

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



# **Planning Committee**

## **Agenda**

**Monday, 4th June, 2018  
at 9.30 am**

in the

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





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

**PLANNING COMMITTEE AGENDA**

**Please ensure that all mobile phones are switched to silent**

**DATE:** Monday, 4th June, 2018

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

**TIME:** 9.30 am

**1. APOLOGIES**

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

**2. MINUTES**

To confirm as a correct record the Minutes of the Meeting held on 8 May 2018.

**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 (Page 6)**

The Committee is asked to note the Index of Applications.

**(a) Decisions on Applications (Pages 7 - 60)**

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

**9. DELEGATED DECISIONS (Pages 61 - 85)**

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

**10. UPDATE ON TREE MATTERS (Pages 86 - 88)**

To consider the report prepared by the Arboricultural Officer.

**To: Members of the Planning Committee**

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

## Site Visit Arrangements

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

If there are any site inspections arising from this meeting, these will be held on **Thursday 7 June 2018** (time to be confirmed) and the meeting reconvened on the same day (time to be agreed).

### Please note:

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

Please note that the deadline for registering to speak on the application is 12 noon the working day before the meeting, **Friday 1 June 2018**. Please contact [borough.planning@west-norfolk.gov.uk](mailto:borough.planning@west-norfolk.gov.uk) or call (01553) 616818 or 616234 to register.

### For Major Applications

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

### For Minor Applications

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

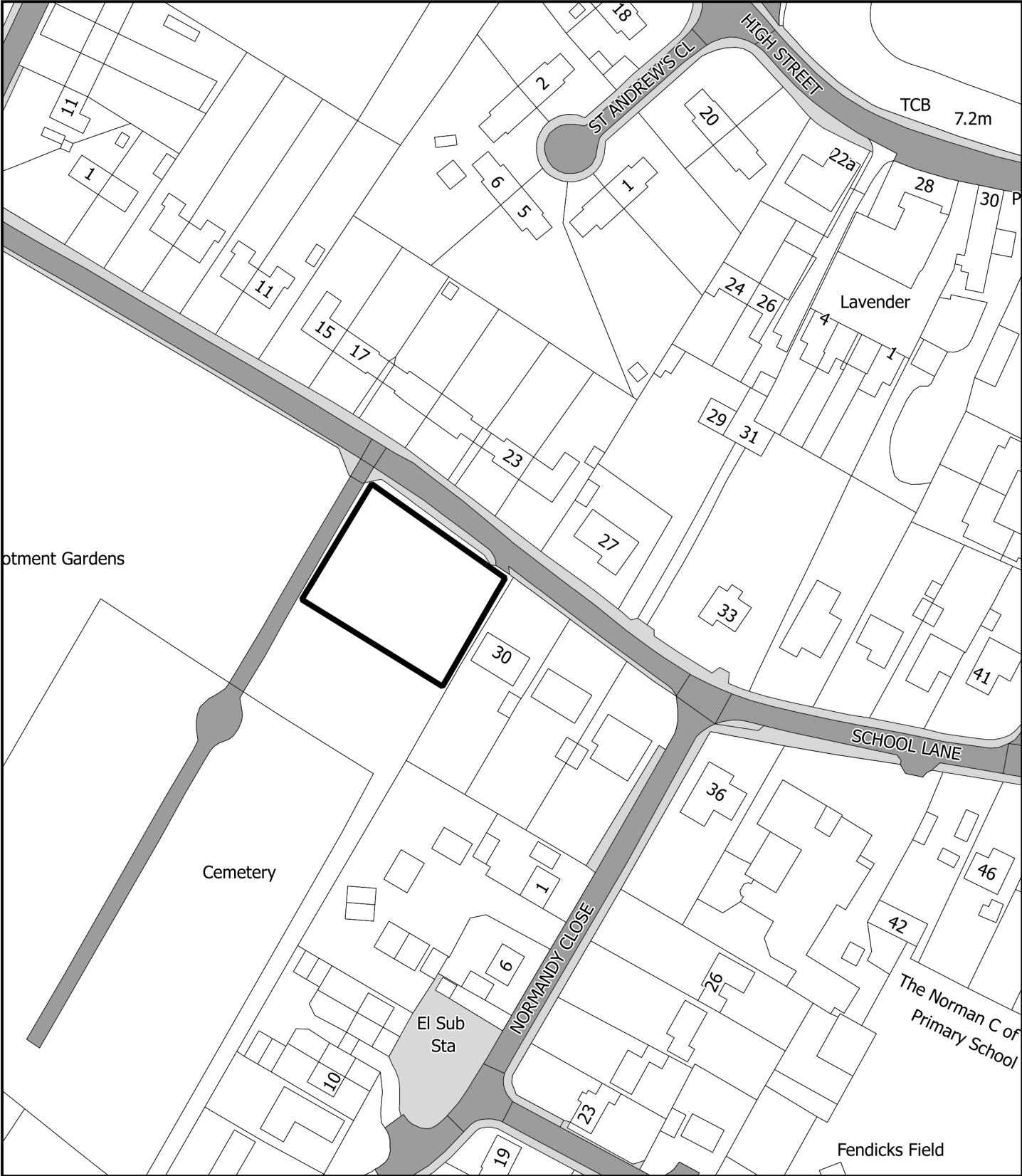
For Further information, please contact:

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

**INDEX OF APPLICATIONS TO BE DETERMINED  
BY THE PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 4 JUNE 2018**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
<b>8/1</b>	<b>DEFERRED ITEMS</b>			
<b>8/1(a)</b>	<b>18/00138/F</b> Parish Council Land School Lane Development of parish council land to change use from allotment land to community car park	<b>NORTHWOLD</b>	<b>APPROVE</b>	<b>7</b>
<b>8/2</b>	<b>OTHER APPLICATIONS / APPLICATIONS REQUIRING REFERENCE TO THE BOARD</b>			
<b>8/2(a)</b>	<b>18/00369/F</b> Cheney Hollow 3 Cheney Hill Construction of two detached dwellings, plus change of use of one existing dwelling from holiday let to a private property and safety improvements to existing vehicular entrance to site	<b>HEACHAM</b>	<b>APPROVE</b>	<b>16</b>
<b>8/2(b)</b>	<b>17/02338/F</b> Land North of Riverside Business Centre, Cross Bank Road Anaerobic Digester	<b>KING'S LYNN</b>	<b>REPORT TO FOLLOW</b>	
<b>8/2(c)</b>	<b>18/00198/F</b> The Bungalow Waterworks Road Construction of 3 dwellings following demolition of existing bungalow	<b>OLD HUNSTANTON</b>	<b>REFUSE</b>	<b>28</b>
<b>8/2(d)</b>	<b>18/00410/O</b> Romer Farm Oxborough Road Proposed residential development	<b>STOKE FERRY</b>	<b>REFUSE</b>	<b>45</b>
<b>8/2(e)</b>	<b>18/00237/O</b> Shopfield House 53 Old Church Road Outline Application: Proposed dwelling	<b>TERRINGTON ST JOHN</b>	<b>APPROVE</b>	<b>54</b>

# 18/00138/F Parish Council Land School Lane Northwold



1:1,250

10 0 10 20 30 40 m



<b>Parish:</b>	Northwold	
<b>Proposal:</b>	Development of parish council land to change use from allotment land to community car park	
<b>Location:</b>	Parish Council Land School Lane Northwold Norfolk	
<b>Applicant:</b>	Northwold And Whittington Parish Council	
<b>Case No:</b>	18/00138/F (Full Application)	
<b>Case Officer:</b>	Mrs N Osler	<b>Date for Determination:</b> 26 March 2018 <b>Extension of Time Expiry Date:</b> 8 June 2018

**Reason for Referral to Planning Committee** – Deferred from April's Committee

**Neighbourhood Plan:** No

**Case Summary**

Members may recall this application was deferred from April's committee meeting to enable further consideration of a scheme that was submitted under late correspondence. Since this time the Parish Council has met with the Local Highway Authority and come up with a solution that has addressed the LHA's concerns. The LHA no longer objects to the development.

Permission is sought for the change of use of former allotment land to a community car park. The car park would provide 26 x 7x2.5m spaces on grass reinforcement mesh and would use the existing cemetery access that would be widened and upgraded as part of the proposal.

The previous proposal was for 24 car parking spaces using two existing accesses onto School Lane using an 'In' and 'Out' circuit. The 'In' would utilise the existing cemetery access and the 'Out' would utilise an existing field access. This proposal resulted in an objection from the LHA as the applicant (the Parish Council) did not control the land to the east of the eastern access and therefore long term visibility could not be certain.

The current proposal means that there is sufficient land on either side of the access / exit to ensure long term visibility.

The current proposal will result in the loss of a conifer tree, removal of the existing gates at the entrance to the cemetery and relocation of the existing boundary fence with School Lane to provide visibility splays.

**Key Issues**

\* Principle of Development



- \* Highway Safety
- \* Neighbour Amenity and Crime and Disorder
- \* Other Material Considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

Permission is sought for the change of use of an area of largely unused grass that was historically allotments. The car park would provide 26 x 7x2.5m spaces on grass reinforcement mesh and would utilise the existing cemetery access that would be widened and upgraded.

The proposal would result in the loss of a conifer tree, removal of the existing gates at the entrance to the cemetery and relocation of the existing boundary fence adjacent to School Lane to provide the necessary visibility splays.

## **SUPPORTING CASE**

The following supporting statement was submitted by the applicant:

*Background:* For many years now, there has been a significant parking problem in the vicinity around the Norman Primary School in Northwold, when parents and carers drop off and pick up children at the school in the morning from about 8.30 to 9.15am, and 2.40 to 3.20pm. Vehicles park in School Lane and Normandy Close, causing congestion and access issues and subsequent potential motor accidents and injury to both adults and children. The Parish Council regularly receives complaints from residents of Normandy Close regarding vehicles blocking the pavements and preventing access to private driveways at the above times. One resident, who has cancer, attended a Council meeting last year pointing out that an emergency ambulance would be unable to get to his house as a result of the congestion and access problems.

The village hall, which is opposite the school, and visitors to the cemetery will also benefit from the additional parking.

*Usage:* The main purpose of the proposed community car park is to alleviate the parking problems at the school in the early morning and mid-afternoon, reducing congestion and the likelihood for potential accidents and injury, as well as solving the problems experienced by the residents of Normandy Close. The car park is about 100 metres from the school, on the same side of the road and connected by a footpath alongside the road. Usage as an overflow car park for the village hall and for visitors to the cemetery will be occasional only. The area, therefore, will not be in constant use and will not result in extra traffic using School Lane. Overnight parking will not be allowed, and this will be clearly signed.

*Surface:* The proposed area has to remain “green” and therefore the heaviest grade grass reinforcement mesh will be used to protect the surface. The supplier’s literature states that the mesh will limit grass wear, worn grass, rutting and muddy areas, and is ideal for vehicles up to 7.5 tonnes. As the area will only have limited usage, it is not envisaged that it

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will become rutted and muddy, and will not therefore result in mud being carried onto School Lane.

*Monitoring:* The Parish Council will monitor the use of the car park in respect of the condition and stability of the surface, repairing and temporarily closing the area where necessary, and any misuse of the area by vehicles and individuals, taking appropriate action where necessary including the installation of lockable gates / barriers. (Please note, there has been open access to this area for many years with no history of problems or complaints)

## PLANNING HISTORY

No recent relevant history

## RESPONSE TO CONSULTATION

**Parish Council:** Are the Applicant

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

**Environment Agency:** No further comments to make in relation to amendments.

Previous comments stand: **NO OBJECTION** – informatives relating to contamination and SUDS provided

**CSNN:** No further comments to make in relation to amendments.

Previous comments stand: **NO OBJECTION** although I have concerns over this proposal, given the residential location and proximity to several dwellings. The principle of a car park would seem a sensible idea, but the aspect of concern to this team is 'out of hours' usage, such as in the hours of darkness. Community parking areas, unless controlled, often give rise to noise complaints from nearby residents, as they unfortunately attract persons who use the facility to loiter, play loud music from cars, leave litter and even drugs paraphernalia, and generally cause anti-social behaviour (ASB).

The plans provided do not indicate any gates. Within the submitted documents a Parish Councillor indicates that the car park will be monitored in terms of the deterioration of the surfacing and whether mud will be deposited on the highway. Monitoring in the hours of darkness for ASB, in our experience, is more onerous. The Councillor also states "the car park will not be in constant use.... The prime usage will be for less than 2 hours per day for parents/carers dropping off and collecting children at the school. Other envisaged minimal usage is as an overflow car park for the village hall and for visitors to the cemetery." Whilst parking for the cemetery and school appears not to pose any issues, unless there was an evening event at the school, the overflow use for the village hall could result in quite frequent evening use. This would be at a time when background noise levels drop and therefore noise from vehicles and people could be an issue for occupiers of 30, 19, 21, 23 and 25.

I felt the actual usage proposed would not raise an objection from me, if given the assurance that the Parish Council installed appropriate signage to remind legitimate users of the proximity of neighbours etc, a high level barrier and gates, however the 'uncontrolled' usage outside of the times envisaged remains a concern. How can ASB be prevented?

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With this in mind I have contacted the Parish Council representative to discuss the following aspects - How does the Parish Council propose to control the usage so it does not become excessive in comparison to what they currently envisage? Whilst clearly proposed as a village benefit, have the negatives of unwanted use been considered? Can the site be gated to prevent unwanted persons with vehicles loitering and causing a nuisance after the core working day i.e. 5.30pm onwards? As a very minimum, they may wish to install barriers to prevent caravans from gypsy and traveller encampments. Are they proposing signage?

After some discussion, the Councillor has confirmed that the existing land is such that ASB could occur already as the land is grassed with open access. Additionally they will be closely monitoring the usage and, if needed, would be prepared to install gates to lock the facility at night and signage to advise the car park cannot be used after dark. Given the land is accessible now, and not allotments, I am less concerned and I feel that gates are not yet required. I have advised we could take action, informally or formally, if complaints were received, and at that point we could request gates were fitted/other measures were taken.

I have agreed that I will not object, but that I will require the EPA Informative to be appended to any approval issued.

**Natural England:** No further comments to make in relation to amendments.

Previous comments stand: **NO OBJECTION**

**PROW Officer (NCC):** No further comments to make in relation to amendments.

Previous comments stand: **NO OBJECTION** although we would highlight that the PROW known as Northwold Footpath 6 is coincident with the proposed car park exit and is aligned inside the western boundary of the eastern part of the site. The full legal extent of the PROW must remain open and available for the duration of the development and subsequent occupation. This includes the additional of any structures, as well as any parking on the legal alignment.

There is no public right to drive along the footpath, and therefore there is no responsibility upon the Highway Authority to maintain the route to facilitate private vehicular access. It would be expected that any damage caused to the footpath by the exercise of the private rights remains with the right holders to repair.

**REPRESENTATIONS** Third party objection relate to:

- Increased risk of surface water flooding unless adequate drainage is provided,
- Noise 24/7,
- Light pollution at night,
- Increased litter problems,
- Potential oil spillage into the water course,
- Congestion on a narrow residential road around the entrance,
- Concentration of traffic along a narrow residential road,
- More risk of accidents on the A134 as traffic would tend to use the high risk junction,
- The plans do not make allowance for the need to relocate the telephone pole which could result in major disruption to communication facilities,
- The car park should be restricted to term time and no overnight usage,
- There should be a height restriction
- The access should be moved between the opposing accesses of Nos 19 and 21.

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## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** – Transport

**CS12** - Environmental Assets

**CS13** - Community and Culture

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM16** – Provision of Recreational Open Space for Residential Developments

**DM22** - Protection of Local Open Space

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

**DM2** – Development Boundaries

**DM9** - Community Facilities

**DM15** – Environment, Design and Amenity

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

## **PLANNING CONSIDERATIONS**

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

- Principle of Development
- Highway Safety
- Neighbour Amenity and Crime and Disorder
- Other Material Considerations

### **Principle of Development**

The site lies outside of both the development boundary and conservation area.

The site currently comprises an area of former allotment that is not laid out as such and is therefore an unprotected area of grass with two vehicular accesses.

Development Management Policy DM16 specifically seeks to retain allotments where there is a current or predicated demand. In this instance the land has not been used as for allotments for at least 10 years. There is also plenty of other allotment land in the immediate

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vicinity. This suggests that there is not currently any unmet need for allotments in the locality.

Development Management Policy DM9 encourages the retention of existing community facilities and the provision of new facilities particularly in areas with poor levels of provision and in areas of major growth. DM9 goes not to state that development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:

- a) the area currently served by it would remain suitably provided following the loss or, if not
- b) it is no longer viable or feasible to retia the premises in a community facility use.

In this instance both the current and proposed uses are considered to represent 'community facilities', with a greater need identified for the car park that for allotments. Additionally the use of grass reinforcement mesh would not rule out relatively simple reversion in the future.

It is widely acknowledged that parking within the vicinity of schools generally leads to on-street parking and congestion. It is understood that this is the case in this instance although the time of the site visit did not coincide with school opening or leaving time and as such this was not witnessed first-hand.

The proximity of the proposed car park, to not only the school, but the village hall and cemetery suggests that it will benefit the wider community both in terms of those using the school / cemetery / hall and those living nearby that are affected by the disamenity caused by current on-street parking.

For the above reasons it is considered that the development is in general accordance with policy and guidance and the principle of development is acceptable.

### **Highway Safety**

Since the previous Planning Committee meeting the Parish Council and Local Highway Authority have met and agreed upon a scheme that meets the needs of the PC without detriment to highway safety and has resulted in the removal of the LHA's objection.

The existing cemetery access would be widened and upgraded under the current scheme which will enable future control of visibility splays in both directions.

