



Planning Committee

Agenda

**Monday, 7th September, 2015
at 10.00 am**

in the

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



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

PLANNING COMMITTEE AGENDA

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

Please ensure that all mobile phones are switched to silent

DATE: Monday, 7th September, 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 27 July 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 - 8)

a) Decisions on Applications (Pages 9 - 158)

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

9. DELEGATED DECISIONS (Pages 159 - 202)

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

To: Members of the Planning Committee

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

Site Visit Arrangements

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

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

If there are any site inspections arising from this meeting, these will be held on **Thursday 10 September 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 4 September 2015**. Please contact Planningadmin@west-norfolk.gov.uk or call (01553) 616443 to register.

For Major Applications

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

For Minor Applications

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

For Further information, please contact:

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

**INDEX OF APPLICATIONS TO BE DETERMINED BY THE
PLANNING COMMITTEE AT THE MEETING TO BE HELD ON
MONDAY 7th SEPTEMBER 2015**

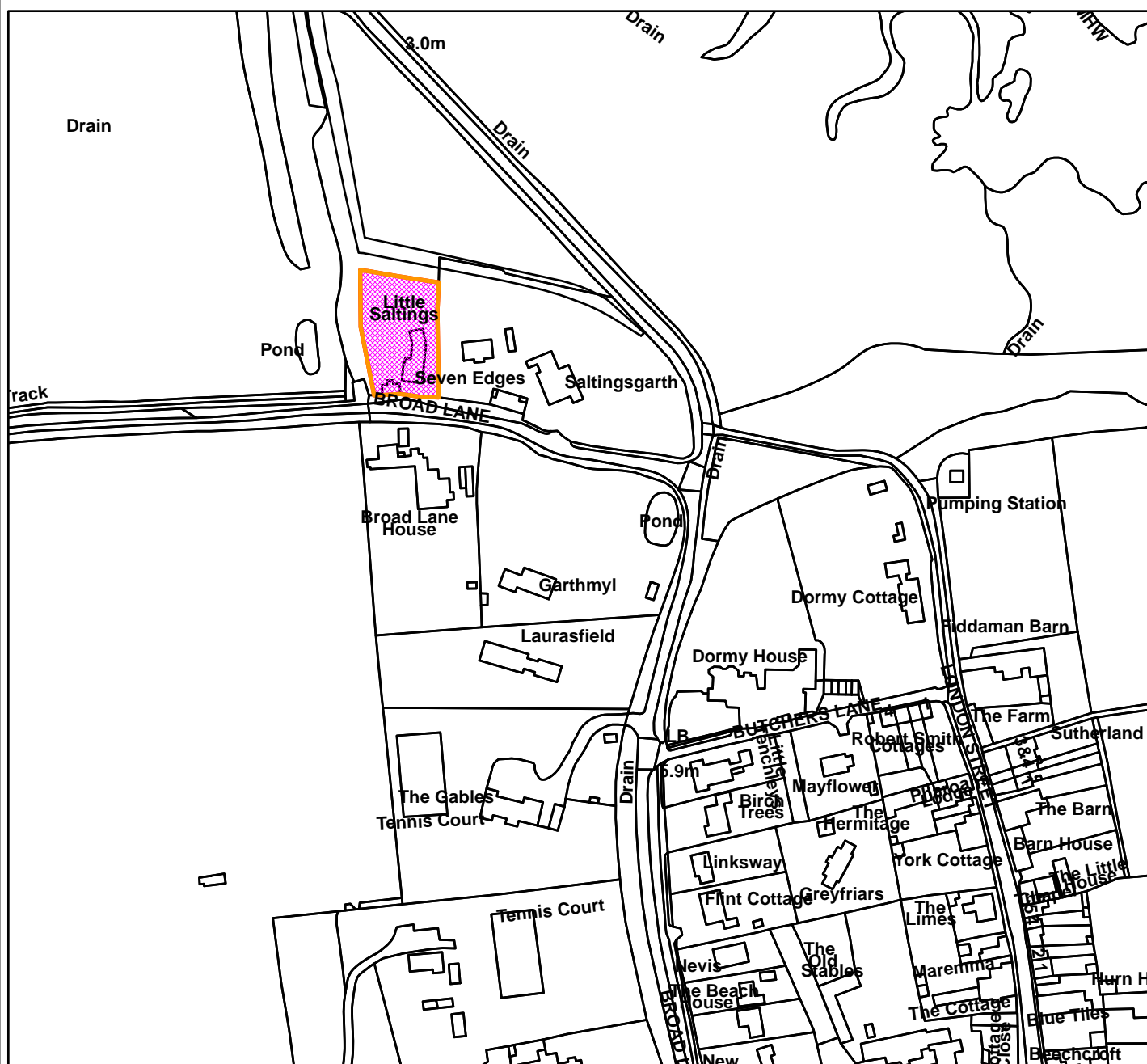
Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE BOARD			
8/1(a)	15/01005/F Little Saltings Broad Lane Variation of Condition 3 to planning permission 11/00188/F: To allow the annex to be used as a holiday let	BRANCASTER	APPROVE	10
8/1(b)	15/00887/F Locksley Cottage North Street Demolition of existing dwelling and construction of two link-detached dwellings and two semi-detached dwellings.	BURNHAM MARKET	REFUSE	19
8/1(c)	15/00668/F The Brambles Gong Lane Erection of replacement dwelling and ancillary annex following demolition of the existing dwelling and outbuildings, together with the creation of an alternative vehicular access.	BURNHAM OVERY	APPROVE	31
8/1(d)	15/01054/O 75 Foxes Meadow Outline Application: Detached 2-bedroom bungalow and pair of detached garages serving both proposed dwelling and existing dwelling	CASTLE ACRE	APPROVE	43
8/1(e)	15/00997/F The Stables Bexwell Road Conversion of former offices to form three 2-bedroom residential units, alterations to coach house to form one 2-bedroom dwelling and construction of one pair of 3-bedroom semi-detached cottages.	DOWNHAM MARKET	APPROVE	50
8/1(f)	15/01023/F Land to the rear of 11 Cross Street Proposed new dwelling.	HARPLEY	APPROVE	60

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1(g)	15/00936/F Woodland Land East of Hunstanton Road and South of Robin Hill Hunstanton Road Erection of 2.4m high stock proof fencing.	HEACHAM	APPROVE	69
8/1(h)	15/01045/F The Shieling Sandy Way Demolition of existing dwelling and construction of two new dwellings (revised design)	INGOLDISTHORPE	APPROVE	75
8/1(i)	15/00985/F Land at School Road Construction of terraced housing consisting of two 2-bedroom and two 3-bedroom dwellings (four in number) on former farm yard.	MARSHLAND JAMES	ST APPROVE	85
8/1(j)	15/00845/O Land North East of 14 Whiteplot Road Methwold Hythe Outline Application for two detached 2-3 bedroom dwellings.	METHWOLD	APPROVE	99
8/1(k)	15/00884/F Land adjacent No. 27 Church Lane Whittington Proposed new chalet bungalow.	NORTHWOLD	REFUSE	109
8/1(l)	15/00950/O Plot South West of Marmic Fen Drove Wretton Outline Application for proposed residential development.	STOKE FERRY	REFUSE	117
8/1(m)	15/01082/F The Coach & Horses Lynn Road Smoking shelter for public house	TILNEY LAWRENCE	ST APPROVE	130
8/1(n)	15/01083/LB The Coach & Horses Lynn Road Smoking shelter for public house	TILNEY LAWRENCE	ST APPROVE	139

Item No.	Application No. Location and Development	Description of Site	PARISH	Recommendation	Page No.
8/1(o)	15/00918/F Model Farm Frenchs Road Walpole St Andrew The erection of one wind turbine with a hub height of 24.8m.		WALPOLE	APPROVE	147
8/2	TREE PRESERVATION ORDERS				
8/2(a)	2/TPO/00525 Hyde Close		BAGTHORPE WITH BARMER AND BARWICK	CONFIRM	155

15/01005/F

Little Saltings Broad Lane Brancaster



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	19/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(a)

Parish:	Brancaster	
Proposal:	Variation of condition 3 to planning permission 11/00188/F: To allow the annex to be used as a holiday let	
Location:	Little Saltings Broad Lane Brancaster King's Lynn	
Applicant:	Mr And Mrs Mason	
Case No:	15/01005/F (Full Application)	
Case Officer:	Mrs K Lawty Tel: 01553 616403	Date for Determination: 19 August 2015 Extension of Time Expiry Date: 14 September 2015

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

Case Summary

The entire site lies within Built Environment Type C, a Conservation Area, Area of Outstanding Natural Beauty and abuts a designated SSSI, Ramsar site and SPA to the north and west.

The site contains a detached bungalow and a converted outbuilding to the front with access provided via the unadopted Broad Lane, a public right of way which has been used as annex and holiday accommodation for the last 3 years.

The outbuilding was granted permission by the Planning Committee in April 2011, 11/00188/F, to be converted into an annex with a restrictive condition that restricted its use to ancillary accommodation only in connection with the main house.

This application seeks consent to revise the condition to regularise its use as an annex/holiday accommodation unit.

Key Issues

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

Planning History and Principle of development
Highway Safety
Flood Risk
Other Material Consideration

Recommendation

APPROVE

THE APPLICATION

The application site is situated to the northern edge of Brancaster village with vehicular access provided from Broad Lane, an unadopted track and public footpath. Open marshland abuts the site to the north and west with residential dwellings to the east and beyond the road to the south. The adjoining marshland is SSSI, SPA and RAMSAR designated with the site itself located within the Conservation Area, Area of Outstanding Natural Beauty, Heritage Coast and Flood Risk Zone 3 and Hazard Zone.

Planning permission was granted by the Planning Committee at April 2011 committee for the conversion of a detached outbuilding to self-contained annexe accommodation; that comprises of a kitchen, 1 x bathroom, 1 x bedroom and a lounge, all independent of the main dwelling.

The applicant has been using the building unlawfully as an independent unit of holiday accommodation for the last 3 years and seeks to regularise its use as an annex and a unit of holiday accommodation by varying condition 3 of 11/00188/F.

SUPPORTING CASE

There is no supporting case with this type of application

PLANNING HISTORY

15/00414/F: Application Withdrawn: 22/06/15 - Variation of condition 3 of planning permission 11/00188/F to use as a holiday let as well as an annex -
12/00342/F: Application Permitted: 01/05/12 - Extension to Bungalow to create a larger bedroom and outside decking
11/00188/F: Application Permitted: 18/04/11 - A conversion of existing single storey out buildings to become a single storey annexe building ancillary to the main dwelling
10/01576/F: Application Withdrawn: 05/11/10 - Conversion of outbuildings into annex accommodation ancillary to the main dwelling at Little Saltings
2/97/1158/F: Application Withdrawn: 29/10/97 - Recreation of saltmarsh by coastal realignment

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION There are no traffic or parking problems and no record of accidents. Any problem is caused by speeding traffic on Beech Road.

Highways Authority: OBJECTION "Broad Lane" is unadopted, and meets the adopted highway, the U22160 Broad Lane, adjacent to the property, "Saltingsgarth". "The visibility at the junction is restricted in both directions by road alignment and roadside vegetation.

The visibility requirement as given in the "Manual for Streets" is that where vehicles are travelling at 30mph visibility splays measuring 43m are required in both directions from a 2.4m set back distance, measured at a point 1.05m above ground level.

The visibility distances at this site appears to be only 24m in the trafficked direction to the South and only 10m to the North at the required setback distance over highway verges, with 24m available across the neighbouring land which is not in the applicants control,

accordingly the available visibility provides 58% of the requirement to the South and only 23% to the north.

As such, the access was considered to be unsuitable for any increased vehicular use, which would occur if the annexe were occupied independent from the main dwelling and the ancillary condition was requested by the Local Highway Authority (LHA) and imposed by the Local Planning Authority, it is this restriction that is the subject of the current application.

Within the applicant's statement in support of the current application, correspondence regarding a lack of recorded accidents from the Local Highway Engineer has been submitted and highlighted, as supporting evidence.

It is interesting to note that the included correspondence was in response to a resident of Broad Lane's request, through Brancaster Parish Council for "sleeping policemen" at the junction with Broad Lane, based on concerns they held "about the speed of cars and vans going to and from the Beach - I have been shocked at the speed that cars have passed the front of my car as I have tried turn towards the village.

The LHA consider that these local concerns highlight the shortcomings in relation to the access visibility onto Broad Lane and reinforce their opinion that the unmade track is unsuitable for any increases in vehicular use.

The point that there are no recorded accidents at the vicinity of this access does not mean that the access is safe; the lack of recorded accidents may simply be down to good fortune.

Visibility at the junction with Broad Lane falls well below that required in both directions for vehicle egress from the site, presenting an adverse situation for the safety of the occupants of these vehicles. There would also be potential conflict with pedestrians and cyclists, given that they would be directly on the highway without the benefit of a footway offering either additional protection for them or additional visibility for vehicles leaving the site.

The visibility arrangements from the unadopted track onto the Public Highway are considered to be unsuitable for any intensification of use.

Further comments from the highway officer in response to the appellant's statement below will be reported in late correspondence.

Environment Agency: NO OBJECTION The site is located in an area which is identified, by our flood zone mapping and your Authority's Strategic Flood Risk Assessment, to be at high risk of flooding (Flood Zone 3).

The proposal to change to the use of annexe to a holiday let will not increase the flood risk vulnerability classification of the development (as defined by table 2 of the NPPF Practice Guidance); it would be continue to be a use which is defined as being more vulnerable to flooding. Accordingly, we have no objection but recommend that an emergency flood plan is prepared for the development.

Emergency Planner: NO OBJECTION if permission is granted then the following conditions are considered:

- Sign up to flood warnings direct
- A flood evacuation plan is produced

REPRESENTATIONS No third party representations received.

The applicant however has submitted a statement in respect of the highways officer's original comments the summary of which is provided below:-

- The road to the beach is a dead end. Traffic returns by a known route and on the same day they have travelled north.
- Passing traffic was not quantified by NCC
- 74 cars travel to the beach daily for 10 months of the year, for the remaining two months the traffic increases to a level that slows traffic to a crawl. Traffic stats provided by Mr Patric Stuart Assistant Secretary of the Royal West Norfolk Golf Club.
- We asked local people including lifelong resident Parish Clerk (approaching 50 years in office) about their knowledge of Seven Edges Lane.
- Brancaster Pc's Observation "Totally Support this application.
- No accidents are known to have happened at the junction. There is no traffic or parking problems and no record of accidents. Any problems caused by speeding traffic on Beach Road".
- NCC concerns are based upon the width of splay and traffic travelling at 30mph. The geography of Broad Lane, coupled with the white gates, restricts cars to an average speed of 17mph travelling North and 16mph to the South (determined by NCC Highways suggested method)
- Letter to Brancaster Parish Council re traffic in Broad Lane was referred to the Borough Engineer
- The Borough Engineer, replied no action as no record of personal injury/speeding issues
- We have been using the annex as a holiday let for 3 years. No problems have been either reported or experienced
- Three warning signs from the South before Seven Edges Lane photos 1. The road is also narrowing and further slowing traffic
- Cars park in Broad Lane. Parking increases as the holiday season approaches and traffic speed is self-regulating
- To the south of Seven Edges Lane Broad Lane is 5.5 meters wide
- Mean width of unclassified roads in England is 6.2 meters (written reply in Hansard 2002)
- Immediately north of the junction Broad Lane is 4.4 meters wide and flanked by two metal gates. Only one vehicle can pass at a time. Photographs no 2 and 2a
- Two NCC footpaths cross and run along Broad Lane, walkers not separated from traffic
- New signposts were installed in the past 2-3 years (photograph 3)
- There are no signs warning motorists walkers may be in the road NCC (Trails) do not regard the area as hazardous
- Seven Edges Lane is very wide (18m) at the junction, making it easy to leave and return and very visible from Broad Lane
- In July and August vehicle usage climbs to an average of 368 per day
- On sunny days there may be gridlock, our activities cannot affect this
- New signposts have been installed for local Circular Walk/Coastal Path
- Pedestrian numbers have increased in Broad Lane and Seven Edges (a restricted byway)
- The Coastal Path from Brancaster Staithe joins Broad Lane at the white gates
- Walkers are clearly visible from inside a car waiting to leave Seven Edges Lane

The applicant contends that because NCC Highways set the visibility splay for vehicles travelling at 30mph (the legal speed limit) they erroneously concluded the junction is unsafe. NCC also failed to account for road width and parking. The applicant suggests they have

used statistics to show vehicles are limited to an average 16-17mph by the width of the road, the gates and the presence of pedestrians on the road leading us to question Highways opinion of safety versus their colleagues in NCC Trails. There are no records of accidents at the junction (and the applicant has lived here 10 years). The applicant believes they have proved Highways methodology and conclusions wrong and this is a safe junction and the one extra car the application would allow will make no difference to safety.

NATIONAL GUIDANCE

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

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

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

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM11 – Touring and Permanent Holiday Sites

PLANNING CONSIDERATIONS

- Principle of Development and Planning History
- Highway Safety
- Flood Risk

Principle of the development and Planning History

The site lies within an area defined as Built Environment Type C according to the Local Plan Proposals Maps for Brancaster.

The outbuilding was granted permission to be used as an annex under 11/00188/F with it being tied to the main house. The committee report outlined that annex would not be suitable for independent accommodation be it as a dwellinghouse or for holiday accommodation by virtue of the it providing an inadequate standard of living, resulting in a form of development which is out of keeping with the form and character of the built environment.

This application seeks consent to regularise the use of the annex, which has been used for holiday accommodation, by varying condition 3 to allow the annex to be used for ancillary accommodation to the main dwelling and to allow its use for holiday accommodation purposes.

The proposal is considered to be in general conformity with Policy CS10 and the creation of new tourist accommodation.

Whilst there is no private amenity space associated with the outbuilding, its use for holiday accommodation with a restrictive condition that it is holiday accommodation or ancillary residential purposes only is considered to be acceptable.

Highway safety

Norfolk County Council highways are concerned about the adequacy of the visibility at the junction of the un-adopted Broad Lane and the adopted U22160 Broad Lane.

The visibility distances appear to be only 24m in the trafficked direction to the North and South, with only 10m to the North available at the required setback distance, over highway verges. This provides 58% of this requirement to the south and only 23% to the north. Consequently the Highways Officer is not supportive of the application as it would lead to an increased vehicular use at a junction which has poor visibility; hence the ancillary condition was requested by the Local Highway Authority on the 11/00188/F application.

The applicant has responded, by submitting a supporting document contesting the highways officer's comments. From the supporting document, the applicant states that they have adopted highway methods of calculating the speed of traffic that travel in the trafficked and non-trafficked direction. The document states that average speed of 5 cars, on the 15th July 2015, travelling north, is 16 mph and the average speed of 3 cars on the same day travelling south is 17 mph. There have been no records of personal injury or speeding issues and there are 3 warning signs from the south before seven edges lane. The applicant also notes that in the holiday season cars park on Broad Lane thus restricting the speed of the traffic on this lane. The width of the road narrows to 4.4m wide, thus restricting the free flow of two-way traffic.

The highways officer has not yet responded to additional information supplied by the applicant. The highways officer's comments will be forwarded on in late correspondence.

Whilst the highways officer's comments are noted, the applicant could extend or even let some of the bedrooms within their property for Bed and Breakfast purposes without the need for planning permission. Consequently the access from the un-adopted Broad Lane, which is deemed unsuitable for any intensification of use, could be intensified. Furthermore given the size of accommodation provided, a 1 bedroom self-contained unit, it is considered that this would be only suited to couples or a young family. This additional traffic onto Broad Lane would be minimal.

It is therefore considered that, on balance, it would be unreasonable to refuse the application on highway safety grounds.

Flood Risk

The Environment Agency has no objection to the variation of condition to allow the annex to be used for holiday accommodation. The use as a holiday let will not increase the flood risk vulnerability classification of the development beyond the classification as an annex.

The Emergency Planner recommends that conditions are imposed in relation to owners of the site sign up to the Environment Agency Floodline Warnings Direct (FWD) service and the imposition of an evacuation plan condition. It is considered that neither condition is enforceable as such informative can be imposed.

Other Material Considerations

There is no material impact upon the AONB, SSSI, Ramsar site or Conservation Area.

CONCLUSION

Members will need to consider whether the proposal causes highway safety issues that warrant a refusal of the application.

The highways officer considers that the visibility splay at the junction of the unadopted Broad Lane and the adopted Broad Lane is not acceptable for an intensification of use.

It is your officer's opinion that the intensification of the access in this particular scenario can occur without the need for planning permission by letting out rooms within the main house for lodgers or for bed breakfast accommodation. Consequentially to refuse the application on the intensification of the access would be unwarranted

The proposal is therefore in accordance with the provisions of the National Planning Policy Framework and National Planning Practice Guidance and the relevant policies of the Local Plan, Local Development Framework Core Strategy and the draft management plan

RECOMMENDATION:

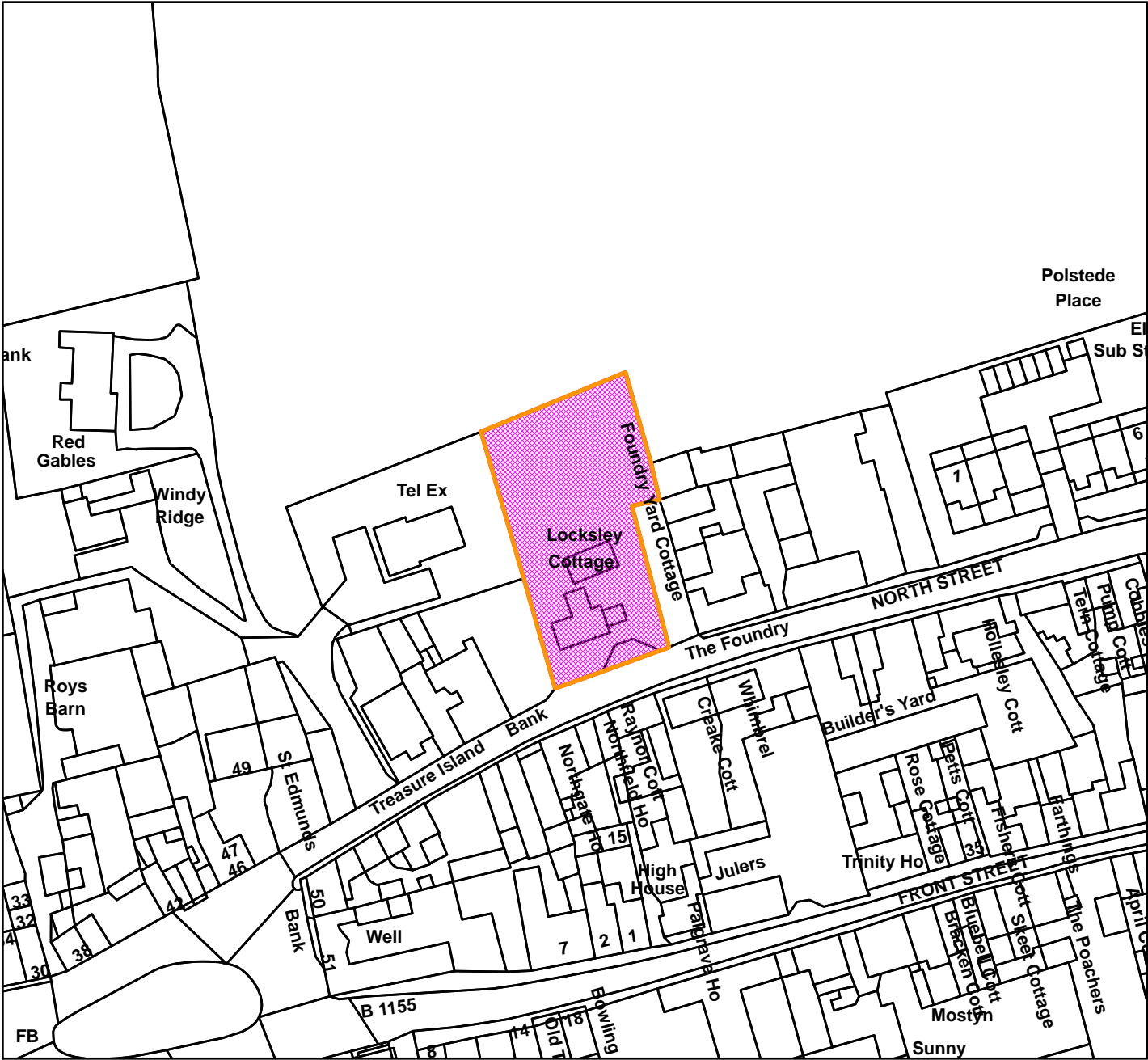
APPROVE subject to the imposition of the following condition(s):

- 1 Condition The additional residential accommodation shall only be used as either ancillary accommodation to the main dwelling or as a holiday let and shall in both cases be held in the same ownership as the main dwelling.
- 1 Reason The granting of a separate dwellinghouse in this location would be contrary to the characteristics of development in the locality.
- 2 Condition Notwithstanding the provisions of Schedule 2, Part 1, Class A 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 to the dwelling house shall not be allowed without the granting of specific planning permission.
- 2 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.

- 3 Condition The owners of the main dwelling shall maintain a register of the names and home addresses of those occupying the additional residential accommodation as a holiday let in accordance with condition 1 and shall make the register available upon request of the Local Planning Authority.
- 3 Reason To ensure the accommodation is occupied in accordance with the terms of the consent.

15/00887/F

Locksley Cottage North 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	20/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(b)

Parish:	Burnham Market	
Proposal:	Demolition of existing dwelling and construction of two link-detached dwellings and two semi-detached dwellings	
Location:	Locksley Cottage North Street Burnham Market King's Lynn	
Applicant:	Prime Territory Ltd	
Case No:	15/00887/F (Full Application)	
Case Officer:	Mrs K Lawty Tel: 01553 616403	Date for Determination: 4 August 2015

Reason for Referral to Planning Committee – At the discretion of the Executive Director.

Case Summary

The application site comprises a single, detached, residential dwelling and associated garden land on the north side of North Street within the centre of Burnham Market. The immediate surrounding area is mixed residential and commercial in character, with a variety of predominately retail uses focussed around 'The Green' to the west.

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

Planning consent was granted in 2013 for a village car park and residential estate on land to the rear of this site known as Foundry Field. This is currently under construction. The car park would be immediately adjacent to the northern part of this application site.

Members will recall a recent application for 4 dwellings on the site, 14/01571/F which was refused on the proposal being an overdevelopment of the site and for its poor design.

This application seeks to overcome these issues and seeks consent to demolish the two storey dwelling and the construction of four new dwellings; two link-detached dwellings and two semi-detached dwellings.

Key Issues

Principle of Development
Impact upon the Conservation Area
Impact upon Neighbour Amenities
Highway Safety
Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The application site lies within an area defined as Built Environment Type C and is partly within the Conservation Area and Area of Outstanding Natural Beauty according to Local Plan Proposals Maps for Burnham Market. The southern part of the site (south of the northern side of the Cottage) is within the Burnham Market Conservation Area.

The application site comprises a single detached residential dwelling set back in the site on the north side of North Street within the centre of Burnham Market. The immediate surrounding area is mixed residential and commercial in character with a variety of predominately retail uses focussed around 'The Green' to the west.

Planning consent was granted in 2013 for a village car park and residential estate on land to the rear of this site on Foundry Field. This is currently under construction. The car park would be immediately adjacent to the northern part of the site.

Members will recall that the site has been the subject of a recent application for 4 dwellings, 14/01571/F. A pair of link-detached dwellings was proposed at the front of the site and a pair of semi-detached dwellings proposed to the rear. A central courtyard provided parking and turning to all for 4 properties. The application was refused by members for 2 reasons. First, the number of units on the site and its layout was considered to be an overdevelopment of the site, particular by reason of the small amount of amenity space and poor parking and turning facilities. Secondly, the design and scale of the development was considered to have a harmful impact on the streetscene, failing to either preserve or enhance the character of the Conservation Area.

The current application still seeks consent to demolish the existing property to construct 4 dwellings with two link-detached dwellings proposed to the front of the site and two semi-detached dwellings to the rear. However, the design and scale of the dwellings has been revised in an attempt to better reflect the existing and emerging development around the site in response to the refusal of the previous application.

SUPPORTING CASE

The application has been supported by a Design and Access Statement which concludes:

- The present house does not enhance the Conservation Area, and neither does it make efficient and effective use of urban land, in a settlement where there is a demand for housing.
- Locksley Cottage is not well-built or well-planned accommodation for an occupier, and its surroundings are about to be drastically changed by the construction of public car parking on the rising ground immediately to the north.
- There are many forms of 'courtyard' developments in the centre of this village,
- There will be no detrimental to neighbours' amenity and will positively enhance the Conservation Area.
- There are specific technical and safety benefits achieved from reconstructing the highway frontage.
- The depth of plot is one-third deeper than elsewhere along North Street.
- Both the adjoining properties have development in depth – to the west there is a double plot due to the telephone exchange behind 'Foundry House' and the Wine Shop, and to the east are 'The Foundry' house with the separate 'Foundry Stables' house behind.

- At present Locksley Cottage is set back from the road by 7 metres, but is made even more recessive by its low 'cottage' profile – which is completely at odds with the street and the nearest buildings.

The development criteria for this site are considered to be the following:-

1. The street alignment is continued by the tall walling from the Wine Shop at the back edge of a new footway, with an improved exit view for 'The Foundry' parking;
2. The houses will relate to the height of those adjacent;
3. The houses will complement the early C19 styles which predominate in the village centre;
4. Each house has maximum access to a 'sunnyside' private garden;
5. The view into or through the site is enclosed by houses in the courtyard (minimising the view of future parking on the land to the north);
6. The view of the site from the north (future public parking) also maintains a high standard;
7. County Highways has set stipulations about providing pedestrian safety on this frontage, and the road width is to be regulated at a consistent 5.5 metres width; this enables the footway to be created with a formal kerb line – albeit a flat or shallow 'bump over' kerb, which enables joint use also by vehicles if necessary to pass another.

These factors have strongly influenced the design concept, and have been discussed at the Conservation Areas Advisory Panel in detail. In response:-

- The houses are set back from the street line; in a position comparable to the present cottage and the north side of the road generally this will ensure that their height is not considered dominant towards either pedestrians in the street or the homes on 'The Foundry' site adjacent to the east.
- The siting of the houses enable private, walled, south-side gardens, for all four plots, enabling the use of the outside space. All vehicle movements are focused around the internal courtyard / turning head.
- The 'Design and Access and Heritage Statement: Key Points' makes the following additional points:-
- Planning Officers, Conservation Officer, Conservation Area Advisory Panel and Highways previously recommended a larger application on the site for approval.
- Planning and Conservation requested link houses with archway and barn style houses at the back
- The square footage is 11% less for plot 1 and 20% less for plot 2. The back two have also been reduced in scale.
- The original house covers a large proportion of the site and is not suitable for future generations due to very poor construction, damp, poor layout and design.
- The site will have a sense of openness in the street scene with the new dwellings set further back than the existing house to lessen its impact a similar example is set in Polstede Place in North Street.
- Highways benefits are in the form of a centralised access for best sight lines and a strip of land given over to highways for a pedestrian footpath
- The front two houses are now 3 bedroomed as opposed to 5 bedroomed; now two storey, and all front dormer windows removed. They are lower in height than the adjacent wine store and well below the 3 storey houses opposite.
- Amenity space has now increased by 27% for Plot 1 and 18% for Plot 2. The amenity spaces benefit from southern sun set behind a courtyard setting. [The proposal is of a] Similar density to plot 33 at the Foundry Field development site.
- The tandem parking arrangement has been removed from the scheme.

An Arboricultural Impact Assessment has also been submitted in support of the application.

PLANNING HISTORY

14/01571/F – Demolition of existing dwelling and construction of two link-detached dwellings and two semi-detached dwellings – Locksley Cottage, North Street, Burnham Market – REFUSED – Planning Committee – 1st May 2015

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION

Conservation Officer: COMMENTS to be forwarded on in late correspondence

Conservation Areas Advisory Panel: COMMENTS the panel considered that the design of the front was acceptable but felt that a reduction in the number of units on the site was necessary. The panel also considered that a complete reassessment of the scheme could be beneficial.

Environment Agency: NO OBJECTION

Highways Authority: NO OBJECTION subject to conditions.

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

Arboricultural Officer: NO OBJECTION subject to condition.

Historic Environment Service: NO OBJECTION subject to conditions.

Police Architectural Liaison Officer: NO OBJECTION

Environmental Health and Housing – Community Safety Neighbourhood and Nuisance: NO OBJECTION subject to conditions

REPRESENTATIONS

TWO letters in support of the application on the following grounds:-

- The present house is of poor construction and does not fit into the character of the village.
- The new houses will fit in better
- Frees the centre from cars being parked up.
- 4 houses on the site is appropriate
- New entrance better positioned
- Wider footpath is of benefit

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

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

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

Principle of Development and Planning History

The application site is located within Built Environment Type C, the Conservation Area of Burnham Market and an Area of Outstanding Natural Beauty (AONB) as defined by the King's Lynn and West Norfolk Local Plan 1998.

Local Plan policy 4/21 supports the principle of development in an area defined as Built Environment Type C provided it is in harmony with the building characteristics of the area.

Core Strategy Policies CS01, CS02, CS06 and CS08 are relevant. CS01 promotes sustainable patterns of development to ensure strong, diverse economic activity whilst maintaining local character and a high quality environment.

Burnham Market is a 'Key Rural Service Centre' as defined by CS02 where limited growth of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the development limits in accordance with Policy CS06.

The construction of new dwellings on the site is acceptable in principle provided it is of a good design, is in harmony with the building characteristics of the locality and does not have a detrimental impact on the heritage assets or the AONB.

Members will recall a recent application on the site for 4 dwellings, 2 link-detached and 2 semi-detached properties that was dismissed by the Planning Committee at April's Committee. The application was dismissed for 2 reasons:-

1. The proposed development, by reason of the number of units on the site and the layout, would be overdevelopment of the site resulting in cramped form of development which is highlighted by the small levels of amenity space and poor parking and turning arrangement for vehicles.

2. The proposed development would by reason of its design and scale, have a harmful impact on the streetscene and neither preserve nor enhance the character of the Conservation Area, contrary to the provisions of paragraphs 17, 131, 132 and 56-60 of the NPPF, Policy 4/21 of the Local Plan 1998, Policies CS08 and CS12 of the Core Strategy July 2011 and Development Management Policy DM 15.

This application seeks to overcome these two reasons for refusal as discussed below.

In addition, since the previous planning application was refused, a High Court Ruling has found that the Local Planning Authority (LPA) cannot demonstrate a five-year supply of deliverable housing sites. In such circumstances housing supply policies should not be considered up-to-date (para. 49 NPPF). Paragraph 14 of the NPPF states: At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking...For decision-taking this means...where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless 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'.

Impact upon Designated Heritage Assets

North Street contains a mix of residential and commercial properties which are mostly located on the back of the footpath. Further along this side of North Street to the east properties are set back with short front gardens, but at this part of North Street the traditional, long, linear frontage is the key characteristic, with a mix of building types and ages following this pattern of built form. The old Satchell's building lies to the west across a garden and is Grade II Listed.

On the southern side of the road are terraced properties of brick and flint. Directly opposite the site is a brick fronted property which is significantly taller than other properties at three

storeys high. This property, Northfield House, is Grade II Listed as is the adjacent NatWest Bank building, which is a single-storey building, finished in flint cobbles.

The application site comprises an existing, detached, modern property with accommodation at 1st floor in the roof and garaging behind. The house presents cat-slide dormer windows in a steeply pitched roof fronting the street. The site widens out to the north so that the rear boundary is approximately 6m wider than the front.

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

The National Planning Policy Framework (NPPF), specifically paragraphs 131 and 132, state that: "When determining planning applications, local authorities should 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".

The National Planning Policy Guidance states that: "the setting of a heritage asset is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The extent and importance of setting is often expressed by reference to visual considerations."

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

Furthermore, Policy CS12 of the Core Strategy states that "The historic and built environment play a crucial role in delivering environmental quality and well-being. Therefore the Council will preserve and where appropriate enhance its qualities and characteristics.

The Burnham Market Conservation Area Character Statement states:

"From the corner of The Green the first few yards of North Street are similar in character with colour washed, and then chalk bloc cottages on the southern side. Then the scale and character suddenly change with a series of Taller, early 19th Century industrial and institutional buildings lining both sides of the road. On the south side a tall, narrow brick warehouse still with its hoist, is followed, after a short gap by the diminutive bank... and then the more severe red brick workhouse with good late Georgian door cases and central carriage entrance. Opposite the formal chapel, Satchells and the wine merchant's house behind are an impressive group, all in gault brick and slate, together with the boundary wall. Its copings and finials were, like other cast iron details in this part of the street, made by the foundry a little further along. This group of buildings, now carefully converted to other commercial uses, together with the foundry master's house conclude this remarkably complete collection of buildings".

The proposal involves the demolition of the existing property and associated buildings and its replacement with four dwellings; two at the front and two set towards the back of the site. A single access road is shown to the middle of the site. External materials proposed are red brick, slate roofs and timber doors and windows. A new 1.8m high brick and flint wall is shown to the main boundary along North Street.

No objection was made to the loss of Locksley Cottage in the previous application, as the property is relatively modern and has no great merit in terms of design, but the proposed replacement development was considered overdevelopment and too much for the site.

Accordingly this revised application has been submitted in an attempt to address the reasons for refusing the last application.

