Impact on countryside
Flood risk
Other material considerations

Recommendation

REFUSE

THE APPLICATION

Seven detached dwellings are proposed on a green field site (0.58 Ha) on the western side of School Road, Terrington St John (a Joint Key Rural Service Centre) approx. 500m south of the primary school.

The site was part of an agricultural field with an open road frontage, but has recently been fenced off in preparation for development. A barn conversion lies to the north, a bungalow to the south beyond a field and a cluster of 3 houses and agricultural style buildings on the opposite side of the road.

The effect of the proposal would be to infill a gap on the western frontage of School Road, presently identified as countryside. The site has the benefit of an extant outline permission for 5 dwellings, approved at the time when the Council could not demonstrate a 5 year supply of housing land. This was approved under application ref: 15/01660/O after reference to the Planning Committee on 08.02.16.

The previous application was in outline form, with all matters reserved for future consideration. An indicative site layout plan showed a central access point serving 5 equally sized plots. An accompanying Statement of Justification indicated that the dwellings would have the capacity to be workplace homes, and include highly sustainable construction techniques and qualities.

This current application shows a single access point approx. 35m south of the common boundary with Cowslip Barn, serving seven similar sized plots (approx. 18m wide x 46m deep). The houses are all substantial 4 bedroomed units with effectively two designs/housetypes, but mixed and handed to present some visual variety. Full details of the facing materials have not been specified, however the plans indicate a mix of facing bricks and timber cladding to walls, and pantiled roofs.

The site lies within Flood Zone 3 as defined in the Council-adopted Strategic Flood Risk Assessment. The application is accompanied by a Flood Risk Consideration statement.

SUPPORTING CASE

The agent raises the following matters in support of this application:

The site is one of the windfall sites from the historic LDF situation and was approved originally as an outline application for 5 dwellings

Since the sale of the site by the farmer land owners, the current owners, a local development company, it is now sought to construct 7 dwellings on the site.

Each plot will have a frontage in the region of 18m, which are substantial widths, which combined with lowered roof lines to garages, provides an open and spacious feel even with the increased plot numbers for the site, and reflects the street scene in and around the area and along School Road.

The footprints of the buildings are set back from the road with a private driveway, with fencing and planting to reflect the rural setting of the site. The plots are all allocated with more than sufficient parking and turning provision, to remove any need for on road parking and achieve the visibility splays required for the road type and speed.

Furthermore the scheme now has the backing of the Parish Council, who at the initial outline stage were against this site. The current form of the site and its 7 dwellings have now been given the support of the parish council

Even with the 7 dwellings it does not present an overdevelopment of the site and will bring much needed family homes on suitable sized plots developed in a sympathetic way to the rural setting.

PLANNING HISTORY

15/01660/O: Application Permitted: 08/06/16 - Outline Application: Construction of 5 x 4/5 bedroom executive style houses including homeworking facilities and sustainable build considerations

RESPONSE TO CONSULTATION

Parish Council: SUPPORT – The members of Terrington St John Parish Council are able to support this application only with the revised site plan, as supplied to the Parish Council by Mr Brown on 2/3/17. This shows the moving of the entrance 30m north, which is essential to the support of this application.

The Parish Council, parishioners, and indeed a number of School Road residents are very concerned that any construction traffic to this development should have a condition attached for access the site, so as to off-load and turn around construction/delivery vehicles within the site constraints, so as to minimize the safety risks to other traffic along the busy School Road, and indeed make the construction entrance away from residential accesses opposite.

Highways Authority: NO OBJECTION subject to conditions relating to footpath widening, visibility splays, access constructed to specifications, parking and turning facilities.

King's Lynn Drainage Board: NO OBJECTION comments made relating to consent to discharge into existing watercourse and recommend a pre-commencement condition regarding surface water disposal

Environmental Health & Housing – Environmental Quality: NO COMMENTS

Environmental Health & Housing – CSNN: NO OBJECTION subject to conditions relating to: foul and surface water drainage and informative notes relating to construction management, soakaways & private foul water drainage

Environment Agency: NO OBJECTION on the basis that sequential testing is passed and subject to the development being carried out in accordance with the mitigation proposed in the Flood Risk Assessment that accompanied the application

District Emergency Planning Officer: NO OBJECTION subject to conditions

Housing Officer: NO OBJECTION subject to affordable housing contribution secured by Section 106 agreement

Historic Environment Service: NO OBJECTION subject to condition relating to archaeological investigations

REPRESENTATIONS

NINE letters of **OBJECTION** received raising the following grounds:

- Site lies outside the village development area;
- Not sustainable development;
- Out of character – too dense;
- Loss of agricultural land;
- School Road not suitable to serve additional housing – already too much speeding traffic, HGVs and on-street parking;

- Lack of services and amenities;
- Poor drainage;
- No mains sewerage;
- Increased flood risk building on agricultural land;
- Footpath too narrow and for part of the road there is no footpath;
- Construction impacts;
- Loss of views; and
- Noise and light pollution.

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 for consideration in the determination of this application are as follows:

- Principle of development
- Impact on countryside
- Flood risk
- Other material considerations

Principle of Development

Terrington St John is defined as a Joint Key Rural Service Centre (JKRSC) in the settlement hierarchy set out under Policy CS02 of the Core Strategy (2011). The Site Allocations and Development Management Policies Plan (2016) defines the village development area which lies over 100m to the north of the application site. The site is therefore subject to countryside protection policies and advice contained in the National Planning Policy Framework 2012 (NPPF). Further Policy CS06 of the Core Strategy 2011 states 'Beyond the villages and in the countryside, the strategy will be to protect the countryside' and 'The development of greenfield sites will be resisted unless essential for agricultural or forestry needs'.

Whilst there is an extant outline permission for 5 houses and this is a material consideration, any new planning proposal must be assessed against the current planning policies. The earlier permission was granted at a time when the Council could not demonstrate a 5 year supply of housing land and this is no longer the case. The current proposed development is not so exceptional as to outweigh the policies of the Development Plan.

In light of the above and the current policy position, it is considered that the principle of developing the site with additional houses is not acceptable. Other matters will be addressed later in this report.

Impact on countryside

Whilst five plots have been permitted on this site, they are generous in size and it is expected that spaces between dwellings/buildings would create and maintain an open feel to the development comparative to the existing sporadic dwellings along this road frontage. The GIA of all the dwellings was restricted via condition to not exceed a total of 1,000m² to negate the requirement for on-site affordable housing provision.

The development now proposed shows buildings with little gaps between, limiting views through to the open land to the rear, and would create a consolidated built form which would adversely affect the countryside setting contrary to paragraph 17 of the NPPF.

Notwithstanding the aim to optimise the effective use of land promoted in paragraph 58 the NPPF, this has to be balanced against the other requirements of responding to local character and other planning policies.

Flood Risk

The site lies in Flood Zone 3a of the Council's Strategic Flood Risk Assessment (SFRA). Under the NPPF paragraph 100 - 101 and supporting Technical Guidance, the SFRA forms the basis of the sequential test, which seeks to steer development to areas of low (or lowest) risk. In this instance the combined villages of Terrington St John, St John's Highway & Tilney St Lawrence is considered the appropriate area of search for reasonably available potential alternative sites. Whilst some of this urban area lies within Flood Zone 2, there are no comparable sites available to accommodate this development and therefore the sequential test is passed.

Following the sequential test, an exception test is required to demonstrate the development provides wider sustainability benefits that outweigh the flood risk, and with the previous outline application a site specific flood risk assessment demonstrated that the development would be safe for its lifetime given the risk.

However in light of the principle of development not being acceptable as stated above, the proposal does not represent development where the sustainability benefits outweigh the flood risk. The proposed development is therefore contrary to paragraph 102 of the NPPF & Core Strategy Policy CS08 of the Local Development Framework 2011.

Other material considerations

Whilst there are local concerns expressed by the Parish Council and objectors with regards to traffic and highway issues, the Highways Officer raises no objections to the proposal subject to the provision of visibility splays, on-site parking and turning facilities implemented, access constructed to certain specifications and off site highway improvement works (footpath widening). It may be noted from the earlier approval that County Highways' request to widen the footpath was considered to be disproportionate and onerous; it was not therefore supported by your officers and that remains the case.

Land drainage is not considered to be a matter of concern. There is a private ditch along the southern boundary of the site but no drain alongside the road; levels suggest that the land drains westwards. Our CSNN team and the IDB have however requested that surface water drainage is covered via condition.

Mains sewerage is not available to serve the development but this may also be covered via condition.

There would be a need to secure affordable housing given the GIA of the development exceeding 1,000m². This would equate to one on-site affordable dwelling for rent and a financial contribution of £24,000 towards off-site provision. Whilst a 4 bedroomed house for rent would not match the current local housing demand (a 2 bedroomed unit preferred as identified in the Strategic Housing Market Assessment), it does not however constitute a grounds for refusal in this instance as there could be a demand for such a dwelling within the overall borough.

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

Noise and general disturbance may occur during the construction phase of any development, but would be relatively short-lived, subject to usual construction site working practices and any significant problems would be addressed under Environmental Health legislation.

There would be some impact with regards to domestic illumination, but that would not cause unreasonable light pollution.

The site comprises part of an arable field which has little value in terms of wildlife habitat.

The loss of private of views is not a material planning consideration and likewise the effect upon the value of properties (either increased or decreased).

CONCLUSION

Whilst it is acknowledged that there are 5 dwellings approved on this site and it is a material consideration, there is no special justification or indeed need (given the 5 year land supply has been met) for the additional two dwellings proposed as part of this scheme.

The proposed new development would be located within an area defined as countryside and would constitute a consolidated form which would be contrary to the appearance of its rural

setting. It also fails the exceptions test, as the location means there are no sustainability benefits to the proposal which would outweigh the flood risk. Consequently the proposal is contrary to the National Planning Policy Framework, Core Strategy Policies CS01, CS06 and CS08 of the Local Development Framework (2011) and Policies DM1, DM2 & DM15 of the Site Allocations and Development Management Policies Plan (2016).

In light of National Guidance, Development Plan Policies and other material considerations, it is recommended that Planning Permission for the development as proposed should be refused.

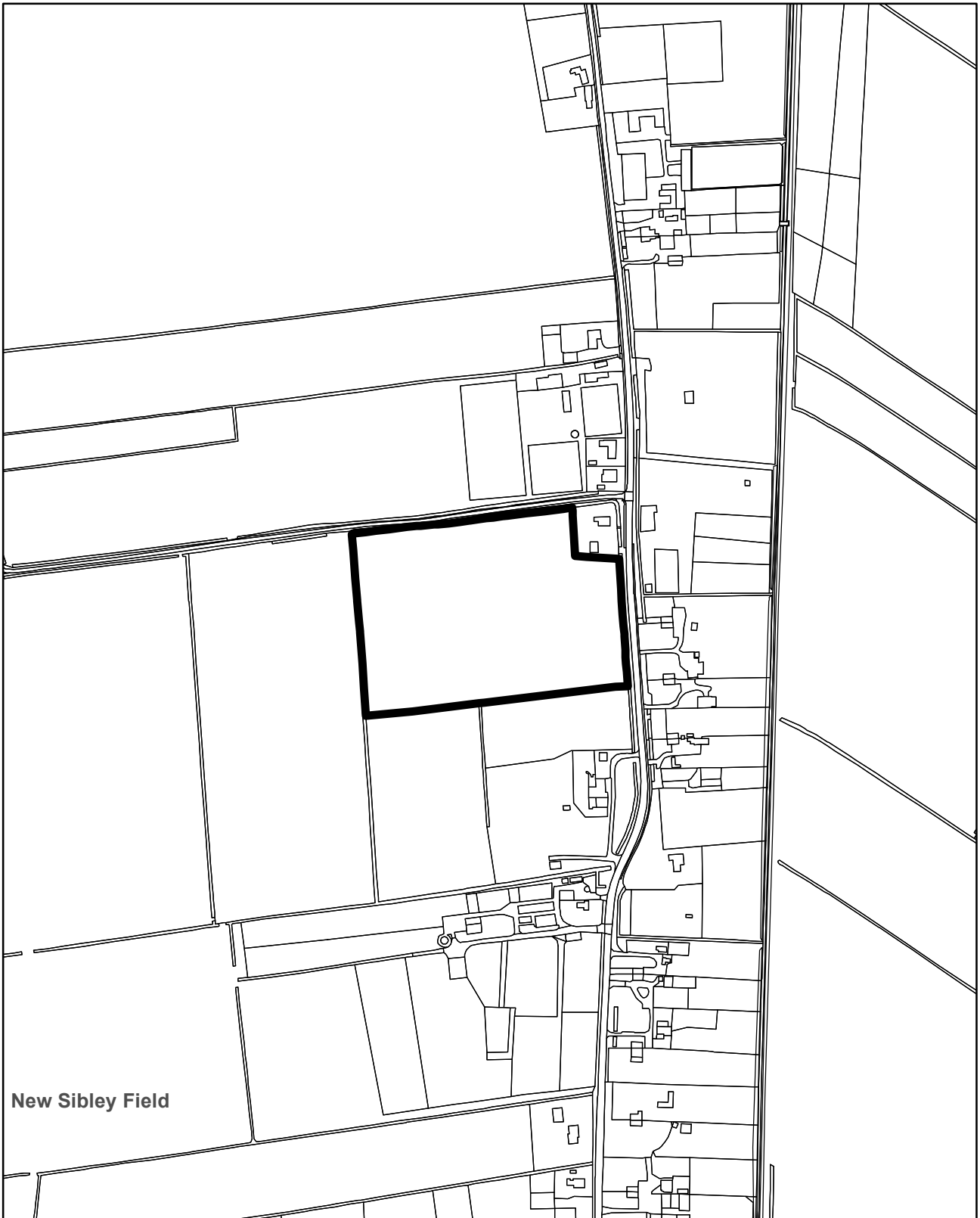
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Whilst there is an extant outline permission for 5 houses and this is a material consideration, any new planning proposal must be assessed against the current planning policies. The earlier permission was granted at a time when the Council could not demonstrate a 5 year supply of housing land and this is no longer the case. The current proposed development for an additional two units is not so exceptional as to outweigh the policies of the Development Plan. It is therefore concluded that the proposal fails to accord with the provisions of paragraphs 17 & 55 of the NPPF, Core Strategy Policies CS01 & CS06 of the LDF, and Policies DM1 & DM2 of the SADMPP.
- 2 Whilst five plots have been permitted on this site, they are generous in size and it is expected that spaces between dwellings/buildings would create and maintain an open feel to the development comparative to the existing sporadic dwellings along this road frontage. The development proposed shows buildings with little gaps between, limiting views through to the open land to the rear, and would create a consolidated built form which would adversely affect the countryside setting contrary to paragraph 17 of the NPPF, Core Strategy Policy CS08 of the LDF (2011), and Policy DM15 of the SADMPP (2016).
- 3 The application site falls within Flood Zone 3 as defined in the Council-adopted Strategic Flood Risk Assessment and passes the sequential test; however the exception test must also be applied. In light of the principle of development not being acceptable as stated above, the proposal does not represent development where the sustainability benefits outweigh the flood risk. The proposed development is therefore contrary to paragraph 102 of the NPPF & Core Strategy Policy CS08 of the Local Development Framework (2011).

