

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



Planning Committee

Agenda

**Monday, 29th June, 2020
at 9.30 am**

**Remote Meeting on Zoom and available for
the public to view on [WestNorfolkBC on You
Tube](#)**



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, 29th June, 2020

VENUE: Remote Meeting on Zoom and available for the public to view on WestNorfolkBC on You Tube - Zoom and You Tube

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 15 June 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 7 - 8)

The Committee is asked to note the Index of Applications.

a) Decisions on Applications (Pages 9 - 116)

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

9. DELEGATED DECISIONS (Pages 117 - 129)

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

10. TREE MATTERS UPDATE REPORT (Pages 130 - 133)

The Committee is asked to note the Tree Matters update report covering the period 1st November 2019 – 31st April 2020.

To: Members of the Planning Committee

Councillors F Bone, 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 Spikings, S Squire and M Storey

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.

Note:

1. Since the introduction of restrictions on gatherings of people by the Government in March 2020, it has not been possible to hold standard face to face public meetings at the Council offices. This led to a temporary suspension of meetings. The Coronavirus Act 2020 has now been implemented and in Regulations made under Section 78, it gives Local Authorities the power to hold meetings without it being necessary for any of the participants to be present together in the same room.

It is the intention of the Borough Council of King's Lynn and West Norfolk to hold Planning Committee meetings for the foreseeable future as online meetings, using the Zoom video conferencing system. If you wish to view the meeting you can do so by accessing www.youtube.com/WestNorfolkBC.

Public Speaking

2. The Council has a scheme to allow public speaking at Planning Committee. If you wish to speak at the Planning Committee, please contact Planning Admin, borough.planning@west-norfolk.gov.uk or call 01553 616234, to register your wish to speak by noon on the working day before the meeting.

When registering to speak you will need to provide:

- Your name;
- Email address;
- Telephone number;
- What application you wish to speak on; and
- In what capacity you are speaking, ie supporter/objector.

You will be speaking remotely via the Zoom video conferencing system and will receive an email confirming that you are registered to speak along with the relevant details to access the meeting. Please ensure that you can access Zoom. You can choose to speak being either seen and heard, or just heard and we would also ask that you submit a written representation in case of any issues with the software. If you do not wish to speak via a remote link, please let us know, and you can submit a written representation, which will be read to the Committee, subject to the time limits set out below.

For major applications

Two speakers may register under each category: to object to and in support of the application. A Parish or Town Councillor 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 to three minutes.

For Further information, please contact:

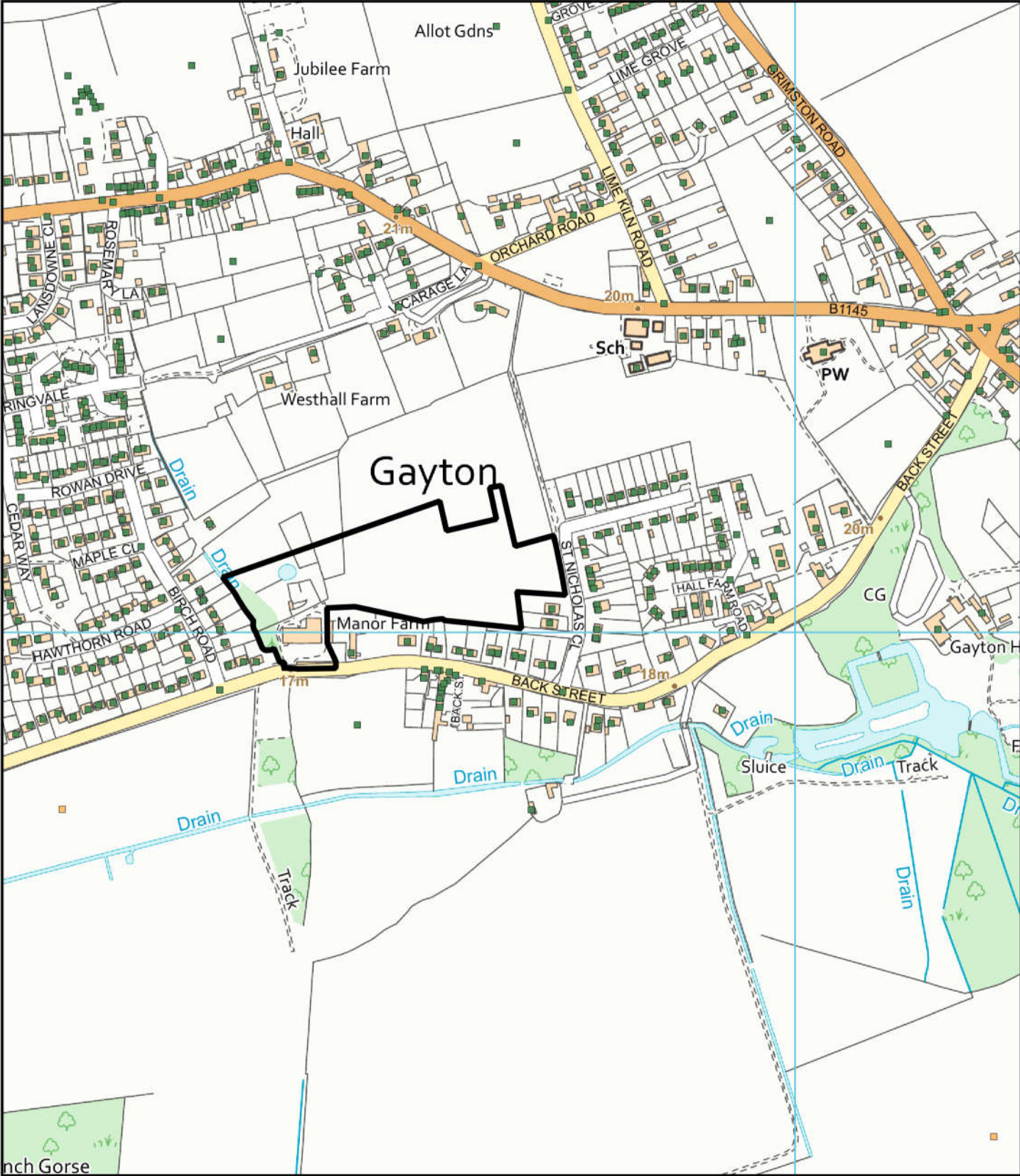
Kathy Wagg on 01553 616276
kathy.wagg@west-norfolk.gov.uk

**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 29 JUNE 2020**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	DEFERRED ITEMS			
8/1(a)	19/00694/RMM Manor Farm Back Street RESERVED MATTERS: Residential development for 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildin	GAYTON	APPROVE	9
8/1(b)	19/01831/F Manor Farm Back Street Construction of 2 detached dwellings and 4 semi-detached dwellings	GAYTON	APPROVE	31
8/2	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE			
8/2(a)	19/02000/F The Smithy Main Road Replacement dwelling following partial demolition	BRANCASTER	APPROVE	46
8/2(b)	19/01854/F Soay Farm Cowles Drove Mobile home / temporary accommodation, serving existing equine stables business.	HOCKWOLD CUM WILTON	APPROVE	57
8/2(c)	19/01906/O Land W of 47 School Road OUTLINE APPLICATION SOME MATTERS RESERVED: Proposed residential development	MARSHLAND ST JAMES	REFUSE	68
8/2(d)	20/00241/F Strathcona 30 Old Hunstanton Road Extension and alteration of a private dwelling	OLD HUNSTANTON	APPROVE	78

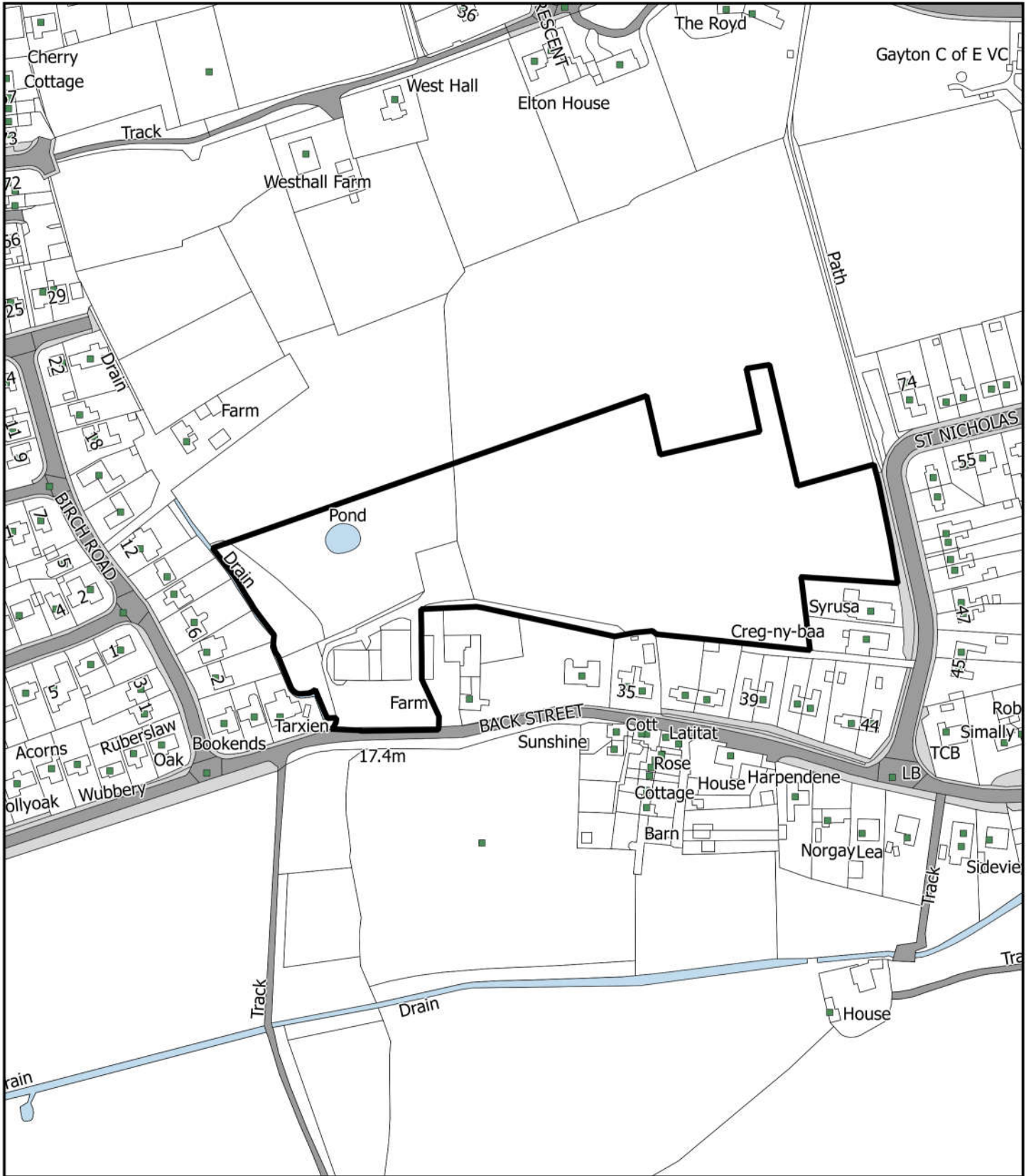
Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/2(e)	20/00395/F Willow Bank 48 Nursery Lane Replacement dwelling following demolition of the existing dwelling	SOUTH WOOTTON	APPROVE	87
8/2(f)	20/00224/O Land at Hybrid Farm 246 The Drove Outline application for construction of dwellinghouse, incorporating small animal care and boarding facility	STOW BARDOLPH	REFUSE	95
8/2(g)	20/00222/F Land SW of Ivy Farm West Drove Link Road The siting of temporary accommodation unit, incorporating staff welfare facilities	WALPOLE HIGHWAY	REFUSE	106

19/00694/RMM Manor Farm Back Street



19/00694/RMM

Manor Farm Back Street



Parish:	Gayton	
Proposal:	RESERVED MATTERS: Residential development of 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings	
Location:	Manor Farm, Back Street, Gayton, King's Lynn, Norfolk, PE32 1QR	
Applicant:	D & K Marsham	
Case No:	19/00694/RMM (Reserved Matters Application)	
Case Officer:	Mrs N Osler	Date for Determination: 17 April 2019 EOT Date: 3 July 2020

Reason for Referral to Planning Committee: Officer recommendation is contrary to Parish Council recommendation and referred by Assistant Director

Neighbourhood Plan: **NO**

Reserved Matters (RM) are sought for 40 dwellings following the grant of outline planning permission in August 2016 under reference 15/0188/FM.

The outline consent was for 40 dwellings on the housing allocation site for Gayton (G41.1) in the Site Allocations and Development Management Policies Plan, 2016 (SADMP).

This RM application is for 40 dwellings on a slightly smaller site. A full application, that is also before committee today, covers the remainder of the site and is for six dwellings (19/01831/F).

If permission is granted for both of these applications, it will result in a total of 46 dwellings on the allocated site rather than the currently approved 40.

Members will recall that this application was deferred from the Planning Committee meeting on 1 June, after initial motions to refuse and then approve the application were lost.

Since the deferral the applicant has made the following minor amendments and provided further justification to the scheme that went before Committee:

- **Access to the agricultural land to the north is shown clearer on the plan, has been widened, and trees (as well as the previously proposed 2m high close board fence and a hedge) are proposed in between the adjacent property and the access.**
- **LAP moved to the south-west, rather than the south-east of the pond to allow for the widening of the agricultural access and to allow greater separation**
- **Have amended the affordable units to better integrate them with the open-market housing in response to concerns raised about pepper-potting of the affordable units.**
- **Sought to further explain the lack of garages for the 9 affordable units**
- **Sheds have been provided for cycle storage for the 18 properties without garages (9 affordable units and 9 open market housing units).**

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The main report remains largely unaltered and the new elements or changes that have been added to the relevant sections of this report are emboldened for clarity.

Key Issues

Principle of Development
Form and Character
Residential Amenity
Highways Safety
S106 Contributions
Matters Covered by Condition
Crime and Disorder
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Reserved Matters (layout, scale, appearance and landscaping) are sought for 40 dwellings; access (including a footpath link onto St Nicholas Close) was approved at outline stage.

The dwellings comprise:

Six detached bungalows: 4 x 3-bed (plots 7, 8, 17 and 31) and 2 x 2-bed (plots 5 and 6)

Four x 4-bed detached houses: plots 1, 4, 32 and 33

Twelve pairs of 2-storey dwellings: 2 x 2-bed (**plots 11, 12(A), 39(A) and 40(A)**) and 10 x 3-bed (plots 2, 3, 9(A), **10**, 13, 14, 15, 16, 27, 28, 29, 30, 34, 35, 41, **42(A)**, 43, 44, 45 and 46)

Two x 3-unit terrace properties: 1 x 2-bed (plots 18, **19(A)** and 20(A)) and 1 x 3-bed (plots 36(A), 37(A) and 38)

Eight units are affordable, although if the concurrent full application is approved nine affordable units will be required across both sites. The additional affordable unit is to be provided on this RMM site. The plans show all nine affordable units: **plot 9 (one of a pair of semi-detached 3-bed units), plot 12 (one of a pair of semi-detached 3 -bed units), plots 19 and 20 (two of a terrace of three 2-bed units), plots 36 and 37 (two of a terrace of three 3-bed units), plots 39 and 40 (a pair of semi-detached 2-bed units) and plot 42 (one of a pair of semi-detached 3-bed units).**

Units 21 to 26 inclusive fall within the full application site and not this RM application, but for clarity they comprise: 2 x 4-bed detached dwellings and 2 x 2 pairs of semi-detached 3-bed dwellings.

The palette of materials comprises:

Slate
Pantiles
Red multi brick

Cream brick
Cobbled flint
Chalk colour render
Cedar cladding

Boundary treatments consist of 1.8m high close boarded timber fencing between properties; 1.2m high post and rail fencing in combination with hedging is proposed where the site abuts the countryside an element of walling is proposed at the entrance to the site adjacent to Plot 1 and again adjacent to Plot 4.

This RM site forms the majority of housing allocation G41.1 in the Site Allocations and Development Management Policies Plan, 2016. An extant outline permission exists on the whole site (the area covered by this RM application and the full application) for up to 40 dwellings.

A concurrent Full Application on the remainder of the site (the area not covered by this RM application) is also before committee today. The full application is for six dwellings.

If permission is granted for both then it will result in a total of 46 on the allocated site rather than the currently approved 40.

However, whilst both applications should be considered in unison, this RM application for 40 units would be in full compliance with the outline consent and can be considered in isolation from the concurrent full application.

SUPPORTING CASE

This application is before the Planning Committee following deferral at the 01 June 2020 Planning Committee. Although no formal planning reasons were outlined for that deferral, following discussions with Planning Officers, the applicant has responded to the following areas of concern as raised in debate:

- 1. No garages to affordable units**
- 2. The committee considered the affordable units were not adequately pepper potted**
- 3. Confirmation of the location of the agricultural field access and comments from CSNN**
- 4. Premium by neglect of the remaining agricultural field**
- 5. Secure cycle storage**
- 6. Number of units**
- 7. Electric Vehicle Charging and A rated EPC**

We have considered the points raised and responded in order below:

ITEM 1 – No Garages to affordable units

It should be noted that there are 9 open market dwellings that do not have garages and 9 affordable units that do not have garages. As such, it is considered that the open market and affordable units will be fully integrated without a visual disparity between the units. We have also spoken with Registered Providers regarding garages and they have confirmed that there

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preference is not to have garages, this is reinforced by the scheme behind the Rampant Horse in Gayton by Freebridge Community Housing with the affordable units not having garages.

In addition, we have also consulted further with the Housing Enabling Team and they have confirmed that Registered Providers prefer not to have garages provided with affordable units as they incur extra costs through maintenance and repairs. It may also lead to an increase in rents which could affect affordability. Sheds are provided with affordable units for the tenants to store their bikes and other belongings.

As such, we consider that the mix between open market and affordable units with and without garages will not result in visual disparity between affordable and open market housing. In addition, the proposal is Policy and NPPF compliant, meets the needs of Registered Providers and has the support of the Housing Enabling Team.

ITEM 2 – Affordable units were not adequately pepper potted

Although we would note that the previously considered scheme is fully compliant with national and local planning policy and meets the Borough's guidance on location of affordable units, we have fully considered these comments. We also note the Registered Provider's preference to locate all dwellings in a similar area for management and maintenance reasons.

Policy CS09 is clear that the purpose behind pepper potting is to ensure that the units are tenure blind and as such we have revised the proposed location of the affordable units. The proposed location and mixed tenure with open market, along with the approach outlined in item 1, will ensure that these units are truly tenure blind and that affordable units are receiving the same level of quality and accommodation as open market housing.

We would also note that the affordable units are not all located in one cluster away from the main development, in fact, they are fully integrated into proposal with mixed tenure semi-detached and terrace units. This will ensure that the affordable units are fully integrated into the scheme without visual disparity to the open market housing. We again note that this proposal fully meets local and nation policy, is in accordance with the Borough's own guidance and has no objection from the Housing Enabling team.

ITEM 3 – Access to Agricultural Field

As confirmed during James Burton's speech agricultural access to the field has been retained. However, following the committee further consideration has been given to this and the access location is also reinforced further on the proposed site plan.

As part of this we have located the access further away from plot 33, introduced additional landscaping and post and rail fence to demark the area. The access is to be grasscrete to maintain the green aspect. The LAP has also been relocated as part of our further considerations.

This approach maintains public open space far in excess of policy requirements which will be available to the whole village and this is in addition to the maintained woodland area which will also be for the use of the village.

This approach is policy compliant and the Greenspace Officer and CSNN have commented further on the proposal and confirmed no objections to the proposal.

ITEM 4 - Premium by neglect of the remaining agricultural field

Gayton Estate will continue to farm the parcel of agricultural land to the North of the application site via the proposed access. The estate manages and actively utilises small parcels of agricultural land throughout the village of Gayton successfully and this will continue with this piece of agricultural land. The land will be kept in good order and actively used and maintained as part of the estates operations.

ITEM 5 - Secure cycle storage

Each unit with a garage has an oversized garage capable of cycle and car storage. Each unit without a garage has a shed space provided for secure storage of cycles.

ITEM 6 – Number of Units

The total site has an area of circa. 2.65ha and is C3 residential land with Outline Approval for 40 dwellings. The proposed development density of the site as a whole including the 6 additional dwellings included as part of this application is 17.34 dwellings per hectare which is considered to make efficient use of residential land as required in the NPPF and also respects the form and character as well as the surrounding densities within the area. St Nicholas Close development has a density of circa. 17.86 dwellings per hectare and the Birch Road area, known locally as the Willows has a density of circa. 19.77 dwellings per hectare. The Willows is perhaps most relevant in context terms and is adjacent to this proposal and it should be noted that although we are proposing a total of 46 dwellings this remains 2 dwellings per hectare lower than the Willows.

It should also be noted that the land to the rear of the Rampant Horse in Gayton was approved recently which has a density of 26.17 dwellings per hectare and only just meets the policy required open space. The Rampant Horse was approved with a density of 8.83 dwellings per hectare higher than this proposal.

The increase in numbers allows us to offer the full requirement of affordable housing with the intention of offering additional Build2Rent properties for affordable rent to residents of the village. It should also be noted that the scheme provides far in excess of the minimum policy required open space and is fully compliant with Local and National Planning Policies with no statutory objections.

ITEM 7 - Electric Vehicle Charging and A rated EPC

As noted in James Burton's speech each property will have a charging point for electric vehicles and each and every property, including affordable homes, will strive to achieve an 'A' rated EPC utilising air and ground source heat

pumps and be designed for low water consumption and the installation of solar panels.

In addition to the points raised by the committee the entirety of the supporting statement submitted previously continues to apply fully to this proposal. This concludes that the site is identified for development in the local plan, benefits from an extant approval for 40 dwellings and is in keeping with the form and character of the area, with lower development density than the surrounding housing and recent approvals, without negative impacts on neighbour amenity. The full application for 6 dwellings will ensure best and most efficient use of land and rely on the infrastructure of the 40 dwellings approved under the current Outline Approval, this approach will ensure the deliverability of 40 homes counted as part of the land supply and positively contribute to achieving the required 95% test level of homes built.

The scheme makes efficient use of development land and will not result in harm, fully meeting the requirements of the Local Plan and the NPPF, specifically section 11 and paragraph 78, which seeks to achieve sustainable development and efficient land use. As such, we respectfully request that you support your officers and recommend approval of this scheme with conditions deemed appropriate.

PLANNING HISTORY

19/01831/F: for consideration at this committee meeting with a recommendation of approval: Full application: Construction of 2 detached and 4-semi-detached dwellings

16/00444/OM: Application Refused: 15/09/16 - Outline Major Application: Residential development comprising 40 dwellings to include 8 self-build custom built dwellings and access

15/01888/OM: Application Permitted: 04/08/16 - Outline application: Residential development for 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings

RESPONSE TO CONSULTATION

Parish Council: Further comments from the Parish Council are expected in relation to the amended plans. These will be reported under late correspondence.

Previous Representation - OBJECT on the grounds of over-development and not in keeping.

Outline planning permission for this development was granted for 40 houses on the whole site (15/01888/OM; decision August 2016). This application reduces the area of the site, thus increasing the density of the development and changes the fundamental basis of the outline approval. This new layout changes the footprint and green space, the build density makes this not in keeping with houses in the nearest

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vicinity. Parishioners are upset that the central green space within the village is being lost which changes the ethos of our lovely rural village.

The Parish Council welcomes the changes the developer has made since hearing concerns brought to their attention by the Parish Council, but feel that 40 houses on the whole site is much more in keeping and considerably more than the 23 that the Borough Council recommended within the Site Allocations and Development Management Policies Plan, 2016.

Highways Authority: NO OBJECTION the road layout is appropriate and conditions relating to its provision and maintenance are covered on the outline application.

PROW Officer: NO OBJECTION

CSNN: NO OBJECTION – I confirm that the relocation of the LAP and the location of the field access does not raise any concerns as the 2m high close boarded timber fence plus separation distance will limit disturbance [to occupiers of the adjacent dwelling]. I assume the plan will be conditioned?

Previous Representation - NO OBJECTION subject to conditions relating to drainage, lighting, construction management plan, site hours and air source heat pumps.

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Open Space Team: NO OBJECTION – It is our view that this is a more sensible location for the play space, well away from the agricultural access; it also remains overlooked.

Previous Representation - NO OBJECTION

Arboricultural Officer: NO OBJECTION

Housing Team: NO OBJECTION - I've reviewed the amended site plan [1001 Rev.F] and confirm both the siting and mix of the affordable units is adequate and we have no objection.

Regarding the garages for affordable units I can confirm Registered Providers prefer not to have garages provided with affordable units as they incur extra costs through maintenance and repairs. It may also lead to an increase in rents which could affect affordability. Sheds are provided with affordable units for the tenants to store their bikes and other belongings.

Previous Representation - NO OBJECTION

LLFA: Does not wish to comment

Waste and Recycling Team: NO OBJECTION

Natural England: No comments to make

Historic England: Does not wish to comment

Architectural Liaison & Crime Prevention Officer: The revised design is much improved [on the original indicative outline] therefore, no comments or recommendations to make

Norfolk Fire & Rescue: NO OBJECTIONS

REPRESENTATIONS

Eighteen letters of objection, two letters neither objecting nor supporting, but raising issues, and one letter of support have been received. The objections / concerns can be summarised as:

- Back Street won't be able to cope with the traffic associated with this development which will result in highway safety issues
- Contamination hasn't been fully considered
- Drainage hasn't been fully considered
- Questions the validity of the application as it is more than a simple revision to 15/01888/OM
- Is there a footpath link to St Nicholas Close?
- 40 dwellings on the site is overdevelopment and too dense and results in dwellings with gardens that are too small for them
- The development is not in keeping with the dwelling along Back Street
- The area will be overhoused as this will result in 46 dwellings on the site and not in keeping with Gayton's existing buildings
- Loss of green space / wildlife habitat
- Noise
- Strain on drainage system
- Infrastructure and services (schools / doctors) won't be able to cope
- A building as shown at the rear of No.35 Back Street that has never existed; [plot 10] will overlook by bedroom reducing privacy
- Additional demand on already stretched local sewerage pumping station
- The school should be sorted before more houses are approved
- The houses down Church View are struggling to sell; do we really need 40 more houses?
- Access to the rear of houses 36-48 Back Street is already tight; the development might result in the loss of parking to the rear of these properties which would result in parking to the front of these properties
- There is not sufficient parking for the development that will mean people park on Back Street
- Where will emergency vehicles and dust carts turn round?
- There should be a central green space within the development
- The roads [within the proposed development] have no pavements; how does this support walking?
- What landscaping / planting is proposed?

- Close boarded timber fencing is not attractive and does not enable the passage of wildlife such as hedgehogs
- Will the application address the shortfall in affordable housing for people to buy?
- Is a play area being provided?
- The connectivity of the development should be improved
- Negative impact on the value of neighbouring properties
- Loss of views
- Overlooking from Plot 16 to the patio and fully glazed conservatory of Fieldside (the latter of which, along with other extensions to Fieldside are not shown on the plans)
- The visibility splay to the site appears tight
- The internal roads within the development do not appear wide enough
- There are no turning circles for emergency / utility vehicles
- Are there plans for the section of road [adjacent to the full application site] to lead into a further development site?
- Gayton does not need any more housing. They have struggled to sell the houses round the corner for over a year now. People do not want this hence the reason for this application going on for over 5 years
- The school isn't big enough, the green space is getting more and more limited
- The pathways down Back Street aren't good enough, the drainage isn't good enough
- The access down the back of St Nicholas Close will be too tight with the proposed fence, meaning we will be forced to park our cars down the already busy Back Street
- I am concerned that having viewed the most recent plan that 40 has increased to 46 including some of the original layout, again increasing the amount of traffic and the impact on our local amenities, one especially being the School
- The development is not in accordance with the Neighbourhood Plan. In this regard the Neighbourhood Plan Steering Group has made a substantial submission in relation to the compliance of the proposal against the emerging policies in the Plan.