Cramped form of Development

The current proposal does not reduce the number of units on the site; instead the applicant seeks to overcome the first reason for refusing the 14/01571/F application by reducing the footprint of the properties on the site and revising the layout.

The applicant's document 'Design and Access Statement: Key Points Statement' refers to plot 1's footprint being reduced by 11% and Plot 2's by 20% resulting in an increase to the amenity spaces of plots 1 and 2 by 27% and 18% respectively. The southernmost element of the private amenity spaces to plots 1 and 2 are to be enclosed by a 1.8m high wall. Additionally, both of these properties are now 3 bedroomed properties as opposed to 5 bedroomed properties.

The document also refers to plots 3 and 4 having a reduced footprint. However, measuring off the plans reveals that there in fact is no change in the footprint of plots 3 and 4.

The layout of the site has been altered to provide 2 parking spaces side-by-side to plots 3 and 4 whereas previously parking to these plots was proposed in tandem form. Other alterations to the layout include the minor reorientation of all plots. The parking provision for plot 2 has been pushed back towards the eastern boundary of the site to allow more room on the site for cars to turn and leave in forward gear from plots 3 and 4.

In terms of the amenity space available to the units, whilst the 'Design and Access: Key Points Statement' refers to Plots 1 and 2 having had their footprints reduced by 11% and 20% respectively, this is incorrect. Plot 1 has a reduced footprint of 7.2m² which is a reduction of 5.5% (including garage area) and Plot 2 has been reduced by 16.45m² which is a reduction of 14%. The additional amenity space afforded to Plots 1 and 2 is stated to be increased from 86m² to 144m² for plot 1 and from 187.3 to 121m² for plot 2. However, the additional amenity space that has been created is mainly to the side of the properties and in practice would be used for servicing and to provide access to the private amenity spaces at the front and is of little practical use.

Design

The application has tried to overcome the second reason for refusing the previous application by re-designing plots 1 and 2. In respect of Plot 1; whilst the ridge height is unaltered, the removal of the dormer windows and the parapet wall detailing on the front elevation lessens its vertical massing. Adding dental coursing above the first floor windows adds some interest to the front elevation of plot 1. In respect of plot 2, this no longer has the appearance of being stepped down from plot 1 by virtue of the re-designed plot 1. The ridge height and eaves height is the same as previously but by removing the dormer windows its design has been improved, giving the property more of a horizontal emphasis as opposed to

a vertical emphasis. The properties do not exceed the eaves height of the adjacent buildings of the Wine Shop (Satchell's) building to the west of the site and are of similar eaves height only slightly higher than the building to the east. The properties are set back in the street and their presence would not dominate the streetscene.

The dwellings cannot be brought forward to the back edge of the footpath as the development needs to be set back to achieve highways visibility splays for a safe vehicular access into the site and also to respect existing trees on the western boundary. A 1.8 m wall along the southern boundary will provide some form of enclosure.

Plots 3 and 4 have not been re-designed.

Whilst the Conservation Area Advisory panel considers that a reduction in the number of units is necessary, they have no objection to the design of the front properties.

It is considered that the design changes to plots 1 and 2 are acceptable, but the first reason for refusing the scheme remains outstanding.

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, however, it is considered that the integrity of the AONB will be retained.

Impact upon Neighbour Amenity

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 amenity of others ... will be refused".

The relationship between the proposed works and neighbouring properties has been examined and the impact upon the amenity of the occupants of these properties has been assessed. Consideration has been given to overlooking, overshadowing and whether or not the proposed new dwelling and outbuildings would be overbearing.

Due to the position of existing windows, separation distances and spacing between the properties it is not considered there will be a significantly detrimental impact upon the amenity of the occupants of the adjoining properties in terms of overlooking, being overshadowed or the dwellings being over bearing.

Highway Safety

The proposal shows a central access road with provision for vehicles and parking for each property in line with Policy DM17 of the Draft Development Management Plan. Additionally

the proposal provides an extended footpath, which links into and widens the existing footpath which terminates to the east of the site. The Highways Authority raises no objection to the proposal subject to the imposition of appropriate highways conditions.

Other Material Considerations

The Environmental Health Officer has no objection to the proposal in terms of contamination subject to the imposition of suitable planning conditions.

Notwithstanding details received on plan 1868-27 dated June 2015, the Environmental Health and Housing – Community Safety Neighbourhood and Nuisance team request conditions in regards surface water as the capacity of the soakaways need further investigation. Additionally the CSNN team request a condition in regards to a construction management plan.

The site is within Flood Zone 1, low risk. The Environment Agency has no objections and there are no outstanding flood risk issues.

The Historic Environment Service has no objection to the proposal in terms of archaeology, subject to the imposition of suitable planning conditions.

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application has been examined by Norfolk Constabulary and they raise no issues in terms of Secured by Design. The application will not have a material impact upon crime and disorder.

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.

CONCLUSION

Members will need to consider whether the application overcomes the 2 reasons for refusing the 14/01571/F application for 4 dwellings on the site. The first reason for refusal related to the proposed development being an overdevelopment of the site. By virtue of the number of units and the layout proposed, it was considered that the previous scheme was an overdevelopment of the site resulting in a cramped form of development, which was highlighted by the small levels of amenity space and poor parking and turning arrangements for the properties. The second reason for refusal related to the development, by reason of its design and scale, would have a harmful impact on the streetscene and neither preserved or enhanced the Conservation Area. The decision on this earlier application is capable of being a material consideration in the determination of this application.

In light of this earlier decision, whilst the parking and turning issues have been improved, especially for plots 3 and 4 and the design and scale of plots 1 and 2 being altered to fit better in the North Street street scene, the proposal would still result in a cramped form of development. The reduction in the footprint of plots 1 and 2 has provided little more amenity space and can be said to be of poor quality. The additional amenity space that has been created is in the main to the side of plots 1 and 2 and provides access only to the useable space at the front of the properties which has at best only increased the depth of the amenity space to plots 1 and 2 by around 1m.

However, the lack of a 5 year supply of land for housing introduces a new element in to the mix, namely the presumption in favour of sustainable development in paragraph 14 of the NPPF carries more weight than the Council's policies for housing delivery. Notwithstanding this, there is still a statutory duty to preserve or enhance the character of the Conservation

Area and this proposal fails to do this for the reasons outlined above. In this case, the adverse impacts of allowing a development that would have an adverse impact upon the character of the Conservation Area significantly and demonstrably outweigh the benefits of the proposal that would result in a net gain of 3 houses. On this basis it is considered that the proposal is not sustainable development as it fails to comply with paragraphs 17, 56-60, 131 and 132 of the NPPF and policy 4/21 of the King's Lynn and West Norfolk Local Plan 1998, Policies CS08 and 12 of the Core Strategy and Policy DM15 of the Draft Management Plan Document.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed development, by reason of the number of units on the site and the layout, would be an overdevelopment of the site resulting in a cramped form of development which is highlighted by the small levels of amenity space. The proposal would therefore be contrary to the provisions of paragraphs 17, 131, 132 and 56-60 of the NPPF, Policy 4/21 of the Local Plan 1998, Policies CS08 and CS12 of the Core Strategy July 2011 and Draft Development Management Policy DM15.

The Brambles Gong Lane Burnham Overy Staithe



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: **1:2,500**

Organisation	BCKLWN
Department	Department
Comments	1: 2500
Date	21/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(c)

Parish:	Burnham Overy	
Proposal:	Erection of replacement dwelling and ancillary annex following demolition of the existing dwelling and outbuildings, together with the creation of an alternative vehicular access	
Location:	The Brambles Gong Lane Burnham Overy Staithe King's Lynn	
Applicant:	Mr And Mrs Cooper	
Case No:	15/00668/F (Full Application)	
Case Officer:	Miss J Kendal Tel: 01553 616772	Date for Determination: 21 July 2015 Extension of Time Expiry Date: 25 August 2015

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

Case Summary

The application site forms a square shaped parcel of land, measuring approximately 1233 square metres and is occupied by a chalet style dwelling known as 'The Brambles', an associated 1 ½ storey outbuilding/annexe and garden land associated with 'The Brambles'.

The site is situated on the eastern side of Gong Lane within the settlement boundary for Burnham Overy Staithe as identified by the Local Plan proposals map. Burnham Overy Staithe is classified as a Rural Village within the Settlement Hierarchy set out in the Core Strategy. It also lies within an Area of Outstanding Natural Beauty.

Full planning permission is sought for a replacement dwelling, a detached ancillary annexe and creation of an alternative access.

Key Issues

Principle of development;
Impact upon the AONB;
Form and character;
Neighbour amenity;
Highway safety; and
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site forms a square shaped parcel of land, measuring approximately 1233 square metres occupied by 'The Brambles' and associated structures and garden land. 'The

15/00668/F

Planning Committee
7 September 2015

Brambles' is a chalet style dwelling and has a one-and-a-half storey outbuilding/annexe to the rear.

To the east (rear) the site is adjoined by a paddock. Until recently there was also some timber stables located on this land which was divided from the residential garden by a hedge. The proposed development lies wholly within the residential curtilage of the site.

The site is situated on the eastern side of Gong Lane and The Brambles is the last dwelling within the development boundary. Gong Lane road level rises gradually towards the south and is elevated above the adjacent open fields to the west and as such is visible from New Road. However, the application site itself is significantly lower than the road level.

Full planning permission is sought for a replacement dwelling, a detached ancillary annexe and creation of an alternative access.

The proposed dwelling is a two storey property with its ridge height siting at approximately 7.6m (following the submission of amended plans). It is 'U' shaped in layout creating a semi-enclosed amenity area to the southern side of the site. The eastern wing of the 'U' is single storey.

The proposed annexe will be located in a similar position to that which currently stands in the south-eastern corner of the site. It is single storey in height with a basement.

A new vehicular access is proposed to the north of the site with a driveway along the northern boundary and parking to the rear of the proposed dwelling.

SUPPORTING CASE

A Design and Access Statement accompanies the application which offers the following supporting case:-

"The design rationale for the proposed new dwelling was to create a home that suited the needs of the current owners of the site, whilst making the most of the opportunities offered by this site in its particular location.

In addition the design concept was strongly influenced by the client's insistence on sustainable, healthy, construction methods and processes and on first class workmanship.

The fact that the site is in Burnham Overy Staithe and in an Area of Outstanding Natural Beauty, meant that the design needed to be thought out with extreme sensitivity to the townscape and landscape context of the site.

The site is the last property along Gong Lane and it marks the boundary of the village envelope and the open countryside. It was therefore important to design a dwelling that reflected that juxtaposition. A study of traditional settlement patterns showed that in some cases the village edge was hard and definite, whereas in others it was loose and fragmented. The design team, with guidance from the local authority planning officer, felt that this site required special consideration and in particular the single storey annex should form the transition between the main house and the open countryside.

Burnham Overy Staithe has a variety of architectural styles from a range of historical periods. There is also a range of building types in the village and the surrounding area including a windmill, agricultural barns, stables and lodges, fishing and sailing related

buildings, a public house, and housing. With this variety there are a variety of attractive materials to draw from.

Having studied the buildings, their architectural details and materials we found a number of design references. We also studied the building to plot ratios of dwellings in the village to understand the appropriate scale of development for the site and to ensure that the proposed design is in keeping with the urban grain of the village.

The proposed dwelling is at a substantially lower level than Gong Lane and also lower than the level of the adjacent property. This helps to sit the building into the landscape and reduces visual impact from all surrounding views. In addition, only the north and west wings of the dwelling are two storeys in height. The east wing steps down with the contours of the site and is only single storey.

The plan is arranged in a U shape around a courtyard, to maximise both the long distance views, the sunlight and the winter solar gain. The house has been designed to provide both formal and informal spaces allowing the owners to 'expand' into the formal areas when they have guests or 'contract' into the informal areas when they are alone. Another key feature of the design was to allow the owners to 'expand' the house in the summer months by opening glass doors into the courtyard and gardens and also to 'contract' the house in the winter months, closing the louvres and lighting the open fire and wood stove.

The proposed annex is a single storey building with a basement containing two bedrooms and a living area. It has been designed for extended family and guests, who will have the benefit of privacy from the main house but will be dependent on it. The annex would not be suitable as a stand alone dwelling.

The annex has a basement area which could be used for storage or a gym and has an independent access stair.

The main house will be timber framed on a brick plinth, clad in black weatherboard, under a plain tile roof. The single storey east wing will be white render as will the annex. The box projections which frame windows will be copper coloured powder coated aluminium or similar. Windows and rainwater goods will be dark grey.

The use of flint will be restricted to garden walls and gabions. There are a variety of different architectural styles within the village and particularly along Gong Lane. The elevations in this proposed design have been carefully considered and references have been drawn from traditional domestic and agricultural buildings through a thorough analysis of buildings in the area. For example, the projecting gable on the first floor west elevation makes reference to medieval jettied hall houses, whilst the black board and plain tiled roof refers to threshing barns. These references have been recreated as modern and practical design solutions.

The materials at 'The Brambles' have been carefully chosen to reflect the rich variety of traditional materials and colours found in rural and coastal Norfolk and in particular those found in the immediate vicinity of the site. These include black boarding, Soft, pastel coloured render, plain tiles soft red brick and some flint. Doors and windows will be coloured using a traditional colour palette. Rainwater goods will be black or dark grey.

The traditional materials for dwellings in this area has been brick and flint although there has been some cedar board introduced on dwellings more recently, along Gong Lane, as well as The Arboretum.

The decision to use the proposed materials has come from:

1. The recognition that this property is on the village envelope and forms the transition between townscape and landscape; and
2. The sustainable design includes the timber frame and timber clad Construction.

The two points work together well and the materials chosen are part of a well-considered, holistic design approach.

A comprehensive impact assessment has been carried out by Beacon Planning and is set out in the Visual Impact Statement submitted in support of this application. The study was carried out in the winter months to show the highest visibility.

The site was assessed from Tower Road/Lucas Lane, Mill Road, various locations along Gong Lane and two locations on Glebe Lane. The proposed new single storey annex is not visible due to the ground levels on the site. The combination of the dropped ground levels on the site and the tall hedgerows either side of Gong Lane, contribute to the minimal impact that the proposed new dwelling will have on the landscape. The fact that the proposed annex is not visible might suggest that the new dwelling has less impact than the existing buildings on site.

There is sufficient parking space on the site for four cars.

The proposed new access is close to the northern boundary and the proposed dwelling is 6m away from this boundary, providing space to screen the boundary line and offer more privacy than the current situation affords.

The Landscape Plan on the facing page has been designed by Goddard's Gardens, Docking, Norfolk. The proposal is a relatively minimal and natural scheme with large groups of the same varieties to provide drama and impact. Species are generally native and the simple design allows for level changes in the garden using flint filled gabions as retaining walls. The area formerly referred to as 'The Paddock' will remain as meadow with existing trees framing the views to the countryside beyond.

The northern boundary of the site will be planted with a natural mixed hedge. The existing hedges to the west, east and southern boundaries will be retained and enhanced with a new section planted across the former access".

PLANNING HISTORY

14/00192/PREAPP: INFORMAL - Likely to refuse: 19/01/15 - Pre-application enquiry: Demolish existing house and annex and replace with new house and annex - The Brambles Gong Lane, Burnham Overy Staithe,

2/03/1809/F: Application Permitted: 21/11/03 - Extension to garage to form garden room – Brambles, Gong Lane, Burnham Overy Staithe, Burnham Overy

2/94/1618/F: Application Permitted: 06/02/95 - Demolition of existing bungalow and sheds and construction of dwelling and garage (amended design) - Gong Lane, Burnham Overy Staithe, King's Lynn, Norfolk

2/02/0514/F: Application Permitted: 18/06/02 - Construction of stable ancillary to dwelling – Brambles, Gong Lane, Burnham Overy

RESPONSE TO CONSULTATION

Parish Council: OBJECT on the following grounds:

- Scale and mass would have a detrimental impact on the surrounding landscape;
- Dominate the rural street scape and landscape;
- The site is on the edge of the village envelope;
- By foot it is the first view of the village across open fields;
- The existing hedge is largely screened by hedging;
- This is a small village and not a town;
- Mass of black weatherboarding and plain tiles would not be in harmony with the building characteristics of the area;
- Predominantly brick, flint and pantiles locally;
- Neither preserve nor enhance the character of the area contrary to policy DM15;
- The scale and mass would have an overbearing and oppressive impact on the amenity of the lane;
- Other dwellings along Gong Lane are generally lower and more sympathetic;
- The scheme fails to respect the scale and character of the surroundings contrary to policies DM5 and DM15.

Highways Authority: NO OBJECTION following the submission of amended plans providing adequate visibility splays. Conditions have been recommended to secure highway safety.

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

Arboricultural Officer: NO OBJECTION

REPRESENTATIONS

ONE representation received from a local resident **OBJECTING** on the following grounds:

- Scale;
- Disregard for local architecture, neighbouring properties and use of materials;
- No objection to the redevelopment of the site but the scheme is contrary to good design;
- Most elevated residential site within the village;
- Predominantly black coloured timber cladding which does not form the primary building material within the elevation treatment along Gong Lane;
- Reference taken from a traditional barn but its location is remote to the development site and has no bearing on the street scene of Gong Lane;
- Softer building materials should be used;
- Overlooking; and
- Overshadowing

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS12 - Environmental Assets

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM2 – Development Boundaries

PLANNING CONSIDERATIONS

The key considerations in the determination of this application are:

- Principle of development;
- Impact upon the AONB;
- Form and character;
- Neighbour amenities;
- Highway safety; and
- Other material considerations

Principle of Development

The application site lies within a Rural Village as classified within the Core Strategy. Limited minor development will be permitted in such areas which meet the needs of settlements and help sustain existing services in accordance with Policy CS06: Development in Rural Areas.

In relation to CS06, the strategy for rural areas is to promote sustainable communities and sustainable patterns of development to ensure strong, diverse, economic activity and to maintain local character and a high quality environment.

The National Planning Policy Framework states that there is a presumption in favour of sustainable development and in relation to housing applications says they should be considered in the context of the presumption in favour of sustainable development.

Local Plan policy 4/21 supports the principle of residential development in an area defined as Built Environment Type D provided it is in harmony with the building characteristics of the area.

In this case the proposal is for a replacement dwelling so there is no net increase in the number of dwellings on the site.

In principle, therefore, this proposal could be supported provided it accords with other national and local policies.

Impact upon the AONB

AONB's have the highest status of protection in relation to landscape and scenic beauty. The design of new development should be sensitive to the surrounding area. Proposals should protect and enhance the landscape character, biodiversity and geodiversity and should not detract from the inherent quality of the environment.

In this case the application site consists of a detached one-and-a-half storey dwelling, a one-and-a-half storey annexe and garden land associated with the existing dwelling.

Although the number of units on the site will remain the same, overall the proposal will result in slightly more built form on the site. However, the development would be within the built limits of the village, although the rooflines would be partially visible from other locations within the village.

Although at the edge of the village boundary, the proposed development is not isolated and is adjacent to other residential properties. Following the submission of amended plans reducing the ridge height of the dwelling by approximately 642mm and including brick work within the elevations, together with the fact that the site levels are lower than the road, the proposed dwelling will not appear unduly prominent or incongruous in the landscape. It is not considered the proposed development will detract from the character and appearance of the AONB. The impact of the proposed dwelling upon the AONB is minimal from the south given the topography of the land.

The proposed annexe will be significantly lower in height than the existing annexe and given that it is positioned towards the back of the plot where site levels are at their lowest, only the roof will be visible from Gong Lane. There will be no long views of the annexe as the boundary hedge will provide screening.

Form and Character

The area is characterised by a variety of dwelling types in terms of both scale and design. The properties on the eastern side at the end of Gong Lane are set below the road level in a linear formation, but are of mixed character. The properties use a variety of materials in their construction with a group of dwellings immediately to the north of this site being of contemporary design. These properties have unconventional fenestration styles and sizes and introduce timber boarding to this part of Gong Lane.

The variety in the design and appearance of properties on Gong Lane allows for a contemporary design on the application site provided it is of a suitable scale so as not to become unduly prominent within the street scene.

The new dwelling uses timber cladding which is becoming more common within the north coast villages. Amendments have been made to the scheme to introduce some brick work mainly on the northern and southern gables and plinths to better reflect the mix of traditional material found in the locality.

Most of the hedge to the front of the site will be retained providing some screening of the largely timber fronted dwelling from public views. A new access will be created at the northern end of the site necessitating the removal of a relatively short section of hedge. However, the existing access at the southern end of the site is to be closed up and the hedge extended across it. Consequently, the length of hedge across the frontage remains the same as it is now.

Render will be used on some elements of the new development, namely the rear single storey projection and the annexe building, but this is limited and will not be overly visible from the public domain due to screening from existing hedging and topography of the land.

The long flank elevation to the north has been broken up by adding a brick to the gable. Fenestration serves to break up this gable as well as the timber cladding of the return wall. Views of this side elevation will be very limited and partial from the public domain as it is screened by the adjacent property known as 'Davros'.

In order to preserve the character of the area, the ridge height has been reduced, creating a relatively low two storey dwelling at 7.6m above ground level. This is set at the same height as the neighbouring property directly to the north; Davros. The front projecting gable end feature is sympathetic to other similar features along Gong Lane, and in particular similar to that of Davros.

The footprint of the proposed dwelling is slightly larger than that of the existing dwelling. However, the built form and plot sizes vary within the immediate vicinity and it is considered that the size of the site is sufficient enough to accommodate a dwelling, annexe, driveway and amenity space sympathetic to its surroundings.

As stated above, the proposed annexe is nestled in the back of the site where ground levels are lower meaning that it would cause no detrimental impact upon the form and character of the area.

Neighbour Amenities

The only neighbour that would be impacted by the proposal is that directly to the north of the application site, known as 'Davros'. There are no other neighbouring properties in any other direction.

The proposed dwelling is approximately 1.3m taller (to its ridge) compared to the existing dwelling on the site. Whilst the proposed dwelling is located to the south of 'Davros' it is approximately 4.2m further away from the northern boundary than the existing dwelling on the plot. This together with the relatively modest increase in ridge height would not result in a material increase in overshadowing to the neighbouring residents.

There are three first floor windows to the northern elevation; two are narrow serving the sitting room but face onto 'Davros' parking area. The third is a large window that serves a stairwell; which is a non-habitable room. The ground floor windows on this elevation will be screened by the existing 1.8m close boarded fence.

The first floor windows to the rear (east) elevation serve an en-suite and a bedroom. However these will not overlook the neighbouring property due to the position of the rear elevation in relation to the neighbouring property and garden and the angle of outlook.

On this basis, the proposed development would not cause material harm to the amenities of neighbouring residents, in terms of loss of privacy, loss of light and overbearing impact.

Highway Safety

Following the submission of amended plans improving the visibility at the new site access to the north of the plot, the Local Highway Authority has raised no objection to the proposal, subject to conditions.

Additionally, highways request that the ancillary accommodation is not occupied independently from the main dwelling so as to not increase the use of the substandard Gong Lane junction with the A149.

Other Material Considerations

Third Party and Parish Council representations have been considered and addressed above in the report.

There are no specific crime and disorder issues under Section 17 of the Crime and Disorder Act 1998.

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.

CONCLUSION

The site is within a village where limited development is permitted and this proposal for a replacement dwelling is acceptable in principle.

It is considered that this revised proposal is in harmony with the building characteristics of the area. In terms of scale, density, massing, height and layout, the proposal is now considered to preserve the character of this part of the village.

It is considered that the proposed replacement dwelling on this site will not have any detrimental impact on the AONB. There are no residential amenity or highway safety concerns.

The proposed development is considered to comply with the NPPF; local policy set out in Core Strategy Policies CS02, CS06, CS09 and CS12; Local Plan Policy 4/21 and emerging Development Management Policies DM1 and DM15.

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

RECOMMENDATION:

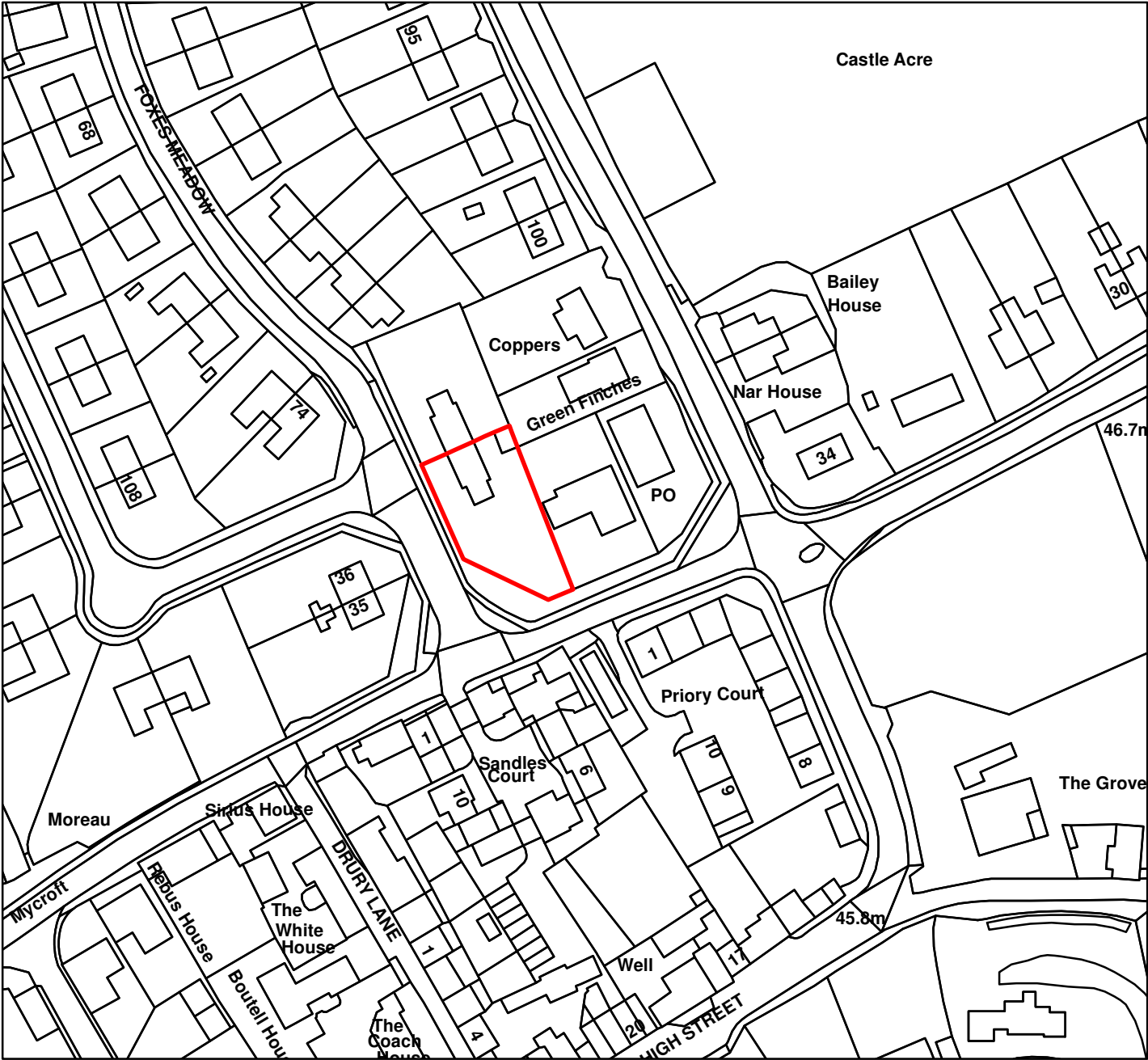
APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans as amended; drawing nos. P-02 rev C, P-03 rev B, P-04 rev C, P-05 rev B, P-09 rev B, DWG No. 10 (Site Access Arrangements) and Landscaping Plan.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 10) in accordance with the highway specification (Dwg. No. TRAD 5). 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.
- 4 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 5 Condition Vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access (es) shown on drawing No 10 only. Any other access (es) or egresses shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.
- 5 Reason In the interests of highway safety.
- 6 Condition The gradient of the vehicular access shall not exceed 1:12 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway.
- 6 Reason In the interests of the safety of persons using the access and users of the highway.
- 7 Condition Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 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 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.
- 8 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 9 Condition The living accommodation hereby approved in the free-standing building to the rear (east) of the new dwelling and shown on the approved plans shall be occupied incidentally to the use of the main dwelling and shall not be occupied at any time as a separate and un-associated unit of accommodation.
- 9 Reason For the avoidance of doubt and in the interests of highway safety.

15/01054/O

75 Foxes Meadow Castle Acre



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	18/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(d)

Parish:	Castle Acre	
Proposal:	Outline application: detached two bedroom bungalow and pair of detached garages serving both proposed dwelling and existing dwelling	
Location:	75 Foxes Meadow Castle Acre King's Lynn Norfolk	
Applicant:	Ms Maureen Carlton	
Case No:	15/01054/O (Outline Application)	
Case Officer:	Mr C Fry Tel: 01553 616232	Date for Determination: 16 September 2015

Reason for Referral to Planning Committee – Contrary to the views Castle Acre Parish Council

Case Summary

The site and application comprises of a parcel of garden to the south of 75 Foxes Meadow, Castle Acre on the corner of Back Lane and Foxes Meadow.

The garden land is elevated above Back Lane, screened behind hedging.

The site is accessed via Foxes Meadow.

Two storey ex-authority dwellings characterises this part of Foxes Meadow.

The application seeks outline approval with all matters reserved.

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

The application site lies within Built Environment Type D of Castle Acre and within a Key Rural Service Centre.

The site comprises of a roughly triangular parcel of land belonging to 75 Foxes Meadow, Castle Acre.

The triangular shaped land measures 581.94 sqm and slopes up from Back Lane, Castle Acre by approximately 0.5m at the highest point of the site. The site also contains the garage to the donor property. The site has 1.6m high hedging along the roadside boundaries and 1.4m high panel fencing along the eastern boundary.

The neighbour to the east, on Back Lane, is a detached bungalow that has converted their garage which is used for business purposes. The donor property, directly to the north, is a 2 storey semi-detached ex-local authority dwelling. The properties opposite are single and two storey infill development properties constructed from flint, brick and render.

The neighbour on the opposite corner is also a two storey ex-local authority dwelling.

The proposal seeks outline consent for all matters reserved for a detached bungalow and replacement garaging for the new property and donor.

SUPPORTING CASE

A brief statement has accompanied the application stating that:-

- The proposal will not have a significant effect on the provision of natural daylight to neighbouring properties. It is considered that the impact upon light at adjacent and nearby properties will therefore be reasonable and that good natural daylight will remain.
- The existing dwelling is served by a single garage and a driveway that provides 2no. parking spaces. This existing garage is to be demolished 2no.garages (attached) are proposed that 1) reinstates the one lost and 2) serves the proposed dwelling. A driveway, of equal length to that which exists, will be provided for both existing and proposed dwellings, providing additional 2no.parking spaces.
- The proposal does not fall within a flood zone.
- Foul water will connect to drains and surface water by way of soakaway.
- No trees existing on the site.

PLANNING HISTORY

There is no recent relevant planning history

RESPONSE TO CONSULTATION

Parish Council: OBJECTION This proposed dwelling would have an adverse effect on this part of Castle Acre. The proposal is a cramped infill, creating an unacceptable intrusion and directly opposite the Conservation Area. The existing privet hedge may be removed and is known for nesting starlings. It is a small area of land for a bungalow and the site is an unnatural shape. It is another infill along Back Lane/Foxes Meadow.

Highways Authority: NO OBJECTION subject to conditions

REPRESENTATIONS

None received

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

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

DM2 – Development Boundaries

PLANNING CONSIDERATIONS

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

- Principle of Development
- Impact upon Visual Amenity

- Impact upon Neighbour Amenity
- Highway Safety
- Other Material Considerations

Principle of Development

The site lies within an area defined as Built Environment Type D according to Local Plan Proposals Maps for Castle Acre and within an area defined as a Key Rural Service Centre. 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 Castle Acre which is a sustainable location. As a result there is a presumption in favour of development in this area.

This application seeks consent for outline only with all matters reserved.

Impact upon Visual Amenity

The Parish Council have raised concerns that the dwelling would be contrary to the character of development in the locality and the plot size being an "un-natural shape" and small in size.

The site is on the corner of Foxes Meadow and Back Lane in an elevated position and is the side garden to 75 Foxes Meadow. The site has perimeter hedging at the top of the embankment. The eastern boundary treatment consists of 1.4m high fencing. There is no northern boundary to the site.

The property adjacent to the site (east) is a detached bungalow which has had its garage converted into a business use. The properties to the north are mainly two storey ex-authority semi-detached dwellings. The neighbours opposite are infill properties that are constructed from flint and red brick with hints of render. The ex-local authority dwellings are constructed from red brick and pantiles.

An indicative site plan shows a 2 bedroom bungalow on the plot with rear, side and front garden. Access will be shared with the donor property by widening the existing access.

The property is contained within the street scene of Back Lane. The built form on Back Lane, at this point, has a sense of enclosure.

Subject to the property's appearance and scale (determined by way of a reserved matters application), the setting back of the property from the street scene on a similar building line to the adjacent bungalow is visually acceptable.

Impact upon Neighbour Amenity

The neighbour to the east of the site is on lower land than the application site and has no windows contained in its side elevation. This element of the neighbouring bungalow is run as a business as such this neighbour is not considered to be detrimentally affected.

The neighbours to the south are on the opposite side of Back Lane some 10m away from the site.

The neighbour to the north is the donor property

The neighbours to the west are on the opposite side of Foxes Meadow some 29m away from the site.

It is therefore considered that there are no principle neighbour amenity issues.

Highway Safety

The existing access is single car width. This will be widened to 6m to serve the donor property and proposed property. The altered access will be 26m from the junction of Back Lane and Foxes Meadow.

The highways officer has no objection in principle to access arrangements. By virtue of the outline application being "all matters reserved" application, the highways officer would require, notwithstanding the details shown on the site plan, a plan to be submitted identifying the visibility splays, access arrangements and parking provision as part of a condition discharge application. These details are reserved matters and a separate condition on outline consent is not necessary.

Other Material Considerations

The Parish Council are concerned about nesting birds being disturbed from the partial removal of the hedge that fronts Foxes Meadow. Given the limited amount of hedgerow removal it is not considered necessary to impose time constraints on its removal. Additionally nesting birds are covered under the wildlife Countryside act.

CONCLUSION

Members will need to consider whether developing the side garden to 75 Foxes Meadow is acceptable in principle.

It is your officer's opinion that the proposal is acceptable in principle. The siting of a dwelling on the site would not detrimentally affect the street scene, subject to it being single storey and the amenity space associated with the property would not advocate a cramped form of development. There is no detrimental impact upon neighbour amenity.

Subject to the following conditions it is considered that the proposal complies with the National Planning Policy Framework and National Planning Practice Guidance and the relevant policies The outline proposal is considered to be acceptable without causing any principle detrimental impact upon Visual and Neighbour Amenity.

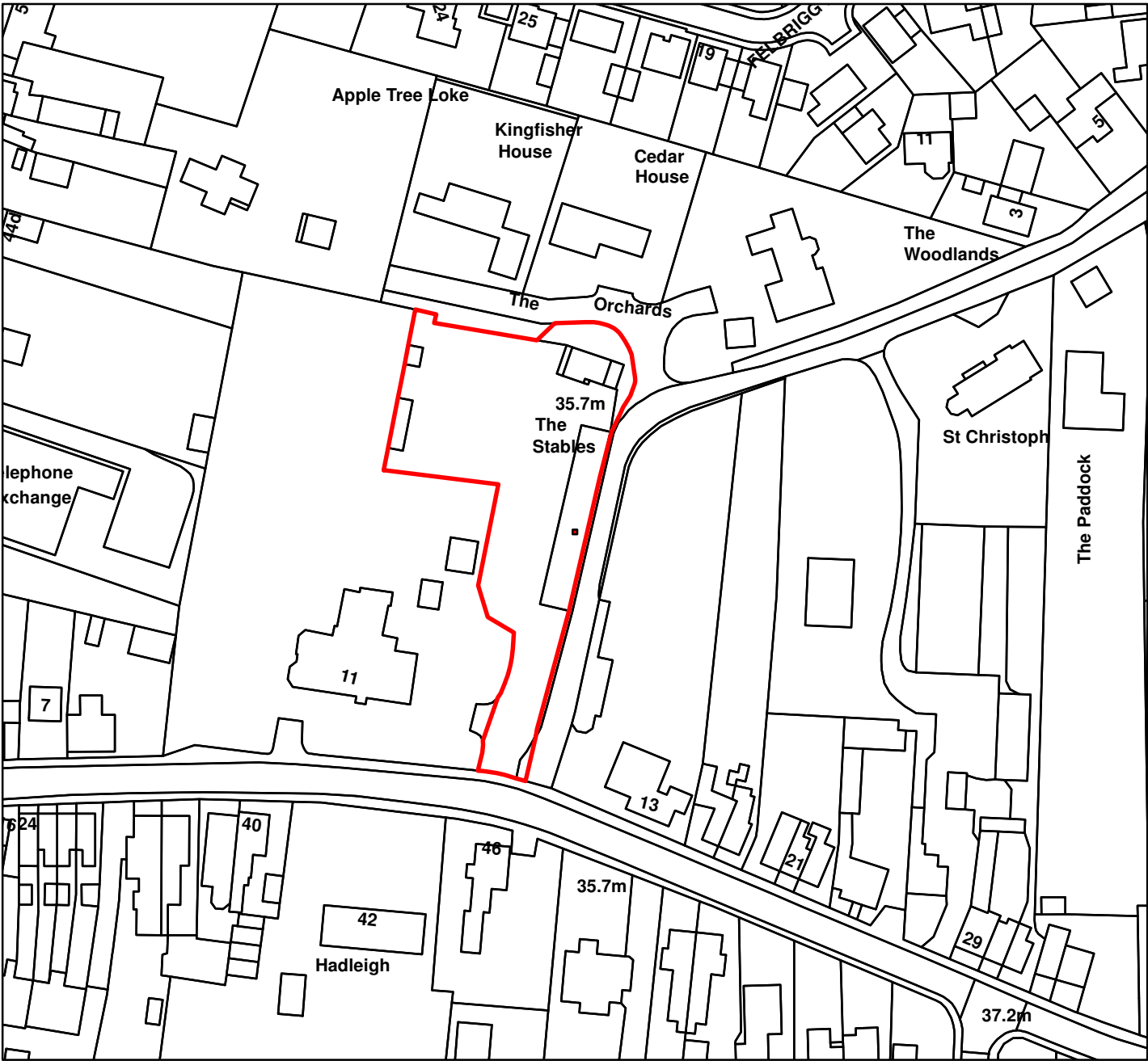
RECOMMENDATION:

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

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

15/00997/F

The Stables Bexwell 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	17/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(e)

Parish:	Downham Market	
Proposal:	Conversion of former offices to form three 2-bedroom residential units, alterations to coach house to form one 2-bedroom dwelling and construction of one pair of 3-bedroom semi-detached cottages	
Location:	The Stables Bexwell Road Downham Market Norfolk	
Applicant:	Mr John Murphy	
Case No:	15/00997/F (Full Application)	
Case Officer:	Mrs N Osler Tel: 01553 616402	Date for Determination: 18 August 2015 Extension of Time Expiry Date: 11 September 2015

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

Case Summary

The proposal is for the conversion of offices to three, single-storey dwellings; conversion of an existing coach house to one, 1.5 storey dwelling and the construction of a pair of two-storey, semi-detached dwellings.