17/00236/CU

Field opposite 3 Gambles Terrace School Road Terrington St John



AGENDA ITEM NO: 8/2(i)

Parish:	Terrington St John	
Proposal:	Change of Use of the land to equestrian for personal use, repair/replacement of fencing and placement of movable shelters/storage	
Location:	Field opposite 3 Gambles Terrace School Road Terrington St John Norfolk	
Applicant:	Miss Joanne MacCallum	
Case No:	17/00236/CU (Change of Use Application)	
Case Officer:	Clare Harpham	Date for Determination: 14 April 2017 Extension of Time Expiry Date: 16 May 2017

Reason for Referral to Planning Committee – The views of Terrington St John Parish Council is contrary to the Officer recommendation

Case Summary

The application is for a change of use of agricultural land to equestrian for personal use. The applicant intends to keep the horses on the land throughout the year and to graze, feed and ride horses on the land. The horses will be rugged when the weather warrants with movable field shelters.

Key Issues

Principle of the Change of Use
Amenity Issues
Highways Issues
Other material considerations
Crime and Disorder

Recommendation

APPROVE

THE APPLICATION

The application site is currently agricultural land laid to grass on the western side of School Road and opposite a row of semi-detached cottages called Gambles Terrace. There is an existing access to the southern corner of the field and there is hedging along the roadside boundary.

The application seeks full planning permission for a change of use of the field to equestrian for the applicant's personal use.

The description also states the placement of movable shelters/storage and the repair/replacement of fencing. During the course of the application the applicant was asked to move the field access which also therefore forms part of this application along with parking and turning.

The applicant has confirmed that the shelters would be approximately 8m x 4m x 2.5m and on skids. The intention is that they will be moved about the field as the horses are moved. Consequently these do not constitute development and do not require consent.

The applicant has also confirmed that the repair and replacement of the fencing would comply with Class A, Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 and that no fence will exceed the 2.0m height restriction within the field and that no fencing will exceed 1.0m in height directly adjacent to the highway. There is currently a hedgerow alongside the highway and it's the applicant's intention to retain this.

Consequently whilst the description in the application includes the placement of movable shelters / storage and the repair / replacement of fencing they themselves do not require consent.

SUPPORTING CASE

The land has been used for the grazing of sheep and horses over the last ten years (the applicant has grazed horses on the land during the last two summers).

Following the purchase applicant wishes to use the land all year, including to feed, rug and ride the horses on the land which requires consent.

The field will be enhanced by repairing broken fencing and maintaining the site.

Flood risk has been taken into consideration and evacuation measures have been outlined.

Our horses already hack around Terrington St John and Marshland St James and by obtaining planning permission for equestrian use we will be able to ride our horses on the land, rather than on the road as we currently do. Therefore by granting the change of use we would be able to use the road less than we do currently.

PLANNING HISTORY

15/02013/O: Application Refused: 29/03/16 - Outline application: Construction of 4 No. detached houses with integral garages - New Sibley Field School Road
Appeal Dismissed 05/09/16;

15/01975/O: Application Withdrawn: 11/12/15 - Outline application: Construction of 4 detached houses and garages - New Sibley Field School Road

RESPONSE TO CONSULTATION

Parish Council: OBJECT Members of the Parish Council have already received substantial safety concerns from a horse riding parishioner using School Road and therefore more horses on the road in this area would be a disadvantage.

Highways Authority: NO OBJECTION following the relocation of the access with on-site parking and turning provided. Conditions are recommended.

Environmental Health & Housing - CSNN: NO OBJECTION request a condition regarding external lighting.

As there is a roadside ditch which would require culverting in order to install the re-positioned access a condition is requested relating to culverting/infilling of ditches.

It is not clear if the applicant intends to permanently house horses on site which would result in the accumulation of manure. Rather than impose a condition I request an informative and would stress that horse waste must not be stored or allowed to accumulate on site unless further planning permission is sought.

REPRESENTATIONS

Three letters of **SUPPORT** covering the following points:-

- The land has been neglected adversely affecting the neighbouring land.
- This will improve the appearance in the neighbourhood and it will be properly maintained.
- The countryside should be for country pursuits.

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

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM17 - Parking Provision in New Development

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

The main issues to consider when determining this application are as follows:-

- Principle of the Change of Use
- Amenity Issues
- Highways Issues
- Other material considerations
- Crime and Disorder

Principle of the Change of Use

The application site is within the countryside where paragraph 28 of the NPPF supports rural leisure activities which respect the character of the countryside. Horse riding and other equine related activities are popular forms of recreation in the countryside and can help diversify rural economies. Therefore an equestrian use outside of the village boundary is acceptable in policy terms.

Whilst the proposed mobile shelters / storage do not require consent they would not be large in scale nor out of character in a countryside setting. The proposed change of use and resulting structures are not considered to have a detrimental visual impact upon the surrounding countryside.

Amenity Issues

There are dwellings to the opposite side of School Road, and a dwelling to the north-eastern side of the site. The main issue with regard to amenity and the grazing of animals is the storage of waste material and its potential smell.

There are no objections to the proposal from Community Safety and Neighbourhood Nuisance nor have any conditions been requested although they do request the applicant is made aware through the use of an informative that manure must not be allowed to accumulate on site.

Highways Issues

The existing access to the south-eastern corner of the field is not up to current visibility standards and therefore the applicant has submitted amended plans which move the access further north within the site and improve visibility and parking within the site. There are no objections to the proposal from the Highways Officer following the proposed new access arrangements.

The proposed new access would require the culverting of the ditch to the front of the site and therefore an informative will be placed on any decision. Whilst it is the intention of the applicant to retain the roadside hedging the inclusion of a visibility splay may result in the existing hedging being cut back to a degree. This is considered acceptable and not a reason to warrant a refusal.

The Parish Council have objected as they have safety concerns regarding there being more horses on the roads in this area. The applicant has stated that they already ride their horses in this locality and that by granting an equestrian use of the land it would actually result in the road being used less as they could ride on the application site.

Other material considerations

The application site is within Flood Zone 2 and 3 of the SFRA, the proposal is for a 'less vulnerable' form of development which is considered appropriate in this location. The applicant has also submitted supporting information which details how the horses would be evacuated in the event of an emergency to other land in the locality which is within the ownership of family members.

The land is Grade 2 agricultural land which is considered some of the best and most versatile agricultural land which should be protected.

However given the limited size of the parcel of land and the nature of the proposal, it is the opinion of the Local Planning Authority that loss of the agricultural land is not significant in this instance and that it could be reverted to agricultural use in future.

Crime and Disorder

The application is not considered to give rise to any crime and disorder issues.

CONCLUSION

The change of use of the land to equestrian use is considered acceptable and would comply with the principles of the NPPF, Policies CS06, CS08 and CS11 of the King's Lynn Core Strategy 2011 and Policies DM15 and DM17 of the Site Allocations and Development Management Policies Plan 2016. Consequently members are asked to consider the approval of the proposed change of use.

RECOMMENDATION:

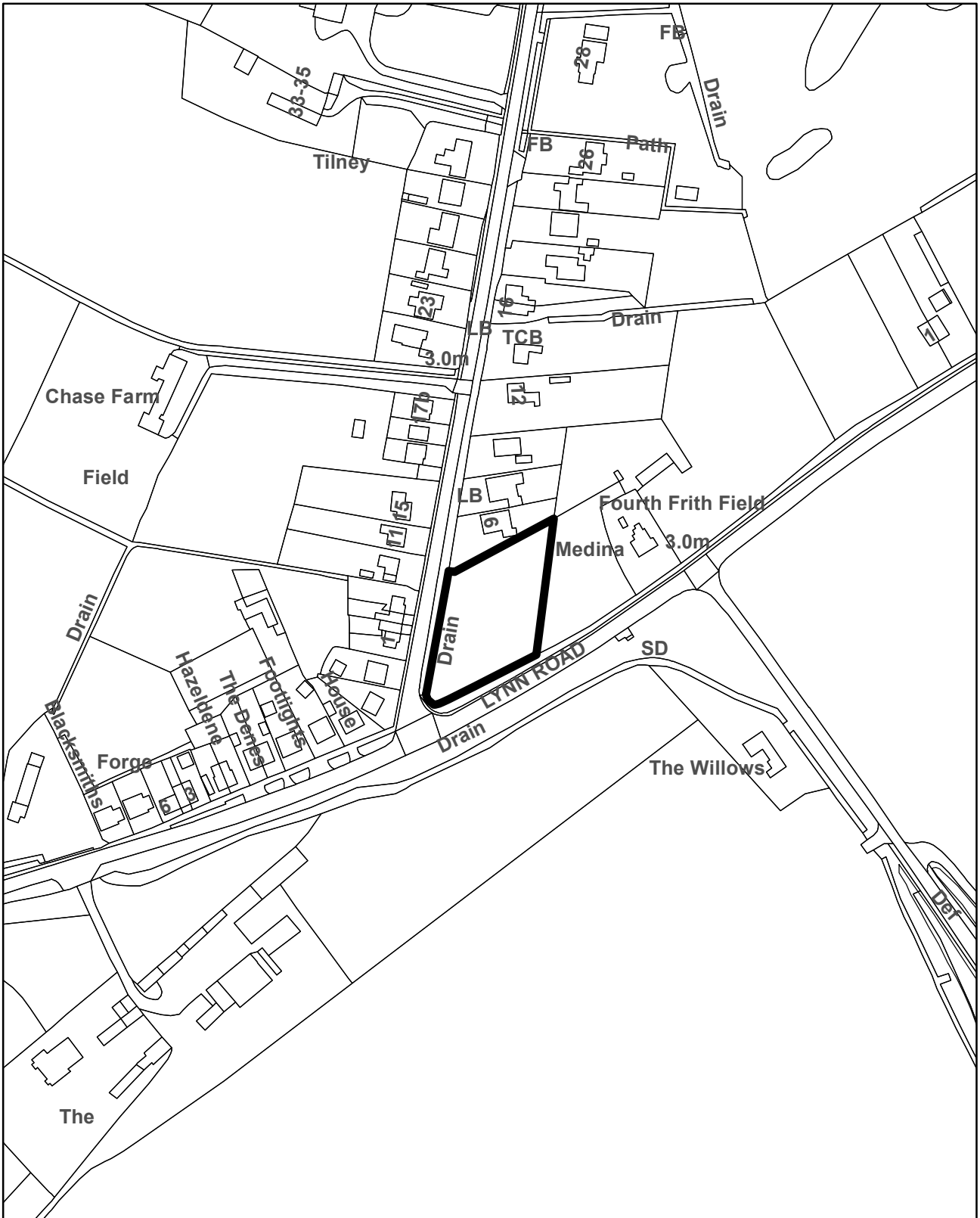
APPROVE subject to the imposition of the following condition(s):

- 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' received by the Local Planning Authority on 17th February 2017 and 'Location Plan 5664-MacCallum' received by the Local Planning Authority on 16th March 2017.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing ref. 5664-MacCallum) in accordance with the highway specification TRAD 5 attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 4 Condition Vehicular and pedestrian access to and egress from the adjoining highway shall be limited to the access shown on approved drawing No 5664-MacCallum only. Any other access (es) or egresses shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority concurrently with the bringing into use of the new access.
- 4 Reason In the interests of highway safety.

- 5 Condition The gradient of the vehicular access shall not exceed 1:12 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway.
- 5 Reason In the interests of the safety of persons using the access and users of the highway.
- 6 Condition Prior to commencement of the use 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.
- 7 Condition Prior to the commencement of the use 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.
- 7 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 8 Condition Prior to the commencement of the use hereby permitted a visibility splay measuring 2.4 X 120.0 metres shall be provided to each side of the access where it meets the highway 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.

17/00027/O

Land to the West of Medina Lynn Road Tilney All Saints



AGENDA ITEM NO: 8/2(j)

Parish:	Tilney All Saints	
Proposal:	Outline Application: Construction of 5 dwellings and associated external works.	
Location:	Land To the West of Medina Lynn Road Tilney All Saints Norfolk	
Applicant:	Mr & Mrs Goldsmith	
Case No:	17/00027/O (Outline Application)	
Case Officer:	Mrs N Osler	Date for Determination: 9 March 2017 Extension of Time Expiry Date: 12 May 2017

Reason for Referral to Planning Committee – The views of Tilney All Saints Parish Council is contrary to the Officer recommendation

Case Summary

The application is in outline with all matters reserved for residential development on a site measuring approximately 0.26ha on the corner of School Road and Lynn Road, Tilney All Saints. The site represents the housing allocation in the Site Allocations and Development Management Policies DPD, 2016 (SADMP) and Policy G97.1 relates specifically to development of this allocation.

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

The application is made for outline planning permission with all matters reserved for the erection of 5 dwellings on land at School Road and Lynn Road, Tilney All Saints.

The site is allocated within the Site Allocations and Development Management Policies DPD (SADMP) for residential development of at least 5 homes, and SADMP policy G97.1 relates specifically to development of this site.

The site lies in Flood Zone 2.

17/00027/O

Planning Committee
8 May 2017

SUPPORTING CASE

The application submission contained a brief planning statement and a site specific flood risk assessment. The Planning Statement states:

Habitats Monitoring

Outline application of 2585m² site consisting of 5 proposed dwellings.
Habitats monitoring fee required £50.00 x 5 = £250.00

Affordable Housing Contribution

Outline application of 2585m² consisting of 5 proposed dwellings falls below dwelling number threshold (6) for affordable housing contribution.

