

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



# Planning Committee

## Agenda

Monday, 12th April, 2021  
at 9.30 am

in the

**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  
Fax: 01553 691663

**PLANNING COMMITTEE AGENDA**

Please note that due to the number of applications to be considered it is proposed that the Committee will adjourn for lunch at approximately 12.30 pm and reconvene at 1.10 pm.

Please ensure that all mobile phones are switched to silent

**DATE:** Monday, 12th April, 2021

**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 8 March 2021 (previously circulated) and the Special Meeting held on 31 March 2021 (to follow).

**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 a decision on that item is taken.

**6. CHAIR'S CORRESPONDENCE**

To receive any Chair'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 - 138)**

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

**9. DIRECT ACTION - LAND NORTH EAST OF, 20 NORTH BEACH, HEACHAM, NORFOLK (Pages 139 - 156)**

The Committee is asked to consider a resolution in respect of what further enforcement action is required, if any, to remedy the breach of planning control.

**10. DELEGATED DECISIONS (Pages 157 - 186)**

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

**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](http://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](mailto: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, this will be **Friday 9 April 2021**.

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 Council 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 for three minutes.

For Further information, please contact:

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

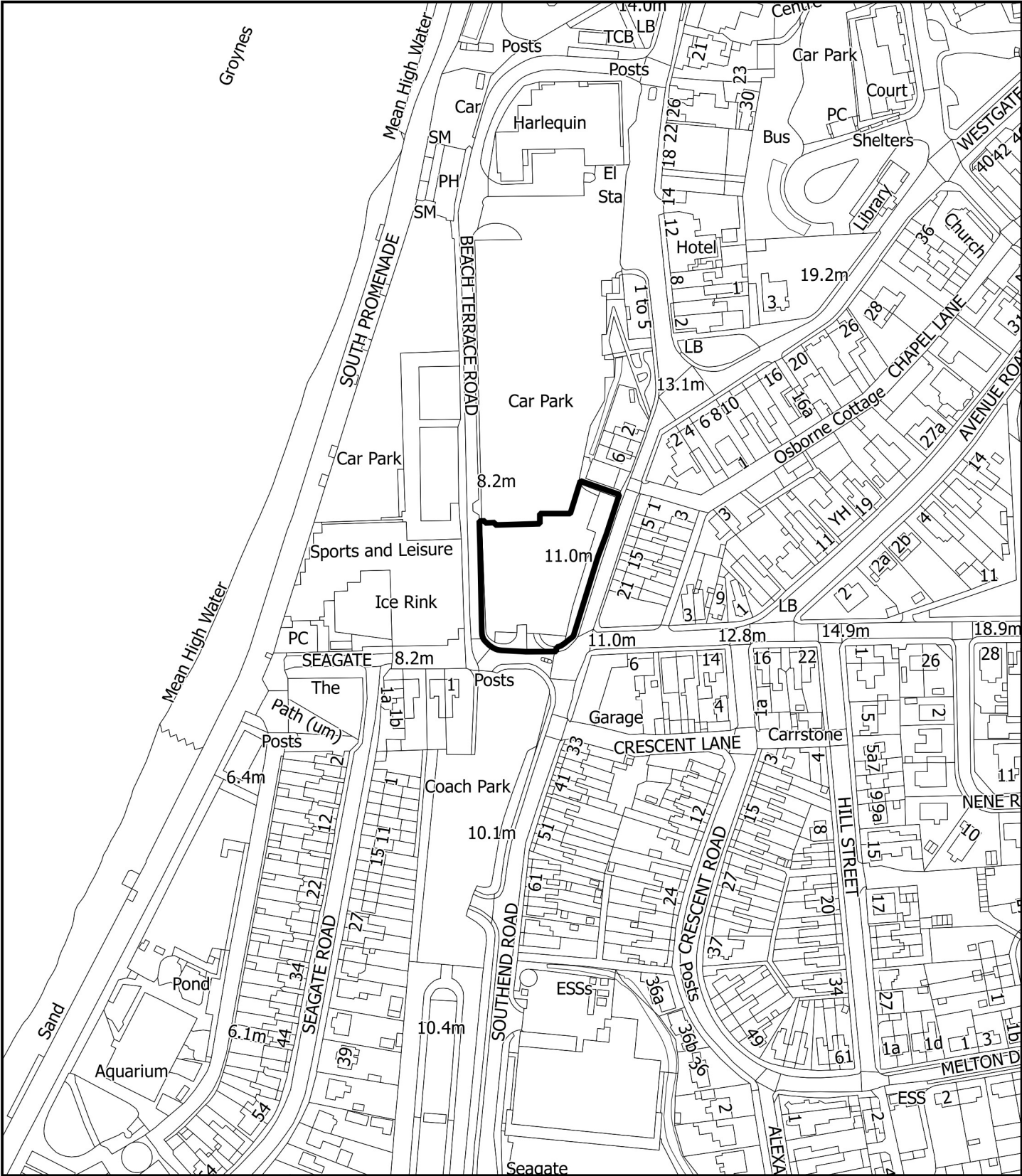
**INDEX OF APPLICATIONS TO BE DETERMINED  
BY THE PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 12 APRIL 2021**

<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
<b>8/1</b>	<b>MAJOR DEVELOPMENTS</b>			
<b>8/1(a)</b>	<b>21/00243/FM</b> Land at Southend End Road Construction of 32 apartments with associated access, cycle stores, infrastructure and landscaping	<b>HUNSTANTON</b>	<b>APPROVE</b>	<b>9</b>
<b>8/1(b)</b>	<b>20/00666/RMM</b> Land Accessed Between 144 And 150 Grimston Road Consent for all reserved matters following outline planning permission	<b>SOUTH WOOTTON</b>	<b>APPROVE</b>	<b>42</b>
<b>8/2</b>	<b>DEFERRED APPLICATIONS</b>			
<b>8/2(a)</b>	<b>19/01325/RMM</b> Land NE of Downely Lynn Road Major reserved matters: Construction of 19 dwellings (phase 3)	<b>GAYTON</b>	<b>APPROVE</b>	<b>65</b>
<b>8/3</b>	<b>OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE</b>			
<b>8/3(a)</b>	<b>20/01854/F</b> Mary Ann 58 South Beach Demolition of Existing & Provision of Replacement Dwelling and All Ancillary Works.	<b>HEACHAM</b>	<b>APPROVE</b>	<b>84</b>
<b>8/3(b)</b>	<b>20/01978/CU</b> 37 South Moor Drive Change of use of Annex to holiday let	<b>HEACHAM</b>	<b>APPROVE</b>	<b>94</b>
<b>8/3(c)</b>	<b>21/00057/F</b> Land S of 43 And 45 The Broadway Proposed retention of twin-unit caravan for purposes incidental to the use of the dwelling	<b>HEACHAM</b>	<b>REFUSE</b>	<b>103</b>

<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
<b>8/3(d)</b>	<b>20/02130/F</b> The Old Rectory 3 Churchgate Street Erection of 4 bedroom dwelling including new access drive, garage, landscaping and retaining wall	<b>SOUTHERY</b>	<b>APPROVE</b>	<b>117</b>
<b>8/3(e)</b>	<b>20/01985/O</b> Land Between 11 And 12 Either Side of Footpath Buckenham Drive OUTLINE APPLICATION ALL MATTERS RESERVED: Proposed semi-detached houses	<b>STOKE FERRY</b>	<b>APPROVE</b>	<b>128</b>

