



Planning Committee

Agenda

**Monday, 3rd June, 2019
at 9.45 am**

in the

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

*Please note that the Committee will visit the site of the major application 17/00648/RMM listed on the agenda, prior to the meeting. It is aimed to commence the meeting at approximately 9.45 am when the Committee returns from the visit.



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

PLANNING COMMITTEE AGENDA

Please ensure that all mobile phones are switched to silent

DATE: Monday, 3rd June, 2019

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

TIME: 9.45 am

1. APOLOGIES

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

2. MINUTES

To confirm as a correct record the Minutes of the Meeting held on 29 April 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 - 87)

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

9. DELEGATED DECISIONS (Pages 88 - 121)

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

10. UPDATE ON TREE MATTERS (Pages 122 - 124)

To receive an update report on recent Tree Preservation Orders (TPO's) that have been served between 1st November 2018 – 30th April 2019, along with a summary of other tree related works.

To: Members of the Planning Committee

Councillors F Bone, Mrs C Bower (Vice-Chairman), A Bubb, C J Crofts (Chairman), G Hipperson, M Howland, C Hudson, C Joyce, J Kirk, B Lawton, C Manning, T Parish, S Patel, C Rose, Miss S Sandell, Mrs S Squire, M Storey and D Tyler

Major applications

Please be advised that the Committee will visit the site for the major application 17/00648/RMM from 9.00 am, prior to the meeting, which will then commence at approximately 9.45 am when the application will be determined.

Site Visit Arrangements for other 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 day the visit takes place, where a decision on the application will then be made.

If there are any site inspections arising from this meeting, these will be held on **Thursday 6 June 2019** (time to be confirmed).

Please note:

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

Please note that the deadline for registering to speak on the application is 12 noon the working day before the meeting, **Friday 31 May 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

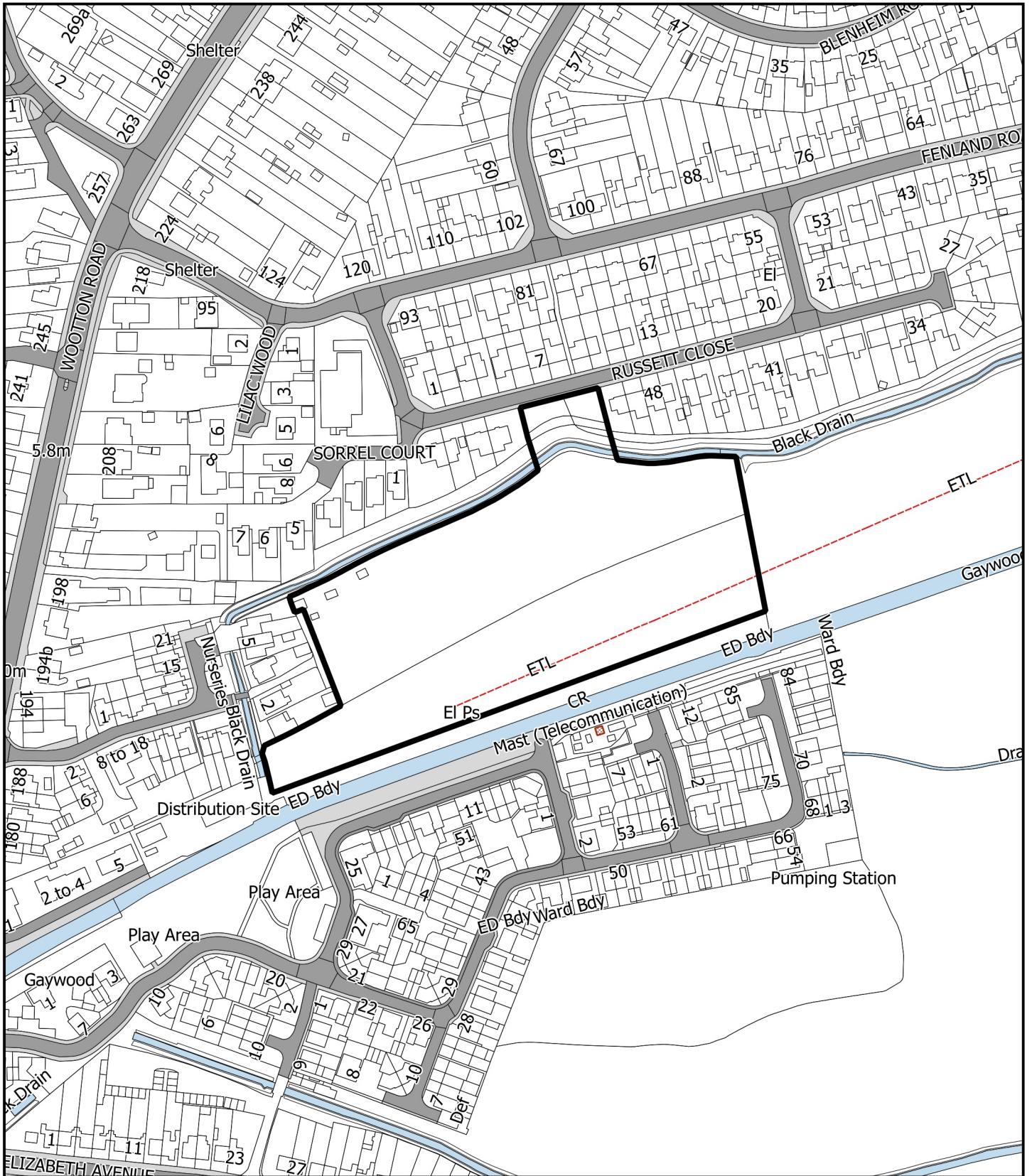
**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 3 JUNE 2019**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	MAJOR DEVELOPMENTS			
8/1(a)	17/00648/RMM Land South of Russett Close Reserved Matters Application: construction of 61 dwellings with access, culvert, open space and landscaping.	KINGS LYNN	APPROVE	8
8/2	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE			
8/2(a)	19/00168/F Heacham Lodge Lodge Road 2 No proposed dwellings	HEACHAM	APPROVE	32
8/2(b)	18/01890/RM Land South of East End Proposed 2 x 5-bed, one and a half storey detached dwellings with associated landscaping.	HILGAY	APPROVE	40
8/2(c)	19/00239/F Orchard House Church Road Ten Mile Bank Erection of an ancillary granny annexe	HILGAY	APPROVE	50
8/2(d)	19/00663/F 27 Corbyn Shaw Road Rear single storey extension forming enlarged kitchen and dining with utility and downstairs w.c. Side two storey extension forming garage and enlarged bedrooms	KINGS LYNN	APPROVE	56
8/2(e)	19/00348/O Land W of 3 Little London Road Outline Application: proposed residential development of 3 no self-build plots	NORTHWOLD	REFUSE	63
8/2(f)	18/01627/RM Land to the West of Medina Lynn Road Reserved Matters Application for construction of 5 dwellings	TILNEY SAINTS	ALL APPROVE	70

Item No.	Application No. Location and Development	Description of Site	PARISH	Recommendation	Page No.
8/3	TREE PRESERVATION ORDERS				
8/3(a)	2/TPO/00586 - Deferred Orchard Gardens		UPWELL	CONFIRM WITHOUT MODIFICATION	80
8/3(b)	2/TPO/00591 Land West of The Gate House Dunellen Station Road		BURNHAM MARKET	CONFIRM WITHOUT MDIFICATION	84

17/00648/RMM

Land South of Russett Close King's Lynn



AGENDA ITEM NO: 8/1(a)

Parish:	King's Lynn	
Proposal:	Reserved Matters Application: construction of 61 dwellings with access, culvert, open space and landscaping.	
	The outline application was not an EIA application	
Location:	Land South of Russett Close King's Lynn Norfolk	
Applicant:	Boyer Investments Ltd	
Case No:	17/00648/RMM (Reserved Matters - Major Development)	
Case Officer:	Mrs K Lawty	Date for Determination: 10 July 2017 Extension of Time Expiry Date: 10 June 2019

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

Neighbourhood Plan: No

Case Summary

The application site relates to an irregular shaped parcel of land to the north of Gaywood River in King's Lynn. The site is bounded to the north and west by residential development. To the east is countryside and to the south of the river is a recently constructed residential development site. The land which encompasses this proposal is 2 hectares in size.

The site already benefits from outline planning permission for the construction of up to 81 dwellings, with access road (including bridge), cycle and pedestrian routes, landscaping and open space, which was granted on appeal. A copy of the appeal decision is attached to this report.

This application seeks reserved matters for 61 dwellings with all matters of access, appearance, landscaping, layout and scale for consideration.

Access is shown to be from Russett Close with a bridge over the Black Drain providing vehicle and pedestrian access. A large area of open space is located at the entrance into the site with the main highway running east west to provide access to the dwellings.

A mix of residential units is proposed, ranging from one bed flats to 4/5 bedroom dwellings. 15% of the dwellings are affordable units and are mixed in amongst the market housing.

Key Issues

Principle of development;
Layout, Scale and Appearance;
Landscaping;
Flood risk and drainage;
Highway safety;
Neighbour amenity;

Implications on local wildlife;
Air Quality;
Contamination;
Crime and disorder;
Other third party concerns

Recommendation

APPROVE

THE APPLICATION

The site already benefits from outline planning permission for the construction of up to 81 dwellings, with access road (including bridge), cycle and pedestrian routes, landscaping and open space. Although access was one of the reserved matters, the outline consent approved a drawing showing the access point from the north, linking to Russett Close.

This current application seeks reserved matters for 61 dwellings with all matters of access, appearance, landscaping, layout and scale for consideration.

Access continues to be from Russett Close, with a bridge over the Black Drain providing vehicle and pedestrian access. This single access road then runs east west along the southern part of the site, with private drives providing access to the dwellings.

A large area of open space is located at the entrance to the site providing recreation facilities in a landscaped setting.

A mix of residential units is proposed, ranging from one bed flats to 4 bedroom dwellings. 15% (9 units) of the dwellings are affordable units and are mixed in amongst the market housing. The proposed house types are as follows:-

- 4 No. x 1 bedroom flats
- 25 No. x 2 bedroom semi-detached or terraced houses
- 26 No. x 3 bedroom detached, semi-detached or terraced houses
- 6 No. x 4 bedroom detached or semi-detached houses

The affordable housing units are plots 34, 41, 42, 46, 47 and 52-55 and are a mix of 1 bedroom flats (4 units), 2 bedroom semi-detached houses (3 units) and 3 bedroom terraces houses (2 units).

The majority of proposed houses are two storey in height with some three storey, utilising the loft space for additional accommodation. Overall the house types show a traditional design, constructed of brick with traditionally pitched roofs. However, the fenestration and door style and the use of panelled sections add a modern, contemporary element.

SUPPORTING CASE

In addition to the submitted forms and plans, the planning application has been supported by the following documents:-

- Drainage Strategy
- Flood Risk Assessment

- Ground Investigation Report
- Open Space Report
- Contamination Statement
- Construction Management Plan
- Landscape Management and Maintenance Plan
- Planting Plan

The applicant has also provided a summary of the proposal:

- The site has outline planning permission for up to 81 homes. This number has been reduced to 61 to provide to provide an attractive scheme that works on the site. There is no space for any further dwellings to be built on the site.
- There is a wide mix of house types to meet local housing demand.
- The proposal has access from Russett Close as confirmed in the outline planning permission appeal decision and as required by condition 16 of the outline planning permission.
- Open space is provided as required by the outline planning permission appeal decision. This is located so as to have easy access to existing residents in Russett Close.
- A section 106 obligation signed as part of the outline planning permission secures affordable housing, education contributions, open space, and new cycle way provision.
- The delays in progressing the reserved matter application have been due to lengthy discussions regarding drainage details with the various drainage and flood authorities, and ensuring this works with the highway design.
- The applicant is now keen to progress the development and expects to start on site within the next 6 months.

PLANNING HISTORY

14/01690/OM : Appeal against non-determination: 26/03/15 - Appeal Allowed 01/09/15 - Outline Application: construction of up to 81 dwellings, access road (including bridge), cycle and pedestrian routes, landscaping and open space - Land South of Russett Close King's Lynn

13/01675/OM: Application Refused: 19/03/14 - OUTLINE MAJOR APPLICATION: Construction of up to 95 dwellings, with access road (including bridge), cycle and pedestrian routes, landscaping and open space Appeal Dismissed 23/10/14;

13/01428/LDP - Lawful Development Certificate for a Proposed Use: Construction of an access road and a dwelling with a garage- Not Lawful

13/01248/O - Erection of one dwelling - Application Refused

13/00924/FM: Application Withdrawn: 08/08/13 - Variation of conditions 8 and 9 of planning consent 11/00358/EXOM to ensure suitable accessibility

13/00829/F - Development of new access with culvert over black drain - Application Withdrawn

11/00358/EXOM: Application Permitted: 03/07/12 - EXTENSION OF TIME FOR THE IMPLEMENTATION OF A PLANNING PERMISSION REFERENCE 07/00833/OM: Outline Application

07/00833/OM: Application Permitted: 12/03/08 - Outline Application: residential development

05/01901/OM: Application Withdrawn: 25/11/05 - Outline Application: Residential development including means of access

2/95/1224/O: Application Withdrawn: 25/09/06 - Site for residential development (revised proposal) -

RESPONSE TO CONSULTATION

King's Lynn Area Consultative Committee: The Sub-Group did not support the application, making the following comments:

- Concern at the lack of 1 bed properties for sale, only as affordable housing, and that 2 bed affordable housing units were at a premium.
- The design should be to 'secured by design' standard – i.e. the potential footpath at the south of the site should be gated.
- Welcomed the requirement of street lights to the development.
- The provision of grounds maintenance of the site over and above 15 years should be included in any agreement.

Overall do not support the application, particularly the access through Russet Close.

Highways Authority: NO OBJECTION subject to conditions imposed on outline consent

Water Management Alliance (Internal Drainage Board): NO OBJECTION As stated previously we accept the surface water discharge proposed and our approval under Land Drainage consent will be subject to conditions.

We have received further information on the proposed culvert and whilst the principle is accepted regarding its sizing and alignment we have some concerns regarding the technical detail of construction given that our machines will access our maintenance strip off the road where there is now shown a ramped access on only one side and a retaining wall that would require significant engineering (for which we have seen no detail). Furthermore I am conscious that we would wish to know if the road is to be adopted by Highways as this may impact the design of the culvert.

With regards to site levels we have only been provided with limited information on the site levels of the easement strips and there remains significant difference between these levels and the level of plots, finished floor levels and roads. As such we would want to see how this difference in levels is to be managed on site and confirmation that any engineering required to manage these levels does not impact on our operations and maintenance strips.

Lead Local Flood Authority (LLFA): NO OBJECTION (most recent correspondence) In our previous response of 05 October 2018, we did not object to this reserved matters application being approved but we did have some recommendations that were to be taken into consideration at the detailed design stage. We are pleased to see that at this, the reserved matters stage, the applicant has addressed these points with the submission of a

revised drainage layout (dwg. No 1051-08 Rev C), covering letter and associated calculations.

We are pleased to see the applicant has demonstrated that a 10% increase in impermeable area to account for urban creep can be accommodated within the revised drainage scheme with a controlled discharge rate of 4.7l/s to the Black Drain as stipulated in the notice of intention to grant consent from King's Lynn Drainage board 05 March 2018.

We do, however, note the permission document states:

"No impermeable surfaces which drain to a watercourse (whether directly or indirectly), other than the 8,020m² (0.802 hectares) approved as part of your current application, are to be constructed on site unless prior written consent is obtained from the Board,"

The submitted calculations show the total impermeable area, including the extra 10%, to be 0.882ha. This may need to be clarified with the King's Lynn Drainage Board. Although the extra 10% of impermeable area may be added after the completion of this site's construction, the extra volume entering the Black Drain during the lifetime of the development may need to be taken into consideration. We are also pleased to see the applicant has addressed our concerns regarding the use of highways to convey exceedance flows in a greater than 3.33% annual exceedance probability plus 40% climate change rainfall event. The inclusion of a 600mm pipe to convey flows to the Public Open Space (POS) addresses this issue and also allows for a reduced maximum flood level of 2.34m above ordnance datum within the POS during a 1% annual exceedance probability plus 40% climate change event. The LLFA agree that this negates the need for a hazard assessment of the impact of surface water flows along the highways for this event scenario as previously recommended. We have no objection to this reserved matters application being approved but would clarify that this is not a discharge of Condition 7 of the outline planning application.

Anglian Water: NO OBJECTION- The foul water strategy is acceptable to Anglian Water, we can therefore recommend the discharge of the foul water portion of condition 7. The surface water strategy does not involve discharge to an Anglian Water asset; we therefore have no comments to make regarding the discharge of the surface water portion of condition 7.

Environmental Health – CSNN: NO OBJECTION subject to appropriate surface water drainage scheme

Norfolk Constabulary: NO OBJECTION The development lies within the Gaywood, Fairstead and Reffley policing area of Norfolk with the area of the new development accounting for approximately 8% of the crimes recorded for the policing area on the police national database between April 2016 and March 2017 and as such can be considered as a relatively low crime area.

The Core Strategy adopted in 2011 recognises 'crime prevention' and reducing fear of crime as well as actual incidents and makes specific reference that 'one of the main ways in which the planning process can help to reduce the likelihood of crime is to ensure it is a key consideration in the design process, particularly for access routes and public space'. Concerns were raised by Norfolk Constabulary previously regarding access control (north and south) which is again reinforced here.

To ensure a safe and secure environment is provided and compliance with the requirement of the Core Strategy (pages 34, 55 and 56) it is recommended that the development should comply with the principles of Secured by Design which is a Police Service owned scheme. As an indication of the likely issues required to ensure Secured by Design compliance the following comments and recommendations are provided.

Overall the layout and natural surveillance potential are good and the level of parking provision is acceptable to Secured by Design criteria however it will be very important to ensure that all rear boundaries are adequately protected using 1.8m high fencing with lockable gates to the same height.

The applicant is encouraged to refer to the Secured by Design website for specific details and to liaise with a Norwich Constabulary Crime Prevention Design Advisor for support.

Housing Enabling Officer: NO OBJECTION- The affordable housing contribution was secured via a Unilateral Undertaking as part of the outline application. This secures a 15% affordable housing provision which is then further split into 70% of the affordable homes being made available for rent and the other 30% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council. Based on the plans submitted, 9 affordable dwellings would be required, 6 for rent and 3 for shared ownership.

The revised plans propose plots 34, 41, 42, 46, 47 & 52-55 as affordable housing. I can confirm that this would meet an identified housing need. I would recommend that plots 34, 42 and 46 should be for shared ownership with the remainder for rent.

The affordable units must be transferred to a Registered Provider of Affordable Housing agreed by the Council at a price that requires no form of public subsidy.

REPRESENTATIONS

TWENTY FIVE third party **OBJECTIONS**, referring to the following:-

- Loss of amenity land/open space (15)
- Volume of traffic on Russett Close and surrounding roads (13)
- Danger to children who would need to travel to use play area (12)
- Building on water logged land/flood risk (12)
- Increase in potential highway collisions/ highway safety (12)
- Impact on amenity (7)
- Impact of construction traffic (6)
- Keep the original access to the south (6)
- Impact on wildlife/ loss of habitat (6)
- Noise (from traffic and construction) (6)
- Icy roads cause problems now; will be worse with more traffic (4)
- Will create a rat-run (2)
- Increased pollution (2)
- Existing parking problems will be worse (2)
- Impact on local services (2)
- Existing roads not wide enough for extra traffic (3)
- No development at all
- Land should be used only as a green space for children to play on
- Lack of monitoring and enforcement of conditions
- Overlooking
- Overshadowing
- Devaluation of property (3)
- Will lose shortcuts to school and hospital

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS03 - King's Lynn Area

CS08 - Sustainable Development

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

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)

PLANNING CONSIDERATIONS

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

- Principle of development;
- Layout, Scale and Appearance;
- Landscaping;
- Flood risk and drainage;
- Highway safety;
- Neighbour Amenity;
- Implications on Local Wildlife;
- Air Quality;
- Contamination;
- Crime and disorder;
- Other third party concerns

The Principle of Development

Outline planning permission was granted in 2015 for the construction of up to 81 dwellings with access road (including bridge) cycle and pedestrian routes, landscaping and open space subject to the imposed planning conditions.

The principle of the development has therefore been established, and this application deals with the details (reserved matters) of the access, layout, scale, appearance and landscaping of the site.

It is of note that the position of the access was defined at outline stage as being from Russett Close and this arrangement was agreed by planning condition (condition 16 of application ref: 14/01690/OM).

The outline consent was also subject to a unilateral undertaking which relates to the provision of affordable housing, the provision of open space and the payment of contributions towards libraries, walking and cycling and education. This superseded the more recent requirement for Borough CIL payments.

Layout, Scale and Appearance

This application seeks approval for the details of the access, layout, scale, appearance and landscaping across the whole site.

One of the key issues of the recent planning applications was the loss of the open space on Russett Close to allow for the access into the site. During consideration of the most recent consent (14/01690/OM) the appeal Inspector acknowledged that this parcel of open space had been registered as an Asset of Community Value, confirming that the land had an agreed local community use. That said, the Inspector found that whilst there would be some harm to residents' amenity value from the proposed changes, the effects would not be unacceptable given that there would still be a break in the housing between Nos 50 and 51 Russett Close and that part of the grassed area would remain which could be planted or landscaped.

Further, the applicant has provided a new area of open space which not only meets the amount of open space required by Policy DM16, it also allows additional land to compensate for that lost on Russett Close. The position of the open space is as close to Russett Close as possible and thus should provide benefits to existing local residents as well as future occupants of the new houses. The Inspector found this provision to be acceptable and this arrangement and layout remains unchanged as part of this reserved matters application.

This open space will also act as an attenuation basin where surface water will be designed to pond in extreme events prior to its controlled release into the Black Drain. (See 'Flood Risk and Drainage' below).

The proposed site layout therefore retains the access point as previously agreed and the position and amount of public open space in the most accessible position previously found to be acceptable. In terms of layout there are other constraints on the site which restrict the availability of parts of the site for development.

To the south the site is bound by Gaywood River, which is a main drain of the King's Lynn Internal Drainage Board. The majority of the northern boundary of the site and the whole of the western boundary is bound by the Black Drain (which is also a drain of the King's Lynn Internal Drainage Board). Accordingly there are requirements for 9m wide strips of land adjacent to these drains to be retained open and free from development so that the drains

can be maintained by the IDB. This prevents these areas from being used for any type of permanent development.

Additionally the former railway line and a mains sewer run along the southern part of the site. This, again, restricts the type of development able to be undertaken in this area.

The constraints on the site have a bearing on how the proposed residential development can be laid out and although there is outline consent for up to 81 dwellings, at this detailed design stage the number of units proposed is 61. There is a mix of house types including detached, semi-detached, terraced and flats and a mix of bedroom sizes (1, 2, 3 and 4 bedrooms). The required provision of nine affordable housing units is proposed (15%) showing a mix of 1, 2 and 3 bedroom properties which are pepperpotted within the site.

The house designs follow a simple, contemporary style, using a palette of materials including red or buff brick, some timber cladding or weatherboarding detailing with red or grey artificial slate roofs. The majority of the dwellings are two storey in height but there are some which are two and a half storey, utilising the roof space as additional accommodation. Each dwelling has the required amount of off-street parking spaces

In summary the overall layout for the site and the design of the site infrastructure and access roads has predominantly been led by the context and constraints of the site. The proposed dwellings, whilst relatively simple in their form, offer a unified and contemporary approach which will help to ensure design consistency throughout the site. In terms of layout, scale and appearance the proposal is considered to achieve an appropriate form of development for the site and its surroundings and raises no policy concerns.

Landscaping

Landscaping is a reserved matter. All scrub was cleared from the site a few years ago although there has since been new growth of brambles and shrubs. There are no trees to survey and, given the circumstances, no tree survey has been provided or is required. Removal of shrubs is controlled by way of condition 19 of outline consent 14/01690/OM which limits this to outside the bird nesting season (i.e. not between 1 March and 31 August).

The application has been supported by a planting plan showing proposed new tree, shrub and hedge planting. This shows there is opportunity for a mix of native tree planting to the area of open space as well as planting within the garden areas of the proposed dwellings.

There are no outstanding issues with regard to landscaping.