Outline application floor area of plots (all approximate):

- Plot 1: 4 Bed Detached, Double Carport. Approx. GIA 125m².
- Plot 2: 3 Bed Semi-Detached, Double Carport. Approx. GIA 118m².
- Plot 3: 3 Bed Semi-Detached, Double Carport. Approx. GIA 110m².
- Plot 4: 3 Bed Semi-Detached, Double Carport. Approx. GIA 110m².
- Plot 5: 3 Bed Semi-Detached, Double Carport. Approx. GIA 118m²

Total floor area created approximately 581m², falls below floor area threshold (1000m²) for affordable housing contribution.

Flood Risk Assessment

A separate Flood Risk Assessment prepared by ESP accompanies the application.

PLANNING HISTORY

99/1503/O - Site for construction of 2 dwellings - Refused

RESPONSE TO CONSULTATION

Tilney All Saints Parish Council: At the Parish Council meeting held on 9th February 2017, councillors unanimously **OBJECTED** to the above application because of the drainage effect and flood risk to existing properties in School Road.

- There are ongoing drainage problems in that area of the village.
- There is no main sewage in the village as stated in the report.
- The height of the proposed dwellings would be above existing properties causing them to be overlooked with a loss of privacy and sunlight.
- There are also Highway issues with safety concerns regarding the access to the properties being so close to the junction of School Road and Lynn Road.

Existing residents already park on one side of School Road, as there is no off road parking, effectively making the top of School Road a single lane.

This route is also regularly used by significantly large agricultural vehicles and school buses.

The drainage and access issues with this site were raised by the Parish Council during the Local Plan consultation, and do not appear to have been addressed.

Highways Authority: NO OBJECTION subject to condition

Kings Lynn Drainage Board: NO OBJECTION subject to compliance with the board bylaws

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

Natural England: No Comment

Environment Agency: NO OBJECTION subject to condition

REPRESENTATIONS

FIVE letters of **OBJECTION** have been received in relation to scale and impact of the dwellings on residential amenity, land levels, drainage, access and highway safety.

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

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

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

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

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

Principle of Development

The site represents the housing allocation in the adopted SADMP, 2016. Policy G97.1 states: 'Land amounting to 0.25ha, as shown on the Policies Map, is allocated for residential development of at least 5 dwellings. Development will be subject to compliance with all of the following:

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

In relation to this a suitable FRA has been submitted; drainage will be conditioned, and as long as the GIA is below 1000m² GIA then affordable housing is not required. This can be suitably conditioned.

It is therefore considered that the principle of development is acceptable.

Form and Character

The LPA would suggest that the indicative layout does not follow the characteristics of the locality and would suggest that when reserved matters are submitted the dwellings should be in linear format facing the road. However, this issue will be fully considered at the detailed stage. Additionally, due to the risks associated with flooding, the new dwellings would need to be at least 1.5 storeys in height to enable first floor sleeping accommodation. This can be suitably conditioned.

Highway Safety

Access is also a reserved matter and will be dealt with at the detailed stage. County Highways do not object in principle to this development.

Neighbour Amenity

Whilst layout, scale and appearance are reserved matters, it is considered that any material overlooking, overbearing or overshadowing impacts could be designed out, and will be dealt with at the detailed stage.

Flood Risk

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

However it is not necessary to undertake the sequential test on allocated sites (as it is considered that this occurred during the allocation process (NPPF paragraph 104)). Further, and in line with Development Plan Policy DM21, only the second element of the exception test is required (as it is likewise considered that the first element (wider sustainability benefits) is deemed to be met by the allocation process).

The second part of the exception test requires that 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.

The submitted Flood Risk Assessment has satisfied the Environment Agency (EA) that the development can be made safe and the EA has no objection (subject to conditions) in relation to the risks associated with flooding. Any permission will need to be conditioned to be carried out in accordance with the recommendations and mitigation suggested in the Revised Flood Risk Assessment that accompanied the application.

Ecology

A Phase 1 Ecology Report has been submitted. The conclusions of this report are that a further survey for great crested newts (GCNs) is advised and that in relation to breeding birds that the majority of the boundary hedgerows (excluding the requirement for access points) is retained until the end of the breeding season. Both these elements can be suitably conditioned.

In relation to the potential for GCNs 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.

In this case, a Phase 1 Ecology Survey concluded that the potential for impacts to local wildlife is almost negligible, with the possible exception being great crested newts (GCN), whose absence cannot be confirmed without further surveys.

The LPA can therefore conclude that there is the possibility that GCN are 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).

Additionally, the site represents one of the housing allocations in the recently adopted Site Allocations and Development Management Policies DPD (SADMP)

2. No satisfactory alternatives – as mentioned above the site represents the allocation for housing development in Tilney All Saints.
3. Population maintenance - it appears to be unlikely that development of such a small parcel of land, with appropriate mitigation, will detrimentally impact the conservation status of GCNs.

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.

Other Material Considerations

Drainage – Given the outline nature of the application there is limited information on drainage. This is quite normal for such applications and drainage / SuDS can be suitably conditioned if permission is granted.

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

Parish Council and Third Party Representations

All the issues raised by the Parish council and third parties have been covered in the main body of this report.

CONCLUSION

The site is within one of the borough's Rural Villages where residential development of an appropriate scale will be supported. Additionally this site represents the housing allocation in the adopted SADMP.

The application is in outline form with all matters reserved for future consideration. Basically the principle of residential development of the site is being sought. The site represents the housing allocation in the adopted SADMP and no objections have been received from statutory consultees on technical grounds.

It is therefore considered the principle is acceptable and the application should be supported subject to the following conditions.

RECOMMENDATION:

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

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

- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition The development hereby permitted shall be carried out in accordance with the recommendations contained in the Flood Risk Assessment that accompanied the application (carried out by ESP).
- 5 Reason To reduce the risks associated with flooding in accordance with the NPPF, NPPG and Development Plan.
- 6 Condition The development hereby permitted shall comprise of residential units that are no lower than 1.5-storeys in height and no higher than 2 storeys in height.
- 6 Reason In the interests of the visual amenity of the locality and to reduce the risks associated with flooding in accordance with the NPPF, NPPG and Development Plan.
- 7 Condition There shall be no ground-floor sleeping accommodation.
- 7 Reason To reduce the risks associated with flooding in accordance with the NPPF, NPPG and Development Plan.
- 8 Condition The development hereby approved shall comprise of no more than 5 residential units.
- 8 Reason To define the terms of the permission.
- 9 Condition The Gross Internal Area of the development hereby permitted shall not exceed 1000m².
- 9 Reason To define the terms of the permission in accordance with the national indicative thresholds as specified in the NPPG.
- 10 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.
- 10 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

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

- 11 Condition No development shall commence on site until full details of the land drainage arrangements for the site have been submitted to and approved in writing by the LPA. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

- 11 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.

- 12 Condition Prior to the commencement of the development hereby permitted a survey to identify the extent of any Great Crested Newt populations on or adjacent to the development site shall be undertaken in accordance with a written survey proposal which shall have been submitted to and approved in writing by the Local Planning Authority prior to the survey taking place.

- 12 Reason To identify the extent of any Great Crested Newt populations in accordance with the NPPF and NPPG.

- 13 Condition The results of the survey required under Condition 12 above shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby permitted, including site clearance works. The results shall also provide for any mitigation / enhancement measures appropriate to the extent of any Great Crested Newt populations recorded in order to minimise the impact of the development upon the newts both during construction and upon completion. A timetable for the implementation/completion/maintenance of the mitigation / enhancement works shall also be submitted with the results. 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 or where a different mitigation scheme or timetable scheme is required under any Great Crested Newt license issued by Natural England.

- 13 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.

- 14 Condition Other than in relation to Great Crested Newts that are covered under separate conditions, the development hereby permitted shall be carried out in accordance with the recommendations contained in the Ecology Report that accompanied the application (dated April 2017 undertaken by Wild Frontier Ecology).

- 14 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.

- 15 Condition No dwelling hereby permitted shall be occupied until surface water drainage (to include SuDS) details have been submitted to and approved in writing by the local planning authority. The submitted details shall:

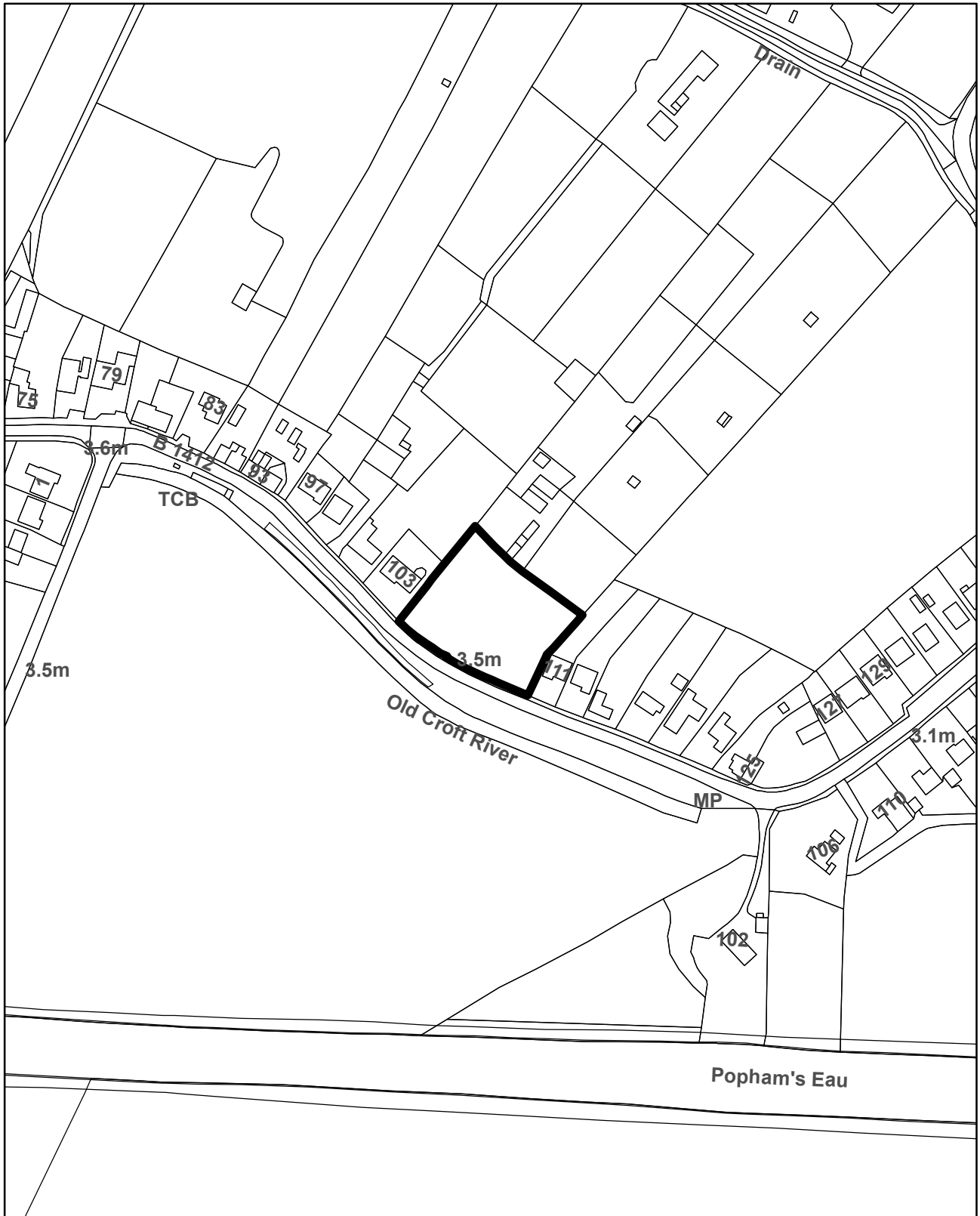
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and

- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The surface water drainage scheme shall be implemented as agreed prior to the occupation of any dwelling hereby permitted unless otherwise agreed in writing.

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

17/00377/F

Craven Cottage 107 Croft Road Upwell



AGENDA ITEM NO: 8/2(k)

Parish:	Upwell	
Proposal:	Variation of Condition 1 of planning permission 16/02223/F to amend plans	
Location:	Craven Cottage 107 Croft Road Upwell Wisbech	
Applicant:	Mr & Mrs C and D Clarke	
Case No:	17/00377/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 25 April 2017 Extension of Time Expiry Date: 12 May 2017

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

Case Summary

The application site lies on the northern side of Croft Road approx. 150m east of the junction with the B1098/Sixteen Foot Bank. It lies within the defined development area of the village. Planning permission was granted under application ref: 16/01041/F for the demolition of the existing dwelling and construction of four detached houses. A variation of condition was approved under application ref: 16/02223/F to modify the house design on Plot 1.

Full planning permission is now sought for the variation of the approved plans condition attached to that earlier permission, to allow the change of house designs for the middle two plots.

Key Issues

Impact upon appearance and character of this locality

Recommendation

APPROVE

THE APPLICATION

The application site lies on the northern side of Croft Road approx. 150m east of the junction with the B1098/Sixteen Foot Bank. It lies within the defined development area of the village. Planning permission was granted under application ref: 16/01041/F for the demolition of the existing dwelling and construction of four detached houses. A variation of condition was approved under application ref: 16/02223/F to modify the house design on Plot 1.

Development has commenced in that the cottage has been demolished and works commenced on Plot 1.

Full planning permission is now sought for the variation of the approved plans condition attached to that earlier permission, to allow the change of house designs for the middle two plots.

SUPPORTING CASE

The agent raises the following comments in support of the application:

“While we acknowledge the Parish Councils comments, we feel that the site and location is suitable for the proposal. The site already has planning permission for the demolition of the original dwelling 107 Croft Road and its replacement with 4 detached executive type dwellings.

This application seeks to make changes to the design of two of those dwellings, and while they are slightly larger, in width, and depth than originally approved, the roof pitches have been designed and altered to ensure that the ridge heights are at a similar level to those approved and now in the process of being built on either side, as can be seen on the street scene plan.

The design also ensures a good amount of spacing between the 4 plots again as can be seen on the street scene plan and site plans.

This area of Upwell is characterised by large detached properties, and those proposed are of a similar size to a number of the surrounding dwellings.

The properties are to be built with quality materials and will make a positive contribution to the street scene and the area.”

