



Planning Committee

Agenda

Monday, 4th March, 2019

***at 10.30 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 18/01464/RMM listed on the agenda, prior to the meeting. It is aimed to commence the meeting at approximately 10.30 am when the Committee returns from the visit.



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200
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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, 4th March, 2019

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

TIME: 10.30 am

1. APOLOGIES

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

2. MINUTES

To confirm as a correct record the Minutes of the Meeting held on Monday 4 February 2019 (previously circulated).

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 - 107)

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

9. DELEGATED DECISIONS (Pages 108 - 134)

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 applications

Please be advised that the Committee will visit the site for the major application 18/01464/RMM from 9.00 am, prior to the meeting, which will then commence at approximately 10.30 am where the application will then be determined.

Site Visit Arrangements

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

If there are any site inspections arising from this meeting, these will be held on **Thursday 7 March 2019** (time to be confirmed) and the meeting reconvened on the same day (time to be agreed).

Please note:

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

Please note that the deadline for registering to speak on the application is 12 noon the working day before the meeting, **Friday 1 March 2019**. 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

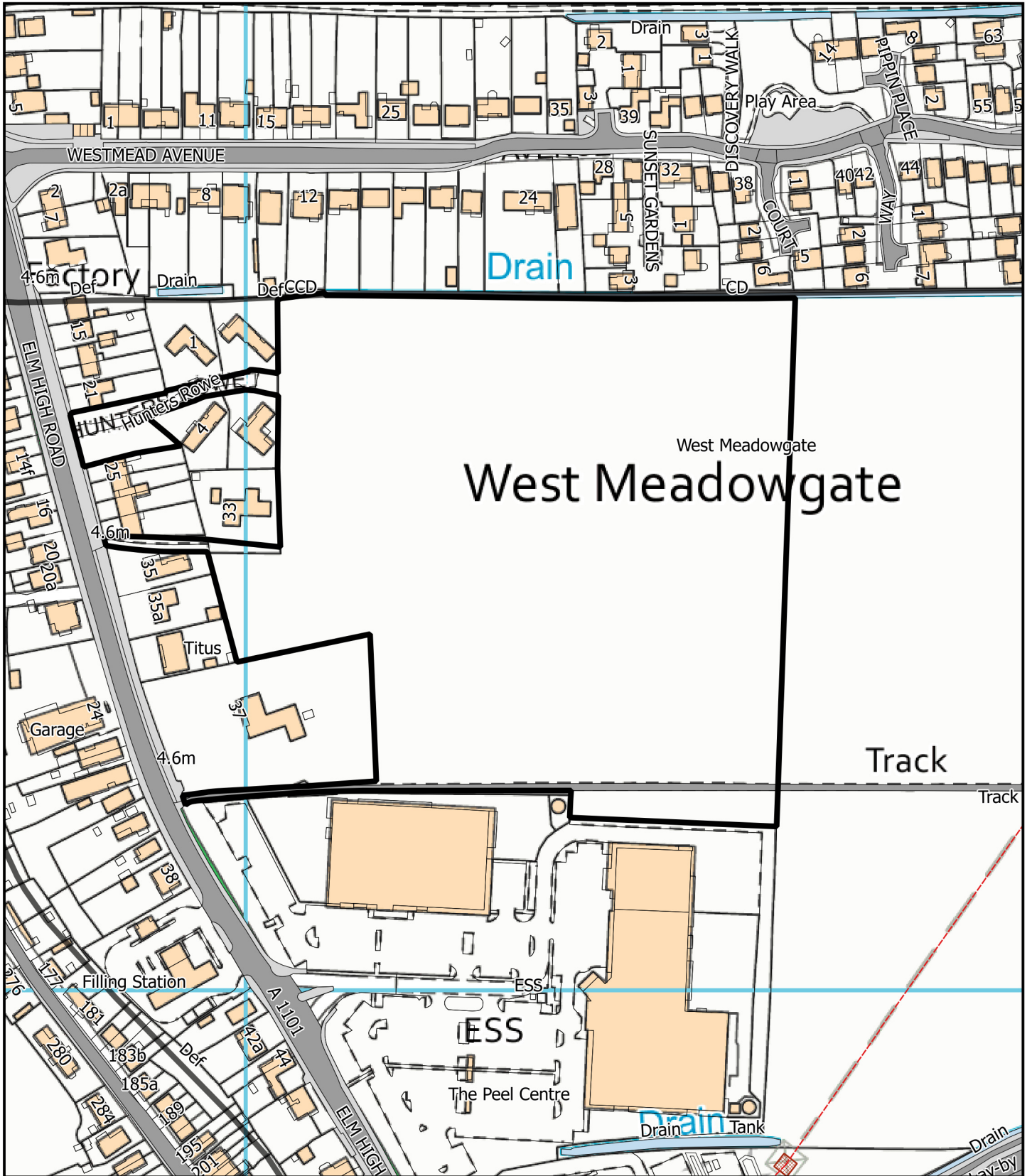
**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 4 MARCH 2019**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	MAJOR DEVELOPMENTS			
8/1(a)	18/01464/RMM Land East of 11-37 Elm High Road Reserved Matters for construction of 117 dwellings	EMNETH	APPROVE	8
8/1(b)	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	APPROVE	21
8/2	DEFERRED ITEMS			
8/2(a)	17/02194/F The Poplars 42 Main Road Demolition of existing dwelling and erection of two storey dwelling and detached garage, plus the creation of a new access	HOLME-NEXT-THE-SEA	APPROVE	52
8/3	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE			
8/3(a)	18/01607/F Garner Blast Cowles Drove Removal of Condition 3 of planning permission 05/00836/F: Construction of dwelling and double garage.	HOCKWOLD CUM WILTON	APPROVE	76
8/3(b)	18/01518/F Sonda-Del-Mar 7 Golf Course Road Construction of one detached dwelling and a pair of semi-detached dwellings following demolition of existing dwelling	OLD HUNSTANTON	APPROVE	82

Item No.	Application No. Location and Development	Description of Site	PARISH	Recommendation	Page No.
8/3(c)	19/00011/F The Vanity Box High Street	Change of use from Hair Salon to Residential Unit	THORNHAM	REFUSE	93
8/3(d)	18/00231/F Stonibruk Ryston Road	Proposed new dwelling	WEST DEREHAM	REFUSE	100

18/01464/RMM

Land East of 11 to 37 Elm High Road Emneth



Parish:	Emneth	
Proposal:	RESERVED MATTERS: For construction of 117 dwellings	
Location:	Land East of 11 To 37 Elm High Road Emneth Norfolk	
Applicant:	East Anglian Home Developments	
Case No:	18/01464/RMM (Reserved Matters - Major Development)	
Case Officer:	Mrs H Wood-Handy	Date for Determination: 21 November 2018 Extension of Time Expiry Date: 7 March 2019

Reason for Referral to Planning Committee – Emneth Parish Council object to the application

Neighbourhood Plan: No

Case Summary

The site is located to the east of Elm High Road, Emneth (A1101) and to the north of the A47(T) and amounts to 5.6ha in area. The site abuts the Wisbech urban fringe with housing development to north and west along with the retail park to the south. Agricultural land is located to the east of the site. The site is accessed for vehicular purposes through Hunters Rowe, currently a cul-de-sac.

An application for outline planning permission for up to 117 dwellings was considered by Planning Committee in December 2015. Members resolved to grant planning permission subject to the completion of a S106 Agreement within 4 months of the date of Planning Committee. The decision notice was issued on 4 March 2016.

The current application is for Reserved Matters for 117 dwellings. The application comprises a mixture of mainly detached bungalows with two storey semi-detached dwellings and flats. Access would be from Hunters Rowe with two pedestrian/cycle routes, all of which would link to Elm High Road.

Key Issues

- Principle of Development
- Highways issues
- Form and character
- Residential Amenity
- Any other matters requiring consideration prior to the determination of the application

Recommendation

APPROVE

THE APPLICATION

The site is located to the east of Elm High Road, Emneth (A1101) and to the north of the A47(T) and amounts to 5.6ha in area. The site abuts the Wisbech urban fringe with housing development to north and west along with the retail park to the south. Agricultural land is located to the east of the site. The site is accessed for vehicular purposes through Hunters Rowe, currently a cul-de-sac.

An application for outline planning permission for up to 117 dwellings was considered by Planning Committee in December 2015. Members resolved to grant planning permission subject to the completion of a S106 Agreement within 4 months of the date of Planning Committee. The decision notice was issued on 4 March 2016. The decision was made when the Council could not demonstrate a 5 year housing land supply.

The current application is for Reserved Matters for 117 dwellings. The application comprises a mixture of mainly detached bungalows with two storey semi-detached dwellings and flats. Access would be from Hunters Rowe with two pedestrian/cycle routes, all of which would link to Elm High Road.

SUPPORTING CASE

This submission is made to secure reserved matters approval pursuant to the existing planning permission for 117 units on land at Elm High Road, Wisbech. The submission is consistent with the outline permission and S106 (including variation) and as such the principle is established; it is noted that matters of access were fixed within the outline permission.

In relation to the technical and design elements of the reserved matters of;

- Layout
- Scale
- Appearance
- Landscaping
- C8 foul and surface water drainage- shown on infrastructure layout

The submission is considered consistent with material planning policy at both local and national levels and will deliver housing (including 23 affordable homes) to meet an identified need in a sustainable and accessible location on the edge of Wisbech.

The introduction of bungalows will provide accessible housing to those who are less mobile and the incorporation of apartments (for over 55s) will also meet the accommodation needs of an aging population as required by the new NPPF.

The development is of a high design of standard both in terms of overall layout and individual homes and as such is consistent with DM15 of the local plan and the NPPF in respect to quality of the residential environment.

Condition discharge submissions pursuant to the outline will be made to address outstanding matters.

PLANNING HISTORY

14/01714/OM – Outline application for up to 117 dwellings, all matters reserved apart from access – Approved subject to S106 Agreement (Committee decision) – 4.03.2016

10/00247/OM - Outline Application: Construction of up to 500 dwellings and associated infrastructure, including parking provision, roads and sewers – Refused (Delegated) – 30.06.2010

RESPONSE TO CONSULTATION

Emneth Parish Council: OBJECTS – recommends refusal of the application until such time that access arrangements are improved.

Amended scheme: OBJECTS - Emneth Parish Council recommends refusal to this application based on continued concerns over the proposed access through Hunters Rowe which is neither practicable, suitable nor safe. Alternative access arrangements should be investigated and implemented before further considerations are carried out relating to this application. The parish council sympathises greatly with the residents of Hunters Rowe and is in full support with trying to gain alternative access arrangements for this proposal. The current proposal is totally unacceptable. Traffic congestion at Elm High Road is already a daily major issue; a development of this size at this location without alternative access arrangements will be totally detrimental to the locality and the nearby town centre.

Additional comments submitted to Rt Hon Elizabeth Truss MP (summarised):

- Principle of development approved when the Council could not demonstrate a 5 year land supply;
- Not against the principle of development but strongly argue that access through Hunters Rowe is neither practicable, suitable or safe.
- Supports the residents of Hunters Rowe in seeking to achieve alternative access arrangements
- Scheme proposed by the Wisbech Access Strategy to relocate the Elm High Road/A47 roundabout further east would be the ideal solution
- Not too late to agree a new access point away from Hunters Rowe.
- When Hunter's Rowe was first built, concerns were raised about the positioning of the two end bungalows as they were not in the same position as on the original plan. The Parish Council was assured that an access would or could never be permitted through Hunter's Rowe to the field beyond.

Wisbech Town Council: Acknowledges that outline planning permission for the residential development of this site is already in place and the Council is supportive of the situation. It does however have some concerns regarding the adequacy of the existing community infrastructure to support residential development of the scale proposed by way of planning application 18/01464/RMM.

Amended scheme: SUPPORTS the development.

Fenland District Council: NO OBJECTION to the development subject to the determining authority being satisfied that the development will not give rise to adverse impacts on existing residential amenity or on flood risk grounds.

Highways Authority: Insufficient information as this stage. Amended plans required to address visibility, highway design & layout, parking and footpath issues.

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Amended plans: NO OBJECTION subject to conditions regarding on-site roads and footway provision and construction.

Cambridgeshire County Council: NO RESPONSE.

Highways England: NO OBJECTION (original and amended scheme)

Natural England: NO COMMENT (original and amended scheme).

Internal Drainage Board: Requires IDB consent to discharge into the watercourse adjacent to the north boundary of the site.

LLFA: NO COMMENT.

Environment Agency: NO COMMENT.

Anglian Water: NO COMMENT on foul or surface water grounds.

CSNN: Requires additional information regarding acoustic fencing, internal layouts. All other matters are covered by conditions attached to the outline consent namely foul & surface water drainage, noise protection scheme, construction management plan, and lighting.

Amended scheme: Information submitted resolves matters. Understands that CSNN did not object at outline stage, however, still concerned that the sheer number of passing vehicles will impact on the residents of Hunters Rowe and cannot be mitigated against.

Arboricultural Officer: Requests a tree survey in accordance with BS 5937:2012.

Amended scheme: Following the submission of the Tree Report, an Arboricultural method statement and tree protection plan will be required to be submitted.

Greenspace Officer: Provides advice regarding the extent and nature of play equipment, the amount of open space in accordance with Policy DM16 of the SADMP, fencing arrangements and proximity to SuDS etc. Clarifies that SuDS will not count towards open space provision or be adopted by the Council.

Amended scheme: reiterates previous comments.

Housing Strategy Officer: The site requires 23 affordable homes and at present the plans only show 22. Recommends 1 additional 3 bed 5 person bungalow be provided. Further, the affordable dwellings should be in groups of no more than 12 units and be more integrated into the site and therefore the layout should be amended. The S106 also requires the affordable housing scheme to be submitted as part of the reserved matters application which should include number and location of units, those that are for rent or shared ownership, number of bedrooms per unit and evidence that the units meet the Design and Quality Standards.

Amended plans: NO OBJECTION – layout resolved and affordable housing scheme submitted.

Norfolk Constabulary: Supports the primary access route, cul-de-sac design and back to back garden layout. The site is not overly permeable and pleased to see 1.8m fencing throughout the development.

Additional comments: A member of the public has raised grave concerns over the southern footpath on this development. Please can clarification be sought in reference to:

1. The proposed width of the path (we recommend 3m)
2. Proposed Lux plan for the footpath (we recommend that it is well lit with LED white lighting)
3. If there are any considerations for CCTV along this route?
4. Will anti-motorcycle gates be installed at the access points?

Norfolk Fire Service: Taking into account the existing fire hydrant coverage, Norfolk Fire Service now require 3 fire hydrants.

Cadent Gas: Requests that an informative note is placed on the decision notice regarding the location of apparatus on the site.

REPRESENTATIONS

Rt Hon Elizabeth Truss MP: Has received comments from Emneth Parish Council and has stated that whilst she cannot comment, she has forwarded the correspondence to the Chief Executive to be dealt with as part of the planning application.

12 letters of OBJECTION (including 2 duplicate letters) regarding (summarised):

- Position of 2 end bungalows are not in the same position shown on the originally submitted plan and concern was raised at the time they were built. Assured by Planning Officer at the time that access through to the field would not be allowed;
- New access needs to be incorporated away from Hunters Rowe;
- Disappointed by lack of communication from developers and others - destroys immediate locality and width of Hunters Rowe is simply unsuitable no matter what adjustments are made;
- Plots 7, 8, 9 & 10 are two storey and would result in overlooking of existing properties;
- Increase in traffic onto Elm High Road where problem already exists;
- Priority junction not acceptable in this location;
- Further development to the east is possible by the proposed layout;
- Lack of connectivity for pedestrians and cyclists;
- No update traffic assessment taking into account COWA development;
- Existing properties are not sellable;
- Not provided the required affordable housing contribution;
- Lack of construction details for roads submitted;
- Elm High Road to Elm Hall should be in the remit of Fenland District and not King's Lynn;
- Track between 37 Elm High Road and B7Q is now an alleyway and puts people at risk;
- Layout should be amended to have access further to the east in accordance with the Wisbech Access Strategy;
- SuDS ponds are a risk to young children;
- Will detrimentally impact on the appearance of Hunters Rowe and existing landscaping will be destroyed;

Amended plans

3 letters of OBJECTION regarding:

- Increased traffic/pollution and noise and disturbance to immediate neighbours;

- Scale of development is disproportionate to the area; Wisbech will become a mini Cambridge and local infrastructure/services will not cope with the influx of people;
- No permissions have been given from residents of Hunters Rowe;
- No details of the offsite highways works are given;
- No details have been given regarding lighting, construction, travel plans and vehicle cleaning;
- No need for additional housing;

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM12 - Strategic Road Network

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

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 considerations are:

- Principle of development
- Highways issues
- Form and character
- Residential amenity
- Any other matters requiring consideration prior to the determination of the application

Principle of Development

Outline planning permission (Ref 14/01714/OM) was granted for up to 117 dwellings in March 2016. All matters were reserved bar access. The decision was made at the time that the Council did not benefit from a 5 year housing land supply. Affordable housing, public open space, SuDS and County Contributions were secured via S106 agreement. In principle issues such as the need for housing and lack of infrastructure were dealt with at outline stage.

The current application for reserved matters was submitted in August 2018 and complies with the time limit conditions attached to the outline consent; the permission remains extant. The principle of residential development including access via Hunters Rowe is therefore acceptable.

Highways issues

Comments from the Parish Council and Third Parties consider that the access should not be through Hunters Rowe and that alternative arrangements should be made. However, access was considered and approved as part of the outline consent. The main vehicular access point is via Hunters Rowe with 2 pedestrian and cycle paths provided from Elm High Road. The proposals submitted comply with requirements of the outline consent and despite the assertions made above, the applicant cannot be made to find alternative access arrangements as part of this application. Furthermore, there was no statutory objection on highways grounds from Highways England, NCC or Cambs CC at the outline stage nor reserved matters stage.

The layout, in highways terms, has had various iterations throughout the application. On the basis of the current layout, the Local Highway Authority raises no objection subject to conditions regarding the onsite road and footway details. Precise details of the off-site highways works specified at outline stage were secured condition and a separate discharge of condition application will need to be made. All statutory consultees outlined above would be consulted as part of that process.

The proposal therefore complies with Policy CS11 of the Structure Plan 2011 and Policies DM15 and DM17 of the Site Allocations and Development Management Policies Plan (SADMP) 2016.

Form and character

The site mainly comprises bungalows to the west, north and east of the development with a mix of bungalows and two storey semi-detached dwellings (along with a maisonette style block of four units) to the south and 3 blocks of two storey flats (for over 55s) and a large area of open space at the centre of the site. The estate road via Hunters Rowe is a main loop road with various minor roads which extend to the northern and eastern parts of the site. Further areas of open space (along with SuDS) would be located adjacent to the north

and east boundaries which include footways to aid off-road circulatory walks within the site. The amount of usable open space on site (minus SuDS features) provided amounts to 7070sq.m which complies with the requirement for 6552sq.m. (56 sq.m. per dwelling) outlined in Policy DM16 of the SADMP. The location and extent of play equipment would be agreed via clauses within the S106 agreement.

The appearance of the bungalows are mainly simple hipped and gable roof structures, cottage style windows, timber porches and chimneys. These units are interspersed with feature bungalows which have projecting rendered front gables. The semi-detached units and maisonette starter units (block of 4) follow the same design theme. The two storey flats at the centre of the site are more contemporary but are limited to two storeys with gable features (in render or timber boarding) again maintaining the design theme across the site. The pallet of materials include buff multi stock, soft red multi stock and antique cream bricks with a mix of slate grey and flame red tiles and farmhouse red pantiles which are considered fully acceptable in this location. In terms of boundary treatments, 1.8m feature brick walls and 1m bow top railings are provided at key locations adjacent to the public highway with 1.8m close boarded fencing to internal plot boundaries and 600mm knee high rail to the public open space. 1.2m high post and rail fencing is provided to the north and east boundaries of the site.

A full landscaping scheme has been submitted showing the retention of existing boundary treatments, the provision of internal landscaping features as well as native species hedge planting to the field boundaries. A Tree Report has been submitted at the request of the Arboricultural Officer as third party trees are in close proximity of the site. The Arboricultural Officer raises no objection subject to a condition requiring the provision of an arboricultural method statement and tree protection plan.

Overall the layout and appearance of the scheme is considered acceptable and complies with Policies CS08 and CS12 of the Core Strategy 2011 and Policy DM15 of the SADMP 2016.

Residential amenity

The impact of the access on residents of Hunters Rowe was considered at length during the outline application. It is evident that Hunters Rowe, given its width, was reserved for future access to the land to the east. Further, the proximity of the houses in Hunters Rowe to the carriageway is not materially different to other developments in the locality. The access cannot now be revisited. Condition 19 of the outline consent requires a scheme for noise protection for existing and proposed residents to be submitted by way of discharge of condition. Officers are satisfied that the development can provide mitigation for both existing and proposed residents.

Overall, the design and layout of the amended scheme provides mainly bungalows adjacent to existing dwellings. Two storey dwellings are provided to the south west corner of the site but the separation between 37 Elm High Road and the proposed dwellings combined with existing screening safeguards privacy. All other proposed units are well separated from existing dwellings. Slight levels changes are required to achieve drainage across the site but this would not give rise to amenity issues.

The proposed dwellings located to the south of the site are adjacent to the retail park (B & Q and others). Units 21 – 35 (inclusive) would benefit from a 3m high acoustic fence to the south boundary which is acceptable to CSNN. This would also be reinforced by detail submitted under Condition 19 above.

Overall, the scheme would not give rise to significant residential amenity issues and as a result, the proposal complies with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the SADMP 2016.

Any other matters requiring consideration prior to the determination of the application

Details required by conditions attached to the outline cover contamination, foul and surface water drainage, roads/footways and off-site highways works, construction parking and construction management plan, travel plan, noise protection and lighting. The scheme requires two fire hydrants which are secured by Condition 17 of the outline consent.

The amended scheme complies with the Housing Strategy Officers comments and the S106 agreement. 23 Affordable housing units have been pepper-potted throughout the site with the mix of bungalows and two-storey semi-detached units agreed with the Housing Strategy Officer with no objection to the revised scheme.

No objection has been raised by the LLFA, IDB, Anglian Water, EA or CSNN to the SuDS scheme. However, as stated earlier, full details of foul and surface water drainage are dealt with by condition attached to the outline consent. Notwithstanding third party comments, the SuDS features would be mainly dry and are well overlooked by proposed dwellings which allays safety concerns. In the event of a worst case scenario storm, clearly the SuDS balancing features would fill but to a max depth of 0.95m for the larger feature and 0.55m for the smaller feature and the water would then be subject to controlled dispersal and eventually discharge to the drain running along the northern boundary (subject to the separate consent of the IDB). The SuDS basins have been designed to hold more water (a freeboard) if necessary but the majority of the time, the basins would be dry.

Cadent Gas raises no objection.

Comments of the objectors have been considered in the main body of the report. Devaluation of property is not a material planning consideration. Whether any permissions of the residents of Hunters Rowe are required is a civil matter between the applicant and those landowners.

Crime and Disorder

Norfolk Constabulary raise no objection to the scheme however the details for the footway for the south of the site have been requested as a result of a neighbours concern. Again, access formed part of the outline consent, no concern was raised regarding the footpath at that time. The applicant has confirmed that due to the neighbours hedge to the north of the footpath, a 3m wide footpath cannot be provided as whilst it could be trimmed, it would potentially kill the hedge. A 2m wide straight footpath can be provided, along with lighting. Motorcycle barriers could also be provided but this may impede access for pushchairs, mobility scooters and cyclists. The comments of the Architectural Liaison Officer are awaited.

CONCLUSION

The site benefits from an existing outline consent and the reserved matters application has been submitted in accordance with that planning permission.

The form and layout of the development respects the characteristics of the locality and safeguards the amenities of residents. Whilst comments regarding the vehicular entrance through Hunters Rowe are noted, access formed part of the outline permission and cannot

now be revisited. It must be noted that no highways statutory consultee has objected to the proposal.

On the basis of the above, the scheme is fully acceptable in planning terms and complies with the NPPF, NPPG, Policies CS01, CS02, CS06, CS09, CS11 and CS12 of the Core Strategy 2011 and Policies DM1, DM2, DM12, DM15, DM16 and DM17 of the Site Allocations and Development Management Policies Plan 2016.

