



Planning Committee
Monday, 5th September, 2022 at 9.30 am
in the Assembly Room, Town Hall, Saturday Market
Place, King's Lynn PE30 5DQ

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **Receipt of Late Correspondence on Applications** (Pages 2 - 4)

To receive the Schedule of Late Correspondence received since the publication of the agenda.

Contact

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PLANNING COMMITTEE

5 September 2022

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

Item 8/1(a) Page No. 9

Cllr Ryves: The information pack received this am states that the PC supports this application. In its submission of 27 July, the PC states that it " cannot support this in its current form " Can the information sent out be amended to reflect this misinformation.

Assistant Director's Comments:

The latest comment from the Parish Council does state 'the Council therefore cannot support this in its current form'. The officer report refers to the detailed comments made by the Parish Council earlier in the process, which the PC also refer back to, and these state that the PC 'supports' the scheme subject to the list of concerns raised. The concerns raised are addressed within the report in detail. Furthermore, the application has been referred to Planning Committee because it is clear that an officer recommendation of approval was not in accordance with Parish Council concerns. That said the report should be amended to state OBJECTION. The following correction is made as a result of the comments above.

CORRECTIONS:

Page No. 12

Parish Council: ~~SUPPORT~~ subject to the following issues being addressed **OBJECTION**

Plan details set out in Condition 2 should be amended to reflect the latest drawings received.

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Condition 2 is amended as follows:

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

FB-937-PO3F Site Plan received 17 Aug 22

FB-937-PO1D Block Plan received 17 Aug 22

FB-937-PO4A Location Plan received 13 Jul 22

FB-937-PO2E Development Mix received 17 Aug 22

FB-937-PO5A Proposed Street Elevations received 13 Jul 22

FB-937-PO6A Proposed Street Elevations received 13 Jul 22

FB-937-PO8C House Type A received 13 Jul 22

FB-937-PO9C House Type B received 13 Jul 22

FB-937-PO11C House Type C2 received 13 Jul 22

FB-937-PO13C House Type E received 13 Jul 22

FB-937-PO14C House Type E2 received 13 Jul 22

FB-937-PO15C House Type F received 13 Jul 22
FB-937-PO21A House Type C3 received ~~13 Jul 22~~ **23 Aug 22**
FB-937-PO20A House Type E3 received ~~13 Jul 22~~ **23 Aug 22**
FB-937-PO16C House Type G received ~~13 Jul 22~~ **23 Aug 22**

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Supporting statement on behalf of the applicant: "I act on behalf of the applicant for the above planning application in submitting this letter containing supporting information in respect of the proposals. Neither the applicant, myself, nor his agent will be available to speak at the committee meeting and therefore I would be grateful if you could take the information in this letter into account in determining this application.

We are pleased to note that the planning officer has recommended the application for approval, following positive and proactive working on the application. The applicant has sought to address concerns raised by a neighbouring resident by removing proposals for a hot tub and the raised decking surrounding it from the planning application. The remainder of the objections are based on some misunderstandings about the proposals, which I would like to take the opportunity to correct below with further clarification.

The applicant purchased Sunnysdene in March 2021 as a new-build property from PGM Developments. The plot purchased incorporated an area of land at the end of the garden which was later confirmed to be outside of the authorised residential curtilage. This land had been gifted to PGM by Fleur, the developer of the adjoining land to the rear, along with other land conveyed to neighbouring occupiers. Prior to completion of the sale of Sunnysdene this additional land had been incorporated by PGM into the plot sold to the applicant. Therefore, during the land transactions, the solicitors were unaware the land was outside the authorised curtilage. Once this matter had come to light the developer took the responsibility to regularise this by obtaining planning permission for use of the land as residential curtilage (reference 21/02374/CU). Therefore, the land has permission to be used as residential curtilage. When this permission was granted, the Council attached a condition removing Permitted Development Rights for new buildings from the land.

At the time of purchase there was only one tree within the garden – a small apple tree. This tree is retained within the proposals now subject of the current planning application before you for consideration.

In fact, this apple tree is the only tree that existed within the application site prior to the purchase of the plot – no trees have been removed from the site as alleged by the Parish Council. The only trees that have been removed in the vicinity of the site were on adjacent land, along the route of the public footpath, under Tree Preservation Order approval reference 19/00065/TPO. This was carried out by the developer of the adjacent housing site, with the approval of the Council. The trees to the rear of Sunnysdene, as shown on the attached photograph, remain to the rear of the site. Therefore, there is no removal of trees, past, present or future, in association with the planning application before you for consideration.

Apart from the retained apple tree, the plot when purchased was a bare, sloping site. The applicant has therefore sought to create a landscaping scheme, remodelling the land to create level, useable areas and including ancillary domestic buildings, which will allow use of the garden all year round and for hobbies, since this the applicant's permanent residence and not a holiday home.

The buildings proposed have been designed to fit within what would normally be permitted under householder Permitted Development Rights. It is only due to the fact that there is a planning condition on the planning permission for use of the land, which removes permitted development

rights, that planning permission is required for this development. There was no planning condition removing Permitted Development Rights on the original planning permission for the house.

The new buildings are set within a comprehensive landscaping scheme for the garden including planting of new trees and wildlife-friendly species. Once established this will blend in with the surrounding trees and landscaping to create a very attractive garden. Overall, as described in the committee report, the scheme for creation of a landscaped garden with low-impact ancillary buildings is sensitive to the Conservation Area and will have no adverse impacts on neighbouring properties. Therefore, I hope that you will support the officer's recommendation so that the applicant can complete the landscaping works this year and begin to enjoy the garden.

Thank you for your kind attention to this supporting information.”

Assistant Director's comments: This statement has been submitted on behalf of the applicant in support of the application.

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CORRECTION

P 71 2nd paragraph should read:

The site cannot meet the requirements *of the* highway authority.....