

PLANNING COMMITTEE
11th October 2021

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

Item No. 8/1(a) Page No. 8

Agent: Amended plan submitted to correct an error on the notes.

Amended Condition: Condition 9 to be amended to read:

9 Condition: The development hereby permitted shall be constructed in strict accordance with the drainage details specified on Drawing No. 0118-JCE-00-SI-DR-C-3000 P03 received on 29 September 2021. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

9 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

Item No. 8/1(b) Page No. 20

Third Party: One additional letter of OBJECTION has been received. Their concerns can be summarised as follows:

1. Both Ward Councillors declared interests therefore the villagers were left without representation.
2. Would like to make it clear that while the Owners representative spoke against a background of what looked like a derelict bare brick wall , this was in fact to convey the 5 Bells was derelict , it was not and is not now . This was merely works following a roof leak.
3. The ACV was still to be decided, legal advice was sought via Zoom which was wrong, if the legal Dept does not know they should declare that, not allow the Planning Committee to trip themselves up; luckily Claire Dorgan saved the day , providing the actual Govt legislation and that is why the ACV which has now been granted is very definitely a material consideration. Raises concerns about the legal advice given with the Chief Executive.
4. At the previous Committee meeting there was a Criminal Offence committed regards racial slurs and incitement which there were witnesses to. This has been reported. However, no one checks what happens in the waiting area . If this is to happen again, I would contact the police. The Chair dealt well with this I am told but she should not have had to deal with this in the first plac .

Assistant Directors Comments:

With regard to point 1 above, while comments are noted the Members took the view that they should remove themselves from the decision-making process which is appropriate in line with the Members Code of Conduct.

In terms of the order of speakers and information presented (point 2); the current condition of the building is specified in the report and the site visit photographs. Speakers have the opportunity to raise concerns and present photographs they consider relevant.

In response to points 3 and 4 above, the concerns raised will be investigated separately.

Item no. 8/2(c) Page No. 57

Agent: The application site is located within the 'Settlement Boundary' of the village of East Rudham a 'Key Rural Service Centre' in the current King's Lynn & West Norfolk Borough Council Local Development Framework - Core Strategy. An area where growth of a scale and nature appropriate to secure the sustainability of the settlement, will be supported.

I believe the sustainability of a family home on the proposed site is demonstrated by a number of factors. The development already lies within the development boundary, Highways have commented that the 'proposal does not affect the current traffic patterns or the free flow of traffic'. East and West Rudham have a range of local shops/services and benefits from a regular bus service. Local amenities within a short distance of the site include shops, St Marys Church, The Crown Inn, Anchorage Barn Vets, playground, Rudham Church of England Primary School, multi use games area, playing fields and the Village Hall. The application is supported by the Parish Council and the ward member.

The proposed house lies within a cul-de-sac with six existing dwellings meaning there is an established form and character present within the area for the new development to draw from. The height, scale and relationship to the surrounding area have been incorporated into the design to ensure minimal harm to the public realm. A quick look at the plot sizes of the surrounding houses show three larger and three smaller, the proposed dwelling would not be overbearing or a detriment to the surrounding properties and would be in keeping with the local area.

A pre-application enquiry (Ref17/00045/PREAPP) in 2017 confirmed that a 2 storey dwelling was likely to be approved. Yet at a time where the current global pandemic has had a great impact on peoples requirements for housing, the case officer has suggested that a small converted workshop type house would be an appropriate development. We believe East Rudham is a family friendly village and the building of a family home, in keeping with the size and built form of the surrounding area, would be an appropriate and sustainable addition.

Assistant Director Comments:- Whilst East Rudham is a Rural Village where development such as this could be accommodated, the merits of the proposal need to be considered in light of Development Plan Policies and the National Planning Policy Framework, National Model Design Guides and Codes. Pre-application reports include a caveat that the officer's opinions are informal only and the weight they carry diminish over time as policies inevitably change. Whilst the development plan policies have not changed since 2017, the NPPF has changed along with the introduction of the National Model Design Guide and Codes which promote good design. Whilst the Agent's comments are noted. the proposal has been thoroughly assessed against the most up-to-date guidance and is considered to be contrary to the form and character of the locality along with being an unneighbourly form of development as advanced in the officer report.

Item 8/2(e) Page No.77

Agent: The Agent has agreed to the following amended description:

Amendments to position of proposed connecting door to link existing landing with consented loft conversion and other internal alterations

Item 8/2(f) Page No.85

Agent: Submitted details of facing materials submitted (Weinerberger Hertford Red bricks and Imerys Double Panne S Burnt Red Clay rooftiles).

Submitted details of percolation testing and soakaways regarding surface water disposal submitted as expected and contained in the report.

King's Lynn Drainage Board: I am pleased to see that initial testing shows that a drainage strategy reliant on infiltration may be achievable on the proposed development. However, after examining the document 'PERCOLATION TEST' I note that the infiltration testing carried out on site on the 24/09/2021 and 25/01/2021 is not line with BRE Digest 365 because the test holes were only filled two times repeatedly instead of three times. Despite this, I note that good rates were achieved on site, therefore the Board has no objections providing that the Local Planning Authority is also satisfied that the site will be able to infiltrate efficiently.

Amended conditions

With the receipt of an additional amended plan detailing materials, Condition 2 should be amended to read as follows:

2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: 6265-PL01B & 6265-PL02D.

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

In light of the above (materials now covered in approved plans condition 2), propose to change the wording of Condition 3 to cover the surface water drainage proposals and to read as follows:

3 Condition: The surface water drainage shall be implemented in accordance with the details submitted as part of this application and contained in Drawing No. 6265-PL02D, unless otherwise agreed in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

3 Reason: To ensure there is a satisfactory means of drainage in accordance with the NPPF.

Assistant Director's comments: The palette of materials suggested are considered to be compatible to this locality and there is now no requirement for a separate materials condition.

With regard to drainage, whilst not fully to BRE Digest 365 standard, based on the information submitted and good rates of drainage achieved – the land being silt - it is considered to be acceptable for planning purposes given there is no objection from the IDB. It will also require separate approval under Building Regulations.

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Third Party: ONE letter of OBJECTION regarding:

- It is our belief that the proposal is not in keeping with the area and as the direct neighbour will have a significant impact.
- Our back fence runs along a substantial portion of the land in question and could sustain damage from equine stock whether intentional or not, and that raises the question of responsibility for repair.

- The question of waste does not appear to have been addressed and what arrangements are proposed and frequency. We are left with a situation that will not be of our making and somewhat detrimental when trying to use our rear garden.
- When talking to the occupant of Church Road I was advised that as an owner of land adjoining the paddock he would not object as it can only enhance the value of land. Why should that occur at the detriment of myself and direct neighbour
- My garden has been flooded on two separate occasions in the winter of 2021 and the land in question also showed standing water. The land is liable to flooding.

Assistant Director's comments: The majority of matters raised have been addressed within the report. In terms of storage of waste, this is an application for a change of use of the land to equestrian use only with no stables etc proposed. It is considered that any odour nuisance associated with the proposed development would be limited and would, in any event, be covered by the Environmental Protection Act should nuisance occur. However, should Members consider a condition necessary, a scheme for the storage of waste associated with the equine use could be conditioned.