An existing conifer tree would need to be removed, as would the existing cemetery gates. It is not considered these losses warrant refusal.

The existing fence that abuts the highway will need to be moved back to provide the visibility splays. The fence would continue across the existing eastern access to a point that would enable pedestrian access to FP6 (a public right of way that runs along the east of the site).

### **Neighbour Amenity and Crime and Disorder**

It is considered that the Community Safety and Neighbourhood Nuisance Team (CSNN) have fully considered neighbour amenity and crime and disorder issues, and given the current unrestricted vehicular accesses onto the site, it would be difficult to sustain an objection on these grounds. Your officers have nothing further to add and believe CSNN's approach to be both pragmatic and acceptable.

It should also be noted that your officers do not consider that the change of use would increase vehicular activity, but address an existing need that is currently met by on street parking.

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The main neighbour amenity issues would be to the properties to the immediate east (No.30) and immediately opposite the car park (Nos.21, 23 and 25). The former due to all the cars that are currently dispersed along School Lane and other streets in the vicinity of the school and village hall being in one location adjacent to their property; the latter primarily due to car headlights. In this regard it is likely that the greatest use of the car park will be during school hours and primarily at school opening and closing times when car lights are not required. It should be noted that none of the occupiers of these properties objected to the proposed change of use.

**Other Material Considerations** In relation to third party comments not covered above:

- Increased risk of surface water flooding unless adequate drainage is provided – the risk of a surface water drainage event is 1:1000 years. The EA has no objection to the proposed development and it is unlikely, due to the proposed car park material (grass reinforced mesh) that surface water drainage will largely be the same as existing. The use of grass reinforced mesh can be conditioned if permission is granted,
- Noise 24/7 – Parking will be in association with existing events and is therefore unlikely to be 24/7;
- Light pollution at night – other than car lights, no lighting is proposed;
- Increased litter problems – covered by CSNN,
- Potential oil spillage into the water course – the EA are aware of the proposed development and the groundwater risk ranking and raise no objection. They do suggest informatives which will be appended to any permission granted,
- Congestion on a narrow residential road around the entrance – it is likely that the car park would ease congestion,
- Concentration of traffic along a narrow residential road – as above,
- More risk of accidents on the A134 as traffic would tend to use the high risk junction – the LPA cannot see how provision of this car park will increase the risk of accidents on the A134.
- The plans do not make allowance for the need to relocate the telephone pole which could result in major disruption to communication facilities – if the pole needs relocating then it will be at the applicant's expense and done in compliance with the appropriate utilities company as per the LHA's informative that will be appended to any permission granted,
- The car park should be restricted to term time and no overnight usage – covered by CSNN
- There should be a height restriction – covered by CSNN

*PROW* The issues surrounding the PROW are really civil matters. Notwithstanding this, the car park does not encroach on the PROW.

## **CONCLUSION**

Development Management Policy DM16 seeks to retain allotments. However, the site has not been used as allotments for a considerable number of years. The proposal is therefore essentially seeking to change one community use to another. It is therefore in principle acceptable in planning terms. It is not considered that neighbour nuisance would be increased to any material degree, and for the majority it would result in betterment. The outstanding issue of highway safety has been satisfactorily addressed and it is therefore recommended that this application be approved subject to the following conditions.

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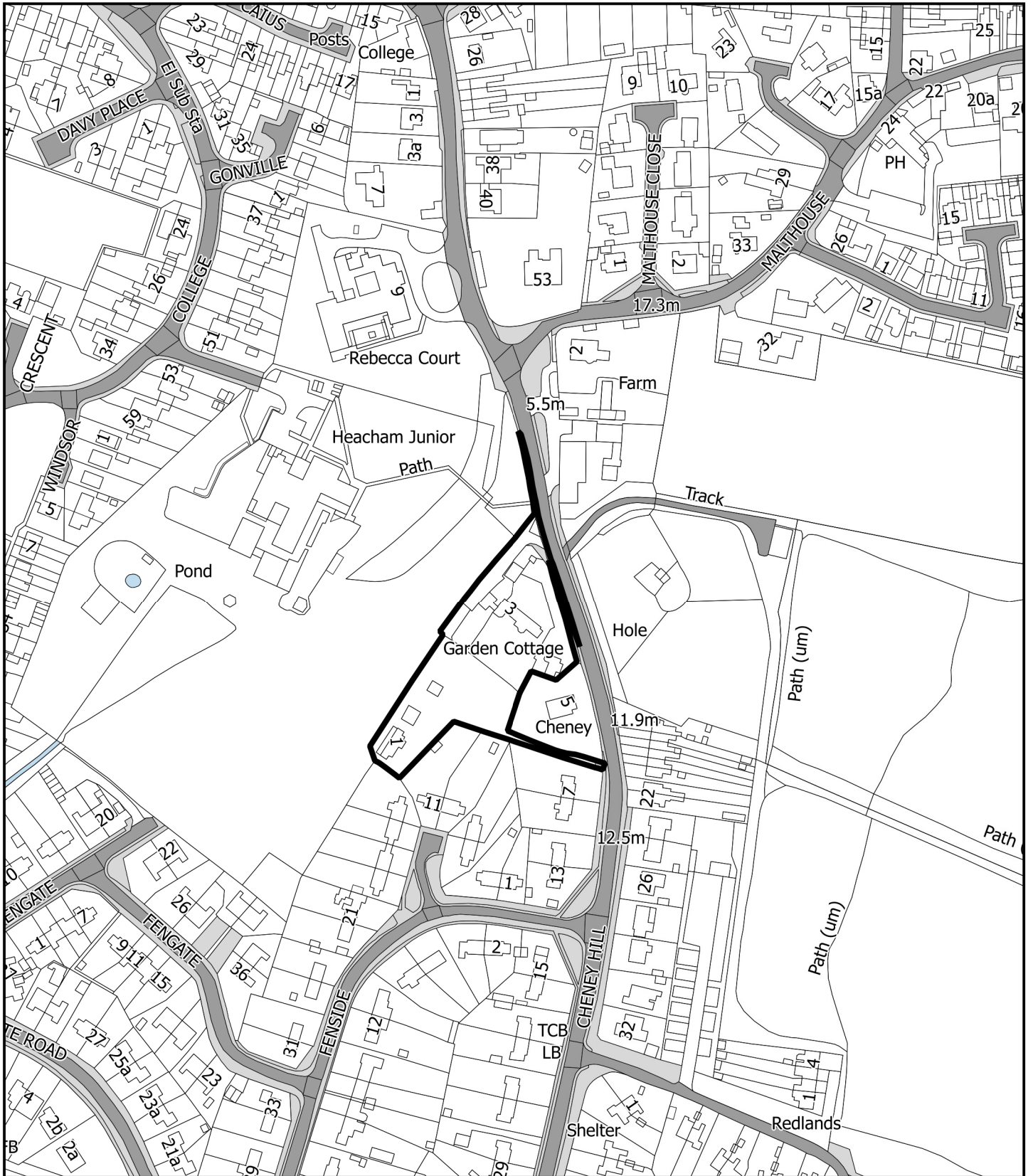
## RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plan drawing no: 06.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the commencement of the use hereby permitted the vehicular access indicated for improvement on drawing no.6 shall be upgraded / widened to a minimum width of 5 metres and provided with kerb edged radii of 3 metres in accordance with the Norfolk County Council residential access construction specification for the first 5 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason: In the interest of highway safety and traffic movement in accordance with the NPPF and Development Plan.
- 4 Condition: Vehicular access to and egress from the adjoining highway shall be limited to the access shown on the approved only. Any other access or egresses shall be permanently closed to vehicular traffic concurrently with the bringing into use of the new access.
- 4 Reason: In the interests of highway safety in accordance with the NPPF and Development Plan.
- 5 Condition: Prior to the commencement of the use hereby permitted a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 5 Reason: In the interests of highway safety in accordance with the NPPF and Development Plan.
- 6 Condition: Prior to the commencement of the use hereby permitted the proposed access / on-site car parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with the NPPF and Development Plan.

18/00369/F

# Cheney Hollow 3 Cheney Hill





<b>Parish:</b>	<b>Heacham</b>	
<b>Proposal:</b>	<b>Construction of two detached dwellings, plus change of use of one existing dwelling from holiday let to a private property and safety improvements to existing vehicular entrance to site</b>	
<b>Location:</b>	<b>Cheney Hollow 3 Cheney Hill Heacham Norfolk</b>	
<b>Applicant:</b>	<b>Miss Louise Hutchison</b>	
<b>Case No:</b>	<b>18/00369/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 30 April 2018</b>

**Reason for Referral to Planning Committee** – called in by Councillor Parish

**Neighbourhood Plan:** No

**Case Summary**

The application site comprises four existing properties and a grassed area used in connection with the properties as garden land. Vehicular access is currently to the north of the site onto Cheney Hill, Heacham.

The site is bounded to the south and south east by residential properties. There are existing residential properties on the opposite side of Cheney Hill to the south east and north east. Heacham Junior School and playing fields adjoin the western site boundary.

In policy terms Heacham is a Key Rural Service Centre as identified within the Core Strategy.

This application seeks full planning permission for the construction of two detached dwellings on the existing garden land, the change of use of one existing dwelling from holiday let to a private property and safety improvements to the existing vehicular entrance into the site from Cheney Hill.

**Key Issues**

- \* Principle of development
- \* The application
- \* Form and character
- \* Neighbour amenity
- \* Highway improvements
- \* Other matters

**Recommendation**

**APPROVE**

## THE APPLICATION

The application site comprises four existing properties and a grassed area used as garden land. Vehicular access is currently to the north of the site onto Cheney Hill, Heacham.

This application seeks full planning permission for the construction of two detached dwellings on the existing garden land, the change of use of one existing dwelling from holiday let to a private property and safety improvements to the existing vehicular entrance into the site from Cheney Hill.

The property that is proposed to be used as a private property rather than just holiday lets is that shown on the proposed plans as Badger's Den, and no physical changes are proposed to this existing property to achieve this.

No changes are proposed to the properties shown as Cheney Hollow, Cheney House and Hillside although changes are proposed to the parking areas, position of boundaries and vehicle access points. The works will also involve the removal of some outbuildings.

The application also proposes highway works to improve the visibility at the existing vehicular entrance into the site from Cheney Hill and the widening of the existing private access road within the site.

## SUPPORTING CASE

The application has been supported by a Design and Access Statement, Ecology Report, Flood Risk Statement, contamination questionnaire and Tree Protection Plan.

The DAS describes the proposal thus:

The proposed improvements for the site are holistic in nature in that the proposed alterations are not limited to one aspect. The proposal includes:

- Improving the existing vehicular accesses onto 'Cheney Hill'– The intention is for the current 'heater island' access arrangement to be made into a single vehicular entrance constructed perpendicular to 'Cheney Hill'. In doing so, visibility distances are improved and the current oblique views removed.
- Change of use of 'Badger's Den' from a holiday let to a private dwelling– The Planning Application seeks a 'change of use for' 'Badger's Den, currently a holiday let property. As part of this, the existing vehicular entrance gate will be removed with 'Badger's Den' being access via the altered principle vehicular entrance to the site.
- Dedicated parking for 'Cheney Hollow'– At present, Vehicles Park alongside the access road serving 'Hillside'. The proposal will be to create dedicated parking for two cars.
- Two new detached dwellings on un-used land– The Planning Application includes for two new dwellings to be built on un-used land with each dwellings benefiting from private parking.

With regard to layout and scale the DAS explains:

'The development proposal has considered the site topography, characteristics and surrounding context to satisfy both the client and the Design Team's ambition of providing a high quality design solution.

The orientation and alignment of the proposed residential dwellings (Plots 1 and 2) is in direct contextual response to the arrangement of the site and the orientation of the

neighbouring buildings, namely 'Hillside', 'Cheney Hollow' whose principle elevations face north-west.

In line with Norfolk parking standards, each of the proposed dwellings (including Badger's Den (also known as Garden Cottage) is served with two parking spaces. The Planning Application scheme also includes dedicated parking spaces for 'Cheney Hollow' with 'Cheney House' already having dedicated parking by way of a detached Double Garage.

The Planning Application scheme also includes a foul and surface water drainage strategy which includes for a permeable road surface with surface water linked to an independent drainage system. Foul drainage is served by a foul drainage system linked to mains drainage and due to surrounding site levels. The 'Drainage Strategy Plan' is included within the Full Plan Application supporting documents.

The orientation of the proposed dwellings sets out to establish an effective and obvious relationship between dwellings, parking areas and the site itself. Communal areas between the proposed dwellings have been avoided with the private road being a shared road incorporating a turning area for refuse and emergency vehicles. The proposed dwellings will benefit from clearly defined boundaries, individual driveways and secure private rear amenity space.

Minimising overlooking of neighbouring properties was a material consideration in the development of the scheme design and the proposed dwellings have no (habitable) First Floor windows to the side elevations protecting the private amenity space of the existing properties across the site. First Floor windows are present to the front elevation facing the grounds of Heacham Junior School and to the rear, the closest neighbouring property is located circa 32 metres from the proposed dwellings. Therefore, the proposed dwellings do not present any unreasonably overlooking.

Within the site itself, vehicles can access each of the residential units and all vehicles entering the site are able to exist the site onto Cheney Hill in a forward gear. The site does not lie within a flood risk area and thus a Flood Risk Assessment has not been undertaken, however, a Flood Risk Statement does support the Planning Application.

Careful consideration of the form, use of a select palette of high quality materials, and the articulation of architectural features ensures a cohesive and appealing design is achieved and which is also responsive to the surrounding landscape.

The intention is for the scale of the proposed dwellings to be line with the scale and proportions of the existing properties on the site. The site is not level and the changes in levels offer the potential for the proposed development site to be 'sculpted', creating a scale of development considerate with the surrounding topography.'

## **PLANNING HISTORY**

16/00375/O: Application Withdrawn: 19/04/16 - Outline Application All Matters Reserved: One new dwelling - 1 Cheney Hill Heacham King's Lynn Norfolk PE31 7BX;

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECT** – previous applications for extensions to Cheney Hollow and for a single dwelling on the site have been objected to by the Heacham Parish Council so why should we support two dwellings on the same space?

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Objection grounds of safety and inappropriate development; the access point is very close to where the School crossing patrol stands with possible danger to school children twice a day. Children also walk up the path on that side. Twice a day vehicles will often be parked opposite where this access is proposed creating a 'single track' or narrow roadway. Diagonally opposite is the proposed development of 69 houses; The Cheney Hill development which already the Parish Council raised objections to on Highway Safety.

**Highways Authority: NO OBJECTION** – conditionally re: access, visibility splays, parking and turning etc.

**CSNN: NO OBJECTION** – recommend informatives be added re: control of noise during construction and demolition works and soakaways.

**Environmental Quality:** No comments regarding contaminated land or air quality

**Natural England:** No comments

**Housing Enabling Officer: NO OBJECTION** - if, in the opinion of the decision maker, the site is not capable of accommodating 5 dwellings, then no affordable housing is required.

**Arboricultural Officer: NO OBJECTION** – subject to condition for development to be constructed in accordance with the report and plans authored by Heritage Tree Specialists LTD

## REPRESENTATIONS

One third party piece of correspondence referring to the following:-

- The land to the left of the exit from Cheney Hollow was Common Land and having ascertained that there was no proven owner had it recorded as Common Land under the jurisdiction of the Secretary of State. A silver birch was planted to commemorate this and recorded in 1967.
- At a later date the driveway into Cheney Hollow was straightened and fenced off across this common land which should not have been allowed either by the Borough or any authority higher.
- Object to any development that continues to use this driveway across Head of Common and wish that Head of Common be reinstated.
- Legislation protects this common land
- The application seeks to increase the visibility splay but this will remove even more of the Head of Common.
- The small triangle of grass that has the 1967 silver birch on is not shown, further destroying common land
- The entrance to the property is just past a blind bend and incline making it a dangerous entrance. Two solutions are to reinstate the common land with either a convex mirror placed opposite the entrance which would slow vehicles coming around the bend or another entrance is built at the other end of the site.

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

## **PLANNING CONSIDERATIONS**

The primary issues for consideration are:

- Principle of development
- The application
- Form and character
- Neighbour amenity
- Highway improvements
- Other matters

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'.

Heacham is identified as a Key Rural Service Centre in the Settlement Hierarchy of the Core Strategy. The site is within the development boundary of the adopted Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016). As such the principle of new residential development is generally acceptable as long as it has regard for and is in harmony with the built characteristics of the locality and other relevant planning policies and guidance.

The application

There are two elements to this planning application; i) the change of use of the existing dwelling, Badger's Den, from a holiday let to independent dwellinghouse and ii) construction of two new dwellings.

i) Badger's Den:

This residential unit is already used as a holiday let. Planning permission was granted under planning permission 2/97/1732/CU for the use of this property as a holiday let.

The terms and conditions for the use are set out in a S106 legal agreement associated with this historic planning permission. This legal agreement states that the proposed residential unit shall not be extended or altered and that it will always remain within the same curtilage as the existing dwelling known as Cheney Hollow and never as an independent unit of accommodation.

Although the property is currently used for holiday let purposes it does have an independent vehicular access. Additionally, since the planning permission was originally approved the boundaries around the property have been moved. The unit now has its own private amenity space, off street parking spaces and space for bins, bike storage etc. i.e. all facilities expected for an independent residential unit.

Similarly the other residential properties, Cheney Hollow and Cheney House each have their own amenity space and off-street parking facilities.

The property comprises a kitchen/living room, bedroom, bathroom and conservatory. Granting consent for this property to be used as a general C3 dwellinghouse would afford the property householder permitted development rights, but, given that the property would have its own curtilage and it is some distance from adjoining properties separated by boundary treatment and planting, this raises no amenity issues.

