



# **Planning Committee**

## **Agenda**

**Monday, 27th July, 2015**  
at 10.00 am

in the

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



If you require parts of this document in another language, large print, audio, Braille or any alternative format please contact the Council Information Centre on 01553 616200 and we will do our best to help.

#### **LATVIAN**

Ja Jums nepieciešamas daļas no šī dokumenta citā valodā, lielā drukā, audio, Braila rakstā vai alternatīvā formātā, lūdzu, sazinieties ar Padomes informācijas centru (Council Information Centre) pa 01553 616200 un mēs centīsimies Jums palīdzēt.

#### **RUSSIAN**

Если вам нужны части этого документа на другом языке, крупным шрифтом, шрифтом Брайля, в аудио- или ином формате, обращайтесь в Информационный Центр Совета по тел.: 01553 616200, и мы постараемся вам помочь.

#### **LITHUANIAN**

Jei pageidaujate tam tikros šio dokumento dalies kita kalba, dideliu šriftu, Brailio raštu, kitu formatu ar norite užsisakyti garso įrašą, susisiekite su Savivaldybės informacijos centru (Council Information Centre) telefonu 01553 616200 ir mes pasistengsime jums kiek įmanoma padėti.

#### **POLISH**

Jeśli pragną Państwo otrzymać fragmenty niniejszego dokumentu w innym języku, w dużym druku, w formie nagrania audio, alfabetem Braille'a lub w jakimkolwiek innym alternatywnym formacie, prosimy o kontakt z Centrum Informacji Rady pod numerem 01553 616200, zaś my zrobimy, co możemy, by Państwu pomóc.

#### **PORTUGUESE**

Se necessitar de partes deste documento em outro idioma, impressão grande, áudio, Braille ou qualquer outro formato alternativo, por favor contacte o Centro de Informações do Município pelo 01553 616200, e faremos o nosso melhor para ajudar.



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, 27th July, 2015

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

**TIME:** 10.00 am

**1. APOLOGIES**

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

**2. MINUTES**

To confirm as a correct record the Minutes of the Meeting held on 29 June 2015.

**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)**

**a) Decisions on Applications (Pages 8 - 109)**

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

**9. DELEGATED DECISIONS (Pages 110 - 140)**

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

**10. DECISIONS ON PLANNING AND ENFORCEMENT APPEALS (Pages 141 - 147)**

To provide Members with the quarterly update covering performance for the period 1 April 2015 – 30 June 2015.

**To: Members of the Planning Committee**

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

**Site Visit Arrangements**

When a decision for a site inspection is made, consideration of the application will be adjourned, the site visited, and the meeting reconvened on the same day for a

decision to be made. Timings for the site inspections will be announced at the meeting.

If there are any site inspections arising from this meeting, these will be held on **Thursday 30 July 2015** (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 24 July 2015**. Please contact [Planningadmin@west-norfolk.gov.uk](mailto:Planningadmin@west-norfolk.gov.uk) or call (01553) 616443 to register.

**For Major Applications**

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

**For Minor Applications**

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

For Further information, please contact:

Kathy Wagg on 01553 616276  
[kathy.wagg@west-norfolk.gov.uk](mailto:kathy.wagg@west-norfolk.gov.uk)

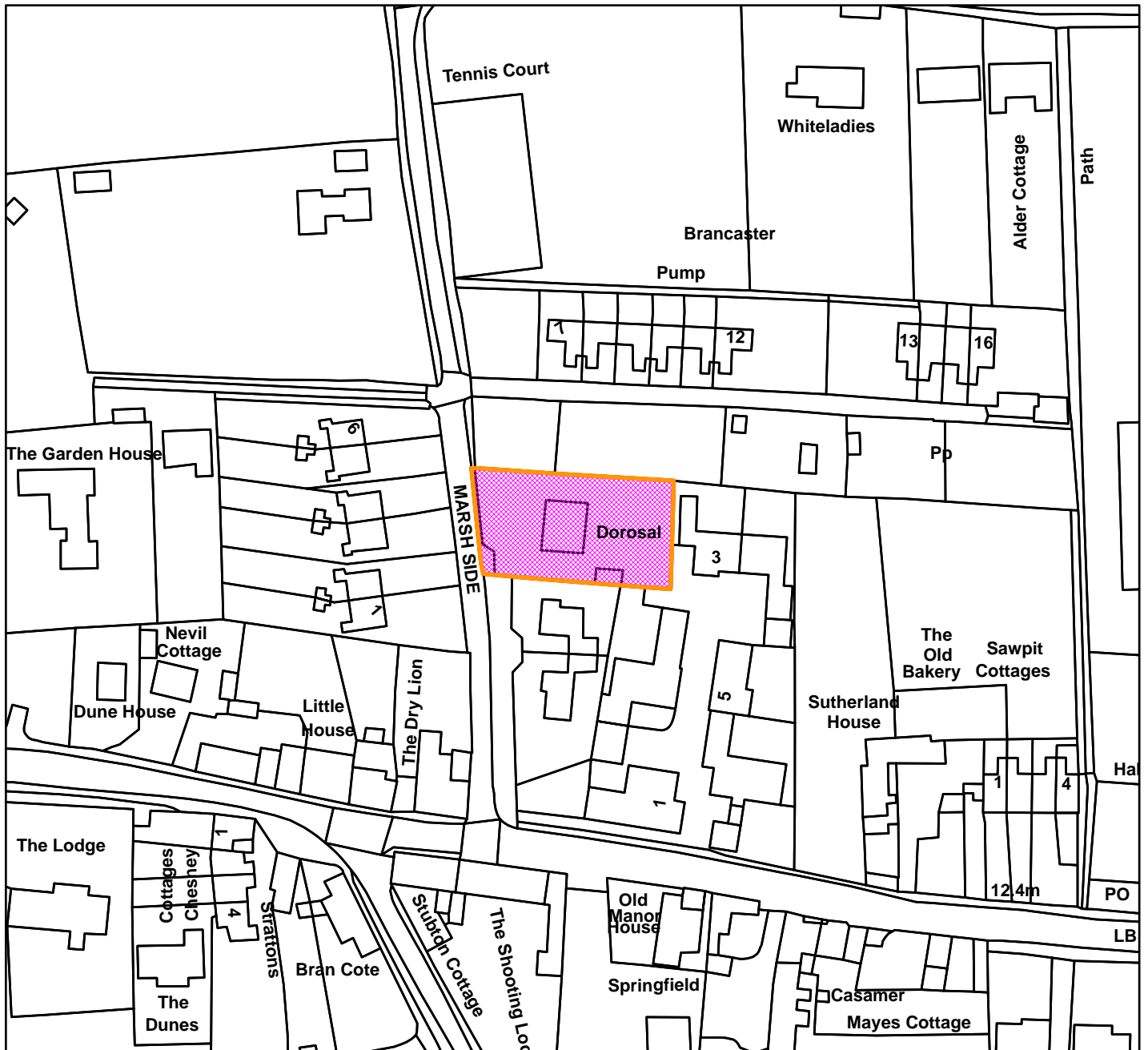
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE  
PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 27 JULY 2015**

<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
<b>8/1</b>	<b>OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE BOARD</b>			
8/1(a)	<b>15/00701/F</b> Dorosal Marsh Side Demolition of existing bungalow and construction of new house	<b>BRANCASTER</b>	<b>APPROVE</b>	<b>9</b>
8/1(b)	<b>15/00793/F</b> Bear and Beehive Cottage 47 Front Street Demolition of outbuilding and construction on existing footprint of ancillary annex extending into garden space within existing curtilage	<b>BURNHAM MARKET</b>	<b>APPROVE</b>	<b>19</b>
8/1(c)	<b>15/00503/F</b> 42 Station Road Proposed 2 dwellings.	<b>CLENCHWARTON</b>	<b>APPROVE</b>	<b>29</b>
8/1(d)	<b>15/00732/F</b> Land adjacent The Stables Main Road Construction of semi-detached dwellings.	<b>CRIMPLESHAM</b>	<b>APPROVE</b>	<b>42</b>
8/1(e)	<b>15/00142/F</b> Residential development of 4 no. units, including demolition of a detached garage.	<b>DOWNHAM MARKET</b>	<b>APPROVE</b>	<b>51</b>
8/1(f)	<b>15/00667/F</b> 6 Wisbech Road Convert existing outbuilding into self-contained residential house with extension to create front porch. Conversion of public house into 5 self-contained flats with first floor rear extension and single storey side extension.	<b>OUTWELL</b>	<b>APPROVE</b>	<b>63</b>
8/1(g)	<b>15/00179/F</b> 30 Sutton Road Demolition of vacant building and erection of 4 houses including improvements to school access.	<b>WALPOLE CROSS KEYS</b>	<b>APPROVE</b>	<b>74</b>

<b>Item No.</b>	<b>Application No. Location and Development</b>	<b>Description of Site</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
8/1(h)	<b>15/00857/F</b>		<b>WALPOLE</b>	<b>APPROVE</b>	<b>94</b>
	Torestin Chalk Road Walpole St Peter Freestanding car port and use of existing garage for ancillary accommodation.				
8/1(i)	<b>15/00949/O</b>		<b>WIGGENHALL ST GERMANS</b>	<b>REFUSE</b>	<b>101</b>
	Land South of 50 Common Road Outline Application: Proposed residential development of 3 detached dwellings (2 storey)				

15/00701/F

Dorosal Marsh Side Brancaster



Scale: 1:1,250

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	16/07/2015
MSA Number	0100024314



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

<b>Parish:</b>	<b>Brancaster</b>	
<b>Proposal:</b>	<b>Demolition of existing bungalow and construction of new house</b>	
<b>Location:</b>	<b>Dorosal Marsh Side Brancaster King's Lynn</b>	
<b>Applicant:</b>	<b>Mr David Marshall</b>	
<b>Case No:</b>	<b>15/00701/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty Tel: 01553 616403</b>	<b>Date for Determination: 6 July 2015 Extension of Time Expiry Date: 3 August 2015</b>

**Reason for Referral to Planning Committee** – Councillor Mrs Watson called the application to the Planning Committee; Parish Council objection.

**Case Summary**

The site consists of a detached, single storey dwelling and associated garden, within a short row of dwellings on the eastern side of Marsh Side, Brancaster.

The site is located within a predominantly residential area. To the north is garden area to the row of cottages on Marsh Side, to the east are dwellings and gardens set within a courtyard development accessed from the Main Road, to the south are two storey, detached properties and associate gardens and to the west, on the opposite side of the road are two storey, semi-detached properties and gardens.

The site is located within the AONB, Built Environment Type D, according to the proposals map for the Local Plan and adjoins the Conservation Area. The houses to the south and east are within the Conservation Area and the boundary follows the southern and eastern application site boundary.

This application seeks full planning permission for the demolition of the existing bungalow and the construction of a new house and detached garage. This amended scheme follows two earlier planning applications which were withdrawn prior to determination due to concerns about the scale of the replacement dwelling.

**Key Issues**

Acceptability of the principle of development;  
Form and Character;  
Impact upon the adjoining Conservation Area;  
Impact upon the AONB  
Relationship with adjoining occupiers; and  
Other material considerations.

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The site consists of a detached, single storey dwelling and associated garden, within a short row of dwellings on the eastern side of Marsh Side, Brancaster.

The site is located within a predominantly residential area. To the north is garden area to the row of cottages on Marsh Side, to the east are dwellings and gardens set within a courtyard development accessed from the Main Road, to the south are two storey, detached properties and associated gardens and to the west, on the opposite side of the road are two storey, semi-detached properties and gardens.

The site is located within the AONB, Built Environment Type D, according to the proposals map for the Local Plan and adjoins the Conservation Area. The houses to the south and east are within the Conservation Area and the boundary follows the southern and eastern application site boundary.

This application seeks full planning permission for the demolition of the existing bungalow and the construction of a new house and detached garage. The application follows two earlier planning applications which were withdrawn prior to determination due to concerns about the scale of the replacement dwelling.

The scale of the proposed replacement dwelling has been reduced in response to earlier concerns. The six bedroom dwelling is of two storey height but the roofspace has still been designed to accommodate additional accommodation. The dwelling still incorporates a single storey rear projection of some 12m, but the dwelling has been pulled away further from the boundaries to the north and south, the garage at the front of the site has been removed and the mass of the roof broken up with a section that steps down in size. The design of the house also takes more reference from properties in the vicinity.

Overall the amount of built form on the site has been reduced and the spacing around the building increased.

## **SUPPORTING CASE**

The application has been supported by a Design and Access Statement. It refers:-

The existing house on the site is a 1960s bungalow used as a single - family dwelling. There is also a 1970s concrete-panel garage with later conservatory and shed extensions on the site. The new house will be a single family dwelling.

The existing house sits in the middle of the site facing the street with a driveway on the right side of the plot leading to the garage set behind the house and against the right boundary. The new house will be in a similar position with ample space around it.

The existing house is 9.9m wide and 8.7m deep, single storey, with the ridge of the duo-pitch roof at approx. 6.3m above ground level. The new house is an "L" shape with the main wing (16.5m x 8m) running across the site and the secondary wing (6.5m x 11.8m) extending to the rear. The ridge of the roof will be approx. 8.5m above ground level, the same as the houses behind in Links Court. The ground level at the existing house will be adopted for the new house with landscape features in the rear garden to transition to existing site levels.

Following extensive discussions with the planning and conservation officer, following withdrawal of two earlier schemes, it was suggested that the scale was broken down and the resulting scheme has been agreed with them.

The rear and front gardens will remain open. Boundary hedges and masonry walls will be planted/built where shown on the plan, as agreed with the planners. There will be no changes to trees on the site.

The existing house is brick with concrete interlocking tiles, UPVC windows and doors. The new house is mainly flint and brick with plain tiles on the roof, with hardwood windows and doors.

This application is a follow-on from a previous application which was withdrawn due to planning officer concerns about overlooking and scale. This proposal has been developed with input from the planning officer with the intent of addressing those concerns.

## **PLANNING HISTORY**

14/01759/F: Application Withdrawn: 06/02/15 - Demolition of existing bungalow and construction of a new house and detached garage

14/00437/F: Application Withdrawn: 20/05/14 - Demolition of existing dwelling and construction of a new dwelling

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECT** – overdevelopment of plan in an AONB. Please refer to village design statement. Further discussion and site meeting requested. Please see previous objection.

**Highways Authority: NO OBJECTION** - conditionally

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

**Conservation Areas Advisory Panel: NO OBJECTION** - conditionally

## **REPRESENTATIONS**

**Cllr Mrs Watson:** has called in the application.

One third party representation referring to the following:-

- The proposed dwelling is too big, it will inevitably lead to clogging up the lane with even more cars (especially during the summer months when it is likely to be used most), and is frankly not needed in a village already cluttered with too many holiday homes.

## **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

**CS12** - Environmental Assets

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

**DM15** – Environment, Design and Amenity

## **OTHER GUIDANCE**

Brancaster Parish Design Statement

## **PLANNING CONSIDERATIONS**

The key issues to be determined in this case are:-

- Acceptability of the principle of development;
- Form and Character
- Impact upon the adjoining Conservation Area;
- Impact upon the AONB
- Relationship with adjoining occupiers; and
- Other material considerations.

### **Acceptability of the principle of development**

In terms of the Core Strategy Brancaster is defined as a Key Rural Service Centre where limited growth of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the development limits. Core Strategy Policies CS01, CS02, CS06 and CS12 are relevant.

The site lies within the village settlement as defined on the Proposals Map of the King's Lynn and West Norfolk Adopted Local Plan 1998. It is within the Built Environment Type D, as shown on the same plan, and lies adjacent to the Conservation Area.

In principle new development will be permitted provided it has regard for and is in harmony with the building characteristics of the locality and has regard to its impact on the settings of and views into and out of the Conservation Area.

The site is within the AONB, where development which has a significantly detrimental impact upon the natural beauty of the landscape will not be permitted.

Nationally, the NPPF seeks a high standard of design, and design that takes the opportunity to improve an area. Some of the key objectives are for development which responds to its local context and creates or reinforces local distinctiveness, is visually attractive as a result of good architecture and appropriate landscaping.

Government Guidance also seeks quality design in housing, and states that Local Planning Authorities should encourage applicants to bring forward sustainable and environmentally friendly development. It also states that design should be well integrated with, and complements neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Design should promote local distinctiveness.

## **Form and Character**

The site comprises a detached bungalow and associated garden land. This application seeks the demolition of the existing dwelling on the site and its replacement with a two storey dwelling. The ground levels of the site fall moderately from east to west and levels are higher than that of the properties to the west.

Previous planning applications for a replacement dwelling have been withdrawn due to concerns relating to the scale and mass of the building on this site.

This current proposal shows that the scale of the proposed replacement dwelling has been reduced in response to these earlier concerns. The six bedroom dwelling is of two storey height but the roofspace has still been designed to accommodate additional accommodation. The dwelling still incorporates a single storey rear projection of some 12m, but the dwelling has been pulled away further from the boundaries to the north and south, the garage at the front of the site has been removed and the mass of the roof broken up with a section that steps down in height. The design of the house also takes more reference from properties in the vicinity.

Overall the amount of built form on the site has been reduced and the spacing around the building increased so that it is more in keeping with surrounding development.

Dorsal is currently the only bungalow in this part of Marsh Side so a two storey property would be more in keeping with existing development. Given the proximity to other dwellings and the changes in ground levels, the height of the proposed replacement dwelling has been an important consideration. It is now considered that this revised scheme is of appropriate scale and mass and can be sited in the streetscene in harmony with the building characteristics of the area.

The existing bungalow on site is a simple, modest brick building with a pantile roof. Some of the existing properties along Marsh Side Lane do not necessarily reflect the more traditional properties found in the village and do not use the traditional building materials of Brancaster. This development, however, proposes to use traditional building materials and incorporates typical characteristics found in the village. These quality elements include the use of red brick and flint panelling, clay pantiles, dentil course details, tumbling in and traditional chimney stacks.

Therefore it is considered that, visually the proposed dwelling now adequately promotes local distinctiveness.

The Parish Council objects to the proposed development as they consider it to be overdevelopment of the site in the AONB. They refer to the Village Design Statement as a reason for their objection. However, it is considered that the proposal relates adequately to the requirements of this document with regard to design, scale and appearance.

In terms of design and scale the proposal is now considered to be in harmony with the building characteristics of the locality and, therefore, accords with local plan policy 4/21, Core Strategy CS06 and the provisions of the NPPF.

### **Impact upon the adjoining Conservation Area**

The site is located just beyond the Conservation Area boundary. However, development proposals in the vicinity of Conservation Areas should have regard to their impact on the settings of and views into and out of the areas and such proposals should be taken into account by the Council in assessing any consequential effect for the preservation or enhancement of the character or appearance of the Conservation Area.

As the site abuts the boundary, the proposed replacement dwelling will be visible from the Conservation Area. However in context, for the reasons referred to above relating to scale, density, massing, height, layout and materials, it would not appear unduly out of keeping.

With regard to Conservation Areas, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act requires planning authorities to pay special attention to 'the desirability of preserving or enhancing its character or appearance'.

The Conservation Areas Advisory Panel notes the reduction in the bulk of the building and the changes to the detailing. The revised proposal, as presented, took into account the concerns of their previous meeting and it was confirmed that the garage had been removed from the scheme. The CAAP now raises no objection to the current proposal but recommends that a condition be imposed relating to a sample panel.

It is considered that the proposed development will now preserve the character of the Conservation Area and its heritage assets and therefore accords with local and national planning policy with this regard.

### **Impact upon the AONB**

The site, and indeed the whole of the village, is within the AONB, where development which has a significantly detrimental impact upon the natural beauty of the landscape will not be permitted. In terms of the design and scale, the NPPF discusses the need for dwellings in the AONB to be of an appropriate design and scale for their location.

The proposed works will be visible from within the confines of the village, but as it is surrounded by existing development of similar heights, it will not be obtrusive or prominent. In context, it is considered that the proposed dwelling will not be detrimental to the appearance of the AONB.

The Parish Council objects to the proposed development as they consider it to be overdevelopment of the site in the AONB. However, for the reasons given above, this view is not shared by your officers.

### **Relationship with adjoining occupiers**

The relationship between the dwelling as proposed and existing dwellings has been examined.

The land immediately to the north is garden land and there will be some overshadowing at certain times of the day. However, this would not be sufficient to materially impact upon these neighbours with regard to loss of light or overshadowing.

The property will increase the amount of overlooking of neighbouring sites as first and second floor windows have been incorporated into the design. However, spacing between properties to the east and west is sufficient to ensure that the overlooking from the proposal will not be directly into windows of these neighbouring properties and will be to an acceptable degree. Neither is it close enough to have an overbearing impact upon the occupants of neighbouring properties, nor will it cause overshadowing or loss of light.

In summary, there will be no significantly detrimental impact upon the amenity of the occupants of neighbouring properties in terms of overlooking, being overshadowed or the replacement dwelling being over bearing, as a result of this proposal.

### **Highways issues**

The Highways Authority has raised no objection to the proposal.

Third party comments have been received which state that the size of the house is too big and will lead to the clogging up of the lane with cars. However, three spaces are shown to be provided with additional space for turning so that vehicles may leave in forward gear. The proposed dwelling therefore caters for its own needs with regard to parking provision and meets the required parking standards. There are no outstanding concerns regarding this aspect.

### **Other material considerations**

The site is within flood risk Zone 1 with little or no risk of flooding. There are no outstanding flood risk issues.

The site lies within 2km of a SSSI. However, the proposed development would not have a significant adverse effect on the features on which the SSSI is designated.

The application has been supported by a Protected Species Survey following neighbour concerns on an earlier planning application about bats using the roof of the bungalow.

The Protected Species Survey found no bat evidence inside the bungalow, and the roost potential was assessed as being low. Further, the survey found no indication that the proposed development should reasonably be expected to result in impacts to any other protected species, such as would be considered an offence under Article 12(1) of the Habitats Directive and its UK enactment, the Conservation of Habitats and Species Regulations 2010.

Subject to compliance with the mitigation measures proposed within the document there are no outstanding concerns relating to protected species.

### **Crime and Disorder Act 1998**

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

## CONCLUSION

The proposal is now considered acceptable in policy terms for this village site in the AONB, adjacent to the Conservation Area. The design, scale and height have been amended so that it no longer dominates the streetscene. It is considered the proposed replacement dwelling now relates sufficiently with the existing surrounding development. In context the proposed development will not appear unduly out of keeping or harm the natural beauty and character of the AONB.

The use of traditional building materials will preserve the character of the adjoining Conservation Area.

There are no outstanding concerns regarding overlooking, overshadowing or the development being overbearing. There are no outstanding nature conservation or flood risk issues.

The proposed development is considered to comply with Local Plan Policy 4/21, Core Strategy Policies CS01, CS02, CS06, CS08 and CS12 and advice within the NPPF and therefore it is recommended that the proposal for the development be approved.

## RECOMMENDATION:

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

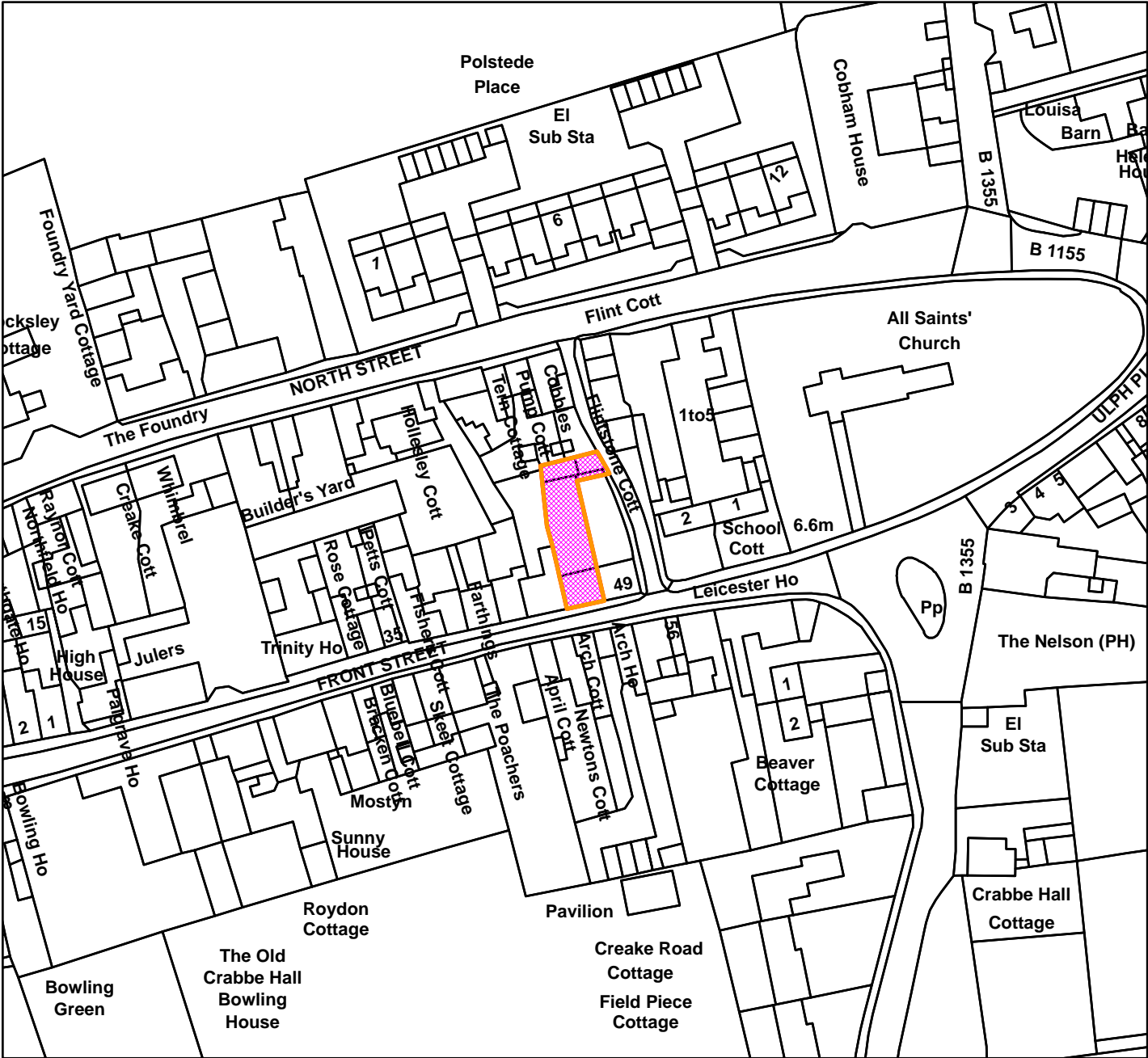
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Drawing No.EX10 Rev 0, Site Location Plans
  - Drawing No.GA11 Rev 1, Proposed Block Plan, including Clarification of Boundary Treatments, dated 10 July 2015
  - Drawing No.GA20 Rev 0, Proposed Ground Floor Plan
  - Drawing No.GA22 Rev 0, Proposed Second Floor Plan
  - Drawing No.GA23 Rev 0, Proposed Roof Plan
  - Drawing No.GA31 Rev1, Proposed Elevations
  - Drawing No.GA32 Rev1, Proposed Elevations
  - Drawing No.GA41 Rev 0, Proposed Ground Floor Sections
- 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.
- 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 Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage.
- The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05 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 area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 7 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) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 7 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

15/00793/F

Bear and Beehive Cottage 47 Front Street Burnham Market



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:1,250

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	09/07/2015
MSA Number	0100024314

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

<b>Parish:</b>	<b>Burnham Market</b>	
<b>Proposal:</b>	<b>Demolition of outbuilding and construction on existing footprint of ancillary annex extending into garden space within existing curtilage</b>	
<b>Location:</b>	<b>Bear And Beehive Cottage 47 Front Street Burnham Market Norfolk</b>	
<b>Applicant:</b>	<b>Mrs Janet Rubin</b>	
<b>Case No:</b>	<b>15/00793/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr C Fry Tel: 01553 616232</b>	<b>Date for Determination: 22 July 2015 Extension of Time Expiry Date: 31 July 2015</b>

**Reason for Referral to Planning Committee** – The previous application for an annex on the site was dismissed by the Planning Committee.

**Case Summary**

The application site lies within an area defined as Built Environment Type C, Conservation Area and Area of Outstanding Natural Beauty according to Local Plan Proposals Maps for Burnham Market.

The site forms the garden area to the Bear and Beehive Cottage, a two storey property on the northern side of Front Street.

The garden area contains a white painted mono-pitch outbuilding. The proposal seeks consent to demolish this outbuilding and replace it with an annex building.

This application seeks to overcome previous objections raised by the Planning Committee to an annex in March 2015.

**Key Issues**

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

**Recommendation**

**APPROVE**

## THE APPLICATION

The application site lies within areas defined as Built Environment Type C, Conservation Area and Area of Outstanding Natural Beauty according to Local Plan Proposal Maps for Burnham Market.