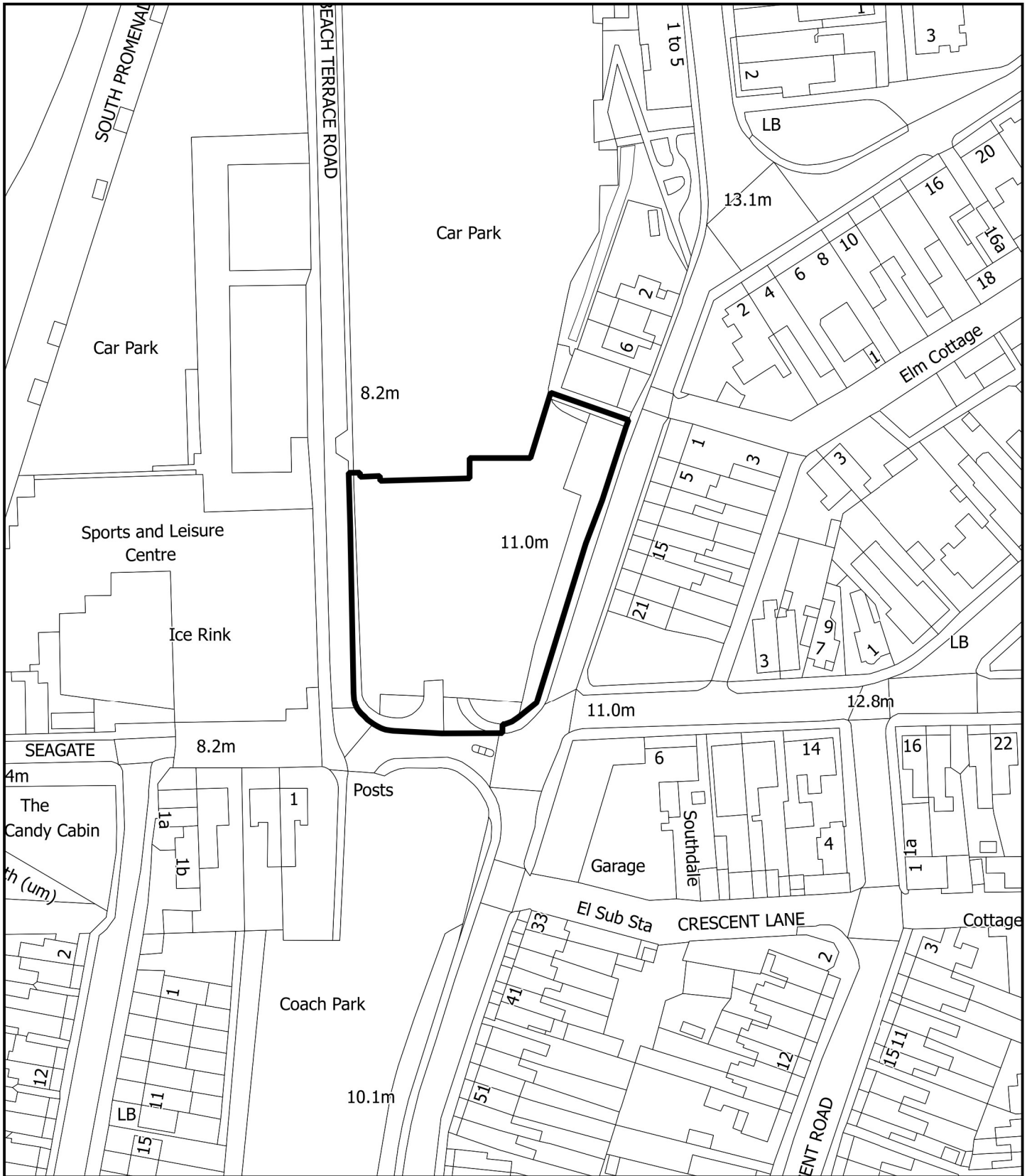


# 21/00243/FM Land at Southend Road Hunstanton



# 21/00243/FM

## Land at Southend Road Hunstanton



<b>Parish:</b>	<b>Hunstanton</b>	
<b>Proposal:</b>	<b>Construction of 32 apartments with associated access, cycle stores, infrastructure and landscaping</b>	
<b>Location:</b>	<b>Land At Southend Road Seagate Hunstanton Norfolk</b>	
<b>Applicant:</b>	<b>Borough Council of King's Lynn And West Norfolk</b>	
<b>Case No:</b>	<b>21/00243/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 19 May 2021</b>

**Reason for Referral to Planning Committee** – The Borough Council is the applicant and the officer recommendation is contrary to the views of the Town Council.

**Neighbourhood Plan:** The Hunstanton Neighbourhood Development Plan is in draft form and not at an advanced stage, so presently it has limited weight with regards to decision making. This will be expanded upon in the report.

### Case Summary

The site (0.3Ha) is the southern-most part of the Southend Road Car Park, bounded by Southend Road and Beach Terrace Road in Hunstanton.

This application seeks full planning permission for the development of 32 apartments, together with associated landscaping, 2 cycle stores, infrastructure and access.

The 32 residential units proposed comprise:

- 12 no. 1-bed apartments,
- 18 no. 2-bed apartments and
- 2 no. 3-bed apartments

Six of these apartments will be affordable housing.

A two-and-a-half storey residential building is proposed, laid around a private central courtyard and parking court, with a wing extending further north along the street frontage of Southend Road. An additional storey on the northern wing would accommodate undercroft parking at ground floor level.

The existing exit from the car park from the south at Beach Terrace Road would be closed off, and a new vehicular access to the development would be formed from the west side of the site off Beach Terrace Road.

The car park would continue to be accessed from the other existing vehicular access adjoining Harlequin House further north on Beach Terrace Road. Emergency exit from the car park would be available through this site should the need arise.

The proposal includes a new footpath along Beach Terrace Road, around the south and west sides of the application site.

This is a further submission following application ref: 20/00811/FM which was refused by the Planning Committee at its meeting on 7th December 2020. The reasons for refusal were as follows:

1. The proposed development would result in the significant loss of 100 public car parking spaces, which would create an adverse impact, especially during summer months, upon the ability to accommodate visitors to the town to the detriment of the local economy and amenity. The proposal is therefore considered to be contrary to the provisions of Policy CS05 of the Core Strategy (2011) and the Hunstanton Town Centre & Southern Seafront Masterplan (2008); and

2. The proposed development has inadequate parking provision within the application site to serve the number of dwellings sought. The proposal is therefore considered to be contrary to the provisions of Policies DM15 & DM17 of the SADMPP (2016).

This new proposal seeks to negate the aforementioned reasons for refusal.

### **Key Issues**

Principle of Development  
Form and Character  
Design and impact on the Conservation Area  
Impact upon neighbouring properties  
Highway implications  
Parking provision for the development  
Loss of public car parking spaces  
Flood Risk and Drainage  
Affordable housing  
Crime and Disorder  
Other material considerations

### **Recommendation**

**A) APPROVE** subject to the completion of a S106 Agreement within four months of the date of this resolution to approve.

**B) REFUSE** if the S106 Agreement is not agreed within four months of the date of this resolution to approve.

## **THE APPLICATION**

The application site is located on land currently forming the southern part of the Southend Road Car Park, bounded by Southend Road and Beach Terrace Road.

The site is in a central location in Hunstanton. The town centre is approximately 75 metres to the north-east and the seafront is 120 metres to the west.

The site is generally level, though there is a pronounced drop (up to approx. 2m) from the frontage with Southend Road to the existing level of the car park.

The site is not located within the conservation area but adjoins it on the opposite side of Southend Road.

To the north of the site is the remainder of the car park and a one-and-a-half storey commercial unit (leather shop). To the east is Southend Road and opposite are two/two-and-a-half storey terraced houses. To the south-east, on the other side of the highway, is a car dealership (Fleming Brothers). To the south/opposite is a coach park. To the west of Beach Terrace Road, are the Oasis sport and leisure facility plus single-storey seafront amusement businesses.

This application seeks full planning permission for the development of 32 dwellings, together with associated landscaping, infrastructure and access.

The 32 residential units proposed comprise:

- 12 no. 1-bed apartments,
- 18 no. 2-bed apartments and
- 2 no. 3-bed apartments

Six of these apartments will be affordable housing.

A two-and-a-half storey residential building is proposed, laid around a private central courtyard and parking court, with a wing extending further north along the street frontage of Southend Road. An additional storey on the northern wing would accommodate undercroft parking at ground floor level, but would not be apparent from the highway, by virtue of the change in ground level. The design and appearance of this building is expanded upon later in this report.

The existing access into the car park from the south at Beach Terrace Road would be closed off, and a new vehicular access to the development would be formed from the west side of the site, off Beach Terrace Road.

The car park would continue to be accessed from the other existing vehicular access adjoining Harlequin House further north on Beach Terrace Road. Emergency exit from the car park is available through this site should the need arise.

Two detached single-storey cycle store buildings are proposed – one located in the central parking court and another one at the north end of the site.

The proposal includes a new footpath along Beach Terrace Road, around the south and west sides of the application site, which will improve safety and connectivity for pedestrians in the area.

The application is accompanied by a Design & Access Statement, Planning Statement, Heritage Statement, Ecology Report, External Lighting Assessment, Flood Risk Assessment & Drainage Strategy, Statement in Support of Parking Loss, Statement in Response to Parking Loss Remediation Strategy Report and Transport Note.

As stated above, this is a further submission following application ref: 20/00811/FM which was refused by the Planning Committee at its meeting on 7th December 2020. The reasons for refusal were as follows:

1. The proposed development would result in the significant loss of 100 public car parking spaces, which would create an adverse impact, especially during summer months, upon the ability to accommodate visitors to the town to the detriment of the local economy and amenity. The proposal is therefore considered to be contrary to the provisions of Policy CS05 of the Core Strategy (2011) and the Hunstanton Town Centre & Southern Seafront Masterplan (2008); and
2. The proposed development has inadequate parking provision within the application site to serve the number of dwellings sought. The proposal is therefore considered to be contrary to the provisions of Policies DM15 & DM17 of the SADMP (2016).

In response to this refusal the following changes have been made:

The parking provision within the site has been modified to create 40 spaces (1 space for each of the proposed residential units plus two with an additional allocated space, and 6 visitor spaces) - a net increase of 7 spaces; and

A review of car parking provision has been undertaken resulting in additional spaces being created in the underused coach park to the immediate south of the site to off-set some of the spaces lost in the main car park – this will be expanded upon later in this report.

## **SUPPORTING CASE**

The Agent has submitted the following statement in support of the proposed development:

This re-submission addresses the two concerns of the planning committee in December 2020: that of a loss of public car parking in this area of the town, and the number of on-site parking spaces available for residents and their visitors.

The proposed residential development still comprises a mix of 12 no. 1-bed apartments, 18 no. 2-bed apartments and 2 no. 3-bed apartments, which would be accommodated in a two-and-a-half storey building, laid around a private central courtyard and parking court, with a wing extending further north along the street frontage of Southend Road.

This application incorporates a scheme to compensate for the loss of public parking spaces on the application site by partially re-purposing and adapting the management of the coach park to the immediate south, which is owned by the Borough Council. Please refer to the 'Statement in response to Parking Loss' which outlines details of this scheme, including how that land can be more fully utilised at different times of the year, with parking for coaches and other large vehicles will continue to be adequately provided for.

Furthermore, the revised site layout accommodates an additional seven spaces within the development site, representing an increase from 33 to 40 car parking spaces. All 1- and 2-bed apartments will have one space each, whilst the 3-bed apartments will each have two spaces, and there are now six spaces for visitor parking proposed instead of one. This provides for adequate and appropriate private car provision for residents of apartments in this location central to the town and its public transport, services and amenities.