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:

Site Location Plan 5810/(L) 01
Site Survey 5810/(SURV) 05
Site Layout Plan 5810/(P) 10 Rev K
Development Schedule 5810/(SCH) 11 Rev C
Flats Buildings – Materials 5810/(P) 12 Rev A
Development Schedule 5810/(SCH)13 Rev B
Details of External/Boundary fencing 5810/(P)15
717 – Bungalow Details 5810/(P) 20 Rev A
836 – Bungalow Details 5810/(P) 21 Rev A
1033 – Bungalow Details 5810/(P) 22 Rev A
1155 – Bungalow Details 5810/(P) 23 Rev A
1163 – Bungalow Details 5810/(P) 24 Rev A
A593 – 1 Bed Starter Homes Details 5810/(P) 25 Rev A
A-854 2 Bed Affordable House 5810/(P) 26 Rev A
A-1002 3 Bed Affordable House 5810/(P) 27 Rev A
A1163 – Affordable Bungalow Details 5810/(P) 28 Rev A
Detached garage details 5810/(P) 40 Rev A
Flats Units 80-101 5810/(P) 30 Rev A
Flats Units 80-101 first Floor 5810/(P) 31 Rev A
Flats Units 80-101 5810/(P) 32 Rev A
Flats Units 102-109 5810/(P) 33 Rev A
Flats Units 110-117 5810/(P) 34 Rev A
Landscape Proposals HUM21919-11A Sheet 1 of 6
Landscape Proposals HUM21919-11A Sheet 2 of 6
Landscape Proposals HUM21919-11A Sheet 3 of 6
Landscape Proposals HUM21919-11A Sheet 4 of 6
Landscape Proposals HUM21919-11A Sheet 5 of 6
Landscape Proposals HUM21919-11A Sheet 6 of 6
Levels Strategy Plan E3831/600/B

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

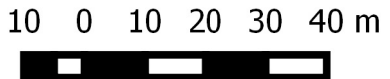
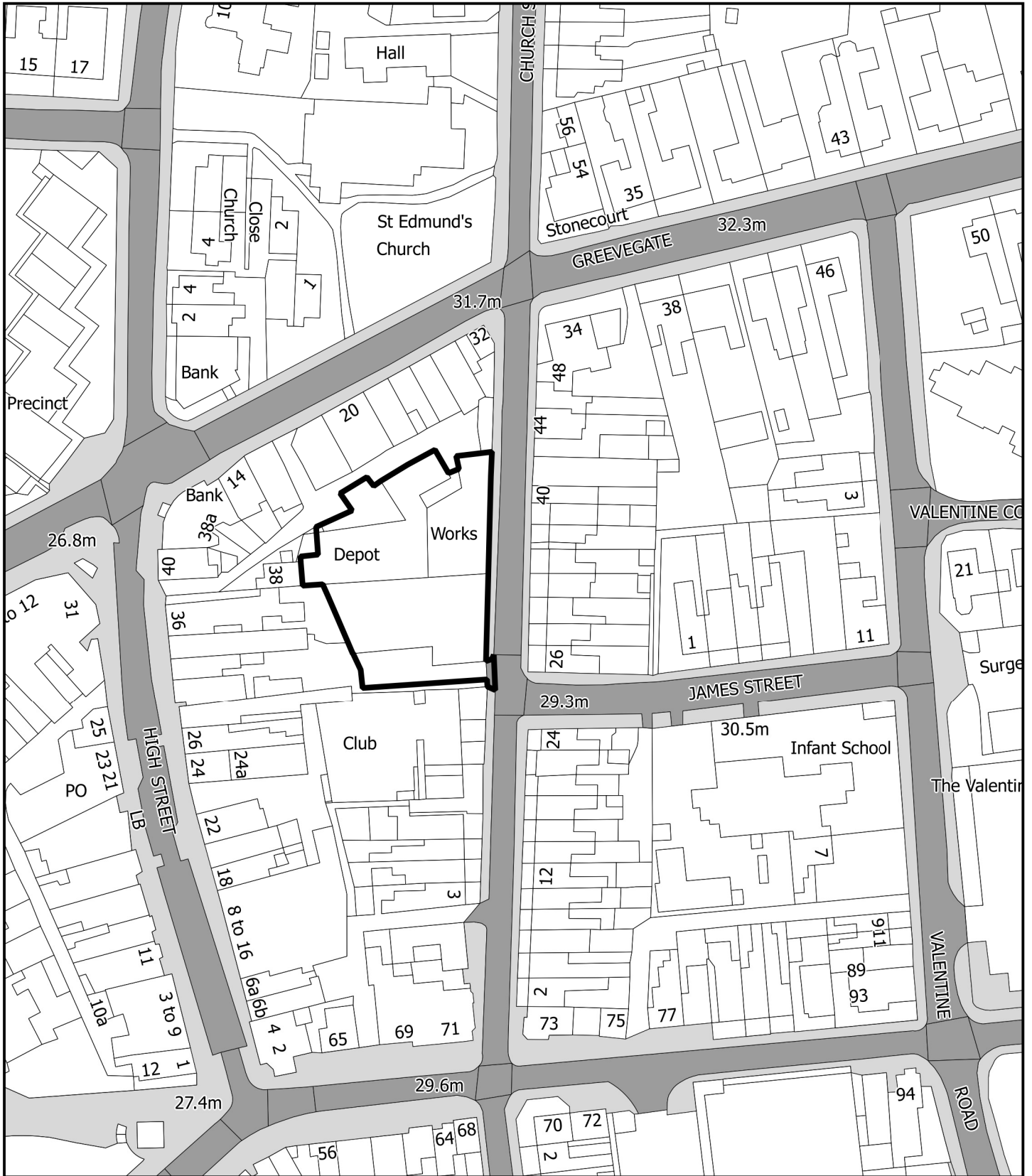
- 2 Reason: This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.
- 3 Condition: Prior to the occupation of the final dwelling on the site all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 3 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 4 Condition: Before any dwelling is first occupied the road(s)/footway(s)/cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 4 Reason: To ensure satisfactory development of the site.
- 5 Condition: All bathroom/ensuite/cloakroom windows shall be obscure glazed and shall be retained as such thereafter.
- 5 Reason: To protect the residential amenities of the occupiers of nearby property.
- 6 Condition: All hedgerows identified as being retained on Landscape Proposals Dwg's HUM21919-11A Sheets 1-6 (inclusive) and Dwg 5810/(P) 10 Rev K shall be retained in perpetuity and shall not be reduced below a height of 2m.
- 6 Reason: In the interests of the visual amenities of the locality and the residential amenities of existing and proposed properties in accordance with Policy CS 12 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.
- 7 Condition: Notwithstanding details submitted as part of the application, no development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme, in the form of an Arboricultural Method Statement and Tree/Hedge Protection Plan, that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 7 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 8 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of

any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

- 8 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

18/01142/FM

**Whitleys Stationers Press 19-21 Church Street
Hunstanton**



Parish:	Hunstanton	
Proposal:	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)	
Location:	Whitleys Stationers Press 19 - 21 Church Street Hunstanton Norfolk	
Applicant:	Waterfield Dudley Ltd	
Case No:	18/01142/FM (Full Application - Major Development)	
Case Officer:	Mrs H Morris	Date for Determination: 3 October 2018 Extension of Time Expiry Date: 15 October 2018

Reason for Referral to Planning Committee – To seek the authorisation of Members for an alternative approach to securing the necessary Planning Obligations.

Neighbourhood Plan: No

Case Summary

The site lies on the western side of Church Street, Hunstanton, comprises 0.185ha and contains workshops and stores including hardstanding. The site was occupied by Whitleys Stationers Press.

The site lies within Hunstanton Conservation Area.

The proposal involves the creation of 15 – 2 bed flats and 1 -1 bed flat. Parking would be provided to the rear of the site, utilising the existing access arrangements to the side of the existing building. Soft landscaping areas are also proposed.

Members will recall this application was considered by the Planning Committee at its meeting on 1st October 2018. Members resolved to grant planning permission subject to completion of a S106 agreement that secures an affordable housing financial contribution, SUDS management and maintenance, habitat mitigation and monitoring payment and landscape management and maintenance within 4 months of the date of the resolution i.e. 1st February 2019.

Due to issues relating to title on one third of the site it has not been possible to complete the S106 agreement within the 4-month period and it is not known when the issues relating to title will be resolved. Members approval is therefore sought for an alternative approach to securing the necessary planning obligations.

A copy of the original Officer's report to 1st October 2018 committee meeting is attached as an appendix to this report.

Recommendation

A APPROVE subject to conditions and payment of the affordable housing financial contribution and habitat mitigation and monitoring payment within two weeks of the date of this Committee meeting;

B REFUSE In the event that the affordable housing financial contribution and habitat mitigation and monitoring payment is not paid within two weeks of the date of this Committee meeting.

THE APPLICATION

The proposal involves the creation of 15 – 2 bed flats and 1 -1 bed flat. Parking would be provided to the rear of the site, utilising the existing access arrangements to the side of the existing building. Soft landscaping areas are also proposed.

Members will recall this application was considered by the Planning Committee at its meeting on 1st October 2018. Members resolved to grant planning permission subject to completion of a S106 agreement that secures an affordable housing financial contribution, SUDS management and maintenance, Habitats Mitigation Payments and Landscape Management and Maintenance within 4 months of the date of the resolution i.e. 1st February 2019.

Due to issues relating to title on one third of the site it has not been possible to complete the S106 agreement within the 4-month period and it is not known when the issues relating to title will be resolved. Members approval is therefore sought for an alternative approach to securing the necessary planning obligations.

A copy of the original Officer's report to 1st October 2018 committee meeting is attached as an appendix to this report.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS05 – Hunstanton

CS08 - Sustainable Development

CS09 - Housing Distribution

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

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

OTHER GUIDANCE

Conservation Area Character Statement.

PLANNING CONSIDERATIONS

This application was originally considered by the Planning Committee at its meeting on 1st October 2018. Members resolved to grant planning permission subject to completion of a Section 106 agreement within 4 months of the date of the resolution i.e. 1st February 2019.

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

- Principle of Development and Planning History
- Loss of Employment Land and Premises
- Impact upon Designated Heritage Assets
- Impact upon Residential Amenity
- Affordable Housing.
- Highways
- Drainage and Flood Risk
- Contamination
- Other Material Considerations.

A copy of the original Officer's report to 1st October 2018 committee meeting is attached as an appendix to this report and sets out in full each of the key issues.

When the application was considered at Committee on 1st October 2018, it was resolved to grant planning permission subject to the completion of a Section 106 agreement to secure an affordable housing financial contribution, SUDS management and maintenance, Habitats Mitigation Payments and Landscape Management and Maintenance. The agreement was to be completed within 4 months of the date of resolution i.e. 1st February 2019.

A draft S106 has been negotiated and agreed between the parties however due to issues relating to title on one third of the site it has not been possible to complete the S106 agreement within the 4-month period. Whilst the issues relating to title are not insurmountable and will likely be resolved at some point, it is not possible to give a clear indication of when this might be.

Planning Committee
4 March 2019

Given that the resolution required that the agreement be completed by 1st February 2019, authorisation is therefore required from Planning Committee to an alternative approach to securing the necessary planning obligations (affordable housing financial contribution, SUDs management and maintenance, habitat mitigation and monitoring payment and landscape management and maintenance) otherwise the application should be refused.

The applicant has confirmed they will pay the affordable housing financial contribution (£33,840) and habitat mitigation and monitoring payment (£800) upfront, prior to permission being granted. The remaining matters, SUDs management and maintenance plus landscape management and maintenance are able to be secured by amending the previously agreed SUDs condition (Condition 13) and the addition of a further landscaping management and maintenance condition (Condition 23).

CONCLUSION

Given there have been no significant changes in national or local policy considerations and no new material considerations have come to light since 1st October committee meeting, this application for the creation of 15 no. 2 bed flats and 1 no. 1 bed flat is still considered appropriate for the site and its surroundings. Given the applicant is agreeable to paying the affordable housing financial contribution and habitat mitigation and monitoring payment prior to permission being granted and the other matters can be appropriately dealt with by condition, it is no longer considered necessary for a Section 106 agreement to be completed.

The proposal is therefore recommended to be approved subject to conditions and payment of the affordable housing financial contribution and habitat mitigation and monitoring payment within two weeks of the date of this Committee meeting.

RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:-

Proposed Site Layout Plan - 55_15_P_10 Rev E
Proposed Ground Floor Plan - 55_15_P_11 Rev G
Proposed First Floor Plan - 55_15_P_12 Rev F
Proposed Second Floor Plan - 55_15_P_13 Rev F
Proposed Roof Plan - 55_15_P_14 Rev E
Proposed East & South Elevations – 55_15_P_15_1 Rev F
Proposed East and South Elevation - 55_15_P_15_2 Rev F
Proposed West and North Elevation - 55_15_P_15_16_2 Rev E
Proposed Section A-A Elevation - 55_15_P_17 Rev E
Proposed Elevations to recesses A and B – 55_15_P_18
Proposed Elevations to recesses C and D – 55_15_P_19 Rev A

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - * human health,
 - * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - * adjoining land,
 - * groundwaters and surface waters,
 - * ecological systems,
 - * archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 4 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 5 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 6 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

- 6 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 7 Condition: No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:
 - (a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used;

The development of that phase shall be carried out in accordance with the approved construction management statement.

- 7 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.
- 8 Condition: Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.2 metres for its complete length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.
- 8 Reason: In the interest of highway safety and traffic movement.

- 9 Condition: Prior to the commencement of the use hereby permitted the vehicular access indicated for improvement on Drawing No.55_15_P_10/E shall be upgraded in accordance with the Norfolk County Council Residential access construction specification for the first 2 metres as measured back from the near channel edge of 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.
- 9 Reason: To ensure construction of satisfactory access and to avoid carriageway of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.
- 10 Condition: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 10 Reason: In the interests of highway safety.
- 11 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 11 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 12 Condition: Prior the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.95 metres above the level of the adjacent highway carriageway.
- 12 Reason: In interests of highway safety in accordance with the principles of the NPPF.
- 13 Condition: Notwithstanding details in respect of the submitted Drainage Strategy (Barter Hill, 6590, October 2017), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development and shall be managed and maintained thereafter in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. The scheme shall address the following matters:-
1. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 46m³ will be provided in line with the submitted calculations.
 2. Detailed designs, modelling calculations and plans of the drainage conveyance network in the:

- * 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - * 1 in 100 year critical rainfall plus climate change event to show, if any, the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) with the development.
3. The design of the attenuation basin will incorporate an emergency spillway and any drainage structures showing the routes for the management of exceedance surface water flow routes for the management of exceedance surface water flow routes that minimises the risk to people and property during rainfall events in excess of 1 in 100 return period.
 4. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
 5. Details of how all surface water management features to be designed in accordance with the SuDS Manual (CIRCA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
 6. Provide a management and maintenance plan for the SuDs in order to secure the operation of the scheme throughout its lifetime.
- 13 Reason: To prevent flooding in accordance with paragraph 103 and 109 of the NPPF.
 - 14 Condition: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
 - 14 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
 - 15 Condition: No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 - 15 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
 - 16 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the roof tiles be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 - 16 To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

17 Condition: Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate. All hard and soft landscape works shall be carried out in accordance with the approved plans prior to the first occupation of the development hereby approved.

17 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.

18 Condition: Notwithstanding the approved plans, details of the following items at a scale of 1:20, or as otherwise specified, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation:-

1. Drawings of all new joinery works in respect to windows and doors
2. The railings to be provided on the Church Street elevation

The development shall be carried out in accordance with these agreed details.

18 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.

19 Condition: Notwithstanding details received the terraced area serving APT.F1 accessed via the Kitchen/Living/Dining Room shall be screened on its northern elevation in accordance with a screening scheme to be approved in writing by the Local Planning Authority prior to the first occupation of APT. F1 The screening scheme shall include the height of any screening and the materials used in its construction and the method by which to prevent overlooking into windows contained in the southern elevation of those flats on Greevegate. The screening scheme has been carried out in accordance with the agreed details and installed prior to the first occupation of APT.F1

19 Reason: In the interests of safeguarding neighbour amenity.

20 Condition: Notwithstanding details received the terraced area serving APT.S3 accessed via the Kitchen shall be screened on its southern elevation in accordance with a screening scheme to be approved in writing by the Local Planning Authority prior to the first occupation of APT.S3. The screening scheme shall include the height of any screening and the materials used in its construction and the method by which to prevent overlooking into windows contained in the northern elevation of 17 Church Street. The screening scheme has been carried out in accordance with the agreed details and installed prior to the first occupation of APT.S3.

20 Reason: In the interests of safeguarding neighbour amenity in accordance with the principles of the NPPF.

21 Condition: Before the first occupation of the building apt F5 hereby permitted the secondary living room windows on the east elevation in APT.F5 as annotated on drawing no.55_15_P_12 Rev F shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.

- 21 Reason: To protect the residential amenities of the occupiers of nearby property.
- 22 Condition: Before the first occupation of the building apt S3 hereby permitted the secondary bedroom window on the east elevation in APT.S3 as annotated on drawing no.55_15_P_13 Rev F shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 22 Reason: For the avoidance of doubt and in the interests of proper planning.
- 23 Condition: Prior to first occupation of the development hereby permitted a landscape management scheme including long-term design objectives, management responsibilities, management and maintenance schedules for the area of landscaping situated between the front (east) elevation of the proposed building and Church Street as shown on drawing number 55-15-P-10 rev E, shall be submitted to and approved by the Local Planning Authority. The landscape management scheme shall be carried out as approved and maintained thereafter, unless otherwise agreed in writing by the local planning authority.
- 23 Reason: To ensure that the landscaping is properly maintained in accordance with the NPPF.

Parish:	Hunstanton	
Proposal:	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)	
Location:	Whitleys Stationers Press 19 - 21 Church Street Hunstanton Norfolk	
Applicant:	Waterfield Dudley Ltd	
Case No:	18/01142/FM (Full Application - Major Development)	
Case Officer:	Mr C Fry	Date for Determination: 3 October 2018 Extension of Time Expiry Date: 15 October 2018

Reason for Referral to Planning Committee – Contrary to Town Council Comments

Neighbourhood Plan: No

Case Summary

The site is on the western side of Church Street, Hunstanton and measures 0.185ha and contains workshops and stores including hardstanding. The site was occupied by Whitleys Stationers Press.

The site lies within Hunstanton Conservation Area.

Members will recall an application refused by the Planning Committee in February 2018 for the erection of 15 – 2 bed flats and 1 – 1bed flat following the demolition of the structures on the site.

This application seeks to address the reasons for refusal.

Key Issues

1. Principle of Development and Planning History
2. Loss of Employment Land and Premises
3. Impact upon Designated Heritage Assets
4. Impact upon Residential Amenity
5. Affordable Housing.
6. Highways
7. Drainage and Flood Risk
8. Contamination
9. Other Material Considerations

Recommendation

A APPROVE subject to conditions and completion of a Section 106 agreement that secures the affordable housing financial contribution, SUDS management and maintenance, Habitats Mitigation Payments and Landscape Management and Maintenance within 4 months of the date of this decision

B REFUSE In the event that the Section 106 agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** affordable housing financial contribution, SUDS management and maintenance, Habitats Mitigation Payments and Landscape Management and Maintenance within 4 months of the date of this decision

THE APPLICATION

The site lies within Hunstanton Conservation Area on the western side of Church Street approximately 34m south of the junction of Church Street and Greevegate.

The existing site slopes away in a westerly direction and contains asbestos clad buildings, brick and carrstone buildings.

On the Church Street frontage, there is a semi-circular roofed building, as well as a building that is gable end on linked to a flat roof building. Vehicular access is gained to the southern side of these buildings, which is a shared vehicular access with the properties to the west.

The existing dwellings on the eastern side of Church Street are 2 storey, except for taller 3 storey building(s) on the junctions of Church Street and Greevegate and Church Street with Westgate. There is more variety of heights on the western side of Church Street. The buildings on the site are currently single storey but beyond the site there are taller 3 storey buildings.

The proposal involves the creation of 15 – 2 bed flats and 1 -1 bed flat. The East Elevation, Church Street, will be partly 3 storeys in height, dropping down to 2 storeys. The building will have pitched roof projections on the rear with balconies. The design features that pick up on detail in the locality include dormers, brick quoin detailing, carrstone and sliding sash windows.

Parking is provided to the rear of the site, utilising the existing access arrangements to the side of the existing building. Soft landscaping areas are also proposed.

Members will recall a scheme for 15 flats – 2bed and 1 -1 bed flat was previously proposed for the site. This was refused on the following grounds:-

1. The proposed development would, by virtue of its height and its siting hard onto the pavement, be overly dominant in the street scene resulting in an overdevelopment of the site which would cause less than substantial harm to the character of the Conservation area. It is considered that the harm caused to the character of the Conservation Area is not outweighed by the public benefit of permitting a housing scheme in Hunstanton. The proposal would therefore be contrary to National Planning Policy Framework paragraphs 17,56,58 and 64 in terms of general design; paragraphs 131 and 134 in terms of Conservation Area, Policies CS08, CS12 of the Local Development Framework Core Strategy 2011 and Policy DM15 Site Allocation and Development Management Policy Plan 2016

2. The proposed development by virtue of its height and siting in relation to neighbouring properties is considered to result in an unneighbourly form of development specifically in relation to overshadowing and overbearing issues. The proposal would therefore be contrary to paragraph 56 and 64 of the National Planning Policy Framework and Policy DM15 of the Site Allocation and Development Management Policies Plan 2016.

This application tries to address these issues by stepping back the taller built form of the scheme from the Church Street frontage and setting the whole of the development back on the site.

SUPPORTING CASE

The application has been supported by the following suite of documents.

- Design and Access Statement
- Phase II Contamination Statement
- Planning Report
- Strategic Housing Land Availability
- Economic Viability Analysis
- Sustainable Urban Drainage Statement

The agent does not wish to add any additional statements to support their case. However it is considered relevant and important to underline the agent's approach to addressing the reasons for refusal. The summary is provided below from their Design and Access Statement:-

- The building has been set back from Church Street, and in particular, to address the "right to light" issue.
- The new deeper frontage offers the opportunity for more significant and substantial landscaping, making a valuable contribution to the street scene.
- The principles of the previous design have been maintained but the building has been set back a minimum of 3m at the southern end, and increasing to 3.65m at the northern tip.
- The setting back at ground level is now broadly in accordance with the house opposite, and with the remodelling at first and second floor, and the roof, we hope you will agree the design will now settle into, and harmonise, with Church Street's gentle conservation area street scene.
- As much as possible the parts of the building closest to the site boundary are maintained at 2 storeys with pitched roof and step-backs leading up to the top floor , which is now further enhanced with a minimum of 3m step back from Church Street.
- On Church Street, the main entrance is recessed from the pavement and bounded by an area of enhanced landscaped frontage gardens incorporated into the substantial stepback that reflects the gardens of the houses opposite. The client intends to retain a landscape architect to design high quality gardens.
- The first two storeys on the street frontage are clad in carrstone to directly reflect the houses opposite.
- The massing of the south elevation is now in context with the houses opposite.
- The nearest neighbours on Greevgate are at the closest point some 9m away from the northern elevation.
- The massing on the western elevation to the carpark has been "pulled in" thus the neighbours right to light on Greevgate has been also been addressed.

- A screen is detailed to be provided on flat F1, to avoid looking into the neighbours in Greevegate. Trespa Privacy Screen (palisade fence – screen)

PLANNING HISTORY

17/00025/FM – Construction of 15 – 2bed flats and 1 -1 bed flat refused 12.02.2018

RESPONSE TO CONSULTATION

Town Council: OBJECTION

1. The proposed application does not fit in with the current residential dwellings in Church Street Nos 11 - 17, with regards to the building lines and height of those properties.
2. The proposed application if built will directly affect the residents in Nos 26 - 46 with regards to the amount of natural light coming into their homes, this will increase their usage of energy to provide artificial light in their properties, this is not in keeping with current or future energy conservation policies.
3. There are 16 dwellings in the planning application and only 15 resident spaces plus 2 visitor spaces provided for parking, there is the potential for 32 resident vehicles for this development in an already restricted area for parking spaces. National guidelines state for assigned spaces 1 Bed apartments 1.5 spaces and 2 Bed apartments 1.75 spaces, therefore the current application is under spaced by 12.75 spaces.

Recommended Solution.

The proposed building to be built in line with the Victorian Town Houses Nos 11 - 17 with regards to building line frontage and the existing heights of those properties. The application should reduce the number of dwellings to accommodate this and therefore the knock on effect will reduce the number of residents vehicles and not put extra vehicles on the public highway, as this is an area close to the town centre which is already struggling to cope with the number of vehicles in the area all year round.

By relocating the building in line with the properties Nos 11 - 17, this will address the Right to Light issue somewhat, the residents have been canvassed by the Town Council Eplanners and they are agreeable to this recommendation.

Waste Management Insufficient capacity provided for waste storage within the proposed development which will lead to loss of residential amenity to the future occupiers of the proposed development.

Cadent Gas: standing advice to the developer drawing attention to there being a low or medium (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity). Further to that there are also operational gas apparatus in the site boundary and there may be easements or wayleaves in the land that restricts activity.

Natural England: NO OBJECTION based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites or landscapes.

Highways Authority: NO OBJECTION subject to condition

Anglian Water: NO OBJECTION there is capacity in the Anglian Water sewerage network.

In regards to surface water can be addressed by condition

Environment Agency: NO OBJECTION subject to conditions

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions in respect to additional investigations.

It is recommended that consultation is sought with the Environment Agency in respect to potential contamination of controlled waters

No issues with regard to air quality.

Environmental Health & Housing – Community Safety Neighbourhood & Nuisance: NO OBJECTION subject to conditions in respect to surface water, construction management plan, dust suppression and external lighting.

Lead Local Flood Authority: NO OBJECTION subject to conditions.

Police Architectural Liaison Officer: No comment received at time of report.

Historic England: comments that the application is a resubmission of a previous application, 17/00025/FM, in which Historic England also provided advice.

Church Street is situated in the heart of the Hunstanton Conservation Area on the east side of the Victorian planned town. It is a back street with a mixture of building, including some commercial premises but the majority of building consists of small terraces of houses of two or two and half storey. They are late nineteenth century in date with the characteristic styles and use of local brick and carrstone. The former print works building on the application site are more modern and do little to contribute to the character of the area, although they are of some interest in terms of the social and industrial history of the town.

Our previous advice established that we would not oppose the removal of the existing buildings and consider there is potential for redevelopment of the site. However, in order to preserve and enhance the character and significance of the Conservation Area the scale, form, design and materials of new building should respond to the context. We explained that the elevation to Church Street would have a significant visual impact on this part of the Conservation Area.

In response to this advice and discussions with your authority, the Church Street elevation has been revised to respond to the terrace housing on the street. The front range has been reduced to two storeys with dormers providing articulation at roof level. The rear range which is set back however remain taller. The south elevation, which would be visible from the access drive, has also been reduced in bulk. These revisions are an improvement on the earlier scheme. With regard to the materials, we note that the materials relate to those found in the Conservation Area, and the proposal remains to use carrstone with brick to the upper storey behind.

The application records that there has been extensive pre-application consultation with your authority. We have not been involved with this, however, we consider the proposal responds more sympathetically to the character of the Conservation Area.

Conservation Officer: NO OBJECTION design sustains character of the Conservation Area and setting of Listed Church. The proposal is an improvement on the previous scheme and conditions are required in respect to materials and details.

Conservation Area Advisory Panel: OBJECTION the panel had some debate on the proposed design and materials proposed to be used. In considering whether the amended design had complied with the requirement to move back from the pavement line to reduce the overshadowing the Panel agreed it had.

The panel considered that the frontage should be designed to reflect the buildings in the vicinity and appear to be terraced dwellings with access to the bottom flat from the front, and the top flat from the side or rear or from inside (with no fake doors). The Panel generally agreed that any space left at the rear after car parking could potentially be made up of smaller units, although there was a danger of overshadowing.

The panel concluded that that the stepping back from the pavement was acceptable. The design of the building should reflect the properties surrounding the site as terraced dwellings and have the rhythm of 6 dwellings across the frontage.

Housing Enabling Officer: following discussions with the property services team in light of the submitted viability study, affordable housing contributions of £33,840 is required after vacant building credit has been taken into account.

REPRESENTATIONS

3 letters of **SUPPORT** (as of 18.09.2018)

- A rat infested eyesore
- A dilapidated and insecure building in a residential area
- Blot on the landscape and setting of the Church
- Developer has addressed the reasons for refusing the application.
- Attempts to market the site have failed
- Viability is a challenge to get anything on the site.
- It would fulfil one of the objectives in the Hunstanton Prospectus, produced by Hunstanton Prosperity team
- Site needs to be regenerated
- Hunstanton could become a ghost town

8 letters **OBJECTING** to the scheme on the following grounds

- Provision of parking spaces is one per flat. The area is already very congested and has a lot of traffic to serve the local businesses. The roads around are already poorly maintained. Will they be repaired once work is finished.
- The flats further up at Valentine Court have 2 spaces, even for a one bedroom property, why is this different, especially since then, the local bus service now no longer operates in the evening there is even more reliance on car transport. Very few properties now have only one vehicles, or never have any visitors.
- Not in keeping with the design of the rest of the road
- Impact on right to light
- Impact on parking and road usage
- Fails to preserve or enhance the character of the Conservation Area.
- Overshadowing and overbearing upon neighbours

- Structural impact on neighbouring properties from construction traffic and building out the site.
- Increase in road traffic
- Disruption and noise of a large building site

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS05 – Hunstanton

CS08 - Sustainable Development

CS09 - Housing Distribution

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

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

OTHER GUIDANCE

Conservation Area Character Statement.

PLANNING CONSIDERATIONS

1. Principle of Development and Planning History
2. Loss of Employment Land and Premises
3. Impact upon Designated Heritage Assets
4. Impact upon Residential Amenity
5. Affordable Housing.
6. Highways
7. Drainage and Flood Risk
8. Contamination
9. Other Material Considerations

Principle of Development and Planning History

The proposal seeks consent for the erection of 15 2 bed flats and 1 - 1bed flat following the demolition of the buildings that were once used by Whitley Stationers Press.