The site comprises the rear garden area to the Bear and Beehive Cottage, a two storey property on the northern side of Front Street. The garden currently area contains a mono pitched outbuilding.

Access to the outbuilding and garden area is gained from a private lane that links Front Street to North Street. The private lane also provides access to the rear of the properties on Front Street, North Street and to Flint Cottage, a property that fronts the private lane. Some of these properties have outbuildings too.

Some members might recall that an application for an annex was refused by the Committee in March 2015 for three reasons: First, by reason of its height and position it would have an over-bearing relationship with the adjacent dwelling known as Flintstone Cottage that would result in loss of light to habitable rooms, to the detriment of the amenity of the occupants of the cottage. Secondly, the proposed Annex building involved the demolition of a chalk and red brick wall that is attached to the existing outbuilding. The wall can be seen from North Street and is contained within the Conservation Area. The loss of this wall was considered to fail sustain the character of the Conservation Area. Thirdly, the proposal was considered to result in a cramped form of development as a result of its height and the increased footprint over and above that of the existing outbuilding and in particular the extension of the building into the lane to the east which would create an increased sense of enclosure to the space between the dwellings on Front Street and North Street, to the detriment of the form and character of the Conservation Area.

This proposal seeks to overcome the reasons for refusal, by having a lower mono-pitched roof, by extending the annex towards the existing dwelling, and by providing accommodation at basement level.

## SUPPORTING CASE

The application has been supported by a Design and Access Statement, which includes the following:

- The existing building was built as a garage to house vehicles and bicycles etc. and for the last 20 years it has been used solely for storage.
- The proposal is to demolish the existing outbuilding and replace it by a partially earth sheltered annex. The ground floor is to be cut into the ground with the finished floor level at 1.4m below existing ground level.
- The structure is L shape in plan and the massing only extends inside the applicants own garden. There is no extension toward any other property beyond the lines of the existing building.
- There will be no overshadowing of the properties to the north. 2 very low mono pitched roofs are to be provided.
- At first floor there will be bedrooms and there will be its own private courtyard.
- The ridge height of the roof will be only 800mm higher than the existing.
- Brick walls will be laid in a Flemish bond with lime mortar. Painted windows and pan tiled pitched roof.
- The building will also have some cedar cladding.

## **PLANNING HISTORY**

14/01331/F: Application Refused: 12/03/15 - Demolition of single storey outbuilding to be replaced with a small two storey annexe ancillary to main dwellinghouse. West wall to be retained

10/00631/F: Application Permitted: 24/05/10 - Erect a single storey timber framed glazed conservatory

## **RESPONSE TO CONSULTATION**

**Parish Council: NO OBJECTION**

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

**Conservation: NO OBJECTION** subject to condition

**Environmental Health & Housing – Environmental Quality:** comments to be forwarded on in late correspondence.

## **REPRESENTATIONS**

**Two** letters received objecting to the proposal on the following grounds:-

- Conversion of outbuildings to dwellings should not be permitted
- No suitable parking for a dwelling.
- On-street parking is already at capacity
- Additional infrastructure at this location will impact significantly on the residential amenity of those living adjacent to the yard.
- Damage to adjacent properties by contractors vehicles.

## **NATIONAL GUIDANCE**

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

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

## **PLANNING POLICIES**

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

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** – Transport

**CS12** - Environmental Assets

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

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

**DM15** – Environment, Design and Amenity

**DM7** - Residential Annexes

## **PLANNING CONSIDERATIONS**

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

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

### **Planning History and Principle of Development**

Some members will recall that planning permission was sought for an annex to Bear and Beehive Cottage under planning permission reference no. 14/01351/F.

The application was refused for the following reasons:-

1. The proposed Annex building, by reason of its height and position would have an over-bearing relationship with the adjacent dwelling known as Flintstone Cottage that would result in loss of light to habitable rooms, to the detriment of the amenity of the occupants of the cottage.
2. The proposed Annex building involves the demolition of a chalk and red brick wall that is attached to the existing outbuilding. The wall can be seen from North Street and is contained within the Conservation Area. The loss of this wall fails to sustain the character of the Conservation Area.
3. The proposal would result in a cramped form of development as a result of its height and the increased footprint over and above that of the existing outbuilding and in particular the extension of the building into the lane to the east. As a result it would create an increased sense of enclosure to the space between the dwellings on Front Street and North Street to the detriment of the form and character of the area and to the character of the Conservation Area.

This proposal seeks to overcome these reasons for refusal by way changing the form and height of the roof of the annex; the retention of the chalk and red brick wall that can be seen from North Street and a reduction in footprint to that previously proposed. The building is not proposed to be built into the lane; rather it is proposed to provide basement level accommodation, to provide the level of accommodation required.

Third Party representations are concerned about the proposal being effectively a new dwelling. It must be noted however, that the previous application was not refused on the proposal being tantamount to a dwelling, and this proposal is for a very similar amount of accommodation.

There are some key principles, established through case law, when assessing whether accommodation is "ancillary" to the main dwelling; these include: its scale, layout, relationship to the main dwelling and its intended use. Furthermore, Policy DM7 of the Draft Management Policies Pre Submission Document states that development of residential annexes will be approved only subject to the following being secured by condition or planning agreement:

- It remains in the same ownership as, and is occupied in conjunction with the principal dwelling; and does not appear as tantamount to a new dwelling
- It is ancillary and subordinate in scale to the principal dwelling;
- Its occupants(s) share(s) the existing access, garden and parking of the main dwelling
- Occupation of the annexe is subservient to that of the main dwelling; and
- Not capable of subdivision.

The proposed annex is considered to satisfy the key principles established through case law and the draft Policy DM7. The intention is to use the annex as overspill accommodation and the physical scale of the building is subordinate to the principal dwelling. The annex will have a garden area but will be shared with the existing dwelling. If a separate curtilage were proposed there would be no access to the donor property's garden area. There is no off-street parking proposed. The annex can also be approved subject to conditions that remove permitted development rights for the erection of walls, gates and fences to prevent its separation from the donor dwelling, as well as conditioned so that it is retained with the main house. In addition, permitted development rights for household development will be removed, where relevant (given the site's context in the Conservation Area and Area of Outstanding Natural Beauty), in order to avoid any potential increase in accommodation.

It is therefore considered that, on balance, the revised proposal is still an annex rather than a new dwelling, and meets the terms of the new draft policy.

### **Impact upon Designated Heritage Assets**

Third Party Representations are concerned about the impact of the proposal upon the character of the Conservation Area.

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places statutory duties upon Local Planning Authorities. Section 72 of the Act requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when determining applications affecting buildings or land within the Conservation Area or its setting.

The National Planning Policy Framework (NPPF), specifically paragraphs 131 and 132, refers to the need for planning authorities to take account of: the desirability of new development making a positive contribution to local character and distinctiveness and the

desirability of sustaining and enhancing heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. This is reinforced in the National Planning Practice Guidance.

The Burnham Market Conservation Area Character Statement states that: "Front Street is straight and runs parallel to North Street from the south east corner of The Green. Here it is quite wide but soon narrows and is tightly defined on both sides by a mixture of traditional terrace cottages and small houses that front directly onto narrow pavements. There is a good mixture of materials- brick, flint and colourwash - and the scale are predominantly two storey. Occasional gaps and carriage arches provide glimpses into courtyards, a welcome diversion from the strong linear thrust of the street."

The site comprises part of the garden area to Bear and Beehive Cottage, a two storey cottage on the northern side of Front Street. The garden area contains a mono-pitch outbuilding. Bear and Beehive cottage has its rear access from a private lane which runs from Front Street to North Street. This private lane serves other residential properties.

The proposal involves demolition of the outbuilding to erect a new mono pitched roof building with lean to element. The building will only be 800mm taller than the existing building at 3.5m into the site, after which it will drop down as a result of being dug into the site. It will be no longer than the existing building. The building will be deeper by virtue of extending into the dwelling's garden; however this will not be a prevalent feature in the Conservation Area. The binstore has been removed from this revised proposal and the chalk and red brick wall in the Conservation Area will be retained. The annex will be constructed from brick and partly clad in cedar boarding.

The Conservation team objected to the previous scheme on the scale of the outbuilding, specifically its height. The team considered that the building will be overbearing and dominate the surrounding cottages. However, the Conservation team do not object to this proposal which will have less of an impact on the neighbouring properties and the conservation area, and it retains the existing garden wall. The Conservation Officer requests that the materials be conditioned.

In addition there are only glimpses of the site in passing. From Front Street the roofs of the buildings on North Street and the neighbouring outbuilding's roof are seen. The roof of the annex would be shielded by the neighbouring outbuilding. The annex cannot be seen from North Street as it is obscured by the existing built form. The proposal therefore sustains the character of the Conservation Area.

Subject to samples being submitted, it is considered that the character of the Conservation Area is sustained.

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

The site is also within an Area of Outstanding Natural Beauty (AONB).

The NPPF, specifically paragraph 115, states that: "Great weight should be given to conserving landscape and scenic beauty in National Parks, the Boards and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty."



Given the scale and nature of the proposal, and its location within the village it is considered that the integrity of the AONB is retained.

### **Impact upon Neighbour Amenity**

Third Party representations are concerned about the building causing detrimental neighbour amenity issues.

The National Planning Policy Framework, specifically paragraph 17, states that, in respect to neighbour amenity: "Planning should provide a good standard of amenity for all existing and future occupants of land and buildings".

Policy DM 15 of the Draft Development Management Policies Pre-submission Document states that, in respect to neighbour amenity: "Proposals will be assessed against a number of factors including: Overlooking, overbearing and overshadowing... Development that has a significant adverse impact on the amenity of others ... will be refused".

The neighbours on Front Street will not be detrimentally affected by the proposed annex. Outlook into the neighbour's private amenity spaces from the windows at first floor level will be shielded by the substantial boundary wall to the west and the neighbour's outbuilding to the east. Being sited due north of these properties there will be no overshadowing into their amenity spaces from the increased ridge height. The scale of the building and boundary features overcomes any detrimental overbearing issues.

The neighbours to the north of the site will be some 10m away from the rear elevation of the annex and will not be detrimentally overshadowed from the additional 800mm roof height. No windows are proposed to face these neighbours and the scale and siting of the annex would not cause overbearing issues on their private amenity spaces.

The previous proposal would have resulted in the annex being extended into the Lane and close to Flintstone Cottage, the neighbour to the north east. This revised proposal does not involve extending into the lane and this neighbour will experience minimal additional impact beyond what currently exists.

### **Highway Safety**

Third Party Representations raise concerns about traffic implications, in so far as parking and access for the Bear and Beehive cottage and annex.

Front Street is a two way street which is characterised by on-street parking. The Highways Officer notes that accesses from the private lane onto Front Street and North Street have substandard visibility. It is by virtue of this accommodation being as an annex, used in an ancillary way similar to an extension that the highways officer has no objection to the proposal. The highways officer acknowledges that there could be linked trips (sharing a car) compared to independent movements with un-associated dwelling houses. The additional traffic implications are therefore considered to be minimal.

### **Other Material Considerations**

The proposal does not cause any detrimental impact upon the nearby SSSI.

The scale of the proposal is not considered to warrant any restrictive timing conditions in relation to construction.

The scale of the proposal is not considered to warrant a construction management plan in so far as the parking of vehicles to the site. Any damage caused to neighbouring properties will be covered under Civil Law.

Third Party representations are concerned about the proposal putting existing services and infrastructure under pressure. The site is contained within the settlement boundary to a Key Rural Service Centre as identified in Policy CS02 of the Core Strategy 2011.

## **CONCLUSION**

Members are being asked to consider whether the building can be legitimately termed an annex taking into account its scale, layout, and relationship to the main dwelling and intended use and in addition, whether the proposal causes any detrimental neighbour amenity or conservation issues.

It is your officer's opinion that the proposal can legitimately be termed "ancillary" to the main dwelling and therefore, an annex. The annex will be used ancillary to the main dwelling and is subordinate in scale to the existing dwelling and read in conjunction with the existing dwelling.

The scale of the building and its siting is not considered to detrimentally affect neighbour amenity to a degree that would warrant a refusal of the application and it sustains the character of the Conservation Area.

This redesigned scheme is considered to overcome the objections of the Planning Committee to the previous scheme, and the proposal is therefore considered to comply with the provisions of the National Planning Policy Framework; National Planning Practice Guidance; Policies CS06, 08 and 12 of the Local Development Framework and Policy 4/21 of the King's Lynn and West Norfolk Local Plan.

## **RECOMMENDATION:**

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

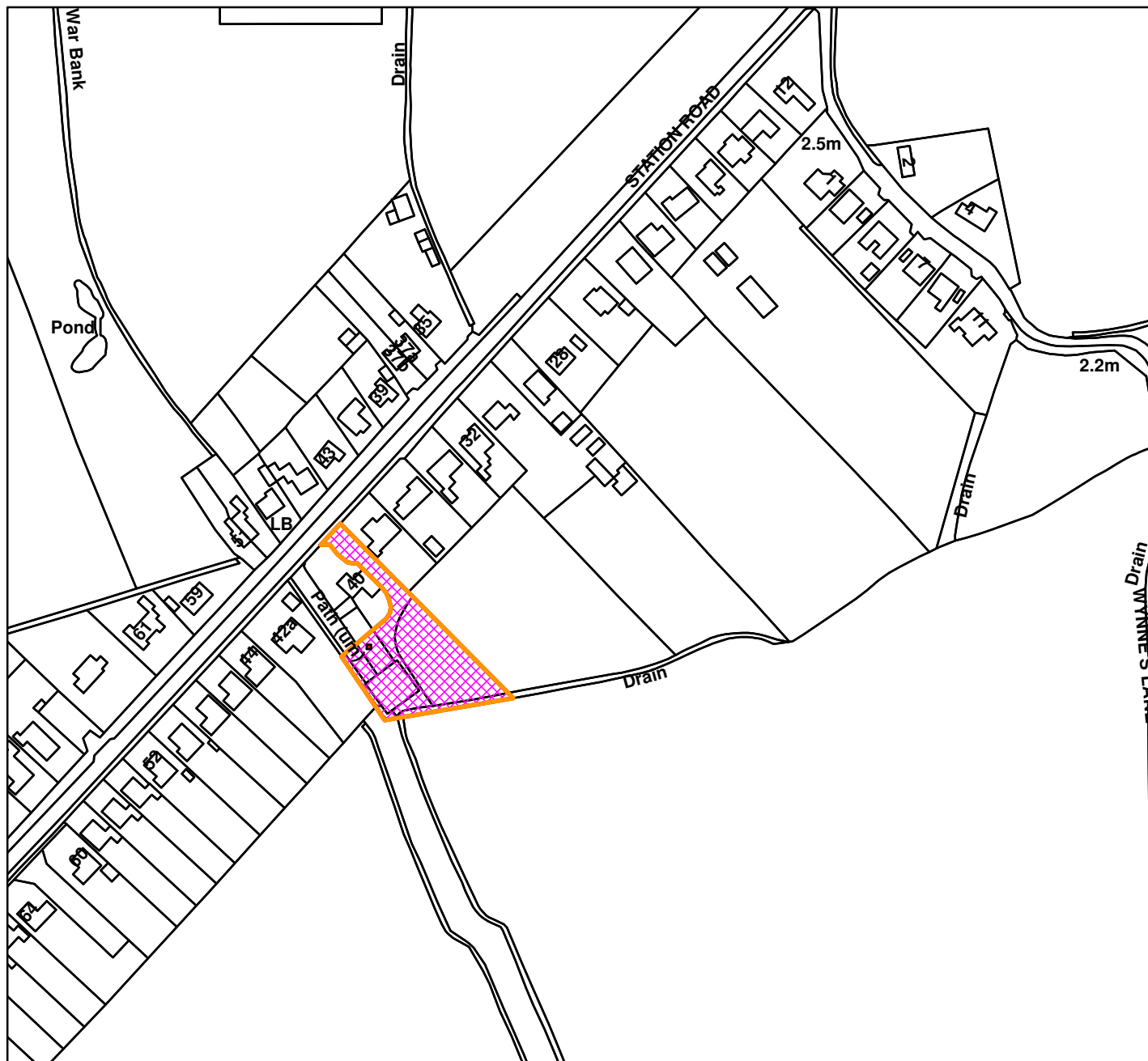
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
  - Site and Location Plans drawing no.000 rev A05 received 27th May 2015.
  - Proposed Floor Plans drawing no.002 rev A14 received 27th May 2015.
  - Proposed Elevations drawing no.003 A14 received 27th May 2015.
  - Proposed Roof Plans and Section drawing no.005 rev A05 received 27th May 2015.
  - Proposed Elevations drawing no.006 rev A14 received 27th May 2015.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The additional residential accommodation hereby approved shall only be used as ancillary accommodation to the main dwelling and shall at no time be used as

an independent unit of residential accommodation or for business or commercial purposes or holiday let purposes.

- 3 Reason For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF.
- 4 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no fence, gate, wall or other means of enclosure shall be erected within the curtilage of the property, so as to subdivide the overall site.
- 5 Reason In order to prevent the subdivision of the annex from the donor property.
- 6 Condition Notwithstanding the provisions of Schedule 2 Part 1 Classes C, G and H of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no alteration to the annex roof; installation, alteration or replacement of a chimney, flue or soil and vent pipe; installation, alteration or replacement of a microwave antenna shall be allowed without the granting of specific planning permission.
- 6 Reason In interests of safeguarding the character of the Conservation Area.

15/00503/F

42 Station Road Clenchwarton



**Scale:** 1:2,500

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	15/07/2015
MSA Number	0100024314

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

<b>Parish:</b>	<b>Clenchwarton</b>	
<b>Proposal:</b>	<b>Proposed two dwellings</b>	
<b>Location:</b>	<b>42 Station Road Clenchwarton King's Lynn Norfolk</b>	
<b>Applicant:</b>	<b>Mr P Underwood</b>	
<b>Case No:</b>	<b>15/00503/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson Tel: 01553 616794</b>	<b>Date for Determination: 26 May 2015 Extension of Time Expiry Date: 3 August 2015</b>

**Reason for Referral to Planning Committee** – At the discretion of the Executive Director and the views of the Parish Council are contrary to the Officer recommendation.

**Case Summary**

The application site lies on the south-eastern side of Station Road, Clenchwarton, and to the rear of No.42 – a detached house. At the time of compiling this report, the site lies within Built Environment Type D on the Local Plan Proposals Map for the village and Flood Zone 3 plus Hazard Zone of the Council-adopted Strategic Flood Risk Assessment. However, the submitted Site Allocations & Development Management Policies Document shows this site as being outside the village development area, and therefore in countryside.

This application seeks full permission for the demolition of an existing commercial warehouse/workshop building, and redevelopment of the site with two detached barn style houses.

Members may recall a recent application on this same site to demolish the workshop and redevelop it with 5 new light industrial units with associated parking and access upgrade. That application (ref: 14/01318/F) was refused by committee following a site visit on 8 December 2014.

**Key Issues**

Principle of development  
Impact upon appearance and character of this locality  
Assess and highway matters  
Impact upon neighbouring premises  
Crime and disorder  
Other material considerations

**Recommendation**

**APPROVE**

## THE APPLICATION

The application site lies on the south-eastern side of Station Road, Clenchwarton, and to the rear of No.42 – a detached house. At the time of compiling this report, the site lies within Built Environment Type D on the Local Plan Proposals Map for the village and Flood Zone 3 plus Hazard Zone of the Council-adopted Strategic Flood Risk Assessment. However, the submitted Site Allocations & Development Management Policies Document shows this site as being outside the village development area, and therefore in countryside.

This application seeks full permission for the demolition of an existing commercial warehouse/workshop building, and redevelopment of the site with two detached barn style houses (one 4 bedroomed and one 5 bedroomed). They would be served off a new shared access drive linking to Station Road, and the existing access would serve No.42.

## SUPPORTING CASE

The following information in support of this proposal is offered by the agent:

“The proposal is to demolish the existing commercial unit on the site and replace it with these two new dwellings. An application under reference 14/01318/F was refused for the replacement of the commercial unit at planning committee, however it should be noted that it had the support of the planning officer. The reason for the refusal was that the proposal constituted a significant intensification of commercial use of the site in a residential area, leading to adverse impact on the amenities of the nearby residential properties.

This proposal will remove this use from the site and replace it with residential properties which are consistent with the neighbouring properties. The existing building is tired and offers little protection to neighbours for noise and has no operating restrictions.

The proposal has also been designed to restrict any overlooking to neighbouring properties both front and sides with the placement of the windows to the first floor. The design has been revised further, following concerns of neighbours. At all stages of this application the design has evolved by working closely with the planning department.

It was felt after taking advice from the planning department and listening to the comments of the planning committee, parish council and residents that two residential dwellings that pick up on the rural nature to the rear of the site would be the most appropriate form of development on the site. This has led to the style of the dwellings being barn styled, which are sympathetic to the adjacent residential properties and open countryside beyond the site, whilst respecting the existing properties amenity.

This proposal also mirrors the approach of Kenwick Hall Gardens which is also on Station Road, where new dwellings have been created in an agricultural theme that is not road frontage properties.

These new dwellings are to be served directly from Station Road with a new entrance, which will allow the existing dwelling to have its own access to Station Road. The driveway is the same as the earlier planning application and is approved to serve the existing commercial unit at the rear. Surfacing of this is the same as the earlier application which will minimise the noise to the adjacent properties as it is bound gravel.

Additional ground drainage is being proposed to remove any potential water problems that may occur from the access roadway.”

## PLANNING HISTORY

14/01318/F - Proposed industrial units - Refused 08.12.14

12/00188/F – Demolition of commercial buildings and construction of 4 new 3 bed dwellings  
– Withdrawn 20.03.12

Adjoining sites:

12/01223/F - Proposed new 4 bed dwelling with integral garage and alterations to driveway –  
Approved 07.11.12

2/03/1881/F – Extension to dwelling and construction of detached double garage –  
Approved 24.10.03

2/98/0417/F - Extensions to dwelling – Approved 15.04.98

## CONSULTATIONS

**Parish Council:** (Initial submission) **OBJECT**

- 1) This development would be an inappropriate use of 'back land';
- 2) Concerns regarding the presence of asbestos in the existing building – if permission is granted must include appropriate precautions to be taken to prevent the release of asbestos fibres into the atmosphere;
- 3) In light of recent flooding issues down Hall Road and the flooding that has repeatedly occurred at 42 Station Road during the construction of the new dwelling, There would need to be a full and proper flood risk assessment to be carried out prior to building start including those that are applicable from the water authority and that the neighbouring properties are protected by a sound party wall agreement if applicable; and
- 4) Whilst it is acknowledged that private dwellings are preferable to industrial units (as per the last application at this location) it is considered that 'barn style' dwellings are not in keeping with the rest of the properties on Station Road. Also that the privacy of adjacent property residents would be compromised by building large dwellings at the rear of 42 Station Road as is the case with the new dwelling currently under construction.

(Revised plans) No Comments received at the time of writing this report.

**Local Highway Authority (NCC): NO OBJECTION** subject to conditions

**Local Highway Authority (Public Rights of Way Officer): NO OBJECTION** but wishes to have fencing alongside the footpath boundary limited to 1.5m in height

**Environment Agency: NO OBJECTION** subject to the development being carried out in accordance with the Flood Risk Assessment accompanying the application

**Emergency Planning Officer: NO OBJECTION** subject to conditions being considered relating to signing up to EA's Floodline Warnings Direct and preparation of an evacuation plan

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** subject to conditions relating to possible contamination

**Arboricultural Officer: NO OBJECTION**

**Norfolk Constabulary:** No Comments received

## **REPRESENTATIONS**

A total of **EIGHT** letters of **OBJECTION** received raising the following concerns:

- Boundary fence shown on existing plans adjoining No.38 is not there;
- Telegraph pole affects visibility to the new entrance raising concerns about pedestrian safety;
- Not sufficient space for appropriate and compulsory splays to be achieved;
- Concerns that there may be rooms in the roofspace as rooflight has been added to revised plans – extra rooms leads to additional residents and vehicular movements;
- Clarification of alignment of public footpath alongside the site;
- Houses are too large and constitute backland development – dominating the skyline and bungalows along Station Road;
- Out of character and scale with locality;
- Overbearing;
- No comparison to Kenwick Hall Gardens – a walled development, exclusive and not seen from the road;
- Noise from gravelled access drive and turning areas;
- Bats have been seen in this vicinity; and
- The boundary treatments were previously hedging and much softer than at present – this should be encouraged to be re-planted.

## **NATIONAL GUIDANCE**

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

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

## **PLANNING POLICIES**

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

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy



**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

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

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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **PLANNING CONSIDERATIONS**

The key issues to be considered in assessing this application are as follows:

- Principle of development
- Impact upon appearance and character of this locality
- Assess and highway matters
- Impact upon neighbouring premises
- Crime and disorder
- Other material considerations

### **Principle of development**

The application site lies within Built Environment Type D of the Local Plan map, between the A17 and the main part of the village of Clenchwarton (which is a Key Rural Service Centre) and is on a regular bus route.

The existing building on the site is a warehouse/workshop (Use Class B8/B1) most recently used by Matthew Gibson Interiors (Fitted Kitchens, Bedrooms & Carpets) and constitutes a brownfield site. This proposal seeks to replace that building with two houses, in this predominantly residential area.

The deliberations of Committee members were witnessed by the applicant and agent, when the previous application for replacement industrial units was considered last December and refused on the grounds of intensification of the commercial use. It was mooted that residential development may be more suitable on this site opposed to commercial, given its relationship to existing frontage dwellings and potential to be a 'bad neighbour'.

In policy terms growing weight is attached to the Site Allocations & Development Policies Document, which indicates that the site lies within the countryside. New dwellings would not normally be supported.

Core Strategy policy CS10 also encourages the retention of employment uses unless it can be demonstrated that (inter alia): continued use is no longer viable given the site's characteristics, quality of buildings and market demand; or use of the site would give rise to unacceptable environmental or accessibility problems. In light of the aforementioned deliberations at the December committee meeting, the loss of the existing building may be considered acceptable, as its unrestricted industrial/commercial use clearly relates poorly to existing residential properties.

It is for Members to decide what weight is to be put upon the emerging policies, opposed to the 'saved' Local Plan map allocation (Built Environment Type D) and Policy 4/21 which states that new development should have regard for, and be in harmony with, the building characteristics of this locality.

### **Impact upon the appearance and character of this locality**

The locality is characterised by a mix of mostly bungalows and some houses fronting both sides of Station Road with outbuildings to the rear. This site is the anomaly in that there is a substantial commercial building set to the rear of the formerly associated dwelling (No.42 Station Road) and an infill house currently under construction.

This scheme proposes the construction of two detached dwellings served off a private shared drive. The appearance of the dwellings is that of two storey barn conversions (influenced by flood risk implications) set with principal parts of the structures having rooflines parallel to Station Road, with single storey additions to the front and rear forming covered parking and a family room to one of the units. The buildings portray the character of barn conversions with full height glazed panelling and vertical emphasis to windows, with a mix of brickwork and timber clad walls under tiled roofs. Whilst the exact material choice has not been defined at this stage, there is a mixed palette locally and this matter may be controlled via condition.

The buildings would be set behind the frontage development and be seen within a setting/backdrop of trees.

In terms of scale and design, the proposed buildings would be reasonably in keeping with the adjacent dwellings adjoining the site, and not appear unduly prominent in the wider rural setting. Obviously barns have different proportions to domestic houses, but the buildings proposed portray traditional scaled rustic barns; indeed similar units have already been built in this village on a site on Black Horse Road. Their suitability has already been established on a village edge site.

There are numerous examples of rural buildings set to the rear of frontage dwellings across the borough which contribute to the rural character. Indeed as indicated within the Design & Access Statement, a parallel is drawn between the proposed units and the dwellings at Kenwick Hall Gardens (approx. 250m to the south-west along Station Road) which comprises a collection of quasi-barn conversions approved in the late 1990s.

### **Access and highway matters**

The application seeks to retain the existing access to serve No.42 and create a new access point and private drive to serve the proposed new dwellings. The first 10m back from the highway would be tarmaced, and the remainder of the drive (between the dwellings Nos.38 & 42) surfaced in bound material to negate noise from traversing vehicles. The shared yard/manoeuvring area would be gravelled to allow permeability for surface water disposal. Parking would be on designated block paved areas in front of the carports.

Whilst local concerns are noted, the access and service provision proposed are considered to be acceptable to the Local Highway Authority (Norfolk County Council) who raises no objection to this scheme subject to certain conditions.

### **Impact upon neighbouring premises**

2m high close boarded fencing is proposed to the side and rear of No. 42 and the rear of the infill plot, plus the side boundary abutting the public footpath and rear garden to No.42A. A 1.8m high fence is also proposed along the north-eastern side boundary of the eastern-most dwelling's garden. The rear boundary is to be chain-link fencing with native hedge planting for security and to assimilate it into its rural setting.