The letter of support can be summarised as:

- Our home borders the proposed development on two sides (west and north), and we share a boundary of over 100 metres in length. It is fair to say that my property will be most affected by future development and is hugely important to me personally, and in terms of property amenity and value. My place of work is also on Back Street and I doubt anyone knows the street or the site better than I do
- Since demolition of the dilapidated roadside cartshed, the rest of the village is now seeing Manor Farm as I have seen it for 20 years – dominated by large, antiquated asbestos cement farm buildings, well past their useful working life and ugly with it. As a neighbour, I will be pleased to see them go along with the storage of diesel, agrochemicals and fertiliser and the noise, dust and disturbance from big agricultural machinery that goes with a working farm

- I'm also pleased that woodland will be retained, enhanced with new planting and made safe for public use and access. Grassland will remain and be open for public access and enjoyment as will the small pond. That pond, which currently dries out in summer, will be cleaned out, opened to sunlight on the south side and fenced off to provide a much better habitat, safely shielded from access by children. The dedicated children's play area is also very welcome
- I understand there will be a loss of farmland but that is more than compensated for by the massively increased diversity from garden trees, plants and hedges
- From the application documents, it appears the density of homes is very low by modern standards and carefully sited to minimise impact on neighbours.

LDF CORE STRATEGY POLICIES

CS01 – Spatial Strategy

CS02 – Settlement Hierarchy

CS06 – Rural Areas

CS08 – Sustainable Development

CS09 – Housing

CS11 – Transportation

CS12 – Environmental Assets

CS14 – Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 – Parking Provision in New Development

G41.1 – Gayton – Land north of Back Street

NEIGHBOURHOOD PLAN POLICIES

N/A

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

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

Principle of Development
Form and Character
Residential Amenity
Highways Safety
S106 Contributions
Matters Covered by Condition
Crime and Disorder
Other Material Considerations

Principle of Development

The principle of residential development of this site has been found acceptable by extant outline permission 15/01888/OM for up to 40 dwellings on the housing allocation site in the SADMP (G41.1).

However, this RM application only comprises part of the outline site / G41.1 (albeit the majority), with the remainder of the site being covered by full application (19/01831/F) for a further six dwellings.

If both applications are approved it would result in a further six dwellings on the site totalling 46 and a doubling of the figure of 23 suggested in the SADMP, 2016. It is important to note however that the figure of 23 was a minimum figure and the extant permission for 40 is the material consideration.

For reasons covered in more detail below and in specific detail under the full application, officers believe the site can accommodate the combined number of 46 proposed by the two applications.

However, this RM application should be considered on its own merits of which it is in compliance with the extant outline permission.

Form and Character

The site lies between pairs of semi-detached single and two storey council / ex council properties to the east (St Nicholas Close) and southeast (Back Street). Two

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more modern bungalows / chalet bungalows lie to the immediate southeast corner of the site, Fieldside (which is identified as Syrusa on the plans) is a chalet bungalow and Creg-ny-baa is a bungalow. Running parallel to the south of the site are older properties fronting Back Street comprising detached and semi-detached dwellings whilst on the opposite side of Back Street terrace units can also be found. To the west are the more modern dwellings of Birch Road (part of the Willows Estate) that are separated from the site by an area of retained woodland.

As such there is a wide variety of dwelling types, ages, scales, masses, materials and densities in the immediate locality of the site although the vast majority are two-storey with the occasional bungalow interspersed.

The mix of detached, semi-detached and terrace dwellings proposed including the mix of single and two-storey units, along with the pallet of materials that includes both traditional and modern, are therefore considered to reflect the diversity of dwellings in the locality of the site.

The layout is that of a comprehensive estate type development that again can be seen throughout the settlement of Gayton.

In terms of accommodating 40 units, the layout does not appear cramped with the amount of open space far exceeding policy requirements (2,054m² proposed : 680m² required) and garden sizes considered to be reflective of the size of units they serve. Likewise, in terms of accommodating 46 units, the layout still does not appear cramped and in officer's opinion makes efficient use of land (as required by paragraphs 117, 122 and 123 of the NPPF). Open space provision still far exceeds policy requirements.

The applicant suggests the density of the development, including the 6 dwellings proposed under the full application, is 17.34 dwellings/ha, which is less than both St Nicholas Close (17.86 dwellings/ha) and Birch Road (19.77 dwellings/ha). This is largely as a result of the large area of open space being provided that would benefit not just this development (although that is its main requirement), but occupiers of neighbouring developments too. This again suggests that the most efficient use of land would be to accommodate 46 units on the allocation rather than 40.

It is therefore considered that the RM application, as a standalone application for 40 units, would not be of detriment to the visual amenity of the locality. Furthermore, it is also considered that, whilst acknowledging it is not a view shared by the Parish Council or the majority of third party representatives, a development comprising of both the RM and full application would not be of detriment to the visual amenity of the locality either.

Integration of Affordable Units with Open Market Units

At the 1 June meeting Committee two distinct issues were debated in relation to this aspect: pepper-potting and the fact that none of the affordable units had garages. As a result the applicant has proposed changes to the scheme.

Notwithstanding the fact that the previous layout was policy compliant and raised no objection on technical grounds from the Housing Team, the

Planning Committee
29 June 2020

applicant has sought to further integrate the affordable units with the market dwellings to further ensure ‘tenure blindness’. There is now only one pair of semi-detached units that are wholly affordable. With the other seven units comprising parts of either semi-detached or terrace groups.

As stated by the applicant in their supporting statement, Registered Provider’s prefer to locate all dwellings in a similar area for management and maintenance reasons.

It is important to note that the primary purpose of pepper-potting is to ensure integration of affordable dwellings with open market dwellings. The fact that only one pair of semi-detached dwellings is now wholly affordable could be argued to better show further integration within the site.

In relation to garage provision, notwithstanding confirmation from the Housing Team that Registered Provider’s do not want garages, as was the case with the previous application, an equal number of open market units do not benefit from garages either (plots 10, 11, 18, 34, 35, 38, 41, 44 and 46). As such officers do not consider there to be any disparity between the visual appearance of affordable and market dwellings in relation to this aspect either.

In summary, in relation to integration of affordable units with open market units, officers consider the scheme to be wholly acceptable.

Residential Amenity

The most affected non-associated properties are going to be those that abut the site, with Fieldside (the chalet bungalow to the immediate southeast) being the most affected as it has development proposed to both its northern and western boundaries. However, the property to the immediate north of Fieldside (plot 17) is a single-storey unit, the closest element of which (in terms of the dwelling) is shown to sit c.8.5 metres from the boundary of Fieldside and 12.5m from the northern elevation of Fieldside. Furthermore, Fieldside will be largely screened from the dwelling by its own extended garage and the garage proposed to serve plot 17. The new garage serving plot 17 is shown to be c.2m from the northern boundary of Fieldside and c.6m from its northern elevation. However, the eaves of the garage are 2.4m in height and the ridge 3.8m. The garage would sit adjacent to the driveway of Fieldside; this, coupled with the height of the proposed garage and orientation (to the north), suggests that any overbearing or overshadowing impacts would be limited and acceptable. The position of the garage serving plot 17 also restricts views from Fieldside into the majority of the private amenity space (rear garden) of plot 17. Whilst this would affect the views from Fieldside, there is no right to a public view although outlook is a consideration. In this regard it is considered Fieldside would retain an acceptable outlook due to the single storey nature of plot 17.

Plot 16 lies to the immediate west of both Fieldside and Creg-ny-baa. However, the eastern elevation of Plot 16 is shown to be some 23 metres from the rear elevation of Fieldview’s conservatory; a distance that should ensure there would be no material overshadowing of the conservatory. Whilst some overshadowing to the rear

gardens of both Fieldview and Creg-ny-baa would occur, it would be for limited periods of the day and therefore not sufficient enough to warrant refusal.

The only first-floor window on the eastern elevation serving Plot 16 is shown to serve a bathroom (a non-habitable room). However, given its location, in close proximity to the rear boundaries of Fieldside and Creg-ny-baa, overlooking could occur if the window was not glazed with obscure glass and could be opened. As such a condition would be placed on this window if permission were granted ensuring that it was glazed with obscure glass and is non-opening.

In summary, in relation to the impacts on Fieldside and Creg-ny-baa, whilst there would be some impacts they are not considered to be of a degree to warrant refusal.

The properties in St Nicholas Close are separated from the site by the road serving them. This separation, coupled with the distances between elevations (the closest being 37 metres), means there would be no material overlooking, overshadowing or overbearing impacts to properties in St Nicholas Close.

The properties running along the rear boundaries of the proposed development (those fronting Back Street) are all to the south of the proposed development (meaning there would be no material overshadowing) and are of distances that suggest there would be no material overlooking. The closest relationship being between plot 15 and no.39 Back Street with a distance shown to be c.26.5m between dwellings.

The properties to the west are separated from the site by a considerable distance as well as a large area of retained woodland. There would therefore be no material impacts on these dwellings.

Inter-developmental relationships are considered acceptable with the closest relationships being between units 39 and 40 with 41 and 42. Strategic tree planting is proposed between these properties that will ensure overlooking is not material. Landscaping will be conditioned if permission is granted.

Amended plan PP-1001 Rev.F shows dedicated access to the field to the north by virtue of a grasscrete, 5m wide, agricultural access to the east of the area of open space and to the west of Plot 33.

The access is separated from Plot 33 by a 2m high close boarded timber fence adjacent to Plot 33 softened on its western side by a hedge and tree planting (both of which will fall within the landscaping condition already appended). On the western side of the access there will be a 1.2m high post and rail fence separating the open space from the agricultural access.

The LAP has been moved from the southeast of the pond to the southwest of the pond to increase separation between the LAP and the agricultural access.

Both the Open Space Team and CSNN were consulted on this aspect with neither raising concerns.

Notwithstanding the fact that a suitable access has now been clarified and the applicants have confirmed that they intend to farm the land to the rear of the site, it should be noted that there is no premium on neglect.

In conclusion it is considered that the layout has taken appropriate consideration of the impacts on existing residential properties and there are no impacts that are considered to be of an unacceptable degree.

Highway Safety

Vehicular access onto Back Street (and any off-site highway improvement works) were approved at outline stage as was the provision of the footpath link onto St Nicholas Close. These issues do not need further consideration under the current application. Likewise, the impact of vehicular activity associated with 40 units would also have been fully considered at the outline stage and is not a consideration of this RM application either. However, the increase in vehicular activity of the additional six units is a consideration, but a consideration of the full application, not this RM application.

The internal road layout / types / turning heads are all acceptable to the Local Highway Authority, as is parking provision. Full details of road specifications and their timely provision and future management and maintenance are covered under the outline permission and do not therefore require duplication of condition if permission is granted under this RM application.

However parking provision, that is not covered under the outline permission, will need to be suitably conditioned if permission is granted.

In relation to parking, all proposed garages are oversized to accommodate both cars and cycles. Where garages are not proposed sheds have been provided for secure cycle storage.

S106 Contributions

Contributions that comprise: affordable housing (eight on-site units), open space provision, management and maintenance (at least 17m² per dwelling (680m²)), habitat mitigation fee (£50 / dwelling (£2,000)), contribution towards Gayton Primary School (£3,039 / dwelling (£121,560)), and contribution towards Gaywood Library (£60 / dwelling (£2,400)) are already secured by a S106 Agreement linked to the outline permission. Approval of this RM application will not affect the requirements of the S106 Agreement.

Matters Covered by Condition

The following matters are already covered by condition on the outline consent and do not require duplication if permission is granted on this RM application: road specification(s) and their timely provision and future management and maintenance, provision of visibility splays, off-site highway improvement works, foul and surface water drainage, contamination, protection of existing trees / hedgerows, archaeology, protected species, provision of fire hydrant(s), asbestos and construction management.

Crime and Disorder

There are no specific crime and disorder issues raised by this proposal with the Architectural Liaison & Crime Prevention Officer stating that the revised design is much improved [on the original indicative outline].

Other Material Considerations

CSNN has requested conditions relating to: drainage, lighting, construction management (CMP), site hours and air source heat pumps. Drainage and construction management are already covered under the outline consent. Lighting and air source heat pumps can and should be suitably conditioned if permission is granted. However, site hours do not fall within the parameters of an RM application and cannot therefore be conditioned under any permission granted under this application. Notwithstanding this, it is considered that there is enough scope within the CMP condition already appended to the outline consent to cover this aspect.

In relation to comments raised by third parties, your officer comments as follows:

- Back Street won't be able to cope with the traffic associated with this development which will result in highway safety issues – 40 dwellings accessing the site from Back Street was fully considered at the outline stage and found to be acceptable
- Contamination hasn't been fully considered – this is conditioned on the outline approval
- Drainage hasn't been fully considered - this is conditioned on the outline approval
- Questions the validity of the application as it is more than a simple revision to 15/01888/OM – the application is valid and in accordance with the outline permission
- Is there a footpath link to St Nicholas Close? – yes, as shown on drawing no. 1001 Rev.E it runs between plots 20 (RM site) and 21 (full site). Regardless of whether or not the full application is approved the footpath link to St Nicholas Close has to be provided as per drawing no. 1001 Rev.E as it is a requirement of the allocation as well as the outline scheme
- 40 dwellings on the site is overdevelopment and too dense and results in dwellings with gardens that are too small for them – this is considered to be fully covered in the main body of the report above
- The development is not in keeping with the dwelling along Back Street - this is considered to be fully covered in the main body of the report above
- The area will be overhoused as this will result in 46 dwellings on the site and not in keeping with Gayton's existing buildings – approval of this application will result in 40 dwellings and for the reasons covered in the main body of the report officers do not consider it is overdevelopment of the site
- Loss of green space – the principle of the loss of the site has been established by the outline permission and preceding that it's allocation as a housing site in the SADMP
- Impact on wildlife – protected species are covered by condition on the outline permission

- Noise – there will undoubtedly be noise during the construction period and associated with the finalised development. Noise associated with construction can be controlled by the Construction Management Plan that is a condition on the outline, whilst the noise associated with a residential development, is not considered reason to preclude housing development within a central village location
- A building is shown at the rear of No.35 Back Street that has never existed; [plot 10] will overlook by bedroom reducing privacy – the building shown at the rear of No.35 was not a consideration in the consideration of this application as it could not be seen. In relation to overlooking, the first floor windows of Plot 10 are some 30 metres from the closest rear elevation of No.35, a distance that suggests there would be no material window-to-window overlooking
- Additional demand on already stretched local sewerage pumping station – the ability of the sewerage system to accommodate the development would have been a consideration at the outline stage
- The school should be sorted before more houses are approved – permission is now granted for the school. Furthermore approval of this application would secure an additional £121,560 towards the school
- The houses down Church View are struggling to sell; do we really need 40 more houses? The principle of development is already established
- Access to the rear of houses 36-48 Back Street is already tight; the development might result in the loss of parking to the rear of these properties which would result in parking to the front of these properties. The development does not encroach outside of its site boundaries and it should therefore have no impact in this regard
- There is not sufficient parking for the development that will mean people park on Back Street – parking provision is in accordance with current parking standards. Notwithstanding this, your officers consider it highly unlikely that any overspill parking (which shouldn't occur) would encroach onto Back Street, it is more likely to be contained within the site
- Where will emergency vehicles and dust carts turn round? The Local Highway Authority will have fully considered these aspects and such vehicles will turn at the turning heads as necessary
- There should be a central green space within the development – it is considered the large, multi-functional open space area at the entrance to the site suitably serves both the development and the wider community
- The roads [within the proposed development] have no pavements; how does this support walking? The roads within the development do have pavements
- What landscaping / planting is proposed? Landscaping / planting is as shown on the plans
- Close boarded timber fencing is not attractive and does not enable the passage of wildlife such as hedgehogs – close boarded timber fencing is considered an appropriate form of boundary treatment. Furthermore areas where the site abuts the countryside and the open space have softer boundary treatments.
- Will the application address the shortfall in affordable housing for people to buy? Affordable housing provision is in line with policy requirements
- Is a play area being provided? Yes, a LAP (Local Area of Play) specifically for younger children is being provided as shown on the plans

- Negative impact on the value of neighbouring properties – this is not a material planning consideration
- Loss of views – the loss of a private view is not a material planning consideration
- Overlooking from Plot 16 to the patio and fully glazed conservatory of Fieldside (the latter of which, along with other extensions to Fieldside are not shown on the plans) – the impacts from the proposed development on Fieldside have been covered in depth in the main body of the report
- The visibility splay to the site appear tight – this was approved at the outline stage and considered to comply with standards by the Local Highway Authority
- Are there plans for the section of road [adjacent to the full application site] to lead into a further development site? Any future proposals for residential development of land adjacent to the site will require planning permission; no such planning permission is currently being sought
- The development is not in accordance with the Neighbourhood Plan. In this regard the Neighbourhood Plan Steering Group has made a substantial submission in relation to the compliance of the proposal against the emerging policies in the Plan. However, the Neighbourhood Plan does not carry sufficient weight to be a material consideration in the determination of this application. It is therefore not considered necessary to counter the 13 pages of notes submitted by the Steering Group. It should however be noted that the majority of issues raised by the Steering Group have also been raised by third parties and have therefore been commented on above.

CONCLUSION

Amended plans have been received as a result of the issues raised at the ultimately deferred item at the 1 June 2020 Planning Committee. The applicant has sought to further address the concerns raised at the 01 June meeting in relation to affordable housing integration (pepper-potting and garages), secure cycle storage and access to agricultural land to the north of the site.

Officers consider that the development proposed under this RM application is in accordance with the outline consent, although it would render the northeast corner of the outline site / allocation undeveloped if Members resolve not to approve the concurrent full application before them today.

If Members approve both applications then the entire allocation site would be able to be built-out with a total of 46 dwellings as opposed to the current approval of 40 dwellings.

Officers consider that the wider site could accommodate 46 dwellings without being of detriment to the visual amenity of the locality, highway safety or residential amenity, and that such a figure makes most efficient use of the land as required by the NPPF.

The scale, mass, density, appearance and impacts of / from the proposed dwellings have been shown to be acceptable.

No objections have been received from statutory consultees on technical grounds.

It is therefore recommended that this application be approved subject to the following conditions.

RECOMMENDATION

APPROVE subject to the following conditions:

1C. Condition: Other than in relation to phasing, the development hereby permitted shall be carried out in accordance with the following approved plans / drawing nos:

SE-1126 PP-1001 Rev.F
SE-1126 PP-1101 Rev.C
SE-1126 PP-1102 Rev.C
SE-1126 PP-1103 Rev.C
SE-1126 PP-1104 Rev.C
SE-1126 PP-1105 Rev.C
SE-1126 PP-1106 Rev.E
SE-1126 PP-1107 Rev.E
SE-1126 PP-1108 Rev.B
SE-1126 PP-1109 Rev.A
SE-1126 PP-1110 Rev.A
SE-1126 PP-1111 Rev.A
SE-1126 PP-1112
SE-1126 PP-1113

1R. Reason: For the avoidance of doubt and in the interests of proper planning.

2C. Condition: In relation to phasing, the development shall be phased as shown on approved drawing **SE-1126 PP-1001 Rev.F** unless otherwise agreed in writing by the Local Planning Authority.

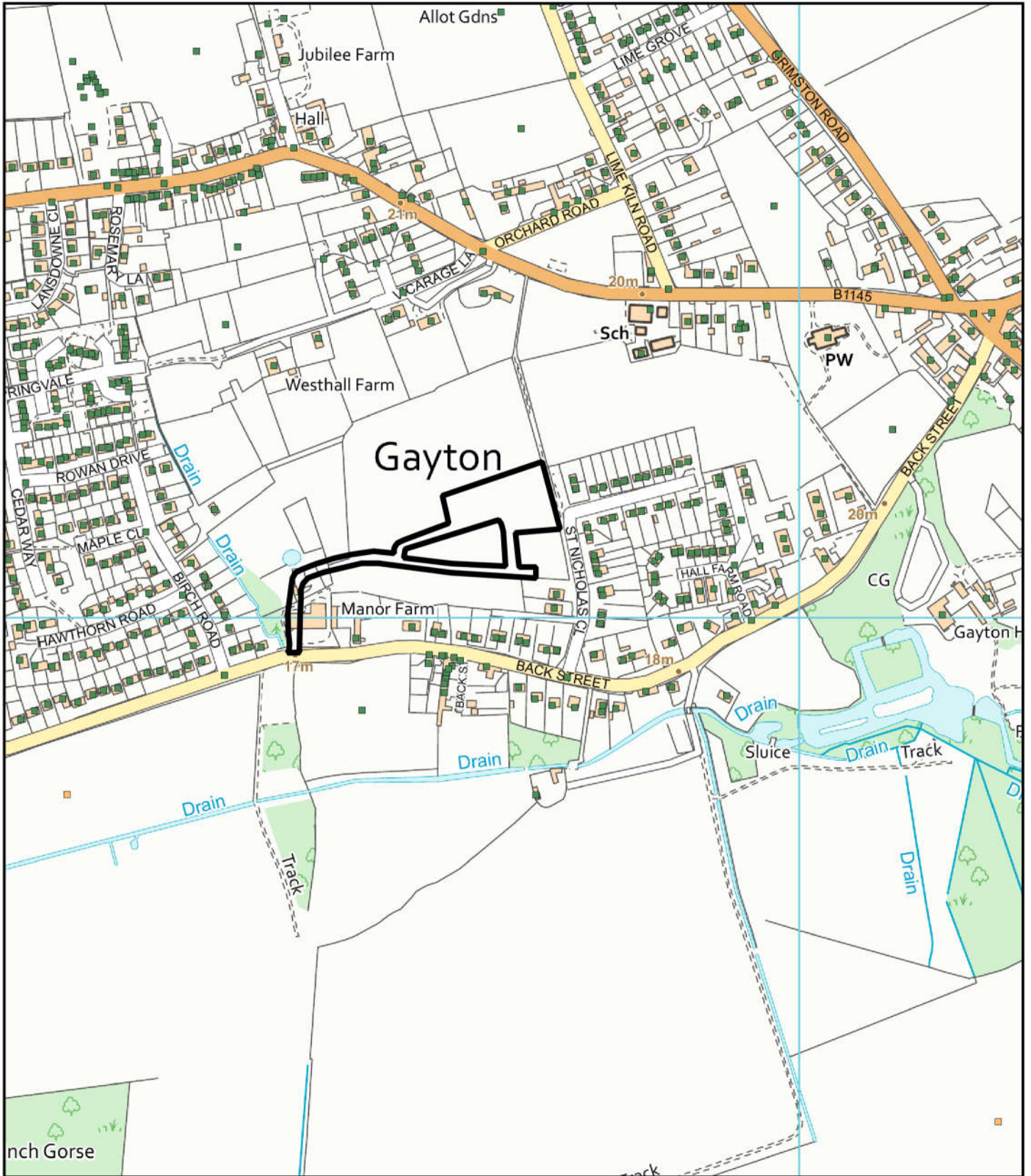
2R. Reason: For the avoidance of doubt, in the interests of proper planning and to enable some flexibility if required.

3C. Condition: Prior to the installation of any outdoor 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 any 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 the approved scheme prior to the first occupation of any dwelling hereby permitted, or in accordance with a rolling programme of provision, and shall thereafter be maintained and retained as agreed.

- 3R. Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and Development Plan.
- 4C. Condition: Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 4R. Reason: To ensure that the amenities of both existing and future occupants are safeguarded in accordance with the NPPF and Development Plan.
- 5C. Condition: Prior to the first occupation of each dwelling hereby permitted the proposed on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5R. Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with the NPPF and Development Plan.
- 6C. Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 6R. Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF and Development Plan.
- 7C. Condition: The first floor window on the eastern elevation of Plot 16 shown on the approved plans to serve the bathroom, shall be glazed with obscure glass and shall be non-opening and shall thereafter be retained in that condition.
- 7R. Reason: In the interests of the amenities of occupiers of neighbouring properties in accordance with the NPPF and Development Plan.

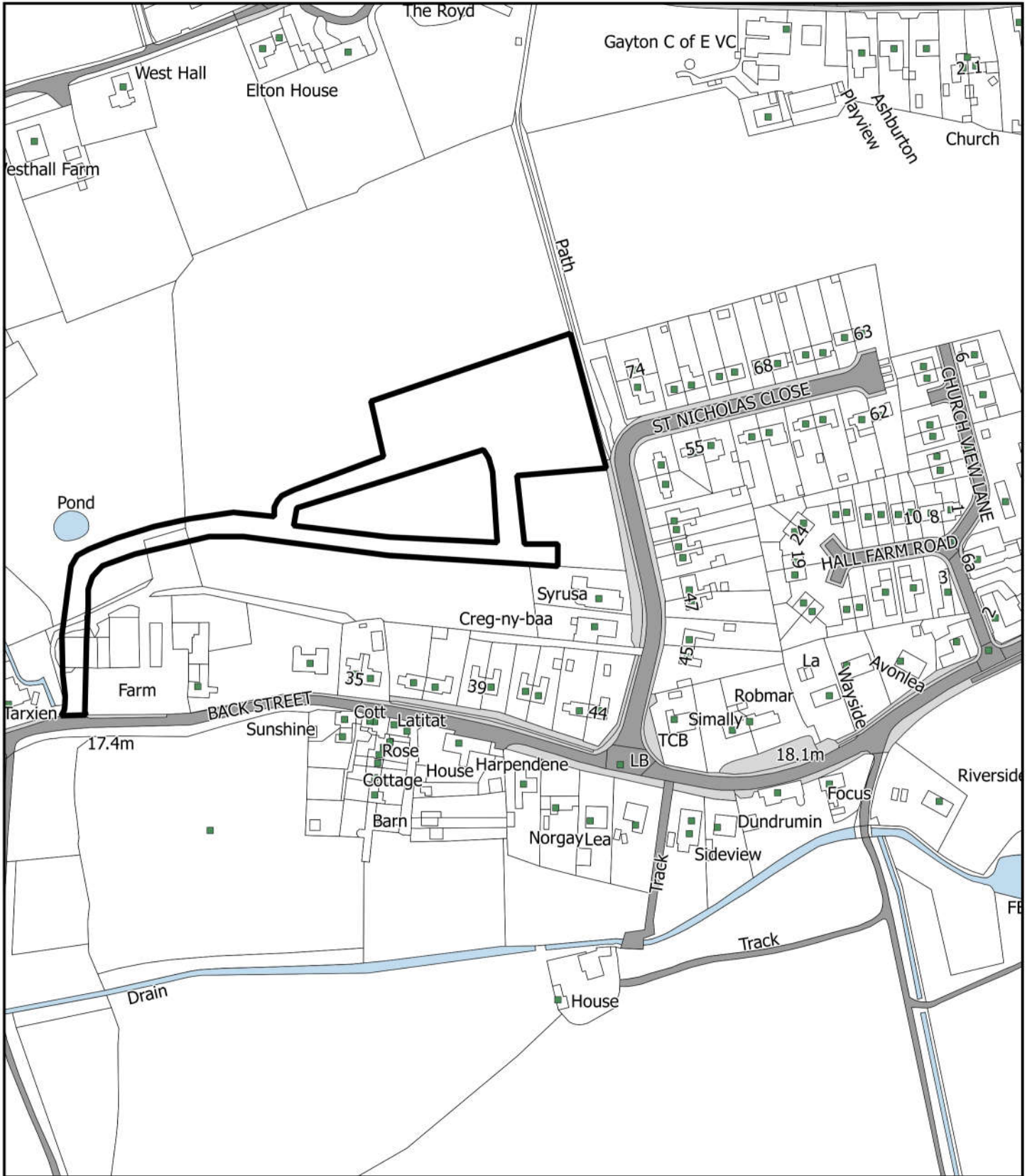
19/01831/F

Manor Farm Back Street



19/01831/F

Manor Farm Back Street



Parish:	Gayton	
Proposal:	Construction of 2 detached dwellings and 4 semi-detached dwellings	
Location:	Manor Farm Back Street Gayton King's Lynn	
Applicant:	D&K Marsham	
Case No:	19/01831/F (Full Application)	
Case Officer:	Mrs N Osler	Date for Determination: 6 February 2020 Extension of Time Expiry Date: 29 October 2020

Reason for Referral to Planning Committee: Planning Officer recommendation is contrary to Parish Council recommendation and referred by the Assistant Director

Neighbourhood Plan: No

Case Summary

Full planning permission is sought for six dwellings.

The site forms a small part of housing allocation G41.1 in the Site Allocations and Development Management Policies Plan, 2016. An extant outline planning permission exists on the whole site (including this site) for up to 40 dwellings.

A concurrent Reserved Matters application (RM) on the remainder of the site (the area not covered by this full application) is also before committee today. The RM application is for 40 dwellings (in line with the outline approval) but on a smaller site (excluding the site that is subject of this full application).

If permission is granted for both then it will result in a total of 46 dwellings on the allocated site rather than the currently approved 40.