Flood Risk and Drainage

The site has presented significant issues in regard to flood risk and drainage. In effect it is almost an island, of clay geology, surrounded by watercourses which need to be maintained. Ground levels will need to be raised to overcome flood risk which then has implications for surface water drainage. There are multiple statutory consultees who have responsibility over drainage and flood matters and it has proved a lengthy task to satisfy the requirements of each body on a site with such constraints.

A Flood Risk Assessment (FRA) was submitted with the outline application and another has been submitted in support of this reserved matters application.

This most recent FRA has also been updated twice during the course of the application. Condition 3 of the latest outline planning permission (14/01690/OM) requires details of

finished floor levels to be submitted, condition 7 requires details of foul and surface water drainage arrangements to be submitted and condition 20 requires a scheme for the provision and implementation of flood resilient construction materials to be submitted.

The FRA states that the Environment Agency Indicative Flood Risk Map for planning indicates that the site lies entirely in Flood Zone 3, with the main source of fluvial flood risk to the site being from the Kings Lynn Internal Drainage Boards main drains, the Gaywood River forming the southern boundary of the site and the Board's lower level system the Black Drain. The Black Drain flows in a westerly direction along the northern boundary of the site to the south of development fronting Russet Close then turns to flow south through existing development of Meadowvale Gardens and beneath Gaywood River, joining Bawsey Drain. The site and surrounding land currently drains via gravity to the Black Drain, which links to the Bawsey Drain outfall to the tidal section of the River Great Ouse upstream of Kings Lynn Dock entrance.

In accordance with the recommendations set out in the NPPF, the design of the new development will adopt measures to reduce the impact of surface water runoff through the use of sustainable drainage techniques. Infiltration has been discounted due to the geology of the site being clay with low permeability. The second preferable discharge point is to a surface water body. Discharge has therefore been agreed to be to the King's Lynn Internal Drainage Board's Black Drain with the payment of relevant contribution fees.

The LLFA initially raised concerns regarding the submitted drainage strategy as two options were submitted and neither was considered by the LLFA to be acceptable. They also queried the information submitted relating to runoff rates and requested details on flood flow paths. They requested details of how the site would manage fluvial flood risk, including any earth works to raise portions of the site, and also a comprehensive maintenance and management plan detailing the activities required and details of who will adopt and maintain the drainage features for the lifetime of the development.

After a second resubmission of an amended FRA the LLFA continued to raise queries regarding the implications of the land raising needed to provide the required 3.5m AOD finished floor levels and the compensatory storage for the displaced flood water volume. They also requested modelling to show how exceedance surface water would flow and be stored on the site in an event in excess of the design of the drainage system (the 1 in 30 year event).

During the course of the application the IDB agreed to grant consent under the terms of its Byelaws and the Land Drainage Act 1991 for the discharge of surface water run-off from the proposed development to the Black Drain. This was subject to several conditions. However, agreement to this consent lasts for just a short period of time before the applicant needs to make a further application and this has since expired.

The applicant responded to the outstanding matters raised by the LLFA with a further revised drainage strategy. Following consideration of this strategy the LLFA now considers the applicant has adequately demonstrated that a 10% increase in impermeable area to account for urban creep could be accommodated within the revised drainage scheme with a controlled discharge rate of 4.7l/s to the Black Drain as stipulated in the notice of intention to grant consent from King's Lynn Drainage Board.

The LLFA also considers that the applicant has addressed their concerns regarding the use of highways to convey exceedance flows in a greater than 3.33% annual exceedance probability plus 40% climate change rainfall event by removing the need to store water within the highway. The drainage strategy shows that the area of public open space can essentially act as an attenuation basin where water will then pond prior to controlled release. Micro

Drainage calculations indicate that the ponded volume to be present within the open space during a 1 in 100 year plus 40% climate change event is 76.724m³ and would equate to a depth of 87mm. The inclusion of a 600mm pipe to convey these flows to the Public Open Space (POS) addresses the LLFA issue and also allows for a reduced maximum flood level of 2.34m above ordnance datum within the POS during a 1% annual exceedance probability plus 40% climate change event.

This approach set out in the revised drainage strategy is considered reasonable by the LLFA and they now have no objection to this reserved matters application. Additional information will be required, however, before condition 7 of the outline planning permission can be discharged.

Although the King's Lynn Drainage Board strongly recommend that the required consents of the Board as set out under the Land Drainage Act 1991 are sought prior to the determination of this application, the fact that this consent was given in 2018 (although has since lapsed) means that it is likely that this can be re-issued. Additionally this consent is separate from planning and it is not considered necessary or reasonable to withhold reserved matters approval, particularly given that no objections have been raised by the LLFA or Anglian Water.

During the course of the application the IDB (Water Management Alliance) asked whether the road would be adopted by the highways authority as this could alter the design of the culvert to the Black Drain. They also queried the details of the culvert and, whilst they have no objection in principle, they request technical detail of its construction given that their machines will access the maintenance strips off the road. However, this is already covered by condition 7 of the outline consent which requires detailed plans of any alterations to watercourses... and access for drain maintenance operations prior to the commencement of development. Adoption of the road will be for the developer to decide in the future.

The raising of the ground levels for the development is necessary and details of the finished floor levels (FFL) have been provided on a plan, but the ground levels of the easement strips have not been confirmed. The IDB (WMA) request these details are provided through planning condition to establish that the IDB equipment can gain access to these areas. However, this is already covered by condition 7 of the outline consent which requires detailed plans of any alterations to watercourses, land raising and access for drain maintenance operations prior to the commencement of development.

The Highways Authority concerns regarding the flow of surface water drainage across the proposed road to reach the public open space have been overcome by the use of underground piping.

Accordingly there are no policy reasons to prevent the application being approved as far as flood risk and drainage matters are concerned, but it should be noted that the requirements of condition 7 of the outline planning application, which require details of foul and surface water drainage arrangements to be submitted, are still outstanding. For clarity Conditions 3 and 20 will also require information to be submitted prior to their discharge.

Highway Safety

The site will be accessed from Russett Close as per the plans agreed at outline stage.

During the course of the application the layout has been amended several times and the highways authority are now agreeable to the proposed layout. Each unit has the required amount of parking spaces which are adjacent to or within reasonable proximity of each

property. Adequate turning facilities are provided and there are no outstanding highway safety issues.

Accordingly Norfolk County Highways have raised no objection to the proposal and propose no conditions given that highways matters are already secured by conditions 19 to 22 on the outline planning permission (14/01690/OM).

KLACC Planning sub-group and other third parties object to the access to the site through Russett Close and maintain that it should be from the south. However, as referred to above, access to the site through Russett Close has previously been considered, found to be acceptable and the details agreed through the imposition of planning condition 16 of planning permission 14/01690/OM. This current application makes no changes to the access point agreed at outline stage so there is no need to review this through this current application.

Neighbour Amenity

Third party concern has been raised that existing neighbouring properties will be overlooked and overshadowed by the proposed development. However, given that there are separation distances between properties due to the position of the watercourses and the 9m easements around the site boundary where no development is proposed, there is no concern regarding either of these amenity issues.

Similarly it is considered that there are no significantly detrimental impacts upon the amenity of occupants of existing nearby dwellings in terms of loss of light or being over bearing.

A similar exercise has been undertaken assessing relationships between the proposed dwellings and amenity implications for future occupants of the proposed development. It is not considered there will be a significantly detrimental impact upon the amenity of the occupants of the neighbouring properties in terms of overlooking, being overshadowed or the proposed dwellings being over bearing, as a result of this proposal.

Implications on Local Wildlife

A Water Vole, Reptile and Amphibian Survey was submitted at outline planning stage. This found evidence to suggest that a small/medium population of water voles are present on the site. Water voles receive full protection through the Wildlife and Countryside Act 1981. The report recommended that a further survey is conducted and this will enable a mitigation package to be produced to safeguard their presence.

The reptile survey revealed a single adult grass snake. Recommendations are made in the Survey to minimise the impact on reptiles as it is an offence to intentionally or recklessly kill or injure reptiles under the Wildlife and Countryside Act 1981.

The amphibian survey revealed no results. Accordingly no mitigation measures are proposed for this site with regard to amphibians.

At appeal the Inspector determined that the application would have no adverse impacts upon ecology, subject to the imposition of a planning condition stating that the development shall be carried out in accordance with the recommendations set out in the survey report, unless otherwise agreed in writing by the Lpa prior to the commencement of development. In addition to the need for further survey work of the Black Drain regarding water voles, the condition requires the presence of an experienced herpetologist to assess for reptiles and amphibians.

Third party objection has been raised to the impact on wildlife. However, as referred to above, these matters have already been considered and are covered in condition 17 of planning consent 14/01690/OM.

Air Quality

The construction phase does have potential to cause dust which could have an impact on nearby residential properties. Condition 10 of the outline consent 14/01690/OM requires a scheme that provides for the suppression of dust during the period of construction to be submitted and agreed and implemented throughout the construction period. A 'Construction Management Plan including dust control' has been submitted and the Environmental Health Officer considers this is sufficient to satisfy the requirements of this condition.

Contamination

Conditions 4, 5 and 6 of the outline consent 14/01690/OM relate to land contamination. A Contamination Statement has been submitted along with historic maps but at this stage information has not been submitted to discharge each of these conditions. This information will need to be submitted prior to the commencement of groundworks.

Crime and Disorder

KLACC Planning sub-group commented that the design should be to 'secured by design' standard and that the potential footpath at the south of the site should be gated.

A pedestrian link to the south is included on the submitted plans linking through to the residential properties south of the river. However, there remain outstanding matters involving land ownership and consent from third party land owners and it is likely that this link may not be able to be implemented. Whilst the link is not a critical aspect of the proposed development it would offer additional pedestrian links if it was able to be constructed and is viewed as a potential community benefit.

Norfolk Constabulary had previously expressed concerns regarding access control through the site in terms of permeability at outline stage, but overall has not objected to the proposal and the appeal Inspector did not raise this as an issue. If the footpath link was to be provided it is considered that gating off the footpath would diminish the purpose of the footpath link. However, condition 13 requires detailed plans of all footways to be submitted prior to works commencing and details of methods to control access or restrict use by motorised vehicles can be considered as part of this design.

There are no other crime and disorder issues raised by this proposal and Norfolk Constabulary raises no objection.

Other third party concerns

Most of the third party comments have been responded to above. Comment that the site should not be developed at all is noted, but that is not the proposal for consideration.

Comment has been made regarding the lack of monitoring and enforcement of planning conditions on recent developments within the area. These matters need to be addressed on a case by case basis and this is not a reason to refuse this current planning application.

KLACC Planning sub-group raised an objection to the proposal on the grounds of the lack of 1 bedroom properties for sale, only as affordable housing, and that 2 bedroom affordable

housing units were at a premium. However, the mix of house types put forward by a developer as part of an estate is largely as a result of market forces and as far as the local planning authority is concerned this proposal includes a good mix of 1, 2, 3 and 4 bedroom units.

KLACC Planning sub-group welcome the requirement of street lights to the development. However, at this point in time it is not clear whether the developer intends to supply street lighting. This matter is covered by condition 9 of permission 14/01690/OM; where details will need to be submitted to and agreed with the local planning authority prior to the first occupation of the development, if street lighting is installed.

KLACC Planning sub-group commented that the provision of grounds maintenance of the site over and above 15 years should be included in any agreement. However, it is not standard practice for such agreements to extend beyond this period of time and it would be unreasonable to pursue this.

CONCLUSION

The principle of residential development on the site has previously been established as acceptable under extant outline planning permission 14/01690/FM granted at appeal. This reserved matters application seeks approval for the access, layout, scale, appearance and landscaping of the site.

The point of access into the site was agreed under condition 16 of the outline consent and this position has been maintained in this reserved matters application.

The proposed layout provides the appropriate amount of open space to cater for both the new dwellings and to compensate for the loss of existing open space on Russett Close by the creation of the access road into the site. The open space provides opportunity for an appropriate landscaping scheme.

The layout, scale and appearance of the proposed development is appropriate for the area and raises no significant amenity issues. The proposal achieves the appropriate amount of affordable housing and a good mix of house types and sizes.

In terms of flood risk and drainage the applicant has demonstrated that the site can be developed in an appropriate manner and there are no outstanding matters, subject to the submission of additional information which is already controlled by planning conditions on the outline consent.

On this basis, the development complies with the NPPF and NPPG, Policies CS01, CS03, CS08, CS09, CS11 and CS12 of the Core Strategy 2011 and Policies DM1, DM2, DM15, DM16 and DM17 of the Site Allocations and Development Management Policies Plan (2016). It is therefore recommended that reserved matters approval be granted subject to conditions set out below.

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 and the Design Code for each relevant plot:

- Location Plan
- * Drawing No. 1946-AL0201-P16 Proposed Site Layout
- * Drawing No. 1946-AL0202-P01 Public Open Space Plan
- * Drawing No. 1946-AL0001-P03 House Type A1 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0002-P03 House Type A2 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0003-P03 House Type A3 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0004-P03 House Type A4 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0005-P02 House Type B1 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0005-P03 House Type B2 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0007-P04 House Type C1 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0001-P01 House Type A5 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0008-P04 House Type C2 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0009-P02 House Type D - Proposed Plans & Elevations
- * Drawing No. 1946-AL0013-P03 House Type G1 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0014-P03 House Type G2 - Proposed Plans & Elevations
- * Drawing No. 1946-AL0015-P03 House Type H - Proposed Plans & Elevations
- * Drawing No. 1051-13A Proposed External Levels Plan
- * Drawing No. OLA0112 REV 04 Planting Plan

- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 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.
- 2 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.



Appeal Decision

Site visit made on 23 June 2015

by Ron Boyd BSc (Hons) MICE

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

Decision date: 1 September 2015

Appeal Ref: APP/V2635/W/15/3005766

Land south of Russett Close and north of Gaywood River, King's Lynn, Norfolk.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Mrs I Boyer against King's Lynn and West Norfolk Borough Council.
 - The application Ref 14/01690/OM, is dated 25 November 2014.
 - The development proposed is described as 'construction of up to 81 dwellings with access road (including bridge) cycle and pedestrian routes, landscaping and open space'.
-

Decision

1. The appeal is allowed and planning permission is granted for construction of up to 81 dwellings with access road (including bridge) cycle and pedestrian routes, landscaping and open space at land south of Russett Close and north of the Gaywood River, King's Lynn, Norfolk in accordance with the terms of the application, Ref 14/01690/OM, dated 25 November 2014, subject to the conditions on the attached schedule.

Procedural matters

2. The application was submitted in outline with all matters reserved. However, access to the site is defined as being from Russett Close as shown on submitted Drawing No. 1051-03 and an indicative site layout is shown on the submitted Concept Plan. I have dealt with the appeal on that basis.
3. Following submission of a draft Unilateral Undertaking, and the Council's comments on the draft, the appellant submitted a signed Unilateral Undertaking dated 17 July 2015 under the provisions of Section 106 of the Town and Country Planning Act 1990. I have considered the document in the light of the Council's comments on the draft. I am satisfied that it meets the tests set out in paragraph 122 of the CIL Regulations 2010 and have taken it into account in my consideration of the appeal.
4. The application form incorrectly stated the appellant's title. Following advice from the appellant's agent I have corrected this in the above heading.

Main issue

5. I consider this to be the effect the proposed development would have on the provision of open amenity space for residents living nearby on the Reffley Estate.

Reasons

The site

6. The appeal site is an area of some 2.03 hectares of open land generally bounded by the Gaywood River to the south and the Black Drain, an open drain, to the north. Russett Close, part of the Reffley housing estate built in the 1960's and 1970's runs immediately north of, and broadly parallel to, the Black Drain. Vehicular access to the appeal site is proposed via a gap of around 37m between Nos. 50 and 51 on the south side of Russett Close. A bridge is proposed to provide access across the Black Drain. The area of this gap, which is bounded by Russett Close to the north, the side boundaries to Nos. 50 and 51 Russett Close to the east and west respectively, and Black Drain to the south, was, until recently, grassland used by local residents as informal open space, and had been for over twenty years. Notwithstanding that it was privately owned, and that no public rights of way across the land have been established, it was maintained by the Council as open space until it was fenced off to prevent public access. This seems to have occurred in 2014.

History

7. Outline planning permission was granted in March 2008 for residential development of the main area of the site south of the Black Drain with access proposed from the south by means of a bridge over the Gaywood River. The permission was renewed in 2012 but has now expired. A further outline application for up to 95 dwellings was made in November 2013 (Ref 13/01675/OM). This was on the basis of access from the north as is now proposed.
8. The application was refused, the sole reason being that '*The construction of an access road through this locally important open space would result in the loss of amenity use for local residents contrary to policy 4/21 of the King's Lynn and West Norfolk Local Plan (1998), policy CS 08 of the adopted Core Strategy (2011) and the provisions of paragraph 74 of the NPPF*'.
9. At appeal (APP/V2635/A/14/2219721) in October 2014 the previous Inspector defined the main issue as being the effect of the proposal on the provision of open amenity space for residents living nearby on the Reffley Estate. Whilst considering a number of other matters she found there would be no unacceptable harm to the amenity and quality of life of residents from the proposal, including the proposed access, in respect of the impacts of construction traffic and the additional traffic and activity generated by the proposed new housing development. As to issues regarding flood risk, biodiversity, provision of affordable housing and mitigation of the effect of the development on social infrastructure she found these had been addressed. She considered that the requirements of the relevant development policies could be secured by planning conditions and an Obligation under the provisions of Section 106 of the Town and Country Planning Act 1990.

10. However, in respect of the main issue she found that as a result of no provision having been made within the development proposals for the replacement of the open space between Nos. 50 and 51 Russett Close, that would be lost by the provision of the access, there would be a conflict, in that respect, with Policy CS08 of the Council's Core Strategy. Also that insufficient account had been taken of the amenity value of the land to the community and its use over a very substantial period of time as open space. She considered that the residents in the locality would, as a result, experience some harm to the quality of their environment and that to compensate for the harm replacement open space should be provided as part of the new housing development. As no such provision had been included in the proposals she concluded that the social role of the development in respect of the existing community had not been sufficiently addressed and dismissed the appeal for that sole reason.

The present application

11. The application the subject of this appeal differs from that the subject of the previous appeal only in respect of fewer houses now being proposed (up to 81 as opposed to up to 95 previously) and additional open space being proposed with a view to overcoming the previous Inspector's reason for dismissing the 2014 appeal. In addition, since the previous appeal the open space has been registered as an Asset of Community Value, confirming that the land has had an agreed local community use. This is consistent with the previous Inspector's findings. Apart from the changes described above no other material changes in circumstances since the previous appeal have been brought to my attention which could lead me to any conclusions other than those of the previous Inspector in respect of those aspects of the present proposals which remain the same as were considered at the 2014 appeal.
12. The statutory period for determination of the application ended on 26 February 2015. The appeal was submitted the day after. The officer's report in respect of the application had been prepared and published on the agenda for the Council's Planning Committee meeting on scheduled for 2 March. The submitted minutes of that meeting, whilst recording that in the light of the appeal the Council could no longer determine the appeal, recorded the Committee's resolution objecting to the application for the reasons set out in the officer's report
13. The officer's report acknowledges that the previous Inspector's concern regarding the failure to provide replacement open space has been addressed in the present proposal. However the report states that the reasons that the previous application and appeal were refused and dismissed respectively included harm to the visual amenity of the area and recommended the application now be refused for that reason. Reference is made to the visual break to the developed street frontage provided by the existing amenity area and the claim made that the proposed access road would substantially change the character and appearance of the land causing harm to the quality of the environment.
14. At the previous appeal the Inspector identified that the open land interrupts the developed street frontage, providing visual relief and green space in the built environment; that it contributes to the visual and general amenity of the residential area; and that the effect of using the land to provide access would be to substantially change its character and appearance. She concluded

- however that whilst there would be some harm to residents' amenity from the proposed changes the effects would not be unacceptable. They were not a reason for her dismissal of the appeal which was the effect of failure to provide replacement open space for that which would be lost as a result of the proposals.
15. I agree with the previous Inspector's conclusions in the above respects and note that notwithstanding the proposed access road the break in housing between Nos. 50 and 51 would still remain along with part of the present grassed area which, as mentioned in the officer's report, could be planted or landscaped if required. I therefore conclude that the main issue for this appeal is the same as that for the previous appeal as I have stated above.
 16. The open space proposed in the previous scheme was only sufficient to satisfy the Council's requirements in respect of new housing, this being not less than 20sqm per dwelling. The officer's report records the applicant's present undertaking to provide a minimum of 1700sqm of open space to satisfy the maximum of 81 new houses and an additional 800sqm as compensation for the open space that would be lost as a result of the proposed access road. The appellant's estimate that the area to be taken by the access road would be 450 sqm has not been disputed by the Council. The open space to be provided is to be in a location to be agreed with the Council and is covenanted to that effect in the submitted completed Unilateral Undertaking. I consider the covenant sufficient to ensure that the open space to be provided would be in useable areas.
 17. I note that concern has been expressed by third parties as to the safety and ease of access to the replacement open space. I agree with the officer's report that open space, at least as safe as the area that would be lost as a result of the proposed access, could be provided. I note that the 'village green/play area' shown on the Concept Plan is shown as being located at the nearest possible point to the displaced open space. Final details of the landscaping, the extent of the bridge across the Black Drain, and location of the open space would be determined at reserved matters stage.
 18. In the light of the above I conclude that amount of open amenity space covenanted to be provided within the proposed development would be sufficient to compensate for the area to be lost by the proposed access from Russett Close. It would overcome the conflict with Core Strategy Policy CS08 identified by the previous Inspector as the reason for refusal. There would be no unacceptable harm in respect of loss of amenity space resulting from the proposed development.
 19. I have taken account of all the matters raised in the evidence but have found nothing to outweigh my conclusion in respect of the main issue. For the reasons given above I conclude that the appeal should succeed.
 20. I have considered the conditions suggested by the Council in the light of the Government's Planning Practice Guidance and Appendix A of Circular 11/95. I consider the conditions in the attached schedule to be reasonable and necessary – they deal with:
 - submission of details of existing and proposed levels, roads, footways, cycleways, foul and surface water drainage, flood resilient construction and

street maintenance in the interests of satisfactory construction and highway safety;

- location of the access from Russett Close to ensure that the development is carried out as hereby permitted;
- ground investigation and remedial works, flood resilient construction and provision of fire hydrants in the interests of public safety;
- landscaping, external lighting, site clearance, further survey work and biodiversity enhancement in the interests of assimilation into the surrounding area and protection of wildlife.

R.T.Boyd

Inspector

Schedule of conditions

- 1) Approval in writing of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') for any phase of the development shall be obtained from the local planning authority before any development is commenced. Application for approval of the reserved matters shall be made to the local planning authority not later than two years from the date of this permission. The development shall be carried out as approved.
- 2) The development hereby permitted shall be begun not later than the expiration of one year from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 3) Prior to the commencement of any development details of existing and proposed levels, including finished floor levels of all buildings or structures and any changes in levels proposed to the site, shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
- 4) 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:
 - a survey of the extent, scale and nature of contamination;
 - 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;
 - an appraisal of remedial options, and proposal of the preferred option(s).

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

- 5) 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 its intended use after remediation.

