

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



# **Planning Committee**

## **Agenda**

**Monday, 2nd March, 2020  
at 9.30 am**

in the

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





King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX  
Telephone: 01553 616200  
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**PLANNING COMMITTEE AGENDA**

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

**DATE: Monday, 2nd March, 2020**

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

**TIME: 9.30 am**

**1. APOLOGIES**

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

**2. MINUTES**

To confirm as a correct record the Minutes of the Meeting held on 3 February 2020.

**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 - 88)**

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

**9. DELEGATED DECISIONS (Pages 89 - 119)**

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

**To: Members of the Planning Committee**

Councillors F Bone, Mrs C Bower (Vice-Chair), A Bubb, C J Crofts (Chair), M Howland, C Hudson, C Joyce, J Kirk, B Lawton, C Manning, T Parish, S Patel, C Rose, A Ryves, S Sandell, Mrs V M Spikings, S Squire and M Storey

**Site Visit Arrangements**

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

If there are any site inspections arising from this meeting, these will be held on **Thursday, 5 March 2020** (time to be confirmed).



**Please note:**

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

Please note that the deadline for registering to speak on the application is 12 noon the working day before the meeting, **Friday 28 February 2020**. Please contact [borough.planning@west-norfolk.gov.uk](mailto:borough.planning@west-norfolk.gov.uk) or call (01553) 616818 or 616234 to register.

**For Major Applications**

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

**For Minor Applications**

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

For Further information, please contact:

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

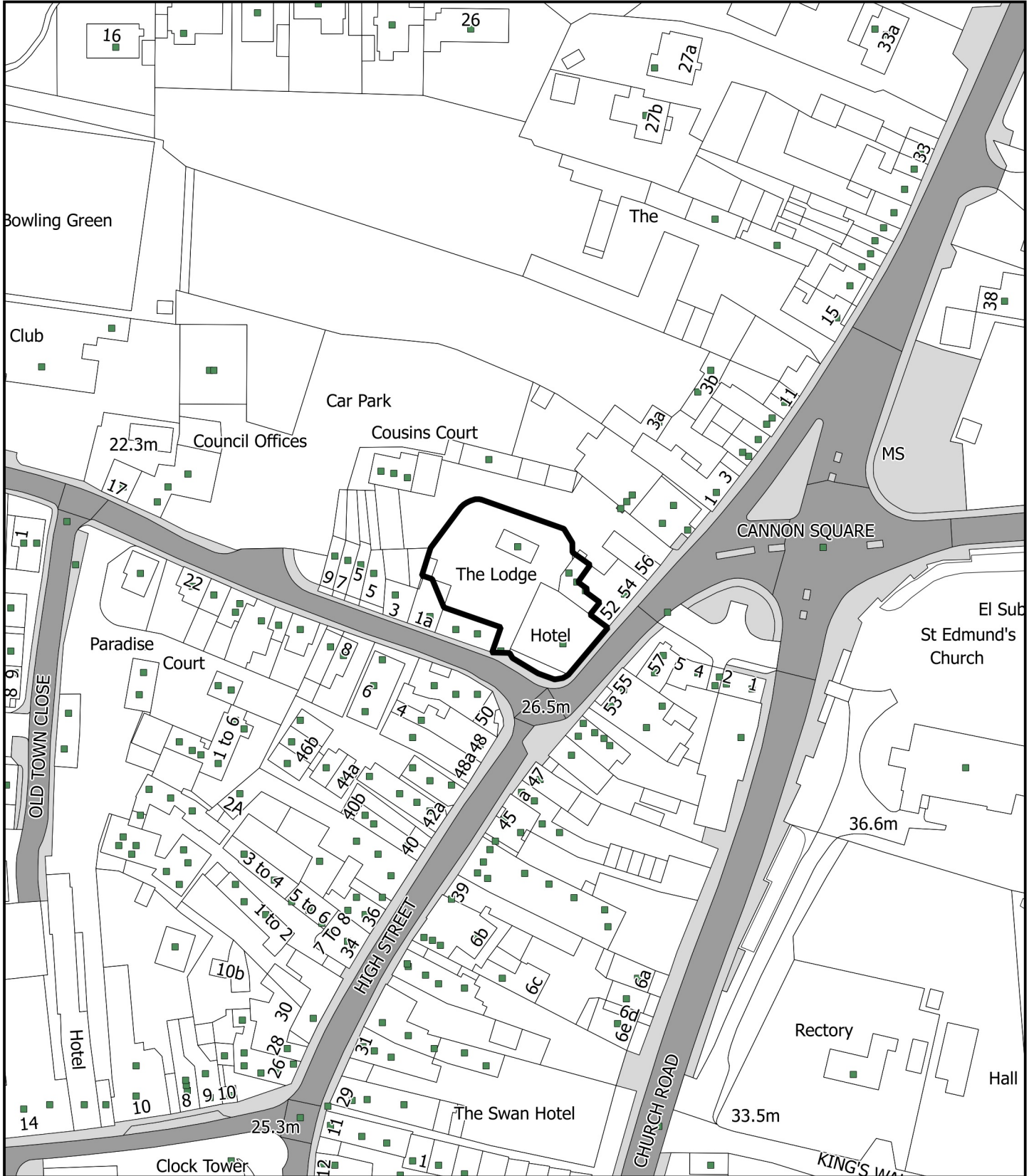
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE  
PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 2 MARCH 2020**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
<b>8/1</b>	<b>OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE</b>			
<b>8/1 (a)</b>	<b>19/02110/F</b> Castle Hotel High Street Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area	<b>DOWNHAM MARKET</b>	<b>APPROVE</b>	<b>8</b>
<b>8/1 (b)</b>	<b>19/02111/LB</b> Castle Hotel High Street Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area	<b>DOWNHAM MARKET</b>	<b>APPROVE</b>	<b>20</b>
<b>8/1 (c)</b>	<b>19/01564/RM</b> 34 Nightingale Lane Reserved Matters Application: construction of 4 dwellings	<b>FELTWELL</b>	<b>APPROVE</b>	<b>29</b>
<b>8/1 (d)</b>	<b>19/02115/F</b> Meadows Caravan Park Lamsey Lane Proposed Extension to an existing established static caravan site	<b>HEACHAM</b>	<b>APPROVE</b>	<b>40</b>
<b>8/1 (e)</b>	<b>19/02128/F</b> 37 South Moor Drive Change of use from annex to holiday let (retrospective)	<b>HEACHAM</b>	<b>APPROVE</b>	<b>50</b>
<b>8/1 (f)</b>	<b>19/01866/F</b> The Whins 25 Low Road To replace the existing farmhouse with a 2 storey detached property	<b>ROYDON</b>	<b>REPORT TO FOLLOW</b>	

<b>Item No.</b>	<b>Application No. Location and Development</b>	<b>Description of Site</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
8/1 (g)	19/00963/F	Land South West of Flying Field Farm Wheatley Bank Change of use of paddock to 5 pitches for traveller families each comprising a day room, space for a mobile home and touring caravan as well as car parking and landscaping	WALSOKEN	APPROVE	57

# 19/02110/F

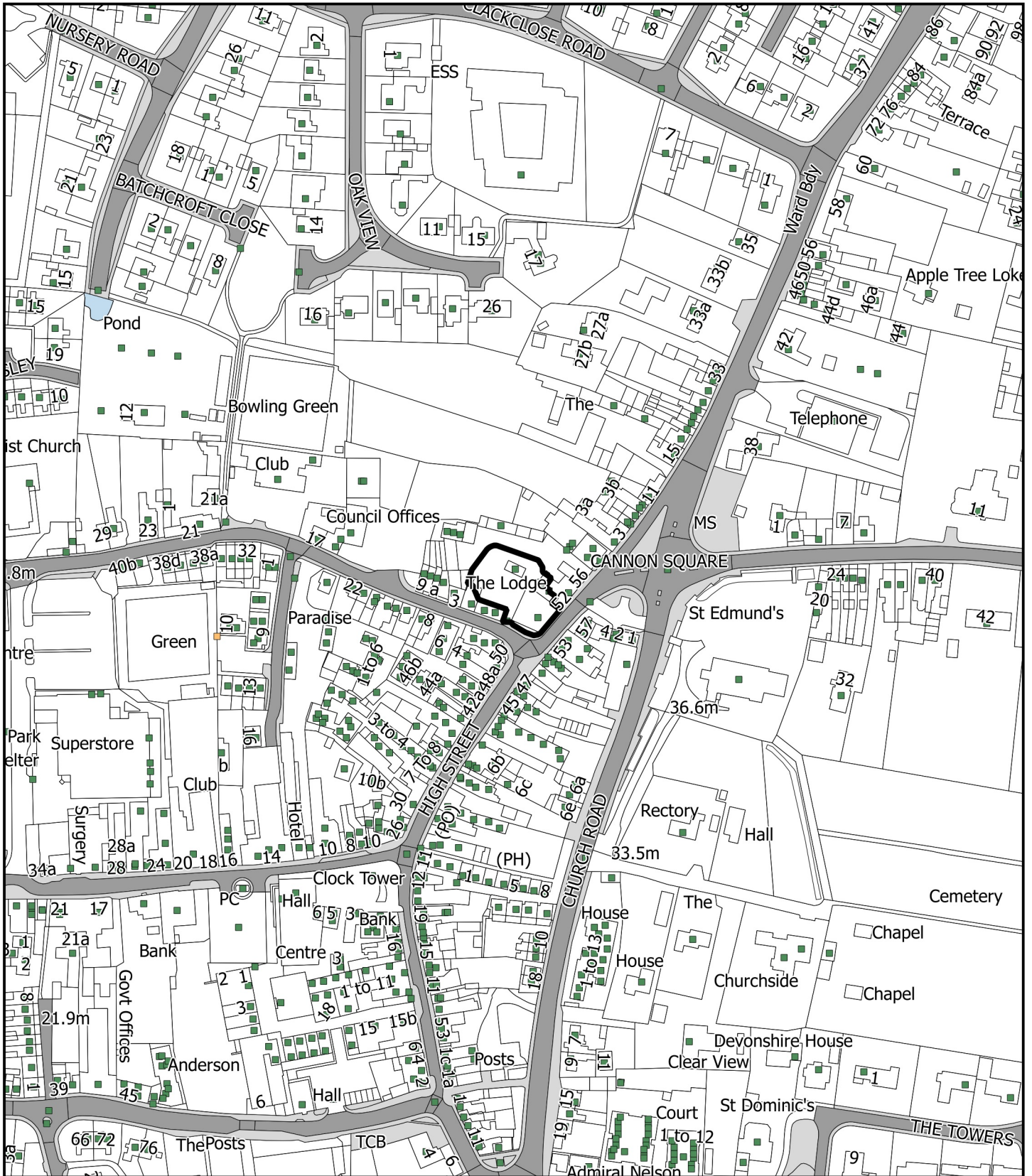
## Castle Hotel High Street Downham Market





# 19/02110/F

## Castle Hotel High Street Downham Market



## AGENDA ITEM NO: 8/1(a)

<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area</b>	
<b>Location:</b>	<b>Castle Hotel High Street Downham Market Norfolk</b>	
<b>Applicant:</b>	<b>The Castle Hotel (DM) Limited</b>	
<b>Case No:</b>	<b>19/02110/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 11 February 2020 Extension of Time Expiry Date: 6 March 2020</b>

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

**Neighbourhood Plan:** No

### **Case Summary**

The application site is that of The Castle Hotel, which is a Grade 2 listed building on the northern corner of the mini-roundabout junction of High Street, Paradise Road and Lynn Road at the centre of Downham Market. The property also lies within the Conservation Area of the town.

This proposal seeks to convert the existing 12 bedroomed hotel into 6 No. flats; convert the single storey brewhouse in the rear yard into a 1 bedroomed dwelling and extend it to create a further similar unit. This would be a total of 8 No. dwellings.

There are minor external alterations to the main three storey building comprising of re-opening two doorways and a window; internal works involve new stud walls and creation of openings in existing studwork; plus alterations to a staircase in the north wing. The extension to the brewhouse is single storey and of similar style, materials and features as the existing building. A utilitarian double garage in the south-western corner of the courtyard is also to be demolished.

The application is accompanied by a Planning Statement, Heritage Statement, Tree Survey and Marketing information from the owner. A declaration has also been made to the effect that the applicant is a direct relation of a member of our Planning staff.

### **Key Issues**

Principle of development  
Impact upon character of the listed building and conservation area  
Parking  
Other material considerations

## **Recommendation**

**APPROVE**

### **THE APPLICATION**

The application site is that of The Castle Hotel, which is a Grade 2 listed building on the northern corner of the mini-roundabout junction of High Street, Paradise Road and Lynn Road at the centre of Downham Market. The property also lies within the Conservation Area of the town.

This proposal seeks to convert the existing 12 bedroomed hotel into 6 No. flats; convert the single storey brewhouse in the rear yard into a 1 bedroomed dwelling and extend it to create a further similar unit. This would be a total of 8 No. dwellings.

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The application is accompanied by a Planning Statement, Heritage Statement, Tree Survey and Marketing information from the owner. A declaration has also been made to the effect that the applicant is a direct relation to a member of our Planning staff.

There is an accompanying application for listed building consent (ref: 19/02111/LB) which is included elsewhere in this agenda.

### **SUPPORTING CASE**

The agent has submitted the following statement in support of this application:

“In January 2016, the hotel was placed on the market with Fleurets Estate Agents as it was the Applicants intention to retire. The hotel went on the market at an initial price of £545,000. In March 2017 after little interest the Applicant changed Agents to Christies and further reduced the price. With little interest last year, the Applicant moved Agents again to KSL and reduced the price further. Each Agent has undertaken a full marketing campaign and during all this time the hotel has been advertised on Rightmove. The hotel is now currently on the market for £475,000, which is a reduction of £70,000 off the original asking price. In the four years the property has been on the market there has been little interest and no offers. The hotel continues to stay on the market during this application, but no further viewings have been forthcoming.

The Applicant did consider employing a manager to run the hotel, however, to replace the hours worked by the Applicant and his wife would have cost over £60,000 (including bonuses). The Applicants Accountant has advised against this option as the hotel's turnover could not absorb these costs and therefore the hotel would not survive.

Whilst the loss of hotel accommodation is regrettable, there is alternative holiday accommodation in Downham Market, including the Crown Hotel, the Swan Hotel, Style

Cottage B&B, Chestnut Villa Guest House and the Dial House Guest House. There is also Pilots Retreat which offers a three bedroomed holiday home. In the nearby area there is also Cherry Tree Air BNB, Andel Lodge and the Timbers Hotel, which has approximately 40 rooms.

In the 29 years the Applicant has operated the hotel, he has never known there to be an occasion when no alternative rooms have been available. Furthermore, recent research confirms that there is always sufficient number of available rooms in these alternative establishments to cope with the demand in the locality.

The Applicant is devastated that he has not been able to sell the hotel as a going concern, having put his life and soul into making the hotel a success. However, at 64 and now with health issues, the Applicant has been advised by his Doctor to retire, so has no option but to close the hotel on the 30th of March, which coincides with the end of the financial year.

The Applicant has therefore had to consider alternative options, of which resulted in developing the scheme the subject of this application. It goes without saying that early engagement with a Heritage Consultant and architect has resulted in a scheme that is not only considered to be the best alternative solution to retaining the character, appearance and integrity of the building as a Grade II Listed Building, but also the most appropriate alternative use to the loss of the hotel. The Applicant has further responded favourably to comments made by the Conservation Team and following a meeting has submitted amended plans retaining a second staircase in its current form. Therefore, whilst the closure of the hotel is inevitable, the Applicant is satisfied that the proposal will result in the long-term preservation of this Grade II Listed Building, for the enjoyment of all future occupiers, and for the streetscene, Conservation Area and wider Town Centre area.”

## **PLANNING HISTORY**

19/02111/LB: Pending decision and reported elsewhere in this agenda: LISTED BUILDING APPLICATION: Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area

15/01487/LB: Application Permitted: 18/11/15 - Listed building application for proposed alteration

## **RESPONSE TO CONSULTATION**

**Downham Market Town Council: REFUSE** - The proposed development by reason of the loss of hotel accommodation, would adversely affect the vitality and viability of Downham Market Town Centre.

**Highways Authority: NO OBJECTION**

**IDB: No comments received**

**Historic England: NO COMMENTS** - suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** – recommends informative note relating to asbestos-containing materials.



**Environmental Health & Housing – CSNN: NO OBJECTION** subject to conditions with regards to noise protection (from road traffic and shops) and a lighting scheme.

**Conservation Officer: NO OBJECTION** - In accordance with paragraph 193 of the NPPF, great weight should be given to a heritage asset's conservation. In this case, the proposed alterations will lead to 'less than substantial harm' to the significance of this heritage asset - mainly by virtue of one aspect of the proposed design, namely the removal of a staircase to the north wing. However, the long-term public benefits of securing a sustainable use for this building, without impacting upon its impressive interior, outweigh this less than substantial harm. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective (paragraphs 7 and 8); this application on balance complies with this aim.

**Arboricultural Officer: NO OBJECTION (verbally)** subject to condition that the development is carried out in accordance with the Tree Survey.

## **REPRESENTATIONS**

**ONE** item of correspondence received **OBJECTING** on the following grounds:

- Surface water drainage implications on adjoining property; and
- Insufficient parking putting additional strain on the free car park and adversely affect footfall and trade to local shops.

**ONE** item of correspondence (from The Lodge, Castle Yard) **SUPPORTING** the application, but seeking confirmation of the maintenance of a right of way through the yard for repair and maintenance purposes, and in case of emergency.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS04** - Downham Market

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

**Policy F1.1** - Downham Market Town Centre Area and Retailing

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

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM9** - Community Facilities

### **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 Design Guide 2019

### **PLANNING CONSIDERATIONS**

The key issues in considering this application are as follows:

- Principle of development
- Impact upon character of the listed building and conservation area
- Parking
- Other material considerations

#### **Principle of development**

The site lies in the town centre of Downham Market as defined in Inset F1 of the Site Allocations & Development Management Policies Plan (SADMPP). Policy F1.1 applies which states inter alia:

“...2. The Borough Council will promote this area as the prime focus in the town for retail, community and professional services, leisure, culture and entertainment. The historic character, local distinctiveness, facilities, amenity and vibrancy of the area will be maintained and enhanced, both for their own sake and to strengthen the appeal of the town centre...”

...4. Other uses which contribute to the character and vibrancy of the town centre will be encouraged, including residential (C3), and offices/light industry (B1). The development of high-quality housing in the town centre would be particularly welcomed for its contribution to its architectural quality, social mix, and economic health...”

Policy DM9 – Community Facilities – of the SADMP states:

“The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth. Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:

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

This is not the last hotel within the town – The Swan Hotel and Crown Hotel remain. With regards to the stock of rentable accommodation in the locality, the loss of 12 bed spaces would not have a significant impact given its struggle to be profitable which will be further addressed below. Indeed it may be argued that its loss could consolidate and bolster the existing facilities in the town and its surrounding area. Once again the loss of a bar and restaurant, which is ancillary to the main hotel use, relative to the existing supply in the town would be relatively insignificant – The Whalebone, The Cock Tavern and Live & Let Live remain, together with several dining facilities (Dang’s Thai Restaurant, Downham Tandoori, Titash, Giardini de Naxos etc.). The town would remain suitably served by the remaining hotels, restaurants and public houses. It is clear from the information submitted as part of this application that the facility will close at the end of March anyway.

The agent’s statement of support for the application above, clearly describes the steps taken by the applicant to sell the hotel as a ‘going concern’.

The applicant informs that the property was first put on the market on the 19th of January 2016 with Fleurets Leisure Property Specialists at a figure of £545,000. The property remained on the market with them for 14 months and in which time there were only two viewings which came to nothing.

In March 2017 the property was put on the market with Christie and Co.

The Castle Hotel was originally marketed for £540,000. After 6 months it was reduced to £515,00 and after another 6 months it was reduced to £495,00. The final price with Christies was £475,000. It was on the market with them for two years in which time there were 6 viewings which also came to nothing.

In March 2019, it was marketed with KSL & LHH Solutions at an asking price of £485,000. It is at present still on the market with them and to date there have been five viewings with no offers being made.

During the whole period that the hotel has been on the market it has also been on the web site Rightmove.

Copies of the relevant marketing information from the above companies, a copy of an article in the Downham Life magazine showing the hotel for sale, and a marketing video have been viewed.

The marketing exercise has therefore been undertaken since 2016 and indeed the property is still on the market. As stated above, during that time there has been little interest and no offers received.

A summary of the business accounts has also been submitted showing the revised profit before tax for the preceding three full tax years; at 30 March 2016 there was a marginal profit of £329, with the last tax year return running at a significant deficit of £14,196.

This indicates that the hotel has not been viable for some considerable time. The alternative use as residential flats appears to be compatible with F1.1 as reported above, and would still contribute to the vibrancy of the town centre. More people living in the town centre will support the existing shops and facilities.

## **Impact upon character of the listed building and conservation area**

This issue is covered in more detail by an associated application for listed building consent (ref: 19/02111/LB), which is also contained in this agenda.

There would be limited alterations to the appearance and character of this listed building. The changes would be mainly internal with the erection of new, and openings created in existing, stud walling, plus alterations to a staircase in the north wing. A former doorway and window at ground floor would be re-opened facing into the yard area plus a doorway re-opened in the shopfront element facing onto Cannon Square. A utilitarian flat roofed double garage in the south-western corner of the yard is proposed to be demolished to create more open parking. The garage has no historic or architectural merit and its loss/removal is welcomed.

The public views of the building are maintained and only a sensitive modification introduced. The character and appearance of the building and its Conservation Area setting are preserved and indeed enhanced by the removal of the garage building.

Historic England raise no objection to this proposal and defers to the views of our specialist conservation and archaeological advisors. Our Conservation Officer makes the following conclusion with regards to the listed building application:

“In accordance with paragraph 193 of the NPPF, great weight should be given to a heritage asset's conservation. In this case, the proposed alterations will lead to ‘less than substantial harm’ to the significance of this heritage asset - mainly by virtue of one aspect of the proposed design, namely the removal of a small staircase to the north wing. However, the long-term public benefits of securing a sustainable use for this building, without impacting upon its impressive interior, outweigh this less than substantial harm. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective (paragraphs 7 and 8); this application on balance complies with this aim.”

The proposal therefore accords with the provisions Paragraphs 193 & 196 of the NPPF and Policy CS12 of the LDF.

## **Parking**

The hotel has its own vehicular access off Paradise Road leading to an enclosed gravelled yard area to the west/rear containing the brewhouse and a mature Yew tree. There is currently adequate parking to cater for this existing 12 bedroomed facility. NCC parking standards indicate 12 spaces for a 12 bedroomed Class C1 use.

Altogether there will be 13 bedrooms in the proposed scheme. The NCC parking standard indicates that for 5 x 1 bed units, a 1 x 2 bed unit, and 2 x 3 bed units, 11 parking spaces should be provided (5 spaces + 2 spaces + 4 spaces). These standards are echoed in Policy DM17 of the SADMPP 2016. The layout shows 11 No. spaces dedicated for the eight residential units, hence it is considered the scheme provides adequate parking to meet the Norfolk County Council standard and the policy requirement.

Whilst the concerns of the objector are noted, the views of the technical consultee/Local Highway Authority are noted (i.e. no objection) and shared by your officers. This is also a highly sustainable location for residential units within easy walking distance from bus stops and the railway station. There are numerous examples of town centre residential/flat

developments in Downham Market which have been approved without any associated parking facilities at all.

Overall the proposal accords with the provisions of Policy DM17 of the SADMP.

### **Other material considerations**

There are no significant crime and disorder concerns raised by this proposal.

There is a mature Yew tree within the yard area and close to the former brewhouse and proposed extension. A Tree Survey produced by Golden Tree Surgeons accompanies the application which concludes that the extension can be built on a floating beam/no dig system or similar design to avoid damage to the tree. This can be secured via condition.

The right of way to the adjoining property, The Lodge, for maintenance and emergency purposes is a civil, rather than a planning, matter but space is available for that to be accommodated.

Details of how the communal garden area dedicated to the proposed flats is intended to be maintained, may be secured via condition.

Concerns regarding surface water drainage have been raised; whilst this proposal involves building an extension, the block plan shows that the yard/hardstanding area has been reduced and soft landscaped gardens introduced adjoining the Castle Yard development to the north. No comments have been received from the IDB.

CSNN have requested conditions with regards to noise protection (from road traffic and shops) and a lighting scheme; this is however a town centre site and change from hotel to residential flats would not be so significant as to warrant such conditions to be imposed. It is considered that the application of such would fail the tests to be applied to the use of conditions by virtue of being unnecessary.

Bin and cycle storage for the flats are to be contained within the existing building; the two semi-detached units in the yard will have their own separate facilities.

Flats do not have permitted development rights, but the converted brewhouse and extended unit create new separate dwellings. In order to allow the Local Planning Authority to retain control over alterations, extensions and outbuildings, permitted development rights are proposed to be removed via condition.

### **CONCLUSION**

Whilst the concerns of the Town Council are noted, the applicant has demonstrated a lengthy but unsuccessful marketing exercise to sell the premises as a going concern, and the closure of the hotel is imminent. The loss of the hotel would not be so significant upon the overall stock of accommodation offered to visitors, public houses and restaurants in this locality as to warrant a reason for refusal.

The proposed change of use, with very minor physical external and external alterations to the listed building, plus a sensitive single storey extension within the courtyard area, would constitute 8 No. additional housing units in the town centre, which would help to maintain its character and vibrancy. Its conversion into residential units would create 'less than substantial harm' to the significance of this heritage asset/listed building and the long-term

public benefits of securing a sustainable use for this building, without impacting upon its impressive interior, outweigh this less than substantial harm.

The proposal therefore accords with the provisions of the NPPF, Core Strategy Policies CS01, CS02, CS04, CS08 & CS12 of the LDF and Policies DM1, DM2, DM9, DM15, DM17 & F1.1 of the SADMPP. The application is duly recommended for approval subject to certain conditions stated below.