This application was also deferred from the Committee Meeting of 01 June as it directly relates to application 19/00694/RMM.

However, other than the Supporting Statement, no other changes have been made to this report other than to make an amendment to an incorrectly listed plan.

Key Issues

Principle of Development
Form and Character
Residential Amenity
Highway Safety
S106 Contributions
Crime and Disorder
Other Material Considerations

Recommendation

IN THE EVENT THAT APPLICATION 19/00694/RMM CONSIDERED EARLIER ON THIS AGENDA WAS APPROVED:

A) APPROVE subject to the completion of a S106 Agreement within 4 months of the date of this resolution

B) REFUSE if a S106 agreement is not completed within 4 months of the date of this resolution to approve, on the grounds of failure to secure a mechanism to provide affordable housing.

OR

IN THE EVENT THAT RESERVED MATTERS APPLICATION 19/00694/RMM CONSIDERED EARLIER ON THIS AGENDA WAS REFUSED, TO ENSURE A COMPREHENSIVE AND HIGH QUALITY DESIGN AND LAYOUT IS ACHIEVED ACROSS THE WHOLE ALLOCATED SITE, THEN THIS APPLICATION WOULD ALSO BE RECOMMENDED FOR REFUSAL.

THE APPLICATION

Full planning permission is sought for a total of six, two-storey dwellings: two pairs of semi-detached dwellings (linked by their garages) and two detached dwellings. The semi-detached properties would be 3-bed units and the detached would be 4-bed units. Detached double garages are proposed to serve the detached properties with single garages serving the linked dwellings.

The linked dwellings would be constructed from red multi brick with chalk render on the front elevations under a slate roof. The detached dwellings are to be constructed from red multi brick with flint cobble on the front elevations under a pantile roof.

Boundary treatments would comprise 1.8 close boarded timber fencing (CBTF) between properties, 1.5m CBTF with 0.3 trellis above along the eastern boundary (rear boundaries of the linked dwellings where they abut the footpath), and 1.2m high post and rail fence with native hedgerow on the northern boundary where it abuts the adjacent countryside.

The site lies in the northeast corner of allocated site G41.1 of the Site Allocations and Development Management Policies Plan, 2016. An extant outline planning permission exists on the whole site (which includes this site) for up to 40 dwellings. A concurrent Reserved Matters application (RM) on the remainder of the site (the area not covered by this full application) is also before committee today. The RM application is for 40 dwellings (in line with the outline approval) but on a smaller site (i.e. excluding the site that is the subject of this full application).

If permission is granted for both applications it will result in a total of 46 dwellings on the allocated site rather than the currently approved 40.

Members may wish to note that given the location of this full application site, in the northeast corner of the wider allocation / outline site, if the adjoining RM application for the vast majority of the allocation has been refused earlier in this committee meeting, it is recommended that the current application should also be refused. This is on the grounds that to permit these six dwellings alone, with an extensive internal road leading to them, would result in incongruous development of detriment to the visual amenity of the locality, and would not lead to a comprehensive development of the site.

SUPPORTING CASE

This application is before the Planning Committee following deferral at the 01 June 2020 Planning Committee. Although no formal planning reasons were outlined for that deferral, following discussions with Planning Officers, the applicant has responded to the following areas of concern as raised in debate:

- 1. No garages to affordable units**
- 2. The committee considered the affordable units were not adequately pepper potted**
- 3. Confirmation of the location of the agricultural field access and comments from CSNN**
- 4. Premium by neglect of the remaining agricultural field**
- 5. Secure cycle storage**
- 6. Number of units**
- 7. Electric Vehicle Charging and A rated EPC**

We have considered the points raised and responded in order below:

ITEM 1 – No Garages to affordable units

It should be noted that there are 8 open market dwellings that do not have garages and 9 affordable units that do not have garages. As such, it is considered that the open market and affordable units will be fully integrated without a visual disparity between the units. We have also spoken with Registered Providers regarding garages and they have confirmed that their preference is not to have garages, this is reinforced by the scheme behind the Rampant Horse in Gayton by Freebridge Community Housing with the affordable units not having garages.

In addition, we have also consulted further with the Housing Enabling Team and they have confirmed that Registered Providers prefer not to have garages provided with affordable units as they incur extra costs through maintenance and repairs. It may also lead to an increase in rents which could affect affordability. Sheds are provided with affordable units for the tenants to store their bikes and other belongings.

As such, we consider that the mix between open market and affordable units with and without garages will not result in visual disparity between affordable and open market housing. In addition, the proposal is Policy and NPPF compliant, meets the needs of Registered Providers and has the support of the Housing Enabling Team.

ITEM 2 – Affordable units were not adequately pepper potted

Although we would note that the previously considered scheme is fully compliant with national and local planning policy and meets the Borough's guidance on location of affordable units, we have fully considered these comments. We also note the Registered Provider's preference to locate all dwellings in a similar area for management and maintenance reasons.

Policy CS09 is clear that the purpose behind pepper potting is to ensure that the units are tenure blind and as such we have revised the proposed location of the affordable units. The proposed location and mixed tenure with open market, along with the approach outlined in item 1, will ensure that these units are truly tenure blind and that affordable units are receiving the same level of quality and accommodation as open market housing.

We would also note that the affordable units are not all located in one cluster away from the main development, in fact, they are fully integrated into proposal with mixed tenure semi-detached and terrace units. This will ensure that the affordable units are fully integrated into the scheme without visual disparity to the open market housing. We again note that this proposal fully meets local and nation policy, is in accordance with the Borough's own guidance and has no objection from the Housing Enabling team.

ITEM 3 – Access to Agricultural Field

As confirmed during James Burton's speech agricultural access to the field has been retained. However, following the committee further consideration has been given to this and the access location is also reinforced further on the proposed site plan.

As part of this we have located the access further away from plot 33, introduced additional landscaping and post and rail fence to demark the area. The access is to be grasscrete to maintain the green aspect. The LAP has also been relocated as part of our further considerations.

This approach maintains public open space far in excess of policy requirements which will be available to the whole village and this is in addition to the maintained woodland area which will also be for the use of the village.

This approach is policy compliant and the Greenspace Officer and CSNN have commented further on the proposal and confirmed no objections to the proposal.

ITEM 4 - Premium by neglect of the remaining agricultural field

Gayton Estate will continue to farm the parcel of agricultural land to the North of the application site via the proposed access. The estate manages and actively utilises small parcels of agricultural land throughout the village of Gayton successfully and this will continue with this piece of agricultural land. The land will be kept in good order and actively used and maintained as part of the estates operations.

ITEM 5 - Secure cycle storage

Each unit with a garage has an oversized garage capable of cycle and car storage. Each unit without a garage has a shed space provided for secure storage of cycles.

ITEM 6 – Number of Units

The total site has an area of circa. 2.65ha and is C3 residential land with Outline Approval for 40 dwellings. The proposed development density of the site as a whole including the 6 additional dwellings included as part of this application is 17.34 dwellings per hectare which is considered to make efficient use of residential land as required in the NPPF and also respects the form and character as well as the surrounding densities within the area. St Nicholas Close development has a density of circa. 17.86 dwellings per hectare and the Birch Road area, known locally as the Willows has a density of circa. 19.77 dwellings per hectare. The Willows is perhaps most relevant in context terms and is adjacent to this proposal and it should be noted that although we are proposing a total of 46 dwellings this remains 2 dwellings per hectare lower than the Willows.

It should also be noted that the land to the rear of the Rampant Horse in Gayton was approved recently which has a density of 26.17 dwellings per hectare and only just meets the policy required open space. The Rampant Horse was approved with a density of 8.83 dwellings per hectare higher than this proposal.

The increase in numbers allows us to offer the full requirement of affordable housing with the intention of offering additional Build2Rent properties for affordable rent to residents of the village. It should also be noted that the scheme provides far in excess of the minimum policy required open space and is fully compliant with Local and National Planning Policies with no statutory objections.

ITEM 7 - Electric Vehicle Charging and A rated EPC

As noted in James Burton's speech each property will have a charging point for electric vehicles and each and every property, including affordable homes, will strive to achieve an 'A' rated EPC utilising air and ground source heat pumps and be designed for low water consumption and the installation of solar panels.

In addition to the points raised by the committee the entirety of the supporting statement submitted previously continues to apply fully to this proposal. This concludes that the site is identified for development in the local plan, benefits from an extant approval for 40 dwellings and is in keeping with the form and character of the area, with lower development density than the surrounding housing and recent approvals, without negative impacts on neighbour amenity. The full application for 6 dwellings will ensure best and most efficient use of land and rely on the infrastructure of the 40 dwellings approved under the current Outline Approval, this approach will ensure the deliverability of 40 homes counted as part of the land supply and positively contribute to achieving the required 95% test level of homes built.

The scheme makes efficient use of development land and will not result in harm, fully meeting the requirements of the Local Plan and the NPPF, specifically section 11 and paragraph 78, which seeks to achieve sustainable development and efficient land use. As such, we respectfully request that you support your officers and recommend approval of this scheme with conditions deemed appropriate.

PLANNING HISTORY

19/00694/RMM: for consideration at this meeting with a recommendation of approval: - RESERVED MATTERS: Residential development for 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings

16/00444/OM: Application Refused: 15/09/16 - Outline Major Application: Residential development comprising 40 dwellings to include 8 self-build custom built dwellings and access

15/01888/OM: Application Permitted: 04/08/16 - Outline application: Residential development for 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings

RESPONSE TO CONSULTATION

Parish Council: **OBJECT** on the grounds of over-development and not in keeping.

This application needs to be taken in conjunction with Application 19/00694/RMM. The Parish Council feels that the purpose of this application (19/01831/F) is to circumvent the original outline planning approval (15/01888/OM) for forty houses and to increase the number of houses on the original plot to 46, thus increasing the density overall. The Parish Council feels that with the likely new position of the proposed new school the footprint for this development has changed in readiness of further development and the loss of important green space in the centre of the village. Green space is important for Parishioners wellbeing something that the Parish Council is very mindful of.

The Parish Council feels that these applications are making a mockery of the planning system and understand that the developer needs best value but not at the expense of our lovely rural village and the wellbeing of our Parishioners. The Parish Council understands to be sustainable there needs to be development within the village but trying to squeeze an extra six houses onto a plot making it denser, removing green space etc is not in the best interest of the village and the Parishioners that live here.

Highways Authority: NO OBJECTION subject to condition

PROW Officer: NO OBJECTION in respect to Public Rights of Way but the applicant must ensure that the eastern boundary of the site is not encroaching Gayton Public Footpath 9 that runs along the rear (eastern) boundary of plots 21 to 24.

This Footpath is part surfaced but the extent of the surfacing is not indicative of the definitive width of this PROW which is likely to be wider as the PROW follows a historic lane. The applicant needs to establish the definitive width by obtaining a highways boundary plan and revise drawings if necessary to ensure there is no encroachment or obstruction of the PROW.

The Footpath must remain available and unobstructed for the duration of construction or an appropriate temporary closure order be in place to safeguard the public during construction.

CSNN: NO OBJECTION subject to condition requiring construction management

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to condition

Housing Team: NO OBJECTION I note these 6 units will take the wider development to 46 units overall, which increases the affordable housing contribution from 8 units to 9. Six units should be for rent and three for shared ownership. The applicant has proposed an additional affordable unit which I confirm meets our requirements. The additional affordable housing will need to be secured via legal agreement.

Waste and Recycling Team: NO OBJECTION

Natural England: No comments to make

Anglian Water: No comments to make

REPRESENTATIONS

One letter of support has been received. It can be summarised as follows:

- Our home borders the proposed development on two sides (west and north), and we share a boundary of over 100 metres in length. It is fair to say that my

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property will be most affected by future development and is hugely important to me personally, and in terms of property amenity and value. My place of work is also on Back Street and I doubt anyone knows the street or the site better than I do

- Since demolition of the dilapidated roadside cartshed, the rest of the village is now seeing Manor Farm as I have seen it for 20 years – dominated by large, antiquated asbestos cement farm buildings, well past their useful working life and ugly with it. As a neighbour, I will be pleased to see them go along with the storage of diesel, agrochemicals and fertiliser and the noise, dust and disturbance from big agricultural machinery that goes with a working farm
- I'm also pleased that woodland will be retained, enhanced with new planting and made safe for public use and access. Grassland will remain and be open for public access and enjoyment as will the small pond. That pond, which currently dries out in summer, will be cleaned out, opened to sunlight on the south side and fenced off to provide a much better habitat, safely shielded from access by children. The dedicated children's play area is also very welcome
- I understand there will be a loss of farmland but that is more than compensated for by the massively increased diversity from garden trees, plants and hedges
- From the application documents, it appears the density of homes is very low by modern standards and carefully sited to minimise impact on neighbours.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

G41.1 Gayton - Land north of Back Street

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
Residential Amenity
Highway Safety
S106 Contributions
Crime and Disorder
Other Material Considerations

Principle of Development

The principle of residential development of this site has been found acceptable by extant outline planning permission 15/01888/OM and the fact that the site is allocated for housing development in the current SADMP, 2016 (G41.1) and the emerging Local Plan.

However, this full application only relates to a small part of the outline site / allocation with the remainder of the site being covered by reserved matters application 19/00694/RMM.

If both applications are approved it would result in a further six dwellings on the allocated site, totalling 46 rather than the currently approved 40. The main issue for consideration in the determination of this application is therefore the impact of these additional six dwellings.

Form and Character

This application, when considered in combination with the RM application, would result in an extension to the RM proposal and comprehensive development of the wider outline site / allocation.

The dwellings represent two of the eight types of dwelling designs proposed on the RM site and are considered to be of a scale, mass and appearance that relates adequately to the site, the wider site and the wider setting.

The density of development of the wider site as a result of these additional six dwellings is considered acceptable, and would remain lower than adjacent existing built form, largely due to the expanse of open space at the entrance to the site. The scheme is not considered by officers to be cramped. For these reasons it is considered that to raise the number of units on the allocation / outline site to 46, by approving this full application in combination with the RM application, represents the most efficient use of land as required by the NPPF.

As previously stated, given the location of this full application site, in the northeast corner of the wider allocation / outline site, if the adjoining RM application is refused, it is recommended that the current application should also be refused. This is on the grounds that to permit these six dwellings alone, with an extensive internal road leading to them, would result in incongruous development of detriment to the visual amenity of the locality, and would not lead to a comprehensive development of the wider site / allocation.

It is therefore considered, that in combination with the RM, the proposal would result in comprehensive development of the site and promote an effective use of land that would not be of detriment to the visual amenity of the locality.

Residential Amenity

It is not considered that there would be any material overlooking, overbearing or overshadowing impacts from these six dwellings to any non-associated dwelling given the distances and means of separation (St Nicholas Close). The rear elevations of plots 21 to 24 are in excess of 39m from the front elevations of the properties on the other side of St Nicholas Close thus rendering any impacts negligible.

Inter-developmental relationships are also considered acceptable.

Highway Safety

This proposal includes all the provisions relating to highway issues that the original outline application covers. However, as it is not considered appropriate to approve this application without approval of the RM application, and the RM application has a phasing plan that shows these units in the last phase of construction, it is not considered necessary to duplicate access improvements, off-site highway improvement works, construction specification etc, if this application is permitted alongside the RM application. However, if Members are minded to approve this application even if the RM application has been refused, the conditions listed at the end of this report would need to be amended to include all the highway conditions currently appended to the outline permission (amended as necessary).

The Local Highway Authority raises no objection to this application on the grounds of highway safety considering the access and highway improvement works required

under the extant outline application are sufficient to cope with a further six dwellings. Parking provision is in accordance with current standards.

S106 Contributions

If the earlier RM application was approved and Members resolve to also approve this application, an additional affordable unit will need to be provided across the wider site in accordance with Development Management Plan Policy DM8 (i.e. nine units rather than eight). The additional unit is proposed on the RM site. The Housing Enabling Team are happy with this arrangement which they will have considered against their Affordable Housing Policy. This additional unit will need to be secured by a S106 agreement.

This scheme is CIL liable, and CIL will be collected under the relevant legislation.

In the event that Members resolve to approve this application but have refused the RM application, a S106 agreement will still be required, but it will be to secure a financial contribution (£72,000) rather than an on-site unit. This is because this development in isolation is not major development and therefore only a financial contribution can be sought.

Crime and Disorder

There are no specific crime and disorder issues raised by this proposal for six dwellings, and in relation to the wider site, the Architectural Liaison & Crime Prevention Officer stated that the revised design on the combined site is much improved [on the original indicative outline].

Other Material Considerations

This application could in theory be permitted without approving the concurrent RM application (although your officers advise against this). If this situation should arise, a number of conditions on the outline planning permission will need to be appended to any permission granted under this application (amended as necessary).

The Habitat Mitigation Fee of £300 (£50 / dwelling) has already been paid.

CONCLUSION

The application represents residential development of part of a site allocated for housing in the Local Plan. There are no technical issues or objections from statutory consultees on technical grounds. However, the Parish Council object on the grounds of overdevelopment of allocation G41.1.

If both this and the Reserved Matters application before Committee today are approved it would result in 46 dwellings on the wider site rather than the 40 permitted by the current outline planning permission. Officers consider that the in-combination proposal results in an attractive, permeable and legible scheme that would not be of detriment to the visual amenity of the locality, highway safety or neighbour amenity, and makes efficient use of land as required by the NPPF.

Therefore, if the Reserved Matters application (19/00694/RMM) has been approved, it is recommended that this application be approved subject to conditions at the end of this report.

However, given the location of this full application site, in the northeast corner of the wider allocation / outline site, if the adjoining RM application for the vast majority of the allocation has been refused earlier in this committee meeting, it is recommended that the current application should also be refused. This is on the grounds that to permit these six dwellings alone, with an extensive internal road leading to them, would result in incongruous development of detriment to the visual amenity of the locality, and would not lead to a comprehensive development of the site.

Therefore, if the Reserved Matters application has been refused, it is recommended that this application be refused for the reason given at the end of this report.

RECOMMENDATION:

If application 19/00694/RMM was approved:

A) APPROVE subject to the imposition of the following conditions and completion of a S106 Agreement within 4 months of the date of this resolution:

- 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 / drawings nos:
SE-1126 PP-1002 Rev.A
SE-1126 PP-1102 Rev.C
SE-1126 PP-1103 Rev.C
SE-1126 PP-1108 Rev.B
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the installation of any outdoor 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 any 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 the approved scheme prior to the first occupation of any dwelling hereby permitted, or in accordance with a rolling programme of provision, and shall thereafter be maintained and retained as agreed.

- 3 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and Development Plan.
- 4 Condition: Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 4 Reason: To ensure that the amenities of both existing and future occupants are safeguarded in accordance with the NPPF and Development Plan.
- 5 Condition: Prior to the first occupation of each dwelling hereby permitted the proposed on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with the NPPF and Development Plan.
- 6 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 6 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF and Development Plan.

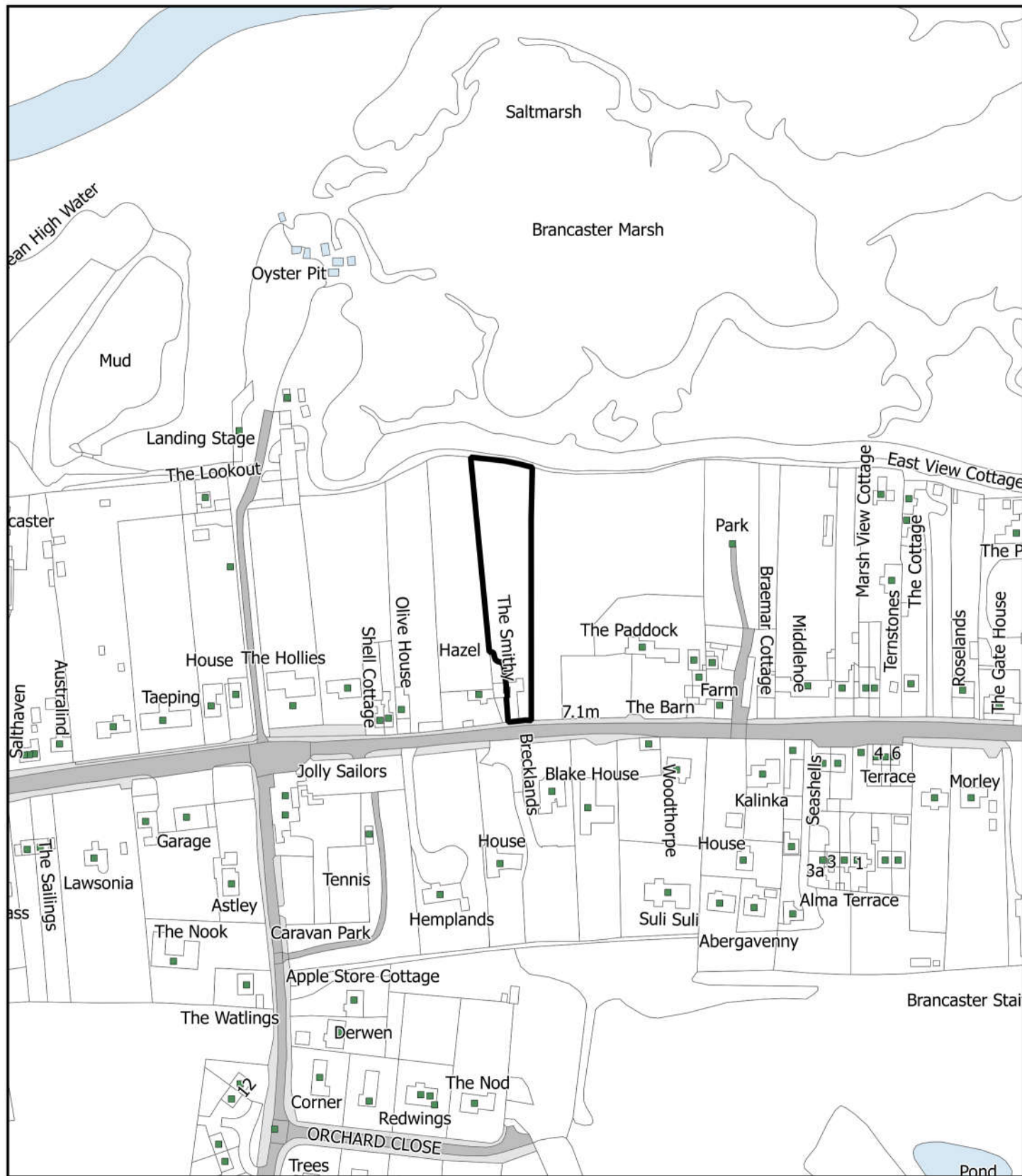
B) REFUSE if a S106 agreement is not completed within 4 months of the date of this resolution to approve, on the grounds of failure to secure a mechanism to provide affordable housing.

OR

C) REFUSE In the event that Reserved Matters application 19/00694/RMM was refused, to ensure a comprehensive and high quality design and layout is achieved across the whole allocated site.

19/02000/F

The Smithy Main Road Brancaster



19/02000/F

The Smithy Main Road Brancaster



Parish:	Brancaster	
Proposal:	Replacement dwelling following partial demolition	
Location:	The Smithy Main Road Brancaster Staithe King's Lynn	
Applicant:	Mr And Mrs Lane	
Case No:	19/02000/F (Full Application)	
Case Officer:	Mr James Sheldrake	Date for Determination: 21 January 2020 Extension of Time Expiry Date: 29 February 2020

Reason for Referral to Planning Committee – The Officer recommendation is at variance with the views of the Parish Council and the application has been referred by Planning Sifting Panel.

Neighbourhood Plan: Yes

Case Summary

The application site is situated on the north side of the Main Road, Brancaster Staithe, and comprises a semi-detached two-storey dwelling.

The application seeks permission for a replacement semi-detached dwelling.

Key Issues

1. Principle of the development
2. Impact on form and character (including the AONB)
3. Neighbour amenity
4. Highway Safety
5. Brancaster Neighbourhood Plan
6. Other considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks permission for a replacement semi-detached dwelling.

The replacement dwelling will be two-storey and will be formed of the existing single-storey front projection, which sits at 90 degrees to the road, and a replacement two-storey volume attached to the neighbouring dwelling. The main two-storey volume will be formed of 3 bedrooms, and the existing single-storey front projection will form a 1 bedroom link-attached

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annexe. The replacement dwelling will be constructed from brick, flint, and clay pantiles, which will match the neighbouring attached dwelling. The extent of glazing has been reduced and the proposed first-floor roof terrace to the rear of the dwelling has been reduced in depth.

The existing dwelling is formed of a two-storey volume that sits parallel with the road, attached and in line with the neighbouring dwelling to the west (Hazel Cottage), and the single-storey front projection. The existing dwelling was originally an extension to Hazel Cottage and was separated off as a separate dwelling in the 20th Century. Hazel Cottage is very traditional in character and, together with the front projection to The Smithy, makes an important contribution to the street-scene. The two-storey part of The Smithy that is proposed to be demolished makes much less of a contribution to the street-scene.

Part of The Smithy was recently transferred to the ownership of Hazel Cottage, so the internal dividing line between the properties has shifted. The garden boundaries have yet to be shifted, due to the delay in the determination of the current application; however, the proposed plans show clearly where the new dividing line will be. The transfer of garden and the middle portion of the building to the attached neighbour is not something that requires planning permission in this circumstance.

The application site and the proposed replacement dwelling fall within the development boundary and within the Brancaster Parish Neighbourhood Plan (2015 - 2026) area. The site also falls within the AONB and the rear garden leads down to the Norfolk Coast Path. The site is clearly visible from the coast path, a designated National Trail, so the proposed development to the rear will impact important public views within the AONB.

PLANNING HISTORY

None.

SUPPORTING STATEMENT The following statement was received on the 11th of June:

"The application was submitted during November 2019 and received objection from the Norfolk Coast Partnership and concerns from the planning department. Initially no comment was received from Parish Council.

Since then we have worked on 2 redesigns and 6 revisions to alleviate the concerns raised by all parties these changes include altering the design significantly to reduce the impact on the AONB and reducing the amount of glazing. We now have full support from the Norfolk Coast Partnership and they note how we had worked with them on the final design. We also have officer support to the scheme.

Despite repeated correspondence to the Parish Council, as you know we have tried all through this process to have a constructive dialogue with the Parish Council, asking for their opinion and keeping them updated on the revised plans as the design progressed. Despite these repeated emails unfortunately we received no feedback whatsoever as to what sort of design they feel is appropriate within their parish until the 4th May 2020, when the planning had been delegated to one PC due to COVID-19.

We have the following comments to make to their emailed objection and comments to the planning department.

PC Comment: The Parish Council wish to 'OBJECT and Call In' due to the following points.

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AA Response: The application was not called in.

PC Comment: It had been refused before due to being out of character and this has not changed in the revised plans.

AA Response: This application has never been refused and has been significantly changed, reduced in size and form, through consultation with CPRE and Planning officer.

PC Comment: Carparking; the revised plans have not addressed this.

AA Response: The consultation raised no parking objections which they confirmed to your consultation request.

PC Comment: The coastal path has not and will not move and this was mentioned in previous refusals.

AA Response: The application has never been refused and moving the coastal path has never been proposed however, I think this statement means that up till now the Norfolk Coast Partnership have rejected all previous plans, and have not moved their position. They now support the revised scheme size, windows and form.

PC Comment: Large windows.

AA Response: Again this is the first time this has been mention by the Parish Council. The window area has now been reduced by around 50% and the Norfolk Coast Partnership now support the revised scheme.

PC Comment: This is an area of beauty and these plans do not fit in.

AA Response: This comment leads me to think they have been looking at an old drawing. Looking at the dates involved and the dates of the delegated decisions on their website (attached) I can only surmise these comments relate to a previous revision.

We strongly believe the Parish Council have based their objection on a previous revision of the proposed scheme. The comments appear to relate to drawing revision D and not revision F as now proposed.

The proposed scheme accords with relevant national and local policy including the Brancaster neighbourhood plan and we do hope the committee will support this application so we can avoid a lengthy appeal process."

RESPONSE TO CONSULTATION

Parish Council: OBJECTION:

"- It had been refused before due to being out of character and this has not changed in the revised plans

- Carparking; the revised plans have not addressed this
- The coastal path has not and will not move and this was mentioned in previous refusals
- Large windows
- This is an area of beauty and these plans do not fit in"

Highways Authority: NO OBJECTION subject to conditions relating to the on-site parking and turning area and the annexe to remain ancillary to the main dwelling.