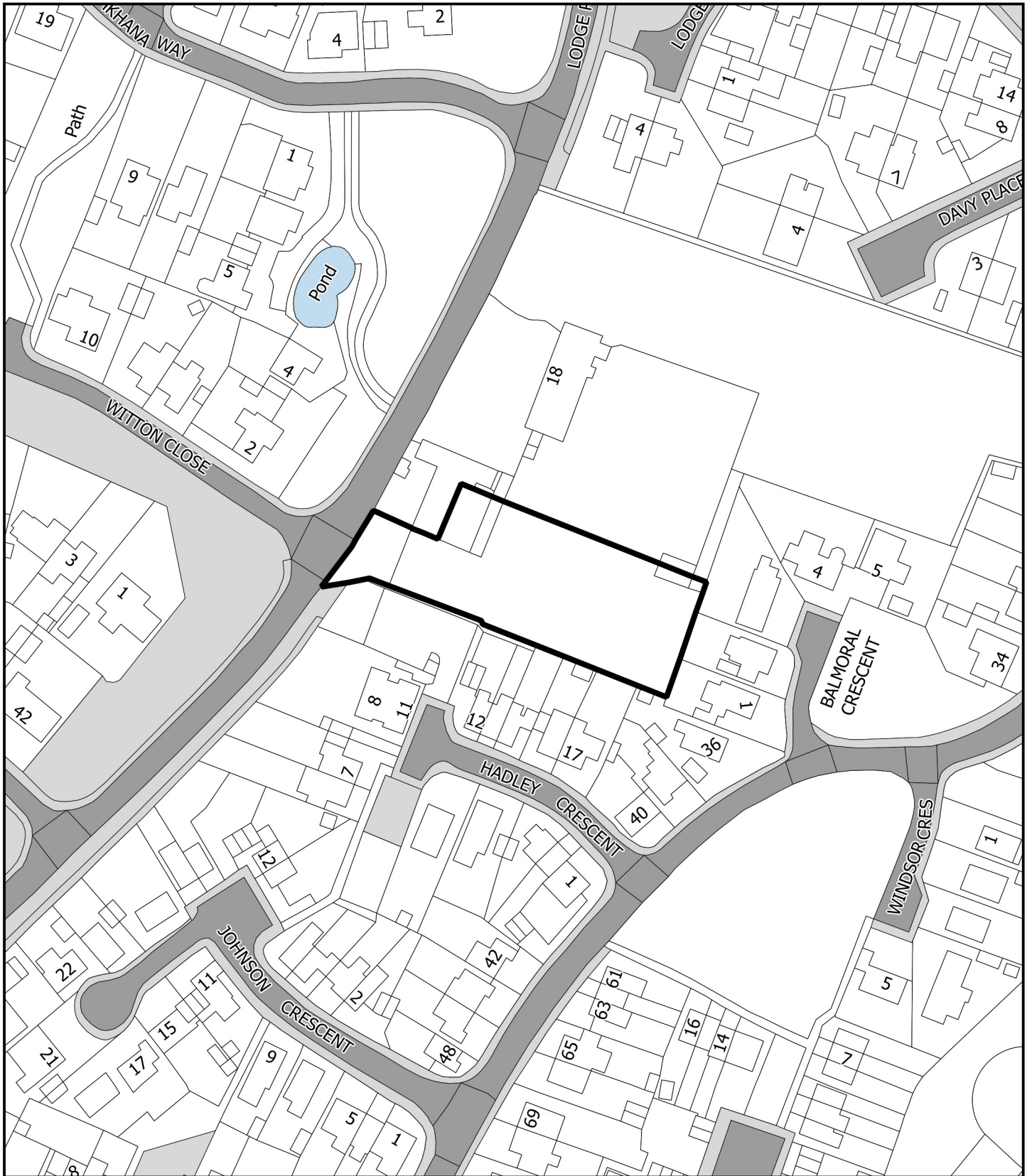
- 6) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than those required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.
- 7) No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the local planning authority. These details shall include details of any alterations to watercourses, land raising and access for drain maintenance operations, full details of the surface water disposal methods and drainage systems (including the adoption/future maintenance regime of any SuDS) and appropriate compensatory flood storage measures. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 8) Prior to the occupation of the development a landscape maintenance scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall provide for the maintenance of all landscaped areas for a minimum period of 5 years and specify the maintenance responsibilities and arrangements for its implementation. The landscape maintenance scheme shall be carried out as approved.
- 9) Prior to the first occupation of the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land, the measures to contain light within the curtilage of the site and a programme for implementation. The scheme shall be implemented as approved and thereafter maintained and retained as agreed.
- 10) No development shall commence on site until a scheme has been submitted to and approved in writing by the local planning authority that provides for the suppression of dust during the period of construction. The scheme shall be implemented as approved throughout the period of construction unless otherwise agreed in writing by the local planning authority.
- 11) No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the hours of 0700 - 1800 on weekdays 0800 - 1300 on Saturdays not at any time on Sundays, Bank or Public Holidays
- 12) No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered

into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company established).

- 13) No works shall commence on the site until such time as detailed plans of the bridge over the Black Drain, roads, footways, cycleways, 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.
- 14) No works shall be carried out on the bridge over the Black Drain, roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the local planning authority.
- 15) Before any dwelling is first occupied the roads, footways and cycleways 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.
- 16) Means of vehicular access to and egress from the development hereby permitted shall be derived from Russet Close where the estate road junction shall be laid out to accord with the submitted drawing 1051-03 Rev E.
- 17) The development shall be carried out in accordance with the recommendations set out in the Water Vole, Reptile and Amphibian Survey Report conducted by Hillier Ecology, dated May 2013, unless otherwise agreed in writing by the local planning authority prior to commencement of development. These recommendations include further survey work of the Black Drain regarding water voles and the presence of an experienced herpetologist to assess for reptile and amphibians.
- 18) No development shall commence until details of opportunities to enhance biodiversity on the site, including opportunities to incorporate features into the design which are beneficial to wildlife, have been submitted to and approved in writing by the local planning authority.
- 19) Any tree or scrub removal shall be carried out outside the bird nesting season which is hereby defined as being between 1st March and 31st August.
- 20) Prior to construction of the first dwelling pursuant to any reserved matters approval a scheme for the provision and implementation of flood resilient construction/materials shall be submitted to and approved in writing by the local planning authority. The scheme shall be constructed and completed as approved.
- 21) No development shall commence on site until a scheme has been submitted to and approved in writing by the local planning authority for the provision of one fire hydrant (served by mains water supply) for every 50 dwellings forming part of the development hereby permitted. Such scheme shall provide a minimum of two fire hydrants and no dwelling shall be occupied until the hydrants have been provided in accordance with the approved scheme to the satisfaction of the local planning authority.

19/00168/F

Heacham Lodge Lodge Road Heacham



AGENDA ITEM NO: 8/2(a)

Parish:	Heacham	
Proposal:	2no. Proposed Dwellings	
Location:	Heacham Lodge Lodge Road Heacham King's Lynn	
Applicant:	Mr King	
Case No:	19/00168/F (Full Application)	
Case Officer:	Mr Philip Mansfield	Date for Determination: 25 March 2019 Extension of Time Expiry Date: 6 June 2019

Reason for Referral to Planning Committee – Called in by Councillor Parish.

Neighbourhood Plan: No

Case Summary

The application relates to the proposed development of two dwellings on land adjacent to Heacham Lodge, Lodge Road, Heacham. The surrounding area is a mix of two storey properties and bungalows; the notable property being the Grade II listed lodge house.

Key Issues

Principle of Development
Form and Character/Impact upon heritage assets
Amenity
Highways
Other considerations

Recommendation

APPROVE

THE APPLICATION

The application site relates to land adjacent to the Grade II listed Heacham Lodge. It currently forms part of an extended garden to this property. An existing residential property 'The Stables' located to the front of the site is to be retained.

The application proposes to construct two dwellings with a new access and parking. The existing boundary wall to the north is to be retained. Revised plans have been submitted for consideration following previous concerns regarding scale, layout and relationship with The Stables.

SUPPORTING CASE

The applicant has submitted the following comments in support of the amended scheme:

1. The courtyard garden and changes to the lean-to sheds have now been removed. This means that the courtyard and sheds shall be part of The Stables, as requested, improving its amenity.
2. It is still proposed that unit 1 is built off of the existing garden wall, which now forms the boundary. As per above in regards to the courtyard and sheds.
3. The materials have been amended on unit 1 as requested. Bricks shall now be red, and tiles also red, as proposed on the attached. Unit 2's materials shall match as stated on drawings.
4. Unit 2 is now single storey in terms of external design, however we have utilised the available roof space for a bedroom. We have a distance of 6m from unit 2 to the boundary of the properties on Balmoral Crescent. The dwelling has also been designed with hipped roofs rather than gable ends, therefore the structure is moving further away from neighbouring properties as it gets higher.
5. As stated above and on the attached drawings, the materials of unit 1 and 2 are to match, and I would assume will be approved by planning. There are further resemblance in terms of design between the two properties through the continuity of materials and elongated windows.

PLANNING HISTORY

No relevant history

RESPONSE TO CONSULTATION

Parish Council - OBJECTION: due to form and character, impact to neighbouring residents, highway safety concerns

Env Quality - NO OBJECTION

Trees – NO OBJECTION subject to conditions: A tree protection plan was submitted which is thought to be acceptable by the tree officer.

Highways – NO OBJECTION: subject to conditions: The highways officer has recommended conditions with respect to parking/turning, visibility splays and the footpath link to the site.

Conservation – NO OBJECTION: subject to conditions: The proposal would retain the historic boundary wall so is considered not to harm the setting of the listed building.

Rights of Way – NO OBJECTION

REPRESENTATIONS There were **15** letters of objection concerning:

- *overlooking
- *loss of privacy
- *height of proposed dwellings
- *overbearing
- *overshadowing

- *details on submitted plans
- *out of keeping with surrounding properties
- *loss of light
- *sets a precedent for backland development
- *loss of view

LDF CORE STRATEGY POLICIES

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

- Principle of Development
- Form and Character/Impact to heritage assets
- Amenity
- Highways
- Other considerations

Principle of development:

The site lies within the settlement boundary for Heacham where proposals for new residential development will be supported in principle subject to other material considerations.

Form and Character/Impact to heritage assets:

The application proposes two contemporary style dwellings. Plot 1 would be 1.5 storeys with varying roof profiles and open plan layout. Plot 2 would have a slightly more uniform appearance from the front and comprises an atrium style entrance with a full height window on the upper section. Materials for both units comprise red facing brickwork, red clay pantiles and aluminium windows and doors. Plot 1 is proposed to have a zinc roof.

The proposals would be set back considerably from Lodge Road to the rear of The Stables which will lessen the impact on the streetscene. The layout has been revised so the existing courtyard space will be retained for The Stables which would be a more positive outcome for both existing and future occupants in terms of the relationship with plot 1.

Consideration has been given to any impact upon the Grade II listed Lodge House located to the north of the application site. Unit 1 would be adjacent to the boundary wall which also

forms part of the listing which would be retained as part of the proposal. Indeed this unit will be built off the wall, seemingly repeating a previous pattern of development on the site. The conservation officer has expressed no objections subject to a condition. Any harm to the setting of this designated heritage asset would be clearly less than substantial and the benefits of this scheme would outweigh any limited harm referred to in para 196 of the NPPF.

Amenity:

Due to concerns raised about impact on neighbours the applicant has substantially revised the layout, with the significant change being the re-siting of plot 2 away from the eastern boundary which borders Balmoral Crescent. There would now be a distance of 5.3m approx. between plot 2 and the eastern boundary. This is considered sufficient to prevent any overbearing or overshadowing of the adjacent gardens and bungalows to the east. To the south, there is a greater degree of spacing due to the garden space of plot 2 and the parking/turning areas.

The applicant has also reduced the height of plot 2 which would be 1.5 storeys and 6m approx. in height to the ridge. Along the boundary with Balmoral Crescent the roof is now hipped, further lessening the impact. The upper floor windows comprise four rooflights on the northern elevation which due to their orientation would not overlook any neighbours. The full height window serving the upper floor bedroom would be south facing but at a distance of 14.5m approx from the neighbouring properties on Hadley Crescent which is considered to be acceptable. The applicant has indicated the hedging is to be trimmed on the southern boundary which is considered to be adequately screened from adjacent properties.

Highway Issues:

NCC Highways expressed no objections subject to conditions. The proposal results in the creation of a new vehicle access to the south of The Stables and parking/turning areas. A footpath link is proposed to be constructed in accordance with NCC Highway standards. It was confirmed that the front boundary wall is to be retained as existing.

Other Considerations:

The arboricultural officer raised no objections subject to a condition. No significant trees would be removed as part of the proposal; any trees of importance are confined to the grounds relating to The Lodge which are unaffected by the proposed works. A private view is not a material consideration and with regards to setting a precedent, each case is determined on its own merits.

CONCLUSION:

The amendments to the proposed scheme are thought to overcome the issues raised with the original submission. The revised scheme is thought to result in a better outcome for the site in terms of overall layout and reducing the impact on neighbouring properties. The assessment has considered the amendments in terms of the concerns with respect to neighbour amenity. Plot 2 has been amended to reduce the scale and also re-positioned within the plot thereby minimising the impact upon adjacent properties in Balmoral Crescent. There are no other technical objections to the application.

The proposal is therefore considered to accord with policy DM15 of the Development Management Policies Plan 2016 and the provisions of the National Planning Policy Framework 2018. It is therefore recommended for approval.

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 92 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 plan drawing no 1842-02C, proposed plans & elevations drawing no 1842-101B, proposed plans & elevations drawing no 1842-201C
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The development hereby approved shall be carried out in strict accordance with the arboricultural impact assessment carried out by Heritage Tree Specialists Ltd dated April 2019.
- 3 Reason To ensure no adverse impact to trees in accordance with the NPPF.
- 4 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition Prior to the commencement of the use hereby permitted the vehicular access indicated for improvement on Drawing No.1842-02 C shall be upgraded/widened to a minimum width of 4.5 metres in accordance with the Norfolk County Council residential access construction specification for the first 5 metres as measured back from the near channel edge of the adjacent carriageway/constructed in accordance with the approved plan/details to be agreed in writing by the Local Planning Authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 5 Reason To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.
- 6 Condition Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 6 Reason In the interests of highway safety.

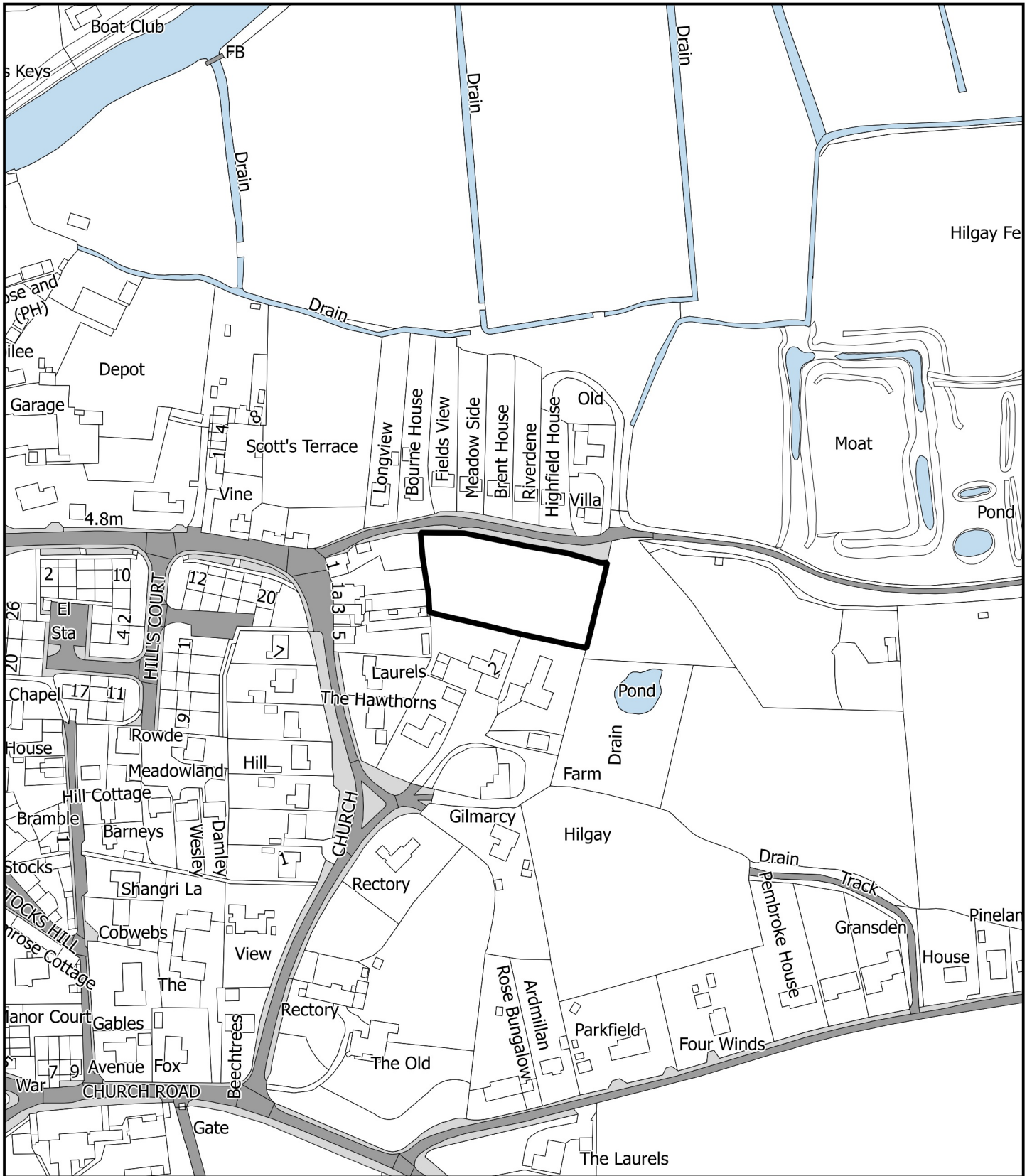
- 7 Condition Prior to the first occupation/use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 7 Reason In the interests of highway safety in accordance with the principles of the NPPF.
- 8 Condition Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 9 Condition Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works (frontage footpath) as indicated on Drawing No. 1842-02 C has been submitted to and approved in writing by the Local Planning Authority.
- 9 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 10 Condition Prior to the first occupation/use of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 9 shall be completed to the written satisfaction of the Local Planning Authority.
- 10 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 11 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C 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, any other alteration to the roof of a dwellinghouse or buildings etc incidental to the enjoyment of a dwellinghouse shall not be allowed without the granting of specific planning permission.
- 11 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.
- 12 Condition No existing trees within the site that are shown as being retained in the submitted Arboricultural Implications & Tree Protection Plan shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or 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.

- 12 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.'
- 13 Condition Prior to first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation 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.
- 13 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

18/01890/RM

Land South of East End Hilgay



AGENDA ITEM NO: 8/2(b)

Parish:	Hilgay	
Proposal:	Proposed 2 x 5-bed, one and a half storey detached dwellings with associated landscaping.	
Location:	Land South of East End Hilgay Norfolk	
Applicant:	Mr Ben Saxby	
Case No:	18/01890/RM (Reserved Matters Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 24 December 2018 Extension of Time Expiry Date: 7 June 2019

Reason for Referral to Planning Committee – Called in by Councillor Tony White.

Neighbourhood Plan: No

Case Summary

The site is located on the south side of East End, Hilgay, some 50m from the junction of the East End and Church Road. The site is currently paddock land set higher than the road network. The site is located adjacent to the existing and proposed development boundaries for Hilgay as defined by the Site Allocations and Development Management Policies Document 2016.

This application is a reserved matters application for the construction of two detached dwellings with double garages. The dwellings are five bedroom, and one and a half storeys in height. The dwellings are situated within substantial plots with gardens to the rear and a parking and turning area to the front. The dwellings share a central access off East End.

The outline application (Ref: 15/01830/O) was for the construction of two dwellings, with access only. This application is seeking reserved matters for two detached dwellings and garages, 1.5 storeys in height, namely the layout, scale, appearance and landscaping of the site.

Key Issues

Principle of development
Highway/ Access
Form and character
Impact on the Scheduled Ancient Monument and archaeology
Neighbour amenity
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The site is located on the south side of East End, Hilgay, some 50m from the junction of the East End and Church Road. The site is currently paddock land and set higher than the road network. The site is located adjacent to the development boundaries for Hilgay as defined by the Site Allocations and Development Management Policies Document 2016.

This application is a reserved matters application for the construction of two detached dwellings with double garages. The dwellings are five bedroom, and one and a half storeys in height. The dwellings are situated within substantial plots with gardens to the rear and a parking and turning area to the front. The dwellings share a central access off East End.

The outline application (Ref: 15/01830/O) was for the construction of two dwellings, with access only. This application is seeking reserved matters for two detached dwellings and garages, 1.5 storeys in height, namely the layout, scale, appearance and landscaping of the site.

An application (18/01052/F) was submitted in 2018 for the variation of condition 13 of the outline consent (15/01890/O). Condition 13 stated that the dwellings hereby approved should be single story only, and the second application was to amend this to 1.5 storeys.

SUPPORTING CASE

This supporting statement is submitted to highlight key elements of the proposed development of 2 number 5 bed chalet style houses on the parcel of infill land located at East End Road Hilgay. This site has been developed over the last few months with the planning department and is before you with a recommendation for approval.

The current owner purchased this site with the intention of building a family home on a good size plot of land in a quiet area of the village. The outline permission that came with the land on purchase was for 2 number bungalow properties with detached garages. Conditioned to appease the highways concerns at planning was the requirement to increase the road width and provide a turning area for the refuse vehicles that currently use the lane to collect.

Also conditioned was a single storey criteria placed upon the planning. After some investigation it became apparent that this condition was placed on the planning permission as a result of a statement from English Heritage as there was Schedule Ancient Monument in a field some 400m away. This comprised of ditches and pond like structures that were of significance to the heritage register.

The decision was made to challenge this condition as all properties, bar one, within the vicinity are 2 storey properties. Heritage agreed and permitted 1.5 storey chalet style properties.

This Reserved Matters submission has entered on this basis as it makes better use of the land and maintains the green space on each of the plots.

Concerns with overlooking have been addressed by the placement of the velux windows in the upper portion of the roof space and the central placement of the properties on the plot. The average distance from the properties to the south of the plot is over 25m and is circa 30m to those on the north side.

The amount of private amenity space on each plot is over 60% and thus achieves well above policy guidelines.

A number of neighbour complaints have been received for the development despite it being an infill site. These cite overlooking and privacy as the main concern but we believe the placement and distance from the neighbouring properties negates this issue. A detailed topographical survey has also been undertaken to demonstrate the land, whilst of higher elevation the road, is not actually any higher than the land on which the neighbouring

properties sit. It is lower than the land to the south and the door threshold levels of the proposed building are the same as the ones to the north. This serves as further evidence that overlooking and loss of light and privacy, all of which have been mentioned, have been materially considered and negated.

Drainage is highlighted as being an issue so if on investigation the mains do not have capacity (note - Anglian Water do not have any comments on the proposed development impacting their flows) there is the option of using treatment plants in the garden areas to overcome this, thus not exacerbating what is seemingly a big issue for the residents down that road already.

The other major concern noted is that of disruption and the access way at the top of East End. Whilst some disruption from development is inevitable the developer is fully expecting working hours restrictions to be conditioned as necessary and would implement temporary signage to notify both vehicles and pedestrians of the increased temporary risks during the build. The short term pain will be negated by the long term benefit of tidying up the verge that is left to overgrow and the widening of the road benefitting all residents down the lane forevermore.

The design of the units is in a sympathetic Norfolk Chalet style, situated on large plots infilling a quiet residential area and as such we hope the Planning committee view it in this light and allow the development of two high quality family homes in this area.

PLANNING HISTORY

18/01052/F: Application Permitted: 02/08/18 - REMOVAL OR VARIATION OF CONDITION 13 OF PLANNING PERMISSION 15/01830/O: Outline application for site for construction of two dwellings - Land South of East End, Hilgay

15/01830/O: Application Permitted: 08/02/16 - Outline application for site for construction of two dwellings - Land South of East End, Hilgay

RESPONSE TO CONSULTATION

Parish Council:

Latest reconsultation(1 May 2019) – No formal written Parish Council response received.

Reconsultation (14 Mar 2019) - Hilgay Parish Council objects to this application. The plans have been amended significantly in terms of positioning of the proposed dwellings. The dwellings are still very close to neighbouring properties, and overlook them. This is in part due to the rise of the land, and in part because the houses are 1.5 storeys. Overshadowing is possible.

There is a reduction in the residential amenity of adjacent properties, particularly loss of privacy.

The increase in traffic is unacceptable. Realistically, five bedroom houses are likely to have several cars each. Although there are highway improvements suggested as part of the application, this will not reduce the additional number of car movements on a narrow rural road.

The parish council is of the opinion that if the proposed dwellings were one storey only, this would eliminate much of the detriment to existing dwellings and the area in general.

Original consultation (6 Nov 2018) - Hilgay with Ten Mile Bank Parish Council has no objection to the above application. However the PC would like strongly to request that the exterior be in suitable, vernacular, materials.

Highways Authority: NO OBJECTION.

With reference to the revised layout submitted on Plan ref. 001 Rev B, I continue to have no objection and recommend the previous parking and turning condition.

Rights of Way Officer (NCC): NO OBJECTION.

We have no objections on Public Rights of Way grounds as although Hilgay footpath 5 and Bridleway 2 are in the vicinity, they do not appear to be affected by the proposals.

Internal Drainage Board: NO OBJECTION.