PLANNING HISTORY

17/00005/TPO: Tree Application - No objection: 16/01/17 - 2/TPO/00223: T1 Oak - Remove any major deadwood over 30mm in diameter

16/02223/DISC_A: Discharge of Condition final letter: 17/03/17 - Discharge of Condition 2 of planning permission 16/02223/F: Variation of Condition 2 attached to planning permission reference 16/01041/F to allow amendments to the design and location of the dwelling

16/02223/F: Application Permitted: 16/02/17 - Variation of Condition 2 attached to planning permission reference 16/01041/F to allow amendments to the design and location of the dwelling

16/01041/DISC_B: Discharge of Condition final letter: 06/02/17 - Discharge of Conditions 4, 5 and 10: Construction of four dwellings and garages following demolition of existing dwelling

16/01041/DISC_A: Discharge of Condition final letter: 09/09/16 - Discharge of Condition 3: Construction of four dwellings and garages following demolition of existing dwelling

16/01041/F: Application Permitted: 25/08/16 - Construction of four dwellings and garages following demolition of existing dwelling

RESPONSE TO CONSULTATION

Parish Council: REFUSE - Upwell Parish Council recommends refusal to this application. Similar sized buildings would be preferred. The proposed amendments constitute over-development of the site.

Highways Authority: NO OBJECTION

REPRESENTATIONS

None received

NATIONAL GUIDANCE

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES 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

Upwell Parish Plans

PLANNING CONSIDERATIONS

The key consideration in assessing this application revolves around the impact upon the appearance and character of this locality. Core Strategy Policy CS08 of the LDF is most pertinent which states inter alia:

“CS08 Sustainable Development

All new development in the borough should be of high quality design. New development will be required to demonstrate its ability to:

- protect and enhance the historic environment;
- enrich the attraction of the borough as an exceptional place to live, work and visit;
- respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout and access will enhance the quality of the environment;
- optimise site potential, making the best use of land including the use of brownfield land;
- enhance community wellbeing by being accessible, inclusive, locally distinctive, safe and by promoting healthy lifestyles (see Policy CS14 Community & culture);
- achieve high standards of sustainable design...”

This proposal seeks to change the designs of the houses on Plots 2 & 3 (the central pair of 4 approved on the northern frontage of Croft Road). Permission was granted for two 4/5 bedroomed houses on these plots with detached double garages set to the rear under application ref: 16/01041/F. The principle of the development has therefore already been established.

This current scheme proposes two substantial 5 bedroomed houses with integral double garages. The plot sizes and front building line remain the same, but the footprints of the dwellings are now such that they are both 1m from the respective east and west side boundaries (common with Plots 1 & 4 respectively) with a shared driveway between the houses of 5.7m tapering to 3.7m. This allows vehicular access to the rear of the dwellings into the rear-facing integral double garages.

Whilst the floorplans of the houses have increased (and incorporated the garages), the elevations of the houses maintain the eave (5.4m) and ridge (8.7-8.8m) heights comparable with those of the previously approved houses.

The bulk of the buildings have been reduced in design terms by giving the appearance of extended properties, using lean-to and stepped ridgelines on rear elements of Plot 2 and a stepped roofline from two to single storey to the rear of Plot 3.

The proposed choice of facing materials is also considered to be compatible to the palette in this locality.

Whilst the concerns of the Parish Council are noted, these are substantial buildings contained on fairly large plots. The dwellings will be seen in context with new-build units either side and within a street scene comprising a mix of styles and sizes of dwellings. The agent has submitted a street scene to illustrate how the two proposed dwellings will sit between the approved dwellings on Plots 1 & 4, which will be available to view at the meeting. Whilst the Parish Council would prefer to see the previously approved dwellings

built, it is considered that the proposed changes in house types responds to the context and character of this locality in an acceptable way.

There is ample parking and amenity space retained to serve the two dwellings and meet current standards. Access to the highway is via an approved single point with a private driveway serving all four properties.

There are no crime and disorder issues raised by this proposed development.

In assessing this application to vary condition 1 attached to application ref: 16/02223/F, all other conditions have been reviewed and modified as necessary.

CONCLUSION

Whilst the concerns of the Parish Council are noted and they would prefer to see the previously approved dwellings built, it is considered that the proposed change in house types responds to the context and character of this locality in an acceptable way. It is considered that the proposal accords with the provisions of Paragraph 17 & 56 of the NPPF and Core Strategy Policy CS08 of the LDF; it is therefore recommended for approval subject to certain conditions stated below.

RECOMMENDATION:

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

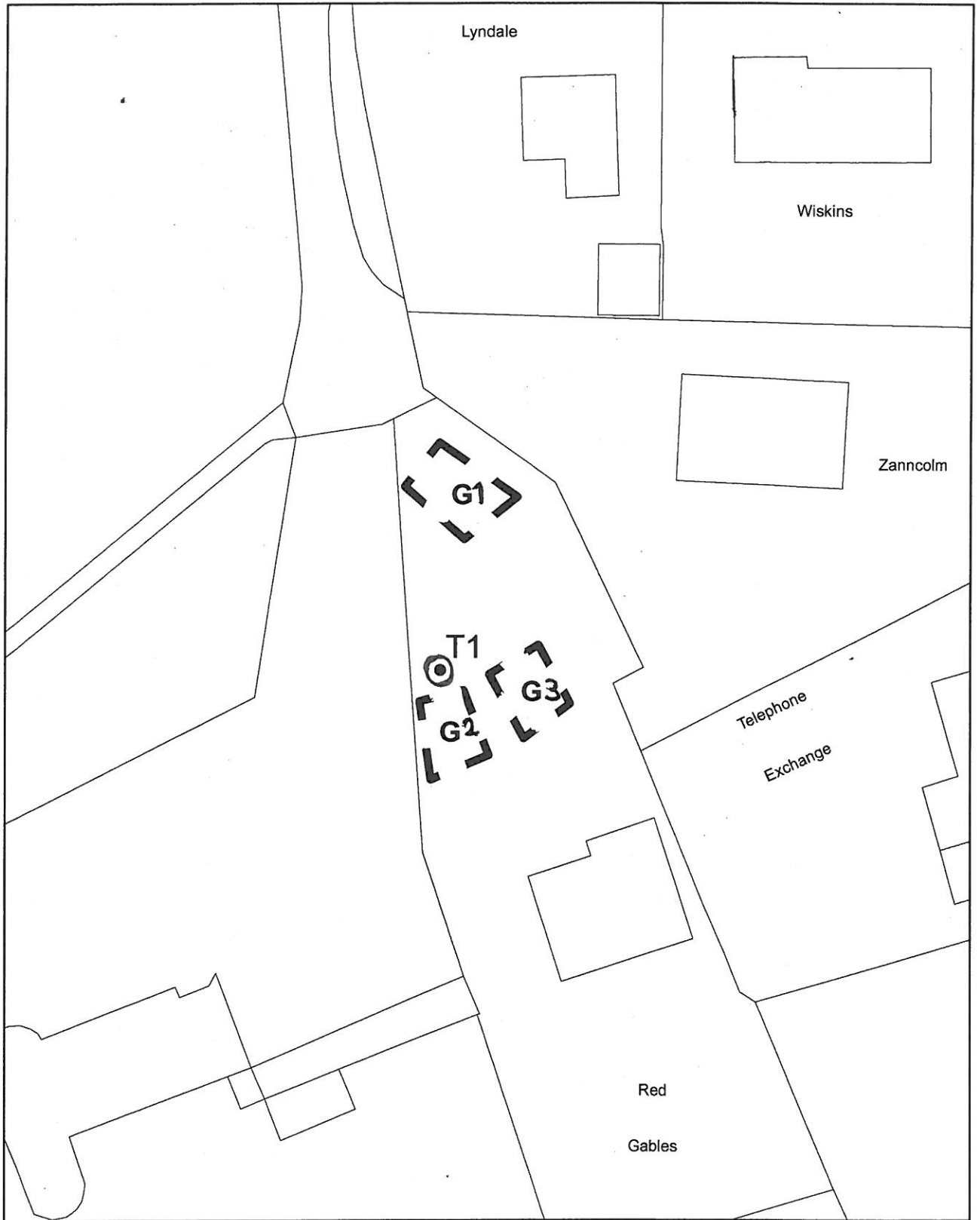
- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: 15-1423-3-E, 15-1423-4-A, 15-1423-5-B, 15-1423-10, 15-1423-11-B, 15-1423-12, 15-1423-13-H, 16-1580-1, 16-1580-2, 16-1580-3-A, 16-1581-1-A, 16-1581-2 & 16-1581-3-A.
- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition The development shall be carried out in accordance with the agreed facing materials indicated on the approved plans (Drawing Nos. 16-1580-3-A & 16-1581-3-A) and Plots 1 & 4 in accordance with the details agreed under application ref: 16/01041/DISC_B.
- 2 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 3 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 15-1423-13-H) in accordance with the highway specification Dwg. No. TRAD 1. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 4 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any

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

- 4 Reason In the interests of highway safety.
- 5 Condition Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan (Dwg No. 15-1423-13-H). 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.
- 5 Reason In the interests of highway safety.
- 6 Condition Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking 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.
- 6 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 7 Condition The development will be implemented in accordance with the Tree Protection details agreed under application ref: 16/01041/DISC_B.
- 7 Reason To ensure that the existing tree is properly protected during development of the site, in accordance with the provisions of the NPPF & Policy CS12 of the LDF.

2/TPO/00557

Red Gables Wisbech Road Walpole St Andrew



AGENDA ITEM NO: 8/3(a)

Parish:	Walpole	
Purpose of report:	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00557 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
Location:	Red Gables Wisbech Road Walpole St Andrew Wisbech Norfolk PE14 7LH	
Site owner/occupier:	Mr Stephen C Wilson & Mrs Angela B L Wilson	
Case No:	2/TPO/00557	
Grid Ref:	550253 317542	Date of service of Order: 19 January 2017

RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION

THE SITE

The two Willows (G1) line the driveway for Red Gables, Wisbech Road, Walpole St Andrew. Both trees are clearly visible from the Church and contribute to the overall verdant nature of the landscape near the church. It is worth mentioning that the other trees in this order (T1, G2 & G3) have not been objected to.

LDF CORE STRATEGY POLICIES

C12 - Environmental Assets

REASON FOR MAKING THE TREE PRESERVATION ORDER

Central Government advice states that all Tree Preservation Orders (TPO) should be regularly reviewed to try and remove older, area type orders. Following a site visit it was felt that these trees still contribute greatly to the surrounding landscape.

OUTLINE OF OBJECTIONS AND REPRESENTATIONS

One letter of objection was received from a neighbour living in a property known as Zanncolm, Wisbech Road, Walpole St Andrew following receipt of the Tree Preservation Order (TPO); the reasons for the objection are as follows:

1. The trees have never been maintained and a lot of debris falls into the driveway, occasionally larger branches fall off causing a danger.
2. These two Willow have been cited by my insurance company for causing damage to the property (Zanncolm).

Two letters of support have been received following the receipt of the TPO; one from the tree owner and one from a neighbouring property; both state that the trees enhance the surrounding landscape, provide a haven for the wildlife and help screen the property from the road, The tree owner also states that the trees were one of the reasons for purchasing Red Gables.

RESPONSE TO OBJECTIONS AND REPRESENTATIONS

1. A lack of tree maintenance does not exclude trees from formal protection and it has to be expected, when living in close proximity to mature trees, that debris, leaves, branches, seeds etc., will fall from the tree/s as part of their natural processes. The serving of a TPO does not discount any reasonable arboricultural works.
2. No evidence for this has been supplied so makes it difficult to comment further.

CONCLUSIONS

In conclusion, both the Willow in G1 contribute greatly to the character and appearance of the wider landscape and it is considered that the reasons put forward by the objector are of insufficient weight to prevent the confirmation of the TPO, and it is therefore recommended that the order is confirmed.

Background Papers

TPO file reference 2/TPO/00557

Appendix 1: copy of scoring assessment.

RECOMMENDATION: CONFIRM ORDER WITHOUT MODIFICATION

Contact Officer: Mr R. Fisher, Arboricultural Officer 01553 616386

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: Jan 2017 Surveyor: R. Fisher - ARB officer - BCKLWN

Tree details
 TPO Ref (if applicable): — Tree/Group No: _____ Species: x2 willow
 Owner (if known): _____ Location: RED GABLES, WALPOLE ST ANDREW

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 5) Good Highly suitable
- 3) Fair/satisfactory Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes 5
Healthy trees with good extension about.

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes 4
Healthy Trees with good life expectancy

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes
4 can be seen from various aspects.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

Score & Notes
1

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes 1
TPO REVIEW

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
15

Decision:
serve TPO

PLANNING ENFORCEMENT REPORT

PLANNING COMMITTEE

8 May 2017

**Report of the Executive Director of Environment and Planning,
pursuant to the Scheme of Delegation**

Parish:	Pentney
Purpose of report:	TO UPDATE MEMBERS IN RESPECT OF A CONTINUING BREACH OF PLANNING CONTROL AND TO SEEK A RESOLUTION IN RESPECT OF WHAT FURTHER ENFORCEMENT ACTION IS REQUIRED, IF ANY, TO REMEDY THE BREACH OF PLANNING CONTROL.
Location:	Land at 11 Church Close, Pentney, King’s Lynn, Norfolk, PE32 1JJ
<p>Recommendation – That Members of the Planning Committee:</p> <ul style="list-style-type: none"> a) Note the update in respect of the continuing breach of planning control; and b) Grant authority to the Executive Director of Environment and Planning for the implementation and execution of direct action under Section 178 of The Town and Country Planning Act 1990 (as amended) to comply with the requirements set out in Paragraph 5 of the Enforcement Notice dated 12th December 2014, (Appeal Decision). 	

1.0. INTRODUCTION

1.1. This report is brought to the Planning Committee so that Members can note the continuing breach of planning control and for a resolution to remedy the breach of planning control following non-compliance with a Planning Enforcement Notice. A copy of the Enforcement Notice (Appeal Decision) is attached at **Appendix 1.**

2.0 THE LAND

2.1 The Land is located entirely within the curtilage of the residential dwellinghouse at 11 Church Close, Pentney, King’s Lynn, Norfolk, PE32 1JJ (the Land). The Land is registered to the owner named above and a plan of the Land can be found attached to the Enforcement Notice at **Appendix 1.**

2.2 It is apparent that a large number of vehicles are being kept on the Land that the Local Planning Authority considers requires planning permission as it is well above what could be normally considered to be incidental to the enjoyment of the dwellinghouse.