## **RECOMMENDATION:**

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

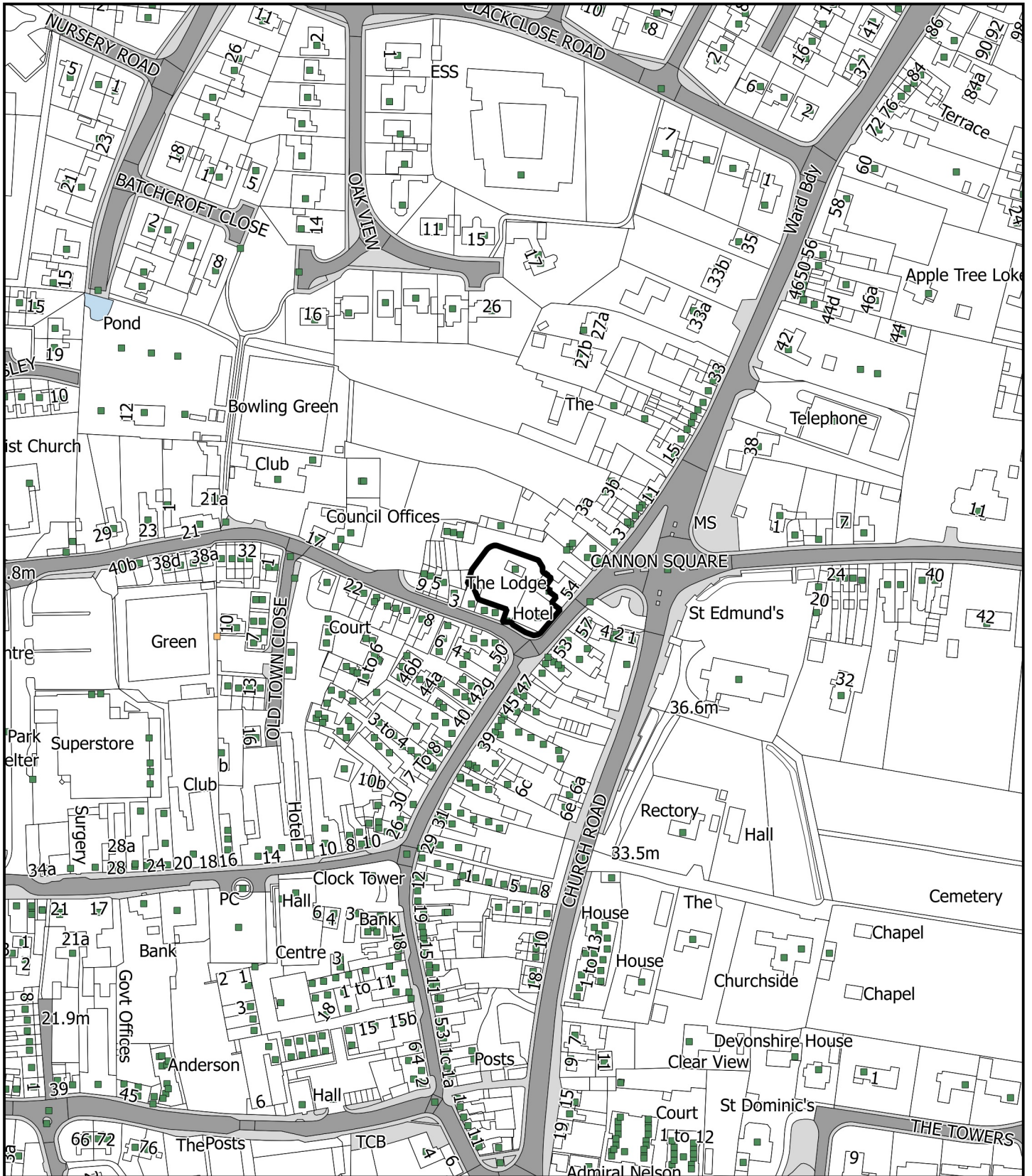
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: 19082 10-1, 19082 11-1 & 19082 12-1.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The development hereby approved shall be implemented in accordance with the Tree Survey prepared by Golden Tree Surgeons and submitted as part of this application.
- 3 Reason To safeguard the mature Yew tree and to accord with the provisions of the NPPF and Policy CS12 of the LDF.
- 4 Condition Prior to occupation of the development hereby approved, the associated on-site car parking and turning areas shall be laid out, demarcated, levelled, surfaced and drain in accordance with the approved plan and retained thereafter for that specific use.
- 4 Reason To ensure the permanent provision and availability of the parking and manoeuvring areas in the interests of residential amenity and highway safety; in accordance with the provisions of the NPPF, Policies DM15 & DM17 of the SADMPP.
- 5 Condition Prior to occupation of the flats hereby approved, details of the maintenance of the associated communal garden area shown on the approved plan (Dwg No. 19082 10-1) shall have been submitted to, and agreed in writing by, the Local Planning Authority. The communal garden area shall be retained and maintained thereafter in accordance with those details agreed.
- 5 Reason In order to secure the provision and maintenance of the communal garden area in the interests of visual and residential amenity of future occupiers; and to accord with the provisions of the NPPF and Policies CS08 & CS12 of the LDF plus Policy DM15 of the SADMPP.
- 6 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, D, E & G of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the dwellinghouse, additions to the

roof, addition of porches, buildings etc. incidental to the enjoyment of the dwellinghouse, or chimneys, flues etc. shall not be allowed without the granting of specific planning permission.

- 6 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the appearance of the dwellings and the setting of the listed building and conservation area, if otherwise allowed by the mentioned Order.

# 19/02111/LB

## The Castle Hotel High Street Downham Market





# 19/02111/LB

## The Castle Hotel High Street Downham Market



**AGENDA ITEM NO: 8/1(b)**

<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>LISTED BUILDING APPLICATION: Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area</b>	
<b>Location:</b>	<b>Castle Hotel High Street Downham Market Norfolk</b>	
<b>Applicant:</b>	<b>The Castle Hotel (DM) Limited</b>	
<b>Case No:</b>	<b>19/02111/LB (Listed Building Application)</b>	
<b>Case Officer:</b>	<b>Steven King</b>	<b>Date for Determination: 11 February 2020</b>

**Reason for Referral to Planning Committee** – The views of the Town Council are contrary to the officer recommendation and at the request of Cllr Shimit Patel.

**Neighbourhood Plan:** No

**Case Summary**

The application site is that of The Castle Hotel, which is a Grade 2 listed building on the northern corner of the mini-roundabout junction of High Street, Paradise Road and Lynn Road at the centre of Downham Market.

This proposal seeks to convert the existing 12 bedroomed hotel into 6 No. flats; convert the single storey outbuilding in the rear yard into a 1 bedroomed dwelling and extend it to create a further similar unit. This would be a total of 8 dwellings.

There are minor external alterations to the main three storey building comprising of re-opening two doorways and a window; internal works involve new stud walls and creation of openings in existing studwork. A utilitarian double garage in the south-western corner of the courtyard is to be demolished.

The application is accompanied by a Heritage Statement and planning statement. A declaration has also been made to the effect that the applicant is a direct relation to a member of our Planning staff.

The application is accompanied by an additional application for planning permission 19/02110/F which is also on the agenda.

**Key Issues**

Impact upon the fabric and appearance of the listed building.

**Recommendation**

**APPROVE**

## THE APPLICATION

This property was listed Grade II under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest in February 1949 with the statutory entry as follows:

Mainly C18, but core probably earlier, carstone and brick. Front, stuccoed, centre with vermiculate rustications. 2 storey and attics, with windows at ends. Good main entrance with Venetian window above, and half moon window at 2nd floor in pediment. 5 flush frame sash windows at 1st floor with glazing bars. Battlemented parapet, with ends swept up. Pantiled and tiled mansard. Castle Hotel and Nos 52 to 56 (even) form a group.

The conversion of the hotel has provided units, which in some cases span more than one floor. Unit 1 forms an apartment on two floors and retains the high quality rooms to the ground and first floors along with the sweeping and impressive staircase. Furthermore the modern 20th century bar will be removed from the west ground floor room re-instating the rooms original proportions.

Unit 2 is accommodated on the ground floor only and is formed by the restaurant space facing onto the High Street, the large 20th century flat roofed section to the rear, which will be sub-divided to form two bedrooms and the rear lean to section of the frontage block. The creation of this apartment will reopen the blocked window to the historic lean to section along with the re-instatement of the entrance to the High Street, forming part of the historic shop front, which will also be repaired.

Comprising the whole area of the first floor above the north wing, unit 3 has an awkward shape but retains all the first floor of the north wing together. Unit 3 sees the biggest alteration proposed, the removal of the small service stair case to the second floor. This is a late Victorian staircase and was inserted when the north wing was heightened at some point around 1897. Whilst this is regrettable and causes some harm, this staircase is of less significance than either the main front staircase or the elegant 19th century staircase to the rear wing.

Unit 4 is created on the first floor of the rear, nineteenth century extension with access from the rear service stairs. Modern studwork will be removed to create an en-suite, and a former door will be reinstated. The ground floor of this wing floor currently contains the kitchen and storage area of the hotel with two doors leading outside, one of which is blocked. It is proposed to unblock this to provide access to a bin store, whilst the second door allows access to the stairwell and stairs serving the flats above.

Unit 5 provides a three bedroomed apartment and occupies the top floor of the hotel and its north wing. This is accessed via a new door from the stairwell. Modern studwork walls in the two front rooms are to be removed which will restore the proportion of the original rooms. The attic and stairs are retained and will form storage space to Unit 5.

Since the application was initially submitted, the proposals for unit 6 have been amended further to discussions with the conservation officer. Unit 6 mainly repeats the design of Flat 4 below, but the layout has been amended to allow for the retention of the whole of the 19th century staircase.

Both cellars are retained and will be available for storage.

Units 7 and 8 will housed in the outbuildings located in the rear yard. Only a small section remains of a previously larger range of stables and outbuildings. The stable fittings have long since gone and the building is now used for informal storage. The building is of significance as the last remaining outbuilding in the hotel yard.

The remains of the former stables will form a single bedroomed unit, unit 7. A modern timber shed attached to the stables will be demolished and a new entrance created but all other existing openings are retained. The stables are extended by a similar footprint to create a second dwelling - unit 8. Materials will precisely match the stable with white painted facing brick, natural slate and painted external timber joinery. The extension follows the pattern of the former range of outbuildings and is rebuilt to the approximate scale.

A modern double garage will be demolished within the yard.

## **SUPPORTING CASE**

A Heritage Impact Assessment has been submitted which concludes the following:  
"The level of harm is in terms of the NPPF, 'less than substantial'. Indeed it is minimal and in such a case the public benefits which accrue should outweigh the level of harm caused (paragraph 196).

The proposal puts the heritage asset to a viable use consistent with its conservation. It ensures its long-term viability whilst providing a range of residential units. Though the hotel business is lost, the proposed residential use will benefit the town's businesses and facilities. A further public benefit results from its enhanced setting.

Consequently, in this case the balance is in favour of the proposed development. It satisfies both national planning guidance and local planning policies"

The agent has also submitted a general statement in support of the application part of which refers to the impact upon the historic fabric.

"It goes without saying that early engagement with a Heritage Consultant and architect and has resulted in a scheme that is not only considered to be the best alternative solution to retaining the character, appearance and integrity of the building as a Grade II Listed Building, but also the most appropriate alternative use to the loss of the hotel. The Applicant has further responded favourably to comments made by the Conservation Team and following a meeting has submitted amended plans retaining a second staircase in its current form. Therefore, whilst the closure of the hotel is inevitable, the Applicant is satisfied that the proposal will result in the long-term preservation of this Grade II Listed Building, for the enjoyment of all future occupiers, and for the street scene, Conservation Area and wider Town Centre area."

## **PLANNING HISTORY**

19/02110/F: Pending decision and reported elsewhere in this agenda: FULL APPLICATION: Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area

15/01487/LB: Application Permitted: 18/11/15 - Listed building application for proposed alteration (Delegated)

## RESPONSE TO CONSULTATION

**Downham Market Town Council:** The proposed development by reason of the loss of hotel accommodation, would adversely affect the vitality and viability of Downham Market Town Centre.

**Historic England: NO COMMENTS** - suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

## REPRESENTATIONS

**ONE** item of correspondence received **OBJECTING** on the following grounds:

- Surface water drainage implications on adjoining property; and
- Insufficient parking putting additional strain on the free car park and adversely affecting footfall and trade to local shops.

**ONE** item of correspondence (from The Lodge, Castle Yard) **SUPPORTING** the application but seeking confirmation of the maintenance of a right of way through the yard for repair and maintenance purposes, and in case of emergency.

## LDF CORE STRATEGY POLICIES

**CS12** - Environmental Assets

## SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

**DM15** – Environment, Design and Amenity

## NATIONAL GUIDANCE

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

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF  
National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Design Guide 2019

## PLANNING CONSIDERATIONS

The main considerations in the determination of this application is whether the development harms the significance of the designated heritage asset and if this harm is necessary to achieve public benefits that outweigh that harm.

There would be limited alterations to the appearance and character of this listed building. The changes would be mainly internal with the erection of new openings created in existing, stud walling. A former doorway and window at ground floor would be re-opened facing into

the yard area plus a doorway re-opened in the shopfront element facing onto Cannon Square. A utilitarian flat roofed double garage in the south-western corner of the yard is proposed to be demolished to create more open parking. The garage has no historic or architectural merit and its loss/removal is welcomed.

Paragraph 193 of the NPPF states "When considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harms amounts to substantial harm, total loss or less than substantial harm to its significance"

This proposal has been sympathetically developed, with a clear recognition of what elements of the listed building are significant, and clear weight given to the historic building's conservation. Whilst the removal of the 19<sup>th</sup> century small service staircase to the north wing is regrettable, this allows the creation of unit 3, which in itself ensures more of the building's remaining historic fabric will be conserved in line with paragraph 193 of the NPPF.

Any harm to a listed building requires clear and convincing justification as required by Paragraph 193. The degree of harm must be assessed in conjunction with Paragraphs 195 and 196. In the officer's view, the proposed alterations to the building's plans will lead to 'less than substantial harm to the significance of the heritage asset as opposed to substantial harm'. Therefore, Paragraph 196 of the NPPF rather than Paragraph 195 applies which states: "Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

In this case, the potential long term use of the building as apartments provides a sustainable use ensuring the future maintenance and longevity of the building. The important interiors would remain intact. On balance this less than substantial harm to the Grade II listed building is considered to be justified and acceptable in the context of the guidance set out in the NPPF.

## **CONCLUSION**

In accordance with paragraph 193 of the NPPF, great weight should be given to a heritage asset's conservation. In this case, the proposed alterations will lead to less than substantial harm to the significance of this heritage asset mainly by virtue of one aspect of the proposed design, namely the removal of the staircase to the north wing. However, the long-term public benefits of securing a sustainable use for this building, without impacting upon its impressive interior, outweigh this less than substantial harm. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective (paragraphs 7 and 8); this application on balance complies with this aim.

The application is therefore duly recommended for approval subject to certain conditions stated below.

## **RECOMMENDATION:**

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

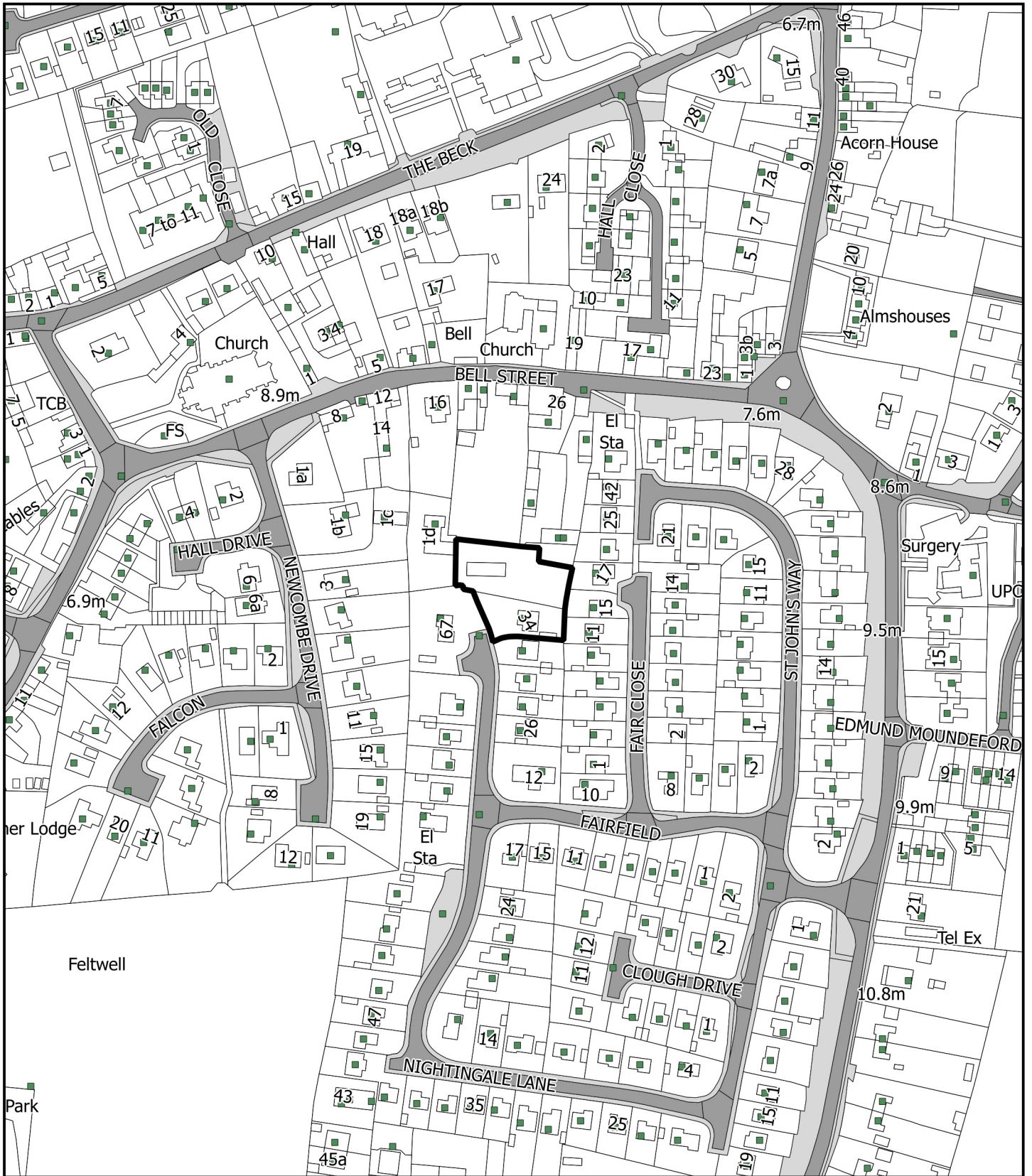
- 1 Condition This Listed Building Consent is granted subject to the condition that the works to which it relates shall be begun not later than the expiration of three years from the date of this consent.
- 1 Reason To ensure a satisfactory standard of works in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 2 Condition The proposed works shall be carried out strictly in accordance with the approved plans and specifications 19082 10-1 (received 03/02/2020), 19082 11-1 (received 03/02/2020) & 19082 12-1 (received 17/12/2019) except where modified by the conditions of this consent. Where, in these conditions, details of any materials, methods of work, colours, types of application, schemes of investigation or protection or any other matter are to be agreed or approved, no works shall be carried out other than in accordance with such agreed or approved details.
- 2 Reason To ensure a satisfactory standard of works in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 3 Condition The brick/stone to be used for the external surfaces of the proposed extension and repairs to the outbuilding hereby approved shall be constructed in accordance with a sample panel, prepared on site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond, and pointing technique to be used in the approved scheme.
- 3 Reason To ensure that the materials are in keeping with the Listed Building in accordance with the principles of the NPPF
- 4 Condition All mortar, plaster and render to be used in the works hereby approved shall be lime rich and cement free to a specification to be agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 4 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 5 Condition A detailed schedule of those windows to be repaired/replaced shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall detail the proposed method of repair and no windows shall be repaired/replaced unless otherwise in accordance with the approved schedule. The development shall be implemented in accordance with the approved details.
- 5 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 6 Condition All existing doors and windows shall be retained within the existing openings unless otherwise agreed in writing by the Local Planning Authority.
- 6 Reason To ensure that such details are retained in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 7 Condition Details of all new and replacement gutters and down pipes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

- 7 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 8 Condition Soil and vent pipes shall be internal and painted black where they project above the roof unless otherwise approved in writing by the Local Planning Authority.
- 8 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 9 Condition Full details of all extractor vents, heater flues and meter boxes including their design and location shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Installation shall be carried out in accordance with the approved details.
- 9 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 10 Condition All existing historic internal decorative plasterwork and internal joinery (including skirtings, doors, architraves, dado and picture rails) shall be retained and carefully repaired in accordance with a schedule of works to be submitted to and approved in writing by the Local Planning Authority prior to work commencing.
- 10 Reason To ensure that such details are retained in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 11 Condition All original fireplaces and grates shall be retained in-situ unless otherwise approved in writing by the Local Planning Authority.
- 11 Reason To ensure that such details are retained in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 12 Condition All new internal partitions shall be scribed around existing ornamental plaster and timber mouldings.
- 12 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.



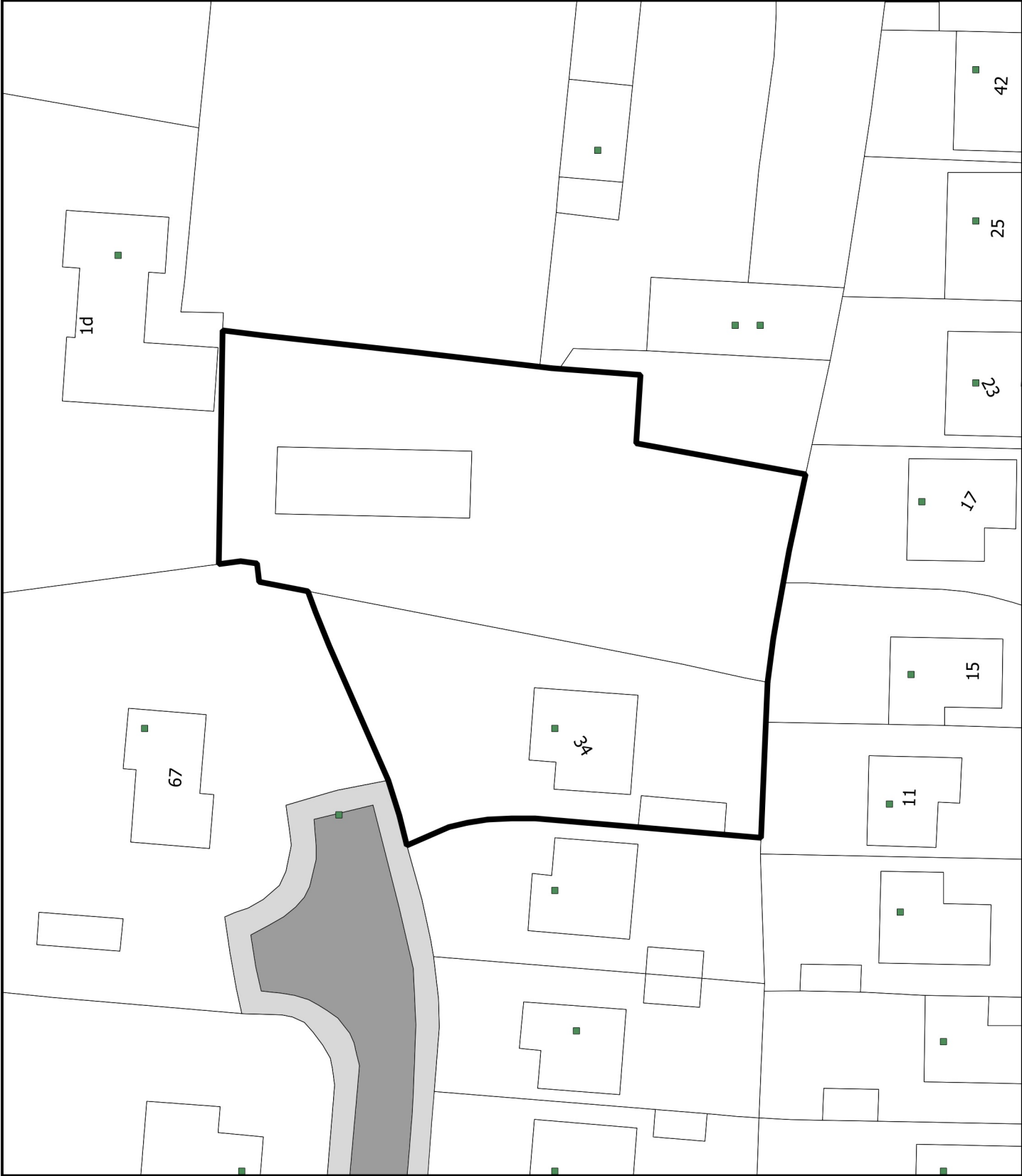
# 19/01564/RM

## 34 Nightingale Lane Feltwell



# 19/01564/RM

34 Nightingale Lane Feltwell



**AGENDA ITEM NO: 8/1(c)**

<b>Parish:</b>	<b>Feltwell</b>	
<b>Proposal:</b>	<b>Reserved Matters Application: Construction of 4 dwellings</b>	
<b>Location:</b>	<b>34 Nightingale Lane Feltwell Thetford Norfolk</b>	
<b>Applicant:</b>	<b>TB Construction (East Anglia ) Ltd</b>	
<b>Case No:</b>	<b>19/01564/RM (Reserved Matters Application)</b>	
<b>Case Officer:</b>	<b>Mrs C Dorgan</b>	<b>Date for Determination: 31 October 2019 Extension of Time Expiry Date: 6 March 2020</b>

**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 seeking consent for the construction of four dwellings off a single point of access between numbers 34 and 67 Nightingale Lane, with parking and turning facilities to the front of the dwellings and private gardens to the rear.

The site is located within the built extent of the village of Feltwell and the development boundary for the village of Feltwell, which is categorised as a joint Key Rural Service Centre in the adopted Local Plan (specifically the Site Allocations and Development Management Policies Plan (SADMP)).