The proposed boundary treatments, together with the sensitively orientated primary windows, use of obscure glazing and separation distances involved (between 25-27m front to back and 15m front to rear boundaries), results in acceptable relationships between the proposed and existing dwellings.

This new development for residential purposes would be more beneficial to the locality in terms of noise and disturbance compared to the existing commercial use, as there are no restrictions or hours of use on the current workshop/store. This could possibly be used by a different operator in a much more intensive fashion, compared to that which local residents have become accustomed to over the passage of time.

### **Crime and disorder**

Concerns are raised by the Public Rights of Way Officer relating to boundary treatment adjoining the footpath to the south-west of the site. As stated above, this is proposed to be a 2m high fence.

The request is for a 1.5m high fence to prevent anti-social behaviour. However for security and privacy reasons a 2m fence is proposed and indeed would constitute permitted development, so this boundary treatment is considered to be acceptable in this instance. Indeed 2m high acoustic fencing was proposed on the earlier application for industrial units and this was not raised as an issue at that time.

There is no other crime and disorder issues raised by this proposal and Norfolk Constabulary have not raised comments on this application.

### **Other material considerations**

The site is located within Flood Zone 3 & Hazard Zone of the Council-adopted Strategic Flood Risk Assessment and the application is accompanied by a site-specific FRA. In terms of sequential testing, there are no other suitable sites in Clenchwarton as the whole of the village lies within Flood Zone 3. The proposal constitutes a 'more vulnerable' use as defined by the NPPG and as such is deemed appropriate subject to passing the exception test.

The exception test then must be applied which states that:

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

With regards to the first criterion, it is considered that there would be wider sustainability benefits to the community afforded by this proposal – removing a bad neighbour use and providing family homes to sustain village facilities.

Finished floor levels of the dwellings are proposed to be 300mm above existing ground levels and flood resilient measures may be incorporated into the buildings. These measures are recommended to be controlled via condition at the request of the Environment Agency.

The disposal of foul water is by mains and surface water is proposed to be dealt with by rainwater harvesting, and a French drain leading to a crated soakaway at the rear of the site would address concerns relating to localised flooding raised by the Parish Council. Full details of the latter may be secured via condition. The second criterion of the exception test may therefore be passed.

The relationship with TPO trees to the south-west of the site has been assessed by our Arboricultural Officer, who raises no objection to the proposed new buildings. Two oak trees to the rear of No.42A were authorised to be removed last year (14/00022/TPO) due to root damage undermining that property. The proposed development would not adversely affect the remaining trees.

The presence of bats in this locality has been raised by an objector stating that it is highly likely that there is a colony living in the large building. There was no issue raised to this effect when the previous application was considered, which involved the loss of the existing building. In response to this concern, the applicant has instructed a bat assessment to be undertaken by Aurum Ecology. The results confirm that the existing building does not contain evidence of roosting bats and given the materials of construction, physical condition and nature of storage, it is not suitable as a habitat for bats. There is a likelihood that bats are in the vicinity, given the nearby copse of trees, but are probably using the route of the public footpath for feeding or commuting – hence giving the impression of originating from the existing building. On the basis of this information, officers are content that there is no significant adverse impact upon protected species created by this redevelopment of the site. As a precautionary measure, impacts of external lighting may be controlled via condition.

Concerns relating to accommodation within the roofspaces and could be negated by the removal of permitted development rights in relation to extensions and modifications to the proposed dwellings.

Potential contamination and asbestos issues may be controlled via conditions as recommended by our Environmental Protection team.

## **CONCLUSION**

A key aspect of the site is the existence of an unrestricted industrial unit on it. This has the potential to be a nuisance and bad neighbour in this residential area. The previous scheme for a replacement industrial building (containing 5 units) was refused by committee, as it was felt to represent an intensification of such uses. There was a suggestion at the Committee that residential development would be more appropriate, which has led to this proposal.

The development of this site in the format submitted will make a positive contribution to the character and appearance of this locality, and would not detract from the appearance of its wider countryside setting.

Its relationship with adjoining properties and the highway implications are also considered to be acceptable and importantly will likely improve the situation for local residents given the proposed removal of the current unrestricted commercial building – which officers feel is a key material consideration in this case, which is given substantial weight. Mitigation measures may be controlled via condition as suggested by consultees.

The proposed development is therefore considered to be sustainable development, and complies with the provisions of the NPPF, NPPG, Core Strategy policies CS06, CS08, CS10, CS11 & CS12 of the LDF and Policies DM15 & DM17 of the Site Allocations & Development Management Policies Document.

## **RECOMMENDATION:**

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 01 Revision C, 03 Revision C & 04 Revision C.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition No development shall commence on site until full details of the surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 4 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.

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

The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets,
  - woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

- 5 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.
- 6 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.
- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 7 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.

- 7 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 8 Condition 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 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, 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 7.

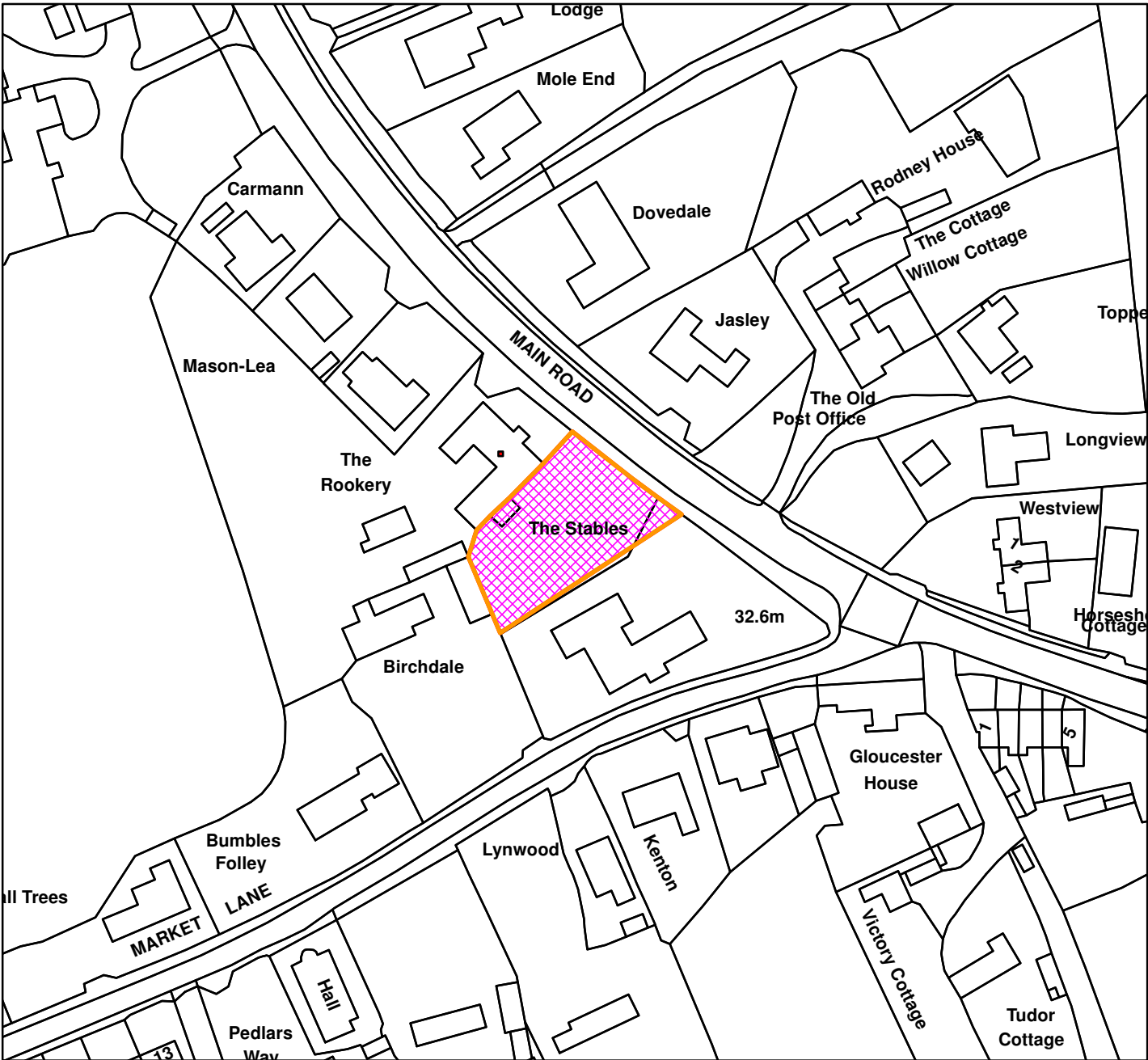
- 8 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 9 Condition 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.
- 9 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 needs to be a pre-commencement condition given the need to ensure that potential contamination is fully dealt with at the outset of the development.
- 10 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.
- 10 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 11 Condition Prior to 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 No. 01 Revision C) in accordance with the highway specification drawing 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.

- 11 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 12 Condition Prior to the first occupation of the development hereby permitted, the proposed access, on-site 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.
- 12 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 13 Condition The development hereby approved shall be carried out in accordance with the Flood Risk Assessment ref: (MTC) 1164 – FRA Replacement Dwellings 2015 submitted as part of this application, including ground floor levels set at a minimum of 3.00m ODN.
- 13 Reason To define the terms of this permission in the interests of future occupiers of these dwellings which lie in an area prone to flooding and to accord with the provisions of the NPPF.
- 14 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A & B 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, or the enlargement of a dwelling house consisting of an addition or alteration to its roof, shall not be allowed without the granting of specific planning permission.
- 14 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.
- 15 Condition Prior to the first occupation of the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of any lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 15 Reason In the interests of minimising light pollution, to safeguard the amenities of the locality and the impact on bats, in accordance with the NPPF & Core Strategy Policy CS12 of the LDF.
- 16 Condition Notwithstanding details shown on the approved plans, before the first occupation of the dwellings hereby permitted, the first floor gable windows in the SW elevation of Plot 1 and NE elevation of Plot 2 plus the front facing window to bedroom 2, shall be non-opening, fitted with obscured glazing and shall be permanently retained in that condition thereafter.
- 16 Reason To protect the residential amenities of the occupiers of the new dwellings and adjoining property and to accord with the provisions of the NPPF & emerging policy DM15 of the SADMPD.



15/00732/F

Land adjacent The Stables Main Road Crimplesham



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



Tel. 01553 616200 - Fax. 01553 691663

**Scale:** 1:1,250

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	16/07/2015
MSA Number	0100024314

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

<b>Parish:</b>	<b>Crimplesham</b>	
<b>Proposal:</b>	<b>Construction of semi-detached dwellings</b>	
<b>Location:</b>	<b>Land Adjacent the Stables Main Road Crimplesham Norfolk</b>	
<b>Applicant:</b>	<b>Mr J Stephen</b>	
<b>Case No:</b>	<b>15/00732/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs H Morris Tel: 01553 616481</b>	<b>Date for Determination: 8 July 2015 Extension of Time Expiry Date: 31 July 2015</b>

**Reason for Referral to Planning Committee** – The Officer recommendation is at variance with the views of the Parish Council

**Case Summary**

The application site lies on the south western side of Main Road, Crimplesham and comprises part of the garden area of 'The Stables', a two-storey detached residential property situated immediately north west and shown outlined in blue on the submitted site location plan.

Crimplesham is defined as a Smaller Village and Hamlet under the settlement hierarchy of Policy CS02 of the Council's adopted Core Strategy (2011). However, in accordance with the NPPF, this is currently considered out-of-date given that this Council does not currently have a five year supply of deliverable housing sites.

The application seeks full planning permission for the construction of a pair of semi-detached 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;  
Other considerations; and  
Crime and disorder

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The application seeks full planning permission for the construction of a pair of chalet type semi-detached dwellings with a new shared access created onto Main Road.

The application site lies on the south western side of Main Road within the heart of Crimbleham and comprises part of the garden area of 'The Stables', a two-storey detached residential property situated immediately north west and owned by the applicant.

Main Road comprises a mix of dwelling types and sizes. Adjoining the site to the south east is a modern detached bungalow (Keri-Keri) which is also owned by the applicant.

## **SUPPORTING CASE**

A Design and Access Statement (DAS) has been submitted in support of the application. This advises that the proposals are for a pair of three-bedroom 1 ¾ height chalet type dwellings which gives a comfortable living space but is in keeping with the overall plot size. The dwelling also compliments the existing bungalow to the south east and house to the north west, being of a 1 ¾ height this allows for a gradual change of height along the street scene. The dwellings have been positioned to roughly follow the building line of the adjacent bungalow and give separation from the adjoining properties with a footpath provided to either side of the dwellings. The proposed eaves height would be 3.75m and the ridge height would be 7.73m.

The DAS continues by advising that the chalet dwellings have been placed and designed carefully to minimise overlooking of existing private amenity spaces. The principal elevation will face Main Road and the required amount of parking and turning space has been provided.

The boundary treatments to the SW are to either remain as an existing hedge or be replaced with a new 1.8m close boarded fence to protect the neighbouring garage wall. A new 1.8m close boarded fence is to be erected where shown on plan to allow adequate privacy for all of the dwellings, proposed and existing. The NE roadside boundary hedges are to be carefully removed and a new 1.2m fence erected behind the visibility splays. A 1.2m fence is to be used to the front of the properties up to the side entrance gates between the adjacent house and bungalow.

A lawn and patio / paved areas are to be provided to the SW gardens, also a front lawn is to be crafted around the shingled parking, turning area and chestnut tree with provision for paved footpaths to allow access to the dwelling at the front and rear.

The proposed dwellings are to be of traditional construction using materials which blend into the existing rural village setting. The dwelling will be constructed of a red multi facing brickwork, clay pantiles, A rated joinery, brick eaves details with black UPVC gutters and downpipes.

## **PLANNING HISTORY**

There is no relevant planning history for the site.

## RESPONSE TO CONSULTATION

**Parish Council: OBJECT** for the following reasons:

- Too close to the neighbouring properties.
- Would restrict light into 'The Stables'.
- Overlook neighbours at the rear.
- The Parish Council does not have a problem with a dwelling or dwellings on the site just the details of this application.

**Norfolk County Highways: NO OBJECTION** subject to the imposition of highway conditions relating to access, visibility, parking and turning.

**Norfolk Historic Environment Service: NO OBJECTION.**

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

**BCKLWN Tree Officer: NO OBJECTION** subject to the imposition of a tree protection condition.

## REPRESENTATIONS

**ONE** letter of **OBJECTION** has been received from a neighbouring resident. Their expressed concerns can be summarised as follows:

- Although we have no objection to a house going on this piece of land we object to the four dormer windows at the rear of the property that will look into the private gardens of Birchdale and Bumbles Folly.
- We would appreciate Velux windows to limit the over looking and also ask that a restriction be put on the tress at the rear boundary to stop these being felled in the future which helps to give our garden privacy when the site is developed.

## 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

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

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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM2** – Development Boundaries

**DM3** - Infill development in the Smaller Villages and Hamlets

### **PLANNING CONSIDERATIONS**

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

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

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

Crimplesham is defined as a Smaller Village and Hamlet under the settlement hierarchy of Policy CS02 of the Council's adopted Core Strategy (2011). However, this is now considered out-of-date given that this Council does not currently have a five year supply of deliverable housing sites.

Paragraph 49 of the National Planning Policy Framework (NPPF) states that in such cases housing applications should be considered in the context of the NPPF's presumption in favour of sustainable development because local policies relating to the supply of housing are no longer considered up-to-date.

Paragraph 14 of the NPPF further advises that where relevant local policies are out-of-date planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In light of the above, given that the application site lies within an existing settlement the principle of development is generally considered acceptable provided that the proposal complies with all other relevant planning policies.

#### **Form and Character**

The application site comprises a gap within the otherwise built up frontage of the south western side of Main Road. Whilst no longer considered up-to-date due to the lack of a five year housing land supply, it is considered important to note that the proposal would comply with the provisions of draft Policy DM3 of the Site Allocations and Development Management Policies Pre-Submission Document (2015) which seeks to allow the sensitive

infilling of small gaps within an otherwise continuously built up frontage within the Smaller Villages and Hamlets.

The proposal would allow for a pair of modest semi-detached dwellings which would respect the existing building line along this side of Main Road, be visually appropriate in the streetscene and generally relate well to the established form and character of the area.

### **Neighbour Amenity**

The immediate neighbouring properties to the north west (The Stables) and south east (Keri-Keri) are owned by the applicant and therefore shown outlined in blue on the submitted site location plan.

In order to allow for the proposed development the existing flank elevation conservatory on host dwelling 'The Stables' is to be demolished. There is an existing large flank elevation window towards the front of this dwelling which would overlook the proposed parking and turning area of the new development. However, a 1.2 metre fence is proposed along this shared boundary and the proposed frontage area would be within the public domain anyway. It is also considered that the position of habitable room windows and the projection of the porches on the proposed dwellings would mean that there would not be any undue overlooking or loss of privacy between 'The Stables' and the proposed units.

It is also considered that the proposal would have minimal impact on the amenity of Keri-Keri in terms of either loss of light / overshadowing, overbearing impact or loss of privacy. This is due to a minimum separation distance of just less than 7 metres between flank elevations and the fact that the proposed new dwellings would not have any principal room windows on their flank elevations. It is however recommended that a condition is imposed on any consent requiring the flank elevation windows to be obscure glazed to ensure no amenity issues.

A letter of objection has been received from the occupier of Bumbles Folly on Market Lane raising concerns that the proposed dormer windows on the rear elevations will look directly into their private garden and that of Birchdale. Birchdale abuts the application site on its western side but the rear elevations of the proposed new units would be a minimum of 9 metres from the shared boundary. Furthermore this neighbouring property has an existing garage which lies immediately adjacent to the shared boundary (as indicated on the submitted plans) therefore it is considered that there would be no material overlooking or loss of privacy to its occupiers. Bumbles Folly is situated beyond Birchdale therefore the proposed development would have minimal impact on its occupants in terms of overlooking / loss of privacy.

### **Highway Safety**

The proposed development includes provision of satisfactory access, visibility and parking which would comply with adopted standards. As a result Norfolk County Highways have raised no objection to the proposal subject to the imposition of highway conditions relating to these matters.

### **Other Considerations**

There is a mature Chestnut tree situated close to the front boundary of the site which is proposed to be retained. No tree survey / arboricultural implications assessment has been submitted in support of the application given that the tree lies approximately 14.5 metres from the front elevation of the nearest proposed dwelling and the development would be outside the root protection area.

The agent for the application has confirmed the position shown on the submitted plan is accurate. Taking this into account, the Council's tree officer has raised no objection to the proposal subject to the imposition of a tree protection condition.

There are no other material considerations relevant to this application.

### **Crime and Disorder**

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

### **CONCLUSION**

The proposed development would result in the provision of a pair of semi-detached dwellings on a site that currently forms a small gap within a continuously built-up frontage in the centre of Crimplesham. The principle of development is considered to be acceptable and it would be in keeping with the established form and character of the area. Furthermore the proposal would not have any material impact on residential amenity or highway safety.

As a result, the proposed development complies with the provisions of the National Planning Policy Framework (2012), Policies CS01, CS06, CS08 and CS11 of the adopted Core Strategy (2011) and draft Policies DM15 and DM17 of the Site Allocations and Development Management Policies – Pre-submission Document (2014). It is therefore recommended that planning permission be approved subject to the conditions set out below.

### **RECOMMENDATION:**

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: drawing nos. 1866-10A received on 8th May 2015 and 1866-11B received on 2nd July 2015.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

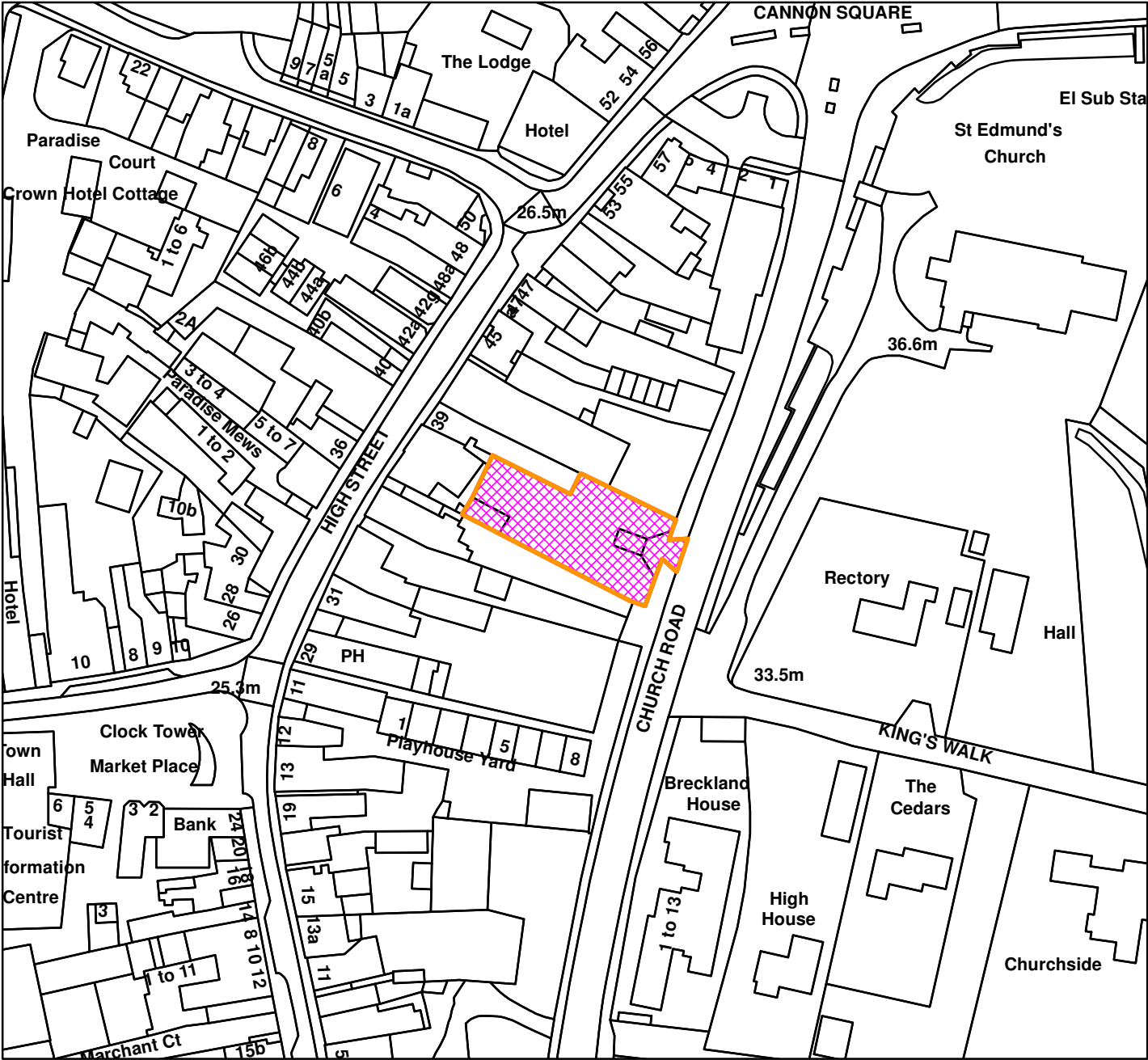
- 4 Condition Before the first occupation of the dwellings hereby permitted the first and ground floor flank elevation windows shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- 4 Reason To protect the residential amenities of the occupiers of nearby property.
- 5 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing no. 1866-11B) in accordance with the highway specification drawing No: TRAD 4. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 5 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 6 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.
- 6 Reason In the interests of highway safety.
- 7 Condition Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 X 59 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 0.3 metres above the level of the adjacent highway carriageway.
- 7 Reason In the interests of highway safety.
- 8 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area 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.
- 9 Condition No development or other operations shall commence on site until the chestnut tree to the front of the site has been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.



- 9 Reason To ensure that existing tree is properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.

15/00142/F

Land rear of 37 High Street Church Road Downham Market



Scale: 1:1,250

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	16/07/2015
MSA Number	0100024314

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

<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>Residential development of 4 no. units, including demolition of a detached garage</b>	
<b>Location:</b>	<b>Land Rear of 37 High Street Church Road Downham Market Norfolk</b>	
<b>Applicant:</b>	<b>Mr A Graham</b>	
<b>Case No:</b>	<b>15/00142/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs H Morris Tel: 01553 616481</b>	<b>Date for Determination: 7 April 2015 Extension of Time Expiry Date: 3 July 2015</b>

**Reason for Referral to Planning Committee** – The Officer recommendation is at variance with the views of the Parish Council

**Case Summary**

The application site comprises land to the rear of No.37-39 High Street, Downham Market (National Westminster Bank and Dental Surgery) which fronts onto the western side of Church Road. The site is predominantly laid to grass but there is an existing detached garage towards the front which is accessed from Church Road and at the rear there is an existing modest single storey building known as 'Mouse Cottage'. Church Road is situated at a higher level to High Street therefore the site slopes down to the rear of No.37.

The site lies within Built Environment Type 'C', the Defined Area of Town and the Downham Market Conservation Area as defined by the King's Lynn & West Norfolk Local Plan (1998) Proposals Map. No. 37-39 High Street is a three-storey Grade II listed building. Nos.33, 35, 45 and 47 are also listed and lie in close proximity to the site.

The application seeks full planning permission for a residential development of 4 no. units (2 x 3-bedroom, 1 x 2-bedroom and 1 x 1-bedroom flat), including demolition of a detached garage. Several revisions have been made to the scheme since the application was originally submitted. This has included a reduction in the number of proposed units from 5 to 4.

**Key Issues**

The Principle of Development;  
Form and Character / Impact on Heritage Assets;  
Residential Amenity;  
Highways Impact; and  
Other considerations

**Recommendation**

**APPROVE**

## THE APPLICATION

The application seeks full planning permission for a residential development of 4 no. units (2 x 3-bedroom, 1 x 2-bedroom and 1 x 1-bedroom flat), including demolition of a detached garage. Several revisions have been made to the scheme since the application was originally submitted. This has included a reduction in the number of proposed units from 5 to 4. The latest amendments received on 6th July 2015 include the provision of chimneys on the frontage units along with bin storage for the 1-bedroom flat.

The application site comprises land to the rear of No.37-39 High Street, Downham Market (National Westminster Bank and Dental Surgery) which fronts onto the western side of Church Road. The site is predominantly laid to grass but there is an existing detached garage towards the front which is accessed from Church Road and at the rear there is an existing modest single storey building known as 'Mouse Cottage'. Church Road is situated at a higher level to High Street therefore the site slopes down to the rear of No.37-39. Only the first and second (attic) floors of No.37-39 are visible from the application site.

The site lies within Built Environment Type 'C', the Defined Area of Town and the Downham Market Conservation Area as defined by the King's Lynn & West Norfolk Local Plan (1998) Proposals Map. No. 37-39 High Street is a three-storey Grade II listed building. Nos.33, 35, 45 and 47 are also listed and lie in close proximity to the site.

## SUPPORTING CASE

A Design and Access Statement (DAS) and Heritage Impact Statement have been submitted in support of the application which can be summarised as follows.

The DAS advises that vehicular access to the site will be from Church Road via an undercroft located in the ground floor of Plots 1-3. The access will be in approximately the same position as the existing dropped kerb serving the garage. A 2.4m x 43m visibility splay is achieved and is shown on the proposed site plan. A total of 7 no. on-site car parking spaces are to be provided, 2 spaces for each of the houses and 1 space for the 1-bedroom flat.

In their response to the pre-application enquiry Norfolk Constabulary advised that gates should be provided to the vehicular access to prevent the undercroft from becoming a hub for anti-social behaviour. Metal gates have therefore been provided as part of the proposals. The gates will have an automatic opening mechanism operated via remote control.

The DAS further advises that Plots 1 to 3 are designed as a terrace and each unit has a small front garden area to provide defensible space between the units and the footpath. Plots 1, 3 and 4 which are houses all have private rear gardens which have rear access.

The configuration of the housing will provide a courtyard feel to the development with the communal access road and car parking being overlooked by all of the houses, providing resident surveillance and guardianship of the space.

The existing boundary walls to the site will be retained. There is a modern retaining wall to the rear of the site that effectively separates the buildings on High Street from the site to the rear. The steps leading down to the High Street level will be removed.

Both the Bank and Dentist have first floor fire escapes that exit onto the site. These fire escapes will be retained and the tenants will have a right of access over the site in the event of an emergency.

Plots 1-3 are arranged as a terrace fronting onto Church Road. The terrace has been designed to tie in with other historic and more modern infill residential properties in the surrounding area. This type of housing can be seen on Church Road, Lynn Road and Bexwell Road.

The proposal is for a two storey building. The eaves and ridge height will be lower than the former cinema building to the north of the site.