The proposal would provide much needed affordable housing as per policy CS09 of the Council's adopted Local Plan 2016. The policy requirement for 6 affordable homes is met on-site, and the proposal includes 4 no. rented (3 no. 1-bed and 1 no. 2-bed) and 2 no. shared ownership (2-bed) units. This site will contribute to meeting the Borough Council's housing delivery target of 539 homes per year. It responds directly to the housing need identified in the

Borough Council's House Need Assessment March 2020 by providing an appropriate mix of accommodation types and tenures.

The site is in receipt of Central Government grant funding under the Local Government Accelerated Construction Programme. The funding is designed to provide a tailored package of support to local authorities to develop land in their ownership that otherwise would not be developed. The grant is available to fund site enabling and infrastructure work that unlocks the barriers to development and effectively bridges the viability gap that would otherwise prohibit the site from being delivered. The grant funding contribution provides certainty that the site is deliverable and that all S.106 requirements can be supported.

The scheme has been put forward to the Norfolk Constabulary for their Secured By Design Gold award and the requirements to achieve this, set out in a response by the Designing Out Crime Officer, have now been incorporated into the site plan and otherwise confirmed to be implemented as part of the development.

Sun path models for different seasons as well as an external lighting report have been submitted, which demonstrate that there will not be an adverse impact on residential amenities including with regards to light spill, loss of natural light or over-shadowing.

The proposal includes a new footpath along Beach Terrace Road, around the south and west sides of the application site, which will improve safety and connectivity for pedestrians in the area, and improving connectivity from Southend Road towards the sea front. The existing tall brown-brick wall that bounds Beach Terrace Road along the west side of the application site will be removed, significantly improving the appearance of this particular street scene too.

Photovoltaic panels are proposed for certain south, east and west roof slopes. The north roof slopes, as well as those along a street frontage, will not have PV panels installed respectively for reasons of effectiveness and appearance.

On the site there will be an electric vehicle charging point installed at a visitor parking space, and infrastructure will be installed as part of the development to facilitate future installations of charging points at all allocated and visitor spaces. The scheme includes shared, secure, covered cycle storage for the residents, accommodated in two detached cycle store buildings."

## **PLANNING HISTORY**

20/00811/FM: Application Refused: 07/12/20 - Construction of 32 apartments with associated access, cycle stores, infrastructure and landscaping

## **RESPONSE TO CONSULTATION**

### **Hunstanton Town Council: Initial submission: OBJECT**

#### *Car Parking*

Car parking spaces (following national guidance/ local guidance and policy)

12 one bed apartments - need 12 parking spaces

18 two bedroom apartments – need 36 parking spaces

2 three bedroom apartments - need 6 parking spaces

Total requirement of parking spaces 54 spaces

Actual provision is 1 parking space per unit 32 spaces a short fall of 22 spaces

The project is being built on an existing car parking facility with a loss of 100 spaces, so construction of this site will result in a total reduction of parking of 122 spaces.

Moving forward there are only 2 electric car parking points, following on from Government Policy to remove all fossil fuel vehicles by 2030, all spaces on the proposed site should have the EV facility installed, also there is a presumption being used that Hunstanton has a good public transport infrastructure and the town does not require as many car parking spaces as local NCC and national NPPF guidelines recommend, however this is not the case, the current levels of public transport is poor compared to other areas of Norfolk. Cycling is not an option around Hunstanton as the roadways are not safe enough and an ageing population are less likely to use this option.

We also feel that this development does not fit in with the Hunstanton Neighbourhood Development Plan, although not yet agreed it is something planners need to take into consideration.

**Amended scheme/plans:**

Awaited at the time of writing this report

**Local Highway Authority (NCC): NO OBJECTION** - Parking has been increased to 40 spaces, with 2 cycle stores available for use as a partial replacement, which would fall short of adopted standards.

Whilst I previously had reservations regarding the limited provision and loss of public car parking provision, the off-site changes proposed would replace a large proportion of the lost space within the application site car park and I am mindful of the sites town centre location, which is well controlled by existing waiting restrictions and close to other Public car parks, as such, I would be unable to substantiate any highway objection to the development as proposed.

Recommend conditions relating to provision of access, car & cycle parking provision, no barrier to access point, parking for construction workers, Construction Traffic Management Plan and Access Route, plus details and implementation of off-site highway improvements (footway and retaining wall).

**Lead Local Flood Authority (NCC): NO OBJECTION** – subject to condition relating to full details of drainage scheme being submitted and implemented accordingly.

**Historic England: NO OBJECTION** Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196. In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

**Environment Agency: NO COMMENTS**

**Anglian Water: NO OBJECTION** - Confirm that there is adequate capacity in their sewerage system to serve the proposed development, and the surface water drainage details are acceptable. Development to accord with the FRA & Drainage Strategy.

**Norfolk Fire & Rescue Service: NO OBJECTION** – Subject to meeting Building Regulations and advice on including a sprinkler system as part of the infrastructure of the building (difficult to retro-fit).



**Natural England: NO OBJECTION**

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** – Subject to conditions relating to remediation and unexpected contamination.

**Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION** – subject to recommended conditions relating to construction management plan, sound insulation, foul and surface water details, plus lighting scheme.

**Green Space Officer:** No response at the time of writing but Members are expected to be updated in late correspondence.

**Business manager – Leisure & Public Space: SUPPORT –**

*Current Situation*

CENTRAL 44  
COACH PARK 0  
NORTH PROM 28  
SEAGATE EAST 180  
SEAGATE WEST 530  
SOUTH PROM 161  
SOUTHEND ROAD 495  
VALENTINE ROAD 77  
CLIFFTOP CARPARK 1500

TOTAL 3015  
TOTAL (EXCLUDING CLIFFTOP) 1515

Usage of the car parks is varied throughout the year. The car parks are very busy during the summer, however for the majority of the year the car parks are largely empty. Figures show that based on Borough Council income from car park tickets sold, the majority of the usage is between June and September.

*Car Park Usage*

In 2019 there were 9 days when more parking tickets were sold within the town than the town holds. Every other day of the year there was space for each visitor to have an individual parking space. It should be noted that even when more cars visited the town than there were spaces available, that these spaces were still sold. This is a result of spaces being sold more than once as visitors arrived and left the resort at different times throughout the day.

The maximum number of visitors in 2019 on a single day was 5410.

Lowering the total number of spaces by 100 (as proposed) would result in only 1 additional day in which more spaces would be needed to be sold than the town currently has.

*Exceeding Capacity*

It should be noted that the council expects that more than 5410 cars could park within the town successfully on a single day.

Whilst only one year has been reviewed in detail, 2019 is considered a “typical” year for parking within Hunstanton with bank holiday weekend being particularly busy. Whilst the summer season is a busy time for the town, on only bank holiday weeks, and particularly good weather weekends, are parking spaces needing to be sold more than once per day to meet parking demand. It is therefore considered that in any given year, the proposed loss of parking would have a negligible and largely un-noticeable effect on car parking and therefore the town’s tourism economy.

#### *Impact on Tourism*

A review of the town’s tourism data shows that 86% of Day Trippers live further than 20 miles away from Hunstanton and 87% of day visitors are repeat visitors. These statistics demonstrate that visitors return to Hunstanton again and again from afar and it is therefore considered unlikely that should finding a parking space become harder that these visitors are unlikely to leave and would instead spend time finding an available space.

#### *Added Economic Value*

Destination Research, as part of their analysis of tourism spend in West Norfolk (2018), estimates that spend per day trip to the area is £31.12.

Whilst there is, therefore, the potential for the local economy to lose as a result of the loss in car parking (should visitors not be able to find a parking space and choose to leave the town), this loss is minimal in comparison to the potential to be spent in the local economy by those living in the proposed flats.

The proposed development will provide a boost to shops and services across Hunstanton, bringing with it increased retail spend and general household expenditure to support the local economy.

#### *Parking Income*

It should be noted that parking income is hugely important to the Borough Council. As was reported in the Lynn News (28 November 2019), parking services in the borough raised £3.1 million in profit in 2018-19.

This income enables the Borough Council to effectively deliver services to the residents of West Norfolk. As funding for Local Authorities by central government is minimised low risk revenue generating income streams play an important part of Council Finances. The Borough Council would not be pursuing the project should it feel that parking would be lost and this low risk, high yield income stream, negatively affected.

#### *Covid 19*

Whilst tourism will play an important part of Hunstanton Economic recovery post Covid-19, the reliance of a town on a single sector, and the risks associated with this has been clearly demonstrated. Diversifying the town’s economy, attracting new residents and supporting year-round jobs will result a more sustainable use of the land and a more sustainable wider town.

**Waste & Recycling Officer: NO OBJECTION**

**Arboricultural Officer: NO OBJECTION** - please condition in accordance with the landscaping plan

**Housing Development Officer: NO OBJECTION** – Confirms 20% affordable units required on sites capable of accommodating 10 or more dwellings and/or 0.33ha in Hunstanton. In this instance 6 units would be required, 4 for rent and 2 for shared ownership.

It is noted that the proposal is for 3 x 1 bed & 1 x 2 bed units for rent and 2 x 2 bed units for shared ownership. The proposed units and mix are policy compliant. A S.106 Agreement will be required to secure the affordable housing contribution.

**Norfolk Constabulary: NO OBJECTION** - Advice offered on Secure by Design matters with regards to controlled access points, boundary treatments and planting along new footway, cycle storage, bin storage, car parking and lighting scheme.

**Conservation Officer: SUPPORT (verbally)** - The amended plans do not affect the previous views expressed about the proposed apartment development which were as follows: Whilst not located in the Hunstanton Conservation Area this site is located opposite to it. On this basis the impact of any application upon the setting of the conservation area must be considered. Both Historic England and Conservation Areas Advisory Panel have also provided comments on this basis. Along with the then Conservation Officer, CAAP provided positive comments at pre-application stage in February 2020. Since the application has been formally submitted some concerns have been expressed, available in the latest CAAP minutes.