Norfolk Coast Partnership Officer: SUPPORT:

"Thank you for consulting the Norfolk Coast Partnership on this application. We appreciate that our comments on design have been carefully considered. The newest design details are

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much more sympathetic to the area and adjacent building. The side elevation will have less visual impact from the road and there has been a decrease in glass which will help to lessen light pollution on our dark skies. Therefore we remove our objection although ask that a condition for external lighting is included.

Natural England: NO OBJECTION

Community Safety and Neighbourhood Nuisance Officer: NO OBJECTION subject to conditions relating to foul and surface water drainage details, outdoor lighting scheme; construction management plan and site hours.

REPRESENTATIONS

None.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS07 - Development in Coastal Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM7 - Residential Annexes

DM15 – Environment, Design and Amenity

DM15 – Environment, Design and Amenity

NEIGHBOURHOOD PLAN POLICIES

Policy 1 - Size of Houses

Policy 2 - Design, Style and Materials

Policy 3 - Footprint for New and Redeveloped Dwellings

Policy 4 - Parking Provision

Policy 5 - Replacement Dwellings

Policy 9: Protection and Enhancement of The Natural Environment and Landscape

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:

1. Principle of the development
2. The impact on form and character (including the AONB)
3. Neighbour amenity
4. Highway Safety
5. Brancaster Neighbourhood Plan
6. Other considerations

Principle of the Development

The proposed replacement dwelling will be fully within the development boundary, so the principle of development is acceptable.

Impact on Form and Character (including the AONB)

The proposed replacement dwelling will be subservient to the neighbouring dwelling, Hazel Cottage, and the additional scale and bulk won't unbalance the pair of dwellings. Sufficient space to the east side of the plot will be left, and the rear projection will be set in. The proposed two-storey rear projection will be a similar depth to the rear projection of Hazel Cottage, and the longer roof to the rear will add to the character of the two dwellings. The single-storey rear projection isn't considered excessively deep and won't extend far down the length of the garden and the first-floor rear roof terrace has been reduced in depth, which will limit the amount of glazed balustrades that will be required.

The extent of glazing is not considered excessive, and the window to wall ratio is considered acceptable. Further details of all proposed windows will be required, given the extent of glazing, and permitted development rights covering new windows will be removed. The proposed materials will work well in combination with the existing single-storey front extension, as well as the neighbouring dwelling; however, samples of external materials will have to be provided to guarantee the materials used in the construction of the replacement dwelling appear similar to those used in Hazel Cottage.

The impact in the street-scene is considered acceptable, including the view when approaching from the east, and the proposal isn't considered harmful to the wider landscape qualities of the AONB. The impact of the proposal when viewed from the coast path will be similar to other redeveloped dwellings along the Brancaster Staithe coast, and the proposal won't be unduly prominent. The Norfolk Coast Partnership Officer has written in support of the proposal and has recommended that a condition relating to lighting is imposed. This is considered reasonable given the openness of the coast path along the north of the site and the potential impact from excessive lights (particularly from the proposed roof terrace).

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The impact on the wider landscape qualities of the AONB, the form and character of the area, and the adjoining historic building is considered acceptable.

Neighbourhood Amenity

The main two-storey rear projection will be set away from the new shared boundary with Hazel Cottage, and only a small amount of the rear 1.5 storey sloping roof will project beyond the rear elevation of the adjoining neighbour (approximately 1.5 to 2.5 metres). The main windows of the ground and first-floor rooms of the neighbouring dwelling are set away from the location of the new shared boundary. There will be very slight overbearing and overshadowing; however, the level of impact will be very limited and is not considered to warrant refusal of the application.

The proposed first-floor roof terrace would allow significant overlooking of Hazel Cottage, so a 1.7 metre high obscurely glazed screen is necessary on its west elevation. The screen will be set significantly away from the shared boundary (over 3 metres), so its addition wouldn't result in any overbearing or overshadowing impact on Hazel Cottage. The separation distance to the dwelling to the east (The Paddock) is approximately 50 metres, so an obscurely glazed screen isn't necessary on the east side of the first-floor rear roof terrace. Separately, none of the proposed windows will allow significant overlooking.

Highway Safety

The replacement dwelling will utilise the existing access and will provide a sufficient amount of off-road parking.

The Highways Officer does not consider the proposal will engender any increased traffic, provided the annexe is used as ancillary accommodation (this can be dealt with by condition), so the existing substandard access is considered acceptable. It would be unreasonable to require access improvements given the proposal would not result in any additional independent uses.

Brancaster Neighbourhood Plan

The following policies of the adopted Brancaster Parish Neighbourhood Plan (2015 - 2026) are relevant: Policy 1 - Size of Houses; Policy 2 - Design, Style and Materials; Policy 3 - Footprint for New and Redeveloped Dwellings; Policy 4 - Parking Provision; Policy 5 - Replacement Dwellings; and Policy 9 - Protection and Enhancement of The Natural Environment and Landscape.

- the proposed dwelling and annexe will have a total of 4 no. bedrooms (the small study space isn't considered a bedroom given its limited dimensions) and will be two-storeys in height. The proposal is therefore considered to comply with policy 1;
- the dwelling has been designed to mirror the adjoining neighbour and the design incorporates traditional design features and materials, so it complies with policy 2;
- the footprint of the dwelling will be less than 50% of the plot, so it complies with policy 3;
- the proposal will provide sufficient parking for the dwelling, so complies with policy 4;
- the proposal won't result in an increase in the number of dwellings and the height of the replacement dwelling is considered acceptable, so the proposal complies with policy 5; and
- the proposal isn't considered to "adversely affect the statutory purposes of the Area of Outstanding Natural Beauty", so the proposal complies with policy 9.

Other considerations

To prevent overdevelopment of the site and to prevent any harm to the AONB, a condition has been imposed removing various permitted development rights.

Conditions relating to site hours and a protection scheme from construction are not considered reasonable given the small scale of the development. Foul and surface water drainage details aren't considered necessary given the proposal is for a replacement dwelling and also due to the extent of garden space available.

CONCLUSION

The principle of the development is acceptable, and the proposal is fully acceptable in terms of the impact on the form and character of the area, including the AONB, the impact on highway safety, and the impact on the amenity of the neighbours. The proposal is also considered to comply with the adopted neighbourhood plan.

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:

MCC01.01.06 B Proposed block and location plan; and
LAN01.01.09 F Proposed floor-plans and elevations.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the proposed roof tiles have been left for inspection on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

- 5 Condition: No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment of all new windows and details of all new doors 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.
- 5 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 6 Condition: Prior to the first occupation of the replacement dwelling hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme prior to the first occupation of the replacement dwelling and thereafter maintained and retained as agreed.
- 6 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
7. In the interests of the amenities of neighbouring properties in accordance with Policy DM15 of the SADMP 2016 and the NPPF (2019).
- 7 Condition: Prior to the first use of the first-floor roof terrace hereby permitted, a 1.7 metre high obscurely glazed screen shall be erected to the west side of the terrace in accordance with details which shall have first been submitted to and approved in writing by the local planning authority. The 1.7 metre high screen to the west side of the terrace and the other screens shown on the approved plan shall thereafter be retained in perpetuity in the locations shown.
7. Reason: In the interests of the amenities of neighbouring properties in accordance with Policy DM15 of the SADMP 2016 and the NPPF (2019).
- 8 Condition: Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 9 Condition: The proposed annexe accommodation shown on drawing LAN01.01.09 F (Proposed floor-plans and elevations) shall only be used as ancillary accommodation to the main dwelling hereby approved and shall at no time be used as a separate or unassociated unit of residential accommodation or be used for business or commercial purposes.
- 9 Reason: For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF and Policy DM7 of the Council's Site Allocations and Development Management Policies Plan (2016).
- 10 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C and E of the Town and Country Planning (General Permitted Development) (England)

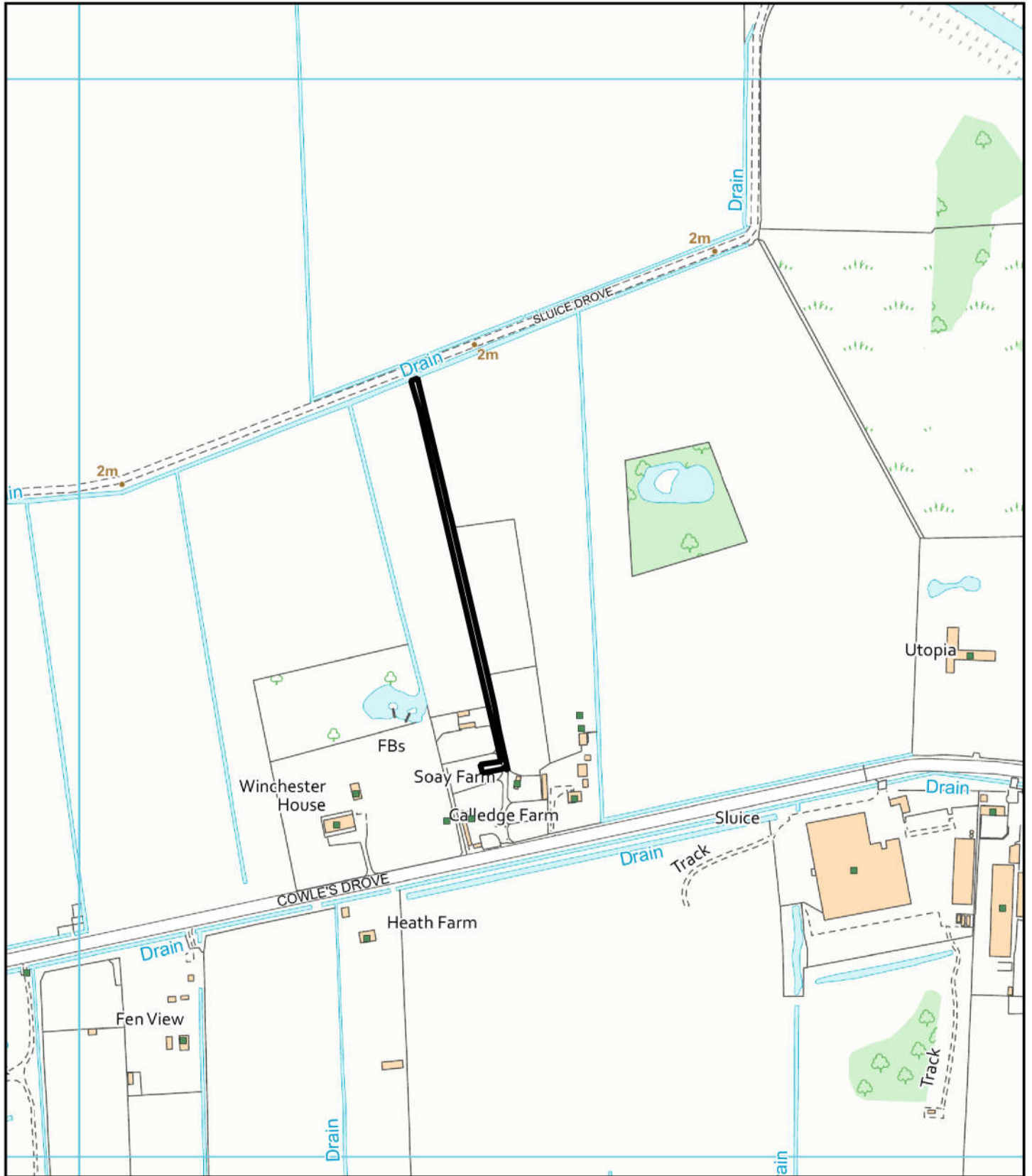
Planning Committee
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Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the dwellinghouse, the enlargement of the dwellinghouse consisting of an addition or alteration to its roof, or any alteration to the roof of the dwellinghouse, or buildings etc. incidental to the enjoyment of the dwellinghouse shall not be shall not be allowed without the granting of specific planning permission.

- 10 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the above mentioned Order.

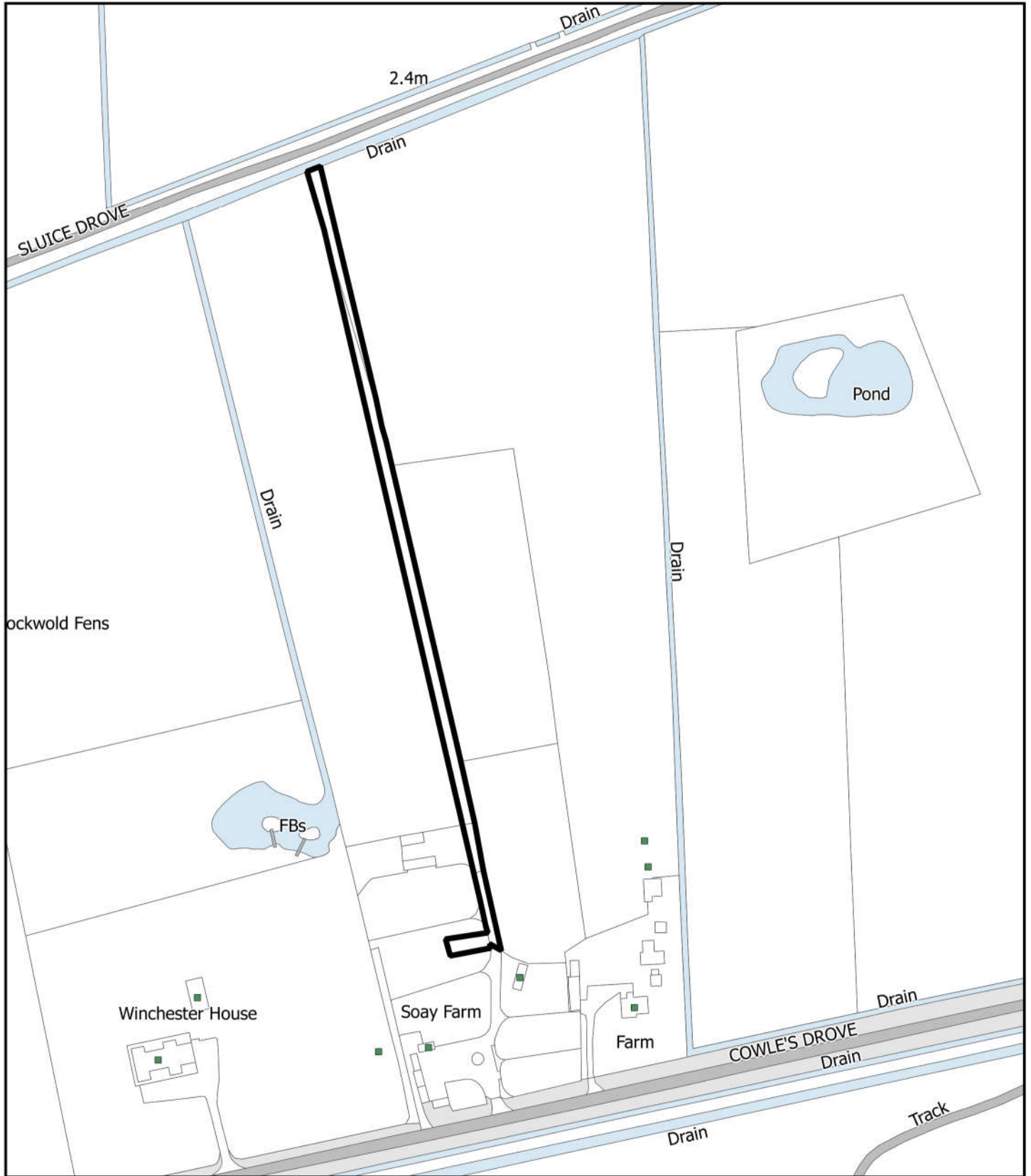
19/01854/F

Soay Farm Cowles Drove



19/01854/F

Soay Farm Cowles Drove



Parish:	Hockwold cum Wilton	
Proposal:	Mobile home / temporary accommodation, serving existing equine stables business.	
Location:	Soay Farm Cowles Drove Hockwold cum Wilton THETFORD	
Applicant:	Ms Jeanette Roberts	
Case No:	19/01854/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 8 April 2020 Extension of Time Expiry Date: 3 July 2020

Reason for Referral to Planning Committee – Officer recommendation contrary to Parish Council representation and referred by sifting panel

Neighbourhood Plan: No

Case Summary

The site is located on Cowles Drove, a rural site to the west of the village of Hockwold. The site comprises a series of paddocks with stables located to the south of the site adjacent to the main access and parking.

The application is for full planning permission for a mobile home/ temporary accommodation serving an existing equine stables business at Soay Farm, Cowles Drove. The applicant has submitted evidence in the form of a business plan to support their case, and argues that a dwelling is necessary in this location to support this business. It is proposed that access to the caravan is from the secondary access to the north via Sluice Drove.

The use of the land and stables were granted planning consent in July 2016 under reference 16/00442/CU, and then Planning Committee granted consent (17/00853/F) for the retention of the use of three stables for bathroom facilities, a staff rest area and food preparation area.

Key Issues

- * Principle of development
- * Form and character
- * Other material considerations

Recommendation

APPROVE

THE APPLICATION

The site is located on Cowles Drove, a rural site to the west of the village of Hockwold. The site comprises a series of paddocks with stables located to the south of the site adjacent to the main access and parking.

The application is for full planning permission for a mobile home/ temporary accommodation serving an existing equine stables business at Soay Farm, Cowles Drove. The applicant has submitted evidence in the form of a business plan to support their case, and argues that a dwelling is necessary in this location to support this business. It is proposed that access to the caravan is from the secondary access to the north via Sluice Drove.

The use of the land and stables were granted planning consent in July 2016 under reference 16/00442/CU, and then Planning Committee granted consent (17/00853/F) for the retention of the use of three stables for bathroom facilities, a staff rest area and food preparation area.

The caravan is already on the site however not in the location that the applicant has applied. The applicant has stated they will move the caravan once consent is granted.

SUPPORTING CASE

The applicant (Jeanette Roberts) bought Soay Farm in August 2017 and in that time she has transformed a very small start-up business into a fully functioning equine welfare facility. Jeannette has been in the equine care industry most of her adult life and has a wealth of expertise and experience in her field. She is attending the planning committee meeting today and would welcome the opportunity to answer any questions the members may have.

She is very much looking to provide livery (as per the business plan) but at present the greater opportunity has been for the sale of fowls. She has recently sold a brood mare and fowl. She currently has, on site, 5no. brood mares, 4no. foals (from 4 of the 5 mares), 1no. additional foal and 1no. stallion. The foals will be sold early next year (when they are at the correct age not to be reliant on their mother and for when buyers want to purchase). The foals need constant care and attention. They are fed every 4no. hours, without fail. The stallion also requires specialist care with regard to ensuring that it is always kept securely within it's paddock.

Soay Farm is a unique business as the owner is prepared to give the 24/7 attention required for the recuperation of fragile young foals as well as taking on the responsibility of caring for stallions. Many equine facilities are not prepared to offer these services due to the care and attention required. The business, therefore, is running sufficiently to thrive and will continue to grow in the coming years.

It is vital that the owner can live on site so that these vulnerable animals can receive the constant specialist care that they require.

It is worth noting that the owner has spent a not inconsiderable amount of money refurbishing the stables (i.e. fixing leaking roofs), mending / erecting fencing and general decoration and maintenance of the facility. I would hope that the committee members, on their visit to site, were suitably impressed by the appearance and upkeep of Soay Stables.

Note that the mobile home is currently on site but is NOT being used. It was bought as there was an opportunity to purchase an ideal mobile home, for a reasonable price. The applicant is fully aware that it will have to be sold should approval not be given.

PLANNING HISTORY

17/00853/F: Application Permitted: 02/10/17 - Retention of use of stables for addition of single w.c., shower and handbasin, in stable no.7, with waste discharging into septic tank. Use of Stable 6 as a reception area. Use of hay store as a staff / seated 'rest' area and food preparation area - Soay Farm

16/00442/CU: Application Permitted: 15/07/16 - Retention of existing stabling and paddocks, and business use for accommodation and livery of horses. - Soay Farm

09/00864/F: Application Refused: 25/08/09 - Erection of agricultural building to house sheep and temporary residential dwelling in connection with early fat lamb enterprise - Soay Farm

RESPONSE TO CONSULTATION

Parish Council: OBJECT

The Hockwold cum Wilton Parish Council met on Tuesday 12th May 2020 and discussed the above mentioned planning applications. The PC voted to OBJECT to this planning application for the numerous reasons listed below. The Parish Council hopes that these objections will be taken into serious consideration.

In the Design and Access Statement dated 25/10/2019 it states that : "The owner / applicant has been caring for horses on site since the purchase in 2016. The intention is to provide full livery and boarding (as per statement of intent / business plan submitted with application ref:17/00853/F, 2017). This intention still applies (submitted amended within this application). However, since 2017 the business has continued down the line of housing and caring for it's own horses with a view to breeding and selling the foals. A return will be achieved when the foals are ready / at the age for sale."

1. The PC hasn't seen a statement of intent / business plan for this new "breeding and selling the foals" venture? This is a change which is not listed in the original planning application or in any following planning applications.
2. There is no indication whether the development will be a person's residence. It's noted that the development will not be "for employed staff". Therefore the PC feel the exact use is vague.
3. Applicant statement dated 23/04/2018 states that: "...planning permission to have a caravan on my field for my elderly mother to be able to sit somewhere nice to have a coffee and to be able to use a toilet as we live so far away. When my mother and myself spend the day there we need somewhere to sit under cover and to use WC facilities, neither my mother or myself will be living in the caravan." This is not the case as they are applying for a residence. If it is not for the owner and is not 'for employed staff', then whom is it for? Regardless to the occupant, the PC does not support a residence on this agricultural land.
4. In the application they described "Soay Farm is very much a vibrant, fully run business and not just a 'hobby' for the owner", but stated in the Design and Access Statement that 'since 2017 the business' has continued down the line of housing and caring for its own horses'.
5. Hockwold Parish Council objected (16 Aug 2018) to the site caravan approved 18/00510/F) due to the fact that Soay Farm already had ample facilities on site in the way of: already existing WC, Shower room, food prep area, seating area, and reception area in stable blocks turned into facilities on Soay Farm. This information fell on deaf ears as the site caravan was approved. This caravan was only approved in January 2019, this would be proof that there is already a caravan on site with all the essential amenities. Why then is more temporary accommodation needed and how temporary is

temporary? The Business is said to be ongoing so why 'temporary' if a mobile home is essential for the running of the business? Will this lead to an application for the building of a house in time? This would not be acceptable. It will further deteriorate the limited agricultural land in the local/rural area.

6. This is agricultural land and has not been approved for residential use, nor should it be. In recent years we have seen local agricultural lands changes approved due to loopholes in the legislation and clever planning applications. The Parish Council do not want any further development on this agricultural land. So many of the local agricultural lands have been given approval for caravans, façade businesses and virtual caravan sites with some having nearly half a dozen residential caravans approved. Due to the rural location, attempts to block prying eyes from the roads and burdens on the local planning authorities the Parish Council has concerns over the enforcement of planning and regulations on this site and others locally.
7. The application states a "growing local need" of "horses with a view to breeding and selling the foals"? We can see of no local need for a horse breeding business.

Highways Authority: NO OBJECTION

Having examined the information submitted, in terms of highway safety considerations, I have no objection to the principle of the application.

Environmental Health & Housing – Environmental Quality: NO COMMENTS

Public Rights of Way (NCC): NO OBJECTION

I have no objection in principle to the application on Public Rights of Way grounds. We would highlight that the proposed access to the North of the site will exit onto the Public Right of Way, known as Hockwold-Cum-Wilton BOAT 9. The full legal extent of this PROW must remain open and accessible for the duration of the development and subsequent occupation.

Internal Drainage Board: NO OBJECTION

Natural England: NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Environment Agency: NO COMMENTS

REPRESENTATIONS:

NONE RECEIVED

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

Principle of development

In terms of national policy the National Planning Policy Framework (NPPF) is generally supportive of a prosperous rural economy and states:

“83. 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.

This application seeks to support an emerging rural business, by providing temporary on-site accommodation which the applicant argues is necessary for the continuation and success of the business.

However the application site is located outside of development boundaries for the village of Hockwold and therefore within the countryside, as designated by Policy DM2 of the Site Allocations and Development Management Plan (SADMPP) (2016). Policy DM2 restricts new residential development in areas outside development boundaries to that identified as suitable in rural areas by other policies in the local plan; including rural workers housing (Policy DM6 of the SADMPP). Policy DM6 states:

“....Temporary occupational dwellings

- 4. If a new dwelling is essential to support a new rural based activity, it should normally, for the first three years, be provided by a caravan, or other temporary accommodation.

5. New temporary dwellings should only be allowed to support rural based activities providing:
 - a. The proposal satisfies criteria 3a and 3b above [OFFICER NOTE: Inserted for ease of reference - 3a. there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night, 3b. The need could not be met by existing dwellings within the locality,]
 - b. The application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions);
 - c. The application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis...”

In terms of addressing criterion 5a, the stables and paddocks have already been granted planning consent in 2016 (under reference 16/00442/CU) for business use for the boarding/livery of horses. The applicant also has consent for a reception, bathroom, and staff room under application 17/00853/F for the purposes of the business. The business is therefore established in this location. The applicant makes the case that they currently have, on site, five brood mares, 4 foals, one additional foal and one stallion. They have recently sold a brood mare and foal. The foals currently on site will be sold early next year but do need constant care and attention as they are fed every 4 hours. The stallion also requires specialist care to ensure that it is always kept securely within its paddock.

Given the rural nature of the locality, the nearest alternative housing options would be in the village of Hockwold. The applicant argues however that they need to live on the site, due to the nature of the business, and therefore there are no alternative opportunities for housing in this locality which would meet this need.

The Parish Council, in their representation, queries the need for accommodation on site and points to the existing welfare facilities on site which in their view is sufficient. However the welfare facilities provided are conditioned for that purpose alone and cannot be used for overnight accommodation.

Criterion 5b from policy DM6 requires clear evidence of an intention and ability to develop the business. The established use of the land and the investment made on the site in terms of stabling and fencing etc shows a level of commitment to the business. The applicant has stated that they are an experienced equine specialist and has sufficient ability to develop the business.

However the Parish Council question the evidence and information put forward, and the progression of the business on the site to date. They state that the land is used for the care of personal horses, rather than this being a viable business requiring a temporary dwelling on site. The applicant accepts that the business has evolved from purely being that of boarding/livery, and to date the focus has been on the care of the applicants own animals to establish the breeding side of the enterprise.

In response to the final criterion, 5c, the applicant has submitted a Business Plan to illustrate that the business has been planned on a sound financial basis. The applicant argues that it is their intention to continue with full boarding/livery as originally proposed for the site, but that in addition the applicant is seeking to breed horses and sell on the foals.

The business plan submitted indicates the predicted income and expenditure of the enterprise on an annual basis. This indicates that the business would comprise of horse/pony livery and foaling of three mares. The current income on the site is £0. The applicant proposes that the livery (both full and paddock) would generate approximately £420 a week.

In addition to this the foals would be £2,000 each and therefore generate £6,000 income a year. This provides a gross income of £27,840 per annum.

Expenditure is currently £83.50 a week but as the business is established it is predicted at £230.50 a week which equates to £11,986 per annum (comprising carrots £5 per horse per week, hay £12.50 per horse per week, straw £5 per horse per week, water £2 per week and car diesel at £10 per week)

Therefore a predicted profit of £15,854 is shown without the deduction of salary. The business will be run by the applicant alone and no additional staff will be required. The annual figures supplied predict a profit; and there is usually a 'presumption in favour' when trying to establish a business. The business plan supplied meets the requirements of policy DM6.

It is recommended that the siting of the temporary dwelling is conditioned for a period of 2 years and 8 months. This reflects the amount of time the caravan has already been on site, and also provides sufficient time for the applicant to establish a profitable business. Furthermore this is an application for the temporary siting of a caravan and if the business is not successful this caravan will have to be removed.

In summary, the applicant has met the requirements of policy DM6, and therefore is in accordance with the NPPF, policy CS6 of the Core Strategy (CS) (2011), and policies DM2 and DM6 of the SADMPP (2016).

Form and character

The form and character within this locality of Cowles Drove is one of sparse residential development with predominantly agricultural land and, paddocks and stabling surrounding. The use of the land for this business is established and the applicant has invested money in the stables, fencing etc which is all visible from the highway, Cowles Drove. The signage and vehicular access for the enterprise is currently fronting onto/ via Cowles Drove.