It is proposed that the front elevation will be faced in local carrstone with buff coloured brick ashlar around openings and at building corners. Windows and doors will have shallow brick arches over. The side and rear elevations will be constructed in buff coloured brickwork with brick arches over windows and doors. The roofs will be weathered red pantiles.

Plot 4 comprises the renovation and conversion of Mouse Cottage. This is a vacant outbuilding and its condition is deteriorating. Incorporating Mouse Cottage into the development will enable the renovation of the property and provide it with a viable future use.

The renovation of Mouse Cottage will include external repair, re-using existing materials where possible and supplementing with reclaimed materials as necessary. It is proposed that the existing window and door will be replaced with timber framed double glazed units to match the existing. The extension will be constructed in buff multi bricks to match the existing and will be laid in English bond. The roof will be covered with red pantiles and a lead roofed box bay window will be added at the junction of the existing building and the extension.

## **PLANNING HISTORY**

There is no relevant planning history for the site.

## **RESPONSE TO CONSULTATION**

**Town Council: OBJECT** for the following reasons:

- The modifications show no improvement whatsoever.
- It is considered that this proposal would create a cramped form of development with the property representing an over-intensive use of the site. PPS1 and PPS3 require new development to be that of a high standard, which respects the characteristics of the locality.
- It is considered that a cramped form of development and the subsequent loss of amenity space would be unsympathetic to, and out of character with, the adjacent developments.
- The building characteristics are not in harmony with the locality. The dwelling, by virtue of its scale, bulk and general layout is inappropriate in this location.
- Members have concerns about emergency vehicle accessibility and indeed all vehicular accessibility due to the entrance / exit to the development being on a hill on Church Road.

**Norfolk County Highways: NO OBJECTION** subject to specified conditions relating to access, visibility and parking / turning.

I refer to the revised plans which have reduced the number of dwellings to be considered down to 4 in number and have additionally increased the level of parking.

I note from the revised plans that turning on the site has been provided so that vehicles can both enter and exit in a forward gear and the level of parking now accords with the adopted parking standards for Norfolk.

Where I have some concern is with the gate that is located close to the entrance, this is located in such a position that car would obstruct the footway while being opened and closed and would also in my view lead to detrimental waiting on Church Road, which is busy, while gates are being opened and closed by a number of residents. It is my view that the gates are inappropriate for the shared use in this location and should therefore be removed entirely in the interest of highway safety and efficiency. However, given that all other elements of the proposal would accord with the recommended standards I recommend the imposition of highway conditions relating to access, car parking / turning and no gates, bollards etc.

**Historic England: NO OBJECTION.** As I have indicated before it is regrettable that the listed building has become separated from its historic curtilage by changes in ownership, but the proposed development could make it less likely that it might be restored in future. However, the outbuilding to be converted already exists on site and the revised plans layout would give a greater degree of visual connection between the rear of the listed property and the larger site. I would recommend consideration is given to erecting railings rather than a solid fence on the existing retaining wall to maintain this effect, but can confirm that we would not wish to object formally to the application on the basis of this revised plan. A high quality of materials and detailing will be necessary if the new building is to enhance the conservation area and setting of the listed building, but I am content for that to be matter of condition discharged by the Council.

**Norfolk Historic Environment Service: NO OBJECTION** subject to imposition of archaeology conditions.

**Stoke Ferry Internal Drainage Board: NO OBJECTION.**

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

**Environmental Health & Housing – Community Safety and Neighbourhood Nuisance: NO OBJECTION** subject to imposition of conditions relating to foul and surface water drainage, road traffic noise attenuation and lighting scheme.

**Norfolk Constabulary: NO OBJECTION** – ‘Designing out Crime’ leaflet sent to applicant / agent.

**BCKLWN Conservation Officer: NO OBJECTION.**

**BCKLWN Tree Officer: NO OBJECTION.**

**Anglian Water:** As this application is for less than 10 dwellings they have confirmed they will not be making comment.

## **REPRESENTATIONS**

**SIX** letters of representation have been received from **FOUR** local residents raising **OBJECTIONS** to the proposal on the following grounds:

- This is overdevelopment of a small, sloping site. Access not adequate onto a busy road. It already looks messy with the new hole punched through the existing wall.
- This is overdevelopment of a small site.

- The restricted vision exiting the site onto a busy main road will cause a hazard.
- The only mains drainage we can see is the drain in the alleyway on our property.
- This would be wholly inadequate to take the extra sewage that would be produced going into the drain causing blockages.
- The dividing border wall between the rear of 35 High Street and 37 High Street must be retained and kept in good condition.
- We are concerned that the development must be contained in the upper part of the site and entrance and exit for vehicles and people must be onto Church Road at all times.
- Despite the agent speaking of the units reducing in number, this remains a very cramped proposed redevelopment, out of scale for the size of plot.
- This does not promote building of the highest quality, in accordance with the requirements and aspirations of residential development.
- There is very little amenity space within the proposed redevelopment.
- Still feel this is cramped development and am concerned with the number of cars being parked overnight in an enclosed area. In the event of a fire the only exit seems a bottleneck and there is also very limited access for emergency vehicles.
- Seven parking places are shown on the plan however in practice there will be a problem with utilising 1, 2 and 3.
- There is no specific mention as to the size and design of the proposed railings which are to be fitted to the top of the retaining wall.

## **NATIONAL GUIDANCE**

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

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

## **PLANNING POLICIES**

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

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS04** - Downham Market

**CS08** - Sustainable Development

**CS11** - Transport

**CS12** - Environmental Assets

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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

### **OTHER GUIDANCE**

Downham Market by Design

### **PLANNING CONSIDERATIONS**

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

- The Principle of Development;
- Form and Character / Impact on Heritage Assets;
- Residential Amenity;
- Highways Impact; and
- Other considerations.

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

The application site lies within Built Environment Type 'C' and the Defined Area of Town as identified by the King's Lynn and West Norfolk Local Plan (1998) Inset Map for Downham Market. Within this defined area the principle of new residential development is generally considered to be acceptable under saved Policy 4/21 of the Local Plan, provided that the proposal has regard for and is in harmony with the building characteristics of the area and it complies with all other relevant policies.

Furthermore, given that the Council does not currently have a five-year supply of deliverable housing sites, housing applications such as this should be considered in the context of the National Planning Policy Framework's (NPPF's) presumption in favour of sustainable development because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In this case the application site lies within Downham Market town centre which is a sustainable location. As a result there is a presumption in favour of development in this area.

#### **Form & Character / Impact on Heritage Assets**

The proposed development seeks the provision of 2 x 3-bedroom houses (Plots 1 and 4), 1 x 2-bedroom house (Plot 3) and 1 x 1-bedroom flat (Plot 2). Plots 1-3 have the appearance of a terrace fronting onto Church Road with undercroft vehicular and pedestrian access through to the parking area and Plot 4 at the rear of the site.

Originally 5 no. units were proposed but several revisions have been made during the application process, including a reduction of the number of units to 4, in light of Officer and Norfolk County Highways concerns.



The application site lies within the heart of Downham Conservation Area and there are numerous listed buildings adjacent to and in close proximity of the site including No.37-39 which comprises National Westminster Bank, residential flat and Dental Surgery.

Historic England and the Conservation Area Advisory Panel have been consulted on the proposed development. Whilst Historic England raised an objection to the original submission, they have confirmed they have no objection to the revised scheme subject to materials / detailing being dealt with by condition.

Historically there would have been frontage development along the western side of Church Road therefore re-instatement of a terrace style development fronting onto the street is to be encouraged. Plots 1-3 would be set back from the footway and their overall height has been reduced to two storeys in order to provide better integration in the streetscene and allow more private frontages for each unit. The front elevation would be faced in local carrstone with buff coloured brick ashlar around openings and at building corners. Windows and doors will also have shallow brick arches over and chimneys have also been included in the revised scheme.

At the rear of the site, Plot 4 would be created by renovating and extending an existing outbuilding known as 'Mouse Cottage'. Given this is already part of the established built environment and would have been linked to the adjacent listed building (No.37-39) it is considered preferable to retain, renovate and extend this existing building in order to enable a viable use rather than see it be left to deteriorate further. The revised drawings also show a private garden area immediately in front of Plot 4 which is considered by Historic England to be a benefit of the scheme as leaving this area more open helps give a greater degree of visual connection between the rear of the listed property and the larger site.

Concerns have been raised by local residents and the Town Council that the proposal is cramped and overdeveloped but the provision of 4 no. units is not considered excessive for the site, particularly given its town centre location and the fact that Plot 4 would make good re-use of an existing outbuilding.

It is therefore considered overall that the revised proposals are acceptable for the site and its surroundings, would provide an enhancement to the Church Road streetscene and would help preserve the historic character and appearance of the Downham Conservation Area. The proposed development is also considered to be acceptable in terms of its impact on the setting of the adjacent listed buildings.

### **Residential Amenity**

The nearest neighbouring residential properties are Flats 1, 3 and 3 within No.35 High Street which adjoins the site to the south. Plot 4 (Mouse Cottage) abuts the shared boundary with No.35 but no windows are proposed in the southern elevation. As a result there would be no overlooking or loss of privacy to any neighbouring residential occupiers.

Furthermore, although the existing outbuilding would be extended at two storey level it is not considered that it would result in any significant loss of light / overshadowing or overbearing impact to neighbouring occupiers. Particularly given that there had previously been a number of mature trees on the site in close proximity to the shared boundary which were at a considerable height. Their removal has since been authorised under tree application ref: 14/00128/TREECA.

It is not considered that Plots 1-3 would have any material impact on the amenities of residential occupiers of No.35 High Street because even though there is a significant change in levels between the rear of properties on the High Street and the Church Road frontage, there would be a separation distance of at least 23 metres. Plot 1 includes provision of a first floor flank elevation window but this would only overlook the shared parking area for No.35 High Street and given it relates to a bathroom it can be conditioned to be obscure glazed.

The proposed development would not have any material impact on the existing residential flat at No.37A High Street (or the two flats proposed under application ref: 15/00694/F) as this is within the front section of the first and second floors fronting onto High Street only.

In terms of the living environment to be provided for future occupiers, each of the proposed houses would have their own rear garden area with rear access, bin and cycle storage. Dedicated bin storage for the proposed 1-bedroom flat would also be provided to the rear of the proposed turning area. Although the garden area for Plot 4 would inevitably be overlooked by existing windows within the rear elevation of No.37 and the southern elevation of No.39, these properties are occupied by National Westminster Bank and a Dental Surgery and it is not considered that the amenity of future occupiers of Plot 4 would be materially compromised.

### **Highways Impact**

The proposed development includes provision of 2 car parking spaces per two-bedroom and three-bedroom unit and 1 space per 1-bedroom unit which accords with adopted standards. The proposal also includes provision of satisfactory access and visibility onto Church Road therefore Norfolk County Highways have raised no objection on highway safety grounds subject to the imposition of conditions relating to access, parking and turning.

However, they have raised a concern regarding the provision of access gates close to the site entrance as vehicles may obstruct the footway while they are being opened and closed by a number of residents. The details submitted in support of the application advise that the gates would be automatic and operated by remote control. Taking this into account along with the size of development proposed it is not considered likely that numerous vehicles would be turning into the site at the same time. Therefore instead of the imposition of a condition restricting the installation of any gates, bollards etc. across the proposed access it is recommended that a condition is imposed requiring the submission and approval of details of the gates prior to any installation. This will allow them to be set back further into the site if necessary or alternatively, allow the developer to choose whether to omit them from the scheme.

### **Other Considerations**

CSNN have raised no objection subject to conditions relating to foul and surface water drainage, road noise attenuation for the units fronting Church Road and external lighting.

The IDB have raised no objection.

A local resident has queried in their representation the size and design of the proposed railings which are to be fitted to the top of the retaining wall at the rear of the site. This would be addressed by the imposition of the recommended boundary treatment condition.

## CONCLUSION

The application proposal would make use of an existing outbuilding on the site and re-instate frontage development along the western side of Church Road therefore the provision of 4 no. units is not considered excessive for the site. The design of the scheme is considered acceptable for the site and its surroundings and would not have any material impact on the Downham Market Conservation Area or the setting of adjacent listed buildings. Furthermore, the proposal would not have any detrimental impact on residential amenity or highway safety.

As a result it is considered that the proposal complies with the provisions of the National Planning Policy Framework (2012), Policies CS01, CS04, CS08, CS11 and CS12 of the Council's adopted Core Strategy (2011), saved Policy 4/21 of the King's Lynn and West Norfolk Local Plan (1998) and draft Policies DM15 and DM17 of the Site Allocations and Development Management Policies Pre-submission Document (2015).

It is therefore recommended that planning permission be approved subject to the conditions outlined below.

## RECOMMENDATION:

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

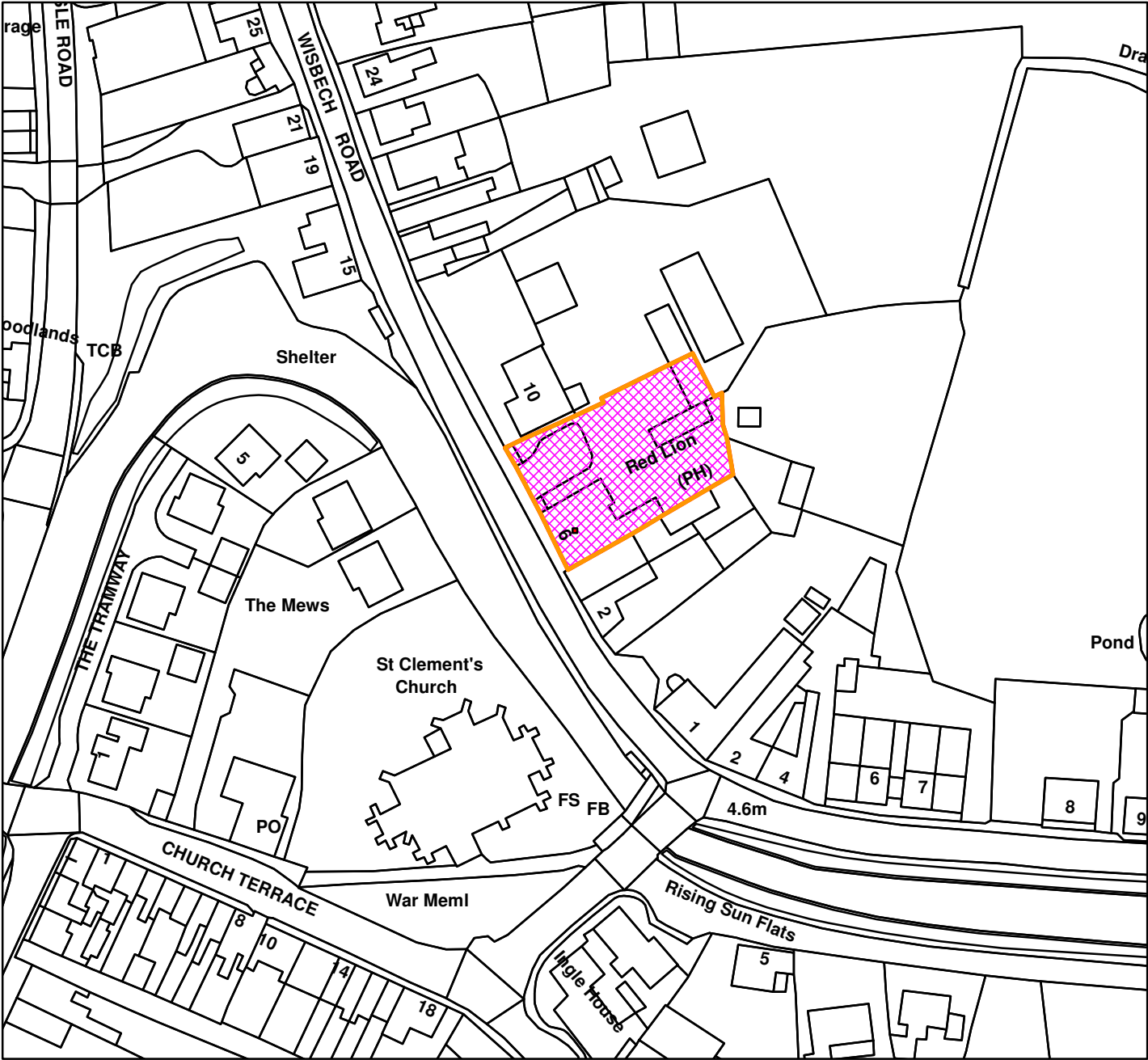
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: drawing nos. 3643.01 rev L; 3643.03 rev G; and 3643.05 rev E received by the local planning authority on 6th July 2015 and 3643.06 rev D received on 16th June 2015.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 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) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 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.
- 4 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

- 5 Condition No development above foundation level shall take place on site until a scheme to protect the dwellings from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before any of the dwellings are occupied.
- 5 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 6 Condition Prior to the first occupation of the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 6 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 7 Condition No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:
  1. An assessment of the significance of heritage assets present
  2. The programme and methodology of site investigation and recording
  3. The programme for post investigation assessment of recovered material
  4. Provision to be made for analysis of the site investigation and recording
  5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  6. Provision to be made for archive deposition of the analysis and records of the site investigation
  7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 7 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 8 Condition No demolition or development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 7.
- 8 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 9 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 7 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 9 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

- 10 Condition Prior to first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 10 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 11 Condition Before the first occupation of the dwellings hereby permitted the first floor flank (SW) elevation window of Plot 1 shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- 11 Reason To protect the residential amenities of the occupiers of nearby property.
- 12 Condition Prior to the first occupation of the development hereby permitted the vehicular access (indicated for improvement on drawing No. 3643.01L) shall be upgraded/ widened in accordance with the Norfolk County Council residential access construction specification. 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.
- 12 Reason In the interest of highway safety and traffic movement.
- 13 Condition Notwithstanding the approved plans, prior to the installation of any gates across the site access full details of the type, design, position and operation of the gates shall be submitted to and approved in writing by the local planning authority. The gates shall be implemented and maintained in accordance with the approved details.
- 13 Reason In the interests of visual amenity and highway safety to accord with the provisions of the NPPF.
- 14 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 14 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

15/00667/F

6 Wisbech Road Outwell



Scale: 1:1,250

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	16/07/2015
MSA Number	0100024314

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

<b>Parish:</b>	<b>Outwell</b>	
<b>Proposal:</b>	<b>Convert existing outbuilding into self-contained residential house with extension to create front porch. Conversion of public house into 5 self-contained flats with first floor rear extension and single storey side extension</b>	
<b>Location:</b>	<b>6 Wisbech Road Outwell Norfolk PE14 8PA</b>	
<b>Applicant:</b>	<b>Mr Steve Green</b>	
<b>Case No:</b>	<b>15/00667/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson Tel: 01553 616794</b>	<b>Date for Determination: 31 July 2015</b>

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

**Case Summary**

The application site lies to the east of the A1122/Wisbech Road, just to the north of St Clement's Church in the village of Outwell. The site is approx. 0.1ha in size and comprises the former Red Lion public house and its associated land and outbuildings.

The site lies within Built Environment Type C as defined on the Local Plan map for the village – saved Local Plan Policy 4/21 applies along with Core Strategy Policies CS06 & CS08.

The Red Lion is an end of terraced unit with a two storey plus a single storey range of outbuildings.

This site is part of a comprehensive development site of 0.5Ha which included the adjoining scrapyards and commercial buildings to the north. That earlier permission was outline consent for the demolition of the public house and commercial buildings and the construction of 19no. dwellings and associated works. That permission has now lapsed.

Planning permission is sought for the conversion and extension of an existing two storey outbuilding into a self-contained residential house; and conversion of the public house into 5no. self-contained flats with first floor rear extension and a single storey side extension.

This application is retrospective as the conversion and extension works are underway and is the result of an enforcement investigation.

**Key Issues**

Principle of development  
Loss of an employment use  
Impact upon appearance of this locality  
Impact upon neighbours

Access and highway matters  
Impact upon protected species  
Any other material considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application site lies to the east of the A1122/Wisbech Road, just to the north of St Clement's Church in the village of Outwell. The site is approx. 0.1ha in size and comprises the former Red Lion public house and its associated land and outbuildings.

The site lies within Built Environment Type C as defined on the Local Plan map for the village – saved Local Plan Policy 4/21 applies along with Core Strategy Policies CS06 & CS08.

The Red Lion is an end of terraced unit with a two storey plus a single storey range of outbuildings.

This site is part of a comprehensive development site of 0.5Ha which included the adjoining scrapyards and commercial buildings to the north. That earlier permission was outline consent for the demolition of the public house and commercial buildings and the construction of 19no. dwellings and associated works. That permission has now lapsed.

Planning permission is sought for the conversion of an existing detached two storey outbuilding towards the rear of the site into a 2 bedroomed self-contained residential house with a porch extension, separate garden area and associated garaging/storage in the single storey semi-detached range of outbuildings connected to the adjoining commercial garage/workshop. The three storey public house is proposed to be converted into 5no. self-contained flats (two bedroomed) with a first floor rear extension and a single storey side extension containing stairs creating access to the upper floors.

**SUPPORTING CASE**

The application is accompanied by correspondence from the agent, which includes the following information in support of the development:

The proposed application is for internal refurbishments and the renovation of the existing premises at an old public house building and rear out building, which is currently vacant and last used over 15 years ago.

The works will involve:

1. splitting the front building that was used as a public house to create new independent self-contained residential units;
2. change the rear out building into a self-contained residential dwelling and maintain the existing structure.



The proposal of converting the buildings to independent residential units will provide additional housing as required by planning policies.

Since the business use terminated more than 15 years ago, the change of use would not have any implications for loss of business in the community.

The proposal maintains all of the main internal areas with nominal alterations to the external elevations of the main buildings. External changes include a small entrance access porch to the out building and also to the side of the public house building and the provision of a first floor rear extension to main building.

Services such as sanitary, heating and electrics are required to be updated and renewed to meet current building regulations standards. All foul water will discharge to the existing sewer system serving the sites and will be retained at all times.

It is noted that the premises has a large access and hardstanding area which will be used as means of parking to serve the residential units.

The scheme is designed in compliance with Planning Guidance and is designed to match & complement the adjoining properties.

## **PLANNING HISTORY**

11/01370/O: Application Withdrawn: 28/06/12 - Outline Application: Demolition of 6, 8, 10 and Former Red Lion Public House. Erection of 5 dwellings and all associated works

11/01364/OM: Application Permitted: 20/06/12 - Outline Application: Demolition of 6, 8, 10 and former Red Lion Public House and clearance of scrapyard. Erection of 19 dwellings and all associated works.

06/01558/OM: Application Refused: 11/10/06 - Outline Application;- Construction of 10 flats after demolition of Red Lion Public House

06/00963/OM: Application Withdrawn: 15/06/06 - Outline application: Construction of 10 flats following demolition of public house

## **RESPONSE TO CONSULTATION**

**Parish Council:** The application relates to a site in the centre of Outwell village. The site previously comprised two derelict and boarded up business premises and a disused scrapyard. For obvious reasons the members of the Council are in favour of the development of this site in principle. However there are a numbers of issues relating to this particular development which are of grave concern to members of the Council.

These may be considered under three headings as follows:

The existing outline planning permission for the site.

Outline planning permission was granted for the development of the site on 20th. June 2012 (Ref. 11/01364/OM). The granting of permission was subject to a number of "reserved matters".

The outline permission clearly states that plans and particulars of the reserved matters must be submitted to and approved by the Local Planning Authority within three years of the grant of the outline planning permission. To our knowledge this has not been done. The outline permission also says that construction work must commence within two years of the final approval of the reserved matters. It would appear that the outline planning permission granted on 20th. June 2012 is still extant.

The reserved matters related to include:

1. Decontamination of the land (paragraphs 6, 7 and 8);
2. Foul and surface water drainage arrangements (paragraph 10);
3. Protection of the future residents from noise from both Wisbech Road and the adjacent hot food takeaway (paragraph 12);
4. Detailed plans for roads and footways on the site (paragraph 13);
5. A visibility splay measuring 2.4 metres by 53 metres north and 50 metres south (paragraph 17). This matter is discussed further later in the letter;
6. Provision of bat boxes, and bat roosting habitats.

Paragraph references are to the Outline Planning Permission document.

All of these issues and some others were required to be resolved before construction commenced. As far as the council is aware none of these matters have been dealt with. The Parish Council is particularly concerned with matters relating to access to the proposed development. This will be considered later in this letter. However another two of these reserved matters are of particular concern to members of the Parish Council. The first relates to the soprano pipistrelle bats found roosting on the site. As noted above the outline planning permission requires the provision of bat boxes and the provision of bat roosting habitats prior to the commencement of construction on the site. This has not been done. This is a particular source of concern because the two bat roosts identified by the Ecology Bat Survey Report dated 1st August 2011 were in the Red Lion public house and the barn adjacent to the Red Lion. These are the two buildings in which the greater part of the construction work undertaken to date has taken place.

The second major source of concern relating to the outline planning permission granted on the 20th June 2012 is with respect to the requirement to decontaminate the site. Most of the work required under this heading would be on the disused scrap yard. Not only has nothing been done to date to decontaminate this site but now the construction workers renovating the Red Lion and the adjacent barn are using the scrap yard to dump building waste associated with the construction work currently being undertaken. The result is that far from decontaminating the site the levels of contamination are now probably greater than they were before building works began.

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

**Environment Agency: NO OBJECTION** – standing advice applies

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** subject to conditions relating to potential contamination and remediation measures

**Environmental Health & Housing - Community Safety and Neighbourhood Nuisance:**  
**NO COMMENT**

**REPRESENTATIONS**

**ONE** letter of **OBJECTION** received raising concerns relating to highway safety and on-street parking increasing the risk of accidents.

**NATIONAL GUIDANCE**

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

**PLANNING POLICIES**

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

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

**LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

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

**DM9** - Community Facilities

**DM15** – Environment, Design and Amenity

**PLANNING CONSIDERATIONS**

The key considerations when assessing this proposal are as follows:

- Principle of development
- Loss of an employment use
- Impact upon appearance of this locality
- Impact upon neighbours

- Access and highway matters
- Impact upon protected species
- Any other material considerations

### **Principle of development**

The application site lies within Built Environment Type 'C' in the village of Outwell. Within this defined area the principle of new residential development is generally considered to be acceptable under saved Policy 4/21 of the Local Plan, provided that the proposal has regard for, and is in harmony with, the building characteristics of the area and it complies with all other relevant policies.

Furthermore, given that the Council does not currently have a five-year supply of deliverable housing sites, housing applications such as this should be considered in the context of the National Planning Policy Framework's (NPPF's) presumption in favour of sustainable development. This is because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In this case the application site lies within the settlement of Outwell which is a sustainable location. As a result there is a presumption in favour of development in this area.

### **Loss of an employment use**

The loss of the public house would technically constitute the loss of an employment use in the village. Core Strategy Policy CS10 states that the Council will seek to retain premises currently or last used for employment purposes unless it can be demonstrated that:

- continued use of the site for employment purposes is no longer viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand; or
- use of the site for employment purposes gives rise to unacceptable environmental or accessibility problems particularly for sustainable modes of transport; or
- an alternative use or mix of uses offers greater potential benefits to the community in meeting local business and employment needs, or in delivering the Council's regeneration agenda.

Emerging Policy DM9 of the SADMPD has a similar sentiment.

Given that the public house has been vacant for approx. 15 years, and there has been planning permission previously granted for its redevelopment as part of a larger site (ref: 11/01364/OM), it is accepted that the first criterion above has been met.

### **Impact upon appearance of this locality**

The development proposed renovates the existing buildings – the public house itself has a presence in the streetscene and is quite prominent from the north. It is also part of the historic fabric of this part of the village close to the Grade 1 listed church. There would be a general enhancement to these formerly boarded up buildings.

The extensions take the form of a side extension and rear first floor extension to the public house which are in matching materials to the main structure and considered to be acceptable in terms of design and appearance.

Modifications to the access and parking arrangements will involve the removal of currently unauthorised fencing at the front of the site which is considered to be unsightly. This may be secured via condition.

### **Impact upon neighbours**

The inter-relationship between the existing and proposed neighbouring premises is considered to be acceptable given the orientation of windows, separation distances and boundary treatments involved.

There are private garden areas created – a separate one to serve the house and a communal area for the residents of the flats.

### **Access and highway matters**

The existing access (with modification) and yard area are proposed to be used to serve these new residential uses. Two parking spaces are shown for the detached house and 5 spaces for the flats with room for 2-3 spaces for visitors. There is adequate turning space within the site and County Highways raise no objections subject to certain conditions relating to dropped kerbs, visibility splays and parking/turning provision.

### **Impact upon protected species**

The previous outline application (ref: 11/01364/OM) sought the demolition of the public house and outbuildings. That application was accompanied by a Bat Survey which identified the existence of bat roosts in the roofs of both buildings. The surveys were done in August 2011 and the works of conversion have been implemented. The roof to the two storey outbuilding has been replaced and works undertaken in the main public house.