The site lies to the north of Bexwell Road, Downham Market and benefits from an implemented scheme for the conversion of the offices to two, single-storey dwellings; the conversion of the coach house to one dwelling and the construction of one, detached, two-storey dwelling.

As such the proposed development would result in an increase of 2 dwellings over and above the consented and implemented scheme.

The site lies within a Conservation Area and within Flood Zone 1.

This is a resubmission of a similar recently refused application that came before the Planning Committee at its June 2015 meeting. The previous application was the same as the current application except that instead of a pair of semi-detached dwellings there was a terrace of three dwellings, and a net increase in 3 (rather than 2) on the consented and implemented scheme.

Key Issues

Principle of Development;
Form and Character and Impact on the Conservation Area;
Highway Safety;
Residential Amenity; and
Other Material Considerations.

Recommendation

APPROVE

THE APPLICATION

The application site has been subject to a number of planning applications (see 'History' section below). The two most relevant being the recent refusal (15/00433/F) and the scheme approved under application 2/02/0566/CU. The 2002 permission has been confirmed by the Local Planning Authority (LPA) as having commenced and the permission has therefore been implemented and can be completed at any time.

The site comprises c.0.2ha of former garden land to The Rosary (a large, late Victorian detached house situated to the southwest of the site whose curtilage extends to the west of the site).

The site contains a linear building running north-south along the eastern boundary (historically stables, but most recently offices), a former coach house (located in the north-eastern corner of the site) and an area of walled garden to the west (the location of the consented detached dwelling). Along the western boundary wall of the site are three small lean-to outbuildings - it is proposed to repair and retain these as outbuildings to the proposed pair of semi-detached dwellings.

The northern boundary of the site comprises iron 'estate' fencing and fronts the existing private access road serving The Orchard (a small development of houses). The eastern boundary consists of a carrstone wall that separates the site from Rabbit Lane (an unadopted and unmade track serving a number of dwellings). Rabbit Lane is also a pedestrian Public Right of Way.

The current application is for the conversion of the offices to three, single-storey dwellings, the conversion of the coach house to one, 1.5-storey dwelling and the construction of a pair of two-storey, semi-detached dwellings - an increase in two dwellings from the consented and implemented scheme.

The application before Committee now has evolved during the application process. Originally it was resubmitted with a terrace of three, but with outside access to the rear garden of the mid-terrace property via an archway. The applicant considered that this sufficiently addressed the reason for refusal of the previous application which was: *The proposed development, by virtue of the lack of a separate access to the rear amenity space of the mid-terrace 2-storey dwelling, would not provide satisfactory living conditions for future occupants of this dwelling and is therefore considered to represent poor design that fails to contribute positively to making places better for people. The proposal is therefore contrary to the NPPF in general and specifically to Chapter 8 of the NPPF, Policy CS08 of the Core Strategy, 2011 and emerging Policy DM15 of the Site Allocation and Development Management Document, 2015.* However, the town council and other third parties considered that this was not the case. The town council recommended refusal on the grounds that 'it appears that the recommendation proposed by this Council [the Town Council] and apparently agreed by the BCKLWN was not communicated to the applicants and it remains this Council's view [the Town Council] that a pair of semi-detached cottages is preferred to the three terraced cottages option". As such the applicant reduced the terrace of three to a pair of semi-detached dwellings. Consultees and third parties were re-consulted on the amendments and it is the updated comments (where received) that are listed in the **RESPONSE TO CONSULTATION** section below.

SUPPORTING CASE

No supporting case has been submitted.

However, it is considered that the supporting case made on the previous application remains relevant: *The DAS that accompanied the application states: 'Consideration has been given to form, scale and appearance to ensure that the proposal is in keeping with the character and appearance of the conservation area, respects local amenity, ensures safe highway conditions and retains existing trees where possible.'*

'It is asserted that the proposal provides a more appropriate use of the land than the existing permission in terms of design and layout and optimising the use of previously developed land. The design and use of materials and finishes to the development will ensure that the proposal will make a positive contribution to the designated conservation area and the wider area more generally. The site will make provision for smaller residential units suitable for starter homes and / or young families, set within a mature landscaped setting.'

'It is considered that the proposal would accord with the provisions of Policies 4/21 and 8/1 of the Local Plan, Policies CS1, 2, 4, 8, 9 and 12 of the Core Strategy, emerging Development Management Policies DM1, 2, 15 and 17, and the requirements of the National Planning Policy Framework'.

RELEVANT PLANNING HISTORY

15/00433/F - Conversion of former offices to form three 2-bedroom residential units, alterations to coach house to form one 2-bedroom dwelling and construction of three terraced 2/3 bedroom cottages - Committee refusal June 2015

07/01601/F - Conversion of offices to 5 one bed dwellings - Refused October 2007; dismissed at appeal (APP/V/2635/A/08/2070922)

2/02/0566/CU - Conversion of offices to two dwellings conversion of coach house to one dwelling and construction of one dwelling (modified scheme) – Permitted July 2002

RESPONSE TO CONSULTATION

Town Council: Recommend **REFUSAL** stating that “although one less unit is proposed the lack of amenity space appears to remain the same, the footprint apparently remains the same and concern is expressed about the loss of trees. Therefore, the proposal, by reason of the number of units proposed, results in a cramped form of development and lack of amenity space, which is not in harmony with and does not enhance the form and character of the building characteristics of the locality or its setting”

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

Stoke Ferry Internal Drainage Board: No Comment to make

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

Historic England: Does not wish to comment on this occasion

Historic Environment Service: **NO OBJECTION** the proposal does not have any implications for the historic environment.

CSNN: **NO OBJECTION** subject to conditions relating to foul and surface water drainage and the submission of a construction management plan.

15/00997/F

Planning Committee
7 September 2015

REPRESENTATIONS

Letters of **OBJECTION** from **SEVEN** properties in the immediate vicinity of the site have been received. The reasons for objection are:

- Road safety;
- Overbearing;
- Out of character;
- Disturbance;
- Tree preservation;
- Asbestos removal;
- Overlooking;
- Overdevelopment;
- Damage to third party property;
- Impact on Rabbit Lane during construction;
- Inadequacy of car parking spaces; and
- Lack of amenity space.

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS04 - Downham Market

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM1 – Presumption in Favour of Sustainable Development

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Downham Market by Design

PLANNING CONSIDERATIONS

The key issues for consideration in relation to the determination of this application are:

- Principle of Development;
- Form and Character and Impact on the Conservation Area;
- Highway Safety;
- Residential Amenity; and
- Other Material Considerations.

Principle of Development

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

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

In addition, the site also lies within a Conservation Area, and development must, at the very least therefore, preserve the qualities and characteristics of the designation as set out in planning law, the NPPF (Chapter 12) and the Core Strategy (Policy CS12).

Furthermore, permission has been granted in the past for residential development of the site (albeit on a smaller scale). As such, and as was the case with the recently refused application, it is considered that the principle of development is acceptable.

Additionally, since the previous application came before the Committee, it has been found that the Local Authority cannot demonstrate a five-year supply of deliverable housing sites. As such this renders the Development Plan's housing policies out-of-date.

In such circumstances, the NPPF states that *permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework [the NPPG] as a whole* (see paras 49 and 14 of the NPPF).

Form and Character and Impact on the Conservation Area

Whilst the predominant characteristic of the locality of the site is linear development fronting the main road (whether it is Bexwell Road or other main roads in the locality of the site) there are also numerous examples of comprehensive developments served off both large and small private accesses. Indeed The Orchards and other developments off Rabbit Lane are key examples. In this regard the proposed development is considered to respect the built characteristics of the locality and preserve the characteristics of the Conservation Area. Furthermore the conversion of the existing stables and coach house, in a fashion considered to preserve the fabric of these buildings, would be an enhancement of the area (however, it is a material consideration that these building could be preserved / enhanced under the implemented scheme).

The proposed new build (the pair of semi-detached dwellings) is of a scale, mass and appearance (cottage proportions with vernacular materials) that relate adequately to the site and the wider locality (the latter of which contains dwellings of all manner of sizes, scales, ages and character).

In relation to the wider site, it is considered that it is of a size that can accommodate the proposed development without resulting in a cramped form of development, and each unit is considered to have an appropriate amount of amenity space. The replacement of the terrace of three dwellings with a pair of semi-detached dwellings has addressed the reason for refusal of the previous application. It is not considered that the proposed development represents overdevelopment of the site.

Trees in Conservation Areas are protected. Additionally there are four trees that benefit from Tree Preservation Orders. However, the Local Authority's Arboricultural Officer has no objection to the loss of those trees shown to be felled. This conclusion would have been reached by full consideration of the health and amenity value of each tree.

In summary, it is considered that the proposed development is appropriate for the site and its surroundings. It would not appear overly dominant or out of keeping in the locality and would not have any detrimental impact on the established character or appearance of the Conservation Area. The Conservation Officer has no objection to the proposed development.

Highway Safety

The Local Highway Authority (LHA) has no objection to the proposed development on highway safety grounds and the proposal accords with current parking standards.

Residential Amenity

The reason for refusal of the previous application was: *The proposed development, by virtue of the lack of a separate access to the rear amenity space of the mid-terrace 2-storey dwelling, would not provide satisfactory living conditions for future occupants of this dwelling and is therefore considered to represent poor design that fails to contribute positively to making places better for people.*

The proposal is therefore contrary to the NPPF in general and specifically to Chapter 8 of the NPPF, Policy CS08 of the Core Strategy, 2011 and emerging Policy DM15 of the Site Allocation and Development Management Document, 2015. The replacement of the terrace of three dwellings with a pair of semi-detached dwellings has addressed this reason for refusal.

In relation to the impact of the proposed development on occupiers of existing dwellings, each element of the proposed development shall be considered in turn.

Conversion of Stables / Offices

This relationship remains the same as the previous application to which the Committee did not object. For reference the following is taken from the previous Committee Report: *It is a material consideration that these could be converted in accordance with the 2002 permission. The separation distances (c.30m between the closest part of the building with both Bexwell House (to the southeast) and The Rosary (to the southwest)) and means of separation Rabbit Lane (to the southeast) and significant trees (to the southwest) are considered sufficient to suggest that there would be no material overlooking impacts.*

Conversion of the Coach House

This relationship remains the same as the previous application to which the Committee did not object. For reference the following is taken from the previous Committee Report: *As with the stables / offices, it is a material consideration that this could be converted in accordance with the 2002 permission. The separation distances (c.19m) between the closest part of the building with both Kingfisher House and Cedar House to the north, together with the means of separation (private access), and the angles involved from first floor windows, are considered sufficient to suggest that there would be no material overlooking impacts.*

Construction of pair of semi-detached dwellings

Whilst different by virtue of the number of dwellings proposed (two as opposed to three) scale and mass remain the same. Therefore overbearing and overshadowing would be no different to the previous proposal, which on the grounds of neighbour amenity, the Committee considered acceptable. The only difference in terms of neighbour amenity is the insertion of a first-floor window on the side (northern and southern) elevations. However, these windows are shown to serve en-suite bathrooms and can therefore be suitably conditioned to be glazed with obscure glass.

Crime and Disorder

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

Other Material Considerations

Whilst the application form states that *surface water drainage* will be via soakaway, because of known issues in this particular area, it is considered necessary and reasonable to append a condition to any permission granted requiring full details of surface water drainage.

The *safe removal and disposal of asbestos* – whilst Environment Quality consider it necessary to append conditions this relates to elements of the scheme that can be carried out under the implemented scheme. As such it is considered neither necessary nor reasonable to append such conditions.

Protected species – development relating to the coach house and stables / offices can continue at any time. Given this, and the fact that protected species are covered by other legislation, it is not considered necessary to condition these works in relation to the impact on protected species.

In relation to *third party comments* not covered in the main body of the report, the LPA comments as follows:

- Sewage provision is inadequate – without any evidence to the contrary, particularly in relation to capacity in the network, connection to the main sewage system is the preferred option for foul drainage. Additionally such an issue is also covered by building control legislation;
- Increase in noise of detriment to neighbour amenity – your officers do not consider that either the noise associated with construction or the resultant development are sufficient to require the submission of a construction management plan; and
- Impact on Rabbit Lane during construction (if scaffolding was erected on it) – this is a civil matter.

CONCLUSION

It is considered that the proposed development is appropriate for the site and its surroundings and would not have any detrimental impact on the established character or appearance of the conservation area. The proposed development would not result in any material harm to residential amenity or highway safety and has suitably addressed the reason for refusal of application 15/00433/F. As such it is not considered that there are any significant or demonstrable reasons that outweigh the benefits of providing much needed housing in a sustainable location within one of the borough's main towns.

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

RECOMMENDATION:

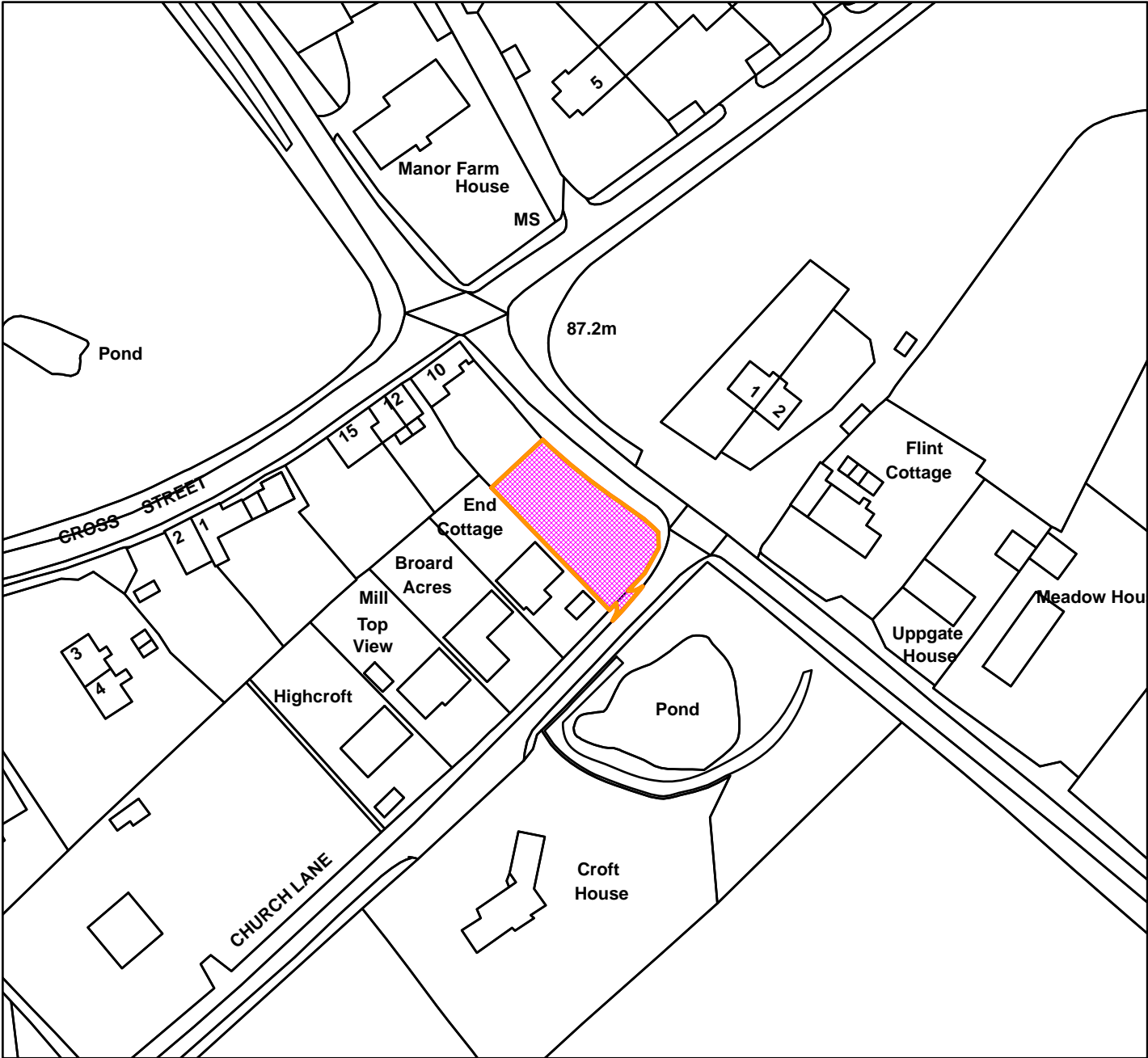
APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos: 1264.1 and 1264.2 received on 23 June 2015 and 1264.3.A/TERR, 1264.3.B/TERR and 1264.S received on 17 July 2015.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 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.

- 3 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 4 Condition The development hereby permitted shall be carried out in accordance with the Tree Survey that accompanied the application (dated 17 March 2015 and carried out by Mike Houldsworth).
- 4 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 5 Condition 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.
- 5 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 6 Condition No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6 Reason To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 7 Condition Prior to the first occupation of the development hereby permitted the proposed on-site access, car parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved details and retained thereafter available for that specific use.
- 7 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

15/01023/F

Land to the Rear of 11 Cross Street Harpley



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	19/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(f)

Parish:	Harpley	
Proposal:	Proposed new dwelling	
Location:	Land To the Rear of 11 Cross Street Harpley King's Lynn	
Applicant:	Andy Spooner Developments Ltd	
Case No:	15/01023/F (Full Application)	
Case Officer:	Mr C Fry Tel: 01553 616232	Date for Determination: 26 August 2015 Extension of Time Expiry Date: 10 September 2015

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

Case Summary

The site lies within Built Environment Type C according to Local Plan Proposals Maps for Harpley. Harpley is classified as a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site comprises the garden area to 11 Cross Street Harpley and is elevated above Back Street and Church lane.

Planning permission was granted under delegated authority for a single storey dwelling under reference 14/00930/O with all matters reserved.

The proposal seeks consent for a 2 storey cottage style dwelling and lean to carport.

Key Issues

Principle of Development and Planning History
Impact upon Visual Amenity
Impact upon Neighbour Amenity
Highway Safety
Trees

Recommendation

APPROVE

THE APPLICATION

The site lies within Built Environment Type C according to Local Plan Proposals Maps for Harpley. Harpley is classified as a "Rural Village" according to Policy CS02 of the King's Lynn and West Norfolk Local Development Framework.

The site comprises the garden area to 11 Cross Street Harpley and is elevated above Back Street and Church lane. Hedging and trees form the southern and eastern boundaries of the site. On site there is a driveway (from Church Lane) that leads up to a double garage and single garage to the donor dwelling.

The form and character of the locality comprises of single and two storey properties. Cross Street has older pre-1914 forms of development; Back Street contains 1950's-1960's development and older forms of development and Church Lane, immediately to the west of the site contains modern detached bungalows.

Outline planning permission was granted with all matters reserved for a single storey dwelling on the site under reference 14/00930/O.

The proposal seeks consent for a cottage style dwelling and lean to carport. Part of the site will be excavated in order to reduce the impact of the dwelling in the street scene resulting in its ridge being only 0.5m above the adjacent bungalow ridge line. The property will be constructed from Norfolk Red Stock facing brick with flintwork infill to the south and east elevation, clay pantiles, and timber painted doors and windows. The rear elevation will be clad in timber.

Boundary treatments will include 1.8m close boarded fencing to the western boundary; hedging on the south and east boundaries.

SUPPORTING CASE

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

- The application seeks consent for a 13/4 height detached dwelling on land to the rear of 11, Cross Street, Harpley
- The site is accessed via Church lane and is approximately 115m west of the junction between Church Lane and Back Street. The site is located within Built Environment Type C according to the 1998 local Plan, where development is appropriate, providing it enhances the form and character of the area.
- Parking and turning is provided to the front of the site on existing garden land that serves No.11. Other works involve the demolition of an existing sectional garage used for storage and upgrade the access
- An arboricultural report has accompanied the application.
- An outline application (14/00930/O) was approved by the Local Authority with all matters reserved.
- A traditional cottage design on this prominent corner site close to the older properties of the village.
- The site is a prominent corner site close to the older properties of the village. Cross Street has many older Victorian two storey flint faced and rendered cottages all predating 1914 and just across the corner from this site is Flint Cottage a more modern two-storey flint faced property.
- The design follows the flint faced buildings with a view to lessening its height within the site so as to reduce its impact but importantly provide a traditional cottage to compliment the similar traditional flint faced houses which surround the site.
- Site levels are reduced to account for the re-graded access and to accommodate the ridge height in the street scene.
- The dwelling has been positioned to follow the building line of the adjacent bungalow and give separation from the adjacent property with a footpath.
- The dwelling has been designed carefully to minimise overlooking of existing private amenity space. The principal elevation will face Church Lane.

- Western boundary will either remain or be replaced with a new 1.8m close boarded fence. A new 1.8m close boarded fence is to be erected on the northern boundary of the site. The eastern and southern roadside boundary hedges are to be maintained and retained, except where shown on the site plan.
- The house will have a lawn and patio/paved areas.
- The proposed dwelling will be constructed from Norfolk red stock facing brickwork with flintwork infill to the South and East elevations, clay pantiles. Timber painted joinery, painted timber boarding to northern elevation single storey section, painted timber fascia/bargeboards with exposed rafter feet eaves detail with black UPVC gutters and downpipes.
- The access driveway is to remain at the same width and position but upgraded to a maximum of 1:12 gradient and hard surface to NCC Residential Construction for first 5m into the site and shingle to the rest.
- The access will remain the same width to serve the new dwelling. Visibility to the junction with Back Street can be maintained as it is the applicant's control.

PLANNING HISTORY

14/00930/O: Application Permitted: 21/08/14 - Outline application for a residential development

CONSULTATIONS

Town/Parish Council: OBJECTION the original outline planning permission was for a single storey dwelling

Local Highway Authority (NCC): NO OBJECTION subject to condition

Arboricultural Officer: COMMENTS that a tree protection plan is required and the plan imposed on the layout to assess if there is any detrimental impact on the trees.

Environmental Health and Housing – Environmental Quality: NO OBJECTION

REPRESENTATIONS

None received

NATIONAL GUIDANCE

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

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

PLANNING POLICIES

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

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

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

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

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Principle of Development and Planning History
- Impact upon Visual Amenity
- Impact upon Neighbour Amenity
- Highway Safety
- Trees

Principle of Development

The site is contained within Built Environment Type C and within a village which is classified as a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy 2011. Additionally, the site benefits from an outline planning permission for the erection of a single storey detached property.

The principle of developing a house on the site is therefore accepted.

Impact upon Visual Amenity

The Parish Council raises concerns about the roofline of the proposed dwelling being higher than the neighbouring bungalows and they feel that the design drawing references from Back Street and Cross Street should not be considered as a valid reason for building above single storey.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 56 of the National Planning Policy Framework states that Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 17 of the National Planning Policy Framework, core planning principles, states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The development within this part of Harpley is mainly linear; containing single storey detached properties adjacent to the site and two storey cottages and infill properties to the north and east. The cottages on Cross Street have large gardens that have been subdivided to create single storey dwellings that front Church Lane. Agricultural land lies opposite to the south.

The site forms the garden area to 11 Cross Street, Harpley. The site slopes quite sharply away to the south. Currently there is a sectional shed on the site and partially hard surface driveway that leads to an existing garage to the donor property. Boundary treatments consist of established hedging and trees on the eastern and southern boundaries and 1.8m lap boarded on the western side. The site is elevated above Back Street and Church Lane.

The proposed dwelling is 2 storey in height with dormer windows on the south elevation (front). However it is rather modest with its eaves height at 4.4m and its ridge height at 7.3m. The property will have a carport attached to the western side of the property. The property will have a single storey mono-pitched element to the rear clad in timber.

The existing vehicular access to the site will be altered to provide a suitable gradient for access. The banking that flanks the access will have a supporting wall. 1.8m close boarded fencing will separate the property from the donor plot.

The scale of the property is not considered to dominate the site and the ridge height of the property is only 500mm above the ridge height of the adjacent single storey properties by virtue of excavating 1m depth of soil from this part of the site. Had there been no excavation, the ridge height of the property would have been 1.5m taller than the neighbouring property (7.3m above ground level compared to 5.8m) rendering it unduly prominent. The site is elevated above Back Street; although the property is sited 6.4m from the roadside edge. This side elevation of the property will therefore not be prevalent in the street scene. The hedging and trees will also act to soften this elevation.

The rear elevation of the property will be seen from Cross Street heading into Back Street but this will be in passing as Back Street slopes away heading south quite sharply.

The resultant space left for the donor property is considered to be acceptable.

Subject to a sample panel of materials it is considered that the proposed property, albeit no longer single storey would not cause a detrimental impact upon the street scene.

Impact upon Neighbour Amenity

The proposed property is sited adjacent to a single storey detached property “End Cottage” and to the rear of 11 Cross Street, a two storey property.

The western neighbour “End Cottage” has small a window contained in their flank elevation, adjacent to the carport. However the carport’s roof leans away from the neighbour and the house’s presence is not considered to cause a detrimental overbearing impact upon the enjoyment of this room. The proposed property does project beyond the line of the rear elevation of this neighbouring property; however there is 1.8m close boarded fencing along the shared boundary and the proposed property is 1.3m below existing ground level. No windows are contained at first floor in the west elevation of the proposed property. The nearest window in the roofslope of the proposed property to this neighbour serves a bathroom, a non-habitable room and this relationship is acceptable.

The donor property is, “11 Cross Street”, flank elevation is some 30m away from the rear elevation of the proposed property and with the proposed property being on lower land than the donor property it is considered that there is minimal impact upon the donor property’s amenity space.

The neighbours to the east of the site are a considerable distance from the proposed property. It is considered that these neighbours are not materially affected by the proposal.

There are no residential neighbours to the south of the site.

Highway Safety

The Parish Council are concerned about the loss of on-site parking to the donor property, resulting in a parking hazard on Cross Street at its junction with Back Street.

The highways officer commented on this particular issue during the outline planning application. The Officer commented that “upon assessment of Cross Street, in the vicinity of the site, the road is well aligned and of suitable width not to be compromised by on-street parking.” The limited level of additional on-street parking would not be detrimental to highway safety.

The proposed property will have a lean to carport and two parking spaces to the front which is in line with Policy DM `17 of the Draft Development Management Plan Document which requires for a 3 bedroom property – 2 off-road parking spaces.

The existing access serving the donor property is very steep. This will be re-graded to a shallower gradient.

The highways officer has no objection to the proposal subject to condition that the parking is laid out as shown.

Trees

The proposal will involve the removal of one tree and the realignment of a hedgerow along the eastern boundary of the site. The property has been sited that it should not detrimentally affect the Root Protection Area of the retained trees.

The Arboricultural Officer has requested a tree protection plan and the tree protection plan super-imposed over the layout of the site. An amended plan has been received that imposes the RPA of the trees on the site and allows for the offsetting of the RPA by up to 20% of the trees along the western boundary of the site. The amended plan conforms to the findings in the Arboricultural Report. Conditions are to be attached to produce a tree protection plan and further details in regards to foundation design and ground protection measures to avoid the compaction of the topsoil on the site.

CONCLUSION

Members will need to consider whether the proposed cottage style dwelling is an appropriate form of dwelling in this locality.

It is your officer's opinion that the dwelling, by virtue of excavating part of the land upon which the dwelling will be sited, will not be unduly prominent in the street scene, and is of a design and uses materials that will enhance the street scene.

The proposed property is also of a scale and design so as not to cause any detrimental impact upon neighbour or visual amenity subject to condition.

The highways officer's recommended conditions will be attached to the decision notice, should the application be approved

The Arboricultural Officer's concerns can be adequately addressed by condition.

The proposal is compliant with the provisions of the National Planning Policy Framework; National Planning Practice Guidance; Policies 4/21 and 8/1 of the King's Lynn and West Norfolk Local Plan 1998 and Policies CS06,08,09,11 and 12 of the Local Development Framework Core Strategy 2011 and draft Development Management Policies DM 15 and 17 subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - Proposed Plans, Elevations and Sections drawing no.1923-02 dated June 2015 received 30th June 2015.
 - Proposed Site Plan and Sections drawing no.1923-03c dated 12th August 2015 received 14th August 2015.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

- 3 Condition Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition 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.
- 4 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition Notwithstanding details received, no development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing and ground protection measures 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 and agreed ground protection measures 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 or ground protection measures are removed and or 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.
- 5 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 6 Condition No development shall commence on site until large-scale plans showing the method of foundation construction have been submitted to and approved in writing by the Local Planning Authority. The foundations shall be constructed in accordance with the approved details.
- 6 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.

15/00936/F

Woodland Land East of Hunstanton Road and South of Robin Hill Heacham



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: **1:2,500**

Organisation	BCKLWN
Department	Department
Comments	1: 2500
Date	19/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(g)

Parish:	Heacham	
Proposal:	Erection of 2.4m high stock proof fencing	
Location:	Woodland Land E of Hunstanton Road And S of Robin Hill Hunstanton Road Heacham	
Applicant:	Samphire Developments	
Case No:	15/00936/F (Full Application)	
Case Officer:	Clare Harpham Tel: 01553 616318	Date for Determination: 17 August 2015 Extension of Time Expiry Date: 11 September 2015

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

Case Summary

The application site is a long strip of land 57m in length and 1.5m wide which runs along the western side of the A149. The application site is to the eastern side of land which is within the ownership of the applicant to the south of Robin Hill.

The application seeks planning permission to erect a 2.4m high stock proof boundary fence which would consist of fence posts situated 2.4m apart and wire fencing between with barbed wire to the top strand.

Key Issues

Principle of Development
Visual Impact
Highways Issues
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a 57m long strip of land to the western side of the A149 which is 1.5m in width. The site is immediately adjacent (east) to a wooded area of land which is also in the applicant's ownership and upon which there is a Tree Preservation Order. The site currently has a post and wire fence which is not in a good state of repair and an existing access gate. The site is outside the existing development boundary and is within the countryside.

The application seeks full planning permission to replace the existing, relatively low, post and wire fence with a 2.4m stock proof fence which would be constructed of 2.4m timber posts which would be concreted into the ground with wire forming the fencing itself and a line of barbed wire to the top of the fence.

SUPPORTING CASE

There was no supporting case submitted by the agent, however it has been confirmed that the proposed fence will be erected on the boundary line where the existing dilapidated fence currently stands and that a new hedge will be planted to the western side within the application site with the intension that it will grow through the fence to reduce any visual impact.

PLANNING HISTORY

None

RESPONSE TO CONSULTATION

Parish Council: OBJECT

1. There has been no assessment of the biodiversity of the site or of the adverse effect such a fence would have on wildlife entering or leaving the site. For example, deer use this site as a 'green corridor' between Heacham Park and the AONB and also utilise it as a refuge.
2. The fence would detract from the visual amenity afforded by the site to both locals and visitors to the area. The fence would be an eyesore.
3. The proposed 2.4m high fence is located outside the boundary on the public side of the boundary hedge. A current fence, erected by the site owner, has already caused controversy with NCC for this reason. If planning permission is allowed despite the previous two points then it should be ensured that the fence must be within the site boundary and not on highway land.

Highways Authority: With regard to the deer population crossing the A149 the accident history (personal injury accidents only) shows that there are no recorded accidents involving deer or any other animal. This does not mean that there are not any, just that there have been no recorded injuries relating to accidents involving animals and any accidents would have involved damage only which are not recorded.

The fence itself seems to be a replacement between private and highway land and does not enclose highway land although I have not formally looked at how the fence may affect visibility at any existing accesses. In relation to the A149 corridor the wide verge negates concerns here; it would only be the old road where it may present concerns. Should the fence obstruct visibility repositioning would address this.

Norfolk Wildlife Trust: Norfolk Wildlife Trust do not have any knowledge of the deer populations in this area or their movements however it could well be the case that deer would be more impeded by a higher fence than a lower one.

If it is a safety issue with regard to animals crossing the A149 you may wish to gather information on the movement of deer in this area. No contact details are available for deer experts but an ecological consultant may be able to advise.

REPRESENTATIONS

Six letters of **OBJECTION**:

- The planning notice was only posted since 2nd July, not a normal time scale to let the public know?
- What is the reason for the 2.4m height, what will be behind it?
- Unusually high for a stock fence.
- The 2.4m height of the fence will be overbearing.
- Unsightly and inappropriate in a conservation area.
- Existing fencing is sufficient to keep trespassers out and stock in.
- The submitted photo doesn't accurately represent a 2.4m fence.
- There is deer activity in the wood and the fence will suppress wildlife movement and break up the 'green corridor'

One letter of **COMMENT**:

- Why is the fence required as there is an existing fence albeit not 2.4m high.

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

CS12 - Environmental Assets

PLANNING CONSIDERATIONS

The application site is located within the countryside and the main issues to consider when determining this application are as follows:

- Principle of Development
- Visual Impact
- Highways Issues
- Crime and Disorder
- Other Material Considerations

Principle of Development

The erection of a 2.4m stock proof fence is acceptable in principle provided it does not adversely affect the intrinsic character and beauty of the countryside.

It is a material consideration that a 1m fence could be erected in this location under Class A.1 (a) (ii) Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015. The height would be limited to 1m in this location as it is adjacent to a highway used by vehicular traffic and whilst set back 2.5m from the hard surface of the road the fence would form the boundary to the site and the highway verge. Should the proposed fence be set back further into the site with hedging forming a boundary

to the vehicular highway it is possible that the applicant could erect a boundary treatment up to 2.0m. It is purely the height of the fence at 2.4m which requires planning permission.

Visual Impact

The design of the proposed fence, whilst tall at 2.4m, would not be out of character within the countryside where post and wire fencing is a feature. The fence would be viewed when travelling on the A149 in conjunction with a wood to its rear, which would help mitigate against any visual impact. It is also the intention of the applicant to position a laurel hedge to the rear (west) of the proposed fence which will grow through it and reduce any visual impact. Overall the proposal is not considered to materially harm the intrinsic character and beauty of the countryside.

Highways Issues

The proposed fence is set back 2.5 metres from the metalled part of the highway and would therefore not cause any highway safety issues. Whilst the proposal was not formally assessed by the Highways Officer he did state that given the wide verge along the A149 it would negate concerns. The proposed fence is not adjacent to any roads which access the A149. There is an existing five bar gate allowing access at the southern point of the proposed fence but this is set back over 2.5m from the metalled part of the road.

Notwithstanding the fact that the fence is unlikely to cause any visibility issues due to its position, it is also constructed of wire which would not impede visibility. The proposed hedge adjacent to the fence does not require consent as it is not development and could be planted in this position regardless of whether planning permission were granted for the 2.4m fence.

There have been objections that the proposed fence could impede the movement of deer within a 'green corridor' and whether there could be a potential highway safety issue with regard to the fencing. There have been no accidents reported involving deer or other animals on this stretch of the A149 although it should be noted that these accidents are only reported if they involve personal injury and not if an accident occurs that only involves damage to vehicles. Notwithstanding this it is a material consideration that a 1m fence could be erected and a hedge planted without requiring planning permission.

Crime and Disorder

There are no issues regarding crime and disorder which arise due to this application.

Other Material Considerations

A number of objections have been received some of which have been addressed in the report above and the others are addressed below.

The Parish Council have objected to the fact that the applicant did not assess the biodiversity on site and the potential impact upon wildlife entering and exiting the site. The impact of the fence itself would be minimal and it would be possible to erect a fence or a hedge on site without planning permission albeit at a lower height.

Objections have been received regarding a fence that was erected by the applicant on a different piece of land and the fact that it was not on the applicant's land. The fact that the applicant has erected a fence elsewhere is not a material reason to refuse this application.

Objections have been received questioning the reason a 2.4m fence is required and that the existing fence is sufficient. The application has to be considered on its own merits and it is the prerogative of the applicant to apply for a different boundary treatment should they wish. Should there be any change of use of the land within the applicants ownership (to the west of the proposed fence) then this would be subject to planning permission if necessary.