Hunstanton is classified as a Main Town according to Policy CS02 of the Local Development Framework Core Strategy, which could support development of this scale dependant on other material considerations. Furthermore one of the strategies for Hunstanton (CS05) is to promote opportunities for residential development within the Town Centre, particularly for affordable housing.

It worthy of note that the application site was submitted as part of the Strategic Housing land Availability Assessment - 2011. The site was also appraised in the 2014 HELAA (Housing and Economic Land Availability) which is the latest published appraisal of land availability. The site was primarily not allocated for development as a site allocation, as the site could come forward without the need for allocation as it is within the development boundary of Hunstanton.

Members will recall that an application for 15 flats and 1 – 1bed flat was refused by the Planning Committee (17/00025/FM) for the following reasons:-

1. The proposed development would, by virtue of its height and its siting hard onto the pavement, be overly dominant in the street scene resulting in an overdevelopment of the site which would cause less than substantial harm to the character of the Conservation area. It is considered that the harm caused to the character of the Conservation Area is not outweighed by the public benefit of permitting a housing scheme in Hunstanton. The proposal would therefore be contrary to National Planning Policy Framework paragraphs 17,56,58 and 64 in terms of general design; paragraphs 131 and 134 in terms of Conservation Area, Policies CS08, CS12 of the Local Development Framework Core Strategy 2011 and Policy DM15 Site Allocation and Development Management Policy Plan 2016
2. The proposed development by virtue of its height and siting in relation to neighbouring properties is considered to result in an unneighbourly form of development specifically in relation to overshadowing and overbearing issues. The proposal would therefore be contrary to paragraph 56 and 64 of the National Planning Policy Framework and Policy DM15 of the Site Allocation and Development Management Policies Plan 2016.

To address these two issues it is proposed to setback the development from Church Street and to shift the tallest elements back on the site.

Loss of Employment Land and Premises

The loss of land and premises needs to be considered in light of Policy CS10 - Employment. CS10 requires the retention of employment land or premises currently or last used for employment purposes unless it can be demonstrated that:

- Continued use of the site for employment purposes is no longer viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand; or
- Use of the site for employment purposes gives rise to unacceptable environmental or accessibility problems for sustainable modes of transport or

- An alternative use of mix of uses offers greater potential benefits to the community in meeting local business and employment needs, or in delivering the Council's regeneration agenda.

In respect to Policy CS10 - the site is currently vacant, albeit Whitley Stationers, who used to operate from the building, still operate from premises on Greevegate. The site is contained within a mixed use area. The land use to the north of the site is retail/commercial at ground with flat/office above. Church Street in which the site is located is however predominantly residential.

The current land use is B2 - General Industry. It is also of note that B2 could change use to a B1 (business) or B8 (storage and distribution) of up to 500m² of floor space (the current building is approximately 1412sqm). Whilst a B1 use could be a better neighbour than a B2 use in a residential area, a B8 use could result in an intensification of the site in terms of vehicular movements on a street that already has on-street parking, which may lead to highway safety issues. By removing the existing building on the site and introducing a residential use on the site could improve the standard of amenity for the residents in Church Street, in accordance with CS10.

It is therefore considered that the loss of employment land and premises on Church Street can be accepted in principle.

Impact upon Designated Heritage Assets

The site is 44m away from St Edmunds -1872 Grade II listed Church, at its nearest point, and is contained within the Hunstanton Conservation Area. Accordingly under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, s.66 of the Act places a statutory duty in regards to development that affects a listed building or its setting, and having special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. S.72 places a duty on the LPA, with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Forms of development on Church Street comprise of, on the eastern side, 2 storey carrstone terraced properties set back from the roadside and on the western side, 2 and 3 storey carrstone residential properties. Church Street climbs in height in a northerly direction and yet the topography slopes away towards the sea in the east to west direction.

The existing buildings on the site fronting Church Street are varied in form and character. From south to north, adjacent to the vehicular access to the site, is a white painted brick built, semi-circular roofed building, adjoined to a building with its ridge line on a west-east axis with a carrstone gable end to the road. Adjoined to this is a flat roof brick built building that completes the run of buildings on Church Street. All buildings fronting Church Street are hard onto the pavement and single storey in scale. Further back into the site, adjacent to the northern boundary, there are brick and asbestos sheet roofed buildings.

Vehicular access is served by a part made road to the west of the buildings on Church Street, that leads to a concrete apron to the rear. Secondary access is also provided from Greevegate between 16 and 18 Greevegate.

The Hunstanton Conservation Area Character Statement refers to the area around Greevegate and Church Street, "the eastern end of Greevegate is entirely residential and has retained the air of a prosperous Victorian suburb. Some of the original stone walls and railings have been lost and some have been replaced in brick and concrete block. Many windows have replacement plastic, though in most cases they are back from the wall and

have imitated the pattern of glazing bars." Church Street is specifically described, "This is for the most part a quiet residential street with walled front gardens. The houses are mostly small, of two storey and terraced, some with attic dormers, some with bay windows. Many windows have been replaced with plastic, though in most cases an attempt has been made to keep sympathy with the originals. Many slate roofs have been replaced with concrete tiles. Chimneys are generally intact. North of the junction with James Street, the street rises gently to Greevegate and then levels out past the Church. Built of carstone, most of the houses on the east side are of modest scale and could be described as cottages. Numbers 40 to 50 are built hard up to the pavement. Numbers 40 and 42 (opposite the site) which share a gable end facing the street are unusual". The application site is also specifically referenced "The Whitley Press takes up most of the frontage from James Street to Greevegate on the west side. It has three sections; an interesting early 20th Century framed building with a wide-span curved roof, an older small building with its gable end to the street and a dull flat roof building of the 1950s".

The scale of the proposal is 10.4m (h) x 24.6m (d) x 46.5m (w) maximum dimensions. These dimensions do not differ significantly from that considered previously, however the tallest element of the scheme is set back from the pavement edge of Church Street at 11.3m, whereas before the tallest element of the scheme was only 8.9m away from the edge of the pavement. The front of the building itself is setback from the front of the site by 3m at its closest point, where the previous scheme was hard onto the pavement.

The appearance of the scheme has changed somewhat from that previously considered particularly the front (Church Street) elevation. Where the front elevation demonstrated 3 storey vertically emphasised elements to alleviate the massing of the horizontal look, this has now been achieved by having two hipped roof pods set back above a 2 storey element. The materials used in the construction of the building include carrstone and red brick. White powder coated aluminium doors and windows will be used. The building has drawn design influences from the adjacent properties in so far as the window proportions, dormer windows, and use of brick quoin detailing and carrstone.

Historic England have made comment that the Church Street elevation, especially the south elevation of the building which would be visible from the access driveway has been reduced in bulk and these revisions are an improvement on the earlier scheme. Ultimately they have no objection to the application on heritage grounds.

The Conservation Officer comments that the revised scheme has addressed most of the concerns raised in respect of the original proposal. In particular the front range has been reduced so that it is now two storey so the bulk of the new build is visually reduced and it sits more comfortably with the surrounding terraces. The varied roof line and dormers also help to provide interest at high level and lessen the impact of the structure as a whole. Materials will be key and it's pleasing to note that carrstone will be used.

In response to the new design the Conservation Area Advisory Panel commented that the amended design had complied with the requirement to move back from the pavement line to reduce overshadowing. The panel considered that the frontage should be designed to reflect the buildings in the vicinity and appear to be terraced dwellings with access to the bottom flat from the front, and the top flat from the side or rear or from inside (with no fake doors). The design of the building should reflect the properties surrounding the site as terraced dwellings and have the rhythm of 6 dwellings across the frontage.

In light of the comments raised, it is considered that there would be less than substantial harm to the significance of the Conservation Area and there would be little harm if any caused to the setting of the Listed Church, especially noting that Historic England do not object to the loss of the buildings that are currently on site, or make any specific objection to

the current scheme in so far as to the setting of the listed church. In line with paragraph 196 of the NPPF, where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Impact upon Residential Amenity

It is acknowledged in relation to the neighbours opposite the site, that they will notice the new buildings being significantly taller than what currently exists. However the scale of these new buildings are not considered to cause detrimental overshadowing, overlooking or overbearing issues given that this scheme now proposes that the tallest element is 23.2m from the front façade of those opposite and the architect has detailed on the accompanying plans that the design has taken into account the right to light issues raised by the neighbours. Furthermore it must be noted that these neighbours are on higher land than the application site by approximately 0.4m.

17 Church Street, the neighbour to the south of the site is separated from the development by the access road and comprises of 2 flats. The proposed building will project only 2.5m beyond the front elevation of 17 Church Street, compared to the 7m previously advocated. Being due north of 17 Church Street, it is not considered that the occupiers of the flats will be detrimentally affected in terms of being overshadowed by the development. There are two windows contained in the north elevation of no. 17 and there are windows proposed in the south elevation of the new building. At first and second floor there are windows in the south elevation of the new building that serve habitable room windows. At first floor in the new building, a flat has secondary living/dining room window and the second floor flat has a secondary bedroom window. A roof terrace serves both the first and second floor flats that could also achieve views into the windows of 17 Church Street. It is considered that notwithstanding details received screening along these balconies and obscure glazing with restricted opening to the windows will be required to protect the neighbour's amenity and is conditioned accordingly.

The neighbours to the rear of the site include the flats above the shops on the High Street and a house whose eastern elevation forms part of the boundary of the site. These neighbours are separated from the proposed balconies by some 20m and with the area to the rear of these buildings being used as service areas to the shops on the High Street it is considered that they will not experience detrimental overlooking issues. The topography of the site slopes away in a westerly direction by 1.8m from the front to the rear of the site. Accordingly with the tallest element of the proposal being 10.4m high, whilst there will be some overshadowing into the courtyards of the buildings that front the High Street, this overshadowing will be in the morning period only, as by midday sunlight is achieved over the single storey flat roof Conservative club building at the rear of no. 17 Church Street. These neighbours will experience some overbearing issues given the height of the building and the increase in site levels however the 20m separation reduces the impact, to an acceptable level.

The neighbours to the north of the site are separated from the building by a service road that provides access to the shops and flats that are on Greevegate. The shops and flats have service courtyards. The nearest flat would be 28a Greevegate, which is only 5.7m from the two storey element of the building. 28a is orientated in such a way in relation to the siting of the proposed new building that on balance it will not detrimentally affect their amenity to a degree that would recommend a refusal of the application. Notwithstanding details received, it is however considered necessary to condition screening along the northern elevation of the balcony to APT F.1 to avoid overlooking into the neighbours in Greevegate.

The tallest element of the building is 13m away from the rear of the buildings on Greevegate and the 2 storey element of the building 6m away from these neighbours on Greevegate. The windows in the rear elevation of these buildings are non-obscurely glazed and could serve residential flats. Albeit this proposal will promote a close relationship with these buildings, it has to be noted that there would be no direct window to window relationship with window separation from habitable room windows in the proposed buildings to the glazed windows on the rear of those on Greevegate being 10.3m and 13m at their closest point. The closest relationship will be between those who will use the roof terrace on F1 and the neighbours from Greevegate and it is detailed that a screen will be provided on the northern elevation of this balcony to avoid overlooking. A condition will be attached accordingly.

The moving away of the buildings on Greevegate from the taller elements of the proposed building reduces the buildings overbearing presence. These neighbours will experience some overshadowing during a period of the day, but not to a degree that would merit refusing the application.

The Environmental Health and Housing - Community Safety Neighbourhood & Nuisance team request possible internal layout changes in so far as minimising the noise between the flats, however this is not considered to be necessary as such noise issues are adequately addressed under other legislation (the Building Regulations).

The site is contained within a dense residential and commercial area and will involve demolition of existing buildings to create 16 flats. It is therefore considered that conditioning a construction management plan including measures in respect to dust suppression will be necessary.

Affordable Housing

Ordinarily a site of this size and scale, 16 dwellings, would require affordable housing contributions of 20% i.e. 3.2 dwellings. However the site contains vacant B2 units and accordingly the proposal benefits from the government's vacant building credit. The broad premise of vacant building credit is a credit that can offset against the affordable housing requirement of the new development. The credit takes into account the gross internal floorspace of the vacant building brought back into use or demolished for redevelopment purposes.

The proposal has been supported by a viability analysis that takes into account the vacant building credit. The existing GIA floorspace of the building is 1476sqm. compared to the proposed GIA floorspace of 1791.7m². In line with guidance provided by BCKLWN in calculating floorspace for vacant building credit, this means that only a total increase of 315.7m² of floorspace would be subject to affordable housing contributions. This number 315.7sqm. is then divided by the average residential floorspace ($1791/16 = 111.98\text{m}^2$) to work out how many units are provided within the additional floorspace, which in this case equates to 2.82 units. The 20% affordable threshold is then applied to the 2.82 units = 0.564 of an affordable unit is therefore required. This would be an affordable housing contribution of £33840 ($0.564 \times £60,000$) which shall be secured through a s106 agreement.

Highways

The former printing press would have generated its own traffic movements and furthermore a B2 use could operate from the site without requiring planning permission, and 500m² of floorspace could be a B1 or B8 use, through a permitted change of use.

It is important to acknowledge this fact, as there would be a form of traffic "trade off" in terms of numbers and frequency of movements between a business use and a proposed

residential use. Furthermore some of the vehicles associated with such uses (larger vehicles) would potentially be more intensive during operational hours.

The highways officer notes that 17 parking spaces is below the minimum levels outlined in the parking standards, however the site is within the town centre and therefore people can access services without relying on the motor car. Furthermore there is the provision of an 18 space cycle store. It is worth noting that whilst 17 parking spaces are below the standard requirement, each flat has the equivalent of 1 parking space.

Thus subject to conditions the highways officer has no objection to the proposal.

Drainage and Flood Risk

The site lies within flood zone 1 according to the Environment Agency's maps and the site is less than 1 ha accordingly no Flood Risk Assessment was submitted with the application.

In respect to drainage a Sustainable Urban Drainage System document has accompanied the application and has subsequently been amended during the application to take into account the LLFA comments. The site is 100% covered in hard surfacing and any form of SUDS would be betterment than the current situation in regards to surface water drainage. Initially it was considered that SUDS could be through infiltration techniques however this was subsequently ruled out due to the geology of the ground (chalk) and from the desk study in respect to contamination, which states that there would be likely ground contamination on this site. Accordingly a second option was put forward that would involve connection to the public sewer with a pumping station following a time of attenuation of the water in cellular storage tanks.

The LLFA are content with this drainage scheme and subject to more details to be secured by way of condition, they have no objection to the scheme. The management and maintenance will be secured by way of S106 agreement. It is worth noting that both the Environment Agency and Anglian Water also required surface water drainage details to be secured by way of condition.

In regards to foul water drainage, Anglian Water confirms that there is capacity within the network to accommodate the foul water flows.

Contamination

The application is accompanied by a phase 1 Desk Study Report produced by AF Howlands Ltd. From this study it is apparent that there are multiple sources of different contaminants from industrial sources and potentially asbestos containing materials within the building structure. The report recommends additional investigations to target the identified potential contaminants. Accordingly full contamination conditions are imposed, as recommended by the Environmental Quality Officer, which have been echoed by the Environment Agency.

Additionally in line with the CSNN officer comments, air quality conditions (construction management) are also imposed as referenced earlier in the report.

Other Material Considerations

The site has no redeeming ecological features that require a phase 1 protected species report and Natural England has considered that the proposal does not have any significant adverse impacts on statutorily protected sites or landscapes. Habitats Regulation payments shall be secured in the S106 agreement.

The Historic Environment Service has not responded to the application but they had commented in regards to the previous scheme that they have no objection to the proposal as there are no archaeological implications.

Whilst the Police Architectural Liaison Officer has not responded to this scheme, it is largely the same as that considered previously to which The Police Architectural Liaison Officer had raised no objection to the previous scheme.

Aside from the material considerations covered above in response to the Hunstanton Town Council and Third Party issues, other issues raised by 3rd parties in regards to a right to a view and potential structural issues caused by the build are not material planning considerations.

There are communal landscaped areas on the site that will need to be managed and maintained. This will be secured in a S106 agreement in regards to landscape management and maintenance.

CONCLUSION

The previous application was refused on the grounds that the proposal was overbearing in the street scene by virtue of its scale and siting in relation to the properties on Church Street. In turn this also caused neighbour amenity issues especially with those on the opposite side of Church Street.

The proposal has sought to resolve these issues by setting the taller elements back on the site and setting the overall building back on the site by 3m. This has resulted in a separation of the taller elements of building from those on Church Street by 21m and a scheme that is no longer considered to be overbearing upon the street scene and the character of the Conservation Area.

It is your officer's opinion therefore that the proposal has overcome the reasons for the Committee refusing the previous application.

In regards to other material issues the loss of employment land and use within the town centre could bring about an improvement to neighbour amenity and is considered to comply with policy on retention of employment land. The design causes less than significant harm to the character of the Conservation Area and setting of St Edmunds Church, but in accordance with paragraph 196 of the NPPF it is considered that any harm caused is outweighed by the environmental, economic and social benefits the housing scheme would bring to Hunstanton.

The affordable housing contribution meets the national scheme on affordable housing adopted by the Council, and is acceptable in these terms.

The proposal is therefore recommended to be approved subject to the following conditions and legal agreement.

RECOMMENDATION:

A APPROVE subject to conditions and completion of a Section 106 agreement that secures the affordable housing financial contribution, SUDS management and maintenance, Habitats Mitigation Payments and Landscape Management and Maintenance within 4 months of the date of this decision

1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

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

Proposed Site Layout Plan - 55_15_P_10 Rev E
Proposed Ground Floor Plan - 55_15_P_11 Rev G
Proposed First Floor Plan - 55_15_P_12 Rev F
Proposed Second Floor Plan - 55_15_P_13 Rev F
Proposed Roof Plan - 55_15_P_14 Rev E
Proposed East & South Elevations – 55_15_P_15_1 Rev F
Proposed East and South Elevation - 55_15_P_15_2 Rev F
Proposed West and North Elevation - 55_15_P_15_16_2 Rev E
Proposed Section A-A Elevation - 55_15_P_17 Rev E
Proposed Elevations to recesses A and B – 55_15_P_18
Proposed Elevations to recesses C and D – 55_15_P_19 Rev A

2 Reason: For the avoidance of doubt and in the interests of proper planning.

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

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

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

3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried

out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

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

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

- 5 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

- 6 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

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

7 Condition: No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- (a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used;

The development of that phase shall be carried out in accordance with the approved construction management statement.

7 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.

8 Condition: Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.2 metres for its complete length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.

8 Reason: In the interest of highway safety and traffic movement.

9 Condition: Prior to the commencement of the use hereby permitted the vehicular access indicated for improvement on Drawing No.55_15_P_10/E shall be upgraded in accordance with the Norfolk County Council Residential access construction specification for the first 2 metres as measured back from the near channel edge of 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.

9 Reason: To ensure construction of satisfactory access and to avoid carriageway of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.

10 Condition: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

10 Reason: In the interests of highway safety.

11 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

11 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

12 Condition: Prior the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The

splay shall thereafter be maintained at all times free from any obstruction exceeding 0.95 metres above the level of the adjacent highway carriageway.

- 12 Reason: In interests of highway safety in accordance with the principles of the NPPF.
- 13 Condition: Notwithstanding details in respect of the submitted Drainage Strategy (Barter Hill, 6590, October 2017), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:-
1. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration from the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 46m³ will be provided in line with the submitted calculations.
 2. Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - * 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - * 1 in 100 year critical rainfall plus climate change event to show, if any, the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) with the development.
 3. The design of the attenuation basin will incorporate an emergency spillway and any drainage structures showing the routes for the management of exceedance surface water flow routes for the management of exceedance surface water flow routes that minimises the risk to people and property during rainfall events in excess of 1 in 100 return period.
 4. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
 5. Details of how all surface water management features to be designed in accordance with the SuDS Manual (CIRCA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- 13 Reason: To prevent flooding in accordance with paragraph 103 and 109 of the NPPF.
- 14 Condition: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 14 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

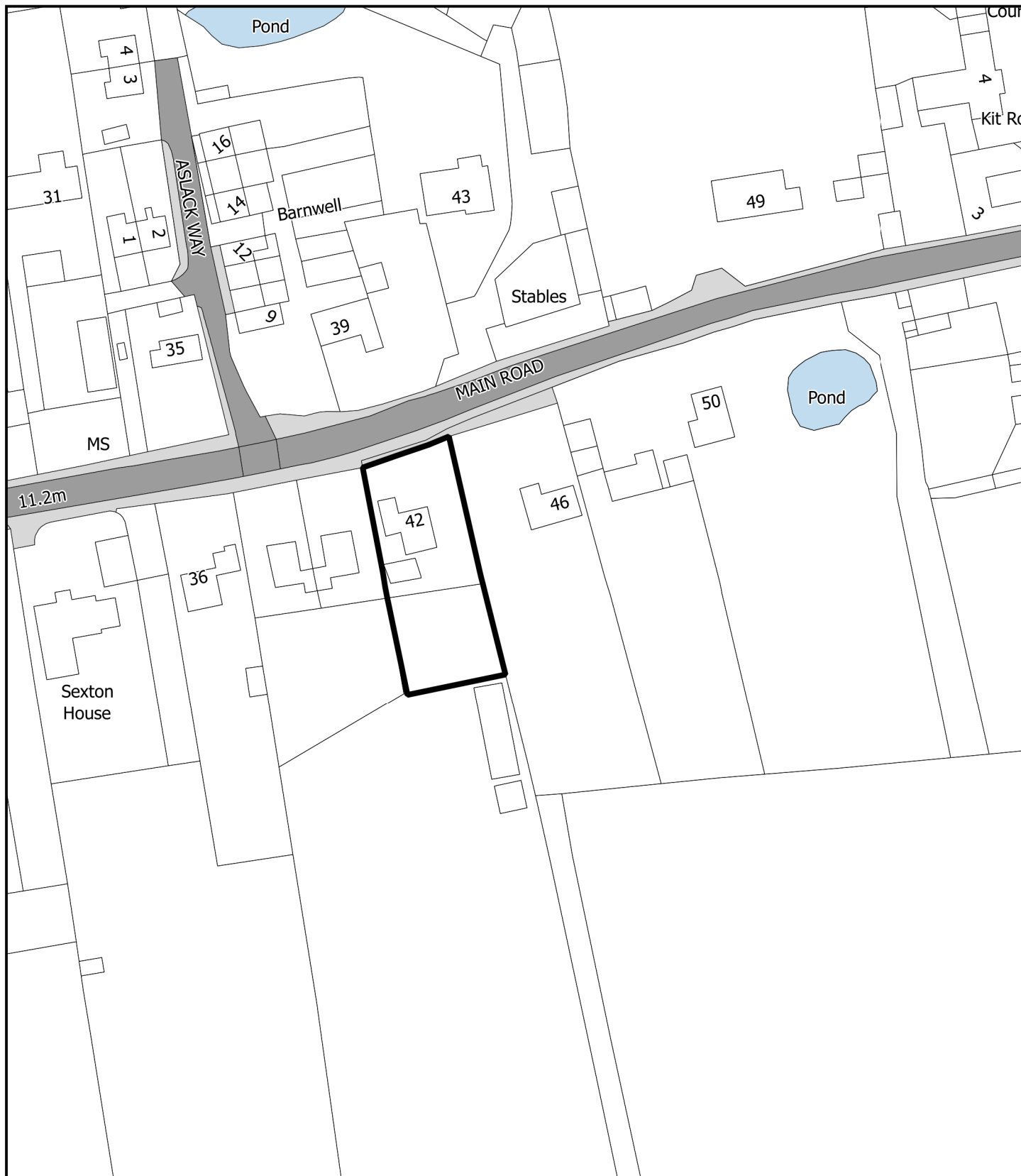
- 15 Condition: No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 15 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 16 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the roof tiles to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 16 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 17 Condition: Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate. All hard and soft landscape works shall be carried out in accordance with the approved plans prior to the first occupation of the development hereby approved.
- 17 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 18 Condition: Notwithstanding the approved plans, details of the following items at a scale of 1:20, or as otherwise specified, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation:-
1. Drawings of all new joinery works in respect to windows and doors
 2. The railings to be provided on the Church Street elevation
- The development shall be carried out in accordance with these agreed details.
- 18 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 19 Condition: Notwithstanding details received the terraced area serving APT.F1 accessed via the Kitchen/Living/Dining Room shall be screened on its northern elevation in accordance with a screening scheme to be approved in writing by the Local Planning Authority prior to the first occupation of APT. F1 The screening scheme shall include the height of any screening and the materials used in its construction and the method by which to prevent overlooking into windows contained in the southern elevation of those flats on Greevegate. The screening scheme has been carried out in accordance with the agreed details and installed prior to the first occupation of APT.F1
- 19 Reason: In the interests of safeguarding neighbour amenity.

- 20 Condition: Notwithstanding details received the terraced area serving APT.S3 accessed via the Kitchen shall be screened on its southern elevation in accordance with a screening scheme to be approved in writing by the Local Planning Authority prior to the first occupation of APT.S3. The screening scheme shall include the height of any screening and the materials used in its construction and the method by which to prevent overlooking into windows contained in the northern elevation of 17 Church Street. The screening scheme has been carried out in accordance with the agreed details and installed prior to the first occupation of APT.S3.
- 20 Reason: In the interests of safeguarding neighbour amenity in accordance with the principles of the NPPF.
- 21 Condition: Before the first occupation of the building apt F5 hereby permitted the secondary living room windows on the east elevation in APT.F5 as annotated on drawing no.55_15_P_12 Rev F shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 21 Reason: To protect the residential amenities of the occupiers of nearby property.
- 22 Condition: Before the first occupation of the building apt S3 hereby permitted the secondary bedroom window on the east elevation in APT.S3 as annotated on drawing no.55_15_P_13 Rev F shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 22 Reason: For the avoidance of doubt and in the interests of proper planning.

B REFUSE In the event that the Section 106 agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** affordable housing financial contribution, SUDS management and maintenance, Habitats Mitigation Payments and Landscape Management and Maintenance within 4 months of the date of this decision

17/02194/F

The Poplars 42 Main Road Holme-Next-the-Sea



Parish:	Holme next the Sea	
Proposal:	Demolition of existing dwelling and erection of two storey dwelling and detached garage, plus the creation of a new access	
Location:	The Poplars 42 Main Road Holme next The Sea Norfolk	
Applicant:	A.R & V. Investments	
Case No:	17/02194/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 2 February 2018 Extension of Time Expiry Date: 11 February 2019

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

Neighbourhood Plan: No

Members Update

This application was referred to the Planning Committee on 4th February 2019, when members decided to defer their decision for one cycle to allow for clarification over the site area due to discrepancies over the location plan.

The application includes a proposed access to the west of the site which is a secondary access sought to serve the agricultural land behind the application site. During the application process amended plans were submitted removing the access from the application to avoid complication when making a decision with regards to the replacement dwelling. After further consideration, the applicant decided that he wanted the access included within the application, and thus refer back to the previously submitted plan. Unfortunately, when preparing the presentation for Planning Committee the most recent amended plan was uploaded, which was incorrect.

The applicant’s agent has now confirmed that the secondary access should form part of the application and has submitted an updated amended location plan (1979.1d) to show this. Member’s attention is drawn to recommended condition 15 restricting the use of the access for maintenance purposes of the land to the rear only, in the interests of highway safety and amenities of neighbouring residents.

Case Summary

The application site lies on the southern side of Main Road, Holme-Next-The-Sea and comprises a single storey detached dwelling.