Given the application is for a caravan, this will not have a significant nor detrimental impact on the form and character, but rather is something often seen alongside such land uses. It is proposed that the caravan will be located some way back within the landholding, which is at lower flood risk, and therefore will be less prominent in the street scene. It should be noted that the current siting of the caravan towards the front of the site, alongside the stabling, is temporary and this will be relocated in accordance with the plans on consent of the application.

Therefore in summary in terms of form and character, this application has little impact on the rural form and character in this locality, and is in accordance with the NPPF, policy CS08 of the CS (2011) and policy DM15 of the SADMPPP (2016).

Other material considerations

- There are no highway concerns to the proposed scheme. Access for the caravan is proposed via Sluice Drove, rather than Cowles Drove, however given this is an existing second access into the site and the limited vehicular movements of the occupant this is not considered to be an issue.
- The Parish Council raise concerns around the existing facilities on site and the need for additional accommodation, referring to the presence of a caravan on site. However they are confusing two separate land ownerships, and the caravan referred to in their comments is sited on land neighbouring the applicants. The neighbouring land is also in

use for the keeping of horses, and includes welfare facilities on site in the form of a caravan and portaloo, but is not operated as a business.

- The Parish Council concerns about new development along Cowles Drove and the loss of agricultural land is acknowledged. However in this case the applicant has met the policy requirements of the adopted local plan, and therefore is not a reason for refusal.
- There are no objections from statutory consultees, and no representations have been received.

CONCLUSION

The application site and the applicant's larger landholding lies outside of the development boundary for Hockwold, in the countryside. Policy DM6 addresses the housing needs of rural workers and provides a series of criteria to be met to allow for a temporary dwelling to be located next to a new/ emerging enterprise. The principle of a stables / livery business on this site has already been accepted, and the applicant has made the case that given the nature of the business that a dwelling is required onsite. Despite the concerns raised by the Parish Council, the applicant has provided sufficient evidence in the form of a projected business plan, alongside her investment in the site to date, which demonstrates her intention to develop her business. The proposal is considered acceptable and in line with the NPPF, policy CS06 of the CS (2011) and policies DM2 and DM6 of the SADMPP (2016). Therefore it is recommended that consent is granted for the temporary siting of a caravan on the land outlined in red for the period of 2 years and 8 months from the date of decision.

RECOMMENDATION:

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

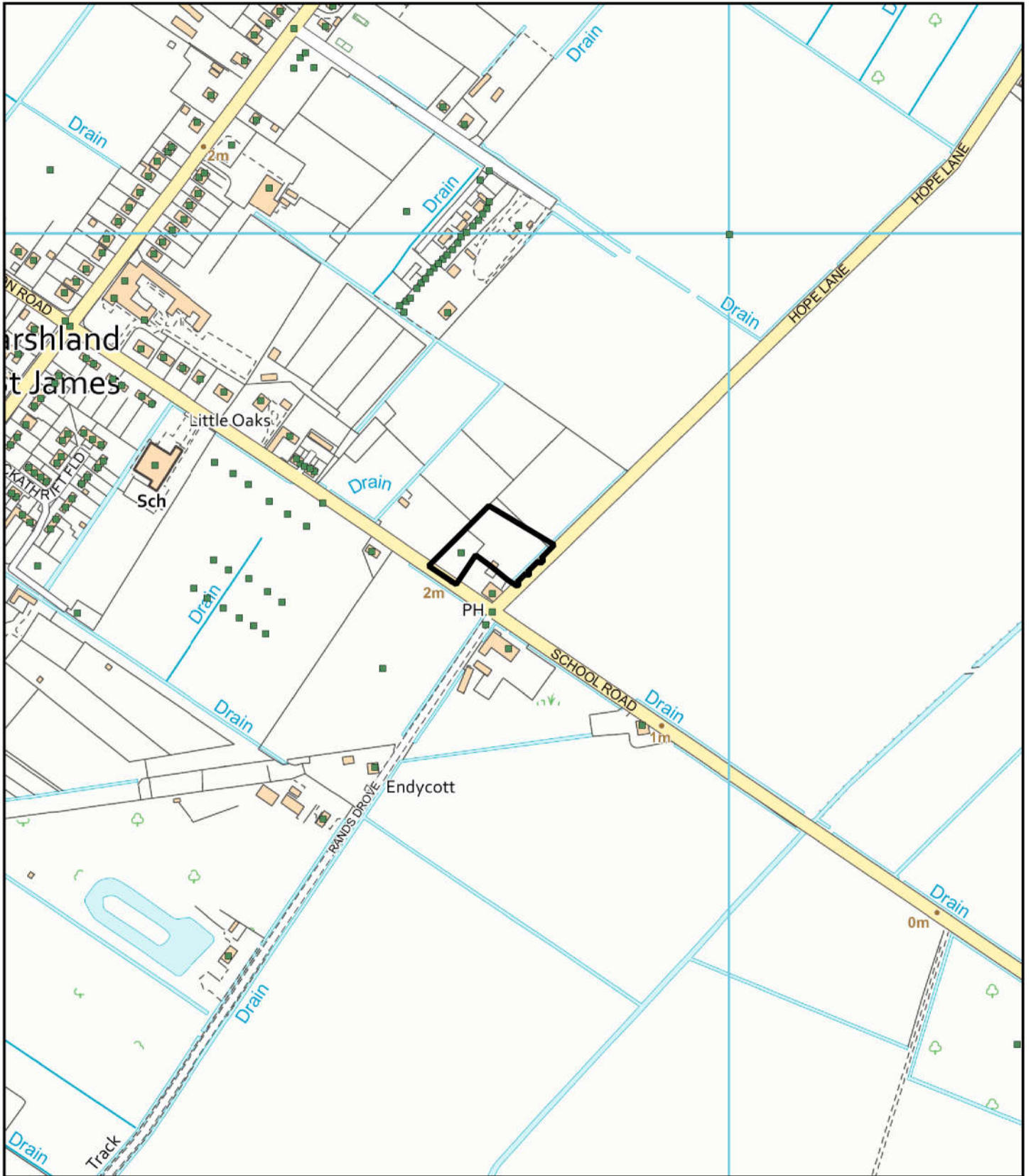
- 1 Condition: This permission shall expire on 1st February 2023 and, unless on or before that date an application is made for an extension of the period of permission and such application is approved, the following works shall be carried out:
 - (a) the mobile home shall be removed from the application site, and
 - (b) works necessary to reinstate the application site to its condition prior to the implementation of this temporary permission shall be carried out.
- 1 Reason: In order that the Local Planning Authority may retain control over the development where a permanent permission may give rise to conditions detrimental to the amenities of the locality; in accordance with the provisions of the NPPF and Core Strategy (2011) Policies CS01, CS02 and CS06, and Site Allocations and Development Management Policies Plan (2016) Policies DM2 and DM6.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 033-4-03 A received on 5th Feb 2020; and 033-4-01 C and 033-4-02 C received on 12th Feb 2020.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The temporary mobile home hereby permitted shall only be occupied in connection with the equine business on the adjoining land (as outlined in blue on the Site Plan 033-4-01 C received on 12th February 2020) and it shall at no time be used for any other business or commercial purpose. If at any time such use ceases, the

mobile home shall be removed and the site reinstated to the satisfaction of the Local Planning Authority.

- 3 Reason: The temporary mobile home has been approved for use in relation to the surrounding land and its use for any other purpose in this open agricultural landscape would be inappropriate; in accordance with the provisions of the NPPF and Core Strategy Policies CS01, CS02 and CS06, and Site Allocations and Development Management Policies Plan Policies DM2 and DM6.

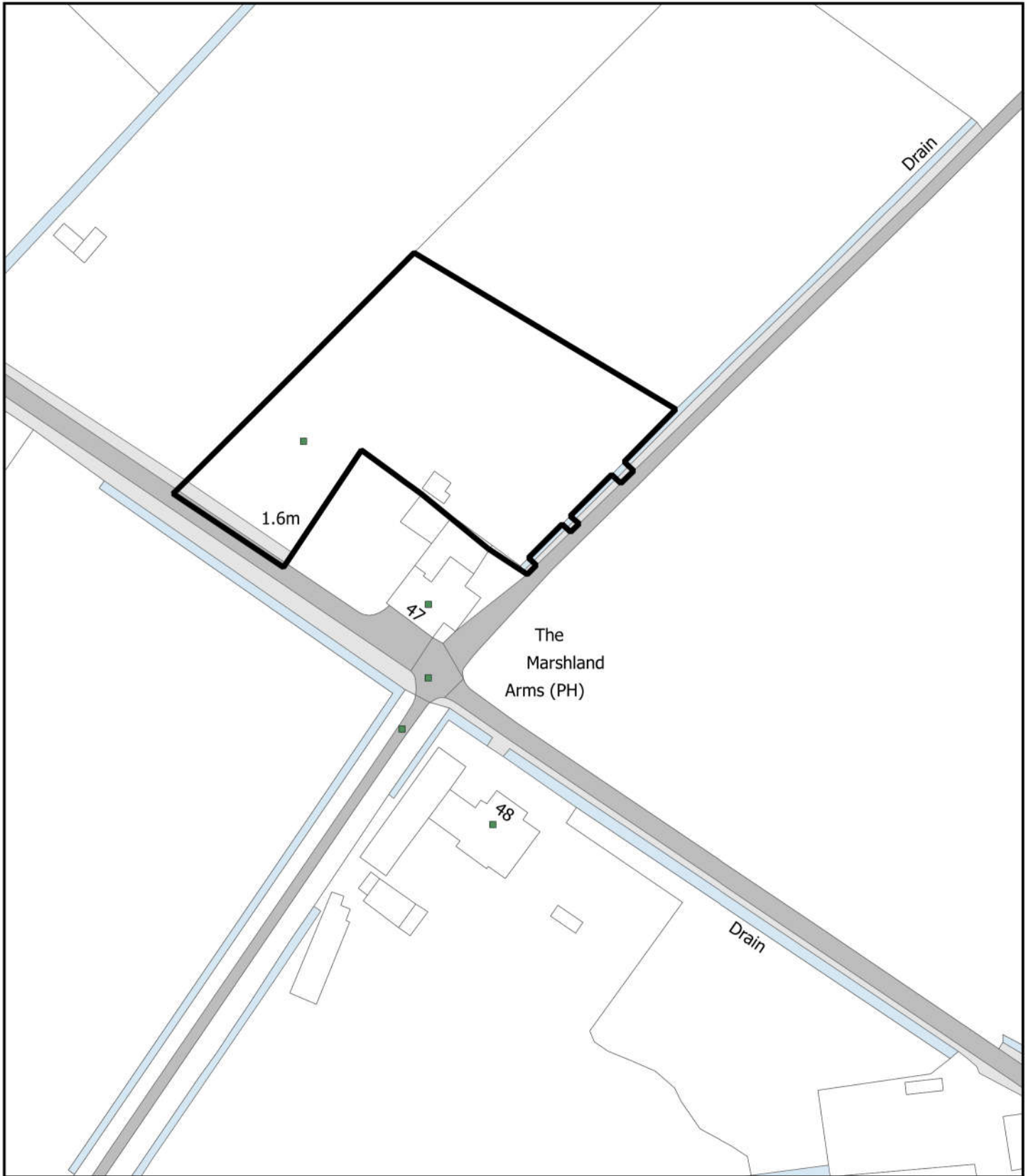
19/01906/O

Land W of 47 School Road



19/01906/O

Land W of 47 School Road



Parish:	Marshland St James	
Proposal:	OUTLINE APPLICATION SOME MATTERS RESERVED: Proposed residential development	
Location:	Land W of 47 School Road Marshland St James Norfolk	
Applicant:	Mr S Riddick	
Case No:	19/01906/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 30 December 2019 Extension of Time Expiry Date: 3 April 2020

Reason for Referral to Planning Committee – Application was called in by Councillor Long

Neighbourhood Plan: No

Case Summary

This application involves an approximately 0.4ha parcel of agricultural land on the north-eastern side of School Road. The site wraps around the former pub ‘The Marshland Arms’ from School Road and also fronting on to Hope Lane. Outline permission is sought for residential development with all matters reserved bar access. An indicative plan has been submitted showing the provision of 4 dwellings.

The site lies outside the defined village development boundary and within Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment.

Key Issues

Principle of development
Highways and Access
Other material considerations

Recommendation

REFUSE

THE APPLICATION

This application involves an approximately 0.4ha parcel of agricultural land on the north-eastern side of School Road. The site wraps around the former pub ‘The Marshland Arms’ (now a dwelling) from School Road and also fronting on to Hope Lane. Outline permission is

sought for residential development with all matters reserved bar access. An indicative plan has been submitted showing the provision of 4 dwellings.

Outline permission is sought for residential development. All matters are reserved for further consideration with the exception of the means of access which is to be determined at this stage. An indicative site layout plan shows 4 individual plots from a single access onto School Road. One plot fronts onto School Road, and three plots front onto Hope Lane with access and parking to the rear of the dwellings. New footpath provision is also indicated across the front of the site, together with road widening to create a 5.5m wide carriageway.

The site lies outside the defined village development boundary and within Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment.

The application is accompanied by a Design & Access Statement and a Flood Risk Assessment.

SUPPORTING CASE

The following statement in support of this proposal is submitted by the agent:

“The application site is adjacent to the 2-storey dwellings at 27- 33 School Road.

The site physically adjoins the established built form and is immediately opposite a proposed housing allocation, it cannot be considered as being within an isolated countryside location as per paragraph 79 of the NPPF. There is continuous residential development located on both sides of the highway to the north of the site and the proposed housing allocation MSJ1 is immediately opposite the site. This site is the preferred option currently.

Paragraph 11 of the NPPF states that there is a presumption in favour of sustainable development.

The site lies within Flood Zone 1 of the adopted Level 2 SFRA and is therefore in a sequentially preferable location in terms of flood risk.

Marshland St James/St John's Fen End with Tilney Fen End is identified as a Key Rural Service Centre within the Draft Local Plan. As per policy LP02, Key Rural Service Centres 'help to sustain the wider rural community'. It further states that the Council will seek to maintain and enhance facilities to support this function.

The proposal will also bring increased benefits to the area by means of CIL and Council Tax Income which will be paid in perpetuity.

In terms of social benefits, the proposal will integrate the existing housing to the south-east of the site with the remainder of the village. This will help to support the community as a whole and will promote the social objective as set out in paragraph 8 of the NPPF.

The proposal will bring economic benefits by reason of local expenditure and creation of employment and purchasing of local materials during the course of construction, thereby meeting the economic objective as set out in paragraph 8 of the NPPF.

The development will allow for enhanced landscaping within the site, promoting ecology and biodiversity within the area as well as improving visual amenities in general. The proposal therefore meets the environmental objective as set out in paragraph 8 of the NPPF.”

PLANNING HISTORY

None

RESPONSE TO CONSULTATION

Parish Council: OBJECT

The Parish Council objects to the application because the site is outside the development boundary for the village

Local Highway Authority: OBJECTION

School Road has an average carriageway width of 5 m which is only wide enough for a car and a wide vehicle (lorry / tractor) to pass. Manual for Streets recommends that for two wide vehicles to pass a minimum carriageway width of 5.5m is required. This is of particular importance given that the road would also need to be kerbed to facilitate safe footway provisions to the school and taking into account the agricultural and haulage vehicles which are common place in the area.

Given the narrowness of the road, and the fact that in my view the necessary road widening and footway provision cannot be safely achieved by the applicant, an approval of the application would result in conditions detrimental to highway safety. As a result I recommend that the application is refused.

Environment Agency: NO OBJECTION

CSNN: NO OBJECTION

No objection subject to conditions relating to Foul and Surface Water Drainage details, a Construction Management Plan and Site Hours during construction.

Natural England: NO COMMENTS

Emergency Planning Officer: NO OBJECTION

The occupiers should sign up to the Environment Agency flood warning system, and a flood evacuation plan should be prepared.

REPRESENTATIONS

CPRE: OBJECTION

- The proposed site is outside the development boundary of Marshland St James and is not an allocated site for housing within the current Local Plan's adopted site allocations and development management policies plan (September 2016.) Therefore, the application site is classified as 'countryside' and is subject to Core Strategy Policy CS06 where "the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agriculture or forestry needs."
- The application is for market housing, not for much needed truly affordable housing.
- The Borough Council of King's Lynn and West Norfolk currently demonstrates that it has a housing land supply well in excess of 5 years. The Borough Council of King's Lynn and West Norfolk's Authority Monitoring Report 2017 to 2018 states that: "Therefore following the standard method for calculating Local Housing Need (LHN) as per current policy or on that being consulted the Borough Council of King's Lynn and West Norfolk

Planning Committee
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is able to demonstrate a 5 year housing land supply position significantly higher than 5 years' worth. With the calculated result being 11.7 years' worth of supply against current policy and 9.9 years' worth of supply against the consultation approach to LHN calculation." Moreover, sufficient sites have been allocated within the current Local Plan to deliver the necessary housing targets without the need for additional unallocated sites such as the proposed application site being developed.

Cllr Brian Long:

"I would like for both the above applications [19/01907/O and 19/01906/O] to be considered by the Planning Committee.

Both seem to me to expand the village of Marshland out to existing build out of a previously allocated site opposite and also fill up to the former Pub that is now a normal dwelling. There has been a large amount of development within the village of late and this seems to me an opportunity to complete this part of the village, delivering much sought after new homes."

In addition 2 letters of SUPPORT for the application and 1 NEUTRAL letter have been received.

- There has been a large amount of development within the village of late and this seems an opportunity to complete this part of the village, delivering much sought after new homes.
- Hope that there will be restrictions on the hours of work/ noise.
- The village is currently very linear and more properties on School Road would help bring a balance, similar to Walton Road (opposite to Smeeth Road) where a number of larger properties have been built recently.
- Looking at the amount of land for the proposed development i think the application is very sympathetic.
- No access to village sewer. Does this mean the sewerage system will be extended?
- Plenty of alternative sites available in the village such as there is a haulage yard in the middle of the village.
- Council should consider the future approach to growth and development in the village, as a lot of houses have been approved recently.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

The key issues in assessing this application are considered to be as follows:

Principle of development
Highways and Access
Other material considerations

Principle of development

The Borough Council Local Plan currently comprises the Core Strategy (CS) (2011) and the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

Marshland St. James is presently classed as a Rural Village in the Borough Council's adopted Local Plan. The site itself is located outside of the development boundary, as indicated by Inset G57 on page 289 of the SADMP. This shows the village development area terminating at the SE side of 'Little Oaks' which is some 240m to the NW of the application site; however during the period when the Council could not demonstrate a 5 year supply of housing land two pairs of semi-detached houses (Nos. 27-33 School Road) were built on the parcel of land to the immediate northwest of the application site extending the built up area. Whilst adjacent to the current built-up area on the NE frontage of School Road, it is nevertheless outside the development area of the village and part of the countryside.

Policy DM2 – Development Boundaries states inter alia:

“The areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan...”

This proposal does not fall into the categories which are listed as permitted, and the principal of developing the site is contrary to the provisions of the adopted Local Plan.

The most recent Annual Monitoring Report (AMR) and the Housing Delivery Test Action Plan illustrate that the Borough Council is able to show a land supply in excess of the required amount of five years, with the position currently being 7.37 years' worth of supply. Members will note that since the 5 year supply of housing land shortfall in 2015-16, there have been in excess of 94 dwellings approved in the village, which is significantly in excess of the 25 units on allocated sites in the SADMPP (Policies G57.1 & G57.2).

The Council is currently in the process of reviewing its Local Plan (both CS & SADMPP). This will look beyond the current plan period (2026) a further 10 years to 2036. A draft version of the Local Plan Review was published in 2019 for public consultation. Significance is drawn by the agent to the allocation site on the opposite side of School Road (MSJ1) in the draft Local Plan Review. It should be noted however that this is at an early stage and

Planning Committee
29 June 2020

therefore the draft proposals within it should currently carry minimal weight in the decision making process.

It could also be argued that the intended 4no. substantial open market plots would not make a significant contribution towards local housing demands for smaller, more affordable units. There is also no affordable housing to be provided as part of the scheme, and so there would not be any such benefit there either.

The applicant points to case law and states that the land is classed as 'brownfield land' because it has been used for grazing and keeping horses. Case Law differs but generally if horses are kept on the land for substantial periods of time with supplementary feeding etc then this is likely to be classed as being used for the 'keeping of horses' and represents a material change of use. Where as if the horses are let on the land occasionally solely for the purposes of grazing on the land then this is classed as agriculture. It is a matter of fact and degree but the presence of a field shelter or loose box reinforces the impression of a non-agricultural use. In this case the applicant has stated that the horses are kept on the land, and there is a structure on the site. Therefore the applicant argues that it is not agricultural land but a brownfield site, and that this should be given substantial weight in the determination of the application. They refer us to national policy which gives 'substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs' in preference to the development of greenfield land. However the NPPF in paragraph 117 states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.' The site reads as part of the wider countryside as there is no area of hardstanding and no permanent buildings on the site. Notwithstanding that this use is categorised as brownfield, this does not outweigh the considerations above.

The proposal would be unjustified consolidated development and therefore be harmful to the character and appearance of the countryside, contrary to the provisions of the NPPF, Core Strategy Policies CS01, CS02, CS06 & CS08 of the LDF (2011) and Policies DM1 & DM2 of the SADMPP (2016).

Highway and Access:

The proposal indicates the provision of a 1.8m wide footpath along the road frontage of the site at School Road which will link the former Marshland Arms pub with the remainder of the village, and importantly provide a link to the school. The applicant states that the 1.8m footpath is capable of being provided within the highway verge. The road width at School Road is proposed to increase from 5.0m to 5.5m and there is an intention to relocate the 40mph speed sign so all occupiers along School Road will benefit from reduced traffic speeds. The applicant has stated that they have shown in the drawings and plans submitted that they can deliver the necessary improvements and therefore this is not a reason for refusal of the application.

However the Local Highway Authority objects to the scheme. They state that larger scale development on School Road should have a requirement to provide footway provisions that link with existing provision, ensuring that this application and 19/01907/O (the recent residential consent along School Road to the north west determined at Committee in February 2020) both facilitate footway links to the school. They express concerns whether this is deliverable alongside the road widening, given the highway extent and the applicant's land ownership. It is their view that the applicant does not have control over sufficient land and therefore cannot guarantee the improvements required would be delivered. The design submitted for footway and carriageway widening does not conform to standard. Therefore to date, a satisfactory highway improvement scheme has not come forward hence the proposal

is contrary to the NPPF, Policy CS11 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

Other material considerations

Flood risk:

The site lies in Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment, which is compatible to accommodate dwellings. A site specific Flood Risk Assessment has been submitted as part of this application which receives no objection from the Environment Agency. The District Emergency Planner suggests certain measures, as reported in the Consultation section above, which would normally be dealt with via an informative note attached to any permission.

A representation received queries access to main sewers, however the drainage arrangements are yet to be provided and a condition is attached requiring details to be submitted. There are no known surface water drainage concerns relating to this specific site.

Form & character, layout and amenity:

This is an outline application seeking consent for the principle of developing the site. Whilst an indicative layout plan has been submitted as part of the application, all these matters (with the exception of access) are reserved for future consideration.

CONCLUSION

The proposal constitutes the development of a parcel of countryside with road frontage development, which would consolidate the built form outside the defined development area of the village, to the detriment of the appearance and character of the countryside. In principle this outweighs the use of brownfield land. The Borough Council is able to show a land supply in excess of the required five years, with the current position being 7.37 years' worth of supply. The proposal is therefore not considered to be sustainable development and contrary to the provisions of the NPPF (paragraphs 11, 78 & 170), Core Strategy Policies CS01, CS02, CS06 & CS08 of the LDF and Policies DM1 & DM2 of the SADMPP.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that an application must be determined in accordance with the development plan unless material considerations indicate otherwise. No material considerations have been proposed as part of this application to warrant a decision that is clearly contrary to the aforementioned policies contained within the Development Plan.

Furthermore the Local Highway Authority objects to the scheme on the grounds that the applicant has failed to demonstrate that the necessary improvements including road widening, footway provision and relocation of the speed sign can be delivered to the required standards. It is their view that the application, if permitted, would be likely to give rise to conditions detrimental to highway safety.

The application is therefore duly recommended for refusal.

RECOMMENDATION:

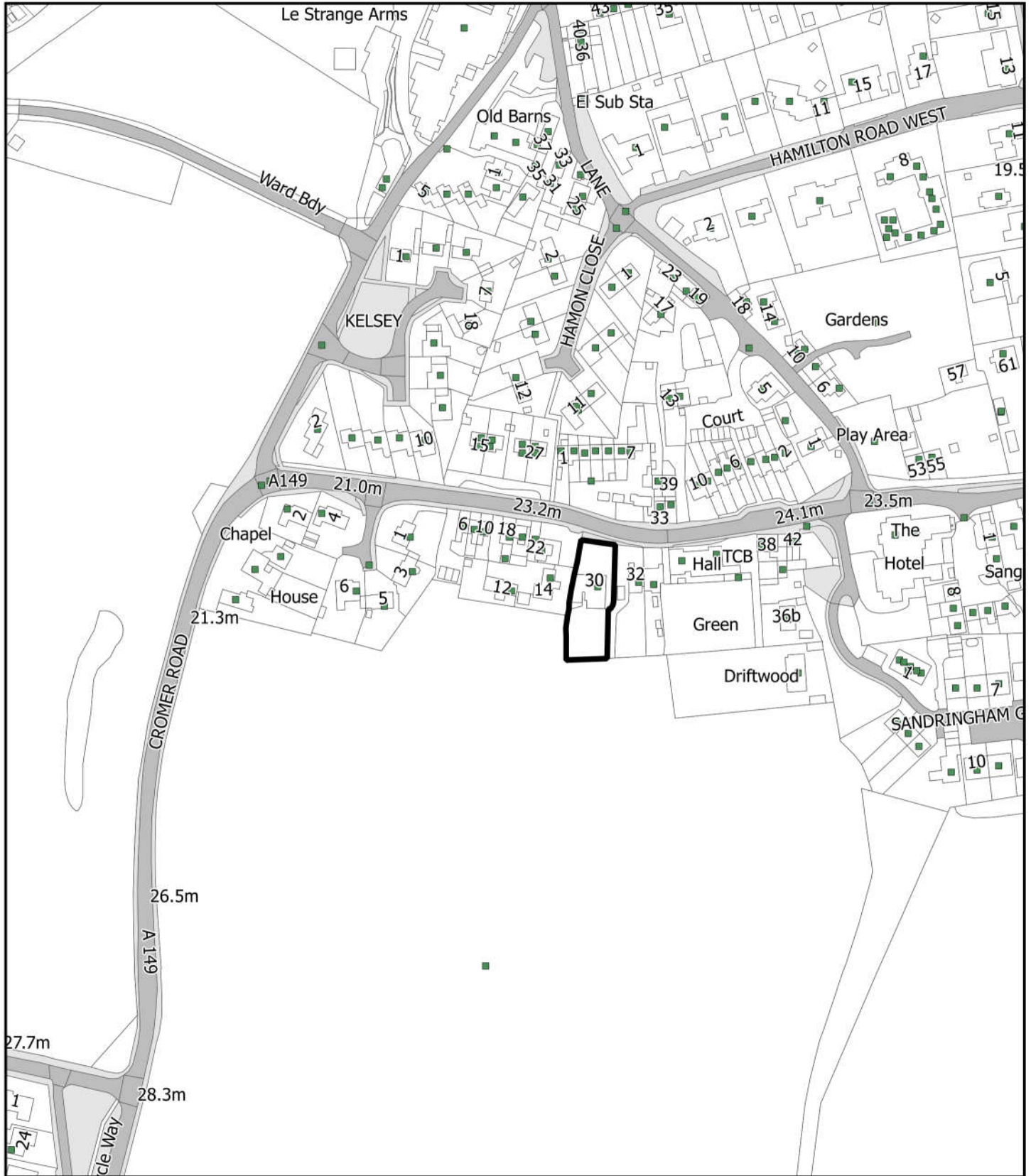
REFUSE for the following reasons:

- 1 The proposal constitutes the development of a parcel of open countryside with road frontage development, which would consolidate the built form outside the defined development area of the village, to the detriment of the appearance and character of the countryside. There are no material considerations to outweigh this in principle policy objection and the proposal is therefore not considered to be sustainable development and contrary to the provisions of the NPPF (paragraphs 11, 78 & 170), Core Strategy Policies CS01, CS02, CS06 & CS08 of the LDF and Policies DM1 & DM2 of the SADMP.