Arboricultural Officer: (verbal) No objections. Please condition the consent to be in accordance with the landscaping plan and scheme.

Historic England: NO OBJECTION.

On the basis of this additional information, Historic England do not wish to offer any comments. We would therefore suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

Community Safety and Neighbourhood Nuisance (CSNN):

This team did not provide any consultation comments on the outline application (15/01830/O) for this development, and we would not normally provide comments on a site of less than three dwellings – we would refer you to our Planning Consultation Guidance document.

However, I have noted that public comments raise concerns over the existing foul and surface water drainage, and how the proposed development could exacerbate the issues they say already exist. Points 7 and 8 of the public email dated 17 November 2018 refer in detail to existing issues and the involvement of Anglian Water where flooding has occurred. Whilst I appreciate that condition 5 of the outline consent requires drainage details to be submitted prior to commencement, I am concerned over the drainage of foul and surface water for the site as it should not impact negatively on the existing system.

Due to the obvious prior involvement of AW, I recommend their advice on the drainage in East End is sought, so they can comment on whether the existing infrastructure can cope with the proposed additional dwellings or whether upgrading is required.

Also request a condition and informative is attached regarding construction hours on site.

Historic Environment Service (NCC): NO OBJECTION.

We have no specific comments to make regarding the revised plans.

The application site has already been the subject of archaeological trial trenching. Our previous advice remains unchanged. Archaeological excavation of the foundation trenches and archaeological monitoring of services and soakaways below 0.7m in depth will be required as set out in our brief issued on 5th July 2016. A new brief for excavation and monitoring will be required as briefs usually only remain valid for one year and we introduced new Standards for Development-led Archaeological Projects in Norfolk on 1 May 2018.

If the required archaeological work cannot be secured through Conditions 6, 7 and 8 on 18/01052/F we suggest conditions are imposed to this consent.

REPRESENTATIONS

In total **29** letters of objection have been received, in response to 3 consultation periods.

The application has evolved during the planning application process. The initial consultation period ran in November 2018, with a second one in March 2019 and a third in May 2019 which followed amendments to the proposed scheme. The issues raised are summarised below and many have remained consistent at each consultation:

- Original planning consent was for two modest sized bungalows, single storey only.
- The 1.5 storey dwellings are the height of 2 storey.

- The size of the dwellings proposed is not in keeping with the form and character of the village. They are overbearing, and the footprint is far too large for the plot. The developer continues to push for a scheme far in excess of the scope of the original. Reference is made to the scale identified on the 'indicative plans' submitted for the outline application.
- The development will increase pressure on inadequate drainage system, and increase issues regarding surface water run-off, impacting on neighbouring dwellings.
- There will be an increase to traffic on East End, as a result of the development. Previously NCC agreed that East End is not suitable for new development due to the bottle neck at the junction into the road. This cannot be resolved and the situation will become more hazardous. There is insufficient space for parking and turning on the highway. There will be huge problems caused by the vehicles used during the construction of the dwellings.
- Increased traffic on the road which leads to a footpath and bridleway.
- The development would be intrusive and result in a loss of privacy of neighbouring dwellings.
- There will be a loss of light for neighbouring dwellings due to the size and scale of development.
- The ground level of the site should be lowered to reduce the impact on neighbours.
- The balcony and windows proposed overlook no's 2 and 3 Millers Farm. The windows overlooking neighbouring dwellings should be obscured glazing.
- There will be light pollution from the dwellings, and noise pollution from the gravel drives.
- The development will spoil views.
- Health and safety concerns regarding the applicant.
- Loss of peaceful location – impact on wildlife and plant life.
- Proposed design of the dwellings is out of character for the village.
- Restrictions to construction hours of operation are required.
- Poor planning decisions on previous applications.
- Query that consultation requirements were adequately followed.
- Application process should not have been extended. Discussions with developer means there is not transparency.
- Reference is made to the CSNN comments re:drainage.
- Positioning / siting of dwellings within plot.
- Concerns that although balconies are removed from the plans, these could be reinstated at a later date.
- Cross-section drawings illustrate that the proposed dwellings are too high, too big and out of character.
- Insufficient planting, privacy borders provided.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main issues are:

- Principle of development
- Highway/ Access
- Form and character
- Impact on the Scheduled Ancient Monument and archaeology
- Neighbour amenity
- Other material considerations

Principle of development

The principle of development has been established by the extant planning consent 15/01890/O. An application (18/01052/F) was submitted in 2018 to vary condition 13 of the original outline consent (15/01890/O), to allow the submission of 1.5 storey dwellings at the reserved matters stage.

Highways / Access

The objections received relating to highways and access issues centre on the view that East End is not appropriate for any new development.

The two proposed dwellings are to be served by one vehicular access and the size and positioning of this access was agreed as part of the outline planning consent, as well the number of dwellings considered to be acceptable. While the objections raised have been noted, given this is a reserved matters application the principle of development and location of access has been agreed and cannot be revised as part of this application.

Furthermore the Local Highway Authority (LHA) has not raised any objections to the proposed scheme but requested that a condition is attached to the consent related to the parking and turning areas within the application site.

Form and character

The site is located on the south side of East End in an elevated location. It is surrounded on 3 sides by residential development.

The proposed development is for the construction of two cottage style detached dwellings with attached garages. The proposed dwellings are 1.5 storeys high, with a ridge height of 7.7m at the highest point. Catslide dormer windows and roof lights are proposed within the dwellings. There are five bedrooms proposed and the houses are situated within sizeable plots and there is sufficient amenity space provided with each.

In terms of the neighbour concerns regarding the height of the proposed dwellings; the initial outline application restricted the height of the dwellings to single storey. This reflected the comments made by Historic England with the intention of limiting the impact of the new development on the Scheduled Ancient Monument nearby. An application then came in to amend this to 1.5 storeys in height, to which Historic England did not object, and thereby consent was granted.

The applicant has provided cross-sections to show the height of the proposed dwellings in relation to those dwellings neighbouring the site. These indicate that plot 1 is 7.6m at ridge height, and comparable to the dwellings to the north and south. So whilst the site is set higher than the carriageway and the land surrounding the site, the ridge height of the proposed dwellings would not be out of keeping with surrounding residential properties which are mainly two storey in height.

The materials proposed, which are for use on the site do respect the locality and are considered to be acceptable. The applicant intends to retain existing trees and the existing landscaped highway verge which will reduce the visibility of the dwellings in the street scene.

Impact on the Scheduled Ancient Monument and archaeology

The site is located to the south west of the Scheduled Ancient Monument (SAM) - Hilgay Fen (an earthwork complex relating to a moated site and fishponds). Historic England has commented verbally that single storey or one and a half storey dwellings would be unlikely to harm the setting of the SAM. As part of the consideration of the outline planning consent the view was taken that the proposal would lead to less than substantial harm to the significance of the SAM and was considered acceptable in accordance with the then paragraph 134 of the NPPF and Policy CS12 of the Core Strategy 2011. It is also noted that Historic England raise no objection to this current application, and it is considered that the detailed design has little or no impact on the SAM. Therefore again any harm to the SAM would be less than substantial in terms of paragraph 196 of the NPPF, and the benefits of the scheme far outweigh the minimal impact it has on heritage assets.

With regard to archaeological heritage assets, the Historic Environment Service (HES) comments that give that the SAM is located approx. 70m to the north east of the site, there is potential for heritage assets of archaeological significance to be present on the site. Therefore the outline planning consent was conditioned to require a programme of archaeological works for the site in accordance with the NPPF and Policy CS12 of the Core Strategy 2011. Their representation to this application states that if the archaeological work cannot be secured through planning consent 18/01052/F, the conditions should be attached again. However given these conditions are attached to the outline consent, and also planning consent reference 18/01052/F, there is not a need to repeat them again.

Neighbour amenity

Objections to the application include the view that the scale of development proposed and the siting of the dwellings within the site is intrusive; it will result in a loss of privacy for neighbouring dwellings. They argue that there is insufficient planting and privacy borders provided, and that the overbearing nature of the development will lead to a loss of light for neighbouring residents.

In terms of distance there is at least approximately 28 metres between the proposed dwellings and the closest existing dwelling opposite on East End, and at least 27.4m to the closest dwelling to the rear of the site. The first floor windows proposed are bedroom or bathroom rooflights, but are at 'head height' and in this sense would enable similar views as a standard window. To the rear of the proposed dwellings the gardens are approximately 16 meters to the rear boundary. To the front of the dwellings ample room is provided within the site for parking and turning purposes (in accordance with parking standards), the dwellings are set back from the road and only overlook front gardens. The siting, spacing and orientation of the proposed dwellings means that they would not overshadow neighbouring dwellings, or be overbearing.

Permitted development rights will also be removed, by condition, to restrict the insertion of new windows or any alternations to the roof. This will ensure additional openings cannot be introduced at first floor, without the submission of a planning application.

A landscaping scheme has been submitted with the application which proposes a minimum of 1.8m hedging at boundaries, and in addition some trees are identified along the rear boundary of the site.

The CSNN officer requested, in her consultation response, that hours of construction are attached to the planning consent. A planning condition was attached to the outline planning consent 18/01052/F requesting a construction management plan to control the potential noise and disruption during construction.

On this basis, the proposal for two dwellings would have a limited impact on residential amenity which would not amount to significant and demonstrable harm and thus would be in accordance with the NPPF, Policy CS08 of the Core Strategy 2011 and Draft Policies DM15 and DM 17 of the Site Allocations and Development Management Policies Document 2016.

Other material considerations

Objectors consider that the loss of the green space and the additional pressure on the existing foul sewage network would give rise to foul and surface water drainage problems. These matters have been dealt with appropriately through the imposition of a condition on the outline planning consent requiring foul and surface water drainage details to be submitted prior to commencement of any development on the site. Therefore it is not necessary to address this point again in the reserved matters application. The CSNN Officer, in the consultation response, requests that Anglian Water is consulted to gain their views on the ability of the systems to cope with the additional development. To reiterate the point made above, the principle of development has been established and cannot be re-visited in this application.

Historic England, the IDB, Environmental Quality and the Arboricultural Officer raise no objection. The Public Rights of Way Officer raises no objection.

The objections include queries relating to the methods of consultation used at various stages of the planning application process. The Local Planning Authority have adhered to the regulations as set out in The Town and Country Planning (Development Management Procedures) (England) Order 2015 providing a site notice as well as notifying neighbours as the scheme has been amended.

CONCLUSION

The principle of development has been established on the site, through the grant of outline planning permission, and this reserved matters application deals only with appearance, layout, scale and landscaping. Furthermore many of the statutory consultees have not objected to the scheme. However the Parish Council and a number of neighbouring residents have objected. It is the view of officers that through the design, placing of windows, the orientation, plot size and separation of the scheme means that the impact on neighbouring dwellings and on the locality, including the Scheduled Ancient Monument is acceptable.

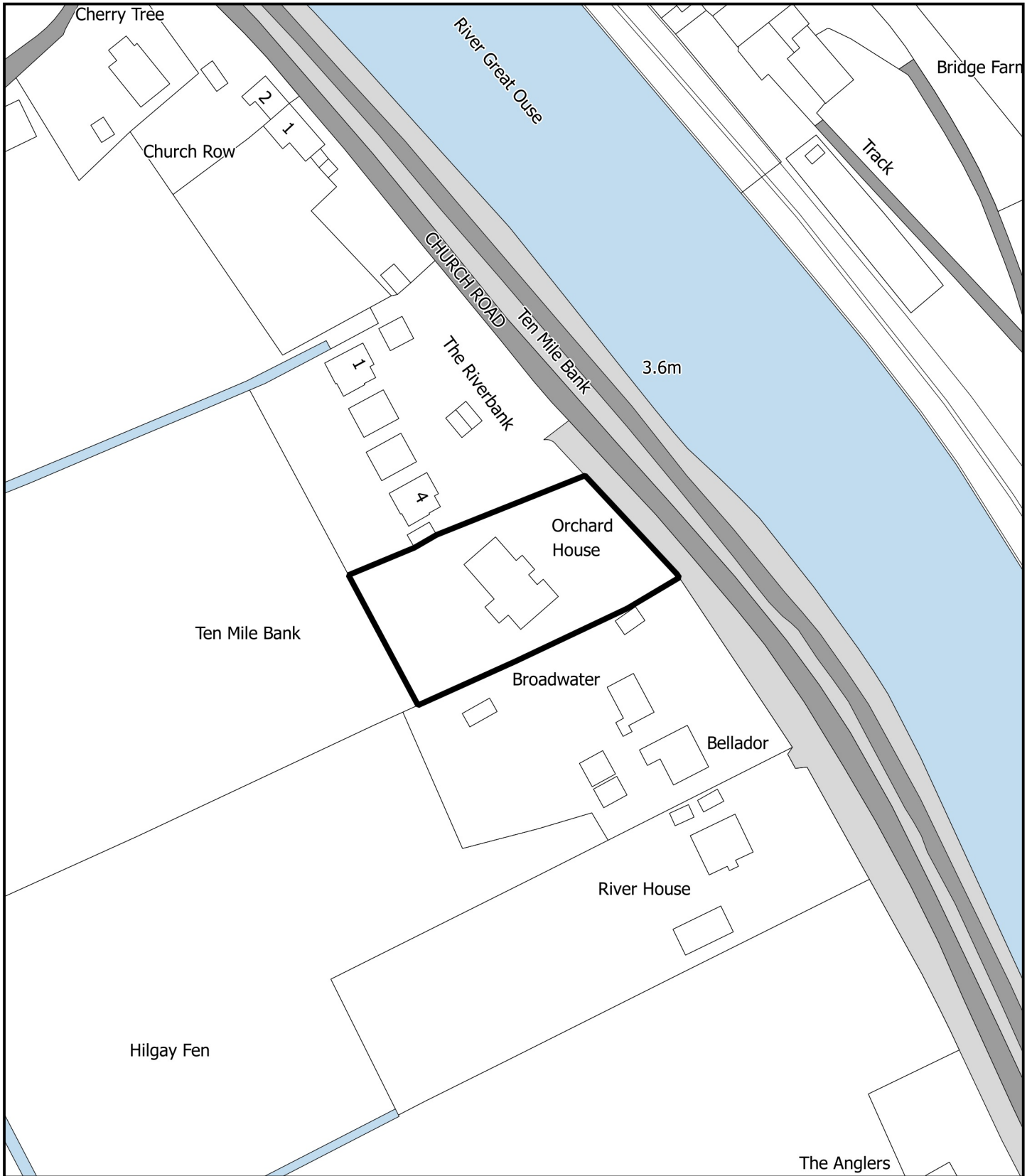
RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos 001B, 002B and 003B received on 28 March 2019, and 007 and 008 received on 23 April 2019).
- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement of the dwelling house consisting of an addition or alteration to its roof shall not be allowed without the granting of specific planning permission, and no new windows/ dormer windows (other than those expressly authorised by this permission) shall be allowed without the granting of specific planning permission.
- 2 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 3 Condition All hard and soft landscape works shall be carried out in accordance with the Landscaping Schedule (received on 24 Oct 2018) and the Landscaping Plan (received on 21 May 2019). 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.
- 3 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 4 Condition Prior to the first occupation of the development hereby permitted the proposed access /on-site car parking / turning areas shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 4 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

19/00239/F

Orchard House Church Road Ten Mile Bank Hilgay



AGENDA ITEM NO: 8/2(c)

Parish:	Hilgay	
Proposal:	Erection of an ancillary granny annexe	
Location:	Orchard House Church Road Ten Mile Bank Norfolk	
Applicant:	Mrs Seddon	
Case No:	19/00239/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 30 April 2019

Reason for Referral to Planning Committee – Called in by former Councillor White.

Neighbourhood Plan: No

Case Summary

The development is proposed to the rear of the dwelling known as "Orchard House" in Ten Mile Bank, lying on the west side of Church Road, running along the River Great Ouse. The site lies outside the development boundary for Ten Mile Bank, so it is deemed as being in the countryside. The application is for the erection of a detached single-storey annexe in the curtilage of the dwelling.

Key Issues

Principle of development
Impact on neighbour amenity
Flood risk
Impact on character and appearance of area
Other material impacts or issues

Recommendation

APPROVE

THE APPLICATION

The application is for the erection of a detached single-storey one bedroom annexe in the curtilage of the dwelling. The development is proposed to the rear of the dwelling known as "Orchard House" in Ten Mile Bank, lying on the west side of Church Road, running along the River Great Ouse. The site lies outside the development boundary for Ten Mile Bank, so it is deemed as being in the countryside. Church Road is largely rural in character with some limited ribbon development breaking up views of the open countryside to the west.

SUPPORTING CASE

I am writing to you in support of my planning application to build a granny annexe in the rear garden of my property. The initial plan when we were building our home was to have my parents move in with us, as we knew a time would come they would need additional care and we didn't want them to go into a nursing home.

My father suffers from several debilitating health conditions, which are unfortunately affecting him more and more as he gets closer to the age of 80. My mother also has several health conditions as well as dealing with the after effects of cancer treatment and the care she gives to my father is starting to affect her own health further. This added to the fact that they are dealing with general old age as my mum is 77 and father 79. Unfortunately, due to my Dad's health conditions he is unable to climb stairs safely and most likely this will deteriorate to where he will be reliant on a wheelchair or mobility scooter.

Currently when they are with us, they sleep on a sofa bed in the study, which isn't a practical or permanent solution. The layout of our home is such that we cannot install a lift to enable my parents to move in with us as planned; also, this is a difficult enough decision for my parents to come to terms with, getting old and needing care. We do not want to take their last bit of self-respect away and make them feel that they cannot have their own home and privacy and their own independence.

The suggestion of an Annexe seemed to give my parents some hope of having a home of their own, their own space and will enable them to feel they still have their own decision-making processes. We will be able to provide the support and care needed as they get older, ensure they are safe and most importantly they will still be the figureheads of the family as they enter their later years. Family will be able to visit and spend time with them creating memories that will last forever, instead of seeing them moved into a nursing home away from the family.

The position of the Annexe will mean that my parents have lovely views over the fields and into the garden, where they will be able to look at the wildlife and birds, which they love. The Annexe design takes into consideration wheelchair access for my father and disability needs for both my parents. We hope that having the Annexe built will provide an exciting new chapter in their life and give them something to look forward to, as their health unfortunately lets them down. We feel this would be a wonderful solution to enable us to meet the long term care needs of my parents and we hope you look favourably upon our application.

PLANNING HISTORY

14/01542/F: Application Permitted: 06/05/15 - Retention of air source heat pump - Orchard House, Church Road, Ten Mile Bank, PE38 0EJ

05/01228/F: Application Permitted: 15/08/05 - Construction of dwelling - Church Road, Ten Mile Bank, PE38 0EJ

05/00753/F: Application Withdrawn: 23/05/05 - Construction of detached dwelling and integral garage - Land At Church Road, Ten Mile Bank, PE38 0EJ

2/03/0556/F: Application Permitted: 23/09/03 - Construction of 2 houses - Land North of Broadwater, Church Road, Ten Mile Bank, PE38 0EJ

RESPONSE TO CONSULTATION

Hilgay Parish Council: OBJECT

Annexe is outside development boundary. It would cause overshadowing, loss of sunlight, loss of privacy and loss of outlook. It would also be too large and be out of character with surrounding properties.

Highways Authority: NO OBJECTION

Recommends a condition to ensure the annexe stays ancillary to the main dwelling.

Environment Agency: NO OBJECTION

Recommend condition to ensure annexe stays ancillary to dwelling.

Internal Drainage Board: NO OBJECTION

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Emergency Planning:

The occupiers should sign up to the Environment Agency flood warning system (0345 988 1188 or www.gov.uk/flood).

A flood evacuation plan should be prepared (more details at www.gov.uk/flood):

- This will include actions to take on receipt of the different warning levels.
- Evacuation procedures e.g. isolating services and taking valuables etc.
- Evacuation routes.

REPRESENTATIONS

3 letters were received from one party (2 in objection, 1 in support following amendments), and 1 letter was received from another party, objecting to the application.

The summary of objections is as follows:

The views southwards from neighbouring properties will be seriously impacted by the positioning of the annexe.

The annexe would overshadow the garden of and restrict light into the dwelling Windrush.

Sale value of Windrush will be affected.

Concerns that annexe will be used as a separate residential unit, to be sold off or rented as holiday accommodation.

The one letter in support stated that they had no objection, following amendments to the design.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

DM7 - Residential Annexes

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations area:

- The principle of development.
- Impact on neighbour amenity.
- Flood Risk.
- Impact on character and appearance of area.
- Other material impacts or issues

The principle of development:

The site lies outside the development boundary for Ten Mile Bank, but this does not mean that the provision of an annexe is prohibited. In order that the countryside is protected from adverse development, stricter design criteria apply to annexes in the countryside. As currently proposed, the annexe will be in the same ownership as the principal dwelling, be subordinate in scale, and will share its access, parking and garden with the main dwelling. In any case, the decision would be conditioned to ensure that the annexe stays within the ownership of the dwelling and is only used as ancillary accommodation. Overall, it is considered the principle of development is acceptable.

Impact on neighbour amenity:

The annexe would lie 2 metres from the boundary with No.4 to the north. As the building will be single-storey it is not considered that it would have any significant impacts in terms of overbearing or overshadowing. This is especially the case when considering the detached garage on the neighbour's plot, which would screen most of the development from the neighbour. Additionally, there are no windows proposed on the north-west elevation of the annexe. Overall, it is considered the annexe would not have any significant impacts on the amenity of the neighbour to the north.

The annexe would be sited sufficiently far from the neighbour to the south such that it would not have any significant impacts. Regarding the public representation, concerns regarding views and the sale value of a property are not material planning considerations. It is considered those concerns which do raise material planning issues have been addressed.

Impact on character and appearance of area:

The proposed annexe is single storey with a flat roof. The proposed materials for the proposed annexe are timber cladding and render. As the annexe would lie to the rear of the dwelling, it would not have any significant impact on the character and appearance of the

street scene. Due to the small scale and sensitive materials, the annexe would also have no significant impact on the intrinsic character and beauty of the countryside.

Flood risk:

Based on the breach analysis data and flood risk mitigation measures proposed, it is considered the development would be safe for its lifetime, taking into account a breach of the nearby flood defences. Additionally, the occupants have signed up to the Environment Agency Flood Warning system and safe refuge is provided by the main dwelling. The Environment Agency has no objection to the application.

Other material impacts or issues:

The concerns raised by the Parish Council were made in relation to a previous design. It is considered that those concerns raised were sufficiently addressed in the revised design for the annexe.

CONCLUSION:

The proposed annexe would accord with all relevant criteria contained in Policy DM76 of the SADMPP 2016. Additionally, it would have no significant impact on the residential amenity of neighbouring occupiers, and would preserve the character of the area. Lastly, it is considered the development will be safe from risks of flooding for its lifetime. For the above reasons, the recommendation is to approve the application.