The visual impact of the fence is considered acceptable and it is not within the conservation area as stated within the objection.

The fence is not considered to be overbearing as it is some distance from any residential properties and in addition is a post and wire fence and not a solid structure.

Whilst the submitted photo does not accurately reflect the height of the proposed fence plans have been submitted which show the proposed fence to scale.

The site notice was placed on the gate which forms a part of the application site and was put up on 3rd July 2015. The site notice ran until 31st of July 2015 which was in excess of the 21 day consultation period required within the regulations.

CONCLUSION

The proposed stock fencing is considered acceptable with regard to its visual impact and complies with the National Planning Policy Framework and Policy CS06 of the King's Lynn and West Norfolk Adopted Core Strategy.

Consequently in light of National Guidance, Development Plan Policies and other material considerations it is recommended that the proposal 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 272/P/01 and 275/EX/03 received by the Local Planning Authority on 15th June 2015 and 275/EX/01 received by the Local Planning Authority on 21st July 2015.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

15/01045/F

The Sheiling Sandy Way Ingoldisthorpe



Scale: 1:1,250

Legend

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



Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	13/08/2015
MSA Number	0100024314

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AGENDA ITEM NO: 8/1(h)

Parish:	Ingoldisthorpe	
Proposal:	Demolition of existing dwelling and construction of 2No. new dwellings (revised design)	
Location:	The Shieling Sandy Way Ingoldisthorpe King's Lynn	
Applicant:	Mr D Heffer	
Case No:	15/01045/F (Full Application)	
Case Officer:	Mr C Fry Tel: 01553 616232	Date for Determination: 28 August 2015

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

Case Summary

The site lies within Built Environment Type D according to Local Plan Proposals Maps for Ingoldisthorpe and within a “Rural Village” according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The proposal seeks consent for demolishing the existing detached property on the site and constructing a pair of semi-detached chalet style properties.

Key Issues

Principle of Development and Planning History
Impact upon Form and Character
Impact upon Neighbour Amenity
Highway Safety
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site lies within an area designated as Built Environment Type D according to Local Plan Proposals Maps for Ingoldisthorpe. Ingoldisthorpe is classified as a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site currently accommodates a hipped roof detached bungalow with parking to the side. The adjacent dwellings are either chalet bungalows or conventional bungalows with off road parking. The site is screened from Sandy Way by high hedging.

The site has had a recent planning application refused for two detached dwellings that was refused for 4 reasons. The properties advocated a poor design, cramped form of development, overbearing issues upon the neighbours and inadequate off road parking provision.

This application has sought to overcome the reasons for refusal by applying for a pair of semi-detached properties, set back on the site with their ridge lines parallel to the road. By setting back the properties more parking is provided.

THE SUPPORTING CASE

The application has been supported by a Design and Access Statement:

- The site is at present one of the older bungalows on Sandy Way, with a plot area of almost 35m deep and about 20m width one third wider than the other plots on the eastern side. Advice was given on a preliminary sketch scheme that pair of homes would be practical on this site, and acceptable amongst the variety of styles in these two streets of predominantly 1950s-1970s
- South is a tall steep-roofed chalet style house with various garden structures on or close to the garden boundary, and to the northwest a small bungalow in a very small square corner plot.
- A high hedge around a side garden dominates the west side of the street opposite the plot.
- The form and character of this area in recent building tends to be in modern chalet styles, which are of varied sizes; the older southern part of Sandy Close includes houses and semi-detached properties, and the northern part has a number of chalets with roof dormers.
- This scheme is a revision to a recently refused scheme 15/00258/F for 2 detached chalet style homes in May 2015. The scheme was refused as the house layout appeared to be cramped and an overdevelopment, the design elements were vertically dominant and un-neighbourly in relation to the homes to the south and north, and the parking space was insufficient for homes with 3 bedrooms.
- The revised scheme has reconsidered all elements and returned to a semi-detached scheme in chalet style – 3 bedroom homes with consequent lesser demand for car parking and less site coverage overall. The re-design presents a ridge parallel to the street, a short rear wing as paired gables to achieve the same roof pitch for an attic bedroom.
- There are dormer windows in the front roof slope, as is widespread amongst newer homes in this part of Ingoldisthorpe, and the gables look down their own back gardens.
- This part of the village is a Built Environment Type D in the 1998 Local Plan.
- The precise siting of the new building takes account of the overshadowing comments made concerning the first application. The main ridge line is proposed to be behind that of “Coneywood” to the south, enabling more light to the unusual side gable window in that house, and particularly to enable southerly sunlight to reach the small garden of “Leaves Green” on the corner to the north.
- The redesign of the interior has resulted in an arrangement of front door and attic windows which are not imposing or dominant, and relate well to the scale of the roof slope. A strict symmetry between the ground floor and attic windows was found to be not helpful to the cohesion and balance of the frontage design when redesigned as a semi-detached pair of houses.
- Parking and turning space is fully available for the two car spaces required with each homes, using a central joint access. This part of the village has the most frequent

public bus service outside the King's Lynn town area, and there is ready access to a wide range of facilities in Dersingham and Snettisham.

PLANNING HISTORY

15/00258/F: Application Refused: 13/04/15 - Demolition of existing dwelling and construction of 2no. new dwellings -

CONSULTATIONS

Town/Parish Council: OBJECTION overbearing on the neighbours and plot too small

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

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

REPRESENTATIONS

Two letters of objection received citing the following:-

- Noise and increases in heavy vehicular traffic in the area both during demolition and construction, with the possibility of damage to roads and their infrastructures. Also increased congestion on very narrow roads.
- Possible structural damage to adjacent properties
- Overlooking issues
- Overbearing issues
- Overshadowing issues
- Noise and disturbance
- Out of keeping with development in the locality.
- Overdevelopment
- No garage provision
- Traffic issues
- Reduced amenity space

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

CS06 - Development in Rural Areas

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

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

Principle of Development and Planning History

The site lies within an area designated as Built Environment Type D and within a village which is classified as a rural village according to policy CS02 of the Local Development Framework Core Strategy 2011.

Within Built Environment Type D and a “rural village” development which is of a scale appropriate to secure its sustainability will be permitted subject to satisfying other material considerations.

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 Ingoldisthorpe which is a sustainable location. As a result there is a presumption in favour of development in this area. The site has had a recent planning application refused on the site for an “L” shaped detached chalet dwellings. The application was refused on 4 grounds:-

1. The proposed dwellings were an overdevelopment of the site, resulting in a cramped development, by virtue of the lack of space between the dwellings. This would be out of character with the existing pattern of development in the area.
2. The proposed dwellings are considered to be of poor design, appearing unduly vertically dominant by virtue of the large visual mass of roof slope and dormer on the front elevation. The properties appear out of proportion and ultimately out of keeping with the design of nearby dwellings and would have an undesirable impact on the overall appearance of the area.
3. The proposed dwellings by virtue of their scale, specifically their height, massing and siting, represent an undesirable and unneighbourly form of development, detrimental to the amenities of occupiers of adjacent residential properties, namely Coneywood and Leaves Green, particularly by reason of the overbearing impact upon these properties
4. The proposed dwellings provide 4 bedrooms each and should provide for 3 parking spaces per dwelling in accordance with Norfolk County Council's adopted standards set out in 'Norfolk Parking Standards 2007'. The parking court layout to the front of the properties as shown on Site Plan drawing no. 1022-12b is not deep enough to provide sufficient parking within the site, leading to vehicles reversing onto the public highway and to an increase in on-street parking to the detriment of highway safety

This proposal seeks to overcome these 4 reasons for refusal by re-siting and re-designing the dwellings.

Impact upon Form & Character

Third Party representations and the Parish Council raise concerns about the development being too cramped and out of character with the street scene.

Linear development of single storey and chalet style dwellings characterises the area.

The site contains a single storey hipped roof bungalow and detached garage to the side.

The proposal seeks consent to demolish the existing bungalow and construct a pair of semi-detached chalet dwellings. The semi-detached chalet dwellings will have a parallel ridge line to the road with pitched roof dormers on the front elevation. The chalet dwellings will have pitched roof two storey extensions at the rear. Other features to note include the erection of porches on the front elevation of the properties.

The properties scale 6.2m (h) max dropping down to 5.95m (h) max on the rear elevation; eaves height is at 3m. The two storey rear projection steps in from the side elevation by 0.6m.

The northern most semi-detached property is set back from the pavement by 11.6m and from the northern boundary by 2m (max). The southern-most semi-detached property is 1.8m at its closest point to the southern boundary.

The depth of amenity space to plot 1 is 10.2m and plot 2 9.8m.

The revised proposal is considered to have overcome the form and character reasons for refusing the last scheme. The first reason related to the proposal being a cramped form of development, by virtue of the spacing between the proposed and existing dwellings. By revising the scheme to provide a pair of semi-detached dwellings as opposed to two detached properties more room has been provided between the pair of semi-detached properties to the adjacent neighbours. The gap between the southernmost chalet and "Coneywood" has been increased by up to 1.2m (3m from shared boundary as opposed to 1.8m) by stepping in the rear elevation of the property and the gap between the northern most semi-detached unit and the house to the north has now increased by 1.1m. This reason for refusal has been adequately addressed.

The second reason for refusing the previous application related to the poor design of the detached dwellings. The detached dwellings appeared as truncated semi-detached dwellings, with a large visual mass of roof and large dormer window on the front elevation dominating their appearance. The properties were out of proportion and out of keeping with the adjacent dwellings.

By reverting to a pair of semi-detached chalet dwellings with a ridge line parallel to the road and dormers of an appropriate size to the visual mass of roof, the chalet bungalows are considered to advocate good design. The rear extensions whilst appearing rather squat are not visible from the public domain.

The hardstanding parking and turning areas are considered to be acceptable.

Impact upon Neighbour Amenity

Third Party representations and the Parish Council are concerned about the proposal causing overshadowing, overbearing and overlooking issues. Additionally noise from the construction of the dwellings and general noise from the occupiers of the dwellings would be unacceptable.

"Coneywood", the property to the south of the site, adjacent to plot 2, has a bedroom window at first floor in its flanking elevation. However the setting back of plot 2, by a further 4m into the site compared to the previous submission, will mean that only part of the gable on the south elevation of the new house to Coneywood will be evident from this window along with the roof of the dormer. This overcomes the overbearing impact upon this neighbour.

In terms of the over-looking and over-shadowing, the high level rooflight on the south elevation roofslope will serve an en-suite only, a non-habitable room. Being sited due north of this neighbour there would be no detrimental overshadowing impact upon the amenity space. The two storey rear projection of plot 2 is some 2.4m away from the shared boundary of the site. With the eaves height at 3m and the roof height only 5.95m high the two storey rear projection is not considered to cause any detrimental overbearing impact.

"Leaves Green", the neighbour to the north of plot 1, benefits from a small amenity space. The northern most semi-detached property is set back from the shared boundary by 2m and with its siting more than 11m back from the pavement, only 5m of the northern elevation of the property will be prevalent to this neighbour. Whilst the semi-detached dwellings are 1m taller than the existing hipped roof bungalow on the site, setting the proposed bungalows back on the site, beyond the footprint of the existing bungalow, will avoid the detrimental overshadowing of this neighbour's property. By revising the siting of the dwellings in this application, the overbearing issues with this previous application have been addressed. The window to the dining area and living area will be positioned beyond this neighbour's

boundary and behind. Additionally the velux window in the north elevation serves a bathroom, a non-habitable room.

The neighbour to the rear of the site would not be detrimentally affected by virtue of the separation distance of 10m from the rear of the properties to the shared boundary. Outlook from the windows on the rear of the property will be towards the rear of this neighbour's long garden and not immediately into a private amenity area. The neighbour on 55 Lynn Road is 28m away from the rear elevation of the proposed property.

The neighbours opposite the site are some 15m away from the proposal and are therefore not considered to be unduly affected.

The noise experienced during the construction of the dwellings will be for a minimal period and it is not considered necessary to impose a planning condition in this respect. The use of the site for residential purposes is already deemed to be acceptable and it would be unreasonable to refuse the application on the grounds of noise and disturbance from additional residential accommodation.

Highway Safety

Third Party representations are concerned about the increase in the number of vehicles using Sandy Way.

The Highways Officer has stated that the site provides an improved means of access and adequate parking and turning provision and has no objection to the proposal subject to conditions in respect to the laying out of the access as indicated on the submitted plan 1022-15b; in respect of the removal of permitted development rights for the erection of gates, bollards and chain or other means of obstruction, the securing of a 2m parallel visibility splay and proposed access, and on-site parking and turning area being laid out in accordance with the plans.

Other material Considerations

Third Party Representations are concerned about the damage to roads, infrastructure and structural integrity of the adjacent properties during the construction period. Any damage to the public highway would need to be reported to Norfolk County Council and any damage to adjacent properties would need to be addressed through civil action. However both issues are not considered to be material planning issues.

The Environmental Quality team has no objection to the proposal subject to conditions.

CONCLUSION

Members will need to consider whether the proposal has overcome the four reasons for refusing the last application. The proposed detached properties were cramped on the site, of poor design, caused unacceptable overbearing issues upon adjacent neighbours and not serviced by adequate parking provision.

It is your officer's opinion that the revised semi-detached chalet dwellings are considered to be of a scale, siting and appearance as to overcome the reasons for refusing the 2 detached dwelling scheme.

The revised scale and siting is also considered to overcome the overbearing impact of the previous scheme advocated. Stepping the pair in from the shared boundaries also

overcomes the cramped form of development that the detached properties previously advocated. Finally, the design of the proposed chalet dwellings are considered to be acceptable, and suitable parking arrangements are provided. Subject to conditions the proposal is considered to constitute sustainable development and complies with the provisions of the National Planning Policy Framework and National Planning Practice Guidance and relevant policies of the Local Plan.

RECOMMENDATION:

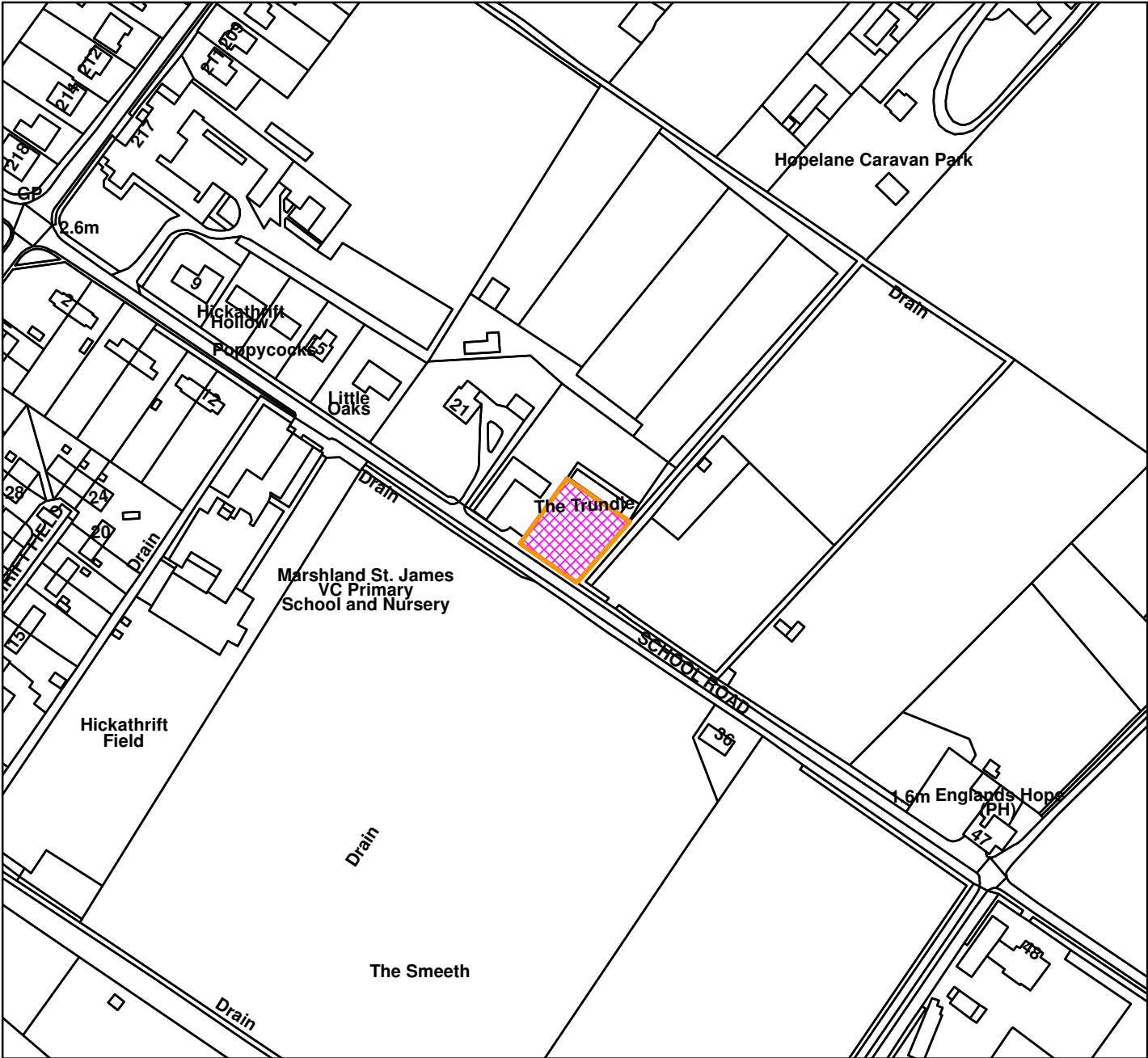
APPROVE subject to the imposition of the following condition(s):

- 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:-
 - Proposed Plans and Elevations drawing no. 1022-15b dated 17th July 2015 received 17th July 2015.
- 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 commencement of the use hereby permitted the vehicular access (indicated for improvement on drawing no. 1022-15b) shall be upgraded/ widened to a minimum width of 4.5 metres in accordance with the Norfolk County Council residential access construction specification for the first 2 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.

- 5 Reason In the interest of highway safety and traffic movement.
- 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 2 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage (and additionally along the flank frontage of the adjacent property as outlined in blue on the submitted details). The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 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 and turning area shall be laid out 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.

15/00985/F

Land at School Road Marshland St James



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:2,500

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	24/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(i)

Parish:	Marshland St James	
Proposal:	Construction of terraced housing consisting 2 x 2 bedroom and 2 x 3 bedroom dwellings (4 in number) on former farm yard	
Location:	Land at School Road Marshland St James Norfolk	
Applicant:	Client of Hereward Services	
Case No:	15/00985/F (Full Application)	
Case Officer:	Mr K Wilkinson Tel: 01553 616794	Date for Determination: 18 August 2015

Reason for Referral to Planning Committee – Called in at the request of Councillor Brian Long, and recommendation contrary to previous appeal decision.

Case Summary

The site lies on the north-eastern side of School Road, Marshland St James approx. 250m from the Hickathrift crossroads (junction of Smeeth Road, Walton Road and School Road). It comprises an area of former farmyard which is now unkempt grassland commonly used for parking and turning of vehicles at school drop-off and pick-up times (Primary School lies some 100m away on the opposite side of the road). It is enclosed by a barn style dwelling 'The Trundle' to the north-west, stables to the rear beyond a close boarded fence and mature hedgerow and tree to the south-east with agricultural land beyond.

The site was identified as being beyond the development area of the village and has been the subject of historical refusals and a dismissed appeal (copy appended to this report for reference).

This application seeks full permission for the construction of a terrace of 4 dwellinghouses (two 2 bed & two 3 bed units) with a central undercroft access and associated parking and turning area to the rear.

It has been called in for determination by the Planning Committee at the request of Cllr Brian Long.

Key Issues

Principle of development
Impact upon form and character of the locality
Impact upon amenity of adjoining property
Highways implications
Flood risk
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The site (approx. 0.09Ha) lies on the north-eastern side of School Road, Marshland St James approx. 250m from the Hickathrift crossroads (junction of Smeeth Road, Walton Road and School Road). It comprises an area of former farmyard which is now unkempt grassland commonly used for temporary parking and turning of vehicles at school drop-off and pick-up times (Primary School lies some 100m away on the opposite side of the road). It is enclosed by a barn style dwelling 'The Trundle' to the north-west, stables to the rear beyond a close boarded fence and mature hedgerow and tree to the south-east with agricultural land beyond.

The site was identified as being beyond the development area of the village and has been the subject of historical refusals and a dismissed appeal (copy appended to this report for reference).

This application seeks full permission for the construction of a terrace of 4 dwellinghouses (two 2 bed & two 3 bed units) with a central undercroft access and associated parking and turning area to the rear.

SUPPORTING CASE

The agent requests that the following statement of support is taken into consideration in determining this application:

"The site was chosen for its location in relation to the original Preferred Option for the village, ensuring its sustainability. It was further considered an ideal location for development having been unused and redundant for many years, latterly acting as an unauthorised turning area for visitors to the local school.

Sitting adjacent the village development boundary and bordered in such a way as to be isolated from the surrounding countryside, the site lent itself to development; the large hedge to the south-east forming a natural, physical boundary to the village. The design proposal was arrived at after local consultation and examination of need and the applicant's wish to provide homes for younger families in the village. This ethos was endorsed and supported by both the Parish Council and Ward Member."

PLANNING HISTORY

2/85/0052/O – Site for erection of dwelling – Refused 12.02.85

2/88/1373/O – Site for construction of bungalow – Refused 07.06.88 & dismissed on appeal 27.04.89

15/00263/F - Construction of terraced housing consisting of 2 x 2 bedroom and 2 x 3 bedroom dwellings (4 in number) on former farm yard – Withdrawn 27.04.15

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Local Highways Authority (NCC): NO OBJECTION subject to conditions

Internal Drainage Board: No Comments received

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

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: **OBJECTION** on the basis of mains sewerage not being indicated to be used on the application forms and concerns regarding vehicle noise

District Emergency Planning Officer: **NO OBJECTION** subject to conditions relating to signing up to 'Floodline' and production of an evacuation plan.

Environment Agency: **NO OBJECTION** subject to condition relating to Flood Risk Assessment if sequential and exception testing is passed.

REPRESENTATIONS

SIX letters of **OBJECTION** received raising concerns regarding the following matters:

- Noise and disturbance – impact upon adjoining stables/horses causing adverse safety implications and Human Rights affected in particular Protocol 1, Article 1 which states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land;
- Overlooking and loss of privacy;
- Overshadowing;
- Boundary position – there is a 1m strip between the boundary wall of The Trundle and the adjoining land, which does not appear to have been taken into consideration;
- The development will adversely change the whole character of the neighbourhood – terrace out of context in terms of design and style in comparison to others along School Road;
- Traffic matters – the site lies beyond the 40mph speed limit and is prone to congestion especially at school times – no pedestrian pavement in this part of School Road resulting in road safety concerns. Increased traffic movements associated with new development will adversely affect School Road, which is extremely busy at times with farm, school and additional proposed housing traffic. This is too much for a countryside road;
- The site lies outside the development area of the village and should remain so – to allow this would set a precedent for additional development;
- There has been an attempt to secure development by neglect - site would be better used as a pony paddock or other agricultural use;
- The justification on the basis of the existence of the travellers' site is not relevant as that site does not contain permanent structures/dwellings and cannot be seen from the proposed site;
- The four properties are not 'affordable housing' as defined by the Department for Communities and Local Government 2012, they are low-cost houses tightly built on a small plot; and
- Concern that properties will be purchased by 'buy-to-rent' landlords and over-populating the houses with migrant workers as is happening in Wisbech and other towns around the country.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

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

OTHER GUIDANCE

Marshland St James Parish Plans

PLANNING CONSIDERATIONS

The key considerations in assessing this proposed development are considered to be as follows:

- Principle of development
- Impact upon form and character of the locality
- Impact upon amenity of adjoining property
- Highways implications
- Flood risk
- Other material considerations

Principle of development

As stated the site falls outside of the development boundary identified in the Local Plan, where normally new development is restricted.

However, members will be aware that as a result of an appeal decision at Clenchwarton (former Fosters sports fields) and a recent High Court ruling, the Council does not have a 5 year land supply.

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 and states: "For decision-taking this means:

...where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: 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".

Given that housing supply policies in the Borough are deemed to be out of date in the absence of a 5 year supply, the main consideration is therefore whether the proposal constitutes sustainable development.

The application site is a sustainable location as indicated in the assessment undertaken as part of the LDF review. It was not chosen as a preferred option as two other sites were considered to be more suited (sites G57.2 & G57.1) the latter for 15 dwellings is situated on the opposite side of the road and adjoins the Primary School.

The site is close to the school and within easy walking distance to the public house (The Marshland Arms) and village hall – all the facilities available within Marshland St James.

It is considered that the benefits associated with the provision of these 4 additional dwellings in this relatively sustainable location, would make a small, but positive contribution to addressing the shortfall of the five year land supply.

Impact upon form and character of the locality

School Road comprises a mix of property types and styles including Hickathrift House (residential care home), substantial detached houses and bungalows set in large grounds, a barn conversion, semi-detached houses and the 1960s style school.

The proposed dwellings are in a terraced format with a central undercroft driveway leading to a rear parking and turning area. The appearance of this block has been the subject of change with modified plans simplifying the appearance and pitch of the roofline. The dwellings are positioned approx. 6.6m back from the road with a dwarf wall and railings enclosed front garden arrangement, plus private gardens to the rear with parking beyond. This presents a continuation of the frontage development that forms the character of this part of School Road. The hedgeline to the south-eastern side of the site is to be retained and constitutes a 'soft' edge to the built-up frontage.

It will be noted from the appeal decision in 1989 (appended to this report) that the characteristics of this land have changed over the intervening years, in that the site is contained by an established hedge and is no longer "part of one continuous open area unobstructed by physical features." There would no longer be a protrusion of the built form into the countryside.

Therefore in terms of impact upon the form and character of this locality, the proposal is now considered to be acceptable.

Impact upon amenity of adjoining property

Concerns have been raised by the neighbouring residents at The Trundle in terms of overlooking, overshadowing and position of boundary.

Given the separation distances (9.5m at nearest point), orientation of windows to front and rear (blank gables) and existing boundary treatment (2m high brick wall and close-boarded fence), it is considered that the inter-relationship between the proposed dwellings and The Trundle is acceptable.

With regards to noise and disturbance, there would be some disturbance during the construction phase which is to be expected. From the residential use, the activity would be contained to the rear of the dwellings – gardens and parking area. The equine activities to the rear of the site would be beyond a timber boundary fence and existing stable block. There are no concerns raised by our colleagues in Community Safety & Neighbourhood Nuisance with regards to this proposal.

There is a boundary dispute between the applicant and the owners of The Trundle relating to a 1m strip of land adjacent to the wall. This is a matter of civil law and will need to be resolved between the two parties. Land registry title plan shows all of the site as being within the applicant's ownership.

Highways implications

As stated above, there is a central access drive leading to a parking and turning area to the rear of the dwellings. 11 parking spaces are provided to serve the 4 dwellings (i.e. 2 per dwelling plus 3 visitor spaces). This comfortably meets the NCC parking standards to serve such a development. A wall and railings have been introduced along the frontage of the site to ensure that vehicles will use the dedicated parking area and avoid abuse from parking associated with the school.

Visibility splays are acceptable, but County Highways recommend that the speed restricted area is extended further eastwards to a point beyond the site. This may be achieved via condition.

Local concerns have been raised regarding highway safety issues at school times, but any congestion is short-lived and County Highways consider that it would not be significantly affected by this self-contained development.

Flood risk

The application site lies within Flood Zone 3 of the Council-adopted Strategic Flood Risk Assessment and the application is accompanied by a Statement of Justification which contains a section on Flood Risk. The proposal passes sequential testing as there are no alternative sites identified as being available to take this development in a lower risk area within the village. The exception test is also passed as the benefits to the community outweigh any flood risk concerns and the development is considered to be safe – a view confirmed by the Environment Agency (EA).

Our Emergency Planning Officer has recommended that the residents sign up to the EA's Floodline service and an evacuation plan is prepared. These matters may be controlled via condition.

Other material considerations

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

Foul water is to be disposed of via the mains sewer and surface water will be controlled via condition.

Given the former use of the site as a farmyard, there could be potential contamination issues, but this matter may be controlled via conditions as recommended by our Environmental Protection team.

There is an ash tree in the south-eastern corner of the site which has been discussed with our Arboricultural Officer. It appears to be self-set, is multi-stemmed and of no significant amenity value. Its loss is considered to be acceptable.

There is an electricity power line adjacent to the south-eastern boundary, but this is not thought to be affected by the proposed development and could be repositioned if necessary at the applicant's expense. The electricity operator was consulted on this proposal, but has not responded to date.

The agent has tabled a deed of covenant relating to the tenure and disposal of these houses, this is however a matter between the applicant and the Parish Council as the site is below the threshold for affordable housing provision as defined in Core Strategy Policy CS09 of the LDF. For planning purposes these are open market properties. If the applicant wishes to pursue this matter with the Parish Council, that is his prerogative, but the Local Planning Authority would not be party to any such agreement.

CONCLUSION

In light of recent changes in relation to housing supply policies in the borough and the need to provide a 5 year supply of deliverable housing sites, this proposal is considered to constitute a sustainable development that would not adversely affect the form and character of this locality. Whilst the site was dismissed at appeal in 1989 for the erection of a bungalow, the form and character of the area has changed, and the 5 year land supply issue is a material consideration deemed to carry significant weight. All other matters of planning importance may be controlled via condition and the proposal is considered to be acceptable subject to certain conditions stated below.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be 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: 14-MSJ-02 Revision A & 14-MSJ-03 Revision A.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 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'.

- 3 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.
- 4 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.
- 4 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.
- 5 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.

- 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 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 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, 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 5.

- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 7 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan 14-MSJ-02 Revision A 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.
- 7 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 8 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 8 Reason In the interests of highway safety.
- 9 Condition Prior to the first occupation of the development hereby permitted, 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.
- 9 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 10 Condition Prior to the first occupation of the development hereby permitted, a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage.

The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.9 metres above the level of the adjacent highway carriageway.

- 10 Reason In the interests of highway safety.
- 11 Condition No works shall commence on the site until the Traffic Regulation Order for relocating the extent of the 40 mph speed limit has been promoted by the Highway Authority.
- 11 Reason In the interests of highway safety.
- 12 Condition The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk section of the Statement of Justification, dated February 2015 by Hereward Services, and the following mitigation measure detailed within the FRA:
- Finished floor levels are raised 300mm above the existing ground level of School Road, set at a minimum level of 2.10m above Ordnance Datum (AOD).

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

- 12 Reason To reduce the risk of flooding to the proposed development and future occupants; in accordance with the provisions of the NPPF.
- 13 Condition Prior to occupation of the dwellings hereby approved, evidence of the following shall be submitted to and agreed in writing by the Local planning Authority:
- The occupiers shall sign on to the Environment Agency's Floodline Warnings Direct service;
 - A flood evacuation plan shall be prepared - to include actions to take on receipt of the different warning levels, evacuation procedures (e.g. isolating services and taking valuables etc.) and evacuation routes.

The plans shall be executed as agreed.

- 13 Reason In order to protect the development, and future residents, at times of flooding in accordance with the provisions of the NPPF.
- 14 Condition Notwithstanding the submitted plans, prior to the commencement of development, full details of proposed site levels (including patios, footpaths etc.) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with those details agreed.
- 14 Reason In order to prevent an increased risk of flooding and residential amenity in accordance with the principles of 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.

- 15 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.
- 15 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 16 Condition Prior to occupation of the dwellings hereby approved, the dwarf wall and railings along the frontage of the site shall be constructed in accordance with the approved plans, and maintained in that condition thereafter.
- 16 Reason In the interests of highway safety and residential amenity in accordance with the provisions of the NPPF.
- 17 Condition No development or other operations shall commence on site until the existing hedgerow to be retained along the south-eastern boundary of the site, has been protected in accordance with a scheme that has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of the 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.
- 17 Reason To ensure that existing hedgerow is properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to the hedge during the construction phase.



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Your reference:

JRM/klp/2393

Our reference:

T/APP/V2635/A/88/110239/P

Date:

27 APR 89

DISTRICT PLANNING OFFICE

RECEIVED

- 3 MAY 1989

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR R S MARKILLIE
APPLICATION NO:-2/88/1373/O

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the King's Lynn and West Norfolk Borough Council to refuse outline planning permission for the erection of a bungalow on land adjoining Hickathrift Farm, School Road, Marshland St. James. I have considered the written representations made by you and by the Council, and also those made by the Marshland St. James Parish Council, the Anglian Water Authority, and other interested parties. I inspected the site on 17 April 1989.
2. The appeal site is on the north side of School Road to the east of its junction with Smeeth Road. It consists of a flat area of grassland with a derelict corrugated iron structure located close to its northern boundary. There is no physical barrier between the appeal site and a larger grassed area to its north. To the east is an area of unbroken farmland separated from the appeal site by a ditch. West of the site is the walled complex of farm buildings at Hickathrift Farm, beyond which is its two-storey farmhouse. Opposite the appeal site on the south side of School Road is a further expanse of flat grassland to the east of a primary school.
3. From my inspection of the site and its surroundings and the written representations I consider that the main issue in this appeal is whether the erection of a dwelling on this site would unacceptably harm the rural character and appearance of the locality.
4. Marshland St. James is a linear settlement consisting of development on both sides of Smeeth Road. An arm to this linear pattern extends eastwards along School Road to the farm buildings of Hickathrift Farm on its northern side and including the primary school on the south side of the road. To the east of these points in School Road the settlement pattern becomes much more dispersed with open farmland intervening between isolated buildings, and this is recognised in the Council's non-statutory Village Guideline for Marshland St. James, produced in accordance with Policy H6 of the approved Norfolk Structure Plan.

5. I consider that the guideline is a realistic document, since it includes all of the more or less continuous ribbon of development at the western end of School Road within the settlement boundaries, but excludes the sporadic pattern of buildings to its east. The appeal site lies immediately to the east of the defined settlement boundary, and is separated from the main mass of open land to its east by a drainage ditch. Nevertheless, I consider that the western wall of the farmyard makes a more clear-cut boundary to the village than the ditch.

6. Consequently, although separated from the main belt of farmland to the east by a watercourse, to my mind the appeal site is part of one continuous open area unobstructed by any prominent physical features. Therefore, I am firmly of the opinion that its residential development would be contrary to structure plan Policy H7, as it would not enhance the form and character of Marshland St. James. Instead I consider that, in the absence of any special justification for a new dwelling outside a village, in breach of Policy H8 of the structure plan, it would constitute an unwarranted urban intrusion into predominantly open countryside and would thereby be out of keeping with the rural character of the area.

7. In reaching my conclusions on this appeal I have taken careful account of all the matters raised in the representations, including the fact that the site has in the past been part of the adjoining farmyard, but do not consider these to be of sufficient weight to alter my decision.

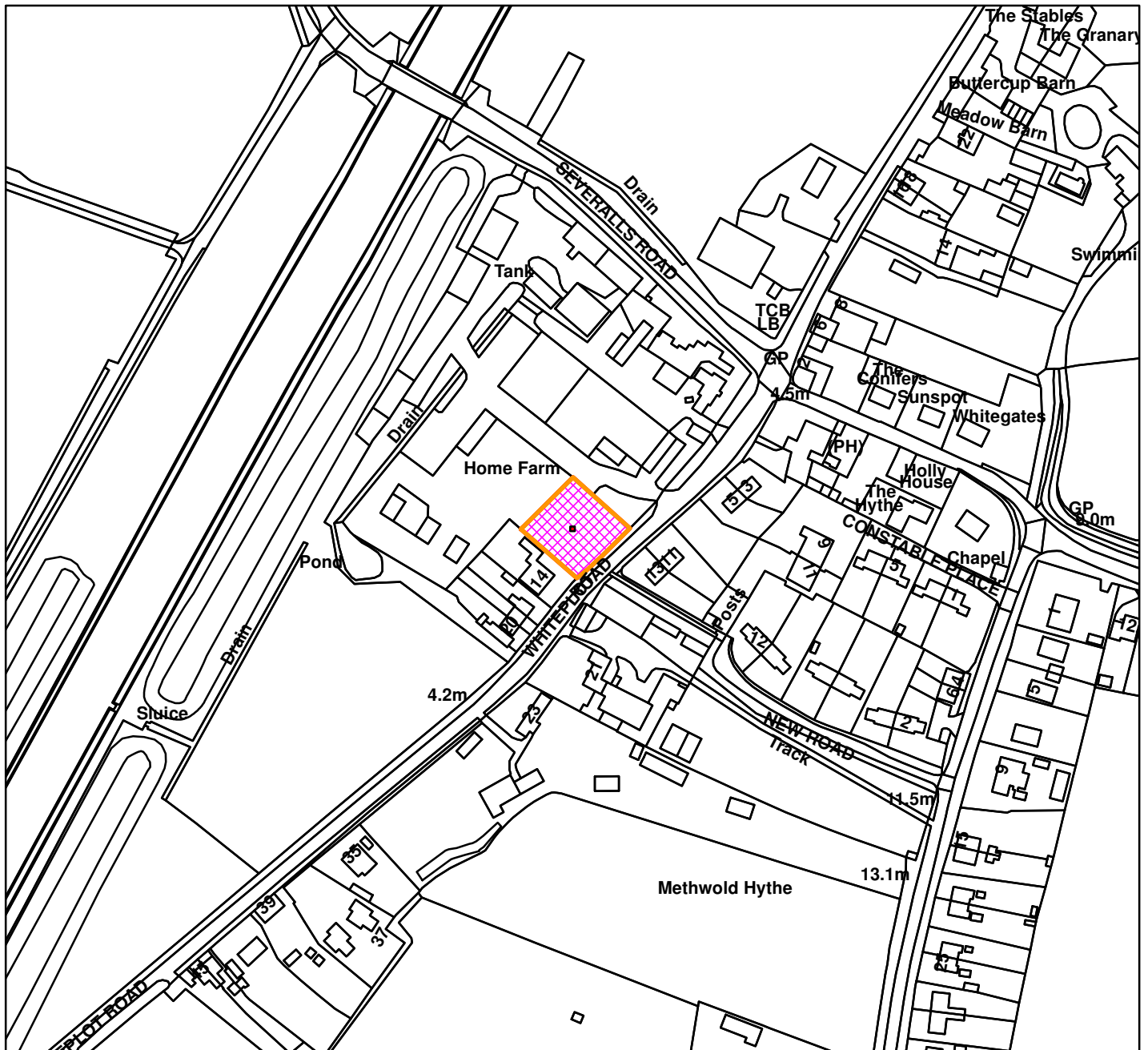
8. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir
Your obedient Servant

I. Currie

I W CURRIE BA MPhil ARICS MRTPI
Inspector

Land North East of 14 Whiteplot Road Methwold Hythe



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



Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	18/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(j)

Parish:	Methwold	
Proposal:	Outline application for 2no detached 2/3 bedroom dwellings	
Location:	Land North East of 14 Whiteplot Road Methwold Hythe Norfolk	
Applicant:	Mr & Mrs McGroary	
Case No:	15/00845/O (Outline Application)	
Case Officer:	Mrs H Morris Tel: 01553 616481	Date for Determination: 28 July 2015 Extension of Time Expiry Date: 11 September 2015

Reason for Referral to Planning Committee – A proposal for the construction of 2 No. dwellings on the site was dismissed at appeal in 1999.