Due to the creation of a separate curtilage the site is already functioning in breach of some of the terms of the legal agreement. That said, the position of the boundary treatment and creation of a separate access means that the site can function independently without harm to the amenity of the occupants of the other adjoining properties. Given that each unit can operate independently without affecting the other, the original reason for imposing the restriction in 1997 is no longer apparent. It would now be difficult to sustain an objection to the use as it no longer results in a poor relationship between the two properties.

Whilst the operation of the use of this unit in breach of the terms of the legal agreement cannot be condoned, the use of this property as an independent dwellinghouse raises no significant planning policy issues and this proposed change of use is supported.

#### ii) New dwellings:

The proposal shows two new detached dwellings to the southern part of the site, replacing an existing garage building. Access would be via the improved access road which passes by Cheney Hollow.

#### Form and Character

The application site is on the south western side of Cheney Hill. The properties shown as Cheney Hollow, Cheney House, Badgers Den and Hillside on the submitted plans already exist.

The proposed new dwellings are set centrally on the site, some way back from the road. Ground levels change significantly across the site, rising from west to east, so that the floor levels of the dwellinghouses would be elevated. The houses are, however, set into the rising ground with steps up at the front and levelled patio areas to the rear of each property.

The existing buildings on site are constructed of typical local building materials, including red brick, carstone and clay pantile roofs, and are of simple cottage style design with gabled and

lean-to projections. The proposed new dwellings also follow a traditional design with gabled frontages, incorporating the use of carstone panelling with red brick and pantile roofs. The DAS refers to the proposed development seeking to form a cohesive and appealing design through appropriate layout, scale and the use of a palette of high quality materials.

This application has been submitted following pre-application advice where three new dwellings were proposed. At pre-application stage concern was raised to the density of three dwellings on the site and the amount of new build across the site. In response this submitted scheme has reduced the number to two dwellings.

In planning policy terms Core Strategy Policy CS08 infers that new development should be of high quality design and respond to the context and character of the locality. Additionally development must protect and enhance the amenity of the wider environment including its heritage and cultural value and the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials (Policy DM15).

Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused (Policy DM15).

In this case the proposal is much more in keeping with surrounding development and the units also take reference from surrounding properties in terms of design (roof formation, orientation, scale etc.) and the use of traditional building materials. Now the amount of spacing around each of the proposed dwellings is more in keeping and is acceptable in terms of massing and layout.

The units will be elevated in order to take into account the rising ground levels but they are of appropriate design and materials so when viewed they will be in keeping and of appropriate design.

Accordingly it is considered that the proposal is acceptable in policy terms.

Neighbour amenity:

The ground levels change significantly across the site and attention has been given to the relationships with other existing development as well as between the proposed new properties.

Four of the neighbouring properties which adjoin the new dwellings are within the ownership of the applicant. The proposed new dwellings are between approximately 22m and 26m to the south from Cheney Hollow, Cheney House and Bader's Den and approximately 14m to the north of Hillside.

No. 5 Cheney Hill lies to the east of the proposed new dwellings. The rear garden to Plot 1 is approximately 28m long and Plot 2 is approximately 16m. The land levels at this point rise from west to east and No. 5 Cheney Hill is then sited at a lower level with mature trees to its boundary. Separation distances between Plot 2 (the nearer of the two new dwellings) and No. 5 are approximately 30m.

The gardens of properties on Fenside adjoin the rear garden of Plot 1. These properties have long rear gardens in excess of 30m. Due to the position and orientation of the proposed new dwellings within the site the impact upon the amenity of the occupants of these existing dwellings will be limited.

The relationship between the dwellings as proposed 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 the dwellings being overbearing. 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 proposed dwellings being over bearing, as a result of this proposal.

Highway improvements:

The Highways Authority raises no objection to the proposal which include improvements to the existing access at the junction with Cheney Hill. The proposed works will improve visibility splays and remove the existing oblique views at the access.

The Parish Council objection relates principally to highway safety issues. They also refer to previous applications for new housing on the site which were not supported. However, previous applications did not incorporate any highway improvement works so objection was raised to the increased use of a substandard access.

This current application differs from earlier schemes as it proposes improvements which address the substandard access and visibility arrangements, reducing the three existing points of access down to a single shared point of access with improved levels of visibility. The proposal will bring about benefits for the existing road users and, subject to appropriate planning conditions, there are no outstanding highway safety issues and no objection from the Highways Authority.

During the course of the planning application it has come to light that land at the junction with Cheney Hill is registered as common land. Common land is land owned by one or more persons, where other people known as 'commoners' are entitled to use the land or take resources from it. It is protected by legislation outside of the Planning Acts (The Commons Act 2006). Accordingly should planning permission be forthcoming this will not override other legislation that affects this parcel of land.

Certain types of works on common land can be carried out without consent because they are exempt. However other works will require consent under the Commons Act and it would be necessary for the applicant to obtain any necessary consent from the Planning Inspectorate on behalf of the Secretary of State for Environment, Food and Rural Affairs in addition to any planning permission.

Not only are physical changes proposed to the access, which is on common land, visibility splays to the north run over this land. However, given that permission is required for most physical works on common land it is unlikely that these visibility splays would be impeded in the long term and the Highways Authority do not raise this as an issue.

The applicant is now aware of this matter and the need to obtain different types of consent prior to the commencement of any works. However, it is recommended that an informative be added to the decision notice reiterating this matter, if permission is forthcoming.

Other matters:

There are some trees on the site and a Tree Protection Plan has been provided. The Arboricultural Officer raises no objection subject to appropriate conditions.

Although a significant part of the site is grassed, it is used as garden land and there are no implications for nature conservation or protected species in this case.



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

## **CONCLUSION:**

In conclusion, the proposed use of the existing property, Badger's Den without holiday let restrictions raises no planning policy issues.

The detailed plans for the two new dwellings show that the proposal will be in keeping with the building characteristics of the area. The proposal can be achieved without material harm to the amenity of occupants of existing adjoining properties as well as residents of the proposed new dwellings. The application incorporates traditionally used local materials which can be seen throughout the village of Heacham to give the design a context. The design of the proposal promotes local distinctiveness.

The proposed improvements at the junction of the access road with Cheney Hill will bring about benefits to existing and proposed new road users and raise no highway safety concerns. However, these works will affect common land and it will be necessary for the applicant to obtain any necessary consent from the Planning Inspectorate on behalf of the Secretary of State before any works are undertaken. This is separate to any planning permission, where one permission does not override the other.

The proposal complies with Core Strategy Policies CS01, CS02, CS06, CS08, CS09 and CS12, Policies DM1, DM15 and DM17 and national advice within the NPPF. Accordingly it is recommended that the application be approved subject to appropriate conditions and with an informative referring to the need to obtain the necessary consent for works on common land.

## **RECOMMENDATION:**

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

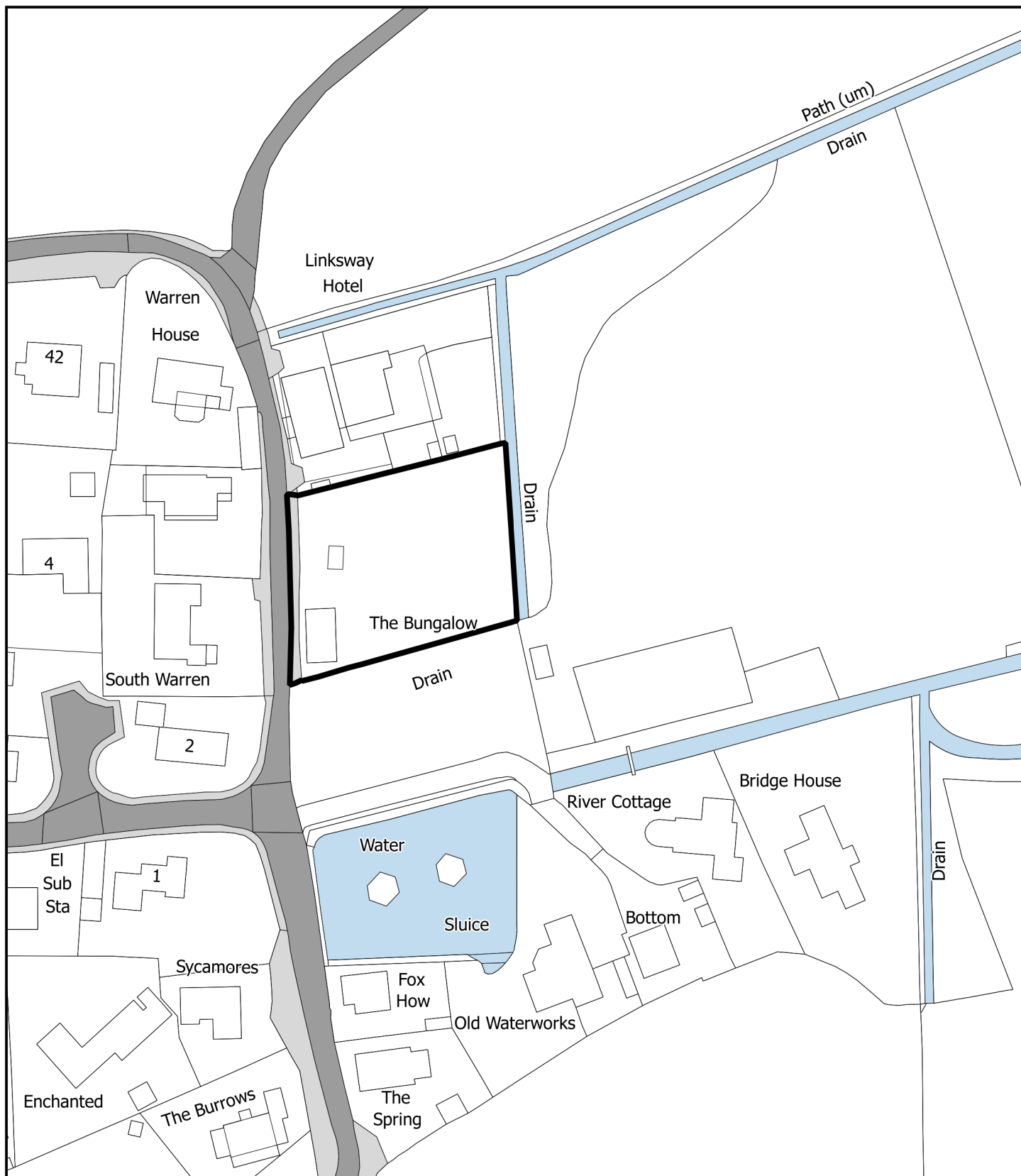
- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out using only the following approved plans:
  - \* Drawing No. 02888-PA01 Rev – Notes and Location Plan
  - \* Drawing No. 02888-PA04 Rev – Proposed Floor Plans
  - \* Drawing No. 02888-PA05 Rev - Proposed Elevations Plot 1
  - \* Drawing No. 02888-PA06 Rev - Proposed Elevations Plot 2
  - \* Drawing No. 02888-PA07 Rev – Proposed Partial Site Plan
  - \* Drawing No. 02888-PA08 Rev - Proposed Site Plan showing Roof Plan
  - \* Drawing No. 02888-PA09 Rev A - Proposed Site Plan showing Site Cal Outs
  - \* Drawing No. 02888-PA10 Rev - Proposed Site Plan showing Plot Areas
- 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 02888.PA09/rev A) in accordance with the highway specification (Dwg. No. TRAD1) attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway
- 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 shown on drawing No 02888.PA09/rev A only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, 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: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) 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.
- 7 Reason: In the interests of highway safety.
- 8 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.
- 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 area 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: 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 the Arboricultural Implications & Tree Protection Plan by Heritage Tree Specialists LTD submitted to and approved in writing by the Local Planning Authority. 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.
- 10 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.

18/00198/F

# The Bungalow Waterworks Road



<b>Parish:</b>	Old Hunstanton	
<b>Proposal:</b>	Construction of 3 dwellings following demolition of existing bungalow.	
<b>Location:</b>	The Bungalow Waterworks Road Old Hunstanton Hunstanton	
<b>Applicant:</b>	Mr D Lloyd	
<b>Case No:</b>	18/00198/F (Full Application)	
<b>Case Officer:</b>	Mrs Jade Calton	<b>Date for Determination:</b> 6 April 2018

**Reason for Referral to Planning Committee** – Previous Appeal History

**Neighbourhood Plan:** No

**Case Summary**

The application site relates to a parcel of land measuring approximately 0.22 of a hectare and currently comprises a vacant bungalow and garden land. It is situated on the eastern side of Waterworks Road, Old Hunstanton.

Full planning permission is sought for the construction of three dwellings following demolition of the bungalow.

Old Hunstanton is classified as a Rural Village as identified in the Core Strategy's Settlement Hierarchy.

**Key Issues**

- \* Principle of development;
- \* Planning History;
- \* Form and character;
- \* Impact on AONB;
- \* Impact on neighbour amenities;
- \* Impact on highway safety;
- \* Flood risk; and
- \* Other material considerations

**Recommendation**

**REFUSE**

## THE APPLICATION

The application relates to a squared parcel of land, measuring approximately 0.22 of a hectare. It comprises a vacant bungalow and garden land and is situated on the eastern side of Waterworks Work, Old Hunstanton.

Full planning permission is sought for the construction of three detached dwellings following demolition of the existing bungalow.

The proposed dwellings will be three storeys in height, comprising non-habitable accommodation, such as a gym, utility room and garage at ground floor level with living accommodation at first and second floor level.

House 1 is proposed to be a 3 bedroomed property and will front Waterworks Road with its private amenity space to the south. House 2, also a 3 bedroomed property, will be sited to the east of House 1 and is made up of three components which are angled to follow the south-eastern corner of the site. House 3 is then sited in the north-eastern corner of the site and comprises 4 bedrooms.

The proposed shared driveway will be accessed from the northern part of the site frontage which leads to each of the houses private parking and turning areas.

## SUPPORTING CASE

The application is supported by a Design and Access Statement which offers the following case:-

“The main issues arising from the Proposal relate to the Inspector’s concerns about the uniform “grid” nature of the previous application.

Old Hunstanton is a “Rural Village” by virtue of policy CS02, where, “Limited minor development will be permitted which meets the needs of settlements and helps to sustain existing services in accordance with Policy CS06 Development in rural areas”.

4.3 The relevant part of Policy CS06 provides, “....In the Rural Villages, Smaller Villages and Hamlets, more modest levels of development, as detailed in Policy CS09, will be permitted to meet local needs and maintain the vitality of these communities where this can be achieved in a sustainable manner, particularly with regard to accessibility to housing, employment, services and markets, and without detriment to the character of the surrounding area or landscape”.

4.4 The relevant part of Policy CS09 provides, “....Provision will be made for at least 1,280 new dwellings in total (with allocations for at least 215 new homes) in the rural villages.....”. It goes on to address allocations, which is not relevant in this case as the Site is a “windfall site”.

4.5 Policy DM 15 provides:-Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:

- Heritage impact;
- Overlooking, overbearing, overshadowing;

- Noise;
- Odour;
- Air quality;
- Light pollution;
- Contamination;
- Water quality and
- Visual impact.

The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.

Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

Development proposals should demonstrate that safe access can be provided and adequate parking facilities are available.

The location, and quantum, of development is acceptable by virtue of Core Strategy policies CS02, CO6 and CS09, and this was confirmed by the Inspector.

In relation to Site Allocations and Development Management Policy DM15:-

There is no material impact on neighbouring “uses” (as confirmed by the Inspector), and the amenity of future occupiers of the appeal proposal will be good.

There is no adverse heritage impact, no overlooking, overbearing, or overshadowing of neighbouring properties, no noise issues, no odour issues, no air quality issues, no light pollution, no contamination issues, no water quality issues, and with the informal layout of the Proposal for only three dwellings, no visual impact issues; and

The scale, height, massing, materials and layout of the Proposal responds to the local setting and pattern of adjacent streets including spaces between buildings, being bespoke designed with high quality materials proposed to be used (the design of the dwellings being contemporary, with some traditional features, with careful fenestration details, and external materials being a mix of rendered panels, red brick, cedar boarding and clay pantile roofs, in a context in this part of the village of a mix of dwelling types, sizes and tenures, and materials including red brick, yellow brick, carstone, horizontal boarding and render with concrete or clay pantiles).

Policy CS07 is a criteria-based policy dealing with “Development in Coastal Areas”, which states that, “The Council will seek to balance the sensitive nature of the coastal area of West Norfolk with the national and international designations including the Area of Outstanding Natural Beauty for wildlife, landscape and heritage with the need for economic and social development of the area and the effects of climate change”, going on to set out relevant considerations (most of which relate to various things that the Council says they will do); the appeal proposal does not offend any of the relevant considerations.

The Norfolk Coast Area of Outstanding Natural Beauty was designated in 1968 under the National Parks and Access to the Countryside Act 1949, and covers over 450km<sup>2</sup> of coastal and agricultural land from the Wash in the west through coastal marshes and cliffs to the sand dunes at Winterton in the east. The scale of the development, and the layout now proposed, will not in any material way be harmful to an AONB which extends to 450km<sup>2</sup>; neither will there be any impact on conserving the landscape or scenic beauty of the AONB.

Policy CS12 deals with “Environmental Assets”, including Green Infrastructure, the Historic Environment, Landscape Character, and Biodiversity and Geodiversity; most of the policy is not directly relevant, but it does provide that “...it may be necessary to secure biodiversity, geodiversity and heritage needs through planning conditions and/or obligations. This can include timing of work, section 106 Agreements, pre-application negotiations, conditions, mitigation and compensation measures”.

These bespoke-designed dwellings, using the very best materials (which can be conditioned), in this location, would not adversely affect the character and openness of the surrounding countryside, and would add to the borough's housing stock.