The current car park does not either contribute to or enhance the setting of the conservation area opposite, but instead provides a large featureless, bland neighbour to the terrace of two storey carrstone cottages opposite, located within the conservation area. This application will provide a new streetscape to Southend Road, and the conservation area to the south east in the form of a contemporary terrace, the roof line of which mirrors the topography of the land as it descends Southend Road. Materials pay respect to the traditional materials prevalent within the conservation area. This proposed terrace is higher than those within the conservation area opposite and this will have some impact upon this existing terrace, but this is outweighed overall in the wider improvements this proposal will bring to the setting of the conservation area. Hunstanton Conservation Area as a whole does contain many examples of late 19th and early 20th century buildings of 2 and 3 storey located opposite and adjacent to each other.

Historic England also commented on the appearance of the scheme along Beach Terrace Road, but are now content further to the changes made to the ground floor of the south elevation. I would concur with these comments along with their support of the improvements overall to the setting of the conservation area that this application will bring with the removal of the visual gap site formed by the car park.

Conditions will need to be added regarding materials and detail such as joinery, eaves, dormers etc.

**Conservation Areas Advisory Panel:** The Panel concluded that there were no additional comments about the internal layout and increased number of car parking spaces and their comments on the application as a whole still remained when they considered the application back in November 2020.

These were as follows: the Panel still had concerns it raised before in relation to the long elevation running up the hill, and also expressed additional concerns in terms of the scale in the conservation area and its relationship with the buildings opposite.

## Hunstanton & District Civic Society: OBJECTS

The Borough's regeneration strategy, as outlined in the Hunstanton Town Centre and Southern Seafront Masterplan 2008 - endorsed and updated by the Hunstanton Prospectus 2017 - has been generally accepted as the blueprint for development of the town. We believe that it is still relevant and is a material consideration in the determining of this application.

The Masterplan is underpinned by a five-part Vision for the town:

- An active town – expanding the existing water sports and activities offer
- A local town – meeting the needs of its residents with an expanded retail core
- A more attractive seaside destination – where visitors stay longer and spend more
- A town that respects its heritage whilst looking to the future
- An environmental town – making the most of the town's natural assets

Our contention is that this application does not fulfil any aspect of that Vision and therefore cannot be considered as part of the regeneration strategy:

- It does not expand the water sports or other activities
- It does not expand the retail core
- It does not make it a more attractive destination (unless you consider that obscuring the rear of the Azams building makes it qualify)
- It does not respect the town's heritage (ironically, the ground is part of the railway line that once connected Hunstanton with King's Lynn)
- The provision of a few photovoltaic panels on some roofs only pays lip service to the environment.

The Hunstanton Prospectus 2017 reiterated the five parts of the Masterplan's Vision and also included an Economic Plan 2016, developed by the Hunstanton Coastal Community Team and endorsed by your Cabinet in 2017.

This application does not meet any of the ten goals identified, nor any of the Guiding Principles of Connecting, Welcoming, Serving or Diversifying of the Economic Plan 2016.

This is a prime site and the town needs a development that will support the Vision and be of considerable benefit to the town's economy. However, if this application were to be approved, it is expected that many of the units will be bought as investments or second homes. They will therefore not make anything like the predicted contribution to the local economy, nor will they contribute to diversification of the local economy.

The Masterplan identified the area as an opportunity site, suggesting development along Southend Road with active retail frontages at ground level and apartments above, with the loss of perhaps 20 car park spaces. We would welcome such a development on that scale as it is in line with the agreed Vision for regeneration of the town.

NPPF paragraphs 105, 106 and DM17 permit a reduction in car parking provision if there is adequate accessible public transport. During office hours there are four buses per hour to King's Lynn, but the service is inadequate for those wishing to travel in any other direction or at times required when going to and from work.

The extra parking spaces identified in the revised application are not substantiated by scaled drawings that clearly demonstrate consideration of:

- The increased size of modern vehicles and associated traffic flows of people carriers and coaches within the area
- Provision of larger spaces and associated loading capacity for Blue Badge holders

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- Provision of electric charging points and additional ticket machines

Such considerations may actually result in a further reduction of available spaces by approximately 10% and this situation will be further exacerbated by development of the Kit Kat site to provide even more apartments in this area and the proposed development of a budget hotel beside The Honeystone.

If this planning application were to be approved, despite local objections, the installation of an electronic notice board on the approach to the town indicating availability of parking spaces in each car park would have to be mandatory; additional signage would also be required to clearly identify each car park at its entry point(s).

Finally, reference should be made to the Hunstanton Neighbourhood Development Plan (HNDP) that is emerging. Under K11 there is a requirement for restricting purchasers of properties in new developments to those who wish to make the property their principal residence. This restriction has been enshrined in Neighbourhood Plans already passed and in force for Brancaster and Sedgeford.

We urge the Planning Committee to reject this application forthwith.

## REPRESENTATIONS

### Cllr Paul Beal:

"I feel saddened that this application has come to the fore again and I can't express to much how important this car park is to the survival of tourism in Hunstanton.

It is the main parking point to central Hunstanton with easy access to the beach as well as the town and no matter how many times an officer juggles the parking figures if this space is built on we will definitely lose 100 plus parking spaces and is irrelevant whether they are placed anywhere else in the town we still lose valuable places.

I beg for the panel to take a lesson from British railway who took the railway away from the town which is now desperately trying to reinstate a line again.

As I stated in my last correspondence I'm not against development as it's needed for the town to go forward but building on this car park would be a disaster and once it's gone it's gone forever."

At the time of writing, **THREE** items of correspondence received raising **OBJECTION** on the following grounds:

- Loss of spaces in most popular car park in the town and their location makes them ideal for commerce;
- The proposals make up for some of these spaces by repurposing the coach park. Feel the projected gains will not be as high as projected as car parking space sizes need to be bigger as recognised in other parts of the borough, (the rise of the larger car and SUV) this was mentioned discussed in the planning committee when determining the original application. Suspect a further 10% loss.
- Appearance and materials not complementary to Victorian character and adverse impact on Conservation Area - the building is ugly, a failed attempt of putting a modern twist on a Carrstone building. This site is in a key location as visitors enter the town, it

might hide the past architectural/planning mistakes but it will replace them with a new one;

- Loss of views of the sea and lack of permeability to the sea - this development along with the proposed development on the Kit Kat site will block any views of the sea from Park Road. This is not about right to a view but about preserving the nature of a Victorian Seaside town;
- Parking – inadequate to serve development. Following national guidance (NPPF) and Local guidance (NCC and policy K7 of the HNDP) the car parking spaces needed would be 54 spaces. Actual provision is considerably below this and considering the need for car transport to live and work in Hunstanton is inadequate;
- Bus services are not good enough to allow people to commute to full time work, they are just too limited and do not operate for long enough hours. Majority of jobs with wages sufficient to support a mortgage are out of town, needing car transport;
- Lack of electric car charging points - need to future proof all developments with the electric charging infrastructure;
- BCKLWN commissioned Building Design Partnership in 2008 to produce a Masterplan for the Town Centre and Southern Seafront. The Masterplan was adopted by the Borough Council and in 2015 it became the main plank of the Coastal Community Team Prosperity Document. As the proposal is for a block of apartments it does not meet any of the criteria, it is not regeneration and is contrary to the Master Plan and to the aims of the Coastal Community Team and its principles of connecting, welcoming, serving and diversifying; and
- The proposal is contrary to three of the policies of the emerging Hunstanton Neighbourhood Development Plan (HNDP):

Policy K7 is in agreement with DM17 on the need for adequate off-street parking.

In order to try rebalance the seriously skewed age structure of the population, Policy K11 restricts the purchasers of new developments to those who wish to make the property their principal residence. Hunstanton already has the highest number of dwellings with no usual occupants i.e. caravans and second homes. Neighbourhood plans in force in Sedgeford and Brancaster contain similar restrictions.

Policy L6 only permits development on existing car parking areas if it can be shown that they are not needed, or replaced elsewhere or in exceptional circumstances it can be clearly demonstrated that the development will be of significant social and/or economic benefit to the town.

**ONE** item of correspondence in **SUPPORT** of the proposal:

- The town needs younger people to rebalance the age range of residents;
- An earlier application was refused by BCKLWN Planning Committee, one reason being loss of visitor parking spaces which has now been overcome by resigning adjacent car/coach/camper parks to increase capacity;
- Some people say "they will be bought as holiday homes- bought by Londoners...." They said the same about Hopkins 166 homes south of the town...it didn't happen and those are very largely owner occupiers; and

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- Too few parking spaces per home as per Policy DM17 - That policy can be ignored for town centre developments. Please do ignore it.

## **LDF CORE STRATEGY POLICIES**

**CS14** - Infrastructure Provision

**CS01** - Spatial Strategy

**CS09** - Housing Distribution

**CS02** - The Settlement Hierarchy

**CS05** – Hunstanton

**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

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

## **OTHER GUIDANCE**

Conservation Area Character Statement

## **NEIGHBOURHOOD PLAN POLICIES**

**K2** – Design, Style and Materials

**K7** – Parking Provision

**K8** – Off-road Parking

**K11** – Houses as Principal Residences

**L6** – Provision of Car Parking Areas

## PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this application are as follows:

- Principle of Development
- Form and Character
- Design and impact on the Conservation Area
- Impact upon neighbouring properties
- Highway implications
- Parking provision for the development
- Loss of public car parking spaces
- Flood Risk and Drainage
- Affordable housing
- Crime and Disorder
- Other material considerations

### Principle of Development

The site is previously developed land within the development boundary of Hunstanton and is surrounded by a mixture of residential, leisure and commercial uses and adjoins the Conservation Area.