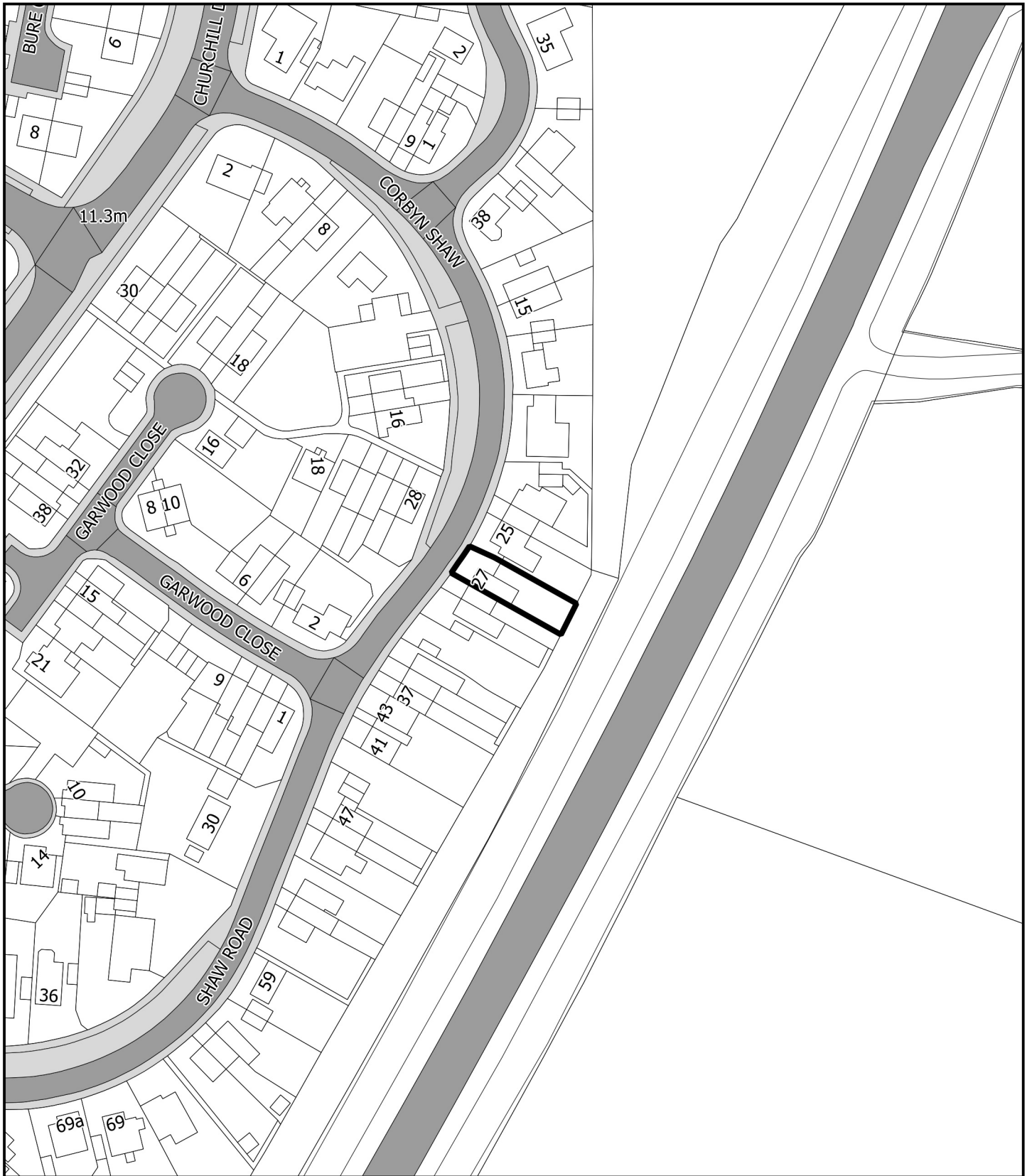
RECOMMENDATION:

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. The Location Plan (dated 09/04/2019), The Proposed Site Plan (dated 09/04/2019), Proposed Floor Plan (dated 09/04/2019) and Proposed Elevations (dated 09/04/2019).
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The additional residential accommodation hereby approved shall only be used as ancillary accommodation to the main dwelling and shall at no time be used as an independent unit of residential accommodation.
- 3 Reason For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.

19/00663/F

27 Corbyn Shaw Road King's Lynn



AGENDA ITEM NO: 8/2(d)

Parish:	King's Lynn	
Proposal:	Rear single storey extension forming enlarged kitchen and dining with utility and downstairs w.c. Side two storey extension forming garage and enlarged bedrooms	
Location:	27 Corbyn Shaw Road King's Lynn Norfolk PE30 4UL	
Applicant:	Mr Barry	
Case No:	19/00663/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 5 June 2019

Reason for Referral to Planning Committee – Called in by Councillor Gary Howman.

Neighbourhood Plan: No

Case Summary

The application site comprises a two storey end-terraced dwelling, driveway to the front and side and garden land. It is situated on the eastern side of Corbyn Shaw Road, King's Lynn.

Full planning permission is sought for the construction of a two storey side extension and single storey rear extrusion to the dwelling.

Key Issues

Form and Character;
Neighbour Amenities;
Highway Safety;
Other Material Consideration

Recommendation

APPROVE

THE APPLICATION

The application site comprises a two storey end-terraced dwelling, driveway to the front and side and garden land. It is situated on the eastern side of Corbyn Shaw Road, King's Lynn.

Full planning permission is sought for the construction of a two storey side extension, to provide a garage, utility room and WC at ground floor level and enlarged bedrooms plus an office at first floor level; and a single storey rear extension to provide an enlarged kitchen and dining room.

There are two bedrooms in total, there is no proposed increase. However, it is proposed to add an office to the first floor which could easily be converted to a bedroom.

It is proposed to match the materials as closely as possible to the existing facing brickwork, in terms of colour and texture, the roof tiles and uPVC window frames.

SUPPORTING CASE

Given the nature and scale of the application there is no supporting case.

PLANNING HISTORY

No recent planning history.

RESPONSE TO CONSULTATION

Parish Council: N/A

Highways Authority: NO OBJECTION

Cadent Gas: [Standard Advice] There is Cadent Gas apparatus in the vicinity of the application site which may be affected by the proposed development. The applicant / contractor should contact Cadent Gas prior to the commencement of works on site.

Note: An informative will be attached to the decision notice should permission be granted.

REPRESENTATIONS

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

- Adversely affect residential amenity;
- Overshadowing ;
- Loss of light to two downstairs windows, one of which would face the extension directly;
- Building on a shared driveway – breach of covenant;
- Obstruct use of driveway and ability to manoeuvre the car;
- Obstruct access to the rear of property;
- Cause roadside parking, which is already busy from hospital parking;
- Out of character with the area;
- Overbearing;
- The block plan is incorrect as it shows No. 27 set back from the other dwellings in its row and from No.25.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

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

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 as follows:-

- Impact on Form and Character;
- Impact on Neighbour Amenities;
- Impact on Highway Safety; and
- Other Material Consideration

Form and Character:

The area is characterised by a mix of two storey terraced, detached and semi-detached dwellings, some of which have been altered or extended slightly.

The two storey side extension has been designed to relate to the existing dwelling, in terms of its scale, mass, proportions and appearance. The fenestration and eaves level matches that of the existing dwelling. The overall height of the extension has been lowered very slightly to create a break in the ridge line which will help to retain the balance in the row of terraces and provide a distinction between the original dwelling and the new addition.

The single storey rear extension will not be visible from the public domain, but nevertheless, it relates adequately to the existing dwelling in terms of its scale, mass, design and appearance.

It is considered that the proposed extensions will cause no harm to the form and character of the area.

Neighbour Amenities:

The neighbouring resident most affected by the proposal is No.25, directly to the north of the application site. It is proposed to construct the two storey side extension within close proximity of the shared boundary, approximately 500mm.

The neighbouring dwelling is approximately 1.3m from the shared boundary and lies to the north-east of No.27. There are two windows on the neighbouring side elevation facing the application site; one at ground floor and one at first floor. Both windows are obscurely glazed and appear to serve a bathroom and WC.

Whilst some loss of light may occur to these windows and overshadowing cast to the rear garden as a result of the proposed extension, given the relationship and orientation of the dwellings, they will already experience a degree of this from the existing dwelling at no.27 and from the existing single storey pitched roof extension at no.25.

The proposed two storey extension is the same depth as the original dwelling and does not extend further back into the rear garden. The single storey extension is proposed to extend across the whole width of the original dwelling but has a flat roof and as such will cause no cause no material harm to the amenities of any neighbouring residents.

The proposed side extension may result in a degree of overshadowing and loss of light, however, a balanced approach is needed when considering the harm caused to residential amenity. Given the position of the extension in relation to the neighbouring property and the direction of the sun, it would likely cast a shadow towards the end of the day. The fact that the existing dwelling (No.27) currently casts a shadow over the neighbouring property, as does the neighbours extension, is a consideration and this has to be weighed against the increase in the amount of harm caused by the proposed development.

It is your officer's opinion that the overshadowing resulting from the two storey extension will be acceptable, given the existing situation and the time of day when any increase will occur. On balance, it is therefore not considered that the proposal would be detrimental to the living conditions of the neighbouring residents.

With regards to loss of light to the side windows on the neighbouring property, as previously mentioned these windows are obscurely glazed and appear to serve non-habitable rooms, thus any impact resulting from the proposal would not cause material harm to the living conditions of the residents.

It is not considered that the proposed side extension would be overbearing to the neighbouring residents given that the windows on the side elevation are obscurely glazed and most probably serve non-habitable rooms. Also, given that the extension is in line with the existing dwelling and does not protrude further to the rear and as such would not cause an overbearing impact on the occupiers when using their rear amenity space.

Highway Safety:

The proposed side extension will utilise some of the driveway and thus reduce the amount of space to park on-site. When making a site visit it was evident that the occupier of No.27 parks their car directly in front of the dwelling and will therefore not be affected by the proposed works.

When extended, the property will comprise two bedrooms, so there will no increase. Two bedrooms requires two parking spaces as laid out in Norfolk Parking Standards 2007. The bedrooms are proposed to be extended in size and there will be the addition of an office.

Although the applicant is proposing an office on the first floor it has to be considered that this could easily be converted into a bedroom, thus creating a 3 bedroom property. That said, parking standards are the same for a 3 bed dwelling as with a 2 bed; two parking spaces required.

The proposed development will lead to a smaller area to park on-site than would normally be expected. That said, common sized vehicles are clearly capable of parking on the site frontage. The Local Highway Authority has assessed the application on site and raises no objection to the proposed development on highway safety grounds.

Ultimately, if there is not sufficient space to park two vehicles on site, consideration has to be given to the impact of displaced car parking, which in this case would result in on street parking.

The nature of Corbyn Shaw Road means that cars do not reach high speeds and its location means that it is used frequently for hospital parking. On balance, an additional one or two cars parking on the road in this location as a result of the proposed development would not have a detrimental impact on highway safety and as such it would be unreasonable to refuse the application on this basis. Highways have confirmed that they would not object to the proposal in this area.

Other Material Considerations:

Third Party Representations:

Third Party concerns have been taken into full account when considering the application. Some of the issues raised have been addressed above in the report. Outstanding matters will be addressed as follows:-

With regards to building on a shared driveway and manoeuvring the car – From the information and plans within the application the LPA are satisfied that the applicant owns the land on which they propose to build. It does not appear that any notices have been served on third party land owners. Notwithstanding this, if the owner of no.25 has right of way over the driveway for access to their property or for turning a vehicle, this is not a material planning consideration that would influence the decision, it is a civil matter.

It is not considered that the proposed side extension will obstruct access to the rear of the property of No.25 via the gate as the extension will be built up to the shared boundary but wholly within the ownership of No.27.

In relation to the block plan being incorrect, the applicant's agent has agreed to amend the plan to show No.27 in its true position. This has no bearing on the parking issue as discussed above in the report.

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.

CONCLUSION:

Consideration for this application has been very finely balanced and it is concluded that the proposal is acceptable. Any impact on the amenities of the neighbouring residents at No.25, in terms of loss of light, overshadowing and overbearing, would not be detrimental to their living conditions given the existing overshadowing that would already occur and the amount of increase resulting from the proposed development.

The Local Highway Authority raises no objection to the proposal on highway safety grounds as regardless of the small shortfall in space to the frontage, the likelihood is that the occupant is capable of parking one, if not two cars on-site. Whilst the turning space will be lost due to the extension, there would be no significant highway safety issues with reversing out of the driveway onto the road. Equally, if there is resulting displacement of parking onto the roadside, this would not be detrimental to highway safety in this location.

It is considered that the proposed extensions accord with the provisions of the NPPF, particularly paragraph 127, CS08, DM1, DM15 and DM17.

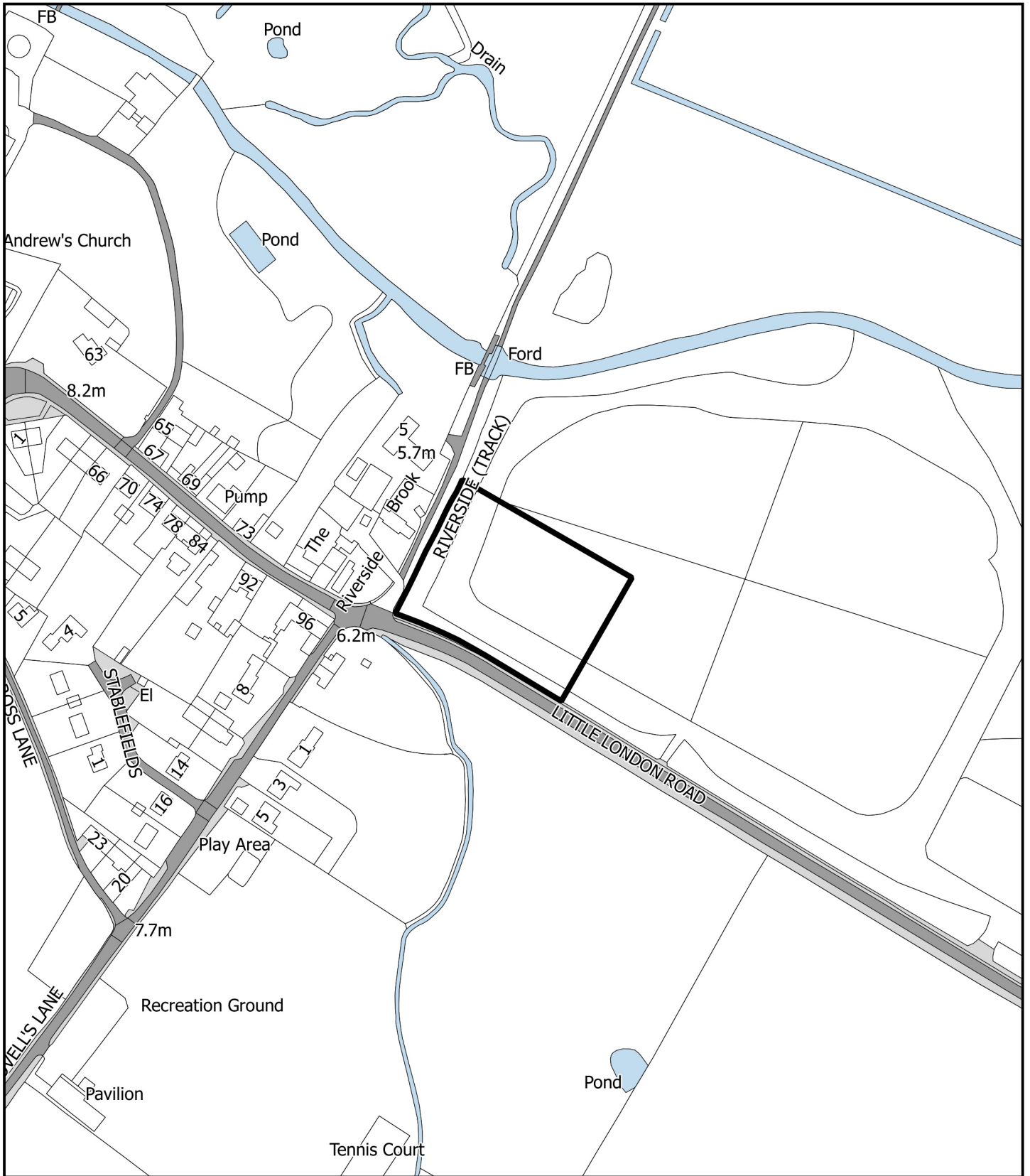
RECOMMENDATION:

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; 19/012 02 Rev. B and 19/012 03 Rev. A.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

19/00348/O

Land W of 3 Little London Road Northwold



AGENDA ITEM NO: 8/2(e)

Parish:	Northwold	
Proposal:	Outline Application: proposed residential development of 3no. self-build plots	
Location:	Land W of 3 Little London Road Northwold Norfolk	
Applicant:	M G Property Developments Ltd	
Case No:	19/00348/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 22 April 2019 Extension of Time Expiry Date: 6 June 2019

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

Neighbourhood Plan: No

Case Summary:

The application is for outline consent with some matters reserved for the construction of three dwellings at Little London Road, Northwold. Access is to be considered at this stage, with three separate accesses shown accessing the Little London Road to the south. The site lies outside the development boundary for Northwold and currently comprises open paddock land. The site is immediately adjacent to the Northwold Conservation Area.

Key Issues:

Principle of Development
Impact on the Conservation Area and Listed Buildings
Highway Safety

Recommendation:

REFUSE

The Site and Application:

Outline permission with all matters except for access reserved is sought for three dwellings.

The site lies outside the development boundary for Northwold, a Key Rural Service Centre (with Methwold). The site is currently used as paddock land and is bordered to the west by Riverside, with a number of residential properties on the other side of the lane.

The proposal site is located directly adjacent to the Northwold Conservation Area, with Waterloo House; a grade II listed building diagonally opposite to the west.

Supporting Case:

A supporting statement was requested; however one was not received at the time of writing this report.

Response to Consultation:

Northwold and Whittington Parish Council: OBJECTION.

The following considerations were agreed as the basis of the objection:

1. The site is outside of the development boundary for the Parish as detailed within the Site Allocations and Development Management Policies Plan 2016 and approval of the site would contradict the following statement within the plan G.59.7 there were no available sites in Northwold which could satisfy the local highway authority's requirements, and hence the Council has chosen not to allocate any sites there.
1. The development site is partly situated on a 60mph road and entrance / exit to the proposed site would create a road safety hazard for all road users.
2. The Parish Council believes that the development will have a detrimental impact on the Northwold Conservation Area and the Listed Building Waterloo House.

Conservation Officer: OBJECTION.

This application seeks outline consent for three substantial houses in parkland/agricultural land to the southeast of the village. The site is immediately adjacent to the Northwold Conservation Area, and diagonally opposite the Grade II listed Waterloo House and will therefore have an impact upon the setting of these heritage assets.

The Northwold Conservation Area Character Statement highlights that the character of the conservation area is firmly linked to the "mature historic landscape of trees grass verges, rough tracks, hedgerows and paddocks which are located between, around and behind the buildings. The association of buildings and landscape both within the village and also when seen from outside which gives Northwold Conservation Area its essential quality" Moreover the statement emphasises specific importance to the landscape to the east of the conservation area: the application site "Views out of the conservation area are delightful and give glimpses of farmland and water meadows to the north and surrounding agriculture to the southeast and west. Finally there are also attractive views of the conservation area from the Little London Road to the east." The statement goes on to reaffirm the importance of the application site, highlighting the "eastern node..... is also very attractive.....to the north east a mature treed landscape which provides a definite visual stop to the conservation area".

The construction of three substantial houses in this sensitive location will erode this mature historic landscape, detract from important views in and out of the conservation area and destroy the definite visual stop to the conservation area created by the mature treed landscape. This development will cause harm to the setting and therefore significance of the Northwold Conservation area and on this basis should be refused.

The setting above also provides the setting for the listed Waterloo house which looks diagonally out to the mature treed landscape described above. The development of three houses will detract from this setting causing harm to the significance of this heritage asset and on this basis should be refused.

Local Highway Authority: NO OBJECTION.

I observe that access only is to be considered at this stage and having examined the plans submitted it is apparent that the visibility splays for the accesses could accord to the adopted standard. However, I would suggest that the access for the west most plot be moved further east to avoid the need to adjust utility apparatus. Recommended conditions.

Natural England: NO OBJECTION. No significant adverse impacts are expected.

Representations:

30 letters of **OBJECTION** have been received. The comments can be summarised as follows:

- *Outside development boundary
- *Surface water flooding
- *Little Wissey river environment and the requirement for ecological appraisal
- *Loss of verdant character and green verges
- *Parking on highway and highway safety
- *Impact on Conservation Area and surrounding Listed Buildings
- *Ribbon development out of character with village
- *Out of keeping with local vernacular
- *Impact on Trees
- *Impact on views into/out of conservation area

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Planning Considerations:

The Key Issues are:

- *Principle of Development
- *Impact on Conservation Area and Listed Buildings
- *Highway Safety

Principle of Development:

The Borough Council Local Plan currently comprises the Core Strategy (2011) and the Site Allocations and Development Management Policies Plan (SADMP) (2016). Northwold, along with Methwold, is classified as a Key Rural Service Centre in the Core Strategy and as a result the settlement has a defined development boundary which aims to guide development to the most sustainable locations within the borough. The proposal lies outside of the development boundary for Northwold and is therefore treated as countryside in accordance with SADMP policy DM2 which restricts development to that identified as suitable in rural areas. No justification has been provided with this application to outweigh this policy.

Information provided within the application states an intention for the proposed dwellings to be Self-Build homes for the applicant and his extended family. Paragraph 61 of the revised NPPF (2018) states, in regard to delivering a sufficient supply of homes, that: 'the size, type, tenure of housing needed for different groups in the community should be assessed and reflected in planning policies... including but not limited to, those whose require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.' The LPA must 'have regard' to self-build opportunities and give enough suitable development permissions to meet the identified demand. However, given the information and justification provided as part of this application, it is not considered that the benefits of the intended self-build status of the proposed development outweigh the lack of justification for development in the countryside. Whilst the NPPF is a material consideration in planning decisions, it does not alter the statutory status of the development plan as the starting point for decision making. The lack of justification for the development leads to the development being considered contrary to the current policies of the Local Plan, more specifically Policy DM2 of the Site Allocations and Development Management Policies Plan (2016).

Impact on Conservation Area and Listed Buildings:

The proposal site is located immediately adjacent to the Northwold Conservation Area, and diagonally opposite the Grade II listed Waterloo House. Development on the site will therefore have an impact on the setting of these heritage assets, which there is a legal duty to protect and enhance. Paragraphs 190, 192, 193 and 194 of the NPPF, also highlight the importance of protecting heritage assets and their significance.

By way of the construction of the houses as well as the three separate access routes into the site, the proposal will lead to the loss of green verges and trees which are specifically noted within the Northwold Conservation Area statement, which states:

'Inextricably linked to the built fabric is the mature historic landscape of trees, grass verges, rough tracks, hedgerows and paddocks which are located between, around and behind the buildings. The association of buildings and landscape both within the village and also when seen from outside which gives Northwold Conservation Area its essential quality.'

The Character Statement also emphasises the importance of the landscape to the east of the conservation area - the application site.

'Views out of the conservation are delightful and give glimpses of farmland and water meadows to the north and surrounding agricultural to the southeast and west... Finally, there are also attractive views of the conservation area from Little London Road to the east' The statement goes on to reaffirm the importance of the application site, highlighting that 'the eastern node...is also very attractive... to the north east a mature treed landscape which provides a definite visual stop to the conservation area.'

The construction of three substantial houses in this sensitive location will erode this mature historic landscape, detract from important established views both in and out of the conservation area and destroy the definite visual stop to the conservation area that the verdant character of the current site provides. The proposal site also provides the setting of the grade II listed Waterloo House which looks diagonally out to the mature treed landscape described above.

The development of three houses will detract from this setting causing harm to the significance of both the Listed Building and the surrounding Northwold Conservation Area, which as designated heritage assets there is a duty to protect and enhance. The application is therefore considered contrary to Policy CS12 of the Core Strategy (2011) and DM15 of the Site Allocations and Development Management Policies Plan (2016), as well as paragraphs 190, 192, 193 and 194.

Highway Safety:

The application is for outline consent with access to be considered at this stage. Three individual accesses are shown onto Little London Lane, and the Local Highway Authority have stated no objection to the proposal, recommending conditions relating to the laying out of accesses and visibility splays prior to the first occupation of the dwellings. Whilst the safety of the proposed accesses were reasons for objection from the parish council, as the issue has not brought objection from the Local Highway Authority, the development is considered acceptable in this respect.

CONCLUSION:

It is concluded that the proposed development would create three new dwellings outside the development boundary for Northwold on land which is considered countryside. The applicant has not provided any special justification why countryside protection policies should be relaxed. The proposed development is therefore considered contrary to Policy CS06 of the Core Strategy and Policy DM2 of the SADMP (2016).

By virtue of its siting, in close proximity to the Northwold Conservation Area and the Grade II Listed Waterloo House, the development would also cause harm to the setting of the designated heritage assets. Paragraph 193 of the NPPF states that when assessing the impact of a proposal on the significance of a heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 goes on to state that any harm to the significance of a designated heritage asset (from its alteration or destruction, or from development in its setting), should require clear and convincing justification. In accordance with paragraph 196 of the NPPF, the limited public benefits provided by the proposed scheme, which is also contrary to established policy on the location of development, are not considered to outweigh the harm to the significance of the heritage asset in this case.

The proposal therefore fails to accord with the provisions of paragraphs 190, 193, 194 & 196 of the NPPF, Core Strategy Policies CS06, CS08 & CS12 of the LDF, and Policies DM2 and

DM15 of the SADMP (2016). It is recommended that members refuse the application for the reasons discussed above and detailed below.