The matter has been the subject of an investigation by Norfolk Constabulary, but we are given to understand that due to the time that has elapsed since the Bat Survey Report was undertaken and lack of evidence of bats being present when works were undertaken, this matter is not to be pursued.

Mitigation measures in the form of bat boxes (as recommended in the original bat survey) would help to enhance the habitat in this locality and may be secured via condition.

### **Any other material considerations**

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

The application is accompanied by a site-specific Flood Risk Assessment which specifies minimum floor levels. The applicant has confirmed that the cellar/basement level is not to be used as part of the residential accommodation.

Whilst the comments from the Parish Council are noted, most of the issues raised relate to the much larger site which had outline permission (ref: 11/01364/OM) and the conditions attached thereto. This has now lapsed and cannot be implemented.

There are no affordable housing implications relating to this proposal.

Due to the site lying close to the scrapyard and a former blacksmiths, contamination issues (including asbestos removal) may be present at this site through leaching. Precautionary conditions are therefore suggested by our Environmental Protection team.

## CONCLUSION

The application proposes a compatible alternative use of these premises for residential purposes within a highly sustainable location. The dwellings would have easy access to all the facilities that the village has to offer. There are no technical objections and the development is considered to constitute to sustainable development.

The proposal is therefore considered to also accord with the provisions of the NPPF, saved Local Plan Policy 4/21, Core Strategy policies CS06, CS08, CS10, CS11 & CS12 of the LDF & emerging Policies DM9 & DM15 of the SADMPD.

## RECOMMENDATION:

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

- 1 Condition Prior to the commencement of the use hereby permitted, the existing vehicular drop kerb access shall be repositioned to accord with the position on drawing No. HD851/2004 Revision B in accordance with the Norfolk County Council residential access construction specification for the first 2.4 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.
- 1 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway, and to accord with the provisions of the NPPF.
- 2 Condition Prior to the first occupation of the development hereby permitted, a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage with the exception of the existing former public house building and the telegraph pole. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 2 Reason In the interests of highway safety and to accord with the provisions of the NPPF.
- 3 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.
- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety, and to accord with the provisions of the NPPF.
- 4 Condition Within 6 months of the date of this permission, two bat boxes shall be erected on the buildings, the type and positions to be agreed in advance with the Local Planning Authority, and maintained thereafter.

4 Reason To mitigate the loss of potential bat roosts within the buildings indicated on the Bat Survey Report accompanying the application and to accord with the provisions of the NPPF & Core Strategy policy CS12 of the LDF.

5 Condition Prior to the occupation of the dwellings hereby approved, 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 (including asbestos);

(ii) an assessment of the potential risks to:

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

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

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

5 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.

6 Condition Prior to the occupation of the dwellings hereby approved, 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.

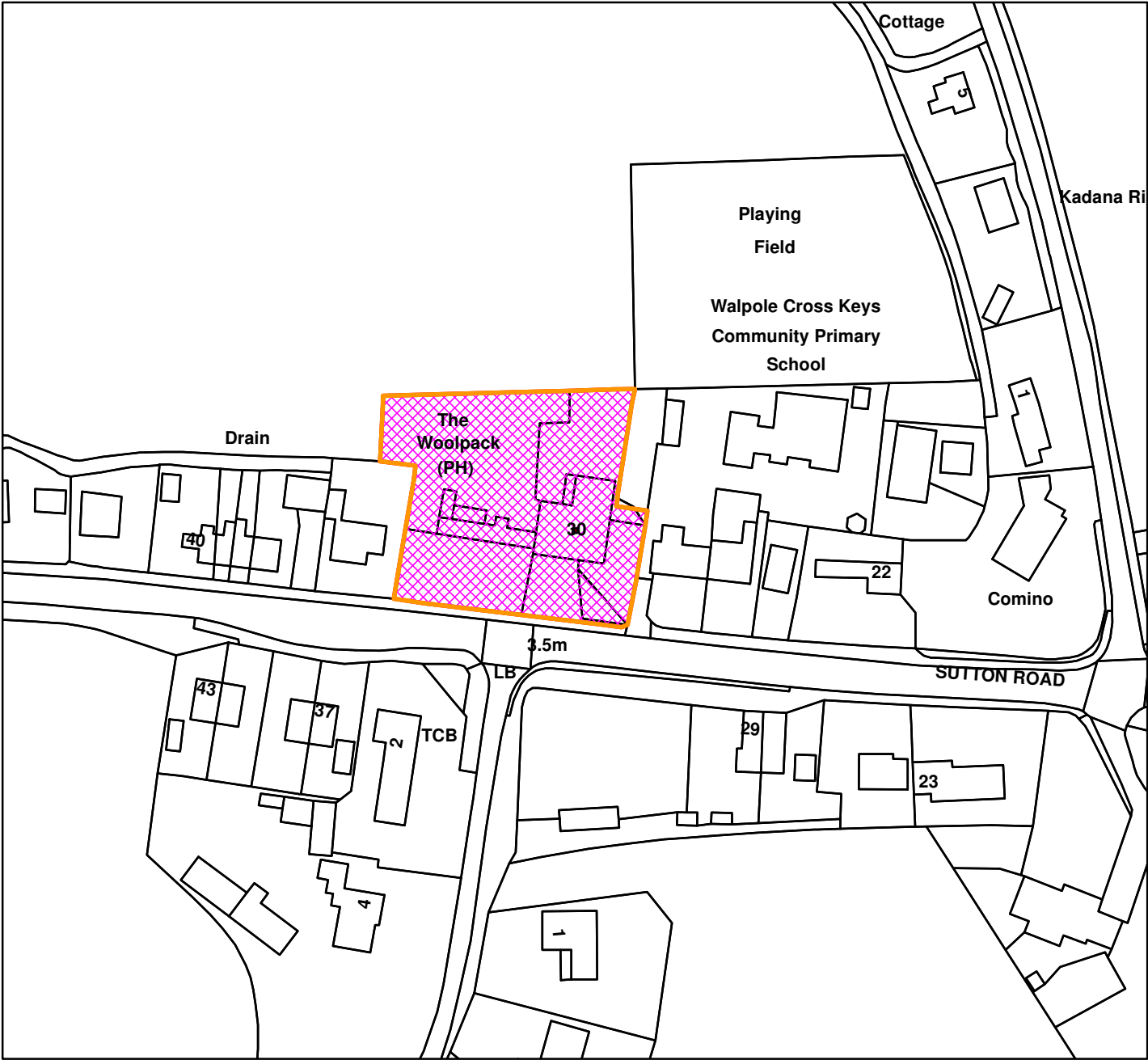
6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours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

- 7 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: HD851/2000 REV A, HD851/2001 rev A, HD851/2002 REV A, HD851/2003 rev A, HD851/2004 REV B & HD851/2006.
- 7 Reason For the avoidance of doubt and in the interests of proper planning.



15/00179/F

30 Sutton Road Walpole Cross Keys



Scale: 1:1,250

Borough Council of

**King's Lynn & West Norfolk**

Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	16/07/2015
MSA Number	0100024314

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

<b>Parish:</b>	<b>Walpole Cross Keys</b>	
<b>Proposal:</b>	<b>Demolition of vacant building and erection of 4 houses, including improvements to school access</b>	
<b>Location:</b>	<b>30 Sutton Road Walpole Cross Keys Norfolk PE34 4HD</b>	
<b>Applicant:</b>	<b>Mr Martin Crass</b>	
<b>Case No:</b>	<b>15/00179/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs H Wood-Handy Tel: 01553 616734</b>	<b>Date for Determination: 6 April 2015 Extension of Time Expiry Date: 7 August 2015</b>

**Reason for Referral to Planning Committee** – Contrary to the Parish Councils views

**Case Summary**

The site is that of the former Woolpack Inn Public House that sits to the north of the junction of Station Road and Sutton Road, Walpole Cross Keys. The site covers an area of 0.215Ha and comprises the open fronted forecourt, public house and outbuildings and yard to the rear. It is bounded to the west and south by residential properties, housing and primary school to the east, and agricultural land to the north.

The proposal is for full planning permission for the demolition of the former public house and its replacement with four detached two-storey four bedroomed dwellings with integral garages. The site would be accessed via two separate accesses serving Plots 1-2 and Plots 3-4 respectively. Provision would be made for 3 parking spaces per dwelling within the site. To the east boundary, a 1 - 1.2m wide strip would be donated to the school to enable widening of the school access and drive. The existing conifer hedge to the west boundary would be trimmed back to the boundary line. Provision would be made for separate access to the rear gardens of the proposed dwellings.

Plot 1 has been amended to reduce the scale of the dwelling in order to overcome concerns relating to the proximity to the neighbouring property.

**Key Issues**

Appeal History and subsequent 2011 permission  
Principle of development  
Form and character  
Neighbour amenity  
Highways issues  
Flood risk  
Ecology  
Any other matters that require consideration prior to the determination of the application

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The site is that of the former Woolpack Inn Public House that sits to the north of the junction of Station Road and Sutton Road, Walpole Cross Keys. The site covers an area of 0.215Ha and comprises the open fronted forecourt, public house and outbuildings and yard to the rear. It is bounded to the west and south by residential properties, housing and primary school to the east, and agricultural land to the north.

The proposal is for full planning permission for the demolition of the former public house and its replacement with four detached two-storey four bedroomed dwellings with integral garages. The site would be accessed via two separate accesses serving Plots 1-2 and Plots 3-4 respectively. Provision would be made for 3 parking spaces per dwelling within the site. To the east boundary, a 1 - 1.2m wide strip would be donated to the school to enable widening the school access and drive. The existing conifer hedge to the west boundary would be trimmed back to the boundary line. Provision would be made for separate access to the rear gardens of the proposed dwellings.

Plot 1 has been amended to reduce the scale of the dwelling in order to overcome concerns relating to the proximity to the neighbouring property.

## **SUPPORTING CASE**

The principle of residential development on this site has been previously accepted provided the Council are satisfied the design is right. The loss of the pub has already been accepted (including on an appeal by the previous owner) and a subsequent planning permission for the redevelopment of the site for residential development was approved in 2011. Walpole Cross Keys is classified as a Rural Village in Core Strategy Policy CS02 of the Local Development Framework (2011), where limited minor development will be permitted.

The site has no inherent character or quality, the building is in a state of semi-dereliction and is boarded up. The building style in the wider area is varied in character with modern house styles. The massing of the proposed dwellings is a straightforward echo of what is found nearby with pitched roofs and chimneys, each dwelling being based on a principal built element with secondary off-shots to the front and rear.

The proposed dwellings will convey a sense of presence and importance appropriate to its streetscene. The chimney stacks act to further reinforce traditional character.

The site is not inside any conservation area or within the setting of any listed building. There is no archaeological, contamination or flooding constraints affecting the site that cannot be positively addressed. Whilst not a planning requirement, improvements to the school access will be offered. A bat survey has been carried out, and bat presence found; and further work will thereby be secured by condition to control the timing and method of demolition.

The applicant has worked with the planning officer to improve the design of Plot 1 to allow for an improved relationship with No 32 Sutton Road to the west.

Highways have not objected; the present paired access arrangement presents an optimal and safe access arrangement.

## PLANNING HISTORY

13/01767/O - Demolition of existing building on site and build 8 semi-detached 2 bed houses, 22 car parking spaces, access road, high performance sewage treatment plant - Refused - Committee decision - 04.06.2014

11/00990/F - Erection of three dwellings and associated works following the demolition of the existing Woolpack public house - Approved (Committee Decision) - 17.11.2011

09/00749/F - Demolish existing buildings on the site and construct 9 dwellings, 18 car parking spaces and provision for a refuse vehicle to turn - Refused 18.09.09 (Delegated) - Appeal dismissed - 18.08.2010

04/01071/CU - Continued siting of residential caravan for the occasional use of accommodation for visiting family and friends - Approved 06/07/2004

2/03/0135/F - Extension to provide hotel accommodation - Approved 20/03/2003

2/01/0069/F - Alterations and extension to public house - Approved 27/02/2001

## RESPONSE TO CONSULTATION

**Parish Council: OBJECT** on the following grounds:

- No bat, barn owl or asbestos survey has been done;
- High water table in area (evident from recent photos, comments from local residents and standing water on Sutton Road);
- Area is prone to flooding and no plan of how any surface/foul water is to be disposed of (there are absolutely no dykes either on, adjacent to, or in the vicinity of these plots, soakaways do no work in this area and inland flooding is a great concern);
- Local residents are questioning the need for four bedroom houses when it is starter homes that are required;
- Four bedroom houses are ideal for buy to let and high multiple occupancy is evident in this market place (these four properties could house up to 32 adults, each with a car, which would further increase the problems of parking and traffic near the Primary School and the junction of Sutton Road/Station Road North).

Comments on Amended Plans: **OBJECT** on the same grounds as before.

**Highways Authority: NO OBJECTION** subject to conditions regarding access, parking and turning.

Amended Plans: **NO OBJECTION** subject to conditions outlined above.

**Environment Agency: NO OBJECTION** subject to a condition regarding foul drainage.

Amended Plans: No further comment.

**Natural England:** Original submission – No Comment.

Comments on amended Survey (verbal): Accept the findings and advise that whilst the decision rests with the LPA, a suitably worded condition requiring further surveys leading up to the application for the EPS licence as well as mitigation can be imposed.

**Environment & Planning - Environmental Quality: NO OBJECTION** subject to conditions regarding contamination investigation and remediation.

**Environmental Health & Housing - CSNN: NO OBJECTION** subject to conditions regarding foul and surface water drainage.

**KLWN Emergency Planner:** Recommends that conditions regarding a flood evacuation plan and signing up to the EA Floodline Warnings Direct Service.

## **REPRESENTATIONS**

Original Plans:

**ONE** letter of **SUPPORT** regarding the following:

- The site is an eyesore in the centre of the village and it will be highly unlikely that it will ever be returned to a pub;
- Developer should not be required to provide a car park for the school - people should walk, bike or bus;
- This part of the village is very much in need of new housing to replace what is now a boarded up mess.

**FOUR** letters of **OBJECTION** regarding the following:

- 4 properties is a squeeze, 3 would be better;
- Foul and surface water drainage is an issue in the locality
- Whilst the design and layout is an improvement, the water table is high causing localised flooding issues;
- Soakaways are not an acceptable form of drainage in this location;
- Previous scheme was better for three houses - houses are narrow and tightly squeezed;
- Location of houses will cause overshadowing to the property to the west of the site;

Amended Plans: **TWO** letters of **OBJECTION** regarding the following:

- Still object on grounds of overshadowing
- 3 houses are more in keeping with the village;
- Water drainage problem needs to be solved;
- Appreciates efforts of Council and landowner to find a suitable solution.

## **NATIONAL GUIDANCE**

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

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

## **PLANNING POLICIES**

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

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

**8/1** - indicates that individual and small groups of dwellings will be permitted in settled or built-up areas of villages defined as Built Environment Types C and D.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

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

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **OTHER GUIDANCE**

Walpole Cross Keys Parish Plans

## **PLANNING CONSIDERATIONS**

The main issues are:

- Appeal History and subsequent 2011 permission
- Principle of development
- Form and character
- Neighbour amenity

- Highways issues
- Flood risk
- Ecology
- Any other matters that require consideration prior to the determination of the application

### **Appeal History and subsequent 2011 permission**

Planning permission was refused for the demolition of the existing buildings on the site and the construction of 9 dwellings, provision of 18 car parking spaces and provision for a refuse vehicle to turn in September 2009. The applicant appealed the decision in 2010.

The Inspector concluded that whilst the loss of the public house would not be contrary to the principles of sustainable development, its replacement with 9 houses would. The Appeal was subsequently dismissed in August 2010.

In 2011, Members considered a further application for the demolition of the public house and the construction of 3 dwellings along the frontage of the site. Given the Inspector's findings on the loss of the pub, its retention was no longer an issue. Members resolved to approve the application subject to the completion of a S106 Agreement in October 2011 and the agreement was executed and the decision issued in November 2011.

### **Principle of development**

Walpole Cross Keys is classified as a Rural Village in Core Strategy Policy CS02 of the Local Development Framework (2011), 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. Policy CS08 requires new development to respond to the context and character of West Norfolk by ensuring that scale, density, layout and access will enhance the quality of the environment. Policy CS09 allows for small scale infill housing development in rural villages.

The site comprises brownfield land and falls within a Built Environment Type D area as defined by Policy 4/21 of the Local Plan, where development that has regard for and is in harmony with the buildings characteristics of the locality will be permitted. Policy 8/1 of the Local Plan states that in villages, individual dwellings and small groups of dwellings which comply with other policies of the Plan will be permitted in settled or built-up areas (Built Environment Areas C and D).

Notwithstanding the above, given that the Council does not currently have a five-year supply of deliverable housing sites, housing applications such as this should be considered in the context of the National Planning Policy Framework's (NPPF's) presumption in favour of sustainable development because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In this case the application site lies within the defined area of Walpole Cross Keys which is a sustainable location. As a result there is a presumption in favour of development in this area. The principle of residential development on this site is therefore acceptable.

## **Form and character**

In line with the Inspectors comments and the 2011 permission, the developer proposes linear frontage development which is the predominant characteristic of this part of Walpole Cross Keys. The site would be served by two points of access with landscaping to the front and parking/turning areas to the houses. The houses would be two-storey with front and rear projections. Plot 1 has been amended to take account of neighbour concerns and thus has a slightly different design however, the main frontages remain consistent across the site.

Whilst there would be an increase in the number of dwellings to 4 (as opposed to 3 previously approved, the houses would be set in good sized plots with garden depths of over 18m and separate access to rear gardens. The site also provides a 1-1.2m strip along the east boundary to enable access improvements for the adjacent School. It is considered that the site can satisfactorily accommodate four detached dwellings along with access improvements for the school.

Given that existing development within the vicinity of the site is mainly modern, the proposed design in terms of the layout, scale and appearance of the dwellings, would not adversely affect the form and character of the locality and therefore considered acceptable.

## **Neighbour amenity**

The site is located adjacent to 32 Sutton Road to the west and the School to the east. Sutton Road separates the site from dwellings to the south and agricultural land lies to the north.

Given the setting and scale of the dwellings, there would be no adverse impact to the school or properties to the south. The main impact would be to 32 Sutton Road.

The principle of 3 units on this site adjacent to 32 Sutton Road has previously been established. The previously approved scheme proposed dwellings slightly further away from the boundary with 32 Sutton Road but also set further back in the site. The current proposal places Plot 1 closer to the boundary than previously approved. Dwelling to dwelling the distances scaled would be 5.4m approx. for the current scheme. To overcome concerns from the neighbour, Plot 1 has been amended so that the closest part of the dwelling is 1 ½ storey with a max depth of 6m and height of 6.2m. The main ridge has been reduced from 8m to 7.2m. The rear extension has also been reduced in height to 6.7m and depth to 4.275m. This reduction in scale takes the massing away from the boundary with 32 Sutton Road, combined with the orientation and the fact that finished floor levels and overall site levels remain consistent with the existing levels, it is considered that the revised design for Plot 1 would not adversely affect the amenities of the occupiers of 32 Sutton Road.

There is one window located on the west elevation of the proposed rear extension of Plot 1 at first floor which would serve an en-suite. This window would be conditioned to be obscurely glazed.

## **Highways issues**

The site is accessed via two points of access from Sutton Road. Provision is made within the site for parking (3 spaces per dwelling excluding the garage) and turning areas. The Local Highway Authority has assessed the application and considers that it is acceptable subject to conditions regarding access details and provision of parking and turning areas. Given that there is no objection on highways safety grounds from the LHA, the comments of the Parish Council in relation to traffic numbers cannot be supported.



## **Flood risk**

The site is located in Flood Zone 2 as defined by the Councils adopted SFRA 2008. The application is accompanied by a Flood Risk Assessment In accordance with the NPPF and National Planning Practice Guidance, new development should be directed to locations with the lowest risk of flooding i.e. Flood Zone 1. There are no other sites within Walpole Cross Keys that are within a lower risk Flood Zone that are reasonably available and therefore the development passes the sequential test. In terms of the exception test, the site contributes towards housing supply in an otherwise sustainable location and the FRA demonstrates that the site is safe in the event of flooding. Overall, the site passes both the sequential and exception tests as stipulated by the NPPF, PPG and Policy CS08 of the Structure Plan 2011 and emerging Policy DM21 of the Site Allocations and Development Management Policies Document 2015.

There are localised surface water drainage issues in the locality which have been investigated by both the Borough and County Councils. Notwithstanding this, the EA and the CSNN Team, considers that surface water drainage can be dealt with via condition. Further, with regard to the use of soakaways, infiltration drainage details are required as part of Building Regulations approval which is an extra layer of protection. Exact details of foul water and land drainage could also be dealt with via condition.

## **Ecology**

A Protected Species Survey was undertaken on 29th May 2015 specifically in relation to bats but considers the presence of other protected species e.g. barn owls (contrary to the Parish Council's assertions). The survey evidences pipistrelle and brown long eared bat droppings in various locations around the building. Further activity surveys were undertaken on 28th & 29th June but there was no evidence of roosting bats and the conclusion is that the buildings do not support a bat maternity roost as this would be expected to be present at this time of year (June).

Mitigation proposed includes:

- Demolition of the roof to avoid the main summer period May to September;
- Supervised removal of roof tiles and any other areas of bat potential before demolition commences;
- Provision of continued access under some tiles at completion of the development;
- Provision of bat boxes to replace/increase bat roosting opportunities;
- Limitation of external lighting;
- Use of bat friendly chemicals;
- Use of plants to attract insects on which bats can feed.

As the proposal involves the demolition of the building and fresh bat droppings are present, the works will need to be subject to an EPS bat licence. This is issued by Natural England and can only be applied for once planning permission has been granted. Further surveys are recommended as part of this process (EPS licence application) but mitigation is unlikely to change.

The Conservation of Habitats and Species Regulations 2010 prohibits 'the deliberate capturing, killing or disturbance and against the damage or destruction of a resting place of a European Protected Species' unless three tests can be met.

The tests are that:

1. There are imperative reasons of overriding public interests why the operation should be carried out;
2. There are no satisfactory alternatives; and
3. It would not be detrimental to the maintenance of the population of species.

With regard to 1, Natural England's guidance advises that 'Imperative Reasons of Overriding Public Interest' 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 and local level. In this case, the proposal is in accordance with policies of the Development Plan, the NPPF and NPPG and contributes towards achieving the 5 year housing land supply.

With regard to 2, this site is the only property that the developer intends to develop and that the public house would never realistically reopen. The structure could be retained with selective demolition and develop the rest of this site but again, this would be costly and it has already been determined on appeal that the public house is not viable as an enterprise. Further, it would result in the loss of the gain to the school.

Given that the NE advice states that there should be a proportionate approach and whilst there is an impact to protected species, it could be adequately mitigated and therefore it is considered that the second test is met.

With regard to the third test, the development would not result in the loss of rarer protected species and thus would not affect the conservation status of the bat population.

Natural England has been consulted, specifically following the receipt of the updated report (following the emergence survey) and accepts the findings. They also advise that whilst the decision rests with the LPA, a suitably worded condition requiring mitigation can be imposed.

Overall, it is considered that whilst the development would result in the disturbance of bats, adequate mitigation has been specified and the proposal would satisfy the three tests of derogation. The proposal is therefore in accordance with the NPPF, NPPG and Policy CS12 of the Core Strategy 2011 and is acceptable subject to a condition.

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

The number of units amount to 4 and the gross floorspace would be less than 1000sq.m, and thus affordable housing would not be required in this instance.

The Parish Council queries the need for four bedroomed dwellings but this is a market decision and provided that the development is acceptable in planning terms, there is no reason to object.

Environmental Quality states that given the former uses on the site (former smithy, that contamination investigation and remediation conditions are recommended.

### **Crime and Disorder**

No issues arise as a result of this application.

## CONCLUSION

This application seeks consent for four detached two storey houses which are consistent with the form and character of the locality. The proposal would not give rise to issues that would be detrimental to highway safety or residential amenity. Any impact on the bat population can be adequately mitigated and secured and a suitable scheme for foul and surface water drainage can be imposed.

The proposal is considered acceptable and complies with the NPPF, PPG, Policies CS01, 02, 06, 08, 09, 11 and 12 of the Core Strategy 2011 and Policies DM1, 2, 15 and 17 of the emerging Site Allocations and Development Management Policies Document 2015.

## 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:  
  
Dwg 2489 001F received 20.5.2015  
Dwg 2489 002H received 20.5.2015  
Dwg 2489 003D received 20.5.2015  
Dwg 2489 004D received 20.5.2015  
Dwg 2489 005D received 20.5.2015
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Before the first occupation of the building/extension hereby permitted the ensuite, bathroom and stairway windows(s) to Plots 1 - 4 (inclusive) shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- 3 Reason To protect the residential amenities of the occupiers of nearby property.
- 4 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.
- 4 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.

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

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

(ii) an assessment of the potential risks to:

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

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

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

- 5 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.
- 6 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.
- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

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

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

8 Condition 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 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 6, 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 7.

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

9 Condition No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

10 Condition The property shall not be demolished other than in accordance with the mitigation measures (namely, bat exclusion measures and timing of demolition) as recommended by the report 'Bat Survey' by Philip Parker Associates revised 09 July 2015. Precautionary measures identified in the report shall be carried out prior to and during demolition.

10 Reason In the interests of the protected species in accordance with the NPPF, NPPG and Policy CS12 of the Core Strategy 2011.

- 11 Condition Prior to the commencement of any groundworks, the design and management of mitigation measures requiring installation (new roosts, roof construction measures, location of external lighting, timber treatment, plant types) shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be implemented in accordance with the details agreed and shall be retained and maintained thereafter.
- 11 Reason In the interests of the protected species in accordance with the NPPF, NPPG and Policy CS12 of the Core Strategy 2011.



# The Planning Inspectorate

Quality Assurance Unit  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line: 0117-372-8252  
Switchboard: 0117-372-8000

<http://www.planning-inspectorate.gov.uk>

Ruth Redding  
King's Lynn and West Norfolk  
Borough Council  
Kings Court  
Chapel Street  
King's Lynn  
Norfolk  
PE30 1EX

Your Ref: 09/00749/F  
Our Ref: APP/V2635/A/10/2120406/NWF  
Date: 18 August 2010

Dear Ms Redding

## **Town and Country Planning Act 1990**

### **Appeal by Westways Estate Agents**

**Site at The Woolpack Inn, 30 Sutton Road, Walpole Cross Keys, King's Lynn,  
PE34 4HD**

I enclose a copy of our Inspector's decision on the above appeal.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at [www.planning-inspectorate.gov.uk/pins/agency\\_info/complaints/complaints\\_dealing.htm](http://www.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm). This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 0207 947 6655.

Yours sincerely

Erin Lindell

COVERDL1



INVESTOR IN PEOPLE



You can use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcsportal/casearch.asp>  
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button





# Appeal Decision

Site visit made on 12 July 2010

by **John Murray LLB, Dip.Plan.Env, DMS,**  
**Solicitor**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

**Decision date:**  
**18 August 2010**

---

**Appeal Ref: APP/V2635/A/10/2120406**

**30 Sutton Road, Walpole Cross Keys, King's Lynn, PE34 4HD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Westways Estate Agents against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 09/00749/F, dated 1 May 2009, was refused by notice dated 18 September 2009.
- The development proposed is the demolition of existing buildings on the site and the construction of 6 No. 2 bed 2 storey semi-detached dwellings and 3 No. similar terraced dwellings and the provision of 18 car parking spaces and provision for a refuse vehicle to turn.

---

## Decision

1. I dismiss the appeal.

## Procedural matter

2. The application referred to the construction of "2 No. 2 bed 2 storey semi-detached houses" but it is clear from the application plans and the Design and Access Statement that this was an error and 6 semi-detached dwellings are proposed, in addition to the 3 terraced houses.

## Main issues

3. The first main issue is the effect of the proposal on the character and appearance of the area. The second is whether the loss of the public house and its replacement with 9 houses would accord with the principles of sustainable development.

## Reasons

4. The appeal site lies in the built-up area of the small rural village of Walpole Cross Keys and within an area categorised as Built Environment Type D in the King's Lynn and West Norfolk Local Plan (LP), adopted November 1998. Saved LP Policy 8/1 indicates that individual dwellings and small groups of dwellings which comply with other relevant LP policies will be allowed in such locations. For general guidance, paragraph 8.7 of the explanatory text indicates that a development of up to 5 dwellings will be regarded as a small group, although this may be varied in appropriate circumstances. I attach weight to that explanatory text and, given the size of the village and the pattern of frontage development in the locality, I consider that the proposed development of 9 dwellings exceeds what can properly be regarded as a small group of dwellings.