- 2 The unclassified road, School Road, serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width / lack of passing provision and lack of footway provision. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety. This is contrary to the NPPF and Policy CS11 of the adopted Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Policies Plan 2016.

20/00241/F

Strathcona 30 Old Hunstanton Road



20/00241/F

Strathcona 30 Old Hunstanton Road



Parish:	Old Hunstanton	
Proposal:	Extension and alteration of a private dwelling	
Location:	Strathcona 30 Old Hunstanton Road Old Hunstanton Hunstanton	
Applicant:	J Wright	
Case No:	20/00241/F (Full Application)	
Case Officer:	Mrs N Osler	Date for Determination: 14 April 2020 Extension of Time Expiry Date: 3 July 2020

Reason for Referral to Planning Committee – Called in by Cllr Lawton and officer recommendation is contrary to Parish Council recommendation.

Neighbourhood Plan: No

Case Summary

Full planning permission is sought for extensions and alterations to a dwelling (Strathcona, 30 Old Hunstanton Road).

The site lies within the development boundary of Old Hunstanton (a Rural Village as characterised in the Settlement Hierarchy of the Core Strategy), and within Old Hunstanton Conservation Area (a designated heritage asset), but is not in itself a non designated heritage asset.

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

Key Issues

- Principle of Development
- Form and Character / Impact on Conservation Area
- Highway Safety
- Residential Amenity
- Crime and Disorder
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Full planning permission is sought for extensions and alterations to the existing dwelling.

The existing dwelling has a steep pitched chalet style front elevation with a large flat-roofed dormer that is slightly off-centre. The rear of the property is very unusual with a stunted, flat, mansard-type roof. The style of the dwelling is not characteristic of the locality. It benefits from three-bedrooms at first floor level, one with an en-suite. The main bathroom is currently downstairs.

There are a number of single storey outbuildings to the side (west) that will be demolished.

In terms of ground coverage the amended dwelling will have a smaller footprint than that of the original, although there is more first-floor accommodation comprising a master suite (with en-suite and dressing room), three further bedrooms one of which has an en-suite and a further bathroom.

All the elements of the existing dwelling together with the proposed extensions will be clad with timber, brick, flint panels and render under a new red clay pantile roof.

Access arrangements remain unchanged.

SUPPORTING CASE

Further to correspondence between the case officer and the Conservation Team, we would like the LPA to consider the applicant's offer to replace the proposed off white render with one of the two colours as shown on the presentation. Both colours are more representative of clunch / chalk as seen in use in the area. The contrast to "white" can be seen on the slides where the fascia and bargeboards are shown. The two colours are from the K-Rend selection. Having reviewed the many rendered houses of Old Hunstanton, the majority of which are not within the Conservation Area, I believe they are all white in colour. The only exception is the Old Post Office with rendered front wall and large gable in a pale coloured render.

We hope that given the adjustments we have made, and with the betterment of the proposal over the existing dwelling taken into consideration, that this last detail with render of one of the suggested colours, delivers a high quality proposal to be admired and not something of any detriment to the Conservation Area.

PLANNING HISTORY

2/94/0128/F: Application Permitted: Construction of building to cover existing swimming pool.

2/94/0353/CA: Application Permitted: Demolition of summerhouses / tore and west boundary wall in connection with construction of pool house

RESPONSE TO CONSULTATION

Parish Council: OBJECT Old Hunstanton Parish Council has considered the amended plans and objects to this planning application on the following grounds:

Out of Form and Character. The Council appreciates that the changes made to this application are an improvement, and also better than the existing building. However, it still considers the render to the front of the dwelling unsympathetic to the surrounding buildings.

The Old Hunstanton draft Neighbourhood Plan states that: *Any new dwelling, redevelopment or extension to a dwelling should be carefully designed to blend in with adjacent properties and existing streetscape to maintain the character of the village.*

This proposal does not do this and so cannot be supported. The Council's original objection still stands and it requests that Cllr Lawson's call in remains.

Original Comments: Old Hunstanton Parish Council objects on the grounds of out of form and character.

The cladding and render would be out of keeping with the surrounding properties – in fact it would “stand out like a sore thumb”. Councillors also ask that Cllr Lawton call in the plan.

Highways Authority: N/A no highway safety implications – access and parking / turning remain unaltered.

Conservation Officer: NO OBJECTION It has improved without doubt and I think from the conservation perspective the front elevation now justifies itself with the mix of materials Jason has suggested.

Whilst I would have preferred to have seen less timber boarding to the rear, it is now natural boarding at least and I have no further objection to this element, especially as it is to the proposed first floor where the views from Hunstanton over to Old Hunstanton will be so conspicuous. The scheme would have been better with a different material other than render to the ground floor, but this at least will not be particularly visible when viewing the rear elevation itself across the fields.

However what will remain highly conspicuous is the large rendered side elevations especially from the southwest, but to some degree from inside the conservation area itself. One method of reducing this impact may be to condition the colour of the render applied, so it's not such a large contrast with the carrstone cottage to the east or the brick to the west.

The Conservation Officer has since stated his preference for the antique white colour.

Original Comments: No objections in principle to the remodelling of the existing house.

This application site is highly visible from both the front and rear. To the rear, clear views are afforded from some distance away, including Lighthouse Lane and Cromer Road in Hunstanton. Not only is this modern house seen but also glimpses of the older cottages. From the front, the house sits amongst buildings of historic interest including the Social club and a range of Carrstone cottages. All of these properties make a positive contribution to the character of the Old Hunstanton Conservation Area.

Whilst the red clay pantile roof will sit happily with its neighbours, the other materials are of concern, standing out from their more muted neighbours. This will be exacerbated by the increased eaves height of the whole building but especially the rear protruding wing, the scale of which will stand out due to the conspicuous materials.

The application as submitted will cause harm to the Old Hunstanton Conservation Area and as such does not comply with either national or local planning policy guidance.

Conservation Area Consultation Panel: The Panel commented on the initial proposal stating: *The Panel felt that the principle of extending and altering the building was acceptable however they felt that this was a lost opportunity to provide something either more in-keeping or more interesting to preserve and enhance the Conservation Area.*

REPRESENTATIONS

None received at time of writing report.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

N/A

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 / Impact on Conservation Area
Highway Safety
Residential Amenity

Crime and Disorder
Other Material Considerations

Principle of Development

The application seeks extensions and alterations to an existing dwelling. The existing dwelling is not in itself a heritage asset, but does sit within one (Old Hunstanton Conservation Area). The principle of the development is therefore acceptable subject to compliance with other relevant planning policy and guidance.

Form and Character / Impact on Conservation Area

The existing dwelling is of no particular merit and has no outstanding features that the proposed extensions need to retain. Indeed the existing dwelling is not in keeping with the general built characteristics of the locality.

Amended plans have substantially changed the proposal from that originally submitted by reducing the amount and type of cladding, introducing some flint elements to the principal elevation, reducing the depth of the two-storey rear element and removing a large gable roof projection from the front.

Subject to approving the render colour, the Conservation Officer now considers, on balance (given the design of the existing dwelling), that the scheme would not be of detriment to the visual amenity of the locality and would preserve the character of the Conservation Area. Whilst this opinion is contrary to the Parish Council's opinion (although it is noted that the Parish Council do conclude themselves that: *The Council appreciates that the changes made to this application are an improvement, and also better than the existing building*), it is the opinion shared by officers.

The Parish Council quote Old Hunstanton Neighbourhood Plan in their reason for objection. However, the plan is in its infancy and cannot be given any weight at the current time.

No third parties have commented in relation to the design / impact on the Conservation Area.

Highway Safety

The proposed development will not affect current access arrangements, and notwithstanding the loss of the existing carport, there is adequate space for parking and turning in accordance with parking standards.

Residential Amenity

There would be no material overlooking over and above the existing dwelling, with the only first floor bedroom window of the altered property being in the same position as an existing bedroom window. All other first floor side windows / roof-lights are shown to serve non-habitable rooms (en-suites, a bathroom and a dressing room) and therefore suitable obscure glazed / non-opening conditions can be appended. The distances between the dwelling and neighbouring dwellings suggests any overbearing issues would be non-material, and whilst some additional overshadowing would occur to the property to the immediate east it would be for limited periods and would not be sufficient to warrant refusal.

Whilst the plans give the illusion of a balcony at the rear, no balcony is actually proposed although the windows serving the master bedroom bedrooms could be changed to doors without requiring planning permission. Whilst actual balustrades and the use of the area itself as a balcony would require planning permission, it is considered reasonable, for the

avoidance of doubt, that a condition preventing the use of this flat-roofed area as a balcony be appended to any permission granted.

No neighbour objections have been received.

Crime and Disorder

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

Other Material Considerations

There are no other material considerations.

CONCLUSION

The applicant has worked closely with the Conservation officer to achieve a development that would respect the built characteristics of the locality and would preserve the character of the Conservation Area.

No objections have been received from statutory consultees on technical ground, and the development would not raise issues of 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: Other than in relation to the colour of the render, the development hereby permitted shall be carried out in accordance with the following approved plans / drawing nos: 466-01 Rev A and 466-02 Rev.A.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No development shall take place on any external surface of the extension hereby permitted until samples of the materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: No development shall commence on any external surface of the development until a sample panel of the flint work hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials,

mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details

- 4 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition: The render shall be painted K-Rend Antique White and shall there after mean retained in that colour unless otherwise agreed in writing by the Local Planning Authority.
- 5 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 6 Condition: The flat roof area to the south of the master bedroom and en-suite as shown on drawing no 466-02 Rev.A shall at no time be used as a balcony / roof terrace.
- 6 Reason: For the avoidance of doubt.
- 7 Condition: Other than the first floor window on the eastern elevation of the development hereby permitted all other first floor windows and roof-lights shall be glazed with obscure glass and be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
- 7 Reason: In the interests of the amenities of occupiers of neighbouring properties in accordance with the NPPF and Development Plan.

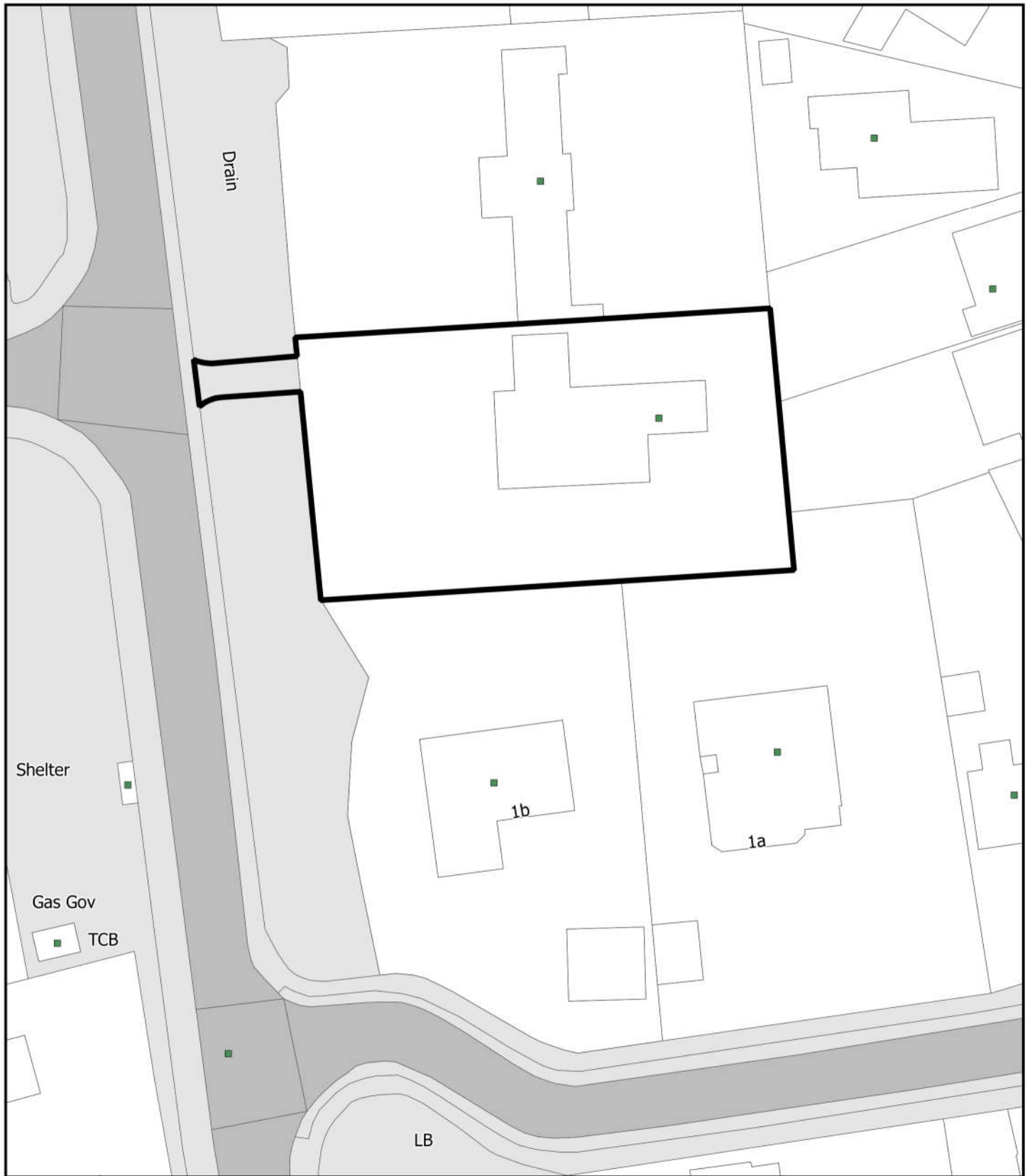
20/00395/F

Willow Bank 48 Nursery Lane



20/00395/F

Willow Bank 48 Nursery Lane



Parish:	South Wootton	
Proposal:	Replacement dwelling following demolition of the existing dwelling	
Location:	Willow Bank 48 Nursery Lane South Wootton King's Lynn Norfolk	
Applicant:	Clients of Strata Architecture Ltd	
Case No:	20/00395/F (Full Application)	
Case Officer:	Mr J Shel Drake	Date for Determination: 27th May 2020

Reason for Referral to Planning Committee – At the time the application was submitted the applicant was a partner of a Council employee involved in the planning process.

Neighbourhood Plan: Yes

Case Summary

The application relates to the construction of a replacement dwelling at 48 Nursery Lane, South Wootton. The application site falls within the development boundary and within the South Wootton Neighbourhood Plan Area.

The application site is situated on the east side of Nursery Lane and currently consists of a single-storey dwelling and garden.

The application seeks full planning permission for a replacement two-storey dwelling.

To the southern boundary is a group Tree Preservation Order (TPO) and two single TPO trees. The proposal involves the removal of a single small tree to the front of the site, and two small trees on the southern boundary. The two trees to be removed on the southern boundary are not covered by the Tree Preservation Orders.

Key Issues

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

- Principle of development;
- Impact on the Form and Character of the Area;
- Impact on Residential Amenity;
- Impact on Trees;
- Highway impact; and
- Other considerations.

Recommendation

APPROVE

THE APPLICATION

The application relates to the construction of a replacement dwelling at 48 Nursery Lane, South Wootton. The proposed replacement dwelling would be two-storey and would sit in the same position as now demolished single-storey dwelling.

The application site is set behind large trees to the front and south of the site and benefits from off-road parking. There is a mixture of single-storey and two-storey dwellings in the vicinity and the adjacent dwelling to the north of the site, No. 50, is two-storey. Surrounding dwellings are built from a variety of different materials and are faced with both brick and boarding.

The proposed dwelling would be a mixture of brick and weatherboarding and would provide four bedrooms. It would sit in the same position as the original dwelling, in line with the two-storey dwelling to the north.

SUPPORTING CASE

A supporting statement hasn't been submitted.

PLANNING HISTORY None.

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION subject to condition.

The Parish Council would like to concur with the comments of Mr Steve Hickling, Historic Environmental Officer and agree that:

If planning permission is granted, this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework para. 199 and secured by condition.

Highways Officer: NO OBJECTION subject to condition relating to access, on-site parking and turning.

Environmental Quality Officer: NO OBJECTION. However, due to the age of the existing dwelling, I would recommend an asbestos informative is added to any consent.

Historic Environment Service: NO OBJECTION subject to conditions.

"The proposed development lies within an area rich in finds of Late Anglo-Saxon and medieval pottery. Features including a ditch and a clay floor of this date have been found a short distance to the southeast and an excavation to the northwest in 1959 uncovered the remains of late medieval buildings, possibly warehouses. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework para. 199. We suggest that the following conditions are imposed:-

In this instance the programme of archaeological mitigatory work will comprise the monitoring of groundworks for the development under archaeological supervision and control.”

Note: The Historic Environment Service has approved a Written Scheme of Investigation (received 18th of June 2020).

Arboricultural Officer: NO OBJECTION subject to a condition requiring the development to be in accordance with the arboricultural report and plans authored by Heritage Tree Specialists Ltd.

REPRESENTATIONS

NONE.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS12- Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

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

NEIGHBOURHOOD PLAN POLICIES

Policy H3 - Infill Developments

Policy H4 - Local Character

PLANNING CONSIDERATIONS

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

- Principle of development;
- Impact on the Form and Character of the Area;
- Impact on Residential Amenity;
- Impact on Trees;
- Highway Impact; and
- Other considerations.

The Principle of Development

The application site comprises an existing residential dwelling and garden, and falls within the development boundary, so the principle of a replacement dwelling is acceptable.

Impact on the Form and Character of the Area

Nursery Lane is characterised by a mixture of single-storey dwellings and two-storey dwellings, set back from the road. There is a mix of different materials used including brick and render, together with small amounts of weatherboarding, and the roof tiles in the locality are a mix of clay and concrete. Large trees on boundaries are common, which adds to the character of the area.

The proposed dwelling will consist of a main two-storey element constructed of mixed red/orange bricks and clay pantile roof. A small two-storey front gable projection to the main dwelling will be faced with grey weatherboarding and will include a two-storey glazed window. To the north side elevation there will be 1.5 storey projection from the main dwelling faced with brick at ground-floor and weatherboarding above, and roofed with slate. The combination of form and materials work well together and will reduce the overall bulk of the building.

The spacing either side of the proposed dwelling is considered adequate given that the neighbouring dwelling to the north has a single-storey side extension beside the boundary and the retained trees to the front of the side will limit the wider impact of the proposal.

The proposal will make a positive contribution to the street-scene and the character of the area and complies with the policies set out within the South Wootton Neighbourhood Plan.

Impact on Residential Amenity

The proposed replacement dwelling will include first-floor rear windows that will face towards Bourne Close to the east. The separation distance from the first-floor windows to the rear of the closest dwellings on Bourne Close is approximately 30 metres, which is considered adequate and will prevent significant overlooking to the rear. No first-floor windows are proposed on the side elevations of the replacement dwelling and the dwelling will sit in line with the dwelling to the north, so the proposal won't cause any significant overlooking.

The dwelling to the north is of a similar depth and doesn't have any windows in its south-facing side elevation, so the proposed dwelling won't have any significant overbearing or overshadowing impact.

Impact on Trees

The submitted Tree Report and accompanying plan show the removal of two small trees (not covered by TPO's) on the southern boundary, and the removal of a small poor quality tree to the front of the site. The group TPO and the two single TPO's on the southern boundary are to be left in place and they won't be harmed by the development. The Arboricultural Officer has no objection to the proposal.

A pre-groundworks condition has been imposed requiring the development is carried out in accordance with the submitted tree report.

Highway Impact

The proposed replacement dwelling will utilise the existing access and will benefit from a considerable parking and turning area to the front. The highways officer has no objection to the proposal on highway safety grounds.

Other considerations

The site falls within an area of archaeological finds, so the Historic Environment Service has recommended the development is carried out in accordance with the Written Scheme of Investigation received 18th of June 2020.

CONCLUSION

The principle of development is acceptable and the proposed dwelling would not have any detrimental impact on the form and character of the area. Additionally, the proposal won't cause significant harm to neighbour amenity.

The proposal complies with Policies CS01, CS02 and CS08 of the Borough Council of King's Lynn and West Norfolk's Core Strategy (2011), Policies DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016), the provisions of the National Planning Policy Framework (2019), and the policies within the South Wootton Neighbourhood Plan. It is therefore recommended that planning permission be approved subject to the conditions outlined 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:

481-01 Location plan and block plan; and
481-02.1 Proposed plans and elevations.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Condition: No development or other operations shall commence on site, excluding the demolition of the dwelling, until the existing trees have been protected in accordance with the scheme as detailed in the Tree Report, prepared by Heritage Tree Specialists Ltd, and the Tree Protection Plan submitted on 01.04.2020. The works shall be carried out in complete accordance with the said scheme, which is hereby approved by the Local Planning Authority.

The protective fencing and the ground protection shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing or ground protection are damaged all operations shall cease until they are repaired in accordance with the approved details.

Nothing shall be stored or placed in any protected area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

- 3 Reason: To ensure that the existing trees are properly protected in accordance with the National Planning Policy Framework 2019.

- 4 Condition: The development shall be carried out in accordance with the archaeological written scheme of investigation received and approved on the 18th of June 2020.

- 4 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.

- 5 Condition: The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 4 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 5 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.

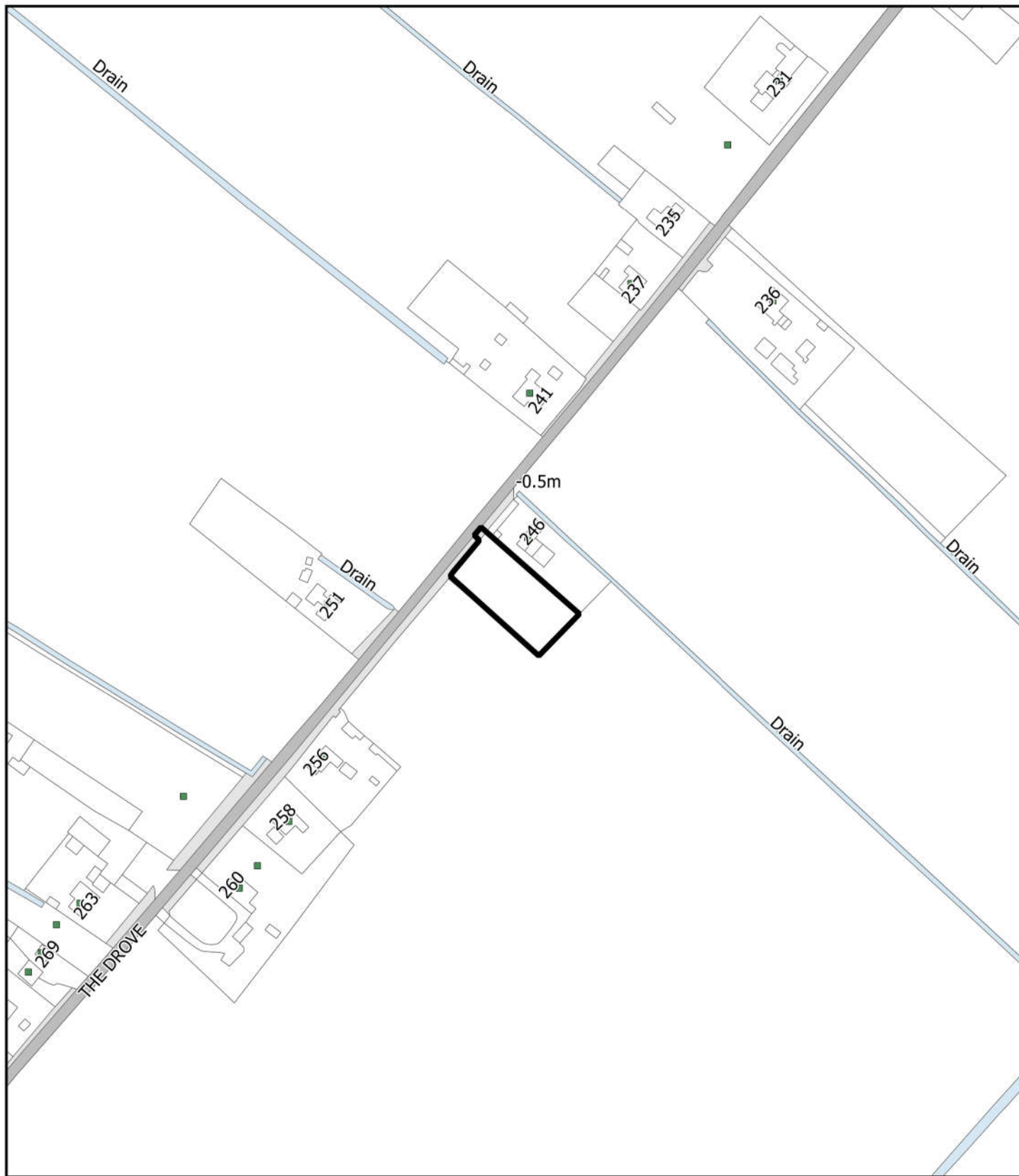
- 6 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out and retained thereafter available for that specific use.

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

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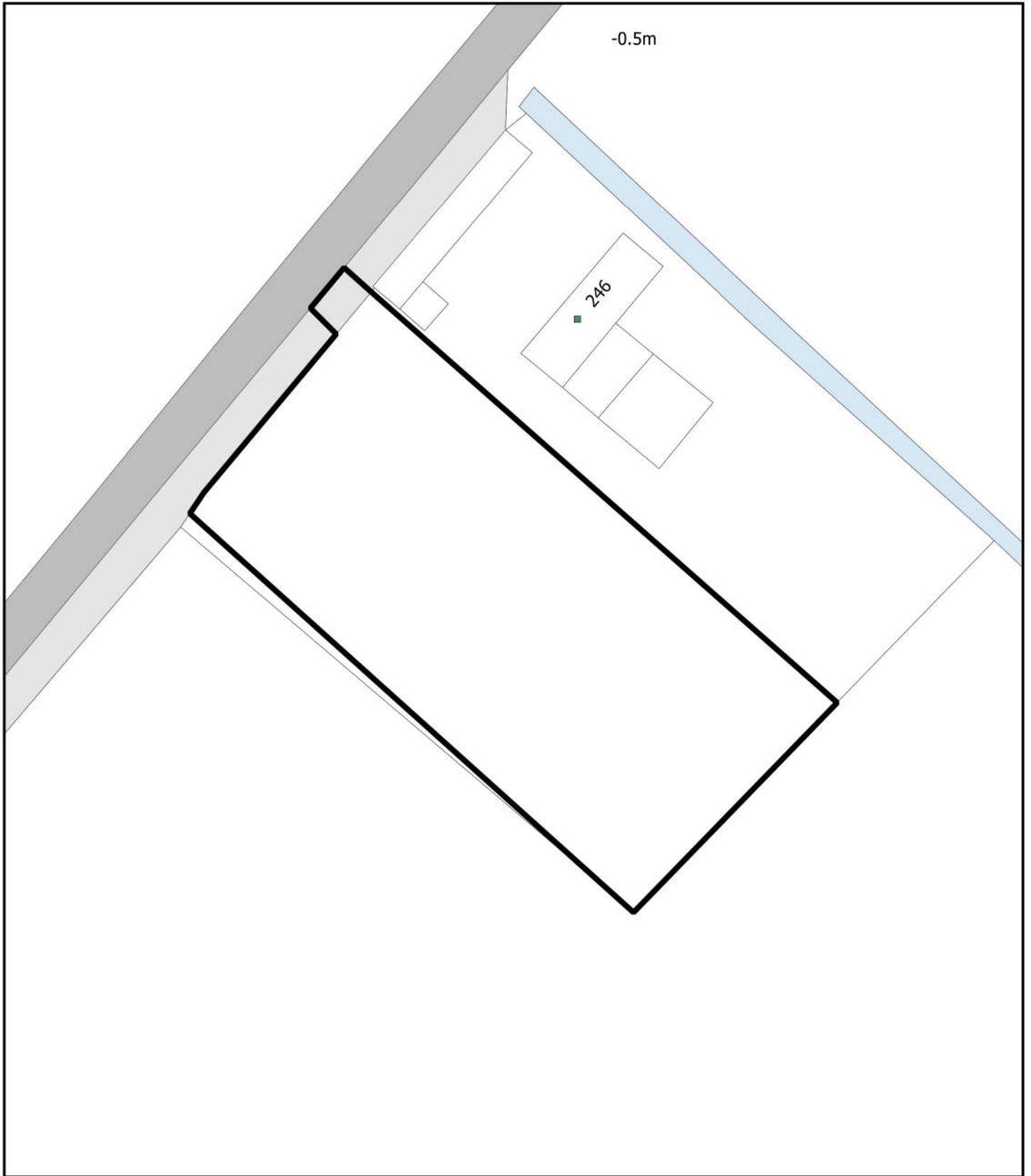
20/00224/O

Land at Hybrid Farm 246 The Drove Barrowway Drove



20/00224/O

Land at Hybrid Farm 246 The Drove Barroway Drove



Parish:	Stow Bardolph	
Proposal:	Outline application for construction of dwellinghouse, incorporating small animal care and boarding facility	
Location:	Land At Hybrid Farm 246 The Drove Barroway Drove Norfolk	
Applicant:	Client of Hereward Services	
Case No:	20/00224/O (Outline Application)	
Case Officer:	Lucy Smith	Date for Determination: 22 April 2020 Extension of Time Expiry Date: 26 June 2020
Reason for Referral to Planning Committee – Called in by Councillor Rose		
Neighbourhood Plan: No		

Case Summary

The application is for outline consent with access to be considered at this stage for the construction of a dwelling on land known as Hybrid Farm, 246 The Drove, Barroway Drove. The existing site comprises agricultural land with a Nissan hut style storage building to the rear, a derelict brick barn is in blue land to the north of the site.

