



Planning Committee

Agenda

Monday, 1st October, 2018
*at approximately 10.45 am

in the

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

*Please note that the Committee will visit the site of the major application reference 18/01142/FM listed on the agenda, prior to the meeting. It is aimed to commence the meeting at approximately 10.45 am, when the Committee returns from the site visit.



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

PLANNING COMMITTEE AGENDA

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

Please ensure that all mobile phones are switched to silent

DATE: Monday, 1st October, 2018

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

TIME: Approximately 10.45 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 3 September 2018 (to follow).

3. DECLARATIONS OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

4. URGENT BUSINESS UNDER STANDING ORDER 7

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act, 1972.

5. MEMBERS ATTENDING UNDER STANDING ORDER 34

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before the meeting commences.

6. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

7. RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS

To receive the Schedule of Late Correspondence received since the publication of the agenda.

8. INDEX OF APPLICATIONS (Pages 6 - 7)

The Committee is asked to note the Index of Applications.

a) Decisions on Applications (Pages 8 - 86)

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

9. DELEGATED DECISIONS (Pages 87 - 115)

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

To: Members of the Planning Committee

Councillors Mrs C Bower, A Bubb, Mrs S Buck, C J Crofts, Mrs S Fraser, 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

Major Application

Please be advised that the Committee will visit the site for the major application reference 18/01142/FM from 9.00 am, prior to the meeting, which will then start at approximately 10.45 am, where the application will then be determined.

Site Visit Arrangements

When a decision for a site inspection is made at the meeting, consideration of the application will be adjourned, the site visited, and the meeting reconvened on the day that the site visit takes place, where a decision on the application will then be made.

If there are any additional site inspections arising from this meeting, these will be held on **Thursday 4 October 2018** (time to be confirmed).

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 28 September 2018**. Please contact 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

**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 1 OCTOBER 2018**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
MAJOR DEVELOPMENTS				
8/1(a)	18/01142/FM Whitleys Stationers Press 19 - 21 Church Street Demolition of old print works and the construction of 15 number 2 bed flats and 1 number 1 bed flat with associated car parking (Resubmission of 17/00025/FM)	HUNSTANTON	REPORT TO FOLLOW	
DEFERRED ITEMS				
8/2(a)	18/01088/F Holly Manor Lynn Road VARIATION OR REMOVAL OF CONDITION 5 OF PLANNING PERMISSION 14/01126/F: Change of use of agricultural barn and hay stores to builders yard, storage and office	TILNEY ST LAWRENCE	APPROVE	8
8/2(b)	18/01089/F Holly Manor Lynn Road Variation of condition 3 of planning permission 15/01963/F to change hours of operation	TILNEY ST LAWRENCE	APPROVE	17
8/2(c)	18/01090/F Holly Manor Lynn Road Variation of condition 4 of planning permission 17/01298/F to change the hours of operation	TILNEY ST LAWRENCE	APPROVE	26

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
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OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE

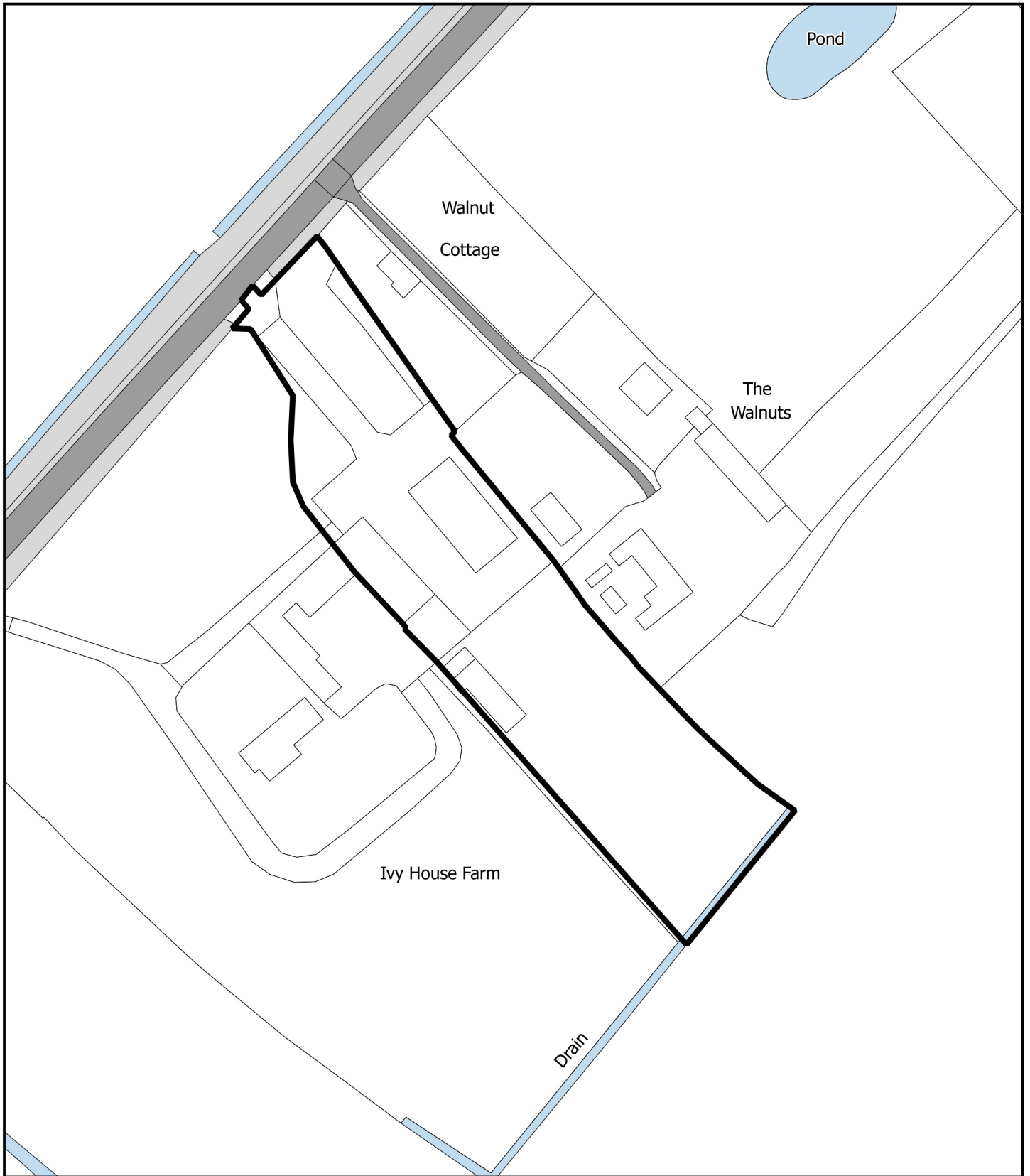
8/3(a)	18/01364/F 6 Greenwich Close Erection of car port (retrospective)	DOWNHAM MARKET	APPROVE	35
8/3(b)	18/00468/F Orange House 53 Malthouse Crescent Proposed development of two bungalows with integral garages	HEACHAM	APPROVE	40
8/3(c)	18/01077/F 16 West Street Detached Garage Conversion to Create Self Contained Unit Suitable For A Holiday Let	NORTH CREAKE	REFUSE	51
8/3(d)	18/01197/O Seagrass 22 Golf Course Road OUTLINE ALL MATTERS RESERVED: New dwelling	OLD HUNSTANTON	APPROVE	57
8/3(e)	18/01175/F Stables And Equine Facility N of Ashtree Cottage River Road Conversion of stable/first floor office/store to partial residential	WEST WALTON	REFUSE	64

TREE PRESERVATION ORDERS

8/4(a)	2/TPO/00575 Land N of Lynn Road - S of 10 And E of Westgate Street	SHOULDHAM	CONFIRM WITHOUT MODIFICATION	79
8/4(b)	2/TPO/00576 6 Admiralty Close	DOWNHAM MARKET	CONFIRM WITHOUT MODIFICATION	83

18/01088/F

Holly Manor Lynn Road Tilney St Lawrence



Parish:	Tilney St Lawrence	
Proposal:	VARIATION OR REMOVAL OF CONDITION 5 OF PLANNING PERMISSION 14/01126/F: Change of use of agricultural barn and hay stores to builders yard, storage and office	
Location:	Holly Manor Lynn Road Tilney All Saints Norfolk	
Applicant:	Mr N Barker	
Case No:	18/01088/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 10 August 2018 Extension of Time Expiry Date: 5 October 2018

Reason for Referral to Planning Committee – The application was deferred at the 3 September 2018 meeting.

Neighbourhood Plan: No

Members Update

This application was referred to the Planning Committee on 3 September 2018, when Members decided to defer their decision to allow Officers time to investigate the options for the wording of the revised condition.

Members were aware of the neighbour complaints related to the site, and considered whether the revised hours of operation could be granted on a 'trial basis' for a period of 6 months.

Having sought legal advice, there is the option to revise the wording of the planning condition to read-

No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the workshop building outside the hours of 07:00 – 18:00 on weekdays, 08:00 – 13:00 on Saturday nor at any time on Sundays Bank or Public Holidays for a period of 6 months from the date of this planning consent. After this period of 6 months the hours of operation will be 07:00 – 17:00 on weekdays nor at any time on Saturdays Sundays, Bank or Public Holidays.

This would provide the applicant with extended working hours for a period of 6 months, and will enable the Council to determine whether there are any neighbour amenity issues created as a result. If after 6 months the extended working hours are deemed to be successful the applicant would then be required to submit another planning application to retain the new hours of operation(as detailed above).

Members will need to bear in mind how this temporary period of time will be monitored, and how it could be considered to be successful taking into account the current extent and nature of complaints received to date.

Members should consider whether the aforementioned condition should replace proposed Condition 5.

Case Summary

The site is located on the south eastern side of Lynn Road, Tilney High End, to the south west of the village approximately 500m from the junction with School Road. The site comprises a large house with approval for a builders yard with a complex of farm buildings which have been converted to an office and store, a newly constructed workshop building, planning consent for an additional storage building and an area used for outside storage of building materials to the east of the site.

The application proposes a variation of Condition 5 of planning permission 14/01126/F. It was originally proposed that the amended condition would allow for the business to operate until 6pm on Monday to Friday and between 7am and 1pm on Saturdays and at no time on Sundays, Bank or Public holidays. Saturday hours have since been amended to between 8am and 1pm.

There are 2 other applications which seek to amend the hours of operation condition to make it consistent across the site (refs. 18/01089/F and 18/01090/F).

Key Issues

- * Principle of Development and Planning History
- * Neighbour Amenity Issues

Recommendation

APPROVE

THE APPLICATION

The site is located on the south eastern side of Lynn Road, Tilney High End, to the south west of the village approximately 500m from the junction with School Road. The site comprises a large dwelling with associated farm buildings/ structures served off a long access road to the north of the barns.

To the north east of the site are existing residential properties.

The site is also located within the buffer zone to the Islington Heronry Site of Special Scientific Interest, but this application has no impact upon the SSSI.

The application proposes a variation of Condition 5 of planning permission 14/01126/F. It was originally proposed that the amended condition would allow for works to operate until 6pm on Monday to Friday and between 7am and 1pm on Saturdays. Saturday hours have since been amended to between 8am and 1pm.

The use of the site for a builders yard, storage and office is already established under planning consent reference 14/01126/F and appeal decisions APP/V2635/C/16/3146551

and 3146770. Also consent was granted for conversion of workshop to an office and a replacement workshop on February 2017 (15/01963/F), and for an additional building for storage in October 2017 (17/01298/F) at Planning Committee.

SUPPORTING CASE

This application is made under S73 of the Town and Country Planning Act. It seeks to vary the time constraints imposed via conditions on the previous planning permissions. It is proposed to amend the conditions to include an additional hour of working up until 6pm Monday to Friday, and to allow for working on Saturday mornings.

The proposed amended hours will fit in with normal working hours associated with a builders yard and within the building industry. The current time restrictions have resulted in the applicant having to turn away deliveries which has had an impact on the effective operation of the business which currently employs 15 members of staff and up to 30 contractors out in the field.

The proposed additional hours of operation will not extend the use to an unsociable hour on week day afternoons and the hours proposed on a Saturday are not considered unreasonable given that works would commence after typical waking hours and would cease before typical afternoon enjoyment of neighbouring residential amenities. The additional working hours will allow the business to operate within the normal working hours of the building industry, thereby allowing for the retention and promotion of this employment use.

The use of the site has already been assessed by the Local Planning Authority and it was established that no undue harm would be caused to local residents by reasons of noise and disturbance, hence the development being permitted. The additional hours are not unsociable and will cause no harm to the amenities of neighbouring residents.

In accordance with paragraph 80 of the NPPF, significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs. The proposed variation of condition would address a specific local business need and would support the economic sustainability of an existing business. In accordance with paragraph 80 of the NPPF, this should be afforded significant weight.

The proposal complies with policy CS10 of the Core Strategy in that it seeks to promote and retain an existing employment use. It also complies with DM5 of the SADMP as it will have no adverse impact on the amenity of others by reasons of (amongst other issues) overlooking, overbearing, overshadowing, noise, or light pollution.

The proposed variation of condition complies with policies of the Development Plan and with National Policy. It is therefore respectfully requested that the application is permitted.

PLANNING HISTORY

17/01545/F: Application Permitted: 18/10/17 - Variation of condition 1 of planning permission 15/01963/F to amend drawings to display an excavator - Holly Manor
17/01298/F: Application Permitted: 05/10/17 - Proposed Storage Building - Holly Manor
15/01963/DISC_A: Discharge of Condition final letter: 30/05/17 - Discharge of conditions 2 and 6 of planning permission 15/01963/F: Proposed workshop conversion to office and replacement workshop - 1 Ivy Farm

14/01126/DISC_B: Discharge of Condition final letter: 31/05/17 - Discharge of conditions 3, 4 and 6 of planning permission 14/01126/F: Change of use of agricultural barn and hay stores to builders yard, storage and office - Holly Manor
16/01537/F: Application Permitted: 17/10/16 - Retention of gates and wall - Holly Manor
15/01963/F: Application Permitted: 06/03/17 - Proposed workshop conversion to office and replacement workshop - Ivy Farm
14/01126/DISC_A: Discharge of Condition final letter: 21/09/15 - Discharge of conditions 3, 4 and 6 of planning permission 14/01126/F: Change of use of agricultural barn and hay stores to builders yard, storage and office - Ivy Farm
14/01129/DISC_A: Discharge of Condition final letter: 13/01/15 - DISCHARGE OF CONDITION 5 AND 6: Proposed change of use from agricultural out-buildings to domestic use and the retention and completion of an extension and alterations to existing dwelling - Ivy Farm
14/01322/F: Application Permitted: 10/11/14 - Retention of proposed temporary office - Ivy Farm
14/01129/F: Application Permitted: 03/10/14 - Proposed change of use from agricultural out-buildings to domestic use and the retention and completion of an extension and alterations to existing dwelling - Ivy Farm
14/01126/F: Application Permitted: 05/11/14 - Change of use of agricultural barn and hay stores to builders yard, storage and office - Ivy Farm
08/01584/F: Application Permitted: 07/08/08 - Conversion of barn/outbuilding to form residential dwelling - Ivy Farm
2/95/0763/CU: Application Permitted: 09/08/95 - Change of use to residential care home - Ivy Farm
2/02/1942/CU: Application Permitted: 17/03/03 - Change of use of barn and outbuildings to craft centre with bed/breakfast accommodation - Ivy Farm
04/00648/CU: Application Permitted: 08/09/04 - Conversion of barns to 5 residential units - Barns At Ivy Farm

RESPONSE TO CONSULTATION

Parish Council: OBJECT. Complaints have been received regarding noise, causing a nuisance to neighbours; and failure to comply with previous conditions.

Community Safety and Neighbourhood Nuisance:

This team received thirteen complaints over the use of this site, albeit that some were not related to noise (three were about bonfires and one was re lighting), and we undertook several investigations over a long period of time which also included visits by officers during the daytime, at evenings and at weekends. The main issue of the complaints was that the original hours of plant/machinery operation were not being adhered to, causing noise which affected the complainants. The role of the Community Safety and Neighbourhood Nuisance Team is to determine if a Statutory Nuisance exists and as such we need to determine that the noise unreasonably and substantially interfered with the use or enjoyment of the complainants property. This is a higher test than establishing that working hour conditions were being breached.

In each of these cases there was insufficient evidence to substantiate any formal action under the statutory nuisance provisions. We therefore have no grounds to object. Sections 2 and 3 of the Noise Management Plan for this site dated 23 June 2015, reference NDT4821/15218 (condition 4 of 14/01126/F refers), identify basic noise control measures for the site, and compliance with this should have continued to date. As aspects of this document would become out of date with any changes to hours, we request that the following condition is attached to any approval issued:

'No operation of machinery or plant shall occur outside of the hours of 0700-1700 until a scheme to protect the neighbours from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the approved hours are brought into use.'

REPRESENTATIONS

FOUR letters of **OBJECTION** received from the neighbouring three dwellings, The Walnuts, Walnut Tree Cottage and Walnut Barn. The issues raised are-

- The conditions were imposed to protect amenity of neighbouring residents. Nothing has changed to warrant removal of conditions. Any relaxation would adversely affect neighbouring properties. The site has turned from an old farmhouse to a commercial unit, with the disturbance being unbearable.
- Submitted many complaints over the years re noise and disturbance, now with loud music at 9-10pm from a caravan in the yard where someone is living.
- The company has increased operations, and it is not standard practice for construction works to operate 11 hours a day. They usually cease at 4pm Monday to Friday. It is grossly unfair to allow approx. 60hours of operation knowing an even great detrimental effect on residential amenity.
- Current restrictions have not hindered growth of business. The application states that the present time restrictions are causing delivery problems which is difficult to believe apart from the fact that most building materials are delivered direct to the relevant site.
- It has been established that there has been a failure by the Planning Department to deal with this development in the correct manner and we have been consistently let down. I trust that more consideration will be afforded to the residents of the 3 remaining properties on this occasion.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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

- Principle of Development and Planning History
- Neighbour Amenity Issues

Principle of Development and Planning History

The site falls outside the development boundary for Tilney All Saints, which is categorised as a Rural Village in the adopted Local Plan.

The use is already accepted on site as a result of the planning consent and appeal decisions. The site was the subject of an appeal against an Enforcement Notice: 'without planning permission, the unauthorised material change of use of agricultural barn and hay stores to builder's yard, storage and office'. The Enforcement Notice was quashed and the Inspector established that there was no dispute that the site was being used as a builder's yard, with associated storage and office space but it was the Council's view that the use lapsed upon non-compliance of the conditions. The Inspector did not agree and concluded that the failure to comply with the conditions had not resulted in an unauthorised use as described in the notice, and that planning permission for the use of land remains intact.

There were further planning consents for the conversion of the workshop to an office and the construction of a new workshop building (ref: 15/01963/F). Also the construction of a second storage building (ref: 17/01298/F), which is yet to be constructed but will be sited to the rear of the first workshop, both of which are in the place of steel agricultural shelters to the east of the site.

The proposed application is to vary condition 5 of planning consent 14/01126/F to amend the working hours of the site. In principle the use of the site is already established and so consideration should be given to the balance between supporting local business and the amenity of neighbouring dwellings which should be considered in accordance with policy DM15.

Neighbour Amenity Issues

The existing Condition 5 of 14/01126/F states-
'No plant/machinery shall be operated at the premises between the hours of 1700 and 0700 on weekdays, and at no time on Saturdays, Sundays Bank or Bank/Public Holidays'

The applicant originally proposed that this condition is amended to read-
'Plant/machinery shall only be operated at the premises between the hours of 0700 and 1800 on weekdays, 0700 and 1300 on Saturdays, and at no time on Sundays Bank or Bank/Public Holidays.'

As stated above, the applicant originally requested 7am to 1pm however it was considered 8am on a Saturday would be a more reasonable time for neighbouring residents and the applicant is satisfied with this. There are a number of objections to the application from the neighbouring dwellings relating to the noise and disturbance of the existing use. They state that it has a detrimental impact on neighbour amenity and is unfair to extend the hours of use. Concerns are raised that as the business grows it will continue to have an adverse impact on neighbours.

The CSNN team have clarified that while there has been ongoing complaints made relating to the use of the site (the majority relating to noise), these have been investigated. In each case there was insufficient evidence and therefore there are no grounds to object to this application. They do however request a condition is attached to ensure a noise protection

scheme is submitted and agreed. On the basis of the amended hours of operation, the advice and information provided by the CSNN team indicates on balance it would be difficult for the Local Planning Authority to substantiate a refusal to the application based on noise, in accordance with Policy DM15.

With regards to the non-compliance with planning conditions and the reported siting of a caravan on the site, any complaint made has and will be picked up by the Enforcement Team and fully investigated.

CONCLUSION

In principle the proposed development is supported by national policy and Local Plan policies CS06 and CS10. The use of the site for a builders yard, storage buildings and an office is already established and this application seeks to amend current hours of operation to increase weekly working days by 1 hour until 6pm, and to work Saturdays between 8am and 1pm. This application has received a number of objections from the three neighbouring dwellings. Having given careful consideration to the objections raised, it is our view that a balance needs to be made between supporting an existing, successful, local employment use with an established planning consent, while protecting the amenity of neighbouring dwellings where they state the existing business does cause them noise and disturbance.

However in the absence on an objection, or any evidence from the CSNN team it is recommended that Members approve the amended condition to allow the business to operate between 7am to 6pm Monday to Fridays, and 8am to 1pm on Saturdays. Previous conditions have been reviewed as part of this application and amended accordingly.