As such the principle of development with a residential scheme is to be supported, subject to compliance with other relevant planning policy and guidance.

The Hunstanton Town Centre and Southern Seafront Masterplan was endorsed by Cabinet 7th October 2008 and subsequently agreed by Full Council. This document identifies this site as part of an 'opportunity site' for building upon and creating active frontages to the east and south of the car park.

The original Hunstanton Masterplan is still relevant. However, much of it has been delivered on, or feeds into the work for the Southern Seafront Masterplan which only focuses on a small area of the town from the Pier along the seafront to the power boat ramp, taking in Southend Road car park and those premises directly behind the sea defences.

The latter document has not been referred to Full Council/Cabinet in its finished form to date and remains in draft, although complete and setting out the possible development options for the area. The southern seafront area has however been identified as a priority in the Hunstanton Prosperity Coastal Community Team Prospectus, which was endorsed by Cabinet in April 2017.

Core Strategy Policy CS05 specifically refers to the Masterplan stating: *'The strategy for the town is to...enhance the local character of the town, promoting high quality design of the local environment and public realm. In particular to: promote a new style of design for the Southern Seafront Area, creating a new identity that reflects modern and high quality architecture rather than replicating the past...'* The Masterplan is a material consideration in the determination of this application.

The original, and still relevant, Masterplan notes that: *'C2. Develop active frontages onto Southend Road, Le Strange Terrace and the Promenade; cafés and restaurants would be the most suitable uses. This will help to create a character for site C and in particular it will create a character transition between the historic core and southern seafront.'*



Whilst it is recognised that this scheme does not incorporate mixed uses, Southend Road mainly comprises a residential frontage and the proposed residential scheme would arguably be more compatible in terms of amenity. There still remains potential for an 'active frontage' as part of the remainder of the allocation onto Le Strange Terrace which would consolidate the commercial/retail area of the resort.

Reference is made to the Hunstanton Neighbourhood Development Plan by consultees and third parties. The relevant policies are as follows:

*Policy K2 – Design, Style and materials*

New housing development as well as alterations to existing buildings shall respect local character and be of high quality design. To achieve these proposals it shall demonstrate how the following factors have been taken into account: a) road, footpath and cycleway connections to adjacent areas within the town and the surrounding open countryside; b) ease of access and availability of facilities and services including public transport; c) the scale, density, massing, height, landscape design and materials reflect and enhance the architectural and historic character and scale of the surrounding buildings; d) the creation of well-defined streets and spaces which are easy to find your way around; e) the principles of 'streets for all'; f) car usage and parking; g) play areas, public and private spaces; h) external storage and amenity space; i) the promotion of sustainability by the orientation of buildings, storage for bicycles, and storage for waste including provision for recycling. Any new dwelling, redevelopment or extension to a dwelling in the area should be carefully designed to blend in with adjacent properties and areas to maintain the character of the town. The use of materials, especially those sourced locally, and materials of low ecological impact are to be encouraged. Buildings of modern design and materials will be permitted if they blend in well with their surroundings. New dwellings should have the appearance of a maximum of four storeys in the Town Centre Area (shown on Map 5 on page 32) and three in the other areas of the town unless it can be clearly demonstrated that they take the character of the surroundings into account and will make a positive contribution to local distinctiveness. If extra living space is needed it should be obtained by putting rooms in the roof rather than a full extra storey. The siting of new buildings shall have due regard for, and respect the setting of, designated heritage assets. Developments will be expected to preserve or enhance the character, appearance and views into and out of the Conservation Area with regards to the built /cultural heritage. Consideration should also be given to views of the AONB, The Green and permeability to the sea and sea front.

*Policy K7 – Parking Provision*

Car parking should be integrated within the landscaping of the scheme to minimise its visual impact but it should also serve its intended use and encourage natural surveillance. New dwellings (including flats and maisonettes) will be required to include car parking to the following minimum standards: One bedroomed unit – 1 space per dwelling; two or three bedroomed unit – 2 spaces per dwelling; four or more bedroomed unit – 3 spaces per dwelling. Hunstanton is a very rural area (16 miles from the nearest major town), and it currently has very limited public transport links. Proposals for developments not meeting these parking standards will not be supported.

*Policy K8 – Off-road parking*

There should be provision for electric charging points or future proofing of developments so electric charging points for vehicles can be easily added in all new developments. Proposals for separate parking courts will not be encouraged. Hard standings should be built, with permeable surfaces.

*Policy K11 – Houses as Principal Residence*

New build open market housing, excluding replacement dwellings, will only be supported where there is a restriction to ensure its occupancy as a Principal Residence. Sufficient

guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted non principal homes will not be supported. The condition or obligation on new open market homes will require that they are occupied only as the primary/principal residence of those people who are entitled to occupy them. Occupiers of homes with a principal Residence condition will be required to keep proof that they are meeting the obligation or condition, and be obliged to provide this proof if/when King's Lynn Borough requests this information. Proof of principal residence could include (but not limited to), registration on local electoral register and being registered with local services (healthcare providers, schools etc.).

#### *Policy L6 – Provision of Car Parking Areas*

Development of car parking areas (see maps 9a & b on pages 46 & 47) for other uses will not be supported unless; a) It can be demonstrated that retention of car parking spaces is not essential or b) Alternative provision is made to ensure no overall loss of parking capacity in key areas for commerce or c) Where in exceptional circumstances it can be clearly demonstrated that the development will be of significant social and/or economic benefit to the town.

Hunstanton Town Council have submitted their proposed Neighbourhood Development Plan under Regulation 16 of The Neighbourhood Planning (General) Regulations 2012. This is to be published for comment during the period Tuesday 30th March to Tuesday 25th May. Any interested person may send comment to the Borough Council during this period.

The comments received will be used to help an independent examiner and the Borough Council to decide whether the proposed neighbourhood plan meets the statutory tests and can therefore proceed towards a local referendum on whether it should come into force.

Paragraph 48 of the NPPF states that Local Planning Authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The Plan is not at an advanced stage, and very little weight can be attached to its policies with regards to decision-making.

On balance the principle of the proposed development, is considered to be acceptable.

#### **Form and Character**

The form and character of adjoining residential development to the east is predominantly Victorian terraced cottages of two storeys stepping up the slope of Southend Road to two storeys with accommodation in the roof, and two-and-a-half storeys beyond on the corner of Westgate. To the north is a single storey retail unit with accommodation in the roof. To the west lies the Oasis Leisure Centre which is a large structure with a wide span multi-faceted roof and utilitarian multi-tonal sheet metal building alongside Beach Terrace Road. Further along Beach Terrace Road are single storey flat/mono-pitched roofed arcades.

Diagonally opposite on Seagate to the south-west are once again more traditional two-and-a-half storey houses. Fleming Brothers display area and car showroom lie to the south-east. The coach park lies to the immediate south of the site.

In terms of form and character, the introduction of effectively two-and-a-half storey buildings along these road frontages is considered to be appropriate, and mostly in accordance with the aspirations of the Masterplan (i.e. creating frontage development forming a transition the historic core and seafront).

The proposal therefore complies with the provisions of the NPPF, Policies CS05 & CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP.

### **Design and Impact on the Conservation Area**

The Conservation Area lies to the immediate east of the site – the boundary being formed by Southend Road. The houses on the opposite side of the road therefore fall within that designated area. The area then continues on the southern side of Park Road up the hill eastwards. The remainder of the car park and Harlequin House are outside.

The urban design section of the Masterplan states:

“UD3. Creating a sense of identity for Hunstanton by promoting and respecting the local character but also being forward thinking by promoting diversity to create an interesting place. This should include maintaining the Victorian heritage of the town centre and historic core but looking to create a more modern area along the southern seafront with a new identity and high quality design.”

The development seeks to create a visual ‘transition’ from edge of the conservation area, anticipating the future redevelopment of the Southern Seafront. It therefore takes reference from the ‘old’ whilst looking forward to the ‘new’.

The Agent states that design is informed by the largely positive comments from the Borough Council’s Conservation Officer and Conservation Advisory Panel at pre-application stage. It also comes from comments from the Hemmingway Design Team and their design aspiration for the wider area to be delivered through the Southern Seafront Masterplan.

The plans for the Southern Seafront are still being brought forward for consultation and feasibility studies prepared. It is therefore impossible to know at this time exactly the form these will eventually take, other than the aspirations mentioned above. This development therefore needs to balance the longer term ambition against the reality of what already exists.

The building proposed has a scale that is domestic in proportion, presenting 2½ storeys to street frontages to Southend Road plus Beach Terrace Road and returning to enclose a courtyard area. Eaves are at approx. 7m and ridges at 11.4m respectively above road level and main depth/girth of 7.2m. Reference is made to examples of other terraced dwellings within the town, with more traditional blocks in stonework connected by contemporary metal clad elements creating visual variety and breaking up the solid expanse as it steps up/down Southend Road. This results in the roofline being stepped accordingly, with variety of materials and dormer windows, plus rooflights, creating features. This continues around the other frontages presented to public areas.

Corner features are used in the form of projecting bays from prominent gables, which once again are influenced by existing detailing within the built form of Hunstanton and given a modern twist.

The fall of the site has enabled the discrete use of undercroft parking within the wing to the northern part of Southend Road which creates a 3½ storeys to the rear/west. Most of the parking is contained within the central courtyard and undercrofts. There are two detached

secure cycle stores – one within the courtyard and another in the northern corner of the site adjoining the sloping footway near the Leather Shop.