This application involves a 0.15Ha parcel of agricultural land on the south-east side of The Drove, approx. 2km from the junction with Lady Drove. It has a road frontage of some 48m and depth of 52m. Outline permission is sought for residential development with access details provided and appearance, landscaping, layout and scale reserved.

Barroway Drove is categorised as a Smaller Village and Hamlet in CS02 of the Core Strategy (2011) and development on the site is therefore restricted to that which is identified as suitable in countryside locations in accordance with Policy DM3 of the Site Allocations and Development Management Policies Plan (2016). The site is located within Flood Zones 2 & 3 within the Borough Council's SFRA (2018).

Key Issues

Principle of Development
 Flood Risk
 Form and Character
 Highways and Access
 Any other matters requiring consideration prior to the determination of the application

Recommendation

REFUSE

THE APPLICATION

The application is for outline consent with access to be considered at this stage for the construction of a dwelling on land known as Hybrid Farm, 246 The Drove, Barroway Drove. The existing site comprises agricultural land with a Nissan hut style storage building to the rear, a derelict brick barn is in blue land to the north of the site.

This application involves a 0.15Ha parcel of agricultural land on the south-east side of The Drove, approx. 2km from the junction with Lady Drove. It has a road frontage of some 48m and depth of 52m. Outline permission is sought for residential development with access details provided and with appearance, landscaping, layout and scale reserved.

Barroway Drove is categorised as a Smaller Village and Hamlet in CS02 of the Core Strategy (2011) and development on the site is therefore restricted to that which is identified as suitable in countryside locations in accordance with Policy DM3 of the Site Allocations and Development Management Policies Plan (2016).

The application is for the construction of a dwelling incorporating an office and small animal room only. Whilst additional pet care facilities and a cattery are referenced in the planning statement and shown indicatively in blue land on the plans, these are outside of the application site and no detail of these elements has been provided. The cattery and additional facilities would require planning permission in their own right and play no role in the current application and does not provide justification for a dwelling in this location.

SUPPORTING CASE

The previous application for a dwelling on this site was refused under delegated powers in 2019, with 2 reasons given:

The proposal did not meet with countryside protection policies.
The proposal failed the Exceptions Test.

After discussions with Ward Councillors, and liaison with the Parish council, who continue to support, a decision was taken to resubmit, addressing these 2 points in particular.

With regards to countryside protection, extensive evidence has been supplied within the application, which not only identifies the fact that no demonstrable conflict would take place with policy, and is no more detrimental than other approvals in the village, but also cites the recent approvals at Marshland St James, which was also identified as being in conflict with this policy. The difference being that this proposal is supported by the Parish Council, makes good use of redundant land, currently unkempt, dangerous, and with no agricultural value, due to the extensive existence of structures in the relatively small area, and the village does not have a development boundary. The proposal site is also very well screened.

With regards to the Exceptions Test, attention has been drawn to the fact that development on either side of the land known as Hybrid Farm has been deemed to have passed this test. Not only that, but Barroway Drove as a whole sits within the same flood risk, and all of the recent approvals have therefore been deemed to have passed this test. These approvals have offered nothing unique or individual as to their 'wider sustainability benefits' to outweigh the flood risk - required to pass the Exceptions Test.

Therefore, it must surely follow that it has been decided that the construction of a dwelling constitutes 'wider sustainability benefits'. I would ask that Members of the Planning Committee

acquaint themselves with the planning addendum submitted as part of the application, which deals specifically with the reasons for previous refusal.

This proposal will not only make sustainable use of a parcel of land fit for no other viable purpose, but will provide a new home, with associated social and economic benefits - the latter at a time of significant economic uncertainty

PLANNING HISTORY

19/00409/O: Application Refused: 22/05/19 - 1 Outline Application: Construction of dwellinghouse, incorporating small pet care facilities. - Land At Hybrid Farm - Delegated Decision

17/00270/F: Application Refused: 10/04/17 - Standing of mobile home during barn conversion - Hybrid Farm - Delegated Decision

11/01541/F: Application Refused: 07/03/12 - Conversion of derelict agricultural buildings to two bedroomed bungalow - Hybrid Farm - Delegated Decision

07/00298/CU: Non-determined Invalid now returned: 10/10/07 - Conversion of barn to one dwelling - Hybrid Farm - Delegated Decision

06/00994/CU: Application Refused: 11/09/06 - Change of use of barn to form dwelling - Hybrid Farm - Delegated Decision

05/00552/O: Application Refused: 20/05/05 - Outline application: construction of dwellings - Hybrid Farm - Delegated Decision

RESPONSE TO CONSULTATION

Parish Council: SUPPORT, with the following comments -

The proposal will be beneficial to the village by tidying the site up, making it more visually appealing for the area in general

Highways Authority: NO OBJECTION, stating the following comments -

Having visited the site, I believe that ultimately accesses for the proposal would be safe once lower tree branches and vegetation have been cleared from trees to the side of the access. Given the area of land available parking with turning for vehicles could ultimately accord with the parking standards for Norfolk.

Recommended Parking/Turning/Access and Visibility splay conditions

CSNN: NO OBJECTION, subject to conditions relating to the following:

- *Foul and surface water drainage
- *Lighting scheme
- *Hours of delivery/collection conditions
- *Storage and disposal of waste
- *Use in connection with the dwelling

Environment Agency: NO OBJECTION subject to FRA condition.

Environmental Quality: NO OBJECTION subject to Asbestos informative.

REPRESENTATIONS

None received

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

DM3 - Development in the Smaller Villages and Hamlets

DM6 - Housing Needs of Rural Workers

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

The main issues are:

Site History

Principle of Development

Flood Risk

Form and Character

Highways and Access

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

Site History

The application is for the construction of a dwelling incorporating an office and small animal room only. The application follows the previously refused application 19/00409/O determined in May 2019. The reasons for refusal were:

1. The site lies in Barroway Drove, which is classified as a Smaller Village and Hamlet where development is restricted unless it is required in relation to a rural enterprise or represents infill development. The applicant has not provided any special justification

Planning Committee
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why countryside protection policies should be relaxed, and the proposal does not meet the criteria to qualify as infill development. The proposed development is therefore contrary to paragraph 79 of the NPPF, Policy CS06 of the Core Strategy 2011 and Policy DM3 of the Site Allocations and Development Management Policies Plan 2016.

2. The site is located in Flood Zone 3 and the Flood Hazard Zone as identified by the Environment Agency Flood Risk Maps. The proposal fails the exceptions test as it has not been demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and is therefore contrary to Paragraph 160 of the NPPF and Policies CS01 and CS08 of the Core Strategy 2011.

With regard to the barns on the wider site (red and blue land), there is extensive history as shown above dating back to 2005. It should be noted that these barns have previously been the subject of an application to convert to dwellings, however structural reports submitted alongside the previous applications stated the barns were too deteriorated to be capable of conversion. Similarly, applications for the construction of new dwellings on this site and in blue land have also been refused permission on the basis that they are contrary to countryside protection policies.

Principle of Development

Barroway Drove is categorised as a Smaller Village and Hamlet within Policy CS02 of the Core Strategy (2011), and the entire settlement is therefore classed as being within the countryside, where development is restricted to that which has been identified as sustainable in rural areas as outline in Policy DM3 of the Local Plan, which states:

'New development in the designated Smaller Villages and Hamlets will be limited to that identified as suitable in rural areas, including:

- Small scale employment uses (under Policy CS10)
- Community facilities (under Policy CS13)
- Smaller scale tourism facilities (under Policy CS10)
- Conversions of existing buildings (under Policy CS06)
- Rural exceptions affordable housing; and
- Development to meet specific identified local need, including housing to support the operation of rural businesses (under Policies CS01 and CS06);

Plus, housing as set out following:

The sensitive infilling of small gaps within an otherwise continuously built up frontage will be permitted in Smaller Villages and Hamlets where:

- The development is appropriate to the scale and character of the group of buildings and its surroundings; and
- It will not fill a gap which provides a positive contribution to the street scene'

Barroway Drove comprises a cluster of buildings around the junction with Lady Drove, with sporadic linear development extending out from this area. As the settlement continues south towards the application site, the form and character transforms to become increasingly rural in nature. With the subject site located approximately 2,000m south west of the aforementioned junction with Lady Drove, the area surrounding the proposal site is rural in character, with the long views across the agricultural fields either side of the site being an intrinsic part of the form and character of the area. With no dwellings on either side of the application site, the subject site does not form a small gap within an otherwise continuously built-up frontage. Residential development on the site would therefore be considered

contrary to Paragraph 78 of the NPPF and Policy DM3 of the Site Allocations and Development Management Policies Plan (2016).

The applicant provided a planning statement referring to the benefits of the re-use of currently vacant land and the idea that this should override the policy implications discussed above. Whilst the site itself is not currently actively farmed or used for the purposes of agriculture, it should be noted that as the site's lawful use remains as agricultural land, the site does not meet the definition of brownfield or previously developed land in terms of the provisions of the NPPF. Whilst the re-use of the site may reduce the safety risks involved in a derelict site; there is no premium on neglect and with no additional justification provided the proposed use for residential purposes is contrary to the policies of the local plan. No information has been provided as part of this application that illustrates that an alternative use of the overall site is not viable.

Dwelling in association with proposed business use

An area is identified as office/small animals on the indicative plans and this area is indicated for use in connection with the boarding cattery which is proposed to be applied for under a separate planning application in the future (on blue land). In line with DM6, applications for new permanent dwellings in connection with businesses must be accompanied by evidence demonstrating the following:

- a. There is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and night
- b. The need could not be met by existing dwellings within the locality
- c. The application meets the requirements of a financial test demonstrating that:
- d. The enterprise(s) and the rural based activity concerned have been established for at least three years, have been profitable for at least one of them, and:
 - i. Are currently financially sound, and have a clear prospect of remaining so and
 - ii. The rural based enterprise can sustain the size of the proposed dwelling
 - iii. Acceptable in all other respects'

No evidence was provided as part of this application that the small animal care facility and office shown on the plans meet the criteria outlined above. The business is not existing on site, and whilst the establishment of a cattery/small animal boarding business may be suitable in a rural area, without any justification - for example a business plan, the application is contrary to DM6 of the SADMPP (2016). Regardless of this lack of information, once a clearly established functional need is evidenced, a temporary dwelling would initially be required in order to accord with this policy and this is not the case in this instance.

Overall, the application is for an unrestricted dwelling in the countryside and no justification has been provided to outweigh its positioning in a location that is contrary to the provisions of the Local Plan. No evidence has been submitted to overcome the previous in principle reason for refusal under 19/00409/O as outlined above. The development is therefore considered contrary to policies CS02, CS06 and CS08 of the Core Strategy (2011) and Policy DM2, DM3 and DM3 of the Site Allocations and Development Management Policies Plan (2019).

Flood Risk

Paragraphs 155-160 of the NPPF (2019) relate to development in areas of flood risk and the requirement for proposals to pass both the sequential and exceptions tests. The key phrase in paragraph 155 refers to only development that is necessary in such areas being supported. Given that the borough council can currently demonstrate a five-year supply of housing, the proposal, for a single dwelling in a location which is contrary to the spatial

strategy outlined in CS02 and DM3 of the Local Plan, is not considered necessary in any respect.

The application site is located in flood zones 2 & 3 as indicated within the Borough Council's SFRA (2018) and given that the entire settlement is located within the same flood zones, there are no 'reasonably available' sites within the settlement at a lower risk of flooding, the sequential test would therefore be passed, and the application therefore needs to demonstrate it passes the exceptions test in accordance with paragraph 159. For a development to pass the exceptions test, it must provide demonstrable sustainability benefits to the community that outweigh the flood risk implications and also be shown to be safe for its lifetime.

Whilst the flood risk assessment indicates levels can be raised on the site to ensure the dwelling is safe for its lifetime and the Environment Agency has stated no objections on this basis, the provision of one dwelling in this location in a position which is contrary to the Local Plan is not considered to provide adequate sustainability benefits to the wider community to override the impact of flood risk. Therefore, the previous reason for refusal under 19/00409/O still stands. The development fails the exceptions test and is therefore considered contrary to policies 157 and 159 of the NPPF (2019) and CS08 of Core Strategy (2011).

Form and Character

This part of Barroway Drove is characterised by sporadic housing, with gaps between houses providing important views of the agricultural fields beyond. The application site itself currently comprises a group of derelict agricultural buildings, with substantial vegetation forming part of the site boundaries.

The application is for the construction of a detached dwelling to the immediate south of the existing barn on site, which is indicated for repair/refurbishment on the approved plan but does not form part of this application. As the application is for outline consent with appearance, landscaping, layout and scale reserved, only indicative plans were supplied at this stage; however it is considered that a suitable design could come forward at reserved matters stage that could have limited impact on the form and character of the area. Existing established trees along the frontage and side boundaries would minimise the impact of the construction of a dwelling on the surrounding area.

Finished floor levels of a dwelling on the site would need to be raised by 1.4m for flood risk reasons. This will impact on the appearance of the dwelling from the wider street scene; however, it is anticipated that sufficient screening could be provided by the existing vegetation along the site boundaries to limit any adverse impact on the street scene. Careful design of the appearance of the dwelling would be required to ensure that the structure does not stand out as an incongruous feature within the wider landscape.

It is therefore considered that a design could come forward at reserved matters stage to accord with Policies CS06 and CS08 of the Core Strategy (2011) and DM15 of the SADMPP (2016).

Any other matters that require consideration prior to the determination of the application

The Local Highway Authority responded with no objections to the proposal, with their comments stating that ultimately accesses for the proposal would be safe once lower tree branches and vegetation have been cleared from trees to the side of the access. Conditions

were recommended to ensure that the access is constructed to the required standard and that visibility splays are provided and maintained to both sides of the proposed access.

The Community Safety Neighbourhood Nuisance Team recommended additional information is provided as to the business proposal on site at reserved matters stage to ensure there is adequate control of the proposal. Several recommended conditions relate to the day to day operations of the wider cattery and potential for kennels. As these do not form part of the current proposal it would not be considered necessary to apply these conditions to any consent.

The Environmental Quality Team referred to the potential for buildings within the overall site to contain asbestos materials and recommended an informative to ensure assessment of the buildings and safe management during construction to ensure no adverse impacts on the wider environment.

Natural England stated no comment to the application based on the information provided. The application is not considered to meet the requirements for a survey in accordance with the Planning Practice Guidance. No significant impact on protected species or sites is considered likely as a result of the proposed development and the application is therefore considered to comply with Policy CS12 in relation to impact on ecology or biodiversity. Conditions could be recommended to ensure that the mature trees along site boundaries are retained to further limit this impact.

CONCLUSION

The proposal constitutes the development of a parcel of agricultural land with road frontage development in a position far removed from the main built extent of Barroway Drove and on a site that is surrounded on both sides by open agricultural fields and therefore does not fall within the criteria for infill development as outlined in DM3. No further justification under Policies CS06 and DM6 has been provided to outweigh the conflict with the Local Plan.

As outlined above, residential development on the site is not considered necessary in terms of development in flood risk areas as outlined in Paragraph 155 of the NPPF (2019) and the application does not provide wider sustainability benefits to the community, therefore failing the exceptions test. The application is therefore considered contrary to Paragraphs 155-160 of the NPPF (2019) and Policies CS08 of the Core Strategy (2011).

Overall, the proposal is not considered to be suitable location for housing and is contrary to the provisions of the NPPF (paragraphs 78 & 155-160), Policies CS01, CS02, CS06 & CS08 of the Core Strategy (2011) and Policies DM1, DM2, DM3 and DM6 of the Site Allocations and Development Management Policies Plan (2016).

The application is therefore duly recommended for refusal

RECOMMENDATION:

REFUSE for the following reason(s):

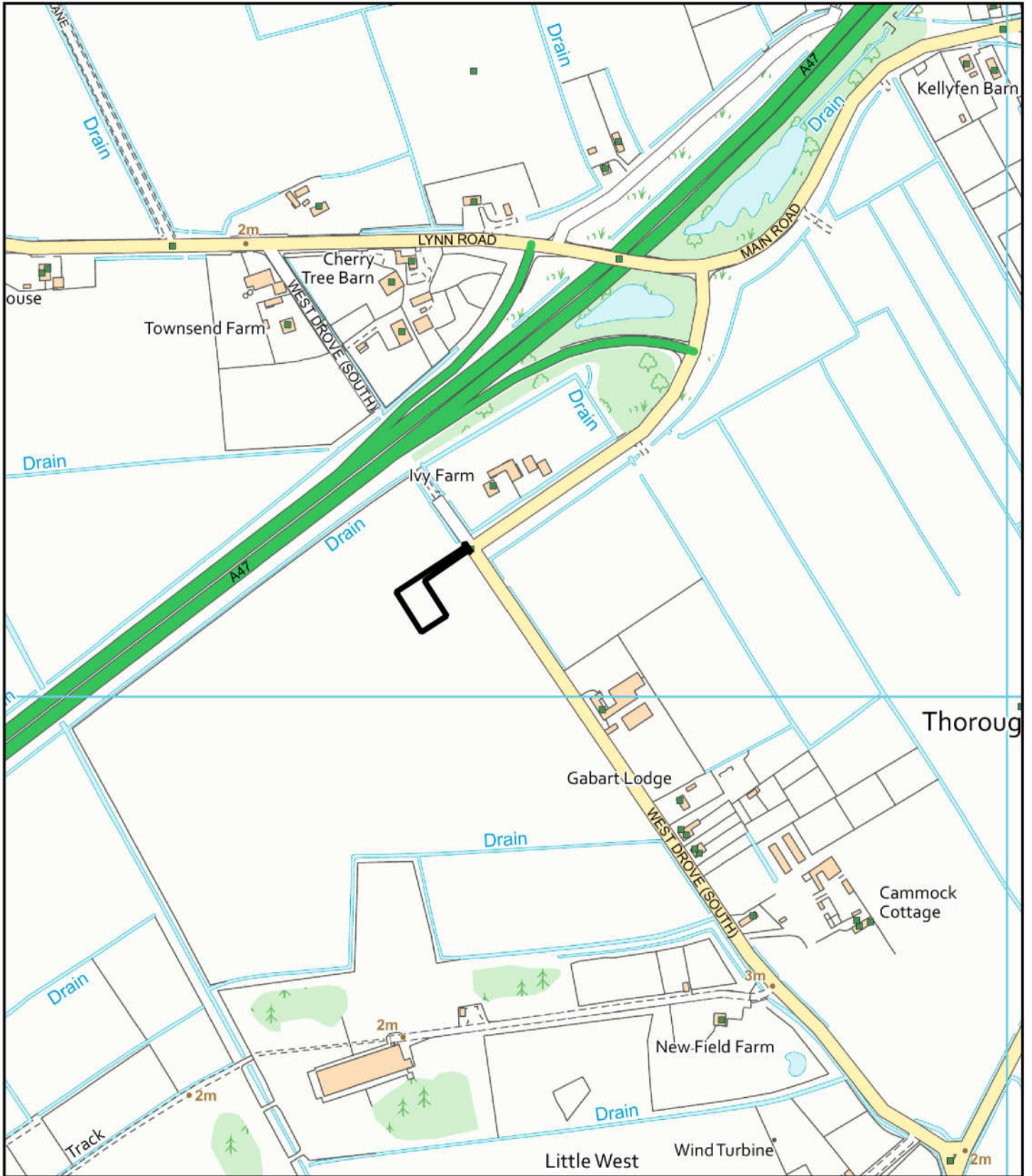
- 1 The site lies in Barroway Drove which is classified as a Smaller Village and Hamlet and where development is restricted unless it is required in relation to a rural enterprise or represents infill development. The applicant has not provided adequate justification as to why countryside protection policies should be relaxed and, by reason of its location, between open agricultural fields, the proposal does not meet the criteria to qualify as

infill development. The development is therefore considered contrary to paragraph 78 of the NPPF (2019), policy CS06 of the Core Strategy (2011) and Policy DM3 of the Site Allocations and Development Management Policies Plan (2016).

- 2 The site is located in Flood Zones 2 & 3 as identified in the Borough Council's SFRA (2018). The proposal fails the exceptions test as it has not been demonstrated that the development provides wider sustainability benefits to the community that outweigh the flood risk and the construction of a dwelling in this location, contrary to the local plan, is therefore considered contrary to Paragraph 159 of the NPPF (2019) and Policies CS01 and CS08 of the Core Strategy (2011).

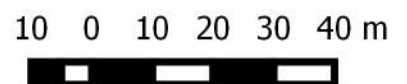
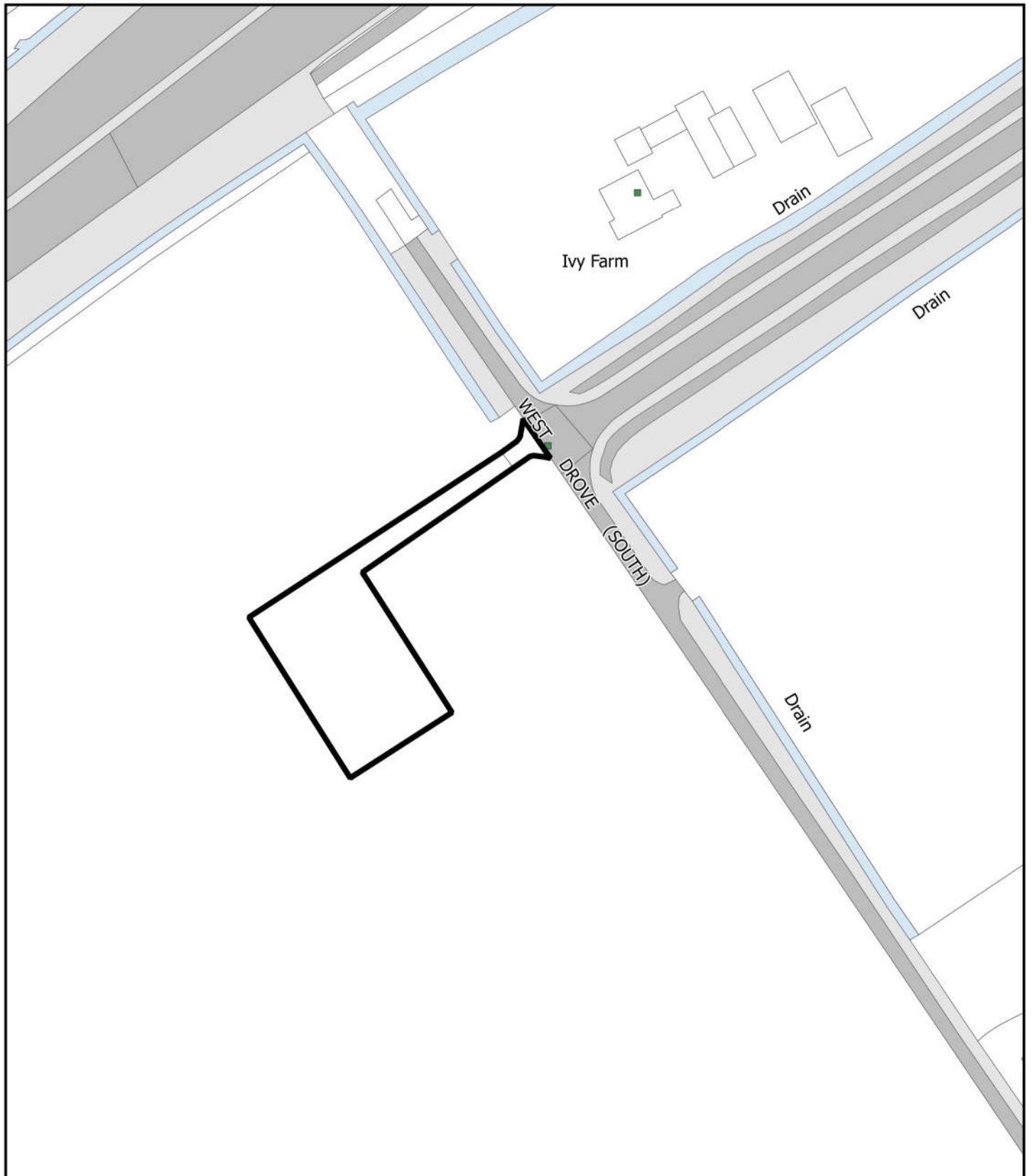
20/00222/F

Land SW of Ivy Farm West Drove Link Road



20/00222/F

Land SW of Ivy Farm West Drove Link Road



Parish:	Walpole Highway	
Proposal:	The siting of temporary accommodation unit, incorporating staff welfare facilities	
Location:	Land SW of Ivy Farm West Drove Link Road Walpole Highway Norfolk	
Applicant:	Tamar Nurseries Limited	
Case No:	20/00222/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 22 April 2020 Extension of Time Expiry Date: 6 July 2020
Reason for Referral to Planning Committee – Councillor Julian Kirk has requested that the application be determined at Planning Committee		
Neighbourhood Plan: No		

<p>Case Summary</p> <p>The application site is located within the countryside as defined within the Site Allocations and Development Management Policies Plan 2016 and is within land which is currently operated by Tamar Nurseries at Walpole Highway.</p> <p>The application seeks planning permission for a mobile home (caravan) which would be used as residential accommodation for a staff member, as well as incorporating staff welfare facilities. The residential aspect of the application fails to comply with Policy DM6 of the Site Allocations and Development Management Policies Plan (Housing Needs of Rural Workers) and as such there is an in-principle policy objection to the proposal.</p> <p>Key Issues</p> <ul style="list-style-type: none"> • Principle of development • Neighbour Amenity • Flood Risk • Highways Issues • Other material considerations • Crime and Disorder Act <p>Recommendation</p> <p>REFUSE</p>
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THE APPLICATION

The application site is located on the western side of West Drove South and almost opposite the junction with West Drove South Link Road that leads to the village of Walpole Highway

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and the turning onto the westbound carriageway of the A47. The agricultural field within which the application site sits lies immediately south of the A47.

The application site is currently agricultural land within an existing field, immediately adjacent to large glasshouses which have been erected under planning permission reference 19/00356/FM and which are in the same ownership. Application 19/00356/FM is linked to application 16/00813/OM which is outline approval for residential development including the construction of a village store and post office at the existing Tamar Nursery site at School Road, West Walton. Members may recall that this was approved at planning committee in February 2017 subject to a legal agreement (Section 106) which linked the development to the relocation of the nursery to this site in Walpole Highway.

The agricultural field within which the application site sits is bounded to the road (eastern boundary) by a bund and security gates and is relatively open on other boundaries.

The application is for full planning permission for the siting of a temporary accommodation unit which incorporates staff welfare facilities at the nursery site.

Clarification was sought from the agent who confirmed that a current member of staff will sleep on site to act as security, in effect living there and therefore the mobile unit would be residential accommodation, albeit on a temporary basis as it may be necessary to relocate the unit elsewhere on site as the nursery expands. The mobile unit will also be used for other members of staff who need access to washing / toilet facilities and somewhere to eat lunch.

SUPPORTING CASE

Tamar Nurseries have embarked in an ambitious plan to expand and develop their business, part of which has seen them acquire the proposal site at West Drove South, and invest over £1m, with this investment continuing.

This development has gone hand in hand with the existing site on School Rd, and a Section 106 agreement is in place which, once completed, will provide for further significant investment in the future.