RECOMMENDATION:

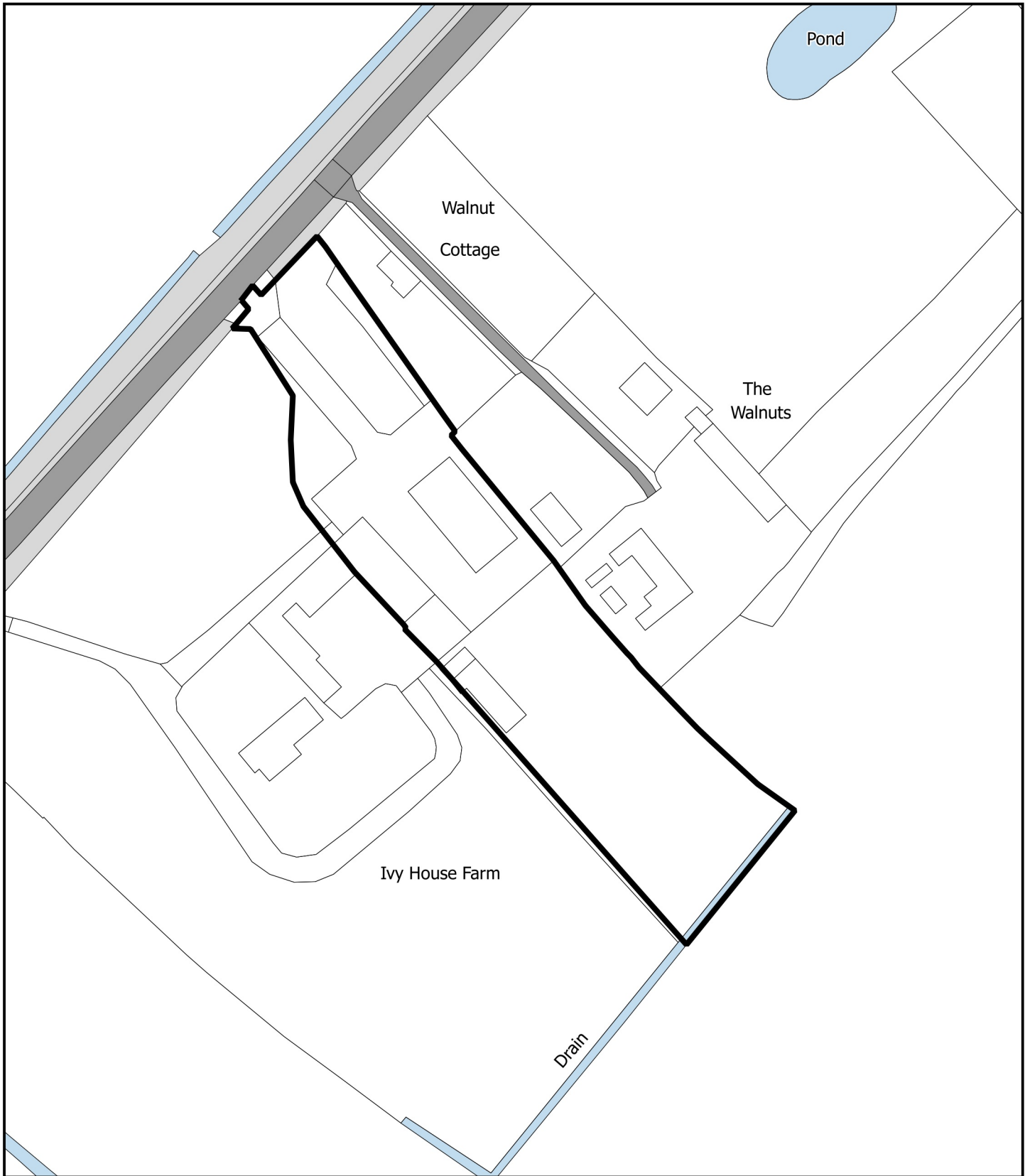
APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: 30 revision B and 31 revision A.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall continue to be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 2 Reason: In the interests of highway safety.
- 3 Condition: Plant/machinery shall only be operated at the premises between the hours of 0700 and 1800 on weekdays, 0800 and 1300 on Saturdays, and at no time on Sundays Bank or Bank/Public Holidays.
- 3 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.
- 4 Condition: No outside storage of goods, materials or waste shall take place except within the designated compound as shown on drawing numbered 30 revision B.

- 4 Reason: In the interests of the amenities of the locality and to retain control over the development in accordance with the NPPF.
- 5 Condition: No operation of machinery or plant shall occur outside of the hours of 0700-1700 Monday to Friday or at any time on Saturdays, Sundays, Bank or Public holidays until a scheme to protect the neighbours from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the approved hours specified in Condition 3 are brought into use.
- 5 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

18/01089/F

Holly Manor Lynn Road Tilney St Lawrence



Parish:	Tilney St Lawrence	
Proposal:	Variation of condition 3 of planning permission 15/01963/F to change hours of operation	
Location:	Holly Manor Lynn Road Tilney All Saints Norfolk	
Applicant:	Mr N Barker	
Case No:	18/01089/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 10 August 2018 Extension of Time Expiry Date: 5 October 2018

Reason for Referral to Planning Committee – The application was deferred at the 3 September 2018 meeting.

Neighbourhood Plan: No

Members Update

This application was referred to the Planning Committee on 3 September 2018, when Members decided to defer their decision to allow Officers time to investigate the options for the wording of the revised condition.

Members were aware of the neighbour complaints related to the site, and considered whether the revised hours of operation could be granted on a 'trial basis' for a period of 6 months.

Having sought legal advice, there is the option to revise the wording of the planning condition to read-

No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the workshop building outside the hours of 07:00 – 18:00 on weekdays, 08:00 – 13:00 on Saturday nor at any time on Sundays Bank or Public Holidays for a period of 6 months from the date of this planning consent. After this period of 6 months the hours of operation will be 07:00 – 17:00 on weekdays nor at any time on Saturdays Sundays, Bank or Public Holidays.

This would provide the applicant with extended working hours for a period of 6 months, and will enable the Council to determine whether there are any neighbour amenity issues created as a result. If after 6 months the extended working hours are deemed to be successful the applicant would then be required to submit another planning application to retain the new hours of operation(as detailed above).

Members will need to bear in mind how this temporary period of time will be monitored, and how it could be considered to be successful taking into account the current extent and nature of complaints received to date.

Members should consider whether the aforementioned condition should replace proposed Condition 3.

Case Summary

The site is located on the south eastern side of Lynn Road, Tilney High End, to the south west of the village approximately 500m from the junction with School Road. The site comprises a large house with approval for a builders yard with a complex of farm buildings which have been converted to an office and store, a newly constructed workshop building, planning consent for an additional storage building and an area used for outside storage of building materials to the east of the site.

The application proposes a variation of Condition 3 of planning permission 15/01963/F. It was originally proposed that the amended condition would allow for the business to operate until 6pm on Monday to Friday and between 7am and 1pm on Saturdays and at no time on Sundays, Bank or Public holidays. Saturday hours have since been amended to between 8am and 1pm.

There are 2 other applications which seek to amend the hours of operation condition to make it consistent across the site (refs. 18/01088/F and 18/01090/F).

Key Issues

- * Principle of Development and Planning History
- * Neighbour Amenity Issues

Recommendation

APPROVE

THE APPLICATION

The site is located on the south eastern side of Lynn Road, Tilney High End, to the south west of the village approximately 500m from the junction with School Road. The site comprises a large dwelling with associated farm buildings/ structures served off a long access road to the north of the barns.

To the north east of the site are existing residential properties.

The site is also located within the buffer zone to the Islington Heronry Site of Special Scientific Interest, but this application has no impact upon the SSSI.

The application proposes a variation of Condition 3 of planning permission 15/01963/F. It was originally proposed that the amended condition would allow for works to operate until 6pm on Monday to Friday and between 7am and 1pm on Saturdays and at no time on Sundays, Bank or Public holidays. Saturday hours have since been amended to between 8am and 1pm.

The use of the site for a builders yard, storage and office is already established under planning consent reference 14/01126/F and appeal decisions APP/V2635/C/16/3146551 and 3146770. Also consent was granted for conversion of workshop to an office and a replacement workshop on February 2017 (15/01963/F), and for an additional building for storage in October 2017 (17/01298/F) at Planning Committee.

SUPPORTING CASE

This application is made under S73 of the Town and Country Planning Act. It seeks to vary the time constraints imposed via conditions on the previous planning permissions. It is proposed to amend the conditions to include an additional hour of working up until 6pm Monday to Friday, and to allow for working on Saturday mornings.

The proposed amended hours will fit in with normal working hours associated with a builders yard and within the building industry. The current time restrictions have resulted in the applicant having to turn away deliveries which has had an impact on the effective operation of the business which currently employs 15 members of staff and up to 30 contractors out in the field.

The proposed additional hours of operation will not extend the use to an unsociable hour on week day afternoons and the hours proposed on a Saturday are not considered unreasonable given that works would commence after typical waking hours and would cease before typical afternoon enjoyment of neighbouring residential amenities. The additional working hours will allow the business to operate within the normal working hours of the building industry, thereby allowing for the retention and promotion of this employment use.

The use of the site has already been assessed by the Local Planning Authority and it was established that no undue harm would be caused to local residents by reasons of noise and disturbance, hence the development being permitted. The additional hours are not unsociable and will cause no harm to the amenities of neighbouring residents.

In accordance with paragraph 80 of the NPPF, significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs. The proposed variation of condition would address a specific local business need and would support the economic sustainability of an existing business. In accordance with paragraph 80 of the NPPF, this should be afforded significant weight.

The proposal complies with policy CS10 of the Core Strategy in that it seeks to promote and retain an existing employment use. It also complies with DM5 of the SADMP as it will have no adverse impact on the amenity of others by reasons of (amongst other issues) overlooking, overbearing, overshadowing, noise, or light pollution.

The proposed variation of condition complies with policies of the Development Plan and with National Policy. It is therefore respectfully requested that the application is permitted.

PLANNING HISTORY

17/01545/F: Application Permitted: 18/10/17 - Variation of condition 1 of planning permission 15/01963/F to amend drawings to display an excavator - Holly Manor

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16/01537/F: Application Permitted: 17/10/16 - Retention of gates and wall - Holly Manor

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14/01129/DISC_A: Discharge of Condition final letter: 13/01/15 - DISCHARGE OF CONDITION 5 AND 6: Proposed change of use from agricultural out-buildings to domestic use and the retention and completion of an extension and alterations to existing dwelling - Ivy Farm
14/01322/F: Application Permitted: 10/11/14 - Retention of proposed temporary office - Ivy Farm
14/01129/F: Application Permitted: 03/10/14 - Proposed change of use from agricultural out-buildings to domestic use and the retention and completion of an extension and alterations to existing dwelling - Ivy Farm
14/01126/F: Application Permitted: 05/11/14 - Change of use of agricultural barn and hay stores to builders yard, storage and office - Ivy Farm
08/01584/F: Application Permitted: 07/08/08 - Conversion of barn/outbuilding to form residential dwelling - Ivy Farm
2/95/0763/CU: Application Permitted: 09/08/95 - Change of use to residential care home - Ivy Farm
2/02/1942/CU: Application Permitted: 17/03/03 - Change of use of barn and outbuildings to craft centre with bed/breakfast accommodation - Ivy Farm
04/00648/CU: Application Permitted: 08/09/04 - Conversion of barns to 5 residential units - Barns At Ivy Farm

RESPONSE TO CONSULTATION

Parish Council: OBJECT. Complaints have been received regarding noise, causing a nuisance to neighbours; and failure to comply with previous conditions.

Community Safety and Neighbourhood Nuisance:

This team received thirteen complaints over the use of this site, albeit that some were not related to noise (three were about bonfires and one was re lighting), and we undertook several investigations over a long period of time which also included visits by officers during the daytime, at evenings and at weekends. The main issue of the complaints was that the original hours of plant/machinery operation were not being adhered to, causing noise which affected the complainants. The role of the Community Safety and Neighbourhood Nuisance Team is to determine if a Statutory Nuisance exists and as such we need to determine that the noise unreasonably and substantially interfered with the use or enjoyment of the complainants property. This is a higher test than establishing that working hour conditions were being breached.

In each of these cases there was insufficient evidence to substantiate any formal action under the statutory nuisance provisions. We therefore have no grounds to object. Sections 2 and 3 of the Noise Management Plan for this site dated 23 June 2015, reference NDT4821/15218 (condition 4 of 14/01126/F refers), identify basic noise control measures for the site, and compliance with this should have continued to date. As aspects of this document would become out of date with any changes to hours, we request that the following condition is attached to any approval issued:

'No operation of machinery or plant shall occur outside of the hours of 0700-1700 until a scheme to protect the neighbours from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the approved hours are brought into use.'

REPRESENTATIONS

FOUR letters of **OBJECTION** received from the neighbouring three dwellings, The Walnuts, Walnut Tree Cottage and Walnut Barn. The issues raised are-

- The conditions were imposed to protect amenity of neighbouring residents. Nothing has changed to warrant removal of conditions. Any relaxation would adversely affect neighbouring properties. The site has turned from an old farmhouse to a commercial unit, with the disturbance being unbearable.
- Submitted many complaints over the years re noise and disturbance, now with loud music at 9-10pm from a caravan in the yard where someone is living.
- The company has increased operations, and it is not standard practice for construction works to operate 11 hours a day. They usually cease at 4pm Monday to Friday. It is grossly unfair to allow approx. 60hours of operation knowing an even great detrimental effect on residential amenity.
- Current restrictions have not hindered growth of business. The application states that the present time restrictions are causing delivery problems which is difficult to believe apart from the fact that most building materials are delivered direct to the relevant site.
- It has been established that there has been a failure by the Planning Department to deal with this development in the correct manner and we have been consistently let down. I trust that more consideration will be afforded to the residents of the 3 remaining properties on this occasion.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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

- Principle of Development and Planning History
- Neighbour Amenity Issues

Principle of Development and Planning History

The site falls outside the development boundary for Tilney All Saints, which is categorised as a Rural Village in the adopted Local Plan.

The use is already accepted on site as a result of the planning consent and appeal decisions. The site was the subject of an appeal against an Enforcement Notice: 'without planning permission, the unauthorised material change of use of agricultural barn and hay stores to builder's yard, storage and office'. The Enforcement Notice was quashed and the Inspector established that there was no dispute that the site was being used as a builder's yard, with associated storage and office space but it was the Council's view that the use lapsed upon non-compliance of the conditions. The Inspector did not agree and concluded that the failure to comply with the conditions had not resulted in an unauthorised use as described in the notice, and that planning permission for the use of land remains intact.

There were further planning consents for the conversion of the workshop to an office and the construction of a new workshop building (ref: 15/01963/F). Also the construction of a second storage building (ref: 17/01298/F), which is yet to be constructed but will be sited to the rear of the first workshop, both of which are in the place of steel agricultural shelters to the east of the site.

The proposed application is to vary condition 3 of planning consent 15/01963/F to amend the working hours of the site. In principle the use of the site is already established and so consideration should be given to the balance between supporting local business and the amenity of neighbouring dwellings which should be considered in accordance with policy DM15.

Neighbour Amenity Issues

The existing Condition 3 of 15/01963/F states-

'No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the replacement workshop building outside the hours of 07:00 – 17:00 on weekdays nor at any time on Saturdays, Sundays, Bank or Public Holidays.'

The applicant proposes that this is amended to read-

'Plant/machinery shall only be operated at the premises between the hours of 0700 and 1800 on weekdays, 0700 and 1300 on Saturdays, and at no time on Sundays Bank or Bank/Public Holidays.'

As stated above the applicant originally requested 7am to 1pm however it was considered 8am on a Saturday would be a more reasonable time for neighbouring residents and the applicant is satisfied with this. Further, the wording of the Condition should remain as per existing other than the amended operating hours as it gives tighter control. There are a number of objections to the application from the neighbouring dwellings relating to the noise and disturbance of the existing use. They state that it has a detrimental impact on neighbour amenity and is unfair to extend the hours of use. Concerns are raised that as the business grows it will continue to have an adverse impact on neighbours.

The CSNN team have clarified that while there has been ongoing complaints made relating to the use of the site (the majority relating to noise), these have been investigated. In each case there was insufficient evidence and therefore there are no grounds to object to this application. They do however request a condition is attached to ensure a noise protection scheme is submitted and agreed. On the basis of the amended hours of operation, the advice and information provided by the CSNN team indicates on balance it would be difficult

for the Local Planning Authority to substantiate a refusal to the application based on noise, in accordance with Policy DM15.

With regards to the non-compliance with planning conditions and the reported siting of a caravan on the site, any complaint made has and will be picked up by the Enforcement Team and fully investigated.

CONCLUSION

In principle the proposed development is supported by national policy and Local Plan policies CS06 and CS10. The use of the site for a builders yard, storage buildings and an office is already established and this application seeks to amend current hours of operation to increase weekly working days by 1 hour until 6pm, and to work Saturdays between 8am and 1pm. This application has received a number of objections from the three neighbouring dwellings. Having given careful consideration to the objections raised, it is our view that a balance needs to be made between supporting an existing, successful, local employment use with an established planning consent, while protecting the amenity of neighbouring dwellings where they state the existing business does cause them noise and disturbance.

However in the absence on an objection, or any evidence from the CSNN team it is recommended that Members approve the amended condition to allow the business to operate between 7am to 6pm Monday to Fridays, and 8am to 1pm on Saturdays. Previous conditions have been reviewed as part of this application and amended accordingly.

RECOMMENDATION:

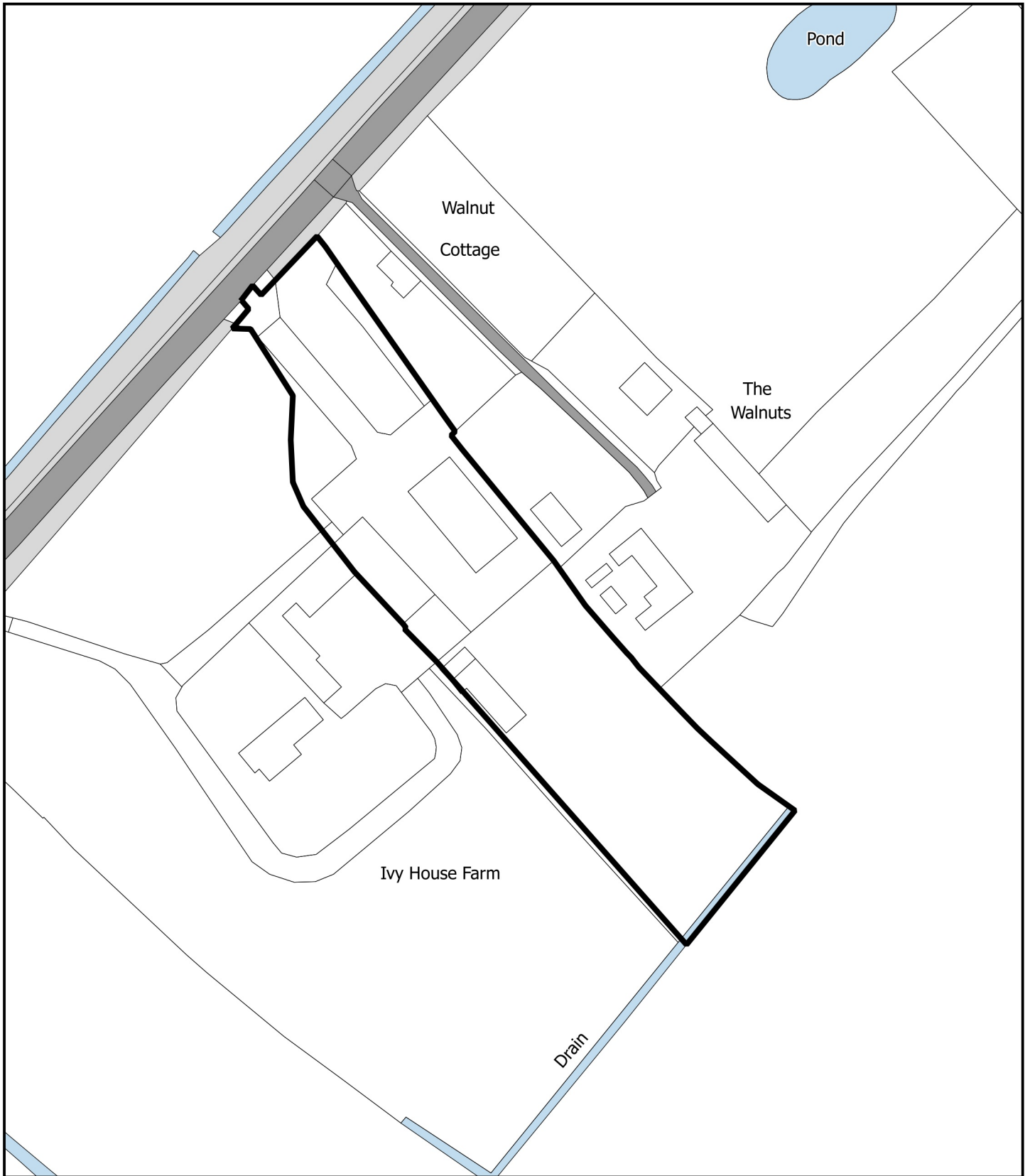
APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos SE-415 10B,11C,12A and 20B).
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: No development above foundation level on the new workshop shall take place until a detailed scheme for the sound insulation of the new workshop building has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and thereafter maintained as such.
- 2 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 3 Condition: No Machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the workshop building outside the hours of 07:00 – 18:00 on weekdays, 08:00 – 13:00 on Saturday nor at any time on Sundays, Bank or Public Holidays.
- 3 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.