The choice of materials is strongly linked to the locality. The contemporary element of the design is to be expressed in the use of materials and detailing, such as windows; eaves; and in particular, the use of the contrasting standing seam metal cladding. The cladding has been used to accent the corner bays as well as the stairwells that help define the elements of the building.

The exterior of the building would be constructed with natural stone, similar to the local carrstone, laid with random coursing and with buff brick work dressing to windows, doors and quoins. The roofs would be covered with natural slate. The contrasting standing seam cladding are taken through in the detailing of eaves, dormers and porches.

This limited selection of materials is designed to create a simple and crisp appearance, whilst still tying the development to the location. The natural stone, brick and slate will mellow with age. The standing seam cladding will provide clean modern lines and will age equally well with very little maintenance.

Although the site does not lie within the Conservation Area, it adjoins it and affects its setting, so Historic England have been consulted. They opined in response to the original application that the existing car park site does nothing to enhance the setting of the conservation area, but the proposed terrace of new building fronting Southend Road is an appropriate scale and detailed modern variation on the historic terrace which would make a great improvement to the street.

Historic England once again has no objection to the application on heritage grounds. They consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196.

In determining this application the Council must bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

In terms of contribution to, and views from, the public realm: from Seagate looking eastwards/inland the building would be seen with the existing traditional housing and the backdrop of further housing rising beyond up Park Road; from the south there would be a reflected streetscene along Southend Road and the southern elevation would screen views of the expansive car park and unattractive rear of Harlequin House; from the north/car park there would be a continuation of housing on Southend Road and a new façade along the southern extent of the car park (screening views of the coach park beyond); and from Park Road looking westwards the building would wrap around the corner, screen the rear of the Oasis centre plus car park, and frame the vista out to The Wash along Seagate.

It must be noted that the Conservation Areas Advisory Panel were involved at the pre-application stage where it was minuted/concluded that: the Panel supported the proposal and would like to see the scheme again when full planning permission was applied for.

In reviewing the current application no further comments are raised but previous concerns are referenced in relation to the long elevation running up the hill, and also additional concerns expressed in terms of the scale in the conservation area and its relationship with the buildings opposite [Southend Road].

This remains to be a little inconsistent and our Conservation Officer once again shares the view of Historic England stated above regarding the appropriate scale of the building, and the fact that there are many examples in the town and conservation area of 2½ - 3 storey buildings opposite two storey dwellings.

Your officers share the opinions of our Conservation Officer and Historic England and consider that the proposal is a modern, contemporary building which has been specifically designed to reflect the constraints and opportunities of the site and its surroundings, and to meet the aspirations of the Masterplan. It would successfully create a character transition between the historic core and southern seafront and make a positive contribution to the character and local distinctiveness of the historic environment. The proposal is therefore in accordance with the provisions of the NPPF and Policies CS08 & CS12 of the Core Strategy and Policy DM15 of the SADMPP.

### **Impact upon neighbouring properties**

The residential properties directly affected by this proposal are those on the eastern side of Seagate Road. As described above, these are predominantly Victorian terraced cottages of two storeys stepping up the slope of Southend Road to two storeys with accommodation in the roof, and two-and-a-half storeys beyond on the corner of Westgate. They have small walled gardens to the front.

Sections through the site, streetscenes and shadow diagrams have been produced and submitted as part of this application. A similar assessment has been undertaken as that recently applied to the re-development of the former Whitley Press site on Church Street within the town, which Members will no doubt be familiar with.

Whilst the eave and ridge heights of the proposed building at approx. 7m & 11.4m respectively from road level are higher than the 2 storey cottages opposite, it is considered that the separation distance at approx. 17.4m is such that there will be no significantly detrimental impact upon the amenity of the occupants of these neighbouring properties in terms of overlooking, being overshadowed or the building being over-bearing.

Disturbance during the construction phase of this development would be relatively short-lived and can be secured via condition for the submission and implementation of a Construction Management Plan as recommended by CSNN.

The proposal accords with Policy CS08 of the LDF and Policy DM15 of the SADMPP.

### **Affordable housing**

In accordance with the policy thresholds for the Borough, the application should provide an element of affordable housing. The site should command a 20% provision which would equate to six residential units.

These comprise: 4 no. rented (3x 1-bed and 1x 2-bed) and 2 no. shared ownership (2x 2-bed).

The rented units are numbered 7, 10, 13 and 21. The shared ownership units are numbered 22 and 23.

This number, type and arrangement has been produced in conjunction with our Housing Development Officer. The proposal accords with Policy CS09 of the Core Strategy (2011).

The units will be secured by S106 Agreement with Norfolk County Council operating as the overseeing authority, if permission is granted.

## Highway Implications

As stated above, the existing exit point from the public car park from the south at Beach Terrace Road would be closed off, and a new vehicular access to serve this new development would be formed from the west side of the site, off Beach Terrace Road.

The public car park would continue to be accessed from the other existing vehicular access further north on Beach Terrace Road adjoining Harlequin House where the current ingress point is. Emergency exit from the car park is available through this site should the need arise.

The proposal includes a new footpath along Beach Terrace Road, around the south and west sides of the application site, which will improve safety and connectivity for pedestrians in the area.

The Local Highway Authority raise no objection to this proposal on highway safety grounds. However conditions are recommended relating to provision of access, car & cycle parking provision, no barrier to access point, parking for construction workers, Construction Traffic Management Plan and Access Route, plus details and implementation of the off-site highway improvements (footway and retaining wall). Parking for construction workers can be combined with the Construction Traffic Management Plan and Access Route.

The proposal complies with Policy CS11 of the Core Strategy 2011 and Policy DM15 of the SADMPP.

## Parking provision for the development

In response to concerns raised regarding the provision of on-site parking (reason for refusal 2), the site layout plan has been revised (without altering the number of flats, the proposed site area, or further altering Southend Road carpark) to create an additional 7 parking spaces to serve the prospective residents and their visitors.

The revised layout has achieved the increased number of parking spaces without significant effect in terms of the public views of the site. Acceptable levels of peripheral landscaping have been retained in the northern section adjoining the main car park and the courtyard cycle store has been redesigned and parking layout reconfigured.

One parking bay is provided for each residential unit and the two 3 bed apartments (Nos. 31 & 32) will have an additional allocated space, with 6 visitor bays near the main vehicular entrance (40 spaces in total).

This will lessen the burden that visitors to the development, may place on the 395 spaces that remain on Southend Road carpark.

Secure cycle provision is once again proposed in two blocks to accommodate one cycle per unit.

The Highway Authority raises no objection to the proposal. The proposed number of parking places is one per residential unit and given the proximity of the residential units to the town centre, the figure of one space per residential unit is considered to be acceptable and complies with the NPPF which states at paragraph 105:

*'If setting local parking standards for residential and non-residential development, policies should take into account:*

a) *the accessibility of the development*

- b) *the type, mix and use of development*
- c) *the availability of and opportunities for public transport*
- d) *local car ownership level; and*
- e) *the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.'*

This stance is reflected in Policy DM17 of the Local Plan which stipulates minimum standards with the caveat that: *'Reductions in car parking requirements may be considered for town centres and for other urban locations where it can be shown that the location and the availability of a range of sustainable transport links is likely to lead to a reduction in car ownership and hence the need for car parking provision.'*

The current proposal provides for cycle parking and improved car parking adequate to serve the intended residents and visitors, and there are plenty of alternative parking spaces in this locality. Similarly the bus station/hub is located within the town centre.

It will be noted that reduced parking standards have recently been accepted on the re-development of the former Kit Kat Club site (ref: 19/01558/FM) and the re-development of the Bus Station site (20/00817/FM). This current application is consistent with, and indeed in excess of, those previously accepted standards.

The proposal once again is considered to accord with the provisions of the NPPF, Policy CS08 of the Core Strategy and Policies DM15 & DM17 of the SADMPP.

### **Loss of public car parking spaces**

Members will recall their reason for refusal (1) to application ref: 20/00811/FM which stated:

"1. The proposed development would result in the significant loss of 100 public car parking spaces, which would create an adverse impact, especially during summer months, upon the ability to accommodate visitors to the town to the detriment of the local economy and amenity. The proposal is therefore considered to be contrary to the provisions of Policy CS05 of the Core Strategy (2011) and the Hunstanton Town Centre & Southern Seafront Masterplan (2008)."

Our Business Manager - Leisure & Public Space in conjunction with Property Services team gave a comprehensive response to this matter under application ref: 20/00811/FM which is summarised and reported in the Consultations section of this report. The key issues are as follows:

- There are currently approximately 1500 parking spaces within the town plus a further 1500 spaces at the Clifftop car park in Old Hunstanton.
- Peak usage is on Bank Holidays during summer months especially August.
- In 2019 there were 9 days when more parking tickets were sold within the town than the number of public spaces available - indicating a turn-over of parking spaces in the town car parks during the day.
- Lowering the total number of spaces by 100 (as proposed) would result in only 1 additional day in which more spaces would be need to be sold than the town currently has.
- Parking income is hugely important to the Borough Council. As was reported in the Lynn News (28 November 2019), parking services in the borough raised £3.1 million in profit in 2018-19. This income enables the Borough Council to effectively deliver services to the residents of West Norfolk. As funding for Local Authorities by Central Government is minimised, low risk revenue generating income streams play an important part of Council Finances. The Borough Council would not be pursuing the project should it feel

that parking would be lost and this low risk, high yield income stream, negatively affected.

- The limited impact upon the seasonal tourism economy needs to off-set against the year-round benefits to the overall local economy associated with new residential units.

In response to the previous reason for refusal (1 stated above) further work has been undertaken and two actions are now proposed in order to redress the parking loss. This is contained in the Revised Parking Loss Statement dated February 2021 submitted as part of this application.