5. Although it could be subject to change, and therefore carries limited weight, Policy CS09 of the King's Lynn and West Norfolk Core Strategy – Proposed Submission Document (CS) indicates that new housing development in rural villages will be restricted to small scale infilling or affordable housing allocations or potential exceptions housing to meet identified local needs and will be identified through the Site Allocations Development Plan Document. Although it may be possible to impose conditions, the appellant does not propose to include affordable housing, or housing to meet identified local needs and I do not consider the scheme to be small scale infilling.
6. I have been provided with very little information regarding the preparation and content of the Walpole Parish Plan 2008, save that Sutton Road residents indicate that villagers were asked to complete a questionnaire. Whilst I can attach only limited weight to it, this plan is nevertheless a material consideration. I am told it indicates that infill is the most favoured form of housing development for the village with only 7% of respondents wishing to see small estates. Whilst the term estate may suggest rather more than 9 dwellings, the proposal involves development at depth, rather than the simple infilling of a gap in frontage development, and its appearance would be estate-like.
7. There is no rigidly uniform building line, but the area is clearly characterised by linear, frontage development. The buildings at the rear of the school site, adjacent to the appeal property are an exception to this, but are predominantly single-storey and subservient in scale. Indeed, they are not readily apparent from public vantage points and, even from the appeal site, those buildings are well screened by vegetation. In this context, I consider that the proposed layout, which would include 2 pairs of semi-detached 2-storey houses to the rear of the site, fronting an access road at 90 degrees to Sutton Road, would be at odds with the building characteristics of the locality.
8. Planning Policy Statement (PPS) 1 (Delivering Sustainable Development) indicates that local planning authorities should avoid unnecessary prescription and should not attempt to impose architectural styles or particular tastes. However, it also states that developments should respond to their local context and create or reinforce local distinctiveness. This is echoed in PPS 3 (Housing) and saved LP Policy 4/21 is consistent with this guidance in requiring new development to be in harmony with the building characteristics of the area.
9. Along Sutton Road, the dwellings vary in design, age, size and type and include detached, semi-detached and terraced properties. They are mainly houses, though there are some bungalows nearby on Station Road. There is no consistent or predominant architectural style. Accordingly, there is scope to introduce the relatively unusual window styles and arrangements, projecting eaves, staggered facades and low pitched roofs incorporated in the contemporary design of the appeal scheme, without necessarily causing harm. However, it seems to me that variety is one of the main elements of local distinctiveness. Accordingly, the introduction of 9 dwellings of rather uniformed appearance would not reinforce that distinctiveness; indeed it would underline the incongruous estate-like feel of the development.
10. For the reasons given, I conclude on the first main issue that, by virtue of its scale, layout and design, the proposal would harm the character and

appearance of the area and would be contrary to saved LP Policies 8/1 and 4/21, as well as PPS 1 and 3 and CS Policy CS09.

11. In reaching this conclusion, I have taken account of the fact that the scheme would replace a deteriorating building. However, though its windows are boarded up, the current appearance of the public house is not so detrimental to the street scene that its removal is an overriding consideration.
12. I have also taken account of the fact that, by achieving 45 dwellings per hectare, the proposal would make efficient use of previously developed land. Efficient use of such land is still an objective of PPS3, notwithstanding the Secretary of State's recent revision deleting the national indicative minimum density of 30 dwellings per hectare. Similarly, it is not affected by his revocation of Regional Strategies, which means that Policy ENV7 of the East of England Plan, which required the achievement of the highest possible net density consistent with local character, is no longer part of the development plan. Nevertheless, in my view, the harm identified outweighs the benefits of reusing this site.
13. Turning to the second main issue, among other things, Policy EC.6.2 of PPS 4 (Planning for Sustainable Economic Growth) indicates that local planning authorities should seek to remedy identified deficiencies in local facilities to serve people's day-to-day needs. Policy EC.13.1 provides that, when assessing a planning application which would result in the loss of a public house in a village, account should be taken of its importance to the local community. Furthermore, applications which fail to protect existing facilities which provide for people's day-to-day needs should be refused.
14. There is considerable local opposition to the proposed scheme and to the loss of The Woolpack public house as a village facility and this is reinforced by the Walpole Cross Keys Parish Council and by Henry Bellingham MP. However, the appellants have owned the public house since 2005 and maintain that it is not viable. It has not been able to be run as a successful, profitable business and has been closed since January 2009.
15. The Campaign for Real Ale (CAMRA) has produced a Public House Viability Test to assist Councils in evaluating viability when proposals for changes of use are submitted. The appellants have sought to apply that test in their appeal statement and contend that the majority of the indicators point to the public house not being viable. Whilst it commented on points made in the Design and Access Statement, the Council has not challenged that later detailed assessment.
16. Some of the key factors are as follows. The property has been continuously marketed since 2008 for continued public house use, or as a redevelopment opportunity but, despite some expressions of interest, no formal offers have been made. Although no detailed breakdown is provided, the appellants estimate that it would cost at least £80,000 to repair and refurbish the premises and my own inspection indicates that they are in a poor state. The Council and third parties suggest that having failed to carry out essential repairs and maintenance, the appellants are now seeking "a premium on neglect." The appellants counter that they gave formal help to a succession of managers through reduced rent and rent free periods. It is also significant that

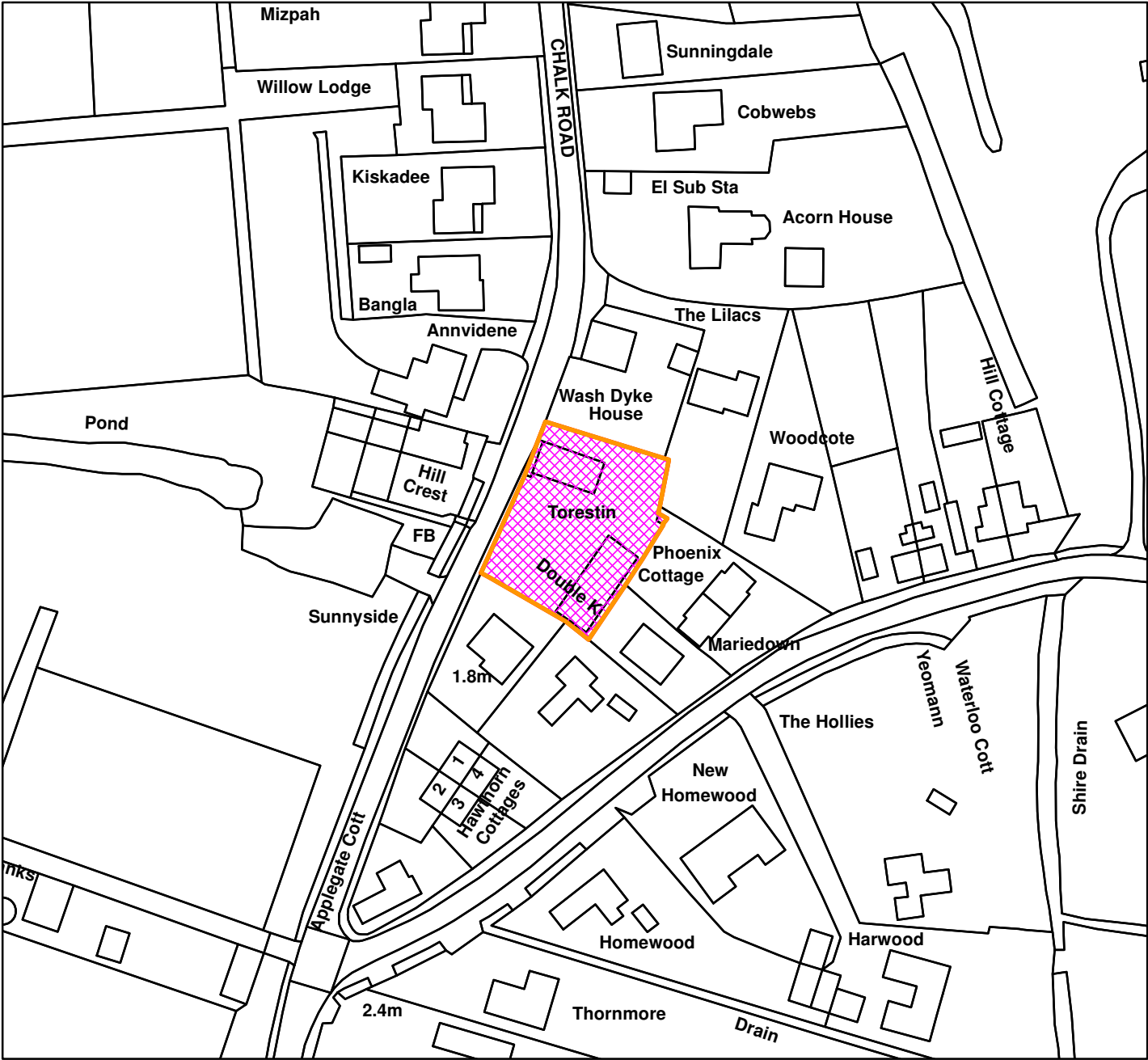
the public house is in a small and relatively remote community, with no principal road access. It is largely reliant on local trade and there are competing public houses in more sustainable nearby villages.

17. I have little information concerning the way in which the pub has been managed in the past and clearly, as the CAMRA test acknowledges, this would have a bearing on viability. Nevertheless, on the evidence before me, it seems likely that the appeal property is no longer viable as a public house and there are significant obstacles in the way of achieving viability. A number of third party representations made in response to the appeal acknowledge this, focussing instead on the harm that would be caused by the specific proposal. In terms of PPS4, given that the pub has been closed for some time, it cannot be said that it is now an important existing facility, which provides for people's day-to-day needs.
18. In all these circumstances, I am not satisfied that the loss of the public house would be contrary to the principles of sustainable development. Whilst residents of the village who wish to visit a pub will now have to make journeys to other locations, it seems likely that the pub would only be viable if it could attract patrons from elsewhere in significant numbers, also necessitating travel.
19. However, the appellant does not clearly address the Council's concern that the introduction of 9 new dwellings to this small village would be unsustainable. Whilst there are regular daytime bus services to Kings Lynn and Spalding, there are few facilities in the village itself and, as indicated above, the proposal is contrary to saved LP Policy 8/1, which limits housing development to small groups and indeed Core Strategy Policy CS09. In these circumstances, I conclude on the second main issue that, whilst the loss of the public house would not be contrary to the principles of sustainable development, its replacement with 9 houses would. This reinforces the concerns identified on the first main issue, which is sufficient in itself to justify dismissal of the appeal.
20. Having regard to my conclusions on the main issues and to all other matters raised, I am satisfied that the appeal should be dismissed.

*JA Murray*

INSPECTOR

Torestin Chalk Road Walpole St Peter



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



Tel. 01553 616200 - Fax. 01553 691663

**Scale:** 1:1,250

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	13/07/2015
MSA Number	0100024314

## AGENDA ITEM NO: 8/1(h)

<b>Parish:</b>	<b>Walpole</b>	
<b>Proposal:</b>	<b>Freestanding car port and use of existing garage for ancillary accommodation</b>	
<b>Location:</b>	<b>Torestin Chalk Road Walpole St Peter Norfolk</b>	
<b>Applicant:</b>	<b>Mr &amp; Mrs David Lawty</b>	
<b>Case No:</b>	<b>15/00857/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr M Broughton Tel: 01553 616418</b>	<b>Date for Determination: 30 July 2015</b>

**Reason for Referral to Planning Committee** – Referred to the Planning Committee for determination, as the applicant is an employee of the King's Lynn and West Norfolk Borough Council involved in the planning process.

### Case Summary

The land is situated on the eastern side of Chalk Road, Walpole St Peter, approximately 100m north of the Bustards Lane junction, in an area designated Built Environment D in the Local Plan.

The application relates to the construction of a car port and conversion of a detached garage to create ancillary accommodation in conjunction with the main dwelling 'Torestin'.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011, the King's Lynn and West Norfolk Local Plan 1998 and the emerging King's Lynn and West Norfolk 'Site Allocations and Development Management Policies' Document 2015 is relevant to this application

### Key Issues

Form and Character and any impact on the locality  
Other considerations

### Recommendation

**APPROVE**

## THE APPLICATION

The land is situated on the eastern side of Chalk Road, Walpole St Peter, approximately 100m north of the Bustards Lane junction, in an area designated Built Environment D in the Local Plan.

The site comprises a two storey detached dwelling, orientated west to east, with a detached double garage to the rear (east) of the dwelling, with doors on the northern elevation.

There is an access drive on the northern boundary, a conservatory adjoining the south elevation and the main area of garden and an outbuilding on the south side. A mono-pitch arrangement provides a covered area between the eastern elevation of the dwelling and the garage.

The access drive caters adequately for off-road parking.

The application relates to the construction of a car port with an open sided timber frame and mono-pitch polycarbonate roof (sloping west to east) at the north-eastern end of the drive, in close proximity to both the north and eastern boundaries, with minimal, but adequate maintenance access to the timber frame from both boundaries.

The application includes the conversion of the detached garage to create single storey, ancillary accommodation, with a bathroom facility, in conjunction with the main dwelling 'Torestin'.

The exterior works require the 'bricking-up' of the garage doors, with two velux windows to be applied to each roof plane (south and north)

## **SUPPORTING CASE**

### **Car Port**

The overall height @ 3.35m west, descending to 2.9m east, will provide under-cover parking for a motorhome, thus preventing roof damage from debris and the weather.

A lightweight, timber, mono-pitched structure is an appropriate design, being less intrusive in terms of mass and scale, with the roof kept as low as possible, thus minimising any impact on adjoining neighbours. This will match that of the existing mono-pitch car port (between the house and the garage).

There are no solid walls, thus views of the boundary fence, hedge and trees is retained. Currently the boundary foliage within the neighbouring gardens exceeds the height of the proposed car port and impact upon neighbours should be minimal.

### **Ancillary living accommodation:**

Use of the existing detached garage would be ancillary, overspill accommodation in connection with the main dwelling and would not be for independent living accommodation.

External works are minimal and require roof lights to the existing roof slope, garage doors infilled, a set of French doors replacing existing window space (rear south elevation) and internal toilet facilities incorporated into the layout, appropriate for disabled users. Thus the open layout would provide a ground floor bedroom with en-suite facilities for visiting elderly relatives.

Whilst these works are generally considered to be permitted development under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, recent government guidance has questioned whether the incorporation of bathrooms into outbuildings might not be considered to be permitted development. These intended works have therefore been included on the plans to avoid any ambiguity.

All foul drainage would be linked to the mains drainage and comply with building regulations. Likewise rainwater drainage from the car port will join the existing soakaway that serves the garage

No change is proposed to the arrangement of the non-garaged parking of vehicles as a result of this application.

## **PLANNING HISTORY**

None recent

## **RESPONSE TO CONSULTATION**

**Parish Council: NO OBJECTION**

**Highways Authority: NO OBJECTION**

**Emergency Planning Officer: NO OBJECTION** Flood warning advice applies

## **REPRESENTATIONS**

**ONE OBJECTION** – material issues raised:

- Loss of privacy: velux roof lights added to garage (specifically the northern roof plane) would impact on the total privacy to neighbour dwelling (north-east), it's conservatory and garden.
- Unsightly appearance given proximity to boundaries: east and north side walls of car port should be part clad to match fencing
- Surface water disposal

## **NATIONAL GUIDANCE**

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

## **PLANNING POLICIES**

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

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas



**CS08** - Sustainable Development

**CS11** - Transport

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

**DM15** – Environment, Design and Amenity

### **OTHER GUIDANCE**

The Walpole's Parish Plan

### **PLANNING CONSIDERATIONS**

#### **Key Issues**

- Form and Character and any impact on the locality
- Other considerations

#### **Form and Character and any impact on the locality**

This locality, on the eastern edge of The Walpole's, comprises dwellings mixed in age, scale and design, with, specifically, irregular shaped plots and an irregular building line on the eastern side of Chalk Road.

The inclusion of mixed outbuildings on a site is not an uncommon feature in this tight-knit village setting.

The access drive serving the site is situated on the northern side of the dwelling and caters adequately for the existing end-to-end parking arrangements for the family car and motorhome.

The applicant seeks to construct a timber framed, open sided car-port with a floor area 8m deep x 5.6m wide, set-back into the site on the north-eastern boundary of the drive, in close proximity to the boundaries. The roof is polycarbonate and descends from 3.35m to 2.9m on the eastern elevation. Materials are typical for such a structure.

The drive is bordered on the northern elevation by a 1.6m fence backed by neighbour-owned 4m-5m high conifer trees. Treatment to the eastern (rear) boundary comprises approximate 2.3m high fencing and trellis, backed by close boarded fencing of the same height – all in the ownership of the neighbour (east). Thus the eastern elevation of the car port (the lowest end of the structure) would be approximately 0.6m maximum above the existing fence line.

Taking into account the existing standing of the motorhome on this site, the materials, the open sided nature of the structure and drainage (to an existing soakaway), it is considered that impact on neighbouring sites would be minimal and unlikely to adversely impact on privacy.

In relation to the garage, albeit the proposed works in the main would fall within the remit of 'permitted development', the applicant seeks to include the development as part of the overall application. The works include a bathroom facility and the proposal is intended to cater for the needs of disabled family visiting.

The proposed velux roof windows to serve the garage are well above head height and viewing therefrom over neighbouring sites is highly unlikely.

Taking into account the position of the velux in the roof plane, boundary treatment and separation distance to neighbouring dwellings it would be near impossible to view ground floor activity in the converted garage from outside the bounds of the proposal site

### **Other considerations**

There are no known crime related issues affecting this proposal and no other relevant material considerations

### **CONCLUSION**

In terms of scale and design, in accordance with the National Planning Policy Framework 2012, Policies CS06, CS08 and CS11 of the King's Lynn and West Norfolk Core Strategy 2011, Policy 4/21 of the King's Lynn and West Norfolk Local Plan 1998 and Policy DM15 of the emerging King's Lynn and West Norfolk 'Site Allocations and Development Management Policies' Document 2015 the proposed development is considered to be appropriate to the site, without adversely impacting on neighbour amenity

In the light of National Guidance, Development Plan Policies and other considerations, it is recommended that this application be approved

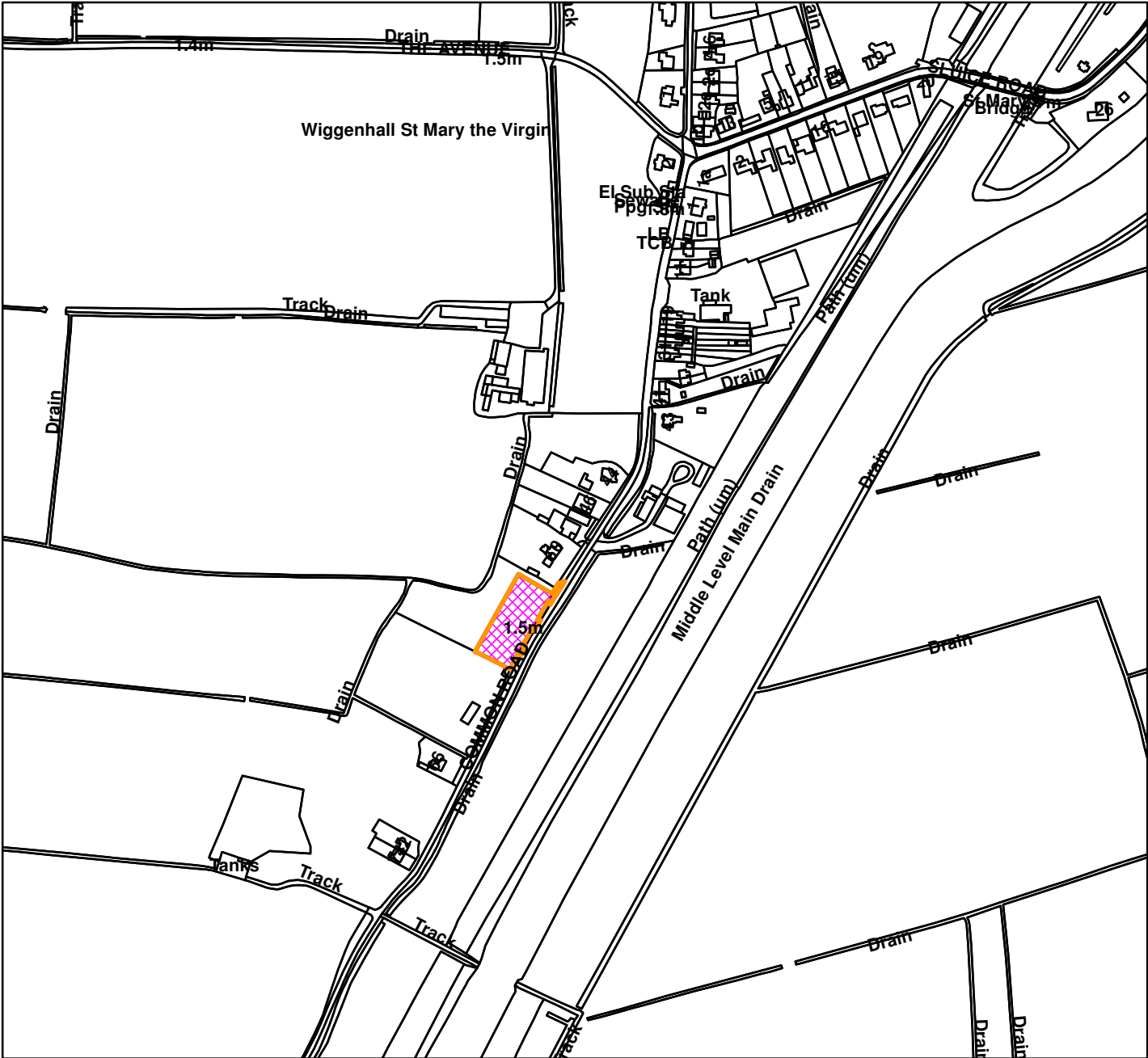
### **RECOMMENDATION:**

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:
  - \* Block plan - drawing 04 – receipt dated 3/06/15
  - \* Layout – drawing 05 REV A – receipt dated 4/06/15
  - \* Elevations - drawing 07 – receipt dated 3/06/15
  - \* Elevations - drawing 08 – receipt dated 3/06/15
  - \* Roof plan - drawing 09 – receipt dated 3/06/15
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

- 3 Condition The additional residential accommodation hereby approved shall only be used as ancillary accommodation to the main dwelling and shall at no time be used as an independent unit of residential accommodation.
- 3 Reason For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the National Planning Policy Framework 2012.

Land South of 50 Common Road Wiggenhall St Mary the Virgin



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



Tel. 01553 616200 - Fax. 01553 691663

**Scale:** 1:5,000

Organisation	BCKLWN
Department	Department
Comments	1:5000
Date	15/07/2015
MSA Number	0100024314

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

<b>Parish:</b>	<b>Wiggenhall St Germans</b>	
<b>Proposal:</b>	<b>Outline application: Proposed residential development - 3 detached dwellings (2 storey)</b>	
<b>Location:</b>	<b>Land South of 50 Common Road Wiggenhall St Mary the Virgin Norfolk</b>	
<b>Applicant:</b>	<b>Mr M J Steley</b>	
<b>Case No:</b>	<b>15/00949/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson Tel: 01553 616794</b>	<b>Date for Determination: 14 August 2015</b>

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

**Case Summary**

The application site is located on the western side of Common Road, Wiggenhall St Mary the Virgin and to the south of number 50.

The site comprises agricultural land, in designated Countryside as detailed within the adopted Local Plan and the Emerging Site Allocations and Development Management Policies Pre-Submission Document. A recent High Court decision against the Council has however had an impact upon how housing applications are to be dealt with in policy terms.

Outline planning consent (with all matters reserved matters for future consideration) is sought for the erection of three detached two storey dwellings.

**Key Issues**

Planning history;  
Principle of development;  
Form and character;  
Highways;  
Flood risk; and  
Other material considerations

**Recommendation**

**REFUSE**

**THE APPLICATION**

The application site is located on the western side of Common Road, Wiggenhall St Mary the Virgin and to the south of number 50 and approximately 550m south of the junction with The Avenue and the central hub of the village. Wiggenhall St Germans is approximately 1.6km east of the proposal site.

The site comprises agricultural land, in designated Countryside as detailed within the adopted Local Plan and the Emerging Site Allocations and Development Management Policies Pre-Submission Document. However a recent High Court decision against the Council is impacting on how housing applications are to be dealt with in the Borough, as this states that the Council does not have a 5 year land supply.

The site is rectangular in shape (approximately 0.22ha) and comprises agricultural land (Grade II). Outline planning consent (with all matters reserved matters for future consideration) is sought for the erection of three detached two storey dwellings. An indicative layout plan has been submitted which demonstrates how three dwellings and garages could be accommodated on the site. The submitted indicative plan also shows a passing bay across part of the frontage of plot 1.

## **SUPPORTING CASE**

The application is supported by a Contamination and Flood Risk Assessment.

The Contamination Assessment concludes that there is little general potential for contamination on site.

The Flood Risk Assessment concludes that to safeguard against the extreme event of the River Great Ouse tidal defences being breached, the proposed floor level of the new dwellings will be raised 500mm above Common Road carriageway at a minimum of 1.5m aOD with flood proofing measures adopted up to 2.00m aOD.

## **PLANNING HISTORY**

07/02323/O: Application Refused: 07/01/08 - Outline Application: construction of 4 dwellings

07/01857/O: Application Withdrawn: 25/10/07 - Outline Application: Construction of 4 detached dwellings

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECTION** This proposal is on agricultural land that has been used for grazing, it is not "amenity land". A proposal of this type in this location is unsustainable. The site location is incorrect it is on the west side of Common Road. This area was not allocated for development in the present or emerging LDF.

**Highways Authority:** As you will be aware Common Road is narrow with minimal passing provision, and in the Highway Authority's response to an earlier outline application (ref: 07/02323/O) it was stated that a passing bay should be provided to the north of the frontage of the site to compensate for the narrowness of the Common Road. We remain of the opinion that this is still appropriate in relation to this proposal and I note that the applicant has indicated that one would be provided. Also any proposal would also need to comply with visibility, access and parking issues in accordance with current standards which would be considered under reserved matters considerations.

Notwithstanding the above, the proposed development site is remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport, cycling and walking. The National Planning Policy Framework (NPPF) not only supports the need for "safe and suitable access...for all people", but also encourages the importance of being able to make every day journeys without reliance on a motor car. Sustainable transport policies are also provided at a local level through Norfolk's 3rd local transport plan Connecting Norfolk - Norfolk's Transport Plan for 2026. Policy 5 of the document states "New development should be well located and connected to existing facilities so as to minimise the need to travel and reduce reliance on the private car or the need for new infrastructure".

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

Should your Authority seek to approve the application a condition to secure visibility splays, access arrangements, parking provision, turning areas and a passing bay.

#### **King's Lynn Drainage Board: NO OBJECTION**

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** Based on information supplied and held within this section, there are no comments to make for this proposal regarding contaminated land or air quality issues.

#### **CSNN: NO OBJECTION**

**Environment Agency:** The site is located within Flood Zone 3 (high risk) of our Flood Zone map and your Authority's Strategic Flood Risk Assessment map (SFRA). The SFRA also indicates that the site falls within a flood hazard zone (at risk of rapid inundation should flood defences breach or overtop). In addition, our Tidal Hazard Mapping indicates that the site would flood up to a depth of 0.5 metres in an event of overtopping or breaching of the Tidal River Ouse's flood defences.

Accordingly, the proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the outlined Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission.

**Emergency Planner:** Recommend that as the site is in an area at risk of flooding conditions are suggested on relation to the occupier's signing up to the Environment Agency Floodline Warnings Direct and preparation of a flood evacuation plan.

**Natural England: NO OBJECTION** This application is in close proximity to the Wiggerhall St. Germans Site of Special Scientific Interest (SSSI). 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 site has been notified. It is advised that this SSSI does not represent a constraint in determining this application.

## **REPRESENTATIONS**

**ONE** letter of representation received. The key objections are:

- The proposed land is grazing/agricultural land and should not be built on
- Common Road is unsuitable for a large amount of traffic

## **NATIONAL GUIDANCE**

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

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

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

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

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

**DM2** – Development Boundaries

**DM3** - Infill development in the Smaller Villages and Hamlets

**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 key considerations relevant to the determination of this application are:

- Planning history;
- Principle of development;
- Form and character;
- Highways;
- Flood risk; and
- Other material considerations.

### Planning history

Two previous planning applications have been received on this parcel of land; the first being in 2007, planning reference number 07/02323/O. This was an outline application with all matters reserved for the construction of four dwellings. This application was however withdrawn prior to determination. Subsequently to this initial application a further application was received (planning reference number 07/02323/O) for outline permission for the construction of four dwellings. After due consideration the application was refused by the Planning Committee for the following reasons:

1. Planning Policy Statement 7 seeks to strictly control new housing development in the countryside away from established settlements. Special justification for those dwellings essential to agriculture, forestry, organised recreation or the expansion of an existing institution, where it can be demonstrated that the proposed development could not be met within an existing settlement, may be exceptionally granted. The proposal for the development has not sufficiently demonstrated that the proposal is linked to such uses or that special circumstances have been shown to exist. The proposal is consequently contrary to the provisions of Planning Policy Statements 1 and 7.