- 4 Condition: The Roller shutter doors on the SE elevation of the workshop and the pedestrian access on the NE elevation shall remain closed other than when being used for access and egress from the building.
- 4 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 5 Condition: The use of the workshop shall be limited to the storage of dry goods and equipment only. Works to fabricate or otherwise construct, finish, renew or repair building or other construction related materials including vehicles should be limited to the use of hand tools only.
- 5 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 6 Condition: No Operation of machinery or plant shall occur outside of the hours of 07:00 – 17:00 nor at any time on Saturdays, Sundays, Bank or Public holidays until a scheme to protect neighbours from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the approved hours specified in Condition 3 are brought into use.
- 6 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

18/01090/F

Holly Manor Lynn Road Tilney St Lawrence



Parish:	Tilney St Lawrence	
Proposal:	Variation of condition 4 of planning permission 17/01298/F to change hours of operation	
Location:	Holly Manor Lynn Road Tilney All Saints Norfolk	
Applicant:	Mr N Barker	
Case No:	18/01090/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 10 August 2018 Extension of Time Expiry Date: 5 October 2018

Reason for Referral to Planning Committee – The application was deferred at 3 September 2018 meeting.

Neighbourhood Plan: No

Members Update

This application was referred to the Planning Committee on 3 September 2018, when Members decided to defer their decision to allow Officers time to investigate the options for the wording of the revised condition.

Members were aware of the neighbour complaints related to the site, and considered whether the revised hours of operation could be granted on a 'trial basis' for a period of 6 months.

Having sought legal advice, there is the option to revise the wording of the planning condition to read-

No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the workshop building outside the hours of 07:00 – 18:00 on weekdays, 08:00 – 13:00 on Saturday nor at any time on Sundays Bank or Public Holidays for a period of 6 months from the date of this planning consent. After this period of 6 months the hours of operation will be 07:00 – 17:00 on weekdays nor at any time on Saturdays Sundays, Bank or Public Holidays.

This would provide the applicant with extended working hours for a period of 6 months, and will enable the Council to determine whether there are any neighbour amenity issues created as a result. If after 6 months the extended working hours are deemed to be successful the applicant would then be required to submit another planning application to retain the new hours of operation(as detailed above).

Members will need to bear in mind how this temporary period of time will be monitored, and how it could be considered to be successful taking into account the current extent and nature of complaints received to date.

Members should consider whether the aforementioned condition should replace proposed Condition 4.

Case Summary

The site is located on the south eastern side of Lynn Road, Tilney High End, to the south west of the village approximately 500m from the junction with School Road. The site comprises a large house with approval for a builders yard with a complex of farm buildings which have been converted to an office and store, a newly constructed workshop building, planning consent for an additional storage building and an area used for outside storage of building materials to the east of the site.

The application proposes a variation of Condition 4 of planning permission 17/01298/F. It was originally proposed that the amended condition would allow for the business to operate until 6pm on Monday to Friday and between 7am and 1pm on Saturdays and at no time on Sundays, Bank or Public holidays. Saturday hours have since been amended to between 8am and 1pm.

There are 2 other applications which seek to amend the hours of operation condition to make it consistent across the site (refs. 18/01088/F and 18/01089/F).

Key Issues

- * Principle of Development and Planning History
- * Neighbour Amenity Issues

Recommendation

APPROVE

THE APPLICATION

The site is located on the south eastern side of Lynn Road, Tilney High End, to the south west of the village approximately 500m from the junction with School Road. The site comprises a large dwelling with associated farm buildings/ structures served off a long access road to the north of the barns.

To the north east of the site are existing residential properties.

The site is also located within the buffer zone to the Islington Heronry Site of Special Scientific Interest, but this application has no impact upon the SSSI.

The application proposes a variation of Condition 4 of planning permission 17/01298/F. It was originally proposed that the amended condition will allow for works to operate until 6pm on Monday to Friday and between 7am and 1pm on Saturdays and at no time on Sundays, Bank or public holidays. Saturday hours have since been amended to between 8am and 1pm.

The use of the site for a builders yard, storage and office is already established under planning consent reference 14/01126/F and appeal decisions APP/V2635/C/16/3146551 and 3146770. Also consent was granted for conversion of workshop to an office and a replacement workshop on February 2017 (15/01963/F), and for an additional building for storage in October 2017 (17/01298/F) at Planning Committee.

SUPPORTING CASE

This application is made under S73 of the Town and Country Planning Act. It seeks to vary the time constraints imposed via conditions on the previous planning permissions. It is proposed to amend the conditions to include an additional hour of working up until 6pm Monday to Friday, and to allow for working on Saturday mornings.

The proposed amended hours will fit in with normal working hours associated with a builders yard and within the building industry. The current time restrictions have resulted in the applicant having to turn away deliveries which has had an impact on the effective operation of the business which currently employs 15 members of staff and up to 30 contractors out in the field.

The proposed additional hours of operation will not extend the use to an unsociable hour on week day afternoons and the hours proposed on a Saturday are not considered unreasonable given that works would commence after typical waking hours and would cease before typical afternoon enjoyment of neighbouring residential amenities. The additional working hours will allow the business to operate within the normal working hours of the building industry, thereby allowing for the retention and promotion of this employment use.

The use of the site has already been assessed by the Local Planning Authority and it was established that no undue harm would be caused to local residents by reasons of noise and disturbance, hence the development being permitted. The additional hours are not unsociable and will cause no harm to the amenities of neighbouring residents.

In accordance with paragraph 80 of the NPPF, significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs. The proposed variation of condition would address a specific local business need and would support the economic sustainability of an existing business. In accordance with paragraph 80 of the NPPF, this should be afforded significant weight.

The proposal complies with policy CS10 of the Core Strategy in that it seeks to promote and retain an existing employment use. It also complies with DM5 of the SADMP as it will have no adverse impact on the amenity of others by reasons of (amongst other issues) overlooking, overbearing, overshadowing, noise, or light pollution.

The proposed variation of condition complies with policies of the Development Plan and with National Policy. It is therefore respectfully requested that the application is permitted.

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FOUR letters of **OBJECTION** received from the neighbouring three dwellings, The Walnuts, Walnut Tree Cottage and Walnut Barn. The issues raised are-

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PLANNING CONSIDERATIONS

- Principle of Development and Planning History
- Neighbour Amenity Issues

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The proposed application is to vary condition 4 of planning consent 17/01298/F to amend the working hours of the site. In principle the use of the site is already established and so consideration should be given to the balance between supporting local business and the amenity of neighbouring dwellings which should be considered in accordance with policy DM15.

Neighbour Amenity Issues

The existing Condition 4 of 17/01298/F states-

'No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the workshop building outside the hours of 07:00 – 17:00 on weekdays nor at any time on Saturdays Sundays, Bank or Public Holidays.'

The applicant proposes that this is amended to read-

'Plant/machinery shall only be operated at the premises between the hours of 0700 and 1800 on weekdays, 0700 and 1300 on Saturdays, and at no time on Sundays Bank or Bank/Public Holidays.'

As stated above the applicant originally requested 7am to 1pm however it was considered 8am on a Saturday would be a more reasonable time for neighbouring residents and the applicant is satisfied with this. Further the wording of the Condition should remain as per existing other than the amended operating hours as it gives tighter control. There are a number of objections to the application from the neighbouring dwellings relating to the noise and disturbance of the existing use. They state that it has a detrimental impact on neighbour amenity and is unfair to extend the hours of use. Concerns are raised that as the business grows it will continue to have an adverse impact on neighbours.

The CSNN team have clarified that while there has been ongoing complaints made relating to the use of the site (the majority relating to noise), these have been investigated. In each case there was insufficient evidence and therefore there are no grounds to object to this application. They do however request a condition is attached to ensure a noise protection scheme is submitted and agreed. On the basis of the amended hours of operation, the advice and information provided by the CSNN team indicates on balance it would be difficult

for the Local Planning Authority to substantiate a refusal to the application based on noise, in accordance with Policy DM15.

With regards to the non-compliance with planning conditions and the reported siting of a caravan on the site, any complaint made has and will be picked up by the Enforcement Team and fully investigated.

CONCLUSION

In principle the proposed development is supported by national policy and Local Plan policies CS06 and CS10. The use of the site for a builders yard, storage buildings and an office is already established and this application seeks to amend current hours of operation to increase weekly working days by 1 hour until 6pm, and to work Saturdays between 8am and 1pm. This application has received a number of objections from the three neighbouring dwellings. Having given careful consideration to the objections raised, it is our view that a balance needs to be made between supporting an existing, successful, local employment use with an established planning consent, while protecting the amenity of neighbouring dwellings where they state the existing business does cause them noise and disturbance.

However in the absence on an objection, or any evidence from the CSNN team it is recommended that Members approve the amended condition to allow the business to operate between 7am to 6pm Monday to Fridays, and 8am to 1pm on Saturdays. Previous conditions have been reviewed as part of this application and amended accordingly.

RECOMMENDATION:

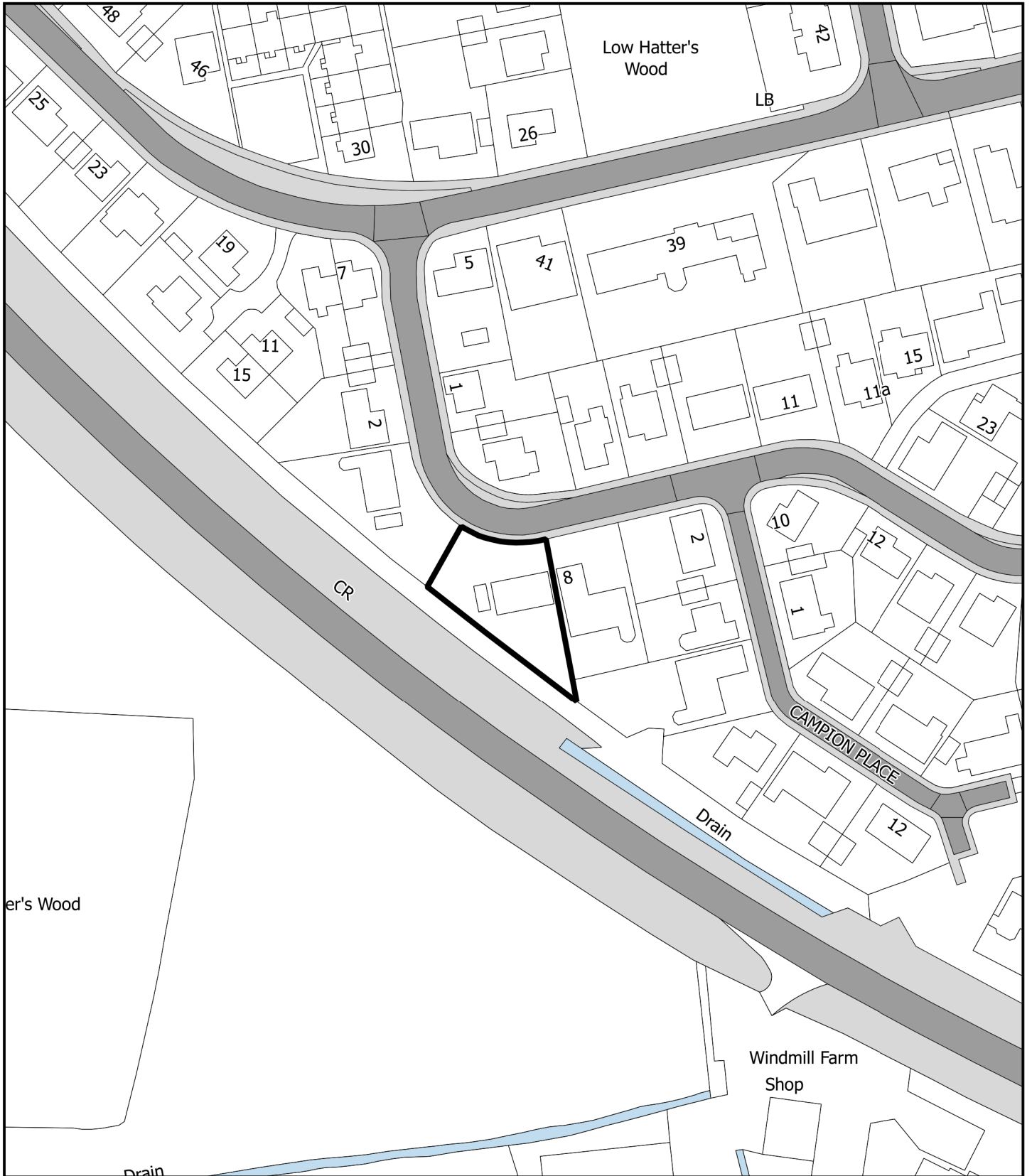
APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos SE-803-10B, 11B, and Topographical Survey 4828-1 Parts 1 and 2).
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No development above foundation level on the new workshop shall take place until a detailed scheme for the sound insulation of the new workshop building has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and thereafter maintained as such.
- 3 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 4 Condition: No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the workshop building outside the hours of 07:00 – 18:00 on weekdays, 08:00 – 13:00 on Saturday nor at any time on Sundays Bank or Public Holidays.

- 4 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.
- 5 Condition: The Roller shutter doors on the SW elevation of the workshop and the pedestrian accesses on the SE & NE elevation shall remain closed other than when being used for access and egress from the building.
- 5 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 6 Condition: The use of the workshop shall be limited to the storage of dry goods and equipment only. Works to fabricate or otherwise construct, finish, renew or repair building or other construction related materials including vehicles should be limited to the use of hand tools only.
- 6 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 7 Condition: No operation of machinery or plant shall occur outside of the hours of 0700-1700 Monday to Friday nor at any time on Saturdays, Sundays, Bank or Public holidays until a scheme to protect the neighbours from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the approved hours specified in Condition 4 are brought into use.
- 7 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

18/01364/F

6 Greenwich Close Downham Market



Parish:	Downham Market	
Proposal:	Erection of car port (retrospective)	
Location:	6 Greenwich Close Downham Market Norfolk PE38 9TZ	
Applicant:	Mr & Mrs S Ewing	
Case No:	18/01364/F (Full Application)	
Case Officer:	Miss L Smith	Date for Determination: 20 September 2018

Reason for Referral to Planning Committee – Called in by Councillor Donald Tyler

Neighbourhood Plan: No

Case Summary

Retrospective permission is sought for the retention of a car port attached to an existing garage at 6 Greenwich Close, Downham Market.

Key Issues

Principle of Development
 Highway Safety
 Visual Amenity
 Neighbour Amenity
 Other material considerations

Recommendation

APPROVE

THE APPLICATION

The land is situated at 6 Greenwich Close, approximately 75m south of the junction of Park Lane.

The application seeks retrospective consent for the construction of a 2 bay open carport attached to an existing garage outbuilding in the west corner of the site. The structure has a gable roof facing Greenwich Close, with ridge height at approximately 4.2m.

SUPPORTING CASE

None submitted with this application.

PLANNING HISTORY

11/00040/F: Application Permitted: 01/03/11 - Proposed extension, minor alterations and new detached garage - 6 Greenwich Close, Downham Market,

RESPONSE TO CONSULTATION

Town Council: NO OBJECTION

Highways Authority: NO OBJECTION

REPRESENTATIONS

TWO letters of **OBJECTION**

The comments can be summarised as follows:

- Out of keeping with the area
- Visually intrusive

EIGHT letters of **SUPPORT** – members of the public

The comments can be summarised as follows:

- High quality design
- In-keeping with existing bungalow

LDF CORE STRATEGY POLICIES

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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

Planning Committee
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Highway Safety
Form and Character
Neighbour Amenity
Other material considerations

Crime and Disorder There are no specific crime and disorder issues relevant to this application

Principle of development

The car port is sited within the curtilage of an existing residential dwelling. The principle of the proposal is therefore acceptable.

Highway Safety:

No objections were heard from the Local Highway Authority.

Form and Character

The site at No. 6 Greenwich Close comprises a pitched roof, single storey detached dwelling with a detached garage towards its north-west elevation. The dwelling is angled within its plot to face the adjacent street and the junction of Park Lane and Greenwich Close to the north.

There is a less than 1m high picket fence backed by vegetation along the front north boundary, with a post and chain fence delineating the side, north western boundary between the property and its neighbour.

The application seeks approval for the construction, in the north-west corner of the site, of a 2 x bay open front car port adjoining the gable end of the existing garage. The structure has a gable roof with ridge height of approximately 4.2m; with an approximately 1m separation between the development and the north-west boundary fence. Materials include tiles and timber cladding to match the existing dwelling.

Greenwich close extends south east for approximately 750m from its junction with Park Lane towards its junction with the B1507 London Road and is characterised by detached bungalows, set back with low fence frontages, with a relatively uniform building line. Given the layout of the subject site and the orientation of the dwelling, the car port is visible from both directions. However, its location in the corner of the plot and set back from the road edge reduces its impact on the street scene.

This proposed car port is the first of its kind in the immediate vicinity, and is located on a fairly prominent corner plot. However, materials correspond with the existing dwelling and the openness of the structure reduces its visual appearance in the street scene. These factors, combined with the carport's orientation within the plot, and existing boundary treatments, minimise its impact on the form and character of the area and the design is therefore considered acceptable.

Neighbour impact

A bungalow of similar style to the subject site abuts the northern side of No. 6. It is set back in its plot and orientated with the majority of its building bulk to the north of the plot, leaving open space and the property's garage and driveway directly adjoining the car port. The southern elevation of the neighbouring property's garage is approximately 10m from the subject site.

This overall separation distance minimises the possibility of overshadowing or overbearing as a result of the development, and it is therefore considered that the scale and siting of the building would not have an adverse impact on the amenity of neighbours, in accordance with Policy DM15 of the SADMP.

CONCLUSION

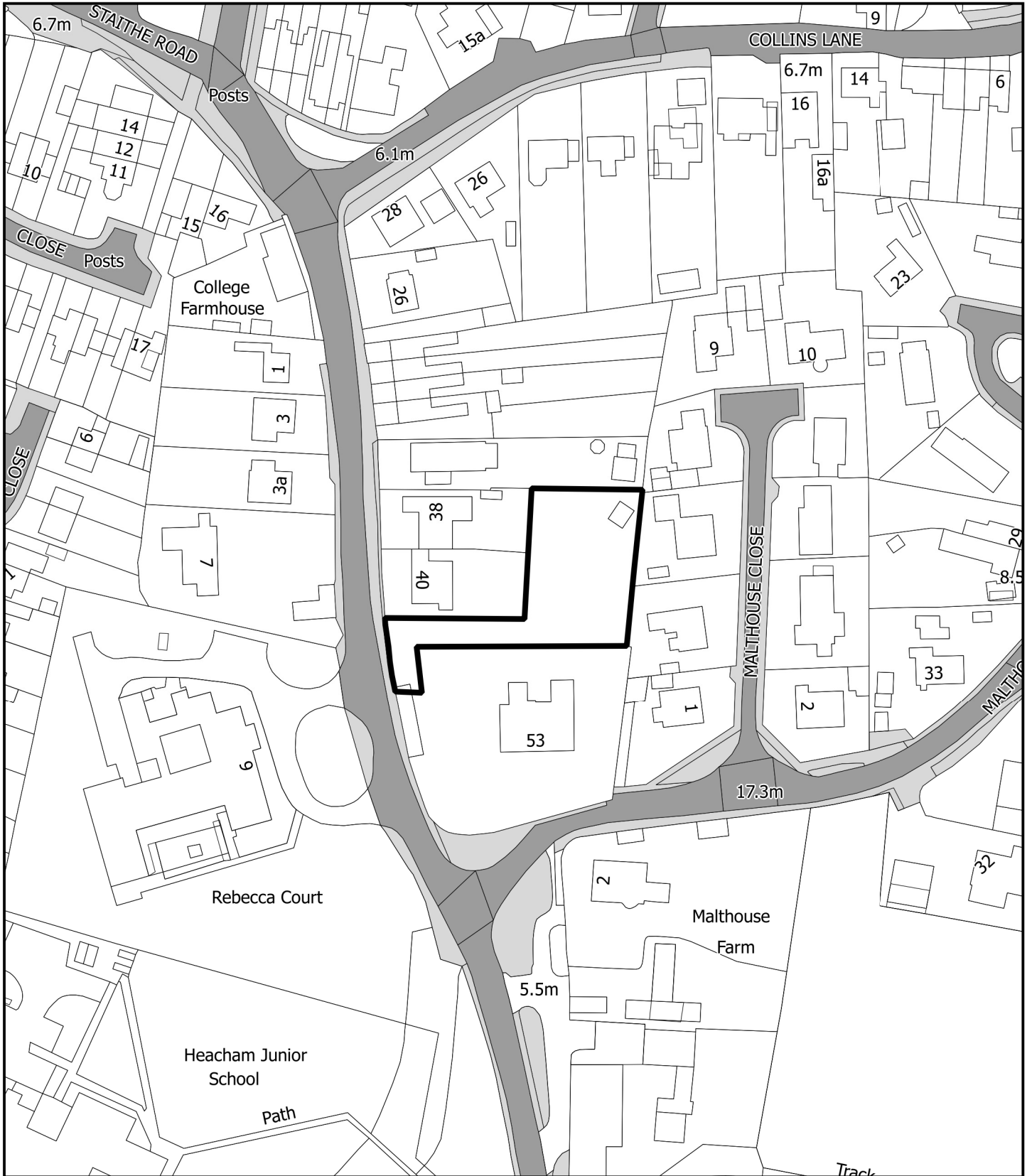
Members will need to consider if the car port would cause any detrimental impact in terms of visual amenity or neighbour amenity.

It is your officer's opinion that whilst the orientation of the carport within the street scene does make it a fairly prominent feature, it is acceptable and can be supported. In addition the carport does not cause any detrimental impact on neighbours.