This indicates that the northern end of the Seagate East/southern end of the Hunstanton Coach park is poorly utilised and inefficiently laid-out, resulting in land that offers no organised parking spaces.

The current coach park is also inefficiently used. It has capacity for 19 coaches within lined spaces and further coaches within unlined/open areas of the coach park. Usage of the site by coaches is more frequent in the core summer months (June, July, and August) during the week, especially during the period when schools send many pupils to the Sea Life Centre and other seafront facilities. Conversely the coach park is more frequently used by the smaller motorhomes over the weekend, however significant capacity remains at these times.

Whilst the motor home bays are unmarked it is anticipated that around 30 motor homes could fit on the site at any one time. The coach park therefore has a capacity for 49 vehicles, well in excess of the 12 vehicles that on average use the site on any single day. Only on a single day in 2019 did the number of tickets sold on the site exceed 49 spaces, and that was when the site was used by the Council as overflow parking on a busy Bank Holiday weekend.

Seagate East car park is therefore proposed to be extended into the poorly utilised area of the coach park (its southern end). Reconfiguration of this area will add 50 parking spaces accessible from Southend Road without impacting on the number of spaces available for coaches or access to the coach park. These new parking spaces are approximately 150m from the application site and therefore service the same area as the Southend Road carpark with easy access to the promenade, leisure centre, and town centre. Adding capacity in this area also takes cars off the local highway network earlier from traffic flow from the south, utilising the existing access point off Southend Road opposite Tesco's.

The Council will also revise management arrangements for the Coach Parking off Southend Road. On busy car parking days - when coach parking is not needed - 6 of the existing 19 parking spaces can be used for additional car parking through use of 'flexible spaces'. This will add a further 34 spaces to the Town.

Parking for a minimum of 13 coaches will remain even when some of the other spaces have been converted under the flexible spaces arrangement. This will ensure that coach spaces remain available throughout the year. 13 spaces were selected as it is above the average number of vehicles parking on the site on any day (during 2019) and significantly higher than the predicted 7 coaches that on average park on the site. This therefore allows for additional capacity on days busier than average, but not so busy that all coach parking spaces are used.

It is expected that the additional 34 spaces will be available for the majority of the year and only used by coaches on the busiest of periods in the run up to the school holidays.

Parking for Motor Homes is not expected to be effected by the proposals, with around 30 motor homes still being able to park on the site. Only on the busiest of days, when the Coach Park is opened up for flexible parking as detailed above, may they have to compete for spaces.



If motor homes are not present on the site this gives possible further spaces for car parking along the western edge of the site however this has not been taken into the equation.

It is accepted that there would be a loss of 100 car parking spaces at the Southend Road public car park, reducing the number of spaces from 495 to 395, with a revised layout. However the proposed alterations to the Seagate East car park (+50 spaces) plus the more efficient 'flexible' parking space arrangement in the northern sector of the coach park (+34 spaces) would significantly redress those car parking spaces lost. A net loss of some 16 spaces is identified.

At the previous meeting Members commented on the size of parking spaces in the remaining car park, however any review and modification to that layout is not part of this planning proposal.

The Council is also considering to use Variable Message Signage (VMS) on the approach to Hunstanton Town Centre, along the A149, advising incoming visitors on the availability of car parking within the town and therefore direct motorists to car parks with capacity. The date of this installation is yet to be defined. The Hunstanton & District Civic Society consider this to be an essential requirement if the development is approved.

The importance of adequate parking provision to the local tourism economy is fully accepted and, in this context, any loss of parking spaces in the town must be given careful consideration.

On the information provided it is concluded that the parking provision for visitors to the town and seafront will remain adequate, by virtue of the overall parking availability in the town, and the slight reduction at this location will not result in any significant parking or highway safety issues.

The additional car parking provision would be on 'blue land' and can be secured via condition prior to development commencing.

The proposal therefore now accords with Policies CS05, CS08, CS10 & CS11 of the Core Strategy (2011) and Policies DM15 & DM17 of the SADMPP (2016).

### **Flood Risk and Drainage**

The site lies within Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment, so the site is not at risk of flooding.

Local concerns have been raised in connection with the capacity of the existing sewerage system, given the amount of new development both permitted and proposed in and around the town.

Anglian Water have confirmed that there is adequate capacity in their sewerage system to serve the proposed development, and the surface water drainage details are acceptable.

The flood risk assessment and drainage proposals submitted as part of this application are considered to be acceptable by the Lead Local Flood Authority, subject to further details which may be secured via condition as they suggest. Work is already being progressed in this regard and additional details may become available prior to the meeting to allow a change to the condition (21) to be in accordance with agreed details rather than requiring them pre-commencement. However Members will be updated accordingly.

The development will accord with the provisions of the NPPF, Policies CS08 of the Core Strategy and Policy DM15 of the SADMPP.

## **Crime & Disorder**

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. Comment has been received from the Architectural Liaison/Crime Prevention Officer of Norfolk Constabulary. No objection is raised to the proposal in general although advice is offered with regard to planting, lighting, security, boundary treatments, controlled access points and surveillance, resulting in modified plans to address those issues. Confirmation has been given by the agent that the Secured by Design Gold Standard will be pursued.

Overall the proposal will not have a negative impact on crime and disorder; indeed the presence of residential properties overlooking the full length of the car park will be of some benefit.

## **Other Material Considerations**

As mentioned above, a Section 106 agreement is required to secure the provision and tenure of the affordable housing units contained within the development. This would be overseen by Norfolk County Council in its role as Enforcing Authority.

The site is located within the zones of influence of The Wash Special Protection Area (SPA) and Ramsar Site, and The Wash & North Norfolk Coast Special Area of Conservation (SAC). As a consequence, there is a requirement derived from the Conservation of Habitats and Species Regulations 2017 to assess the implications of the proposal on the conservation objectives of the designated areas. Natural England have been consulted on this proposal and confirm that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown. As raised by the Agent in the Statement in Support section earlier in this report, the site is in receipt of Central Government grant funding under the Local Government Accelerated Construction Programme which would ensure its implementation. It is for Members to decide how much weight is given to this material consideration when determining this application. However, it is your officers' opinion that little weight be apportioned, as the proposed development is considered to be acceptable for other planning reasons.

Habitat Mitigation fees have already been paid in accordance with Policy DM19 of the SADMPP.

Most of the issues raised by third parties have already been covered in this report. In relation to those not specifically mentioned in the report your officers respond as follows:

- Suitability for local needs – restrict to local people not 2nd home owners – Six of the dwellings are to be affordable units and the remainder open market. There is no planning policy/justification to restrict the tenure of the apartments in the manner suggested;
- Bus service is limited – This issue has been taken into consideration when assessing this proposal;
- Lack of electric car charging points – amended plans show one charging point provided serving a visitor space and cabling to serve the spaces throughout the parking areas should future residents wish to connect and utilise such facilities. Solar panels and

- 'Fabric First' principles (high levels of insulation and thermally efficient windows and doors) have also been applied to the scheme; and
- Overshadowing, overlooking and loss of views from properties opposite on Southend Road – public views and the impact of the proposal have been considered above, however private views are not protected by planning law.

Once again CSNN have raised a request for insulation details to be dealt with via condition, however this is covered by separate legislation (Building Regulations). An additional request for sound insulation for the apartments from external noise sources has now been sought, however this is the exact same scheme as previously considered and there has been no material change in circumstances. This is an active town centre location where background noise levels are expected to be higher than normal and prospective residents would be conscious of this factor.

Full consideration has been given to recent legislation in relation to Permitted Development Rights relating to increasing the heights of block of flats, and no action is required in relation to this application.

## **CONCLUSION**

Once again, the proposed scheme is considered to be of good quality design and materials and is considered to satisfy the requirements of planning policy and guidance and is mostly in line with the overall objectives of the Masterplan.

The concept is modern, however it successfully forms a transition between the old and more contemporary aspirations for the seafront (exemplified by the recent approval on the former Kit Kat Club site). References to the existing traditional Victorian and Edwardian architecture found within the town are made within the building. The design is considered to be acceptable in terms of scale, height, massing, configuration plus materials, and there will be no significant harm to the character or appearance of the adjoining Conservation Area.

The revisions to the car park to accommodate the proposal would result in the loss of 100 parking spaces from the Southend Road Car Park, however off-site modifications proposed to Seagate East car park and the Coach Park result in a net reduction of 16 car parking spaces which can be controlled via condition.

Whilst the summer season is a busy time for Hunstanton, on only bank holiday weeks, and particularly good weather weekends, are parking spaces needing to be sold more than once per day to meet parking demand. It is therefore considered that in any given year, the proposed loss of parking would have a negligible and largely un-noticeable effect on car parking and therefore the town's tourism economy.

The revised site layout now provides an acceptable level of parking provision to serve its own needs and is close to public car parks, services and facilities of the town. Plus there are no highway safety concerns.

Detailed assessment has taken place in relation to neighbour amenity and it is considered that there would be no material overbearing, overshadowing or overlooking issues.

Given the above, and applying the planning balance, the benefits of the proposal through the provision of 32 residential units of an acceptable scale, design and layout is considered to outweigh the relatively limited harm through the net loss of 16 public car parking spaces.

It is concluded that the development in this revised format has negated the previous reasons for refusal and accords with the provisions of the NPPF, Core Strategy Policies CS01, CS02, CS05, CS08, CS09, CS10, CS11, CS12 & CS14 of the LDF (2011) and Policies DM1, DM2, DM9, DM10, DM15, DM16, DM17 & DM19 of the SADMPP (2016); plus the guiding principles of the National Design Guide (2019).

It is therefore recommended that the application be approved subject to the completion of a satisfactory S106 Agreement to secure the affordable units.