The applicant has outline planning consent for up to 4 dwellings with access approved (ref: 18/02061/O).

**Key Issues**

Principle of development  
Form and Character  
Neighbour Amenity  
Highways/ Access  
Other material considerations.

**Recommendation:**

**APPROVE**

## THE APPLICATION

This application is seeking consent for the construction of four dwellings off a single point of access between numbers 34 and 67 Nightingale Lane, with parking and turning facilities to the front of the dwellings and private gardens to the rear.

The site is located within the built extent of the village of Feltwell and the development boundary for the village of Feltwell, which is categorised as a joint Key Rural Service Centre in the adopted Local Plan (specifically the Site Allocations and Development Management Policies Plan (SADMP 2016)).

The applicant has outline planning consent for up to 4 dwellings with access approved (ref: 18/02061/O).

The site is 0.18ha and the proposed scheme includes a pair of semi-detached dwellings and two detached chalet style dwellings. The materials proposed are TBS Farmhouse Antique brick and Morley Mendip Anthracite roof tiles.

The land levels fall as you move north into the site from the entrance/ access at 11.2AOD falling to 9.5AOD at the north east of the site. The dwellings proposed are 7m in height to the ridgeline, however the finished floor levels (FFL) do vary given the existing land levels. Plots 1 and 2 have a proposed FFL of 10.2 AOD and plot 3 has 10.4 AOD and plot 4, 10.6 AOD. The boundary treatments proposed are existing hedging to the north and west of the site, a brick wall to the east and 2m close boarded fencing between plots.

## SUPPORTING CASE

This site has Planning Permission for 4 dwellings and there are no planning conditions restricting the development to single storey. This application is for the details of the four dwellings.

At the Outline stage, the indicative layout showed four dwellings and it was clear that these would be two storey – the size of the site would not accommodate 4 bungalows of even modest proportions. Every effort has been made in the design process to alleviate any overlooking or overshadowing of existing properties and the introduction of some design variation into this area will enhance the visual appearance.

Through negotiation with the planning officers, re-design has been carried out from the original submission. Plots 1 & 2 have been re-designed as semi-detached, thus increasing garden areas and separation distances. The units for plots 3 & 4 have been redesigned as lower, smaller buildings, reflecting the design of the barn style development to the north. This has enabled the rear garden distance to the boundary to be increased to between 10-11m. Looking at the west-east site section, it is obvious now that the amended design dwellings will not impose upon the neighbouring properties or constitute unneighbourly development.

## PLANNING HISTORY

### Application Site

18/02061/O: Application Permitted: 04/02/19 - Outline application with some matters reserved for the construction of up to 4 dwellings - 34 Nightingale Lane (Delegated).

## Adjoining Site

13/01049/RM: Application Permitted: 17/09/13 - Reserved Matters Application: Redevelopment of land to provide 4 dwellings and garaging for the existing house - 26 Bell Street

09/01822/O: Application Refused: 11/02/10 - Outline Application: Redevelopment of land to provide 4 dwellings and garaging for the existing house - Home Farm. Appeal Allowed 22/10/10;

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECTION**

14 Jan 2019 - Feltwell Parish Council has considered the amended application together with the supporting email received from Mr Barker on 7th January 2020 and do not feel that the required criteria has been met as the properties are chalet bungalows with two-storeys. Therefore, Feltwell Parish Council wishes to object to this application.

12 Nov 2019 - Feltwell Parish Council wishes to object to this application because the four proposed dwellings are not in keeping with the existing dwellings on Oakfields Estate which are all single-storey. Therefore there is concern that some residents living in the existing single-storey properties on this estate will have their privacy compromised.

10 Sept 2019 - Feltwell Parish Council objects to the above Reserved Matters Application for the construction of 4 dwellings at 34 Nightingale Lane. The dwellings are not in keeping with the existing properties on this estate which are all bungalows and the access appears to be across another resident's driveway.

### **Local Highway Authority: NO OBJECTION**

4 Nov 2019 – Having reviewed the revised plans the LHA would not be against the principle of the alterations in relation to highway considerations and therefore continues to recommend the previous condition.

13 Sept 2019 - This application relates to the Layout of the site as the access has previously been considered under the outline application. With respect to layout; plot 2 has provision for 2 car parking spaces only but is of a scale that 3 should be provided. However the site is to the end of a private drive and unlikely to directly impact the highway. The LHA is mindful that the lack of car parking provision is likely to result in the turning head being obstructed potentially resulting in a long reverse down the drive. Recommends that an additional space be added to plot 2 and then a condition attached requiring the access and parking and turning area to be constructed in accordance with the plans prior to occupation.

### **IDB: NO OBJECTION**

### **Natural England: NO OBJECTION**

Natural England has previously commented on this proposal and made comments to the authority in our letter ref: 265611, dated 05 December 2018.

The advice provided in our previous response applies equally to this proposal although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

## **CSNN: NO OBJECTION**

I have reviewed this reserved matters application and I am satisfied that the conditions suggested by Suzi Pimlott to the outline planning consent 18/02061/O will ensure there is no adverse impact on amenity for neighbouring residents. If not already subject to the site hours condition, I recommend that it be attached to this permission also.

## **Arboricultural Officer: NO OBJECTION**

## **REPRESENTATIONS**

**11** letters of **OBJECTION** received from 4 individuals from neighbouring dwellings. The objections raise the following issues-

- Prefer single storey dwellings in keeping with area and then less impact on neighbours
- Dwellings proposed are larger than those on the estate
- Better to have 3 max. dwellings
- Access off Nightingale Lane and so should reflect this form and character not the barns to the rear.
- Overlooking / loss of privacy
- Overshadowing / loss of light to neighbouring dwellings and gardens
- The site is elevated in relation to Fair Close, exacerbating neighbour amenity issues.
- Dwellings will dominate area
- Not a need for new houses in the village
- Change nature of street, no longer cul-de-sac location as additional traffic.
- Increased noise and disturbance from passing traffic.
- Will emergency vehicles be able to access new dwellings?
- Reduce property values of neighbouring dwellings
- Insufficient parking provided for the new dwellings
- Applicant has already removed trees/ hedges at no. 34 prior to submitting the application.
- Why can access not be taken from Bell Street?
- Discussion around the indicative plans submitted with the outline application, the differences between these schemes, and the comments made from neighbours at the outline application.
- Construction has commenced on site prior to the approval of the application.
- Over-development of the site.
- Continuous ridge line will be overbearing.
- Poor design.
- Insufficient separation distances.
- Plots 3 and 4 taller than all buildings in the locality.
- Impact on outlook from neighbouring dwellings and gardens.
- If permitted, pd rights should be removed, windows on rear elevations to be obscured and non-opening, no external lighting without permission and the garages to be used for parking vehicles only.

## **LDF CORE STRATEGY POLICIES**

### **CS06 - Development in Rural Areas**

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

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

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

The issues for consideration include:

- Principle of development
- Form and Character
- Neighbour Amenity
- Highways/ Access
- Other material considerations.

### **Principle of Development**

The application site already has outline planning consent for the construction of up to four dwellings with access approved (Planning ref 18/02061/O). Therefore the principle of residential development on the site has been established. The application is in line with the NPPF and policies CS06, CS08 and CS11 of the adopted Core Strategy (2011) and Policy DM2 of the SADMP (2016). Policies DM15 and DM17 of the SADMP are particularly relevant to this reserved matters application in addition to those above, and these issues are discussed below.

### **Form and Character**

The outline consent was for up to four dwellings, which enabled the reserved matters application to give careful consideration to the site characteristics. There have been a number of objections to the form and character of the proposed scheme both from neighbouring dwellings and also the Parish Council.

Nightingale Lane is a cul de sac of modern single storey detached bungalows of a mix of brick types and concrete roof tiles. Generally these have small front gardens with driveways/ parking and garages, with private amenity space to the rear. Access to the proposed scheme is off Nightingale Lane. To the north of the application site is a recent conversion/ build of a barn style complex of residential dwellings. The dwelling to the west is a detached contemporary style dwelling. These dwellings are accessed via Bell Street.

The applicant has aimed to design a transitional development between Nightingale Lane and the barn complex to the rear. The dwellings proposed are cottage style dwellings, with two storey semi-detached dwellings on plots 1 and 2 of a standard appearance with access via a door on the side elevations. Plots 3 and 4 consist of two small detached chalet style bungalows with an overhang front porch located centrally on the front elevation. All four dwellings have a ridge height of 7m. There have been a number of iterations to the design and layout of the scheme as the applicant has sought to address the concerns regarding the impact of the dwellings on the surrounding existing neighbours.

Objections to the scheme include; scale of dwellings proposed; two storey which does not reflect the locality; create an overbearing form of development giving rise to overshadowing; interrupted views; loss of privacy and overlooking; be overly dominant in the street scene; are of a poor design and that four dwellings represents overdevelopment with insufficient separation distances.

The dwellings are 7m to ridge height and Finished Floor Levels (FFL) at between 10.25AOD to 10.6AOD. The surrounding dwellings vary from a ridge height of approximately 4m/ 4.4m on Nightingale Lane, to the barn to the northeast at a ridge height of 7.5m, and to the west the closest part of the dwelling has a ridge height of approximately 5.8m. The dwellings proposed will be visible in the street scene and will sit slightly higher than those surrounding. However, the potential impact will be minimised due to the fact that the land falls away to the north, and the site sections drawing (no 13571) illustrates this relationship. The proposal, although not mirroring the existing bungalows on Nightingale Lane, is acceptable in design terms in this location, given the variety in form and character of the locality. The materials proposed are entirely acceptable. In general terms the dwellings do not give rise to an unacceptable form of design so as to warrant refusal of the scheme and therefore the scheme accords with policy CS08 (of the Core Strategy 2011) and DM15 (of the SADMP 2016).

### **Neighbour Amenity**

In terms of the impact on neighbours, there is no right to a view, and this is not a material reason for the refusal of the application. The proposed dwellings on plots 1 and 2 have rear gardens of 13m and plots 3 and 4 have rear gardens of 10m from the dwelling to the boundary fence which is considered acceptable. The separation distances between the front elevations of the proposed dwellings is also considered to be acceptable given they have the access road between. Between the bungalow to the southwest (no. 67 Nightingale Lane) and plot 4 there is 8m in distance which is acceptable given the orientation of both dwellings and the fact that the land falls away to the north. To the east, the distance between the detached bungalows and the rear of the proposed dwellings on plots 1 and 2 is 18.5m at the closest point and is in line with neighbouring gardens. To the west of the application site the gable end of the dwelling (1D Newcombe Drive) is visible and there are no windows on this elevation, or at first floor of the southern elevation for this part of the dwelling closest to the application site. Contrary to the objection raised, the detached dwellings are separated and so this provides a break in the ridgeline rather than a continuous form, coupled with the fall in land levels west to east across the site, it is not considered that the dwellings will be overbearing on existing neighbouring dwellings.

In terms of overlooking plots 1 and 2 have only one first floor window on their rear elevations which serves a bathroom and will be conditioned to remain as obscured glazing. Plots 3 and 4 have rooflights proposed to serve a bathroom, landing and shower room on the rear elevation. These are at the equivalent of head height and will again be conditioned to be obscured glazing. Given the use of these rooms it is not necessary to restrict these to non-opening. It is suggested that the dwellings will not give rise to overlooking from the first floor.



At ground level the boundaries proposed are 2m close boarded fencing, hedges to be retained at a minimum of 2m and elsewhere the existing boundary fences are already in place.

Permitted development rights have also been removed for the insertion of new windows and roof alterations to prevent any future unacceptable alterations giving rise to neighbour amenity issues.

An increased level of noise and disturbance from passing traffic is also cited as a reason for concern by objectors. While the four new dwellings will generate traffic movements, given the size of the scheme proposed this traffic will not be of significant detriment to the neighbouring dwellings so as to be unreasonable. Although it is accepted that this would represent a change in the nature for those dwellings currently at the end of the cul de sac.

The hours of work on the construction site were conditioned as part of the outline decision, to minimise impact on the neighbours throughout this stage.

In summary it is considered that the scheme proposed would not give rise to an unacceptable impact on neighbour amenity and therefore is in accordance with policy CS08 (of the Core Strategy 2011) and DM15 (of the SADMP 2016).

### **Highways and Access**

The Local Highway Authority (LHA) has no objection to the scheme in its proposed format. Objectors query whether there is sufficient parking provided, whether emergency services vehicles could gain sufficient access to the dwellings and that access should be taken from Bell Street.

Local Highway Authority does not object to the scheme and as consulted at both the outline and this reserved matters application. The LHA is satisfied that the scheme meets the requirements for access, parking and turning for the dwellings proposed and is in line with policy DM17 of the SADMP (2016).

### **Other Material Considerations**

Drainage – Foul and surface water drainage arrangements were conditioned at outline stage and will be submitted and agreed by the discharge of this condition.

Objections –

- Not a need for new dwellings in the village – Feltwell is a Key Rural Service Centre in the adopted Local Plan and recognised as a sustainable location for growth. The outline consent accepted the principle of new residential development.
- Reduction in property values – Not a material consideration in the determination of a planning application.
- Construction of boundary wall and removal of trees hedges – The planting was not awarded any protection and so with regard to the removal of the trees this cannot be enforced against. If construction has commenced this can be investigated as an enforcement issue. To date we are only aware that works have commenced on building a boundary wall alongside number 34 Nightingale Lane, and this is permitted development up to 2m in height.

## CONCLUSIONS

The principle of development has been established by the outline application; however the Parish Council and neighbour objections raise a number of objections to the proposed form and character of the scheme and neighbour amenity. The main issues raised include that the scheme constitutes the overdevelopment of the site and as a result the scale proposed is not appropriate in the locality, is of poor design and gives rise to neighbour amenity issues of overbearing and overlooking.

The report responds to the objections raised and while careful consideration has been given, on balance it is suggested that the scheme would not give rise to unacceptable neighbour amenity issues. The design, while different to the established Nightingale Lane, seeks to act as a transition between the existing development to the north and to the south, and is not of sufficient detriment to warrant refusal of the application.

There are no statutory consultee objections to the scheme. In conclusion the scheme accords with the outline planning consent on the site and is in line with the NPPF, policy CS08 of the Core Strategy (2011) and policies DM15 and DM17 of the SADMP (2016).

## RECOMMENDATION:

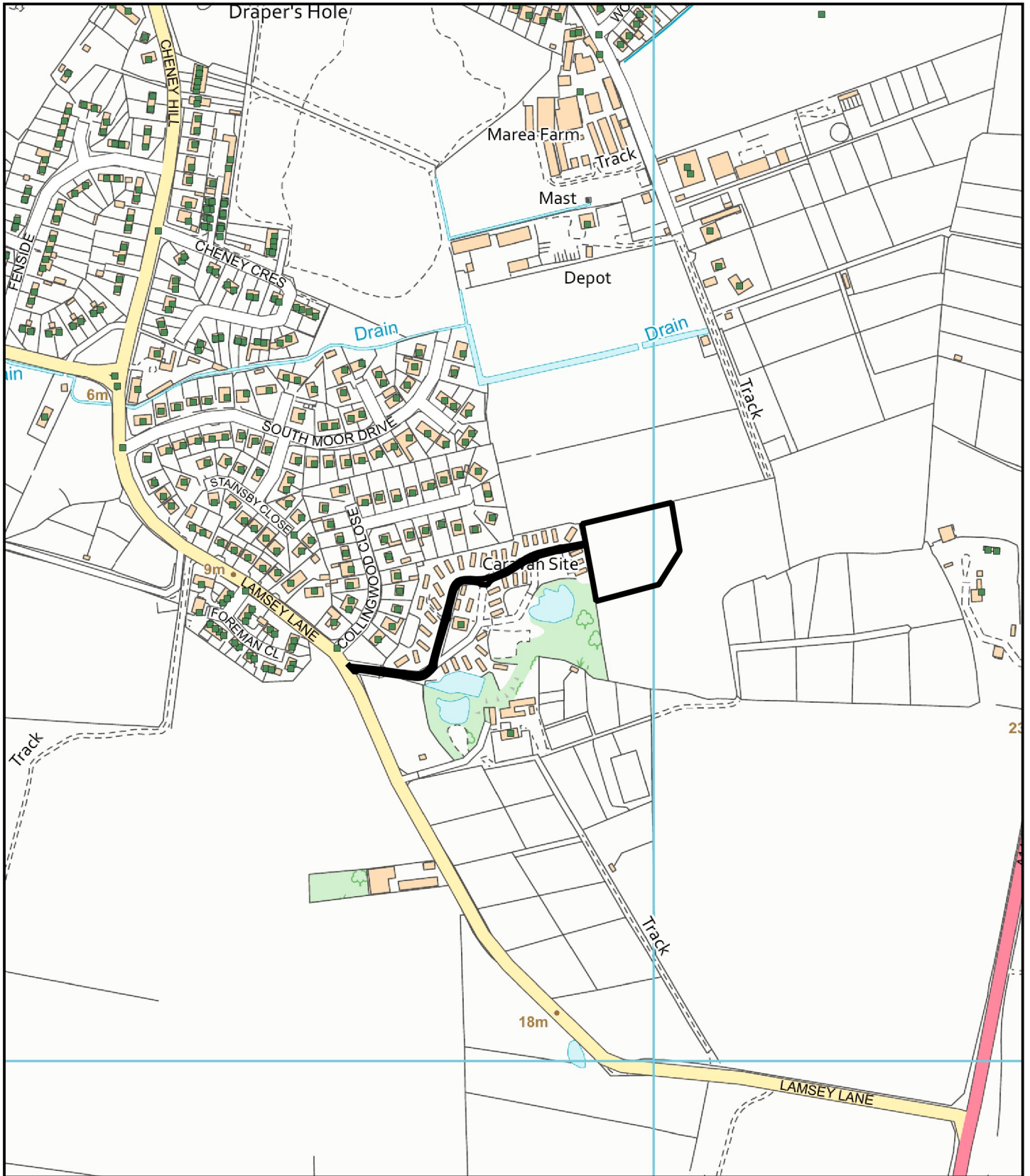
**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos-  
  
House Type C – Elevations  
13572 House Type C – Floor Plans  
13577 House Type D – Elevations  
13576 House Type D – Floor Plans  
13571 Site Sections  
13579 Rev B - Site and Location Plan  
received 12 Dec 2019
- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 2 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 3 Condition Notwithstanding the provisions of Schedule 2, Part 1, Class's B and C 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 and the insertion of new windows/dormer windows shall not be allowed without the granting of specific planning permission.

- 3 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 4 Condition Notwithstanding the details indicated on the approved plans, prior to the first occupation of the dwellings hereby permitted the first floor windows on the rear elevation of plots 1 and 2, and the rooflights on the rear elevations of plots 3 and 4 shall be fitted with obscured glazing. The windows and rooflights shall be permanently retained in that condition thereafter.
- 4 Reason To protect the residential amenities of the occupiers of nearby property.

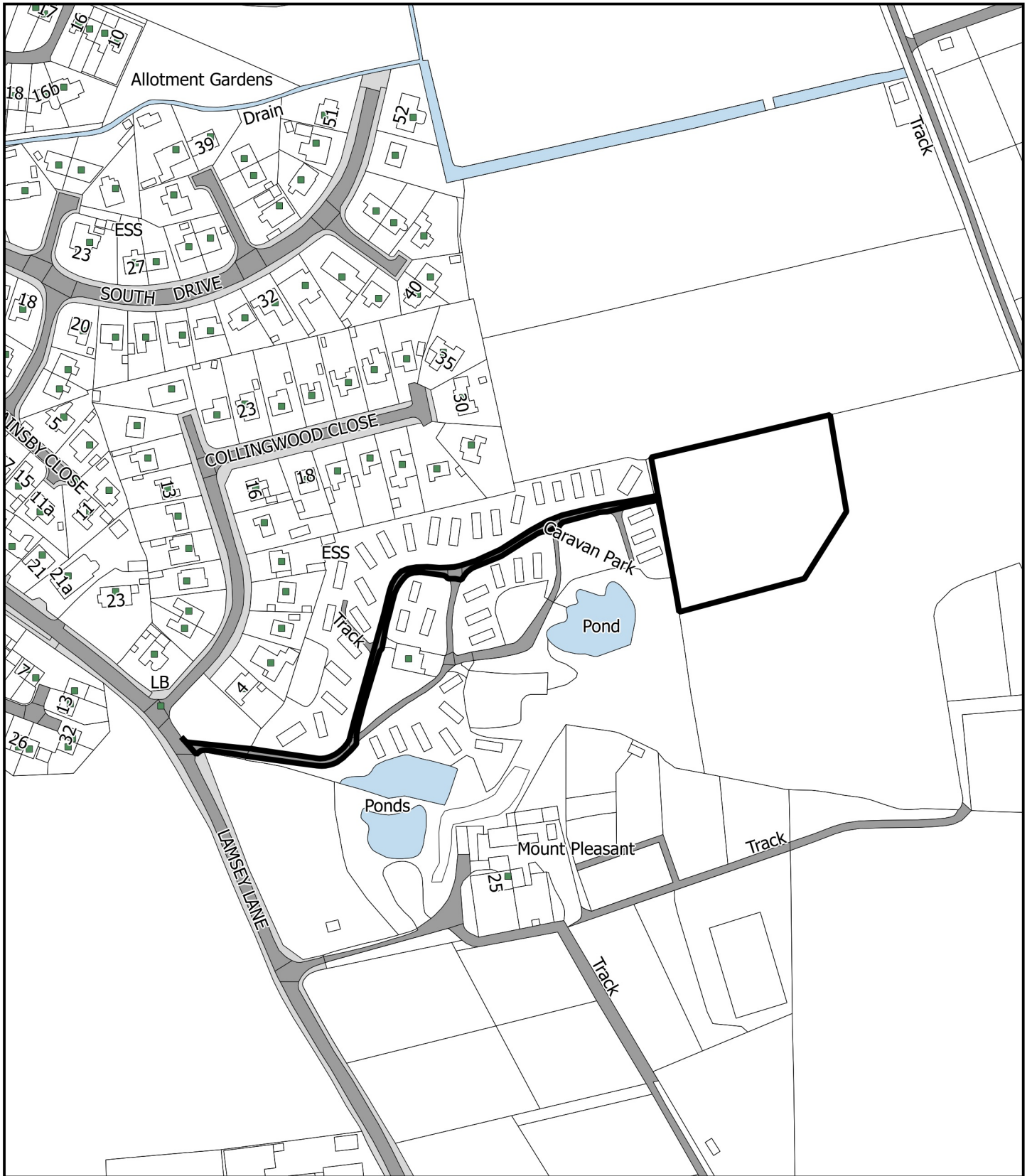
# 19/02115/F

## Meadows Caravan Park Lamsey Lane Heacham



# 19/02115/F

Meadows Caravan Park Lamsey Lane Heacham



**AGENDA ITEM NO: 8/1(d)**

<b>Parish:</b>	<b>Heacham</b>	
<b>Proposal:</b>	<b>Proposed Extension to an existing established static caravan site</b>	
<b>Location:</b>	<b>Meadows Caravan Park Lamsey Lane Heacham King's Lynn</b>	
<b>Applicant:</b>	<b>McDonnell Caravans</b>	
<b>Case No:</b>	<b>19/02115/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 3 February 2020 Extension of Time Expiry Date: 6 March 2020</b>

**Reason for Referral to Planning Committee** – The views of the Parish Council are contrary to the Officer recommendation and referred by Sifting Panel.

**Neighbourhood Plan:** No

**Case Summary**

The application seeks full planning for the extension to an existing caravan park to accommodate 10 holiday caravans at Meadows Caravan Park, Lamsey Lane, Heacham. The site is shown to measure c.0.66ha.

The site lies outside of the development boundary for Heacham and therefore within land designated as countryside.

The site lies within Flood Zone 1 (the lowest risk of flooding).

**Key Issues**

Principle of Development  
Form and Character and Impact on the Countryside  
Neighbour Amenity  
Highway Safety  
Protected Sites and Species  
Other Material Considerations

**Recommendation**

**APPROVE**

## THE APPLICATION

The application is for an extension to an existing Caravan Park to accommodate a further 10 x 2/3-bed caravans. The site measures 0.66ha. The existing Park has a license for 42 holiday caravans and measures approximately 2.2ha.

The site lies outside of the development boundary for Heacham and therefore within land designated as countryside.

The site lies within Flood Zone 1 (the lowest risk of flooding).

## SUPPORTING CASE

None submitted at time of writing report

## PLANNING HISTORY

No recent relevant history

## RESPONSE TO CONSULTATION

**Parish Council: OBJECT** as this is outside the village boundary and is contrary to our emerging Neighbourhood Plan

**Highways Authority: NO OBJECTION** subject to condition relating to parking provision

**Community Safety and Neighbourhood Nuisance: NO OBJECTION** recommend conditions relating to drainage and lighting

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** in regard to contaminated land or air quality

**Natural England: NO OBJECTION** The development is unlikely to impact on Heacham Pit SSSI, and any pressure on other designated sites in the locality is likely to be mitigated by the £50 per unit Habitat Mitigation Fee

**Arboricultural Officer: NO OBJECTION** the proposed landscaping is appropriate for this type of site

## REPRESENTATIONS

One letter of concern has been received which doesn't object to the current extension but raises concerns if the Park were to expand further in terms of neighbour amenity.

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

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

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

**DM2** – Development Boundaries

**DM11** – Touring and Permanent Holiday Sites

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

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

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

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

- Principle of Development
- Form and Character and Impact on the Countryside
- Neighbour Amenity
- Highway Safety
- Protected Sites and Species
- Other Material Considerations

### **Principle of Development**

The site lies within countryside where development is generally restricted. However, both the NPPF and Local Plan acknowledge the importance of supporting the rural economy and the importance of tourism.

The NPPF states, at paragraph 83, that: *'Planning policies and decisions should enable:*

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*



*d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.'*

It adds at paragraph 84: *'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'*

Core Strategy Policy CS06 generally restricts development in the countryside unless it is essential for a rural enterprise. Core Strategy Policy CS10 likewise seeks to direct employment uses to within development boundaries whilst recognising that some tourism uses are appropriate outside of these boundaries where:

- They are located in or adjacent to the boundaries
- Are of a high standard of design
- Will not be of detriment to the landscape and
- Mechanisms are in place to permanently retain the tourism related use.