Summary and conclusion:

The NPPF requires local planning authorities to boost significantly the supply of housing. The new layout will avoid the uniform “grid” effect, and creates an informal ambience which addresses the appeal Inspector's sole concern.

The Proposal is clearly acceptable in principle, in the context of the NPPF and local policy.

Any doubts about the Proposal are now resolved by the layout now proposed in response to the Inspector's sole concern; conditional planning permission should therefore be granted”.

## **PLANNING HISTORY**

16/01084/F: Application Refused by Committee: 13/01/17 - Construction of 4 new dwellings following demolition of existing bungalow - The Bungalow, Waterworks Road, Old Hunstanton, Hunstanton

**Appeal Dismissed 15/11/17**

15/01010/F: Application Withdrawn: 15/09/15 - Construction of 4 new dwellings following demolition of existing bungalow - The Bungalow, Waterworks Road, Old Hunstanton, Hunstanton

## **RESPONSE TO CONSULTATION**

**Parish Council:**       **SUPPORT** (with no reasons)

**Highways Authority:** Requests that the footpath extension joins with the provision at Smugglers Close and that the road is widened to 4.8m.

**Environmental Quality:**       The proposed development will include the demolition of the existing dwelling. Given the age of the building to be demolished it is considered highly likely that there will be asbestos within the fabric of the building. Therefore it is recommended that an informative is attached to the decision.

### **Environmental Health & Housing – Environmental Quality:**

**Environment Agency:**       **NO OBJECTION** to this planning application because the site is currently defended and the SMP policy for this area has an aspiration for hold the line.

Finished ground floor levels have been proposed at 3.45m AOD. This is below the 0.5% (1 in 200) annual probability flood level including climate change of 6.43m AOD and therefore

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at risk of flooding by 2.98m depth in this event. The FRA states that the ground floor is non-habitable containing a gym and utility room.

Flood resistance measures have been proposed to the first floor to a height of 6.75m AOD which is 0.32m above the 0.5% (1 in 200) annual probability flood level including climate change and 0.02m above the 0.1 % (1 in 1000) annual probability flood level of 6.73m AOD.

Finished first floor levels have been proposed at 6.15m AOD with a second floor above this and therefore there is refuge above the 0.1% (1 in 1000) annual probability flood level of 6.73m AOD.

Compensatory storage is not required.

**Emergency Planning Officer:** Recommend that the applicants / occupants sign up to the Environment Agency's Flood Warning System and prepare an Evacuation Plan.

**Norfolk Coast Partnership:** This is an extremely sensitive site both for wildlife and its landscape value. It is within the AONB, close to Ramsar and SPA sites and is an important area for wildlife using the river Hun and Holme Nature Reserve. The Coast Path runs to the North East and South of the site and there is some nice views out towards the river over a distinct landscape.

This area is identified in the Integrated Landscape Character Guidance for the Norfolk Coast AONB as Drained Coastal Marshes. One of the key forces for change is 'Extension of urban/ urban fringe character around the fringes of the area and on immediately adjacent landscape types which could have a visual impact on landscape character, particularly in areas where the settlement is on elevated land overlooking the Drained Coastal Marshes. We would want to see that any new development even for a single house does not create a visual block to the landscape. Three substantial houses with a high roof line almost certainly would.

We think the site would better accommodate 1 or 2 houses as a maximum here. We would be very supportive of smaller affordable units that would better serve the local community.

The designs of the houses are visually quite confusing with lots of varying angles and size windows. We would prefer to see more vernacular elements incorporated to enhance what is a special location.

The high levels of glazing on all the houses but particularly on House 1 on the west elevation will create more light pollution at night and glare during the day. If we accept this as a principle within the protected landscape then we will be looking at a very different 'nightscape' in the AONB as more and more people take this approach to property enhancement; cumulatively lighting up our dark skies.

Dark skies are a special quality of the AONB and there is a need to conserve this quality (not just because of the effects on visual amenity and perceptual quality like tranquility but also because of potential impacts on nocturnal wildlife as a key component of what defines natural beauty).

We would also advocate using National Planning Policy Framework Clause 125 and Norfolk County Council's Environmental Lighting Zones Policy both recognise the importance of preserving dark landscapes and dark skies. In order to minimise light pollution, we recommend that any outdoor lights associated with this proposed development should be:

- 1) fully shielded (enclosed in full cut-off flat glass fittings)

- 2) directed downwards (mounted horizontally to the ground and not tilted upwards)
- 3) switched on only when needed (no dusk to dawn lamps)
- 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources.

We do not see that this current application is in line with NPPF para 115 and policy CS06 and CS09 as we believe it will detract from the character of the surrounding area. We would support 1 or 2 houses provided they consider the above points raised.

## **REPRESENTATIONS**

SEVEN representations received from local residents OBJECTING to the proposal on the following grounds:-

- It didn't appear that a site notice was displayed;
- Local resident was not consulted;
- The revised application does not overcome the issues raised by the Planning Inspector;
- Out of character;
- Tall and imposing;
- Heights not reduced;
- Overbearing;
- Overdevelopment;
- Uniformity;
- Bulk;
- Impact on privacy;
- dominate views;
- Appears to be an old drainage channel to the south perimeter;
- Ecological damage;
- Habitat for wildlife;
- Impact on AONB;
- Number of houses should be reduced to 2;
- Wildlife corridor could be left around the south and east peripheries of the site;
- Willow tree should be protected;
- Highway safety issues;
- Lack of pavements;
- Narrow single road;
- Parking issues;
- House 2 will cause overlooking from its balcony.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS07** - Development in Coastal Areas

**CS08** - Sustainable Development

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

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

**DM15** – Environment, Design and Amenity

**DM2** – Development Boundaries

**DM17** - Parking Provision in New Development

**DM18** – Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham)

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

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

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 CONSIDERATIONS**

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

- Principle of development;
- Planning History;
- Form and character;
- Impact on AONB;
- Impact on neighbour amenities;
- Impact on highway safety;
- Flood risk; and
- Other material considerations

### **Principle of Development**

Old Hunstanton is identified as a Rural Village in the Settlement Hierarchy of the Core Strategy. The site is within the development boundary of the adopted Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016). As such the principle of new residential development is generally acceptable providing it has regard for and is in harmony with the built characteristics of the locality and other relevant planning policies and guidance.

## Planning History

This application is a re-submission of a previous full application; 16/01084/F, which proposed to construct 4 detached dwellings and a garage block following demolition of the bungalow. The proposed dwellings were all three storeys with 4 bedrooms and were laid out in a grid pattern on the site. They would each face into the site onto a shared access driveway which ran through the centre and lead to the garage block at the eastern end.

The application was refused at Committee in January 2017 for the following reasons:-

*1. The proposed development, by virtue of the proposed design of the dwellings and the layout showing development in depth, constitutes a poor design solution and an overdevelopment of the site, contrary to the provisions of the NPPF which seeks a high standard of design, and contrary to Core Strategy Policy CS06 and Site Allocation and Development Management Policies document DM15.*

*2. The proposed development, through the scale of the development and the layout proposed, has a harmful impact upon the Norfolk Coast Area of Outstanding Natural Beauty (AONB), contrary to the provisions of the NPPF, which states that great weight should be given to conserving the landscape and scenic beauty of AONB's, and contrary to Core Strategy Policies CS7 and CS12.*

*3. The proposed development will result in undue overlooking into the neighbouring property to the north, contrary to the provisions of the NPPF which seeks a good standard of amenity for all, and policy DM15 of the Site Allocations and Development Management Policies document.*

The decision was appealed with the Planning Inspectorate and was dismissed in November 2017 on grounds of reason 1 above only. The Inspector did not agree with reasons 2 and 3 therefore neglecting to dismiss the appeal on impact on the AONB and impact on neighbour amenities.

With regards to reason 1, the Inspector stated that "the replacement of the modest existing bungalow with four large detached dwellings of roughly the same height, in a formal grid layout would introduce a significant additional bulk of relatively uniform development into the Waterworks Road street scene".

The Planning Inspector went on to explain how when viewed from Waterworks Road, the gable ends of proposed houses 1 and 2 would be tall and imposing with proposed houses 3 and 4 and the proposed garage building in the background. Through combined scale and uniform appearance the proposed development would dominate this section of Waterworks Road.

It was concluded that the proposal would be visually at odds with and would be harmful to the pleasant varied, rural character and appearance of the area.

Whilst the Inspector found the design, layout and scale of the proposed development to be detrimental to the character and appearance of the area, it was not considered that it would be harmful to the AONB, as per reason 2 of the planning decision. It was considered that views of the houses across the countryside would be seen against the wider built up area of Old Hunstanton and their appearance in the landscape would be softened by the existing and proposed landscaping.

With regards to reason 3, the Inspector disregarded this stating that “there would be no harm to the living conditions of the occupants of the neighbouring property to the north with particular regard to privacy”. The reasons given were due to the windows being high level; reasonable distance from shared boundary; trees and shrubs providing natural screening and screening to the proposed balcony.

The proposed application has been submitted in an effort to address the reasons for refusal and the Inspectors concerns. The number of dwellings has been reduced to three; the footprints of dwellings 1 and 2 have been reduced slightly and are now 3 bedroomed properties; the layout of the development has changed and house 1 fronts onto Waterworks Road.

### **Form and Character**

Waterworks Road comprises a variety of dwelling types of different scale and design and are mostly set within spacious plots. The topography of the area changes considerably, with the western side sitting at higher and uneven levels whereas the eastern side, where the site is situated, lies at a lower and more even level.

With the exception of the building directly to the north of the site, the majority of the dwellings within the immediate vicinity of Waterworks Road are relatively low level, comprising chalet style bungalows and low level two storey dwellings with accommodation within the roof space.

The modest bungalow, which sits in the south-west corner of the site, will be replaced with three, 3 storey dwellings with large footprints that will utilise the whole depth of the plot.

House 1 and 2 have been reduced in footprint slightly from the previous scheme but are still of significant size. House 3 remains the same as previously proposed.

All four dwellings within the previous scheme were very similar in style, comprising a solid mass and appearing bulky. The new scheme has changed the design of the dwellings and attempted to break up the mass of the elevations by using more ‘offshoots’ at slightly varying heights. In particular House 2, which is located in south-east corner of the site, has been broken down into angled components.

The traditional materials proposed within the previous scheme, such as the stone panels and red brick quoins have been replaced with red facing brick work at ground floor level and horizontal timber boarding at first floor level. The fenestration is much simpler this time but varies in size and proportion, making it appear at odds on some elevations. There are large expanses of blank brickwork / timber cladding which emphasises the height and poor design solutions.

The ‘grid layout’ has been altered in the current scheme with House 1 fronting onto Waterworks Road and Houses 2 and 3 staggered behind consuming the whole depth and width of the plot.

Although the proposed development has attempted to address the ‘formal grid layout’ referred to by the Planning Inspector, the layout would still introduce a significant additional bulk of development into Waterworks Road street scene due to its depth and overall scale. Of particular concern, when traveling north, the views of the development from the south would not only appear cumbersome because of the accumulative mass, but also tall and imposing. It is therefore considered that the previous issue of overdevelopment and poor design has not been satisfactorily overcome.

## **Impact on AONB**

The second reason for refusal on the previous application was on grounds of harmful impact upon the AONB by virtue of the proposed scale of the development and its layout.

The Planning Inspector failed to dismiss the appeal on those grounds as, whilst the proposed dwellings would be visible from the countryside and the footpath to the north east, they would be viewed against the wider built up area of Old Hunstanton and their appearance in the landscape would be softened by existing and proposed planting.

The appeal concluded that the proposed development would not conflict with relevant policies which seek to protect the landscape character of the AONB.

Whilst it is the officer's opinion that the proposal would represent overdevelopment of the site, given its bulk and depth and would be harmful to the character and appearance of the street scene by virtue of its scale and poor design, given the Inspectors decision, it is not considered reasonable to recommend refusal on grounds of impact on the AONB.

## **Neighbour Amenities**

The third reason for refusal on the previous application was on grounds of overlooking to the property to the north. However, the Planning Inspector disregarded this due the distance of the proposed dwelling to the shared boundary and screening.

Two of the four houses were sited adjacent the northern boundary in the previous application and House 1, which was to the front of the site, had a balcony facing north.

The current scheme has addressed this firstly by only one dwelling being sited adjacent to the northern boundary and secondly by carefully designing the internal layout and position of windows facing the neighbouring dwelling. Two windows are proposed on the north elevation, however, one is a high level narrow window which will serve a kitchen and the other is a small en-suite window which could be obscurely glazed. There are no windows or balcony proposed on the northern elevation at second floor level.

It is therefore not considered that the current proposal would give rise to overlooking, overshadowing or have an overbearing impact to the any neighbouring residents for the reasons set out above.

## **Highway Safety**

The Local Highway Authority observed that a footway is proposed which is welcomed but its position indicated would only allow for the existing road width to be retained and would result in the edge being kerbed. It was evident from their visit to the site that this frontage is used regularly for passing and parking and the verge has worn accordingly. At a road width of only 3.5m such a use would be removed and the road would not be of appropriate width. It is therefore recommend that the development incorporates widening of the carriageway to achieve 4.8m in addition to the footway provision. It is also noted from the previous highway recommendation that the footway requirement is needed to join with the existing provisions around Smugglers Close which needs to be indicated.

The applicant is willing to carry out the necessary works to the carriageway; if the outcome of the application was positive this is something that could be conditioned.

## **Flood Risk**

The site lies within Tidal Flood Zone 3. The application has therefore been supported by a Flood Risk Assessment. The Environment Agency raises no objection to the proposed development because the site is currently defended and it has been demonstrated that there will be no habitable accommodation at ground floor level. Appropriate flood resistant and resilient measures have also been proposed.

## **Other Material Considerations**

### *Crime and Disorder:*

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

### *Ecology:*

A number of statutory designated sites are located within 5km of the site. Most notably, a section of The Wash and North Norfolk Coast SAC network falls within 400 metres of the site. This section of the SAC network also comprises parts of both The Wash SPA/SSSI and North Norfolk Coast SPA/SSSI.

The application has been supported by an ecological appraisal. A desk study, Phase 1 habitat survey and building assessment for roosting bats were undertaken to meet that requirement.

The report confirms that the development site comprises an area of semi-improved grassland close to house, merging into an area of marshy grassland towards the centre and eastern edge of the site, with wet ditches along the northern, southern and eastern boundaries of the site.

The ecology report states that 'The area of marshy grassland/fen meadow is considered to be of district importance, and loss of this habitat will incur an intermediate negative impact on the district resource with a certain probability. Compensatory measures are expected to reduce this impact to a minor negative.'

Under the previous application the applicant proposed a contribution of £50,000 towards a project for the restoration of The Valley Mire at NWT Roydon Common as a compensatory priority habitat organised by Norfolk Wildlife Trust. This was secured through a Section 106 agreement.

A S.106 has not been submitted with this application. As the scheme is less dense, by the omission of one dwelling, and ecology was did not form a reason for refusal on the previous application, members may wish to consider if this is still relevant should the application be determined in a positive manner.

Whilst the Planning Inspector did not fully consider ecology within the previous appeal decision, it was noted that there was a willingness to make contributions towards habitat monitoring and mitigation. The Inspector stated that "even if they were to find these contributions are required, they would not outweigh the harm identified" and as the appeal was dismissed for other reasons the Inspector chose not to address this point any further.

### *Third Party Representations:*

Third Party comments are taken into consideration when determining any planning application. The following have been raised and addressed accordingly:-

The site notice was displayed on the lamp post opposite the application site on the 14th February 2018.

Only neighbouring residents that physically adjoin the boundary of the application site will be individually consulted.

Unfortunately there is no 'right to a private view' that the planning system should protect. The Planning System is in place to protect the public interest. Therefore the loss of a view is not a material planning consideration.

The site plan shows the root protection zones of the trees on site. As a Tree Report and Method Statement was not required on the previous application, it would be unreasonable to strictly request one with the current application.

Other issues raised have been addressed in the report above.

### **CONCLUSION**

It is your officer's opinion that the current scheme does not fully address the previous reason for refusal. Taking on board the Planning Inspector's comments, the proposal still represents development in depth, resulting in a mass and bulk that would result in overdevelopment of the site. This, together with the excessive height and poor design of the proposed dwellings, overall the proposal would be harmful to the character and appearance of the area, and in particular to this section of Waterworks Road street scene.

Consequently, the proposal is contrary to the principles of the NPPF, Development Management Policy DM15 and Core Strategy Policies CS06 and CS08 and therefore it is recommended that the application is refused for the following reason.

### **RECOMMENDATION:**

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

- 1 The proposed development, by virtue of its depth and bulk would result in overdevelopment of the site and this, together with its excessive scale and poor design would be harmful to the character and appearance of the street scene. Consequently, the proposal is contrary to the principles of the NPPF, Development Management Policy DM15 and Core Strategy Policies CS06 and CS08 which seek to maintain and protect local character and achieve good quality design.





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## Appeal Decision

Site visit made on 7 November 2017

by **L Fleming BSc (Hons) MRTPI**

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

Decision date: 15 November 2017

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**Appeal Ref: APP/V2635/W/17/3178989**

**The Bungalow, Waterworks Road, Old Hunstanton PE36 6JE**

- 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 D Lloyd against the decision of King's Lynn and West Norfolk Borough Council.
  - The application Ref 16/01084/F, dated 8 June 2016, was refused by notice dated 13 January 2017.
  - The development proposed is construction of 4 new dwellings following demolition of existing bungalow.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposed development on the:
  - character and appearance of the area bearing in mind it would be within the Norfolk Coast Area of Outstanding Natural Beauty (AONB);
  - living conditions of the occupants of the neighbouring property to the north with particular regard to privacy.