2.3 Photographs showing the condition of the Land are attached at **Appendix 2**.

3.0 RELEVANT LEGISLATION

3.1 The following legislation is relevant:

- Town and Country Planning Act 1990 (as amended) (the 1990 Act), Sections 172 to 179, 187B and 191.
- Law of Property Act 1925 (the 1925 Act), Section 103
- Public Health Act 1936 (the 1936 Act), Sections 276, 289 and 294.

4.0 PLANNING CONSIDERATIONS

4.1 The following planning considerations are relevant:

- National Planning Policy Framework
- Planning Practice Guidance – Ensuring effective enforcement

5.0 PLANNING HISTORY

5.1 There is no specific planning history relevant to this matter.

6.0 THE BREACH OF PLANNING CONTROL

6.1 The breach of planning control is set out at Paragraph 3 of the enforcement notice as:

The material change of use for the Land from dwellinghouse to a mixed use of dwellinghouse and the storage of vehicles for a purpose not incidental to the enjoyment of the dwellinghouse as such.

7.0 ENFORCEMENT HISTORY

7.1 The condition of the property was brought to the attention of the Planning Department in July 2013.

7.2 As a result of failed negotiations with the owner of the Land to remedy the breach of planning control, a planning enforcement notice was served on 14th March 2014 (the 1st Enforcement Notice).

7.3 An appeal to the Planning Inspector against the Enforcement Notice was subsequently made, with the Planning Inspectorate's decision being made on 20th October 2014 to quash the 1st Enforcement Notice.

7.4 On 12th December 2014 a second Enforcement Notice (the Enforcement Notice) was served. Again this notice was appealed against and the Planning Inspectorate's decision being made on 7th August 2015.

The decision being:

The appeal is dismissed and the enforcement notice is upheld with a variation.

7.5 The variation provided that the compliance period to be extended to two months, this being 7th October 2015.

8.0 OPTIONS FOR REMEDYING THE BREACH OF PLANNING CONTROL

8.1 Option 1 – Prosecution

8.2 Section 179 of the 1990 Act provides:

Where, at any time after the end of the period for compliance with an enforcement notice, any step required by the notice to be taken has not been taken or any activity required by the notice to cease is being carried on, the person who is then the owner of the land is in breach of the notice.

Where the owner of the land is in breach of an enforcement notice he shall be guilty of an offence.

A person guilty of an offence under this section shall be liable [on summary conviction, or on conviction on indictment, to a fine].

8.3 The court has no power to order compliance with the terms of the enforcement notice.

8.4 The Local Planning Authority has already successfully prosecuted the owner of the Land for failing to comply with the requirements of the 2nd enforcement notice in the King's Lynn Magistrates Court on 16th November 2016.

Defendant was found to be guilty, with the verdict being:

A fine, an award of costs and a victim surcharge.

8.5 Although it is open to the Local Planning Authority to consider further prosecution proceedings in relation to the failure to comply with the 2nd enforcement notice, this still may not persuade the owner of the need to comply with the requirements of the notice.

8.6 Option 2 – Injunction

8.7 Section 187B of the 1990 Act provides that where a Local Planning Authority consider it necessary or expedient for any actual or apprehended breach of planning control to be restrained by injunction, they may apply to the court for an injunction, whether or not they have exercised or are proposing to exercise any of their other powers under Part VII (Enforcement) of the 1990 Act.

8.8 Whilst an application may be made to the court in respect of the above breach of planning control, the court would need to be satisfied that the granting of an injunction to force compliance will achieve the required aim and that intervention is as a last resort. This is because the court would also need to be satisfied that

if the owner fails to obey the injunction they would be prepared to commit them to prison for contempt of court.

8.9 In this particular case it is considered that the Council will have some difficulty in persuading the court to grant injunctive relief, particularly as it is not the only option open to them, nor is it the last resort. Also, the court may consider that injunctive relief is a draconian and disproportionate tool under the circumstances and one that would put the owner at immediate risk of contempt if compliance was not fully achieved.

8.10 Members would therefore have to commit to the costs involved with obtaining and enforcing the order, with little realistic prospect of success. This option is therefore not considered to be the most appropriate and proportionate action to take.

8.11 Option 3 – Direct Action (Section 178 of the 1990 Act)

8.12 Section 178 of the 1990 Act provides that where any steps required by an enforcement notice to be taken are not taken within the period for compliance with the notice, the local planning authority may –

- (a) enter the land and take the steps; and
- (b) recover from the person who is then the owner of the land any expenses reasonably incurred by them in doing so.

8.13 Enforcement action must be proportionate, necessary, reasonable, appropriate and justifiable, and commensurate to the breach of planning control. Some incidents or breaches of regulatory requirements have the potential to cause serious risks to the public, environmental damage or loss of public or residential amenity. One of the Council's responsibilities is to protect the public and prevent harm to the environment from occurring or continuing.

8.14 The continued failure to comply with the requirements of the Enforcement Notice is causing an adverse impact to the amenity of the area. It is considered that the best option for remedying the continuing breach of planning control is to undertake direct action to ensure the requirements of the Enforcement Notice are fully met.

8.15 Paragraph 5 of the Enforcement Notice requires the following steps to be taken:

- i) The use of the Land for the storage of vehicles for a purpose not incidental to the enjoyment of the dwellinghouse as such ceases.*
- ii) All vehicles stored on the Land for a purpose not incidental to the enjoyment of the dwellinghouse as such are removed from the Land.*

8.16 In this particular case, it is considered that direct action pursuant to Section 178 of the 1990 Act is justifiable, reasonable, appropriate, proportionate and necessary and the best option open to Members to remedy the breach of

planning control, to protect the amenity and prevent harm to the environment from occurring or continuing.

8.17 Option 4 – Take No Further Action

8.18 The enforcement notice will remain extant indefinitely and therefore a decision to take formal enforcement action could be reconsidered at a later date. The result of this is that the unauthorised use cannot become lawful for the purpose of Section 191 of the 1990 Act. However, Members should consider that whilst the Local Planning Authority has a general discretion to take enforcement action, the continued failure to resolve the breach of planning control may affect public perception and confidence in the planning system.

8.19 Option 5 - Compulsory Purchase Order (CPO) (Section 226 of the 1990 Act)

8.20 The Council has the power to purchase land under Section 226 in the following circumstances:

(1) A local authority to whom this section applies shall, on being authorised to do so by the Secretary of State, have power to acquire compulsorily any land in their area which –

(a) if the authority think that the acquisition will facilitate the carrying out of development/ re-development or improvement on or in relation to the land, or

(b) is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.

(1A) But a local authority must not exercise the power under paragraph (a) of subsection (1) unless they think that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objects –

(a) the promotion or improvement of the economic well – being of their area;

(b) the promotion or improvement of the social well-being of their area;

(c) the promotion or improvement of the environmental well-being of their area.

8.21 Guidance for the use of this power is provided by the Department for Communities and Local Government – October 2015, which states at paragraph 12:

A compulsory purchase order should only be made where there is a compelling case in the public interest.

An acquiring authority should be sure that the process for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provision of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.

- 8.22 Further the Council would have to demonstrate that it had the funds to carry out the acquisition prior to making the relevant compulsory purchase order and that no obstacles existed to the exercises of the CPO.
- 8.23 Only in exceptional circumstances would CPO be likely to be an appropriate course of action in controlling unauthorised sites since the Council has other powers to secure compliance with planning control which have a less drastic effect than taking away property rights.
- 8.24 Again, assuming such action could be justified, the procedure involved could be likely to be protracted, most probably involving a public inquiry and subsequent report. The Secretary of State would then have to consider whether to confirm the Order or not.

8.25 Option 6 - A Discretionary Extension of the Compliance Period

- 8.26 The owner of the Land has by virtue of the appeal and time period leading to the Court hearing on 16th November 2016 been afforded an extension of time to comply with the requirements of the Enforcement Notice. Furthermore there has been no indication from the Land owner that extending the compliance period will result in compliance with the notice. In this particular case, extending the compliance period of the notice is not considered the best option as it is likely to result in a delay in the need to take further enforcement action.

9.0 COST IMPLICATIONS

- 9.1 An assessment has been made of the costs involved to secure compliance with the requirements of the Enforcement Notice. In accordance with the Council's Contract Standing Orders procedure (24th September 2015), the relevant number of quotations have been provided to remove all vehicles that the LPA consider to not be incidental to the enjoyment of the property, and it is estimated that a sum of less than **£10,000** plus VAT will be required.
- 9.2 Given the nature of the work, a specialist contractor would be needed to carry out the work.
- 9.3 If Members resolve that Direct Action (Option 3) is authorised it should be noted that the costs of taking direct action, including the Council's establishment costs are recoverable by way of imposing a registered charge on the Land. Therefore the costs associated with the taking of direct action must be reasonable and justifiable. In this respect, direct action will be carried out in accordance with the law, best practice guidance, and the Council's own procedures.

10.0 THE HUMAN RIGHTS ACT AND THE EQUALITY ACT

- 10.1 The Council has a duty to consider the Land owner's rights under the Human Rights Act (HRA), in particular Articles 8 and Article 1 of the first protocol to the Convention on Human Rights, which state that a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property.

- 10.2 However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedom of others. Therefore, on balance it is considered that the wider adverse impact due to the condition of the land, continued failure to comply with the requirements of the enforcement notice outweighs the landowner's right under the HRA.
- 10.3 The Council must also have due regard to the provisions of the Public Sector Equality Act (PSED) contained in the Equality Act 2010. Amongst other things, this requires consideration to be given to the need to eliminate unlawful discrimination, harassment, and victimisation and to advance equality of opportunity and foster good relations between people who share protected characteristics and people who do not share it.
- 10.4 It is not known whether the owner of the Land falls within one of the protected characteristics. However, even if they do it does not follow from the PSED that formal enforcement action should not be taken. The adverse impact the condition of the property is having on the amenity of the area is demonstrable and therefore it is not considered that the requirement to have due regard to meet the needs of people with protected characteristics is of sufficient weight in this instance to justify taking no action.
- 10.5 On balance, it is considered justifiable and proportionate to remedy the ongoing breach of planning control by taking of further enforcement action using the above options.

11.0 RECOMMENDATION

11.1 That Members of the Planning Committee:

- a) **Note the update in respect of the continuing breach of planning control.**
- b) **Grant authority to the Executive Director of Environment and Planning for the implementation and execution of direct action under Section 178 of the Town and Country Planning Act 1990 (as amended) to comply with the requirements set out in paragraph 5 of the Enforcement Notice and appeal decision 7th August 2015.**



Case Reference Number: 13/00352/S215

NOTICE VARIED BY
APPEAL DECISIONDATED
07-08-15

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

Borough Council of King's Lynn & West Norfolk

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)(‘the Act’)

ENFORCEMENT NOTICE

ISSUED BY: Borough Council of King's Lynn & West Norfolk (‘the Council’)

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control within paragraph (a) of Section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The annex at the end of the Notice and enclosure to which it refers contain important additional information.

2. **THE LAND TO WHICH THIS NOTICE RELATES**

Land at 11 Church Close, Pentney, King's Lynn, Norfolk, PE32 1JJ
(‘the Land’) as shown shaded on the attached plan.

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the material change of use for the Land from dwellinghouse to a mixed use of dwellinghouse and the storage of vehicles for a purpose not incidental to the enjoyment of the dwellinghouse as such.

4. **REASONS FOR ISSUING THIS NOTICE**

It is considered that the above unauthorised development has occurred within the last ten years.

Due to the nature and number of vehicles being stored at the dwellinghouse it is considered that a material change of use of Land has occurred. The vehicles are not roadworthy and not being properly maintained and at a level that cannot be considered to be incidental to the enjoyment of the dwellinghouse as such.



The nature and excessive storage is inappropriate and adversely affecting the quality and amenity of this residential area, contrary to the provisions of the National Planning Policy Framework (NPPF).

5. AS THE PERSON RESPONSIBLE YOU ARE TO ENSURE THAT

- i) The use of the Land for the storage of vehicles for a purpose not incidental to the enjoyment of the dwellinghouse as such ceases.
- ii) All vehicles stored on the Land for a purpose not incidental to the enjoyment of the dwellinghouse as such are removed from the Land.

6. TIME FOR COMPLIANCE

One month from the date this notice takes effect

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 23RD JANUARY 2015 unless an appeal is made against it beforehand.

Date of Issue: 12-12-2014

Signed:

A handwritten signature in blue ink, appearing to be 'G. Hall'.

Mr G Hall
Executive Director Environment and Planning

Authorised Signatory
Borough Council of King's Lynn and West Norfolk
King's Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX

A copy of this notice has been served upon the following persons:

Paul Alexander Sangster, 11 Church Close, Pentney, King's Lynn, Norfolk,
PE32 1JJ

In the event of an appeal against the issue of this Enforcement Notice on Ground (a) that planning permission ought to be granted, the fee payable to the Local Planning Authority is £770.00



ANNEX

THIS IS IMPORTANT

YOUR RIGHT OF APPEAL

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs); or
- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We **MUST** receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in paragraph 7 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution, injunctive action in the High Court or County Court and/or remedial action by the Council.



ENFORCEMENT OF PLANNING CONTROL

Town and Country Planning Act 1990

(As amended by the Planning & Compensation Act 1991)

ENVIRONMENT AND PLANNING

King's Court, Chapel Street

King's Lynn, Norfolk, PE30 1EX

Tel: (01553) 616200

Fax: (01553) 616652

DX 57825 KING'S LYNN

Website: www.west-norfolk.gov.uk

A Plan showing site at: Land at 11 Church Close, Pentney, King's Lynn,
Norfolk, PE32 1JJ



Ordnance Survey data reproduced with the permission of the Controller of Her Majesty's Stationery Office under Licence No. 100024314 Crown Copyright © 2014. This map is not to scale and must not be reproduced.



Appeal Decision

Site visit made on 8 June 2015

by **J A Murray LLB (Hons), Dip.Plan.Env, DMS, Solicitor**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 August 2015

Appeal Ref: APP/V2635/C/15/3003240

Land at 11 Church Close, Pentney, King's Lynn, Norfolk, PE32 1JJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Paul Sangster against an enforcement notice issued by King's Lynn and West Norfolk Borough Council.
- The Council's reference is 13/00352/S215.
- The notice was issued on 12 December 2014.
- The breach of planning control as alleged in the notice is without planning permission, the material change of use for the Land from dwellinghouse to a mixed use of dwellinghouse and the storage of vehicles for a purpose not incidental to the enjoyment of the dwellinghouse as such.
- The requirements of the notice are to ensure that: (i) the use of the land for the storage of vehicles for a purpose not incidental to the enjoyment of the dwellinghouse as such ceases; and (ii) all vehicles stored on the Land for a purpose not incidental to the enjoyment of the dwellinghouse as such are removed from the Land.
- The period for compliance with the requirements is one month from the date the notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2)(c), (f) and (g) of the Town and Country Planning Act 1990 as amended.