Full planning permission is sought for the construction of a replacement dwelling following demolition of the existing dwelling, construction of a detached garage and creation of a new access, replacing the existing access to the land at the rear. The current access is narrower than proposed, and located on the opposite side of the plot.

Holme is classified as a Smaller Village / Hamlet within the Core Strategy Settlement Hierarchy.

Key Issues

- * Principle of development;
- * Planning History;
- * Impact on Form and Character;
- * Impact on Non-Designated Heritage Asset;
- * Impact on Neighbour Amenities;
- * Impact on Highway Safety; and
- * Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a rectangular shaped parcel of land, measuring approximately 981.3 square metres. It is situated on the southern side of Main Road, Holme. The site currently houses a detached single storey timber clad dwelling, garden land and access to the agricultural land behind.

Full planning permission is sought for a replacement dwelling, detached double garage and new access. The new dwelling is proposed to be two storeys in height, accommodating 4 bedrooms. The scale of the dwelling measures approximately 4.65m to the eaves and the overall height to the ridge is approximately 7.3m. The proposed materials include red facing brickwork, flint panels to the upper half with red brick quoins and detailing and a natural slate roof.

It is proposed to site a detached double garage to the western side of the site frontage. The garage will have a dual pitched roof presented gable-end onto the road. The eaves height measures approximately 2.3m and the overall height to the ridge measures approximately 4.6m. The garage will be constructed of red facing brickwork, flint panel with red brick quoins and plinth.

The proposed access will be located along the western boundary of the site and will serve the agricultural land to the rear for maintenance purposes. The existing access to the east of the site frontage will be utilised to serve the replacement dwelling.

A 1.6m brick wall is proposed to the west, creating a definitive boundary between the site and the new access track leading to the land behind.

SUPPORTING CASE

A Planning Statement accompanies the application and makes the following case:-

“The proposal is for the erection of a single dwelling replacing 42 Main Road and provides a new access to serve the site so that vehicles can enter and leave the site in a forward gear therefore improving highway safety. This is important because the A149 is a ‘Corridor of Movement’.

Because the site is semi-derelict it currently has an adverse impact on the adjoining Conservation Area. The proposal will include the demolition of 42 Main Road (which is in a poor state of repair). The access serving the rear land has been re-sited away from the TPO trees therefore reducing the impact of the driveway serving the rear land on the trees and improving highway safety.

The proposed use for residential is entirely in keeping with the locality and involves replacing an existing dilapidated dwelling therefore not providing a net gain.

The site has access to mains water, other utilities and water disposal. The proposal is not within 20 metres of an existing watercourse and is therefore not at any flood risk nor will the proposal create any risk of flooding elsewhere.

The proposal fits in with government and local policy in terms of its location. This seeks to promote more sustainable forms of development and requires local planning authorities to promote greater intensity of development in locations with good public accessibility and encouraging the re-use of land. Care has been taken to ensure that the replacement dwelling protrudes no further to the rear than properties in the vicinity. In addition, the site frontage relates well to the building line of properties in the overall vicinity.

The amount of the development is of a scale compatible with the village. The massing and bulk of the proposed dwelling is proportionate to the site and is of a scale similar to 46 Main Road. The plot is capable of meeting normal planning requirements in terms of curtilage. The street elevation plan shows that the dwelling is not out of keeping with its neighbours or the street scene in particular properties to the east which are of a similar scale and height.

The scale of the proposal is commensurate with the site. The proposal is also set back from the road and relates well to the informal building line so there is minimal impact on the street scene. In addition the bulk of the building has been broken up through design. The garage has been located to the front of the property, commensurate with others in the street. The roofline is varied and allows an interesting breaking down the bulk of the dwelling.

The existing trees are to be retained where possible and ensures that the TPO trees are unaffected by the proposal. The southern boundary of the new dwelling facing the relocated driveway serving the rear of the site will have a 1.6m soft red brick wall to help maintain the residential amenities of the residents of the new dwelling. The large tree in the rear of the plot is proposed to be retained.

The layout of the proposal is such that neighbouring amenities are not adversely affected by the proposal. There are no windows to habitable rooms facing towards either of the neighbouring dwellings in the side elevations. In addition, care has been taken through the design to ensure that the layout enhances its location affording the new residents suitable privacy.

The appearance of the new dwelling uses modern design and local distinctiveness. The appearance and scale is not out of keeping with the street scene as shown by the street

elevation plan submitted with the planning application Environmental considerations and sustainable design aspects.

The scheme incorporates a number of sustainable practices in its design. Materials are also sustainable and make use of recycled materials where possible.

The proposal will provide economic opportunity for local builders and associated tradesmen in connection with the proposed dwelling. Helping to sustain the local economy and will provide a local source of employment.”

PLANNING HISTORY

18/01799/A: Pending Consideration: - Retrospective free standing sign for The Poplars Campsite - The Poplars, 42 Main Road, Holme next The Sea

17/00602/F: Application Refused: 08/08/17 - Erection of replacement dwelling with detached garage - The Poplars, 42 Main Road, Holme next the Sea

16/00312/F: Application Withdrawn: 11/07/16 - Erection of 3 no terraced two storey dwellings - The Poplars, 42 Main Road, Holme next the Sea

15/02038/F: Application Refused: 15/09/16 - Erection of replacement dwelling with detached garage and annex accommodation over - The Poplars, 42 Main Road, Holme next the Sea

RESPONSE TO CONSULTATION

Parish Council: OBJECT to the amended plans on the following grounds:-

- Errors and omissions in the application;
- Discrepancies between boundaries;
- Third application and little has changed;
- No objection in principle to a sympathetic replacement;
- The public consultation process has been very unsatisfactory;
- Confusion over the documents to be reviewed;
- The Contaminated Land Survey, based on a site walkover, is out of date (03/02/16) and does not reflect recent unauthorised activities involving the movement of building and other waste materials of unknown specification ;
- A Tree Survey carried out in February 2018 was accepted by the responsible LPA Officer – despite the fact that the report omitted to mention either the relevant TPO'd trees (including a Veteran Oak) or the mature trees that form the boundary of the Conservation Area;
- A revised report (July 2018) shows the mature trees on the Conservation Area boundary relocated inside the Poplars site where they will lose the protection afforded by Conservation Area status;
- An email exchange between the Developer and the Officer in early July (02/07) indicated that Officers were happy to recommend approval of the amended proposals – before they had been put to re-consultation;
- Attempt to turn agricultural land into brownfield;
- Land behind 32-42 Main Road have been assembled into one ownership;
- Unauthorised campsite to the rear;

- Large sign has been erected to the front of the site advertising the unauthorised campsite;
- Contrary to SADMP Policy DM11, holiday accommodation in the AONB;
- The Highways Authority has been consulted on the basis of incorrect and potentially misleading drawings;
- The Conservation Officer has raised no objections and when the Conservation Advisory Panel was consulted on the Application in May, although they expressed regret at the loss of the distinctive Poplars building, they noted that it was of no defined historical importance;
- The Poplars bungalow is in fact The Hippisley Hut named after the scientist Richard John Baynton Hippisley who during WWI experimented with new wireless technology. The “listening station” was sited on Hunstanton Cliffs and relocated to Holme after the War;
- The road frontage is presented incorrectly;
- The visibility splays are not in the correct position;
- Highway and pedestrian safety;
- Questions the use of the new access track;
- Without correct drawings it is impossible to make a properly informed judgement;
- This submission does not address the previous reasons for refusal in 17/00602/F in terms of scale, bulk, mass, design, overdevelopment, dominant built form, over prominent, incongruous within the street scene, out of keeping, harmful to visual amenity and character of adj. heritage assets, erodes the village edge causing harm to the AONB;
- Contrary to NPPF, CS08, CS12, DM3, and DM15.

Highways Authority: NO OBJECTION to the replacement dwelling subject to conditions.

Conservation Team: NO OBJECTION

Conservation comments regarding the history of the Poplars:-

An interested party requested that a Building Preservation Notice (BPN) be served in regards to the demolition of the existing dwelling to enable further consideration of its removal and potential listing. Whilst the Conservation Officer found the story of the Hut interesting, it was decided not to serve a BPN in this instance. The reasoning for this was due to the fact that the Hut is only part of the original structure; it is out of context; and it has undoubtedly been changed inside when it was changed into a dwelling.

Conservation Area Advisory Panel: NO OBJECTION - The Panel considered the fact that the principle of the demolition of the existing building had been accepted by the Planners in the previous applications considered. The Panel regretted the acceptance of the loss of the fishing shack in the previous applications. To mitigate the loss of the Shack it was suggested that the garage be clad in dark timber. They considered that the height of the rear elevation of the dwelling should be reduced further and should also be substantially boarded.

Environmental Quality: NO OBJECTION subject to conditions relating to contamination and remediation, and an informative relating to the management of asbestos.

Arboricultural Officer: NO OBJECTION to the revised Arboricultural Impact Assessment, conditionally.

REPRESENTATIONS

In light of the amended plans **THIRTY FOUR** representations were received from local residents **OBJECTING** on the following grounds:-

- Proposed dwelling is too big for the site;
- Village needs smaller houses to sustain the village population;
- Huge proportions of extended homes are purchased as second homes;
- Too close to the road frontage affecting the street scene;
- Materials out of character with the street scene;
- Obscures the view into the Conservation Area;
- Ugly featureless brick wall and incongruous slate roof;
- Contamination from asbestos;
- Large garage to the front – a potential eyesore;
- Questions whether cars can enter the garage easily;
- Clones of Seaton House and Driftwood which are shoehorned onto their plots;
- Excessive bulk and mass;
- Detrimental effect on neighbours;
- Overbearing;
- Intrusive;
- The Block Plan is inaccurate;
- Questions whether the proposed development can fit on the site;
- Queries the planning history of the site;
- Highway safety;
- Impact of the proposed driveway on the neighbouring dwelling;
- Land to the rear being illegally used as a campsite;
- No update on the intended use to the rear;
- Precedent set for change of use of agricultural land;
- Questions the use of the proposed access;
- The new access to the land behind could open opportunities for further development;
- Suitability of the proposed access and A149 to serve the unauthorised camp site to the rear;
- A large sign has been erected to the front of the property advertising the campsite;
- The existing trees will cause shade to the proposed development which will lead to pressure for their removal or reduction in size;
- Trees now not shown on the Arb. Plan within the Conservation Area;
- Extension of residential curtilage into the AONB countryside is likely to be harmful;
- Trees / hedgerows offer significant value for biodiversity and wildlife;
- Trees / hedgerows are less than 500m from Conservation Sites;
- Valuable habitat and breeding ground for protected species;
- The trees on-site are home to white owls and nesting birds;
- Unauthorised engineering works;
- Amended plans were not properly consulted on;
- Two week timescale for comments is too tight;
- Decision appears to be pre-determined;
- Amended plans do not address the previous concerns;
- Description being for a one-and-a-half storey house does not make sense;
- Main Road is changing by replacing homes with large town houses, brick and concrete walls and replacement access roads;
- No need for the new access given the existing access adj. To No 32;
- Trees (some of which are protected) plotted inaccurately;
- The existing bungalow once stood on the Cliffs of Hunstanton as a top-secret listening station in the first world war;

- Any replacement needs to respect its integrity and needs to blend in with the traditional form of buildings;
- Historic part of the village;
- Unnecessary additional traffic along Main Road;
- Total disregard to the area;
- Policies to protect are failing;
- This application has its own rules, following no guidelines;
- The application has been turned down time and time again.
- Confirmation requested on how the application is now being evaluated;
- boundary comes across the eastern boundary to No.40 in places because the fence line is not a straight continuation southwards;
- Neighbour seeks written and legally enforceable assurance that the existing fences will not be moved to facilitate any permitted building works;
- In no way do we concede that we would be happy to have a roadway to backland development built along our boundary and so close to our home;
- If the application is approved we fear that demolition work could start on site in less than two weeks;
- Neighbouring land boundary is little more than a metre from the buildings to be demolished and their front door and entrance (No.40) little more than 5 metres away. Concerned that their property could also be at risk of becoming contaminated during the demolition process.
- The boundary plan and other plans are problematic in that they seem to preserve our boundaries (No.40) by drawing the fence lines in positions where they are clearly not on the ground e.g. across the border with No.46 Main Road. Unfortunately we are not in a position to challenge them properly without commissioning a surveyor's report and engaging further legal advice / intervention with estimated costs of several thousand pounds.
- As long as the fences are left in their present positions we will reluctantly agree not to challenge their positioning. This does not mean we have accepted them as new legal boundaries although they may become this by default;
- The revised tree report shows the neighbouring apple tree as being retained and protected but it has been omitted from the block plan;
- Requires an explanation of how Jon Hanner/Darren Mortimer's (Highways) submission that the new road access would cross private land (ours) thus needing a legal agreement , has been addressed;
- Requires an explanation as to why the application to demolish the existing building at 42 Main Road and build a replacement one and a half storey house which was the application showing on the portal until very recently and the one we have been asked to comment on has now been changed to demolish—and build a two storey house plus new access road;
- The agent has at last acknowledged that there will be need for a retaining wall if permission is given to construct a roadway along our eastern boundary. There is no retaining wall shown on his plans. As its construction is essential to preserve our fence/land from collapse and as it will have implications for the width of the new roadway, we contend that it should be shown on the plans for the development.;
- Plan submitted acquired from the Highway Boundary Team confirming that No.40 owns the triangular parcel of land to their site frontage.
- We need to be shown on the plans how the proposed new roadway will access the A149 without crossing our frontage with the highway. This currently is not at all clear on Mr Putman's plans.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM3 - Development in the Smaller Villages and Hamlets

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

N/A – currently at a very early stage.

NATIONAL GUIDANCE

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

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

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

PLANNING CONSIDERATIONS

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

- Principle of Development;
- Planning History;
- Form and Character;
- Non-Designated Heritage Asset;
- Neighbour Amenities;

- Highway Safety;
- Other Material Considerations

Principle of Development:

The application site lies within a Smaller Village / Hamlet and as such does not benefit from having a development boundary and countryside policies apply, therefore new development is restricted. However, this application seeks full planning permission for the construction of a replacement dwelling which is acceptable in principle subject to other relevant policies and material considerations.

SADMP Policy DM5 (Enlargement or Replacement of Dwellings in the Countryside) is relevant, stating that:-

“Proposals for replacement dwellings or extensions to existing dwellings will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused”.

The application will be assessed against this policy, along with others, in the following sections of the report.

Planning History:

This application is re-submission of two previous applications for a replacement dwelling and garage which were both refused. The first application, reference 15/02038/F was refused on grounds of scale, height, mass and harmful extension into the AONB.

The second application, reference 17/00602/F was refused for the following reasons:-

1 The scale, bulk and design of the proposal would result in a dominant built form which would appear overly prominent and incongruous within the street scene. In addition the dwelling is out of keeping with the existing built character of this part of the village, poorly reflects the prevailing streetscape and is harmful to the visual amenity and character of the area as well as adjacent heritage assets.

The resultant proposal is an overdevelopment of the plot which is harmful to the visual qualities of the street scene and fails to respond to its context or draw upon key characteristics of its surroundings. As such the proposal is contrary to Policy CS08 of the Borough Council of King’s Lynn and West Norfolk Core Strategy (2011), Policies DM3 and DM15 of the Council’s Site Allocations and Development Management Policies Plan (2016) and paras 61, 64 and 131-134 of the NPPF (2012).

2 The development would result in an extension of the residential curtilage southward into the adjacent countryside, which would erode the village edge causing harm to the character of the area that is designated as an AONB. The proposal is therefore contrary to Core Strategy policies CS08 and CS12; Development Management policies DM2 and DM15; and to the provisions of the NPPF in particular Section 11.

The planning history is a material planning consideration and the current scheme will be assessed against the previous reasons for refusal.

Form and Character:

The application site is situated on the southern side of Main Road, Holme, just outside of the Conservation Area. The Conservation Area lies beyond the eastern boundary of the site and spans across the opposite side of Main Road (north) from Aslack Way. The character of the area changes at this point, with the development to the west of the application site being mixed in scale and design, including bungalows of simple construction, chalet style dwellings (directly adjacent to the west), two storey terraced dwellings, two storey semi-detached and two storey detached (directly to the east), all with varying roof configurations and use of materials.

The southern side of Main Road is very much linear with frontage development. Beyond the application site to the east, the building characteristics become more traditional / historic in terms of their layout, scale, design, and local vernacular, with the exception of the odd large modern property.

The existing bungalow is small in scale, detached and constructed of timber. It is located towards the western side of the site with the access along the eastern boundary leading to the land to the rear which comprises disused Nissen Huts and open countryside. The entire site lies within the designated AONB.

The proposed dwelling will be two storeys in height and will comprise 4 bedrooms. It has a well-balanced front elevation with a centrally located front door, symmetrical fenestration and constructed of red facing brickwork to the lower half, flint cobbles with red brick quoin detailing to the upper half with a natural slate roof.

The dwelling proposed previously was designed totally at odds with anything else in the area. The two wide gables to the front and low level eaves in between made the dwelling appear bulky within the streetscene. Its fenestration was simple and unbalanced, and the facades were featureless. The building formed an 'H' shape which together with its scale, footprint and its siting abutting the eastern boundary, resulted in overdevelopment of the site. The side elevations presented flat flank walls, with the entire depth at two storey and little fenestration, again, creating an excessive mass and poor design.

Efforts have been made during this application process to further address the reasons for refusal given in the previous application. Taking each reason in turn:-

Reason 1. Scale, bulk, design:

The design has been simplified but reflects a more traditional appearance, with balanced fenestration, introduction of header treatments, brick detailing and the use of local materials. The roof is pitched with the ridge line running parallel to the road. The roof proportions, window sizes and arrangements, together with the detailing and use of two different materials on the front elevation helps to break up the solid mass and bulky appearance of the building.

To further reduce the mass of the dwelling, the roof configuration has been broken up by forming a gabled rear projection. The ridge line and eaves level of this rear projection has been lowered compared to the main front part of the dwelling and cat-slide dormers inserted at eaves height to negate the previous mass of depth at two storeys. This rear element has also been inset from the eastern side to reduce its bulk.

The second two storey rear projection shown on the previous scheme has been reduced significantly and is now single storey with a flat roof and roof lantern.

The proposed footprint has been reduced in depth and brought forward within the site compared to the previous refusal, meaning that it is more in line with the neighbouring dwellings to east and west. This also helps to reduce the amount of encroachment southwards into the countryside.

Whilst the height of the proposed dwelling is only approximately 200mm lower than the previous scheme and the scale is still relatively generous, when taking the abovementioned amendments together, it is considered that the bulk and mass of the resulting dwelling has been effectively reduced, lessening its dominance. Its overall scale is therefore more in keeping with the existing built character.

There are other examples of 'larger' properties in the immediate vicinity which have similar footprints, height, width, depth as that proposed.

The proposed garage has been reduced in scale over the course of the amended applications and pushed as far back within the site as practicable to help minimise any visual impact on the street scene. This will also provide adequate space between the garage and front boundary for planting, which will help soften the appearance of the garage.

Furthermore, there are other examples in the area of garages and outbuildings to frontages, therefore it is not considered to result in an incongruous feature within the street scene.

The application was presented to the Conservation Area Advisory Panel, which is not standard procedure for sites outside or adjacent to the CA, but they raised no objection to the scale, mass, design or appearance of the proposed dwelling.

It is the officer's opinion that the amended design has adequately addressed the first reason for refusal. It relates adequately to the constraints of the site in which it will sit, having regard for local context and no longer conflicts with the distinctive character of this part of Holme and thus would not appear overly dominant or incongruous within the street scene. The proposal therefore accords with the provisions of the NPPF, Core Strategy Policy CS08 and SADMP Policies DM5 and DM15.

On this basis the proposed development would not adversely impact on the historic setting of the adjacent Conservation Area or cause significant harm to the landscape quality of the AONB, in accordance with the provisions of the NPPF and Core Strategy Policy CS12.

Reason 2. Extension into the countryside:

In assessing the proposed scheme against the second reason for refusal in the previous application, a balanced judgement has to be taken with regards to the harm an extension of residential curtilage would cause to the character of the countryside and intrinsic value of the AONB.

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

At the time of the site visit there was no clear delineation on site as to where the garden curtilage ends and the open countryside begins. Holme is now categorised as a 'Smaller Village / Hamlet' within the Core Strategy Settlement Hierarchy and as such it has no village envelope / development boundary. This makes it difficult to establish what extent of the application site is actually residential garden curtilage.

For the purposes of this application it would be reasonable to use the Holme Inset Map from the expired Local Plan (1998) which shows the old village envelope before it was removed and was based on established curtilages at that time.

That said, over time there have been gradual encroachments from a number of properties on the southern side of Main Road and some have erected formal boundaries around extended areas of land. On this basis, a view has to be taken as to the degree of material harm the current application will cause when considering other similar cases adjacent.

It appears from measuring the Inset Map and using the mapping system 'QGIS' that the depth of the residential curtilage along its eastern boundary measures approximately 31 metres and along its western boundary measures approximately 27 metres, when measured from the front of the site (back edge of the footpath) to the village envelope line.

The red line shown on the submitted Location Plan does not represent the current 'residential curtilage' but demarcates the extent of the proposed garden extension. The red line has been reduced during the application process as shown in the most recent set of amended plans (Drg. No. 1979.1g). The red line proposes a site depth of approximately 41 metres, meaning that the extension into the countryside would be approximately 10 metres.

Based on the same maps, the previously refused application proposed to extend the 'garden curtilage' by approximately 18m southwards into the countryside. The current application has clearly significantly reduced the extent of the garden extension.

Furthermore, the proposed dwelling has been reduced in depth and moved forward within the site, from that previously refused, to accommodate the entire footprint within the 'established curtilage' as shown on the Inset Map. Permitted Development Rights can be removed to prevent extensions to the dwelling and outbuildings being constructed without prior approval, in order to control the amount of built form in what was originally open countryside.

Whilst the measurement of 10m has been taken from our most reliable sources of mapping information, the fact that those old boundary lines have evolved over time has to be considered. In this case, it is considered that the proposed modest extension of residential curtilage into the countryside would be acceptable and would not result in any significant harm to the character of the area or AONB.

Non-Designated Heritage Asset:

It has come to light that The Poplars bungalow is one of two huts which were known as 'The Hippisley Hut' (listening station) named after the scientist Richard John Baynton Hippisley. During WWI he experimented with new wireless technology to successfully track Zeppelin airships flying from Germany to drop their bombs on the East of England. The "listening station" was sited on Hunstanton Cliffs and relocated to Holme after the War.

In light of this, it was requested by a third party that a BPN is served to delay development and to allow for a formal assessment to be carried out.

The Council's Conservation Team gave this full consideration but the decision was taken that it was not appropriate to serve a BPN in this instance given that the hut is only part of the original structure, it has been moved from its original location, thereby out of context and has undoubtedly been altered when converted into a dwelling.

The third party was advised that they could approach Historic England to see if they think it is worthy of being listed, but nothing on this basis has been submitted to date.

A Heritage Statement was submitted by the Agent which questions whether or not the buildings at No.42 are in fact the genuine Hippisley Hut. It is argued that the bungalow structure has been altered considerably over the years as a result of its conversion to a dwelling and is now outside its historical context on Old Hunstanton cliffs. In addition there is no evidence in the interior of its former use. Indeed, a request to serve a Building Preservation notice has been turned down by the Borough Council. The applicants have indicated their willingness to allow the buildings to be removed if desired by any interested party.

The LPA would welcome the re-siting of The Poplars, known historically as 'The Hippisley Hut, but cannot exercise control over this. Third parties would need to liaise with one another.

Given the suggested history of the building, it would be reasonable to consider it as a Non-Designated Heritage Asset (NDHA). Paragraph 197 of the NPPF states that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

That said, as has been explained above, the building is only part of the original structure; has been moved from its original location; and has been altered internally and externally, therefore it is considered that the degree of significance has been compromised. As the property lies just outside of the Conservation Area it has not been identified as a locally 'Important Unlisted Building' within the LPA's Conservation Area Character Statement which confirms that it has little significance.

It is considered that the replacement dwelling offers a high quality design with use of vernacular materials, taking into account the context and character of the area and therefore the scale of any harm resulting from the total loss of the NDHA, which has limited significance, would not be detrimental to the inherent quality of the locality. Thereby, the proposal accords with the provisions of the NPPF, particularly paragraph 197.

Neighbour Amenities:

The neighbouring dwellings directly to the east and west (Nos. 40 and 46) of the application site would be most affected by the proposed development. The replacement dwelling is proposed to be relocated further towards the eastern boundary of the application site in order to allow space for the proposed new access along the western boundary.

The proposed dwelling has been pulled away from the eastern boundary by approximately 1.5m from that in the previous application. Although the dwelling is relatively close to this boundary, when assessing the street scene, it creates a more evenly spaced built form due to the spacing of no.46 from the site boundary and in turn the gap between the proposed dwelling and No.40.

There is a first floor window on the eastern elevation of the proposed dwelling which serves a bedroom. It is not considered that this window would adversely affect the privacy of the neighbouring residents at No.46 to the detriment of their living conditions given the separation distance between dwellings. Also there are no windows on the side elevation of the neighbouring property and the trees along the eastern boundary will provide partial

screening. The other two windows within the dormer serve a bathroom and en-suite and so can be conditioned to be obscurely glazed to minimise any potential impact.

The first floor window in the western elevation of the proposed dwelling serves a landing which is a non-habitable room and so together with the separation distance between the new dwelling and neighbouring property, any outlook would cause no material impact on the privacy of the adjoining residents.

Due to the orientation of the proposed dwelling in relation to the directly adjoining properties, to the east and west, together with the direction of the sun, there will be no overshadowing to neighbouring residents as a result of the development.

The proposed access track serving the land to the rear of The Poplars will run along the western boundary of the application site. The existing access to the east of the site frontage is proposed to be utilised to serve the new dwelling. There is some vegetation; small garden trees and such like, along with the proposed 1.6m wall to the western boundary which will help to reduce any impact of vehicular movements, in terms of noise and from headlights. This, together with the nature of its proposed use (for maintenance purposes as per condition 15) and separation distance from the dwellinghouse at No.40, on balance, it is not considered that the new access would cause significant harm to the living conditions of the neighbouring residents. Furthermore, a condition can be imposed requesting details of the surface materials to be used in order to control noise and disturbance to the neighbour.

In summary, the separation distance between the proposed dwelling and the neighbouring properties means that there would be no material harm to the amenities of the adjoining residents, in terms of overlooking, overshadowing or overbearing impact. The application is considered to accord with the provisions of the NPPF, Core Strategy Policy CS08 and SADMP Policy DM15.

Highway Safety:

The existing access to the east of the site currently serves The Poplars bungalow and the agricultural land behind. The land to the rear was once used as a small scale campsite certified by an exempted organisation such as The Caravan Club (now known as The Caravan and Motorhome Club) but the use ceased in approximately 2012. However, last year a commercial campsite started operating from that land which is considered to be unauthorised development and as such an enforcement notice (which has been appealed) has been served. The existing access to the east of the site currently serves this land.

It is proposed to shift the replacement dwelling over to the eastern side of the application site, thus cutting off the current access to the land behind. However, the existing access will still serve the replacement dwelling but a new access will be created to the west of the site in order to continue maintenance of the land to the rear.