### Reasons

#### *Character and appearance*

3. The appeal site is a small bungalow in a large plot on a narrow lane characterised by properties of a variety of sizes and styles mainly set in well landscaped plots. The properties are positioned varying distances from the lane with spaces between buildings which vary in height. Thus the area has a pleasant varied and verdant rural character and appearance.
4. I acknowledge the proposed dwellings would be viewed next to a modern building and there are other modern buildings nearby. I also note the proposed dwellings incorporate traditional features which reflect other properties in the area and would be finished in high quality materials matching those used in the locality.
5. However, the replacement of the modest existing bungalow with four large detached dwellings of roughly the same height, in a formal grid layout would introduce a significant additional bulk of relatively uniform development into the Waterworks Road street scene.

6. When viewed from Waterworks Road, the gable ends of proposed houses 1 and 2 would be tall and imposing with proposed houses 3 and 4 and the proposed garage building in the background. Through its combined scale and uniform appearance the proposed development would dominate this section of the Waterworks Road street scene. The retention of the existing and additional landscaping would not overcome this harm and overall I find the proposal would be visually at odds with and would be harmful to the pleasant varied, rural character and appearance of the area.
7. However, even though the proposed dwellings would be visible from the countryside and the footpath to the north east, they would be viewed against the wider built up area of Old Hunstanton and their appearance in the landscape would be softened by existing and proposed landscaping.
8. Therefore, I find no conflict with Policies CS07 and CS12 of the Kings Lynn and West Norfolk Borough Council Core Strategy (2011) (CS) or Policy DM12 of the Kings Lynn and West Norfolk Borough Council Site Allocations and Development Management Plan (2016) (SADMP) which seek to protect the landscape character of the AONB. However, for the reasons given the proposal would not accord with Policy CS06 of the CS, Policy DM15 of the SADMP and paragraphs 56 to 58 of the Framework which taken together, aim to maintain local character and achieve good design.

#### *Living conditions*

9. The north facing elevation of proposed house 4 would have high level windows and the proposed balcony would have a tall screen as such subject to appropriate planning conditions, the occupiers of proposed house 4 would not overlook the private outdoor space of the neighbouring property to the north.
10. Even though, the neighbouring property to the north has a number windows in its side elevation facing the appeal site it is set a reasonable distance from the shared boundary. Furthermore, proposed house 1 would also be set off the shared boundary and there are a number of trees and shrubs between them. Thus I find the occupants of proposed house 1 would not be able to look into the windows or down into the private outdoor space of the neighbouring property to the north.
11. Thus, there would be no harm to the living conditions of the occupants of the neighbouring property to the north with particular regard to privacy. In this regard the proposal accords with the aims of Policy DM15 of the SADMP and paragraphs 56 to 58 of the Framework which taken together, seek to safeguard the amenities of nearby residents and achieve good design.

#### **Other Matters**

12. I note that four new homes would be provided in a location where services and employment can be accessed by public transport. I also note new residents would provide customers and employees to the benefit of the local economy, there would be economic benefits associated with construction, the homes would be suited to homeworking and I acknowledge the national need for more homes in rural areas<sup>1</sup>.

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<sup>1</sup> Fixing our broken housing market, DCLG February 2017; Broken Market, Broken Dreams, the National Housing Federation, 2014; Towards a One Nation Economy: A Ten Point Plan for Boosting Productivity in Rural Areas 2015

13. However, even though I find the evidence on whether the Council can demonstrate a five year housing land supply to be inconclusive the council does not object to the principle of the development in this location. Furthermore in contrast with the Inspector's findings in the Great Leighs<sup>2</sup> appeal decision I have found significant harm to the character and appearance of the area. Whilst four new dwellings would make a minor contribution to meeting any housing shortfall even with the tilted balance engaged, the social and economic benefits are significantly and demonstrably outweighed by the environmental harm I have identified.
14. I note that the planning application was refused contrary to the Officers Recommendation. However, the relevant committee is entitled to reach its own view and I have determined the appeal on its planning merits.
15. I have also noted the willingness to make contributions towards affordable housing and habitat monitoring and mitigation. However, even if I were to find these contributions are required, they would not outweigh the harm I have identified and as I am dismissing the appeal for other reasons I have not addressed them any further.

### **Conclusion**

16. For the reasons given above, having had regard to all other matters raised, I conclude that the proposal would not accord with the development plan or the Framework and thus the appeal should be dismissed.

*L Fleming*

INSPECTOR

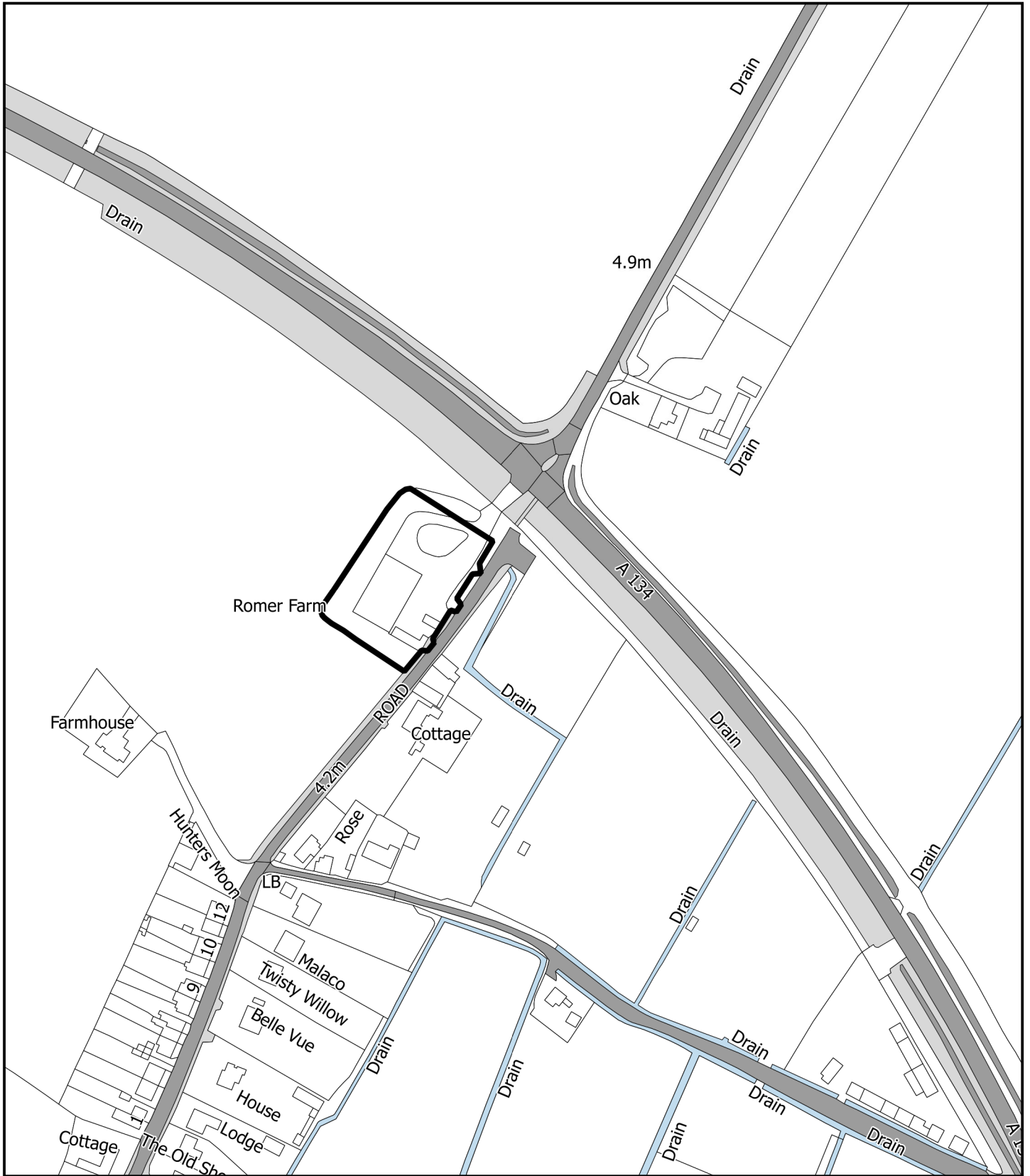
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<sup>2</sup> Appeal Reference APP/W1525/W/15/3121603



# 18/00410/O

## Proposed Residential Development



<b>Parish:</b>	Stoke Ferry	
<b>Proposal:</b>	Proposed residential development	
<b>Location:</b>	Romer Farm Oxborough Road Stoke Ferry Norfolk	
<b>Applicant:</b>	Mr B D, B C & W R Chapman	
<b>Case No:</b>	18/00410/O (Outline Application)	
<b>Case Officer:</b>	Mrs N Osler	<b>Date for Determination:</b> 7 May 2018 <b>Extension of Time Expiry Date:</b> 8 June 2018

**Reason for Referral to Planning Committee** – Called in by Councillor Sampson and officer recommendation is contrary to Parish Council recommendation.

**Neighbourhood Plan:** No

**Case Summary**

Outline planning permission with all matters reserved is sought for residential development of the site.

The site lies outside of the development boundary for Stoke Ferry (a Key Rural Service Centre (CS02)) as shown on Inset G88 of the SADMP, and is therefore designated as countryside.

The site lies within flood zone 1, and within Stoke Ferry Conservation Area.

**Key Issues**

- Principle of Development
- Form and Character
- Impact on the Conservation Area
- Residential Amenity
- Highway Safety
- Affordable Housing
- Loss of Employment Use
- Other Material Considerations
- Crime and Disorder

**Recommendation**

**REFUSE**

## THE APPLICATION

Outline planning permission with all matters reserved is sought for residential development of the site. Indicative plans show 5 dwellings; 3 detached and a pair of semis. Each property is indicatively shown to have its own access onto Oxborough Road and the three detached properties are indicatively shown to have garages.

The site lies outside of the development boundary for Stoke Ferry (a Key Rural Service Centre (CS02)) as shown on Inset G88 of the SADMP, and is therefore designated as countryside.

The site is adjacent to existing housing that was permitted under application 15/01757/O when the Local Authority could not demonstrate a five-year housing land supply.

The site lies within flood zone 1, and is within Stoke Ferry Conservation Area.

## SUPPORTING CASE

None submitted

## PLANNING HISTORY

17/00038/TPO: TPO Work Approved: 13/04/17 - 2/TPO/00353: T1 Beech Tree - Remove

04/02016/CU: Application Permitted: 08/02/05 - Extension and change of use of storage buildings to Retail (Class A1) for farm shop and creation of vehicular access

2/99/1278/F: Application Permitted: 23/11/99 - Conversion of cattleyard to provide farm offices and storage facilities

2/95/1587/F: Application Permitted: 09/07/96 - Erection of steel framed agricultural storage building

## RESPONSE TO CONSULTATION

**Parish Council:** The parish council would like to stress that number one on the list below is the issue they feel most strongly about as they are deeply concerned that by splitting developments on the same land in this manner the village is losing out as a way that the developers circumvent affordable housing. And they would like this point considered as a priority over others by the planning and those who will review the application.

The Stoke Ferry Parish Council met to discuss the application above on Weds 28 March 2018 and instructed me to return the following response:

It was proposed that the Parish Council **APPROVE** the application subject to the four conditions as listed below:

- 1) The Parish Council agreed that they were concerned that the current application that had been submitted was a second development of housing from the same developer on the same piece of land. The first development appeared to have finalised and there was not this application with further five houses resulting in no affordable housing units being

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eligible for either of the development as split in two were in isolation too small to qualify below the threshold. The Parish Council agreed that they were interested to know what the criterion was for affordable housing to make this allowable. The Parish Council felt that the developer had put the two applications for housing through separately to avoid and circumvent a way round placing affordable housing within the site and the Parish Council agreed that they would like to see plot 2 and 3 become affordable housing. There was concern that developing in this way to avoid rules of affordable housing could set a precedent for other developments on that site. The Parish Council felt that if there was any further development they should be within S106/CIL.

- 2) As part of conditions relating to the first development, the A134 access was not permitted for use by the developer, though the Parish Council note that they did use this access constantly, so if it was to happen on this second lot of development then there was concern by the Parish Council that this could imply that the access becomes allowable for the residents which would be dangerous as this leads directly out onto the A134. The Parish Council agreed to request that the Oxborough Road remained as a cul-de-sac due to the dangers of the A134 opening, and if open would be used as short cut disturbing residents of the Oxborough Road. The Parish Council wished to make the planners aware that if the Oxborough Road entrance to the A134 was used as a through-road then there would be an objection by the Parish Council.
- 3) The Parish Council noted that there is an access to the back field to the development and the Council does not wish this to be an access route to further development behind.
- 4) The Parish Council would like CIL payments to be applied to this development.

**Highways Authority: NO OBJECTION** to the principle of development.

**Stoke Ferry Internal Drainage Board: NO OBJECTION** subject to the Board's Bylaws being complied with.

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

**Environmental Health & Housing – CSNN: NO OBJECTION** subject to conditions relating to foul and surface water drainage, road traffic noise mitigation (to new dwellings) and protection scheme for construction.

**Housing Enabling Officer: NO OBJECTION** The site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy. At present a 20% provision is required on sites capable of accommodating 5 or more dwellings and / or 0.165ha in Stoke Ferry. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and the other 30% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council.

However, NPPG states that affordable housing should not be sought on developments of fewer than 11 units. There are two exceptions to this;

- Firstly, on sites with a combined floorspace (GIA) of greater than 1,000m<sup>2</sup>, policy CS09 continues to apply.



- Secondly, on sites of 5 to 10 units, with a combined floorspace (GIA) of under 1,000m<sup>2</sup>, and where the site is located in a designated rural area, a financial contribution will be required.

As this site is under this threshold, then ordinarily no affordable housing would be required.

However, as the case officer has determined that Policy DM8 applies and this is part of a linked site, it is treated as a site of 13no units. Therefore, across the two sites, 3no units of affordable housing are required, with no financial contribution. 2no units should be for rent, with 1no unit for shared ownership. This replaces the requirement [that has been delivered] on the linked site alone for 1no rented unit and a financial contribution of £36,000.

A S106 will be required to secure the affordable housing.

**Conservation Officer: NO OBJECTION** The site is within the conservation area but the original farm buildings, which I suspect were the reason for its inclusion, are in a very poor state and overshadowed by the large modern structure on part of the site that neither preserves or enhances the character of the conservation area, and given the new build adjacent I have no objection to the proposal subject to design details and materials.

**Historic England:** No comments to make

## REPRESENTATIONS

Three letters of objection / concern have been received. The issues raised can be summarised as:

- Affordable housing is needed in this area, not expensive executive houses
- Oxborough Road should not be opened up to through traffic (i.e. an access provided with the bypass)
- Incremental applications are being made to avoid having to provide affordable housing
- The public footpath through the field should be properly reinstated so that villagers and new resident can use it
- Impact from additional traffic
- Lack of amenities
- Impact from construction
- Pollution
- Protected Species

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** – Transport

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**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

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

**DM2** – Development Boundaries

**DM8** – Delivering Affordable Housing on Phased Development

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

## **PLANNING CONSIDERATIONS**

The main issues in the determination of this application are:

- Principle of Development
- Form and Character
- Impact on the Conservation Area
- Residential Amenity
- Highway Safety
- Affordable Housing
- Loss of Employment Use
- Other Material Considerations
- Crime and Disorder

### **Principle of Development**

The site lies outside of the development boundary for Stoke Ferry and is therefore subject to countryside protection policies contained within the NPPF and Local Plan.

Both the NPPF and Local Plan Policy CS06 seek to locate housing where it will enhance or maintain the vitality of rural communities or that are essential for agricultural or forestry needs.

The site, in conjunction with the land opposite, provides a clear break between built form and the Bypass (to the northeast), and represents the beginning of open countryside.

The adjacent houses (to the southwest) were approved at a time when the LPA could not demonstrate a five-year supply of housing land. As such, at that time, applications should only be refused if there was clear and demonstrable harm as policies for the supply of housing were considered to be out of date. In this regard it was concluded that the development, opposite existing housing, would not represent such harm.

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However, the LPA can now demonstrate a five-year supply of housing land and therefore its policies in relation to residential development should be accorded full weight. Development must therefore be considered against the policies of the Development Plan unless material considerations indicate otherwise. It is not considered that there is any special justification for continuing linear development on this side of the road into the countryside, outside of the defined development boundary.

### **Form and Character**

As stated above, this application would represent linear development into the countryside that would be contrary to policy and at odds with the land use on the opposite side of the road. Whilst all decisions need to be taken on their own merits, as there are no specific material considerations that outweigh the departure from the development plan, it would make it difficult for the LPA to resist further development in the locality of the site especially on the opposite side of the road.

Due to the outline nature of the application specific comments cannot be made on design / appearance although it should be noted that due to the site's location within the Conservation Area greater consideration needs to be given to the proposal as indicatively shown.

### **Impact on the Conservation Area**

In relation to the impact on the Conservation Area alone, your officers agree with the Conservation Officer that, subject to an acceptable design, it is unlikely that residential development of the site would be of detriment to the Conservation Area. This is primarily due to the fact that any such development would replace an existing modern agricultural building and smaller semi-derelict buildings constructed from common brick.

### **Residential Amenity**

Due to the outline nature of the application residential amenity cannot be fully considered. However, it is considered that any material overlooking, overbearing or overshadowing impact could be designed out.

### **Highway Safety**

Likewise access is a reserved matter. However, the Local Highway Authority (LHA) considers that safe access could be achieved and that there is sufficient space for an appropriate degree of parking and turning. As such the LHA does not object to the proposed development on the grounds of highway safety.