RECOMMENDATION:

REFUSE for the following reason(s):

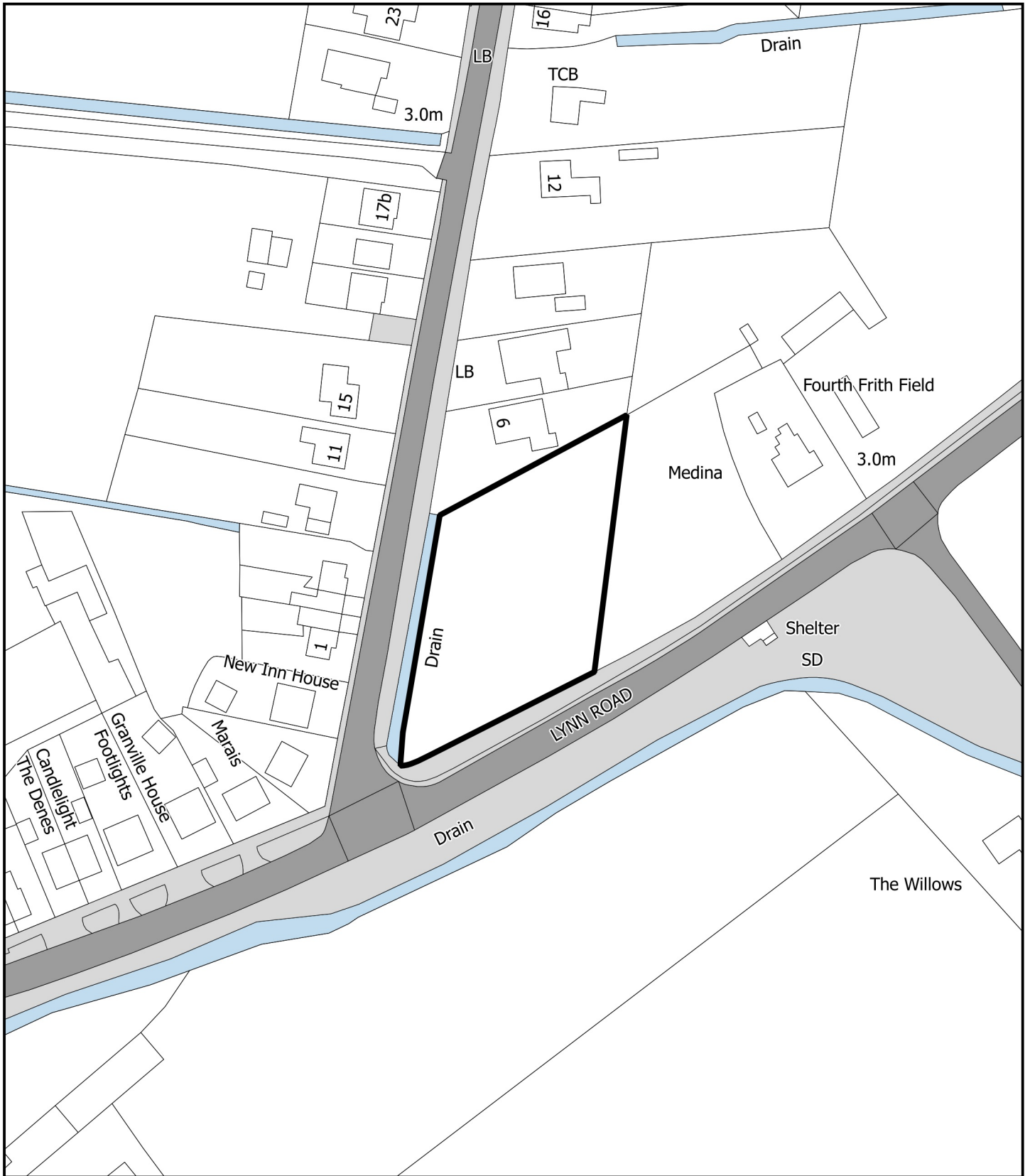
- 1 The site lies outside of the development boundary for Northwold where development is restricted to that identified as sustainable in rural area. No justification has been provided that outweighs the policies of the local plan and the development is therefore considered contrary to policies CS06 of the Core Strategy (2011) and DM2 of the Site Allocations and Development Management Policies Plan (2016).

- 2 It is considered that the proposed development by virtue of its siting would cause harm to the setting of designated heritage assets (the Northwold Conservation Area and Grade II Listed Waterloo House). In accordance with paragraph 196 of the NPPF, the harm created by the proposed development must be weighed against the public benefits of the proposal. Given the proposal's positioning outside the development boundary for Northwold, it is considered that the harm created by the proposed development would not be outweighed by the limited public benefit of a net gain of three dwellings.

The proposal therefore fails to accord with paragraphs 190, 193, 194 & 196 of the NPPF and Core Strategy Policy CS12 of the LDF.

18/01627/RM

Land to West of Medina Lynn Road Tilney All Saints



AGENDA ITEM NO: 8/2(f)

Parish:	Tilney All Saints	
Proposal:	Reserved Matters Application for construction of 5 dwellings	
Location:	Land To The West of Medina Lynn Road Tilney All Saints Norfolk	
Applicant:	Mr Taylor	
Case No:	18/01627/RM (Reserved Matters Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 14 November 2018 Extension of Time Expiry Date: 7 June 2019

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

Neighbourhood Plan: No

Case Summary

This application is a reserved matters application for 5 dwellings which front onto School Road. There are three detached and a pair of semi-detached dwellings with gardens to the front and rear. Parking is proposed to the rear of the dwellings from a single vehicular access off Lynn Road.

The site measures approximately 0.26ha on the corner of School Road and Lynn Road, Tilney All Saints. The site is allocated for housing in the Site Allocations and Development Management Policies DPD, 2016 (SADMP) and Policy G97.1 relates specifically to development of this allocation. There is an extant outline planning consent for up to 5 dwellings, planning reference 17/00027/O.

The scheme has been amended since the original submission.

Key Issues

Principle of Development
Form and Character
Highway Safety
Neighbour Amenities
Flood Risk
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

This application is a reserved matters application for 5 dwellings which front onto School Road. There are three detached and a pair of semi-detached dwellings with gardens to the front and rear. Parking is proposed to the rear of the dwellings from a single vehicular access off Lynn Road.

The site measures approximately 0.26ha on the corner of School Road and Lynn Road, Tilney All Saints. The site is allocated for housing in the Site Allocations and Development Management Policies DPD, 2016 (SADMP) and Policy G97.1 relates specifically to development of this allocation. There is an extant outline planning consent for up to 5 dwellings, planning reference 17/00027/O.

SUPPORTING CASE

This statement has been prepared by Trundley Design Services in support of our client's application to erect 5no Residential dwellings at Land West of Medina, Lynn Road, Tilney All Saints, King's Lynn, (Planning Reference: 18/01627/RM).

The existing site is an uncultivated scrubland. The site is overgrown, and the boundary ditches need improvement works undertaking (works have started to allow for drainage surveys). The site already has outline planning approval for 5no dwellings with pre-commencement conditions which relate to the drainage of the site and the proposed dwellings. A drainage design has been provided from a specialist drainage company which is currently in the process of obtaining IDB consent to discharge into the ditch. Within the design it has included existing drainage surveys of the existing surrounding ditches which discovered that the existing ditches and culverts were over-grown and blocked which has subsequently caused the flooding in the surrounding gardens in the past. These have now been cleared by our client and the drainage design includes for further upgrades and a maintenance company will be appointed to maintain the drainage yearly to prevent any future flooding.

The proposed site comprises of 2no detached two storey dwellings, 1no chalet bungalow and 1no semidetached two storey dwellings. Facing Brickwork or render has been used to stay in-keeping with the surround properties. The site layout / dwellings (plot 5 being a chalet bungalow) have been designed to reduce as much overshadowing to the neighbouring properties during the winter months caused by the low sun and almost no overshadowing during the summer months due to the high sun, all of which is indicated on the shadowing reports which were submitted as part of this application. Obscured / Opaque screening has been installed to the raised patio of plot 5 to reduce over-looking to the northern neighbour.

The front of the properties ground level has been raised (between 0 – 300mm above school road) to allow for level access to the properties and easier access from Lynn Road via foot. The rear gardens level remains as existing to reduce over-looking to the surrounding neighbours. The site has adequate access via foot and via vehicle without disturbing the existing vegetation along the southern boundary too much.

The proposed site is located within the centre of Tilney All Saints. The Village itself comprises of a Primary school, Local businesses, such as a golf course, a Restaurant, and a public house. It also has a village church and Village hall. The bus stop located on Lynn road just south of the site also has the main A47 bus route with companies such as First Group running the X1 running from Lowestoft to Peterborough via Norwich and King's. This allows for residents to access local towns / villages without having to drive.

PLANNING HISTORY

17/00027/O: Application Permitted: 06/02/18 - Outline Application: Construction of 5 dwellings and associated external works. - Land to the West of Medina, Lynn Road
2/99/1503/O: Application Refused: 25/01/00 - Site for construction of 2 dwellings - Land south of 6 School Road. Tilney All Saints Appeal Dismissed 12/09/00;

RESPONSE TO CONSULTATION

Parish Council: OBJECT

The main concerns and issues with the culvert and drainage and overshadowing and overlooking of existing neighbouring properties have not been fully addressed or resolved. Also it was felt the form and character of the properties were not in keeping with the surrounding area. There were concerns the land was to be built up 4ft higher than the neighbouring properties in School Road and would slope down towards the existing properties.

Reasons for the objections were as detailed in the Parish Council's previous Objections and summarised here:

Drainage and Flood Risk: The specific and complex drainage issues and flood risks surrounding the land (Tidal Flood Zone 2) have not been fully addressed. Neighbouring properties, which are bungalows and below the site level, already suffer from surface water flooding. Water will find its own level and flow downhill. The comments of the King's Lynn Drainage Board letters dated 7th January 2019 and 26th February 2019 do not appear to have been taken into consideration. The Parish Council have previously requested that all the drainage issues be clearly resolved in full before any planning permission be granted.

Overlooking and Loss of Sunlight: The elevation plans/street scene, which are to scale, clearly demonstrate the neighbouring properties, which are bungalows and sit below the development site, being dominated by the proposed new development with the properties being overlooked with a loss of privacy and over shadowed with a loss of sunlight. The Shadowing Report shows the loss of sunlight caused by Plot 5 on the neighbouring property, which has solar panels installed. Windows and raised patio on Plot 5 will look straight into the windows of 6 School Road, which run floor to ceiling.

Bus Shelter: If the existing bus stop and shelter are to be re-located the Parish Council request it be clearly stated and detailed that the developer is responsible for all and any costs and arrangements associated with this, for any damages caused to the bus shelter during the relocation process and all costs be paid directly by the developer.

Local Highway Authority: NO OBJECTION

The most recent site plan reference 18-P50-PL002N is acceptable, subject to conditions.

Water Management Alliance IDB: Recommended that the viability of proposed drainage strategy is evidenced. Separate IDB consent is required.

We note that the applicant intends to dispose of surface water via infiltration; however I cannot see that the viability of the proposed drainage strategy has been evidenced. The proposed strategy should be supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material is considered favourable then infiltration testing in line with BRE 365 should be undertaken to determine its

efficiency. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).

We note that the applicant has not indicated how treated foul water from their site will be disposed of. Please note that consent would be required from the Board where treated foul water is discharged to a watercourse.

We note the presence of a riparian owned/maintained watercourse adjacent to the Western site boundary, however access is proposed along the Southern edge of the site. If the applicant's proposals change to include works to alter this watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).

Whilst the consenting process as set out under the Land Drainage Act 1991 and the aforementioned Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. As such we strongly recommend that the required consents are sought prior to determination of the planning application.

Correspondence received on 20 May 2019 stating that the Board have received two applications for Land Drainage Consent to discharge both surface water and treated foul water, in line with the Board's byelaws (specifically byelaw 3). These applications are currently being processed by the Board's officers.

CSNN: Recommended conditions and informative relating to the following:

- *air source heat pump further details
- *site hours
- *shared private surface water drainage informative
- *environmental protection act 1990 informative
- *noise, dust and smoke from clearing and construction work

Further to my comments dated 31 October 2018, I confirm we have the following comments to make on the re-consultation. Clearly the revised drainage for both foul and surface water, due to the proposed discharge to the surrounding water course, lies within the remit of the KLIDB. I note and concur with their comments. It does concern me, however, that the surface water swale handling water from all five plots is contained wholly within one private garden. Guarantees would be needed to ensure that any future maintenance issues did not fall purely to the responsibility of the occupiers of that plot.

REPRESENTATIONS

THREE letters of **OBJECTION** have been received, 2 from the neighbouring dwelling no.6 School Road.

- Existing situation of poor drainage has caused flooding previously. Concerned at surface water run-off from elevated site.
- Acknowledge works have been done to clear the dyke, drainage channel and culvert.
- Remain concerned regarding the maintenance of the drainage systems longer term.
- The new development will be overbearing (plot 5).
- The difference in levels and the heights of the proposed dwellings will enable overlooking.
- Concerned at overlooking from the patio area proposed for plot 5.
- Also the proposed fence heights will limit the views from no. 6 School Road.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

G97.1 Tilney All Saints - Land between School Road and Lynn Road

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

Principle of Development

The application site was allocated for housing in the adopted Local Plan, specifically policy G97.1. This policy states the requirement for a Flood Risk Assessment, details regarding the sustainable drainage measures and if required, an affordable housing contribution.

Outline planning consent has been granted for the site (17/00027/O), for the construction of five dwellings, with all matters reserved. The principle of development is clearly established.

Form and Character

The proposed scheme is for five dwellings fronting onto School Road, with parking to the rear of the dwellings. Objections received to the application refer to the height of the proposed dwellings in relation to the locality. However due to the flood risk constraints on the site, the dwellings need to be at a finished floor level 300mm above the adjacent School Road level, and have two storey accommodation.

Boundary treatments on the site are largely native hedgerows fronting the highway, with close board fencing set behind this hedgerow on the southern boundary. To the east the boundary proposed is a close boarded fence however this boundary will be visible on the main route through the village and therefore it is proposed a condition is attached to request full details of this boundary treatment to be submitted and agreed.

The scheme has been amended since the original submission. The proposed dwelling at plot 5 is a chalet-style bungalow, which gives the appearance of the development stepping down towards the existing single storey dwelling next door at no.6 School Road. The orientation, siting and design of the units, alongside the landscaping scheme proposed, attempts to reduce the impact of these on the street scene, while still delivering the five dwellings on the

site. In terms of the style of the dwellings proposed and the materials to be used, the scheme is considered to be acceptable.

Highway Safety

The dwellings have a separate pedestrian access from Lynn Road to the front of the dwellings, and a single vehicular access off Lynn Road serving all five dwellings. Due to the positioning of the new access the scheme does require the relocation of the bus stop further east on Lynn Road, which will be provided by the developer.

The Local Highways Authority does not raise any objections to the scheme subject to the specified conditions being attached to the planning consent.

Neighbour Amenity

The difference in levels on this site and the land surrounding gives rise to concerns regarding overlooking and a loss of privacy from plot 5 to no.6 School Road, and the potential for a loss of light.

The proposed dwellings have been amended during the application process, and specifically plot 5 has been reduced from a two storey dwelling to a one and a half storey dwelling. Given the site is a housing allocation in the Local Plan and that the site is constrained by flood risk and drainage issues, the applicant considers that the current scheme is the best potential solution. While the houses are required to have a finished floor level 300mm above the adjacent School Road level, the amenity space for the dwellings will not be increased in height. There is 12 metres in distance at the closest point between the dwelling at plot 5 and the neighbouring dwelling no.6 School Road. There are no windows proposed on the north elevation of plot 5 and the patio area to the rear of the dwelling will be screened and secured via condition.

In terms of the development having an overbearing impact on the neighbouring dwelling or resulting in the loss of light, as stated above there is sufficient separation between the dwelling at plot 5 and the existing neighbouring dwelling. The redesign of plot 5 has reduced the impact further. The orientation of the site is that the proposed dwelling is situated slightly forward of the existing dwelling, and to the south west. The applicant has supplied shadowing reports to identify that the development proposed would not cause undue overshadowing so as to impact on neighbour amenity.

There are no neighbours to the east of the site, and those south and west are sufficiently separated that there would not be a detrimental impact on their amenity. The boundary treatment proposed to the north of the site is a post and rail fence and hedge, with a 1m wide easement strip alongside the dyke (for maintenance purposes), which is sufficient to protect private amenity space for plot 5 and the neighbouring dwelling.

Flood Risk and Drainage

Policy G97.1 requires a flood risk assessment is provided, and planning consent 17/00027/O conditions that any development should be carried out in accordance with the flood risk assessment. This reserved matters application is in line with the requirements as set out in this document.

Policy G97.1 and the outline planning consent recognise the existing drainage issues in this locality. A drainage strategy was produced as part of the outline application and the IDB requested conditions 10 and 11 to address this, and made the point that it may not be possible to overcome the issues with the site. In this regard if the conditions cannot be

discharged (because the site cannot be suitably drained) then the permission cannot be implemented. In response to this current application the IDB raise a number of issues regarding the drainage strategy provided. The applicant is working with the IDB to resolve these issues and an application to gain the relevant consents is currently with the IDB for consideration.

The Parish Council objects to the scheme as they feel that the drainage issues have not been adequately addressed, and the neighbouring dwelling shares these concerns. Both the Parish Council and the IDB request that planning consent is not granted until the drainage issues are fully resolved. As stated above the drainage has been addressed as part of the outline planning consent and is suitably controlled by condition. However it does influence the site layout proposed, and therefore is relevant to this reserved matters application.

Comments received from CSNN, refer to concerns around the siting of the surface water swale within one private garden. This swale has been removed in subsequent versions of the strategy and plans, and an alternative solution put forward.

Other Material Considerations

The possibility of Great Crested Newts on the application site was identified in the previous outline application, and this was adequately addressed by conditions 12, 13 and 14 of the outline planning consent.

CONCLUSION

In summary, the principle of development for 5 dwellings has been established on the site, and this application deals with the reserved matters only. Drainage, flood risk and ecology were all considered and conditioned in accordance with the outline planning consent. While there are outstanding objections to the drainage issues on site, these are being addressed directly with the IDB, and in planning terms will be controlled through conditions on the outline permission. The site layout, scale and design of the dwellings are considered to be acceptable given the measures taken to limit the impact on the locality, particularly on no.6 School Road. With this in mind, the proposal is recommended for approval.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos. 18-P50-PL001, 18-P50-002P, 18-P50-003G, 18-P50-004G, 18-P50-005G, and 18-P50-006A).
- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the units and the distances from the proposed units to the boundaries with neighbouring dwellings, and provide details of anti-vibration mounts and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.

- 2 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 3 Condition Prior to the first occupation of the development hereby permitted the vehicular access crossing over the verge and bus stop shall be constructed in accordance with the highways specification TRAD 2 and thereafter retained at the position shown on the approved plan (Drawing No. 18-P50-PL002P). Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- 3 Reason To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.
- 4 Condition Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/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.
- 4 Reason In the interests of highway safety.
- 5 Condition Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.3 metres above the level of the adjacent highway carriageway.
- 5 Reason In the interests of highway safety in accordance with the principles of the NPPF.
- 6 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 7 Condition Prior to the first occupation of the development hereby permitted the relocated bus stop/shelter shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority.
- 7 Reason To ensure construction of a satisfactory bus stop in the interests of highway safety.
- 8 Condition Notwithstanding details that accompanied the application, prior to the occupation of the dwelling hereby permitted, precise details of a privacy screen to the north side elevation of the patio area to the rear of the dwelling on plot 5 shall be submitted to and approved in writing by the local planning authority. The screen shall be implemented in accordance with the approved details prior to the occupation of the dwelling and shall thereafter be retained in that condition.
- 8 Reason To protect the residential amenities of the occupiers of nearby property.

- 9 Condition Notwithstanding the approved plans, prior to first occupation 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 on the northern and eastern boundaries of the site. The boundary treatment shall be completed before the buildings 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.
- 9 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 10 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.
- 10 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 11 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 11 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.

2/TPO/00586

Orrchard Gardens Upwell



Parish:	Upwell	
Purpose of report:	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00586 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
Location:	Orchard Gardens Upwell Norfolk	
Case No:	2/TPO/00586	
Grid Ref:	550215 302586	Date of service of Order: 23 January 2019

RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION
--

THE SITE

The Walnut (T1) is situated to the rear of 25-26 St Peters Road, Upwell. This tree is visible from St Peters Road and, more importantly, as the tree matures it will continue to contribute to the wider landscape within Upwell conservation area.

LDF CORE STRATEGY POLICIES

C12 - Environmental Assets

REASON FOR MAKING THE TREE PRESERVATION ORDER

Following a planning application, numbered 19/00016/RM, that identified the tree for removal; it was thought prudent to serve a TPO to protect the tree both now and into the future.

OUTLINE OF OBJECTIONS AND REPRESENTATIONS

One objection letter was received from Mrs G Buck, owner/occupier of the neighbouring property, 23 St Peters Road, Upwell. A summary of the objections are outlined below:

1. Half of the tree is not in the property it belongs to and it hangs directly over the garage causing a lot of work with regard to clearing leaves/twigs during the autumn/winter.
2. Worried about branches breaking and potentially causing damage to the garage or the car.
3. The tree should not invade airspace above part of the property.

Two letters of support were received outlining the host of wildlife that use the tree, it will mature into a well seen tree within the village and the drainage advantages associated with trees.

RESPONSE TO OBJECTIONS AND REPRESENTATIONS

1. Open grown trees, such as this, will naturally over-sail boundaries/rooflines and leaf/twig/fruit fall should be expected when living next to trees such as this. Sympathetic pruning will reduce this over-sailing and can be dealt with in the usual manner.
2. It is difficult to predict any episodes of branch failure in healthy trees such as this and this should not be a consideration in this instance.
3. Sympathetic reduction work would reduce this perceived invasion of airspace, as before, this can be dealt with in the usual manner.

CONCLUSIONS

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

RECOMMENDATION: CONFIRM ORDER WITHOUT MODIFICATION

Background Papers

TPO file reference: 2/TPO/00586

Appendix 1: Copy of scoring assessment

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

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 23/1/19 Surveyor: R. FISHER

Tree details
 TPO Ref (if applicable): — Tree/Group No: T1 Species: Walnut
 Owner (if known): Location: R10 25-26 St Peters Rd, Upwell

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

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

Score & Notes (5)
 Semi-mature - healthy Walnut.

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

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

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

Score & Notes (4)
 Semi-mature with good potential.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

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

Score & Notes (3)
 Will improve over time.

d) Other factors

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

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

Score & Notes (7)

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

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

Score & Notes (3)
 Subject to more planning Apps.