Case Summary

The application site comprises land on the north western side of Whiteplot Road, Methwold Hythe. There are existing residential properties immediately to the south west and farm buildings to the north east.

Methwold Hythe 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 (2012) 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 outline planning permission with all matters reserved for 2 no. detached 2/3 bedroom 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 outline planning permission with all matters reserved for 2 no. detached 2/3 bedroom dwellings.

The application site comprises land on the north western side of Whiteplot Road, Methwold Hythe. There are existing residential properties immediately to the south west and farm buildings to the north east.

Methwold Hythe 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 (2012) this is currently considered out-of-date given that this Council does not currently have a five year supply of deliverable housing sites.

SUPPORTING CASE

No information has been submitted in support of this application as a design and access statement was not required.

PLANNING HISTORY

2/98/1667/O – Site for construction of 2 dwellings. Planning permission was refused on 16th February 1999 and later dismissed at appeal.

2/94/0017/O – Site for construction of 2 dwellings. Planning permission was granted on 31st March 1994.

RESPONSE TO CONSULTATION

Parish Council: SUPPORT as long as the dwellings are affordable housing.

Highways Authority: NO OBJECTION subject to imposition of condition requiring submission of access, visibility and parking details.

Environmental Health & Housing – Environmental Quality: NO OBJECTION.

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

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

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Methwold Parish Plans

PLANNING CONSIDERATIONS

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

- The principle of development;
- Form and character;
- Neighbour amenity;
- Highway Safety;
- Other considerations; and
- Crime and disorder.

The Principle of Development

An application for the construction of two dwellings (2/98/1667/O) on the site was refused and later dismissed at appeal in 1999 on the grounds that the site lay outside the settlement boundary and would be in conflict with the Development Plan at that time.

Planning policy has changed somewhat since that appeal was dismissed, particularly given the recent High Court judgement which has determined this Council does not currently have a five year supply of deliverable housing sites. Whilst the previous appeal decision is a material planning consideration the current planning application must be determined in accordance with current planning policies.

The application site lies within the centre of Methwold Hythe which is defined as a Smaller Village and Hamlet (SVH) in the Settlement Hierarchy set out under Policy CS02 of the Council's adopted Core Strategy (2011). However, in accordance with the NPPF (2012), this is currently considered out-of-date given the lack of a five-year housing land supply. As a result, housing applications such as this should currently 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 currently considered out-of-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 centre of an existing settlement and whilst Methwold Hythe does not have many services and facilities and is therefore not a particularly sustainable location, the NPPF only specifies that local planning authorities should avoid new isolated homes in the countryside. In order to promote sustainable development in rural areas, the NPPF advises that housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

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

Form & Character

The application site comprises a gap within the otherwise built up frontage of this side of Whiteplot Road. Whilst at present not 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.

Whilst this application seeks outline planning permission only with all matters reserved, an indicative site layout plan (drawing no. 606-2) has been submitted which demonstrates that 2 no. detached dwellings could be satisfactorily accommodated on the site without harming the established form and character of the area.

Neighbour Amenity

The immediate neighbouring dwelling on the south western side (No.14 Whiteplot Road) is a detached bungalow which has at least 2 no. windows on its flank elevation. The submitted indicative layout plan (drawing no.606-2) states that the proposed new dwellings would be two storey and shows Plot 1 situated approximately 1 metre from the shared boundary. Depending on the eaves and ridge height of any detailed scheme, this may be acceptable. However, it may be considered necessary to inset the proposed dwellings further from the shared boundary or reduce the height to one or one and a half storeys in order to prevent any overshadowing or overbearing impact on the neighbouring bungalow.

Given the layout, scale and appearance of the proposed development are reserved for later consideration it is considered that the site can satisfactorily accommodate two dwellings without causing significant harm to the amenities of the neighbouring occupiers.

Highway Safety

Whilst Norfolk County Highways do not consider the application site to be in a sustainable location, they have raised no objection to the proposal subject to the imposition of a condition requiring the submission of access, visibility and parking details.

Other Considerations

Methwold Parish Council advised that they have no objection to the proposed development subject to the dwellings being affordable housing. However, they have not given any reasons for this and in terms of current policy there is no requirement for a residential development of 2 no. units to include any affordable housing provision.

There are no other material considerations relevant to this application.

CONCLUSION

The proposed development would result in the provision of a pair of dwellings on a site that currently forms a small gap within a continuously built-up frontage in the settlement of Methwold Hythe. Furthermore, in light of the Council not currently having a five-year supply of deliverable housing sites and local policies relating to the supply of housing currently being out-of-date, it is considered that the principle of residential development on the land is acceptable. The indicative layout plan also shows that 2 no. dwellings can satisfactorily be accommodated on the site, although it may be necessary for the layout and height of dwellings to be considered in relation to No.14 Whiteplot Road.

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



Appeal Decision

site visit held on Tuesday, August 24, 1999

The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by P M Brannan JP BSc CEng MICE MIHT

27 SEP 1999

an Inspector appointed by the Secretary of State for the
Environment, Transport and the Regions

Appeal : T/APP/V2635/A/99/1024678/P5

- 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 brought by Mr D McGroary against King's Lynn and West Norfolk Council.
- The site is located at land to the north of 14 Whiteplot Road, Methwold Hythe.
- The application (ref: 2/98/1667/0), dated 25 November 1998, was refused on 16 February 1999.
- The development proposed is for the construction of two dwellings.

Decision: The appeal is dismissed.

Procedural matters

1. The application for the construction of two dwellings on the appeal site was submitted in outline with all matters reserved for subsequent approval.

The Site and its surroundings

2. The site is situated on the north western side of Whiteplot Road with a frontage boundary defined by a rose hedge and the other three boundaries defined by a conifer hedge. To the north east of the site is Home Farm and number 2 Whiteplot Road. To the north east of 2 Whiteplot road is the junction of Whiteplot Road with Severalls Road. To the south west of the appeal site are numbers 14 to 20 Whiteplot Road. These dwellings and number 2 Whiteplot Road are within the settlement boundary as defined on the King's Lynn and West Norfolk Local Plan Proposals Map (Inset 93) but the settlement boundary steps forward to the highway boundary along the appeal site frontage. Immediately opposite the appeal site there are dwellings and other buildings of a rural nature.

Development Plan

3. The development plan for the area includes the Approved Norfolk Structure Plan (March 1993) and the King's Lynn and West Norfolk Local Plan adopted in November 1998. The application site lies outside of the settlement boundary as described above. That identifies the site as being in a countryside location and so the proposal falls to be considered having regard to Structure Plan Policy H.6 and Local Plan Policy 8/6.
4. Planning Policy Guidance Note 1 at paragraph 40 advises that Section 54A of the 1990 Act requires that, where the development plan contains relevant policies an appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise.

APPEAL DECISION

The main issues

5. From the above, from all the representations made to me and from what I saw when I visited the site I consider that the appeal turns on the following main issues. The issues are whether the proposal would conflict with the provisions of the development plan and if so whether there are material considerations that would warrant approval in this case despite the provisions of the development plan. In addition whether approval of this proposal would create a precedent for similar applications that the Council would then find hard to resist.

Inspector's reasons

6. Policy H.6 of the Structure Plan states that outside towns and villages planning permission for new residential development will not be given unless it is justified for an appropriate rural use as defined in the policy. The Local Plan Proposals Map shows the site to be outside the boundary of the settlement. Policy 8/6 of the Local Plan resists new development in the countryside unless there are special needs with regard to an existing business, the provision of local employment to strengthen the rural economy or for community purposes. Policy 8/6a states that new dwellings will not be permitted except in exceptional cases connected to rural employment. The proposal is for residential development contrary to the above quoted policies and so this appeal must be determined in accordance with those policies unless material considerations indicate otherwise.
7. The appellant has pointed out that the site has on three previous occasions enjoyed planning permission for the erection of two dwellings in 1988, 1989 and 1994 but that the latest of these has expired. That permission was granted on 31 March 1994 with conditions requiring the development to be commenced not later than two years from the date of the permission or six months after the approval of the last of the reserved matters. The appellant claims that those time limits were allowed to lapse because of market forces in the housing industry. The site was originally bought with the benefit of planning permission. Soon after the purchase the housing market collapsed leaving the appellant with plot costs that would have been extremely difficult to recover. It is also claimed that the last permission was granted after the new local plan policies were in being and so there have not been any changes in policy to alter the designation of the appeal site since that time. In those circumstances there is nothing that would justify its refusal.
8. The 1994 permission was granted with shorter time periods than normal for the submission and the approval of details, and for commencement of the works. The period for the commencement of works is usually five years but the Council shortened that to two years. The reason given by the Council for that action was to enable the Borough Planning Authority to reconsider the decision in the light of new local plan policies should further renewal be necessary. The expiration of the last permission has made a re-application for permission necessary. The Council considered the application in the light of up to date planning policies. The Plan containing those policies was adopted in November 1998. That is over two years after the last permission expired. The appeal site is not within the defined village as claimed by the appellant, it lies just outside of the western boundary of the settlement as defined on the Proposals Map. Consequently, I cannot agree that the circumstances have not changed sufficiently for the Council to come to a different conclusion in this matter and there is nothing of a material nature that would persuade me to that the appeal should be determined other than in accordance with the development plan.

APPEAL DECISION

9. Turning to the issue of precedence the acceptance of a proposal that is in direct conflict with the development plan without sufficient reason to overcome that conflict would make it difficult for the Council to refuse similar applications. The cumulative effect of similar proposals would erode the form and character of settlements by breaching the adopted boundaries that have been selected after public consultation. In my view, the approval of this proposal could be used as an example in the future to promote similar unacceptable schemes.
10. I have considered all the representations made to me including the appellant's financial difficulties concerning the development of the appeal but that consideration is not a planning matter. It is, therefore, my view that there is nothing so cogent as those matters on which I have based my decision.

Conclusions

11. For the reasons given above I conclude that the appeal should not, on balance, succeed and I shall exercise the powers transferred to me accordingly.

Ray Brannan.



The Planning Inspectorate

Room 12/02 West
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117-9878569
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8569

Ms K Wagg
King's Lynn And W Norfolk Bc
Head Of Legal Committee Services
King's Court
Chapel Street
King's Lynn
NORFOLK, PE30 1EX

Your Ref:
2/98/1667/0

Our Ref:
APP/V2635/A/99/1024678

12 August 1999

copy to Bro
16/8/99

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR D MCGROARY
SITE AT LAND NORTH OF WHITEPLOT ROAD, METHWOLD, HYTHE**

I am writing to inform you that the inspector appointed by the Secretary of State to determine the above appeal is

Mr P M Brannan JP BSc CEng MICE MIHT.

As part of the normal procedures, the inspector will be visiting the site. The purpose of the visit is to enable the inspector to assess the impact of the proposed development on the surrounding area. We understand that the site can be adequately viewed without any need to gain access to private land. The inspector will, therefore, visit the site, unaccompanied by the parties, during the week commencing 23 August 1999.

In general, decision letters are issued within 5 weeks of the date of the inspector's site visit, although we cannot be precise about individual cases. If despatch of the letter is likely to be significantly delayed, due for example to the receipt of late representations, we will let you know.

Yours faithfully

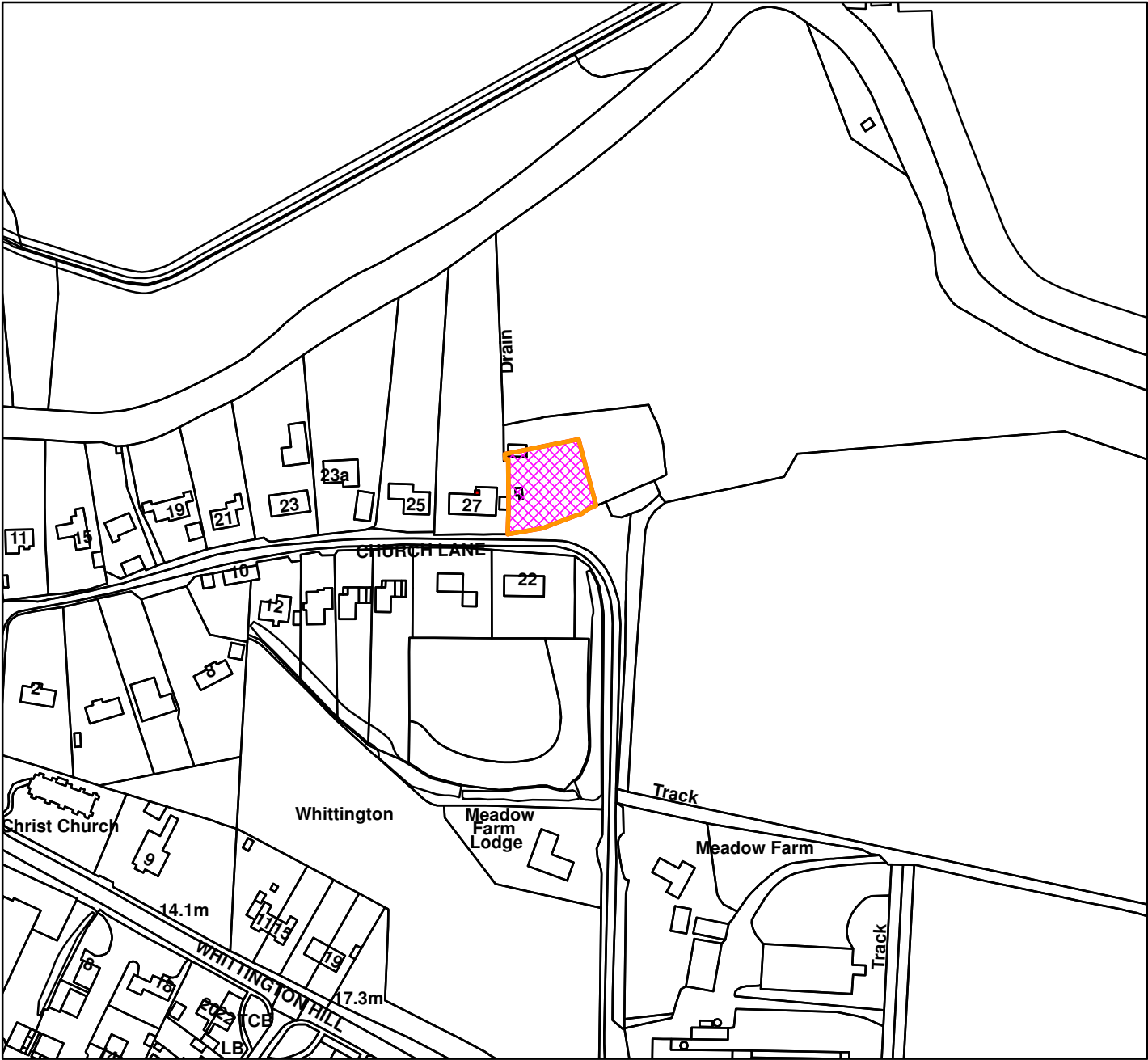
Mr S Rowden

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

209G

NORFOLK	
3	
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ICP	FILE
FILE No.	
B/U.....	

Land adjacent to No. 27 Church Lane Whittington



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	20/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(k)

Parish:	Northwold	
Proposal:	Proposed new chalet bungalow	
Location:	Land adjacent No 27 Church Lane Whittington King's Lynn	
Applicant:	Mr Mervyn Douglas	
Case No:	15/00884/F (Full Application)	
Case Officer:	Mrs N Osler Tel: 01553 616402	Date for Determination: 1 September 2015 Extension of Time Expiry Date: 11 September 2015

Reason for Referral to Planning Committee – Called in by Councillor Peake

Case Summary

Permission is sought for the erection of 1No detached dwelling. The site lies almost wholly within what was the settlement boundary of Whittington (as defined by the Local Plan proposal maps).

The rear of the site lies within flood zones 2 and 3, but the area where the dwelling is proposed is within flood zone 1. This difference between flood zones is due to a significant change in levels between the rear (north) and front (south) of the site.

Key Issues

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

Recommendation

REFUSE

THE APPLICATION

The application proposes 1No detached 2 / 3 storey, four-bed dwelling house that, due to significant changes in levels across the site, manifests itself from Church Lane as a chalet-style dwelling. Parking would be provided at the rear in under-croft garages; a domestic workshop is also proposed at this level.

The rear of the site lies within flood zones 2 and 3, but the front of the site (due to the changes in levels) lies at flood zone 1.

The site is located in Whittington, a Smaller Village and Hamlet.

SUPPORTING CASE

The Design and Access Statement that accompanied the application states:

1. BACKGROUND

i) Planning status

The proposed dwelling falls wholly within the Whittington development boundary which borders the application site to the north and east. The red line defines the proposed curtilage. The curtilage is arranged so as to exclude the flood plain.

ii) Planning history

It is understood that there is no known planning history which is relevant to this application.

2. DESIGN CONSIDERATIONS

i) Site description

The site slopes gently downward to the north from Church Lane. There are existing chalet bungalows to the west and opposite. These properties all have substantial garages served directly from Church Lane. There is a children's play area behind the bungalow opposite.

ii) Design and layout

The proposed new chalet bungalow is designed to closely match the existing properties in the vicinity. The overall scale, ridge height and floor slab levels and the roof pitch are determined by the existing properties on either side and opposite. As a result, the proposed new chalet bungalow fits in well with its neighbours and generally accords with Local Authority design guidance in terms of the street scene.

The driveway slopes down with the contours of the site. This reflects the vehicular arrangements next door at No 27. The garaging serving the proposed new dwelling is invisible from the highway.

iii) Materials

The proposed materials relate well to those used in the construction of the surrounding properties. The applicant is willing to discuss sample materials as necessary with a view to ensuring that the proposed new dwelling sits appropriately in the street scene.

3. ACCESS

The site is served by an, established, existing vehicular access onto Church Lane. There are satisfactory visibility splays in both directions. It is not considered that the proposal will have any significant effect on the highway generally'.

PLANNING HISTORY

An application for residential development of the site was withdrawn in February 2013 (12/02095).

RESPONSE TO CONSULTATION

Parish Council: No Comments received at time of writing report

Highways Authority: **OBJECT** for two reasons:

1. The unclassified road serving the site is considered to be inadequate to serve the development proposed by reason of its restricted width, lack of passing and restricted visibility at adjacent road junctions. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety which would be contrary to Core Strategy Policy 11.
2. The applicant does not appear to control sufficient land to provide adequate visibility at the site access. The proposed development would therefore be detrimental to highway safety which is contrary to Core Strategy Policy CS11.

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

Natural England: No Comments to make

Environment Agency: **NO OBJECTION**

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

REPRESENTATIONS

None received at time of writing report.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

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
- Form and Character
- Neighbour Amenity
- Highway Safety
- Flood Risk
- Other Material Considerations

Principle of development

The NPPF states that there is a presumption in favour of sustainable development and in relation to housing applications that they should be considered in the context of the presumption in favour of sustainable development.

Until recently the Core Strategy has taken a hard line in relation to new housing in the smaller villages and hamlets and followed a criteria based approach as set out in the NPPF in relation to isolated dwellings in the countryside i.e. meeting a need, re-use buildings or exceptional design.

However, national and local policy is changing with the NPPG (March 2014) and draft policy DM3 of the Site Allocations and Development Management Policies Pre-Submission Document (SA&DMP) suggesting that all settlements (including those with limited services and facilities) have a role to play in sustainable development in rural areas.

In May 2014 Planning Committee agreed that applications for new dwellings in smaller villages and hamlets should be considered on their own merits in accordance with the NPPG and draft DM Policy DM3, and a number of applications have since been approved.

With regards to assessing this particular application against the criteria outlined in DM3, the site does not represent the infilling of a gap within a continuous built-up frontage, but rather a continuation of existing linear development.

As such the proposal does not strictly accord with this emerging policy as should therefore be considered under Core Strategy Policy CS06. Both the NPPF and Policy CS06 seek to restrict new housing development in such countryside designations (unless necessary in connection with a rural enterprise). However, this is more relevant to isolated sites than sites within a defined settlement.

Notwithstanding this, a recent High Court Ruling has found that the Local Planning Authority (LPA) cannot demonstrate a five-year supply of deliverable housing sites. In such circumstances housing supply policies should not be considered up-to-date (para. 49 NPPF). Paragraph 14 of the NPPF states: At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking...For decision-taking this means...where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless 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'.

Form and Character

The proposed dwelling is of 2 / 3 storeys, but due to the significant level changes across the site manifests itself from the street as a 2-storey chalet-style dwelling.

There is no particular predominant built characteristic in the wider locality, and dwellings range in size, scale, materials, age and design. However, dwellings in the immediate vicinity of the site are characterised by chalet-style dwellings with dormer windows. Another general characteristic is that dwellings have smaller front gardens than rear (the former of which are normally laid to parking / turning areas). In these regards the proposal is considered representative.

The dwelling is considered to be of a scale, mass and design that relates adequately to the site and the wider locality would not be of detriment to the form and character of this particular part of Whittington.

Neighbour Amenity

The greatest impact from any development on this site would occur to the property to the immediate west of the site (No.27 Church Lane). However, other than the proposed veranda (screening of which could be suitably conditioned if permission was granted) the proposal would not result in overlooking, overbearing or overshadowing impacts that would warrant refusal and would not be dissimilar to other relationships along Church Lane.

Highway Safety

The Local Highway Authority (LHA) objects to the proposed development on the grounds of highway safety.

The LHA concludes that the visibility splays required cross land not in the control of the applicant. In order to address this issue a legal agreement would be required between land owners; no such agreement has been submitted. Additionally, the LHA consider that Church Lane itself, by reason of its restricted width, lack of passing and restricted visibility at its junctions with the A134 would result in conditions detrimental to highway safety.

The applicant has submitted additional information that has shown that the existing splay can be retained across land to the west (in front of No.27), but they have no control over the height of the existing wall. Unfortunately the existing wall is slightly too high to meet the recommended standard in Manual for Streets section 7.6. Furthermore the applicant has not been able to provide any evidence that they control land to the east.

Highway safety is a material consideration carrying significant weight and in this regard represents a specific policy in the NPPF (paragraph 32) that suggests development should be restricted. However, the applicant suggests that: *'It is plain that the kind of strictures being proposed by NCC Highways serve no purpose and do not reflect the broad thrust of planning policy in this instance'*. The applicant requests that Members be given the opportunity to view the access arrangements for themselves.

Flood Risk

Whilst parts of the site fall within areas at risk of flooding, the area where the dwelling is proposed lies within flood zone 1. As such the scheme is considered appropriate and neither the sequential nor exception tests are required. The Environment Agency has no objection to the proposed development and due to the location of the dwelling (within flood zone 1) did not request the submission of a flood risk assessment. Notwithstanding this, the dwelling has been designed in such a way that if flooding did occur it would affect the ground floor garages and workshop.

Flood risk is therefore not considered to be a constraint on development.

Other Material Considerations

There are no specific crime and disorder issues.

Foul drainage is to be by via a package treatment plant with surface water drainage via soakaways.

The site lies within the bufferzone of a SSSI. However, given the scale and nature of the proposed development it is not considered it would have any significant detrimental impact on the features on which the area was designed. Natural England has raised no objection to the proposed development.

Other than the Local Highway Authority, no objections have been received from either statutory consultees or third party representatives.

CONCLUSION

The site lies within the settlement of Whittington, and the development is considered to be of a scale, mass and design that relates adequately to the locality and the changes in levels of the site and would not result in any material visual or neighbour disamenity. It is therefore concluded, in this regard, that the proposal is acceptable.

However, the lack of ability to secure appropriate visibility for the site and the inadequacy of Church Lane and its junctions with the A134 suggests that there are significant and demonstrable reasons that outweigh the benefits of providing an additional single dwellinghouse.

The proposal is therefore contrary to the NPPF in general and specifically to paragraph 32 of the NPPF which requires safe and suitable access to the site a requirement reiterated in Core Strategy Policy CS11.

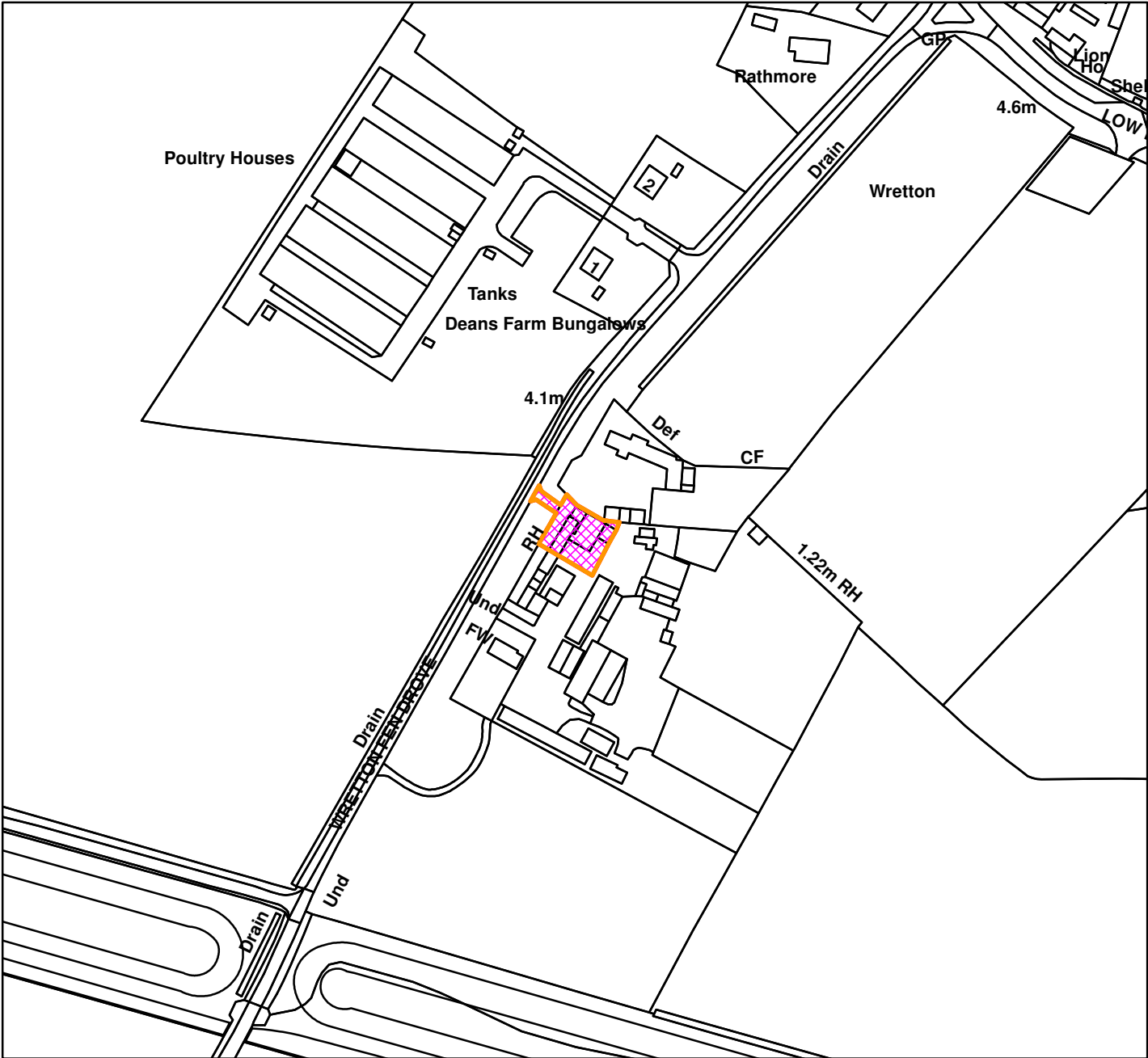
It is therefore recommended that this application be refused for the following reasons.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Church Lane is inadequate to serve the development proposed by reason of its restricted width, lack of passing and restricted visibility at adjacent road junctions (with the A134). The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety which would significantly and demonstrably outweigh the benefits of the scheme. The proposal is therefore contrary to the NPPF in generally and specifically to paragraphs 14 and 32 of the NPPF, and to Core Strategy Policy 11.
- 2 The proposed visibility splay (at Church Lane) crosses land not in the applicant's ownership and therefore not within their control. The applicant has therefore failed to show that suitable visibility can be achieved. The proposal, if permitted, would be detrimental to highway safety which would significantly and demonstrably outweigh the benefits of the scheme. The proposal is therefore contrary to the NPPF in generally and specifically to paragraphs 14 and 32 of the NPPF, and to Core Strategy Policy 11.

Plot South West of Marmic Wretton Fen Drove Wretton



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:2,500

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	17/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(I)

Parish:	Stoke Ferry	
Proposal:	Outline application for proposed residential development	
Location:	Plot SW of Marmic Wretton Fen Drove Wretton Norfolk	
Applicant:	M & M Norfolk Services Ltd	
Case No:	15/00950/O (Outline Application)	
Case Officer:	Mrs N Osler Tel: 01553 616402	Date for Determination: 12 August 2015 Extension of Time Expiry Date: 11 September 2015

Reason for Referral to Planning Committee – The application is made by a Councillor

Case Summary

Outline permission, with all matters reserved, is sought for the erection of a dwellinghouse following demolition of existing buildings on the site.

The site lies outside of the settlement boundary of Wretton (as defined by the Local Plan proposal maps) in land designated as countryside.

The buildings to be demolished form part of a wider mixed use site (in the same ownership as the application site) comprising B2 (car repair / sales), 'horsiculture' and the keeping of dogs. The buildings to be demolished have a B2 use (granted under application 2/88/4971/F which followed previous temporary consents (2/83/3106/F & 2/80/3084/F)).

Key Issues

Principle of Development
5-year Housing Land Supply
Flood Risk
Loss of Employment Land
Residential Amenity
Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The site is located along Wretton Fen Drove to the south of the defined settlement of Wretton in land designated as countryside, and forms part of a mixed use complex comprising Class B2 (car sales / repairs), 'horsiculture' and the keeping of dogs.

A residential dwelling lies to the immediate northeast of the site (Marmic) and another, in separate ownership, to the southwest (New House) beyond buildings in the applicant's ownership that are to be retained.

Outline permission, with all matters reserved, is sought for the erection of a dwellinghouse following demolition of existing buildings on the site.

SUPPORTING CASE

The application was accompanied by a Design and Access Statement, Flood Risk Assessment and Contamination Report.

The DAS suggests that:

- Stoke Ferry & Wretton are conjoined settlements as evidenced by the LPA's combined proposals map;
- The development would support and be supported by services in nearby Stoke Ferry and is thereby a sustainable location;
- One of the NPPF's core principles is to 'encourage the effective use of land by reusing land that has been previously developed (brownfield Land), provided that it is not of high environmental quality'. It is the applicant's view that the car repair workshop is unlikely to be classified as being of 'high environmental value';
- There is currently some doubt as to the availability within the borough of an identified, up-to-date and deliverable five year supply of housing land and therefore the policies pertinent to housing supply are considered to be out of date; and
- The development is an appropriate infill within an existing previously developed site.

The Flood Risk Assessment suggests that the development consists of a two-storey dwelling and that no sites within a 2km radius of the cut-off channel are outside of Flood Zone 3 and therefore the Sequential Test is passed.

The contamination report suggests that there is little potential for contamination.

PLANNING HISTORY

10/01673/F – Proposed erection of general storage building – approved

2/91/0784/O – Site for construction of dwelling – refused

2/89/1891/O – Site for construction of dwelling – refused

2/88/4971/F – Continued use of premises for motor vehicle repair and sales (permanent consent) – approved

2/87/3810/F – Construction of workshop for electrical repair business – refused

2/83/3106/F - Continued use of premises for motor vehicle repair and sales (temporary consent) – approved

2/80/3084/F - Continued use of premises for motor vehicle repair and sales (temporary consent) – approved

RESPONSE TO CONSULTATION

Parish Council: No Comments to make

Highways Authority: **NO OBJECTION** on highway safety grounds subject to condition

Internal Drainage Board: **NO OBJECTION** – see informative

Environmental Health & Housing – Environmental Quality: As the proposal involves demolition it is recommended that an asbestos condition be appended to any permission granted

Environment Agency: **NO OBJECTION** – see informative

Community Safety and Neighbourhood Nuisance: Have concerns in relation to disamenity from the existing business uses adjacent to the site. Whilst they do not object to the proposed development they do not support it either.

REPRESENTATIONS

None received at time of writing report.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Principle of Development
- 5-year Housing Land Supply
- Flood Risk;
- Loss of Employment Land
- Residential Amenity
- Other Material Considerations

Principle of Development

At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF gives no succinct definition of sustainable development but states, at paragraph 6, that: 'The policies in paragraphs 18 to 219 [of the NPPF], taken as a whole, constitutes the Government's view of what sustainable development in England means in practice for the planning system'. It goes on to say that housing applications should be considered in the context of sustainable development.

Until recently the Core Strategy has taken a hard line in relation to new housing in the smaller villages and hamlets (of which Wretton is one) and followed a criteria based approach as set out in the NPPF in relation to isolated dwellings in the countryside i.e. meeting a need, re-use buildings or exceptional design.

However, national and local policy is changing with the NPPG (March 2014) and draft policy DM3 of the Site Allocations and Development Management Policies Pre-Submission Document (SA&DMP) suggesting that all settlements (including those with limited services and facilities) have a role to play in sustainable development in rural areas.

In May 2014 Planning Committee agreed that applications for new dwellings in smaller villages and hamlets should be considered on their own merits in accordance with the NPPG and draft Policy DM3, and a number of applications have since been approved.

Emerging policy DM3 states *'New housing in the smaller villages and hamlets will be limited to the provision of affordable housing under the rural exception policy and to the provision of housing essential for the operation of the rural economy.'*

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

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

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

For the following reasons it is not considered that the proposed development accords with this emerging policy: First, there is no gap. The proposal requires demolition of existing buildings (with a current employment use (the loss of an employment use is covered below)) to make space for a new dwelling. Second, two dwellings do not constitute a continuous built-up frontage but rather sporadic development. Third, it is not considered that a dwelling in this location would be in keeping with the essentially rural character of the locality. Furthermore, the site also lays outside of the previous settlement boundary as shown on the Local Plan Proposals Map 1998.

In summary, for the reasons outlined above, it is the view of officers that the proposed development does not accord with emerging policy DM3.

The proposal should now be considered against Core Strategy Policy CS06 which, in consistency with paragraph 55 of the NPPF, seeks to protect the character and beauty of the countryside and restrict new dwellings in the countryside unless there are special circumstances such as:

- The essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- The because of the exceptional quality or innovative nature of the design of the dwelling.

The proposal does not accord with any of these enabling criteria.

In this regard, whilst some time ago, the previous refusals / dismissal on an adjacent site are pertinent because they are essentially for the same (demolition of existing building(s) and replacement with one dwellinghouse). The only difference was that the site was adjacent to the southern dwelling (New House) rather than the northern dwelling (Marmic). The appeal decision (T/APP/V2635/A/91/192732/P8) is appended.

The appellant suggested that whilst in the countryside, the development would have built form on three sides and that the replacement of the building(s) with a dwelling would enhance the appearance of the locality. The Inspector however felt that the wider site (the two dwellings and a number of buildings associated with the applicant's business activities) were set within open agricultural countryside.

He concluded that that the proposal represented consolidation of the existing sporadic residential development in the area together with associated residential activity, and would be detrimental to the existing rural character of the area.

In summary, for the reasons outlined above, it is the view of officers that the proposed development does not accord with Core Strategy Policy CS06.

5-year Housing Land Supply

Notwithstanding the above, a recent High Court Ruling has found that the Local Planning Authority (LPA) cannot demonstrate a five-year supply of deliverable housing sites. In such circumstances housing supply policies should not be considered up-to-date (para. 49 NPPF). Paragraph 14 of the NPPF states: At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking...For decision-taking this means...where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless 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'.