### **Affordable Housing**

Development Management Policy DM8 specifically covers the issue of the sub-division of sites that can lead to affordable housing triggers not being met, and states: *'On windfall sites the requirement to provide affordable housing under Core Strategy CS09 Housing will apply where the Council considers that the proposed development forms part of a larger site which, if developed, would result in a requirement for a proportion of (or contribution to) affordable housing. If the application site satisfies one or more of the following criteria, then it will be considered to be part of a larger site for the purposes of this policy:-*

- \* *Land ownership – If an application site is in the same ownership as one or more adjacent plots of land at the time the application is made or within 3 years of the date the application is made and development of those sites would comply with other policies of the Local Plan;*
- \* *Planning history – If there is evidence of previous applications for development of a larger site of which the application site forms a part within the past 3 years of the date an application is made and development of the larger site would still be acceptable under other policies of the Local Plan; or*
- \* *Extensions to existing consented development – If the site forms an extension to a development that has been approved in the 3 years before the application is made and which is still capable of being implemented or the site forms an extension to a development that is being built out on the date the application is made.'*

An example is given at paragraph C.9.5 of the policy text: *'Permission is granted for 4 market dwellings on a site of 0.150 ha in a rural village. The site is not required to provide affordable housing as it is below the threshold set in Core Strategy Policy CS09 Housing. Development is completed on the site in 2014. Four years later, an application is made for 3 more houses on land immediately adjacent to the completed site. Both sites are assessed in combination to determine the affordable housing contribution. Therefore, the total number of dwellings on both sites is 7 and the developer will be required to deliver the relevant proportion of affordable housing (20% in this rural example), or equivalent financial contributions if this cannot be delivered on site.'*

In relation to the current application the applicant has confirmed that they agree that the site does represent an extension to an existing site and have indicated that they are willing to enter into a S106 Agreement to provide affordable housing, and Heads of Terms have been submitted in this regard. Notwithstanding this, any resolution to approve by this committee would need to be on the condition that a suitable S106 Agreement is in place within four months of the date of the resolution.

In summary, affordable housing is required and can be secured if permission is granted.

### **Loss of Employment Use**

Core Strategy Policy CS10 seeks to retain employment land (including agricultural uses) unless it can be demonstrated that:

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

However, it is considered on balance that the loss of such a small area of land of a wider agricultural holding (that accommodates only one building currently in use) does not warrant refusal of the application in this instance.

### **Other Material Considerations**

A replacement tree is to be provided within the site under TPO application 17/00038/TPO. If it is to be planted in the north-eastern corner of the site (which is where the originally

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protected beech tree was located) the Arboricultural Officer (AO) suggests that a layout, such as that indicatively shown, would not impact on this replacement tree. Should permission be granted the AO requests that details of tree protection be submitted as part of the reserved matters application.

In relation to protected species the larger building was in operation when the site visit was undertaken. It is therefore highly unlikely that protected species are present, and it is not considered that the smaller building would be suitable. Notwithstanding this, surveys could be requested if permission is granted.

It is not considered, given the scale of the proposed development, that it is necessary to condition the requirement of a construction management plan. It is however considered, if permission is granted, that all other recommended conditions are appended.

In relation to Parish Council and third party comments not covered above your officers respond as follows:

Access from / onto A134 – if such an access were proposed it would require planning permission and any application would have to be determined on its own merits

The retained field access should not be used in the future as an access route to enable further development of the agricultural land at the back of the site – likewise, such a proposal would require planning permission and any application would have to be determined on its own merits

CIL should be paid – the proposal is CIL liable and will be dealt with under the relevant legislation

Reinstate public footpath – it would not be reasonable to condition this

Pollution – It is not considered that five residential dwellings would result in pollution of a level to warrant refusal.

### **Crime and Disorder**

There are no specific crime and disorder issue arising from this application.

### **CONCLUSION**

The proposed development represents a departure from national and local planning policy and guidance and would represent unjustified residential development in the countryside that would be of detriment to the visual amenity of the locality. There are not considered to be any material considerations that outweigh this departure. It is therefore considered that this application should be refused for the following reason.

### **RECOMMENDATION:**

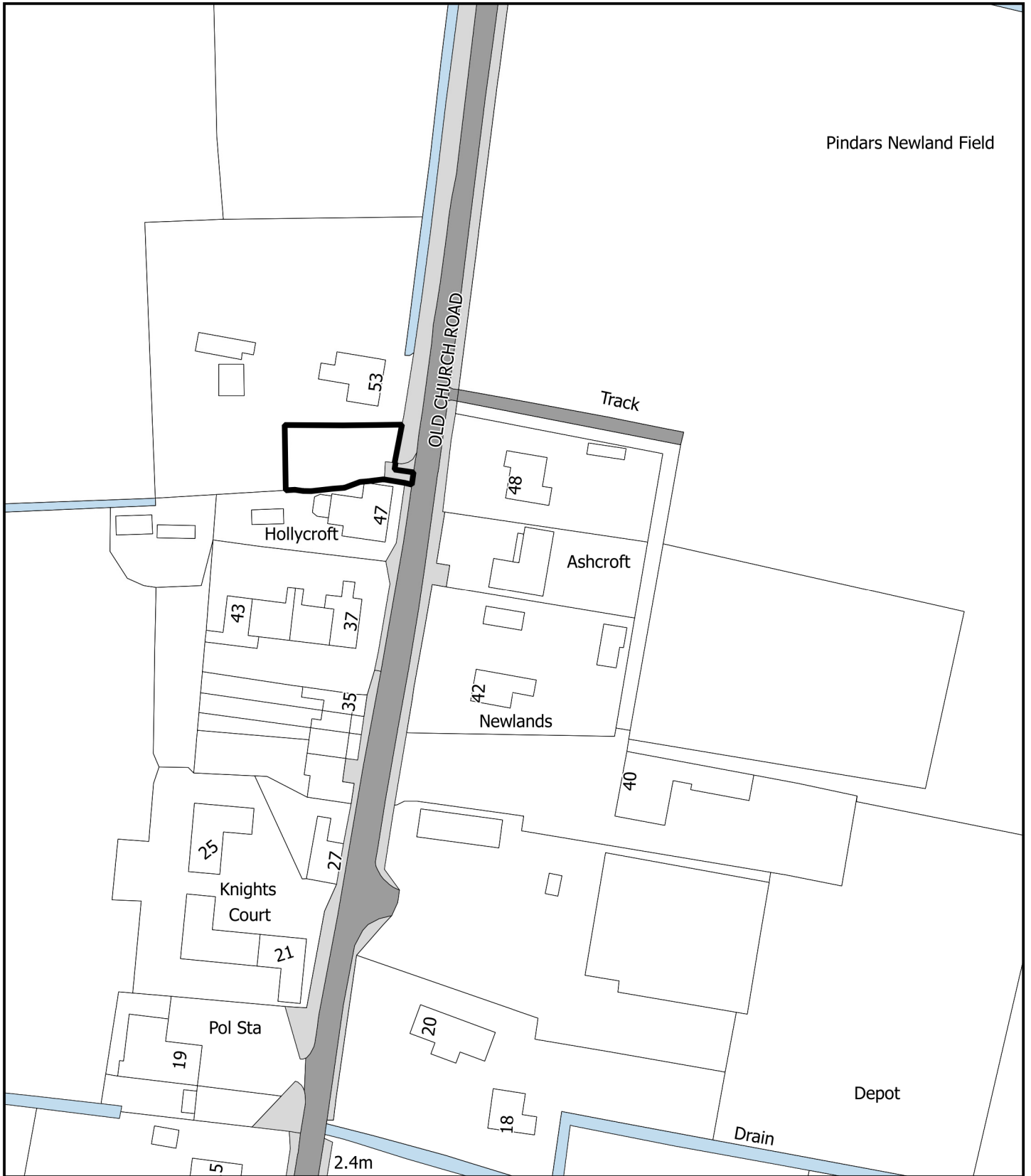
**REFUSE** for the following reason(s):

- 1 The site lies within countryside where development is restricted unless it is required in relation to a rural enterprise. The applicant has not provided any special justification why countryside protection policies should be relaxed. The proposed development is therefore contrary to paragraph 55 of the NPPF, Policy CS06 of the Core Strategy 2011 and Policy DM2 of the SADMP, 2016.

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18/00237/O

Shopfield House 53 Old Church Road



<b>Parish:</b>	Terrington St John	
<b>Proposal:</b>	OUTLINE APPLICATION: Proposed Dwelling	
<b>Location:</b>	Shopfield House 53 Old Church Road Terrington St John Wisbech	
<b>Applicant:</b>	Mr Whitmore	
<b>Case No:</b>	18/00237/O (Outline Application)	
<b>Case Officer:</b>	Bryan Meredith	<b>Date for Determination:</b> 16 April 2018 <b>Extension of Time Expiry Date:</b> 15 May 2018

**Reason for Referral to Planning Committee** – The Parish Council’s comments are contrary with the Officers Recommendation

**Neighbourhood Plan:** No

**Case Summary**

Outline planning permission is sought for a detached two storey dwelling with a detached garage to the rear of the property. All matters are reserved with the principle of development being sought only at this stage by the applicant.

The site is currently garden land located on the western side of Church Road. The site lies within Flood Zone 2 as defined in the Environment Agency adopted Flood Risk Maps.

**Key Issues**

- Principle of Development
- Form and Character
- Highways Issues
- Neighbour Amenity
- Other material considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

Outline planning permission is sought for a detached two storey dwelling with a detached garage to rear of the property. All matters are reserved with the principle of development being sought only at this stage by the applicant.

The site is currently garden land located on the western side of Church Road. The site lies within Flood Zone 2 as defined in the Environment Agency adopted Flood Risk Maps.

## SUPPORTING CASE

None received.

## PLANNING HISTORY

2/99/1155/CU: Application Permitted: 27/10/99 - Conversion and change of use of existing double garage to study/office – Shopfield, Church Road

2/02/0545/F: Application Permitted: 15/05/02 - Extension to dwelling - Shopfield House, 53 Old Church Road

## RESPONSE TO CONSULTATION

**Parish Council:** The members of Terrington St John Parish Council would like to **OBJECT** to this application for the following reasons:

- Do the visibility splays have to be achieved as this is going to be a new property.
- Should the footpath be instated in front of the property as all the other properties along this road have had to have a footpath.
- This is an over development of the site.

**Highways Authority:** In terms of highway considerations, at this stage, there is **NO OBJECTION** to the principle of the development provided that safe access is provided for the existing dwelling. The applicant would however need to provide an appropriate design at a reserved matters stage to address the following points in accordance with the adopted standards:

- i) Visibility splays.
- ii) Access
- iii) Parking provision in accordance with adopted standard.

After further consideration, the LHA requires footway provision.

**Environment Agency: NO OBJECTION** to this application, and strongly recommends that the mitigation measures proposed in the submitted FRA prepared by Engineering Support Practice Ltd, appointed February 2018, uploaded 1 March 2018 are adhered to. It states:

- Finished floor levels should be raised 500 mm above the adjacent ground level;
- Flood resistance and resilience measures should be installed up to 600 mm above the finished floor level;
- No ground floor sleeping accommodation.

**Environmental Quality:** Based on the information supplied, no comments to make regarding contaminated land or air quality.



**Arboricultural Officer:** No objection in principle but a full tree survey, arboricultural implications assessment & arboricultural method statement to BS 5837 2012 should be submitted should this application proceed.

## **REPRESENTATIONS**

None received.

## **LDF CORE STRATEGY POLICIES**

**CS12** - Environmental Assets

**CS01** - Spatial Strategy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

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 CONSIDERATIONS**

The main considerations are:

- Principle of Development
- Highways / access
- Form and Character / Neighbour amenity
- Other Material Considerations

### **Principle of Development**

The application site lies in the village of Terrington St John, which is defined as a joint Key Rural Service Centre (with St Johns Highway and Tilney St Lawrence) by Policy CS02 of the Core Strategy 2011. The site lies within the development boundary for the village identified

on Inset Map G94. Therefore in line with Policy DM2 of the Site Allocations and Development Management Policies Plan 2016(SADMP), development will be permitted within the development boundaries of settlements provided it is in accordance with the other policies in the Local Plan.

### **Highways / Access**

This application is for outline consent with all matters reserved, therefore with limited information available at this stage the Local Highway Authority has recommended that the necessary visibility splays, access and parking is provided.

The Parish Council has queried whether visibility splays need to be provided, which is the case, but can be done as part of the Reserved Matters application. The Parish Council also query whether a footpath should be introduced to the front of the site as many others along this road have had to. The LHA has reviewed the application and comments that the Parish raised a valid point and therefore have recommended that a footway would be provided at reserved matters stage.

On this basis the development complies with Policy CS08 of Core Strategy 20911 and DM15 of the Site Allocations and Development Management Policies Plan 2016.

### **Form and Character / Neighbour Amenity**

The outline application has provided only an indicative design and layout, and so at this stage there is little to comment on regarding the form and character of the proposal or the impact on neighbour amenity. However, the Parish Council has objected to the scheme on the grounds that it would, in their view, represent an over development of the site. It is the view of the Officer that given the size and location of the site that a suitable scheme could be designed without detriment to the existing dwelling and the locality as a whole. The development would therefore be in accordance with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

### **Other Material Considerations**

The site is located on land designated as Flood Zone 2 on the Environment Agency Flood Risk Maps. Sequentially, there are no alternative sites located within Flood Zone 1 and therefore sites within Flood Zone 2 are then considered. Given that there are no alternative sites within a lesser flood zone, the development passes the Sequential Test. The Environment Agency has raised no objection to the scheme subject to conditions. A condition would be attached to the planning consent which requires the applicant to comply with set finished floor levels, flood resistant and resilient measures, and removing sleeping accommodation from the ground floor. The finished floor levels will need to be raised to 500mm above existing ground levels, which are at 2.00m ODN. Given that existing dwellings surrounding the site are two storey dwellings, the site could accommodate the increase in finished floor levels and a two storey dwelling, subject to suitable design at reserved matters stage.

There are a number of well-established existing trees on the site. The indicative siting of the dwelling indicates that a cherry tree and Eucalyptus tree would need to be removed. However, the more mature Ash tree to the front of the proposed dwelling would remain. The Council's Arboricultural Officer was consulted on this application and has no objection in principle to the scheme. However he has specified that a full tree survey, arboricultural implications assessment & arboricultural method statement to BS 5837 2012 should be submitted at Reserved Matters Stage in accordance with Policy CS12 of the Core Strategy 2011.

## CONCLUSION

The principle of residential development on this site is in accordance with the National Planning Policy Framework and the adopted Local Plan, based on the information provided to date. The site falls within the development boundary which meets Policy DM2 of the SADMP. A suitably designed scheme can come forward at reserved matters stage that would not adversely affect neighbour amenity or the visual amenities of the locality as a whole. Further no objections have been raised by statutory consultees and no neighbour objections have been received. On this basis, the development is considered fully acceptable in accordance with Policy CS02, CS08, CS11 and CS12 of the Core Strategy 2011 and Policies DM1, DM2 and DM15 of the Site Allocations and Development Management Policies Plan 2016.

## RECOMMENDATION:

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

- 1 Condition: Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition: Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition: The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition: The development shall be implemented in accordance with the Flood Risk Assessment (FRA) prepared by Engineering Support Practice Ltd, dated February 2018 and specifically must adhere the following mitigation measures:
  - Finished floor levels should be raised 500 mm above the adjacent ground level;
  - Flood resistance and resilience measures should be installed up to 600 mm above the finished floor level;
  - No ground floor sleeping accommodation.

- 5 Reason: In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 6 Condition: The details required in accordance with Condition 1 shall include:
- Visibility splays
  - Access
  - Parking provision in accordance with adopted standard
  - Footway provision
  - An Arboricultural Implications Assessment and Method Statement to BS5837 2012.
- 6 Reason: To ensure the satisfactory development of the site in the interests of highway safety and to protect existing trees on the site in accordance with Policies CS11 and CS12 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

**Planning Committee**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

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**PURPOSE OF REPORT**

- (1) To inform Members of the number of decisions issued between the production of the May Planning Committee Agenda and the June agenda. 118 decisions issued 115 decisions issued under delegated powers with 3 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 30% determined in time. Failure to meet this target could result in the application being dealt with by Pins who will also receive any associated planning fee.

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**RECOMMENDATION**

That the reports be noted.

Number of Decisions issued between 26/04/2018 – 22/05/2018

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	DCB decision	
								Approved	Refused
<b>Major</b>	5	5	0			<b>100%</b>	60%	1	0
<b>Minor</b>	58	54	4	53		<b>91%</b>	70%	1	0
<b>Other</b>	55	54	1	49		<b>89%</b>	80%	1	0
<b>Total</b>	<b>118</b>	<b>113</b>	<b>5</b>						

Planning Committee made 3 of the 118 decisions, 2%

## PLANNING COMMITTEE -

### APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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#### PURPOSE OF REPORT

To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.

#### RECOMMENDATION

That the report be noted.