Local Plan Policy DM11 expands on the above strategic policies and is particularly relevant to the proposed development as it relates specifically to holiday accommodation. It states: *'(NOTE - For the purposes of this policy the term 'holiday accommodation' is used to describe caravan-based accommodation, including touring and permanent sites / units, as well as permanent buildings constructed for the purpose of letting etc.)*

*Proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation will not normally be permitted unless:*

- . The proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area;
- . The proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environmental qualities of the surrounding landscape and surroundings;
- . The site can be safely accessed;
- . It is in accordance with national policies on flood risk;
- . The site is not within the Coastal Hazard Zone indicated on the Policies Map, or within areas identified as tidal defence breach Hazard Zone in the Borough Council's Strategic Flood Risk Assessment and the Environment Agency's mapping.'

In relation to the above:

The extension is an extension of the existing Park and will be run in association with it; an appropriate and proportionate business plan has been submitted. The existing Park is well operated and maintained with no recorded complaints. Clearly the proposal supports tourism with the benefit of being at low risk of flooding. The layout, screening and landscaping is of an appropriate standard and there are no long public views suggesting any impact on the visual amenity of the locality would be limited. This issue is expanded upon below. There are no nearby designated or non-designated heritage assets that would be affected. The site can be safely accessed.

It is therefore considered these objectives are met.

Policy DM11 goes on to state that '*Small-scale proposals for holiday accommodation will not normally be permitted within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) unless it can be demonstrated that the proposal will not negatively impact on the landscape setting and scenic beauty of the AONB or on the landscape setting of the AONB if outside the designated area. Proposals for uses adversely affecting Sites of Special Scientific Interest (SSSIs) or European Sites will be refused permission.*'

The proposal is not within the AONB and the site cannot be viewed from the AONB (which is the other side of the A149). The impact on SSSIs and other European Sites is covered later in this report.

Policy DM11 requires conditions to be applied to new holiday accommodation to ensure they are genuine and will be operated and maintained as tourist facilities in the future. To achieve this aim occupancy conditions will be placed on future planning permissions requiring that:

- . The accommodation is occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets;
- . The accommodation shall be for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence; and
- . The owners / operators shall maintain an up-to-date register of lettings / occupation and shall make these available at all reasonable times to the Local Planning Authority.

### **Impact on the Countryside**

The existing Caravan Park is very well maintained and there is no reason to consider the extension would not be kept to the same high standard. The layout is low density which enables landscaping between caravans as well as on the outer boundaries. Your officers are satisfied that the proposed planting is appropriate for the site and its wider setting in terms of landscape impact, although a stronger boundary treatment around the perimeter of the site is considered necessary to both add additional screening to the site and to provide a definitive boundary between the site and the wider countryside.

In relation to the impact on the intrinsic character and beauty of the countryside, there are no long public views from the A149 to the east or the AONB beyond, limited views if any from the south (glimpses through existing hedgerows); from the east the views would be primarily of the existing caravans; and from the north the views are private rather than public and still not significant.

### **Neighbour Amenity**

There would be no overlooking, overbearing or overshadowing impacts to any non-associated residential uses.

The main impact on neighbour amenity would be via vehicular activity; given the distance from the site to the nearest non-associated residential property it is considered any impact from the use of the site itself would be negligible. However, this is via the existing access and through the existing caravan park and as such would not be material.

## Highway Safety

The Local Highway Authority raises no objection on the grounds of highway safety with the existing access being satisfactory and parking provision is in line with current standards.

## Protected Sites and Species

In relation to Protected Sites, consideration has been given to the impact from increased recreational disturbance from occupiers of the caravan to the following protected sites:

The Wash and North Norfolk Coast Special Area of Conservation  
The Wash Special Area of Conservation  
The Wash Ramsar  
The Wash Site of Special Scientific Interest and  
Heacham Brick Pit Site of Special Scientific Interest.

Natural England consider the £50 Habitat Mitigation Fee per unit is sufficient to mitigate any impact that occupiers of 10 additional caravans would have on these protected sites.

In relation to Protected Species, the Ecological Report carried out by Norfolk Wildlife Services that accompanied the application concludes:

### *Bats*

There is no roost potential within the site or on the adjacent boundaries.

### *Badgers*

No signs or setts were seen on site or adjacent to the proposed development.

### *Hedgehogs*

No signs or evidence of hedgehogs were present at the time of survey however the grassland provided excellent foraging habitat for hedgehogs.

### *Birds*

Trees and hedgerows on the boundary of the site provided high potential nesting habitat for breeding birds, and therefore any development should be carried out using best practice measures (works to be undertaken outside of the bird breeding season, or where this is not possible suitable pre-development surveys should be undertaken).

### *Reptiles*

Terrestrial habitat within the survey area was considered as being of negligible suitability for supporting reptiles.

### *Great crested newts*

There are no ponds within the site and the terrestrial habitat on site does not appear to provide suitable refuge potential.

The Ecology Report concludes that no further surveys or European Protected Species licenses are required.

Enhancements are proposed and these could be suitably conditioned if permission is granted.

## Other Material Considerations

Foul drainage is proposed via main sewers and surface water via soakaway. It is not necessary therefore to condition drainage.

External lighting could have a significant impact on the visual amenity of the locality / countryside. As such it is considered necessary and reasonable to condition external lighting if permission is granted.

In relation to the Parish Council's objections, the site's location outside of the development boundary is covered above; and the Neighbourhood Plan it is not sufficiently advanced for its policies to carry any significant weight in the planning balance in accordance with Paragraph 48 of the NPPF.

### **Crime and Disorder**

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

### **CONCLUSION**

The application is for the expansion of an existing tourism / business use within the countryside. No objections have been raised from statutory consultees or third parties on technical grounds and the proposal is considered to accord with the overarching policy considerations relating to such development. The development would not result in any material impact on visual or neighbour amenity or highway safety. It is therefore recommended that the application be approved subject to the following conditions.

### **RECOMMENDATION:**

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

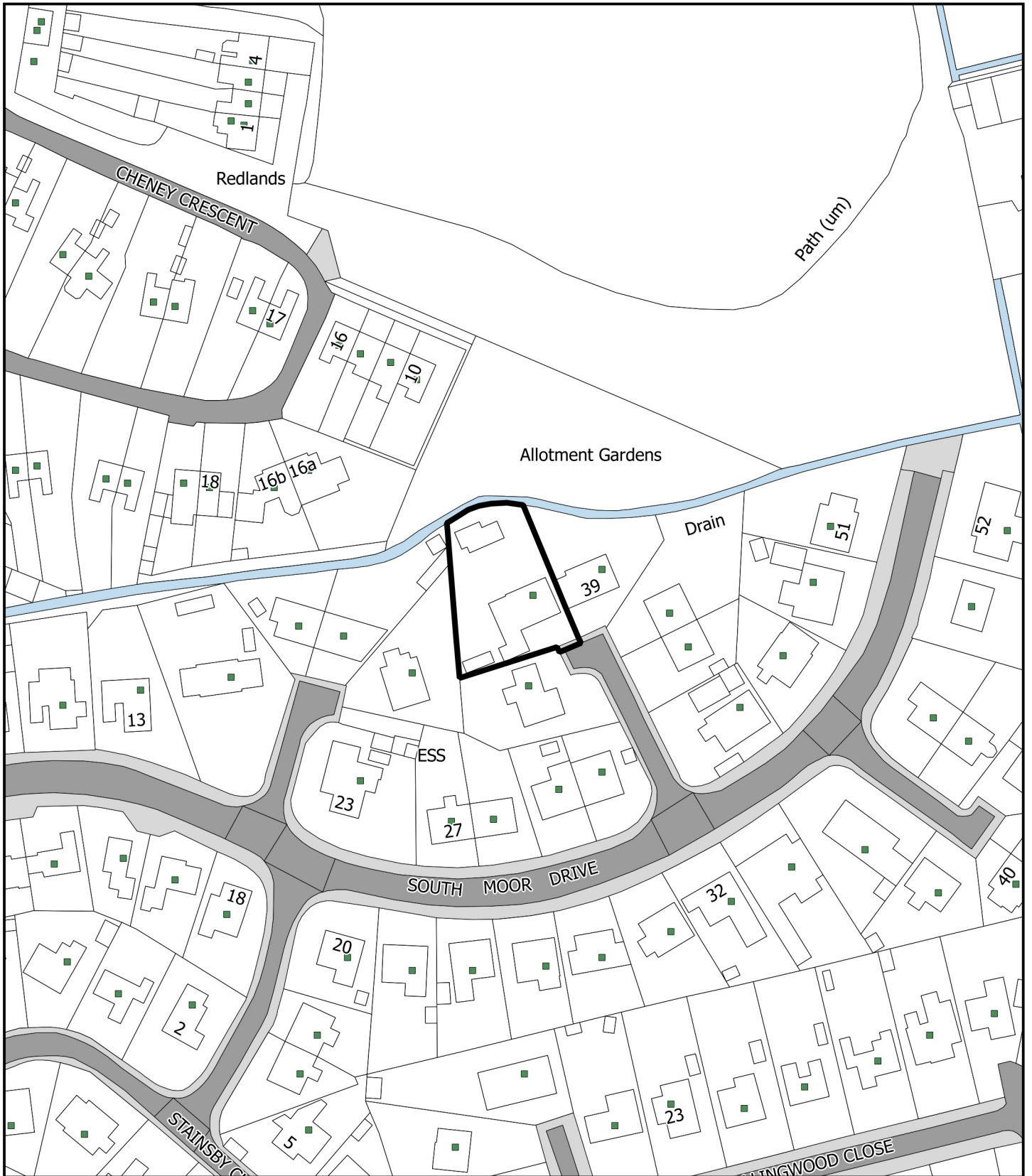
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Prior to the first use of the development hereby permitted the proposed on-site car parking and turning areas shall be laid out, demarcated, levelled and surfaced in accordance with the approved plan and retained thereafter available for that specific use.
- 2 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 3 Condition The development hereby permitted shall be limited to 10 caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968.
- 3 Reason For the avoidance of doubt and to define the terms of the permission.
- 4 Condition The caravans hereby permitted shall only be used for short stay holiday accommodation (no more than 28 days per single visit) and shall not be occupied as a person's sole or main place of residence. The owners / operators shall maintain an up-to-date register of visits / occupation and shall make these available at all reasonable times to the Local Planning Authority.
- 4 Reason The site lies within in an area in which the Local Planning Authority would not normally permit residential development. This permission is granted because

accommodation is to be used for holiday purposes only in accordance with the NPPF and Local Plan Policy DM11.

- 5 Condition All hard and soft landscape works shall be carried out in accordance with approved plan drawing no: MCD02.02.03 Rev.A. 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.
- 5 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 6 Condition Notwithstanding the details approved under Condition 5, prior to the first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority detailing a green perimeter boundary using native planting. The boundary treatment shall be completed before the first occupation/use hereby permitted or before any caravan is 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.
- 6 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 7 Condition Prior to the installation of any external lighting, 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 and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 7 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 8 Condition The development hereby permitted shall be carried out in full accordance with the Mitigation proposed under paragraphs 5.3.1 to 5.3.3 inclusive and Enhancements proposed at paragraph 6 of the Ecological Report that accompanied the application (undertaken by Norfolk Wildlife Services; Ref. 2019/113; dated October 2019).
- 8 Reason To reduce the impacts on Protected Species in accordance with the NPPF and Development Plan.

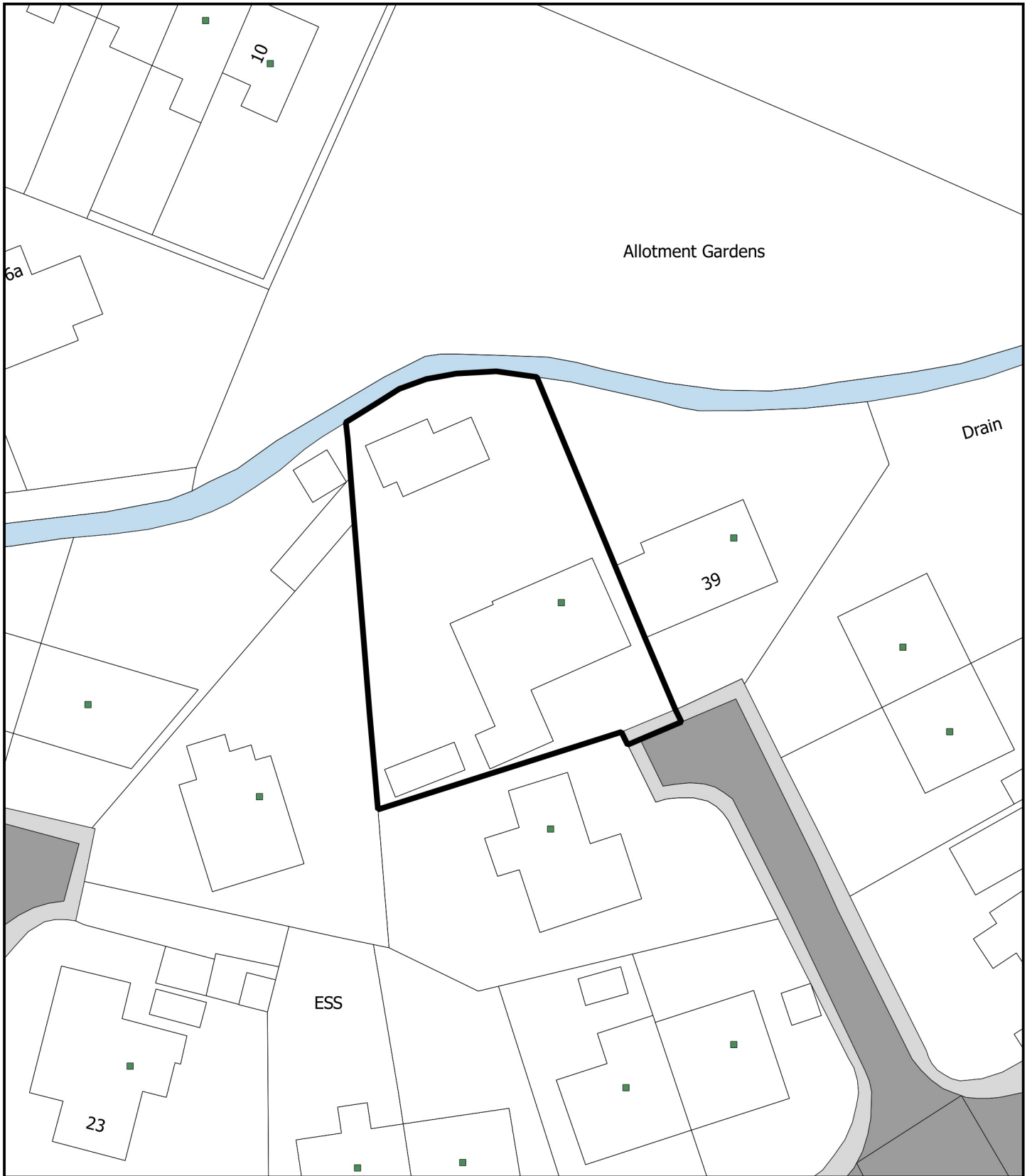
# 19/02128/F

37 South Moor Drive Heacham



**19/02128/F**

**37 South Moor Drive Heacham**



**AGENDA ITEM NO: 8/1(e)**

<b>Parish:</b>	<b>Heacham</b>	
<b>Proposal:</b>	<b>Change of use from annex to holiday let (retrospective)</b>	
<b>Location:</b>	<b>37 South Moor Drive Heacham Norfolk PE31 7BW</b>	
<b>Applicant:</b>	<b>Mr And Mrs Beecroft</b>	
<b>Case No:</b>	<b>19/02128/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr James Sheldrake</b>	<b>Date for Determination: 12 February 2020 Extension of Time Expiry Date: 6 March 2020</b>

**Reason for Referral to Planning Committee** – Referred by Sifting Panel.

**Neighbourhood Plan:** No

**Case Summary**

The application site is situated on the west side of South Moor Drive, Heacham at the end of a cul-de-sac. The site consists of a single-storey detached bungalow and garden. In the rear garden is a small garden building, previously used as an annexe, that has been converted to a short-stay holiday let.

The site is within the development boundary.

The proposal seeks retrospective permission for the change of use of the annexe to a holiday let.

**Key Issues**

Principle of the development  
Form and character  
Neighbourhood amenity issues  
Other considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application site is situated on the west side of South Moor Drive, Heacham at the end of a cul-de-sac. The site consists of a single-storey detached bungalow and garden. In the rear garden is a small garden building, previously used as an annexe, that has been converted to a short-stay holiday let.



The site is within the development boundary.

The proposal seeks retrospective permission for the change of use of the annexe to a holiday let.

The holiday let will share the parking, garden and utilities of the existing bungalow and will be held in the same ownership.

## **PLANNING HISTORY**

14/00675/F: Application Permitted: 02/07/14 - Single storey extension and garage (Delegated)

14/00159/F: Application Permitted: 01/04/14 - Single storey side extensions and construction of a new garage (Delegated)

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECTION**

'Heacham Parish Council object to this application as it goes against a Policy contained in the emerging Heacham Neighbourhood Plan which reflects the strong community objection to any increase in holiday accommodation'.

### **Highways Authority: NO OBJECTION**

With consideration to the cul de sac location and the availability of 3 parking places within the frontage, I am able to comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to resist the grant of consent.

Should your Authority be minded to the grant of consent, I would seek to append the following conditions to any consent notice issued:-

SHC 21 - Prior to the first use of the development hereby permitted the proposed on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

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

### **Natural England: NO OBJECTION**

## **REPRESENTATIONS**

None.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

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

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

**DM2** – Development Boundaries

**DM11** – Touring and Permanent Holiday Sites

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

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

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

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

- Principle of the development
- Form and character
- Neighbourhood amenity issues
- Other considerations

### **Principle of the development**

The site falls within the development boundary of Heacham and the building is within the garden area of the bungalow. Policy DM11 (Touring and Permanent Holiday Sites) of the Site Allocations and Development Management Policies Plan (2016) supports new holiday accommodation proposals provided they support tourism related uses in the area, don't adversely impact visual amenity, are safely accessed, and are in accordance with national policies on flood risk. The proposal meets the requirements of Policy DM11 (evidence below), so the principle of development is acceptable.

### **Form and character**

The building is existing and is located away from public view at the rear garden of the dwelling. The floorplan shows a single room, suitable for no more than 2 occupants, and an

outdoor covered seating area. The site plan shows reasonable separation distance between the proposed holiday let and the main dwelling and also shows the significant amount of garden available to serve both the dwelling and the holiday let.

The holiday let is accessed either through the main dwelling or through a side gate between the garage and the southern boundary of the site. It cannot be accessed from the rear of the site, so it cannot be easily severed from the main dwelling and will be occupied in association with the dwelling.

The lack of fence or hedgerow subdividing the garden is not considered an issue given the scale of the holiday accommodation, the extent of garden available, and the separation distance to the dwelling.

### **Neighbourhood amenity**

There isn't any impact from overbearance or overshadowing as the building is existing.

The site is level and the existing boundaries are approximately 1.8 metres high, so there won't be any impact from overlooking. The site plan also shows proposed planting adjacent to the boundaries; however, the existing boundary treatments are considered sufficient.

The additional activity resulting from the use of the holiday let will be very low level and won't have a significant impact on neighbour amenity.

### **Other considerations**

The site provides sufficient parking for and the Highways Officer has no objection.

Policy DM11 (Touring and Permanent Holiday Sites) of the Site Allocations and Development Management Policies Plan (2016) requires that new holiday accommodation is conditioned for short stay accommodation only, and also requires that owners/ operators maintain an up-to-date register of letting/ occupation. A condition has been imposed covering these issues and a restriction has been added tying the holiday accommodation to the dwelling, to prevent any subdivision.

The draft Heacham Neighbourhood Plan, which has been referenced by the Parish Council in their objection, is not supportive of new holiday accommodation, so conflicts with Policy DM11. The National Planning Policy Guidance (Neighbourhood Planning, Paragraph 9) details how *"section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan"*. As the Neighbourhood Plan has not been passed for adoption, Committee Members should favour Policy DM11 over the draft Heacham Neighbourhood Plan policy. The Heacham Neighbourhood Plan policy should be given very little weight at this stage.

### **CONCLUSION:**

The principle of tourism development is acceptable, and the proposal won't cause harm to the form and character of the area or neighbour amenity. Additionally, the impact on highways safety is acceptable. The proposal is therefore 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:

DWG H6725-01 Proposed plans and elevations (10th of December 2019).

- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Prior to the first use of the development hereby permitted the proposed on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 2 Reason To ensure the permanent availability of the parking areas, in the interests of satisfactory development and highway safety.
- 3 Condition The holiday let hereby approved shall be held at all times and owned in conjunction with 37 South Moor Drive, Heacham.

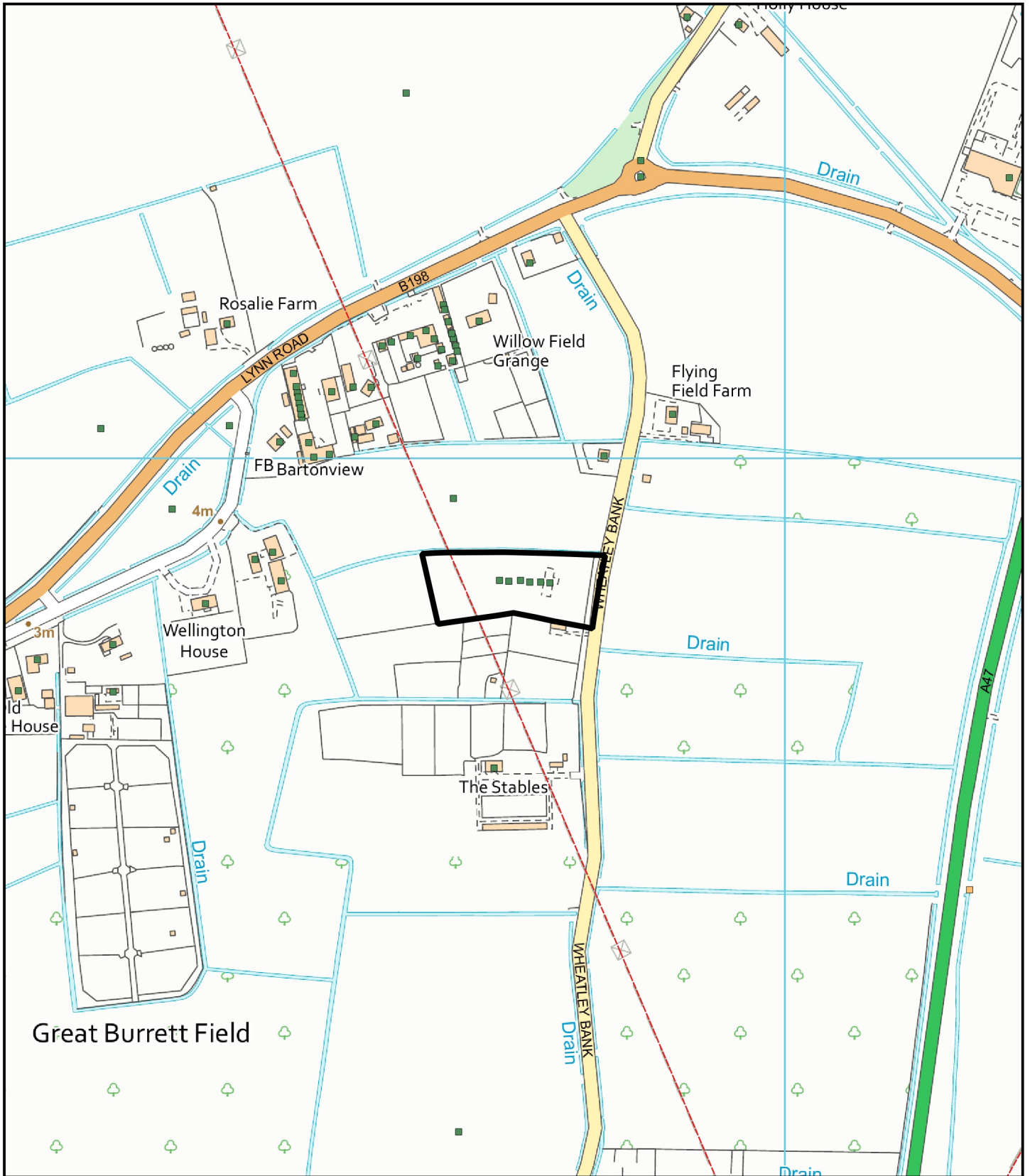
The accommodation shall be limited to occupation for holiday purposes only shall be for short stay accommodation only (no more than 28 days per single let); and shall not be occupied as a person's sole or main place of residence.

The owners / operators shall maintain an up-to-date register of lettings/occupation and shall make the register available at all reasonable times to the Local Planning Authority.

- 3 Reason The site lies within in an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.