Part 3: Decision guide

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

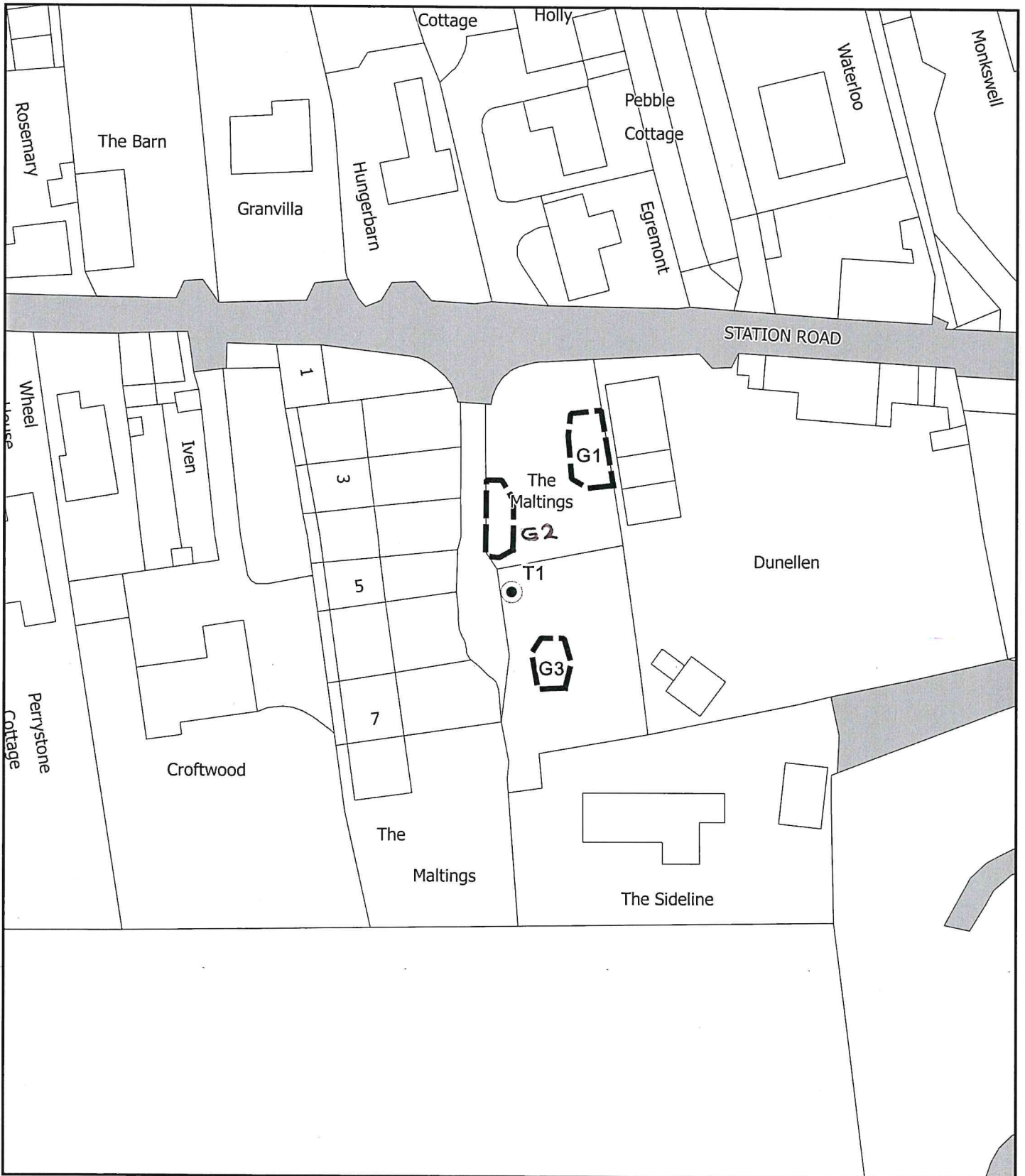
16+

Add Scores for Total:
 16

Decision:
 Issue TPO.

2/TPO/00591

Land West of The Gate House Dunellen Station Road
Burnham Market



AGENDA ITEM NO: 8/3(b)

Parish:	Burnham Market	
Purpose of report:	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00591 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
Location:	Land West of The Gate House Dunellen Station Road Burnham Market Norfolk PE31 8HA	
Case No:	2/TPO/00591	
Grid Ref:	583310 342014	Date of service of Order: 9 April 2019

RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION

THE SITE

The three groups (G1, G2 & G3) and the individual tree (T1) are growing within the open space and car parking area associated with The Maltings, Station Road, Burnham Market and provide a great visual amenity to the surrounding area and also provide an excellent habitat for the local wildlife.

LDF CORE STRATEGY POLICIES

C12 - Environmental Assets

REASON FOR MAKING THE TREE PRESERVATION ORDER

We were contacted by concerned residents regarding the possible removal of some of the Silver Birch and, following a site visit, it was found that these trees are of a high amenity value, not only for the immediate residents of The Maltings, but the wider area in general.

OUTLINE OF OBJECTIONS AND REPRESENTATIONS

One letter of objection has been received from the management company formed to manage the area and a further letter of objection endorsing the management company's objection has been received. Their objections were as follows:

1. The entire area falls within the Conservation Area for Burnham Market and the trees are already protected.
2. We believe that the serving of the order is unfair and unwarranted as we [the management company] have carried out necessary works in the past with permission.

3. No trees would be removed without the majority vote of all members of the management company.
4. They are only self-set Silver Birch.

One letter of support has been received from a resident of The Maltings stating that the trees are an integral part of the setting and they host a wide variety of wildlife, they also mention that some of the residents have mentioned tree removals in the past for light issues.

RESPONSE TO OBJECTIONS AND REPRESENTATIONS

1. Whilst The Maltings does fall within the Conservation Area and the trees do have some form of protection, the serving of a TPO further protects these trees into the future but also ensures that, should any trees be removed, they will be replaced and remain protected.
2. The serving of a TPO is not about fairness, it is about the protection of high amenity trees for the wider landscape and residents.
3. It is difficult predict the outcome of outside meetings, and leaving it to the management company would give the Local Planning Authority no control.
4. All trees can be the subject of a TPO regardless of species, size or if they're 'self-set', TPOs are served on the basis of visual amenity.

CONCLUSIONS

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

Background Papers

RECOMMENDATION: CONFIRM ORDER WITHOUT MODIFICATION

Background Papers

TPO file reference: 2/TPO/00591

Appendix 1: Copy of scoring assessment

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

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 9/4/19 Surveyor: R. Fisher, Arboriculture Officer

Tree details
 TPO Ref (if applicable): 2/TPO/0591 Tree/Group No: Mix Species: Silver Birch
 Owner (if known): Location: The Walkings, Durban Market

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

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

Score & Notes 3
 No obvious defects

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

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

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

Score & Notes 4
 Semi-mature, healthy trees.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

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

Score & Notes 2
 Trees can be seen along station road.

d) Other factors

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

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

Score & Notes 1

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

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

Score & Notes 2

Part 3: Decision guide

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

Add Scores for Total:
 13

Decision:
 Sole TPO.

Planning Committee

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the 29 April Planning Committee Agenda and the June agenda. 163 decisions issued 154 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 12/04/19 – 17/05/19

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	DCB decision	
								Approved	Refused
Major	7	6	1		6	86%	60%	2	0
Minor	65	55	10	70		95%	70%	5	1
Other	91	89	2	95		94%	80%	1	0
Total	163	150	13						

Planning Committee made 9 of the 163 decisions, 5%

PLANNING COMMITTEE

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
25.02.2019	18.04.2019 Application Permitted	19/00354/RM	Cottontail Lodge 11 Bagthorpe Road Bircham Newton Norfolk Reserved matters application for new dwelling	Bagthorpe With Barmer - VACANT
08.03.2019	01.05.2019 Was_Would be Lawful	19/00428/LDE	Victory Lodge Eastmoor Road Eastmoor Barton Bendish Certificate of Lawfulness: The property has been occupied continuously for more than ten years as a residential dwelling without complying with condition 2 of planning permission 2/89/4593/F	Barton Bendish

27.02.2019	23.04.2019 Application Permitted	19/00363/RM	South of Jubilee Lodge Mill Hill Road Boughton Norfolk Reserved Matters Application for amended design for dwellings on plots 2 & 3	Boughton
19.03.2019	23.04.2019 Tree Application - No objection	19/00056/TREECA	Church View Wretton Road Boughton King's Lynn T1 - Ash: Make safe upper branches by reducing crown by approx. 4m, reshape and rebalance remainder within a Conservation Area	Boughton
26.03.2019	24.04.2019 Tree Application - No objection	19/00061/TREECA	Playground The Green Boughton Norfolk Trees in a Conservation Area: Removal of Elder growing with the hedge and removal of Leylandii branch growing on field side of Leylandii hedge	Boughton
06.12.2018	02.05.2019 Application Permitted	18/02187/F	Field House Dalegate Road Brancaster Norfolk Construction of Pool House in garden	Brancaster
05.02.2019	15.04.2019 Application Refused	19/00219/F	The Breakers & The Sailings Main Road Brancaster Staithe King's Lynn New one and a half storey dwelling on former garden land.	Brancaster
12.02.2019	10.05.2019 Application Permitted	19/00265/F	Little Tenchleys Broad Lane Brancaster King's Lynn Construction of a Replacement Dwelling	Brancaster

22.02.2019	18.04.2019 Application Permitted	19/00339/F	3 Sawpit Cottages Main Road Brancaster King's Lynn Variation of condition 2 of planning permission 18/00616/F to amend approved plan	Brancaster
14.03.2019	17.05.2019 Application Permitted	19/00463/LB	St Marys House London Street Brancaster King's Lynn Create a doorway from the main kitchen of the house to the utility room which then has access to steps to the garden.	Brancaster
20.03.2019	15.05.2019 Application Permitted	19/00514/F	Southgate House Cross Lane Brancaster King's Lynn Single storey rear extension	Brancaster
16.04.2019	01.05.2019 Application Permitted	18/01998/NMA_1	Kingfishers Cross Lane Brancaster King's Lynn NON-MATERIAL AMENDMENT TO PLANNING CONSENT 18/01998/F: Proposed rear extension, single storey side and front extension and re-positioning of access (amended application)	Brancaster
14.02.2019	12.04.2019 Application Permitted	19/00295/LB	Westgate House 90 Market Place Burnham Market Norfolk Listed Building Consent: Internal Alterations	Burnham Market
05.03.2019	02.05.2019 Application Permitted	19/00400/F	Fisher & Sons North Street Burnham Market Norfolk Variation of condition 2 of planning permission 16/01797/F	Burnham Market

12.03.2019	07.05.2019 Application Permitted	19/00446/F	Tanglewood 5 Herrings Lane Burnham Market King's Lynn Removal of existing rear extension, single storey extension to rear, garage conversion and redesigned entrance porch roof with changes to front facade	Burnham Market
30.07.2018	17.05.2019 Application Permitted	18/01387/F	Gun Hill Farm Wells Road Burnham Overy Staithe King's Lynn Variation of condition 2 planning permission 17/01075/F to amend approved plans	Burnham Overy
23.01.2019	18.04.2019 Application Permitted	19/00137/F	Trafalgar House East Harbour Way Burnham Overy Staithe King's Lynn Conservatory removal and replacement with new garden room, single-storey building to the front of the dwelling, new bedroom to first floor and re-modelling and extension to garage block to form ancillary accommodation	Burnham Overy
11.03.2019	16.04.2019 Tree Application - No objection	19/00050/TREECA	Adj To Pumping Station Playing Field Walsingham Road Burnham Thorpe G1 22 x Leylandii trees - Fell to ground as trees causing access issues in relation to the stream within a conservation area	Burnham Thorpe
06.03.2019	01.05.2019 Application Permitted	19/00415/F	5 Rectory Drive Clenchwarton King's Lynn Norfolk Extension and alterations	Clenchwarton

31.12.2018	17.04.2019 Application Permitted	18/02295/F	Denver Complex Site Sluice Road Denver Downham Market Denver Moorings refurbishment, extension to existing hard standing car parking area and installation of 4.0m high pole mounted CCTV	Denver
06.03.2019	01.05.2019 Application Permitted	19/00417/F	Denver Sluice Great Ouse Channel Lock Environment Agency Denver Complex Site Sluice Road Denver Replacement and relocation of downstream landing stage.	Denver
26.03.2019	16.05.2019 Application Permitted	19/00555/LB	College Farm 10 Whin Common Road Denver Downham Market Listed building application for proposed replacement of brick facing to fireplace in Lounge	Denver
01.03.2019	24.04.2019 Application Permitted	19/00381/F	Woodland Opposite 92 Hunstanton Road Dersingham King's Lynn Construction of a tractor shed/implement store.	Dersingham
26.03.2019	16.05.2019 Tree Application - No objection	19/00060/TREECA	11 Heath Road Dersingham King's Lynn Norfolk T1 (Scots Pine) - Reduce by 5 metres & re-shape. T2 (Scots Pine) Reduce by 5 metres & re-shape. T3 (Leyland Cypress) Reduce by 3 metres. T4 (Leyland Cypress) Reduce by 3 metres. T5 (Leyland Cypress) - Remove. T6 (Leyland Cypress) - Reduce to 2.5 metres within a Conservation Area	Dersingham

26.03.2019	16.05.2019 Application Permitted	19/00557/F	6C Fern Hill Dersingham King's Lynn Norfolk Extension & alterations to dwelling, and proposed cart shed	Dersingham
12.12.2018	02.05.2019 Application Permitted	18/02223/F	Church of St Mary The Virgin Church Place Docking Norfolk External drainage, connection to mains sewer & associated excavations	Docking
18.03.2019	13.05.2019 Application Permitted	19/00496/F	Former Granaries Station Road Docking Norfolk Variation of condition 3 planning permission 16/00654/FM to change brick types	Docking
09.04.2019	17.05.2019 Application Permitted	19/00661/F	55 Monks Close Bircham Newton King's Lynn Norfolk 2 Storey side extension & single storey front extension	Docking
28.02.2019	03.05.2019 Would be Lawful	19/00376/LDP	18 Coriander Road Downham Market Norfolk PE38 9WB Certificate of Lawfulness: Use land as garden as part of the curtilage of the property	Downham Market
05.04.2019	16.05.2019 Would be Lawful	19/00642/LDP	15 Bay Walk Downham Market Norfolk PE38 9WE Rear single storey extension	Downham Market
23.04.2019	30.04.2019 TPO Refused work	19/00042/TPO	9 Syon Close Downham Market Norfolk PE38 9SY 2/TPO/00305 - T1 - Oak: Reduction because of excessive shading	Downham Market

25.01.2019	09.05.2019 Application Permitted	19/00153/F	Land S of 54 And W of 52 Elmside Emneth Norfolk Change of use from Agricultural land for use in connection with adjacent business	Emneth
18.03.2019	25.04.2019 Application Permitted	18/00076/NMA_1	20 The Lovells Emneth Wisbech Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 18/00076/F: Extensions to existing house and new detached double garage	Emneth
21.03.2019	03.05.2019 Application Permitted	19/00527/F	Paradise House 17 The Wroe Emneth Wisbech Erection of a rear conservatory	Emneth
12.03.2019	25.04.2019 Application Permitted	19/00443/F	3 Munsons Place Feltwell Thetford Norfolk Construction of a pitched roof over an existing flat roofed extension	Feltwell
03.04.2019	16.05.2019 Tree Application - No objection	19/00065/TREECA	Magpies Cottage High Street Fincham King's Lynn T1 - Poplar: Fell. T2 - Sycamore: Extract. T3 - Plants: Extract	Fincham
18.04.2019	24.04.2019 Application Permitted	19/00262/NMA_1	Sunset View Winch Road Gayton KINGS LYNN Non-material amendment to planning permission 19/00262/F: Variation of condition 2 of planning permission 18/01657/F	Gayton
07.01.2019	02.05.2019 Application Permitted	19/00023/CU	Washpit Farm Massingham Road Grimston King's Lynn Change of Use of Barn to use for wedding events	Grimston

01.03.2019	18.04.2019 Application Permitted	19/00383/F	65 Low Road Grimston King's Lynn Norfolk Retention of single storey side extension	Grimston
02.11.2018	16.05.2019 Application Refused	18/01969/F	Land W of 70 South Beach Road Heacham Norfolk Change of use from agricultural land to short stay non permanent camp site and erection of a proposed toilet block	Heacham
28.11.2018	08.05.2019 Application Refused	18/02130/FM	Woodland N of Blackthorn Close S of Robin Hill And E of Hall Close Hunstanton Road Heacham Norfolk Installation of glamping holiday pods to woodland including erection of site warden accommodation , storage and associated works	Heacham
21.01.2019	29.04.2019 Application Permitted	19/00116/F	Doris 30 South Beach Heacham Norfolk Demolition of Existing bathroom and entrance extension and replacement with new windows. Construction of new extension for new bathroom and entrance and construction of new decked area	Heacham
28.02.2019	09.05.2019 Application Permitted	19/00369/F	4 Robin Hill Heacham King's Lynn Norfolk Extension to dwelling	Heacham
07.03.2019	02.05.2019 Application Refused	19/00422/O	Land Between 5 And 6 Hadley Crescent Heacham King's Lynn OUTLINE APPLICATION: New residential dwelling	Heacham

21.03.2019	15.05.2019 Application Permitted	19/00525/F	28 South Moor Drive Heacham Norfolk PE31 7BW Single storey side extension and alterations to dwelling	Heacham
08.02.2019	26.04.2019 Application Permitted	19/00245/LB	Wood Hall Woodhall Road Hilgay Downham Market LISTED BUILDING: Conversion of existing stables and out buildings into residential accommodation, and the provision of new garages, car parking and associated works	Hilgay
15.03.2019	02.05.2019 Application Permitted	19/00483/F	2 Council Houses Ely Road Hilgay Downham Market Two storey side extension to existing dwelling	Hilgay
18.02.2019	09.05.2019 Application Permitted	19/00317/F	8 Lynn Road Hillington King's Lynn Norfolk Two storey rear extension to replace single storey extension and internal alterations	Hillington
02.04.2019	17.04.2019 Application Permitted	18/00341/NMA_1	11 Wheatfields Hillington King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 18/00341/F: First floor extension over existing garage	Hillington
25.01.2019	25.04.2019 Application Permitted	19/00154/F	36 College Road Hockwold cum Wilton Norfolk IP26 4LL Remove existing roof and replace roof to include a flat roof dormer at the rear and two pitched roof dormers at the front creating 1st floor accommodation and creation of extra parking.	Hockwold cum Wilton

04.01.2019	17.05.2019 Application Permitted	19/00015/F	11A High Street Hunstanton Norfolk PE36 5AB Retrospective: Change of use from bedroom to store	Hunstanton
28.01.2019	10.05.2019 Application Permitted	19/00171/F	5 Seagate Hunstanton Norfolk PE36 5BE Extension to dwelling	Hunstanton
18.02.2019	16.05.2019 Application Permitted	19/00310/F	52 Collingwood Road Hunstanton Norfolk PE36 5DY Construction of a log cabin for business use	Hunstanton
20.02.2019	14.05.2019 Application Permitted	19/00326/F	7 Queens Drive Hunstanton Norfolk PE36 6EX Proposed New Vehicular Access and Single Storey Extension	Hunstanton
08.03.2019	02.05.2019 Application Permitted	19/00429/F	10 Peddars Drive Hunstanton Norfolk PE36 6HF Construction of single storey extensions and internal alterations.	Hunstanton
20.03.2019	10.05.2019 Application Permitted	19/00511/F	Princess Theatre 13 The Green Hunstanton Norfolk Alterations to terrace and wall	Hunstanton
04.02.2019	18.04.2019 Application Permitted	19/00208/F	Warren Farm Hill Road Ingoldisthorpe King's Lynn 2No. New Dwellings. (Revised Design)	Ingoldisthorpe
11.04.2019	07.05.2019 Application Permitted	17/01843/NMA_1	Samphire Developments (Norfolk) Container Storage Coaly Lane Ingoldisthorpe Norfolk Non-material amendment to planning permission 17/01843/F: Construction of a place of worship with car parking and landscaped grounds	Ingoldisthorpe

18.09.2017	01.05.2019 Application Permitted	17/01765/F	Golden Ball Farm Barns Low Road Saddlebow Norfolk Variation of condition 13 of planning permission 11/01806/EXF to amend plans	King's Lynn
20.08.2018	18.04.2019 Application Permitted	18/01533/OM	Land At Freebridge Farm Clenchwarton Road West Lynn King's Lynn Hybrid Application: Outline application for B1, B2 & B8 units and associated roads, carparking and external works and drainage. Full application for the construction of 2 x A1/A3 class units	King's Lynn
11.01.2019	17.04.2019 Application Permitted	19/00062/F	Kings Lynn Residential Home Kettlewell Lane King's Lynn Norfolk Ground floor extension to provide two additional bedrooms	King's Lynn
15.01.2019	08.05.2019 Application Permitted	19/00082/LB	Enterprise Rent-A-Car North Street King's Lynn Norfolk Listed building application for the proposed repair and re-pointing of existing grade 2 listed wall	King's Lynn
17.01.2019	18.04.2019 Application Permitted	19/00105/A	Greyfriars Chambers Fenton Insurance Solutions 31A St James Street King's Lynn Norfolk ADVERT APPLICATION: 1 x frontage sign, 1 x sign on gable and 1 x hanging sign (all signs non illuminated)	King's Lynn

18.01.2019	16.05.2019 Was_ Would be Lawful	19/00107/LDE	69 Gaywood Road King's Lynn Norfolk PE30 2PS Certificate of Lawfulness: Continued use of house for multiple occupation since 2005 with 10 occupants	King's Lynn
24.01.2019	02.05.2019 Application Permitted	19/00145/F	76 Sidney Street King's Lynn Norfolk PE30 5RF Proposed residential extension	King's Lynn
13.02.2019	12.04.2019 Application Permitted	19/00276/F	PRIVATE Car Park Church Street King's Lynn Norfolk Renew of Temporary Planning Permission for the continued use of the site as a public carpark.	King's Lynn
13.02.2019	07.05.2019 Application Permitted	19/00277/F	7 Saturday Market Place King's Lynn Norfolk Change of use to create separate flat at first floor and to include separate access corridor/entrance at ground floor level to access flats.	King's Lynn
13.02.2019	18.04.2019 Application Permitted	19/00283/F	24 Langland King's Lynn Norfolk PE30 4TH Proposed extension and alterations	King's Lynn
20.02.2019	17.04.2019 Application Permitted	19/00330/F	50 Mannington Place South Wootton King's Lynn Norfolk Two storey side extension and single storey rear extension to dwelling	King's Lynn

21.02.2019	18.04.2019 Application Permitted	19/00335/F	Flat 1 3 King Street King's Lynn Norfolk To remove existing wooden sash windows that are in a rotten condition with similar UPVC sash windows	King's Lynn
22.02.2019	26.04.2019 Application Permitted	19/00338/F	Vacant 46 High Street King's Lynn Norfolk Change of use of 1st and 2nd floors from A1 to C3 and alterations to rear extension	King's Lynn
26.02.2019	12.04.2019 Application Permitted	19/00359/F	4 Cedar Row Wootton Road King's Lynn Norfolk Extension to dwelling	King's Lynn
28.02.2019	25.04.2019 Application Permitted	19/00371/F	Flat 154 - 156 St Peters Road West Lynn King's Lynn Alterations to existing flat to form new separate access (not through shop), kitchen, bathroom and altered master bedroom position. Externally new staircase access to first floor with roof terrace and covered veranda	King's Lynn
28.02.2019	29.04.2019 Application Permitted	19/00375/F	Vacant 43 - 44 High Street King's Lynn Norfolk Change of use from Use Class A1 (Retail) to Use class A3 (Cafe/Restaurant), shopfront alterations and the installation of an extraction system	King's Lynn
01.03.2019	16.05.2019 Application Permitted	19/00386/A	The Java Store 12 Norfolk Street King's Lynn Norfolk ADVERT APPLICATION: 2 x non illuminated fascia signs	King's Lynn

04.03.2019	29.04.2019 Application Permitted	19/00396/F	384 Wootton Road King's Lynn Norfolk PE30 3EA Proposed two storey rear extension to form bigger kitchen at ground floor and additional first floor bedroom	King's Lynn
05.03.2019	09.05.2019 Application Permitted	19/00403/F	Vacant 106 High Street King's Lynn Norfolk Change of use to A3 and A5 - Patisserie and coffee shop. Remove two internal partition walls and replace windows and access door at the front.	King's Lynn
07.03.2019	02.05.2019 Application Refused	19/00419/LB	TSB 1 - 3 Tuesday Market Place King's Lynn Norfolk Listed building application for 3 x non-illuminated fascia signs, 1 x non-illuminated hanging sign and 1 x non-illuminated name plate	King's Lynn
13.03.2019	02.05.2019 Application Permitted	19/00454/F	28 Suffolk Road King's Lynn Norfolk PE30 4AJ Extension.	King's Lynn

13.03.2019	02.05.2019 Application Permitted	19/00456/F	Land N of Outfall S Off Transmission Cables W Off Road Cross Bank Road King's Lynn Norfolk Variation of condition 13 of Planning Permission 18/01864/FM: Erection of anaerobic digestion facility to process biomass including reception/office building and workshop, digesters, storage tanks, combined heat and power plant, energy crop storage area, and ancillary plant.	King's Lynn
15.03.2019	11.04.2019 Application Refused	18/01583/NMA_1	Lovell House St Nicholas Street King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 18/01583/PACU1: Prior Notification: Change of use of first, second and third Floors of building from Office Use (B1(A)) to Dwellinghouses (Class C3)	King's Lynn
15.03.2019	10.05.2019 Application Permitted	19/00479/F	7 Hockham Street King's Lynn Norfolk PE30 5LZ Construction of one new dwelling	King's Lynn
18.03.2019	10.05.2019 Application Permitted	19/00491/F	27 Woodwark Avenue King's Lynn Norfolk PE30 2BA Retrospective application for conservatory extension	King's Lynn
20.03.2019	15.05.2019 Application Permitted	19/00519/F	33 South Wootton Lane King's Lynn Norfolk PE30 3BS Proposed extension to existing dwelling	King's Lynn

