

Parish:	Downham Market	
Proposal:	Retrospective application for gate to approved garden wall	
Location:	The Whale Bone 58 Bridge Street Downham Market Norfolk	
Applicant:	Mr Paul Gillings	
Case No:	19/01554/F (Full Application)	
Case Officer:	Bradley Downes	Date for Determination: 14 February 2020

Reason for Referral to Planning Committee – Called in by Councillor Don Tyler

Neighbourhood Plan: No

Case Summary

The application is for retrospective permission for the erection of a timber gate measuring approximately 2.1m high sited at the end of an existing boundary wall at the rear corner of the site. Behind this wall there is a strip of land owned by the pub and on the other side of this strip is the boundary of the neighbouring flats. The gate will be used to access the strip for maintenance purposes. The gate has no colouration. The site lies on Bridge Street in Downham Market, inside the Conservation Area.

Key Issues

Principle of development
Impact on character and appearance
Impact on neighbour amenity
Other material impacts

Recommendation

APPROVE

THE APPLICATION

The application is for retrospective permission for the erection of a timber gate measuring approximately 2.1m high sited at the end of an existing boundary wall at the rear corner of the site. Behind this wall there is a strip of land owned by the pub and on the other side of this strip is the boundary of the neighbouring flats. The gate will be used to access the strip for maintenance purposes. The gate has no colouration. The site lies on Bridge Street in Downham Market, inside the Conservation Area.

Planning Committee
3 February 2020

SUPPORTING CASE

The White Hart [now called The Whale Bone] is located close to the centre of Downham Market within the conservation area, it is marked as a building of importance however it is not currently listed. The proposals involve minimal change to the approved scheme, an access door has been added to the furthestmost right hand side of the new garden wall that runs down the eastern edge of the site.

The door was added to the new approved garden wall so we could maintain, clear and keep clean the land between the back of the new wall and the existing boundary. It also was added to allow us to check that no infringements were happening on to our land behind the wall.

PLANNING HISTORY

15/01369/DISC_B: Discharge of Condition final letter: 27/11/17 - DISCHARGE OF CONDITIONS 3, 8, 10 AND 11 OF PLANNING PERMISSION 15/01369/F: Proposed internal alterations, single storey extension with associated mechanical plant and extract equipment - 58 Bridge Street, Downham Market, PE38 9DH

15/01369/F: Application Permitted: 06/11/15 - Proposed internal alterations, single storey extension with associated mechanical plant and extract equipment - 58 Bridge Street, Downham Market, PE38 9DH

RESPONSE TO CONSULTATION

Downham Market Town Council: No response

REPRESENTATIONS None received

LDF CORE STRATEGY POLICIES

CS04 - Downham Market

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The mains considerations:

- Principle of development
- Impact on character and appearance
- Impact on neighbour amenity
- Other material impacts

Principle of development:

As part of the planning permission for application ref: 15/01369/F, condition 8 required details of the boundary treatment to be submitted to the LPA and approved. The condition also required that following its construction, it should be retained as approved thereafter. Details of the wall were agreed under 15/01369/DISC_B. Effectively the application is seeking to vary that condition to amend the boundary treatment to allow the wall to be retained. The principle of such an application is allowed in planning law, and it will need to be assessed on its own merits.

Impact on character and appearance:

The gate has been inserted in the rear left corner of the site. It is not readily visible from the street and it would have no material impact on the character and appearance of the Conservation Area.

Impact on neighbour amenity:

As the height of the fence is the same as the height of the wall it replaced, the development would have no significant impact on the amenity of neighbouring occupiers. The increased use of the land in the gap between the two boundary treatments for maintenance purposes would not have any significant impact in terms of noise or disturbance.

Crime and Disorder

There would be no impact on crime and disorder as a result of this gate.

CONCLUSION

Overall, the development would not have any material impact on the character and appearance of the area or the Conservation Area, and it would not have any detrimental impact on neighbour amenity.

RECOMMENDATION:

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

- 1 Condition: The development is hereby permitted in accordance with the following approved plans. Dwg nos. 14012/500 (Location Plan and Proposed Site Plan), 14012/502 (Existing and Proposed Elevations), and 14012/501 (Existing and Proposed Floor Plans).
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.