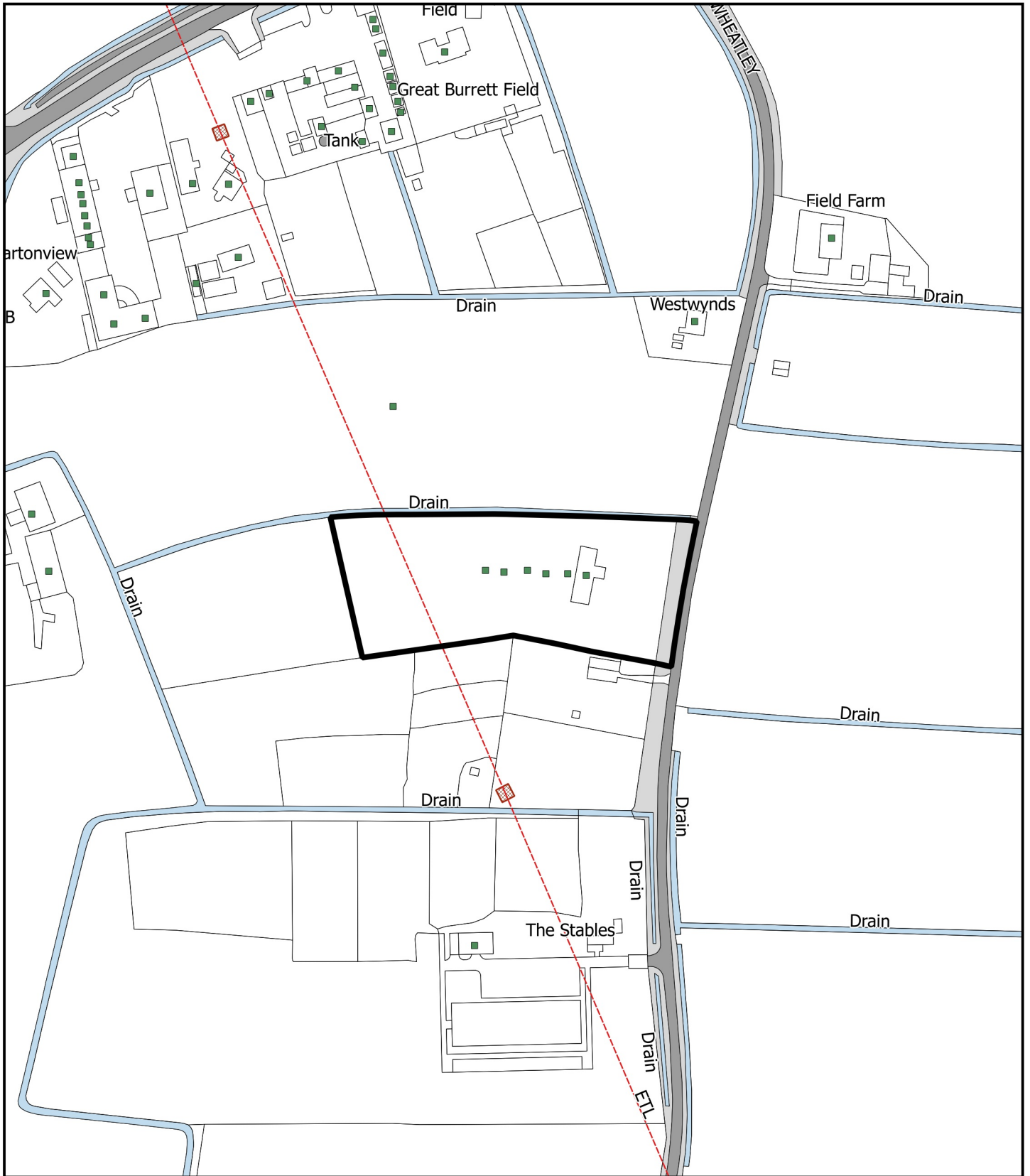
# 19/00963/F

## Land South West of Flying Field Farm Wheatley Bank Walsoken



# 19/00963/F

## Land South West of Flying Field Farm Wheatley Bank Walsoken



**AGENDA ITEM NO: 8/1(g)**

<b>Parish:</b>	<b>Walsoken</b>	
<b>Proposal:</b>	<b>Change of use of paddock to 5 pitches for traveller families each comprising a day room, space for a mobile home and touring caravan as well as car parking and landscaping</b>	
<b>Location:</b>	<b>Land South West of Flying Field Farm Wheatley Bank Walsoken Norfolk</b>	
<b>Applicant:</b>	<b>Christine Harrison</b>	
<b>Case No:</b>	<b>19/00963/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 7 August 2019 Extension of Time Expiry Date: 6 March 2020</b>

**Reason for Referral to Planning Committee** – Appeal history and at the request of Councillor Richard Blunt

**Neighbourhood Plan:** No

**Case Summary**

The site is located on the western side of Wheatley Bank approximately 350m south of its junction with Lynn Road and 1.3km north-east of Walsoken. The heavily used A47 lies some 300m to the east parallel to Wheatley Bank. There is however no direct access from the site to the A47 which is some 0.8km away by road along Wheatley Bank and Lynn Road.

The site comprises 0.97 Ha or approx. 3/5ths of a parcel of paddock land with established mature hedging to the north and part west boundaries, timber fencing to the southern boundary and recent temporary close boarded timber fence fronting onto Wheatley Bank. It is surrounded by an agricultural field to the north, commercial premises to the west, equestrian use to the south and an agricultural field and orchards to the east.

Members may be aware that this whole parcel of land (1.6 Ha) was the subject of a previous application for 12 pitches for Gypsy & Travellers which was refused under ref: 16/01002/F and dismissed on appeal (copy of Inspector's decision is appended to this report for ease of reference).

This current proposal seeks to create 5 equally sized pitches served by a central 5m wide spine road using an upgraded existing access point off Wheatley Bank and a communal amenity area to the south of Pitch 1. The site layout indicates the standing of a mobile home and caravan on each pitch, together with a timber clad blockwork and tiled roof dayroom, comprising kitchen/dining/family room and bathroom within a footprint of 6m x 7m.

There is a comprehensive hard and soft landscaping scheme accompanying the application, which is extensive and effectively surrounds the proposed pitches.

The site lies mostly within Flood Zone 2 and partially in Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment.

The application is accompanied by a Planning Statement, Landscape Design Statement plus a Landscape Character & Visual Impact Assessment, and a Flood Risk Assessment.

### **Key Issues**

Previous appeal case  
Assessment of currently proposed development  
Need for pitches  
Impact upon appearance of the countryside  
Other material considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

The site is located on the western side of Wheatley Bank approximately 350m south of its junction with Lynn Road and 1.3km north-east of Walsoken. The heavily used A47 lies some 300m to the east parallel to Wheatley Bank. There is however no direct access from the site to the A47 which is some 0.8km away by road along Wheatley Bank and Lynn Road.

The site comprises 0.97 Ha or approx. 3/5ths of a parcel of paddock land with established mature hedging to the north and part west boundaries, timber fencing to the southern boundary and recent close boarded timber fence fronting onto Wheatley Bank. It is surrounded by an agricultural field to the north, commercial premises to the west, equestrian use to the south and an agricultural field and orchards to the east.

Members may be aware that this whole parcel of land (1.6 Ha) was the subject of a previous application for 12 pitches for Gypsy & Travellers which was refused under ref: 16/01002/F and dismissed on appeal (copy of Inspector's decision is appended to this report for ease of reference).

This current proposal seeks to create 5 equally sized pitches served by a central 5m wide spine road using an upgraded existing access point off Wheatley Bank and a communal amenity area to the south of Pitch 1. The site layout indicates the standing of a mobile home and caravan on each pitch, together with a timber clad blockwork and tiled roof dayroom, comprising kitchen/dining/family room and bathroom within a footprint of 6m x 7m. Access to the retained paddock land to the rear/west is achieved off the private track.

There is a comprehensive hard and soft landscaping scheme accompanying the application, which is extensive and effectively surrounds the proposed pitches.

Boundary treatments are shown as 1.2m high timber post & rail fencing to roadside/frontage boundary and common boundaries between pitches within the site, combined with native hedgerows alongside the road, bordering the amenity area and access track frontages. There is a 1.8m high timber hit & miss fenced bin store adjacent to the entrance. A road frontage of orchard planting; peripheral native woodland buffers to north, south and rear plus strategic native tree planting within the site.



The site lies mostly within Flood Zone 2 and partially in Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment.

Foul water is proposed to be disposed of via a private package treatment plant and surface water is proposed to be disposed of via soakaways.

The application is accompanied by a Planning Statement, Landscape Design Statement plus a Landscape Character & Visual Impact Assessment, and a Flood Risk Assessment.

## **SUPPORTING CASE**

The applicant's agent has raised the following statement in support of the application:

"The application seeks the provision of 5 traveller pitches and has been significantly revised since the original application (ref 16/01002/F) for 12 pitches which went to planning appeal in 2018. The application has materially changed in terms of the travelling status of the occupants, scale of development, site layout and landscape strategy in light of the appeal.

Core Strategy Policy CS09 states that sites for gypsies and travellers will be given permission where they meet an identified need. It has been demonstrated that the residents who have been allocated a pitch at the proposed development all meet the following criteria of 'Gypsy and Traveller' as defined by the Department for Communities and Local Government in The Planning Policy for Traveller Sites (PPTS), 2015.

In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) Whether they previously led a nomadic habit of life.
- b) The reasons for ceasing their nomadic habit of life.
- c) Whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

A survey based on the Cambridgeshire, King's Lynn & West Norfolk, Peterborough and West Suffolk Gypsy and Traveller Accommodation Assessment, 2016 (GTAA) methodology was undertaken to confirm the travelling status of the proposed occupants of the site. Evidence including the questionnaires, references and business documentation was submitted as part of the planning application to confirm the status of the proposed occupants.

The GTAA identifies a need for 5 additional pitches for Gypsy & Traveller Households who meet the PPTS definition and an unknown need for up-to 35 additional pitches for Gypsy & Traveller. Households that may meet the definition are those that either refused to be interviewed or were not on site at the time of carrying out the assessment. The needs of these households still need to be recognised by the GTAA as they are believed to be ethnic Gypsy & Travellers who may meet the new definition and therefore may be identified at the time of submitting a planning application.

The need for gypsy and traveller pitches in the area is therefore evident from the GTAA as they fall into the 'unknown category'.

Core Strategy Policy CS09 states that sites for gypsies and travellers will be given permission where they are capable of being serviced by basic utilities; afford good access to main routes (including the A47(T); A17; A10; A148/9; and A134); and are located within a reasonable distance of facilities and supporting services (such as schools or health provision). It has been acknowledged in the appeal decision (APP/V2635/W/17/3180533)

that the proposed development site conforms to CS09 as it affords good access to main routes, particularly with regard to the A47 and that it is located within a reasonable distance of facilities and supporting services which many of those who have been allocated a pitch are reliant upon. There will be minimal impact on the highway as well as providing 'safe and suitable access' in accordance with paragraph 108 and 109 of the NPPF.

Core Strategy Policy CS09 states that sites for gypsies, travellers will be given permission where they avoid environmentally sensitive areas and areas at risk from flooding. An updated Flood Risk Assessment has found that the site is safe and suitable for the proposed development. In addition, consideration has been given to the findings of the FRA which has informed the design, layout and landscaping of the proposed development.

Furthermore, whilst impact on landscape character was raised as an issue at the previous appeal, the scale of development and site layout have been revised for this submission. A Landscape and Visual Impact Assessment (LVIA) and Landscape Strategy have been produced for the new scheme. The LVIA concludes that the proposed development:

- Avoids environmentally sensitive areas.
- Protects the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife.
- Is of a high-quality design and responds to the context and character of its setting by ensuring that its scale, density, layout and access enhances the quality of the environment.
- Is informed by and seeks opportunities to reinforce the distinctive character of its setting as identified in the King's Lynn and West Norfolk Landscape Character Assessment.
- Demonstrates that its location, scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area (including its historical, biodiversity and cultural character), gaps between settlements, landscape setting, distinctive settlement character and landscape features.
- Protects and enhance the amenity of the wider environment including its heritage and cultural value.
- Contains sufficient space to ensure a high standard of layout and amenity to the residents of the proposed development and ensures that the scheme integrates into the wider landscape setting.

The mitigation measures which have been incorporated into the landscape strategy for the proposed development have been designed to maintain local character and a high-quality environment in order to conform to Policy CS06 Development in Rural Areas.

The proposed development conforms to Policy CS12 by enhancing the green infrastructure and biodiversity of the area.

The development has been significantly altered to ensure that its scale, massing and layout of a development should respond sensitively and is sympathetic to the local setting in line with Policy DM15. Furthermore, there will be no impact on neighbouring uses for example in terms of visual impact and amenity.

It is considered that the proposed development conforms to Local and National Planning Policy and with regard to the planning balance the site is suitable for the proposed use as a site for gypsy and traveller accommodation. Given the positive presumption in favour of such development in policy, permission should be granted."

## **PLANNING HISTORY (Relevant)**

16/01002/F: Application Refused: 10/02/17 - Change of use of paddock to 12 pitches for traveller families including standing 12 mobile homes, 12 touring vans and construction of 12 day rooms (Delegated decision) - Appeal Dismissed 02/02/18

## **RESPONSE TO CONSULTATION**

**Walsoken Parish Council: REFUSE** - It is a residential application in open countryside. It is likely to be highly visible from the surrounding properties and roads (A47 and B198) for some years as it will take a long time for the proposed trees to grow enough to screen the site. Five pitches could result in 20 to 30 people living on the site.

**West Walton Parish Council: SUPPORT** Walsoken Parish Council's recommendation of **REFUSAL** (on the grounds stated above).

**Highways Authority: NO OBJECTION** In terms of the highway considerations for this application these would be the same as for a previous application on the site under planning reference 16/01002/F. I therefore refer you to those comments and conditions.

NB Taken from earlier application: If minded to approve, subject to conditions relating to access construction, parallel visibility splay and on-site parking/turning created prior to occupation.

**Water Management Alliance Drainage Board: NO OBJECTION** – possible byelaw implications.

**Environment Agency: NO OBJECTION** – subject to condition that the development is carried out in accordance with the recommendations of the FRA with regards to levels.

**District Emergency Planning Officer: NO OBJECTION** recommends conditions relating to signing up to the Environment Agency's Flood Warning System and the preparation of a flood evacuation plan.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** subject to condition relating to unexpected contamination during construction.

**Environmental Health & Housing – CSNN: NO OBJECTION** subject to conditions relating to foul & surface water drainage details and lighting scheme.

**Natural England: NO COMMENTS**

**Arboricultural Officer: NO OBJECTION**

**Housing Strategy Officer: NO OBJECTION**

## **REPRESENTATIONS**

**FIFTEEN** items of correspondence received (including the Walsoken Community Association) **OBJECTING** on the following grounds:

- No need for the proposed pitches;
- Negative impact upon character and appearance of the countryside;
- Questionable accessibility of the site to facilities;
- Flood risk implications;
- Disproportionate concentration of traveller sites in this locality;
- Local schools at capacity;
- Possibility of sixth pitch (on amenity area);
- Difficult to monitor and control number of caravans and occupants;
- Concerns about refuse that may appear around the area;
- Increased traffic;
- Impact upon wildlife and biodiversity;
- Residential amenity and living conditions of adjacent properties;
- Loss of agricultural land; and
- Touring caravans already moved onto the site.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS06** - Development in Rural Areas

**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

**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

National Design Guide 2019

## PLANNING CONSIDERATIONS

In assessing this application the following key issues are identified:

- Previous appeal case
- Assessment of currently proposed development
- Need for pitches
- Impact upon appearance of the countryside
- Other material considerations

### Previous appeal case

As stated above, this whole parcel of land (1.6 Ha) was the subject of a previous application for 12 pitches for Gypsy & Travellers (G&Ts) which was refused under ref: 16/01002/F and dismissed on appeal in February 2018.

The application was refused for the following reasons:

1. The Council has an up-to-date development plan within which adequate provision is made for the identified needs of Travellers and Gypsies as set out in the Cambridgeshire, King's Lynn and West Norfolk, Peterborough and West Norfolk Gypsy and Traveller Accommodation Assessment 2016. Therefore it is considered that there is no overriding need for the development proposed and it is not sustainable development and contrary to Core Strategy policies CS06 and CS08 of the LDF.

2. From the evidence submitted the proposal is not considered to accord with the definitions of gypsies and travellers as set out in the National policy Guidance Planning Policy for Travellers Sites. There is no overriding policy presumption to enable this new development in the countryside must therefore be regarded as inappropriate new residential development within the open countryside contrary to the provisions of the NPPF (particularly paras 17 and 55) and Core Strategy policies CS01, CS02, CS06 and CS08 of the LDF.

3. The proposal would introduce 12 mobile homes, 12 touring vans as well as 12 dayrooms onto an area of open fen landscape and in doing so would be harmful to the rural amenity of the area contrary to Core Strategy Policy CS08 and policy DM15 SADMP.

4. The proposal constitutes inappropriate development in the countryside and which lies within an area identified as being at risk of flooding and as such is contrary to the provisions of para 100 of the NPPF and Core strategy policy CS08 which seek to direct new development away from land at risk from flooding.

The key issues and findings of the Inspector may be summarised as follows:

*Whether all of the proposed occupants met the definition of Gypsies & Travellers contained in Annex 1 of Planning Policy for Traveller Sites (PPTS) August 2015*

The Inspector was satisfied with four of the pitches for named residents i.e. George Harrison, John Twinley, Steve & Lucy Smith and Kathleen Buckley. He was not fully satisfied that the applicant, Mrs Christine Harrison, had the firm intention and was likely to travel for work so as to meet the G&T definition. The remainder of the occupants, and therefore the units, were effectively open market residential dwellings in the countryside.

*Effect of the proposal upon the character and appearance of the countryside*

The form and density of the proposal would have a significant impact upon the characteristically open flat landscape; would be unduly prominent, intense and incongruous. Even ignoring the length of time to have mature landscape/screen planting, he was not persuaded that such planting would adequately mitigate the harm caused by development on this scale.

#### *Accessible location*

The Inspector opined that for a G&T site, the location is within reasonable distance of facilities and supporting services and does afford good access to the A47. He considered that it was compliant with the criteria contained in Core Strategy Policy CS09.

#### *Flood risk*

The proposal passed sequential testing as there were no alternative sites available to accommodate this development in this locality in a lower flood risk zone. When applying the exception test, the second part would be met in that the development could be made safe for its lifetime by ensuring that the levels of the caravans/mobile homes and Finished Floor Levels of dayrooms would be 300mm above existing site levels. With regards to the first part, there would be moderate harm (as concluded in the overall planning balance) and the development would not meet an identified need and therefore provide wider sustainability benefits to the community that outweigh the flood risk.

#### *Need for sites*

There was a need identified in the Cambridgeshire, King's Lynn & West Norfolk, Peterborough & West Suffolk Gypsy & Traveller Accommodation Assessment (GTAA) October 2016, for 5 pitches for the period up to 2036. This is made up of a current need for 4 pitches in the period 2016-2021 and a future need for 1 pitch in the period 2031-2036. The proposal for 12 pitches therefore significantly exceeded the identified need. Even if one adds 3 pitches to take into account unknown households, this figure is exceeded.

#### *Planning balance*

The development of 12 pitches was not justified by general need for G&T sites as identified in the GTAA and the majority of the occupiers did not meet the definition of G&Ts.

With regards to PPTS paragraph 24, the accommodation needs and personal circumstances weigh moderately in favour of the proposal (even non-G&Ts). However those accommodation needs do not outweigh the harm and conflict with policy including significant detrimental impact upon the character and appearance of the area; moderate harm in locating 'highly vulnerable' development in an area at risk of flooding; and moderate harm in terms of conflict due to the likely reliance on use of private car.

There was some interference with the rights of the intended occupiers under Article 8 of the European Convention on Human Rights, but proportionate and the minimum necessary for the legitimate public objective of safeguarding the character and appearance of the countryside, minimising flood risk and reducing the need to travel.

No weight was attached to the concerns of local residents regarding the fear of crime and antisocial behaviour.

## **Assessment of currently proposed development**

The main planning policy relating to Gypsy & Traveller (G&T) sites is contained in Core Strategy Policy CS09, which states:

“Sites for gypsies, travellers (or travelling show people) will be given permission where they:

- Are capable of being serviced by basic utilities;
- Meet an identified need;
- Avoid environmentally sensitive areas and areas at risk of flooding;
- Afford good access to main routes (including the A47 (T), A17, A10, A148/9 and A134); and
- Are located within reasonable distance of facilities and supporting services (such as school or health provision).”

Effectively two years have passed, and the findings of the Planning Inspector need to be taken into consideration when assessing this current application for 5 pitches, and can be broken up into the following headings:

### **Need for pitches**

Anyone coming forward with a planning application for a new pitch or a site for use by G&Ts, or a plot for Travelling Show people, would need to demonstrate that the intended occupants meet the planning definition, i.e. they currently travel or have ceased travelling temporarily and that they comply with the criterion specified in Policy H of PPTS and Core Strategy Policy CS09 (above). This is important as it ensures that the local authority can control any future occupancy to meet the needs of travellers who comply with the national definition.

The proposed occupants of the 5 pitches are specified as George Harrison, John Twinley, Steve & Lucy Smith, Frank & Marie Buckley and Christine Harrison. The nominees for three of the pitches were confirmed by the appeal Inspector to meet the G&T status. Information in the format of the questionnaire used in the GTAA has been submitted as part of this application. Frank & Marie Buckley meet the definition; and the additional information submitted regarding Christine Harrison’s previous and current employment plus travel plans, allows your officers to be satisfied that she also meets the current definition contained in the PPTS.

The Council’s GTAA identifies a need for 5 additional pitches for G&T households who meet the PPTS definition, and a need for up to 35 additional pitches that may meet the new definition – although if the national average of 10% is applied, this could be as low as 3 pitches. Households that may meet the definition are those that either refused to be interviewed or were not on site at the time of carrying out the assessment. The needs of these households still need to be recognised in the GTAA as they are believed to be ethnic G&Ts who may meet the new definition and therefore may be identified at the time of submitting an application.

The site has already been used to accommodate touring caravans (at the applicant’s own risk in the absence of planning permission – so this is partly retrospective) due to pressure on three of the named occupiers to move from ‘doubled up’ pitches (at West Walton Court/Blunt’s Drove and Sommersham (Cambs)). Attempts have been made to acquire pitches on alternative sites – on waiting lists in West Walton Court/Blunt’s Drove, Fenland, East Cambs and Blackpool. The applicant has been passed over at the West Walton Court site for a family to use a vacant pitch. Steve & Lucy Smith have children in a local school.

In the appeal decision the Inspector noted that whilst it is intended to inform the local plan for the period up to 2036, the Council acknowledged that the 2016 GTAA has a “shelf life” of perhaps 3 – 5 years. Significant changes in data trends or increases in unauthorised encampments would prompt a review. This is not a simple mathematical equation as the situation is quite dynamic.

Considering the information submitted, it is therefore accepted that the proposed occupiers meet the new definition of G&Ts and there is a demonstrable need for the proposed pitches. This position has been confirmed by our Housing Strategy Officer.

### **Impact upon appearance of the countryside**

As stated above, the site comprises 0.97 Ha or approx. 3/5ths of the appeal site. This current proposal seeks to create 5 equally sized pitches served by a central 5m wide spine road using an upgraded existing access point off Wheatley Bank and a communal amenity area to the south of Pitch 1. The site layout indicates the standing of a mobile home and caravan on each pitch, together with a timber clad blockwork and tiled roof dayroom, comprising kitchen/dining/family room and bathroom within a footprint of 6m x 7m. Access to the retained paddock land to the rear/west is achieved off the private track. The layout corresponds with the policies contained in the PPTS.

There is a comprehensive hard and soft landscaping scheme accompanying the application, which is extensive and effectively surrounds the proposed pitches.

Whilst the site still lies within an area categorised as The Fens, the scale of the development is much less dense, and the structured landscaping proposed would assimilate the site into its rural setting. The application is accompanied by a Landscape Design Statement and a Landscape Character & Visual Impact Assessment. The site will be open to direct public views from a stretch of approx. 90m along Wheatley Bank to the immediate east and a stretch of approx. 150m of the A47 some 400m further east. Beyond these fields of view, the site is effectively screened by existing established hard and soft landscaping and adjoining properties.

The planting scheme shows orchard trees on the road frontage (in harmony with the orchards to the north-east and south-west on the opposite side of Wheatley Bank) with buffers of native woodland planting around the periphery. The landscape consultant predicts the planting to become established within a 3-5 year period, and that this could be controlled via condition.

From the A47 the development would be seen with a backdrop of commercial buildings to the west off Lynn Road. Within this locality there is a mixture of glasshouses and agricultural buildings, sporadic dwellings, equestrian buildings and temporary caravans plus containers.

The key question is would the harm to the character and appearance of this locality be outweighed by the need for the G&T site/pitches? In the planning balance of the previous appeal decision the Inspector was ‘heavily’ against the impact upon the countryside, however the accommodation needs weighed ‘moderately’ in its favour even though the scheme involved non-G&Ts. The current application solely involves G&Ts and meets a recognised need; this is now considered to weigh more ‘heavily’ in favour of the proposed development. It is considered that the reduction in scale of the site and mitigation measures contained in the detailed landscaping scheme would ameliorate the impact of the development into its setting and could be controlled via condition, resulting in a ‘moderate’ impact.



## **Other material considerations**

### *Flood risk*

At the time of the decision the appeal site fell partially within Flood Zone 2 and partially within Flood Zone 3 of the Council-adopted Strategic Flood Risk Assessment (SFRA). The SFRA has subsequently been updated and the site now falls mostly within Flood Zone 2 and partially in Flood Zone 1. The proposal still requires both sequential and exception testing as endorsed in the NPPF.

The proposal once again passes the sequential test as there were no alternative sites available to accommodate this development in this locality in a lower flood risk zone.

When applying the exception test, the second part would be met in that the development could be made safe for its lifetime by raising the levels of the static caravans/mobile homes and Finished Floor Levels of dayrooms by 300mm above existing site level. With regards to the first part, there would be moderate harm (as concluded in the overall planning balance of the earlier appeal), however the development would now meet an identified need and therefore provide wider sustainability benefits to the community that outweigh the flood risk.

The flood risk implications are therefore considered to be acceptable.

### *Accessibility*

In terms of facilities, the site lies approx. 0.65km from a farm shop and bar & grill ('Worzals' north of Lynn Road and west of the roundabout junction with the A47) and 0.7km to former Bamber's Garden Centre, 2.3km from the centre of Walsoken at the junction of Kirkgate Street/Lerowe Road/Chapnall Road which contains a village hall, One-Stop convenience store, chemist, hairdressers, butchers and takeaways plus All Saints Church, 2.8km from the nearest Infants School (West Walton Community Primary School), 2.9km from the nearest high school (Marshland High School – West Walton) and 4.4km from Wisbech town centre shops and medical centre/hospital.

The Inspector opined in the previous appeal inter alia:

"On balance, though not especially well located, I conclude that, assessed as a gypsy and traveller site, the location is within a reasonable distance of facilities and supporting services and it does afford good access to the A47. In this regard, in so far as it would accommodate gypsies and travellers, the proposal complies with CS09."