#### DETAILS OF DECISIONS

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
07.03.2018	30.04.2018 <b>TPO Work Approved</b>	18/00027/TPO	3 Town Farm Barns Lynn Road Great Bircham King's Lynn 2/TPO/00433: T1 Sycamore - Remove lower half of secondary limb, crown lift canopy and remove deadwood	Bircham
14.03.2018	14.05.2018 <b>Application Permitted</b>	18/00471/F	85 Stanhoe Road Great Bircham King's Lynn Norfolk Conversion and extension of garage to artist studio for domestic purposes	Bircham

05.03.2018	25.04.2018 <b>Application Refused</b>	18/00396/F	Laurel House Oxborough Road Boughton King's Lynn Construction of single dwelling, self-build. Removal of outbuildings to allow access road	Boughton
22.02.2018	27.04.2018 <b>TPO Partial</b>	18/00025/TPO	3 Broad Lane Brancaster King's Lynn Norfolk 2/TPO/00039 - Unknown Species in front garden - Fell	Brancaster
26.02.2018	16.05.2018 <b>Application Permitted</b>	18/00348/F	The Chapel London Street Brancaster Norfolk Proposed extensions and alterations	Brancaster
22.02.2018	11.05.2018 <b>Application Permitted</b>	18/00331/F	Rowan House Herrings Lane Burnham Market King's Lynn Extension and alterations to a private dwelling	Burnham Market
01.03.2018	02.05.2018 <b>Application Permitted</b>	18/00377/F	Red Gables 7 North Street Burnham Market Norfolk Extension and alterations to dwelling (revised design)	Burnham Market
01.03.2018	26.04.2018 <b>Application Permitted</b>	18/00384/LB	The Old Rectory Overy Road Burnham Market King's Lynn Listed building application: Installation of roof lights into annex roof	Burnham Market
16.03.2018	01.05.2018 <b>Application Permitted</b>	18/00480/F	Spinney End Docking Road Burnham Market Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 17/01790/F: Extension and alterations to dwelling; Single storey rear extension and replacement porch	Burnham Market

16.03.2018	14.05.2018 <b>Application Permitted</b>	18/00482/F	Spinneys End 1 Woodside Docking Road Burnham Market Proposed Cart Shed and retrospective approval of existing wall and fencing.	Burnham Market
30.04.2018	10.05.2018 <b>Application Permitted</b>	17/02234/NMA_1	The Burnhams Tennis Club Station Road Burnham Market King's Lynn NON-MATERIAL AMENDMENT TO PLANNING CONSENT 17/02234/F: Dismantle the existing hut and relocate pro-tem (in the new perimeter area) whilst groundworks are completed and the pavilion is constructed. Once completed, the existing hut will then be removed from site, the new pavilion will then be used by the tennis club	Burnham Market
16.03.2018	14.05.2018 <b>Application Permitted</b>	18/00504/F	Seaward House Wells Road Burnham Overy Staithe King's Lynn Variation of condition 2 of planning permission 16/01708/F to amend plans	Burnham Overy
18.04.2018	16.05.2018 <b>Application Refused</b>	17/01803/NMA_1	Seaward House Wells Road Burnham Overy Staithe King's Lynn Non-material amendment to planning permission 17/01803/F: Proposed boat store in rear garden	Burnham Overy
16.01.2018	14.05.2018 <b>Application Permitted</b>	18/00104/F	11 The Pightle Back Lane Burnham Thorpe King's Lynn Replacement Dwelling	Burnham Thorpe



19.03.2018	10.05.2018 <b>Application Permitted</b>	18/00491/F	Peterstone Cutting Burnham Road Peterstone Burnham Overy Town Single storey rear extension and new front porch.	Burnham Thorpe
08.01.2018	17.05.2018 <b>Application Permitted</b>	18/00033/F	Land At St James Green Castle Acre Norfolk Single storey two-bed dwelling and temporary standing of mobile home for duration of construction	Castle Acre
27.03.2018	27.04.2018 <b>Tree Application - No objection</b>	18/00065/TREECA	Providence House 5 Bailey Street Castle Acre King's Lynn Tree in a conservation area: Remove two beech trees (T1 and T2) due to the small size of the garden.	Castle Acre
14.03.2018	21.05.2018 <b>Not Lawful</b>	18/00463/LDE	Knights Hill Farm Shop Grimston Road South Wootton Norfolk Application for a Lawful Development Certificate for the continued use of farm shop in breach of condition 04 of 2/04/0215/F which sought to restrict the range of goods sold	Castle Rising
28.03.2018	27.04.2018 <b>Consent Required Not</b>	18/00580/AG	Land E of Docking Road Choseley Docking Agricultural Prior Notification: Construction of pumphouse	Choseley
22.08.2017	04.05.2018 <b>Application Permitted</b>	17/01632/RMM	Fosters Sports Ground Clenchwarton King's Lynn Norfolk RESERVED MATTERS: Residential development for 40 dwellings	Clenchwarton

27.02.2018	10.05.2018 <b>Application Permitted</b>	18/00366/F	Lyngrove 12 Station Road Clenchwarton King's Lynn Relocation of driveway from the rear of the property to the front of the property	Clenchwarton
27.03.2018	15.05.2018 <b>Application Permitted</b>	18/00564/F	Solvita 16 Low Road Congham King's Lynn Construction of new porch and conversion of existing outbuilding into an annex	Congham
13.11.2017	10.05.2018 <b>Application Refused</b>	17/02118/F	Bernaleen Station Road Docking King's Lynn Demolition of existing dwelling and construction of three dwellings.	Docking
24.11.2017	14.05.2018 <b>Application Refused</b>	17/02204/F	Land Adjacent Building 14 Stanhoe Road Bircham Newton Norfolk Construction of two detached bungalows & a pair of semi-detached garages	Docking
15.03.2018	16.05.2018 <b>Application Permitted</b>	18/00476/F	1a, 1B And 2 Wagg Court And 9 Bennett Mews Docking Norfolk External cladding to 9 Bennet Mews, 2a and 2b Wagg Court and rear of 1a and 1b Wagg Court and minor external alterations, following grant of planning permission 08/01525/F to convert 9 Bennet Mews and 2a/2b Wagg court to residential	Docking

13.03.2018	14.05.2018 <b>Application Permitted</b>	18/00454/F	Platform One Downham Market Railway Station Railway Road Downham Market Change of use from public house to cafe	Downham Market
29.03.2018	18.05.2018 <b>Tree Application - No objection</b>	18/00067/TREECA	85 Howdale Road Downham Market Norfolk PE38 9AH Tree 1- would like to cut from the top down to the 1.5 metres you recommend being underneath an electric cable as it's unsafe and the tree is also heavily leaning towards our house. Tree 2- would like to cut all the ivy that's smothering it off, and also cut back branches that canopy our garden and thin it out slightly.	Downham Market
05.04.2018	17.05.2018 <b>Application Permitted</b>	18/00633/F	89 Trafalgar Road Downham Market Norfolk PE38 9RT Proposed internal alterations and extension to front of dwelling	Downham Market
23.11.2017	17.05.2018 <b>Application Refused</b>	17/02229/PACU3	Land At Slate Farm Downham Road Salters Lode Norfolk Prior Approval: Proposed change of use of Agricultural Building to a dwellinghouse (Class C3)	Downham West
01.03.2018	03.05.2018 <b>Application Permitted</b>	18/00379/F	The Firs 32 Bagthorpe Road East Rudham King's Lynn Conversion of barn to dwelling	East Rudham
29.03.2018	15.05.2018 <b>Application Permitted</b>	18/00606/F	54 Bagthorpe Road East Rudham King's Lynn Norfolk Rear extension and alterations	East Rudham

11.04.2018	15.05.2018 <b>Application Permitted</b>	06/00799/NMA_1	Land West of Cobblestones Broomsthorpe Road East Rudham Norfolk Non-material amendment to planning permission 06/00799/F: Construction of a single dwelling with garage and store	East Rudham
03.01.2018	14.05.2018 <b>Application Permitted</b>	18/00019/AG	Field North of Dentons Cottage Common Road West Bilney Norfolk Agricultural Prior Notification: Proposed reservoir to provide security for expanded potato production	East Winch
27.03.2018	21.05.2018 <b>Application Permitted</b>	18/00567/F	Woodgate House Hollycroft Road Emneth Wisbech Proposed two-storey extension	Emneth
12.03.2018	26.04.2018 <b>Application Permitted</b>	18/00447/F	17 Old Methwold Road Feltwell Thetford Norfolk Demolition of existing single storey side extension and construction of a two storey side and rear extension	Feltwell
20.02.2018	03.05.2018 <b>Application Permitted</b>	18/00319/CU	Fairswell Cottage Main Road Fincham King's Lynn Change of use of land from agricultural to residential curtilage and access	Fincham
23.03.2018	18.05.2018 <b>Application Permitted</b>	18/00546/F	Clear View Chapel Lane Fincham King's Lynn Construction of garage/annexe, following removal of existing sheds/garages	Fincham

08.02.2018	11.05.2018 <b>Application Permitted</b>	18/00236/RM	Jubilee Farm Jubilee Hall Lane Gayton King's Lynn Reserved Matters Application: construction of one dwelling (Plot 3)	Gayton
27.03.2018	15.05.2018 <b>Application Permitted</b>	18/00571/RM	68 Chapel Road Pott Row King's Lynn Norfolk Reserved Matters Application: Construction of two dwellings	Grimston
05.04.2018	18.05.2018 <b>Application Permitted</b>	18/00647/F	83 Church Close Grimston King's Lynn Norfolk Two storey side extension	Grimston
08.02.2018	10.05.2018 <b>Application Permitted</b>	18/00241/F	12 Staithe Road Heacham King's Lynn Norfolk Proposed Rear Extension and Alterations	Heacham
08.03.2018	02.05.2018 <b>Application Permitted</b>	18/00420/F	Melville 15 Neville Road Heacham Norfolk Variation of condition 2 of planning permission 16/01594/F to amend drawings	Heacham
15.03.2018	18.05.2018 <b>Application Refused</b>	18/00499/O	22 Cheney Hill Heacham King's Lynn Norfolk Outline application for new chalet dwelling to the rear of 22 Cheney Hill	Heacham
19.03.2018	01.05.2018 <b>Application Permitted</b>	18/00497/F	2 Blatchford Way Heacham King's Lynn Norfolk Rear extension to bungalow including detached garage	Heacham

16.04.2018	15.05.2018 <b>GPD HH extn - Not Required</b>	18/00707/PAGPD	4 Bankside Heacham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 6.17 metres with a maximum height of 3.85 metres and a height of 2.30 metres to the eaves	Heacham
05.04.2018	17.05.2018 <b>Application Permitted</b>	18/00625/F	1 Church Road Hilgay Norfolk PE38 0JF Extension to dwelling following removal of existing outbuilding	Hilgay
14.05.2018	21.05.2018 <b>Consent Required</b> <b>Not</b>	18/00873/AG	Fenway Farm Station Road Ten Mile Bank Downham Market Agricultural Prior Notification: New crop and machinery storage as well as general agricultural usage building	Hilgay
23.03.2018	01.05.2018 <b>Application Permitted</b>	18/00543/F	Lavender House Lynn Road Hillington King's Lynn Proposed single storey rear extension to provide new family room and boot room following removal of existing conservatory and sun room	Hillington
19.03.2018	21.05.2018 <b>Application Permitted</b>	18/00490/F	3 Lode Cottages Church Lane Hockwold cum Wilton Norfolk Single storey rear extension and conservatory	Hockwold cum Wilton
08.05.2018	22.05.2018 <b>Application Permitted</b>	15/01472/NMA_2	Plot 3 Land East of The Old Barn South Street Hockwold cum Wilton NON-MATERIAL AMENDMENT TO PLANNING CONSENT 15/01472/F: Construction of three dwellings	Hockwold cum Wilton

09.01.2018	18.05.2018 <b>Application Permitted</b>	18/00041/F	7 Queens Gardens Hunstanton Norfolk PE36 6HD Sub division of dwelling to create holiday let	Hunstanton
12.02.2018	01.05.2018 <b>Application Permitted</b>	18/00261/F	Hunstanton Sea Life Sanctuary Seagate Road Hunstanton Norfolk Retention and completion of refurbishment and netting of the Penguin Enclosure	Hunstanton
19.02.2018	16.05.2018 <b>Application Permitted</b>	18/00316/F	21 Victoria Avenue Hunstanton Norfolk PE36 6BY Single storey rear extension and new garage to side	Hunstanton
02.03.2018	14.05.2018 <b>Application Permitted</b>	18/00381/F	4 Peddars Close Hunstanton Norfolk PE36 6HG Two storey side and rear extensions and single storey rear extension	Hunstanton
13.03.2018	27.04.2018 <b>Application Permitted</b>	18/00462/F	11 Ingoldale Ingoldisthorpe King's Lynn Norfolk Rear extension to form dining room orangery, utility, bedroom and ensuite plus internal alterations	Ingoldisthorpe
20.07.2017	04.05.2018 <b>Application Permitted</b>	17/01410/F	Majestic Cinema Tower Street King's Lynn Norfolk Extension to the existing majestic cinema to provide additional screen and internal alterations	King's Lynn

18.12.2017	02.05.2018 <b>Application Permitted</b>	17/02374/RM	85 Gayton Road King's Lynn Norfolk PE30 4EH RESERVED MATTERS: Construction of 6 dwellings following demolition of existing outbuildings	King's Lynn
05.01.2018	10.05.2018 <b>Was Lawful</b>	18/00027/LDE	10 Old Market Street King's Lynn Norfolk PE30 1NL Continued use as domestic dwelling	King's Lynn
10.01.2018	30.04.2018 <b>Application Permitted</b>	18/00065/FM	Land Between 11 And 14 Campbells Meadow King's Lynn Norfolk Construction of a new car dealership	King's Lynn
30.01.2018	27.04.2018 <b>Application Permitted</b>	18/00175/FM	Ex Berol House 21 Scania Way Hardwick Industrial Estate King's Lynn Proposed industrial units with B1, B2 & B8 use class	King's Lynn
12.02.2018	27.04.2018 <b>Application Permitted</b>	18/00263/F	6 Hoveton Close Hickling King's Lynn Norfolk Subdivision of dwelling to create 2 units	King's Lynn
13.02.2018	27.04.2018 <b>Application Permitted</b>	18/00268/F	Timber Frame Merchant 10 - 12 Denney Road Hardwick Industrial Estate King's Lynn Removal of existing bin store area for proposed temporary location of a portacabin for office use	King's Lynn



12.03.2018	10.05.2018 <b>Application Permitted</b>	18/00441/F	Riverside Business Centre Cross Bank Road King's Lynn Norfolk Variation of condition 2 of planning permission 16/01810/F: To amend previously approved drawings	King's Lynn
12.03.2018	17.05.2018 <b>Application Permitted</b>	18/00443/F	8 Mannington Place South Wootton King's Lynn Norfolk Extensions to dwelling	King's Lynn
16.03.2018	01.05.2018 <b>Application Permitted</b>	18/00500/F	316 Wootton Road King's Lynn Norfolk PE30 3EB Single storey rear extension	King's Lynn
19.03.2018	14.05.2018 <b>Application Permitted</b>	18/00492/F	Ashgrove House 123B Gaywood Road King's Lynn Norfolk Detached Garage with Loft Area.	King's Lynn
21.03.2018	03.05.2018 <b>Application Permitted</b>	18/00514/F	Bridal Boutique 10 Tower Street King's Lynn Norfolk Change of use from A1 to D1	King's Lynn
22.03.2018	09.05.2018 <b>Application Permitted</b>	18/00532/F	West Norfolk Islamic Centre 14 - 15 London Road King's Lynn Norfolk New rear entrance, porch and associated works	King's Lynn
26.03.2018	18.05.2018 <b>Application Permitted</b>	18/00552/F	Alvida Driftway Wootton Road King's Lynn Proposed single storey extensions, associated alterations and detached garage	King's Lynn
26.03.2018	01.05.2018 <b>Application Permitted</b>	18/00558/F	76 Suffield Way King's Lynn Norfolk PE30 3DL Single storey extension to the front of 76 Suffield Way comprising an extension to the lounge, larger hallway and utility area	King's Lynn

27.03.2018	01.05.2018 <b>Application Permitted</b>	18/00568/F	9 Folly Grove King's Lynn Norfolk PE30 3AF 2 storey side extension for family annexe	King's Lynn
28.03.2018	21.05.2018 <b>Application Permitted</b>	18/00576/F	157 St Peters Road West Lynn King's Lynn Norfolk Proposed First Floor Extension and Detached Double Garage	King's Lynn
16.04.2018	15.05.2018 <b>GPD HH extn - Not Required</b>	18/00708/PAGPD	114 Fenland Road King's Lynn Norfolk PE30 3ES Single storey rear extension which extends beyond the rear wall by 4.2 metres with a maximum height of 4 metres and a height of 2.6 metres to the eaves	King's Lynn
23.03.2018	18.05.2018 <b>Application Permitted</b>	18/00547/F	Rose & Crown Cottage The Street Marham King's Lynn Proposed relocation of timber stable building	Marham
28.02.2018	26.04.2018 <b>Application Permitted</b>	18/00371/F	17 Walton Road Marshland St James Wisbech Norfolk Retrospective application for storage building within applicants garden	Marshland St James
05.02.2018	27.04.2018 <b>Application Permitted</b>	18/00209/F	Greenways 7 Old Feltwell Road Methwold Thetford Replacement dwelling with associated outbuildings	Methwold
12.03.2018	18.05.2018 <b>Was Lawful</b>	18/00439/LDE	Fen Cabin Severalls Road Methwold Hythe Norfolk Application for a Lawful Development Certificate for an existing residential garden	Methwold