Recommendation **APPROVE**

18/00468/F

Orange House 53 Malthouse Crescent Heacham



Parish:	Heacham	
Proposal:	Proposed development of two bungalows with integral garages	
Location:	Orange House 53 Malthouse Crescent Heacham King's Lynn	
Applicant:	Mr & Mrs Carrick	
Case No:	18/00468/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 15 May 2018 Extension of Time Expiry Date: 5 October 2018

Reason for Referral to Planning Committee – Parish Council at variance with Officer Recommendation

Neighbourhood Plan: No

Case Summary

The application site comprises a rectangular shaped parcel of land measuring approximately 1007.2 square metres and is currently garden land to No. 53 Malthouse Crescent, Heacham.

The application seeks full permission for the construction of two bungalows.

Heacham is classified as Key Rural Service Centre within the Core Strategy's Settlement Hierarchy.

Key Issues

Principle of development;
Impact on form and character;
Impact on neighbour amenity;
Impact on highway safety;
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a rectangular shaped parcel of land, measuring approximately 1007.2 square metres and is currently used as garden land to No. 53 Malthouse Crescent, Heacham.

The application proposes to construct two bungalows with vehicular access from Staithe Road. The site is extensive garden land which extends behind nos. 38 and 40 Staithe Road.

The bungalows are proposed to be simple in construction with a hipped roof and low ridge height.

SUPPORTING CASE

The Agent offers the following supporting case:-

“The plan layout has now been amended to show two parking spaces facing each bungalow with a 1m wide hard surfaced alighting area across the front entrance and to the gates between the bungalows. The depth of the turning area is now 11m to both bungalows, 5m parking space and 6m to reverse and turn as you would expect in a public car park.

We remind you the proposals have 12m deep back gardens with gardens areas of 130m² each. The distance to the boundaries each side is 3.5m, the distance between the bungalows is 2.6m. There are four parking spaces and the distance between the spaces is 12.7m and the turning space depth in front of each bungalow is 11m.

Our designs, not just on this site but others, have followed the unwritten rule to provide gardens in excess of 10m and here we have 12m. These are small bungalows and ideal for a family or older people who want a home with level access, without stairs, and gardens that do not require extensive maintenance. These proposals meet all of those targets. The population is growing older and homes like this are needed especially in a key Service Centre village as Heacham with all services and facilities.

The neighbours to the east will benefit by the removal of several tall trees along the eastern boundary. The bungalows will not overlook any of the neighbouring properties”.

PLANNING HISTORY

16/00093/PREAPP: INFORMAL - Likely to refuse: 01/08/16 - Pre-application enquiry: Proposed 2 new dwellings - Orange House, 53 Malthouse Crescent, Heacham

07/02126/F: Application Permitted: 03/12/07 - Extension and replacement outbuilding - Orange House
53 Malthouse Crescent, Heacham

06/02542/O: Non-determined Invalid now returned: 12/12/06 - Outline Application: Construction of two dwellings - Land North Of 53, Malthouse Crescent, Heacham

06/00325/CU: Application Permitted: 04/05/06 - Change of use from mixed residential and dental surgery premises to single dwelling house - Orange House, 53 Malthouse Crescent, Heacham

RESPONSE TO CONSULTATION

Parish Council: **OBJECT** - While the size of the plot without dwellings looks a good size, the proposal to put what are described as 2 No. 3-bed FAMILY residential dwellings is too much for the site, particularly as it appears from the plans that there will be little, if no, outside space.

Parking in our view remains an issue. We would need to be assured that the garages are of a sufficient size to accommodate a family size car. Even given the proposal to increase the hard-standing parking to 2 spaces, if both FAMILY bungalows accommodate adults of driving age, this would leave no extra parking for visitors or trade people. There is no suitable parking in the vicinity of these properties, parking on Staithe Road, particularly by the drive, will be a hazard to other road users, and parking on Malthouse Crescent would not be appropriate.

Remodelling the wall of the outbuilding will not, in our opinion, offer a sufficient splay especially to the south where Staithe Road bends around the Head of Heacham Common meeting the junction with Malthouse Crescent.

Staithe Road is already a busy road into the village and will likely become busier, as more drivers use it to access the 166 dwellings on the new Butterfields estate, to the south of Hunstanton, to try to avoid the congestion of the new Lidl's supermarket and queues that form along the A149. The road to the south of this property continues to cause significant problems during heavy rain where the water cannot be drained away quickly enough and becomes a 'pond'. Even given the proposal to have a soak-away, possible drainage from a long drive as this is, is likely to make the ground more saturated and exacerbate the problems in this area.

Highways Authority: NO OBJECTION - As presented, the proposed development provides an improved level of visibility, access widening and a revised parking and turning arrangement within the site, as such, I am able to comment that in relation to highways issues only, as this proposal does not significantly affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to resist the grant of consent. Conditions are recommended

Environment Agency: NO OBJECTION

Environmental Health & Housing – Environmental Quality:

Natural England: No comment to make.

Arboricultural Officer: NO OBJECTION

REPRESENTATIONS

THREE representations have been made in relation to the proposal following the submission of amended plans. Their objections are as follows:-

- The proposed changes do not overcome the issues;
- Overdevelopment;
- Unsuitable for the immediate area;
- Hazardous parking and access arrangements;
- Parking on the road;
- Impact from parking within the site on neighbouring property to the east;
- Impact on peace and quiet in back garden;
- Comments made in the application regarding the need for bungalows in the areas due to an ageing population is considered to be discriminative;

EIGHT representations (from four residents) were received objecting to the original submission prior to the amendments on the following grounds:-

- Overdevelopment of the site;
- Removal of garages will mean that visitors will park on the road;
- Highway safety;
- Limited visibility;
- Impact on security of neighbouring property due to the creation of a new access to the rear;
- Unacceptable impact upon the neighbouring property and their conservatory;
- Overshadowing;
- Overshadowing will cause damp to the rear of the neighbouring property;
- Overbearing;
- Block sunlight;
- Loss of light;
- Impact on outlook / view;
- Close proximity to neighbouring boundary;
- The density is not in line with the village and its future;
- May have implications for light pollution;
- Two more wheely bins left visible will further blight the area.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

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

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are as follows:-

- Principle of development;
- Impact on form and character;

- Impact on neighbour amenity;
- Impact on highway safety; and
- Other material considerations

Principle of Development:

Heacham is classified as a Key Rural Service Centre within the settlement hierarchy of the Core Strategy. Such centres are considered to help sustain the wider rural community. They provide a range of services that can meet basic day-to-day needs. Local scale development will be concentrated in identified Key Rural Service Centres.

The NPPF (2018) states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be obtained through economic; social; and environmental objectives. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

The proposed development is acceptable in principle in this location providing it meets other planning policy objectives and other material considerations.

Form and Character:

The application site is distinctly different to general form and layout of the area, in that the plot is large and an irregular shaped in comparison to others with its generous sized dwelling sited centrally within the main part of the garden. The site forms a corner plot bounding both Staithe Road and Malthouse Crescent.

That said, whilst the surrounding development generally forms ribbon development with houses fronting the road and ‘standard’ back gardens, there is no strong form or character in terms of scale, dwelling type and spacing between properties. Immediately to the north of the site are three bungalows and then a row of two storey terraced dwellings with a detached dwelling beyond that. The opposite side of Staithe Road comprises two storey detached dwellings and a two storey care home. Malthouse Close, which backs onto the site, comprises bungalows.

The application proposes to construct two small scale bungalows with associated parking and turning and a new access from Staithe Road. The bungalows have been designed at low level in order to minimise any perceived impact upon the street scene and on the amenities of neighbouring residents.

When assessing the proposal against policy, nationally the NPPF states that Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Planning should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Core Strategy Policy CS08 and Development Management Policy DM15 are in compliance with this approach.

This proposal raises several issues with regards to the character, context and layout of the locality and whether the proposal responds to this and the way it functions; and whether it is acceptable within the street scene.

The Parish Council and some third parties feel that the development as a whole, including the construction of two dwellings plus the required parking and turning for four vehicles would appear cramped, resulting in overdevelopment of the site.

The proposed dwellings may also be considered to be backland development as their position behind the donor dwelling together with the need for a new access which is sited to the side of existing dwellings meets the definition of such.

This has to be finely balanced with the argument that questions what harm will the development cause to the form and character of area. The site is landlocked and the bungalows are small in scale meaning that they will not be overly visible within the street scene, particularly from Staithe Road, and the small amount of roof you may see will be seen against the backdrop of roofs from the development behind on Malthouse Crescent and beyond.

With regards to the proposal resulting in backland development, as the site is landlocked, the only way to access any new development is to create a new access way from the highway. This inevitably means that it will be taken adjacent to existing housing resulting in a driveway to the side of a dwelling. Again, in terms of visual amenity, as this is a residential area with varying densities, consideration will need to be given to any potential harm to the character and appearance of the locality material. Your Officer's view is that the spacing around the site would not necessarily lead to some of the typical issues that arise with backland development.

With regard to overdevelopment of the site, there is something to be said about the over-intensification of the use of the site, which is sandwiched between well-established and comprehensive residential development. It is not only the siting of two bungalows which may have an impact but also the requirement for other facilities and paraphernalia associated with residential use, such as the on-site parking and turning provisions for four vehicles.

However, when fully assessing this in detail, the bungalows and all the required elements of the development physically fit within the site comfortably. There is sufficient space around the bungalows on site, with adequately sized back gardens (more than 10m in depth); adequate separation distance between the new bungalows (2.6m); adequate separation distance from neighbouring boundaries (3.5m); adequate driveway width which is 3.29m from the neighbouring property; and adequate space for parking and turning in accordance with the adopted standards.

It could therefore be argued that the bungalows would not cause material harm to the area.

This parcel of land is surplus to requirements for the occupants of No.53 and the development of the site to provide new housing is potentially efficient use of the land, which paragraph 122 of the NPPF (2018) encourages. However Members will also need to consider whether the proposal takes the opportunities available to improve the character and quality of the area and the way it functions, in accordance with Section 12 of the NPPF.

Neighbour Amenity:

There are surrounding residents that may be affected by the proposal given the position of the proposed dwellings in relation to neighbouring properties. Firstly, the new site access will be taken from Staithe Road, adjacent to the southern boundary of no. 40. Typically, the issues relating to driveways adjacent to neighbouring property are associated with noise and disturbance from vehicular movements to and from the site. The application proposes to construct the driveway using solid materials to reduce the level of noise. A 1.8m close boarded fence and planting form the boundary between no.40 and the proposed driveway. This will prevent any disturbance to the neighbouring residents from car headlights when entering and exiting the site.

There are other examples within the immediate vicinity where driveways are positioned alongside neighbouring property and serve a garage or parking area towards the rear of the property, thus giving rise to similar conditions as proposed. This is not an uncommon arrangement in a residential area such as this.

The adjacent properties to the east of the site on Malthouse Close have very shallow rear gardens which has been considered in the design and layout of the proposed development. The scale; ridge height and massing of the proposed bungalows have been kept to a minimum to prevent overshadowing and being overbearing.

Given the scale of the proposed dwellings, position of windows and screening from existing boundary treatment, there will be no overlooking to neighbouring residents as a result of the proposed development. The proposed plans show the retention of the existing boundary fencing.

Highway Safety:

The Local Highway Authority has assessed the proposed development and raises no objection on highway safety grounds. The new access from Staithe Road is considered to be acceptable with adequate levels of visibility. The proposed on-site parking and turning provision is considered to meet the adopted standards.

Conditions have been recommended.

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.

Parish Council's Objections:

Some of the Parish Council's comments regarding the size of the site, overdevelopment, inadequate parking have been discussed above in the report.

With regards to drainage concerns, the applicant is proposing to connect to the mains drains and use soakaways which is what is reasonably expected for a proposal of this scale. However, it is noted that hard surfacing to the driveway alongside no. 40 is proposed in order to reduce any impact upon residential amenity which may give rise to surface water runoff. Condition 4 attached requires at least 5m back into the access to be drained, details of the method of drainage are required to be submitted and approved by the LPA. Condition 8 also requests surface details of the driveway and parking area to be submitted, which will enable the LPA to control the use of porous materials further along the driveway and within the site.

Third Party Objections:

Third party comments are taken into full consideration during the determination of the application, some of which have been addressed above in the report. Taking the remainder concerns in turn, the following responses are offered: -

- The proposed changes do not overcome the issues – The amended plans go some way to addressing the overdevelopment issue, and in turn, impact on the form and character, as the scale, mass and footprints have been reduced from the original submission.

- Hazardous parking and access arrangements – The Local Highway Authority have raised no objection on highway safety grounds or specifically to the proposal displacing parking onto the road.

- Impact on peace and quiet in neighbouring back gardens – This is an existing residential area, of relatively high density, where gardens are positioned back-to-back and adjacent neighbouring dwellings which will create a level of noise and disturbance from neighbouring residents. Two additional dwellings will not make the existing situation materially worse to the detriment of the neighbours living conditions.

- Comments made in the application regarding the need for bungalows in the areas due to an ageing population is considered to be discriminative – These comments are noted but this is not the case, and given the scale of the proposed development, this debate is not relevant in the determination of this application and will not influence the decision. The site constraints and relationships with neighbouring dwellings have driven the development to a single storey design. Furthermore, market forces have a role to play here.

CONCLUSION:

This application is considered to be finely balanced. There are a number of issues for consideration with regards to overdevelopment of the site; whether the proposal is out of keeping with the form and character of the area, whether it would result in backland development; and the impact on neighbouring residents due to the intensification of the use of the site.

When determining the application, any harm the development would cause to the street scene and the wider character of the area have been carefully considered. Visually, it will mostly be the rooftops of the bungalows that will be seen, which will not be an oddity when looking at the site as there is currently a backdrop of rooftops from the dwellings behind.

With regards to impact on neighbouring residents, this is an established residential area where existing properties have relatively close relationships. The scale, design and layout of the bungalows have been amended to minimise any impact on neighbour amenities in terms of overshadowing, overbearing and overlooking. The new access and driveway has been positioned as far from the neighbouring property as much as possible and the surface materials can be conditioned so as to further reduce any noise and disturbance.

The impact on the form and character of the area and residential amenities needs to be weighed against the actual harm the development may cause, and in this case your officer's feel that the development can be supported in line with the positive guidance within the new NPPF.

RECOMMENDATION:

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

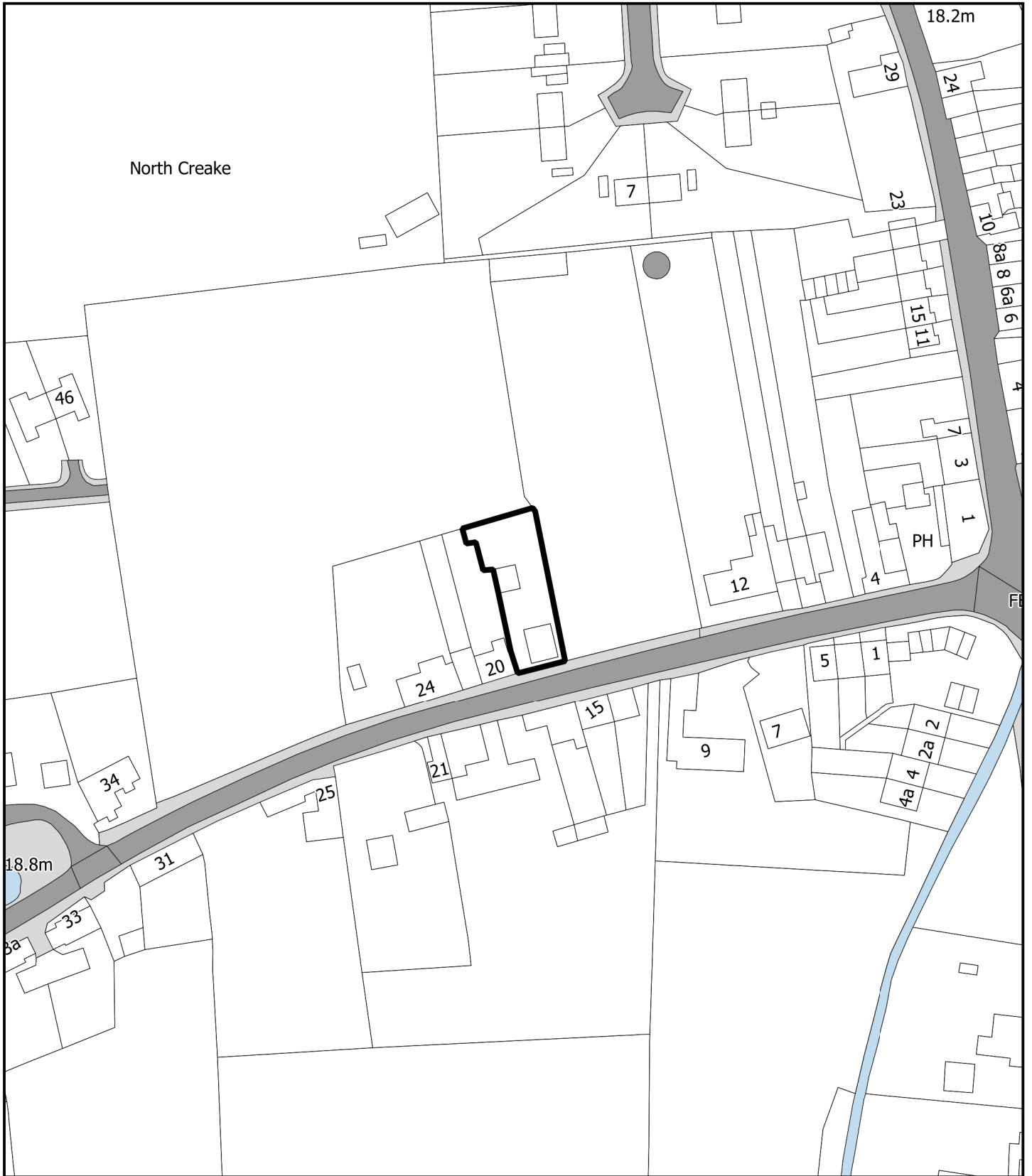
- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans, as amended; 2109-08C.
- 2 Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.
- 3 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement of the dwelling house consisting of an addition or alteration to its roof shall not be allowed without the granting of specific planning permission
- 3 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the above mentioned Order.
- 4 Condition: Prior to the first occupation of the dwellings hereby permitted, the vehicular access shall be widened to a minimum width of 4.5 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. Full details of the method of drainage shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full accordance with the agreed details.
- 4 Reason: In the interest of highway safety and traffic movement.
- 5 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

- 5 Reason: In the interests of highway safety
- 6 Condition: Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway
- 6 Reason: In the interests of highway safety
- 7 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking & turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use
- 7 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety
- 8 Condition: Prior to laying the surface of the new driveway and parking area, shown on the approved plan no. 2109-08C, full details of the materials to be used for the surface finish shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and maintained in accordance with the agreed details
- 8 Reason: In the interests of the neighbor and local amenity, in accordance with the provisions of the NPPF
- 9 Condition: The existing boundary fencing to all perimeters of the site shown on the approved plan no. 2109-08C shall be retained unless otherwise agreed in writing by the Local Planning Authority
- 9 Reason: In the interests of safeguarding neighbour amenity, in the interests of the NPPF

18/01077/F

16 West Street North Creake



Parish:	North Creake	
Proposal:	Detached Garage Conversion to Create Self Contained Unit Suitable For A Holiday Let	
Location:	16 West Street North Creake Fakenham Norfolk	
Applicant:	Mrs Elspeth Mitchell	
Case No:	18/01077/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 9 August 2018 Extension of Time Expiry Date: 8 October 2018

Reason for Referral to Planning Committee – The officer recommendation is contrary to the view of North Creake Parish Council

Neighbourhood Plan: No

Case Summary

The application concerns a garage in the rear garden of a dwelling in North Creake.

The proposal seeks permission for the conversion of the detached garage to a self-contained holiday let.

Key Issues

1. Principle of the development
2. Form and character
3. Neighbour amenity issues
4. Highways

Recommendation

REFUSE

THE APPLICATION

The application site lies on the north-side of West Street, North Creake.

The application site consists of a detached two-storey traditionally built dwelling and garden. A vehicular access runs beside the dwelling to the back garden where there is a small detached single-storey garage.

The proposal is to convert a detached garage set in the rear garden of No. 16 to a self-contained holiday let. The converted garage and the donor property will share a parking area

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that takes up a significant part of the garden of No. 16. Additionally, the converted garage and the donor property will share the access down the side of No 16 with the neighbouring dwelling to the west (No. 20).

PLANNING HISTORY None.

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION - However, concerns have been raised regarding the parking arrangements and that there is possibly insufficient room for off road parking on site. West Street already has a number of cars that park on the roadside that restricts the width, of what is already a narrow section of road. In the past, this has led to problems with large agricultural traffic/machinery that use this route on a regular basis, especially during the summer months.

Local Highway Authority: OBJECT on grounds of substandard access.

Conservation Officer: NEUTRAL COMMENT Given the garage building already exists, the overall physical impact upon the conservation area is limited. However the current proposal shows little change to the detailing which will be visible from the public realm. In particular the conversion of the garage door into a pedestrian door and window is detailed poorly. Incorporating more vernacular detail will improve how this looks from the street.

From a use point of view, I am concerned about the dilution of plots that this type of use may cause. Cumulatively this could harm the significance of the North Creake Conservation Area, especially where new structures are proposed for this use.

REPRESENTATIONS

None.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS06 - Development in Rural Areas

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

Planning Committee
1 October 2018

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 issues for consideration in the determination of this application are:

1. Principle of the development
2. Form and character
3. Neighbour amenity
4. Highways

Principle of the development

The proposed development is within the garden and curtilage of an existing dwelling and therefore the principle of development is acceptable.