The ambition of the company has been supported, and praised, from prominent representatives at BCKLWN, principally derived from site visits, whereupon an appreciation and understanding was gained into the challenges which Tamar has been facing during this phase of its expansion – one of which being rural crime.

At the time of application, the site has been subjected to thefts involving many £1000s - documentation identifying this forms part of this submission, and there have been others since applying.

It was suggested to the company that an overnight presence was required to act as a deterrent and ensure that the considerable investment was not compromised. Although it was appreciated that security alone was not a sufficient justification on which to base an application it was stated that support would be forthcoming from significant parties.

As a unit providing welfare facilities would be needed on site it was decided that it would be both economical, and less obtrusive in planning terms, to integrate these uses.

The company would be content to receive temporary permission at this juncture, as it is most likely that the unit would need to be re-located in the future, as the business develops the site further.

Although the Environment agency have raised no objection, measures are proposed to mitigate any relevant flood issues.

Similarly, no other consultee has raised objection.

PLANNING HISTORY

16/00812/FM: Application Permitted: 10/02/2017: Establishment of plant nursery and associated glasshouses, growing beds, office and staff facilities

19/00356/FM: Application Permitted: 24/09/2019: (Retrospective) glasshouse and internal roadway

RESPONSE TO CONSULTATION

Parish Council: NO COMMENTS RECEIVED

Highways Authority: NO OBJECTION to the principle with regard to highways considerations.

Emergency Planning: Due to the location in an area at risk of flooding it is advised that the site operators sign up to the EA FWD service and prepare a flood evacuation plan.

Environmental Health & Housing - Environmental Quality: NO COMMENT to make regarding contaminated land or air quality.

Environment Agency: NO OBJECTION; it is for the LPA to decide whether the Sequential Test needs to be applied. We have reviewed the Flood Risk Assessment (FRA) with regard to tidal and designated main river flood risk sources only. We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB) therefore the EA have no objections with regard to flood risk.

Natural England: NO COMMENT; please refer to Standing Advice

REPRESENTATIONS

No third-party representations received.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 – The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

N/A

NATIONAL GUIDANCE

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

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

National Design Guide 2019

PLANNING CONSIDERATIONS

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

- Principle of development
- Neighbour Amenity
- Flood Risk
- Highways Issues
- Other material considerations
- Crime and Disorder Act

Principle of development

The application site is located outside the development boundary of Walpole Highway and within the countryside as defined by Inset Map G106 of the Site Allocations and Development Management Policies Plan (SADMPP) 2016.

On the basis that the proposed mobile unit will be used as residential accommodation, the application has been assessed as such within this report.

The NPPF, specifically para 78 and 79 states that ‘housing should be located where it will enhance or maintain the vitality of rural communities’, and that LPAs ‘should avoid isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.’

The application site includes some existing glasshouses to the west and an existing dwelling to the north-east and some properties further south along West Drove South. Notwithstanding the physical proximity of a few other dwellings, the application site is located some distance from the development boundary and is located along a narrow road with no

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footpath provision, which leads to the site feeling disconnected from any service provision and the facilities available within the village of Walpole Highway. Notwithstanding this para. 79 of the NPPF allows for new housing in less sustainable locations provided there are 'special circumstances'.

Policy DM6 of the SADMPP also recognises that there may be a need for rural housing and states that development proposals for new occupational dwellings (even temporary dwellings) must demonstrate the stated intentions to engage in farming, or any other rural based enterprise are genuine, are reasonably likely to materialise and are capable of being sustained. Proposals should show that the needs of the intended enterprise require one or more of the people engaged in it to live nearby. This application is for a mobile home, and the Agent has confirmed that the applicant is applying on a temporary basis. No timescale has been given but it is usual for temporary residential accommodation to be granted permission for a three-year period, usually in order to ascertain that the rural enterprise is financially sound before considering residential accommodation of a more permanent nature.

This application has therefore been assessed against the policy regarding temporary occupational dwellings. The policy states at 5(a) that temporary occupational dwellings should only be allowed to support a new rural based activity, providing, they satisfy the criteria set out in 3a) and 3b) of Policy DM6 which are as follows:

- (a) There is a clearly established existing functional need, requiring occupants to be adjacent to their enterprise day and night.
- (b) The need could not be met by existing dwellings within the locality.

Policy DM6 then goes on to state at 5b) that the application must be supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions); and 5c) the application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis.

3(a) There is a clearly established existing functional need, requiring occupants to be adjacent to their enterprise day and night.

The justification provided for the siting of the residential accommodation is based solely upon the provision of security at the application site, where an existing member of staff will sleep overnight to provide an on-site presence to deter crime. The agent has confirmed that the mobile unit will not be anyone's sole or main residence, however little further detail has been provided about the length of each stay, other than 'members of staff may stay on an ad hoc basis. This may be one member for several weeks, or another for one night. Principally governed by availability'.

The agent has confirmed that there have been thefts at the site (a crime number and details have been provided for one theft that took place in July 2019), however has stated that the cost of a dedicated night-watchman, 7 days per week, would be considerable and therefore the decision was made to utilise an existing member of staff who would sleep on site to act as security 'in effect living there'. The benefit of having an existing member of staff on site also means that early / late yard openings which coincide with continental deliveries are supervised more easily (currently these are scheduled and supervised as such). The decision was made to apply for a residential unit to negate any future ambiguity. Alongside the residential use the mobile home will also serve as a facility where staff can have access to toilet / washing facilities and spend lunchtime.

The agent has confirmed that there are few existing security arrangements other than the lockable gate at the access to the site and the bund which is to be planted with protective

hedging. That due to the large open site it is difficult to secure, although there are plans to add CCTV to the main gate and working / office area, although the business felt an on-site presence was the best deterrent.

Despite the information regarding security no additional information or justification has been provided regarding the functional needs of the agricultural (nursery) enterprise which would require them to be adjacent to their enterprise day and night. It has therefore not been demonstrated that it is essential to the functioning of the horticultural business that one or more workers are available on site at most times to care for the plants grown on site.

Security needs may increase the weight given to requiring an on-site presence, where a farm is located near a more built-up area, or the livestock / crops kept on-site are particularly valuable. However, security alone is not a sufficient justification for the provision of an agriculturally tied dwelling, even a temporary one, where the principles remain the same. For instance, the Inspector stated at an appeal at Woodstock Farm Caravan Site, Gibbett Road, Wereham (Ref: APP/V2635/A/12/2176102/) that the daily tasks and duties required for the operation of the business could be carried out during the working day. The Inspector acknowledged that dealing with problems that arise during the night such as late arrivals or security breaches were more problematic but stated that given the strong planning policies against additional dwellings in the countryside it was important to examine whether these other matters could reasonably be dealt with by other means. With regard to security the Inspector investigated utilising a CCTV / alarm system which could be monitored remotely and for the areas less easy to monitor (in this case a fishing lake) it was stated that potential poaching did not offer sufficient grounds for the construction of an occupational dwelling.

Another appeal relating to a nursery business at Ashtree Nurseries, River Road, West Walton (Ref: APP/V2635/A/08/2090147) also addressed security in the Inspectors comments stating that security concerns are not by themselves sufficient to justify an agricultural dwelling but may contribute to the case for one.'

Therefore, it can be concluded that the proposal does not comply with Section 3(a) of Policy DM6 and thus also fails Section 5(a) of the same Policy.

3(b) The need could not be met by existing dwellings within the locality.

No information has been submitted regarding whether any other dwellings within the locality could fulfil the need for security at the application site or indeed whether this has been considered.

The application therefore fails to comply with Section 3(b) of Policy DM6 and thus also fails Section 5(a) of the same Policy.

5(b) The application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is a good indication of intentions)

Planning permission was granted in February 2017 for the 'Establishment of plant nursery and associated glasshouses, growing beds, office and staff facilities' (16/00812/FM). This application allowed for the transfer of the existing nursery at School Road, West Walton to this new site in Walpole Highway. This application was not implemented but was amended to provide the large glasshouses currently on-site which were approved under permission 19/00356/FM.

Therefore, it is evident that there has been significant investment at the application site already. Whilst financial details have not been supplied, there looks to be firm evidence the business has both the ability and intention of developing the enterprise at this site in Walpole

Highway. Further development at this site would however be subject to planning permission being granted.

5(c) The application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis.

No financial details have been submitted in support of this application. Therefore, whilst significant financial outlay has taken place at the application site with the erection of the glasshouses, no details have been provided with which to assess this part of Policy DM6. The application therefore fails to demonstrate that it would comply with Section 5(c) of Policy DM6.

The application for a temporary residential unit therefore fails to comply with Policy DM6 of the Site Allocations and Development Management Policies Plan 2016 and therefore also fails to comply with paragraph 79 of the NPPF.

Neighbour Amenity

The proposed mobile unit will have no material impact on neighbour amenity due to the size of the proposal and distance to the nearest neighbour who is located to the north-east.

The proposal would comply with the provisions of the NPPF with regard to amenity and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

Flood Risk

The application site is located within Flood Zone 3 of the SFRA and there is no objection to the proposal from the EA.

Whilst the EA have no objections, the LPA still need to apply a sequential test. The aim of the sequential test aims to steer new development to areas with the lowest probability of flooding. Whilst the proposal is for an agriculturally tied residential unit it has been determined that there is not a functional need for one or more workers to be on site day and night and therefore other sites in the Parish must be considered. The application is essentially for a dwelling, albeit temporary and therefore sites which could accommodate a single dwelling have been considered when applying the Sequential Test. The village of Walpole Highway is within Flood Zone 3 of the SFRA 2018 and therefore no sites at a lower flood risk have been identified and the proposal passes the Sequential Test.

As the proposal is within Flood Zone 3 then the Exception Test needs to be passed as well as the Sequential Test. The Environment Agency are satisfied that the site-specific flood risk assessment demonstrates that the development will be safe for its lifetime, (provided it is on a temporary basis in accordance with Table 2 and Table 3 of the Planning Practice Guidance).

Whilst there may be benefits to the rural enterprise with regard to the provision of a residential unit, these benefits do not outweigh the requirement to strictly control new residential development in the countryside or ensure that if possible it is not located in an area at a higher risk of flooding. In this case, it is considered that there is no requirement for a full-time worker to be living on the application site, given that it has not been demonstrated that the application meets the requirements of Policy DM6 of the SADMP. As a result, the development is considered to fail the Exception Test.

The proposal would fail to comply with para 160 and 161 of the NPPF and Policy CS08 of the Core Strategy.

Highways Issues

The proposal would be accessed via the existing point of access which serves the existing large greenhouses immediately behind (west) the proposed mobile unit and there are no objections to the proposal from the Highways Officer.

The proposal would accord with the provisions of the NPPF with regard to highway safety and would comply with Policy CS11 of the Core Strategy and Policy DM15 of the Site Allocations and Development Management Policies Plan.

Other material considerations

There are no objections to the proposal from Natural England who refer the LPA to their Standing Advice. The Standing Advice gives no indication that the proposal is likely to have a detrimental impact upon any protected species or designation.

There are no objections to the proposal from the Environmental Quality Team who have no comments to make regarding contaminated land or air quality.

Crime and Disorder Act

This application is not considered to give rise to issues relating to Section 17 of the Crime and Disorder Act.

CONCLUSION

The site is within a countryside location where in principle residential accommodation would not normally be permitted. However, this application seeks consent for an agriculturally tied mobile home on a temporary basis.

The applicant has failed to demonstrate that the running of the agricultural enterprise requires someone to live on site during the day and night or that the needs of the enterprise could not be met by an existing dwelling in the locality. As such there is no essential need for a residential unit to be placed on the application site and the proposal is therefore contrary to the provisions of paragraph 79 of the NPPF, Policies CS02 and CS06 of the Core Strategy 2011 and Policy DM2 and DM6 of the Site Allocations and Development Management Policies Plan 2016.

It is the responsibility of the LPA to direct development, where possible, to areas with the lowest risk of flooding and the application passed the Sequential Test. Notwithstanding this, as it has not been demonstrated that there is a requirement for a full time worker to live at the application site, the proposed development is considered to fail the Exception Test, as the sustainability benefit of providing the development in this location does not outweigh the flood risk. The proposal is therefore contrary to paras. 160 and 161 of the NPPF and Policy CS08 of the Core Strategy 2011.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that an application must be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the applicant has failed to demonstrate that the proposal complies with the local development plan and there are no material considerations which outweigh this. Members are therefore requested to refuse the application as proposed.

RECOMMENDATION:

REFUSE for the following reasons:

- 1 Paragraph 79 of the NPPF seeks to restrict residential development outside towns and villages to those dwellings essential to agriculture and other rural enterprises where it can be demonstrated that the need for the proposed dwelling could not be met by an existing dwelling or within the settlement. The proposal fails to demonstrate that there is a functional need for a residential unit which requires a worker to be adjacent to the rural enterprise day and night. The proposal is therefore contrary to Para 79 of the NPPF, Policy CS02 and CS06 of the Core Strategy 2011 and Policy DM2 and DM6 of the Site Allocations and Development Management Policies Plan 2016.
- 2 The application site falls within Flood Zone 3 of the SFRA and passes the Sequential Test; therefore, the Exception Test is required. The proposal does not represent development where the sustainability benefits outweigh the flood risk and therefore fails the Exception Test. The proposed development is therefore contrary to para. 160 and 161 of the NPPF and Policy CS08 of the King's Lynn and West Norfolk Core Strategy 2011.

Planning Committee

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the 15 June Planning Committee Agenda and the 29 June agenda. 52 decisions issued 45 decisions issued under delegated powers with 7 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority’s powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area
- (4) Majors are assessed against a national target of 30% determined in time. Failure to meet this target could result in the application being dealt with by Pins who will also receive any associated planning fee.

RECOMMENDATION

That the reports be noted.

Number of Decisions issued between 03/06/2020 – 16/06/2020

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	DCB decision	
								Approved	Refused
Major	0	0	0			--	60%	0	0
Minor	23	21	2	21		91%	70%	2	0
Other	29	29	0	28		96%	80%	3	2
Total	52	50	2						

Planning Committee made 7 of the 52 decisions, 13%

PLANNING COMMITTEE - 29 JUNE 2020

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

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

RECOMMENDATION

That the report be noted.

DETAILS OF DECISIONS

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
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13.05.2020	11.06.2020 GPD HH extn - Not Required	20/00696/PAGPD	Conifers Lynn Road Bawsey King's Lynn Single storey rear extension which extends beyond the rear wall by 7.2 metres with a maximum height of 4 metres and a height of 2.77 metres to the eaves	Bawsey
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01.05.2020	05.06.2020 Tree Application - No objection	20/00081/TREECA	Barley House Church Lane Boughton King's Lynn T1. Plum tree. Dismantle, process, remove leaning prunus from church side. G1. Remove all overhanging growth from trees on church side that are beginning to interfere with building roof and guttering. G2. Reduce all straggly Beech trees in mixed hedge line to approx 8 ft, 30% crown reductions on 2 x mature cherry and 1x mature plum. T2. Corkscrew willow by garage, framework pollard. T3. Large self seeded willow with a lean, dismantle, process, remove within a Conservation Area	Boughton
20.04.2020	11.06.2020 Application Permitted	20/00577/F	St Marys House London Street Brancaster King's Lynn Internal and external alterations to west range, single storey rear extension to service courtyard, alterations to cellar store rooms, new garden wall to enclose sunken courtyard to south aspect of west range	Brancaster

20.05.2020	05.06.2020 Tree Application - No objection	20/00087/TREECA	Brette House Cross Lane Brancaster King's Lynn T1 - Cedar: Remedial deadwood, root decompaction works. T2 - Bay tree: dismantle grind stump. T3 - Copper Beech: Peripheral crown pruned by 1.5 - 3m, overextended limb reduced by 3m, lower crown raise to 4.5m. T4 - Field Maple: Brances reduced by 0.5 - 1m to previous pruning points. T5 - Espalier Pear trees: Formatively pruned. Hornbean deadwood removed within a Conservation Area	Brancaster
20.05.2020	05.06.2020 Tree Application - No objection	20/00088/TREECA	Brette Cottage Cross Lane Brancaster Norfolk T1 Field maple on shared bounds shall have the overextended side laterals reduced by up to 1.5 metres away from building fabric, with a reduction of up to 0.5m to the north and east and up to 1.5m west over the neighbours bounds. T2 In the lower rear garden the silver poplar shall have the limbs which overextend over the specimen pine reduced up to 4.5 metres. T3 silver poplar which is subject to wildlife cavities and decline, shall be reduced to a monolith stem at a height of approximately 3 metres from ground within a Conservation Area	Brancaster

08.04.2020	05.06.2020 Application Permitted	20/00536/F	Arthur's 21 Ulph Place Burnham Market Norfolk New porch and canopy	Burnham Market
02.03.2020	11.06.2020 Application Permitted	20/00329/F	4 Marine Cottage Wells Road Burnham Overy Staithe King's Lynn New porch	Burnham Overy
02.06.2020	16.06.2020 Tree Application - No objection	20/00093/TREECA	Gong House Gong Lane Burnham Overy Staithe King's Lynn T1 Beech & T2 Sycamore - 3 meter side reduction as overhanging neighbour's property within a conservation area	Burnham Overy
21.05.2020	12.06.2020 Application Refused	19/01394/NMA_1	Jokers Bailey Street Castle Acre King's Lynn NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 19/01394/F: Extension to rear of dwelling and extension above garage	Castle Acre
23.03.2020	11.06.2020 Application Permitted	20/00464/F	King's Lynn Golf Club Lynn Road Castle Rising King's Lynn Lean to extension to existing machinery store. Provision of 2No metal storage containers and replacement of clothes drying cabin	Castle Rising
11.05.2020	16.06.2020 TPO Refused work	20/00029/TPO	2 Kenwick Hall Gardens Station Road Clenchwarton King's Lynn 2/TPO/00195 - T1: Pine tree - Reduce overall height by 5m, reshape and crown lift by 3m	Clenchwarton

18.05.2020	16.06.2020 Tree Application - No objection	20/00032/TPO	1 Church Crofts Manor Road Dersingham King's Lynn 2/TPO/00197 - T1: Sycamore - Crown reduce by up to 2m, crown thin by 10-15% and reduce lateral limbs by up to 1 - 1.5m	Dersingham
19.03.2020	16.06.2020 Application Permitted	20/00435/F	57 Trafalgar Road Downham Market Norfolk PE38 9RT Demolition of existing conservatory extension and erection of new single storey rear extension	Downham Market
24.04.2020	11.06.2020 Application Permitted	20/00609/F	Tree Tops 120 Bexwell Road Downham Market Norfolk Proposed Replacement Dwelling	Downham Market
17.04.2020	08.06.2020 Would be Lawful	20/00567/LDP	Chesterfield Lodge 36 Hungate Road Emneth Wisbech Lawful development certificate: Change of use of the existing conservatory for use as a home office	Emneth
12.11.2019	05.06.2020 Tree Application - No objection	19/00186/TREECA	Meadway 1 Marham Road Fincham Norfolk One conifer (T1) and one sycamore (T2) - Fell within a Conservation Area	Fincham
06.02.2020	10.06.2020 Prior Approval - Approved	20/00191/PACU3	Vong Farm Barn Vong Lane Pott Row King's Lynn Notification for Prior Approval for change of use of agricultural building to two dwellings (Schedule 2, Part 3, Class Q)	Grimston

23.03.2020	15.06.2020 Application Permitted	20/00465/F	6 Blake Close Pott Row King's Lynn Norfolk Single storey side extension and alterations	Grimston
31.03.2020	05.06.2020 Application Permitted	20/00497/F	Brewery Barn Congham Road Grimston Norfolk Proposed two storey extension and dormer window to north elevation and existing store room converted to utility room	Grimston
03.04.2020	12.06.2020 Prior Approval - Refused	20/00543/PACU3	Agricultural Buildings At Beach Farm S of 70 South Beach Road South Beach Road Heacham Norfolk Prior notification for the proposed change of use from agricultural building to dwelling house	Heacham
16.04.2020	05.06.2020 Application Permitted	20/00595/F	16 Jubilee Road Heacham King's Lynn Norfolk Proposed extension and alterations	Heacham
05.06.2020	16.06.2020 Tree Application - No objection	20/00044/TPO	Woodland N of Blackthorn Close S of Robin Hill And E of Hall Close Hunstanton Road Heacham Norfolk 2/TPO/00407: T1-T6 Ash - Fell as dead or in decline. T7-T8 Sycamore - Fell. T9 Sycamore - raise crown over gardens to approx 3 meters	Heacham

14.04.2020	09.06.2020 Prior Approval - Refused	20/00566/PACU6	Drove Orchards Thornham Road Holme next The Sea HUNSTANTON Notification for Prior Approval for change of use of agricultural building to a flexible use (Schedule 2, Part 3, Class R)	Holme next the Sea
06.03.2020	03.06.2020 Application Permitted	20/00364/A	2 Le Strange Terrace Hunstanton Norfolk Update existing signage canopy (non illuminated)	Hunstanton
03.04.2020	03.06.2020 Application Permitted	20/00507/F	51 Northgate Hunstanton Norfolk PE36 6DS Single storey rear extensions, front porch and alterations to dwelling	Hunstanton
17.04.2020	05.06.2020 Application Permitted	20/00569/F	Lalapanzi 66 Cliff Parade Hunstanton Norfolk Variation of condition 2 of planning permission 20/00023/F: Removal of first floor verandah and replace with first floor extension	Hunstanton
17.04.2020	11.06.2020 Application Permitted	20/00570/F	4 Hastings Drive Hunstanton Norfolk PE36 6HB Single storey side extension, internal & external alterations to dwelling	Hunstanton
13.01.2020	08.06.2020 Application Permitted	20/00044/RM	Land East of Air Training Corps Hut Loke Road King's Lynn Norfolk Reserved Matters: Construction of 9 Dwellings	King's Lynn
30.03.2020	03.06.2020 Application Permitted	20/00491/F	144 Elvington King's Lynn Norfolk PE30 4UX Proposed Extension and Alterations	King's Lynn

21.04.2020	11.06.2020 Application Permitted	20/00587/A	HSBC 21 New Conduit Street King's Lynn Norfolk Advertisement application: 2x internally illuminated ATM surround signs	King's Lynn
10.06.2020	16.06.2020 Tree Application - No objection	20/00106/TREECA	30 Nelson Street King's Lynn Norfolk PE30 5DY T1 Horse Chestnut - Fell dying tree within a conservation area	King's Lynn
01.04.2020	11.06.2020 Application Refused	20/00537/F	The Pines Wormegay Road Blackborough End King's Lynn Construction of a single storey dwelling and new access to existing dwelling	Middleton
11.05.2020	04.06.2020 Application Permitted	18/01121/NMA_1	4 Pinfold Lane Northwold Norfolk IP26 5LH NON-MATERIAL AMENDMENT TO PLANNING CONSENT 18/01121/F: Proposed side extension, front reception lobby/hall and attached double garage in a Conservation Area	Northwold
14.05.2020	05.06.2020 Tree Application - No objection	20/00030/TPO	Crankle House 9 Sandringham Grove Old Hunstanton Norfolk T1 (Holm Oak) - Crown raise to 4 metres. Reduce mid & upper crown by up to 2 metres and re-shape	Old Hunstanton

09.04.2020	11.06.2020 Application Permitted	20/00564/F	Rugosa Lodge Outwell Road Outwell Wisbech REMOVAL OF CONDITION 2 OF PLANNING PERMISSION 2/88/1579/F (CONSTRUCTION OF DWELLING): To allow the property to be occupied by persons outside agriculture	Outwell
08.04.2020	03.06.2020 Application Permitted	20/00535/F	Timbertop Narborough Road Pentney King's Lynn Proposed extension to garage and minor internal alterations	Pentney

03.04.2020	03.06.2020 Application Permitted	20/00504/F	Mill Cottage 41 Peddars Way North Ringstead Norfolk Refurbishment of Mill Cottage and extension. The proposal addresses damp, aesthetic, and energy performance issues with the existing building - no change of use. Demolish the lean-to structure at the Northern end of the cottage. Form an extension at the front of the property, creating a better entrance hall. Remove the external non-breathable cementitious render and replace with a breathable lime render, homogenising the various brick and render types under a single material. Insulate the walls, roof and floor internally, reducing energy consumption of the property. Remove the existing uPVC windows and replace with timber equivalents	Ringstead
05.06.2020	16.06.2020 Tree Application - No objection	20/00048/TPO	Runcton Holme House 29 Downham Road Runcton Holme King's Lynn 2/TPO/00027 - Mature Sycamore: Fell	Runcton Holme
13.03.2020	08.06.2020 Was_Would be Lawful	20/00404/LDE	8 Beach Road Snettisham King's Lynn Norfolk Lawful Development Certificate: Use as a single dwelling by persons unconnected with agriculture	Snettisham

13.03.2020	15.06.2020 Application Permitted	20/00407/F	41 Goose Green Road Snettisham King's Lynn Norfolk Remove conservatory, build single storey extension to rear and side elevations.	Snettisham
31.03.2020	05.06.2020 Application Permitted	20/00532/F	79 The Beach Shepherds Port Snettisham Norfolk Re-newal of planning permission 10/01660/F for the continued standing of static caravan and shed	Snettisham
27.05.2020	16.06.2020 Tree Application - No objection	20/00092/TREECA	Swiss Cottage High Street Thornham Hunstanton Tree in a Conservation Area: Cherry - Crown reduction of no more than 2m	Thornham
29.05.2020	16.06.2020 Consent Required Not	20/00781/AG	Land NW of Tilney Services Station Pullover Road Tilney All Saints Norfolk Agricultural Prior Notification: Proposed building for the storage of farming machinery	Tilney All Saints
03.03.2020	11.06.2020 Application Permitted	20/00337/F	1 Hall Bridge Road Upwell Wisbech Norfolk Proposed annexe including removal of existing mobile home	Upwell
23.04.2020	16.06.2020 Application Permitted	20/00605/F	Dalnarck Cottage The Pingle Upwell Norfolk Proposed first floor rear extension to dwelling, rear single storey extension and re-roof and re-render entire dwelling	Upwell

17.01.2020	10.06.2020 Application Permitted	20/00072/F	Lyndon House 180 Station Road Watlington King's Lynn A stand-alone annex for a domestic property, demolition of an existing garage and rebuilding it with first floor accommodation	Watlington
19.03.2020	16.06.2020 Application Permitted	20/00437/F	Twilight Fen Main Street Welney Wisbech Two storey extension to rear	Welney
28.01.2019	05.06.2020 Application Permitted	19/00163/F	Land At Greenhill Road West Acre Norfolk Proposed Entry Level Exception Site for 4 single storey dwellings	West Acre
03.07.2019	04.06.2020 Application Permitted	19/01165/F	Stables At Harps Hall 306 St Pauls Road South Walton Highway Norfolk Proposed conversion of existing stable block to 2No. single storey holiday lets	West Walton
08.04.2020	11.06.2020 Application Permitted	20/00529/F	Briarbank 154 School Road West Walton Wisbech Proposed single storey side extension	West Walton

UPDATE ON TREE MATTERS

Prepared by Richard Fisher, Arboricultural Officer

1.0 Introduction

1.1 This report seeks to update Members on recent Tree Preservation Orders (TPO's) that have been served between 1st November 2019 – 31st April 2020, along with a summary on some of the other aspects of the work in relation to trees.

2.0 Summary of Work

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

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

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

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

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

Table 1 – Breakdown of tree related applications and work received since 1st May 2019

	Numbers
Planning Applications	6 months
Planning Applications considered	149
Pre-Applications considered	17
Applications to discharge tree and landscape conditions	22
New Tree Preservation Orders	
New TPO's served	3
TPO's with objections received (Planning Committee Confirmation)	1
Approved under delegated powers	
Still to be confirmed	1
Tree Work Applications/Notifications	
Conservation Area Notifications approved	106
Conservation Area Notification Refused (TPO Served)	0
Conservation Area Notification Pending	0
Tree Preservation Order applications approved	44
Tree Preservation Order applications Refused	1
Partially refused	0
Tree Preservation Order applications appealed	0
Tree Preservation Order application pending	0

3.0 Details of TPO's Served and Confirmed since November 2019

- 3.1 3 TPOs has been served since November 2019. Where no objections have been received they have been confirmed under delegated powers. When objections have been received these will need to be considered by the Planning Committee, as to whether or not the TPO is confirmed. Since November 2019, 3 TPOs have been confirmed under delegated powers.
- 3.2 0 appeals against the refusal of tree works were decided in the time period covered by this report.

4.0 Recommendation

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