13.03.2018	11.05.2018 <b>Application Permitted</b>	18/00459/RM	49C Main Road Brookville Norfolk IP26 4RB Reserved Matters Application: Details of plot 3	Methwold
27.03.2018	30.04.2018 <b>Application Permitted</b>	18/00570/F	The Old Chequers (Shop) 17 High Street Methwold Norfolk Change of use of ground floor from shop and dwelling to dwelling house only	Methwold
30.01.2018	15.05.2018 <b>Application Permitted</b>	18/00174/O	1 Bridge Cottages Downham Road Nordelph Downham Market Replacement of Bridge Farm Cottages (two dwellings) with four dwellings.	Nordelph
16.01.2018	02.05.2018 <b>Application Permitted</b>	18/00115/F	Land North East of Scania Way Hardwick Industrial Estate King's Lynn Variation of conditions 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 23 of planning permission 14/01114/OM: To allow for a phased development	North Runcton
12.02.2018	25.04.2018 <b>Application Permitted</b>	18/00262/F	The Russetts 26 Rectory Lane North Runcton King's Lynn Extensions and Alterations.	North Runcton
15.03.2018	26.04.2018 <b>Application Permitted</b>	18/00473/F	10 Cedar Grove North Runcton King's Lynn Norfolk Demolition of existing conservatory and construction of new extension	North Runcton
17.05.2018	21.05.2018 <b>TPO Approved</b> <b>Work</b>	18/00045/TPO	Acorns Station Road North Wootton King's Lynn 2/TPO/00225: Oak Tree near house needs branches loping back	North Wootton

05.03.2018	23.04.2018 <b>Prior Approval - Refused</b>	18/00397/PACU3	Building And Land N of Charolois And NE of Grays Cottages Low Road Pentney Norfolk Prior Notification: Change of use of rabbit meat production unit to a dwelling house	Pentney
16.11.2017	14.05.2018 <b>Application Refused</b>	17/02138/F	Westgate House 17 Chapel Lane Ringstead Norfolk Erection of perimeter fencing to enclose tennis court up to 2.75 metres in height.	Ringstead
21.03.2018	03.05.2018 <b>Application Permitted</b>	18/00508/F	Plot A 58 Docking Road Ringstead Norfolk Variation of condition 2 of planning permission to 17/01010/F: To amend previously approved drawings	Ringstead
28.02.2018	01.05.2018 <b>Application Permitted</b>	18/00374/F	Robins Nest 3 Thorpeland Close Runcton Holme King's Lynn Front and rear single storey extensions	Runcton Holme
16.03.2018	10.05.2018 <b>Application Permitted</b>	18/00503/F	39 Ffolkes Place Runcton Holme King's Lynn Norfolk Extension to dwelling	Runcton Holme
09.06.2017	01.05.2018 <b>Application Permitted</b>	17/01126/F	Glovers Farm Fring Road Sedgeford Norfolk Conversion to residential of existing range of barns together with new-build elements, means of access and parking court	Sedgeford

30.01.2018	27.04.2018 <b>Application Permitted</b>	18/00177/F	Coastal Veterinary Group 16 Alma Road Snettisham Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 15/01850/F: Construction of replacement veterinary practice building	Snettisham
19.03.2018	11.05.2018 <b>Application Permitted</b>	18/00521/F	5 Grammar School Cottages Lynn Road Snettisham King's Lynn First floor extension, additions to ground floor and associated works	Snettisham
08.05.2018	21.05.2018 <b>Tree Application - No objection</b>	18/00081/TREECA	Walnut Cottage School Road Snettisham Norfolk T1 (Copper Beech) - Selective branch reduction to give 2m clearance from building & crown lift to 5.2 m over carriageway	Snettisham
05.02.2018	27.04.2018 <b>Application Permitted</b>	18/00204/F	Manor Farm 57 Burnham Road South Creake Fakenham Alterations and extensions to house, widening of access drive and reinstatement of parking and turning area to front of house	South Creake
05.02.2018	27.04.2018 <b>Application Permitted</b>	18/00205/LB	Manor Farm 57 Burnham Road South Creake Fakenham LISTED BUILDING: Alterations and extensions to house, widening of access drive and reinstatement of parking and turning area to front of house	South Creake

05.03.2018	27.04.2018 <b>Application Permitted</b>	18/00388/F	Solitaire 14 Burnham Road South Creake Fakenham Variation of Condition 2 of planning permission 15/01730/F: Change of use of paddock and associated land and building to residential use to include renovation and extension to the existing garage block.	South Creake
08.02.2018	14.05.2018 <b>Application Permitted</b>	18/00247/F	Rowen Lodge 42 Castle Rising Road South Wootton King's Lynn Extension to existing property	South Wootton
19.03.2018	01.05.2018 <b>Application Permitted</b>	18/00487/A	Service Station Unit 6 Langley Road South Wootton Advertisement Application: 2 no. internally illuminated 'ASDA' Canopy fascia signs, 1 no. 'Please walk to pay point' kiosk fascia sign, 1 no. Totem Sign Refurbishment and 2 no. Banner frame signs	South Wootton
19.03.2018	11.05.2018 <b>Application Permitted</b>	18/00495/F	Hilltops 85 Nursery Lane South Wootton Norfolk Variation of condition 2 of planning permission 16/01858/F to replace approved drawings with amended design	South Wootton
05.04.2018	18.05.2018 <b>Application Permitted</b>	18/00627/F	57 Ullswater Avenue South Wootton King's Lynn Norfolk Two Storey Extension to dwelling	South Wootton
19.03.2018	04.05.2018 <b>Application Permitted</b>	18/00489/F	Nicholson Farm Machinery 33 Common Lane Southery Downham Market Temporary siting of a relocatable storage building	Southery

08.05.2018	18.05.2018 <b>Consent Not Required</b>	18/00833/AG	Further Fen Farm Lynn Road Southery Downham Market Agricultural Prior Notification: Proposed general purpose agricultural storage building	Southery
19.02.2018	10.05.2018 <b>Application Permitted</b>	18/00300/RMM	Valmes 13 Wretton Road Stoke Ferry King's Lynn RESERVED MATTERS: Construction of 15 Dwellings	Stoke Ferry
10.04.2018	18.05.2018 <b>Would be Lawful</b>	18/00663/LDP	Laurels Lynn Road Stoke Ferry Norfolk LAWFUL DEVELOPMENT FOR A PROPOSED DEVELOPMENT: Replacement of existing flat roof with sloping roof profiles	Stoke Ferry
16.01.2018	04.05.2018 <b>Application Permitted</b>	18/00097/RM	Buderim 223 The Drove Barroway Drove Norfolk RESERVED MATTERS: One dwelling	Stow Bardolph
16.01.2018	03.05.2018 <b>Application Permitted</b>	18/00099/F	Buderim 223 The Drove Barroway Drove Norfolk Variation of conditions 6 and 7 of planning permission 16/02093/O - Single dwelling	Stow Bardolph
14.03.2018	16.05.2018 <b>Application Permitted</b>	18/00467/O	Willowdene 260 The Drove Barroway Drove Norfolk New Residential Building Plot	Stow Bardolph
21.03.2018	17.05.2018 <b>Application Permitted</b>	18/00517/O	Land S of 173 And N of 176 The Drove Barroway Drove Norfolk Outline application: Site for construction of one dwelling	Stow Bardolph

25.01.2018	30.04.2018 <b>Application Permitted</b>	18/00144/F	Land R/O Farm Cottage 191 Sutton Road Terrington St Clement King's Lynn Proposed change of use of existing land to commercial use by a construction company	Terrington St Clement
21.02.2018	04.05.2018 <b>Application Permitted</b>	18/00321/F	125 Northgate Way Terrington St Clement King's Lynn Norfolk Two storey rear extension, single storey side extension and alterations	Terrington St Clement
01.03.2018	30.04.2018 <b>Application Permitted</b>	18/00378/RM	Chestnut House Market Lane Terrington St Clement King's Lynn Reserved Matters Application: Proposed dwelling for plot 1	Terrington St Clement
12.03.2018	11.05.2018 <b>Application Permitted</b>	18/00435/F	19 Craske Lane Terrington St Clement King's Lynn Norfolk Proposed stables, agricultural store and menage	Terrington St Clement
12.03.2018	10.05.2018 <b>Application Permitted</b>	18/00445/F	The Mill Market Lane Terrington St Clement King's Lynn Proposed internal alterations and installation of new fire exit door/windows	Terrington St Clement
28.03.2018	10.05.2018 <b>Application Permitted</b>	18/00577/F	2 Howard Close Terrington St Clement King's Lynn Norfolk Single storey extension to rear of dwelling	Terrington St Clement
05.04.2018	21.05.2018 <b>Application Permitted</b>	18/00619/F	19 Anchor Road Terrington St Clement King's Lynn Norfolk Extension to bungalow	Terrington St Clement



06.04.2018	18.05.2018 <b>Tree Application - No objection</b>	18/00071/TREECA	2 King William Close Terrington St Clement King's Lynn Norfolk Tree in a Conservation Area: T1 Sycamore Tree - Fell	Terrington St Clement
15.03.2018	14.05.2018 <b>Application Permitted</b>	18/00475/F	West Hatch Cottage High Street Thornham Hunstanton Proposed renovations and extensions	Thornham
16.02.2018	08.05.2018 <b>Application Permitted</b>	18/00287/F	Long Meadow Farm Church Road Tilney All Saints Norfolk Variation of condition 3 and discharge of conditions 4, 8 and 9 of planning permission 17/00776/F: Erection of agricultural dwelling and associated barn	Tilney All Saints
16.04.2018	16.05.2018 <b>Prior Approval - Not Required</b>	18/00696/AG	Chase Farm Shepherds Gate Road Tilney All Saints King's Lynn Agricultural Prior Notification: The construction of a 8,010,000 gallon irrigation reservoir for agricultural purposes	Tilney All Saints
08.03.2018	10.05.2018 <b>Application Permitted</b>	18/00426/F	Land Off Magdalen Road Tilney St Lawrence King's Lynn Norfolk New access to link an agricultural field to Magdalen Road	Tilney St Lawrence
19.03.2018	16.05.2018 <b>Application Permitted</b>	18/00488/F	The Hollies New Road Tilney St Lawrence King's Lynn Proposed change of use of barn to motorcycle repair and sales	Tilney St Lawrence
05.02.2018	10.05.2018 <b>Application Permitted</b>	18/00218/F	16 New Bridge Road Upwell Wisbech Norfolk Remove a carport and put in its place two walls to make a bed room toilet and shower room	Upwell

12.03.2018	25.04.2018 <b>Application Permitted</b>	18/00472/F	Sterling House 69 Croft Road Upwell Wisbech Variation of condition 2 of planning permission 17/00890/F: Demolition of existing conservatory and proposed two storey right hand side extension, front two storey extension, rear extension and extension to existing garage with conversion to annex - To amend previously approved drawings	Upwell
21.03.2018	16.05.2018 <b>Application Permitted</b>	18/00520/RM	12 Blunt's Orchard Drive Upwell Norfolk PE14 9EP RESERVED MATTERS APPLICATION: Construction of detached dwelling and detached garage on Plot 5.	Upwell
23.03.2018	22.05.2018 <b>Application Permitted</b>	18/00540/RM	Plot 24 Blunt's Orchard Drive Upwell Norfolk Reserved Matters Application for proposed dwelling	Upwell
26.03.2018	10.05.2018 <b>Application Permitted</b>	18/00569/F	4 Elderberry Place Upwell Norfolk PE14 9BF Side extension to existing house	Upwell
29.03.2018	18.05.2018 <b>Tree Application - No objection</b>	18/00066/TREECA	Welle Manor Hall 3 New Road Upwell Wisbech T1 Mature Oak - Has a significant risk of instability due to the cavity reaching far higher than first considered, reduce some of the weight at the tree's summit in case bad weather causes an accident within a conservation area	Upwell

29.03.2018	22.05.2018 <b>Application Permitted</b>	18/00590/RM	Plot 16 Orchard Gardens Upwell Norfolk PE14 9EQ Reserved Matters Application for proposed dwelling	Upwell
10.04.2018	18.05.2018 <b>Application Permitted</b>	18/00653/F	Upwell Methodist Church 94 Town Street Upwell Norfolk Part re-roof of church	Upwell
06.03.2018	24.04.2018 <b>Application Permitted</b>	16/00702/NMA_1	Faulkner House West Drove North Walton Highway Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 16/00702/F: Extension to outbuilding and change of use to annex ancillary to main dwelling	Walpole Highway
06.03.2018	25.04.2018 <b>Application Permitted</b>	18/00403/F	Trinity Hall Bungalow Trinity Road Walpole Highway Wisbech Proposed alterations and extension including re-roofing to existing bungalow	Walpole Highway
28.02.2018	08.05.2018 <b>Application Permitted</b>	18/00373/F	Orchard House 23 Thieves Bridge Road Watlington King's Lynn Extension to garage to provide home treatment studio	Watlington
12.03.2018	03.05.2018 <b>Application Permitted</b>	18/00448/F	11 Downham Road Watlington King's Lynn Norfolk First Floor Bedroom Extension	Watlington
03.04.2018	16.05.2018 <b>Application Permitted</b>	18/00597/F	Langsett 48 Station Road Watlington King's Lynn Small side extension to current permitted development	Watlington

11.04.2018	16.05.2018 <b>Application Permitted</b>	18/00676/F	4 Cecil Close Watlington King's Lynn Norfolk Construction of single storey extension, a bay window and convert existing garage to a bedroom.	Watlington
21.03.2018	01.05.2018 <b>Application Permitted</b>	18/00509/F	Plot 2 North of The Bungalow Bellamys Lane West Walton Norfolk Variation of Condiiton 2 attached to 17/01434/F: Variation of conditions 2 and 3 of planning permission 16/00513/F to change design	West Walton
23.04.2018	09.05.2018 <b>Application Refused</b>	2/03/2072/NMA_1	The Mill 190 St Pauls Road South Walton Highway Norfolk Non-material amendment to planning permission 2/03/2072/F: Change of use and conversion of redundant agricultural building to 3 residential holiday units including creation of new access	West Walton
08.03.2018	25.04.2018 <b>Application Permitted</b>	18/00422/F	4 White House Court High Road Saddlebow Norfolk Demolition of existing attached Garage and construction of two storey side extension comprising Garage and Bedroom above together with internal Alterations.	Wiggenhall St Germans

05.04.2018	18.05.2018 <b>Application Permitted</b>	18/00623/F	Land South of Eau Brink Farm Eau Brink Road Wiggshall St Germans Norfolk PROPOSED ALTERATIONS TO THE EXISTING BARN'S EXTERNAL ELEVATIONS	Wiggshall St Germans
27.04.2018	18.05.2018 <b>Application Permitted</b>	15/00046/NMA_2	9A Foxglove Walk Wiggshall St Germans Norfolk PE34 3FL Non-material amendment to planning permission 15/00046/F: Erection of 1no. 3 bed dwelling	Wiggshall St Germans
05.03.2018	03.05.2018 <b>Application Permitted</b>	18/00386/F	3 Honey Hill Wimbotsham King's Lynn Norfolk Demolition of outbuildings and boundary wall and construction of new single storey rear extension	Wimbotsham
29.03.2018	17.05.2018 <b>Application Permitted</b>	18/00587/F	The Chequers 7 Church Road Wimbotsham King's Lynn Conversion of existing brick outbuilding into 3no B&B rooms	Wimbotsham
14.03.2018	03.05.2018 <b>Application Permitted</b>	18/00465/F	Davlyn Castle Road Wormegay King's Lynn Proposed single storey extension and internal alterations	Wormegay

**PLANNING COMMITTEE**

**4 June 2018**

**UPDATE ON TREE MATTERS**

**Prepared by Richard Fisher, Arboricultural Officer**

**1.0 Introduction**

1.1 This report seeks to update Members on recent Tree Preservation Orders (TPO's) that have been served since 1<sup>st</sup> November 2017 – 30<sup>th</sup> April 2018, along with a summary on some of the other aspects of the work in relation to trees.

**2.0 Summary of Work**

2.1 Set out in table 1 is a breakdown of the numbers of the various types of applications or work types carried out during the period.

2.2 Members will be aware that tree work applications have to be responded to within 6 weeks in the case of a conservation area notification, and 8 weeks in the case of a TPO tree work application. If responses are not received within these timescales the work is deemed to be acceptable and can be carried out.

2.3 There is a requirement for planning applications to be responded to well within the 8 or 13 week time period, to ensure applications can be dealt with within the requisite time period. There is also a requirement to respond to discharge of conditions with a specified time period, to ensure development can commence.

2.4 Although not time specific, the serving of a new TPO is often a matter of urgency in order to prevent the trees being felled or inappropriate pruning taking place. Once served there are time limits for objections to be received, and responses to be sent and the matter placed before the Planning Committee. If this is not all completed within 6 months of the serving then the TPO will lapse.

2.5 In addition to this there have been a number of pre application site visits undertaken for both tree work applications and planning applications, as well as the general day to day tree related enquiries that have to be addressed during the course of the day.

*Table 1 – Breakdown of tree related applications and work received since November 2017*

	<b>Numbers</b>
<b>Planning Applications</b>	
Planning Applications considered	135
Pre-Applications considered	29
Applications to discharge tree and landscape conditions	19
<b>New Tree Preservation Orders</b>	
New TPO's served	6
TPO's with objections received (Planning Committee Confirmation)	1
Still to be confirmed	1
<b>Tree Work Applications/Notifications</b>	
Conservation Area Notifications approved	113
Conservation Area Notification Refused (TPO Served)	0
Conservation Area Notification Pending	0
Tree Preservation Order applications approved	48
Tree Preservation Order applications refused/partially refused	Part refused – 7 Refused - 0
Tree Preservation Order applications appealed	1
Tree Preservation Order application pending	0

### **3.0 Details of TPO's Served and Confirmed since November 2017**

3.1 6 TPOs has been served since November 2017. Where no objections have been received they have been confirmed under delegated powers. When objections have been received these will need to be considered by the

Planning Committee, as to whether or not the TPO is confirmed. Since November 2017, 5 TPOs have been confirmed under delegated powers with 1 awaiting confirmation at Planning Committee.

- 3.2 We have received, and carried out, 1 appeals relating to decisions regarding works to protected trees. This appeal has been dismissed. We currently have 1 appeal in process.

#### **4.0 Recommendation**

- 4.1 That members of the Planning Committee note the contents of the report.