The new access to the west replaces the existing access to the land at the rear, which is in principle reasonable. However, as the use of the access for more than maintenance of agricultural land would need further consideration, a condition restricting the use of the new access is proposed.

There was some ambiguity over the ownership of the small triangular parcel of land to the north-west of the site frontage where the new proposed access meets the highway. It was thought that this was highway land. However, it has now been confirmed that this parcel of land is under the ownership of No.40.

It is unclear as to whether or not the required 2.4m setback for visibility can be achieved without crossing over this parcel of land owned by the neighbouring resident. There may be a shortfall of 400mm. This has been disputed by the applicant's agent and it is believed that the full visibility splay of at least 2.4m can be achieved wholly within highway land. On this basis, to be absolutely certain, a site visit will be made to measure the site frontage at the required point and the findings will be reported in late correspondence.

The important thing here is that in the worst case scenario, the LHA have confirmed that the relaxed 2m setback would be acceptable in this case given that the slight shortfall is in the non-trafficked direction and the access will be used occasionally to maintain the agricultural land to the rear.

The revised layout, and in particular the position of the proposed garage, is more cramped and on-site turning is subsequently more contrived but it is still technically acceptable to the Highway Authority.

In summary, the Local Highway Authority raises no objection to the replacement dwelling. There is sufficient parking and turning provision on-site.

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.

Representations:

All third party and statutory consultees are taken into consideration in the determination of the application. Some of the objections raised by the Parish Council and local residents have been addressed above in the report. Any outstanding concerns will be considered accordingly:-

Plans inaccurate / discrepancies between boundaries; These comments were noted and the agent was therefore asked to carry out another site survey and provide a revised block plan to show the true boundaries as they appeared on the ground. The amended plan is more accurate, however, it is reasonable to allow a 5 – 10% difference in accuracy due to the thickness of lines etc. It appeared that the block became a little distorted when taking the image from the OS map and pasting it into another piece of software.

The block plan has been thoroughly checked against the LPA's Uniform and QGIS mapping systems which take their images from Ordnance Survey. When measuring the width of the site at three different points; front, middle and rear, the maximum difference between the block plan and the OS maps is approx. 700mm (the block plan being up to 700mm wider). This is well within the 5 -10% discrepancy allowance.

The amount of difference between the block plan and the OS map will not affect the development from being built out. Both plans have sufficient space to accommodate the replacement dwelling and the new access.

The adjoining neighbour to the west is concerned that the development will impact upon their boundary position and that there has been false information given as the agreement between the interested parties on the legal position of those boundaries. These comments are noted. The LPA has done all it can within the remits of Planning Control to resolve the

boundary discrepancy issue, anything beyond this will become a civil matter between the neighbour and the applicant.

With regards to the ambiguity over the front boundary ownership, this issue has been addressed above in the report but to reiterate; it has been accepted that the triangular parcel of land in front of No. 40 is under ownership of no.40 by way of confirmation from the Highway Boundary Team. However, as to whether or not the visibility splay needs to cross this parcel of land is in question due to disputes over the measurements of the site frontage.

It is accepted that the owners of No.40 would be adverse to entering into a legal agreement to achieve the required visibility. As such, a site visit will be carried out by an officer to measure the site frontage to clarify if the full 2.4m setback can be achieved wholly on highway land, as the applicant's agent is arguing.

If it is only possible to achieve a relaxed setback of 2m within crossing over the neighbouring land, this would not result in a highway objection subject to the restrictive condition relating to the use of the access.

Either way, the residents of No.40 can be reassured that their land will not be affected by the proposed splays.

Public consultation process was unsatisfactory; negotiations were taking place for some time between the agent and the LPA over the scale and design of the proposed dwelling. Whilst the amended plans were submitted and uploaded to the website separately and the formal consultation was carried out once the final amended had been submitted, there has been ample opportunity to comment on the application.

Contaminated Land Survey; The Local Authority's Environmental Quality Officer assessed the application and raises no objection subject to conditions. It is evident from a site visit that Asbestos containing material is present on-site and therefore a condition for a site characterisation is recommended for the approval of the LA.

Second homes; This is not a material planning consideration at this stage. When Holme's Neighbourhoods Plan is adopted there may be policies in which to exert some control over this concern but at this stage it would be unreasonable to refuse the application based on the presumption that the property may become a holiday home.

Ecology / Protected Species; The application has been assessed against the Standing Advice offered by Natural England but does not call for an Ecology Survey or Protected Species Survey in this case.

Tree Survey omitted trees; A revised Arboricultural Report was requested in light of this which the Local Authority's Arboricultural Officer has assessed and raises no objection to. There is a slight discrepancy between the first and revised tree plans where one shows the line of Leylandii Cypress on the eastern Conservation boundary and the other shows them just outside of the Conservation Area. The block plan does not indicate the removal of those trees. However, the Arboricultural Report states that they are in poor condition and do not play a significant role in the local landscape so, if required, their removal may be acceptable for the purposes of the development.

It is difficult to tell on site if the Leylandii trunks are on the Conservation Area boundary or just outside. Because of their species and their condition, it is not to be considered that their removal would result in significant harm to visual amenity of the area.

It is proposed to remove seven moderate trees from the site to enable the construction of the proposed dwelling, the garage and new access. These trees are not considered to be of such significant amenity value that replacement trees cannot mitigate against. A condition will be imposed for the development to be carried in accordance with the revised AIA, paragraph 9.1 which states the replacement trees will be heavy standard.

With regards to the concern raised over the Apple Tree on the neighbouring site (No.40) not shown on the amended block plan, it is covered in the revised AIA and shown on the accompanied Tree Plan to be retained and protected during construction works on site. The recommended condition which covers the development being carried out in full accordance with the AIA will secure retention and protection of the Apple tree regardless of it being omitted from the block plan.

Furthermore, a separate condition will be imposed requesting a planting scheme to the site frontage in front of the proposed garage to help soften its appearance within the street scene.

Pre-determination; These comments are noted, however amendments were sought during the application process and the correct procedure was followed during the consultation process.

Unauthorised campsite to rear; At the time the planning application (for the replacement dwelling) was submitted the camping activities on the land behind The Poplars were not taking place. It wasn't until a few months into the application process that these became apparent. The Authority are currently dealing with this issue having served an Enforcement Notice (Ref: 18/00319/UNAUTU) on the 9th October 2018 for the following alleged breach of Planning Control:-

"Without planning permission, the material change of use of a caravan site approved by an exempted organisation under the provisions of The Caravan Sites and Control of Development Act 1960 to a mixed use for storage of two steel containers and building materials and a permanent recreational camping and caravan site with the additional associated infrastructure namely shower and toilet blocks, electric hook ups, fire assembly points and two tents".

The applicant lodged an appeal against the enforcement notice on the 20th November 2018 on grounds A (that planning permission should be granted for what is alleged on the notice; C (that there has not been a breach in planning control); and D (that at the time the enforcement notice was issued it was too late to take enforcement action against the matters stated in the notice). It has been accepted that the appeal will be dealt by way of an Informal Hearing.

The LPA are awaiting instruction from the Planning Inspectorate as to when the appeal process will start. Affected third parties will then be notified of the appeal and given the opportunity to make representations.

Whilst the appeal decision over the campsite to the rear is separate from the decision to be made for the replacement dwelling, one will affect the other as the existing access to that land is on the site of the proposed house. It is appropriate to condition the use of the proposed access so that it is restricted to any purposes in connection with the maintenance of the agricultural land only due to concerns over highway safety and impact on neighbour amenities, which could result from an intensified use. Following legal advice, the LPA deems the recommended condition both lawful and enforceable.

When applying the condition, careful consideration has been given to how it may affect the enforcement appeal. Taking every eventuality in turn; if the enforcement appeal is upheld and the use of the proposed access is restricted to maintenance purposes only by way of the current application, the applicant may be in a position where they have a commercial campsite with no access to it. The only way to access the campsite would be to utilise the existing access to the east of the site which would mean the replacement dwelling could not be constructed as proposed.

If the enforcement appeal is dismissed, the applicant could re-apply to operate a 'Certified Site' on this land. However, there is no guarantee permission for an exempted organisation would be granted. In the case of a certified site, the proposed access would be out of bounds for this purpose due to the restrictive condition. If a Certified Site Licence is applied for using the current access the LPA will be consulted and would have to take a view at that time, following consultation with the Highways Authority, as to the impact on highway safety and neighbour amenities.

The other option, if both the replacement dwelling is approved with the condition restricting the access and the campsite appeal is allowed the applicants would need to take a view over which to implement, as the restrictive condition on the repositioned access would prevent them from doing both. Alternatively, the condition could be appealed or they could apply to vary it and, again, consideration will be given at that time as to the impacts of using the access for an intensified and different use.

Advertisement Board; An application for Advertisement Consent has been submitted to the LPA in relation to the sign to the site frontage advertising the unauthorised campsite. This is still pending decision but will be determined on its own merits and does not affect the decision of this application put before the Planning Committee for the replacement dwelling.

Local Highway Authority consultation; The concerns relating to the incorrect boundary lines on the submitted plans were noted and attempts have been made to try and correct these. In light of this, the Highway Authority's Officer re-visited the application site to measure the existing and proposed accesses on the ground to check that adequate levels of visibility could be achieved. The Highways Officer confirmed that he was happy with the proposed arrangements which could be physically accommodated on site with no risk to highway safety. Furthermore, the case officer will re-visit the site to double-check the measurements at the site frontage to clarify if the 2.4m visibility splay can be achieved.

No need for the access given the access adj. to No. 32; Notwithstanding the fact that the land behind the application site can potentially be served by an existing access adjacent to no.32 Main Road, the proposed access is replacing the link to rear that currently exists on the application site but will be lost due to the position of the replacement dwelling. This is considered to be a reasonable request, which has been considered on its own merits.

Regarding the query over the description of the application changing; the original submission sought consent for a one and a half storey dwelling but as this has been amended during the course of the application (to a two storey dwelling), the description was changed to reflect the amended plans and to clearly lay out the extent of the development for determination.

There is no retaining wall shown on the plans; a condition is recommended requesting full details of boundary treatments including the retaining wall to the west of the proposed access track.

CONCLUSION:

Consideration should be given as to whether or not the reasons for refusal in the previous application (17/00602/F) have been sufficiently addressed in the scheme presented to the Planning Committee.

It is your officer's opinion that the scale, mass, bulk and design of the replacement dwelling have been significantly improved. A more traditional façade has been designed using vernacular materials and good use of different roof configurations with varying eaves and ridge heights. As such it is considered that the proposed development is now commensurate to the site and in keeping with the mixed building characteristics of the locality, having regard for the adjacent Conservation Area and inherent quality of the AONB.

The proposed garage has been scaled down and moved as far back within the site frontage as far as practicable. It is not considered that it would result in an incongruous feature within the street scene given that there are other similar garages and outbuildings to frontages within the immediate vicinity.

The extension of the residential curtilage southwards into the countryside has raised concerns and forms the second reason for refusal in the previous application, in terms of its impact on eroding the AONB. The proportion of land proposed has been significantly reduced since the previously refused scheme. Careful consideration has been given to this and, on balance, it is your officer's opinion that the amount of land required for garden curtilage would not cause significant harm to the landscape quality of the AONB. A condition will be imposed to remove PD Rights for extensions and outbuildings to retain control over further built form.

With regards to the existing building; The Poplars, it was accepted that it would be considered as a Non-Designated Heritage Asset (NDA) given its suggested history. However, in light of the fact that the historic features of the building have been undermined, its significance as a NDA is limited. Taking this into account when weighing its loss against the benefits and qualities of the replacement dwelling, it is considered that there will be no resulting considerable harm. Therefore it is not considered that its demolition or removal from the site should warrant refusal of the application.

In assessing the proposal as presented, the Local Highway Authority (LHA) does not consider that the proposed development, including the new access, would be detrimental to highway safety. If it is found that there is a shortfall in visibility to the west, the LHA confirms that there would be no objection to a 2m setback given the restricted use of the proposed access. Conditions have been recommended in relation to the position of access gates etc.

In terms of the proposed new access to land at the rear, Condition 15, which restricts the use of the proposed access for maintenance purposes only, will offer security both in terms of highway safety and impact on neighbour amenities. The LPA has sought legal advice and the condition is lawful and enforceable in all regards. If the appeal for the campsite to the rear of the application site is upheld or indeed dismissed, the condition will prevent the automatic right to use the new access to serve the campsite. This means that the condition would have to be appealed if this becomes its intended use or an application submitted to vary its use. At this point the LPA and Highway Authority can consider the impact of the intensified use on the highway and on neighbour amenities.

In conclusion, it is your officer's opinion that the proposed development accords with the provisions of the NPPF, Core Strategy Policies and SADMP Policies, and the application should therefore be approved subject to conditions.

RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans, as amended; Location Plan 1979.1d; Block Plan 1979.2g; Proposed Elevations 1 1979.4f; Elevations 2 1979.5f; Proposed Floor Plans 1979.6e; Garage Details 1979.10d; and West Boundary Walls 1979.12.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s), garage, and boundary wall hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: Prior to the first use of the development hereby permitted the new vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 1979.2g) in accordance with the highway specification (Dwg. No. TRAD2). Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 4 Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 5 Condition: Prior to the first occupation of the development hereby permitted the proposed access /on-site car parking & turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 6 Condition: Prior to the first occupation of the development hereby approved, any access gates, bollards, chain or other means of obstruction shall be hung to open inwards, set back by at least 5m in relation to the domestic access, and set back by 8m in regards to the agricultural access, from the near channel edge of the adjacent carriageway, and retained thereafter as such.
- 6 Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened.

- 7 Condition: Prior to the first occupation of the development hereby approved, full details of the surface materials to be used in the construction of the new access to the west of the site shall be submitted to and approved in writing by the Local Planning Authority. The access shall be finished in accordance with the approved details before it is brought into use and maintained thereafter as such.
- 7 Reason: In the interests of protecting the amenities of the neighbouring residents, in accordance with the provisions of the NPPF.
- 8 Condition: The development hereby approved shall be carried out in strict accordance with the revised Arboricultural Impact Assessment and Method Statement prepared by A. T. Coombes Associates, dated July 2018. The replacement planting on site shall be carried in accordance with paragraph 9.1 in the revised AIA.
- 8 Reason: In the interests in protecting the retained trees on site and the visual amenities of the locality, in accordance with the provisions of the NPPF.
- 9 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - * human health,
 - * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - * adjoining land,
 - * groundwaters and surface waters,
 - * ecological systems,
 - * archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
- 9 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 10 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the

Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

11 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

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

12 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 9 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10 above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 11 above.

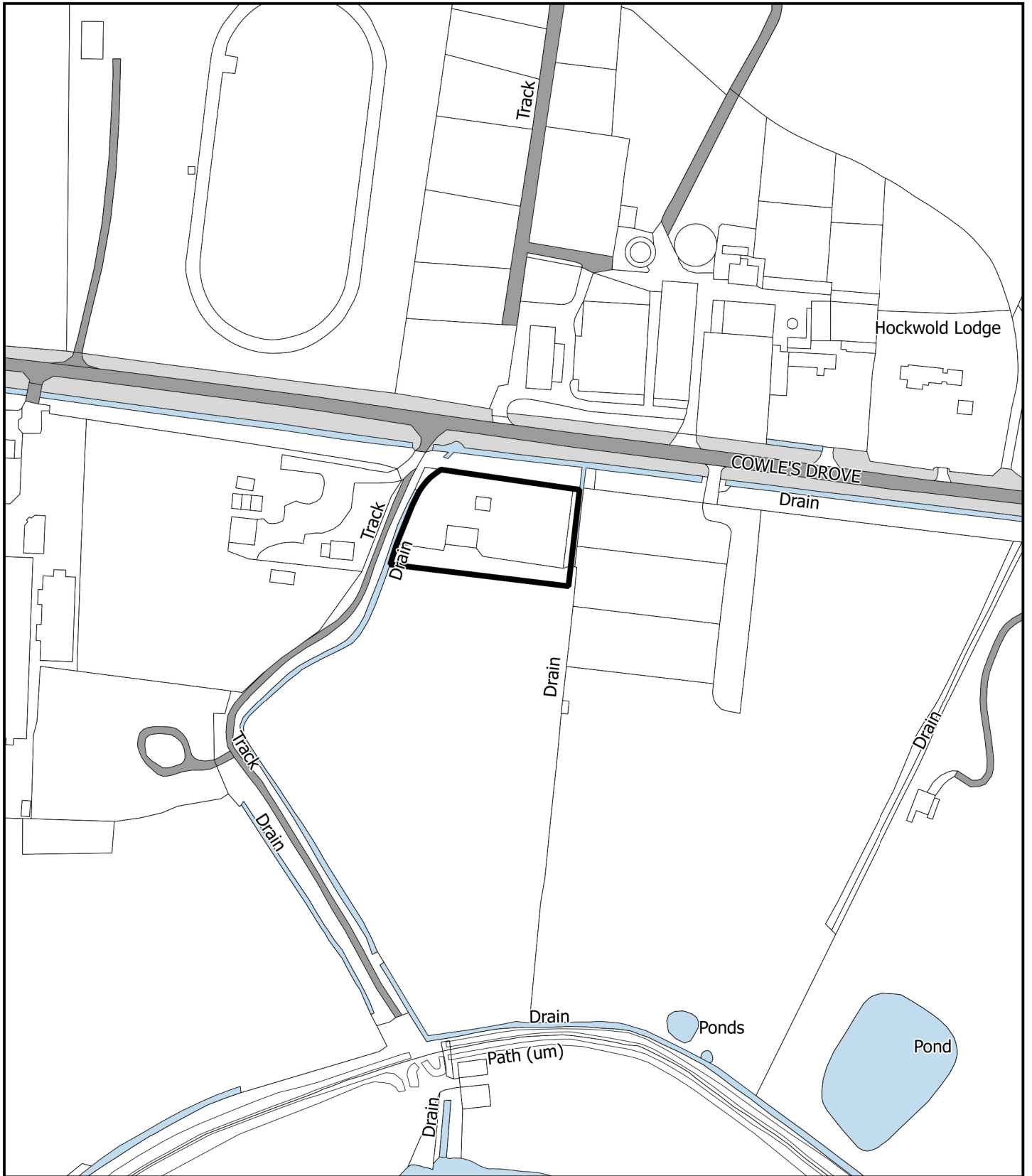
12 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours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

13 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, D and E of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, the erection or construction of a porch outside any external door of a dwelling house, or the provision within the curtilage of a dwelling house of any building, enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

- 13 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 14 Condition: Prior to the occupation of the development, a scheme for new planting on the land between the garage hereby approved and the site frontage (northern boundary) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details in the next available planting season or to a schedule to be agreed in writing. Any trees, shrubs or hedges that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 14 Reason: In the interests of visual amenities of the locality, in accordance with the provisions of the NPPF.
- 15 Condition: The new field access hereby approved to the west of the application site, shown on Block Plan 1979.2g, shall be used for access purposes to maintain the agricultural land to the rear of The Poplars only and shall not be used in connection with any other use.
- 15 Reason: In the interests of highway safety and the amenities of neighbouring residents, as another use, or intensified use, will need to be considered on its own merits.
- 16 Condition: Prior to first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of all boundary treatment to be erected on site, including full details of the proposed retaining wall to the western side of the proposed access. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 16 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
17. Condition: Prior to occupation, the side (east) first floor windows serving the bathroom and ensuite shall be obscurely glazed, and shall thereafter be retained as such.
17. Reason: In the interests of the amenities of the neighbouring property.

18/01607/F

Garner Blast Cowles Drove Hockwold-cum-Wilton



1:2,500

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Parish:	Hockwold cum Wilton	
Proposal:	Removal of Condition 3 of planning permission 05/00836/F: Construction of dwelling and double garage.	
Location:	Garner Blast Cowles Drove Hockwold cum Wilton Norfolk	
Applicant:	Mr Derek Garner	
Case No:	18/01607/F (Full Application)	
Case Officer:	Mrs N Osler	Date for Determination: 29 October 2018 Extension of Time Expiry Date: 8 March 2019

Reason for Referral to Planning Committee – Referred by the Assistant Director

Neighbourhood Plan: No

Case Summary

The application seeks the removal of a condition restricting the occupation of the dwelling to those employed at the adjacent, but no longer operational, shot blasting business (Garner Blast).

Key Issues

Principle of Development
Other Material Considerations

Recommendation

APPROVE subject to appending a condition requiring reversion of the existing ‘bungalow’ back to an office within three months of the first occupation of the application dwelling.

THE APPLICATION

The application seeks removal of Condition 3 appended to the original 2005 permission (05/00836/F) which stated...*first occupied by Mr D Garner, trading as Garner Blast. Thereafter, the occupation of the dwelling shall be limited to a person solely or mainly working in the adjacent shot-blasting business, and any widow or widower of such person and any resident dependants*’.

Removal of this condition would result in an unrestricted dwelling in the countryside, although the history and specific circumstances of this case need consideration.

SUPPORTING CASE

Planning approval was granted in 2005. At this time Garner Blast was a thriving business and had been run for some years by the applicant / land owner Derek Garner. The dwelling has, since the approval, has continued to be constructed and is now practically complete. Mr Garner pays rates accordingly.

In the 13 years that have passed Mr Garner has now gone past the age of retirement and, therefore, no longer runs Garner Blast. The business, since Mr Garner's retirement, has been closed.

A concerted effort was made by Mr Garner to sell Garner Blast. Mr Garner employed Chilterns estate agents to market and try to sell Garner Blast, which they did, from 9th May 2015 to 29th June 2017 (over 2 years). There was insufficient interest for a sale to be agreed. This period is well over the 1no. year that planning policy dictates for an attempt of sale of business in this situation.

It is for the above reasons that I believe planning protocol has been followed and that condition no.3 on the original planning approval should now be removed.

PLANNING HISTORY

05/00836/NMA_2: Application Refused: 07/09/18 - Non-material amendment to planning permission 05/00836/F: Construction of dwelling and double garage - Garner Blast

05/00836/F – Construction of dwelling and double garage at Garner Blast – Committee Approval June 2005

04/02650/F: Application Refused (Committee): 26/01/05 - Construction of dwelling - Garner Blast

2/03/0231/F: Application Refused: 20/05/03 (Committee) - Construction of dwelling house

2/95/1673/O: Application Refused: 16/01/96 - Site for construction of bungalow in connection with grit blasting business - Garner Blast; Appeal Dismissed 30/10/96

RESPONSE TO CONSULTATION

Parish Council: The Parish Council voted to support lifting the restriction of condition 3 if there was a new condition applied that would tie the house to the land, and the land to agricultural use. The Parish Council is concerned about the protection of agricultural lands in our parish. This vote was not unanimous and was passed with reservation.

Highways Authority: NO OBJECTION

CSNN: NO OBSERVATIONS in relation to this application

REPRESENTATIONS

None received at time of writing report.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

The main issue in the determination of this application is the principle of removing Condition 3 of application 05/00836/F which restricts the occupation of the dwelling to *be first occupied by Mr D Garner, trading as Garner Blast. Thereafter, the occupation of the dwelling shall be limited to a person solely or mainly working in the adjacent shot-blasting business, and any widow or widower of such person and any resident dependants*.

Essentially removal of this condition would result in an unrestricted dwelling in the countryside.

Principle of Development

Local Plan Policy DM6 – Housing needs of rural workers states, in relation to existing occupational dwellings, that:

- Preference will be given to retaining agricultural or other rural based occupancy dwellings where there is a local identified need.
- Proposals for the relaxation or removal of agricultural occupancy conditions will only be permitted where the applicant can demonstrate that:
 - (a) The dwelling has been occupied in accordance with the terms of the occupancy condition for a minimum of 5 years; and
 - (b) There is no longer a need for the dwelling by those working, or last working, in the locality in agricultural, forestry or a rural enterprise, established by evidence of marketing (including the provision of details of an independent market valuation reflecting the occupancy condition, as well as all viewings and offers made) for a 12 month period at a price that reflects the occupancy condition.

Although the dwelling was permitted in June 2005, the dwelling remains unfinished, although it is now largely complete. However, in November 2014 Garner Blast ceased trading and Mr Garner retired. As such the business referred to in Condition 3 (Garner Blast) no longer

exists. As such this condition cannot be complied with, and whilst it is clearly contrary to policy DM6 the fact of the matter is that the business to which the house is tied does not exist.

The Parish Council would like to see the restriction changed to tie the dwelling to agriculture. However, without a rural enterprise to tie it too this would fail the conditions tests laid down in the NPPG.

In relation to (b), the dwelling has been marketed, but unfortunately after seeking advice from our Property Services Department at a value higher than they believe reflects the occupancy condition.

The proposal is clearly therefore contrary to both elements of this policy. However, even if the dwelling was marketed for a further period at a figure the LPA considers more appropriate, full compliance with this policy would still not be achievable as it would fail on (a).

Other Material Considerations

However, and of significant bearing to this application, is that Mr Garner has been living in the office of the adjacent redundant business site (Garner Blast) for well in excess of four years (basically on a 'temporary' basis whilst the main dwelling was being built). As such the occupation of this building, which to all intents and purposes has been fitted out as a dwelling, is now lawful due to the passage of time. From here on in, this unit will be referred to as 'the bungalow'.

This has led to the situation where on the wider site (the application site and redundant business site which is included in blue land and can therefore be controlled by condition) there are two dwellings; one unrestricted (the bungalow) and one restricted (the main dwelling).

As such, regardless of the outcome of this application, the wider site would accommodate an unrestricted dwelling (the bungalow) as well as a restricted dwelling (the main dwelling). The latter would not be able to be occupied if the condition is not lifted.

Looking at the bigger picture, the LPA considers the most pragmatic way forward is to allow the lifting of condition 3 on the main dwelling on the basis that within three months of the main dwelling being occupied the bungalow is reverted back to an office. This would result in the site having only one dwelling; the unrestricted main dwelling.

The alternative, not to lift the condition and not to control the reversion of the bungalow back to an office, would retain the status quo i.e. one unrestricted dwelling and one restricted dwelling. This scenario could potentially result in an empty dwelling (the main dwelling) when both national and local planning policy and guidance is seeking to increase housing stock. Furthermore it would not only be unreasonable of the LPA to retain a condition that we know cannot be met, but it would be unlawful.

Crime and Disorder

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

CONCLUSION

In summary:

- Condition 3 cannot be complied with because the business that the condition refers to does not exist;
- To append a condition that cannot be enforced, or in this instance not lifting such a condition, would be unreasonable as it would result in a breach of condition as soon as the property is occupied;
- Whilst there is a history of permitted dwellings tied to rural enterprises down Cowles Drove, the LPA is not aware of any need at this moment in time (i.e. there are currently no outstanding applications for dwellings in this location). As such to append a condition requiring the dwelling to be tied to an unknown business or need would fail the conditions tests laid down in National Planning Policy Guidance (PPG);
- The wider site currently accommodates two dwellings; one restricted and one non-restricted;
- The proposal to allow the lifting of condition 3, together with reversion of the bungalow back to an office (which the applicant has agreed to), seems the most pragmatic way forward.