This issue has therefore already been addressed and found to be acceptable.

### *Third party concerns*

Consolidation of sites within this locality – this was not considered to be a concern when the previous appeal was determined for indeed more pitches. This is an area which has historically been associated with G&T work and accommodation.

Highway issues - Accessibility has been covered earlier in this report.

Control and monitoring – The number of caravans and G&T occupiers can be restricted via condition. The site will be monitored by the twice-yearly count as part of the GTAA process.

Local school capacity – 5 pitches are not likely to create a significant impact as school-age children are already enrolled in local schools; however, this will be addressed by the Local

Education Authority. The day rooms are permanent structures and would attract Community Infrastructure Levy.

Prospect of additional pitches – This would require planning permission and a formal planning application.

Loss of agricultural land – The site is presently paddock or rough grazing and has not been in production for some considerable time. Its loss would not be significant and was not an issue at the previous appeal stage.

Impact on wildlife and biodiversity – The site is presently paddock land with little ecological value. The substantial landscaping scheme would potentially introduce additional ecological benefits to this site.

#### *Crime and Disorder*

There was no weight attached by the Inspector to the fear of crime and anti-social behaviour expressed by local residents. This continues to be the case for this current proposal.

### **CONCLUSION**

Members will need to consider the planning balance and the various competing issues in this case.

Planning permission was sought and refused on appeal for a 12 pitch Gypsy & Traveller site on this paddock land in February 2018. Where the Inspector determined that not all of the intended residents met the definition of G&Ts in Annex 1 of the Planning Policy for Traveller Sites and therefore did not meet a defined need for G&T sites and was contrary to housing policy; the scale of the development would significantly affect the character and appearance of the countryside; and failed exception testing with regards to flood risk given that it would not provide wider sustainability benefits to the community that outweigh the flood risk.

In deciding the appeal he also opined that, assessed as a gypsy and traveller site, the location is within a reasonable distance of facilities and supporting services and it does afford good access to the A47.

This current proposal is for a 5 pitch site on approx. 3/5ths of the overall paddock in a less dense format and incorporating a comprehensive and substantial landscaping scheme. The residents now all meet the G&T definition and will meet a demonstrated need for pitches. The balance has now altered in that the need is considered to outweigh the impact upon the countryside which can be ameliorated by the landscaping scheme, which can be secured via condition. It is proven that the development can be made safe with regards to flood risk and passes both sequential and exception testing.

All the matters of concern identified by the Inspector when determining the previous appeal have been addressed.

In light of the assessment outlined in the above report, the application is therefore recommended for approval subject to certain conditions stated below.

## RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Site Layout & Detailed Landscape Scheme Revision A, Proposed Day Room – Pitches 1, 2 & 3 and Proposed Day Room – Pitches 4 & 5.
- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition On each of the 5 pitches hereby approved there shall be no more than two caravans, as defined in the Caravan Sites & Control of Development Act 1960 and the Caravan Sites Act 1968, stationed at any time (of which no more than one shall be a static caravan or mobile home).
- 2 Reason To define the terms of this permission and to meet a specific need for Gypsy & Traveller sites in accordance with the provisions of the NPPF, PPTS, and Policies CS09 & CS06 of the LDF.
- 3 Condition The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites 2015.
- 3 Reason To define the terms of this permission and to meet a specific need for Gypsy & Traveller sites in a countryside location and to accord with the provisions of the NPPF, PPTS, and Policy CS09 of the LDF.
- 4 Condition No commercial activities shall take place on the land.
- 4 Reason To define the terms of this permission in the interests of the visual amenity of this locality and amenity of local residents; in accordance with the provisions of the NPPF, Policy CS06 of the LDF & Policy DM15 of the SADMP.
- 5 Condition Within 2 months of the date of this permission, full details of the external lighting arrangements for the site shall have been submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details.
- 5 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the provisions of the NPPF, Policy CS06 & CS08 of the LDF and Policy DM15 of the SADMP.
- 6 Condition Within 2 months of the date of this permission, full details of the foul and surface water drainage arrangements for the site shall have been submitted to the Local Planning Authority for approval in writing. The drainage details shall be constructed as approved before any part of the development hereby permitted is formally brought into use.
- 6 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 7 Condition All hard and soft landscape works shall be carried out in accordance with the approved details, with the exception of the access at its junction with the highway (Condition 10 below). The works shall be carried out prior to the occupation of any authorised pitch 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.

- 7 Reason To ensure that the work is carried out within a reasonable period and to assimilate the development into its rural setting; in accordance with the NPPF and Policies CS06 & CS08 of the LDF.
- 8 Condition Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the day rooms until the type, colour and texture of all materials to be used for the external surfaces of the buildings 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.
- 8 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 9 Condition The static caravans/mobile homes and day room finished floor levels shall be set at a minimum of 2.50m aOD.
- 9 Reason To safeguard the proposed future occupants at times of risk of flooding and to accord with the provisions of the NPPF & Policy CS08 of the LDF.
- 10 Condition Notwithstanding the details show on the submitted plans, prior to the first occupation of the pitches hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification TRAD 5. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 10 Reason To ensure satisfactory access to the site and avoid carriage of extraneous material or surface water from or onto the highway; in accordance with the provisions of the NPPF, Policies CS08 & CS11 of the LDF.
- 11 Condition Prior to the first occupation of the pitches hereby permitted, a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 11 Reason In the interests of highway safety; in accordance with the provisions of the NPPF, Policies CS08 & CS11 of the LDF.
- 12 Condition Prior to the first occupation of the pitches hereby permitted, the associated access, on-site car parking and turning areas shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 12 Reason To ensure the permanent availability of the parking/manoeuvring areas in the interests of highway safety; in accordance with the provisions of the NPPF, Policies CS08 & CS11 of the LDF.

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

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

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



## Appeal Decision

Hearing Held on 16 January 2018

Site visit made on 16 January 2018

**by J A Murray LLB (Hons), Dip.Plan Env, DMS, Solicitor**

**an Inspector appointed by the Secretary of State**

**Decision date: 02 February 2018**

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**Appeal Ref: APP/V2635/W/17/3180533**

**Land to the south west of Flying Field Farm, Wheatley Bank, Walsoken, Norfolk**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs Christine Harrison against the decision of King's Lynn and West Norfolk Borough Council.
  - The application Ref 16/01002/F, dated 23 May 2016, was refused by notice dated 10 February 2017.
  - The development proposed is described in the application as "Change of use of paddock to 12 pitches for traveller families including standing 12 mobile homes, 12 touring vans and construction of 12 day rooms."
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### Decision

1. The appeal is dismissed.

### Procedural matters

2. As it was not necessary for me to enter the appeal site to consider any of the issues raised in this appeal, the parties were content for me to conduct an unaccompanied site inspection to view the location and the site's relationship with nearby settlements. Having closed the hearing, I carried out that inspection at just after 16:00 on the same day.
3. The Council confirmed that it determined the application on the basis of drawing number 15/11/1958 Rev A. This addressed the concerns of the King's Lynn Drainage Board regarding development within 9 metres of Kersons Dyke.
4. The planning application gave the site address simply as Wheatley Bank, Wisbech, Cambridgeshire, PE14 7AZ. The address stated above is taken from the appeal form and the parties agreed that it better identifies the site.
5. The description of the development in the application includes "standing 12 mobile homes". Clearly this should say "standing for 12 mobile homes".

### Main Issues

6. The main issues are:
  - whether the proposed occupants are gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites (PPTS);
  - the effect of the proposal on the character and appearance of the countryside;

- whether the site is in an accessible location;
- the risk of flooding; and
- whether any harm arising from the development would be outweighed by any other considerations, including the need for gypsy and traveller sites, the availability of alternative accommodation and the personal needs and circumstances of the proposed occupiers.

## Reasons

### ***Gypsy and traveller status***

7. The appeal site lies in the countryside outside any settlement boundaries, where residential development would normally be contrary to the development plan. In particular Policy CS06 of the King's Lynn & West Norfolk Borough Council Core Strategy (CS), adopted July 2011 and Policy DM2 of the Site Allocations and Development Management Plan (SADMP), adopted September 2016 restrict development in such areas to specified categories, including that which is essential to agriculture and forestry needs. In any event, the proposal does not fall within any of the specified categories and is advanced on that basis that it is intended to provide for the land use and accommodation requirements of specific individuals and that they are gypsies and travellers.
8. The Government's planning policy on the provision of gypsy and traveller sites is set out in Planning Policy for Traveller Sites (PPTS), August 2015. This indicates that the overarching aim is to "ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community". It also seeks to promote more private traveller site provision. I must have regard to PPTS, in addition to the development plan, but its policies will only apply if the proposed occupiers of the site come within the definition of gypsies and travellers set out in Annex 1 of PPTS, at this point in time.
9. The PPTS definition of gypsies and travellers is as follows:

*"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, (my emphasis) but excluding members of an organised group of travelling showpeople or circus people travelling together as such"* and paragraph 2 of Annex 1 adds:

"In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:

  - a) whether they previously led a nomadic habit of life*
  - b) the reasons for ceasing their nomadic habit of life*
  - c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances."*
10. As discussed during the hearing, although the PPTS definition does not spell this out, it has been established in case law<sup>1</sup> that the nomadism must have an

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<sup>1</sup> *R v South Hams DC ex p. Gibb [1994]*

economic purpose. In other words gypsies and travellers wander or travel for the purposes of making or seeking their livelihood.

11. The appellant feels the Council should have provided more guidance on what was required, but the parties dispute the thrust and tone of pre-application advice. However, the Council's position was that it had not been given sufficient evidence to demonstrate that the proposed occupants satisfied the PPTS definition of gypsies and travellers.
12. The appellant's agent submitted letters dated 23 May and 14 July 2016. Taken together, these listed the proposed occupants, stated that they were from true gypsy traveller stock from this area and provided copies of old photographs to illustrate a history of travelling and caravan living. The May letter indicated that: the prospective occupiers of pitches 5, 7, 8, 9 and 12 were families with young children who would not be able to travel far until the children's education is complete; the occupants of Pitches 1 and 3 were restricted in their travelling through disability; but the remainder travel to various traveller venues around the country, most notably the Appleby Fair in Cumbria, Stow-on-the-Wold and Kenilworth. However, that letter does not indicate whether this is for social or economic reasons, such as trading in horses or tack. The May letter also enclosed a letter dated April 2016 from the Gypsy Liaison and Support Officer for Norfolk and Suffolk<sup>2</sup>. However, this deals in general terms with "The Current Situation of Gypsies and Travellers in Norfolk" and provides no information specific to the intended occupiers of the appeal site.
13. Whilst I have no reason to doubt that all of the families listed are from traditional gypsy stock, the letters provided with the application contained insufficient detail concerning the extent and purpose of travel to demonstrate that the proposed occupants satisfied the PPTS definition of gypsies and travellers. Although further photographs and letters from some of the proposed occupants were submitted as appendix 1 to the appellant's statement of case, these also lacked the necessary detail. Where I mention letters from the proposed occupants, it is those in appendix 1 to which I refer.
14. I sought to explore this issue further at the hearing and, in answer to my questions, some additional information was provided in relation to the proposed occupiers of each pitch:

#### Pitch 1

Isabel Buckley attended the hearing and explained that she used to travel to do field work but no longer travels because of her health. She does not think she will be able to return to travelling.

#### Pitch 2

Betsy Pinnock was not at the hearing, but I was told that she travels with her father Jeff (Pitch 6), who undertakes landscape gardening works. I was not informed of the work Betsy does and have no details of how much she travels for the purpose of making or seeking her livelihood.

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<sup>2</sup> Included at appendix 2 of the appellant's statement.



### Pitch 3

Frank Buckley was not at the hearing. I was told that he travels as a landscape gardener, but was given no details of the extent of this in recent times.

### Pitch 4

Levi Pinnock was not at the hearing, but I was told that he is currently living at the roadside in Kent. It was said that that he travels with his father Jeff, as a landscape gardener, but I have no details of the extent or pattern of recent travel.

### Pitch 5

Kathleen Buckley was not at the hearing, but her mother Isabel told me that Kathleen is a single parent with 2 children. She looks after them, but last travelled about 2 years ago to do groundwork with her former husband. Kathleen intends to resume travelling for work when she can.

### Pitch 6

Jeff Pinnock did not attend the hearing, but he said in his letter that he was living at the roadside with his children. He gave no details of their ages or whether they are attending school, but said he wants to secure their health and safety and a stable home. Although I was told by others at the hearing that Jeff travels for work as a landscape gardener, I was given no details of the extent or pattern of recent travel or his intentions for travelling in the future. Indeed, he said in his letter that he has health problems and he made no reference to work related travel.

### Pitch 7

Tracey Twinley was at the hearing and I have a letter from her. She said that she used to travel every few months for 20 years to do fieldwork, roofing, tree cutting and picking. Whilst she still attends some horse fairs, there was no indication that this was for work purposes. Indeed Tracey can no longer travel for work because, as well as having young children who need to go to school, she has a serious and deteriorating health condition. She does not expect to return to travelling for work.

### Pitch 8

George Harrison attended the hearing and I have a letter from him. He said that he travels "here, there and everywhere" to deal in cars and that he also has taxi ranks. I doubt whether travelling to taxi ranks in fixed locations amounts to nomadism but, in any event, Mr Harrison said that he currently has no settled base and travels for his car dealing work all of the time, as well as to attend horse fairs. Travelling does not have to be the primary source of family income, or even a major source, as long as it has an economic purpose and is more than a hobby.

### Pitch 9

Delia Twinley was not at the hearing, but I was told that she travels with her father John Twinley (Pitch 11), who works as a roofer and landscape gardener. Her letter indicated that she is also a single parent and she needs to be settled to enable her children to go to school. It gave no information regarding her own history of travelling for work and no indication that she intends to travel for work in the future.

### Pitch 10

Christine Harrison is the appellant and was at the hearing. She said that she used to travel for work as a gardener. An accident a couple of years ago curtailed this, but she said she intends to travel again in the future. However, she provided little detail of her previous patterns of travel for work and only a vague statement of intent for the future.

### Pitch 11

John Twinley was not at the hearing, but his daughter Tracey said that he regularly travels to work as a roofer and landscape gardener; he could be in Wales for a week, then London, or Nottingham and so on. His own letter provided no travel or work details, but explained that he wanted to live near his daughters, particularly in view of his eldest daughter's health problems and the desire to help with his grandchildren.

### Pitch 12

Lucy Smith and Steve Smith both attended the hearing. Steve said he works as a landscape gardener "as and when." He said that he travels for that work at least a few days per month. He also attends horse fairs at Appleby, Stow-on-the-Wold, Epsom and Kenilworth. In any event, he and Lucy have 2 young children who need to attend school. Lucy said that she used to travel for 8 months of the year, mainly as a housewife, but also to pick fruit. The couple intend to travel together again for work when the children leave school.

15. The Council was in some difficulty responding to information provided for the first time at the hearing, but was still concerned about the lack of detail and corroborating evidence, for example in the form of written business records. On the evidence, the Council was unable to accept that any of the proposed occupants currently satisfy the PPTS definition of gypsies and travellers.
16. The evidence concerning travel for economic purposes was vague or thin in places. Several of those present at the hearing made reference to the fact that, like many other travellers, they are members of a 'Born-Again Christian' group and they travel to gatherings such as the 'Light and Life' Festival. However, such travel does not have an economic purpose and does not assist in establishing gypsy and traveller status under PPTS. The absence of several of the intended occupiers made it difficult to obtain detailed evidence of their status.
17. I am satisfied on the balance of probability however, that George Harrison (Pitch 8), John Twinley (Pitch 11) and Steve and Lucy Smith (Pitch 12) do satisfy the PPTS definition. Each of the men has a nomadic habit of life and

their travel has an economic purpose. Lucy is dependent on Steve. Furthermore, she used to travel regularly, including to pick fruit, and she intends to travel with her husband again when their children leave school. Similarly, whilst Kathleen Buckley (Pitch 5) was not at the hearing, on the basis of what her mother Isabel said about her past travelling with her former husband and her intention to resume travelling when her children are older, I accept on the balance of probability that she is a gypsy in terms of PPTS.

18. On the evidence before me, Isabel Buckley (Pitch 1) and Tracey Twinley (Pitch 7) do not satisfy the PPTS definition, because they have ceased to travel permanently, due to ill health, and have no present intention to resume a nomadic habit of life in the foreseeable future. Given that they were not present and evidence given by others at the hearing and in any letters was limited and vague, I am also unable to conclude on the balance of probabilities, and as a matter of fact and degree, that the prospective occupiers of pitches 2, 3, 4, 6 and 9 satisfy the definition at this point in time. In relation to Pitch 10, Christine Harrison's own evidence did not satisfy me on the balance of probability that she has a firm intention and is likely to return to travelling for work, so as to satisfy the PPTS definition.
19. In relation to those who are not currently gypsies and travellers as defined by PPTS, proposals for residential development should be assessed primarily in accordance with general housing and other plan policies, though their personal circumstances will also be material. In this regard, the SOCG records the parties' agreement that the Council has a 5 year supply of general needs housing, so that the relevant development plan policies for the supply of housing cannot be considered out of date on that basis.
20. Nevertheless, having concluded that the occupiers of 4 out of the 12 proposed pitches are gypsies and travellers in terms of PPTS, I must also consider the proposal in the context of that policy and development plan policies relating to gypsy and traveller site provision.

### ***The character and appearance of the countryside***

21. In setting the criteria, subject to which permission will be granted for gypsy and traveller sites, CS Policy CS09 makes no reference to impact on character and appearance. However, this would clearly be a material consideration, even if the entire development were to be occupied by gypsies and travellers.
22. Consistent with the core principles of the National Planning Policy Framework (the Framework), CS Policy CS06 seeks to protect the countryside for its intrinsic character and beauty. Policy CS08 also requires all new development to be of high quality design and to respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout and access will enhance the quality of the environment. Similarly, Policy CS12 requires sensitive designs which do not detract from the inherent quality of the environment, protecting, conserving and, where possible, enhancing the special qualities and local distinctiveness of the area, landscape setting and landscape features. In addition, SADMP Policy DM15 requires development to protect and enhance the amenity of the wider environment, having regard to a range of factors, including visual impact.
23. Although PPTS allows for gypsy and traveller site provision in the open countryside, it indicates that, away from existing settlements, this should be

very strictly limited. PPTS must also be read in conjunction with the Framework. It also states that local planning authorities should protect local amenity and environment when producing Local Plans and that, when considering applications, they should attach weight to sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness.

24. The site is some 1.3 km to the west of the village of Walsoken. There is an agricultural field to the north, commercial premises to the west, an equestrian use to the south and an agricultural field and orchards to the east. The site lies in an open, flat, agricultural landscape. It is largely reclaimed land, categorised as "The Fens – Settled Inland Marshes" in the Landscape Character Assessment (LCA) 2007. There are sporadic dwellings, along Wheatley Bank and associated agricultural and equine structures. Furthermore, some orchards have been stripped out and some development has taken place since 2007. There is indeed a caravan nearby, though the Council said this only has temporary permission, whilst another use is established. However, I saw nothing to suggest that the LCA categorisation is no longer appropriate.
25. In any event, the proposal would encroach a significant distance to the west of Wheatley Bank on a site of around 1.44 ha. It would comprise of 12 pitches with: 12 mobile homes; 12 touring caravans, 12 amenity buildings/day rooms; an access spine road and hardstanding to serve all of these and associated vehicles; external boundary treatment; fencing to delineate individual pitches; and inevitable domestic paraphernalia.
26. Notwithstanding the details shown on the application plans, there would be scope to limit the height of the internal boundary fences by condition and to require appropriate native planting on the southern and roadside site boundaries. Nevertheless, the proposal and all associated paraphernalia and activity would be clearly visible from Wheatley Bank, as well as from the elevated A47 and Lynn Road to the north-west, albeit at some distance.
27. Caravan sites will often have some impact on the character and appearance of a countryside location and PPTS indicates that gypsy and traveller sites should not be so enclosed that the impression may be given that they are deliberately isolated from the rest of the community. Furthermore, by reference to PPTS paragraph 14, the development would not dominate the nearest settled community.
28. However, in the context of the requirement in PPTS to very strictly limit traveller site development in the open countryside, given its form and density, this development would have a significantly detrimental impact on the characteristically open, flat fenland landscape. It would appear unduly prominent, intense and incongruous, contrary to CS Policies CS06, CS08, CS12, SADMP Policy DM15 and the Framework. Even ignoring the length of time it could take native screen planting to mature, I am not persuaded that such planting would adequately mitigate the harm caused by development on this scale, in this context and this factor weighs heavily against the proposal.

### ***The accessibility of the site***

29. On the Council's evidence, the appeal site is: 2.3 km from the centre of Walsoken, with its village hall, convenience store, chemist, hairdressers, butchers, takeaways and church; 1.5 km from the nearest bus stop on a

- regular route (Lynn Road to the north); 0.65 km from a farm shop and bar and grill; 0.7 km from a garden centre with café; 2.8 km from the nearest primary school; 2.9 km from the nearest high school; and 4.4 km from Wisbech Town Centre.
30. Whilst not providing a copy, the appellant's agent drew attention to advice in table 3.2 of a document entitled "Providing for Journeys on Foot"<sup>3</sup>, which he said suggests the maximum acceptable walking distance for commuting or travelling to school on foot is 2 km. This is consistent with the long-since cancelled Planning Policy Guidance Note 13.
  31. However, on the Council's evidence, the distances to the centre of Walsoken and the nearest schools exceed 2 km and the nearest bus stop is more than the 400 metre maximum recommended in the Department for Transport document 'Inclusive Mobility' (2005). In any event, whilst the distances in this case may not be too great for many people to walk, the roads in the vicinity of the site have no footways, are unlit and subject to a 50 mph limit. Whilst cycling may be an option, it is unlikely that people would regularly walk to schools or the shops and other facilities from the appeal site and they would probably be largely reliant on the private car.
  32. The Framework looks to maximise sustainable transport solutions and give people a real choice of how they travel. CS Policy CS11 reflects this, giving preference to walking and discouraging use of the private car. CS06 also seeks to ensure that housing, services and facilities are provided in close proximity. Furthermore, Policy 5 of 'Connecting Norfolk – Norfolk's Transport Plan for 2026' says that new development should be well located and connected to existing facilities so as to minimise the need to travel and reduce reliance on the private car or the need for infrastructure. Whilst it gave no details, Norfolk County Council expressed concerns about potential pressure on school transport.
  33. However, in so far as this site would accommodate gypsies and travellers, Policy CS09 requires that it should be located "within a reasonable distance" of facilities and supporting services and afford good access to main routes, including the A47. PPTS accepts that gypsy and traveller sites can be in rural locations. In this context, it is also relevant that paragraph 29 of the Framework acknowledges that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
  34. Furthermore, Paragraph 13 of PPTS seeks to ensure that traveller sites are sustainable economically, socially and environmentally and, in respect of transport issues, this means developing policies to provide settled bases which reduce the need for long-distance travelling. By definition, gypsies and travellers are nomadic and travel is part of their way of life. However, a settled base reduces the need for frequent long distance travel, not least in order to find places to stay.
  35. On balance, though not especially well located, I conclude that, assessed as a gypsy and traveller site, the location is within a reasonable distance of facilities and supporting services and it does afford good access to the A47. In this regard, in so far as it would accommodate gypsies and travellers, the proposal complies with CS09. For the most part however, the development would

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<sup>3</sup> Published by The Institution of Highways and Transportation

accommodate people who, on the evidence, do not currently satisfy the planning definition of gypsies and travellers and general market housing in this location would conflict with CS Policies CS11 and CS06. Overall, the limited accessibility of the site weighs moderately against the proposal.

### ***The risk of flooding***

36. The site is also in an area identified as at risk of flooding and CS Policy CS09 states that sites for gypsies and travellers should avoid such areas. The application was determined in accordance with the Council's Strategic Flood Risk Assessment (SFRA), which indicated that part of the site was within Flood Zone 3 and the remainder was in Flood Zone 2. However, the Council is in the process of updating its Strategic Flood Risk Assessment and says the appeal should be considered on the basis of the Environment Agency's (EA) Flood Maps, which show the site in Flood Zone 2.
37. The Site Specific Flood Risk Assessment (SSFRA) submitted with the application suggests that the existing EA Flood Zone Map has been superseded by more recent EA Tidal Hazard Mapping, which shows the site to be in Flood Zone 1. The Statement of Common Ground (SOCG) notes the fact that the EA Flood Maps were produced in 2009 and the Tidal Hazard Mapping was undertaken in 2013. However, it also records the parties' agreement that the Tidal Hazard Mapping provides "an additional layer of information." For the Council, Mr Wilkinson reiterated this point and said that the Tidal Hazard Mapping did not alter the Flood Zone Map for planning purposes. He also said that, whilst the new SFRA has not been published, it is due out in early 2018 and he had seen a preview. The SFRA should refine the information in the EA Flood Zone Maps, but Mr Wilkinson said he would "put (his) mortgage" on the appeal site still being identified as within Flood Zone 2.
38. In any event, in response to the application, the EA said that the site was within Flood Zone 2 on its Flood Zone Map<sup>4</sup>; the SOCG records the parties' agreement that it is within Flood Zone 2; and, when specifically asked, the appellant's agents confirmed at the hearing that this was indeed agreed. On this basis, and in the absence of the author of the SSFRA to provide further explanation at the hearing, I will approach this issue on the basis that the site is within Flood Zone 2.
39. Having regard to tables 2 and 3 in the PPG, the proposal constitutes a "highly vulnerable" development in Flood Zone 2. In accordance with paragraph 100 of the Framework, it should therefore meet the Sequential Test and the Exception Test, which are set out in the Framework at paragraphs 101 and 102 respectively.
40. The Sequential Test aims to steer new development to areas with the lowest probability of flooding. The Council says that, if the proposal is considered to be for market housing, then the test is not satisfied because the SADMP allocates a substantial site for housing in Walsoken. However, I have found that, in part, the proposal would provide for the needs of gypsies and travellers and the Council confirmed that it could not identify any suitable site for this purpose in a location with a lower probability of flooding. To this extent, the Sequential Test is satisfied

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<sup>4</sup> The EA confirmed that it had regard to the Tidal Hazard Map.