Summary of Decision: The appeal is dismissed and the enforcement notice is upheld with a variation.

Background

1. The enforcement notice was issued under the 'second bite' provision set out in section 171B(4)(b) of the 1990 Act, an earlier notice having been quashed on appeal Ref APP/V2635/C/14/2217372 on 20 October 2014 (the previous appeal). That earlier notice was not declared a nullity, as the appellant, suggests, but the Inspector considered it flawed and incapable of variation without causing injustice. The problem was that the requirements allowed for no more than six vehicles to be stored on part of the land and the Council had not appreciated that, by virtue of section 173(11) of the 1990 Act, this could result in an unconditional planning permission for the storage of 6 vehicles on the land in addition to any vehicles kept for purposes incidental to the residential use.

Reasons

Ground (c)

2. To succeed on this ground, the appellant must prove, on the balance of probability, that the matters alleged in the notice do not constitute a breach of

planning control. The appellant contends that the vehicles are stored on the land for purposes incidental to a 3 bedroom property, being for the current and future use of the occupiers. By virtue of section 55(2)(d) of the 1990 Act, the use of land within the curtilage of a dwellinghouse for purposes incidental to the enjoyment of the dwellinghouse as such does not constitute development.

3. Photographs taken by the Council during site visits on 26 July and 31 July 2013 show 15 vehicles on the land, namely 9 in the rear garden, 2 to the side of the house and 4 in the front garden. These remained in place when the Council visited again on 1 October 2013 and 7 February 2014 and when the previous appeal Inspector saw the site on 20 October 2014. When lodging the current appeal, the appellant confirmed that circumstances had not changed on site although, by the time of my visit, there were only 3 vehicles in the front garden and one of those appeared to be roadworthy and in use. However, the vehicles to the side of the house and in the rear garden were the same as those shown in the Council's 2013 photographs. In any event, it is the position as at the date of issue of the current notice which is relevant.
4. The appellant does not explain in the current appeal how the storage of so many apparently un-roadworthy vehicles could be incidental to the enjoyment of the dwellinghouse as such, or the way in which they are kept for his, or the other occupiers' current and future use. He appears to have told the previous appeal Inspector that they had been moved to the appeal site from lock-ups in 2011, when he had to go into hospital for an operation. He said he intended to work on them as a hobby, either to restore or modify them or to dispose of them in parts. However, the previous Inspector concluded that the storage of vehicles in this case was beyond what would normally be expected to occur as activity incidental to residential use. Furthermore, given the length of time that the vehicles had been stored without significant work being carried out on them, they were not being kept for the purposes of a hobby. Accordingly, that Inspector dismissed grounds (b)¹ and (c) and I see no fault in that decision.
5. Further time has now elapsed without significant work being undertaken on the vehicles and I have been advised of no changes in circumstances which would justify a different conclusion from that arrived at in the previous appeal. I therefore conclude on this ground that the appellant has failed to prove, on the balance of probability, that the matters alleged in the notice do not constitute a breach of planning control.

Ground (f)

6. This ground is that the requirements of the notice exceed what is necessary to remedy the breach of planning control. The appellant contends that the requirements are excessive because they appear to indicate that all the vehicles on the site must be removed and, in the absence of an exact figure being specified, the householders and subsequent occupiers cannot know what the Council regards as incidental and therefore how many vehicles they can keep. The appellant says that the notice therefore has the effect of taking away the existing right to store vehicles on the property for purposes incidental to its use as a dwelling.
7. However, the requirements of notice do not take away existing lawful use rights; they explicitly preserve the right to keep vehicles on the land for

¹ Ground (b) is that the matters alleged in the notice have not occurred.

purposes incidental to the enjoyment of the dwellinghouse as such. Although I sympathise with the concern that the number of vehicles considered to be incidental is not specified, the Council is seeking to avoid the problem which arose in the previous appeal because of the effect of section 173(11). Furthermore, whether a use of land is excluded from the definition of development by section 55(2)(d) will be a matter of judgement in the particular circumstances of any case at any given time. Householders generally cannot be told how many vehicles they can keep before planning permission may be required for a change of use and any figure specified in an enforcement notice would be arbitrary.

8. I accept that, where an enforcement notice is in place, any breach gives rise to an immediate risk of prosecution and so, even though the Council would have to prove a breach had taken place, there is a need for sufficient clarity. However, in the normal course of events householders will know when they keep vehicles for purposes incidental to the enjoyment of their dwelling as such. There may be cases around the margins where vehicles are kept and worked on for hobby purposes, or for example where vehicles used in connection with a business are parked at home. However, if the appellant proposes anything along these lines in the future he will simply need to exercise caution. Where there is doubt, there is a procedure under section 192 of the Act to establish whether what is proposed would be lawful.
9. In all the circumstances, I consider that the requirements of the notice are sufficiently clear and do not exceed what is necessary to remedy the breach of planning control. In any event, I note that the appellant himself does not suggest any lesser steps. The appeal therefore fails on ground (f).

Ground (g)

10. Under this ground, the appellant contends that the one month period for compliance with the notice is unreasonably short. He seeks a period of nine months for a number of reasons.
11. If there had been no appeal, the notice would have required removal of the vehicles in February, when the ground would be soft, making removal problematic, especially for the appellant, who is seriously ill. However, at the time of writing this decision, that concern about timing and weather conditions does not now apply.
12. The appellant contends that it would be difficult for any person to clear the site in one month. He does not give any detailed explanation as to why. However, it is clear that the vehicles have been immobile for some years and many of them are located in the somewhat overgrown rear garden. Removal of those vehicles may present some difficulties. I also accept that the appellant may have to employ someone to assist. Whilst the appellant may need to raise funds to do so, that is not necessarily a reason for delaying removal. As the Council points out, the vehicles are likely to have a scrap value at least, so the appellant could recoup some or all of the costs of removal.
13. The appellant is also concerned that the requirement to remove the vehicles within one month could lead to him having to remove vehicles which, in time he might be permitted to keep. It is difficult to see why that would justify a longer period for compliance and the Council has indicated that, whilst the

appellant has not stated how many vehicles he would like to retain, it is open to him to demonstrate that certain vehicles are kept for an incidental purpose.

14. I note that the notice the subject of the previous appeal gave a six month period for compliance. Whilst the reduction to one month appears dramatic, I consider that six months was especially generous and I note that some of the vehicles have now been removed. I can see no reasonable justification for the nine month period requested by the appellant. However, having regard to the work involved in removing the offending vehicles, the appellant's poor health and the likely need to employ assistance, a compliance period of 2 months would represent a proportionate response in circumstances where, by the appellant's own admission the vehicles are untidily stored. I would also stress that the Council retains the power to extend the period for compliance where it is satisfied that this is appropriate². Furthermore, where a person can show that he has done everything he could be expected to do to secure compliance with the notice, this provides a defence to any prosecution³.
15. I will vary the notice accordingly, and to this extent only, the appeal succeeds on ground (g).

Decision

16. The enforcement notice is varied in section 6 by deleting "One month" and substituting "Two months" as the period for compliance. Subject to that variation the appeal is dismissed and the enforcement notice is upheld.

J A Murray

INSPECTOR

² Section 173A(1)(b) of the 1990 Act.

³ Ibis section 179(3).

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the April Planning Committee Agenda and the May agenda. 135 decisions issued, 125 decisions issued under delegated powers with 10 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area
- (4) Majors are assessed against a national target of 40% determined in time. Failure to meet this target could result in the application being dealt with by PINS, who would also receive any associated planning fee.

RECOMMENDATION

That the reports be noted.

Number of decisions issued from 22/03/2017 – 18/04/2017

	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	2	3		3	60%	60	50	0	1
Minor	51	41	10	39		76%	65		6	2
Other	79	77	2	67		85%	80		1	0
Total	135	120	15							

Planning Committee made 10 of the 135 decisions, 7%

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

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
25.01.2017	23.03.2017 Application Permitted	17/00129/F	Angloflora Farms Ltd Keepers Cottage Mintlyn Farm Queen Elizabeth Way Bawsey Variation of condition 2 of planning permission 16/00932/F: To amend previously approved drawings	Bawsey
24.01.2017	05.04.2017 Application Permitted	17/00117/F	Mr Harry Nichols Fishers East Harbour Way Burnham Overy Staithe Norfolk Retention of flue (without chimney stack)	Burnham Overy

13.02.2017	07.04.2017 Application Permitted	17/00256/F	Mr T. Oleson The Nook 6 Common Lane Brancaster Staithe Norfolk Erection of detached open faced boat store.	Brancaster
19.01.2017	18.04.2017 Application Permitted	17/00102/F	Mr Alan Jessup Bowling Green Walsingham Road Burnham Thorpe Norfolk Retention of bowls club pavillion	Burnham Thorpe
06.01.2017	22.03.2017 Application Permitted	17/00015/F	Mr & Mrs Macfarlane St Andrews House Overy Road Burnham Market King's Lynn Demolition of utility room, shed and conservatory and erection of single storey and two story extension, basement and replacement of windows to PVC doubled glazed sealed units	Burnham Market
25.01.2017	23.03.2017 Application Permitted	17/00124/F	Mr C Burns Craig House 65 Market Place Burnham Market Norfolk Extension and Conversion of Outbuilding Studio to provide additional accommodation ancillary to main dwelling. Demolition and replacement of Garage	Burnham Market

30.01.2017	05.04.2017 Application Permitted	17/00139/F	J Wareham Julers Yard 21 Front Street Burnham Market Norfolk Extension and alterations to existing dwelling and annex	Burnham Market
08.02.2017	28.03.2017 Application Permitted	17/00224/F	Mr K Mortimer Endymion Creake Road Burnham Market King's Lynn Construction of two storey replacement dwelling following the demolition of existing bungalow	Burnham Market
08.02.2017	06.04.2017 Application Permitted	17/00228/F	Client of Holt Architectural Ltd 12 Sussex Farm Ringstead Road Burnham Market King's Lynn Proposed extension and alterations	Burnham Market
22.02.2017	31.03.2017 Application Permitted	17/00337/F	Mr And Mrs Shewell 11 Sussex Farm Ringstead Road Burnham Market Norfolk Single storey utility and garden room extensions. Addition of two dormers	Burnham Market
08.09.2016	27.03.2017 Application Permitted	16/01625/F	Mr D Morris Cuckstool Cottage Cuckstool Lane Castle Acre Norfolk Single storey extension to existing cottage to give bedroom and ensuite	Castle Acre

25.01.2017	30.03.2017 Application Permitted	17/00123/F	Mr & Mrs Hubbard Egerton House 4 Back Lane Castle Acre King's Lynn Retrospective application for conversion of integral garage to residential accommodation to be used solely as accommodation ancillary to and in connection with dwelling	Castle Acre
31.01.2017	31.03.2017 Application Permitted	17/00161/RM	Mr Patrick Grange 75 Foxes Meadow Castle Acre King's Lynn Norfolk Reserved matters application: Detached two bedroom bungalow and pair of detached garages serving both proposed dwelling and existing dwelling	Castle Acre
07.02.2017	13.04.2017 Application Permitted	17/00210/F	Mr & Mrs Steel Lime Kiln Yard Cuckstool Lane Castle Acre Norfolk Demolition of existing lean to porch to front of property. Addition of new pitched Oak framed porch to front of property. Rear lean to extension off existing study	Castle Acre

08.02.2017	30.03.2017 Application Permitted	17/00218/F	Mr Rash Singh Costcutter Foxes Meadow Castle Acre Norfolk Proposed siting of temporary buildings to to act as shop during construction of new shop development	Castle Acre
10.02.2017	06.04.2017 Application Permitted	17/00239/F	Mr Mundford The Old Post House Newton Road Castle Acre King's Lynn Removal of existing garage and replace with new garage	Castle Acre
15.02.2017	05.04.2017 Application Permitted	17/00273/F	Mr & Mrs J A Ker-Gibson Motte House Pyes Lane Castle Acre King's Lynn Extension to sitting room, Alterations to Utility Room	Castle Acre
17.02.2016	29.03.2017 Application Refused	16/00300/F	PCD 94 Hall Road Clenchwarton King's Lynn Norfolk Construction of two detached chalet dwellings	Clenchwarton
16.01.2017	10.04.2017 Application Permitted	17/00060/F	Mr And Mrs G Greer 156 Main Road Clenchwarton King's Lynn Norfolk Side extension to existing house	Clenchwarton

25.01.2017	13.04.2017 Application Permitted	17/00130/F	Mr Mohammed Pakpourtabrizi 21 Bailey Lane Clenchwarton King's Lynn Norfolk Single storey extension to rear of dwelling	Clenchwarton
02.02.2017	23.03.2017 Application Permitted	17/00176/F	Mr Robin Briscoe Laurel House 19 Downham Road Denver Downham Market Proposed extension to kitchen and construction of new garage with room over	Denver
27.01.2017	28.03.2017 Application Permitted	17/00137/F	North & West Norfolk NNR's Land W of Roundabout NE Dersingham Fen Dersingham Bypass Dersingham Norfolk Single storey open fronted hay barn for storage of feed for cattle.	Dersingham
08.02.2017	30.03.2017 Application Permitted	17/00226/F	Mr Andrew Newell 25 Station Road Dersingham Norfolk PE31 6PR Rear single storey extension and side porch to kitchen and front porch to hall.	Dersingham
10.02.2017	30.03.2017 Application Permitted	17/00237/F	Mr Richard Cude 57 Hunstanton Road Dersingham Norfolk PE31 6ND Conversion of existing garage to living accommodation	Dersingham