It is therefore recommended that this application be approved subject to the following condition:

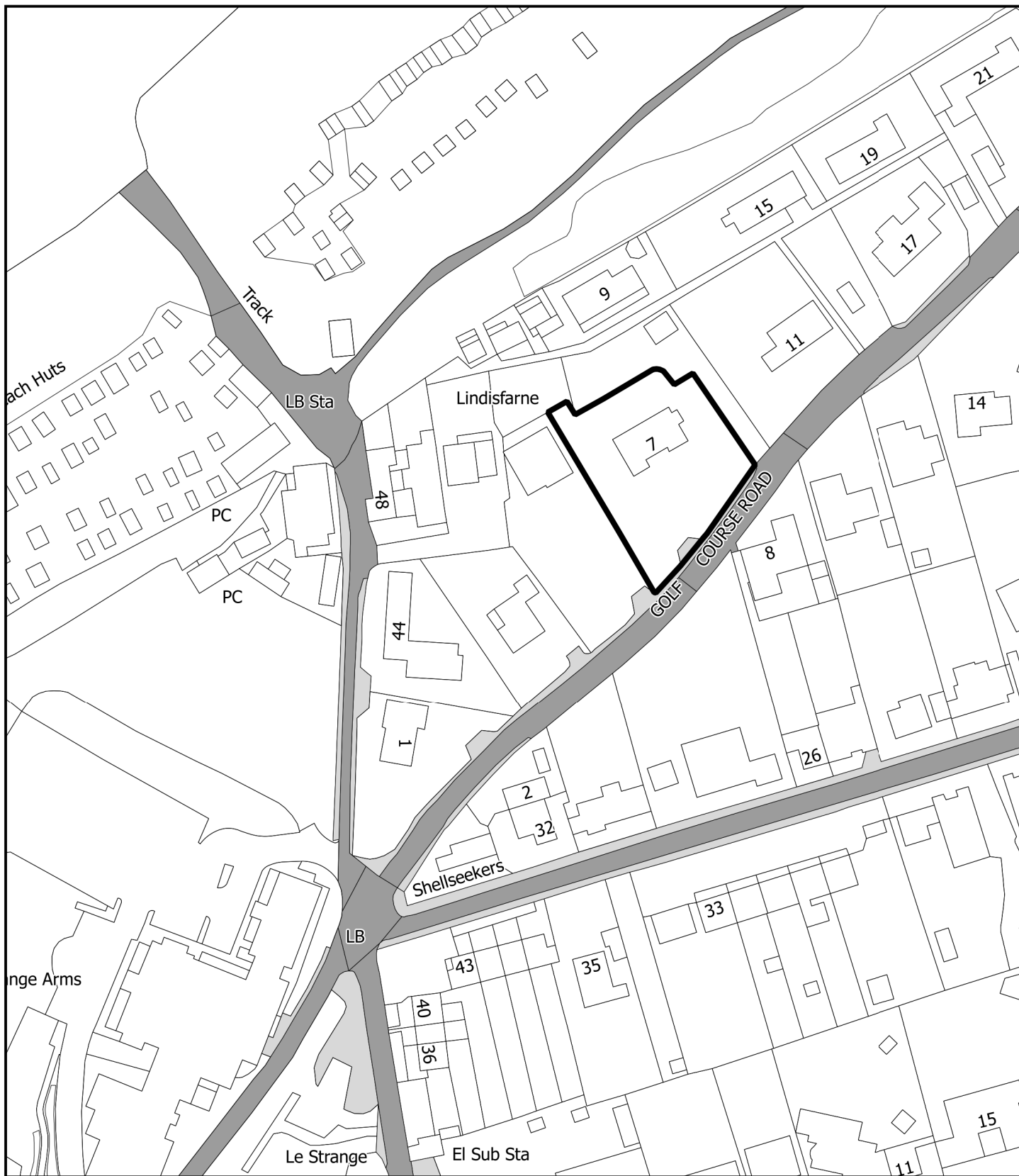
RECOMMENDATION:

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

- 1 Condition: Within three months of the first occupation of the dwelling labelled 'Dwelling House' and contained within the red line site boundary of the Site Location Plan received on 19 December 2018, the dwelling labelled 'Dwelling Bungalow' contained with blue land on the same Site Location Plan shall revert back to an office in accordance with a scheme to be agreed in writing by the Local Planning Authority prior to the first occupation of the dwelling labelled 'Dwelling House' and shall thereafter be used only as an ancillary office in association with any lawful business operating from the site previously known as Garner Blast.
- 1 Reason: For the avoidance of doubt and to ensure that the use of the bungalow reverts to its intended use as an ancillary office and that there is only one dwelling on the wider site in accordance with the NPPF and Development Plan.

18/01518/F

Sonda-Del-Mar 7 Golf Course Road Old Hunstanton



Parish:	Old Hunstanton	
Proposal:	Construction of one detached dwelling and a pair of semi-detached dwellings following demolition of existing dwelling	
Location:	Sonda-Del-Mar 7 Golf Course Road Old Hunstanton Norfolk	
Applicant:		
Case No:	18/01518/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 12 October 2018 Extension of Time Expiry Date: 14 March 2019

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

Neighbourhood Plan: No

THE SITE AND APPLICATION

Sonda-Del-Mar is a single storey dwelling set amongst other residential properties. It is constructed from buff bricks with some cladding on the front elevation, and has flat profile roof tiles and timber windows and doors. The site is well screened by a mixture of close boarded timber fences and hedging of 1.8 - 2 metres (approx.), this boundary treatment is further enhanced by garden planting. To the immediate west and north of the property are two storey dwellings, to the east is a 1.5 storey dwelling (with permission for a two storey dwelling), to the south-east is 1.5 storey and to the south-west a single storey dwelling. Other materials in the vicinity include red pantiles, red bricks and painted render.

This application seeks full planning permission for the demolition of the existing dwelling and the erection of 3 new dwellings (one detached and a pair of semi-detached dwellings).

Key Issues

- Principle of Development
- Form and Character
- Neighbour Amenity
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

This application seeks full planning permission for the demolition of the existing dwelling and the erection of 3 new dwellings. One dwelling is shown to be detached and two are shown as a pair of semi-detached dwellings.

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The detached property would have its own access and areas for parking and turning and the pair of semi-detached properties would have a shared access with parking and turning area in front of each of the proposed dwellings. Accordingly one additional dwelling is proposed along Golf Course Road.

SUPPORTING CASE

The applicant has submitted the following supporting statement:

- The development as approved under 15/01633/O and 17/00537/RM represents a valid fall-back position in this case. There is a very real prospect of that development taking place. A material start will shortly be made.
- It is necessary for the Committee to consider as part of this application what additional or different impacts will arise from the proposed development. If relative to the fall-back position the differences are not significant or material, then there are no reasonable grounds to withhold planning consent.
- In terms of the dwelling numbers, whilst the overall numbers of dwellings on the site is increased from 2 dwellings to 3, the particular design response ensures that the development will read as two detached buildings, with a similar siting and footprint as the two dwellings previously approved.
- The asymmetric design of the semi-detached units, with a forward projecting gabled element to the eastern Plot 3 unit, and the siting of the Plot 2 front door to the side elevation, ensures that the semi-detached unit will visually read as a single building.
- The density of a development is often expressed in terms of site coverage (building footprint as a percentage of site area) or plot ratio; the ratio of gross building floorspace to gross site area; the higher the ratio the more intense the development. By each of these measures the proposed development is actually less dense than approved development.

Comparison of approved and proposed schemes:

17/00537/RM:

Site area 1313 sqm Site coverage 22.05% Plot ratio 0.387

18/01518/F:

Site area 1313 sqm Site coverage 18.9% Plot ratio 0.371

- The footprint of the buildings – compared to the approved development is essentially the same.
- The siting of the dwellings is essentially similar. The one notable change is that the dwellings are actually set several metres further into the site. We consider that setting the units further into the site is actually beneficial in as much as it reinforces the relatively open characteristics of this part of the street.
- The spacing between the units is essentially the same as the approved development.
- The heights of the proposed dwellings in this case are actually lower than the heights of the approved dwellings.
- In the above respects, we consider that the proposed development will have no greater or more adverse impacts than the approved development. Indeed, the empirical evidence would suggest that the overall impacts of the development would actually be reduced when compared with the approved scheme.
- The only other difference of note (setting aside the issue of design, upon which we understand, no objections have been raised) is the location of the car parking at the front of the dwellings rather than at the rear. We would not regard such a change as a negative change.

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- In terms of design no new planning issues are raised by the development. Relationships with adjoining dwellings are generally maintained and no new issues arise, for example in terms of overlooking or privacy loss, or overbearing impacts.
- Based upon the above, it is considered that relative to the fall-back position of the extant consent the proposed development raises no new or substantive issues that would justify a refusal of planning permission. The development proposals demonstrably address the objections to application reference 18/00594/F

PLANNING HISTORY

19/00117/F: Undetermined: - Erection of dwelling (Plot 1)

18/00594/F: Application Refused: 13/06/18 - Demolition of existing dwelling and erection of 3 new dwellings

17/00537/RM: Application Permitted: 05/06/17 - Reserved Matters Application: Construction of two dwellings following demolition of existing dwelling

15/01633/O: Application Permitted: 04/12/15 - Outline Application: construction of two dwellings following demolition of existing dwelling

06/01788/O: Application Permitted: 28/09/06 - Outline Application: construction of two dwellings following demolition of existing dwelling

RESPONSE TO CONSULTATION

Town/Parish Council: (Amended proposal) - **OBJECT** - Old Hunstanton Parish Council still consider this to be overdevelopment of the site.

(Original Proposal) – **OBJECT** - Golf Course Road consists of detached houses which are no more than two storeys high. Semi-detached, three storey houses would be out of place in the street scene.

Three properties on the site would constitute overcrowding and the balconies and windows would cause overlooking issues.

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

Environmental Quality Team: **NO OBJECTION** – but made comments re: contaminated land and air quality

Natural England: **NO OBJECTION** but made comments

REPRESENTATIONS

53 letters of **OBJECTION** received (Two rounds of public consultation and some objectors written in more than once):

- Not in keeping with surrounding development; out of character; character adversely affected
- Overcrowding/ Overdevelopment; 3 houses is too many on the site
- Three storeys is too high

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- Dwellings are out of proportion, high and narrow
- No semi-detached houses along the road
- Sets a precedent
- No other semi-detached properties in the road
- Scale/ three storey building is too much
- Loss of greenery and open space
- Parking at the front will impact on the street scene
- Will create another access point and create traffic issues
- Increase in traffic on the road
- Small and inadequate lane for a further 9 vehicles
- Traffic will cause congestion
- Parking at front of site will harm the streetscene
- Impact on poor junction at top end of lane, adjacent to the Hotel
- Risk to pedestrians from increased traffic
- Undermine quiet characteristics of the road
- Loss of amenity/ adverse impact
- Loss of view (general)
- Loss of view of and from the beach
- Negative impact on drainage; increase risk of flooding
- Interference with amenities
- Overlooking and loss of privacy from windows and balconies of proposed development
- Properties closer to our house- privacy and amenity issues
- Overbearing
- Overshadowing and loss of light
- No streetlights
- Pure greed by the owner of the site
- Condition that the developer/builder makes good Golf Course Road during and after the works
- Amendments do not address the previous reasons for refusal.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

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 issues in the determination of this application are therefore:

- . Principle of Development
- . Form and Character and
- . Neighbour Amenity
- . Highways

Principle of Development

The site already benefits from extant planning permission for two residential units on the site (lpa refs: 15/01633/O & 17/00537/RM) and this is a material consideration.

Planning application ref: 18/00594/F for three detached dwellings was refused planning permission for the following reasons:-

1. The proposal would, by reason of its layout, erode valuable spacing across the site, resulting in a cramped form of development, which would have a harmful impact upon the character of the area contrary to the provisions of the NPPF, (paras 56 - 66), Core Strategy Policies CS06 and CS08 and Development Management Policy DM15 of the Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016).
2. The proposal would, through its height, scale and massing, result in a development which would be unduly prominent in the streetscene to the detriment of the character of the village. It fails to adequately respond to the context and character of the area, resulting in poor design, contrary to the objectives of the NPPF (paras 56 - 66), Core Strategy Policies CS06 and CS08 and Policy DM15 of the Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016).

The principle of two dwellings on the site has therefore already been approved, although the three, detached properties were found not to accord with policy.

Form and Character

This proposal is for one detached and two semi-detached, two storey dwellings set facing Golf Course Road. Two access points are proposed leading to allocated parking and turning facilities for both properties at the front of the site.

Golf Course Road is a narrow, private road containing residential properties of various ages, styles, building materials and heights. That said, Golf Course Road has distinctive characteristics dominated by an unadopted, narrow lane with a significant degree of openness and where soft landscaping prevails. The northern side of Golf Course Road in particular is characterised by relatively large dwellings, set back from the road, in good sized plots. The prevailing characteristics of the application site and its surroundings are therefore of dwellings that are typically detached properties on spacious plots set in an area dominated by planting and soft landscaping.

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In terms of building materials found within the locality there is a mix, including red brick, buff brick, white and coloured render, horizontal boarding, as well as a mixture of plain tiles and pantiles of various colours, textures and profiles. However, this mix of house types and material does not erode the prevailing characteristics and setting of the soft landscaping and dominant planting.

To the immediate south east of the application site is another detached property, but this is set much closer to the road than most other properties. To the north east is a single storey, detached property, to the south is a mixture of single and two storey detached properties and to the west is a two storey detached dwelling. To the north is a parking area serving the properties to the north, accessed from the track which passes immediately to the north east of the site.

This current application proposes a total of three residential units on the site, with two of the units being semi-detached, forming one building block. The two building blocks are set in a staggered layout, sited towards the northern part of the site with parking and turning facilities in front. During the course of the application, following concerns of the local planning authority to the original proposal, amended plans have been submitted which have made changes to the appearance of Plot 1 with a modest reduction in floor area, and some more significant changes to the design of Plots 2 and 3. This pair of semi-detached properties is no longer symmetrical and now has the appearance of one dwelling.

The amendments to the scheme are such that the amount of built form on the site is now very similar to the size and scale of the two detached dwellings approved under refs: 15/01633/O & 17/00537/RM. The design of the dwellings is different to the previous scheme but will not be at odds with surrounding development.

The applicant has demonstrated on the site layout that three detached dwellings could physically fit on the site with some spacing between them. The dimension of the built form is similar to that of the two dwellings approved on the site under Ipa ref: 17/00537/RM, and the applicant has taken great effort to demonstrate the similarities between the heights, widths and depths of this current proposal and the previous approval.

The applicant has submitted plans and a supporting statement showing how the current proposal compares in both height and floor area with the previously approved scheme. Additionally the applicant points out that the footprint is essentially the same, the siting is similar and the spacing between buildings is essentially the same.

These plans show that not only is the proposed detached dwelling (as amended) of similar dimension to the previously approved house on this part of the site, it is also a similar distance from the western boundary. The dwelling has been re-sited further north within the plot so is further from the road.

The comparisons also show that the semi-detached properties are of a marginally lower height to ridge but are a metre wider than the single detached property approved under ref: 17/00537/RM on this part of the site. Accordingly, given that the scale of the built form now proposed is very similar to that previously approved, it is considered the concerns regarding height, scale and mass set out in the reason for refusal 2 of planning permission ref: 18/00594/F have largely been overcome by these amendments.

The key differences would be the need for the additional level of associated facilities, including parking and turning requirements, and bin storage facilities, associated with the extra dwelling.

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In contrast to the previously approved scheme where the parking and turning areas were to the rear of the dwellings, these are to the front of the properties. However, a significant degree of planting would remain along the front of the site.

This proposal would result in a higher density of development in the road. However given that the mass and scale of the buildings would be very similar to the scheme already approved, it is not considered that the additional parking and domestic facilities required for the third dwelling would have such a significant impact on the level of openness and landscaping that it would fail to maintain the local character and high quality environment sought by Policy CS06, or be at odds with the requirements of Policy CS08 or DM15.

Nationally the NPPF states that planning decisions should support development that makes efficient use of land after taking into account issues including the desirability of maintaining an area's prevailing character and setting. In this case it is considered that the proposed layout shows that much of the landscaping can be retained at the front of the site which will soften the impact of the proposed parking areas and the character and setting will be retained.

Through the submission of amended plans it is considered that the applicant has overcome the previous reasons for refusal and that the current scheme can be supported.

It is recommended, however, that if the proposal is supported, details of landscaping and boundary treatment are secured by way of planning condition to ensure that the prevailing characteristics of the area are maintained.

Neighbour Amenity

The relationship between the dwellings proposed and neighbouring properties has been examined and the impact upon the amenity of the occupants of these properties has been assessed. Consideration has been given to overlooking, overshadowing and the proposals being overbearing.

Third party concern has been raised regarding loss of privacy from overlooking and loss of daylight/sunshine from the increased amount of development on the site.

Plot 1 is shown to be closest to the boundary with the property known as Lindisfarne to the north west of the site. This property has a first floor side window approximately half way along the depth of its north east elevation, which the occupant confirms is a secondary window serving a habitable room.

Plot 1 is shown to be sited 3m off the boundary with this property and set in front of it. An enclosed balcony area is shown to the first floor of the unit on Plot 1 with a Velux Cabrio rooflight balcony system above serving the proposed accommodation in the attic space. It is considered that these could be installed to the roof of any dwelling on this site under permitted development rights which is a material consideration.

The impact of the proposal upon the amenity of the occupants of this existing neighbouring property has been considered in terms of overlooking, overshadowing and being overbearing. Whilst the position of the property is closer than the house previously approved on this site, there would be no opportunity for the occupants of the proposed new dwelling to look directly into the windows of this neighbouring property given the distances between the properties and the angles of the position of windows. The distances also meant there would be no significant overshadowing and could not be considered overbearing.

Overlooking from ground floor windows can be mitigated by boundary treatment. First floor windows generally look out towards neighbouring garden areas or over their own garden areas. There are no west facing first floor windows to Plot 1.

One bedroom first floor window and two obscure glazed first floor windows face east on Unit 3. This bedroom window would face out over the garden area of the property to the east but this is separated by an access drive. It is considered this would not have a significantly detrimental impact on the amenity of the occupants of this neighbouring property.

Full height glazed windows are shown to the rear elevations of each of these semi-detached properties at both ground and first floors. However, there are no open balconies so views would be out to the north (seaward). Whilst the occupants of these properties could look out towards the private garden areas of surrounding properties they would not look directly into the windows of neighbouring properties. It is considered there would not be significant overlooking of neighbouring properties from this element.

To summarise, subject to conditions, it is not considered there will be a significantly detrimental impact upon the amenity of the occupants of nearby properties in terms of overlooking, being overshadowed or the dwellings being over bearing, as a result of this proposal.

Highways

Whilst the Highways Authority is aware of the shortcomings of the unadopted Golf Course Road, given the existing level of development, they consider it is very difficult to consider that another additional dwelling on this site would create any highway safety concerns sufficient to warrant objection. Despite third party concerns relating to the increase in traffic on the road, increased demand for parking, risk to pedestrians from increased traffic and the impact on the junction at top end of lane, adjacent to the Hotel, the Highways Authority raise no highway safety concerns.

Other Material Considerations

In relation to third party issues not covered above:

- Objection has been raised regarding the height of the proposed dwellings with reference to three storey properties. However, the proposed dwellings are all of two storey height; Plot 1 utilises the roof space for additional accommodation.
- Loss of view: this is not a material planning consideration.
- Sewage system cannot cope: this element was considered at outline stage where no evidence was found to suggest that the proposal would not be acceptable in terms of foul or surface water drainage matters.
- Increase in traffic on privately maintained road: the principle of two new dwellings has already been established on this site. No objection has been raised by the Highways Authority.
- Danger to pedestrians using beach footpath from additional traffic: As stated above, the Local Highway Authority does not consider that the proposal would create highway safety concerns sufficient to warrant objection.
- The loss of greenery: soft landscaping is part of the loss of character referred to above. Although there would be some areas available for planting, the need for parking areas at the front of the site would erode a significant amount of the existing planting to the front garden to the detriment of the character of the area.
- No semi-detached houses along the road: this would introduce a new characteristic into the street and is part of the concerns raised by the lpa.

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- No streetlights: the road does not have streetlights but this is not a reason for refusal of the development
- Pure greed by the owner of the site; only the planning merits of the proposal can be considered as part of this application
- Condition that the developer/builder makes good Golf Course Road during and after the works; this is a private matter and not one able to be controlled through the planning process.

CONCLUSION

The principle of two dwellings on the site has already been established through the outline planning permission and subsequent reserved matters approval. This current proposal would result in a pair of semi-detached dwellings in place of one of the previously approved detached units.

The proposal would result in a higher density of development in the road. However given that the mass and scale of the buildings would be very similar to the scheme already approved, it is not considered that the additional parking and domestic facilities required for the third dwelling would have such a significant impact on the local character that it would be at odds with the requirements of Policy CS06, CS08 or DM15 or the NPPF.

Further, where proposals maintain an area's prevailing character and setting, the NPPF supports development that makes efficient use of land.

The proposal raises no significant neighbour amenity issues and is acceptable in terms of highway safety. In order to maintain the characteristics of the area it is recommended that conditions be imposed relating to landscaping and boundary treatment.

RECOMMENDATION:

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

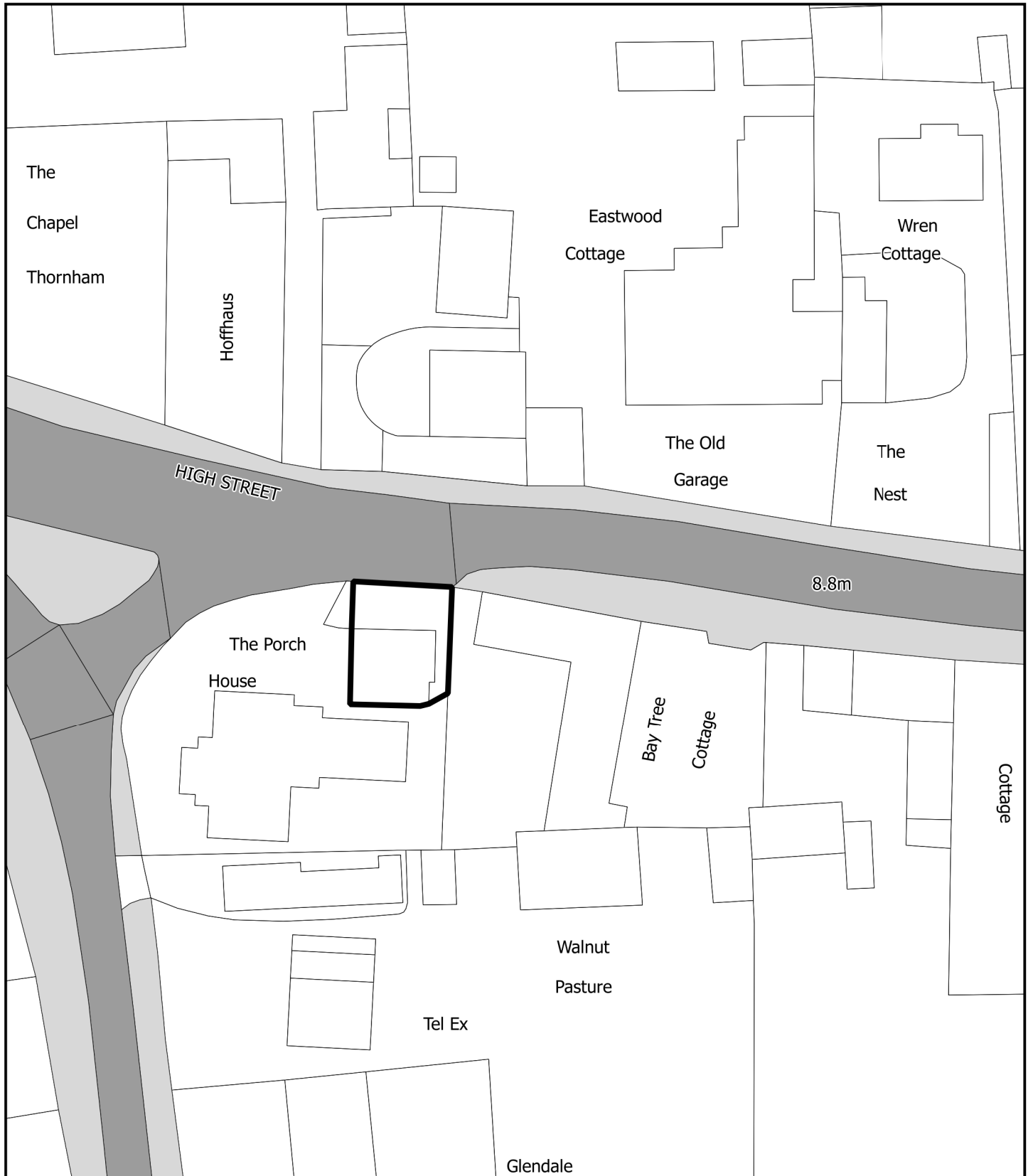
- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plan drawing nos:
 - * Drawing No BSA PP001 Rev B, Overlay Site Plan
 - * Drawing No SA PP002 Rev D, Site Plan and Landscaping
 - * Drawing No SA PP003 Rev A, Streetscene
 - * Drawing No SA PP004 Rev D, Proposed Floor Plans
 - * Drawing No SA PP005 Rev D, Proposed Elevations
 - * Drawing No BR/06 Rev C, Proposed Floor Plans
 - * Drawing No BR/07 Rev B, Proposed Floor Plans
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.

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- 3 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition: Prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 5 Condition: Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 5 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 6 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 6 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

19/00011/F

The Vanity Box High Street Thornham



Parish:	Thornham	
Proposal:	Change of Use from Hair Salon to Residential Unit	
Location:	The Vanity Box High Street Thornham Norfolk	
Applicant:	Mrs L Bailey	
Case No:	19/00011/F (Full Application)	
Case Officer:	Mr James Sheldrake	Date for Determination: 1 March 2019 Extension of Time Expiry Date: 8 March 2019

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

Neighbourhood Plan: No

Case Summary

The application site comprises a hair salon (currently in use) on the southern side of the High Street in Thornham, to the east of the junction with Hall lane. Thornham is classified as a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy.

The site is located within the development boundary of Thornham and the Thornham Conservation Area.

The proposal seeks consent for the change of use from a hair salon to a single bedroom dwelling.

Key Issues

- Principle of Development
- Loss of community facility
- Impact upon the setting of Thornham's Conservation Area
- Impact upon Neighbour Amenity
- Highway Safety Issues

Recommendation

REFUSE

THE APPLICATION

Thornham is classified as a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site is located within the development boundary of Thornham and the Thornham Conservation Area. The building is not labelled an Important Unlisted Building in the Thornham Conservation Area Character Statement.

The site comprises a small hair salon operating from a single-storey building, set back from the road, with parking to the front. The property is set off the High Street between two residential properties either side. On the west boundary of the site is a hedge and fence and on the east boundary is the gable wall of the neighbouring dwelling.

SUPPORTING CASE

The Hair Factory salon sits in the centre of Thornham, within Built Environment Type C and Thornham Conservation area. The proposed site sits within both the development and settlement boundaries of Thornham, thus meaning the site is suitable for residential development and does not sit within the countryside.

The proposal being presented includes the Change of Use of the existing hair salon to a one bedroom residential unit with parking and amenity space to the front.

There are a number of reasons which have led to this proposal being submitted by the applicant and owner of the building and business, all of which should be taken into consideration.

Current staff have other commitments and ambitions arising within the very near future, resulting in them vacating the business, however it is important to note that the businesses was offered to existing staff members. Finding staff within this rural and seasonal area is extremely difficult, something the occupant has tried a number of times throughout the years of operation, employment has always been an issue.