Form and character

The area is characterised by two-storey dwellings set adjacent to the highway. The donor dwelling currently shares a single width access with the neighbouring dwelling to the west with parking and turning areas to the rear. The garage is visible from the public domain and is set behind the rear elevation of the existing dwelling.

The existing space within the garage is very small for a residential conversion, albeit holiday accommodation. Taking this into consideration and the need for a degree of physical separation (boundary treatment) to allow the occupants of the main dwelling some privacy, the layout would be cramped.

Section 12 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect to sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Planning should ensure that developments:-

- a) Will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) Are sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The conversion of the garage to a holiday let is not appropriate for the site given the site constraints, resulting in a cramped and poor quality layout. The garage itself is small and would not offer an adequate level of accommodation. The garden would also be restricted in size and the need for privacy screening / sectioning the garden off for private amenity areas, together with having to provide an adequate level of parking and turning facilities for both the holiday let and host dwelling, would result in an over intensive form of development, detrimental to the living conditions of the occupants of the host dwelling and the holiday let.

The proposed development would not function well within the site as a result of poor layout. It would not offer a high enough standard of amenity and would consequently create a poor quality environment for residents within the site, contrary to the abovementioned policy.

Development Management Policy DM15 echoes this approach, stating that 'development that has significant adverse impact on the amenity of others or which is of a poor design will be refused'.

Neighbourhood amenity

The site ground levels rise towards the back of the site meaning that the gardens / garages sit higher than the dwellings fronting the road. As such, the proposed window serving the kitchen would cause overlooking to the rear windows of the neighbouring dwelling at no. 20-22, contrary to DM15.

Highways

Initially NCC objected to unsatisfactory access by virtue of inadequate width; inadequate on-site parking and manoeuvring facilities; loss of existing parking; and inadequate turning facilities.

Amended plans have been submitted demonstrating that parking and turning requirements can now be met. However, the sub-standard access remains an issue, notwithstanding the fact that the neighbouring property is used as a second home, and would therefore warrant the application to be refused.

CONCLUSION

The proposed garage conversion is considered to be a cramped form of development, would result in unacceptable overlooking of neighbouring dwellings and the proposed access is substandard. The proposed development is therefore contrary to the NPPF (in particular section 12), Core Strategy Policy CS08 and Development Management Policy DM15.

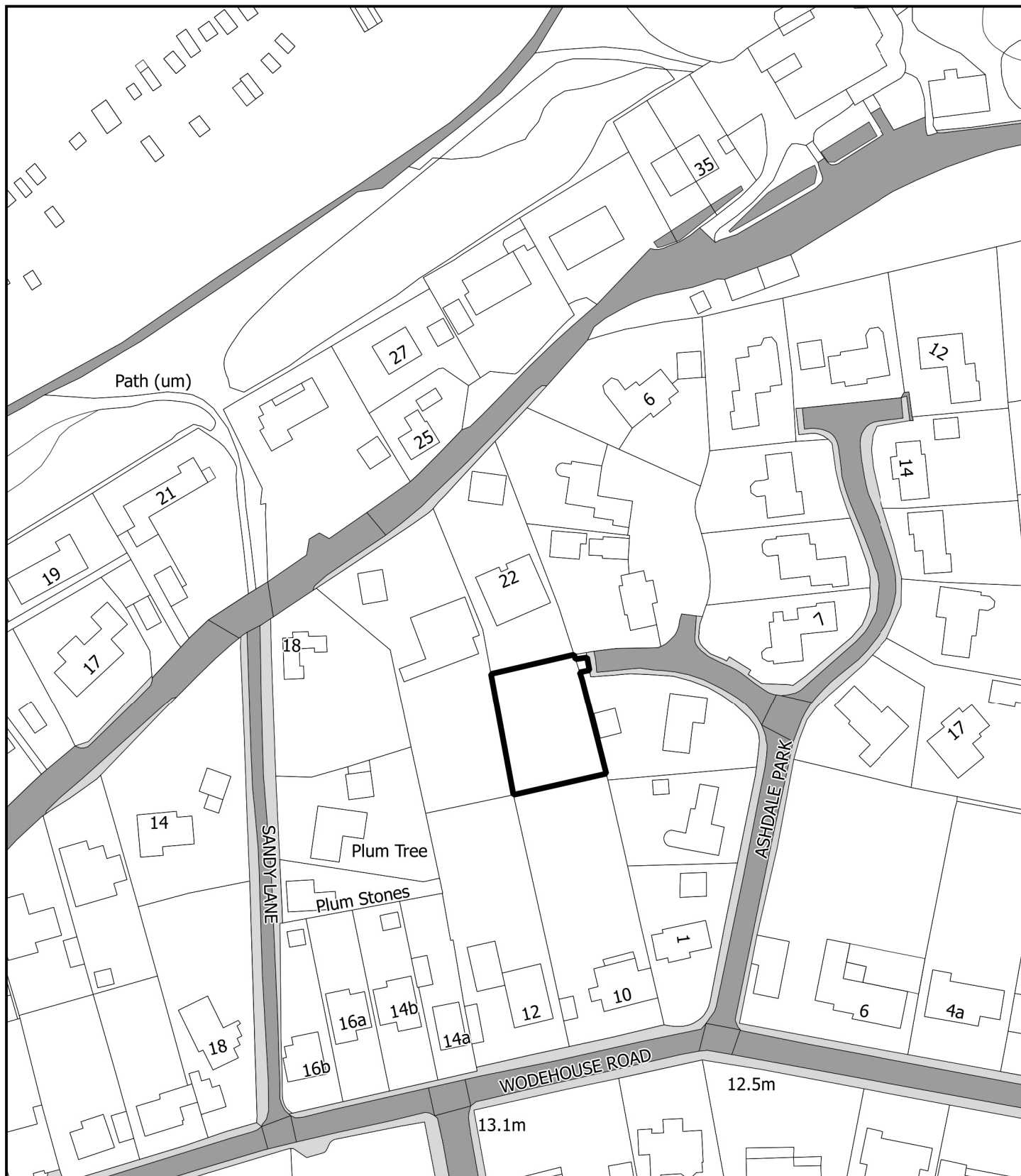
RECOMMENDATION:

REFUSE for the following reasons:

- 1 The access is unsatisfactory to serve the proposed development by reason of its inadequate width and the proposal would therefore lead to the stopping and waiting of vehicles on the highway to the detriment of highway safety.
- 2 The conversion of the existing single garage is not considered to be appropriate for the site given what would become a contrived and cramped layout. The occupants of the holiday let and of the host dwelling would require a level of privacy, including private amenity areas, this, together with the level of parking and turning required for both properties, would result in an over intensive form of development which would not provide a high quality environment for both sets of occupants. Consequently, the proposal is contrary to the provisions of the NPPF, in particular section 12, Core Strategy Policy CS08 and Development Management Policy DM15.
- 3 If permitted, the holiday let would cause a level of overlooking to the neighbouring property to the south-west which would be detrimental to the living conditions of those residents, contrary to Development Management Policy DM15, Core Strategy Policy CS08 and the provisions of the NPPF.

18/001197/O

Seagrass 22 Golf Course Road Old Hunstanton



Parish:	Old Hunstanton	
Proposal:	OUTLINE ALL MATTERS RESERVED: New dwelling	
Location:	Seagrass 22 Golf Course Road Old Hunstanton Norfolk	
Applicant:	D Caplan	
Case No:	18/01197/O (Outline Application)	
Case Officer:	Mr Philip Mansfield	Date for Determination: 24 September 2018

Reason for Referral to Planning Committee – The views of the Parish Council are contrary to the Officer’s Recommendation

Neighbourhood Plan: No

Case Summary

Outline planning permission is sought for a detached dwelling located on Golf Course Road, Old Hunstanton. All matters are reserved at this stage with the principle of development being sought only at this stage by the applicant.

The site is currently garden land to the rear of no 22 Golf Course Road. There are no particular site constraints.

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

Outline planning permission is sought to subdivide the site and construct a detached dwelling. A new vehicle access is proposed from Ashdale Park which is situated to the east of the site. All matters are reserved at this stage with the principle of development being sought only by the applicant.

The site is currently garden land located to the rear of no 22 Golf Course Road. There are no particular site constraints.

SUPPORTING CASE

The applicant has submitted a design and access statement with the following information:

USE & LAYOUT

The proposal is for a 2 storey dwelling to the garden area of an existing dwelling on Golf Course Road, Old Hunstanton. The proposed dwelling will be sited to the South of number 22, with the access being proposed from Ashdale Park. The donor dwelling was granted planning permission in 2004 (Ref. 04/00751/F), and is one of two proposed dwellings. The dwelling currently benefits from a very generous South garden, part of which we propose to utilise as the area in which the proposed dwelling would be constructed. The donor dwelling will still benefit from a generous south facing garden, and the proposal will not affect any parking arrangements. The donor dwelling will not require any alterations in order to implement this proposal. The proposed dwelling will also benefit from a generous south facing garden. If the proposal is proven viable, subsequent design shall ensure that no overlooking will occur to any neighbouring property.

The associated drawing shows an indicative proposed layout for illustrational purposes only. Indicative site area;

Proposed Site (Edged in red) – 605m²
Indicative Garden Space – 335m²
Indicative proposed dwelling footprint – 148m²
Indicative Parking & Turning area – 122m²
Indicative Plot Coverage – 24.4%

HISTORIC USE

Given that the site was only developed in 2004, the historic maps mainly show a vacant piece of land. Having reviewed the historic maps, on the 1988 aerial photograph the site is shown as open land. The 1946 aerial photograph also shows the site as vacant, but with little development to the surrounding area. The first edition OS map does not show the site as a single piece of land, but as part of a larger section which is well defined. The tithe map shows a very sparse village but again with the site being part of a larger piece of defined land.

SCALE & APPEARANCE

The intention is to provide one 2 storey dwelling house. The attached drawing shows an indicative house plan and section detail. By utilising modern detailing and materials it is possible to keep the roof pitch low and therefore lower than the existing house which itself is only of average height. The houses on Wodehouse Road- to the South of the proposed dwelling sit some 5m higher – ground level difference and are 2 storey dwellings, some with second floor extensions and conversions. At this stage, materials and design would be presented further to a Full application submission, however any proposal will take into consideration the setting and properties within the area.

ACCESS

The proposal is for one new access from Ashdale Park serving the proposed dwelling. The access will be situated to the East of the site, and positioned at the end of an existing turning

head. The proposed layout is indicative and it is anticipated that further details would be provided further to NCC Highways guidance and recommendations. The indicative plan allows for integrated parking space for 2 vehicles, with ample space for further parking and turning, so that vehicles may leave in forward gear.

LANDSCAPING

Details would be specified when submitting a Full Application submission. The site allows for significant private amenity space and large private gardens to the rear, providing a generous south-facing garden space.

SENSITIVE DEVELOPMENT QUESTIONNAIRE

Following the historical use and confirming that there are no landfill sites within proximity of the proposed development site as well as the use being of a private garden and open fields before, with no storage of fuels ever being on the site, we believe that the risk of contamination is highly unlikely.

PLANNING HISTORY

2/03/0304/O Site for construction of 2 dwellinghouses (revised Scheme) PER - Application Permitted
04/00751/F Construction of 2 dwelling houses with detached garages PER - Application Permitted

RESPONSE TO CONSULTATION

Parish Council: OBJECTION on the grounds of:

- Backland development
- Access through Ashdale Park with restricted visibility

Highways Authority: NO OBJECTION The following comments were received: 'Whilst I note that the junction with Wodehouse Road has restricted levels of visibility due to overgrown frontage hedgerows, I do not consider that an objection would be warranted for a single additional dwelling served from an existing adopted road, however access is proposed over 3rd party land to the rear of the existing footpath, as such, I would advise that an agreement with the landowner would be required to gain access to the site. Subject to the above agreement, I am able to comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to resist the grant of consent.'

Highway conditions recommended relate to inward open gates and a parking/turning area in accordance with the adopted standards.

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

Natural England: NO OBJECTION

REPRESENTATIONS

There were **SIX** letters of **OBJECTION** concerning:

- Impact to the character of the area
- Overlooking
- Backland development
- Increase in traffic congestion
- Restricted visibility
- Overshadowing
- Increase in noise
- Highway safety issues
- Drainage concerns
- Flood risk
- Loss of privacy

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

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)

PLANNING CONSIDERATIONS

The main considerations are:

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

Principle of Development

The application site lies within the development boundary for Old Hunstanton. 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.

Form and Character / Neighbour Amenity

The outline application has provided only an indicative 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. The proposed dwelling would be set in behind the build line of Golf Course Road amounting to backland development. 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 locality as a whole. The presence of the donor and neighbouring property would obscure the proposed development to a large degree whilst the variation in the arrangement of dwellings in the area would indicate it would not be harmful to form and character.

The applicant has stated in the design and access statement submitted that the intention is to construct a two storey dwelling with modern design and detailing provided at reserved matters stage. As all matters are reserved at this stage, the issue of height can be considered in full at reserved matters stage. The assessment has also considered the layout and relationship to neighbouring properties in which it is thought there would be no significant impact in terms of overshadowing and no objection is raised at this stage. 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.

Highways / Access

Although the issues of the existing junction have been noted, NCC Highways have raised no objections but have stated that the access would cross third party land which would require a suitable legal agreement. This matter can be dealt with separately and would not prevent the granting of planning permission. An informative note can be attached to any permission highlighting this issue. They have also suggested conditions relating to any proposed gates and to ensure a suitable parking/turning area, which would be attached to any consent.

Other Material Considerations

The site is not located within a flood zone. Drainage has been raised through representations in which a suitable condition can be attached to address this issue.

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. Officers consider that 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. On this basis, the development is considered fully acceptable in accordance with Policy CS02, CS08, 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):

Planning Committee
1 October 2018

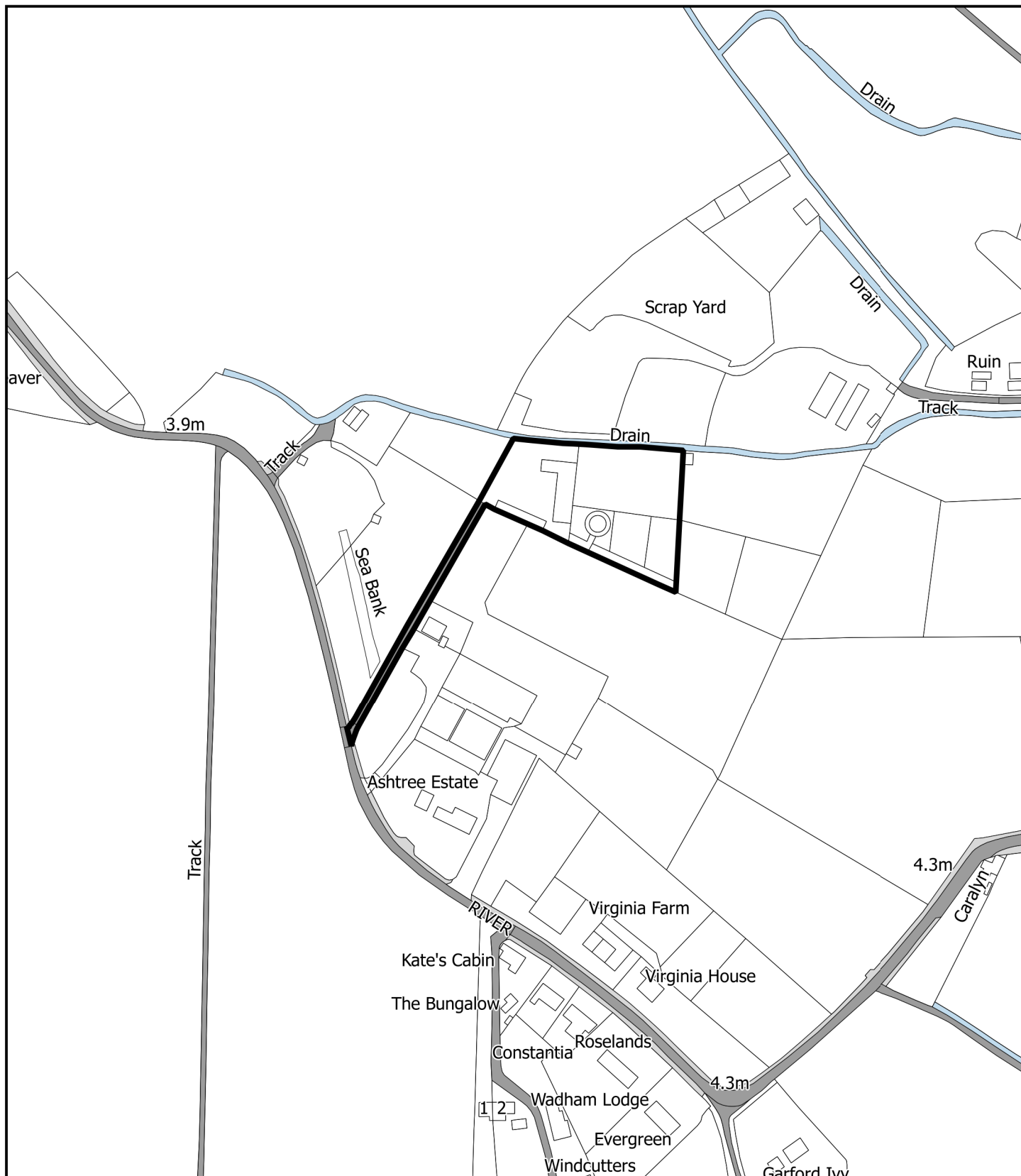
- 1 Condition: Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason: To comply with Section 92 of the Town and 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: Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway
- 5 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened.
- 6 Condition: Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking & turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 7 Condition: No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 7 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

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

18/01175/F

Stables and Equine Facility N of Ashtree Cottage

River Road West Walton



Parish:	West Walton	
Proposal:	Conversion of stable/first floor office/store to partial residential	
Location:	Stables And Equine Facility N of Ashtree Cottage River Road West Walton Norfolk	
Applicant:	Mrs Lorna Walker	
Case No:	18/01175/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 30 August 2018 Extension of Time Expiry Date: 8 October 2018

Reason for Referral to Planning Committee – The Parish Council support the proposal which is contrary to the officer recommendation

Neighbourhood Plan: No

Case Summary

The application is for the partial conversion of an existing stable block to residential accommodation for a groom. There is no justification with regard to a rural enterprise nor is the modern building to be converted worthy of retention, especially given its location outside the development boundary. There are also issues with regard to the road network which serve the site and the visibility at the point of access.

Key Issues

- Site History
- Principle of Development
- Amenity Issues
- Highways Issues
- Flood Risk
- Other material considerations
- Crime and Disorder

Recommendation

REFUSE

THE APPLICATION

The application site is located to the northern side of River Road, down a single vehicle width access track, to the rear of Ashtree Cottage and some farm buildings and glasshouses (not in the same ownership).

On site is a large stable block which has seven stables, a wash room, tack room, store room and seating area / kitchen with stairs leading upstairs to an office and store room. This stable block is constructed of wooden cladding with a pantile roof, including rooflights. There is also an additional stable block of a smaller scale which has additional stables with a profiled sheeting roof. The planning history of the site will be discussed below.

The application is for full planning permission for the conversion of most of the upstairs space (office and storage) to residential accommodation.

SUPPORTING CASE

I can confirm that the applicant lives at 207 Salts Road, Walton Highway. The site is approximately 2 miles from the stables where their horses are kept within the dedicated equestrian facility.

The existing stables are for personal use by the applicants including their children's ponies. The applicants equine activities are within the show jumping field and with breeding horses for private use. There are no commercial activities associated in any way with the stable block.

The nature of the enterprise requires a full-time presence on site as is the case for established private use equine facilities. Previously the applicant resided near the site but moved due to outgrowing the house with the addition of family.

The primary reason for this application relates to the management and welfare of horses which is paramount over 24 hours a day, particularly when a mare is in foal or young foals that require constant observation / checks to, for example, ensure that they are feeding correctly.

Here are a few examples of issues that our client has encountered recently at the stables: -

- 1) 1 x colic case of a horse which happened late at night, it was only by chance that we had been to a show that day and arrived back late to find the horse in agony. He was diagnosed with impaction colic and peritonitis, if we hadn't have found him until the following morning its possible he would have died in agony overnight. This horse needed treatment for the next 2 weeks every 4 hours, so we had to travel down to the yard during the night to administer treatment to him, obviously if someone could have been on site the traffic movements, potential residential amenity impact, would have been avoided and the horse could have been diagnosed sooner.
- 2) 4 x colic cases of a horse which happened overnight, the horse was found in the morning when we arrived on the yard, the horse was in agony, the vet attended and administered medication.
- 3) We have had intruders overnight where they have let out all of the horses from their stables.
- 4) We had a horse have an allergic reaction to a bee/wasp sting, the horse was covered in hives and her throat was swelling rapidly, if the horse had been left without any vet assistance she would have died within hours. It was lucky that there was someone at the yard to assist this horse, 10 minutes later and the groom would have gone home, and the horse would have been left without any help only to have possibly been found dead later that evening when the groom returned to feed them.
- 5) We have had a mare give birth to a foal in the early hours of the morning, the foal was born without part of its leg so would have never been able to get up, stand and suckle from the mother and would have died that night. Luckily, we had gone down for a late night check because we knew the mare was due to give birth any day and we found

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this, if someone was on site the mare would have been checked sooner and a vet could have been called earlier to deal with the problem quicker.

Feed and bedding also require regular attention throughout the day and night, as well as the means of dealing swiftly with any unforeseen emergencies. Allowed appeal reference APP/L2630/A/07/2054499 supports this position.