41. In terms of the second limb of the Exception Test, the SSFRA indicates that the development would be safe for its lifetime and will not increase the risk of flooding elsewhere, subject to the proposed floor level of the permanent pitches being 300mm above existing ground level and surface water run-off being discharged to soakaways. The EA appears to accept this and does not oppose the development, as long as conditions are imposed in relation to floor levels and drainage. Indeed, the Council confirmed its satisfaction that this part of the test is met.
42. However, under paragraph 102 of the Framework, both limbs of the Exception Test have to be passed. Not surprisingly, the EA does not comment on the first limb, which is that it must be demonstrated that the development will provide "wider sustainability benefits to the community that outweigh flood risk". The criteria in CS Policy CS08 are consistent with this, even though they make specific reference to Planning Policy Statement 25, which has been cancelled. In this regard, the appellant's case is that the proposal would provide wider sustainability benefits by assisting the Council in meeting an identified need for gypsy and traveller site provision.
43. Whilst I have found that the proposal would provide in part for the needs of people who meet the PPTS definition of gypsies and travellers, the Council says that the proposal would provide much more than is needed. I cannot therefore assess any wider sustainability benefits until I have considered the question of general need. I will come back to this point but, in that assessment, I will also have to take account of the harm to the character and appearance of the countryside and the issue of accessibility.

### **Other considerations**

44. Paragraph 24 of PPTS indicates matters which should be taken into account when considering planning applications for traveller sites. The first of these is the existing level of local provision and **the need for sites**.
45. The Cambridgeshire, King's Lynn and West Norfolk, Peterborough and West Norfolk Gypsy and Traveller Accommodation Assessment October 2016 (GTAA), was produced by Opinion Research Services (ORS) and the appellant did not dispute the Council's evidence that ORS are leading consultants in the field. The GTAA identified a need for 5 pitches for people who will meet the current definition of gypsies and travellers for the period up to 2036. This is made up of a current need for 4 pitches in the period 2016 – 2021 and a future need for 1 pitch in the period 2031 – 2036, resulting from new household formation<sup>5</sup>.
46. The appellant considers that the Council's position does not reflect reality and that it should not ignore the 'hidden need' referred to in the GTAA. Based on her personal experience, and having spoken to others, the appellant believes there is a shortfall in the supply of local sites for gypsies and travellers, resulting in households doubling, or even tripling-up on single pitches, along with a high level of unauthorised encampments and enforcement action. She says the public sites at Saddlebow, King's Lynn (27 pitches managed by Norfolk County Council) and West Walton Court, Blunts Drove (16 pitches managed by

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<sup>5</sup> This is based on a net household growth rate of 1.5% per annum derived from OPR's Technical Note on Household Formation and Growth Rates (August 2015). See hearing document 9, paragraphs 7.6 – 7.9, 7.14 and 7.91.

- Hastoe Housing Association) are operating at 100% capacity, with long waiting lists of local families.
47. However, the Council says that, since 2016, there have been only 5 unauthorised permanent gypsy and traveller encampments subject to enforcement action in the borough. Whilst there are unauthorised encampments at certain times of the year, particularly around the time of the Walsingham pilgrimage, these are visited by the Council's Housing team and they generally do not indicate a need for permanent provision; the occupants are just travelling on elsewhere. Furthermore, while the Hastoe Housing Association has 3 applicants on its waiting list, none has a local connection. Though Norfolk County Council has 5 applicants on its waiting list, which covers sites in Norfolk and Suffolk, all of those applicants are from outside Norfolk, whereas preference is given to people with a local connection. The figures do not suggest a significant unmet need.
48. In terms of the robustness of the GTAA and the question of hidden need, those producing that document engaged with members of the travelling community based on all known authorised and unauthorised sites. Whilst the planning history and status of each site was considered, some occupiers refused to be interviewed or were not present, despite 3 visits, and so it was not possible to interview all households. There is therefore an unknown element.
49. The GTAA acknowledges that, because of this, there could be between 0 and 35 further households in the period 2016 – 2036 who will meet the gypsy and traveller definition and require pitches. The estimate seeks to identify potential current and future need from any pitches known to be temporary or unauthorised and through new household formation. However, based on national averages, around 10% of the possible 35 additional households are likely to satisfy the gypsy and traveller definition. This would result in a requirement for 3 additional new pitches up to 2036<sup>6</sup>.
50. I have taken account of the concerns expressed in the Gypsy Liaison Officer's letter referred to above concerning the inadequacy of provision for gypsies and travellers generally and the difficulties caused by the new PPTS definition of gypsies and travellers for planning purposes. I also note the appellant's concerns about the GTAA and it is also clear that circumstances can change. Whilst it is intended to inform the local plan for the period up to 2036, the Council acknowledged that the 2016 GTAA has a "shelf life" of perhaps 3 – 5 years. Significant changes in data trends or increases in unauthorised encampments would prompt a review. However, Council officers visit all known sites every January and July to see what is happening and the Council says it is not seeing evidence of frequent doubling up or significant roadside camping. Whilst the identified need appears low to the appellant, this may be a function of the new definition of gypsies and travellers. In all the circumstances, the GTAA is currently the best evidence base available to me.
51. The Council says that there is no policy requirement to plan specifically for the needs of the unknown group of up to 35 (but more likely 3) households in the period up to 2036. However, in line with PPTS paragraph 11, its criteria based policy CS09 enables the needs of applicants to be met. If they can demonstrate that they come within the planning definition of gypsies and travellers, then the

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<sup>6</sup> See hearing document 9, at paragraphs 3.25 and 7.76.



- criterion in CS09 that the proposal must meet an identified need would be satisfied and the proposal can then be assessed against the other criteria.
52. On the evidence before me, the proposal for 12 pitches significantly exceeds the identified need for 5 pitches up to 2036. Even if one adds 3 pitches to take account of unknown households, the proposal exceeds that need and I have found that only the prospective occupants of 4 of the proposed pitches would currently satisfy the planning definition of gypsies and travellers. On this basis, the proposal would not clearly meet an identified need, as required by CS Policy CS09 and the first criterion of paragraph 24 of PPTS does not add substantial weight to the proposal. This also means that, in the context of flood risk, the wider sustainability benefits to the community relied on by the appellant are limited. They do not outweigh flood risk, as required by the Exception Test, such that the Framework and Policy CS09 point towards dismissal of the appeal.
53. In terms of **alternative accommodation** and **other personal circumstances**, whether or not they satisfy the planning definition of gypsies and travellers, I accept that the proposed occupants are ethnic Gypsies and have a tradition of living in caravans. I am told that there is a family connection through blood and marriage between all of them; they have a connection to this area; and they wish to live together to offer mutual support. This would be of particular benefit to those who are in poor health and it would provide a safe and supportive environment for children within the group. However, it was not suggested that all of the households had previously travelled together as a single group.
54. The best interests of children are a primary consideration and no other consideration is inherently more important. However, I was not told that any children are not attending school because of their current accommodation, or that they have any special educational needs that would be better met if they occupied the appeal site. I nevertheless accept that living together in a supportive, extended family group would probably be in the best interests of the children.
55. It also appears that: Levi and Jeff Pinnock are currently living at the roadside in Kent; 2 households are 'doubling up' on a pitch at Earith, Cambridgeshire; 3 households are 'tripling up' on a pitch at the West Walton Court site at Blunts Drove; and members of the Buckley family are doubling up on a pitch at Somersham in East Cambrdge. They are therefore contending with cramped conditions.
56. A letter from East Cambridgeshire District Council<sup>7</sup> indicates that Delia Twinley and her family have been seeking accommodation on gypsy and traveller sites. However, the 2 open sites in that district, at Earith Bridge and Wentworth, are full with no likelihood of change in the foreseeable future and there are limited pitches available across Cambridgeshire. The appellant also says that the site is the only affordable opportunity to present itself in recent years to allow a private gypsy traveller site to be established in the area and all of these factors must be weighed in the overall planning balance.
57. However, I have been provided with no evidence of efforts made to find alternative sites to purchase. I was also given no satisfactory explanation of

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<sup>7</sup> Hearing document 7.

the fact that none of the intended occupants of the appeal site is on the waiting list for either Saddlebow or West Walton Court, though the latter has a turnover of approximately 4 pitches per year and, unlike the prospective occupants of the appeal site, no one currently on the waiting list has a local connection.

58. Though the appellant made no reference to this, under Article 8 of the European Convention on Human Rights (ECHR), everyone has the right to respect for his private and family life, his home and his correspondence. This brings with it a positive obligation to facilitate the gypsy way of life. Article 8 is particularly important in relation to those prospective occupiers who are currently living by the roadside. However, this is a qualified right; the degree of interference with the Article 8 rights arising from the dismissal of the appeal, must be balanced against the harm to the public interest, and the decision as a whole must be necessary and proportionate in the circumstances.
59. Again, the appellant did not cite this legislation but, by virtue of the Equality Act 2010, given that the proposed occupiers are ethnic Gypsies, I must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited under the act; advance equality of opportunity between gypsies and others; and foster good relations between them and others. These factors make up the Public Sector Equality Duty (PSED).

### ***Overall planning balance***

60. Having regard to the GTAA, this proposal for 12 gypsy and traveller pitches is not justified by identified general need. Given my conclusions that the majority of the prospective occupiers do not currently meet the PPTS definition of gypsies and travellers, the proposal would not meet an identified need in accordance with CS Policy CS09.
61. Having regard to PPTS paragraph 24, the accommodation needs and personal circumstances of all the proposed occupiers (adults and children), even those who do not currently satisfy the definition of gypsies and travellers, weigh moderately in favour of the proposal in the particular circumstances of this case. However, these factors do not outweigh the harm and conflict with policy which would result from the proposal. This includes: the significant detrimental impact on the character and appearance of the area, contrary to CS Policies CS06, CS08, CS12, SADMP Policy DM15 and the Framework; the moderate harm arising, notwithstanding the conclusions of the SSFRA, from locating highly vulnerable development in an area at risk of flooding, contrary to CS Policies CS08, CS09 and the Framework; and, in so far as the proposal is not justified by the need for gypsy and traveller pitches, the moderate harm arising out of conflict with Policies CS11 and CS06, due to the likely reliance on the private car.
62. These factors indicate that the appeal should be dismissed. Whilst this will result in some interference with the rights of the intended occupiers under Article 8 of the ECHR, that interference is proportionate and the minimum necessary for the legitimate public objective of safeguarding the character and appearance of the countryside, minimising flood risk and reducing the need to travel. I have had due regard to the PSED. Without evidence specific to the use of this site or the behaviour of the proposed occupants, I do not attach weight to local resident's concerns regarding the fear of crime or antisocial behaviour.

Nevertheless, in the absence of a clearly demonstrated need for 12 gypsy and traveller pitches, approving this proposal in this particular countryside location would do little to foster good relations between travellers and others. Though PPTS seeks to promote fair and equal treatment for travellers and to facilitate the traditional gypsy way of life, this must be done in a way which respects the interests of the settled community.

63. For all the reasons given, I conclude that the appeal should be dismissed.

*J A Murray*

INSPECTOR

## **APPEARANCES**

### FOR THE APPELLANT:

Andrew Hird	Senior Planning Consultant, Cundall
Grahame Seaton	Grahame Seaton Design Ltd

### FOR THE LOCAL PLANNING AUTHORITY:

Keith Wilkinson	Senior Planning Officer, King's Lynn and West Norfolk Borough Council
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Nikki Patton	Housing Strategy Officer, King's Lynn and West Norfolk Borough Council
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### INTERESTED PERSONS:

Christine Harrison	Appellant
Lucy Smith	Appellant's daughter and prospective resident
George Harrison	Appellant's son and prospective resident
Steve Smith	Prospective resident
Isabel Buckley	Prospective resident
Tracey Twinley	Prospective resident
Raymond Green	Local resident

## **DOCUMENTS SUBMITTED DURING THE HEARING**

- 1 Drawing No. 15/11/1958 Rev A
- 2 Statement of Common Ground
- 3 Core Strategy Policies CS09, CS11 and CS12
- 4 Site Allocations and Development Management Policies Plan Policies DM1 and DM2
- 5 Site Specific Flood Risk Assessment
- 6 Letter from Hastoe Housing Association dated 3 May 2017
- 7 Letter from East Cambridgeshire District Council letter dated 9 January 2018
- 8 Extract from Cambridgeshire, King's Lynn & West Norfolk, Peterborough and West Suffolk Gypsy and Traveller Accommodation Assessment (GTAA), October 2016
- 9 Full copy of the GTAA
- 10 Appeal ref APP/V2635/W/16/3166074

**PLANNING COMMITTEE – 2 MARCH 2020**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

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**PURPOSE OF REPORT**

- (1) To inform Members of the number of decisions issued between the production of the February Planning Committee Agenda and the March agenda. 142 decisions issued 133 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.

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**RECOMMENDATION**

That the reports be noted.

Number of Decisions issued between 21/02/2020 - 19/02/2020

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	DCB decision	
								Approved	Refused
<b>Major</b>	4	4	0		4	100%	60%	1	0
<b>Minor</b>	69	60	9	65		94%	70%	6	1
<b>Other</b>	69	65	4	59		85%	80%	1	0
<b>Total</b>	<b>142</b>	<b>129</b>	<b>13</b>						

Planning Committee made 9 of the 142 decisions, 6%

## PLANNING COMMITTEE – 2 MARCH 2020

### APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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#### PURPOSE OF REPORT

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

#### RECOMMENDATION

That the report be noted.

#### DETAILS OF DECISIONS

8

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
10.01.2020	16.01.2020 <b>Application Refused</b>	18/01853/NMA_1	Home Lea 85 Stanhoe Road Great Bircham Norfolk NON-MATERIAL AMENDMENT to Planning Permission: Conversion and extension of garage to artist studio for domestic purpose	Bircham

10.12.2019	13.02.2020 <b>Tree Application - No objection</b>	19/00209/TREECA	Barley House Church Lane Boughton King's Lynn TREES IN A CONSERVATION AREA: T1. Dead Beech - Fell, T2. Willow - Pollard, T3. Silver Maple - Repollard, G1. grouped trees - Fell, T4. Crab Apple - Reduction, T5. Silver Maple - 30 percent crown reduction,T6. Ash - 30 percent crown reduction,T7. Leyland Cypress - Fell, G2. Grouped trees - reduce and tidy	Boughton
11.10.2019	07.02.2020 <b>Application Permitted</b>	19/00049/NMA_1	Skippers Piece Main Road Brancaster King's Lynn NON-MATERIAL AMENDMENT TO PLANNING CONSENT 19/00049/F: Variation of condition 2 of planning permission 18/00156/F: Demolition of existing dwelling and construction of 5 residential dwellings	Brancaster
26.11.2019	21.01.2020 <b>Application Permitted</b>	19/02045/F	The Old Bakery Main Road Brancaster King's Lynn Install new window into gable wall, convert existing conservatory into heated room with flat roof lantern.	Brancaster
02.12.2019	06.02.2020 <b>Application Permitted</b>	19/02076/F	Brecklands Main Road Brancaster Staithe King's Lynn Proposed side and rear extensions and front dormers to be added.	Brancaster

21.11.2019	29.01.2020 <b>Not Lawful</b>	19/02009/LDE	Beacon Hill Barn 100 Beacon Hill Road Burnham Market KINGS LYNN Certificate of Lawfulness: Installation of two 'Windhager Biowin 2' burners each with an output of 35KW and using wood pellets as fuel for the provision of hot water and heating	Burnham Market
21.11.2019	23.01.2020 <b>Application Permitted</b>	19/02014/F	No.TWENTY 9 29 Market Place Burnham Market Norfolk Retention of 2no. Air Source Heat Pumps serving 6no. suites B&B accommodation ancillary to bar and restaurant	Burnham Market
20.12.2019	17.02.2020 <b>Application Permitted</b>	19/02194/F	Granvilla Station Road Burnham Market Norfolk Variation of condition 2 of planning permission 19/00215/F: Variation of condition 2 of planning permission 18/01637/F: VARIATION OF CONDITIONS 3, 4, 5, 6, 7, 8, 9 of planning permission 17/01401/F - Demolition of existing bungalow and replacement with two new dwellings, together with reconfiguration of existing southern access and associated hard and soft landscaping	Burnham Market
27.12.2019	11.02.2020 <b>Application Permitted</b>	19/02219/F	7 Kestrel Close Burnham Market King's Lynn Norfolk Single storey rear extension and alterations to dwelling	Burnham Market



11.11.2019	06.02.2020 <b>Application Refused</b>	19/01953/F	Victoria Cottage Gong Lane Burnham Overy Staithe King's Lynn Proposal for the renovation of the existing house, demolition of the existing flat roof rear extension. Construction of a two-storey rear extension and the replacement of the roof terrace	Burnham Overy
12.12.2019	11.02.2020 <b>Application Refused</b>	19/02137/F	Bag End Walsingham Road Burnham Thorpe King's Lynn Proposed New Dwelling and Garage	Burnham Thorpe
23.01.2020	04.02.2020 <b>Tree Application - No objection</b>	20/00024/TREECA	The Old Vicarage Priory Road Castle Acre King's Lynn T1- Beech: Remove within a Conservation Area	Castle Acre
29.01.2020	04.02.2020 <b>Tree Application - No objection</b>	20/00026/TREECA	The Lodge North Street Castle Acre KINGS LYNN T1 - Ash: Remove within a Conservation Area	Castle Acre
07.02.2020	13.02.2020 <b>Tree Application - No objection</b>	20/00036/TREECA	Lime Kiln Yard Cuckstool Lane Castle Acre Norfolk Trees in a Conservation Area: Lines of small mixed species trees to be removed for a fence to be installed	Castle Acre
07.02.2020	13.02.2020 <b>Tree Application - No objection</b>	20/00037/TREECA	15 St James Green Castle Acre King's Lynn Norfolk Trees in a Conservation Area: Plum tree to be removed	Castle Acre

07.02.2020	13.02.2020 <b>Tree Application - No objection</b>	20/00038/TREECA	Kestrel Pyes Lane Castle Acre King's Lynn Tree in a Conservation Area: To remove tree T2 Norway Spruce	Castle Acre
14.10.2019	29.01.2020 <b>Application Permitted</b>	19/01781/F	59 Hall Road Clenchwarton King's Lynn Norfolk Conversion of existing workshop to 1No. domestic unit including extensions to & construction of detached garage.	Clenchwarton
06.11.2019	21.01.2020 <b>Application Refused</b>	19/01924/CU	17 Wildfields Road Clenchwarton King's Lynn Norfolk Change of use from utility room to mixed use of residential and dog grooming	Clenchwarton
05.12.2019	07.02.2020 <b>Application Permitted</b>	19/02107/F	The Cottage Whitecross Lane Clenchwarton KINGS LYNN Part retrospective application for partial rebuilding of existing garage on existing foundations	Clenchwarton
24.12.2019	18.02.2020 <b>Application Refused</b>	19/02212/F	Meadow View Black Horse Road Clenchwarton King's Lynn Removal of condition 6 of planning permission 19/00989/F	Clenchwarton
11.12.2019	27.01.2020 <b>Application Permitted</b>	19/02133/F	Lynwood Market Lane Crimplesham King's Lynn Single storey extension to front of existing bungalow	Crimplesham

22.05.2019	05.02.2020 <b>Application Refused</b>	19/00921/LDE	Everglades Ely Road Denver Norfolk Application for a lawful development certificate for the use of site for stationing of touring caravans and motorhomes for holiday purposes	Denver
01.11.2019	30.01.2020 <b>Application Refused</b>	19/01891/F	Land E of 73 Lynn Road And W of 12 Manorside Lynn Road Dersingham King's Lynn Proposed garage and associated works	Dersingham
18.12.2019	11.02.2020 <b>Application Permitted</b>	19/02172/F	17 Gelham Court Dersingham King's Lynn Norfolk Construction of single storey extension	Dersingham
04.11.2019	24.01.2020 <b>Application Permitted</b>	19/01900/LB	The Old Rectory Sedgeford Road Docking KINGS LYNN Listed Building Application: Conversion of former outbuilding to annex	Docking
25.11.2019	28.01.2020 <b>Application Permitted</b>	19/02026/F	Street Record Monks Close Bircham Newton Norfolk Installation of five items of play equipment with Safer Grass mats (retrospective)	Docking
02.12.2019	29.01.2020 <b>Application Permitted</b>	19/02072/F	Dunroming Bircham Road Stanhoe King's Lynn REMOVAL OR VARIATION OF CONDITION 11 OF PLANNING PERMISSION 15/01753/F: Erection of 2 no detached bungalows with garages and associated works	Docking

02.12.2019	27.01.2020 <b>Application Permitted</b>	19/02073/F	Lyde Cottage Fakenham Road Docking King's Lynn Demolition of UPVC conservatory and construction of single storey rear extension linking existing outbuilding	Docking
10.12.2019	06.02.2020 <b>Application Permitted</b>	19/02125/F	Sunnydene Well Street Docking King's Lynn Demolition of existing dwelling and construction of two semi-detached dwellings	Docking
15.11.2019	21.01.2020 <b>Application Permitted</b>	19/01981/F	18 Bridle Lane Downham Market Norfolk PE38 9QZ Variation to conditions 2, 4 and 5 of planning permission 19/00801/F: Construction of a dwelling (revised design)	Downham Market
03.12.2019	21.01.2020 <b>Application Permitted</b>	19/02085/F	17 Howdale Rise Downham Market Norfolk PE38 9AJ Extension and alterations to bungalow	Downham Market
10.12.2019	21.01.2020 <b>Application Permitted</b>	19/02124/F	96 London Road Downham Market Norfolk PE38 9AT Single storey rear extension to dwelling	Downham Market
13.12.2019	29.01.2020 <b>Application Permitted</b>	19/02143/F	9 Ryston Close Downham Market Norfolk PE38 9BD Single storey rear extension to bungalow	Downham Market

16.12.2019	13.02.2020 <b>Application Permitted</b>	19/02153/F	58 Paradise Road Downham Market Norfolk PE38 9JF Demolition of existing garage and garden room. Proposed 2-storey side extension including garage and single storey rear conservatory.	Downham Market
19.12.2019	28.01.2020 <b>Application Permitted</b>	19/02178/F	Norfolk Constabulary Downham Market Police Station 63 London Road Downham Market Replacement of existing gravel parking area with asphalt	Downham Market
06.01.2020	12.02.2020 <b>Application Permitted</b>	20/00017/F	West View 188 Broomhill Downham Market Norfolk Two storey extension to dwelling	Downham Market
14.05.2019	07.02.2020 <b>Application Permitted</b>	19/00863/RM	Land S of Wilson Drive And E of The Laurels Gayton Road East Winch Norfolk Reserved matters application: Details for plots 1, 2 and 3 only	East Winch
08.01.2020	07.02.2020 <b>Application Refused</b>	18/00987/NMA_1	Land East of The Laurels Gayton Road East Winch Norfolk NON-MATERIAL AMENDMENT TO PERMISSION 18/00987/RM: Reserved Matters Application for proposed development of 7 dwellings, plots 2-3 and 6 - 10	East Winch
06.11.2019	14.02.2020 <b>Application Permitted</b>	19/01918/O	72 Gaultree Square Emneth WISBECH Norfolk Outline application with all matters reserved for proposed 3 plots	Emneth

22.11.2019	27.01.2020 <b>Application Permitted</b>	19/02024/F	Land Rear of 48 And NW of The Pumping Station Hawthorn Road Emneth Norfolk Proposed agricultural store	Emneth
13.12.2019	07.02.2020 <b>Application Permitted</b>	19/02141/F	40 Addison Close Feltwell Thetford Norfolk Two Storey side Extension to dwelling	Feltwell
13.12.2019	27.01.2020 <b>Application Permitted</b>	19/02142/F	Hill Cottage 6 Short Beck Feltwell Thetford Construction of garage	Feltwell
09.12.2019	04.02.2020 <b>Application Permitted</b>	19/02114/F	Chalk Barn Cottage Winch Road Gayton Norfolk Construction of garage.	Gayton
26.11.2019	20.01.2020 <b>Application Permitted</b>	19/02034/F	West Heath Barn Lynn Lane Great Massingham Norfolk Form high level glazed openings to each gable (within former/inset openings)	Great Massingham
26.11.2019	28.01.2020 <b>Application Permitted</b>	19/02035/F	Land West of 119 Summerwood Estate Great Massingham Norfolk Variation of condition 2 of planning permission 17/02131/F to make minor alterations	Great Massingham
04.12.2019	05.02.2020 <b>Application Permitted</b>	19/02094/F	The Old Meeting House 19 Station Road Great Massingham Norfolk Construction of single storey extension to the rear of property.	Great Massingham
11.12.2019	05.02.2020 <b>Application Permitted</b>	19/02132/F	71 Summerwood Estate Great Massingham King's Lynn Norfolk Proposed front porch, rear infill extension and outbuilding with rear garden	Great Massingham

13.12.2019	12.02.2020 <b>Application Permitted</b>	19/02144/F	Coal Merchant Lynn Lane Great Massingham Norfolk Siting 8 steel containers on the existing coal yard for storage of coal and electrical equipment, plus one hopper for dispensing coal.	Great Massingham
23.12.2019	11.02.2020 <b>Application Permitted</b>	19/02203/F	24 Walcups Lane Great Massingham King's Lynn Norfolk Proposed side extension to bungalow.	Great Massingham
10.01.2020	11.02.2020 <b>Application Permitted</b>	15/00883/NMA_3	2 Castleacre Road Great Massingham King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 15/00883/F: Demolition of side extension, rear conservatory. Extension of existing dwelling to side and rear and new g	Great Massingham
18.10.2019	24.01.2020 <b>Application Permitted</b>	19/01826/F	J W Sandles 89 Leziate Drove Pott Row Norfolk Proposed new Showroom and Offices	Grimston
28.11.2019	20.01.2020 <b>Application Permitted</b>	19/02057/F	Derby Field Farm 101 Leziate Drove Pott Row Norfolk Construction of proposed replacement unit following demolition of existing building	Grimston

