

PLANNING COMMITTEE
30th July 2018

**SUMMARY OF ADDITIONAL CORRESPONDENCE RECEIVED SINCE THE
PUBLICATION OF THE AGENDA AND ERRATA**

Item Number 8/1 (a) Page Number 8

Welney Parish Council: Makes the following comments:

- Concerned that officials at BCKL&WN have refused to allow the developer to provide a footpath along the frontage of the site to New Road as part of the construction works and appear to have declined to accept the advice from NCC Highways to provide safe pedestrian access to the site;
- There has been a long history of failures to provide adequate walkways within and between communities and this causes real problems for residents in settlements as well as posing an obvious safety risk. It is not safe to walk in the roads and certainly not when they are unlit or only partially illuminated, as is the case in many rural and semi-rural areas. We do not want more deaths or injuries on our roads as the direct result of poor planning decisions. Similarly, we do not want pockets of settlements to become isolated and imprisoned in little enclaves, as good planning is about integration unless the intention is to create modern ghettos all over West Norfolk.
- At the moment it is not possible to envisage a logical reason for failing to provide the footpath if one excludes the cost to the developer. The cost to the developer is not a planning consideration and is certainly of no interest to the community.
- The planning notice that has been posted within the proximity of the development site with regards to this development is not in fact the current version of the planning application, meaning that it is doubtful the planning notice is compliant with regulations and that the review of this application must be withdrawn from the scheduled hearing.
- Therefore the planning application notice that has been posted is in fact out of date and no longer relevant.

Third Party: TWO letters regarding (summarised):

- Queries why the public footpath leads to Back Drove when it is understood that the land can't be built on for 25 years which surely includes amenity land as well;
- The public footpath proposed runs along a field behind the houses of the people in New Road, several of whom are elderly and will lose security (which is high on the list of concerns of people);
- The footpath was not welcomed by the builder's agent earlier and seems to have come about by planning intervention so hopes that the planners and the builders will have a rethink;
- No objection to the development other than the footpath.

Natural England: NO OBJECTION subject to the following mitigation:

- Installation of sustainable drainage systems;
- Financial contribution of £50 per dwelling to the Borough Council of King's Lynn and

West Norfolk Natura 2000 Sites Monitoring and Mitigation Strategy as in line with Policy DM19;

- Connection to the existing network of public footpaths south west of the development to redirect recreational activities, specifically dog walking, away from closely located sensitive sites;
- Signposting encouraging the use of footpaths south west of the development.

Assistant Director's comments:

This issue is dealt with in the main report (pages 16 and within the applicants supporting case on page 11). Whilst the Parish Council's concerns regarding the provision of a footpath along the Main Street frontage are noted and indeed understandable, the IDB for the area have raised maintenance issues and major practical difficulties in securing sufficient highway verge to accommodate a 2m wide footpath. The Local Highway Authority raises no objection on the basis that the alternative pedestrian route has been advanced and would be provided to Back Drove through blue land.

Further, the footpath leading to Back Drove (part of an existing network of footpaths) is required to mitigate against any potential impact from recreational/dog walking on protected sites within the vicinity of the development. There is evidence of an existing informal trodden path within the site that has been used for this purpose.

Whilst the site layout has been amended during the application, the red line (application site area) has remained the same. Statutory consultees including the Parish Council and neighbours have been consulted via e-consultation and letter on amended plans received (the most recent consultation being on 21st June 2018). There is no legal requirement to display a further site notice, and I am satisfied that the application and subsequent amendments have been publicised fully and correctly.

Item Number 8/2 (b) Page Number 34

Agent: Makes the following comments in response to the committee report:

Curtilage:

The report states that parking to plots 1 & 3 are now within the curtilage of individual dwellings. However, the parking to these plots is contained within their individual curtilages, which they will have sole ownership and use of. For the purpose of turning, neighbouring properties will have appropriate rights.

Objection Letters:

The report states two objection letters have been received. So far as can be seen from the public file, only one letter of objection has been received.

One public comment is also registered, which clearly states: My husband and I would like to make it clear that we do not object to the planned houses and think it will be a vast improvement to the area.

The letter makes no objection to the scheme proposal and is solely concerned with the existing highway and parked cars from neighbouring properties. Using this application as an opportunity to make comment in relation to this. It is therefore misleading to state that this is a letter of objection.

Highway Safety:

Para 4 appears states that 'if no off road parking provision is provided they will park on London

Road....'. This statement is misleading in so far as it suggests parking is not provided.

Off street parking to NCC highway standards (3 spaces per dwelling) is provided to individual dwellings within the site area.

Conclusion:

Within the conclusion it is stated there is 'functionally lacking parking/turning provision'. This is considered misleading for the following reasons;

The parking provision is in accordance with NCC standards, no objection to the parking and turning layout has been made by the highway officer.

Tandem parking is the same as would usually be provided for the majority of housing developments.

Assistant Director's comments: Whilst parking for Plots 1 and 3 may be within the ownership of the associate dwellings, the layout is not ideal with parking and covered parking being divorced from the main units. The development is therefore considered to be poorly designed and does not function well contrary to paragraph 127 of the NPPF.

For clarification purposes, there are two letters of objection from the same individual and a further letter neither objecting nor supporting the scheme as stated within the Agent's correspondence but the neighbour states that they have concerns regarding the road and parking on the following grounds:

- Frequent obstruction of driveway from parked cars;
- Lack of visibility from driveway as a result of parked cars which will affect the proposed properties also;
- Have had several near misses through people driving too fast between the parked cars.

Item Number 8/2 (d) Page Number 46

Heacham Parish Council: Not being able to find a plan of the underground pipework we can only come to the conclusion that 2 septic tanks seen on site last month are required for the main dwelling and the second for the garage/gym building. Which leads us to think that the garage/gym will eventually become a second dwelling.

Only because of the lack of a 5 year land supply the original property allowed, even though it is in designated countryside, which adversely impacts on the views as cited by the Planning Inspectors at the School Road planning appeals as beneficial. Adding a cart shed, even a summerhouse the size of a garage to the rear of the property, we feel as though these additions over develop the site.

Assistant Director Comments:

The Officer has explained on page 51 of the agenda as to why 2 septic tanks were present on the site. With regards to the possibility of the detached garage/gymnasium becoming a separate dwelling, the applicant would require planning permission and such an application would be subject to separate consideration in the usual way. Members will be aware of the School Road planning appeal, 13/01541/OM for 70 new homes, care home and housing with care facilities that was refused by committee and dismissed on appeal (APP/V2635/W/14/2221650).

Agent: Has submitted an amended plan that details the use of timber as opposed to brick in the construction of the summerhouse.

CORRECTION

The second sentence in 2nd paragraph on page 8 of the agenda should read as follows

“the dwelling already has the benefit of consent for the construction of a detached dwelling with detached garage with personal gym over...”

Amend condition 2 to read as follows:

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

- Summerhouse – 262-18 Rev A received 23rd June 2018
- Landscaping plan 262-18 Rev D received 16th July 2018
- Cartshed – 262-17C received 16th July 2018

Item Number 8/2 (f) Page Number 68

Third Party: ONE letter of **OBJECTION** regarding (summarised):

- Numerous large trees removed;
- Any further development can only have a detrimental effect on the natural environment and bat community;
- The Hamlet cannot support any further development as no improvement in infrastructure to support this.

Item Number 8/2 (g) Page Number 77

Applicant: States that 10 dogs a day (including mine) would only be Monday to Friday. I do not and will not have any more than 4 dogs over the weekend or overnight.