20.03.2019	10.05.2019 Application Permitted	19/00520/F	100 Wootton Road Gaywood King's Lynn Norfolk Construction of two storey side extension	King's Lynn
25.03.2019	10.05.2019 Application Permitted	19/00544/F	24 Ranworth King's Lynn Norfolk PE30 4XD Extensions of dwelling	King's Lynn
02.04.2019	16.05.2019 Application Permitted	19/00611/F	7 Suffield Way King's Lynn Norfolk PE30 3DE Single storey extension	King's Lynn
02.04.2019	16.05.2019 Application Permitted	19/00613/F	23 Queen Elizabeth Avenue Gaywood King's Lynn Norfolk Extension to dwelling	King's Lynn
04.04.2019	16.05.2019 Application Permitted	19/00628/F	21 Spring Close King's Lynn Norfolk PE30 3ED Proposed rear single storey flat roof extension to form larger kitchen and utility area	King's Lynn
12.04.2019	02.05.2019 Application Permitted	16/02109/NMA_4	Westgate Department Store 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
01.03.2019	01.05.2019 Application Permitted	19/00387/F	Ashley 23 Gayton Road Ashwicken King's Lynn Remodelling of existing bungalow including front, rear and roof extensions	Leziate

19.03.2019	12.04.2019 DM Prior Notification NOT Required	19/00507/DM	Sibelco Minerals & Chemicals Station Road Leziate King's Lynn Prior Notification: Demolition of buildings	Leziate
03.04.2019	09.05.2019 Consent Not Required	19/00622/AG	Hadleigh Farm 43 Well Hall Lane Ashwicken Norfolk Agricultural prior notification: Agricultural general purpose building extension	Leziate
25.03.2019	17.05.2019 Application Permitted	19/00546/F	Homelands Rudham Road Little Massingham King's Lynn Proposed garage/workshop, provision of 2no dormer windows and alterations to dwelling	Little Massingham
18.03.2019	13.05.2019 Application Permitted	19/00492/F	6 Trinity Road Marshland St James Norfolk PE14 8JA Proposed replacement dwelling and detached garage	Marshland St James
04.02.2019	18.04.2019 Application Permitted	19/00211/F	73 Hythe Road Methwold Thetford Norfolk Two storey side extension	Methwold
05.02.2019	15.04.2019 Application Permitted	19/00221/LB	Hall Barn Hall Farm Drive Methwold THETFORD Listed building application for the conversion of grade 2 listed barns to three residential units including part renewal of roof, new floors, new windows, new external doors and internal works. External works including provision of an access roadway, parking, new fencing and repairs to existing wall	Methwold

11.02.2019	16.04.2019 Application Refused	19/00260/F	14 Stoke Road Methwold Thetford Norfolk New dwelling and detached garage	Methwold
13.03.2019	01.05.2019 Application Permitted	19/00457/F	St Georges Hall 16 High Street Methwold Norfolk Alteration to the existing building including deepening existing windows, addition of an external doorway by converting a window opening, extension to provide a small room for making refreshments and extension to provide a single unisex/disabled public toilet	Methwold
19.03.2019	02.05.2019 Application Permitted	19/00505/F	Primrose Cottage Wormegay Road Blackborough End King's Lynn Construction of single storey side and rear extension	Middleton
01.02.2019	30.04.2019 Tree Application - No objection	19/00021/TREECA	Whitehouse Farm House Outwell Road Nordelph Downham Market TREES IN A CONSERVATION AREA: Pollarding of Weeping Willow Tree to remove branches growing over the roof of the house & the river. Pollarding a row of 13 lime trees to facilitate access of farm vehicles	Nordelph
18.03.2019	02.05.2019 Application Permitted	19/00490/F	Chestnut Farm Boothes Road Nordelph Downham Market Construction of garage/storage building for use in connection with adjacent dwelling	Nordelph

22.01.2019	18.04.2019 Application Permitted	19/00129/F	Suffolk Place 20 Burnham Road North Creake Fakenham Removal of existing conservatory and construction of a two storey rear extension	North Creake
21.02.2019	24.04.2019 Application Permitted	19/00331/RM	The Red Cat Hotel Station Road North Wootton King's Lynn RESERVED MATTERS: Erection of two dwellings	North Wootton
26.02.2019	24.04.2019 TPO Refused work	19/00021/TPO	Honeysuckle Cottage Ling Common Road North Wootton King's Lynn 2/TPO/00134: Permission for tree surgeon to assess Oak Tree and carry out work needed to make it safe and healthy	North Wootton
04.03.2019	12.04.2019 Application Permitted	19/00389/F	9 Bede Close North Wootton King's Lynn Norfolk Extension to dwelling	North Wootton
05.03.2019	29.04.2019 Application Refused	19/00402/T3	Wootton Park Cranmer Avenue North Wootton Norfolk Prior Notification: Erection of mast	North Wootton
20.03.2019	14.05.2019 Application Permitted	19/00518/F	2 Beckett Close North Wootton King's Lynn Norfolk Construction of a single storey rear extension (revised design)	North Wootton
14.02.2019	17.04.2019 Application Permitted	19/00290/F	Pumping Station River Drove School Lane Northwold Construction of a MCC kiosk and access platform	Northwold
07.03.2019	25.04.2019 Application Permitted	19/00425/F	23 High Street Northwold Norfolk IP26 5LA Construction of a conservatory to the rear of the property	Northwold

08.04.2019	30.04.2019 Application Permitted	18/01388/NMA_1	Audley House 1 High Street Northwold Thetford NON-MATERIAL AMENDMENT TO PLANNING CONSENT 18/01388/F: To change roof tiles and larger window to north east elevation	Northwold
04.01.2019	15.05.2019 Application Permitted	19/00010/F	Lorien 7 Hamilton Road Old Hunstanton Hunstanton Proposed 2-storey rear extension to dwelling, plus external alterations to existing dwelling, new detached car port and wall to frontage	Old Hunstanton
21.01.2019	03.05.2019 Application Refused	19/00117/F	Sonda-Del-Mar 7 Golf Course Road Old Hunstanton Norfolk Erection of dwelling (Plot 1)	Old Hunstanton
25.03.2019	08.05.2019 Application Permitted	19/00549/LB	Downs Farm Downs Road Hunstanton Norfolk LISTED BUILDING APPLICATION: Internal and external repairs comprising refurbished roof and internal floors and walls	Old Hunstanton
04.03.2019	01.05.2019 Application Permitted	19/00397/F	Fernie House The Cottons Outwell Wisbech Erection of store, cart shed and kennels	Outwell
06.02.2019	16.04.2019 Application Permitted	19/00230/F	The Cottage Narborough Road Pentney King's Lynn Rebuilding of burnt down stable block.	Pentney

06.03.2019	12.04.2019 Application Permitted	19/00412/F	6 Ffolkes Place Runcion Holme King's Lynn Norfolk Extension to bungalow	Runcion Holme
13.02.2019	09.05.2019 Application Permitted	19/00279/F	Barn North of The Lodge Bexwell Lane Bexwell Norfolk REMOVAL OR VARIATION OF CONDITIONS 4 AND 19 OF PLANNING PERMISSION 15/01433/F: Conversion of Listed Grade 2, Ancient Monument barn into a function hall for private events	Ryston
26.02.2019	10.05.2019 Application Permitted	19/00361/LB	High House Docking Road Sedgeford Hunstanton Listed building application for the conversion of outbuilding to annexe	Sedgeford
19.03.2019	10.05.2019 Application Permitted	19/00501/F	Brookdale Cottage Church Lane Sedgeford Hunstanton Extension to the side and rear of dwelling	Sedgeford
12.03.2019	01.05.2019 Application Permitted	19/00445/F	Colebrooke 73 Westgate Street Shouldham King's Lynn Single storey rear extension following removal of existing conservatory	Shouldham
23.11.2018	03.05.2019 Application Refused	18/02108/F	29 The Beach Shepherds Port Snettisham Norfolk Roof extension and alterations	Snettisham
14.01.2019	02.05.2019 Application Permitted	19/00066/F	Rambles Shambles 91 The Beach Shepherds Port Snettisham irst floor extension to and updating of dwelling	Snettisham

11.02.2019	18.04.2019 Application Permitted	19/00255/F	NW of 7 And 8 Norton Hill Snettisham Norfolk Construction of single bespoke dwelling and associated landscaping & access works.	Snettisham
11.02.2019	10.05.2019 Application Permitted	19/00256/F	Sports Pavillion - Snettisham Memorial Field Old Church Road Snettisham Norfolk Single storey extension to provide further changing rooms.	Snettisham
28.02.2019	14.05.2019 Application Permitted	19/00368/F	22 Longview Close Snettisham King's Lynn Norfolk Combining of two semi detached bungalows into one detached dwelling, including conversion of loft	Snettisham
14.03.2019	09.05.2019 Application Permitted	19/00467/F	43 Parkside Snettisham King's Lynn Norfolk Extensions and alterations to dwelling	Snettisham
27.03.2019	16.05.2019 Application Permitted	19/00570/F	14 Cherry Tree Road Snettisham Norfolk PE31 7NZ Extension and increased roof	Snettisham
04.03.2019	18.04.2019 Application Permitted	19/00395/F	5 Leicester Meadows Leicester Road South Creake Norfolk Single storey side extension, replacing existing single storey extension, and new front porch	South Creake
01.03.2019	03.05.2019 Application Permitted	19/00378/F	4 Greenacres Close South Wootton King's Lynn Norfolk Rendering over house	South Wootton

25.03.2019	10.05.2019 Application Permitted	19/00548/F	White Walls 8 Grimston Road South Wootton King's Lynn Single storey extension to the front and rear of the property	South Wootton
27.03.2019	16.05.2019 Application Permitted	19/00563/F	22 Avon Road South Wootton King's Lynn Norfolk First floor rear extension to dwelling	South Wootton
02.04.2019	16.05.2019 Application Permitted	19/00607/F	Melville 3 Bramble Drive South Wootton King's Lynn Demolition of existing rear conservatory. Construction of single storey flat roof rear extension and rear dormer to existing roof.	South Wootton
12.06.2018	16.05.2019 Tree Application - No objection	18/00096/TREECA	Osborne House High Street Stoke Ferry King's Lynn T1 Yew Tree - Pollard tree, T2 Thorn Tree - Raise and thin the crown, T3 Conifer Tree - Remove to improve the spacing for the other shrubs and vegetation within a conservation area	Stoke Ferry
16.11.2018	01.05.2019 Application Permitted	18/02068/RMM	Land South of Lark Road Stoke Ferry Norfolk Reserved Matters Application: Residential development	Stoke Ferry
14.01.2019	24.04.2019 Application Permitted	19/00077/F	Land At 16 The Drove Barroway Drove Norfolk Construction of one dwelling house and detached double garage	Stow Bardolph

21.02.2019	08.05.2019 Application Refused	19/00346/O	Land NE of 93 And NW of 90 The Drove Barroway Drove Downham Market OUTLINE PLANNING PERMISSION: Construction of 3 dwellings	Stow Bardolph
01.03.2019	26.04.2019 Application Permitted	19/00382/RM	Plot To Be Known As 32 The Drove Barroway Drove Norfolk Reserved Matters Application: Construction of a dwelling for plot 5	Stow Bardolph
04.03.2019	01.05.2019 Application Permitted	19/00388/F	The Cottage Hill Farm West Head Road Stow Bridge Demolition of conservatory and erection of two storey rear extension to dwelling	Stow Bardolph
04.03.2019	08.05.2019 Application Permitted	19/00399/F	Plot 2 Land East of 77 The Drove Barroway Drove DOWNHAM MARKET Construction of 1no, 2 storey, detached dwelling (revised design) - partially retrospective	Stow Bardolph
15.03.2019	17.05.2019 Application Permitted	19/00486/O	Land SW of The Birches Cuckoo Road Stow Bridge KINGS LYNN OUTLINE APPLICATION: Construction of two dwellings	Stow Bardolph
15.03.2019	09.05.2019 Application Refused	19/00487/O	Land NE of 263, N of 260 And W 258 The Drove Barroway Drove Norfolk OUTLINE APPLICATION: Construction of three dwellings	Stow Bardolph

19.03.2019	16.05.2019 Application Refused	19/00506/O	Land SW of 183 And Pond NE of 189 The Drove Barroway Drove Downham Market Outline application: Construction of two dwellings	Stow Bardolph
26.03.2019	09.05.2019 Application Permitted	19/00558/F	Pleasant Cottage The Causeway Stow Bridge King's Lynn Proposed single storey side extension, proposed front porch, proposed first floor extension atop of existing ground floor extension and ancillary internal and external alterations	Stow Bardolph
22.02.2019	25.04.2019 Prior Approval - Approved	19/00353/PACU3	Fenland Lodge Race Course Road Terrington St Clement King's Lynn Prior Notification: change of use of agricultural building to dwelling	Terrington St Clement
13.03.2019	08.05.2019 Application Refused	19/00452/O	Beacon Hill Farm Beacon Hill Lane Terrington St Clement King's Lynn Proposed Residential Development	Terrington St Clement
13.03.2019	01.05.2019 Application Permitted	19/00458/F	22A Popes Lane Terrington St Clement King's Lynn Norfolk Proposed two storey side extension	Terrington St Clement
15.03.2019	10.05.2019 Application Permitted	19/00481/CU	Land Immediately NW of 195 Sutton Road Terrington St Clement Norfolk Proposed change of use of land to commercial use by a construction company (retrospective)	Terrington St Clement

19.03.2019	10.04.2019 Application Permitted	17/00269/NMA_1	Rothar House 5 Eastgate Lane Terrington St Clement Norfolk Non-material amendment to planning permission 17/00269/F: Proposed lounge bedroom & en- suite extension	Terrington St Clement
04.02.2019	26.04.2019 Application Permitted	19/00212/F	Popjacks 20 Old Church Road Terrington St John Norfolk Sun Room and Swimming Pool Extension and detached Garage block	Terrington St John
07.02.2019	01.05.2019 Application Permitted	19/00235/F	Bluebell House 63 School Road Terrington St John Norfolk Convert existing garage into residential annexe	Terrington St John
07.03.2019	02.05.2019 Application Permitted	19/00423/F	The Castle High Street Thornham Hunstanton Variation of Conditions 2 and 11 of planning permission 18/01307/F: Construction Of Five Houses	Thornham
14.03.2019	16.04.2019 Tree Application - No objection	19/00052/TREECA	Hayman Lodge Ploughmans Piece Thornham Hunstanton T1 - cedar cut back to boundary, remove adjacent crab apple, T2 - birch slight reduction mainly to re- shape within a Conservation Area	Thornham
08.03.2019	02.05.2019 Application Permitted	19/00431/F	35 Glebe Estate Tilney All Saints King's Lynn Norfolk Single storey rear extension	Tilney All Saints

14.03.2019	26.04.2019 Application Permitted	15/00971/NMA_2	67 Church Road Tilney St Lawrence Norfolk PE34 4QQ NON-MATERIAL AMENDMENT TO PLANNING CONSENT 15/00971/F: Erection of two dwellings and associated garages	Tilney St Lawrence
02.04.2019	16.05.2019 Application Permitted	19/00604/F	84 Church Road Tilney St Lawrence King's Lynn Norfolk Single storey side extension, garage conversion, infill extension & new detached garage	Tilney St Lawrence
13.12.2018	25.04.2019 Application Permitted	18/02234/F	Copperwood 123 Small Lode Upwell Norfolk Construction of one dwelling	Upwell
29.01.2019	02.05.2019 Application Permitted	19/00181/F	Waterways 125 Small Lode Upwell Norfolk Construction of porch to front elevation, two storey extension to side and rear extension. Raising height of roof and construction of double garage with hobby room over	Upwell
12.02.2019	08.05.2019 Application Permitted	19/00270/RM	Plot 18 Orchard Gardens St Peters Road Upwell Reserved Matters Application for proposed dwelling	Upwell
14.02.2019	18.04.2019 Application Permitted	19/00287/F	31 Dovecote Road Upwell Wisbech Norfolk Demolition of existing single-storey building and erection of 2-storey dwelling	Upwell

25.02.2019	11.04.2019 Not Lawful	19/00355/LDP	Land Off Stonehouse Road Baptist Road Upwell Application for a Lawful Development Certificate for a proposed greenhouse	Upwell
11.03.2019	03.05.2019 Application Permitted	19/00438/RM	Orchard Gardens Upwell Norfolk RESERVED MATTERS: Erection of dwelling (Plot 19)	Upwell
19.03.2019	01.05.2019 Application Permitted	19/00508/F	26 Hall Bridge Road Upwell Wisbech Norfolk Proposed single storey rear extension and front porch	Upwell
01.04.2019	16.05.2019 Tree Application - No objection	19/00064/TREECA	16 St Peters Road Upwell Wisbech Norfolk Trees in a Conservation Area: 3 x Birch (Betula SPP) pollard to 3-4m removing regrowth and 1 x Cotoneaster SPP remove top growth of 2-3m approx.	Upwell
14.03.2019	08.05.2019 Application Permitted	19/00460/F	Candlestick Cottage Marsh Road Walpole St Andrew Wisbech Erection of garage / workshop to replace previous building following fire	Walpole
24.01.2019	08.05.2019 Application Permitted	19/00149/F	Land W of 8 Station Road And S of 49 & 51 Sutton Road Walpole Cross Keys Norfolk Change of use from agricultural field to paddock land and erection of a stable and horsebox garage/haybarn	Walpole Cross Keys
13.12.2018	10.05.2019 Application Refused	18/02232/O	Land W of 24 To 28 Hall Road Walpole Highway Norfolk Proposed plot and workshop	Walpole Highway

7.03.2019	02.05.2019 Consent Not Required	19/00575/AG	Cliftonville Mill Road Walpole Highway Norfolk Agricultural Prior Notification: Grain Store	Walpole Highway
11.03.2019	02.05.2019 Application Permitted	19/00440/A	Starbucks Coffee Company Wisbech Services Light Lane Walton Highway 1 x 10m Freestanding Totem Pole	Walsoken
28.01.2019	17.05.2019 Application Permitted	19/00170/RMM	PRIVATE Car Park Watlington Station Station Road Watlington Norfolk RESERVED MATTERS: Erection of 9 dwellings, cart lodges, B1 units, bin and cycle storage and car parking spaces	Watlington
08.02.2019	24.04.2019 Application Permitted	19/00246/F	82 Downham Road Watlington King's Lynn Norfolk Two storey extension to dwelling	Watlington
11.03.2019	09.05.2019 Application Permitted	19/00434/F	4 Britton Close Watlington King's Lynn Norfolk Single storey front and two storey side extensions to dwelling	Watlington
22.03.2019	10.05.2019 Application Permitted	19/00539/F	2 Church Road Wereham King's Lynn Norfolk Rear Extension and internal works.	Wereham

28.03.2019		19/00580/CM	Waste Recycling Centre Main Road Crimplasham Norfolk County Matters Application: Change of use to a mixed development to allow the disposal of trade waste in conjunction with the existing household waste recycling centre (maximum of 5,000 tonnes per annum); installation of a reuse shop for onsite sale of waste items suitable for reuse; ancillary small-scale sale of non-recycled items (Christmas trees, logs, compost bins and green waste sacks); operation Monday to Sunday from 07:00 to 18:00 hours (all year round)	West Dereham
03.05.2018	01.05.2019 Application Permitted	18/00811/F	Tamar Nurseries School Road West Walton Wisbech Retrospective application for first floor temporary staff accommodation above the office area	West Walton
28.11.2018	25.04.2019 Application Permitted	18/02128/FM	Land Opposite Meredyke House Harps Hall Road Walton Highway Norfolk Retrospective change of use of agricultural land to a mixed use for agricultural and the stationing of mobile home and 1 x caravan, 1 x workshop, 3 x polytunnels, 1 x greenhouse, 2 x sheds and 1 x duck/chicken shed	West Walton

14.02.2019	10.05.2019 Application Permitted	19/00288/F	Marshland High School 69 School Road West Walton Wisbech Classroom extension and removal of two mobile classrooms and a swimming pool	West Walton
26.02.2019	12.04.2019 Application Permitted	19/00358/F	The Bungalow Mill Lane West Winch Norfolk Proposed extension and external cladding to existing dwelling	West Winch
06.03.2019	12.04.2019 Application Permitted	19/00411/F	Ibstocks 21 Gravelhill Lane West Winch King's Lynn First Floor Extension with Rear Dormer Window and Associated internal alterations	West Winch
08.03.2019	12.04.2019 Application Permitted	19/00430/F	5 Gravelhill Lane West Winch King's Lynn Norfolk Extension & alterations to bungalow and construction of garage after removal of existing garage	West Winch
11.03.2019	03.05.2019 Application Permitted	19/00435/F	B E Beers Europe Garage Lane Setchey Norfolk APPLICATION FOR A VARIATION OR REMOVAL OF CONDITION 2 OF PLANNING PERMISSION 13/00853/F: Alterations to the existing building to accommodate increased sales floorspace, creation of offices, cafe, bar and lounge seating with associated external landscape works	West Winch

08.02.2019	09.05.2019 Application Permitted	19/00240/F	50 Fitton Road Wiggshall St Germans King's Lynn Norfolk Proposed single storey domestic extension incorporating swimming pool and associated works	Wiggshall St Germans
14.02.2019	25.04.2019 Application Permitted	19/00294/RM	43 Common Road Wiggshall St Mary The Virgin Norfolk PE34 3EN Reserved Matters Application: construction of two pairs of semi-detached cottages	Wiggshall St Germans
20.03.2019	09.05.2019 Application Permitted	19/00517/F	Welsummer Barn 182 Fitton Road Wiggshall St Germans King's Lynn Proposed swimming pool, glazed link and internal alterations to the garage	Wiggshall St Germans
16.04.2019	23.04.2019 TPO Approved Work	19/00039/TPO	Fitton Hall 54 Fitton Road Wiggshall St Germans King's Lynn 2/TPO/00006: T13 - Sequoia - Fell due to decay	Wiggshall St Germans
04.04.2019	16.05.2019 Application Permitted	19/00635/F	85 West Way Wimbotsham King's Lynn Norfolk Extension and alterations to dwelling	Wimbotsham
26.02.2019	09.05.2019 Application Permitted	19/00357/F	West View Castle Road Wormegay King's Lynn Variation of condition 2 and 3 of planning permission 18/01373/F: Proposed new dwelling (amended design)	Wormegay
21.03.2019	09.05.2019 Application Permitted	19/00526/F	Alfred G Pearce Castle Road Wormegay King's Lynn Erection of storage building	Wormegay

28.03.2019	08.05.2019 Application Permitted	19/00576/F	3 Jane Forby Close Wretton King's Lynn Norfolk Proposed two-storey side extension	Wretton
------------	--	------------	--	---------

PLANNING COMMITTEE

3 June 2019

UPDATE ON TREE MATTERS

Prepared by Richard Fisher, Arboricultural Officer

1.0 Introduction

1.1 This report seeks to update Members on recent Tree Preservation Orders (TPO's) that have been served between 1st November 2018 – 30th April 2019, along with a summary on some of the other aspects of the work in relation to trees.

2.0 Summary of Work

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

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

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

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

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

Table 1 – Breakdown of tree related applications and work received since November 2018

	Numbers
Planning Applications	
Planning Applications considered	161
Pre-Applications considered	34
Applications to discharge tree and landscape conditions	25
New Tree Preservation Orders	
New TPO's served	11
TPO's with objections received (Planning Committee Confirmation)	2
Approved under delegated powers	4
Still to be confirmed	5
Tree Work Applications/Notifications	
Conservation Area Notifications approved	105
Conservation Area Notification Refused (TPO Served)	2
Conservation Area Notification Pending	2
Tree Preservation Order applications approved	51
Tree Preservation Order applications refused/partially refused	4 1
Tree Preservation Order applications appealed	2
Tree Preservation Order application pending	0

3.0 Details of TPO's Served and Confirmed since May 2018

- 3.1 11 TPOs has been served since November 2018. Where no objections have been received they have been confirmed under delegated powers. When objections have been received these will need to be considered by the Planning Committee, as to whether or not the TPO is confirmed. Since November 2018, 4 TPOs has been confirmed under delegated powers, 2 have been confirmed by planning committee with 5 awaiting confirmation.
- 3.2 We have received 2 appeals relating to decisions regarding works to protected trees and these are still ongoing.

4.0 Recommendation

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