2. Planning Policy Statements 1, 3 and 7 require new housing development to be in a sustainable location, close to services and facilities. This location is sited in a remote countryside location, is away from an existing settlement and has poor access to public services and facilities normally associated with a sustainable location. The proposal is therefore contrary to the principles of 'sustainable development' set out in Planning Policy Statements 1, 3 and 7.

3. The proposed development, if permitted, would create a precedent for other proposals for new development on land similarly deemed 'Countryside' in the locality and surrounding areas. This would result in an unacceptable consolidation of sporadic, unsustainable development which would undermine the character and appearance of the 'Countryside'. Therefore the proposal is contrary to Planning Policy Statements 1, 3 and 7.

It is however recognised that since these two applications were considered, planning policies both at National and Local levels have been updated; Planning Policies Statements being replaced by the National Planning Policy Framework (NPPF) and Planning Practice Guidance notes, the emergence and adoption of the King's Lynn and West Norfolk Core Strategy and the emerging Site Allocations and Development Management Policies Pre-Submission Document.

## Principle of development

The application site was in previously designated countryside (the boundary went round number 2 Common Road and number 43 Common Road, on the opposite side of the road to the site) as identified on the King's Lynn & West Norfolk Local Plan (1998) Inset Map for Wiggenhall St. Mary the Virgin.

Within the Core Strategy Wiggenhall St. Mary the Virgin is classified as a Smaller Village and Hamlet (SVH) in the Settlement Hierarchy set out under Policy CS02. The supporting text of this Policy states that these are villages with little or no services, therefore it would be inappropriate to seek further development in these places.

Policy CS06 makes it clear that housing development in Rural Villages and Smaller Villages and Hamlets will be as detailed in Policy CS09 (Housing Distribution). Policy CS09 makes no provision for housing in the SVHs. This is reiterated in Appendix 1 (Housing Trajectory) of the Core Strategy where no 'new allocations' are proposed below the hierarchal level of Rural Villages (i.e. SVH).

Policy DM2 'Development Boundaries' details that outside development boundaries and defined allocations will be treated as countryside and will be limited to the provision of affordable housing, community facilities, development in support of the rural economy or to represent sensitive infilling of small gaps within an otherwise continuously built up frontage (SVH only).

Following however the High Court's judgement (Fosters site at Clenchwarton) relating to the Council's 5 year land supply it is confirmed in the absence of a 5 year supply that the Council's housing supply policies (detailed above) are deemed to be out-of-date and the policy stance to determine planning application should be taken from the guidance contained within the NPPF, in-line with the requirements of paragraph 49 which details that "Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF deals with this presumption in favour of sustainable development.

Keeping this in mind it is considered that the proposal for three new dwelling houses is located outside of the former boundaries to the village, and whilst adjacent to other built forms, this is only sporadic housing with associated agricultural buildings. It is also clear that the character of this part of Common Road changes, having a much more rural and verdant nature with hedging to the road boundary. It is therefore contended by officers that the site is spatially and visually detached from the village. Taking into account paragraph 14 of the NPPF, which states that "where the development plan is absent, silent or relevant policies are out-of-date, granting permission: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted", it is considered that the adverse impacts, of locating three dwellings in an unsustainable rural location would outweigh the benefits that the provision of three additional dwellings would make to the five year land supply.

## **Form and character**

The application site is well outside the former development boundary for the village, the area to the south of the village that contains a few dwellings and agricultural type building and has a much more sporadic nature when compared to the tighter pattern of development to the village itself.

The road boundary to the site is defined by a timber post and rail fence and a small amount of hedge planting.

The character of the site and adjacent land is clearly quite different to the former defined village; the proposed three dwellings on this relatively large site would represent a low density scheme, but would quite clearly alter the character of this rural location and appear as a significantly harmful visual intrusion within open countryside.

As this is an outline application with all matters reserved, no details are provided of the siting and external appearance and therefore an assessment cannot be made in terms of its relationship to other properties, although an indicative layout is provided, which illustrates that three dwellings would fit on the site. It is however acknowledged that as the site is within a hazard zone and flood zone 3 the dwellings finished floors levels will need to be raised to 1.5 metres above Ordnance Datum, which could have implications on the external appearance of the properties, nevertheless this could be designed out to achieve a form of development that would not be visually prominent.

## **Highways**

Norfolk County Highways have raised no objection to the proposal in terms of highway safety aspects and recommend a condition. They also raise concern about the remoteness of the site from services that are necessary to sustain the occupiers of a dwelling/s. The site is on a country lane which is not lit by street lighting and has no footpaths; furthermore a large part of the road frontage of the site falls outside of the 30mph zone and within part of the road that falls within the national speed limit (60mph).

## **Flood risk**

The site is located within Flood Zone 3 (high risk) of our Flood Zone map and your Authority's Strategic Flood Risk Assessment map (SFRA). The SFRA also indicates that the site falls within a flood hazard zone (at risk of rapid inundation should flood defences breach or overtop). The Environment Agency have confirmed that they have no objection to the proposal, subject to a safeguarding condition requiring that the finished floor levels are raised to 1.5m above Ordnance Datum and that flood resilient measures be incorporated into the construction.

Accordingly it is a requirement of the LPA to apply the sequential test to ensure that development is directed away from areas at highest risk of flooding. In this case Wiggshall St. Mary the Virgin village is all within flood zone 3 and most apart from a small packet around 15-21 Common Road (15 being part of a commercial site) is within the hazard zone (however the hazard zone designation does not need to be considered in sequential testing). It is therefore considered that there are no other areas within the established village development boundary that are in a lesser flood zone. As a result, the proposal passes the sequential test in accordance with the NPPF.

With regard to the Exception Test, it must be demonstrated that a) the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment and b) a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In this case the site would provide three new dwellings however, the proposed site is not closely related to the existing settlement and in reality appears detached from the village.

Whilst it is appreciated that the dwellings would feed into the number of dwellings for the Borough, this is only a relatively modest number and is not judged to outweigh flood risk issues. A FRA accompanies the application which has been reviewed by the Environment Agency who raises no objections subject to the mitigation measures being taken.

It is concluded that the proposal fails part a) of the exception test.

### **Other material considerations**

The issue of the classification of the land has been raised; if it is agricultural or amenity land although this is not a fundamental issue, as the land is not classed as previously development land and was previously outside the development boundary as described above. It is however noted by officers that at the time of a site visit the land was roughly grassed and not cultivated from crops.

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

The site is within a buffer zone for the Wiggshall St. Germans SSSI, however Natural England have confirmed that they have no objection to the proposal.

### **CONCLUSION**

The Council's adopted Core Strategy indicates that new housing should be resisted in areas that offer little or no services in order to facilitate sustainable growth in the larger villages and towns of the borough. The application site lies close to a settlement defined as a 'Smaller Village and Hamlet', where in-filling would have been considered acceptable. However, following a recent High Court decision against the Council, it was found that the Borough's housing policies are out-of-date and therefore the NPPF should form the policy context against which to assess planning applications, relating to housing supply.

In this case it is considered that the adverse impacts of locating three dwellings in such a location, which is clearly detached from the village, and in flood zone 3 would significantly or demonstrably outweigh the benefits of the proposal. On this basis it is considered that there remains a housing policy objection, as the proposal is not sustainable development. Whilst it is recognised that there is planning history relating to the site, it is considered that this decision was approximately 7 years ago and policies have changed considerably in this period and a lesser weight should now be attached in the consideration of this history, although it remains a material planning consideration.

Technical issues pertaining to highway safety and flood risk mitigation can be adequately addressed through planning conditions. The specifics of the scheme for the three dwellings would need to be assessed through a reserved matters application. There are no outstanding issues raised by consultees or objectors. On the basis of the above it is recommended that the application is refused.

**RECOMMENDATION:**

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

- 1 The application site represents a residential scheme for three dwellings which appears visually detached and unrelated to the village of Wighenhall St. Mary the Virgin. The resulting proposal would represent a clear incursion into the open countryside detrimental to the visual amenities and rural character of the area and these adverse impacts would significantly and demonstrably outweigh the benefits to the schemes contribution to the Boroughs five year housing land supply contrary to paragraph 14 of the NPPF.
- 2 The application site falls within Flood Zone 3 and a Hazard Zone as defined in the Council-adopted Strategic Flood Risk Assessment and sequential and exception testing is therefore required. Sequentially there are no other sites located at a lower probability of flooding within the village of Wighenhall St. Mary the Virgin, which are readily available. In terms of the exception test it is considered that the development fails to meet part a); the development fails to provide wider sustainability benefits to the community which outweighs flood risk, due to the sites rural location.

The proposed development is therefore contrary to the overarching aims of the NPPF and in particular to section 10 of the NPPF and the supporting practice guidance.

## APPLICATIONS DETERMINED UNDER DELEGATED POWERS

### PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the 29 June Planning Committee Agenda and the July agenda. 137 decisions issued, 132 decisions issued under delegated powers with 5 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 15 June 2015 – 13 July 2015

	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	1	1	0		1	100%	60	40	1	0
Minor	64	57	7	55		86%	65		3	1
Other	72	68	4	65		90%	80		0	0
Total	137	126	11							

Planning Committee made 5 of the 137 decisions, 3.6%

## PLANNING COMMITTEE - 27 JULY 2015

### 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
14.05.2015	03.07.2015 <b>Application Permitted</b>	15/00765/F	Ms A Clarke 7 Bagthorpe Road Bircham Newton Norfolk PE31 6XB Proposed garage/porch	Bagthorpe with Barmer
16.03.2015	19.06.2015 <b>Application Permitted</b>	15/00401/F	Ms R Keeling 15 the Close Brancaster Staithe Norfolk PE31 8BS Extension to dwelling	Brancaster
22.04.2015	24.06.2015 <b>Application Permitted</b>	15/00649/A	The National Trust Dial House Harbour Way Brancaster Norfolk Advertisement application for 2 x non-illuminated hoarding signs	Brancaster

22.04.2015	24.06.2015 <b>Application Permitted</b>	15/00650/LB	The National Trust Dial House Harbour Way Brancaster Norfolk Erection of two non-illuminated signs	Brancaster
15.04.2015	26.06.2015 <b>Application Permitted</b>	15/00590/CU	Mr N Williamson M & A Cringle 55 Market Place Burnham Market Norfolk 1st floor change of use from residential to retail	Burnham Market
22.05.2015	09.07.2015 <b>Application Permitted</b>	15/00816/F	Mrs Carol Rose 15 Mill Green Burnham Market King's Lynn Norfolk Cladding to existing house and single storey extension between house and garage	Burnham Market
18.02.2013	06.07.2015 <b>Application Permitted</b>	13/00238/F	Dr Andrew Phillipps Church Farm Wells Road Burnham Overy Town King's Lynn Installation of a ground mounted photovoltaic array	Burnham Overy
07.04.2015	01.07.2015 <b>Application Permitted</b>	15/00548/F	Mr Andrew Phillipps Church Hill Farm Wells Road Burnham Overy Town King's Lynn Construction of 12m x 6m in ground swimming pool	Burnham Overy
07.04.2015	24.06.2015 <b>Application Permitted</b>	15/00549/F	Mr Andrew Phillips Church Hill Farm Wells Road Burnham Overy Town King's Lynn Construction of timber poolside building	Burnham Overy



21.04.2015	19.06.2015 <b>Application Permitted</b>	15/00645/F	Mrs Clare Warman The Watch House East Harbour Way Burnham Overy Staithe Norfolk Erection of single storey lean to porch extension and construction of masonry boundary wall to north and east boundaries	Burnham Overy
22.04.2015	16.06.2015 <b>Application Permitted</b>	15/00648/F	Mr Peter Chapman Spellows Grove Farm Station Road Clenchwarton King's Lynn Two storey extension to side of dwelling	Clenchwarton
10.06.2015	08.07.2015 <b>Application Permitted</b>	2/04/0272/NMA_1	Mrs C Harris Porch Farm 229 Main Road Clenchwarton Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 2/04/0272/F: Conversion of barn and stables to two dwellings and construction of garage	Clenchwarton
18.05.2015	07.07.2015 <b>Application Permitted</b>	15/00781/F	Mr & Mrs N Dorward Mill Farm Keepers Lane Congham Norfolk Construction of new front porch and rear utility extension. Provision of new dormers and rooflights and new and replacement windows	Congham
29.05.2015	07.07.2015 <b>Application Permitted</b>	15/00841/F	Mr And Mrs D Lewin Evenlode 44 Low Road Congham King's Lynn Extension and alterations to bungalow and erection of new garage	Congham

20.05.2015	06.07.2015 <b>Application Permitted</b>	15/00801/F	Mrs A Wynn College Farm 10 Whin Common Road Denver Downham Market Retention of existing extensions and alterations and construction of new single storey rear extension following removal of existing unauthorised lean-to extension	Denver
20.05.2015	13.07.2015 <b>Application Permitted</b>	15/00803/LB	Mrs A Wynn College Farm 10 Whin Common Road Denver Downham Market Listed building application for retention of existing extensions and alterations and construction of new single storey rear extension following removal of existing unauthorised lean-to extension	Denver
16.04.2015	09.07.2015 <b>Application Permitted</b>	15/00616/O	Mr C Batch Innisfree 10 Park Hill Dersingham King's Lynn Outline Application: New dwelling	Dersingham
24.04.2015	23.06.2015 <b>Application Permitted</b>	15/00660/F	Mr Leigh Wagg 19 Centre Vale Dersingham King's Lynn Norfolk Conservatory to rear of property	Dersingham
19.05.2015	13.07.2015 <b>Application Permitted</b>	15/00791/F	Mr And Mrs Elton 7 Glebe Road Dersingham King's Lynn Norfolk New porch and clad recessed panel to front of dwelling	Dersingham

21.04.2015	19.06.2015 <b>Application Permitted</b>	15/00640/F	Bullock Homes Ltd Courtyard Barns Station Road Docking Norfolk Retrospective application for new property following demolition of barn	Docking
29.04.2015	24.06.2015 <b>Application Permitted</b>	15/00683/F	Mr Baker Land North of Crossways Ringstead Road Docking Retension of existing extensions to dwelling	Docking
14.04.2015	01.07.2015 <b>Application Permitted</b>	15/00582/F	Ms L Taylor The Caravan Bartons Drove Downham Market Norfolk VARIATION OF CONDITIONS 1 AND 2 ATTACHED TO PLANNING PERMISSION 05/02065/F: Retention of mobile home (renewal)	Downham Market
27.04.2015	22.06.2015 <b>Application Permitted</b>	15/00669/CU	Mr & Mrs A Leonard 23 Glebe Road Downham Market Norfolk PE38 9QJ Change of use from residential to mixed use as part residential and part childminding business	Downham Market
28.04.2015	02.07.2015 <b>Application Permitted</b>	15/00676/CU	Everybody Strength & Conditioning Redwood Joinery Sovereign Way Trafalgar Industrial Estate Downham Market Change of use from B1 (light industrial) to D2 (leisure Gym)	Downham Market

30.04.2015	29.06.2015 <b>Application Permitted</b>	15/00670/F	Clint of Ian J M Cable (Mrs J Bee) 8 Bridle Lane Downham Market Norfolk PE38 9QZ VARIATION OF CONDITION 1 ATTACHED TO PLANNING PERMISSION 14/00474/RM: Reserved Matters Application for the construction of one dwelling	Downham Market
01.05.2015	26.06.2015 <b>Application Permitted</b>	15/00695/LB	Mr A Graham 37A High Street Downham Market Norfolk PE38 9HF Listed building application for conversion of a single two storey, 4 bedroom flat into two separate flats, one 1 bedroom and one 2 bedroom	Downham Market
05.05.2015	30.06.2015 <b>Application Permitted</b>	15/00705/F	Downham Nursery School 168 Lynn Road Downham Market Norfolk PE38 9QG Two storey extension to front of Nusery School	Downham Market
18.05.2015	18.06.2015 <b>Application Permitted</b>	15/00779/F	Mr Chris Carter 16 Oak View Drive Downham Market Norfolk PE38 9PB Gable extension to dwelling	Downham Market
26.05.2015	06.07.2015 <b>Application Permitted</b>	15/00826/F	Clients of John Stephenson The Cock Tavern 43 - 45 Lynn Road Downham Market Norfolk Construction of storage facility	Downham Market
13.05.2015	09.07.2015 <b>Application Permitted</b>	15/00756/CU	RAW Coxford Abbey Farm House Old Fakenham Road Coxford Norfolk Change of use from B1 to D2	East Rudham

21.05.2015	06.07.2015 <b>Application Permitted</b>	15/00807/F	Mr And Mrs Gary Papworth 1 Wilson Drive East Winch King's Lynn Norfolk Demolition of conservatory, rear single storey extension, replacement of front window and removal of canopy above front door	East Winch
16.04.2015	03.07.2015 <b>Application Refused</b>	15/00608/F	Mrs D Conroy 80 Outwell Road Emneth Wisbech Norfolk Extension, alterations and a double garage with hobby room over	Emneth
15.05.2015	02.07.2015 <b>Not Lawful</b>	15/00769/LDP	Mr Alan Fisher 1 the Lovells Emneth Wisbech Norfolk Lawful Development Certificate: proposed attached garage	Emneth
15.05.2015	10.07.2015 <b>Was Lawful</b>	15/00773/LDE	Mr & Mrs G Crane Three Lakes Nurseries Meadowgate Lane Emneth Norfolk Application for a Lawful Development Certificate for an existing residential caravan	Emneth
01.05.2015	24.06.2015 <b>Was Lawful</b>	15/00698/LDE	E.W. Porter & Son Croft House Lodge Road Feltwell Thetford Application for a Lawful Development Certificate for the occupation of Croft House in breach of an agricultural occupancy (condition 3 of 75/0116/O)	Feltwell

05.05.2015	01.07.2015 <b>Application Permitted</b>	15/00713/F	Ms Kim Herrington 2 Archers Avenue Feltwell Thetford Norfolk Rear and side extension to provide additional bedroom	Feltwell
08.05.2015	18.06.2015 <b>Prior Approval - Not Required</b>	15/00731/PAGPD	Mr Alan Smith 46 Paynes Lane Feltwell Thetford Norfolk Single storey rear extension which extends beyond the rear wall by 5.5 metres with a maximum height of 3.95 metres and a height of 2.7 metres to the eaves	Feltwell
14.05.2015	06.07.2015 <b>Application Permitted</b>	15/00759/F	Mr George Flores 5 Vincent Close Feltwell Thetford Norfolk Demolition of existing conservatory attached to rear of bungalow and replacement with single storey pitched roof extension	Feltwell
14.05.2015	02.07.2015 <b>Application Permitted</b>	15/00767/F	Mr And Mrs M Mantle Fieldfare Cottage Mundford Road Feltwell Thetford First floor extension	Feltwell
22.04.2015	25.06.2015 <b>Application Permitted</b>	15/00652/F	Client of Distinct Designs UK Ltd 3 Congham Road Grimston Norfolk PE32 1DW Proposed demolition of existing shop and replacement with new single storey dwelling	Grimston

06.05.2015	02.07.2015 <b>Application Permitted</b>	15/00719/F	Mr Brian Coe Warren Farm Sandy Lane South Wootton King's Lynn Conversion of former agricultural use barn to a residential dwelling	Grimston
06.05.2015	02.07.2015 <b>Application Permitted</b>	15/00721/LB	Mr Brian Coe Warren Farm Sandy Lane South Wootton King's Lynn Listed Building Application: Conversion of barn to residential dwelling	Grimston
20.05.2015	07.07.2015 <b>Application Permitted</b>	15/00797/F	Mr Pat Armiger The Oaks 87 Chapel Road Pott Row King's Lynn Construction of rear single storey extension	Grimston
16.04.2015	22.06.2015 <b>Application Permitted</b>	15/00606/F	Mr J Millington 13 Bankside Heacham King's Lynn Norfolk Extensions and alterations to single storey dwelling	Heacham
29.04.2015	13.07.2015 <b>Application Permitted</b>	15/00689/F	Mrs K Mitchell 21 Malthouse Crescent Heacham King's Lynn Norfolk Full dwelling re-build following fire damage	Heacham
23.04.2015	02.07.2015 <b>Application Permitted</b>	15/00659/F	Mr I Fox And Ms H Hancox The Brambles Hubbards Drove Hilgay Downham Market Extension above existing extension	Hilgay

15.05.2015	03.07.2015 <b>Application Permitted</b>	15/00777/F	Mr L Jarvis Ardbeg Fakenham Road Hillington King's Lynn Alterations and extension linking outbuilding and provision of room in roof	Hillington
27.04.2015	29.06.2015 <b>Application Permitted</b>	15/00671/F	Miss Karen Gower 83 Main Street Hockwold cum Wilton Norfolk IP26 4LN Erection of a single storey side/rear extension incorporating existing detached garage	Hockwold cum Wilton
12.05.2015	29.06.2015 <b>Application Permitted</b>	15/00748/F	Mr R Waddingham 36 Hockwold Hall Station Road Hockwold cum Wilton Norfolk Front and side single storey extension	Hockwold cum Wilton
02.04.2015	19.06.2015 <b>Application Permitted</b>	15/00526/F	Mr Douglas Ibbott 12 Westgate Holme next the Sea Norfolk PE36 6LF Two storey rear and side extension	Holme next the Sea
23.04.2015	22.06.2015 <b>Application Permitted</b>	15/00657/F	A.R & V. Investments Inglenook 32 Main Road Holme next the Sea Norfolk VARIATION OF CONDITIONS 2, 4 AND 9 ATTACHED TO PLANNING PERMISSION 14/01187/F: Proposed demolition of 32 & 34 Main Road and the proposed construction of one residential dwelling with associated garaging and change of use of campsite to garden	Holme next the Sea



21.04.2015	22.06.2015 <b>Application Permitted</b>	15/00637/F	Mr K Lewis Mitchel 17 Hill Street Hunstanton Norfolk PE36 5BS Proposed extension and alterations	Hunstanton
15.05.2015	08.07.2015 <b>Application Permitted</b>	15/00772/F	Mr D Mace 1 Frobisher Crescent Hunstanton Norfolk PE36 5DZ Single storey extension to the rear	Hunstanton
15.05.2015	09.07.2015 <b>Prior Approval - Approved</b>	15/00770/PACU3	Mrs Fitt Oak Farm Nurseries Oak Farm The Drift Ingoldisthorpe Change of use from agricultural building to dwellinghouse	Ingoldisthorpe
29.07.2014	01.07.2015 <b>Application Permitted</b>	14/01117/F	Overtons Coach Painters Overtons Coach Painters Harbour Branch Wisbech Road King's Lynn Norfolk Proposed shot blasting facility	King's Lynn
19.12.2014	24.06.2015 <b>Application Permitted</b>	14/01803/F	Borough Council of King's Lynn And West Norfolk Borough Council of King's Lynn & West Norfolk 47 Hamlin Way Hardwick Narrows King's Lynn Construction of a new Nursery (Greenhouse) including additional parking provision	King's Lynn
04.03.2015	25.06.2015 <b>Application Permitted</b>	15/00341/F	BCKLWN Town Hall Saturday Market Place King's Lynn Norfolk External works redesign including mayoral garage and associated works	King's Lynn

09.03.2015	23.06.2015 <b>Application Permitted</b>	15/00361/CU	Greggs PLC Greggs 93 High Street King's Lynn Norfolk Change of use of pavement to place tables and chairs with barriers	King's Lynn
10.03.2015	12.06.2015 <b>Application Permitted</b>	14/00571/NMA_1	Mr David Stringer Bespak Europe Ltd 1 - 10 Bergen Way North Lynn Industrial Estate King's Lynn NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 14/00571/F: Variation of conditions 2, 4 12 and 14 of planning permission 13/01358/FM	King's Lynn
01.04.2015	23.06.2015 <b>Application Refused</b>	15/00514/F	Client of Holt Architectural Land To the Rear of 57 Railway Road King's Lynn Norfolk Conversion of garage block to form 1 bedroom residential unit	King's Lynn
13.04.2015	24.06.2015 <b>Application Permitted</b>	15/00572/A	ASDA Stores Ltd Service Station 1 Lynn Road Gaywood King's Lynn Advertisement application for 5 x signs	King's Lynn
14.04.2015	07.07.2015 <b>Application Permitted</b>	15/00580/F	East Bilney Coachworks Ltd 52 Bergen Way North Lynn Industrial Estate King's Lynn Norfolk Change of Use to B2 including some minor operational development	King's Lynn

16.04.2015	30.06.2015 <b>Application Permitted</b>	15/00613/F	Mrs M J Guest Royal British Legion 33 - 39 Tower Street King's Lynn Norfolk Conversion of first floor and extension to create second floor to create six flats, including alterations and demolition	King's Lynn
17.04.2015	30.06.2015 <b>Application Permitted</b>	15/00619/F	DSD Colour Printers DSD Colour Printers Austin Fields Austin Fields Industrial Estate King's Lynn Extension to existing printing factory/warehouse. extension to be used for storage of paper	King's Lynn
17.04.2015	24.06.2015 <b>Application Permitted</b>	15/00625/CU	Motiv8 Exercise And Fitness Ltd BCKLWN 12 Bergen Way North Lynn Industrial Estate King's Lynn Change of use from B1, B2 and B8 to D2	King's Lynn
23.04.2015	23.06.2015 <b>Application Permitted</b>	14/00863/NMA_1	Lyn James 46 Gloucester Road King's Lynn Norfolk PE30 4AB Non-material amendment to planning permission 14/00863/F: Removal of garage to provide new two storey extension and new rear single storey extension with a flat roof to provide a terrace from the rear bedroom with balustrade accessed via new double door unit at first floor level	King's Lynn

24.04.2015	23.06.2015 <b>Application Permitted</b>	15/00664/F	Mr And Mrs S Harpley 13 Reffley Lane King's Lynn Norfolk PE30 3EF Retention and completion of extension to dwelling	King's Lynn
05.05.2015	30.06.2015 <b>Application Permitted</b>	15/00709/F	LondonMetric Units 2 And 4 Pierpoint Retail Park Hansa Road Hardwick Industrial Estate External alterations and amendments to car parking layout	King's Lynn
05.05.2015	01.07.2015 <b>Application Permitted</b>	15/00710/F	London Metric Next 7 - 9 Pierpoint Retail Park Hansa Road Hardwick Industrial Estate External alterations to Unit 1B and alterations to the car park layout as approved under planning permission 14/00521/F	King's Lynn
07.05.2015	02.07.2015 <b>Application Permitted</b>	15/00727/F	Mr Ben Flores 36 Pleasance Close Gaywood King's Lynn Norfolk Single storey rear and side extensions to dwelling	King's Lynn
11.05.2015	08.07.2015 <b>Application Permitted</b>	15/00744/F	Caretech Community Services Annexe At 161 Wootton Road Gaywood King's Lynn Demolition of conservatory and bathroom to rear of annex and proposed extension to rear and refurbishment	King's Lynn

12.05.2015	08.07.2015 <b>Application Permitted</b>	15/00752/A	One Stop Stores Ltd 42 - 46 Reffley Lane King's Lynn Norfolk PE30 3EQ Advertisement application: 2x illuminated fascia signs, 1x non-illuminated fascia sign and 1x internally illuminated sign and 5x non-illuminated signs	King's Lynn
14.05.2015	02.07.2015 <b>Application Refused</b>	15/00760/F	Warrant Properties Limited 23 Tuesday Market Place King's Lynn Norfolk PE30 1JR Proposal to lower 6No. windows on the front elevation at ground floor	King's Lynn
14.05.2015	06.07.2015 <b>Application Permitted</b>	15/00763/F	Mr Clive Adams 8 Saltpans Close King's Lynn Norfolk PE30 2AT Construction of chalet bungalow	King's Lynn
18.05.2015	23.06.2015 <b>DM Prior Notification NOT Required</b>	15/00785/DM	Mr Howard Dickinson Golden Ball Farm Barns Low Road Saddlebow Norfolk Prior notification of proposed demolition of dis-used barn	King's Lynn
22.05.2015	13.07.2015 <b>Was_Would be Lawful</b>	15/00814/LDP	Equity Estates GB Limited Kellard Place King's Lynn Norfolk PE30 5BB Lawful Development Certificate: confirmation that planning permission reference 11/02022/FM has been implemented	King's Lynn