Taking the above into account, the Inspector in the aforementioned appeal concluded that a new dwelling would be *'visually obtrusive, and would constitute an extension of residential development in a rural area outside the defined village development limits... [that would be] detrimental to the essential rural character of the area'*. However, in this regard your officers do not believe that a dwelling in this location, given its context, would be of significant and demonstrable harm to the character of the countryside.

However, the application site is removed from the settlement proper, and is only linked by Wretton Fen Drove (a narrow road which lacks footpaths and lighting). This route would not provide a safe or comfortable route either for pedestrians or for cyclists, particularly after dark or in inclement weather and prospective occupants of the house would have to rely on the use of the private car to satisfy their needs. As such the proposal is contrary to paragraph 32 of the NPPF which requires development to be safe and accessible for all people. On the basis of the above, the proposed development is not considered to fall within the concept of sustainable development contained within the NPPF.

Flood Risk

The footnote to paragraph 14 (of the NPPF) mentions specific policies in the Framework that indicate that development should be restricted. It gives some examples, one of which is flooding, but the list is not exhaustive.

The site is in an area at significant risk of flooding (Flood Zone 3 as shown on the Local Authority's Strategic Flood Risk Assessment Maps).

The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. The aim of the sequential test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available alternative sites appropriate for the proposed development in areas with lower probability of flooding.

The NPPF goes further and states that if, following application of the Sequential Test it is not possible, consistent with wider sustainability objectives, for the development to be located in zones of a lower probability of flooding the Exception Test can be applied if appropriate. For the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and that a site specific FRA must demonstrate that the site is safe.

Contrary to the findings of the Flood Risk Assessment, the vast majority of Wretton is not at risk of flooding and the LPA believes there may be sites within the settlement of Wretton that are available and are not at risk of flooding. Notwithstanding this, it is the applicant / agent's responsibility to furnish the LPA with the information to undertake the sequential test – the FRA lacks any such information. As such it is concluded, from the limited information available to the LPA, and without any information to contradict this conclusion, that the development fails the sequential test. It could be argued that the dwelling could be located to the rear of the site – in flood zone 1. However, such a scenario would result in all the residential paraphernalia being to the front of the dwelling. Not only would this be obtrusive and of detriment to the character of the countryside, it would result in poor amenity to occupiers of the new dwelling.

Even if the development passed the sequential test, the Exception test must also be passed. For the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and that a site specific FRA must demonstrate that the site is safe. It is not considered that the benefit of one market house would outweigh the risks associated with flooding. Therefore, notwithstanding the fact that the proposal could potentially be made technically safe the proposal fails the Exception Test.

As a result the development fails both the sequential and exception tests and is therefore considered to be contrary a specific policy in the NPPF that, regardless of the lack of a five-year housing supply, indicates development should be restricted.

Loss of Employment Land

Core Strategy policy CS10 states *'The Council will seek to retain land or premises currently or last used for employment purposes (including agricultural uses) unless it can be demonstrated that:*

- Continued use of the site for employment purposes is no longer viable, taking in to 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'.*

No evidence or justification has been given for the loss of the employment use. The applicant did suggest (during the site visit) that the unit(s) to be demolished are currently only being used for hobby (rather than paid employment). However, this does not equate to justification.

On this particular issue the Government has made it clear that in certain instances the market should dictate whether the demand for housing outweighs the demand for certain business uses, and an evolving change of use regime is emerging. However, in this regard the proposal does not fall into any of these permitted changes (not only because they are not for conversion) but because B2 uses are not included.

Notwithstanding this, the proposal represents the loss of a small element of a wider rural employment site and it is therefore considered that the harm would not be sufficient enough to warrant refusal.

Whilst the Community Safety and Neighbourhood Nuisance Team have concerns relating to the proximity of the site to existing business uses, they have not objected to the development. In this regard, if considered acceptable, a condition could be appended to any permission granted tying the dwelling to the wider site. However, there is currently an existing un-associated dwellinghouse in the southwest corner of the wider site. A conversation with CSNN has confirmed that that no complaints have been received from occupiers of this dwelling in relation to the wider site. It is therefore unlikely that such a condition would be either necessary or reasonable and would therefore fail the conditions tests as laid out in the NPPG.

Impact on Residential Amenity

Although this cannot be fully assessed given the outline nature of the application, it is considered that any material overshadowing, overlooking or overbearing impacts could be designed out.

Crime and Disorder

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

Other Material Considerations

It is considered that contamination, asbestos removal, drainage, parking provision and highway safety could all be suitably addressed by condition if permission was granted.

CONCLUSION

In summary, on the plus side, the proposal would represent the provision of an additional dwellinghouse on a brownfield site that would not be of significant or demonstrable harm to the intrinsic character of the countryside. However, the site is isolated and lacks accessibility, and, in relation to flood risk, fails both the sequential and exception tests. It is therefore concluded that, on balance, the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF when taken as a whole and additionally to a specific policy in the Framework that indicates development should be restricted'.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed development is located within open countryside and does not accord with the enabling criteria of the NPPF in relation to new dwellings in such locations (e.g. essential for a rural worker). It would result in consolidation of existing sporadic residential development in a wider countryside setting that, together with associated residential activity, would be of detriment to the rural character of the area. The location of the development, that is connected to Wretton only by a narrow, unlit road with no footpaths, suggests that walking or cycling are likely to be impractical and that occupants of the proposed dwelling would be largely dependent on car borne travel. On this basis the proposal is not considered to fall within the concept of sustainable development contained within the NPPF. The proposal is therefore contrary to the NPPF in general and specifically to paragraphs 32 and 55 of the NPPF, Core Strategy Policies CS08, CS11 and CS12 and emerging Development Plan Policy DM1.
- 2 It has not been proven to the satisfaction of the Local Planning Authority (LPA) that the proposed development is in a sequentially preferable location. Further, whilst it may be possible to make the development safe, the development would not provide wider sustainability benefits to the community that would outweigh flood risk. As a result, the development fails both the sequential and exception tests and is therefore considered to be contrary to Chapter 10 of the NPPF and guidance contained within the NPPG and Core Strategy Policies CS01 and CS08.



Planning Inspectorate
Department of the Environment

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D/14/JM/P

D Eastwood Esq
Richard Ambrose Associates
11 Main Street
Little Downham
ELY
Cambridgeshire

Your reference

1177

Our reference

T/APP/V2635/A/91/192732/P8

Date

14 JAN 92

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY M PEAKE ESQ
APPLICATION NO: 2/91/0784/0

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Borough Council of King's Lynn and West Norfolk to refuse outline planning permission for a dwelling on land adjacent to Marmick Cottage, Wretton Fen Drove, Stoke Ferry. I have considered the written representations made by you and by the Council and also those made by the Stoke Ferry Parish Council and other parties including those made directly to the Council and forwarded to me. I inspected the site on 10 December 1991.
2. From the written representations and from my inspection of the appeal site and its surroundings I consider the main issue in this case is whether the proposed development would have an unacceptably detrimental affect on the appearance and character of the area having regard to policies within the approved Norfolk Structure Plan.
3. The approved (1988) Norfolk County Structure Plan includes policies which seek to preserve the rural appearance and character of the countryside. Of particular relevance to this appeal is Structure Plan Policy H8, which states that outside villages planning permission will not normally be given for new residential development unless connected with the essential needs of agriculture, forestry, tourist facilities, or existing institutions. No such special circumstances have been put forward in this case. Structure Plan Policies H5, H6 and H7 make provision for limited residential development within villages. It is against the background of these policies that the Council resists the proposal on the grounds that it represents unjustified development outside Wretton village limits.
4. You do not dispute that the appeal site is outside the village development envelope defined in the Wretton Village Guidelines (1986). You contend that because the appeal site lies outside the village's development envelope it is not necessarily within open countryside. You argue that as the appeal site is surrounded on three sides by buildings, the proposed dwelling would not be detrimental to the appearance of the area. You further suggest that demolition of the vacant buildings and clearance of the bushes, with construction of the



RECYCLED PAPER

proposed house, would improve and enhance the appearance of the locality.

5. On my inspection I saw that Marmick Cottage and one other dwelling, immediately to the south of the appeal site, are located on the eastern side of Fen Drove between the built-up limits of Wretton village and a major drainage channel. Between these two dwellings are a number of buildings in various states of repair, some in use as workshops and stores in connection with your client's business activities. The appeal site forms part of this area, which is in my view set within open agricultural countryside. In my opinion the proposal represents consolidation of the existing sporadic residential development in the area together with associated residential activity, detrimental to the existing rural character of the area and contrary to countryside protection policies in the approved Norfolk Structure Plan.

6. You have suggested that the appeal proposal would effectively improve security at the appellant's business premises. You have explained that conventional security measures are employed, but that break-ins still occur. I am not convinced from my inspection and the evidence before me that the proposed dwelling would prevent break-ins. I do not consider that any resulting improved security for the plant hire business serves to justify an exception to rural protection policies.

7. I have taken account of the suggested undertaking to restrict development on the appellant's total land holding in this area to any approval of the proposal before me. In my view this would not overcome the basic planning objection to the proposed dwelling, and although I consider that each development proposal should be considered on its own particular merits, I agree with the Council that approval would be likely to lead to applications for similar development in the district which the Council would then have difficulty in resisting.

8. You have drawn my attention to an appeal decision in East Cambridgeshire, of which you consider the circumstances to be very similar to this case. I note that the Inspector in that case made particular reference to the continuity of residential development alongside that appeal site, and his view that the appeal site is clearly within the envelope of existing and quite extensive development. The physical location of this appeal site in Fen Drove is not in my opinion comparable, where the proposed dwelling would be visually obtrusive, and would constitute an extension of residential development in a rural area, outside the defined village development limits, contrary to Structure Plan policies, and detrimental to the essential rural character of the area.

9. I have taken account of all other matters raised in the representations, but find none to be of such weight as to alter my conclusions on the main issue.

10. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

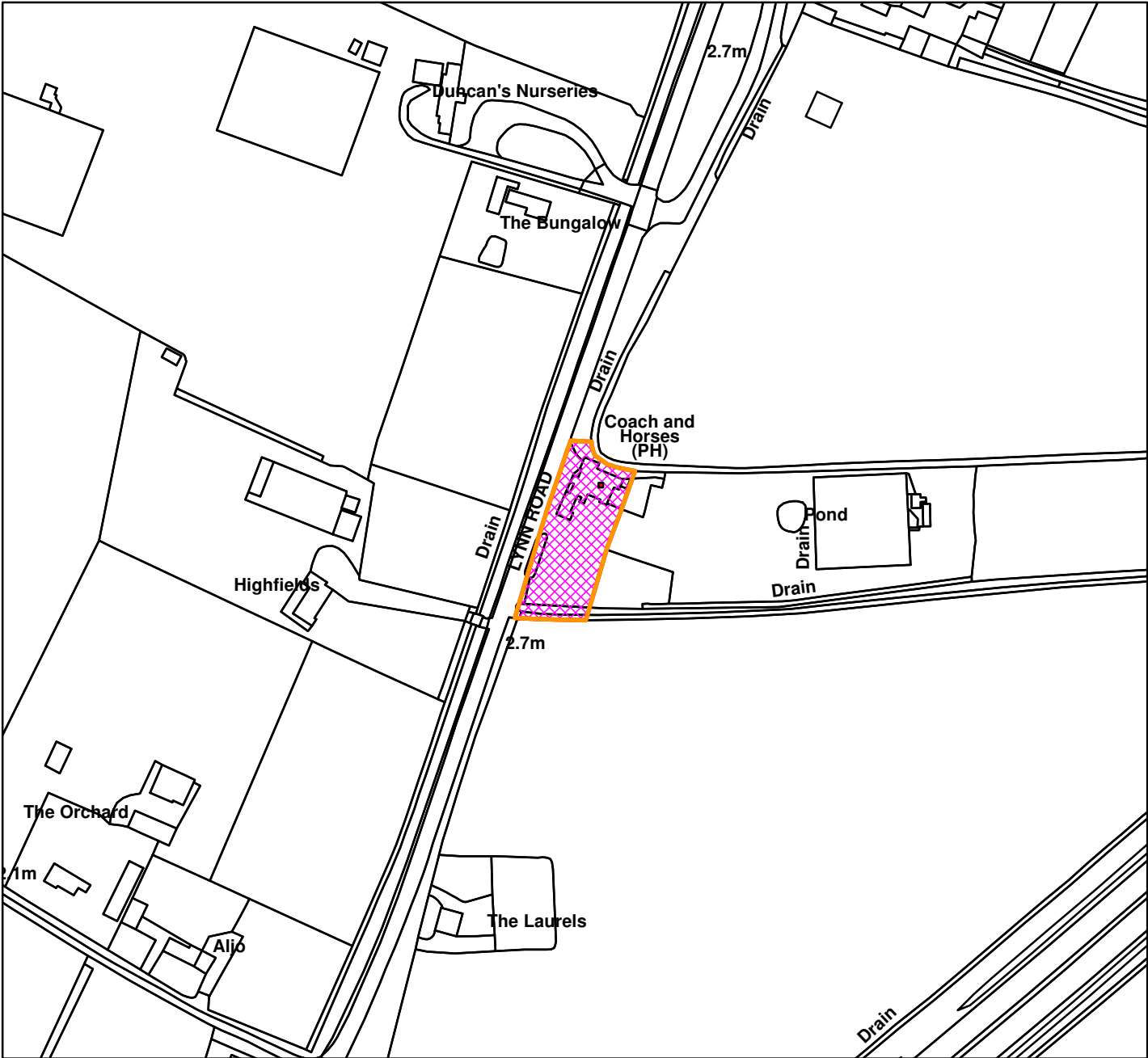
I am Sir
Your obedient Servant

Peter J. Baldwin

PETER J BALDWIN BSc FICE FIHT
Inspector

15/01082/F

The Coach and Horses Lynn Road Tilney All Saints



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:2,500

Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	25/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(m)

Parish:	Tilney St Lawrence	
Proposal:	Smoking shelter for public house (part retrospective)	
Location:	The Coach & Horses Lynn Road Tilney All Saints King's Lynn	
Applicant:	Elgoods & Sons Ltd	
Case No:	15/01082/F (Full Application)	
Case Officer:	Miss G Richardson Tel: 01553 616457	Date for Determination: 4 September 2015

Reason for Referral to Planning Committee – Previous appeal decision

Case Summary

The application site is located on the eastern side of Lynn Road, Tilney All Saints, and relates to The Coach and Horses Public House. The property is Grade II listed and listed building consent is also being sought.

Planning consent is sought for a smoking shelter to the side of this public house.

Key Issues

Design and impact upon the Listed Building;
Neighbour amenity; and
Other material considerations.

Recommendation

APPROVE

THE APPLICATION

The application site is located on the eastern side of Lynn Road, Tilney All Saints, and relates to The Coach and Horses Public House. The public house is two storey and is constructed in brick which is painted cream with clay tiles to the roof. Car parking is located to the south of the Public House. To the east of the Public House is a camping and caravan site.

The property is Grade II listed and listed building consent has also been applied for.

Planning consent is sought for a smoking shelter to the side of this public house. There is currently an unauthorised shelter which would need to be altered should this application be approved.

SUPPORTING CASE

The Design and Access Statement details that Government legislation to ban smoking in public buildings has brought about a trend, whereby Public Houses provide open sided shelters where patrons can partake in smoking at the same time as drinking.

The Coach and Horses, a traditional Coaching Inn where patrons drink and so therefore the shelter is necessary to retain the regular visitors and others.

The structure comprises timber posts supporting a timber framed roof which is flat. The floor is of timber decking. There are 2 open sides with balustrade handrails to waist height. The structure also acts as a porch to the rear entrance door.

The proposal is a structure which has been reduced from that previously refused and under guidance from the planning officer.

N.B. It is recognised by officers that the balustrades do not form part of this revised application.

PLANNING HISTORY

15/01083/LB: Current: Listed building application for smoking shelter for public house

14/00070/LB: Application Permitted: 20/03/14 - Conversion of garage to additional restaurant area

14/00069/F: Application Permitted: 13/03/14 - Conversion of garage to additional restaurant area

14/00068/LB: Application Refused: 20/03/14 - Erection of a smoking shelter for Public House Appeal Dismissed 12/02/15

14/00067/F: Application Refused 19/03/14- Erection of smoking shelter for Public House. Appeal dismissed

11/01825/DISC_A: Discharge of Condition final letter: 28/06/12 - DISCHARGE OF CONDITIONS 4, 6 and 7: twelve pitch touring caravan park and toilet facilities

11/01825/F: Application Permitted: 23/12/11 - Twelve pitch touring caravan park and toilet facilities

RESPONSE TO CONSULTATION

CSNN: No Observations

Conservation Officer: Verbally confirmed acceptable, following receipt of amended plans detailing the roof material.

REPRESENTATIONS

No third party representations received.

NATIONAL GUIDANCE

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

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

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

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The key planning considerations relevant to the determination of this application are:

- Design and impact upon the listed building;
- Neighbour amenity; and
- Other material considerations.

Design and impact upon the Listed Building

The property is Grade II listed (11/08/1951) and dates back to the late 17th Century.

Previously a full and listed building application was refused for the retention of a smoking shelter. The reason for refusal, on the planning application was:

The positioning of the smoking shelter; bisecting a bay window would detract from the setting of the existing building in addition the poor construction method of the shelter would prove severely detrimental to the character and appearance of the property as a Grade II Listed Building of architectural and historic interest, contrary to the aims of the NPPF section 12 and policy CS12 of the Core Strategy (2011).

This decision was appealed and the subsequent appeal decision was dismissed. The Inspector stated that the structure had a poor design and siting and resulted in an insensitive addition. Remarking specifically on the shelter's use of "uncharacteristic timber decking, balustrade and plastic sheeting roof, together with its large scale and proportions, and the unsympathetic subdivision of the painted side bay window..."

The revised application seeks to address this appeal decision.

Paragraph 134 of the NPPF requires that 'where development will lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefit'.

The key differences between the two schemes is the reduction in the scale of the shelter, the shelter does not sub-divide the side bay window, the balustrade has been removed and the roofing material has been changed to a lead effect sheeting system.

These changes result in a shelter that is much more appropriate to the listed building to which it is affixed and would have a neutral impact upon its overall appearance. The LPA therefore considers that less than substantial harm will occur and the public benefits will outweigh the harm to the building as a Grade II listed building. On this basis it is considered that this proposal is acceptable subject to condition.

Neighbour Amenity

There is sporadic residential development around the public house. The dwelling to the south is approximately 160 metres from the public house, itself. The property opposite the site, 'Highfields' is approximately 97 metres away. Due to the position of the smoking shelter 'Highfields' will not have direct views of the structure. In addition the distance of separation between the smoking shelter and both properties mean there is no material impact upon them.

The Council's CSNN team have also confirmed that there are no observations in relation to noise generation.

Other material considerations

As this is in part retrospective the standard condition for implementation of works is not required. If the work is not carried out within a suitable time frame then enforcement action would need to be taken against the unauthorised structure.

CONCLUSION

There is no objection to the principle of a smoking shelter for the public house, however, its design and position are paramount. The current smoking shelter was refused and an appeal subsequently dismissed on this basis.

This application has made a number of changes to the design and appearance of the shelter to make it appropriate to the setting of the existing building, and to the character and appearance of the property as a Grade II Listed Building of architectural and historic interest. The proposal addresses previous concerns and is therefore considered to comply with the aims of the NPPF section 12 and policy CS12 of the Core Strategy (2011) and accordingly it is recommended that planning consent is approved.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans; 1733 Site and Location Plans and 1733 Plans and elevations received 19th August 2015.
- 1 Reason For the avoidance of doubt and in the interests of proper planning.



Appeal Decisions

Site visit made on 26 January 2015

by **Anne Napier-Derere BA(Hons) MRTPI AIEMA**

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

Decision date: 12 February 2015

Appeal A Ref: APP/V2635/A/14/2218241

Coach & Horses, Lynn Road, Tilney All Saints, King's Lynn PE34 4RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr R Hotson (Elgoods & Sons Ltd) against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 14/00067/F, dated 16 January 2014, was refused by notice dated 19 March 2014.
- The development proposed is smoking shelter for public house.

Appeal B Ref: APP/V2635/E/14/2218262

Coach & Horses, Lynn Road, Tilney All Saints, King's Lynn PE34 4RU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr R Hotson (Elgoods & Sons Ltd) against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 14/00068/LB, dated 16 January 2014, was refused by notice dated 20 March 2014.
- The works proposed are smoking shelter for public house

Decisions

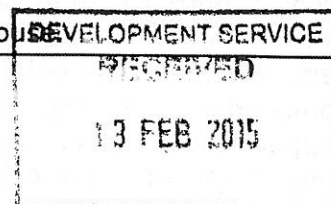
1. Appeal A and Appeal B are dismissed.

Preliminary Matters

2. Following my visit to the site, a revised version of the submitted plans and elevations drawing, Ref 1733, showing the shelter in relation to the public house, was provided. From the evidence available to me, I am satisfied that this version was considered by the Council in its determination of the applications and it is my intention to consider the appeals on this basis.
3. The submitted details indicate that the smoking shelter was erected before the Council's decisions and it was in place at the time of my visit. I intend to consider the appeals accordingly.

Main Issue

4. The appeal property is a grade II listed building, which is a designated heritage asset, and I am mindful of my statutory duties in this respect. The main issue in this appeal is whether or not the smoking shelter preserves the listed building, any special features of architectural or historic interest that it possesses, or its setting.



Reasons

5. The Coach & Horses is situated adjacent to the main road through Tilney All Saints, in a prominent and somewhat visually isolated rural location. From the evidence before me, including the listing description, I consider that the significance of the appeal building is largely derived from its use as a public house, its form, historic fabric and architectural features. However, its setting, in a prominent location, with space to either side of the building, visually enhances the status of the building and makes an important contribution to its significance.
6. The building has been altered over time, with a number of different extensions to the rear of the premises. These are of a distinctly different age, form and design to the main part of the public house. As a result, the rear and side of the building, when viewed from the car park, has a rather eclectic appearance. Nevertheless, with the exception of the smoking shelter, the scale, design and materials of these more recent additions are such that they do not materially detract from the overall appearance of the public house and, in reflecting its evolution, to some extent add to its historic character.
7. The appeal shelter is partially attached or immediately abutting the building and is not readily moveable. As such, I am satisfied that it amounts to a physical alteration to the listed building that affects its character. However, the shelter does not alter any features of particular special interest and is sited so that it adjoins the less historically sensitive extended part of the building, providing toilet, kitchen and restaurant facilities.
8. Nonetheless, it is markedly different in appearance to these other extensions and, due to its poor design and siting, results in an insensitive addition. The shelter's use of uncharacteristic timber decking, balustrade and plastic sheeting roof, together with its large scale and proportions, and the unsympathetic subdivision of the painted side bay window, significantly detracts from the appearance of the public house. The structure is prominent in views of the building from its large car park and is also visible from the road. As such, the appeal shelter has a material impact on the visual perception of the public house from these directions.
9. As a result, I conclude that the shelter has a significant and detrimental impact on the historic character of the building and does not preserve it or its setting. It is contrary to the *King's Lynn & West Norfolk Borough Council Core Strategy 2011* Policy CS12, which seeks to protect local character and appearance, including in respect of the historic environment.
10. For the above reasons, the smoking shelter harms the significance of the building and I give this considerable weight and importance. However, it has not resulted in the destruction of the building or the loss of its special features. As a result, whilst material, I consider that the harm is less than substantial. Paragraph 134 of the National Planning Policy Framework (the Framework) requires that, in the case of designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
11. The main public benefits resulting from the scheme are the provision of a facility to meet the needs of customers, by providing shelter from the elements. Its size is such that it also provides space for a number of tables

and chairs, adjacent to the restaurant, which would also enable customers to consume food and drink in this location, so broadening the business offer of these rural premises. As such, it makes a contribution to supporting the continued use of the building as a public house and community facility.

12. Whilst this is likely to result in some heritage, social and economic benefits, the evidence before me in these respects is limited. Furthermore, it has not been demonstrated that this would be the only way in which these benefits could be achieved, nor that an alternative, potentially less harmful, approach would not be feasible. Nonetheless, given the general encouragement in the Framework to support for rural businesses and community facilities, overall, I give these benefits moderate weight.
13. Paragraph 132 of the Framework advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance. In addition, paragraph 131 of the Framework refers to the desirability of new development making a positive contribution to local character and distinctiveness. For the above reasons, I consider that the development does not make such a contribution and, as such, whilst the use of the site as proposed may be viable, it does not represent its optimum use.
14. For these reasons, I conclude that the benefits of the proposal would not be sufficient to outweigh the harm identified to the significance of the heritage asset and the proposal would not meet the aims of paragraph 17 of the Framework, to achieve high quality design and conserve heritage assets in a manner appropriate to their significance.

Conclusions

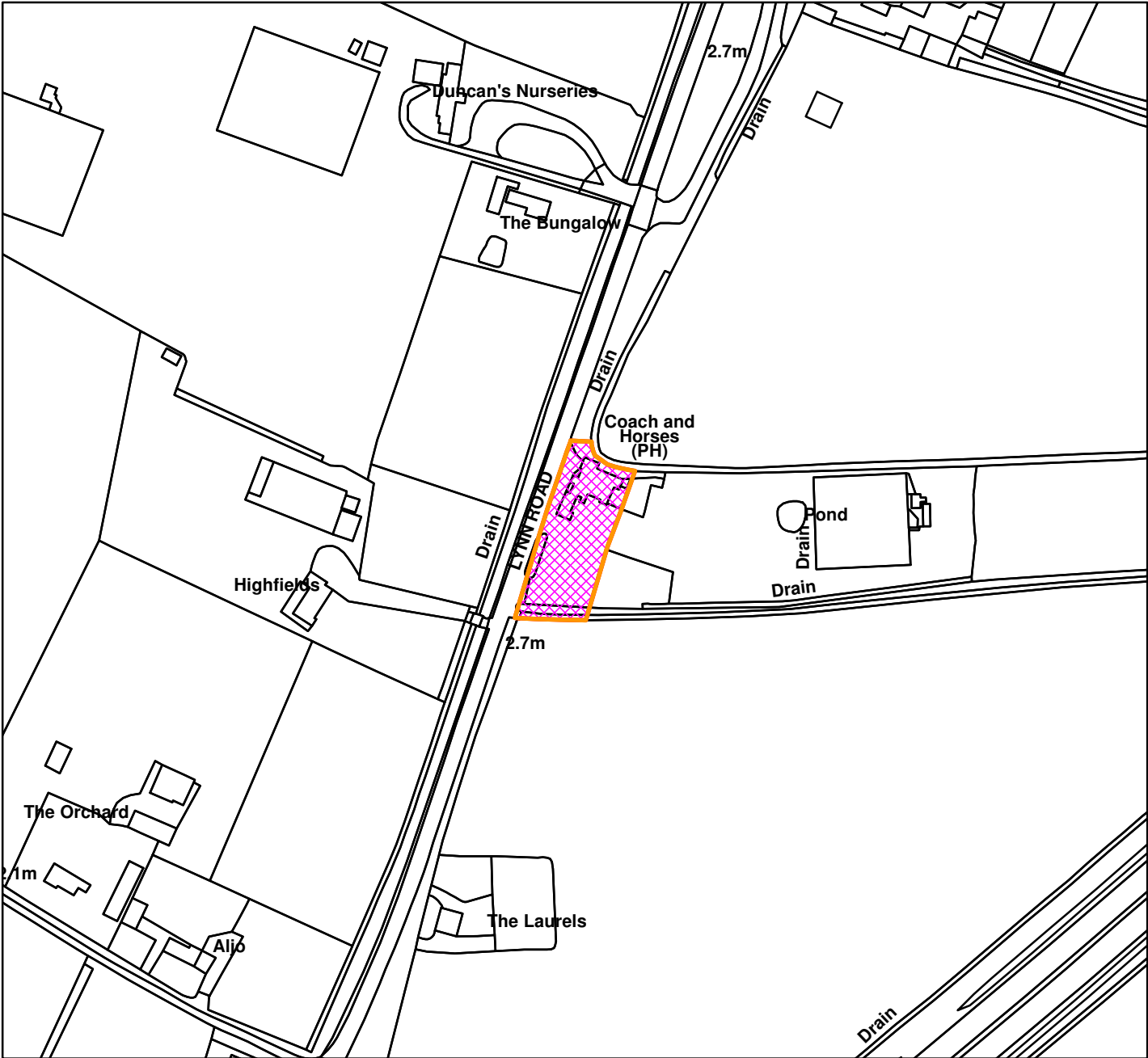
15. For the above reasons and having regard to all other matters raised, I conclude that the appeals should be dismissed.

Anne Napier-Derere

INSPECTOR

15/01083/LB

The Coach and Horses Lynn Road Tilney All Saints



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:2,500

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	26/08/2015
MSA Number	0100024314

AGENDA ITEM No: 8/1(n)

Parish:	Tilney St Lawrence	
Proposal:	Listed building application for smoking shelter for public house	
Location:	The Coach & Horses Lynn Road Tilney All Saints King's Lynn	
Applicant:	Elgoods & Sons Ltd	
Case No:	15/01083/LB (Listed Building Application)	
Case Officer:	Mrs P Lynn Tel: 01553 616235	Date for Determination: 4 September 2015

Reason for Referral to Planning Committee – Previous Appeal Decision**Case Summary**

The Coach and Horses PH, listed grade II, is a two storey, “T” plan building of the late C17 with later additions and extensions.

This application seeks listed building consent for the erection of a smoking shelter situated to the south of the restaurant area and the east of the disabled toilet facility. It will replace the existing smoking shelter which was erected without consent in late 2013.

Key Issues

The impact of the proposal on the significance of the building which is a designated heritage asset.

Recommendation

APPROVE

THE APPLICATION

The Coach and Horses PH, listed grade II, is a two storey, “T” plan building of the late C17 with later additions and extensions. It is built in colour-washed brick with a steeply pitched pantiled gabled roof. The three bay front has a central two storey porch, a small single storey building at the south end and a single storey lean-to to the north.

Attached to the rear of the original building at the southern end are various small additions and to the rear of the building there is a comparatively large flat-roofed single storey extension housing further restaurant space and a kitchen.

On the southern side of the building projecting forward from the right-angle formed by the disabled toilet and the kitchen is a smoking shelter which also acts as a porch to the rear entrance. It is constructed of timber decking with a balustrade on the two open sides, timber uprights and timber rafters supporting a flat roof of corrugated UPVC sheets. The timber frame does not directly attach to the building on the eastern side but is joined onto by corrugated plastic sheeting.

The structure was erected without consent and applications for its retention were refused (see history). Subsequent appeals were dismissed.

This application seeks listed building consent for an amended design which has a smaller footprint and is more aesthetically pleasing. A corresponding planning application is also before the Committee with a recommendation for approval.

SUPPORTING CASE

The application is supported by a Heritage Statement (HS) and a Design Statement (DS).

The former acknowledges the listed status of the building and comments that it has seen many phases of refurbishment, both old and more recent. The proposal for a smoking shelter will retain all historical features of this part of the building and will not affect any part of the existing structure. It comments that the hostelry trade has seen major changes to commercial operations and beer trade has given way to the restaurant business. It is true to state that such businesses would no longer survive without the sale of food.

The DS also points out that the ban on smoking in public buildings has brought about a trend, whereby Public Houses provide open sided shelters where patrons can smoke whilst having a drink. It is necessary to provide such a facility at the Coach & Horses to retain the regular visitors and others. The DS goes on to describe the proposed shelter and concludes that the structure has been reduced from that previously refused under guidance from the planning officer.

PLANNING HISTORY

14/00069/F and 14/00070/LB: Conversion of garage to additional restaurant area - Approved March 2014

14/00068/LB: Erection of smoking shelter for Public House – Refused March 2014. Subsequent Appeal dismissed in February 2015

14/00067/F: 14/00068/LB: Erection of smoking shelter for Public House – Refused March 2014. Subsequent Appeal dismissed in February 2015

11/01825/F: Twelve pitch touring caravan park and toilet facilities –Approved December 2011

RESPONSE TO CONSULTATION

Parish Council: No Comment received

REPRESENTATIONS None received

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS12 - Environmental Assets

PLANNING CONSIDERATIONS

The only consideration in the determination of this application is the impact of the proposal on the buildings significance bearing in mind the NPPF which states that conservation of historic assets is a core principle of the planning system and that the significance of listed buildings can be harmed by alteration to them. Where a development proposal will lead to less than substantial harm, this should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Design and impact

The existing smoking shelter is a substantial size (appx. 5.7m x 4.2m) covering the back door into the public areas and partially covering the bay window to the kitchen. It is also forms an outside seating area.

Whilst Officers have no objection to the principle of a smoking shelter, there are serious concerns regarding the design and appearance of the existing structure and the previous application for LBC was refused for the reason that:

“The positioning of the smoking shelter bisecting a bay window and the poor construction method of the shelter would cause harm to the significance of the building which is a designated heritage asset and that harm is not outweighed by the public benefit. The proposal is therefore contrary to the aims of the NPPF section 12 and policy CS12 of the Core Strategy (2011)”.

In dismissing the subsequent appeal the Inspector stated that the structure had a poor design and siting and resulted in an insensitive addition. Remarking specifically on the shelter’s use of “uncharacteristic timber decking, balustrade and plastic sheeting roof, together with its large scale and proportions, and the unsympathetic subdivision of the painted side bay window...”

This revised design follows advice from officers and seeks to address the Inspectors remarks. The key differences between the two schemes is the reduction in the scale of the shelter so that it does not sub-divide the side bay window, the removal of the balustrade and a marked improvement in the roof which is to be changed to a slight pitch and covered in a lead effect sheeting system.

As a result the proposed shelter is considered to sit more comfortably with the listed building. Whilst it may appear to be a modern and a slightly utilitarian structure any harm caused will be less than substantial and will be outweighed by the public benefit including keeping the building in viable use.

Supporting statement/consultation

The application is supported by a Heritage Statement and a Design Statement both of which have been detailed above.

The Parish Council have chosen to make no observations either for or against the scheme and no third party comments have been received.

Summary and Conclusion

As previously stated, there is no objection to the principle of a smoking shelter which will provide a benefit to the business thereby keeping the listed building in viable and ongoing use. The concerns have solely related to the design of the existing (unauthorised) structure.

Overall it is considered that this proposal goes a long way to addressing those concerns in that it represents a better design which will sit more comfortably against both the old and newer parts of the building. Any harm which it may be thought to cause is less than substantial and must be weighed against the public benefits of keeping the building in viable and ongoing use.

It therefore complies with the aims of the NPPF section 12 and policy CS12 of the Core Strategy (2011) and it is recommended that listed building consent be granted.

RECOMMENDATION:

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

- 1 Condition This Listed Building Consent relates only to works specifically shown on the following approved plans: 1733 Site and Location Plans and amended plan No.1733 Plans and elevations received 19th August 2015. Any others works, the need for which becomes apparent as alterations proceed, are not covered by this consent and details must be submitted to the Council as Local Planning Authority and approved before work continues.
- 1 Reason To ensure a satisfactory standard of works in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 2 Condition Notwithstanding the approved plans, precise details of the roofing material and the method by which it will abutt the existing building shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
2. Reason To ensure that the works are properly controlled in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.



Appeal Decisions

Site visit made on 26 January 2015

by **Anne Napier-Derere BA(Hons) MRTPI AIEMA**

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

Decision date: 12 February 2015

Appeal A Ref: APP/V2635/A/14/2218241

Coach & Horses, Lynn Road, Tilney All Saints, King's Lynn PE34 4RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr R Hotson (Elgoods & Sons Ltd) against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 14/00067/F, dated 16 January 2014, was refused by notice dated 19 March 2014.
- The development proposed is smoking shelter for public house.

Appeal B Ref: APP/V2635/E/14/2218262

Coach & Horses, Lynn Road, Tilney All Saints, King's Lynn PE34 4RU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr R Hotson (Elgoods & Sons Ltd) against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 14/00068/LB, dated 16 January 2014, was refused by notice dated 20 March 2014.
- The works proposed are smoking shelter for public house

Decisions

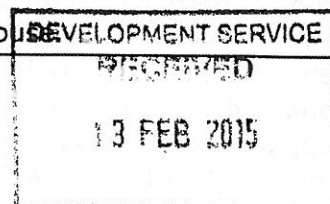
1. Appeal A and Appeal B are dismissed.

Preliminary Matters

2. Following my visit to the site, a revised version of the submitted plans and elevations drawing, Ref 1733, showing the shelter in relation to the public house, was provided. From the evidence available to me, I am satisfied that this version was considered by the Council in its determination of the applications and it is my intention to consider the appeals on this basis.
3. The submitted details indicate that the smoking shelter was erected before the Council's decisions and it was in place at the time of my visit. I intend to consider the appeals accordingly.

Main Issue

4. The appeal property is a grade II listed building, which is a designated heritage asset, and I am mindful of my statutory duties in this respect. The main issue in this appeal is whether or not the smoking shelter preserves the listed building, any special features of architectural or historic interest that it possesses, or its setting.