16.01.2017	06.04.2017 Application Permitted	17/00058/F	Mr & Mrs M Carman 74 Willow Road Downham Market Norfolk PE38 9NZ Proposed single and two storey extensions	Downham Market
27.01.2017	24.03.2017 Application Permitted	17/00134/F	Mr & Mrs M Starreveld 18 Bridle Lane Downham Market Norfolk PE38 9QZ VARIATION OF CONDITION 2 OF PERMISSION 14/01667/F: Construction of dwelling (revised design)	Downham Market
14.02.2017	11.04.2017 Application Permitted	17/00263/F	Mr & Mrs M Halls 10 Oakfield Close Downham Market Norfolk PE38 9BN two storey extension to dwelling	Downham Market
16.02.2017	13.04.2017 Application Permitted	17/00284/F	Mr & Mrs C Mole 1 Crow Hall Estate Downham Market Norfolk PE38 0DG construction of domestic garage	Downham Market
20.02.2017	13.04.2017 Application Permitted	17/00313/F	R Covell & I Holman Northwest of Ideal 4 Bridle Lane Downham Market Construction of one dwelling	Downham Market
20.02.2017	13.04.2017 Application Permitted	17/00317/F	Mr And Mrs J Haslam 22 Grimshoe Road Downham Market Norfolk PE38 9RA Single storey rear extension	Downham Market

13.03.2017	03.04.2017 Application Refused	15/01769/NMA_1	Mr Ian Day Orchard Farm Lady Drove Barroway Drove Downham Market Non-material amendment to planning permission 15/01769/F: Proposed replacement dwelling	Downham West
28.02.2017	06.04.2017 Application Permitted	17/00380/F	Mr S Thompson and Miss Drew 150 Church Road Emneth Wisbech Norfolk Extension and alterations to dwelling	Emneth
09.03.2017	30.03.2017 Application Permitted	15/00378/NMA_1	Mr Lee Reynolds The Brambles Ashwicken Road East Winch Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 15/00378/F: Extension to existing property	East Winch
06.02.2017	28.03.2017 Application Permitted	17/00195/F	Mr Frederick Brun 15 Docking Road Fring King's Lynn Norfolk Proposed refurbishment and extension to an existing dwelling	Fring
08.03.2017	23.03.2017 TPO Work Approved	17/00025/TPO	Mr John King Acorns Back Street Gayton King's Lynn 2/TPO/00133: T1 - Reduce by 1.5 metres all round and reshape to balance	Gayton

16.02.2017	11.04.2017 Application Permitted	17/00286/F	Mr & Mrs P Grief 44 the Grove Pott Row King's Lynn Norfolk Extension to existing dwelling	Grimston
24.02.2017	18.04.2017 Application Permitted	17/00348/F	Ms M Osborn 2 Briar Close Grimston King's Lynn Norfolk Extension	Grimston
27.02.2017	18.04.2017 Application Permitted	17/00361/F	Mr Jason Tuffs The Gables Vong Lane Pott Row King's Lynn Single storey rear extension	Grimston
25.01.2017	28.03.2017 Application Permitted	17/00131/F	Mr Eddie Robb Flower Cottage 17 Station Road Great Massingham King's Lynn Raise existing single storey extension to double storey and associated internal works	Great Massingham
27.01.2017	22.03.2017 Application Permitted	17/00138/F	Mr Alastair Wilson Rustique Nethergate Street Harpley King's Lynn A single story extension to the rear of existing property.	Harpley

23.12.2016	23.03.2017 Application Permitted	16/02224/F	Heacham Manor Heacham Manor Hunstanton Road Heacham Norfolk Variation of Condition 23 attached to 07/01718/F to allow for amended scheme for earthworks/mounding to be approved	Heacham
24.01.2017	23.03.2017 Application Permitted	17/00112/F	Mr Batterham 38 Marram Way Heacham King's Lynn Norfolk Extension to replace conservatory and new detached garage	Heacham
30.01.2017	06.04.2017 Application Permitted	17/00147/F	Mr & Mrs Bradfield 78 - 80 High Street Heacham King's Lynn Norfolk Extension of existing dwelling house with Demolition of shop premises and change of use back to residential.	Heacham
30.01.2017	30.03.2017 Application Permitted	17/00148/F	Mr & Mrs Bradfield 84-86 High Street Heacham King's Lynn Norfolk Change of Use of No 86 ground floor to residential	Heacham
06.02.2017	28.03.2017 Application Permitted	17/00205/F	Mr Matthew Page 13 St Marys Close Heacham King's Lynn Norfolk First floor additions to existing	Heacham

16.02.2017	13.04.2017 Application Permitted	17/00282/F	Mr & Mrs D Marshall 12 Plovers Way Hockwold cum Wilton Norfolk IP26 4LF Single storey front infill extension and porch	Hockwold cum Wilton
16.02.2017	13.04.2017 Consent Required Not	17/00306/T3	CTIL And Telefonica Ltd Bulldog Service Station 87 Main Street Hockwold cum Wilton Norfolk Prior Notification: Installation of 12.5m monopole supporting 3no. antennas and 1no. 300mm diameter dish antenna, 1no. equipment cabinet and ancillary works	Hockwold cum Wilton
23.01.2017	22.03.2017 Application Permitted	17/00090/F	Mr P Wright Thorn Grove 7 Peddars Way Holme next the Sea Norfolk Proposed garage	Holme next the Sea
03.02.2017	23.03.2017 Application Permitted	17/00192/F	client of holt architectural ltd . Lodge Cottage 21A Peddars Way Holme next the Sea Norfolk Proposed first floor extension over existing garage	Holme next the Sea
01.02.2017	04.04.2017 Application Permitted	17/00162/F	Mr & Mrs Andrew Price 1A Homefields Road Hunstanton Norfolk PE36 5HJ Change of use from an empty shop/workshop to residential studio accommodation	Hunstanton

03.02.2017	28.03.2017 Application Permitted	17/00190/F	Mr P Chapple 44 - 46 Westgate Hunstanton Norfolk PE36 5EL Internal alterations to existing 2 no. maisonettes, to create 4 no. 1 bedroom flats and 1 no. 2 bedroom flat.	Hunstanton
10.02.2017	06.04.2017 Application Permitted	17/00240/F	Mr & Mrs N Gill 5 Queens Drive Hunstanton Norfolk PE36 6EX Proposed first floor extension including balcony and alterations	Hunstanton
27.02.2017	04.04.2017 Application Permitted	16/02054/NMA_1	McCarthy And Stone Retirement Lifestyles Ltd And Eastland House Westgate Hunstanton Norfolk NON MATERIAL AMENDMENT TO PLANNING CONSENT 16/02054/F: Variation of condition 2 of planning permission 16/00833/FM To vary previously approved drawings	Hunstanton
11.09.2015	04.04.2017 Application Refused	15/01435/OM	Mr Robert Bull Gaywood Hall Gaywood Hall Drive Gaywood King's Lynn OUTLINE APPLICATION ALL MATTERS RESERVED: residential development	King's Lynn

27.04.2016	30.03.2017 Application Permitted	16/00811/F	Mr Philip Bisla 154 St Peters Road West Lynn King's Lynn Norfolk Retention of outbuilding	King's Lynn
12.12.2016	23.03.2017 Application Permitted	16/02161/CU	Mr Paul Clifford Broad Street, St Dominics Square, Baxters Plain And New Conduitn Street King's Lynn Norfolk Proposed relocation of Kiosk Building	King's Lynn

16.01.2017	10.04.2017 Application Permitted	17/00064/LB	<p>Mr James Lee Hanse House South Quay King's Lynn Norfolk</p> <p>Listed Building Application: An illuminated menu sign on the front (east) elevation to replace the existing Hanse House sign</p> <p>Retention of 3 x model aircraft with information 40mm x 50mm plaque on the courtyard elevation of the south wing</p> <p>Retention of non-illuminated signage comprising:-</p> <p>Hanging sign 900mm x 900mm on the south elevation of the north wing</p> <p>Fascia sign 50mm x 4.2mm to Bistro on the south elevation of the north wing</p> <p>Above door Rathskeller door sign 30mm x 1200 mm on the south elevation of the north wing</p> <p>Wall sign 1150mm x 2100mm on the west gable end of the south wing</p> <p>Historic plaque 30mm x 500mm on the south facing courtyard wall of the north wing</p> <p>2 No. signs 1m x 1m & 1m.2.5m on dwarf walls to western end of the building</p>	King's Lynn
------------	--	-------------	--	-------------

23.01.2017	22.03.2017 Application Permitted	17/00091/F	Mr Marcel Pfrang Norfolk Constabulary St James Street King's Lynn Norfolk Erection of portable cabin for the period of 6-12 months (retrospective)	King's Lynn
30.01.2017	23.03.2017 Application Refused	17/00152/F	Mr A Devlin 59 Friars Street King's Lynn Norfolk PE30 5AP Install 2 replacement white Pvcu woodgrain windows to front of property	King's Lynn
01.02.2017	30.03.2017 Application Permitted	17/00172/F	Mr & Mrs S Shaw 3 Peppers Green King's Lynn Norfolk PE30 3DA Extension to dwelling	King's Lynn
02.02.2017	06.04.2017 Application Permitted	17/00173/F	Mr & Mrs M Baker 37 Jermyn Road King's Lynn Norfolk PE30 4AE New dwelling (self build)	King's Lynn
03.02.2017	06.04.2017 Application Permitted	17/00183/F	Mr & Mrs B Ampomah Marlborough House 7B St Peters Close West Lynn King's Lynn Extension and Alterations	King's Lynn
03.02.2017	03.04.2017 Application Permitted	17/00184/LB	Mr & Mrs B Ampomah Marlborough House 7B St Peters Close West Lynn King's Lynn Listed building application for extension and alterations	King's Lynn

03.02.2017	07.04.2017 Application Refused	17/00186/F	Bally Construction UK Ltd 65-66 Norfolk Street King's Lynn Norfolk PE30 1AG Conversion of 4 flats into 4 flats and 1 house	King's Lynn
09.02.2017	18.04.2017 Application Permitted	17/00232/RM	Equity Estates Kellard Place King's Lynn Norfolk PE30 5DG Reserved Matters Application: Erection of a building with a floor area of 408m2 (GEA) comprising two separate units with 92.90m2 (GIA) for use as a hot food take-away (class A5) and 278.70m2 (GIA) in retail use (class A1).	King's Lynn
09.02.2017	05.04.2017 Application Permitted	17/00233/F	Mr Gavin Elmer 314 Wootton Road King's Lynn Norfolk PE30 3EB Single storey rear extension	King's Lynn
13.02.2017	11.04.2017 Application Permitted	17/00247/F	Mr & Mrs D. Ward 36 All Saints Street King's Lynn Norfolk PE30 5AD Conversion of existing dwelling into two dwellings	King's Lynn
13.02.2017	06.04.2017 Application Permitted	17/00248/LB	Mr & Mrs D. Ward 36 All Saints Street King's Lynn Norfolk PE30 5AD Sub-Division of 36 All Saints Street, King's Lynn	King's Lynn

15.02.2017	30.03.2017 Application Permitted	17/00275/F	Mr & Mrs B Underwood 206 Wootton Road King's Lynn Norfolk PE30 3BQ Construction of Logstore and Detached Cartshed Store	King's Lynn
15.02.2017	10.04.2017 Application Permitted	17/00276/A	WHSmith PLC Card Market 50 High Street King's Lynn Norfolk ADVERT CONSENT: Non illuminated external fascia sign and projecting sign	King's Lynn
16.02.2017	05.04.2017 Application Permitted	17/00290/CU	Freebridge Community Housing 2 Centre Point King's Lynn Norfolk PE30 4SR Proposed change of use from retail (Class A1) to Offices (Class B1)	King's Lynn
21.02.2017	05.04.2017 Application Permitted	17/00327/F	Mr And Mrs Rayner 17 Riversway King's Lynn Norfolk PE30 2ED Demolition of single storey extension and rebuild with larger single storey extension	King's Lynn
23.02.2017	07.04.2017 Application Permitted	17/00340/F	Mr Peter Benefer 49 Vancouver Avenue King's Lynn Norfolk PE30 5RD Single storey rear extension	King's Lynn

01.03.2017	18.04.2017 Application Permitted	17/00384/F	Miss J. Simms 24 Glaven King's Lynn Norfolk PE30 4XL Conservatory to rear of dwelling.	King's Lynn
22.03.2017	23.03.2017 Application Permitted	16/01444/NMA_1	Borough Council of King's Lynn And West Norfolk Alive Lynnsport Greenpark Avenue King's Lynn Norfolk Non-material amendment to planning permission 16/01444/F: Construction of external staircase, internal mezzanine floor and recladding of existing building - The Shed	King's Lynn
20.01.2017	13.04.2017 Application Permitted	17/00078/F	Mr Alan Bedwell Church Hall 4 Mill Lane Marham Norfolk Demolition of dilapidated church hall and erection of new dwelling and associated external works	Marham
06.12.2016	30.03.2017 Application Permitted	16/02128/F	Mr Wagg Land Adjacent Merriweather 200 Smeeth Road Marshland St James Proposed two number 2-bed semi detached dwellings	Marshland St James

31.01.2017	29.03.2017 Application Permitted	17/00165/O	Goose & Didwell Land North of Homeland 337 Smeeth Road Marshland St James Wisbech OUTLINE APPLICATION: Construction of a dwelling	Marshland St James
03.01.2017	24.03.2017 Application Permitted	17/00001/F	Mr Keith Pritchard 1 Denton Lodge Cottages Mundford Road Feltwell Norfolk Proposed side extension to dwelling and detached garage	Methwold
09.02.2017	04.04.2017 Application Permitted	17/00231/F	Mr & Mrs D Tough 37B Whiteplot Road Methwold Hythe Norfolk IP26 4QP Construction of domestic garage	Methwold
13.02.2017	04.04.2017 Prior Approval - Refused	17/00268/PACU3	Mr James Waters Land To the Rear The Workshops Brandon Road Methwold Prior Notification: Change of use from agricultural building to dwellinghouse	Methwold
12.01.2017	30.03.2017 Application Permitted	17/00034/F	Mr & Mrs East Church End House Lynn Road Middleton King's Lynn 2 storey side extension	Middleton

17.01.2017	30.03.2017 Application Permitted	17/00067/F	Lou Goldsmid Rustlings 21 West Street North Creake Fakenham First floor extension and two storey stair/hall addition	North Creake
31.01.2017	22.03.2017 Would be Lawful	17/00164/LDP	Mrs Catriona Waters Hawthorn House Birchfield Road Nordelph Downham Market Application for a lawful development certificate for a proposed use of part of dwelling as a bed and breakfast for guests (on a non-fee paying basis)	Nordelph
25.11.2016	06.04.2017 Application Permitted	16/02063/F	Mistral Renewable Energy Ltd Celsius First 4 Scania Way Hardwick Industrial Estate King's Lynn Erection of packaged CHP Plant building	North Runcton
03.02.2017	30.03.2017 Application Permitted	17/00191/F	client of Holt Architectural Ltd . 39 the Green North Runcton King's Lynn Norfolk Variation of conditon 14 of planning permission 13/01103/FM as highway requirements have changed	North Runcton