26.05.2015	19.06.2015 <b>No objections to Crown application</b>	15/00818/CM	Norfolk Fire And Rescue Services Norfolk Fire Service Kilhams Way King's Lynn Norfolk COUNTY MATTERS APPLICATION: Refurbishment of existing manned fire station including replacement windows, doors, new canopy to workshop, conversion of former BA Chamber into training suite, new external lighting, replacement boundary fencing various internal alterations and associated works	King's Lynn
23.06.2015	06.07.2015 <b>Application Refused</b>	14/00521/NMA_1	Next Plc Next 7 - 9 Pierpoint Retail Park Hansa Road Hardwick Industrial Estate Non-material amendment to planning permission 14/00521/F: Reconfiguration and extension to Unit 1/1a to create two Class A1 retail units and associated works including external alterations and alterations to the car park	King's Lynn
21.05.2015	13.07.2015 <b>Application Permitted</b>	15/00810/O	Dr Hamed Al-Taher Wicken House 1 East Winch Road Ashwicken King's Lynn Outline application for sub division of existing garden to create site for a single detached dwelling	Leziate

06.05.2015	03.07.2015 <b>Application Permitted</b>	15/00716/F	Mr H Symington Hill Farm House Station Road Little Massingham King's Lynn Extension and alterations to outbuilding	Little Massingham
24.04.2015	23.06.2015 <b>Application Permitted</b>	15/00663/F	Anglia Growers Morning Meadows Black Drove Marshland St James Wisbech Demolition of farm buildings and poly tunnels and replacement with a farm building, an office and staff facilities and the formation of a box storage area	Marshland St James
14.04.2015	09.07.2015 <b>Application Permitted</b>	15/00584/F	Quorn Foods Ltd Quorn Foods Brandon Road Methwold Thetford Installation of 10 No. 2 tonne bunkered LPG vessels	Methwold
05.05.2015	10.07.2015 <b>Application Permitted</b>	15/00704/F	Mr James Freeman Walnut House 50 Globe Street Methwold Thetford Construction of log cabin within boundary for use as a hairdressing salon	Methwold
07.05.2015	08.07.2015 <b>Application Permitted</b>	15/00724/F	Mr David George Land On the South West Side of Mill Drove Blackborough End Norfolk Retention of existing gateway	Middleton

07.05.2015	02.07.2015 <b>Application Permitted</b>	15/00722/F	Mr And Mrs Ray Lamprell The Old Lodge Silt Road Nordelph Downham Market Removal of roofs and installation of new roof and single storey extension. Erection of garage	Nordelph
07.04.2015	29.06.2015 <b>Application Permitted</b>	15/00538/F	Mr Mike McDonnell 8 Church Street North Creake Fakenham Norfolk Subdivide existing dwelling into pair of semi detached cottages as originally constructed including extension and alterations	North Creake
05.05.2015	29.06.2015 <b>Application Permitted</b>	15/00706/F	Mrs Sasha Edmonds 2 Manor Farm Cottages Common Lane North Runcton King's Lynn First floor extension to dwelling	North Runcton
08.05.2015	02.07.2015 <b>Application Permitted</b>	15/00733/F	The Green Balance UK Ltd Woodlands 11 Little London Road Northwold Norfolk Proposed temporary portacabin (further temporary consent)	Northwold
18.05.2015	09.07.2015 <b>Application Permitted</b>	15/00782/F	CTIL And Telefonica UK Ltd Mast Telecom At Meadow Farm Thetford Road Northwold The replacement of the existing monopole with a new monopole supporting 3 no.antennas and 2 no. microwave dishes, the replacement of a radio equipment cabinet with a new cabinet and development works ancillary thereto	Northwold



23.03.2015	02.07.2015 <b>Application Permitted</b>	15/00451/F	Norfolk Pride Development 40 Old Hunstanton Road Old Hunstanton Hunstanton Norfolk Variation of condition 8 of planning permission 12/01800/F: Variation of condition 8 of planning permission 12/00251/F to amend plan to show trees in their correct position	Old Hunstanton
08.05.2015	01.07.2015 <b>Application Permitted</b>	15/00735/CU	Mr And Mrs Daniel Messias Linksway Country House Hotel Waterworks Road Old Hunstanton Hunstanton Change of use from guest house to single dwelling	Old Hunstanton
11.05.2015	06.07.2015 <b>Application Permitted</b>	15/00741/F	Mr Patrick Prendergast 5 Sea Lane Old Hunstanton Norfolk PE36 6JN Canopy extension	Old Hunstanton
04.06.2015	01.07.2015 <b>Application Permitted</b>	14/01298/NMA_1	Armstrong And Buckland Five Oaks 2 Hall Road Outwell Norfolk Non-material amendment to planning permission 14/01298/F: Construction of 2 dwellings	Outwell
11.03.2015	01.07.2015 <b>Application Permitted</b>	15/00374/CU	Mrs Pamela Elliott The Old School High Street Ringstead Hunstanton Existing home partly used for business, changing back to domestic as business has now ceased	Ringstead

06.05.2015	29.06.2015 <b>Application Permitted</b>	15/00720/F	Mr Trevor Barlow The Union Jack 30 Station Road Roydon King's Lynn Change of use and extension of garage to provide self contained holiday let	Roydon
20.03.2015	26.06.2015 <b>Application Permitted</b>	15/00444/RM	Mrs Sylvia Presslee Black Horse Cottage 60 Westgate Street Shouldham King's Lynn Reserved Matters Application: Construction of dwelling and detached double garage	Shouldham
08.04.2014	06.07.2015 <b>Application Refused</b>	14/00528/A	Openmart Ltd Ingoldisthorpe Norfolk Advertisement application: 1x non- illuminated hording	Snettisham
16.04.2015	26.06.2015 <b>Not Lawful</b>	15/00612/LDP	Progress Housing Little Oaks 13A Beach Road Snettisham King's Lynn Application for a Lawful Development Certificate for a proposed garage conversion	Snettisham
22.06.2015	08.07.2015 <b>Application Permitted</b>	15/00279/NMA_1	Mrs A Butler 46 Shelduck Drive Snettisham King's Lynn Norfolk Non-material amendment to planning permission 15/00279/F: Single storey extension to rear of property	Snettisham

28.04.2015	29.06.2015 <b>Application Permitted</b>	15/00678/A	Punch Taverns The Ostrich Inn 1 Fakenham Road South Creake Fakenham Advertisement application: 1x externally illuminated fascia sign, 1x externally illuminated hanging sign, 2x externally illuminated signboards, 1x internally illuminated sign case and 1x non-illuminated sign	South Creake
05.05.2015	01.07.2015 <b>Application Permitted</b>	15/00714/LB	Punch Taverns The Ostrich Inn 1 Fakenham Road South Creake Fakenham LISTED BUILDING APPLICATION: New signage and lighting up-grade (retrospective)	South Creake
17.03.2015	22.06.2015 <b>Application Permitted</b>	15/00413/F	Mr And Mrs J Burton The Oaks 72 Castle Rising Road South Wootton King's Lynn Extensions, alterations and construction of garage block with annexe over	South Wootton
12.05.2015	06.07.2015 <b>Application Permitted</b>	15/00749/F	Mr And Mrs M Stollery The Landings 53 Castle Rising Road South Wootton Norfolk Removal of existing sun room and construction of single storey extension and alterations to roof structure to provide additional accommodation	South Wootton

26.05.2015	08.07.2015 <b>Application Refused</b>	08/02243/NMA_1	Mr G Grange 9 Kirkstone Grove South Wootton King's Lynn Norfolk Non-material amendment to planning permission 08/02243/F: Domestic Extensions	South Wootton
30.04.2015	25.06.2015 <b>Application Permitted</b>	15/00692/F	Mr & Mrs R Smith 36 Lynn Road Southery Downham Market Norfolk Proposed extension & alterations	Southery
05.05.2015	24.06.2015 <b>Application Permitted</b>	15/00715/F	Mr J Shulver 21 Feltwell Road Southery Downham Market Norfolk Single storey rear extension	Southery
07.05.2015	02.07.2015 <b>Application Permitted</b>	15/00725/F	Mr & Mrs R Smith 36 Lynn Road Southery Downham Market Norfolk Proposed single storey self contained annexe	Southery
08.05.2015	01.07.2015 <b>Application Permitted</b>	15/00737/F	Mr Adrian Lyons 9 Border Road Stoke Ferry King's Lynn Norfolk Single storey rear extension to dwelling	Stoke Ferry
15.05.2015	09.07.2015 <b>Application Permitted</b>	15/00774/F	Mr S Cordner The Post Office Furlong Road Stoke Ferry King's Lynn Proposed extension to bungalow	Stoke Ferry

20.05.2015	09.07.2015 <b>Application Permitted</b>	15/00798/F	Mrs E Darkins Sandralan Lynn Road Stoke Ferry King's Lynn VARIATION OF CONDITION 1 ATTACHED TO PERMISSION 14/01102/RM: Reserved Matters Application for construction of three bungalows	Stoke Ferry
11.05.2015	18.06.2015 <b>Prior Approval - Approved</b>	15/00743/PACU6	H & C Beart Ltd H & C Beart Ltd The Causeway Stow Bridge King's Lynn Change of use of part of ground floor of premises from showroom (A1) to cafe (A3)	Stow Bardolph
13.05.2015	08.07.2015 <b>Application Refused</b>	15/00757/F	Ms Jo Taylor The Stores Ashside Syderstone Norfolk First floor extension over flat roof	Syderstone
27.03.2015	02.07.2015 <b>Application Permitted</b>	15/00489/F	A. G. Wilson Building Contractor Land Between 13 And 23 Chapel Road Terrington St Clement Norfolk Construction of 4 dwellings and new access roads	Terrington St Clement
24.04.2015	09.07.2015 <b>Application Permitted</b>	15/00661/F	PS And JE Ward Ltd Belmont Nursery Long Road Terrington St Clement Norfolk Modular glasshouses to replace polythene tunnels	Terrington St Clement
30.04.2015	23.06.2015 <b>Application Permitted</b>	15/00691/F	Mr J & Mrs L Whitehead 1 New Common Marsh Terrington St Clement Norfolk PE34 4JW Two storey extension to dwelling	Terrington St Clement

06.05.2015	02.07.2015 <b>Application Refused</b>	15/00718/F	M & A Development Ltd Chase Cottage 12 Lynn Road Terrington St Clement King's Lynn VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 14/00839/F: Two storey dwelling	Terrington St Clement
21.05.2015	08.07.2015 <b>Application Permitted</b>	15/00808/F	J A Collison & Sons Land At Tuxhill Farm Tuxhill Road Terrington St Clement Norfolk Proposed agricultural building	Terrington St Clement
21.04.2015	17.06.2015 <b>Application Refused</b>	15/00643/O	The Woolpack Inn The Woolpack Inn Main Road Terrington St John Wisbech Outline application: Proposed 3 No. 4 bed dwellings with attached garages	Terrington St John
05.03.2015	25.06.2015 <b>Application Permitted</b>	15/00348/F	Mr Mark Goode The Orange Tree High Street Thornham Norfolk Installation of new childrens play area to replace existing equipment	Thornham
24.03.2015	24.06.2015 <b>Application Refused</b>	15/00466/F	Mr Steven Amps 31 Dovecote Road Upwell Wisbech Norfolk Alterations to former butchers shop to add two extra floors and change of use to a house of multiple occupation (HMO)	Upwell
22.04.2015	17.06.2015 <b>Application Permitted</b>	15/00653/F	C F C Disposals Land To East of Hartley House Squires Drove Three Holes Norfolk Standing of 16x 6m metal containers	Upwell

28.04.2015	23.06.2015 <b>Application Refused</b>	15/00677/F	Mr & Mrs A Wiles Wyndhurst 80 New Road Upwell Wisbech Double garage with habitable accommodation over	Upwell
15.05.2015	01.07.2015 <b>Prior Approval - Refused</b>	15/00778/PACU3	A J Johnson & Son Lode Hall Silt Road Three Holes Norfolk Change of use from two agricultural buildings to two dwellinghouses	Upwell
21.05.2015	08.07.2015 <b>Application Permitted</b>	15/00806/F	Anglia Growers Land At New Road Upwell Wisbech VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 14/01821/FM: Proposed agricultural store	Upwell
10.02.2015	01.07.2015 <b>Application Permitted</b>	15/00205/F	Mr T Foreman Glen Rosa Frenchs Road Walpole St Andrew Wisbech Proposed replacement dwelling and associated works	Walpole
08.04.2015	03.07.2015 <b>Application Permitted</b>	15/00551/RM	Mr & Mrs R Cousins Pear Tree Cottage Chalk Road Walpole St Peter Norfolk Reserved Matters Application: Demolition of Pear Tree Cottage and construction of 3 No. detached dwellings	Walpole

01.05.2015	24.06.2015 <b>Application Permitted</b>	15/00702/F	Miss Shirley Carter Millfield Mill Road Walpole St Peter Norfolk Extension to existing bungalow, removal of conservatory entrance to bungalow at rear, demolish existing out building, erect new 3 bay carriage barn and minor window and door modifications to existing bungalow (re-submission of 15/00171/F)	Walpole
08.05.2015	02.07.2015 <b>Application Permitted</b>	15/00730/F	Mr M Farmer The Firs Chalk Road Walpole St Peter Norfolk Single storey rear and side extensions and construction of porch	Walpole
27.05.2015	08.07.2015 <b>Application Permitted</b>	15/00831/F	Mr Colin Twell 49 Springfield Road Walpole St Andrew Wisbech Norfolk To erect 6 foot fence 600mm inside the boundary of property in line with footpath of Springfield Road	Walpole
07.05.2015	23.06.2015 <b>Application Permitted</b>	15/00723/F	Mr & Mrs S Harris Willow Tree Farm Lynn Road Walpole Highway Norfolk Proposed extensions and alterations including carport to front of property	Walpole Highway



29.05.2015	01.07.2015 <b>Consent Required</b> <b>Not</b>	15/00840/AG	Drake Towage Ltd Land Adjacent To Floral Farm Osborne Road Walsoken Norfolk Agricultural prior notification for proposed portal frame shed finished in olive green profile cladding with covered canopy	Walsoken
04.06.2015	22.06.2015 <b>Application Permitted</b>	14/01797/NMA_1	Mr & Mrs H Humphrey Fendyke Stables Station Road Walsoken Wisbech NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 14/01797/F: Single storey extension, alterations and new roof to rear section	Walsoken
19.03.2015	10.07.2015 <b>Application Permitted</b>	15/00427/F	Welney Parish Council Cricket Pavilion And Recreation Fields Off Herne Drove Welney Norfolk Demolition of existing dilapidated pavilion and associated storage container and installation of modular off-site fabrication replacement pavilion building and storage compound, including formalisation of car parking area	Welney
10.04.2015	06.07.2015 <b>Application Permitted</b>	15/00569/F	Mr R Williams Laurel Farm Stoke Road Wereham King's Lynn Proposed piggery building	Wereham

08.05.2015	01.07.2015 <b>Application Permitted</b>	15/00734/RM	Client of Ian J M Cable Architectural Design Pleasance Flegg Green Wereham King's Lynn Reserved Matters application for construction of two dwellings	Wereham
07.05.2015	29.06.2015 <b>Application Permitted</b>	15/00726/F	CTIL And Telefonica UK Limited Telecommunications Site Washpit Drove West Rudham Norfolk Replacement of the existing monopole supporting 2 omni antennas and 1 0.3m dish with a new monopole supporting 3 antennas with 3 0.3m dishes as well as 1 replacement equipment cabinet together with ancillary development	West Rudham
12.05.2015	08.07.2015 <b>Application Refused</b>	15/00747/F	Ms S Adams Cooks Cottage St Pauls Road South Walton Highway Norfolk Removal of condition 5 for planning permission 2/03/2072/CU to allow occupier to live in the cottage on a permanent basis	West Walton
20.05.2015	06.07.2015 <b>Application Permitted</b>	15/00796/F	Mr T Lowther Old Poultry House Harps Hall Road Walton Highway Norfolk Proposed tractor shed, retention of stables, hay store and treatment plant	West Walton

05.05.2015	26.06.2015 <b>Application Permitted</b>	15/00712/F	Mr A Barwell 66 Coronation Avenue West Winch King's Lynn Norfolk Two storey extension forming bedroom and dining room	West Winch
26.05.2015	10.07.2015 <b>Application Permitted</b>	15/00827/F	Mr & Mrs Fysh West View 145 Main Road West Winch King's Lynn Construction of single storey detached dwelling and associated garage following demolition of existing sub standard dwelling - revised application (15/00284/F)	West Winch
01.04.2015	30.06.2015 <b>Application Permitted</b>	15/00515/F	Anglia Planters Outbuildings Opposite 44 47 Common Road Wiggshall St Mary the Virgin Norfolk Construction of glasshouse and office building in connection with use of site for horticultural business, following removal of existing agricultural buildings	Wiggshall St Germans
06.05.2015	26.06.2015 <b>Application Permitted</b>	15/00717/F	Mr & Mrs J Bedford Lynton 9 Stow Road Wiggshall St Mary Magdalen King's Lynn Demolition of lean-to rear extension, construction of 1 and 1/2 storey rear extension and associated refurbishment of bungalow	Wiggshall St Mary Magdalen

15.05.2015	16.06.2015 <b>GPD HH extn - Not Required</b>	15/00771/PAGPD	Mr & Mrs Clay And Mr P & Mrs J Brighton Waterways 75 Stow Road Wiggenhall St Mary Magdalen King's Lynn Single storey rear extension which extends beyond the rear wall by 4.6 metres with a maximum height of 4 metres and a height of 2.5 metres to the eaves	Wiggenhall St Mary Magdalen
05.05.2015	24.06.2015 <b>Application Permitted</b>	15/00707/F	Mr & Mrs R Ogden Myamber Field Lane Wretton King's Lynn Relocation of vehicular access	Wretton
12.05.2015	29.06.2015 <b>Application Permitted</b>	15/00750/F	Mr Adrian Blumfield West View Cromer Lane Wretton King's Lynn REMOVAL OF CONDITION 9 ATTACHED TO PLANNING PERMISSION 15/00371/F: Proposed replacement dwelling and garage (existing dwelling and outbuildings already demolished)	Wretton

## PLANNING COMMITTEE

27 JULY 2015

**DECISION ON PLANNING AND ENFORCEMENT APPEALS  
- QUARTERLY REPORT -**

**1. PURPOSE OF THE REPORT**

- 1.1 To provide Members with the quarterly update covering performance for the period 1 April 2015 – 30 June 2015

**2. REPORT**

- 2.1 The Schedule is attached at Appendix 1 for the period 1 April 2015 – 30 June 2015 (Planning and Enforcement).

	<b>Appeals in system at beginning of period</b>	<b>New appeals received</b>	<b>Appeals decided (or withdrawn / invalid)</b>	<b>Appeals in system at end of period</b>
1 Apr – 30 Jun	23	13	11	25

- 2.2 For all appeals decided this quarter, the outcomes were as follows:-

	<b>Allowed</b>	<b>Dismissed</b>	<b>Total</b>	<b>Withdrawn</b>	<b>Invalid</b>	<b>Split</b>
1 Apr – 30 Jun	4	7	11	0	0	0
	<b>36%</b>	<b>64%</b>				

- 2.3 BVPI 204 was not retained as a new National Indicator although it has been retained as one of our local indicators. BVPI 204 was quite specific over which appeals it covers and for example does not include enforcement, advertisement, lawful development certificate, hedge and tree appeals, this is reflected in the table below.

	<b>Allowed</b>	<b>Dismissed</b>	<b>Total</b>	<b>Withdrawn</b>	<b>Invalid</b>	<b>Split</b>
1 Apr – 30 Jun	4	7	11	0	0	0
	<b>36%</b>	<b>64%</b>				


- 2.4 For all appeals decided over the last 4 quarters, the outcomes were as follows:-

<b>2014/15</b>	<b>Allowed</b>	<b>Dismissed</b>	<b>Total</b>	<b>Withdrawn</b>	<b>Invalid</b>	<b>Split</b>
1 Jul – 30 Sept	1	10	11	1	0	0
1 Oct – 31 Dec	5	9	14	0	0	0
1 Jan – 31 Mar	5	7	12	0	0	1
1 Apr – 30 Jun	4	7	11	0	0	0
<b>Total</b>	<b>15</b>	<b>33</b>	<b>48</b>	<b>1</b>	<b>0</b>	<b>1</b>
	<b>31%</b>	<b>69%</b>				

This data shows that for the second quarter of 2015 36% of all appeals were allowed. For the 12 month period to 30 June 2015 an average of 31% of all appeals were allowed. This is below the traditional national average figure of around 33% of all appeals allowed. With regard to withdrawals it should be noted that appeals can be withdrawn at any time, even after the statements have been

exchanged or the appeal heard but whilst the Inspector's decision is awaited. At that stage the LPA has undertaken all the work but without any commensurate result.

- 2.5 All decisions are viewable on the councils web site located on the planning appeals page and are e-mailed directly to the ward member, Chairman and Vice-Chairman. Appeal documentation for applications made in 2004 onwards can also be viewed on Public Access using the planning application search facility.

**Contact Officer:** Lee Osler, Office Manager  
 01553 616552

# Planning and Enforcement Appeal

Report Date Range 01/04/2015 to 30/06/2015

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
------------	---------------------------	----------------	-------------	-------------------------------	------------------	--------------	---------------------------

## Live Cases -1 (Not including appeals received to end of previous quarter)

12/11/2014	A/2228186	Mr L Osler And Ms R Nally  42 Feltwell Road Southery Downham Market Norfolk PE38 0NS	Construction of one dwelling including alterations to existing access and parking area	14/00954/F	Written Representations		
18/11/2014	A/14/2228508	Riverside Business Centre  Riverside Business Centre Cross Bank Road King's Lynn Norfolk PE30 2HD	Removal of condition 11 of planning permission 14/00398/F: for new site layout, smaller turbine and external transformer	14/00936/F	Written Representations		
22/12/2014	D/14/3000872	Mr J Lyons  Stanhoe Hall Docking Road Stanhoe King's Lynn Norfolk PE31 8QF	Installation of 2No. 20 panel PV arrays mounted on A frames	14/00748/F	Written Representations		
15/01/2015	C/14/3001728	Mr S Templeton And Mrs G Brown  23 Church Lane Bircham Tofts Norfolk PE31 6EF	Appeal against	14/00513/UNOPDE	Written Representations		
16/02/2015	W/14/3001281	Elgin Energy Esco Ltd  Rose And Crown Farm Walpole Bank Walpole St Andrew Wisbech Norfolk PE14 7JB	Erection of 30MW solar photovoltaic facility with associated landscaping and construction of temporary access	14/00283/FM	Informal Hearing	14/07/2015	
26/02/2015	W/15/3003535	Freebridge Community Housing  Site Adjacent 15 Austin Street Chapel Lane King's Lynn Norfolk	Proposed residential development of 4 dwellings	14/01311/F	Written Representations		

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
05/03/2015	C/15/3003240	MR P A Sangster  11 Church Close Pentney King's Lynn Norfolk PE32 1JJ	Appeal against	13/00352/S215	Written Representations		
10/03/2015	W/15/3005848	Mr Mark Thorpe  Fenberry Farm Smeeth Road Marshland St James Wisbech Norfolk PE14 8JF	Change of use from agricultural building to dwellinghouse	14/00015/CUPD	Written Representations		
11/03/2015	W/15/3004455	Mr David Partridge  Poplar Farm House Lady Drove Barroway Drove Downham Market Norfolk PE38 0AG	Construction of dwelling following demolition of existing sub-standard dwelling	14/01692/F	Written Representations		
19/03/2015	W/15/3005169	Dr Nick Carroll  Norton Cottage 6A Norton Street Burnham Norton Norfolk PE31 8DR	Construction of a hard surfaced tennis court with surround fencing	14/00860/F	Written Representations		
26/03/2015	W/15/3005766	Boyer Investments Ltd  Land South of Russett Close King's Lynn Norfolk	Outline Application: construction of up to 81 dwellings, access road (including bridge), cycle and pedestrian routes, landscaping and open space	14/01690/OM	Written Representations		
<b>Live Cases -2 (Received in previous quarter)</b>							
02/04/2015	APP/TPO/V2635/4494	Vanentine Court Management Company  Valentine Court Valentine Road Hunstanton Norfolk	2/TPO/00411: T1 Monterey Cypress - Remove and replace	15/00008/TPO	Informal Hearing	12/08/2015	
10/04/2015	W/15/3005780	Mr Michael Stollery  Riverside Business Centre Cross Bank Road King's Lynn Norfolk	To erect a 500Kw wind turbine, Max hub height 75m, max tip height 102m	14/01381/F	Written Representations		



Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
06/05/2015	W/15/3009730	Mr & Mrs M Bush  East of 35 Fen Road Watlington King's Lynn Norfolk PE33 0JA	Construction of one bungalow and garage	14/01570/F	Written Representations		
13/05/2015	W/15/3010611	Mr Anthony Barnett  40 Gayton Road King's Lynn Norfolk PE30 4EL	OUTLINE APPLICATION ALL MATTERS RESERVED: Residential development	14/01261/O	Written Representations		
08/06/2015	W/15/3033493	Miss J Baty  Land Adjacent Blythe Cottage Ratten Row Walpole Highway Norfolk PE14 7QH	Proposed 2 bed dwelling and associated works	14/01737/F	Written Representations		
10/06/2015	W/15/3003899	Freebridge Community Housing  Rampant Horse Lynn Road Gayton King's Lynn Norfolk PE32 1PA	Change of use from Public House to 4 No. residential dwellings and associated works	14/00596/F	Informal Hearing		
17/06/2015	W/15/3049391	Ms Helen Mitchell  Land 1A Drury Lane Castle Acre Norfolk	Demolition of single storey asbestos and metal clad garage and erection of a 2 bed residential unit arranged on 2 floors	15/00134/F	Written Representations		
<b>Appeals Decided ( Up to the end of previous quarter)</b>							
27/08/2014	A/14/2224113	Norfolk County Council  Land At 18 - 19 Purfleet Street King's Lynn Norfolk	Erection of a three storey building accommodating a retail unit on the ground floor with four flats above (2 one bedroom flats, 2 two bedroom flats)	14/00145/F	Written Representations		22/04/2015  Appeal Dismissed

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
19/01/2015	W/14/3001503	H Parlett & Son  Agricultural Building At the Nurseries (Unit 1) 150 Hungate Road Emneth Wisbech Norfolk PE14 8EQ	Change of use from Agricultural Building to a Dwellinghouse (Use Class C3)	14/00012/CUPD	Written Representations		27/04/2015  Appeal Dismissed
19/01/2015	W/14/3001173	Mrs M Saunders  224 Main Road Clenchwarton King's Lynn Norfolk PE34 4AD	Redevelopment to provide five dwellings and garages following demolition of existing workshop	14/01223/F	Written Representations		21/04/2015  Appeal Dismissed
12/02/2015	W/15/3002958	Mr Richard Sadler  Well House Tower Road Burnham Overy Staithe King's Lynn Norfolk PE31 8JB	Demolition of existing house. Construction of new house on same footprint	14/00848/F	Written Representations		19/05/2015  Appeal Allowed
26/02/2015	W/15/3005409	Mr Ray Hipkin  Barn Adj 22 Whin Common Road Whin Common Road Denver Norfolk	Change of use from agricultural building to one dwelling (use class C3)	14/00011/CUPD	Written Representations		04/06/2015  Appeal Dismissed
26/02/2015	W/15/3005626	Mr Neil Desborough  45 the Broadway Heacham King's Lynn Norfolk PE31 7JJ	New build single storey dwelling & garage - all detached	14/01398/F	Written Representations		03/06/2015  Appeal Dismissed
02/03/2015	D/14/3003005	Mr & Mrs P Roll  The Old Chapel Stocks Close Great Bircham King's Lynn Norfolk PE31 6QS	Construction of garage	14/01465/F	Undefined		09/04/2015  Appeal Dismissed
06/03/2015	D/15/3003192	Mr Paul Finch  83 Broadend Road Walsoken Norfolk PE14 7BQ	Replacement boundary treatment, from close board fencing to brick wall	14/01451/F	Undefined		29/05/2015  Appeal Allowed

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
09/03/2015	W/15/3004252	McCarthy And Stone Retirement Lifestyles Ltd	Erection of retirement living housing for the elderly (Cat II type accommodation), communal facilities, landscaping and car parking	14/00534/FM	Informal Hearing	06/05/2015	15/06/2015
		King's Lynn Silos Ltd South Quay King's Lynn Norfolk PE30 5DT					Appeal Allowed
10/03/2015	W/15/3004113	Clients of David Taylor Associates	Detached dwelling	14/01201/F	Written Representations		16/06/2015
		Site To Rear of 10 And 11 Church Close Pentney King's Lynn Norfolk PE32 1JJ					Appeal Dismissed
31/03/2015	D/15/3005218	Mr & Mrs Millikan 31 Castle Rising Road South Wootton King's Lynn Norfolk PE30 3HP	Proposed first floor extension	14/01574/F	Undefined		01/06/2015 Appeal Allowed