Reasons

5. The Coach & Horses is situated adjacent to the main road through Tilney All Saints, in a prominent and somewhat visually isolated rural location. From the evidence before me, including the listing description, I consider that the significance of the appeal building is largely derived from its use as a public house, its form, historic fabric and architectural features. However, its setting, in a prominent location, with space to either side of the building, visually enhances the status of the building and makes an important contribution to its significance.
6. The building has been altered over time, with a number of different extensions to the rear of the premises. These are of a distinctly different age, form and design to the main part of the public house. As a result, the rear and side of the building, when viewed from the car park, has a rather eclectic appearance. Nevertheless, with the exception of the smoking shelter, the scale, design and materials of these more recent additions are such that they do not materially detract from the overall appearance of the public house and, in reflecting its evolution, to some extent add to its historic character.
7. The appeal shelter is partially attached or immediately abutting the building and is not readily moveable. As such, I am satisfied that it amounts to a physical alteration to the listed building that affects its character. However, the shelter does not alter any features of particular special interest and is sited so that it adjoins the less historically sensitive extended part of the building, providing toilet, kitchen and restaurant facilities.
8. Nonetheless, it is markedly different in appearance to these other extensions and, due to its poor design and siting, results in an insensitive addition. The shelter's use of uncharacteristic timber decking, balustrade and plastic sheeting roof, together with its large scale and proportions, and the unsympathetic subdivision of the painted side bay window, significantly detracts from the appearance of the public house. The structure is prominent in views of the building from its large car park and is also visible from the road. As such, the appeal shelter has a material impact on the visual perception of the public house from these directions.
9. As a result, I conclude that the shelter has a significant and detrimental impact on the historic character of the building and does not preserve it or its setting. It is contrary to the *King's Lynn & West Norfolk Borough Council Core Strategy 2011* Policy CS12, which seeks to protect local character and appearance, including in respect of the historic environment.
10. For the above reasons, the smoking shelter harms the significance of the building and I give this considerable weight and importance. However, it has not resulted in the destruction of the building or the loss of its special features. As a result, whilst material, I consider that the harm is less than substantial. Paragraph 134 of the National Planning Policy Framework (the Framework) requires that, in the case of designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
11. The main public benefits resulting from the scheme are the provision of a facility to meet the needs of customers, by providing shelter from the elements. Its size is such that it also provides space for a number of tables

and chairs, adjacent to the restaurant, which would also enable customers to consume food and drink in this location, so broadening the business offer of these rural premises. As such, it makes a contribution to supporting the continued use of the building as a public house and community facility.

12. Whilst this is likely to result in some heritage, social and economic benefits, the evidence before me in these respects is limited. Furthermore, it has not been demonstrated that this would be the only way in which these benefits could be achieved, nor that an alternative, potentially less harmful, approach would not be feasible. Nonetheless, given the general encouragement in the Framework to support for rural businesses and community facilities, overall, I give these benefits moderate weight.
13. Paragraph 132 of the Framework advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance. In addition, paragraph 131 of the Framework refers to the desirability of new development making a positive contribution to local character and distinctiveness. For the above reasons, I consider that the development does not make such a contribution and, as such, whilst the use of the site as proposed may be viable, it does not represent its optimum use.
14. For these reasons, I conclude that the benefits of the proposal would not be sufficient to outweigh the harm identified to the significance of the heritage asset and the proposal would not meet the aims of paragraph 17 of the Framework, to achieve high quality design and conserve heritage assets in a manner appropriate to their significance.

Conclusions

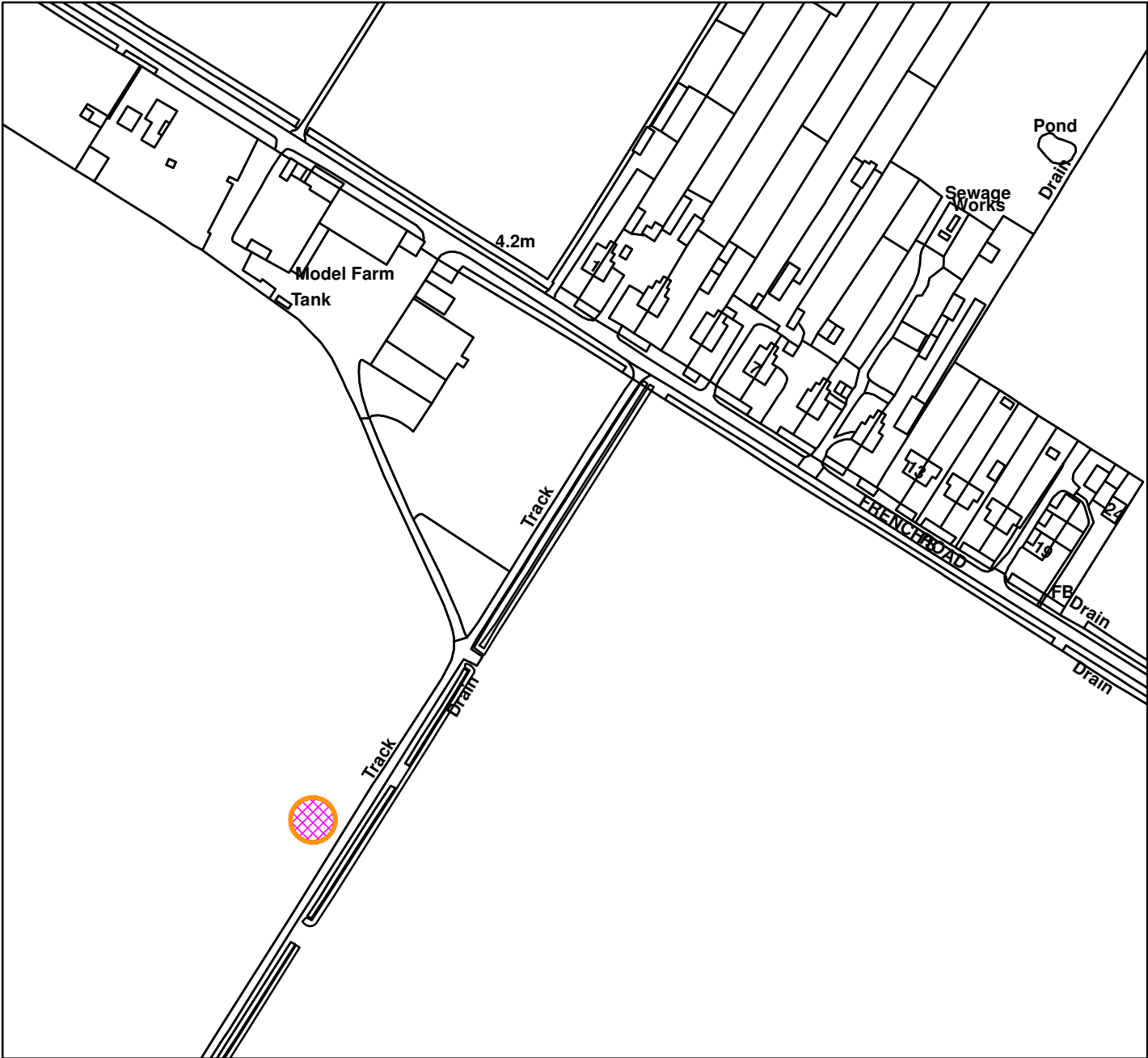
15. For the above reasons and having regard to all other matters raised, I conclude that the appeals should be dismissed.

Anne Napier-Derere

INSPECTOR

15/00918/F

Model Farm Frenchs Road Walpole St Andrew



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



Tel. 01553 616200 - Fax. 01553 691663

Scale: 1:2,500

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	18/08/2015
MSA Number	0100024314

AGENDA ITEM NO: 8/1(o)

Parish:	Walpole	
Proposal:	The erection of one wind turbine with a hub height of 24.8m	
Location:	Model Farm Frenchs Road Walpole St Andrew Wisbech	
Applicant:	Mr Andrew Bateman	
Case No:	15/00918/F (Full Application)	
Case Officer:	Miss G Richardson Tel: 01553 616457	Date for Determination: 11 August 2015 Extension of Time Expiry Date: 7 September 2015

Reason for Referral to Planning Committee – The proposed turbine is too high to be approved under delegated powers.

Case Summary

The application site is on the south western side of Frenchs Road, Walpole St Andrew. The site is located on land forming the Model Farm agricultural holding.

Planning consent is sought for the erection of one wind turbine with a hub height of 24.8m and a tip height of 36.6m

Planning consent was approved last year for two wind turbines with a hub height of 25.1m and a tip height of 35.1m. This application is on the site of one of the previously approved turbines.

Key Issues

Principle of development;
Planning history;
Visual impact;
Ecology;
Heritage assets;
Amenity;
Highways safety; and
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site is located on the south western side of Frenchs Road, Walpole St. Andrew.

The proposed turbine is located on land forming the Model Farm agricultural holding. The site is accessed between the farm buildings and via a track to the rear of these buildings leading down the eastern edge of the field.

The area is rural in nature with two storey semi-detached properties located to the north east of the site, on the opposite side of Frenchs Road. Electricity pylons are located to the south west of the sites.

Planning consent is sought for the erection of a single wind turbine with a 24.8m height to the hub and a tip height 36.6m. The turbine tower will be white with blades coloured white.

SUPPORTING CASE

Model Farm is part of a modern commercial farming enterprise that is not only required to demonstrate carbon saving measures to its customers but must also remain competitive and economically viable within the increasingly difficult trading conditions of the UK's agricultural sector. The generation of electricity from a renewable source provides Model Farm with the ability to reduce both its carbon footprint and electricity overhead and derive a diversified income from the Government's Feed In and Export Tariffs. This proposal seeks to replace a previous planning consent for two wind turbines at Model Farm and gain permission for the installation of a single wind turbine on one of the previously consented locations. Extensive due diligence and pre application consultation has been undertaken prior to the submission of this application and the applicant trusts that this approach will lead to its Local Planning Authority looking favourably upon this proposal.

PLANNING HISTORY

14/00549/NMA_1: Application Refused: 24/09/14 - Non-material amendment to planning permission 14/00549/F: The installation of 2 EC55 (24m tower) wind turbines

14/00549/F: Application Permitted: 04/06/14 - The installation of 2 EC55 (24m tower) wind turbines

14/00046/F: Application Refused: 04/03/14 - Installation of two 34 metre tower wind turbines

RESPONSE TO CONSULTATION

Parish Council (Initial and further response): SUPPORT

Highways Authority (Initial and further response): NO OBJECTION

Norwich International Airport (Initial and further response): NO SAFEGUARDING OBJECTION

MOD: (Initial and further response): NO OBJECTION

NATS (Initial response): NO SAFEGUARDING OBJECTION

CSNN (Initial response): NO OBJECTION The noise assessment (including a full background assessment), indicates that noise levels likely to be experienced by any nearby receptors from the new turbine will be lower than existing at a wind speed of 5 m/s. The Shadow Flicker assessment, which although of minor concern, does indicate that some properties may be affected at certain times of the year, a condition is therefore recommended.

REPRESENTATIONS

No third party representations received.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM15 – Environment, Design and Amenity

OTHER GUIDANCE

The Walpole's Parish Plans

PLANNING CONSIDERATIONS

The key planning considerations relevant to the determination of this application are:

- Principle of development;
- Planning history;
- Visual impact;
- Ecology;

- Heritage assets;
- Amenity;
- Highways safety; and
- Other material considerations

Principle of development

The National Planning Policy Framework (NPPF) encourages the transition to a low carbon future in a changing climate through the use of renewable resources whilst ensuring any adverse impacts are addressed satisfactorily.

Paragraph 17, 'meeting the challenge of climate change' supports the delivery of renewable and low carbon energy and recognises the responsibility on communities to contribute to 'energy generation' from renewable or low carbon sources. Paragraph 93 refers to the need to support the 'delivery of renewable and low carbon energy and associated infrastructure'. Local Planning Authorities are advised to approve applications for renewable technology (unless material considerations indicate otherwise) if its impact is acceptable. Paragraph 93 refers to the need to support the delivery of renewable and low carbon energy and associated infrastructure.

A positive stance with regards to renewable energy is also taken in the Core Strategy 2011 (Policy CS08 Sustainable Development) which supports and encourages the generation of energy from renewable sources and states that applications will be permitted unless there are unacceptable locational or other impacts that could not be outweighed by wider environmental, social, economic and other benefits.

Furthermore recent National Guidance has been issued; 'Planning Practice Guidance for Renewable and Low Carbon Energy' (issued July 2013). This document identifies issues that should be considered when determining applications for wind turbines. This includes matters pertaining to noise, safety, electromagnetic transmissions, ecology, heritage, shadow flicker and reflected light. Advice is also given on how cumulative landscape and visual impacts should be assessed. Visual impact is covered in more detail below; in relation to cumulative impact, there are no other turbines in the immediate vicinity of the site.

The site is located within countryside and more than 10km away from designated statutory site.

Policy DM20 – Renewable Energy - of the Pre-Submission Site Allocations & Development Management Policies Document also applies, and places emphasis on the significant loss of agricultural land. However the land-take of these turbines is relatively minimal and does not greatly affect agricultural production.

On the 18th June 2015 a ministerial statement was released in relation to wind turbines this advised that:

“When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:

- the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and
- following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

In applying these new considerations, suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan. Maps showing the wind resource as favourable to wind turbines, or similar, will not be sufficient. Whether a proposal has the backing of the affected local community is a planning judgement for the local planning authority.

Where a valid planning application for a wind energy development has already been submitted to a local planning authority and the development plan does not identify suitable sites, the following transitional provision applies. In such instances, local planning authorities can find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected local communities and therefore has their backing.”

The Borough Council does not have any areas identified in the Local Plan. In this instance, however it is appreciated that there is an extant planning consent in place that could be implemented tomorrow and could result in the erection of two turbines, albeit at a slightly lesser height. In this instance substantial weight is attached to this fact.

Planning history

An application was approved by the Planning Committee last year for two turbines on this site. The current application seeks consent for one turbine on one of the sites previously permitted. The single proposed turbine occupies one of the sites previously utilised. The proposed turbine has a lower hub compared to that previously considered acceptable but has longer blades giving an overall tip height which is 1.5m greater. This application seeks to permit this change.

Visual impact

The provision of two wind turbines has already been consented and the permission is still capable of implementation on the current application site and one to the north west. The current application seeks consent for one turbine on the site of one of the previously approved turbines, with a slight increase in the overall height due to the length of the blades.

Approval of this proposal would still allow the 2nd of the two turbines previously approved to be constructed as well as the turbine that is the subject of this application. The presence of 2 turbines of slightly different proportions and overall tip heights in close proximity is not considered to result in increased visual harm to this locality.

Ecology

As part of this current application an addendum to Wild Frontier's ecology assessment for the consented application has been submitted. Its conclusion states “no significant impacts on ecological receptors, both from the reduction of the proposal from two to a single turbine, and from the minor increase of the rotor diameter from 20 to 23.5m”.

On this basis it is recommended that the previous ecology condition to be attached. This provides for construction or decommissioning works associated with the development to be timed to avoid the bird breeding season.

Heritage assets

The site is not within a Conservation Area, nor is it adjacent to listed buildings.

The nearest listed building is to the south east of the site close to the junction of Folgate Lane and Walpole Bank; Shepherds Cottage, Folgate Lane, which is Grade II. This property is some distance away from the site. It is therefore considered that the proposal will not have a harmful impact upon designated heritage assets.

Amenity

The Council's Community Safety and Neighbourhood Nuisance Team (CSNN) have reviewed and assessed the information submitted with the application, and confirmed that they have no objection to the proposal in terms of noise. A condition is suggested in terms of shadow flicker as the submitted report indicates that some properties maybe affected at certain times of the year. This was not considered necessary previously due to the design (rotor diameter) and was in accordance with National guidance.

In terms of the cumulative effect of the turbine being considered and that of the consented 2014 scheme, it is recognised that the current application makes use of one of the existing locations of the 2014 scheme and as such there would only be two turbines of different sizes on site should both approvals be commenced. The 2014 consent required by condition that a noise survey of the application site to demonstrate compliance with the Councils Guidance for Small Scale Wind Turbines. In contrast this application is accompanied with a noise survey, which is considered acceptable. Therefore should the second turbine be installed the applicant would need to discharge the noise survey condition and this survey would need to take into account the other turbine, thus the cumulative impact is considered acceptable.

Highways safety

Norfolk County Council, Highways have confirmed they would not seek to restrict the grant of permission.

Other material considerations

There are no issues relating to contaminated land or air quality.

There are no issues relative to 'crime and disorder'.

CONCLUSION

Recent ministerial advice has been issued since the approval of the last wind turbine scheme on this site. This advice stated that we should only grant permission for wind energy development involving one or more wind turbines if the development site is in an area identified as suitable for wind energy development in a local or Neighbourhood Plan; and after consultation it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and the proposal has their backing.

In this case there is an extant consent that permits the installation of two wind turbines; the current proposal seeks to replace one of these turbines with one that is taller in terms of the overall height to blade tip. The earlier consent is still extant so a maximum of two turbines could still be erected on the land. The previous planning decision is attached significant weight in this instance, and in principle officers do not consider an objection can be sustained. In terms of planning impacts, the proposal is considered to be acceptable in terms of visual impact and there are no material adverse implications relating to: noise, shadow flicker, ecology, heritage assets and air traffic control.

On this basis it is recommended that planning consent is approved subject to condition.

In summary it is considered that the proposed development accords with the provisions of the National Planning Policy Framework and its guidance relating to development at risk of flooding, and Development Plan Policies CS01, CS08 and CS12.

There are no material considerations to suggest that the proposed development should not be approved subject to the following conditions.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: BR_5327_EX10_01, BR_5327_EX10_02 and drawing titled E-4660 Elevation, 24m Tower, Class II.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Within 2 months of the cessation of electricity production from the turbine hereby approved, the unit shall be decommissioned and the structures and all their above ground associated infrastructure shall be removed from the site.
- 3 Reason In the interests of the visual amenity of the locality in accordance with the NPPF.
- 4 Condition No construction or decommissioning works associated with the development hereby permitted shall be carried out between 1st March and 1st August (inclusive) of each year.
- 4 Reason To avoid the bird breeding season when birds would be more sensitive to disturbance; in accordance with the provisions of the NPPF.
- 5 Condition Before any works commence on site, details of measures to overcome potential shadow flicker problems at the identified receptors shall be submitted to, and approved in writing, by the Local Planning Authority; thereafter the approved measures shall be brought into operation and shall continue throughout the operation of the wind turbine except as may be agreed in writing by the Local Planning Authority.
- 5 Reason To prevent noise related nuisance in the interests of the amenity of the locality.

2/TPO/00525

Hyde Close Bircham Newton



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	13/08/2015
MSA Number	0100024314

Parish:	Bagthorpe with Barmer and Barwick	
Purpose of report:	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00525 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
Location:	Hyde Close Bircham Newton Norfolk	
Site owner/occupier:	Jark Resourcing Plc	
Case No:	2/TPO/00525	
Grid Ref:	579178 333882	Date of service of Order: 9 June 2015

RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION

THE SITE

It should be noted that T1 (Wellingtonia) has not received any objections and does not need to be considered.

The 2 groups (G1 & G2 Pine) are growing at the entrance to Hyde Close, Bircham Newton, where it meets Bagthorpe Road creating an attractive avenue into Hyde Close and enhances the setting of this part of Bircham Newton.

LDF CORE STRATEGY POLICIES

C12 - Environmental Assets

REASON FOR MAKING THE TREE PRESERVATION ORDER

I was contacted by members of the Hyde Close (Bircham Newton) Management Company LTD with their concerns of a potential planning application that could have a detrimental effect on the trees included in this TPO.

OUTLINE OF OBJECTIONS AND REPRESENTATIONS

One letter of objection was received on the 8th July 2015 from a resident of Hyde Close, Bircham Newton. His reasons for objection are set out below:

1. The two areas above [G1 & G2] are pine trees and provide no significant interest or value to the area. They are a common species that have no character and in their current state are dangerous and beyond their useful life.

2. They are too close to a roadway and have already started to break up the roadway with their root growth which will only get worse causing a health & safety issue with uneven surfaces. Had they been adjacent to a highway where costs are met by a borough or county council then they may have been more sympathetic but all of the cost of maintaining these roads and trees are the owner's responsibility who live in the close.
3. Two trees have been removed as they were dangerous and it is only a matter of time before the next ones require removing.
4. The trees have got to a height where they have been responsible for damage to the roof of our property causing the tiles to fail prematurely through the poor management of these trees.

RESPONSE TO OBJECTIONS AND REPRESENTATIONS

1. Whilst the trees are a common species (Scots Pine), they are the only coniferous trees along this stretch of road and during the autumn/winter months, they will provide a much needed green boost in these months when the broadleaf trees have lost their leaves. That said, they also form an attractive avenue at the entrance to Hyde Close and frame the Wellingtonia (T1 of this TPO) perfectly. When these trees were last inspected they appeared to be in fine health.
2. Whilst the trees are close to both the private driveway and the highway, this is not unusual. Trees have been, and still are, planted in these verges all over the country. The roadway is starting to lift in places but simple engineering solutions can be employed so that both the trees and the private drive can co-exist into the future. The request to the put the TPO on the trees came from the Hyde Close (Bircham Newton) Management Company LTD and the repair/upkeep of the roadway has not previously been mentioned.
3. Whilst it is recognised that two trees have been removed in recent years for health & safety reasons, it should not be assumed that all of the trees in the group are dangerous, as previously mentioned, on the last inspection; the trees appeared to be in fine health.
4. Living in close proximity to mature trees I think it's reasonable to expect leaves/twigs/sticks/cones/needles to come from them, this is part of the tree's natural process; no evidence of damage has been supplied. The Hyde Close (Bircham Newton) Management Company LTD are responsible for the management of these trees.

CONCLUSIONS

In conclusion these trees contribute to the character and appearance of the street scene and the wider area, both now and, more importantly, in the autumn/winter months. It is considered that the reasons put forward by the appellant in seeking its removal are of insufficient weight to overcome the harm to the character and appearance of the area that would occur should they be removed. It is therefore recommended that the order be confirmed.

Background Papers

TPO file reference: 2/TPO/00525

King's Lynn and West Norfolk Local Plan (1998) (saved policies)

Appendix 1: TEMPO Assessment

Contact Officer: Mr R. Fisher, Arboricultural Officer 01553 616386

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 12/8/15 Surveyor: R. FISHER - ARBORICULTURAL OFFICER BCKLWN

Tree details
 TPO Ref (if applicable): 2/10/100525 Tree/Group No: 91 Species: S. PINE
 Owner (if known): Location: HYDE CLOSE, BIRCHAM NEWTON

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair/satisfactory | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes - SOME MINOR DEAD WOOD
3

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

2

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes - CLEARLY
4+ SEEN FROM
PUBLIC HIGHWAY

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | |
|--|
| 5) Principal components of formal arboricultural features, or veteran trees |
| 4) Tree groups, or principal members of groups important for their cohesion |
| 3) Trees with identifiable historic, commemorative or habitat importance |
| 2) Trees of particularly good form, especially if rare or unusual |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) |
| -1) Trees with poor form or which are generally unsuitable for their location |

Score & Notes - FORMS AN
4 ATTRACTIVE AVENUE WITH
G2

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | |
|---|
| 5) Immediate threat to tree inc. s.211 Notice |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree |
| 1) Precautionary only |

Score & Notes - THE POSSIBILITY OF
2 DEVELOPMENT + ACCESS ROUTE

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

15

Decision:

* SERVE
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 12/8/15	Surveyor: R. FISHER - ARBORICULTURAL OFFICER BCKLWN
Tree details TPO Ref (if applicable): 2/TPO/00525 Tree/Group No: 62 Species: S. PINE Owner (if known): Location: HYDE CLOSE, BIRCHAM NEWTON	

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair/satisfactory | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes - SOME MINOR DEADWOOD

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

2

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes - CLEARLY
SCENE FROM PUBLIC
H HIGHWAY

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | | |
|--|---------------------|
| 5) Principal components of formal arboricultural features, or veteran trees | Highly suitable |
| 4) Tree groups, or principal members of groups important for their cohesion | Suitable |
| 3) Trees with identifiable historic, commemorative or habitat importance | Suitable |
| 2) Trees of particularly good form, especially if rare or unusual | Barely suitable |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) | Probably unsuitable |
| -1) Trees with poor form or which are generally unsuitable for their location | |

Score & Notes - FORMS AN ATTRACTIVE
H AVENUE WITH G1

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | |
|---|
| 5) Immediate threat to tree inc. s.211 Notice |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree |
| 1) Precautionary only |

Score & Notes - THE POSSIBILITY OF
2 DEVELOPMENT - ACCESS
ROUTE

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

15

Decision:

✓ SERVE TPO

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the July Planning Committee Agenda and the September agenda 196 decisions issued, 187 decisions issued under delegated powers with 9 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 13 July 2015 – 25 August 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	7	7	0		7	100%	60	40	0	0
Minor	82	74	8	80		97%	65		7	1
Other	107	103	4	105		98%	80		1	0
Total	196	184	12							

Planning Committee made 9 of the 196 decisions, 3.5%

PLANNING COMMITTEE - 7 SEPTEMBER 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
24.06.2015	19.08.2015 Application Permitted	15/01001/F	The Sandringham Estate Anmer Hall Main Road Anmer Norfolk Resiting of tennis court including reinstatement of garden area and parking and construction of iron fencing	Anmer

22.06.2015	16.07.2015 Application Permitted	10/00883/NMAM_1	Blue Energy Land Between Bagthorpe Barner And Syderstone Known As Chiplow Main Road Bagthorpe Norfolk Non-material amendment to planning permission 10/00883/FM: A wind energy development comprising the erection and 25 year operation of five wind turbines with a maximum blade height of 100m and up to 50m -micrositing, together with ancillary infrastructure including on-site access tracks, hard standing areas, control buildings and cabling and a permanent anemometer mast	Bagthorpe with Barmer
26.05.2015	27.07.2015 Application Permitted	15/00821/F	Mr Patch Kivlin C I T B Construction Industry Training Centre Stanhoe Road Bircham Newton Norfolk Relocation and replacement of existing single storey portacabins and provision of four new open sided barrel vaulted sheds	Bircham
21.05.2015	20.07.2015 Application Permitted	15/00809/F	Robert Payne Partners Comfrey Cottage Oxborough Road Boughton King's Lynn An area of reinforced concrete adjacent to the grain store	Boughton

08.06.2015	21.07.2015 Application Permitted	15/00878/F	Mr P Youel Kingston House Chapel Road Boughton Norfolk Extension to dwelling	Boughton
23.06.2015	20.08.2015 Application Permitted	15/00999/F	Mr And Mrs Kilian Barley House Church Lane Boughton King's Lynn Conversion of outbuilding to habitable annex	Boughton
12.05.2015	27.07.2015 Application Refused	15/00751/F	Mrs L J Kingston Outside Edge 1 the Cricket Pasture Burnham Deepdale Norfolk Sudivision of curtilage of 1 The Cricket Pasture and construction of one dwelling	Brancaster
14.05.2015	15.07.2015 Was Lawful	15/00762/LDP	Mr Costa Papadopoulos Woodville Main Road Brancaster King's Lynn Lawful Development Certificate: Single storey extension to the rear elevation and the conversion of attic space into habitable rooms with velux windows	Brancaster
22.05.2015	17.07.2015 Application Permitted	15/00815/F	Stuart Glyn North House The Drove Brancaster Staithe Norfolk VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 13/01623/F: One new dwelling: annexe incidental to North House	Brancaster

10.06.2015	30.07.2015 Application Permitted	15/00905/F	Mrs L Holmes Foundry Cottage Choseley Road Brancaster Norfolk Proposed renovations and alterations	Brancaster
12.06.2015	29.07.2015 Application Permitted	15/00925/F	Mr Oliver Sells Flat 19 Dormy House Butchers Lane Brancaster Installation of french doors to centre of kitchen bay	Brancaster
16.07.2015	31.07.2015 Application Permitted	14/00192/NMA_1	Fleur Developments The Old Orchard Main Road Brancaster Staithe Norfolk Non material amendment to planning permission 14/00192/F: Variation of condition 2 of planning permission 12/00099/F: Replacment of previously approved drawings to amend design	Brancaster
17.07.2015	07.08.2015 Application Permitted	15/00351/NMA_1	Mr D Hobley Greyfriars Butchers Lane Brancaster Norfolk Non-material amendment to planning permission 15/00351/F: Construction of a garden Annexe	Brancaster
20.04.2015	17.07.2015 Application Permitted	15/00629/F	Wood Stephen Ltd Rowan House Herrings Lane Burnham Market King's Lynn Demolition of Rowan House and construction of new residential dwelling and garaging	Burnham Market

05.06.2015	27.07.2015 Application Permitted	15/00871/F	Agellus Projects Ltd Dunellen Station Road Burnham Market King's Lynn Proposed construction of swimming pool and pool house on garden land formally within the curtilage of 'The Hips'	Burnham Market
05.06.2015	29.07.2015 Application Permitted	15/00873/F	Agellus Projects Ltd The Hips Station Road Burnham Market King's Lynn Demolition of existing house and garage and construction of new cottage	Burnham Market
17.06.2015	30.07.2015 Application Permitted	15/00957/F	Penny Bonas 14 Front Street Burnham Market Norfolk PE31 8EJ Alterations, demolition of existing extension and construction of replacement extension	Burnham Market
17.06.2015	06.08.2015 Application Permitted	15/00958/LB	Penny Bonas 14 Front Street Burnham Market Norfolk PE31 8EJ Listed Building application: Alterations, demolition of existing extension and construction of replacement extension	Burnham Market
24.06.2015	19.08.2015 Application Permitted	15/01007/LB	Mr Mark Winter Bowling House 18 Front Street Burnham Market Norfolk Listed Building Application: demolition of 1950's chimney stack on 19th-20th century extension and installation of wood burner and flue pipe	Burnham Market

15.05.2015	14.07.2015 Application Permitted	15/00776/F	Holkham Estate 2 Blacksmiths Lane Burnham Norton Norfolk PE31 8EG Variation of condition 9 of planning permission 14/00830/F to vary previously approved plans to allow for additional door to North elevation	Burnham Norton
29.07.2015	19.08.2015 Application Permitted	14/00207/NMA_1	Mr Michael Lyons The Hero Wells Road Burnham Overy Staithe King's Lynn Non-material amendment to planning permission 14/00207/F: To amend previously approved drawings	Burnham Overy
23.03.2015	27.07.2015 Application Permitted	15/00454/FM	Mr Tim Zoll Brickyard Cottage Burnham Road Burnham Overy Town Norfolk Change of use of former brickyard land to seasonal wild rural holiday camping and glamping for 9 glamping tents and 6 camping pitches	Burnham Thorpe
23.06.2015	13.08.2015 Application Permitted	15/00989/F	Ms Liz Fielding The Coach House Stocks Green Castle Acre Norfolk Boundary wall screening	Castle Acre

01.07.2015	13.08.2015 Application Permitted	15/01027/F	Mr And Mrs Shackcloth Manx Cottage St James Green Castle Acre King's Lynn Single storey extension to west elevation, removal of single storey porch to east elevations, two storey extension to east elevation and single storey porch to east elevation. Proposed new shed	Castle Acre
05.06.2015	21.07.2015 Application Permitted	15/00868/RM	Mr & Mrs A Payne 3 Station Road Clenchwarton King's Lynn Norfolk Reserved matters application for construction of a dwelling	Clenchwarton
11.06.2015	06.08.2015 Application Permitted	15/00907/F	Mr Kevin Sweeney 29 Bailey Lane Clenchwarton King's Lynn Norfolk Extensions and alterations to form new bedroom, bathroom, dining area and pantry	Clenchwarton
19.06.2015	13.08.2015 Application Permitted	15/00969/F	Mrs M Saunders 224 Main Road Clenchwarton King's Lynn Norfolk Redevelopment of land for 1 dwelling and two bay garage	Clenchwarton
20.04.2015	30.07.2015 Was Lawful	15/00628/LDE	Mr S Bacon Hillington House Lynn Road Hillington Norfolk Lawful Development Certificate: Use of land as residential garden land in association with Hillington House	Congham

22.05.2015	17.07.2015 Application Permitted	15/00813/F	Mr W Simper Land West of Holy Lodge St Andrews Lane Congham Norfolk VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 14/00988/F: Construction of a detached cottage style house	Congham
26.05.2015	16.07.2015 Application Permitted	15/00822/F	Adelphi Homes Ltd Land Between Adelphi Terrace & Tudor Cottage Main Road Crimplesham Norfolk Construction of one dwelling	Crimplesham
08.06.2015	04.08.2015 Application Permitted	15/00877/O	Mrs L Fuller 1 Springfield Close Crimplesham King's Lynn Norfolk Outline application: Site for the erection of one bungalow	Crimplesham
16.06.2015	12.08.2015 Application Permitted	15/00944/F	Mr & Mrs M Jupe Middle Drove Farm 178 Sluice Road Denver Downham Market Conversion of existing stable building to use as part of the dwelling and single storey extension to link to dwelling	Denver
16.07.2015	30.07.2015 Application Permitted	15/00419/NMA_1	Mrs Pat Smith Lyngwood 97 Sluice Road Denver Downham Market Non-material amendment to planning permission 15/00419/F: Single storey rear extension and new garage, revision to planning permission 14/01484/F	Denver

06.03.2015	24.08.2015 Application Permitted	15/00360/F	Mr Sean Fox Life Wood Woodside Close Dersingham Norfolk Storage shed for forestry and ditching equipment for maintenance of Life Wood	Dersingham
26.05.2015	21.07.2015 Application Permitted	15/00825/F	Mr And Mrs G Wells 12 Shernborne Road Dersingham King's Lynn Norfolk New windows inserted	Dersingham
15.06.2015	04.08.2015 Would be Lawful	15/00932/LDP	Mr & Mrs S Holland 14 Woodside Close Dersingham King's Lynn Norfolk Certificate of lawfulness: Single storey rear and front extensions falling within permitted development act	Dersingham
22.06.2015	12.08.2015 Application Permitted	15/00974/F	Mr & Mrs N Riddington 1 Heath Road Dersingham King's Lynn Norfolk Proposed single storey side and rear extension and internal alterations	Dersingham
03.07.2015	13.08.2015 Application Permitted	15/01046/F	Mr & Mrs Rainer 1 Clayton Close Dersingham King's Lynn Norfolk Retrospective side extension to dwelling	Dersingham
13.04.2015	21.08.2015 Application Refused	15/00576/F	Mr Andy Gilles 1 Yeomans Cottages Station Road Docking King's Lynn Proposed new holiday let building and additional car parking (re- submission)	Docking

16.04.2015	21.07.2015 Application Permitted	15/00611/F	Mr And Mrs J Clarke Sextons Yard High Street Docking King's Lynn Side and rear extension over existing garage	Docking
27.05.2015	20.07.2015 Application Permitted	15/00832/F	Mr Guy Costley Tylecot Sedgeford Road Docking King's Lynn Renewal felt flat roofs with tiled pitched roof, extension to the rear of dwelling, extension to existing outbuilding to provide exercise room, porch to cover walkway from proposed extension to outbuilding, installation of ground source heat pump and installation of south facing solar panels to proposed flat roof area	Docking
08.06.2015	31.07.2015 Application Permitted	15/00879/F	Mr James Kenney Windy Ridge Sandy Lane Docking King's Lynn Construction of a brick and glazed UPVC conservatory	Docking
11.06.2015	12.08.2015 Application Permitted	15/00911/F	Able Builders Ltd Crarves High Street Docking King's Lynn Proposed extensions and alterations and subdivision of existing dwelling into two dwellings	Docking

15.06.2015	11.08.2015 Application Permitted	15/00931/F	Mr Anthony Holmes 11 Harefields Station Road Docking Norfolk Remove existing porch to sun lounge. Construct new open porch and front entrance hall and utility room extension and internal alterations	Docking
18.06.2015	12.08.2015 Application Permitted	15/00965/F	Mr Martyn Woolner 4 Sunnyside Mission Lane Docking Norfolk Single storey extension to dwelling	Docking
22.06.2015	17.08.2015 Application Permitted	15/00981/F	Mr Mark Prior Building 14 Construction Industry Training Centre (CITB) Stanhoe Road Bircham Newton Change of use from B1a offices to C3 dwelling	Docking
24.03.2015	06.08.2015 Application Permitted	15/00465/F	Martin Reynolds Construction Old Cinema 43 High Street Downham Market Norfolk Conversion of building back into a cinema with three screens, a bar and a wine bar	Downham Market
01.05.2015	20.07.2015 Application Permitted	15/00694/F	Mr A Graham 37A High Street Downham Market Norfolk PE38 9HF Conversion of a single two storey, 4 bedroom flat into two separate flats, one 1 bedroom and one 2 bedroom	Downham Market

29.05.2015	20.07.2015 Was Lawful	15/00842/LDE	Mr Stephen Conelius 118A Bexwell Road Downham Market Norfolk PE38 9LJ Lawful Development Certificate: use of existing land as garden land	Downham Market
16.06.2015	12.08.2015 Application Permitted	15/00940/F	Mr James Dewart Ellas Place Caravan Site Short Drove Downham Market Norfolk Continued use of land forming part of existing site for the siting of caravans and construction of amenity building plus associated infrastructure	Downham Market
24.06.2015	13.08.2015 Application Permitted	15/01004/F	Mr And Mrs D Morgan White House 10 Mill Lane Downham Market Norfolk First floor extension to rear of dwelling	Downham Market
25.06.2015	13.08.2015 Application Permitted	15/01008/F	Client of Holt Architectural Ltd 9 Oakfield Close Downham Market Norfolk PE38 9BN Proposed front and rear 2 storey extensions	Downham Market
09.06.2015	20.07.2015 Application Permitted	15/00890/F	Mr James Wass Home Farm Cottage Gayton Road East Winch King's Lynn Erection of extension with minor internal alterations	East Winch