The applicant, who currently works within the business, simply cannot continue to work due to health and personal reasons, stemming from the job itself. A 'frozen shoulder' and 'warn out rotator cuffs' have led to the inability to continue to work in the current climate - through staff shortages this will make an already unmanageable situation worse.

The proposal being presented provide a one-bedroom residential unit. To the rear of the building will be a kitchen with external access, shower room and small utility area. To the front of the building will be a single bedroom and dining / living space. Externally, a small amenity space shall be provided and a single parking space.

I must stress that no external changes to the elevations of the existing building are required or part of this proposal - all windows, doors and facades shall remain as existing.

Frequently there are 3 vehicles parked to the front of the salon, with further cars parked on the highway. Through this change of use the vehicle movements and intensification will be dramatically reduced. By providing one bedroom, one parking space is required. This reduces the potential number of vehicle spaces from 3 to 1.

Vehicle movements are extremely frequent at a hair salon, with consumers arriving and leaving up to every 30 minutes. Again, through this change of use this will be dramatically reduced.

PLANNING HISTORY

18/01875/F: Application Withdrawn: 04/12/18 - Change of use from Hair Salon to Residential dwelling

2/91/2332/CA: Application Permitted: 21/11/90 - Retention of extension to hair salon and incidental demolition to form opening to new extension.

2/89/2687: Application Permitted: 12/06/90 - Extension to existing hair salon.

2/79/1769/F- Conversion of garage to bedroom.

RESPONSE TO CONSULTATION

Parish Council: **SUPPORT**

Highways Authority: **NO OBJECTION** Should your Authority be minded to the grant of consent, I would seek to append the following conditions to any consent notice issued:-

SHC20 - Prior to the first occupation of the development hereby permitted the proposed on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking area, in the interests of satisfactory development and highway safety.

Community Safety and Neighbourhood and Nuisance: **NO COMMENT RECEIVED**

Norfolk Coastal Partnership: **NO OBJECTION**

Conservation Officer: **NO OBJECTION**

Environmental Quality Officer: **NO OBJECTION**

REPRESENTATIONS: None.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS07 - Development in Coastal Areas

CS10 - The Economy

CS12 - Environmental Assets

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

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

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 planning considerations in regards to the application are:-

1. Principle of Development
2. Loss of community facility
3. Form and Character, and the Impact upon the setting of Thornham's Conservation Area
4. Impact upon Neighbour Amenity
5. Impact on Highway Safety

Principle of Development

The proposal seeks consent for the change of use from a hair salon to a dwelling. As the site is within the development boundary the principle of development is acceptable, provided the proposal complies with Local Plan policies, particularly those relating to the retention of community facilities.

Loss of community facility

Policy CS10 of the King's Lynn and West Norfolk Borough Council Core Strategy (2011) states that the Council will seek to retain land or premises currently or last used for employment purposes unless it can be demonstrated that continued use of the site for employment purposes is no longer viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand.

Policy DM9 of the Site Allocation and Development Management Policies Plan 2016 (SADMPP) states that:

"The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth.

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Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:

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

The premises are clearly an existing community facility in an area with relatively poor levels of provision.

Within the policy approach subsection of DM 9 it is stated that for part b) of Policy DM9, "evidence of marketing the business or premises for a sustained period (usually a minimum of 12 months), at a price reflecting the authorised uses, details of income/profit achieved in recent years, evidence of significant long term changes in the relevant market" is required to justify the loss of the existing community facility. The applicant has failed to provide any evidence to demonstrate that it is no longer viable or feasible to retain the premises in a community facility use. Therefore, the proposed development is contrary to Policy DM9.

The National Planning Policy Framework (NPPF) 2018 also supports the retention of shops and other community facilities, particularly in rural areas. The relevant Paragraphs of the NPPF are 84 and 92.

Form and Character, and the Impact upon the setting of Thornham's Conservation Area

The only external change is the conversion of two parking places to outdoor amenity space to the front of the property and the addition of a low picket fence to the outside of the amenity space. Although small, the outdoor amenity space is considered sufficient given the size of the proposed dwelling. Additionally, there is an area to the rear for the storage of bins which is currently used by the business for bin storage. The proposed development is not considered to cause harm to the character and appearance of the Thornham Conservation Area.

Impact upon Neighbour Amenity

The external dimensions of the property aren't changing and the proposal won't introduce any new windows. Therefore, the impact on neighbour amenity is acceptable.

Impact upon Highway Safety

Due to the existing use of the site, and the reduction in parking required; the Highways Officer has no objection to the proposed development, subject to condition. Therefore, the impact on highway safety is acceptable.

CONCLUSION

Members will need to consider whether the proposed loss of a community facility in an area with low provision is acceptable given that it hasn't been demonstrated that it is no longer viable or feasible to retain the premises in a community use, as required by Policy CS10 of the Core Strategy and Policy DM9 of the SADMPP.

It is the opinion of Planning Officers that without evidence demonstrating that it is no longer viable or feasible to retain the premises in a community use, the proposed development is

contrary to Site Allocations and Development Management Policies Plan (2016) Policy DM9, and there are no material considerations considered to outweigh the policy objection. Therefore, the proposed development is recommended for refusal.

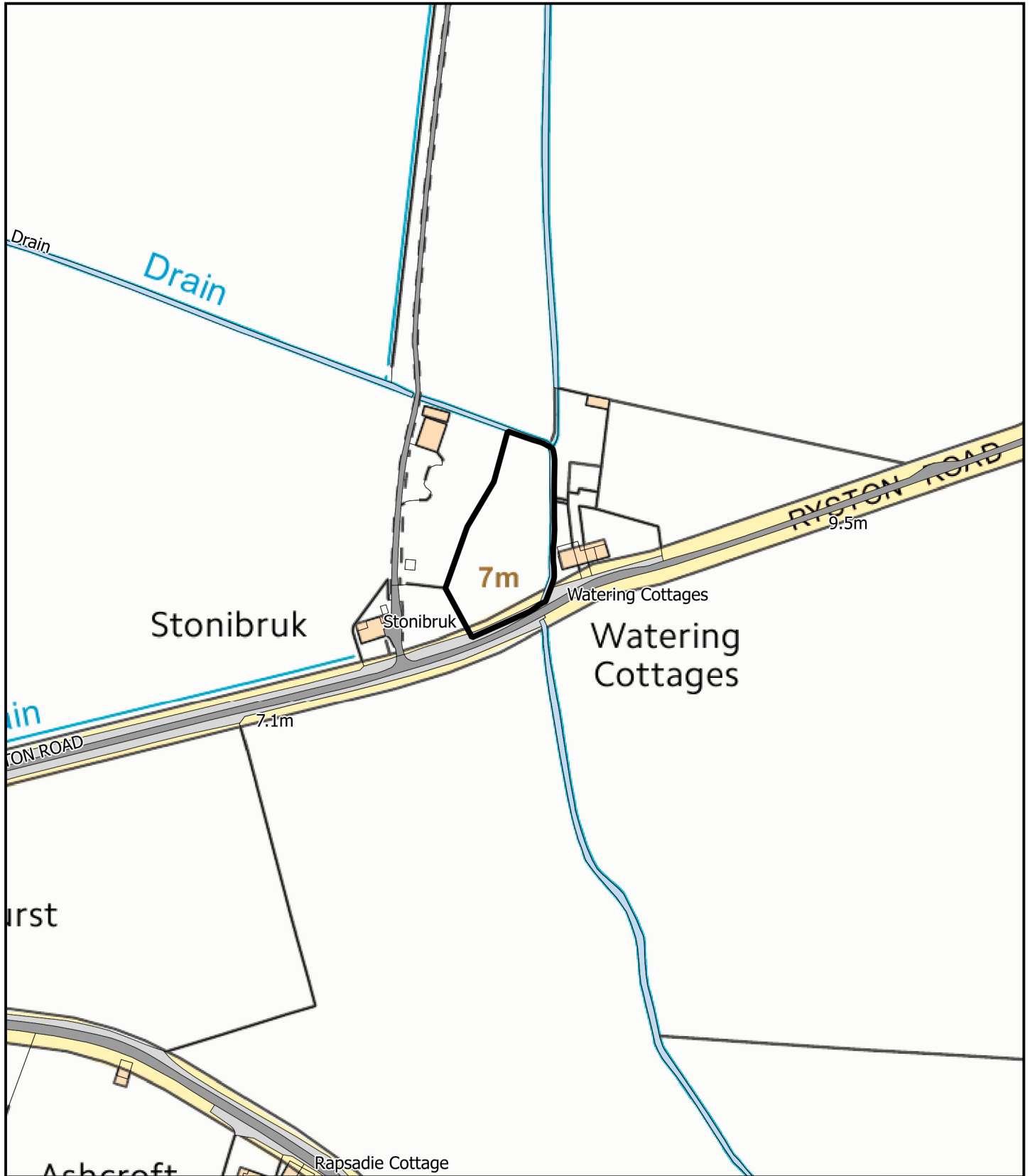
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed development would result in the loss of a community facility in the heart of the village where there is low provision. The application as submitted fails to clearly demonstrate that the continued use of the premises as a hair salon or alternative community facility use is unviable. No evidence of marketing the business or premises for a sustained period, details of income profit achieved in recent years, or evidence of significant long term changes in the relevant market have been submitted. In the absence of this information there is insufficient evidence to demonstrate that the property has been satisfactorily marketed and that the existing use or an alternative community facility use is not viable. As a result the proposal fails to accord with the provisions of Site Allocations and Development Management Policies Plan DM9; Policies CS01, CS08 and CS10 of the King's Lynn and West Norfolk emerging Core Strategy (2011); and Paragraph 92 of the NPPF 2018.

18/00231/F

Stonibruk Ryston Road West Dereham



Parish:	West Dereham	
Proposal:	Proposed new dwelling	
Location:	Stonibruk Ryston Road West Dereham King's Lynn	
Applicant:	Mr Oliver Glover & Mrs Hayley Burton	
Case No:	18/00231/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 5 April 2018 Extension of Time Expiry Date: 10 February 2019

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

Neighbourhood Plan: No

Case Summary

The application is for full planning permission for the construction of a large detached four bedroom dwelling located to the east of the dwelling known as 'Stonibruk'. The application site fronts onto Ryston Road in West Dereham, and is detached from the built extent of the settlement, located to the west of this.

The applicant has stated that the dwelling is required to provide support for elderly relatives residing at 'Stonibruk' and for security to the family business premises to the north of the application site.

Key Issues

- * Principle of Development
- * Form and Character
- * Neighbour Amenity
- * Highways/ Access
- * Flood Risk

Recommendation

REFUSE

THE APPLICATION

The application is for full planning permission for the construction of a large detached four bedroom dwelling located to the east of the dwelling known as 'Stonibruk'. The application site fronts onto Ryston Road in West Dereham, and is detached from the built extent of the settlement, located to the west of this.

The applicant has stated that the dwelling is required to provide support for elderly relatives residing at 'Stonibruk' and for security to the family business premises to the north of the application site.

The application site is currently classed as agricultural land, although is not currently farmed.

SUPPORTING CASE

- This application has been submitted for the provision of a new residential dwelling positioned as an infill development between Watering Cottages (3No dwellings) and Stonibruk, an existing bungalow owned by the applicants parents who have lived at the property and farmed the 65 acres of farmland that surrounds the property for the last 50 years.
- The Site Allocations and Development Management Policies Plan 2016, states that West Dereham has been classed as a 'Smaller Village and Hamlet' by the 2011 Core Strategy and as such it does not have any specific site allocations or a development boundary. Only very limited development would be expected in West Dereham and this is to be judged against the range of policies in the Core Strategy and the Development Management Policies in this Plan (including, in particular, DM3: Development in the Smaller Villages and Hamlets). The policy states that even though there is no development boundary for the SVAH, this does not mean there is an embargo on development in these settlements.
- The Policies within DM3 refer to provision of development to meet local needs and maintain the vitality of the settlements and that development will be limited to meet specific needs. As explained in the original planning supporting statement, the specific needs for a new dwelling in this location relate to providing support to the applicants elderly relatives that reside at the property known as Stonibruk and also to provide security to the family business premises situated to the north west of the proposed new dwelling as there have been a number of burglaries at the premises in the last 12-18 months, causing concern and distress to the occupants of Stonibruk and the business itself.
- Although the site sits within Flood Zone 3, after discussions and meetings with the Environment Agency, the Environment Agency have agreed upon a proposed finish floor level for the new dwelling, are satisfied that compensatory measures can be put in place should any flooding occur and offer no objection to the development, subject to compliance with planning conditions.
- Stoke Ferry Internal Drainage Board have no objections to the proposals from a drainage point of view.
- Norfolk County Council Highways have assessed the site and its proposed access and confirm that the proposals meet with the required adopted standards.
- West Dereham Parish Council support the proposed development and advise that the application meets with the West Dereham Parish Council preferred new house Planning Criteria.
- Local Councillor Sandra Squires supports the application and understands the requirement for a local family wanting to provide a new family home offering support to their elderly relatives and family run business.

PLANNING HISTORY

None

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

It meets with West Dereham Parish Councils preferred new house planning criteria.

Highways Authority: NO OBJECTION.

The proposed access, parking and turning as indicated would accord with the adopted standards. The proposed development site is however remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport. It is the view of the Highway Authority that the proposed development are likely to conflict with the aims of sustainable development and you may wish to consider this point within your overall assessment of the site. Should however your Authority seek to approve the application I would recommend conditions and informals are attached.

Internal Drainage Board: NO OBJECTION.

Environment Agency: NO OBJECTION.

National Planning Policy Framework Flood Risk Sequential Test- In accordance with the National Planning Policy Framework (NPPF) paragraph 158, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this. By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be aware that although we have raised no objection to this planning application on flood risk grounds this should not be taken to mean that we consider the proposal to have passed the Sequential Test.

Review of Flood Risk Assessment (FRA)- We have no objection to this application, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) addendum dated 11th December 2018 are adhered to. The FRA states:

- * Finished floor levels to be 7.65mAOD
- * Flood resilient measures to be included in construction
- * Flood compensation to be provided in line with the submitted drawing ref 2113- 07D

Foul Drainage- The site is located in an area which is not served by the public foul sewer. Accordingly, the proposal will need to be served by a non-mains drainage system.

Environmental Health & Housing – Environmental Quality: NO COMMENTS.

Public Rights of Way (NCC): NO OBJECTION.

We have no objection in principle to the application but would highlight that a Public Right of Way, known as West Dereham Footpath 5 is aligned alongside the ditch on the south side of the road and is coincident with the new proposed drain. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation. This includes any disturbance to the surface of the PROW.

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REPRESENTATIONS

ONE NEUTRAL letter received from neighbouring dwelling raising the following concerns-

- No trees to be planted where it will block sunlight to our kitchen or garden.
- Remove 2 conker trees near kitchen/ conservatory as conkers fall onto our pathway and conservatory roof.
- We were informed the ditch would be diverted but on plans shows old ditch will stay and an island of trees and shrubs will be there. This ditch is causing problems to our house being so close as the soil gets washed away daily. When the water level rises it comes onto the pathway beside the house, in the past has been to doorstep. Would it be possible to fill the old ditch and widen new one to stop these problems?
- No objections to house plans.

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

DM3 - Development in the Smaller Villages and Hamlets

DM21 - Sites in Areas of Flood Risk

NATIONAL GUIDANCE

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

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

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

PLANNING CONSIDERATIONS

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

- Principle of Development
- Form and Character
- Neighbour Amenity
- Highways/ Access
- Flood Risk

Principle of Development

West Dereham is classified as a Smaller Village and Hamlet in the settlement hierarchy contained within Core Strategy Policy CS02. The adopted Local Plan seeks to focus most development in sustainable settlements to ensure services and facilities are within proximity of the development, reducing the need to travel. For such settlements there is no development boundary and therefore development is assessed against countryside protection policies; NPPF paragraph 79 and Core Strategy Policy CS06 both of which seek to restrict new dwellings in the countryside.

Policy DM3 'Development in Smaller Villages and Hamlets' of the Site Allocations and Development Management Policies Plan (SADMP) identifies that there is a potential need for a modest amount of development in the smaller settlements, and alongside development suitable in rural areas, specific criteria is included within the policy to permit some limited 'infill' development.

This application provides limited justification as to why countryside policies should be relaxed, and fails to meet the requirements listed in policy DM3. The applicant states that the dwelling is required so that they are able to live close to elderly relatives currently residing at neighbouring dwelling 'Stonibruk' and also to provide security to the family business premises situated to the northwest of the dwelling, as there have been burglaries in recent years. In terms of the proximity to elderly family, this is not considered to be sufficient a planning reason to grant consent for a new detached dwelling in the countryside. Also there is a dwelling located next to the family business already (Stonibruk) and there is nothing to suggest that an additional dwelling will further reduce the likelihood of burglaries. The applicant has not provided any evidence to suggest an additional dwelling is required in the countryside to directly support a business.

The applicant infers that the development is 'infill' however again the proposal does not accord with the criteria stated in policy DM3. The policy states that 'the sensitive infilling of small gaps in an otherwise continuously built up frontage will be permitted where the development is appropriate in scale and character and it will not fill a gap which provides a positive contribution to the street scene.' In this instance the application site and dwelling proposed is not within an otherwise continuously built up frontage. While the site is located between two properties it is of particular relevance that the site itself is located well away from the start of the linear development within the main part of West Dereham, it is very rural in character and is part of an isolated collection of four dwellings surrounded by farmland. It does not constitute a continuously built up frontage as required by Policy DM3, and is not considered to represent sustainable development.

Form and Character

The application site is rural in character, with an existing bungalow to the west of the site, and a terrace of three workers-style cottages to the east. These dwellings are not uniform in character. As a result there is no requirement to conform to a particular development type, but the scale of the dwelling proposed and the requirement to raise finished floor levels in accordance with the Flood Risk Assessment will result in the new dwelling being of more significant scale and impact, and it will be visible in this relatively isolated rural location, altering its character.

Neighbour Amenity

The application site is neighboured by existing dwellings on either side of Ryston Road. However the site is large and there is sufficient separation (approximately 20m at the closest point) between the dwelling proposed and those existing to reduce any impact in terms of

overshadowing or the scheme being overbearing. The plans show existing boundary treatments are to be retained, and given the separation distance will not give rise to any overlooking or loss of privacy.

The neighbour raises concerns regarding the planting of new trees and removal of existing. The plans indicate that the existing boundary treatments will be retained and enhanced by the planting of additional native trees, shrubs and hedgerows. The site is located to the west of the existing dwelling and in our view the additional planting will not sufficiently restrict light to the dwelling and is acceptable in planning terms. The representation also queries the relocation of the ditch which is indicated on early versions of the site plan. During the application process proposals to move the ditch were abandoned due to the need for an application for prior consent to the Lead Local Flood Authority to enable this. In planning terms it is acceptable for it to be retained in its current position.

Highways/ Access

The Local Highways Authority do not raise any objections to the scheme on highway safety grounds and recommend a series of conditions and informatives to be attached to the planning consent should it be approved. However they do query the sustainability of the site for a new dwelling, given it is remote from local services. This issue has been discussed above.

Flood Risk

The NPPF makes it clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. In areas at flood risk the sequential test should be applied and development should not be permitted if there are reasonably available sites appropriate for the proposed development, in areas with lower risk of flooding. In cases where it is not possible for the development to be located in zones at a lower risk the exception test may have to be applied. Both elements of this exception test need to be satisfied for development to be permitted.

The Flood Risk Assessment submitted with the application discusses the sequential and exception tests. This states that given the Borough Council allows such residential development in zone 3 areas, subject to meeting specific flood risk design guidance, that no sequential or exception testing is necessary. Therefore the location of development complies with the NPPF. This is not correct.

The specific design guidance referred to above, and in the applicants FRA, is to be utilised in circumstances where the sequential test and all parts of the exception tests have been passed. It does not negate the need to carry out these tests in accordance with national policy guidance.

In consideration of the sequential test the site is located within flood zone 3 of the SFRA. The Local Planning Authority is required to consider reasonable alternatives at a lower flood risk within the parish. While it is recognised that the applicant wishes to be located next to 'Stonibruk' and the associated business, there are alternative locations in West Dereham within a reasonable proximity to the site, which are at lower flood risk. Therefore given these alternatives the scheme does not pass the sequential test.

In assessing the application, it is useful to also consider the application against the exception tests. The proposal must demonstrate that the development is needed for wider sustainability benefits to the community. There is not a need for a dwelling in this location, there are limited 'wider sustainability benefits to the community' that would outweigh the flood risk, and therefore it also fails the exception tests in line with the NPPF.

It is acknowledged that, beyond the sequential and exception tests, the Environment Agency are satisfied that the proposal can be developed with appropriate mitigation measures and flood resilience measures, and will not increase flood risk elsewhere as a result of the development, but they also make it clear that it is for the LPA to assess these fundamental aspects of flood risk planning policy.

CONCLUSION

The proposed development would represent a new dwelling in the countryside. It does not accord with the policy criteria in DM3 in terms of development suitable in rural areas, or as an 'infill' form of development. The scheme is also remote from the main part of West Dereham, as part of an isolated and small collection of dwellings. Therefore the scheme is contrary to the provisions of the NPPF, policy CS06 of the adopted Core Strategy and policy DM3 of the adopted Site Allocations and Development Management Policies Plan.

Furthermore the site lies within flood zone 3 and it is the view of the officer that the application fails to meet the sequential test, required in line with the NPPF paragraphs 155-165. There are no material considerations that would outweigh this fundamental in principle policy objection. Consequently it is recommended that Members refuse the application for the reasons discussed above and detailed below.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The site forms part of a small isolated collection of dwellings within West Dereham, a smaller village and hamlet, where development is restricted unless it is required in relation to a rural enterprise or represents infill development. The applicant has not provided any special justification why countryside protection policies should be relaxed, and the proposal does not represent the infilling of a small gap within an otherwise continuously built up frontage. The proposed development is therefore contrary to paragraph 79 of the NPPF, Policy CS06 of the Core Strategy and policy DM3 of the Site Allocations and Development Management Policies Plan.
- 2 The application site falls within Flood Zone 3 of the Strategic Flood Risk Assessment and the scheme fails to pass both the sequential test, and the exception tests. There are considered to be alternative locations for development within West Dereham which are at a lower flood risk, and the proposal does not represent development where the sustainability benefits outweigh the flood risk. The proposed development is therefore contrary to paragraphs 155-165 of the NPPF and policy CS08 of the adopted Core Strategy.

PLANNING COMMITTEE – 4 MARCH 2019

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the February Planning Committee Agenda and the March agenda. 113 decisions issued 104 decisions issued under delegated powers with 9 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area
- (4) Majors are assessed against a national target of 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 19/09/2018 – 24/10/18

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	DCB decision	
								Approved	Refused
Major	4	4	0		4	100%	60%	1	0
Minor	53	46	7	52		98%	70%	3	3
Other	56	53	3	52		93%	80%	2	0
Total	113	103	10						

Planning Committee made 9 of the 113 decisions, 8%

PLANNING COMMITTEE - 4 MARCH 2019

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

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

RECOMMENDATION

That the report be noted.

DETAILS OF DECISIONS

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
14.12.2018	15.02.2019 Application Permitted	18/02238/F	Rowan House Church Road Barton Bendish Norfolk To form a self-contained annexe within existing domestic space for occupation	Barton Bendish
07.11.2018	25.01.2019 Application Permitted	18/01998/F	Kingfishers Cross Lane Brancaster King's Lynn Proposed rear extension, single storey side and front extension and re-positioning of access (amended application)	Brancaster

21.12.2018	08.02.2019 Application Permitted	18/02275/F	Staithe Garden Cottage Main Road Brancaster Staithe King's Lynn Demolition of existing rear extension and rebuilding, Addition of two bay windows at first floor level	Brancaster
02.08.2018	30.01.2019 Application Permitted	18/01415/F	Gallow Hill Farm Stanhoe Road Burnham Market Norfolk Conversion of barns to two dwellings and extension of existing farmhouse	Burnham Market
06.12.2018	11.02.2019 Application Permitted	18/02186/F	Rowan House Herrings Lane Burnham Market King's Lynn Proposed construction of timber cart lodge	Burnham Market
17.10.2018	15.02.2019 Application Permitted	18/01852/F	Anchorage East Harbour Way Burnham Overy Staithe Norfolk Demolition of a small lean-to and garden room. Reconstruction of brick boundary wall sections. Construction of two storey extensions to the north, east, and west.	Burnham Overy
05.12.2018	28.01.2019 Application Permitted	18/02175/LB	Sundial Barn 1 Mill Farm Mill Road Burnham Overy Town Listed building application: Installation of 3no. Conservation Roof Windows.	Burnham Overy
04.12.2018	30.01.2019 Application Permitted	18/02166/F	28 Town Lane Castle Acre King's Lynn Norfolk Two storey extension to existing dwelling with single storey element	Castle Acre

07.01.2019	01.02.2019 Tree Application - No objection	19/00004/TREECA	15 St James Green Castle Acre King's Lynn Norfolk T1 Oak Tree - Fell	Castle Acre
08.02.2019	14.02.2019 Tree Application - No objection	19/00024/TREECA	1 - 2 Stocks Green Castle Acre King's Lynn Norfolk TREE IN A CONSERVATION AREA: Fell T1 Lawson Cypress	Castle Acre
13.11.2018	08.02.2019 Application Permitted	18/02042/F	Buttercup Cottage Congham Manor St Andrews Lane Congham Change of use of dwelling from holiday let to residential unit	Congham
21.08.2018	15.02.2019 Application Permitted	18/01545/F	The Ashley-Emile Theatre Dance School Victoria House 3 Manor Road Dersingham King's Lynn Conversion of Dance School Barn to separate dwelling and new access to donor property	Dersingham
24.12.2018	07.02.2019 Application Permitted	18/02287/F	58 Valley Rise Dersingham King's Lynn Norfolk Proposed single storey rear extension	Dersingham
20.12.2018	31.01.2019 Application Permitted	18/02272/F	Beck Cottage High Street Docking King's Lynn Proposed demolition of conservatory and erection of garden room	Docking

16.01.2019	30.01.2019 Application Refused	18/00545/NMA_1	7 Norfolk Barn Yard Docking King's Lynn Norfolk Non-material amendment to planning permission 18/00545/RM: Reserved Matters Application: Approval of the scale, appearance and landscaping for the construction of 7 dwellings, proposed access, car parking and demolition of existing buildings	Docking
31.01.2019	31.01.2019 Application not required	19/00018/TREECA	Limagrain UK Ltd Station Road Docking Norfolk Laurel- reduce back to previous points (leaving at 1.m in height)	Docking
27.09.2018	24.01.2019 Application Permitted	18/01797/F	Land At 34 - 38 London Road Downham Market Norfolk Proposed two dwellings (revised design) and garages	Downham Market
28.11.2018	22.01.2019 Application Permitted	18/02132/LB	Downham Market Railway Station Railway Road Downham Market Norfolk Provision of 1no. new Waiting Shelter on Platform 1. Provision of 1no. new Waiting Shelter on Platform 2. Provision of 2no. new Cycle Shelters to replace 2no. existing Cycle Shelters on Station Forecourt	Downham Market
28.11.2018	22.01.2019 Application Permitted	18/02133/F	Priory Dental Care 5 Priory Road Downham Market Norfolk Two storey and single storey extension at rear and internal alterations	Downham Market