13.02.2017	24.03.2017 Application Permitted	17/00253/F	North Runcton Parish Council Village Hall The Green North Runcton King's Lynn Disabled access ramps, extended lobby, roof renovation, refurbished kitchen and toilets.	North Runcton
17.02.2017	06.04.2017 Application Permitted	17/00304/F	Mr & Mrs M Calvert Strathmore 22 Rectory Lane North Runcton King's Lynn two storey extension to dwelling	North Runcton
07.03.2017	29.04.2017 Application Refused	16/01398/NMA_1	Mr & Mrs M Taylor North Runcton Rectory 42 Rectory Lane North Runcton Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 16/01398/F for a revised garage design with loft area	North Runcton
27.02.2017	06.04.2017 Application Permitted	17/00364/F	Mr & Mrs J AYRES 22 Methwold Road Northwold Thetford Norfolk Demolition of rear conservatory and erection of single storey rear extension	Northwold
30.01.2017	22.03.2017 Application Permitted	17/00158/F	Mr Keir Hughes 1 Manor Road North Wootton King's Lynn Norfolk Construction of single storey extension to rear of existing bungalow	North Wootton

22.02.2017	27.03.2017 Application Permitted	15/01042/NMA_3	T.M. Browne Ltd Land Off Priory Road North Wootton Norfolk PE30 3PY NON-MATERIAL AMENDMENT TO PLANNING CONSENT 15/01042/F: Demolition of 4 existing residential properties and development of the site to provide 7 residential units with associated landscaping and highways works and temporary use of no.50 Priory Road as site office during the construction period	North Wootton
01.03.2017	28.03.2017 GPD HH extn - Not Required	17/00395/PAGPD	Mr Michael Jillings 2 Hugh Close North Wootton King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 5 metres with a maximum height of 3 metres and a height of 3 metres to the eaves	North Wootton
16.03.2017	23.03.2017 Application Permitted	16/02041/NMA_1	Mr & Mrs Mark Hamilton Sundial Cottage Nursery Lane North Wootton King's Lynn NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 16/02041/F: 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

06.02.2017	28.03.2017 Application Permitted	17/00196/F	Mr & Mrs Fawkes 11 Hamilton Road Old Hunstanton Hunstanton Norfolk Extension, alterations and replacement windows	Old Hunstanton
10.02.2017	13.04.2017 Application Permitted	17/00242/F	C/O Strata Architecture Hunstanton Golf Club 37 Golf Course Road Old Hunstanton Norfolk Replacement of existing storage facilities for stores and teaching studio	Old Hunstanton
21.02.2017	12.04.2017 Application Permitted	17/00324/LB	Mr D Lloyd Lodge Hotel 46 Old Hunstanton Road Old Hunstanton Hunstanton LISTED BUILDING APPLICATION: Proposed bedroom	Old Hunstanton
24.01.2017	29.03.2017 Would be Lawful	17/00122/LDP	Mr & Mrs L Wakefield Albeck House Rectory Road Outwell Wisbech Application for a Lawful Development Certificate for a proposed extension to dwelling	Outwell
06.02.2017	05.04.2017 Application Permitted	17/00193/F	Mr & Mrs Graham Wyatt 89A Church Drove Outwell Wisbech Norfolk Proposed loft conversion, including dormer roof/windows	Outwell

17.02.2017	13.04.2017 Application Permitted	17/00295/F	Crown Lodge Hotel Crown Lodge Hotel 40 Downham Road Outwell Wisbech Variation of condition 2 of planning permission 16/00062/F: To amend previously approved drawings	Outwell
17.02.2017	13.04.2017 Application Permitted	17/00301/F	Crown Lodge Hotel Crown Lodge Hotel 40 Downham Road Outwell Wisbech Variation of condition 2 of planning permission 13/01342/F: To amend previously approved drawings	Outwell
06.03.2017	06.04.2017 Application Permitted	17/00418/F	Mr Lance Did-dell 52 Well Creek Road Outwell Norfolk PE14 8SA Erection of detached single storey 2 bay timber garage	Outwell
06.02.2017	06.04.2017 Application Permitted	17/00202/F	Ms Kelly Atkins Water Ski Club Pentney Lakes Common Road Pentney Mobile with no Foundations to be used as an indoor off water training facility	Pentney

16.02.2017	12.04.2017 Application Permitted	17/00289/LB	Pentney Abbey Estate Pentney Abbey Abbey Road Pentney Norfolk Listed Building Application: Change of use and alterations to storage and cloak room into kitchen and change of use from guest lounge into 5 additional guest bedrooms	Pentney
07.10.2015	29.03.2017 Application Refused	15/01604/FM	West Side Property Developments Ltd Land South of 8 Chapel Lane Ringstead Norfolk ten dwelling proposal comprising of 6 buildings on a brownfield site	Ringstead
01.03.2017	29.03.2017 Application Permitted	17/00386/F	North & West Norfolk NNR's The Smithy Station Road Wolferton Norfolk Single storey open fronted barn for storage of equipment and materials.	Sandringham
09.02.2017	30.03.2017 Application Permitted	17/00230/F	Mr & Mrs Simon Coates Hillview Docking Road Sedgeford Hunstanton Demolition of existing conservatory and erection of a single storey garden room extension to the rear of existing bungalow	Sedgeford

13.02.2017	11.04.2017 Application Permitted	17/00272/F	Mr Christopher Rees The Old Farmhouse 7 Bircham Road Snettisham Norfolk Two new windows on the north elevation & new doors to sitting room (west elevation)	Snettisham
16.03.2017	30.03.2017 Application Permitted	16/02144/NMA_1	RSPB RSPB Snettisham Marsh Nature Reserve The Beach Shepherds Port Snettisham Non-material amendment to planning permission 16/02144/F: Erection of a replacement bird watching hide subsequent to the coastal surge in Dec 2013	Snettisham
16.01.2017	23.03.2017 Application Permitted	17/00059/F	Renata Garfoot Sandpiper Cottage 14 Front Street South Creake Norfolk Render finish to gable wall of cottage	South Creake
30.01.2017	22.03.2017 Application Permitted	17/00149/F	Kenneth Bush Solicitors Branscombe 44 Nursery Lane South Wootton King's Lynn Detached garage to existing bungalow	South Wootton
02.02.2017	10.04.2017 Application Permitted	17/00171/F	Mr C Webb 7 Blickling Close South Wootton King's Lynn Norfolk Extensions to dwelling (revised design)	South Wootton

22.02.2017	13.04.2017 Application Permitted	17/00332/F	Mr L Gould 22 the Boltons South Wootton King's Lynn Norfolk First floor extension	South Wootton
08.02.2017	05.04.2017 Application Refused	17/00215/O	Ms Amanda Finch Land South West of 24 the Drove Barroway Drove Norfolk Outline application: Proposed 2 storey new dwelling	Stow Bardolph
08.02.2017	05.04.2017 Application Refused	17/00221/O	Ms Amanda Finch Land North East of 24 the Drove Barroway Drove Norfolk Outline application: Proposed 2 storey new dwelling	Stow Bardolph
13.02.2017	12.04.2017 Would be Lawful	17/00255/LDP	Mrs Cathy Gale The Conifers Holme Road Stow Bridge King's Lynn Lawful Development Certificate: proposed extension to existing dwelling	Stow Bardolph
13.02.2017	10.04.2017 Application Refused	17/00270/F	Mr And Mrs S Greenway Hybrid Farm 246 the Drove Barroway Drove Norfolk Standing of mobile home during barn conversion	Stow Bardolph

15.12.2016	10.04.2017 Application Refused	16/02178/F	Mr David Edwards Fairview 31 Lynn Road Terrington St Clement King's Lynn Dropped kerb and construction of new hardstanding	Terrington St Clement
24.01.2017	28.03.2017 Application Permitted	17/00118/RM	C/o Agent Site West of 161 Sutton Road Terrington St Clement King's Lynn Norfolk RESERVED MATTERS: Erection of two dwellings	Terrington St Clement
03.02.2017	30.03.2017 Consent Not Required	17/00206/T3	EE Ltd And Hutchinson 3G UK Ltd Mast Telecom 1 Hargate Lane Terrington St Clement Norfolk Prior Notification: Proposed telecommunications installation upgrade and associated works	Terrington St Clement
13.02.2017	07.04.2017 Application Permitted	17/00269/F	Mr & Mrs John Dickson 5 Eastgate Lane Terrington St Clement King's Lynn Norfolk Proposed lounge bedroom & en- suite extension	Terrington St Clement
14.02.2017	13.04.2017 Application Refused	17/00264/O	Mr William Cockle Land Adj 22 Hay Green Road North Terrington St Clement King's Lynn Outline application: Proposed residential development for 4 detached houses	Terrington St Clement

20.02.2017	10.04.2017 Application Permitted	17/00310/F	Miss LISA TAYLOR 88 Rhoon Road Terrington St Clement King's Lynn Norfolk Proposed two storey extension, proposed carport and internal alterations	Terrington St Clement
22.02.2017	06.04.2017 Application Permitted	17/00330/F	Mr Duhig Sunnymead Main Road Clenchwarton King's Lynn Rear porch extension and roof alteration to existing conservatory	Terrington St Clement
15.03.2017	30.04.2017 Application Refused	16/01074/NMA_1	Tarcine Ltd Land South of Main Road Terrington St John Norfolk Non-material amendment to planning permission 16/01074/F: Change of use from Class A4 to Class B1 (Business) and associated works	Terrington St John
01.12.2016	24.03.2017 Application Permitted	16/02094/F	Mr Peter Herbert Holm Oak House Church Street Thornham Norfolk Installation of 194sm swimming pond, together with associated soft and hard landscaping, which includes green oak decks and boardwalk and paved areas according to the plans and specification submitted with this application.	Thornham

19.01.2017	29.03.2017 Application Permitted	17/00071/F	Mr J Wheals Adjacent the Bungalow New Road Tilney St Lawrence King's Lynn Agricultural storage building	Tilney St Lawrence
27.01.2017	29.03.2017 Was Lawful	17/00143/LDE	Mr And Mrs T Stevens Land Adj 8 the Lodge 196 - 198 Small Lode Upwell Lawful Development Certificate: Siting of a mobile which has been occupied for a period of more than 10 years	Upwell
10.02.2017	30.03.2017 Application Permitted	17/00245/F	Mr & Mrs N Carter 13 Listers Road Upwell Wisbech Norfolk Extension to existing bungalow	Upwell
19.01.2017	23.03.2017 Application Permitted	17/00080/F	Mr Luke Coleman Rose Cottage Mill Road Walpole St Peter Norfolk Replacement bungalow with detached double garage	Walpole
13.01.2017	10.04.2017 Application Refused	17/00041/F	Mr Prior 16 Paige Close Watlington King's Lynn Norfolk Utilise the existing single-storey garage area to create a two-storey extension and addition of a small porch	Watlington

08.02.2017	24.03.2017 Application Permitted	17/00220/F	Watlington Medical Centre Watlington Medical Centre 15 Rowan Close Watlington Norfolk Proposed temporary placement of portakabin for office use	Watlington
14.12.2016	30.03.2017 Application Permitted	16/02166/OM	Mr And Mrs Lonsdale The Orchards 21 Sutton Road Walpole Cross Keys King's Lynn Outline Application : Residential development of 10 dwellings	Walpole Cross Keys
08.02.2017	22.03.2017 Would be Lawful	17/00225/LDP	R And C Mellor Ltd 1 Grange Farm Lynn Road Crimplisham Norfolk Application for a Lawful Development Certificate for a change of use of an area of barn into a staff room/rest room for employees to have their breaks and the proposed installation of a toilet and kitchenette area	West Dereham
24.02.2017	13.04.2017 DM Prior Notification NOT Required	17/00351/DM	Freebridge Community Housing 13, 14, 15, 16 Chestnut Avenue Welney Wisbech Norfolk Prior Notification: Houses to be demolished as properties are designated defective	Welney

11.11.2016	24.03.2017 Application Permitted	16/01988/F	Mr And Mrs Portass Dulce Domum 140 Salts Road West Walton Norfolk Standing Parkhome as a detached annex within curtilage of main dwelling	West Walton
14.02.2017	07.04.2017 Application Refused	17/00271/F	Mr Izik Kruh-Atar The Woodlands Lynn Road Walton Highway Norfolk Proposed detached six bed dwelling with integral double garage	West Walton
14.02.2017	04.04.2017 Application Permitted	17/00280/F	Mr Brian Brown Sandalwood 213 Salts Road West Walton Norfolk Extensions and alterations to dwelling	West Walton
20.03.2017	30.03.2017 Application Permitted	16/01962/NMA_1	Avalon Construction (Southern) Ltd The Mount 24 River Road West Walton Wisbech NON-MATERIAL AMENDMENT TO PLANNING CONSENT 16/01962/RM: Reserved Matters Application: Erection of a four bedroom detached dwelling	West Walton

03.01.2017	10.04.2017 Application Permitted	17/00003/F	Mr Phillip Younge Peacehaven 7 Church Road Wiggenhall St Mary Magdalen King's Lynn Front bay extensions and rear single storey extensions	Wiggenhall St Mary Magdalen
20.01.2017	13.04.2017 Application Permitted	17/00087/RM	Robertson Homes (East Anglia) Ltd Pond And Land SW of Church Farm Low Road Wretton Norfolk Reserved Matters Application: Construction of three dwellings and garages	Wretton
02.02.2017	30.03.2017 Application Permitted	17/00169/F	Mr & Mrs A Carr Dewberry Low Lynn Road West Rudham King's Lynn Extension to dwelling	West Rudham
02.02.2017	23.03.2017 Application Permitted	17/00181/F	Mr Cresswell Hooks Gables 17 Hall Lane West Winch Norfolk Proposed Carport and Garage Extension	West Winch
08.02.2017	30.03.2017 Application Permitted	17/00219/F	Mr Bruce Seales Willowdene 38 Hall Lane West Winch King's Lynn Single storey extension to the rear with internal alterations. External works to provide accessible garden and level access to front entrance	West Winch