10.06.2015	05.08.2015 Application Permitted	15/00894/F	Mr Richard Brown The Rose Cottage Main Road West Bilney Norfolk VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 14/01055/F: Extension to existing annexe	East Winch
18.06.2015	31.07.2015 Application Permitted	15/00961/F	Client of Matt Sturgeon Well Cottage Church Lane East Winch Norfolk Extension to dwelling	East Winch
03.06.2015	21.07.2015 Application Permitted	15/00862/F	Mr & Mrs D Wallwork 41 Outwell Road Emneth Wisbech Norfolk Proposed first floor extension to the side of the existing dwelling and proposed single storey extension to the rear of the existing dwelling	Emneth
04.06.2015	11.08.2015 Application Permitted	15/00863/F	Mr & Mrs S Disley 141B Elm High Road Emneth Wisbech Norfolk Extension and alterations to dwelling	Emneth
24.06.2015	20.08.2015 Application Permitted	15/01002/RM	Mrs Angie Baldwin Eagle House Church Road Emneth Wisbech Reserved Matters Application: Construction of a dwelling	Emneth
20.05.2015	20.07.2015 Application Permitted	15/00804/F	Mr M Cox 25 St Nicholas Drive Feltwell Thetford Norfolk Front and side single storey extension	Feltwell

30.03.2015	20.08.2015 Application Permitted	15/00499/F	I C H Builders Ltd Robert Hill Row Lynn Road Gayton Norfolk Construction of access road and 6 houses (amended design on Plot 2)	Gayton
05.05.2015	15.07.2015 Application Permitted	15/00708/F	Mr Graham Cooper Corner House Lime Kiln Road Gayton King's Lynn Erection of a wooden fence adjacent to the highway	Gayton
05.06.2015	27.07.2015 Application Permitted	15/00869/F	G And L Homes Ltd 11 Lime Kiln Road Gayton King's Lynn Norfolk Two semi-detached dwellings with detached garages	Gayton
03.06.2015	27.07.2015 Application Permitted	15/00858/F	Mr And Mrs A Gilman West Heath Cottage Lynn Lane Great Massingham King's Lynn Extension and alterations to existing house. Demolition of existing garage and erection of new cart shed	Great Massingham
08.06.2015	29.07.2015 Application Permitted	15/00883/F	Mr Hamish And Jennifer Grice 2 Castleacre Road Great Massingham King's Lynn Norfolk Demolition of side extension, rear conservatory. Extension of existing dwelling to side and rear and new garage	Great Massingham
08.06.2015	27.07.2015 Application Permitted	15/00885/F	Mr And Mrs Skerry Lodge Farm Barn 141 Lynn Road Grimston Norfolk Rear/side single storey extension	Grimston

08.06.2015	31.07.2015 Application Permitted	15/00886/LB	Mr And Mrs Skerry Lodge Farm Barn 141 Lynn Road Grimston Norfolk Listed building application: Rear/side single storey extension	Grimston
09.07.2015	19.08.2015 Application Permitted	15/01070/F	Mr Jason Todd 15 Bracken Way Grimston King's Lynn Norfolk Extension and alterations to bungalow	Grimston
02.09.2014	30.07.2015 Application Permitted	14/01281/F	Heacham Wildfowlers Assoc Portacabin Lynn Road Heacham King's Lynn Continued siting of portacabin	Heacham
13.05.2015	30.07.2015 Application Refused	15/00758/F	Mr Henry Ward 25 Church Lane Heacham King's Lynn Norfolk Replacement wooden shed with general purpose building for the storage of two vintage tractors, ride on mower, car trailer and miscellaneous items	Heacham
11.06.2015	03.08.2015 Application Permitted	15/00908/F	Mrs Venesa Taylor 6 Folgate Road Heacham King's Lynn Norfolk Extension to existing dwelling	Heacham
22.07.2015	14.08.2015 Application Permitted	14/00556/NMA_1	Mr Justin Wicks 59 North Beach Heacham King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 14/00556/F: Extension to existing dwelling	Heacham

03.06.2015	20.08.2015 Application Permitted	15/00852/F	Mr & Mrs R Coogan West of the Old School House Station Road Ten Mile Bank Downham Market Construction of one dwelling including new access	Hilgay
03.03.2015	06.08.2015 Application Permitted	15/00339/F	Ms Caroline Williams Orchard Plot Adj 79 South Street Hockwold cum Wilton Norfolk IP26 4JG Detached dwelling (Eco friendly)	Hockwold cum Wilton
19.05.2015	14.07.2015 Application Permitted	15/00792/LB	Mr R Waddingham 36 Hockwold Hall Station Road Hockwold cum Wilton Norfolk Listed building application for front and side single storey extension	Hockwold cum Wilton
10.06.2015	06.08.2015 Would be Lawful	15/00906/LDP	Highways Agency Land Between: Pearsons Belt - Broom Belt And Brickkiln Farm Brandon Road Hockwold cum Wilton Norfolk Lawful Development Certificate: 50Ha of land currently in agricultural and forestry use to be ploughed and managed (including grazing) to form heathland for Stone Curlew habitat	Hockwold cum Wilton

20.07.2015	03.08.2015 Application Permitted	13/01539/NMA_1	Ms Wendy Everett Fountain Stables Cowles Drove Hockwold cum Wilton Norfolk NON-MATERIAL AMENDMENT TO PLANNING APPLICATION 13/01539/F: Proposed mobile home in connection with equine business	Hockwold cum Wilton
09.06.2015	25.08.2015 Application Refused	15/00888/F	Mr Jawad Azzam 12 Kings Lynn Road Hunstanton Norfolk PE36 5HP Change of use of existing land to car wash area with new concrete slab	Hunstanton
24.06.2015	19.08.2015 Application Permitted	15/01006/F	Mrs J De Planta 7 Lincoln Street Hunstanton Norfolk PE36 6AS Proposed extension to dwelling and detached garden building	Hunstanton
26.06.2015	14.08.2015 Application Permitted	15/01014/F	Mr D Heffer Mayfield 2 Sandy Lane Ingoldisthorpe King's Lynn Demolition of existing dwelling and construction of replacement dwelling (revised design)	Ingoldisthorpe
25.03.2015	16.07.2015 Application Refused	15/00475/CU	Peter Humphrey Associates Ltd Peter Humphrey Associates Ltd 124 London Road King's Lynn Norfolk Change of use from office to flat	King's Lynn

13.04.2015	27.07.2015 Application Permitted	15/00574/A	Marriott Motor Group Ltd King's Lynn Audi 2 - 4 Hamburg Way North Lynn Industrial Estate King's Lynn Advertisement application: 3x illuminated fascia signs, 3x illuminated free standing signs, 1x non-illuminated sign and 4x non-illuminated free standing signs	King's Lynn
01.05.2015	18.08.2015 Was Lawful	15/00697/LDE	Mr P Wood 7 Shepley Corner King's Lynn Norfolk PE30 4TE Application for Certificate of Lawful Use: Use of extension as annexe accommodation	King's Lynn
08.05.2015	21.08.2015 Application Permitted	15/00738/F	West Norfolk Islamic Association 14 London Road King's Lynn Norfolk PE30 5PY Removal of timber fencing. Construction of boundary piers and railings to frontage of community centre. Provision of pedestrian and vehicular gates set back into parking area	King's Lynn
08.05.2015	21.08.2015 Application Permitted	15/00739/A	West Norfolk Islamic Association 14 London Road King's Lynn Norfolk PE30 5PY Advertisement application for 2 x fascia signs and 1 x other sign	King's Lynn
13.05.2015	27.07.2015 Application Permitted	15/00755/F	Mr And Mrs K Roberts 6 Langley Road South Wootton King's Lynn Norfolk Retention and completion of extension and garage	King's Lynn

14.05.2015	14.07.2015 Application Refused	15/00761/LB	Warrant Properties Limited 23 Tuesday Market Place King's Lynn Norfolk PE30 1JR Listed building application for proposal to lower 6No. windows on the front elevation at ground floor	King's Lynn
15.05.2015	27.07.2015 Application Permitted	15/00775/F	Mrs D Moore 1 Kingsway King's Lynn Norfolk PE30 2EJ To erect a dual darkwoodgrain conservatory to the rear of the property	King's Lynn
18.05.2015	29.07.2015 Application Permitted	15/00788/F	ITC Warehouses Ltd 9 Tower Place King's Lynn Norfolk PE30 5DF Proposed residential development of four dwellings	King's Lynn
18.05.2015	16.07.2015 Application Permitted	15/00789/F	J T C Warehouses Ltd 7 Tower Place King's Lynn Norfolk PE30 5DF Proposed extension	King's Lynn
26.05.2015	22.07.2015 Application Permitted	15/00820/F	College of West Anglia College of West Anglia Tennyson Avenue King's Lynn Norfolk Demolition of redundant buildings and relocation of medical centre cabin	King's Lynn
28.05.2015	17.08.2015 Application Permitted	15/00833/FM	E.N. Suiter & Sons Ltd Plot East of Victory Court Bryggen Road North Lynn Industrial Estate King's Lynn Erection of two-storey office building	King's Lynn

28.05.2015	17.07.2015 Application Permitted	15/00834/CU	23.5 Degrees 89 High Street King's Lynn Norfolk PE30 1BL Change of use from a retail shop (A1 use) to a mixed class coffee shop (A1/A3 use)	King's Lynn
28.05.2015	29.07.2015 Application Permitted	15/00835/A	23.5 Degrees 89 High Street King's Lynn Norfolk PE30 1BL Advertisement application: 1x externally illuminated fascia sign and 1x non-illuminated hanging sign	King's Lynn
28.05.2015	27.07.2015 Application Refused	15/00837/A	K Lynn Ltd 47 High Street King's Lynn Norfolk PE30 1BE Advertisement application for 1 x illuminated fascia sign, 1 x illuminated hanging sign and 1 x non-illuminated vinyl graphics	King's Lynn
29.05.2015	30.07.2015 Application Permitted	15/00843/F	Landpro Phones 4 U 55 High Street King's Lynn Norfolk Change of use of upper floors from ancillary A1 use to residential and consequential changes to create separate access to first and second floor	King's Lynn
02.06.2015	27.07.2015 Application Permitted	15/00849/F	Mr & Mrs P Farthing 18 Willow Park King's Lynn Norfolk PE30 3BP Internal alterations, including alterations to rear dormer windows and side extension	King's Lynn

05.06.2015	27.07.2015 Application Permitted	15/00867/F	EES 263 Wootton Road King's Lynn Norfolk PE30 3AR Single storey rear extension	King's Lynn
08.06.2015	20.07.2015 Application Permitted	15/00876/F	Borough Council of Kings Lynn And West Norfolk Alive Lynnsport Greenpark Avenue King's Lynn Norfolk 2 hockey / multi use pitches and 4 no. tennis courts including floodlighting and fencing	King's Lynn
08.06.2015	30.07.2015 Application Withdrawn	15/00882/LB	Enterprise Inns Plc (Co No 2562808) 7 Tuesday Market Place King's Lynn Norfolk PE30 1JL Listed building application for new kitchen extract flue mounted on flat roof	King's Lynn
09.06.2015	31.07.2015 Application Permitted	15/00892/A	Solaris Tanning Studio Solaris 14 St James Street King's Lynn Norfolk Advertisement application for 1 x non-illuminated projecting sign	King's Lynn
11.06.2015	19.08.2015 Application Permitted	15/00912/F	Mr P Brandon 1 - 2 Piper Road Hardwick Narrows King's Lynn Norfolk External storage enclosure to attached industrial unit for ancillary secure (non-hazardous materials) waste storage and cycle parking	King's Lynn

12.06.2015	29.07.2015 Application Permitted	15/00914/F	Royal Bank of Scotland National Westminster Bank Plc 4 Tuesday Market Place King's Lynn Norfolk Replacement of external ATM and reconfiguration of existing branch to improve services and layout	King's Lynn
12.06.2015	06.08.2015 Application Permitted	15/00915/LB	Royal Bank of Scotland National Westminster Bank Plc 4 Tuesday Market Place King's Lynn Norfolk Listed building application for replacement of external ATM and reconfiguration of existing branch to improve services and layout	King's Lynn
12.06.2015	27.07.2015 Application Permitted	15/00917/F	Mr C Barwood 2 Gloucester Road King's Lynn Norfolk PE30 4AB Proposed 2 storey extension to form new utility and hobby room with bedroom over, front door and stair relocated and new lean-to porch to front of house	King's Lynn

12.06.2015	29.07.2015 Application Permitted	15/00919/A	Royal Bank of Scotland National Westminster Bank Plc 4 Tuesday Market Place King's Lynn Norfolk Advertisement application for 1 x non-illuminated fascia signs, 1 x non-illuminated hanging sign, 2 x internally suspended illuminated A1 light pockets, 1 x non- illuminated nameplate and 1 x internally suspended illuminated chevron	King's Lynn
12.06.2015	30.07.2015 Application Permitted	15/00922/A	IDH-Intergrated Dental Holdings Limited 10 Purfleet Street King's Lynn Norfolk PE30 1ER Retention of 3 x non-illuminated fascia signs, 1 x non-illuminated hanging sign and 1 x non- illuminated wall mounted sign	King's Lynn
15.06.2015	30.07.2015 Application Permitted	15/00927/F	Stagecoach East Norfolk Green 18 Hamlin Way Hardwick Narrows King's Lynn Creation of drive-through bus wash, new chassis wash and inspection pit with increase height of roller shutter door within existing workshop	King's Lynn

15.06.2015	13.08.2015 Application Permitted	15/00930/F	Stagecoach East 21 Hamlin Way Hardwick Narrows King's Lynn Norfolk Change of use of highway maintenance depot to bus depot and installation of three roller shutter doors to north elevation, siting of two portable buildings, bus and car parking, new access/exit gates to south boundary with 1800mm high gates to match existing and demolition of steel outbuilding	King's Lynn
15.06.2015	30.07.2015 Application Permitted	15/00935/A	Bestway Group Co-Op Pharmacy 6 Centre Point King's Lynn Norfolk 1 x non-illuminated fascia sign, 1 x internally illuminated hanging sign and 1 x non-illuminated 'menu' sign	King's Lynn
17.06.2015	30.07.2015 Application Permitted	15/00948/A	Pratik Upadhyay 69 Lynn Road Gaywood King's Lynn Norfolk ADVERT APPLICATION: Retention of two new fascia signs to advertise new Subway food restaurant	King's Lynn
17.06.2015	30.07.2015 Application Permitted	15/00951/F	Mr M Miller 37 Tennyson Avenue King's Lynn Norfolk PE30 2QG Construction of a timber clad garage to the rear of the building	King's Lynn

18.06.2015	12.08.2015 Application Permitted	15/00964/F	Mr And Mrs K Twite 99 Grafton Road King's Lynn Norfolk PE30 3EY Single storey rear extension and single and two storey side extension	King's Lynn
22.06.2015	30.07.2015 Application Permitted	15/00978/F	Mr S Bramham 291 Wootton Road King's Lynn Norfolk PE30 3AR Construction of first floor extension over existing garage	King's Lynn
23.06.2015	31.07.2015 Application Permitted	15/00988/A	Bestway Group 38 Loke Road King's Lynn Norfolk PE30 2AB 2 x internally illuminated fascia signs and 1 internally illuminated projecting sign	King's Lynn
30.06.2015	14.08.2015 Application Permitted	15/01025/F	Mars Foods Ltd Mars Foods Ltd Hansa Road Hardwick Industrial Estate King's Lynn VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 14/01825/F to allow a minor alteration to elevational treatment to the rear	King's Lynn
03.07.2015	13.08.2015 Was Lawful	15/01043/LDE	Mr C Acourt 31 Hall View Road Gaywood King's Lynn Norfolk Lawful development Certificate: Single storey residential infill extension	King's Lynn

03.07.2015	13.08.2015 Application Permitted	15/01048/F	Mr V Tait And Ms C Carr 2 Dawnay Avenue King's Lynn Norfolk PE30 3BZ Proposed lounge, utility room and cloakroom extension	King's Lynn
06.07.2015	21.08.2015 Application Permitted	15/01052/A	Mr S Dye 21 Tower Street King's Lynn Norfolk PE30 1EJ Advertisement Application: 1no. internally illuminated fascia sign, 1no. externally illuminated hanging sign and internal window stickers	King's Lynn
07.07.2015	19.08.2015 Application Permitted	15/01055/F	Mr M Pearman 33 Extons Road King's Lynn Norfolk PE30 5PG Extensions to dwelling	King's Lynn
07.07.2015	19.08.2015 Application Permitted	15/01059/F	Mr A Linnett 103 Wootton Road Gaywood King's Lynn Norfolk Extension to dwelling	King's Lynn
09.07.2015	19.08.2015 Application Permitted	15/01071/F	Mr And Mrs S Hutson 362 Wootton Road King's Lynn Norfolk PE30 3EB Single storey extension to rear of property following demolition of WC and Lobby	King's Lynn
14.07.2015	19.08.2015 Application Permitted	15/01093/A	Sports Direct Retail Ltd Sports Direct Hamburg Way North Lynn Industrial Estate King's Lynn Retention of 2 x internally illuminated fascia signs and 3 x non-illuminated graphics	King's Lynn

20.07.2015	21.08.2015 Application Permitted	15/01125/F	Mr N Chettleburgh Vacant 24 - 26 Austin Fields Austin Fields Industrial Estate King's Lynn Over-clad building and alterations	King's Lynn
23.07.2015	07.08.2015 Application Permitted	15/00053/NMA_1	Mr And Mrs C Halls 56 Gaskell Way King's Lynn Norfolk PE30 3SG NON MATERIAL AMENDMENT TO PLANNING CONSENT 15/00053/F - Internal alterations, including side and rear extension	King's Lynn
28.07.2015	20.08.2015 Application Refused	11/01806/NMA_1	Mr Howard Dickinson Golden Ball Farm Low Road Saddlebow Norfolk Non-material amendment to planning permission 11/01806/EXF: EXTENSION OF TIME FOR THE IMPLEMENTATION OF A PLANNING PERMISSION REFERENCE 08/02725/F: Conversion of barn complex to 3 No dwellings	King's Lynn
03.07.2015	17.08.2015 Application Permitted	15/01037/F	Mr Glen Andrews The Deeds Church Lane Ashwicken King's Lynn Retrospective application for existing steel framed outbuilding	Leziate
17.06.2015	06.08.2015 Application Permitted	15/00959/F	Mr M Hemsley R & S Engineering Burnthouse Drove Upper Marham Norfolk Retrospective paint spray building and proposed workshop	Marham

30.03.2015	15.07.2015 Application Permitted	15/00497/F	Client of Holt Architectural Ltd Rose Cottage Rands Drove Marshland St James Wisbech Retention of portacabin office and rest room	Marshland St James
15.04.2015	16.07.2015 Application Permitted	15/00602/FM	Askew And Barrett (Pulses) Ltd Askew & Barrett (pulses) Ltd Smeeth Road Marshland St James Wisbech Construction of general purpose/crop storage building for finished (processed) product	Marshland St James
28.05.2015	21.07.2015 Application Permitted	15/00839/F	Mr & Mrs Gavaghan 66 Smeeth Road Marshland St James Wisbech Norfolk Side and rear extension	Marshland St James
03.06.2015	27.07.2015 Application Permitted	15/00855/F	Mrs Clarke Lynden 365 Smeeth Road Marshland St James Wisbech New residential extension	Marshland St James
10.06.2015	06.08.2015 Application Permitted	15/00896/F	Marshland St James Parish Council Former Marshland Sports Pavillion Smeeth Road Marshland St James Norfolk Proposed Community and Sports Centre including car park extension and associated works	Marshland St James
23.06.2015	06.08.2015 Application Permitted	15/00995/F	Clients of Distinct Designs UK Ltd 9 Parkhill Middleton King's Lynn Norfolk Proposed rear extension and cladding replacement	Middleton

29.04.2015	21.07.2015 Application Permitted	15/00686/BT	BT Payphones High Street Nordelph Norfolk Removal of Telephone Services from Kiosk prior to adoption by Parish Council	Nordelph
30.06.2015	14.08.2015 Application Permitted	15/01026/F	Mr Peter Rocklin Scuderia Normans Lane North Creake Fakenham Works to existing garage	North Creake
31.07.2015	19.08.2015 Application Permitted	15/00287/NMA_1	Mr Alistair Mercer 35 West Street North Creake Fakenham Norfolk Non-material amendment to planning permission 15/00287/F: Construction of two self-contained single bedroom holiday let properties (based of existing permission 09/01503/F)	North Creake
08.06.2015	28.07.2015 Application Permitted	15/00880/F	Miss Kerry Fuller Mayhill 24 Rectory Lane North Runcton King's Lynn Two storey side extension and porch	North Runcton
01.07.2015	22.07.2015 Would be Lawful	15/01028/LDP	Mr Paul Spurrell Penguin Foods (UK) Ltd 4 Scania Way Hardwick Industrial Estate King's Lynn Certificate of lawfulness: Construction of a biological waste water treatment plant, which will be used to clean site effluent to recycle water and produce biogas for electricity	North Runcton

09.06.2015	06.08.2015 Application Permitted	15/00891/F	Mr David Hood 1 St Andrews Close Northwold Thetford Norfolk Construction of granny annex in rear garden	Northwold
20.05.2015	15.07.2015 Application Permitted	15/00805/F	Mr Adam Poulter 6 Hamilton Road West Old Hunstanton Norfolk PE36 6JB Extensions and remodeling of existing house	Old Hunstanton
05.06.2015	06.08.2015 Application Permitted	15/00870/F	Mr D Lloyd 15 Hamilton Road Old Hunstanton Hunstanton Norfolk Construction of two new dwellings following demolition of existing house	Old Hunstanton
24.02.2015	06.08.2015 Application Permitted	15/00286/RMM	Doug Clark Produce Ltd Doug Clark Produce Ltd Basin Road Outwell Wisbech Reserved Matters application for 15 dwellings	Outwell
12.05.2015	15.07.2015 Application Permitted	15/00746/F	Dene Homes Ltd Sayersfield Basin Road Outwell Wisbech Proposed 4 No. Semi detached houses and garages	Outwell
05.06.2015	18.08.2015 Application Permitted	15/00872/F	Mr & Mrs P Burman-Smith Plot 1 Adj To Cliftonville The Cottons Outwell Wisbech 4 bed 2 storey detached dwelling with integral garage and temporary siting of mobile home whilst building works take place	Outwell

20.07.2015	05.08.2015 Application Permitted	15/00304/NMA_1	Mr R Newton Outwell Lodge 88 Wisbech Road Outwell Wisbech NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 15/00304/F: The demolition of a dwelling and replacement with 2 houses and a double garage	Outwell
26.06.2015	13.08.2015 Application Permitted	15/01018/F	Miss Sharon Wilkinson The Old Stables Pentney Lane Pentney Norfolk Erection of timber built stable block	Pentney
18.05.2015	31.07.2015 Application Permitted	15/00780/F	Cambuild Holdings Ltd 3 Top End Cottages Holme Road Ringstead Hunstanton Renovation and extension to existing cottage. New vehicular access, garage building and boiler house (amended design)	Ringstead
18.05.2015	31.07.2015 Application Permitted	15/00783/F	Mr Steve Cornwell 2 Top End Cottages Holme Road Ringstead Hunstanton Renovation, alterations and extension (amended design)	Ringstead
12.06.2015	17.08.2015 Application Permitted	15/00923/F	Mrs Deborah Humeniuk Field View House 44 Docking Road Ringstead Norfolk Conversion of garage, utility room and home office areas into one bedroom annexe for parents	Ringstead

15.06.2015	17.08.2015 Application Permitted	15/00937/CU	Mr Colin Grimes 74 Station Road Roydon King's Lynn Norfolk Change of use of existing building from livestock housing to timber storage and the manufacture of livestock field shelters and stables	Roydon
22.06.2015	06.08.2015 Application Permitted	15/00980/F	Mrs L Walker 1 Ffolkes Place Runcton Holme King's Lynn Norfolk Conservatory extension on bungalow	Runcton Holme
23.06.2015	20.07.2015 Application Permitted	13/00692/NMAM_3	Mehrang Limited Solar Farm Southern Bypass (A1122) Downham Market Norfolk +NON MATERIAL AMENDMENT TO PLANNING CONSENT 13/00692/FM Installation and operation of a solar farm and associated infrastructure, including PV panels, mounting frames, inverters, transformers, switchgear, fence and pole-mounted security cameras	Ryston
13.04.2015	31.07.2015 Application Permitted	15/00573/F	Mrs D Pegley-Worley 8 Hillside Ringstead Road Sedgeford Hunstanton Extend width of existing dropped kerb to provide disabled level access	Sedgeford

19.06.2015	13.08.2015 Application Permitted	15/00967/F	Mr & Mrs J Lloyd Mathews Coaches 50 Westgate Street Shouldham King's Lynn Construction of new dwelling and garage	Shouldham
30.01.2015	22.07.2015 Permitted Development _App not reqd	15/00146/F	Mrs Victoria Rayner Alma House 31 Alma Road Snettisham King's Lynn Adaptations to outhouse	Snettisham
22.05.2015	13.08.2015 Application Permitted	15/00812/RMM	Norfolk Building Co Old Station Yard Station Road Snettisham King's Lynn Reserved Matters Application seeking approval for appearance and landscaping for residential development of 17 dwellings	Snettisham
01.06.2015	30.07.2015 Application Permitted	15/00847/F	Mr Eamon Edgley 4 Old Church Road Snettisham King's Lynn Norfolk Rear extension	Snettisham
29.06.2015	23.07.2015 Application Refused	14/01813/NMA_1	Mrs Margaret Asprey 25 Goose Green Road Snettisham King's Lynn Norfolk Non-material amendment to planning permission 14/01813/F: Extension to existing dwelling	Snettisham
16.03.2015	20.07.2015 Application Permitted	15/00392/F	Mr Keith Britton 15 Churchill Estate South Creak Fakenham Norfolk Extend bedroom on first floor over ground floor bathroom	South Creak

23.03.2015	31.07.2015 Application Permitted	15/00449/FM	Lark Energy Cable Route Leicester Road South Creake Norfolk Proposed cable route to connect a consented solar farm at Leicester Square Farm.	South Creake
28.05.2015	24.07.2015 Application Permitted	15/00836/F	Mr & Mrs T Allen 28 Front Street South Creake Fakenham Norfolk Rear 2 storey extension and porch to front	South Creake
26.03.2015	15.07.2015 Application Permitted	15/00483/F	Asda Stores Ltd Rainbow Centre Langley Road South Wootton Norfolk Installation of 4 new air handling units to replace existing heating system	South Wootton
19.05.2015	21.07.2015 Application Permitted	15/00795/F	Mr And Mrs P Walker 6 Furness Close South Wootton King's Lynn Norfolk Extension to dwelling	South Wootton
12.06.2015	27.07.2015 Application Permitted	15/00916/F	Mr D Turner Coach House 12 Church Lane South Wootton Norfolk Proposed garage block with store	South Wootton
18.06.2015	30.07.2015 Application Permitted	15/00962/F	Mr And Mrs D Sharp 42 Pine Road South Wootton King's Lynn Norfolk Two storey and single storey extension to dwelling	South Wootton

26.06.2015	14.08.2015 Application Permitted	15/01012/F	Mr Peter Martin 7 Spinney Close South Wootton King's Lynn Norfolk Proposed extension to existing property	South Wootton
27.04.2015	20.07.2015 Application Permitted	15/00672/F	Client of Ian J M Cable Architectural Design(Mr Alan Bunkum) Mill Houses Boughton Road Stoke Ferry Norfolk Conversion of covered parking to garage with installation of garage door and infill rear wall	Stoke Ferry
17.06.2015	06.08.2015 Application Permitted	15/00953/F	Mr Peter Corbett The Lodge High Street Stoke Ferry King's Lynn Application of lime plaster	Stoke Ferry
17.06.2015	12.08.2015 Application Permitted	15/00954/LB	Mr Peter Corbett The Lodge High Street Stoke Ferry King's Lynn Listed building consent for application of lime plaster	Stoke Ferry
11.06.2015	10.08.2015 Application Permitted	15/00909/O	Mrs Janice Thomson Plot East of 77 The Drove Barroway Drove Norfolk Outline application for two dwellings	Stow Bardolph
26.06.2015	13.08.2015 Application Permitted	15/01011/F	Church Farm Rare Breeds Centre Stow Bardolph Church Farm Lynn Road Stow Bardolph King's Lynn Extension of play barn	Stow Bardolph

23.06.2015	18.08.2015 Application Permitted	15/00994/F	Mr M Reynolds Paradise Manor Farm Downham Road Stradsett King's Lynn Alterations and extension of existing farmhouse following demolition of partially collapsed northern wing	Stradsett
23.06.2015	21.08.2015 Application Permitted	15/00996/LB	Mr M Reynolds Paradise Manor Farm Downham Road Stradsett King's Lynn LISTED BUILDING APPLICATION: Alterations and extension of existing farmhouse following demolition of partially collapsed northern wing	Stradsett
22.06.2015	30.07.2015 Application Permitted	15/00977/F	Mr Mark Ashby 76 Hay Green Road South Terrington St Clement King's Lynn Norfolk Proposed two and single storey extensions to dwelling and detached double garage	Terrington St Clement
23.06.2015	30.07.2015 Application Permitted	15/00984/F	Mr And Mrs R Wright Windrush 115A Hay Green Road South Terrington St Clement King's Lynn Single storey side extension to dwelling	Terrington St Clement

30.06.2015	06.08.2015 Application Permitted	15/01022/F	Miss Rachel Coulter Hillgate Nurseries Sutton Road Terrington St Clement Norfolk Replacement of 20m high monopole supporting 2no. antennas (top height 22.3m) with 22.5m monopole supporting 3no. antennas, replacement of 1no cabinet and development ancillary thereto	Terrington St Clement
27.05.2015	11.08.2015 Application Permitted	15/00829/F	Mr & Mrs M Hayes Gambles House School Road St John's Fen End Terrington St John Completion and retention of sub division of exisitng dwelling to form a new dwelling	Terrington St John
04.06.2015	28.07.2015 Application Permitted	15/00865/A	Willows Pharmacy WILLOWS PHARMACY Old Church Road Terrington St John Norfolk Advertisement application for 1 x illuminated fascia sign and 1 x illuminated projecting sign	Terrington St John
26.03.2015	20.08.2015 Application Permitted	15/00482/F	B & L Properties Ltd Land Adj Mulberry Cottage Choseley Road Thornham Norfolk Proposed development of two detached properties	Thornham
10.06.2015	27.07.2015 Application Permitted	15/00902/F	Mr Richard Wood Plumtrees Green Lane Thornham Hunstanton Variation of condition 2 of planning permission 14/00511/F:	Thornham

11.06.2015	06.08.2015 Application Permitted	15/00910/F	Mrs Janette Barrett 2 Shepherds Pightle Thornham Norfolk PE36 6NA Extension to existing dwelling	Thornham
19.06.2015	17.08.2015 Application Permitted	15/00971/F	Mr & Mrs T Rose Land Adjacent 63 Church Road Tilney St Lawrence King's Lynn Erection of two dwellings and associated garages	Tilney St Lawrence
22.06.2015	21.08.2015 Application Refused	15/00975/O	Mrs Sara Runyard The Orchards Mill Lane Tilney St Lawrence King's Lynn Outline application with some matters reserved for erection of timber holiday cabin	Tilney St Lawrence
23.06.2015	13.08.2015 Application Permitted	15/00993/RM	Mr David Butters Melmont Chapel Road Tilney Fen End Tilney St Lawrence Reserved Matters Application for proposed dwelling	Tilney St Lawrence
28.04.2015	16.07.2015 Application Permitted	15/00674/CU	Mrs J Watts Janis 176 New Road Upwell Wisbech Change of use of existing fields for use by equine and canines for exercise purposes including erection of fencing	Upwell
20.05.2015	20.07.2015 Application Refused	15/00802/F	Mr Russell Lister Lode Orchard 57 Small Lode Upwell Wisbech Proposed wildlife area	Upwell

26.05.2015	20.07.2015 Application Permitted	15/00824/F	Mr And Mrs T Culley Percival House Low Side Upwell Wisbech Extension, alterations and detached garage with hobby room over	Upwell
02.06.2015	27.07.2015 Application Permitted	15/00851/CU	Mr And Mrs N Prichard 55 Town Street Upwell Norfolk PE14 9DA Change of use application: Redundant shop to residential premises	Upwell
18.06.2015	28.07.2015 Application Permitted	15/00966/F	The Upwell Health Centre Upwell Health Centre Townley Close Upwell Wisbech Alterations and extension	Upwell
03.07.2015	27.07.2015 Application Permitted	11/02094/NMA_1	Mr & Mrs J Cook The Lymes 43 School Road Upwell Wisbech NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 11/02094/F: Single storey extension to kitchen, single storey link extension and conversion of out buildings to form study	Upwell
26.05.2015	24.07.2015 Application Refused	15/00819/RM	Mr Lee Walton The Willows The Marsh Walpole St Andrew Norfolk Reserved Matters Application: construction of one dwelling	Walpole

20.07.2015	18.08.2015 Was_ Would be Lawful	15/01127/LDE	Mr & Mrs T Rudd Hawthorne Lodge Police Road Walpole St Andrew Wisbech Certificate of lawfulness: Use of land as residential garden	Walpole
15.06.2015	06.08.2015 Application Permitted	15/00939/F	Mr Peter Smart Dorothy Mill Lane Walpole Highway Wisbech Removal of agricultural occupancy restriction (condition 2) of planning permission M2594	Walpole Highway
22.06.2015	06.08.2015 Application Permitted	15/00976/CU	Mrs S Pearl The Grange Biggs Road Walsoken Wisbech Conversion of existing residential dwelling to part HMO (retention)	Walsoken
10.07.2015	31.07.2015 Application Permitted	14/00922/NMA_1	Mr & Mrs G Robinson Site of Former Victoria Cafe Lynn Road Walsoken Wisbech NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 14/00922/F: Proposed car showroom, workshop, preparation bay and hard standing display area	Walsoken
07.05.2015	16.07.2015 Application Permitted	15/00728/F	Mr Gordon Candler April Cottage Cavenham Road Wereham King's Lynn Single storey porch to front of building	Wereham
02.06.2015	27.07.2015 Application Permitted	15/00848/F	Mr Terry Howlett 2 Sandy Lane West Acre King's Lynn Norfolk Erection of single storey detached garage adjacent to house	West Acre

29.01.2015	22.07.2015 Non-determined Invalid now returned	15/00130/LDP	Mr Nick Cann The Old Rectory Lime Kiln Road West Dereham King's Lynn Lawful development certificate: Upgrade of existing entrance on Lime Kiln Road	West Dereham
23.06.2015	06.08.2015 Application Permitted	15/01000/F	West Dereham Parish Council Cemetery To Church of St Andrew St Andrews St Andrews Walk West Dereham Norfolk Construction of gate piers and gates at access to cemetery	West Dereham
23.06.2015	30.07.2015 Application Permitted	15/00987/F	Mrs H Garrod Anfield 4 School Road West Walton Wisbech Extension and alterations to dwelling	West Walton
25.06.2015	20.08.2015 Application Refused	15/01009/F	Mr & Mrs Stead Gaersfield Farm Harps Hall Road Walton Highway Norfolk Conversion and extension of barn and stables to 3 bedroom dwelling	West Walton
29.06.2015	14.08.2015 Application Permitted	15/01017/F	Mr & Mrs Smalley Land To the Rear of 109 St Pauls Road South Walton Highway Norfolk Standing mobile home as annexe for parents	West Walton

22.06.2015	17.08.2015 Application Permitted	15/00973/F	Mr Charles McIntyre Downham Gospel Hall Trust West Winch Norfolk PE33 0PD Proposed extension to existing car parking area to form overflow car parking area including extension of site security, additional landscaping works, extension to exisitng hall to form services canopy and assoicated works	West Winch
30.06.2015	20.08.2015 Application Permitted	15/01019/F	Mr S Riley Wincote 68 Back Lane West Winch King's Lynn Proposed demolition of existing conservatory and erection of two storey extension to rear of property	West Winch
03.07.2015	27.07.2015 Application Permitted	13/01560/NMAM_1	Freebridge Community Housing Coronation Avenue West Winch Norfolk PE33 0NS Non-material amendment to planning permission 13/01560/FM: Demolition of 6 No. existing dwellings and provision of 16 No. new dwellings	West Winch
03.07.2015	06.08.2015 Application Permitted	15/01044/F	Mr And Mrs N Frary Glyn-Neath 20 Back Lane West Winch King's Lynn Proposed loft conversion and garage extension	West Winch

26.05.2015	28.07.2015 Application Permitted	15/00817/F	Mr J Hurst Lilac Cottage 120 St Peters Road Wiggenhall St Peter King's Lynn Conversion of existing garage to form dining room and first floor extension	Wiggenhall St Germans
09.06.2015	28.07.2015 Application Permitted	15/00889/F	Mr & Mrs Wix 9 Fitton Road Wiggenhall St Germans King's Lynn Norfolk Extension to loft conversion	Wiggenhall St Germans
13.07.2015	21.08.2015 Application Permitted	15/01087/F	Middle Level Commissioners St Germans Pumping Station Sluice Road Wiggenhall St Germans King's Lynn Equipment store for bespoke pump lifting equipment	Wiggenhall St Germans
02.07.2015	27.07.2015 Application Refused	12/00208/NMA_1	Mr & Mrs A Maile Treerange Stow Road Wiggenhall St Mary Magdalen Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 12/00208/F: Conversion and extension of barn to form three bedroom dwelling and erection of three bay car por	Wiggenhall St Mary Magdalen
09.07.2015	24.08.2015 Application Permitted	15/01074/F	Mr And Mrs J Sim The Gables 94 West Way Wimbotsham King's Lynn Extensions to bungalow and construction of garage	Wimbotsham