18.09.2019	12.02.2020 <b>Application Permitted</b>	19/01626/F	Buildings At Beach Farm S of 70 South Beach Road South Beach Road Heacham Norfolk Change of use from the agricultural building with one existing chemical toilet facility into a staff toilet for 6 or more staff working in agriculture	Heacham
22.10.2019	05.02.2020 <b>Application Permitted</b>	19/01835/F	42 Church Lane Heacham King's Lynn Norfolk Proposed single storey extension to dwelling	Heacham
12.11.2019	07.02.2020 <b>Application Refused</b>	19/01959/F	65 North Beach Heacham Norfolk PE31 7LJ Demolish existing brick shed. Construct 2 story extension, ground floor storage with bedroom and shower room to first floor.	Heacham
18.11.2019	12.02.2020 <b>Application Permitted</b>	19/01996/F	18A Jubilee Road Heacham King's Lynn Norfolk Variation of condition 6 of planning permission 10/00456/CU to change the holiday let back to the original use	Heacham
28.11.2019	27.01.2020 <b>Application Permitted</b>	19/02061/F	19 Ringstead Road Heacham King's Lynn Norfolk First floor rear extension	Heacham
02.12.2019	29.01.2020 <b>Application Permitted</b>	19/02075/F	The Beach House 36 South Beach Heacham Norfolk Retrospective application for raised decking area to house entrance	Heacham



03.12.2019	11.02.2020 <b>Application Permitted</b>	19/02088/F	8 Meadow Road Heacham King's Lynn Norfolk Two storey extension	Heacham
19.12.2019	30.01.2020 <b>GPD HH extn - Refused</b>	19/02182/PAGPD	16 Jubilee Road Heacham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 8 metres with a maximum height of 4 metres and a height of 2.3 metres to the eaves	Heacham
23.12.2019	13.02.2020 <b>Application Refused</b>	19/02200/CU	Land Rear of Proeprties Church Road Ten Mile Bank DOWNHAM MARKET Change of use of agricultural land to garden land for four properties	Hilgay
11.10.2019	12.02.2020 <b>Application Permitted</b>	19/01765/F	Wilton Farm 193 Main Street Hockwold cum Wilton Norfolk Construction of Grain Store	Hockwold cum Wilton
13.02.2019	24.01.2020 <b>Application Permitted</b>	19/00285/F	Drove Orchards Thornham Road Holme next The Sea Norfolk Conversion of Dutch Barn to mixed use comprising Micro-brewery, retail and light industrial; change of use of grain barn to mixed use comprising agriculture, light industrial and retail; change of use of Polytunnel to dog training; erection of Café in lieu of that approved pursuant to 14/00193/F; new WCs and amended vehicular access.	Holme next the Sea

01.11.2019	28.01.2020 <b>Application Permitted</b>	19/01894/F	4 Aslack Way Holme next The Sea HUNSTANTON Norfolk Two storey side and rear extension, front porch and detached cart shed.	Holme next the Sea
11.11.2019	10.02.2020 <b>Application Permitted</b>	19/01950/F	Broadwater Cottage 39A Kirkgate Holme next The Sea Norfolk New detached garage and alterations to existing house, converting existing attached garage into living space	Holme next the Sea
03.12.2019	27.01.2020 <b>Application Withdrawn</b>	19/02084/F	Vine Cottage 49 Main Road Holme next The Sea Norfolk Erection of single storey two bedroom dwelling (Resubmission of 17/00465/F scheme but seeking use as separate dwelling rather than an annex)	Holme next the Sea
13.12.2019	06.02.2020 <b>Application Permitted</b>	19/02147/F	9 Lincoln Square North Hunstanton Norfolk PE36 6DW Provision of pitch roof to garage and rear log store extension with cladding	Hunstanton
23.12.2019	11.02.2020 <b>Application Permitted</b>	19/02197/F	8 Hill Street Hunstanton Norfolk PE36 5BS First floor extension and internal alterations to dwelling	Hunstanton
09.12.2019	10.02.2020 <b>Application Permitted</b>	19/02121/F	The Keys Shernborne Road Ingoldisthorpe King's Lynn Construction of a carport and store	Ingoldisthorpe

06.06.2019	05.02.2020 <b>Application Permitted</b>	19/01015/F	Lovell House 8 St Nicholas Street King's Lynn Norfolk Replacement of existing windows to 27 flats to double glazed powder coated aluminium windows and new shop front and doors to ground floor commercial units	King's Lynn
13.06.2019	12.02.2020 <b>Application Permitted</b>	19/01066/CU	Eastgate House 17 Littleport Street King's Lynn Norfolk Change of use from vacant residential home for the elderly to class C3 use to form 6 residential flats	King's Lynn
13.06.2019	14.02.2020 <b>Application Permitted</b>	19/01067/LB	Eastgate House 17 Littleport Street King's Lynn Norfolk Listed building application: Change of use from vacant residential home for the elderly to Class C3 use to form 9 residential flats	King's Lynn
30.08.2019	04.02.2020 <b>Application Permitted</b>	19/01529/F	Flat 9 Thoresby College Queen Street King's Lynn Norfolk Change of use from 2 bedroom flat to bedsit and 1 bedroom flat with associated fire safety works	King's Lynn
30.08.2019	04.02.2020 <b>Application Permitted</b>	19/01530/LB	Flat 9 Thoresby College Queen Street King's Lynn Norfolk Listed Building Application: Change of use from 2 bedroom flat to bedsit and 1 bedroom flat with associated fire safety works	King's Lynn

17.09.2019	11.02.2020 <b>Application Permitted</b>	19/01616/CU	Kings Lynn Paving And Patios 27 Bryggen Road North Lynn Industrial Estate King's Lynn Change of Use from B1 to D1 (Place of Worship)	King's Lynn
01.11.2019	20.01.2020 <b>Application Permitted</b>	19/01886/CU	Morgan Trusts & Tax Planning Linimited Solicitors 7A King Street King's Lynn Norfolk Change of use from A2 to Sui Generis - distillery, shop & spirit workshop	King's Lynn
01.11.2019	17.01.2020 <b>Application Permitted</b>	19/01887/LB	Morgan Trusts & Tax Planning Linimited Solicitors 7A King Street King's Lynn Norfolk Listed Building Application: Change of use from A2 to Sui generis. Distillery, Shop & Spirit Workshop.	King's Lynn
11.11.2019	24.01.2020 <b>Application Refused</b>	19/01956/F	Land NE of The Oaks Clenchwarton Road West Lynn New Chalet Bungalow style 4 bedroom property with double garage	King's Lynn
26.11.2019	23.01.2020 <b>Application Permitted</b>	19/02044/F	Warehouse South Quay King's Lynn Norfolk Insertion of door to south elevation of modern asbestos warehouse to allow for safe removal of guano	King's Lynn
26.11.2019	23.01.2020 <b>Application Permitted</b>	19/02046/LB	Warehouse South Quay King's Lynn Norfolk LISTED BUILDING APPLICATION: Insertion of door to south elevation of modern asbestos warehouse to allow for safe removal of guano	King's Lynn

26.11.2019	10.02.2020 <b>Application Permitted</b>	19/02047/F	5 Kendle Way King's Lynn Norfolk PE30 3XX Single storey conservatory following removal of existing conservatory	King's Lynn
28.11.2019	24.01.2020 <b>Application Permitted</b>	19/02060/F	1 Avenue Road King's Lynn Norfolk PE30 5NN Conversion of loft space to habitable room with insertion of dormer window	King's Lynn
04.12.2019	04.02.2020 <b>Application Permitted</b>	19/02098/F	2 Queensway King's Lynn Norfolk PE30 4AQ Two single storey extensions to dwelling and erection of detached garage.	King's Lynn
05.12.2019	30.01.2020 <b>Application Permitted</b>	19/02101/F	Land Rear of 33 Low Road South Wootton Norfolk Variation of condition 9 of planning permission 16/01809/O to allow revised layouts in relation to Plots 2, 3 & 4	King's Lynn
05.12.2019	06.02.2020 <b>Application Permitted</b>	19/02103/F	74 Gayton Road King's Lynn Norfolk PE30 4EN Extension and Alterations.	King's Lynn
12.12.2019	05.02.2020 <b>Application Permitted</b>	19/02134/F	18 Kensington Road King's Lynn Norfolk PE30 4AS Two storey extension to side of existing two storey dwelling	King's Lynn
12.12.2019	28.01.2020 <b>Application Permitted</b>	19/02136/LB	Court House College Lane King's Lynn Norfolk Installation of 14 Wi-Fi access points with supporting cabling and 2no. free standing cabinets	King's Lynn

03.02.2020	12.02.2020 <b>Tree Application - No objection</b>	20/00031/TREECA	Hawkins Solicitors 19 Tuesday Market Place King's Lynn Norfolk T1 - Lime: Cut back to previous pruning points within a Conservation Area	King's Lynn
29.11.2019	24.01.2020 <b>Application Withdrawn</b>	19/02063/F	Little Massingham Manor Station Road Little Massingham King's Lynn Proposed Welfare Facility & Builder's Storage Yard, retrospective replacement access to NCC standards	Little Massingham
18.12.2019	14.02.2020 <b>Application Permitted</b>	19/02165/F	Abbey House The Street Marham King's Lynn Natural Swimming pool in the garden	Marham
15.10.2019	29.01.2020 <b>Application Permitted</b>	19/01795/CU	Nightingale House 224 Smeeth Road Marshland St James Norfolk Retrospective change of use of land for the keeping of dogs	Marshland St James
18.11.2019	12.02.2020 <b>Application Permitted</b>	19/01995/F	Land North of 292 And S of St James Court 290 Smeeth Road Marshland St James Norfolk Proposed new dwelling and associated works	Marshland St James
13.11.2019	05.02.2020 <b>Application Permitted</b>	19/01966/F	Holme Brink Farm 22 Thornham Road Methwold Norfolk Construction of building as hostel accommodation for seasonal works, following removal of existing mobile home accommodation	Methwold

27.11.2019	13.02.2020 <b>Application Permitted</b>	19/02051/F	Woodbine 3 Lancaster Close Methwold Thetford Construction of front and rear extensions	Methwold
23.01.2020	18.02.2020 <b>Application Permitted</b>	19/00211/NMA_1	73 Hythe Road Methwold Thetford Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 19/00211/F: Two storey side extension	Methwold
20.11.2019	07.02.2020 <b>Application Permitted</b>	19/02006/F	Ashley House Setch Road Blackborough End Norfolk Extension	Middleton
22.11.2019	24.01.2020 <b>Application Permitted</b>	19/02018/F	2-4 Stanhoe Road Shammer North Creake Norfolk Sub-division of two barns partially converted to residential to three converted barn residential units	North Creake
10.12.2019	04.02.2020 <b>Application Permitted</b>	19/02122/LB	Wheel House Normans Lane North Creake Fakenham Installation of two sets of PV Solar Panels to make the building more sustainable/carbon reduction	North Creake
15.11.2019	27.01.2020 <b>Application Permitted</b>	19/01976/F	Holly Lodge 17 Common Lane North Runcton King's Lynn Ground floor rear and first floor side extensions	North Runcton
16.12.2019	12.02.2020 <b>Application Permitted</b>	19/02151/F	24 Woodland Gardens North Wootton Norfolk PE30 3PX Double height extension to existing home comprising of ground floor open plan kitchen-diner and first floor Master suite.	North Wootton

23.12.2019	17.02.2020 <b>Application Permitted</b>	19/02207/CU	5 Hayfields Road North Wootton King's Lynn Norfolk Continued use of detached garage to microbrewery	North Wootton
28.11.2019	23.01.2020 <b>Application Permitted</b>	19/02054/F	Beech Lodge Whittington Hill Whittington King's Lynn Construction of replacement dwelling and garage following demolition of existing dwelling	Northwold
12.12.2019	12.02.2020 <b>Was Lawful</b>	19/02138/LDE	7 West End Barns West End Northwold THETFORD Application for a Lawful Development Certificate for the existing use of site for a single residential dwelling and attached garage	Northwold
16.12.2019	14.02.2020 <b>Application Permitted</b>	19/02155/F	7 West End Barns West End Northwold THETFORD VARIATION OR REMOVAL OF CONDITION 2, 5, 6 AND 8 OF PLANNING PERMISSION 10/01380/EXF: (Extension of time for the implementation of a planning permission reference 07/02109/F) Construction of dwelling and garage	Northwold



19.12.2019	12.02.2020 <b>Application Permitted</b>	19/02180/LB	47, 49, 51 High Street Northwold Thetford Norfolk Listed Building Application: Removal of existing UPVC sealed unit double glazed windows. Replacement of the same to comply with historic building request in keeping with grade II listing.	Northwold
02.12.2019	30.01.2020 <b>Application Refused</b>	19/02078/F	4 Wodehouse Road Old Hunstanton Hunstanton Norfolk Separation of annexe from main house to form individual residential unit.	Old Hunstanton
01.07.2019	24.01.2020 <b>Application Refused</b>	19/01151/O	Rose Villa 72 Wisbech Road Outwell Wisbech Outline Application: New Dwelling Plot	Outwell
30.09.2019	21.01.2020 <b>Application Permitted</b>	19/01692/F	56 Church Drove Outwell Wisbech Norfolk Change of use to incorporate new child minding business within existing dwelling (re-submission of application 19/01107/F)	Outwell
08.10.2019	07.02.2020 <b>Application Permitted</b>	19/01747/F	Priory Farm Downham Road Outwell Wisbech change of use of existing garage/ancillary accomodation to allow the operation of a beauty therapist business from the first floor of the building	Outwell

08.04.2019	24.01.2020 <b>Was Lawful</b>	19/00643/LDE	Pentney Village Leisure And Bowls Club Narborough Road Pentney King's Lynn CERTIFICATE OF LAWFULNESS: Use of land for the siting of touring caravans for the purposes of human habitation (residential use) throughout the year	Pentney
03.12.2019	28.01.2020 <b>Application Permitted</b>	19/02081/F	Easterly Lodge 68 High Street Ringstead HUNSTANTON Replacement cart shed	Ringstead
02.12.2019	29.01.2020 <b>Application Permitted</b>	19/02070/F	Leonard Cheshire Disability Park House Scotch Belt Sandringham The works comprise the addition of 10 new bedrooms with en-suite bathrooms through extension and refurbishment of the existing hotel and single storey out buildings. A new passenger lift and corridor, replacement of the Conservatory roof, new swimming pool enclosure with changing facilities, plant and workshop, and other minor works. Works will also include landscape improvements and increase in car parking.	Sandringham
28.10.2019	29.01.2020 <b>Application Refused</b>	19/01860/O	Land S of The Boathouse And E of Field View Docking Road Sedgeford Hunstanton Residential development comprising of two self-build dwellings	Sedgeford

21.01.2020	07.02.2020 <b>TPO Work Approved</b>	20/00015/TPO	The Old Vicarage Church Lane Sedgeford Hunstanton 2/TPO/00248 and in a Conservation Area: Oak (T5) - Reduction of 2x stems in line with consultants recommendation	Sedgeford
19.08.2019	30.01.2020 <b>Application Permitted</b>	19/01453/F	26 Park Lane Snettisham Norfolk PE31 7NW Two story rear extension, timber frame porch.	Snettisham
01.11.2019	06.02.2020 <b>Application Permitted</b>	19/01893/F	The Coach House Snettisham House St Thomas Lane Snettisham Single Storey Extension to dwelling and associated works - Revised Design.	Snettisham
28.11.2019	07.02.2020 <b>Application Permitted</b>	19/02055/F	36A Common Road Snettisham King's Lynn Norfolk Retrospective application: erection of fence. Part retrospective application: erection of brick wall and gates.	Snettisham
02.12.2019	29.01.2020 <b>Application Permitted</b>	19/02079/F	Woodland North West of 7 - 8 Norton Hill Snettisham King's Lynn Proposed new dwelling	Snettisham
03.12.2019	03.02.2020 <b>Application Permitted</b>	19/02086/F	Twitchers Retreat 9 Beach Road Snettisham Norfolk Proposed single storey rear extension, material alterations and additional skylights	Snettisham
03.12.2019	28.01.2020 <b>Application Permitted</b>	19/02089/F	Rambles Shambles 91 The Beach Shepherds Port Snettisham Variation of Condition 2 of planning permission 19/00066/F	Snettisham

23.12.2019	13.02.2020 <b>Application Permitted</b>	19/02198/F	The Rose & Crown 8 Old Church Road Snettisham KINGS LYNN Proposed staff building, external bar, internal alterations to restaurant and ancillary buildings	Snettisham
23.12.2019	14.02.2020 <b>Application Permitted</b>	19/02199/LB	The Rose & Crown 8 Old Church Road Snettisham KINGS LYNN Listed building application for proposed staff building, external bar, internal alterations to restaurant and ancillary buildings	Snettisham
06.12.2019	12.02.2020 <b>TPO Approved</b> <b>Work</b>	19/00116/TPO	19 Oak Avenue South Wootton King's Lynn Norfolk 2/TPO/00082: (T1) Oak - Crown reduction of 2m in height and 2m in radius, crown clean and pruned back to 3m from building. (T2) Oak - Crown reduction of 2m in height and 2m in radius, crown clean and reduced at Western point by 3m	South Wootton
10.12.2019	05.02.2020 <b>Application Permitted</b>	19/02127/F	3 Oak Avenue South Wootton King's Lynn Norfolk Proposed single and two storey extensions and alterations	South Wootton
08.01.2020	17.02.2020 <b>Application Permitted</b>	20/00024/F	Towlers Farm Southery Road Feltwell Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 19/01516/F: Demolition of agricultural building and construction of replacement agricultural building	Southery

07.10.2019	18.02.2020 <b>Application Permitted</b>	19/01730/RM	Land Between Meadow End And The Birches Cuckoo Road Stow Bridge Norfolk Reserved Matters: Plot 2 - New Dwelling	Stow Bardolph
23.10.2019	07.02.2020 <b>Application Permitted</b>	19/01846/RM	Land SW of The Birches Cuckoo Road Stow Bridge KINGS LYNN Reserved Matters: Construction of new dwelling with detached garage with self-contained unit at 1st floor and car port - Plot 1.	Stow Bardolph
30.10.2019	19.02.2020 <b>Application Permitted</b>	19/01881/F	MRC MRC The Yard 180 The Drove Barroway Drove Construction of two three bedroom detached dwellings	Stow Bardolph
07.11.2019	04.02.2020 <b>Application Permitted</b>	19/01935/RM	Adjacent 122 The Drove Barroway Drove Norfolk PE38 0AL RESERVED MATTERS: Construction of two dwelling	Stow Bardolph
19.12.2019	14.02.2020 <b>Prior Approval - Approved</b>	19/02184/PACU3	Scariff Farm Stow Road Outwell Wisbech Prior approval for a change of use from an agricultural building to two dwelling houses	Stow Bardolph
20.08.2019	27.01.2020 <b>Application Permitted</b>	19/01463/RM	Waterlow Nursery Waterlow Road Terrington St Clement King's Lynn RESERVED MATTERS: Proposed new dwelling	Terrington St Clement
10.09.2019	27.01.2020 <b>Application Permitted</b>	19/01589/RMM	Land East of Wesley Villa 58 Chapel Road Terrington St Clement Reserved Matters: Construction of 10 new Dwelling Houses	Terrington St Clement

14.10.2019	28.01.2020 <b>Application Permitted</b>	19/01788/O	Adj 40 Marshland Street Terrington St Clement Norfolk PE34 4NE Outline Application: 3no. new dwellings and associated works	Terrington St Clement
30.10.2019	11.02.2020 <b>Application Refused</b>	19/01875/F	Manor Farm Agricultural Buildings Race Course Road Terrington St Clement Norfolk Conversion of existing barn into two residential units for let	Terrington St Clement
05.12.2019	27.01.2020 <b>Application Permitted</b>	19/02104/F	Red Roofs 31 Sutton Road Terrington St Clement King's Lynn Extensions front and rear plus conversion of garage	Terrington St Clement
20.12.2019	12.02.2020 <b>Application Permitted</b>	19/02188/LB	Tower House 15 Northgate Way Terrington St Clement King's Lynn LISTED BUILDING: Removal of 140m of fibre cement/asbestos roof sheeting from the existing barn/store and its replacement with reclaimed clay pantiles	Terrington St Clement
31.10.2019	12.02.2020 <b>Application Permitted</b>	19/01885/F	Land At Shopfield House 53 Old Church Road Terrington St John Wisbech Proposed dwelling and detached garage	Terrington St John
04.11.2019	24.01.2020 <b>Application Permitted</b>	19/01901/F	Popjacks 20 Old Church Road Terrington St John Norfolk Proposed home office, garden and log store	Terrington St John
22.11.2019	12.02.2020 <b>Application Permitted</b>	19/02023/F	Fulney Ploughmans Piece Thornham Hunstanton Demolition of an existing property and construction of replacement dwelling	Thornham

18.12.2019	13.02.2020 <b>Application Permitted</b>	19/02174/F	Thriftfields Cotts Lane Tilney All Saints King's Lynn Two storey extension and raising roof to existing dwelling and attached buildings	Tilney All Saints
21.01.2020	24.01.2020 <b>Application Permitted</b>	18/01627/NMA_1	Land West of Medina Lynn Road Tilney All Saints Norfolk Non-material amendment to planning permission 18/01627/RM: Reserved Matters Application for construction of 5 dwellings	Tilney All Saints
22.10.2019	12.02.2020 <b>Application Permitted</b>	19/01837/F	The Corner Shop 1 St Johns Road Tilney St Lawrence Norfolk Proposed extension to the Village Shop and alterations to the existing entrance	Tilney St Lawrence
20.02.2019	31.01.2020 <b>Application Permitted</b>	19/00325/F	Marsh View Main Road Titchwell King's Lynn The Demolition of an existing Bungalow and the erection of 4 New dwellings	Titchwell
18.11.2019	05.02.2020 <b>Application Permitted</b>	19/01993/F	RSPB Titchwell Marsh Nature Reserve Offices Main Road Titchwell Norfolk Replacement of existing wooden summer house with a log cabin to serve as a Welcome Hub.	Titchwell
05.09.2019	31.01.2020 <b>Application Permitted</b>	19/01567/LB	The Hall 115 Town Street Upwell Norfolk Application for listed building consent for a proposed single storey rear extension with minor internal and external alterations	Upwell

04.11.2019	29.01.2020 <b>Application Permitted</b>	19/01908/F	Eastwyns 70 Town Street Upwell Norfolk Proposed 18 pen cattery	Upwell
18.12.2019	05.02.2020 <b>Application Permitted</b>	19/02163/F	Allington House 31 School Road Upwell Wisbech Demolition of single storey outbuildings and erection of single storey granny annex.	Upwell
16.01.2020	12.02.2020 <b>Application Refused</b>	19/00472/NMA_2	5 Orchard Gardens Upwell Norfolk PE14 9EQ Non-material amendment to planning permission 19/00472/RM: Reserved Matters Application for plots 21-22	Upwell
03.02.2020		18/00520/NMA_1	12 Blunt's Orchard Drive Upwell Norfolk PE14 9EP Non Material Amendment to Planning Permission 18/00520/RM: Construction of detached dwelling and detached garage on Plot 5.	Upwell
04.02.2020	07.02.2020 <b>Application Refused</b>	19/00438/NMA_2	STREET RECORD Orchard Gardens Upwell Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 19/00438/RM: To remove dummy chimney	Upwell



28.11.2019	31.01.2020 <b>TPO Approved</b> <b>Work</b>	19/00110/TPO	Anthony Curton School Kirtons Close Walpole St Andrew Norfolk 2/TPO/00003: T10 Ash- to crown raise to 3m over the car park and remove major deadwood and T12 Ash- to crown raise to 3m over footpath and remove major deadwood and G1 Mixed Ash/ Elm/ Sycamore- to fell the dead/ dying Elm located within G1.	Walpole
20.12.2019	14.02.2020 <b>Application Permitted</b>	19/02193/F	Mansefield Marsh Road Walpole St Andrew Wisbech Removal of condition 2 of planning permission 2/89/3011/F to remove agricultural occupancy	Walpole
05.11.2019	14.02.2020 <b>Application Permitted</b>	19/01912/F	West Holme Nursery 65 Station Road Walpole Cross Keys Norfolk Proposed modular style office building	Walpole Cross Keys
18.09.2019	05.02.2020 <b>Would be Lawful</b>	19/01634/LDP	Paradise Farm Biggs Road Walsoken Norfolk Siting of a mobile home for use as an annex ancillary to the main dwelling	Walsoken
22.05.2018	12.02.2020 <b>Application Permitted</b>	18/00934/O	Former Three Tunns Public House Main Street/Bedford Bank (East) Welney Norfolk 19/01907 - Outline application with some matters reserved for residential development (4 dwellings)	Welney

26.11.2019	05.02.2020 <b>Application Permitted</b>	19/02039/F	Agricultural Building E of Old Croft Farm March Road Tipps End Welney Full planning application for creation of new dwelling and change of use of agricultural land to residential garden. Installation of new doors and windows, a new insulated metal roofing system, erection of detached timber garage and associated landscaping works.	Welney
13.11.2019	19.02.2020 <b>Application Permitted</b>	19/01965/F	Two Cottages St Margarets Hill Wereham Norfolk Demolition of an existing outbuilding and construction of new porch extension and side extension and construction of detached garage	Wereham
02.12.2019	12.02.2020 <b>Application Permitted</b>	19/02080/F	Harmony Cottage Mill Road West Walton Wisbech Proposed single storey side extension and internal alterations	West Walton
03.12.2019	31.01.2020 <b>Application Permitted</b>	19/02087/F	Site Adjacent 70 Coronation Avenue West Winch King's Lynn Norfolk Proposed pair of semi-detached 2-storey dwellings (previously approved under 15/01351/F)	West Winch
05.07.2019	27.01.2020 <b>Application Permitted</b>	19/01179/F	West View 37 Stow Road Wiggshall St Mary Magdalen King's Lynn Demolition of existing bungalow and replacement with 2 No three bedroomed houses	Wiggshall St Mary Magdalen

28.10.2019	05.02.2020 <b>Application Withdrawn</b>	19/01865/O	Land SW of The Coach House Low Road Wretton Norfolk Outline Application: Proposed residential for 3No. Dwellings	Wretton
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