In addition to the management and welfare of the horses, a presence on site is required to attend to and manage daily deliveries and representatives. This relates to the delivery and collection of, inter alia, horses, equipment, parts, fuel, feed and bedding on a frequent basis. Whilst best endeavours are made, it is understandably not always possible to schedule an accurate time slot or often keep to a schedule due to many influencing factors beyond the applicants' control.

Not only would the on-site presence support operational and management requirements, it is also important for security purposes due to the high value items stored on site. Whilst it is acknowledged that there are alternative means of securing the site, such as additional fencing or CCTV, these are often unsightly and easily disabled in rural locations. A greater presence on site is considered to not only to act as a deterrent, but will also improve natural surveillance and daily monitoring, as well as the ability to act promptly if / when required. As you may be aware there are numerous incidents locally and nationally where animals have been stolen or attacked, even killed and thus our client is trying to avoid this from occurring in the future. Clearly such attacks on the animals cause extreme emotional distress to the applicants as with most pets they are part of the family and this cannot be underestimated these effects on the individual.

Issues of security are raised in appeal reference APP/X3025/A/08/2084072 relating to an occupational dwelling where the Inspector sets out that it would not be feasible to secure the site without extensive and intrusive boundary treatment. The Inspector continues that acts of vandalism and theft cause unnecessary and significant expense and that a permanent, prominent and central presence on site provides a significant deterrent to intruders, thus protecting the property. Appeal reference APP/B3030/A/12/2179575 relating to a new dwelling in the countryside further expands on this and sets out that alarms and CCTV are indeed deterrents but still require a rapid response time to be effective such that security is a contributing factor to requiring an onsite presence.

The overarching need for the on-site presence is to support the functionality, efficiency, effectiveness and welfare of the horses. The proposals are within a developed site and thus there are no issues with services and facilities. However, the alternative is for multiple, daily trips through the day and night to and from the site to undertake the necessary supervision of the animals, coupled with its drive to reduce travel by private car. A residence on site with occasional trips to the settlement and those neighbouring would far outweigh the regular toing and froing that would otherwise be required through residence elsewhere/remote from the site. This is in addition to the amenity issues that would arise through regular vehicular, movements, headlights, opening and closing of car doors for example.

The proposed conversion of an existing building element would not impact at all to the site and occupy an area of unused building, roof void. The proposed residence would provide a modest level of habitable accommodation, overall being commensurate with the extent of the use by a single person. The applicant proposes a condition that the residence is permanently linked to the equine use of the site.

In terms of neighbour amenity, there would be no direct bound residential properties such there would be no impact in terms of outlook, privacy, daylight and sunlight.

The use of the stables / equine facility is personal use only as per the current stable planning approval obtained. The current application for the conversion of part of the existing building for a live-in groom is based around the applicant's issues surrounding the proximity of the stables to their current dwelling due to major concerns over the welfare of the animals based at the stables/ security of the facility which houses tack / machinery.

Ultimately the applicants wish to continue operating the stables in a manner consistent with all good practices offering the best welfare to the animals whilst maintaining security at the site. The site has been designed and built in a high-quality manner suitable for the private use by the applicants which they wish to maintain.

PLANNING HISTORY

05/02377/F: Application Permitted: 09/01/06 - Construction of replacement stables and ancillary blocks and all weather menage – Crossparks River Road West Walton Highway

2/92/3089/F: Application Refused: Siting of mobile home for residential use by owner, in connection with keeping horses on site
Appeal dismissed

2/92/0693/F: Application Permitted: Construction of stables and storage shed.

2/92/0197/F: Application Refused: Siting of mobile home for residential use by owner, in connection with keeping horses on the site.

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

The proposal does not affect neighbouring properties.
The proposal is acceptable as a dwelling for the groom.

Highways Authority: OBJECTION

I am mindful of the decision by the Planning Inspectorate under appeal reference T/APP/V2635/A/93/224770/P8. Paragraphs 8-9 relate to the highway conditions experienced at the time, in relation to the width of carriageway and visibility to the bend these considerations have not changed and we would still support that view. The highway consideration for this application comes down to if the application would result in additional traffic being generated. On this matter we would have to look to your authority to consider given the sites historical permitted class use and therefore take the view that if a groom or two can be justified on that basis.

Should the answer to that consideration be no, then I would refer back to the Inspectors decision mentioned and recommend that the application be refused due to the unclassified road being inadequate to serve the development proposed and inadequate visibility splays provided at the point of access with the County highway, both of which would give rise to conditions to the detriment to highway safety.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

The proposed development will include the refurbishment of the existing building. Given the age of the building it is considered likely that there will be asbestos containing materials within the building and therefore an informative is recommended relating to the disposal of asbestos.

Environment Agency: NO OBJECTION

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The EA Nene Tidal Hazard Mapping shows the site could flood to a depth of 0.5m in the event of a breach or overtopping of the Tidal River Nene defences. No objection but strongly recommend the mitigation measures proposed. It is for the LPA to determine if the Sequential Test has to be applied and whether there are other sites available at a lower flood risk.

Emergency Planning: NO OBJECTION

Due to the location in an area at risk of flooding it's advised that the occupants' sign up to the EA FWD service and prepare a flood evacuation plan.

REPRESENTATIONS

No third party representations received.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

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

- Site History
- Principle of Development
- Amenity Issues
- Highways Issues
- Flood Risk

- Other material considerations
- Crime and Disorder

Site History

In 1992 planning permission was granted for the construction of stable and a storage shed (2/92/0693/F) and this was conditioned so that the use of the stables was limited to 'purposes incidental to the needs and personal enjoyment of the applicant and not used for business or commercial purposes'. The reason for this limitation was because the location of the proposed development was not considered suitable for a commercial enterprise.

Also in 1992 planning permission was refused twice for the siting of a mobile home in connection with the use of the land for keeping horses (2/92/0197/F and 2/92/3089/F). Planning permission was refused due to the fact that the proposed residential use was within the countryside and did not demonstrate a sufficient need which would outweigh the policy objections. In addition the visual impact of siting a mobile home and both the road network and the point of access were not considered suitable and could lead to conditions which would be detrimental to highway safety. Application 2/92/3089/F was dismissed at appeal (see Appendix A) in September 1993 as the Inspector concluded within para 6 'In the representations you mention that it is essential for the welfare of the horses and the security of the coach and equipment that the appellant lives on the site. I accept that there can be much advantage in this but clearly the housing of a coach and a field for the horses is not an agricultural enterprise. The appellant has demonstrated some commitment to the operation by the erection of the stable building but I note that the planning permission for the building comprised a condition that the stables were not to be used for business or commercial purposes. While the personal circumstances of the appellant may have changed since the date of the permission I do not consider this, or the enterprise in general, warrants an exception to the countryside policies of the development plan.' The Inspector also concluded that the proposal would have a detrimental impact upon the character and appearance of the open countryside and that River Road was not suitable (narrow, winding, little passing provision) for further development and that the access to the site was not suitable, joining River Road at an angle with restricted visibility.

In 2006 planning permission was granted to replace the previously approved stables with a larger stable block, ancillary blocks and all weather manege (05/02377/F). The development control board report (dated 9th January 2006) and our records indicate that at that time the applicant resided in the immediate locality and confirmed that the proposal was solely for personal use with no business activity to be undertaken. Consequently whilst the stables were larger it was not envisaged that there would be any increase in the amount of traffic using the site. Planning permission was granted with a condition imposed that the use of the stables shall be to accommodate the applicant's own horses and shall not be used for any commercial riding, breeding or training purposes.

The plans approved in 2006 are slightly different to those that were approved. The drawings submitted in 2005 show a total of 9 stables (one labelled loose box) and the rooflights looked to serve as high level rooflights within the stables. Following a site visit and the plans submitted under this application shows that the roof space has been converted into storage and an office space (the agent has confirmed that the first floor level was created in 2007, one year after the development was completed).

In addition the plans submitted under planning application 05/02377/F show a site layout which has an 'open fronted hay, forage store' along the southern boundary of the application site. Following a site visit this building now comprises a number of additional stables. The agent has stated that this block is still used for hay and straw storage but has the ability to be used as temporary stables occasionally when required. The stables in their current form

were constructed 2 years ago. The agent has stated that there are now eight permanent stables and four temporary ones on site.

Therefore the site history shows that whilst planning permission has been granted in the past for stables, this was with the condition that it should not be used for business or commercial purposes and was not for the amount of possible stabling currently on site.

Principle of Development

The application site lies outside the development boundary of West Walton as identified by Inset Map G120 (West Walton / Walton Highway) of the Site Allocations and Development Management Policies Plan (SADMP)2016 .

Paragraph 79 of the NPPF states that decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) The development would represent the optimal viable use of a heritage asset or enables development which would secure the future of heritage assets;
- c) The development would re-use redundant or disused buildings and enhance its immediate setting;
- d) The development would involve the sub-division of an existing residential dwelling; or
- e) The design is of an exceptional quality in that it is truly outstanding or innovative and would significantly enhance its immediate setting.

With regard to this application the two sections that have been considered are a) and c) and these key issues are also reiterated through other policies in the Local Plan.

Policy CS06 of the Core Strategy 2011, states that beyond the villages and in the countryside the strategy will be to protect the countryside for its intrinsic character and that development of greenfield sites will be resisted unless essential for agricultural or forestry needs. The conversion of existing buildings to residential use will only be considered following certain criteria which include weighing up the contribution that the existing building makes within the landscape as well as its relationship to the existing settlement pattern. The existing building is relatively modern, has little architectural merit and is approximately 0.6km from the edge of the development boundary by road. The building is still being utilised for the keeping of horses and therefore the conversion of part of it to residential would not be warranted under the criteria set out in Policy CS06.

Policy DM6 of the SADMP sets out the criteria for assessing permanent occupational dwellings in the countryside which should only be allowed to support existing rural based activities on well-established rural based enterprises. The agent has stated that the stables are being used in line with the condition on planning permission 05/02377/F and that the stables are therefore not being used for business or commercial purposes. The justification for requiring a dwelling in this location is for security purposes (due to break-ins and possible harming of the animals) and a live-in groom is required due to concerns over the welfare of the animals on-site. The appeal decision references, quoted within the Supporting Case in the report above, all relate to applications for dwellings which were to be occupied in conjunction with a rural enterprise.

Whilst Policy DM6 does state that a functional need to live on site must be clearly established, it also provides a number of other criteria that need to be met in order for a dwelling to be acceptable. This includes a financial test which must demonstrate that the enterprise is established (for at least three years) and is capable of sustaining a dwelling the size of which is proposed. It should also be demonstrated that the need for a dwelling could

Planning Committee
1 October 2018

not be met by any existing dwellings in the locality. It is not possible to meet the financial test for this application as the stables are not being utilised for commercial purposes. It could be argued that if a groom is required (or indeed 2 grooms as stated by the agent in an email dated 24th July) then the number of horses is likely to exceed the number of horses reasonably required by the applicant for essentially a hobby use. When the original stable block was permitted the applicant lived very close to the application site but the agent has confirmed that the applicant now lives further away from the site within the village of Walton Highway.

Therefore it can be concluded that the application as submitted does not comply with paragraph 79 of the NPPF, Policy CS06 of the Core Strategy 2011 nor Policy DM6 of the SADMP as the proposed residential accommodation has no rural business justification nor is the building of sufficient merit to warrant conversion, especially given the distance to the development boundary. It can also be concluded that whilst the appeal decision was 25 years ago, similar issues still arise when considering this application.

Amenity Issues

Whilst the proposal would include first floor residential accommodation it would not cause overlooking of any neighbouring private amenity space.

Highways Issues

River Road is narrow, winding and with little passing provision which is why an intensification of the access would lead to conditions detrimental to highway safety. Whilst an argument has been put forward by the agent that providing residential accommodation on site would reduce the number of vehicular movements required, it can also be argued that if the stables are being used for the applicant's personal use then additional grooms should not be required and that by allowing residential accommodation for a groom or grooms actually allows for an intensification of the access over and above what was approved under planning application reference 05/02377/F.

The Highways Officer has made reference to the appeal decision in his comments (T/APP/V2635/A/93/224770/P8) which has been included in Appendix A. He has concluded that the highway conditions with regard to width of carriageway and visibility to the bend have not changed over time and that Highways still support the view expressed at the time and by the Inspector that the road conditions and the access are not suitable for further development which may result in additional traffic being generated. Members are asked to consider whether given the sites planning history and the conditions that were imposed, whether the provision of a groom or even two can be justified on the basis of the restrictive condition.

Flood Risk

The application site is within Flood Zone 3 of the Environment Agency Flood Risk Maps and the Nene Tidal Hazard Mapping area. There are no objections to the proposal from the Environment Agency as the proposal involves the conversion of a building which would provide residential accommodation above 2m. The sequential test is not required in this instance as it involves the conversion of an existing building, the reason for which is site specific.

Other material considerations

There are no other material considerations which are pertinent to this application.

Crime and Disorder

The agent has stated that the approval of the application would help prevent crime as there would be an on-site presence; however no information has been provided regarding how on-site security could be improved without an on-site presence, nor what measures are currently in place. Also this is not a business use, but is essentially a hobby, that is for the applicant's personal benefit.

Conclusion

The proposed conversion of the stable / first floor office / store to partial residential is contrary to paragraph 79 of the NPPF, Policies CS08 and CS11 of the Core Strategy and Policy DM6 of the SADMP and the material considerations submitted in justification of the development are not considered sufficient to outweigh the in principle policy objection. Members are therefore requested to refuse the application.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed residential conversion would result in a form of development which would not serve an existing rural enterprise and therefore there is no rural justification for it. The proposal is therefore contrary to paragraph 79 of the National Planning Policy Statement, Policy CS06 of the Core Strategy 2011 and Policy DM6 of the Site Allocations and Development Management Policies Plan 2016.
- 2 The building which is proposed for partial conversion has limited architectural merit which does not warrant its conversion to a residential use given its location outside of the development boundary and within the countryside. The proposal is therefore contrary to paragraph 79 of the National Planning Policy Statement and Policy CS06 of the Core Strategy 2011.
- 3 The unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its poor alignment / restricted width / lack of passing provision. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety and would be contrary to the provisions of the NPPF, Policy CS11 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.
- 4 Inadequate visibility splays are provided at the junction of the access with the County highway and this would cause danger and inconvenience to users of the adjoining public highway. This would be contrary to the provisions of the NPPF, Policy CS11 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

18/01175/F HISTORY.
Appendix A.



The Planning Inspectorate

B/104/JLC/P

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0272-218927
Switchboard 0272-218811
Fax No. 0272-218769
1374

PLANNING INSPECTORATE
RECEIVED

David Eastwood Esq
Planning Advisor
119 Richmond Road
CAMBRIDGE
CB4 3PS

Your Ref:
047/9348

Our Ref:

T/APP/V2635/A/93/224770/P8

Date: -3 SEP 1993

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR S F BLOOMFIELD
APPLICATION NO: 2/92/3089/F

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the King's Lynn Borough Council to refuse planning permission in respect of an application for a mobile bungalow to provide a home in connection with the existing stables and horse grazing area on land at Cross Parks, River Road, West Walton, Wisbech, Cambs. I have considered the written representations made by you and by the Council and also those made by the Parish Council and interested persons including those made directly to the Council and forwarded to me. I inspected the site on 10 August 1993.
2. I have noted that the application was submitted as a full permission but no details of the proposed mobile home, its location or landscaping other than the boundary of the site and access road outlined in red. I therefore propose to determine the appeal on the basis of an outline application.
3. From what I have seen and read I consider the main issue in the appeal is whether or not the mobile home would be an intrusive feature in the area out of character with the surrounding open agricultural land, with due regard to the relevant planning policies.
4. West Walton is a small village just to the north-east of Wisbech and on the east side of the River Nene. The appeal site is to the west of the village beyond the developed area and a short distance north of an isolated small group of buildings and dwellings. The site is an open flat field with boundary fences with at the west end an "L" shaped timber stable and garage block which houses a coach and other equipment. This building is well maintained and the site is neat and tidy. The access track is straight and one vehicle width with a timber and wire fence each side. The track is



grass with 2 compacted stone wheel tracks although fairly uneven in places. The junction with River Road is at an oblique angle with restricted visibility to the east due to a bend in River Road. River Road is also narrow with no footways but narrow grass verges. It terminates at the River Nene. The surrounding area consists of agricultural and grazing land with scattered isolated dwellings and farmsteads. Adjacent to the site access track on the east is a horticultural enterprise with buildings, glasshouses and a high wind break fence.

5. The current development plan for the area is the Norfolk Structure Plan Review which was approved on 17 March 1993 and became effective on 12 April. At the time of the application the Structure Plan 1988 was in force and policies H5 to H11 relating to development in the villages and the countryside were relevant. To implement these residential policies the Council drew up Village Development Guidelines to define the existing villages. The appeal site is outside the village on this basis and therefore Policy H8 referring to residential development in the countryside is appropriate. This policy normally restricted residential development to that required for agriculture, forestry or tourist facilities. In the 1993 Structure Plan this policy is replaced by Policy H8 which expresses the same restrictions. The boundaries of the Village Guidelines in the 1988 Plan have been adopted by the Council on an interim basis pending a Boroughwide Plan in 1994/95. Furthermore on a transitional basis pending the adoption of the Local Plan, Policy H11 of the 1988 Structure Plan has been saved which states that applications for mobile homes including residential caravans will be determined as if they were for permanent housing.

6. There appears to be no dispute that the appeal site is in the countryside beyond the developed area of the village. As such Policy H8 of the Structure Plan applies and the erection of a dwelling or a mobile home in connection with a use not designated as acceptable within the policy in the countryside is in conflict with the development plan. In the representations you mention that it is essential for the welfare of the horses and the security of the coach and equipment that the appellant lives on the site. I accept there can be much advantage in this but clearly the housing of the coach and a field for the horses is not an agricultural enterprise. The appellant has demonstrated some commitment to the operation by the erection of the stable building but I note that the planning permission for the building comprised a condition that the stables were not to be used for business or commercial purposes. While the personal circumstances of the appellant may have changed since the date of the permission I do not consider this, or the enterprise in general, warrants an exception to the countryside policies of the development plan.

7. From my site visit and photograph 5 submitted with the representations it is clear that the stable block and a touring caravan on the site can be seen across an open field from the public road leaving the village. Although there are

isolated scattered dwellings and agricultural buildings in the area, the flat and mostly featureless landscape emphasises the presence of any building erected. I accept that until your client is satisfied about the viability of the enterprise and in fact its acceptance as a planning use on the site, the erection of a mobile home is the most appropriate dwelling for him. However, mobile homes have little in common with the vernacular buildings in the countryside and even if sited near to the stable block would in my view constitute an alien and intrusive feature detrimental to the character of the open countryside.

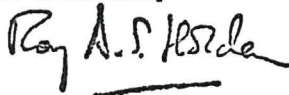
8. River Road is a single track winding lane without footways and few passing places. I accept it is a cul-de-sac terminating at the sewage works near the River Nene but during the short time I was in the area I noted 2 tanker lorries using the road to visit the sewage works. It seems to me that it is the type of road where in its present form additional development requiring to use the road should not be encouraged. I accept that if your client lives on the appeal site there may be less need for frequent use of the road but nevertheless, despite the premise that all cases are dealt with strictly on their own merits, the formal acceptance of the track as an access to a new dwelling could create a precedent for other uses leading to an increased use of the narrow River Road.

9. The access track to the site from River Road is unsurfaced except for 2 wheel tracks of hardcore or stone. It joins River Road at an oblique angle so that visibility to the right on leaving the site is difficult but not obstructed. To the left there is a bend in River Road a short distance from the exit which could cause a reduction in highway safety if leaving the site coincided with a vehicle travelling north on River Road. As a result I do not consider the access track and its junction with River Road is adequate for the development proposed.

10. I have taken careful account of all the other matters raised in the representations including the personal situation of the appellant and his desire to achieve a minimum agricultural wage from his enterprise and your reference to relevant Planning Policy Guidance Notes but neither these, nor all the other matters raised outweigh in my view the considerations that have led to my decision.

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

Yours faithfully



ROY A S HOLDEN DipArch RIBA
Inspector

NOTICE OF DECISION

Town & Country Planning Act 1990
Town & Country Planning General Development Order 1988 (as amended)

REFUSAL OF PLANNING PERMISSION

Part I - Particulars of application

Area	CENTRAL	Ref. No.	2/92/3089/F
Applicant	Mr S F Bloomfield 1 Wentworth Close Hatfield Peverel Nr Chelmsford, Essex CM3 2JS	Received	08/12/92
Agent	-	Location	Cross Parks, River Road

Parish West Walton

Details Siting of mobile home in connection with use of land for keeping of horses

Part II - Particulars of decision

The Council hereby give notice in pursuance of the Town and Country Planning Act 1990 that **permission has been refused** for the carrying out of the development referred to in Part I hereof for the following reasons :

- 1 The Norfolk Structure Plan states that applications for mobile homes and residential caravans will be determined as if they were for permanent housing. The Plan seeks to limit housing development outside towns and villages to those dwellings essential to agriculture, forestry, organised recreation or the expansion of existing institutions. It is not considered that the proposal meets these criteria and it would consequently be contrary to the provisions of the Structure Plan and prejudicial to County Strategy.
- 2 The special need advanced is not, in the opinion of the Borough Planning Authority, sufficient to outweigh the policy objections.
- 3 The use of the site for the standing of a mobile home would constitute a form of development out of keeping and character with this rural locality and create a precedent for similar proposals to the detriment of the visual amenities.

Cont ...