30.11.2018	29.01.2019 Application Refused	18/02148/F	92 London Road Downham Market Norfolk Conversion of existing Bin & Cycle store to an internal bin store and studio apartment	Downham Market
11.12.2018	06.02.2019 Application Permitted	18/02219/F	Langdale 75 Ryston End Downham Market Norfolk Replacement rear extension and two storey side extension and detached garden building	Downham Market
14.01.2019	08.02.2019 Application Permitted	17/01227/NMA_1	7 Bexwell Road Downham Market Norfolk PE38 9LQ NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 17/01227/F: Proposed two storey rear extension and addition of first floor windows to bathroom and bedroom 2 (within side elevations)	Downham Market
01.02.2019	11.02.2019 TPO Work Approved	19/00013/TPO	North of 12 Wesley Close Downham Market Norfolk PE38 9HX 2/TPO/00437: Limes (G1) x5 trees - Raise low canopy to allow access and match in shape, on the western aspect to approximately 4-5m from ground level, remove any deadwood any carry out climbing inspections to report defects if any.	Downham Market
19.10.2018	30.01.2019 Application Permitted	18/01867/FM	Land S of 38 Station Road Station Road East Rudham Norfolk New grain and storage building and new general purpose storage/building workshop	East Rudham

11.01.2019	01.02.2019 Tree Application - No objection	19/00006/TREECA	Willow Barn Station Road East Rudham King's Lynn T1- Oak - 1m reduction, crown lift to 1.8m and T2- Sycamore - Dismantle / fell within a Conservation Area	East Rudham
30.11.2018	15.02.2019 Application Permitted	18/02146/F	The Glen Gayton Road East Winch King's Lynn Alterations and extension to existing dwelling and construction of new dwelling	East Winch
15.11.2018	04.02.2019 Application Permitted	18/02061/O	34 Nightingale Lane Feltwell Thetford Norfolk Outline application with some matters reserved for the construction of up to 4 dwellings	Feltwell
09.01.2019	24.01.2019 Would be Lawful	19/00038/LDP	22 St Nicholas Drive Feltwell Thetford Norfolk Application for a Lawful Development Certificate for the proposed demolition of garage to create a patio area with 6ft high brick wall to the front (bordering front drive) and erection of a 3 x 4 metres conservatory behind on the existing patio area behind garage	Feltwell
23.08.2018	05.02.2019 Application Permitted	18/01557/F	26 Hills Crescent Gayton King's Lynn Norfolk Vehicle access onto/off B1145 road. Dropped kerb.	Gayton
12.12.2018	25.01.2019 Application Permitted	18/02220/F	Church Farmhouse East Walton Road Gayton Norfolk Change of Use from Outhouse to Self-Contained Holiday Let.	Gayton

12.12.2018	30.01.2019 Application Permitted	18/02221/LB	Church Farmhouse East Walton Road Gayton Norfolk LISTED BUILDING CONSENT: Change of Use from Outhouse to Self Contained Holiday Let.	Gayton
13.11.2018	14.02.2019 Application Permitted	18/02038/RMM	Land S of 93 And 73 To 76 Summerwood Estate And NW of Abbeyfields Walcups Lane Great Massingham Norfolk Reserved matters application: Construction of up to 16 dwellings	Great Massingham
11.12.2018	30.01.2019 Application Permitted	18/02216/F	Parsonage Farm Cottage 40 Weasenham Road Great Massingham King's Lynn Proposed front and side extensions, renovations and workshop	Great Massingham
05.12.2018	30.01.2019 Application Permitted	18/02172/LB	Church Hill Cottages 74 Gayton Road Grimston Norfolk Listed Building application: Replacement windows and rear external door to cottage	Grimston
10.01.2019		17/00348/NMA_1	2 Briar Close Grimston King's Lynn Norfolk NON-MATERIAL AMENDMENT to planning permission 17/00348/F: Extension	Grimston
19.12.2018	05.02.2019 Application Permitted	18/02261/F	Ash Tree Cottage 1 Cross Street Harpley King's Lynn Open Cartshed and store	Harpley
14.08.2018	23.01.2019 Application Refused	18/01489/F	16 Jubilee Road Heacham King's Lynn Norfolk Extensions to dwelling	Heacham

01.11.2018	31.01.2019 Application Refused	18/01950/F	1 South Moor Drive Heacham Norfolk PE31 7BW Retrospective application for the erection of a timber boundary fence	Heacham
16.11.2018	31.01.2019 Application Refused	18/02067/F	32C Kenwood Road Heacham Norfolk PE31 7DD Proposed extension	Heacham
30.11.2018	04.02.2019 Application Refused	18/02144/O	Blackthorn Close Heacham Norfolk Outline Application: erection of 3 no dwellings and associated works	Heacham
10.12.2018	30.01.2019 Application Permitted	18/02203/F	6 Veltshaw Close Heacham King's Lynn Norfolk Proposed extension & alteration to existing dwelling	Heacham
18.12.2018	11.02.2019 Application Permitted	18/02254/F	4 Lynn Road Heacham King's Lynn Norfolk Proposed porch extension and external works comprising the extension of the hard surfaced access road to form a turning head. Renewal of external paving including provision of access ramps and steps and provision of new fences and access gates to provide security for residents	Heacham
21.12.2018	07.02.2019 Application Permitted	18/02273/F	43A High Street Heacham Norfolk PE31 7DB Proposed single storey extension (amended design) including installation of new solar panels to garage/carport roof	Heacham

14.11.2018	13.02.2019 Not Lawful	18/02051/LDE	Heath Farm Cowles Drove Hockwold cum Wilton Norfolk Application for a Lawful Development Certificate for the existing change of use of land for use as a domestic residential garden	Hockwold cum Wilton
19.12.2018	08.02.2019 Application Permitted	18/02262/F	12 Barnwell Cottages Aslack Way Holme next The Sea Norfolk Proposed first floor and ground floor extensions	Holme next the Sea
04.02.2019	13.02.2019 Application Permitted	17/00246/NMA_1	Little Meadow 11 Kirkgate Holme next The Sea Norfolk Non-material amendment to planning permission 17/00246/F: Demolish existing house and garage and erection of replacement dwelling with integral garage and summer house to the rear	Holme next the Sea
24.09.2018	30.01.2019 Application Permitted	18/01719/F	Village Farm Rudham Road Houghton Norfolk Relocation of lagoon (Permitted 17/01817/F)	Houghton
26.10.2018	31.01.2019 Application Permitted	18/01914/F	2 Crescent Lane Hunstanton Norfolk PE36 5BX Change of use and conversion to create 2 additional dwellings	Hunstanton
03.12.2018	07.02.2019 Application Permitted	18/02158/F	67 Waveney Road Hunstanton Norfolk PE36 5DQ Rear Extension	Hunstanton

17.12.2018	08.02.2019 Application Permitted	18/02243/F	Herritage Centre 15 The Green Hunstanton Norfolk Change of use from former Heritage Centre (D1) to Restaurant and Takeaway (A3 & A5) and front extension	Hunstanton
19.12.2018	13.02.2019 Application Permitted	18/02259/F	17 Hill Street Hunstanton Norfolk PE36 5BS Proposed Residential Unit following sub-division	Hunstanton
03.01.2019	07.02.2019 Application Permitted	19/00004/F	47 Bernard Crescent Hunstanton Norfolk PE36 6EP Single storey rear and side extensions	Hunstanton
18.09.2018	07.02.2019 Application Permitted	18/01679/F	23 Magnolia Drive (Plot 18) King's Lynn Norfolk Amended design for Plot 18 - new dwelling	King's Lynn
05.10.2018	25.01.2019 Application Permitted	18/01780/FM	Optima Stainless Ltd Hamlin Way Hardwick Narrows King's Lynn Proposed unit extension, link building extension and external car park	King's Lynn
09.11.2018	24.01.2019 Application Permitted	18/02020/F	The Tudor Rose St Nicholas Street King's Lynn Norfolk Conversion of existing hotel building into 3No residential units. Change of use from C1 to C3. Minor internal alterations to non-original structures, and 1No new opening (previously existing) onto St Nicholas Street	King's Lynn

13.11.2018	22.01.2019 Application Permitted	18/02044/F	The Lord Kelvin 7 - 9 Old Market Street King's Lynn Norfolk Change of use and extension of former public house & apartment to form 5 apartments	King's Lynn
30.11.2018	24.01.2019 Application Permitted	18/02149/F	Tesco Stores Ltd St Faiths Drive Gaywood King's Lynn Change of use of 9 parking spaces to hand car wash and valeting operation including the installation of a cabin and erection of a canopy	King's Lynn
30.11.2018	24.01.2019 Application Permitted	18/02150/A	Tesco Stores Ltd St Faiths Drive Gaywood King's Lynn Advert Application: 5 x non illuminated fascia sign and 6 x non illuminated free standing signs	King's Lynn
30.11.2018	24.01.2019 Application Permitted	18/02151/F	Land At Cross Bank Road King's Lynn Norfolk Variation of condition 2 of planning permission 17/02338/F: Erection of anaerobic digestion facility to process up to 19,250 tonnes of biomass including reception/office building and workshop, two digesters, two storage tanks, combined heat and power plant, energy crop storage area, and ancillary plant.	King's Lynn

30.11.2018	29.01.2019 Application Permitted	18/02152/LB	29 King Street King's Lynn Norfolk PE30 1HA Listed Building application: Internal and external refurbishment including re-roofing and decoration and renewal and alteration of mechanical and electrical services	King's Lynn
06.12.2018	29.01.2019 Application Permitted	18/02183/LB	11 Portland Street King's Lynn Norfolk PE30 1PB LISTED BUILDING: Proposed change of use of 1st and 2nd floor from office to one flat	King's Lynn
07.12.2018	14.02.2019 Application Permitted	18/02198/F	32 Kensington Road King's Lynn Norfolk PE30 4AS Demolition of existing rear extension and conservatory and construction of double storey side extension and rear extension which is partially single storey and double storey internal alterations	King's Lynn
10.12.2018	28.01.2019 Application Permitted	18/02205/LB	104 London Road King's Lynn Norfolk PE30 5ES LISTED BUILDING CONSENT: Internal alterations	King's Lynn
10.12.2018	30.01.2019 Application Permitted	18/02211/F	1 Seaman Drive King's Lynn Norfolk PE30 4GP Single story side extension to the existing property	King's Lynn
10.12.2018	25.01.2019 Application Permitted	18/02213/F	286 Wootton Road King's Lynn Norfolk PE30 3BJ Two storey and single storey rear extension	King's Lynn

14.12.2018	30.01.2019 Application Permitted	18/02240/RM	Plot 1 Low Road South Wootton Norfolk RESERVED MATTERS: Construction of dwellinghouse	King's Lynn
17.12.2018	05.02.2019 Application Permitted	18/02245/F	4 Arundel Drive King's Lynn Norfolk PE30 3BU Construction of a two storey extension (incorporating an existing single storey extension) to the rear of an existing two storey dwelling & provision of feature render to the front elevation	King's Lynn
17.12.2018	11.02.2019 Application Permitted	18/02246/F	EMG Motor Group Beveridge Way Hardwick Narrows King's Lynn Change of Use of Land to Display Vehicles and Staff Parking	King's Lynn
18.12.2018	08.02.2019 Application Permitted	18/02251/F	47 Suffolk Road King's Lynn Norfolk PE30 4AH First floor extension over existing single storey rear extension.	King's Lynn
20.12.2018	08.02.2019 Application Permitted	18/02267/LB	6 Norfolk Street King's Lynn Norfolk PE30 1AR Construct bureau de change. Externally to fit new sign. Fit air-conditioning unit to rear of building and internally.	King's Lynn

20.12.2018	14.02.2019 Application Permitted	18/02268/F	Vacant 51 - 53 St James Street King's Lynn Norfolk Variation of conditions 2, 3 and 11 of planning permission 14/01093/F: Conversion and part demolition of existing flats and commercial premises to four dwellings and construction of two new dwellings	King's Lynn
20.12.2018	14.02.2019 Application Refused	18/02271/F	1-8 Elsdens Almshouses 2 Friars Street King's Lynn Norfolk Replacement of windows	King's Lynn
24.12.2018	07.02.2019 Application Permitted	18/02288/F	6 South Wootton Lane King's Lynn Norfolk PE30 3BS Extension to dwelling	King's Lynn
03.01.2019	06.02.2019 Application Withdrawn	19/00002/A	Pandora 36 High Street King's Lynn Norfolk Advertisement application: Display a hoarding sign explaining that we are currently closed for refurbishment	King's Lynn
08.01.2019	25.01.2019 Application Refused	18/01266/NMA_1	25 Cedar Way West Lynn King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 18/01266/F: Garage extension with kitchen re-roof	King's Lynn

10.01.2019	01.02.2019 TPO Work Approved	19/00003/TPO	8 Avenue Road King's Lynn Norfolk PE30 5NW 2/TPO/00180: T1 Beech - fell due to die back, shedding limbs in driveway, probable same disease (ganoderma) that infected neighbouring beech (felled 2016, riddled with brackets). Replacement for previous felled beech already planted	King's Lynn
10.01.2019	07.02.2019 GPD HH extn - Not Required	19/00051/PAGPD	13 Spring Close King's Lynn Norfolk PE30 3ED Single storey rear extension which extends beyond the rear wall by 6.3 metres with a maximum height of 4 metres and a height of 2.5 metres to th eaves	King's Lynn
11.01.2019	28.01.2019 Application Permitted	16/02109/NMA_2	2-8 Broad Street Vancouver Centre Old Sunway King's Lynn NON MATERIAL AMENDMENT TO PLANNING CONSENT 16/02109/F: Variation of condition 2, 10 and 11 of 16/01541/FM: for the amendment of plans, to include a flood risk assessment plan and addition showing maple tree	King's Lynn
23.01.2019	25.01.2019 Application Withdrawn	19/00132/LDE	March House 52 Wisbech Road King's Lynn Norfolk LAWFUL DEVELOPMENT CERTIFICATE - EXISTING USE: Used as a House In Multiple Occupancy since 2005.	King's Lynn

25.01.2019	29.01.2019 Application Permitted	16/02109/NMA_3	2-8 Broad Street Vancouver Centre Old Sunway King's Lynn Non-material amendment to planning permission 16/02109/F: Variation of condition 2, 10 and 11 of 16/01541/FM: for the amendment of plans, to include a flood risk assessment plan and addition showing maple tree	King's Lynn
04.02.2019	07.02.2019 TPO Work Approved	19/00014/TPO	The Queen Elizabeth Hospital Gayton Road Queen Elizabeth Hospital Site King's Lynn 2/TPO/00337 AND 2/TPO/00374: (Map 5) T1 Oak - Formative prune, T2 Birch - Remove roadside stem, G1 Dead Birch x 2 - Make safe, G2 Oak x 4 - Raise crown over road (Map 6) T3 Turkey Oak - Reduce form street light by 1m, T4 Birch - Remove due to extensive cavities	King's Lynn
08.01.2019	11.02.2019 Application Permitted	17/02288/NMA_1	The Birches 2 Gayton Road Ashwicken King's Lynn Non-material amendment to planning permission 17/02288/F: Proposed extensions and alterations including re-positioned site access	Leziate
19.11.2018	07.02.2019 Application Permitted	18/02069/F	Grove House Squires Hill Marham Norfolk Retrospective change of use to an existing garage so it can be used as a warehouse for a small business	Marham

10.12.2018	25.01.2019 Application Permitted	18/02206/F	Janpari The Street Marham King's Lynn Construction of stables for four horses	Marham
10.12.2018	25.01.2019 Application Permitted	18/02214/F	Janpari The Street Marham King's Lynn Single storey extension forming kitchen dining area and the construction of a timber summer house	Marham
04.01.2019	08.02.2019 Application Permitted	17/01728/NMA_1	171 Smeeth Road Marshland St James Wisbech Norfolk NON MATERIAL AMENDMENT TO PLANNING CONSENT: 17/01728/RM: Reserved Matters Application: Proposed 3 no. 4-bed new dwellings	Marshland St James
24.01.2019	31.01.2019 Application Permitted	15/02076/NMA_1	Former R & B Motors 64 High Street Methwold Thetford NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 15/02076/F: Demolition of existing on site structures with the construction of two detached dwellings	Methwold
12.12.2018	23.01.2019 Application Permitted	18/02226/F	6 Common Lane North Runcton King's Lynn Norfolk Single storey extension and alterations to dwelling.	North Runcton
14.12.2018	05.02.2019 Application Permitted	18/02236/F	11 Woodland Gardens North Wootton Norfolk PE30 3PX Extension and Alterations.	North Wootton

18.12.2018	11.02.2019 Application Permitted	18/02252/F	4 Beckett Close North Wootton King's Lynn Norfolk Extension to dwelling	North Wootton
26.11.2018	30.01.2019 Application Permitted	18/02110/F	The Le Strange Arms Hotel Golf Course Road Old Hunstanton Hunstanton Proposed conversion of banquet suite to hotel accommodation and demolition of porch	Old Hunstanton
10.01.2019	07.02.2019 TPO Work Approved	19/00004/TPO	Lodge Hotel 46 Old Hunstanton Road Old Hunstanton Hunstanton 2/TPO/00255 -T1 and T2 - sycamore - fell. Replant at suitable location on same site	Old Hunstanton
15.08.2018	15.02.2019 Was Lawful	18/01514/LDE	Langhorns Lodge Langhorns Lane Outwell Wisbech Lawful Development Certificate: Siting of four residential caravans	Outwell
26.10.2018	08.02.2019 Application Permitted	18/01907/F	Clare Cottage Molls Drove Outwell Norfolk Full demolition of existing dwelling and erection of new build 2 storey dwelling	Outwell
14.01.2019	06.02.2019 Application Permitted	17/01516/NMA_1	Land NE of Magnolia Lodge Hall Road Outwell Wisbech NON-MATERIAL AMENDMENT TO PLANNING CONSENT 17/01516/RM: RESERVED MATTERS - Erection of dwelling (Plot 4)	Outwell

14.01.2019	06.02.2019 Application Permitted	17/02230/NMA_1	Plot 3 Land NE of Magnolia Lodge Hall Road Outwell NON-MATERIAL AMENDMENT OF RESERVED MATTERS APPLICATION 17/02230/RM: Erection of one dwelling	Outwell
14.01.2019	06.02.2019 Application Permitted	18/00291/NMA_1	Land On The East Side of Hall Road Outwell Norfolk NON-MATERIAL AMENDMENT TO RESERVED MATTERS APPLICATION 18/00291/RM: Construction of dwellings for plots 1 and 2	Outwell
07.12.2018	04.02.2019 Application Refused	18/02192/F	Apple Tree Cottage 62 Docking Road Ringstead Hunstanton Provision of new single storey dwelling in existing rear garden	Ringstead
17.12.2018	31.01.2019 Application Permitted	18/02250/F	Easterly Lodge 68 High Street Ringstead HUNSTANTON Proposed rear extension and alterations including new front porch and dormer window, infilling of ground floor recess and changes to fenestration.	Ringstead
11.12.2018	04.02.2019 Application Permitted	18/02217/F	Labyrinth 9 Westgate Street Shouldham King's Lynn Proposed extensions and internal alterations	Shouldham
05.12.2018	29.01.2019 Application Permitted	18/02173/F	Central Wing Snettisham House St Thomas Lane Snettisham Single storey rear extension, porch, internal alterations and associated works	Snettisham

05.12.2018	29.01.2019 Application Permitted	18/02174/LB	Central Wing Snettisham House St Thomas Lane Snettisham Listed building application: Single storey rear extension, porch, internal alterations and associated works.	Snettisham
04.01.2019	07.02.2019 Application Permitted	19/00013/F	Lynndale 4 The Avenue Snettisham King's Lynn Demolish, rebuild and extend existing garden room into lounge/dining room. Extend garage. Build new enclosed porch over front door. Alterations to internal lay out. Convert loft space into single room accessed by new stair case	Snettisham
29.11.2018	22.01.2019 Application Permitted	18/02140/LB	Wyatts Leicester Square Farm Leicester Road South Creake Listed building application for the addition of WC in entrance hallway underneath staircase and enlarged opening of existing internal wall	South Creake
07.12.2018	31.01.2019 Application Permitted	18/02193/F	Wyatts Leicester Square Farm Leicester Road South Creake Erection of single storey artist's studio in rear garden of property	South Creake
28.11.2018	25.01.2019 Application Permitted	18/02129/F	Ellacombe 150 Grimston Road South Wootton King's Lynn Single storey rear extension and associated works including demolition of single storey outbuildings	South Wootton

30.11.2018	25.01.2019 Application Permitted	18/02155/F	12 Ash Grove South Wootton King's Lynn Norfolk First floor over existing garage and front porch extension	South Wootton
17.12.2018	08.02.2019 Application Permitted	18/02241/F	Manor House 20 Low Road South Wootton Norfolk Variation of condition 2 of planning permission 18/00364/F: Extension & alterations to dwelling to create swimming pool, spa, gym, sauna and ancillary rooms with additional upper floor bedrooms and associated landscape works. Revised design to planning re: 17/00695/F	South Wootton
17.12.2018	04.02.2019 Application Permitted	18/02247/F	Derelict Dwelling NW of Smith Farm & Oakdene And W of Spencer Farm Feltwell Road Southery Norfolk Extension and alterations to dwelling	Southery
29.01.2019	14.02.2019 TPO Partial	19/00011/TPO	Church of All Saints Church Lane Stanhoe Norfolk 2/TPO/00573: No 67 & No69 2 horsechestnuts - Fell/remove both trees to reduce risk to structure and glass window on the North End of Church Building	Stanhoe
21.12.2018	14.02.2019 Application Permitted	18/02274/F	Furlong Cottage 2 Furlong Road Stoke Ferry King's Lynn First floor extension to rear of dwelling	Stoke Ferry

01.11.2018	28.01.2019 Application Permitted	18/01955/F	Farm Shop A G Landymore The Causeway Stow Bridge Extension to existing farm shop	Stow Bardolph
26.10.2018	07.02.2019 Application Permitted	18/01917/F	Land West of Broadlands Docking Road Syderstone King's Lynn Erection of 5 dwellings	Syderstone
13.12.2018	07.02.2019 Application Permitted	18/02228/F	Wesley Cottage 12 Wesley Road Terrington St Clement King's Lynn Two storey extension to side of semi-detached cottage	Terrington St Clement
14.12.2018	14.02.2019 Application Permitted	18/02235/F	Adjacent To 12 Lynn Road Terrington St Clement King's Lynn Norfolk VARIATION OF CONDITION 2: Two storey dwelling	Terrington St Clement
07.02.2019	14.02.2019 Application Permitted	16/00471/NMAM_2	Land South of The Saltings Terrington St Clement Norfolk NON-MATERIAL AMENDMENT TO RESERVED MATTERS APPLICATION 16/00471/RMM: Reserved Matters Application for the construction of 41 dwellings and associated works	Terrington St Clement
12.12.2018	14.02.2019 Application Permitted	18/02225/F	Myrtle House Church Road Terrington St John Wisbech Variation of condition 2 and 3 of planning permission 16/00138/F : Construction of coldstore building	Terrington St John
05.09.2018	30.01.2019 Application Permitted	18/01617/F	Thornham Deli High Street Thornham Norfolk Retrospective application for ancillary buildings	Thornham

07.12.2018	04.02.2019 Application Permitted	18/02194/F	Hill House Farm 170 School Road Tilney St Lawrence King's Lynn Extension and alterations to dwelling	Tilney St Lawrence
20.12.2018	23.01.2019 Application Permitted	18/02270/F	99 High Road Tilney cum Islington Norfolk PE34 3BL Replacement roof to existing side conservatory	Tilney St Lawrence
02.01.2019	25.01.2019 Application Refused	12/02016/NMA_2	Marsh House Main Road Titchwell King's Lynn Non-material amendment to planning permission 12/02016/F: Proposed bay window with balcony over, new store room and alterations	Titchwell
19.12.2018	24.01.2019 Application Permitted	18/02260/F	81 Green Lane Tottenhill King's Lynn Norfolk Extensions and Alterations	Tottenhill
05.11.2018	01.02.2019 Application Permitted	18/01977/F	White Lodge Green Lane Christchurch Wisbech Proposed detached double garage within the curtilage associated with the existing dwelling.	Upwell
03.12.2018	07.02.2019 Prior Approval - Approved	18/02161/PACU7	Storage Building Pius Drove Upwell Norfolk Prior Notification: Change of use from storage and distribution buildings (B8) to a dwelling house (C3)	Upwell

27.09.2018	29.01.2019 Application Permitted	18/01738/RM	Land West of Cedars Lodge Walpole St Peter Norfolk PE14 7NU Reserved Matters Application for appearance, layout and landscaping of plots 8, 9 & 10 only	Walpole
27.11.2018	22.01.2019 Application Permitted	18/02124/RM	(Plot) 8 Lucky Lane Walpole St Andrew Norfolk PE14 7NX RESERVED MATTERS: Residential development	Walpole
26.11.2018	11.02.2019 Application Permitted	18/02116/F	Sedum 114 Sutton Road Walpole Cross Keys King's Lynn Division of single dwelling to form two dwellings and creation of new highway access to the new dwelling	Walpole Cross Keys
24.04.2018	14.02.2019 Application Permitted	18/00749/F	Tarrazona 16 S-Bend Lynn Road Walsoken Continued siting of 1no. mobile home use by employees of Tarrazona livery yard	Walsoken
06.12.2018	23.01.2019 Application Permitted	18/02180/F	Barwin Waterlees Road Walsoken Wisbech 5 bed dwelling house with garage, existing dwelling to be demolished	Walsoken
13.11.2018	15.02.2019 Was Lawful	18/02047/LDE	The Old Stables The Row Wereham King's Lynn Certificate Of Lawfulness: Use as an independent dwelling	Wereham

27.11.2018	22.01.2019 Was Lawful	18/02125/LDE	Lios-Na-Long The Row West Dereham Norfolk Certificate of Lawfulness: Continued use of building/workshop for the joinery business	West Dereham
30.11.2018	04.02.2019 Application Permitted	18/02147/F	White House Farm Barn Church Road West Dereham King's Lynn Extensions and alterations	West Dereham
01.11.2018	08.02.2019 Application Permitted	18/01958/F	Hall Farm Barns School Road West Rudham Norfolk Construction of 4 bay garage for use in association with conversion of barns to residential dwellings	West Rudham
20.09.2018	28.01.2019 Application Permitted	18/01695/F	Land East of Dunrobin 147 School Road West Walton Norfolk VARIATION OF CONDITION 7 OF PLANNING PERMISSION 16/00482/OM: Outline Application, construction of 10 dwellings	West Walton
11.12.2018	28.01.2019 Application Permitted	18/02215/F	Rose Cottage Church End Wisbech Road West Walton Wisbech Proposed extension	West Walton
18.12.2018	24.01.2019 Application Permitted	18/02258/F	Rivers Reach 10 Sluice Road Wiggshall St Mary The Virgin Norfolk Proposed single storey rear extension	Wiggshall St Germans

11.01.2019	01.02.2019 Application Withdrawn	19/00056/F	Welsummer Barn 182 Fitton Road Wiggenhall St Germans King's Lynn Proposed swimming pool, glazed link and internal alterations to the garage	Wiggenhall St Germans
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