NOTICE OF DECISION

2/92/3089/F - Sheet 2

- 4 The access road serving this site, in its present form, is unsuitable to serve further development and the proposal, if permitted, would create a precedent for similar proposals in respect of other land in the vicinity of the site.

- 5 The existing access is of inadequate width, construction and visibility and any increase in the use of the access would be likely to create conditions detrimental to the safety and free flow of other road users.

M. H. Parker
.....
Borough Planning Officer
on behalf of the Council
15/01/93

4/01/11

2/TPO/00575

Land N of Lynn Road - S of 10 And E of Westgate Street
Shouldham



AGENDA ITEM NO: 8/4(a)

Parish:	Shouldham	
Purpose of report:	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00575 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
Location:	Land N of Lynn Road - S of 10 And E of Westgate Street Shouldham Norfolk	
Case No:	2/TPO/00575	
Grid Ref:	567494 308726	Date of service of Order: 19 June 2018

RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION

THE SITE

The two Lime trees (T1 and T2) are growing within an area of open land on the edge of Shouldham. Both of these trees are clearly visible from East and West along Lynn Road and are visible to both road users and home owners along Westgate Street.

LDF CORE STRATEGY POLICIES

C12 - Environmental Assets

REASON FOR MAKING THE TREE PRESERVATION ORDER

Following a letter and other comments expressing concern about the future of the trees, a site visit was carried out and it was found that the two trees are of a high amenity value and it would be prudent to serve a TPO to protect the trees, both now and into the future. The trees are in a highly prominent position off the main road into the village, and are on the edge of the Shouldham Conservation Area.

OUTLINE OF OBJECTIONS AND REPRESENTATIONS

One objection email was received from the land owners, following a site meeting with them after serving the TPO. The land owners intend to address the Committee with their concerns, but state their objection to the TPO in the email.

One email of support was received from the Parish Council stating that "...they are fully in agreement with the TPO on these 2 Lime trees..."

RESPONSE TO OBJECTIONS AND REPRESENTATIONS

The owners have simply stated that they wish to object to the TPO. As the owners wish to address the Committee personally and we have no other details of their objection, we would need to answer any concerns they may have at Committee.

CONCLUSIONS

In conclusion, these trees contribute greatly to the character and appearance of the street scene and the wider landscape, both now, and into the future. It is recommended that the Order is confirmed.

RECOMMENDATION: CONFIRM ORDER WITHOUT MODIFICATION

Background Papers

TPO file reference: 2/TPO/00575

Appendix 1: Copy of scoring assessment

Contact Officer: Mr R. Fisher, Arboricultural Officer 01553 616386

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 18/6 Surveyor: R. Fisher

Tree details
 TPO Ref (if applicable): / Tree/Group No: X2 Species: Lime
 Owner (if known): / Location: corner of Lynn Rd & Westgate, Sheldonham

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 5) Good Highly suitable
- 3) Fair/satisfactory Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes
 (5) Semi-mature trees appear healthy

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes
 (4)

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes
 (4)

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

Score & Notes
 (1)

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes
 (2)

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
 16

Decision:
 Serve TPO

2/TPO/00576

6 Admiralty Close, Downham Market, Norfolk
PE38 9SP



AGENDA ITEM NO: 8/4(b)

Parish:	Downham Market	
Purpose of report:	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00576 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
Location:	6 Admiralty Close Downham Market Norfolk PE38 9SP	
Case No:	2/TPO/00576	
Grid Ref:	560810 302874	Date of service of Order: 27 June 2018

RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION

THE SITE

The Oak tree (T1) is growing in the rear garden of 6 Admiralty Close, Downham Market. This mature Oak can be clearly seen along Admiralty Close, Hamilton Way, sections of Nile Close and sections of Trafalgar Road.

LDF CORE STRATEGY POLICIES

C12 - Environmental Assets

REASON FOR MAKING THE TREE PRESERVATION ORDER

We were contacted by concerned individuals, and both were of the opinion that the Oak was a fine specimen that should be preserved. It was also alleged that neighbouring properties would like to see the tree heavily pruned, which, in their opinion, would result in the loss of amenity. A site visit was carried out and it was found that this Oak has significant amenity value and, in light of the property/land being sold, a TPO should be served to protect the Oak now and into the future.

OUTLINE OF OBJECTIONS AND REPRESENTATIONS

Two objection letters were received from neighbouring properties on Trafalgar Road. A summary of the objections are outlined below:

1. Branches growing excessively over the boundaries of neighbouring properties, legally these could have been trimmed, but why should the cost be borne by neighbours?
2. By mid-afternoon the gardens are in complete shade. The height of the tree is considerably more than the distance from rear entrances.
3. Should the tree fall, or any significant branch fail, it could cause considerable damage to property, in the event of the whole tree falling it would demolish properties.
4. Roots from the tree could endanger the drainage and foundations of the properties.
5. Falling debris, leaves, acorns, twigs etc., are a constant nuisance and extra cost.

Two letters of support were received; these are appended at the end of the report.

RESPONSE TO OBJECTIONS AND REPRESENTATIONS

1. The serving of a TPO in no way stops any reasonable works to the tree, a free & simple application process is all that is required. The question of who should pay for any works would not be the concern of the borough.
2. No-one has a right to light with regard to mature trees. Sensitive tree works, carried out under permission, may be undertaken to allow more light through and underneath the canopy.
3. Following a site visit I am satisfied that the tree appears healthy, however, it should be noted that all tree owners have a duty of care to ensure that their tree(s) remain as safe as practicable.
4. No evidence of root damage has been submitted.
5. Falling debris (leaves, twigs, acorns etc.) should be expected when living in close proximity to mature trees, this is not a valid reason for not confirming the TPO.

CONCLUSIONS

In conclusion, this tree contributes greatly to the character and appearance of the street scene and the wider landscape, both now, and into the future. It is considered that the reasons put forward by the objectors are of insufficient weight to overcome the harm to the character and appearance of the locale that would occur should these trees be removed. It is therefore recommended that the order is confirmed.

Background Papers

RECOMMENDATION: CONFIRM ORDER WITHOUT MODIFICATION

Background Papers

TPO file reference: 2/TPO/00576

Appendix 1: Copy of scoring assessment

Contact Officer: Mr R. Fisher, Arboricultural Officer 01553 616386

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 26/6/18 Surveyor: R. Hsuen

Tree details
 TPO Ref (if applicable): - Tree/Group No: 1 Species: oak
 Owner (if known): - Location: to the rear of 4 Admiralty Close

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 5) Good Highly suitable
- 3) Fair/satisfactory Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes
 5) Appears healthy

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes
 4

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes
 4

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 0) Trees with poor form or which are generally unsuitable for their location

Score & Notes
 1

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes
 3

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
 17

Decision:
 Serve TPO

Planning Committee

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the September Planning Committee Agenda and the October agenda. 120 decisions issued 114 decisions issued under delegated powers with 6 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.

RECOMMENDATION

That the reports be noted.

Number of Decisions issued between 21/08/2018 and 18/09/2018

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	DCB decision	
								Approved	Refused
Major	2	2	0		2	100%	60%	2	0
Minor	54	48	6	50		92%	70%	2	1
Other	64	64	0	62		97%	80%	1	0
Total	120	114	6						

Planning Committee made 6 of the 120 decisions, 5%

PLANNING COMMITTEE - 1 OCTOBER 2018

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

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

RECOMMENDATION

That the report be noted.

DETAILS OF DECISIONS

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
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05.06.2018	21.08.2018 Application Permitted	18/01026/F	Cherry Ridge Docking Road Great Bircham King's Lynn Proposed driveway serving dwelling permitted under application reference 17/01704/RM	Bircham
29.06.2018	22.08.2018 Application Permitted	18/01193/F	Seven Edges Broad Lane Brancaster King's Lynn Proposed rear extension and internal alterations	Brancaster

10.07.2018	03.09.2018 Application Permitted	18/01259/F	Staithe Barn Main Road Brancaster Staithe King's Lynn Replacement windows, glazed doors, 4 new roof lights, new openings to North, East and West and replacement gate and alterations to garden wall	Brancaster
11.07.2018	28.08.2018 Application Permitted	18/01261/F	Brancaster 71 Club Village Hall Main Road Brancaster Single storey rear and side extensions, and alterations to community building	Brancaster
16.07.2018	05.09.2018 Application Permitted	18/01300/F	33 Dale End Brancaster Staithe Norfolk PE31 8DA New close boarded fence (retrospective)	Brancaster
03.08.2018	11.09.2018 Application Permitted	18/01424/F	Old Postings Main Road Brancaster Staithe King's Lynn Proposed Single Storey Rear Extension	Brancaster
07.08.2018	29.08.2018 Tree Application - No objection	18/00134/TREECA	The Croft Cross Lane Brancaster King's Lynn T1 - hawthorn - pollard to approx 4 meters within a Conservation Area	Brancaster

29.08.2018	05.09.2018 Application Permitted	18/00129/NMA_1	Peddars Main Road Brancaster King's Lynn APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 18/00129/F: Demolition of existing rear single storey extension and construction of new single story rear extension, refurbishment of existing dwelling adding loft room, demolition of detached garage and construction of new detached garage and associated works	Brancaster
13.09.2018	14.09.2018 Tree Application - No objection	18/00158/TREECA	Dormy House Butchers Lane Brancaster Norfolk Conifer hedge- reduce height by 4 ft within a Conservation Area	Brancaster
10.05.2018	31.08.2018 Application Permitted	18/00854/F	Tanglewood 5 Herrings Lane Burnham Market King's Lynn Removal of existing garage, utility room and rear extension. Construction of two storey extension at side and rear and single storey dining area with terrace above	Burnham Market
17.08.2018	28.08.2018 Tree Application - No objection	18/00140/TREECA	Stanley House Herrings Lane Burnham Market Norfolk Tree in a conservation area: To fell mature holly tree which has died	Burnham Market

06.06.2018	22.08.2018 Application Permitted	16/01708/NMA_1	Seaward House Wells Road Burnham Overy Staithe King's Lynn Non-material amendment to planning permission 16/01708/F: Demolition of existing house and construction of new house and boatshed	Burnham Overy
11.06.2018	14.09.2018 Application Permitted	18/01071/F	Bobbins Creake Road Burnham Thorpe King's Lynn Demolition of out buildings and erection of kitchen extension to rear of property, erection of new shed and move first floor rear window	Burnham Thorpe
21.08.2018	28.08.2018 Tree Application - No objection	18/00144/TREECA	Becks Cottage Walsingham Road Burnham Thorpe King's Lynn Trees in a Conservation Area: T1 - Birch 30% crown reduction. T2 - Oak 10% crown reduction. T3 - Lilac Remove. T4 - Hazel reduce to hedge height. T5 - Apple remove.	Burnham Thorpe
16.07.2018	04.09.2018 TPO Work Approved	18/00056/TPO	Larkins Cottage 5 - 6 Lynn Road Castle Rising King's Lynn 2/TPO/00136: T1 - Silver Birch - Fell. T2,T3, T4,T5,T6,T7,T8 Silver Birch Fell. T9 Multi stem Ash Fell. T10 Ivy covered Ash Fell. T11 Sycamore stem fell	Castle Rising
20.06.2018	03.09.2018 Application Permitted	18/01139/FM	Land South Of Titchwell Titchwell PE31 8PQ Lay agricultural irrigation pipes	Choseley

08.08.2018	06.09.2018 Application Refused	15/01410/NMA_1	Hillington House Lynn Road Hillington Norfolk Non-material amendment to planning permission 15/01410/F: Replacement dwelling with ancillary buildings and retention of existing annex	Congham
24.07.2018	21.08.2018 Consent Not Required	18/01353/AG	Rookery Farm Sluice Road Denver Downham Market Agricultural Prior Notification: Construction of a Livestock building	Denver
10.07.2018	04.09.2018 TPO Work Approved	18/00054/TPO	5-6 Chestnut Close Dersingham King's Lynn Norfolk 2/TPO/00040: 23 Hornbeam Trees - Reduction of trees to maintain trees as a hedge	Dersingham
12.07.2018	06.09.2018 Application Permitted	18/01273/RM	15 Woodside Avenue Dersingham King's Lynn Norfolk Reserved matters application for new dwelling	Dersingham
19.07.2018	28.08.2018 Application Permitted	18/01322/F	20 Pansey Drive Dersingham King's Lynn Norfolk Demolition of existing rear extension and proposed larger single storey rear extension to dwelling	Dersingham
19.07.2018	06.09.2018 Application Permitted	18/01325/F	4 Woodside Close Dersingham King's Lynn Norfolk Extension to dwelling	Dersingham

03.09.2018	17.09.2018 Tree Application - No objection	18/00151/TREECA	School Cottage 73A Manor Road Dersingham Norfolk T1 Silver Birch - Remove to ground level due to shading and debris, T2 Silver Birch - Remove to ground due to debris and poor condition due to previous tree work and proximity to cricket pavillion, T3 Silver birch - Remove to ground, poor condition and shading/debris/seed within a conservation area	Dersingham
25.05.2018	29.08.2018 Application Permitted	18/00964/F	22 Masefield Drive Downham Market Norfolk PE38 9TS Proposed side, front and rear single storey extensions. New fire place and flue pipe. Erection of new 2m high brick wall to join existing fence.	Downham Market
15.06.2018	22.08.2018 Application Permitted	18/01103/LB	Cannon House 57 High Street Downham Market Norfolk LISTED BUILDING APPLICATION: Alternation to interior space by extending floor space within roof space and adding a new staircase	Downham Market
26.06.2018	28.08.2018 Application Permitted	18/01165/F	5 Bexwell Road Downham Market Norfolk PE38 9LQ demolition of single storey rear extension and construction of new two storey extension and internal works	Downham Market

26.06.2018	24.08.2018 Application Permitted	18/01166/LB	5 Bexwell Road Downham Market Norfolk PE38 9LQ LISTED BUILDING: demolition of single storey rear extension and construction of new two storey extension and internal works	Downham Market
03.07.2018	24.08.2018 Application Permitted	18/01214/F	Brantham 3 St Edmunds Road Downham Market Norfolk Single storey extension to front of dwelling	Downham Market
12.07.2018	11.09.2018 Application Permitted	18/01280/O	72 Lynn Road Downham Market Norfolk PE38 9NR OUTLINE APPLICATION SOME MATTERS RESERVED: Construction of one single storey dwelling	Downham Market
23.07.2018	14.09.2018 Application Permitted	18/01340/F	25 Wingfields Downham Market Norfolk PE38 9AR Construction of single storey conservatory extension to rear elevation	Downham Market
05.09.2018	10.09.2018 Tree Application - No objection	18/00152/TREECA	11 Railway Road Downham Market Norfolk PE38 9DX T1 Yew Tree - Remove tree which is damaging a carrstone wall in a conservation area	Downham Market
28.02.2017	14.09.2018 Application Permitted	17/00378/F	Summer End Farm Narford Lane East Walton Norfolk Proposed conversion of barns/outbuilding to provide 3 dwellings.	East Walton

28.02.2017	14.09.2018 Application Permitted	17/00379/LB	Summer End Farm Narford Lane East Walton Norfolk Listed Building Application: Proposed conversion of barns/outbuildings to provide 3 dwellings	East Walton
09.07.2018	31.08.2018 Application Permitted	18/01243/F	5 The Lovells Emneth Wisbech Norfolk Rear single storey extension and alterations to dwelling	Emneth
16.07.2018	13.09.2018 Application Permitted	18/01293/F	Shaveley 47 Gaultree Square Emneth Wisbech Retention of extension and alterations to rear of existing bungalow	Emneth
13.07.2018	14.09.2018 Application Permitted	18/01281/F	The Old Rectory High Street Fincham King's Lynn Proposed Garages	Fincham
17.07.2018	13.09.2018 Application Permitted	16/01154/NMA_1	Nurses House Lynn Road Gayton King's Lynn NON-MATERIAL AMENDMENT TO PLANNING 16/01154/F: Demolition of conservatory and construction of new two storey extension	Gayton
23.07.2018	14.09.2018 Application Permitted	18/01341/F	2 Owen Cole Close Great Massingham Norfolk PE32 2LF Proposed single storey extension and internal alterations	Great Massingham
18.04.2018	07.09.2018 Application Permitted	18/00711/F	83 Leziat Drove Pott Row King's Lynn Norfolk Extension to garage reception and workshop	Grimston

27.06.2018	22.08.2018 Application Permitted	18/01173/F	65 Low Road Grimston King's Lynn Norfolk Extension	Grimston
12.07.2018	28.08.2018 Application Permitted	18/01270/F	Manor Farm Barn 25 Chequers Road Pott Row King's Lynn Raising eaves and ridge on dwelling, single storey link extension to former garage and widened vehicular highway	Grimston
04.04.2018	31.08.2018 Application Permitted	18/00608/F	Porcherie 4A Hall Close Heacham Norfolk Extension to side and rear of dwelling house	Heacham
17.07.2018	11.09.2018 Application Permitted	18/01303/F	4 Lynn Road Heacham King's Lynn Norfolk Proposed Alterations to Coach House including provision of replacement windows, doors and conservatory	Heacham
17.07.2018	13.09.2018 Application Permitted	18/01304/LB	4 Lynn Road Heacham King's Lynn Norfolk Listed Building Application: Proposed Alterations to Coach House including provision of replacement windows, doors and conservatory	Heacham
01.08.2018	20.08.2018 TPO Approved Work	18/00061/TPO	BCKLWN Public Open Space West of Blachford And Gymkhana Way Heacham 2/TPO/00142: G1 - oaks - raise crown to approx 5 meters, pruning away from all caravan roof. Remove dead wood. T1 - oak - dead - fell.	Heacham

13.08.2018	14.09.2018 GPD HH extn - Not Required	18/01478/PAGPD	11 Sitka Close Heacham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 5 metres with a maximum height of 3 metres and a height of 3 metres to the eaves	Heacham
06.02.2018	30.08.2018 Application Permitted	18/00224/F	Wetherley 77 South Street Hockwold cum Wilton Norfolk Change of use from agriculture to equestrian and installation of an all weather arena	Hockwold cum Wilton
12.03.2018	17.09.2018 Application Permitted	18/00446/F	Hockwold Methodist Church South Street Hockwold cum Wilton Norfolk Part demolition and conversion of existing Chapel to residential dwelling	Hockwold cum Wilton
17.08.2018	07.09.2018 Application Refused	05/00836/NMA_2	Garner Blast Cowles Drove Hockwold cum Wilton Norfolk Non-material amendment to planning permission 05/00836/F: Construction of dwelling and double garage	Hockwold cum Wilton
31.07.2018	06.09.2018 Application Refused	17/01817/NMA_1	Village Farm Rudham Road Houghton Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 17/01817/F: Extension to existing livestock building and new dirty water/slurry lagoon	Houghton

17.07.2018	06.09.2018 Application Permitted	18/01301/F	Burleigh House Hotel 7 Cliff Terrace Hunstanton Norfolk Replacement external stair fire escape to rear	Hunstanton
08.08.2018	11.09.2018 Application Withdrawn	18/01452/F	78 Cliff Parade Hunstanton Norfolk PE36 6EJ Two storey extension and alterations to dwelling	Hunstanton
24.08.2018	05.09.2018 Application Permitted	17/02166/NMA_1	6 Hastings Drive Hunstanton Norfolk PE36 6HB NON-MATERIAL AMENDMENT TO PLANNING CONSENT 17/02166/F: Demolition of existing garage. Erection of new garage. Rear extension and first floor extension to main house	Hunstanton
08.05.2018	05.09.2018 Application Permitted	18/00831/F	Hall Farm Brickley Lane Ingoldisthorpe Norfolk Change of use of land to enable siting of 7 holiday lodges (mobile)	Ingoldisthorpe
26.06.2018	06.09.2018 Was Lawful	18/01168/LDE	Sherwood Sandy Way Ingoldisthorpe King's Lynn Application for a lawful development certificate for the existing use of extension as a self-contained residential dwelling	Ingoldisthorpe
18.01.2018	14.09.2018 Application Permitted	18/00124/F	Land At Harvest House Wisbech Road King's Lynn Norfolk Proposed 7 no. townhouses and change of use of land to garden land to be used for the dwellings and flats	King's Lynn

03.05.2018	14.09.2018 Application Permitted	18/00816/A	Palm Paper Poplar Avenue King's Lynn Norfolk Retrospective advertisement application for 1 x internally illuminated fascia sign	King's Lynn
10.05.2018	28.08.2018 Application Permitted	18/00848/F	King's Lynn Power Station Willow Road Willows Business Park King's Lynn Variation of condition 31 of planning permission 12/01986/F	King's Lynn
08.06.2018	24.08.2018 Application Permitted	18/01054/CU	Givi 118 Norfolk Street King's Lynn Norfolk Change of use to sui generis, Thai massage therapy	King's Lynn
22.06.2018	22.08.2018 Application Permitted	18/01149/F	Travis Perkins 5 Hamlin Way Hardwick Narrows King's Lynn Removal of 1no existing 5m high floodlight within the yard area. In replacement, there are proposed to be 3no new 8m high floodlights to be in use during business hours when required	King's Lynn
28.06.2018	23.08.2018 Application Permitted	18/01181/F	Dewhursts 101 Norfolk Street King's Lynn Norfolk Change of use from shop to licenced coffee bar/lounge	King's Lynn
28.06.2018	05.09.2018 Application Permitted	18/01186/F	43 Kensington Road King's Lynn Norfolk PE30 4AS First floor rear extension	King's Lynn
28.06.2018	14.09.2018 Application Permitted	18/01188/F	Austin House 15 Austin Street King's Lynn Norfolk Erection of front garden wall	King's Lynn

28.06.2018	14.09.2018 Application Permitted	18/01189/LB	Austin House 15 Austin Street King's Lynn Norfolk Listed Building: Erection of garden wall	King's Lynn
06.07.2018	30.08.2018 Application Permitted	18/01240/LB	36 Bridge Street King's Lynn Norfolk PE30 5AB Listed Building Application: Replacement of windows, repair to roof(s), internal alterations and general improvements	King's Lynn
11.07.2018	04.09.2018 Application Permitted	18/01264/F	36 Bridge Street King's Lynn Norfolk PE30 5AB Works to a Grade II Listed Building - Replacement of windows, repair to roof(s), internal alterations and general improvements.	King's Lynn
11.07.2018	28.08.2018 Application Permitted	18/01266/F	25 Cedar Way West Lynn King's Lynn Norfolk Garage extension with kitchen re-roof	King's Lynn
2.07.2018	05.09.2018 Application Permitted	18/01272/CU	Style Kitchens 9 High Street King's Lynn Norfolk Change of use to a patisserie/coffee shop	King's Lynn
13.07.2018	28.08.2018 Application Permitted	18/01284/F	50 Vancouver Avenue King's Lynn Norfolk PE30 5RD Two storey rear extension following part demolition	King's Lynn
18.07.2018	06.09.2018 Application Permitted	18/01318/LB	Burnham House 13 Nelson Street King's Lynn Norfolk Listed Building Application: conversion of store to form washroom	King's Lynn

23.07.2018	28.08.2018 Application Permitted	18/01345/F	62 King John Avenue Gaywood King's Lynn Norfolk Demolition of single storey section of dwellings to rear of property and proposed replacement single storey extension	King's Lynn
24.07.2018	06.09.2018 Application Permitted	18/01347/F	28 Sidney Street King's Lynn Norfolk PE30 5RF Single storey side and rear extensions and internal alterations	King's Lynn
25.07.2018	22.08.2018 GPD HH extn - Not Required	18/01360/PAGPD	141 Wootton Road Gaywood King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 5.175 metres with a maximum height of 2.895 metres and a height of 2.595 metres to the eaves	King's Lynn
01.08.2018	04.09.2018 TPO Work Approved	18/00060/TPO	The Queen Elizabeth Hospital King's Lynn NHS Foundation Trust Gayton Road King's Lynn Norfolk 2/TPO/00337: T1 Birch - Remove dead tree, T2 Birch - Remove as it is declining due to honey fungus	King's Lynn
01.08.2018	11.09.2018 TPO Work Approved	18/00062/TPO	Firbank 44 Gayton Road King's Lynn Norfolk 2/TPO/00093: T1 Ash Tree - Reduce by 5 metres	King's Lynn
10.08.2018	29.08.2018 Application not required	18/01459/DM	Wagg Jex & Co Ltd Harbour Branch Wisbech Road King's Lynn Prior Notification for demolition for 8 x light industrial buildings	King's Lynn

12.04.2018	14.09.2018 Application Refused	18/00666/O	Manor Bungalow Station Road Little Massingham Norfolk Outline Application: Proposed Replacement Dwelling	Little Massingham
08.08.2018	18.09.2018 Consent Required Not	18/01454/AG	Eastgate Farm House Collins Lane Marham King's Lynn Agricultural Prior Notification: Farm machinery store	Marham
02.07.2018	21.08.2018 Application Permitted	18/01203/F	Willow Farm Rustons Road Marshland St James Wisbech REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 15/00066/F: Single storey extension to residential dwelling	Marshland St James
13.08.2018	06.09.2018 Consent Required Not	18/01476/AG	Fir Tree Farm Middle Drove Marshland St James Wisbech Agricultural Prior Notification: Steel portal framed general purpose building	Marshland St James
16.07.2018	14.09.2018 Application Permitted	18/01295/A	Glebe Wood Lodge Brandon Road Methwold Thetford Advertisement application for 1 x triangular posisting non-illuminated sign held on two metal poles	Methwold
26.07.2018	11.09.2018 Prior Approval - Approved	18/01370/PACU3	Brookville Barn Land South West of Brook Lane Brookville Prior Notification: Convert two adjoining agricultural buildings to a dwelling house	Methwold

09.08.2018	11.09.2018 Application Permitted	18/01456/F	North of 12 Main Road Brookville Thetford Norfolk Construction of one dwelling and garage following demolition of former shop/post office building	Methwold
23.05.2018	21.08.2018 Application Refused	18/00949/F	Priory Farm Barn Priory Farm Wormegay Road Blackborough End Proposed annexe	Middleton
20.06.2018	22.08.2018 Application Refused	18/01140/F	Memories School Road Middleton Norfolk Change of use of general store and garage to a dwelling	Middleton
29.06.2018	04.09.2018 Application Permitted	18/01191/F	Fernhill Bishops Close Blackborough End Norfolk Construction of dwelling within gardens of existing house following removal of existing swimming pool and games room	Middleton
02.07.2018	21.08.2018 Application Permitted	18/01208/F	East Farm Outwell Road Nordelph Norfolk REMOVAL OF CONDITION 5 OF PLANNING PERMISSION DM 5391: Site for farmhouse in connection with management of 287 acre farm	Nordelph
28.08.2018	30.08.2018 Tree Application - No objection	18/00147/TREECA	Gyppeswick 81 Burnham Road North Creake Fakenham T1,2,3 - Crown lift northern canopy (reaching into client's garden) on 3 x oaks, removing only the lowest existing branch on each tree. T4 - Remove 1 x cypress on northern boundary.	North Creake

28.08.2018	12.09.2018 Tree Application - No objection	18/00148/TREECA	Jubilee Cottages 19 West Street North Creake Fakenham G1 Line of Conifers - Remove, T1 Monkey Puzzle- Remove within a conservation area	North Creake
05.06.2018	31.08.2018 Application Permitted	18/01020/F	Victoria Lodge 5 West Winch Road West Winch King's Lynn Replace existing garage with a larger garage	North Runcton
30.07.2018	14.09.2018 Application Permitted	18/01381/F	Burnhaven 27 Common Lane North Runcton King's Lynn Proposed extension	North Runcton
29.05.2018	14.09.2018 Application Permitted	18/00975/F	Acorns Station Road North Wootton King's Lynn Extension and garden wall	North Wootton
27.07.2018	11.09.2018 Application Permitted	18/01388/F	Audley House 1 High Street Northwold Thetford Replacement of flat roof with pitched roof, construction of facing single skin wall to existing extension to create cavity wall and render to existing wall	Northwold
07.08.2018	11.09.2018 Application Permitted	18/01443/F	Crisps Yard Common Drove Northwold Thetford Single storey extension to dwelling (amended)	Northwold
31.07.2018	14.09.2018 Application Permitted	18/01394/F	Hunstanton Golf Club 37 Golf Course Road Old Hunstanton Norfolk Proposed 3m high post and mesh fence	Old Hunstanton

16.07.2018	17.09.2018 Application Permitted	18/01298/F	Birdbeck Cottage Basin Road Outwell Norfolk This is a second-story extension for an additional bedroom with front window and rear French doors	Outwell
22.06.2018	22.08.2018 Application Permitted	18/01150/RM	1 Oakland Cottages Pentney Lane Pentney Norfolk Reserved Matters application: Three proposed dwellings	Pentney
22.06.2018	29.08.2018 Application Permitted	18/01152/RM	Land S of 1 To 18 W of Foxes Lair Narborough Road Pentney Norfolk Reserved Matters: Single dwelling (plot 1)	Pentney
12.07.2018	05.09.2018 Application Permitted	18/01290/F	Sovereign House Main Road Narborough Norfolk Construction of garage / stables	Pentney
31.08.2018	14.09.2018 TPO Approved Work	18/00067/TPO	The Barn 74 High Street Ringstead Hunstanton 2/TPO/00083: T1 - mature sycamore - Rebalance crown by pruning approx 2 meters from south side. Reshape. T2, T3, T4 - sycamore - fell - congested in a row. Smallest, weakest specimens. Fell to promote neighbouring sycamores	Ringstead
12.07.2018	28.08.2018 Application Permitted	18/01271/F	17 Low Road Roydon King's Lynn Norfolk Demolition of existing outbuildings and construction of new two-storey extension and detached garage with storage over	Roydon

10.05.2018	31.08.2018 Application Permitted	18/00846/F	Manor Farm 88 Watlington Road Runcton Holme Norfolk Retrospective change of use of lake to facilitate continued use for commercial coarse fishing and camping	Runcton Holme
06.08.2018	12.09.2018 Tree Application - No objection	18/00133/TREECA	Cole Green House Fring Road Sedgeford Norfolk T1 Horse Chestnut - 4m overall crown reduction. T2 & T3 Horse chestnut, remove. T4 & T5 Horse chestnut, remove, within a Conservation Area	Sedgeford
25.06.2018	20.08.2018 TPO Work Approved	18/00052/TPO	Land N of Ryes Close And W of 9 Westgate Street Shouldham Norfolk 2/TPO/00360: Medium size Ash Tree - crown raise the tree by 4 meters and remove any of the dead wood	Shouldham
20.07.2018	13.09.2018 Consent Not Required	18/01332/AG	Land On The South Side of Beach Road Snettisham Norfolk Agricultural Prior Notification: Creation of shallow ponds and scrapes with bunding and sluices	Snettisham
13.08.2018	20.08.2018 Tree Application - No objection	18/00138/TREECA	6 Lancaster Place Snettisham King's Lynn Norfolk T1 - ASH TREE, 2 meter crown reduction and T2- Cherry, Pollard to 2 1/2 meters within a Conservation area	Snettisham

25.06.2018	21.08.2018 Application Permitted	18/01156/A	Service Station Unit 6 Langley Road South Wootton Advertisement application for 1 x illuminated 'ASDA' Canopy fascia signs and 3 x non-illuminated 'ASDA' canopy fascia signs	South Wootton
02.07.2018	23.08.2018 Application Permitted	18/01205/F	4 Priory Lane South Wootton King's Lynn Norfolk Proposed garden room and garage complex	South Wootton
13.07.2018	05.09.2018 Application Permitted	18/01287/RM	Orchard Rise 30 Low Road South Wootton Norfolk RESERVED MATTERS: OUTLINE APPLICATION SOME MATTERS RESERVED: Detached dwelling and integral garage with highway and landscape works incidental to the development	South Wootton
18.07.2018	11.09.2018 Application Permitted	18/01312/F	Avoca 156 Grimston Road South Wootton King's Lynn Proposed outbuilding conversion to residential annexe	South Wootton
31.07.2018	07.09.2018 Application Permitted	18/01393/F	63 Ullswater Avenue South Wootton King's Lynn Norfolk First floor extension over existing garage	South Wootton
31.08.2018	07.09.2018 Application Permitted	17/02151/NMA_1	3 The Meadows South Wootton King's Lynn Norfolk Non-material amendment to planning permission 17/02151/F: Construction of dwelling and attached garage	South Wootton

09.07.2018	05.09.2018 Was Lawful	18/01248/LDE	Manor Farm Cottage Mill Drove Southery Norfolk Lawful Development Certificate: To determine the permitted use class	Southery
19.06.2018	22.08.2018 Application Permitted	18/01132/F	Micklefields High Street Stoke Ferry King's Lynn Construct 2 stables and a tack-room.	Stoke Ferry
04.07.2018	28.08.2018 Application Permitted	18/01225/F	Carnegie Lodge 27 Wretton Road Stoke Ferry King's Lynn Demolition of garage and conservatory and construction of two storey rear extension and the construction of a single garage	Stoke Ferry
17.08.2018	10.09.2018 Tree Application - No objection	18/00139/TREECA	The Granary Oxborough Road Stoke Ferry King's Lynn Tree in a conservation area: T1 - Walnut - Remove lowest union and crown lift to clear boundary of property (removing up to 4m of growth). Remote secondary limbs back to the primary branch.	Stoke Ferry
04.07.2018	22.08.2018 Application Refused	18/01222/F	Land SE of 93 Station Road Terrington St Clement Norfolk Proposed workplace home in association with a Class B2 Work Shop	Terrington St Clement
13.07.2018	06.09.2018 Application Permitted	18/01283/F	Land At Tuxhill Farm Tuxhill Road Terrington St Clement Norfolk Extension of existing boiler chimney by 5m	Terrington St Clement

18.07.2018	13.09.2018 Application Permitted	18/01313/F	9 Ongar Hill Terrington St Clement Norfolk PE34 4JF Proposed extension to rear of semi detached dwelling	Terrington St Clement
20.07.2018	14.09.2018 Application Permitted	18/01328/F	HILLGATE NURSERIES LTD Sutton Road Terrington St Clement Norfolk Variation of condition 2 of planning permission 17/01255/F: Construction of a reservoir - To amend previously approved drawings to include a post and mesh fence 1m in height	Terrington St Clement
24.07.2018	14.09.2018 Application Permitted	18/01348/F	43 Churchgate Way Terrington St Clement Norfolk PE34 4LZ Variation of condition 2 of planning permission 13/00339/F (amended design)	Terrington St Clement
08.11.2017	21.08.2018 Application Permitted	17/02084/F	27-31 Old Church Road Terrington St John Norfolk Sub-division of existing dwelling to form 2 dwellings and residential conversion of existing workshop building to create a total of 3 dwellings, with associated Landscape works incidental to the development setting	Terrington St John
11.07.2018	04.09.2018 Application Permitted	18/01262/F	146 School Road Terrington St John Norfolk PE14 7SG Proposed detached garage	Terrington St John
11.07.2018	04.09.2018 Application Permitted	18/01263/F	148 School Road Terrington St John Norfolk PE14 7SG Construction of single storey side extension & detached garage	Terrington St John

13.07.2018	10.09.2018 Application Permitted	18/01289/CU	Belgrave House 10 School Road Terrington St John Norfolk Change of use from C2 (care home) to C3 (dwelling)	Terrington St John
28.06.2018	22.08.2018 Application Permitted	18/01182/F	The Stables Hall Lane Thornham Hunstanton Demolition of existing flat-roofed extension, replacement with new extension with pitched roof	Thornham
17.07.2018	14.09.2018 Application Permitted	18/01307/F	The Castle High Street Thornham Hunstanton Variation of conditions 2 and 11 of planning permission 18/00593/F: Construction Of Five Houses	Thornham
21.08.2018	28.08.2018 Tree Application - No objection	18/00142/TREECA	Coach House Lodge Ship Lane Thornham Hunstanton Trees in a Conservation Area: T1 - Veteran Monterrey Cypress - Crown raise to approx 5 metres. T2 - Bay - fell - too close and therefore pushing over old wall. T3 - multi-stemmed Leylandii - Reduce by approx 3 metres	Thornham
01.06.2018	14.09.2018 Application Permitted	18/01006/F	Ponds Rear of 141 To 151 Church Road Tilney All Saints Norfolk Change of use of the land for the siting of 2 caravans to be used as holiday lets	Tilney St Lawrence
05.07.2018	06.09.2018 Application Permitted	18/01228/F	St Annes 109 High Road Tilney cum Islington Norfolk Single storey rear extension with flat roof	Tilney St Lawrence

03.07.2018	14.09.2018 Application Permitted	18/01217/RM	Plot 8 Orchard Gardens Upwell Norfolk Reserved matters application for dwelling	Upwell
04.07.2018	21.08.2018 Application Permitted	18/01224/F	Fen Regis Trophies Fenland House 9 Town Street Upwell Create a surface water drainage route through third party land to the rear of planning approved development site - ref 16/01005/F. The proposed drainage route would connect to the middle level maintained drain. This application is in regard to condition 9 of the approved application 16/01005/F (scheme for surface water disposal)	Upwell
16.07.2018	06.09.2018 Application Permitted	18/01294/F	Barn Adjacent To 135 Small Lode Upwell Norfolk Variation of condition 2 of planning permission 14/00720/F	Upwell
17.07.2018	12.09.2018 Application Permitted	18/01306/F	143 School Road Upwell Wisbech Norfolk Change of use of domestic garage to 1 bed annexe	Upwell
24.07.2018	14.09.2018 Application Permitted	18/01346/RM	Plot 2 Blunt's Orchard Drive Upwell Norfolk Reserved matters application for one dwelling	Upwell
27.11.2017	14.09.2018 Application Permitted	17/02218/F	Homewood Bustards Lane Walpole St Peter Norfolk Proposed residential development comprising 2 detached dwellings	Walpole

26.06.2018	21.08.2018 Application Permitted	18/01161/F	Storage The Marsh Walpole St Andrew Wisbech Installation of Air Source Heat Pump	Walpole
28.03.2018	11.09.2018 Application Permitted	18/00579/F	Land W of 67 Sutton Road Walpole Cross Keys Norfolk Construction of 4 semi-detached dwellings	Walpole Cross Keys
05.04.2018	11.09.2018 Application Permitted	18/00620/F	Land S of 54 Sutton Road Walpole Cross Keys Norfolk Construction two pairs of semi-detached dwellings	Walpole Cross Keys
04.05.2018	14.09.2018 Application Permitted	18/00820/F	West Holme Nursery 65 Station Road Walpole Cross Keys Norfolk Proposed industrial unit	Walpole Cross Keys
08.08.2018	24.08.2018 Application Permitted	17/02107/NMA_1	Land At Sutton Road Walpole Cross Keys Norfolk PE34 4HD Non-material amendment to planning permission 17/02107/F: Development of 4 No. 2 bedroom Terraced houses built in 1 block of 4 with parking and landscaping to the front and gardens to the rear	Walpole Cross Keys
06.07.2018	28.08.2018 Application Permitted	18/01239/LB	Faulkner House West Drove North Walton Highway Norfolk LISTED BUILDING: Extension to outbuilding and change of use to annex ancillary to main dwelling	Walpole Highway
30.01.2018	14.09.2018 Application Permitted	18/00173/F	83 Broadend Road Walsoken Norfolk Planning permission for a permanent dwelling to replace the existing mobile home and the siting of a mobile shed	Walsoken

13.03.2018	06.09.2018 Application Permitted	16/01842/NMA_1	Land And Ponds S of 52 Broadend Road E of Zoar Cottage And W of Turpitts Field Green Lane Walsoken Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 16/01842/F: Proposed extension of lake, associated earthworks and new parking area, and use of both existing and proposed lakes for commercial fishing/angling	Walsoken
13.07.2018	11.09.2018 Application Permitted	18/01285/F	Rikan Farm Wilkins Road Walsoken Wisbech Proposed garage and alteration and extension to dwelling	Walsoken
28.06.2018	31.08.2018 Application Permitted	18/01185/F	161 St Peters Road Wiggshall St Peter King's Lynn Norfolk Sun lounge extension to rear of house	Watlington
25.07.2018	11.09.2018 Application Permitted	18/01354/F	27 Plough Lane Watlington King's Lynn Norfolk REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 17/00267/F: Construction of dwelling following demolition of existing dwelling	Watlington
07.08.2018	20.08.2018 TPO Work Approved	18/00065/TPO	The Chestnuts 56 Downham Road Watlington King's Lynn 2/TPO/00742: T1 Lime - Fell, infected with Ustulina Deusta. T2 Sycamore - Fell, infected with honey fungus, decay at ground level on two sides, other unidentifiable fungal remains	Watlington

16.07.2018	06.09.2018 Application Permitted	18/01299/F	Agricultural Barn Croft Farm Wisbech Road Tipps End Variation of condition 1 of Prior Notification of 17/00718/PACU3: Change of use from agricultural building to dwelling house - To vary previously approved drawings	Welney
15.05.2018	06.09.2018 Application Permitted	18/00880/F	The Mill 190 St Pauls Road South Walton Highway Norfolk Change of use and conversion of redundant agricultural building to 1 residential holiday unit. Including creation of new access road	West Walton
02.07.2018	22.08.2018 Application Permitted	18/01206/F	Sherwood 227 School Road West Walton Wisbech Variation of conditions 1, 3 and 4 of planning permission 17/00717/F to amend approved plans	West Walton
03.08.2018	06.09.2018 GPD HH extn - Not Required	18/01430/PAGPD	The Bungalow Mill Road West Walton Norfolk Single storey rear extension which extends beyond the rear wall by 6.1m with a maximum height of 3.903m and a height of 2.6m to the eaves	West Walton
18.07.2018	11.09.2018 Application Permitted	18/01308/RM	Land West of 24A Back Lane West Winch Norfolk Reserved Matters Application: construction of a dwelling	West Winch

12.07.2018	05.09.2018 Would be Lawful	18/01277/LDP	Highlands Eau Brink Road Eau Brink Tilney All Saints Application for a lawful development certificate for the proposed construction of conservatory to rear elevation	Wiggenhall St Germans
13.07.2018	06.09.2018 Application Permitted	18/01288/RM	Level Banks 50 Common Road Wiggenhall St Mary The Virgin Norfolk RESERVED MATTERS: Construction of dwelling with detached double garage.	Wiggenhall St Germans
17.07.2018	06.09.2018 Application Permitted	18/01305/F	1 Garden Road Wiggenhall St Germans King's Lynn Norfolk Single storey extension to rear of bungalow	Wiggenhall St Germans
07.06.2018	28.08.2018 Application Permitted	18/01047/F	High Oaks 7 Lynn Road Wiggenhall St Mary Magdalen Norfolk Proposed 1no residential dwelling and detached garage	Wiggenhall St Mary Magdalen
17.07.2018	20.08.2018 Tree Application - No objection	18/00122/TREECA	8 Church Road Wimbotsham King's Lynn Norfolk T1 Lime -Fell to ground level due to decay in stem within a conservation area	Wimbotsham
29.08.2018	10.09.2018 Tree Application - No objection	18/00149/TREECA	10B Church Road Wimbotsham King's Lynn Norfolk T1 Ash/Beech - Remove branch that is causing an obstruction and reduce height of remaining tree, T2 Conifer Hedge - Reduce height within a conservation area	Wimbotsham