## **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 drawing nos:  
  
LP-870-P01 Revision C  
LP-870-P02 Revision D  
LP-870-P03 Revision A  
LP-870-P04 Revision A  
LP-870-P05 Revision A  
LP-870-P06 Revision A  
LP-870-P07  
LP-870-P08  
LP-870-P09 Revision A  
LP-870-P10 Revision A  
LP-870-P11 Revision A  
LP-870-P12  
LP-870-P16 Revision A  
LP-870-LOC Revision A  
2467-20 Revision 2
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the commencement of development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include any off-site/highway and on-site parking for construction workers, layout of site(s) regarding locations of compound, fixed plant / machinery, waste, stock, stockpiles, how deliveries/collections will be controlled in terms of access, turning etc. controls for noise, dust, lighting of site and handling of waste/control of litter, including minimising engine and reversing beeper noise, plus any other measures to protect residents from disturbance.
- 3 Reason: In the interests of the amenity of the locality in accordance with the NPPF and Development Plan. This needs to be a pre-commencement condition as it relates to issues during construction.

- 4 **Condition:** Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

For the duration of the construction period all traffic associated with (the construction of) the development will comply with the approved Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.

- 4 **Reason:** In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.

- 5 **Condition:** Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- 5 **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 6 **Condition:** The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 6 **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 7 **Condition:** In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

- 7 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 8 Condition: Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works (footpath widening), as indicated on Drawing No. LP-870-P02 Revision D, have been submitted to and approved in writing by the Local Planning Authority.
- 8 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the NPPF and Development Plan.
- 9 Condition: Prior to the first occupation/use of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 8 shall be completed to the written satisfaction of the Local Planning Authority.
- 9 Reason: To ensure that the highway network is adequate to cater for the development proposed in the interests of highway safety in accordance with the NPPF and Development Plan.
- 10 Condition: Prior to the first occupation of the development hereby permitted the vehicular / pedestrian / cyclist accesses over the footway shall be constructed in accordance with the highways specification (TRAD 2) and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- 10 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with the NPPF and Development Plan.
- 11 Condition: Prior to the first occupation of the development hereby permitted the proposed on-site access /car parking and cycle storage / servicing / loading / unloading / turning / waiting area to serve the development hereby permitted shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 11 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the NPPF and Development Plan.
- 12 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.

- 12 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 13 Condition: Prior to the installation of any external 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 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 approved scheme and thereafter maintained and retained as agreed.
- 13 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 14 Condition: Notwithstanding the provisions of Schedule 2, Part 16, Class C of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the installation, alteration or replacement of any microwave antenna or any structure intended for the support of a microwave antenna shall not be allowed without the granting of specific planning permission on elevations of the building facing directly onto Southend Road and Beach Terrace Road.
- 14 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 mentioned Order.
- 15 Condition: Prior to the first occupation of the development hereby permitted, details of a signage scheme, stating that the use of the car parking within the site is for residents only, shall be submitted to and approved in writing by the Local Planning Authority. The signage shall be installed in accordance with the approved scheme and shall thereafter be retained.
- 15 Reason: To ensure the car parking on site is not used by others and is only available for residents.
- 16 Condition: Construction hours and site deliveries /collections shall not take place outside of the hours of 08.30-18.00 Monday to Friday, 09.00-13.00 on Saturdays and at no times on Sundays and Bank / Public holidays.
- 16 Reason: In the interests of the amenities of the locality in accordance with the NPPF and Development Plan.
- 17 Condition: The development hereby approved shall be undertaken in accordance with the recommendations and ecology enhancements contained in the Preliminary Ecological Survey produced by CJ Yardley Landscape Survey & Design LLP dated February 2020 and submitted as part of this application.
- 17 Reason: To secure ecological enhancements to the site and locality, and to accord with Policy CS12 of the LDF.
- 18 Condition: The charging point for electric vehicles and associated future connection infrastructure, as shown on the approved plan Drawing No. LP-870-P02 Revision D, shall be installed prior to occupation of the apartments hereby approved.

- 18 Reason: In order to accord with Paragraph 110 of the NPPF.
- 19 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) 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.
- 19 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 20 Condition: No development over or above foundations shall take place on site until full details of the casement, dormer and bay windows, doors and surrounds and eaves treatment 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.
- 20 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 21 Condition: Prior to the commencement of development, a revised FRA and Drainage Strategy shall be produced to include the following:
- I. Detailed site investigation and infiltration testing in accordance with BRE Digest 365 (or equivalent) to determine if rates are viable for the use of soakage features and to determine the dissolution feature risk;
  - II. If infiltration is not viable, provision of surface water storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1% AEP flood event, including allowances for climate change with an additional 10% allowance for urban creep. A minimum storage volume of 54.4m<sup>3</sup> (for the attenuation basin) will be provided in line with Drainage Strategy plan Ref: 191315 RLC-00-00-DR C-001 P4 of the FRA. The attenuation basin will be designed with a run-off rate of 3.5 l/sec;
  - III. Finished ground floor levels of the property should be a minimum of 300mm above expected flood levels of all sources of flooding and will be a minimum of 150mm above the surrounding landscape;
  - IV. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge; and
  - V. A detailed maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development;

which will be submitted to, and agreed in writing by, the Local Planning Authority.

The approved scheme will be implemented prior to the first occupation of the development.

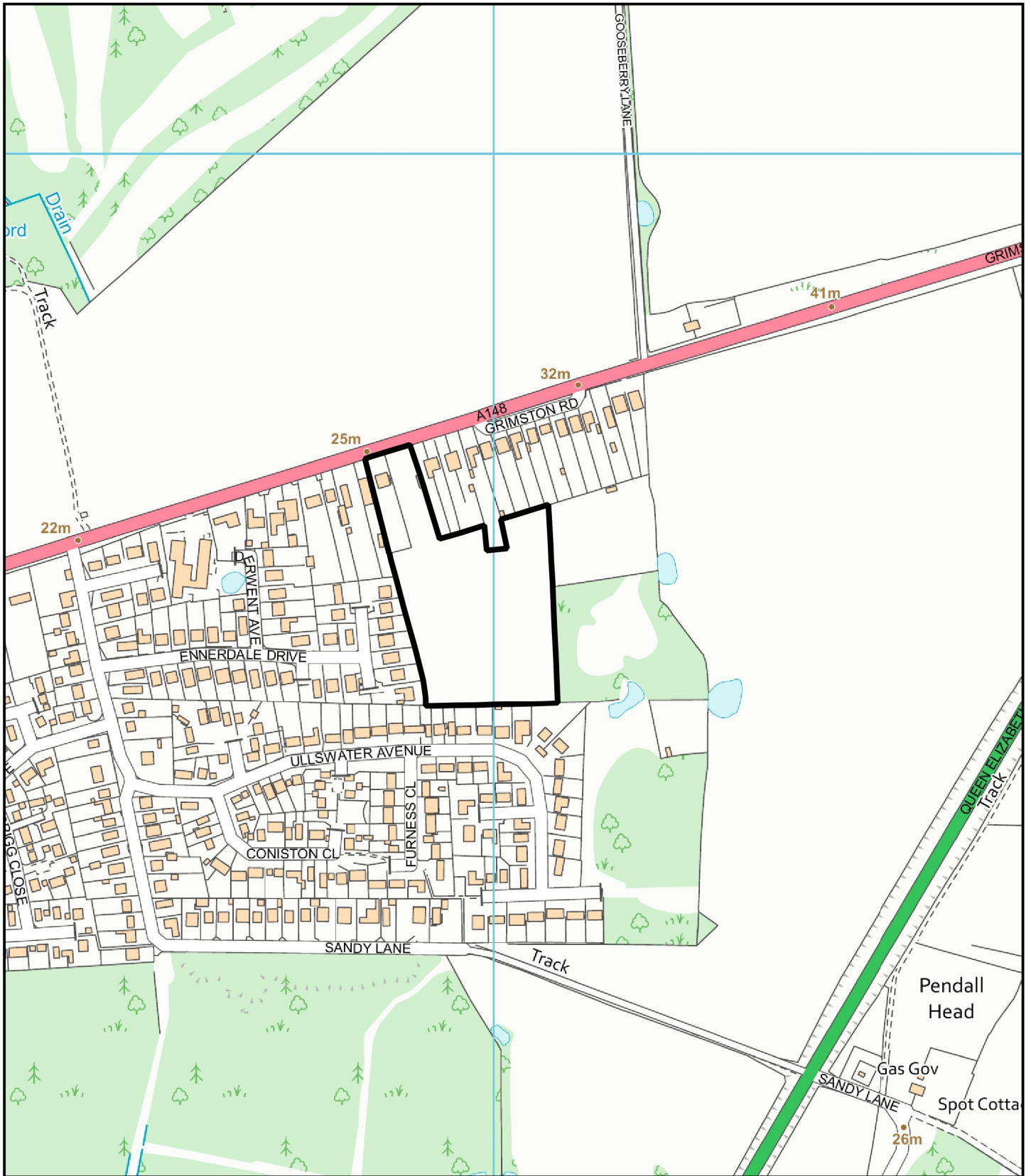
- 21 Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 163, 165 and 170 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as design for the lifetime of the development. This is a pre-commencement condition as surface water disposal is a matter which requires agreement before development commences.



- 22 Condition: Prior to the commencement of the development hereby approved, the off-site flexible parking arrangement on the current coach park as indicated in the Statement in response to Parking Loss at Southend Road – Hunstanton (Revised February 2021) and submitted as part of this application, shall be implemented and thereafter maintained.
- 22 Reason: To secure alternative car parking facilities in the interests of accommodating visitors to the town and to accord with Policy CS05 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

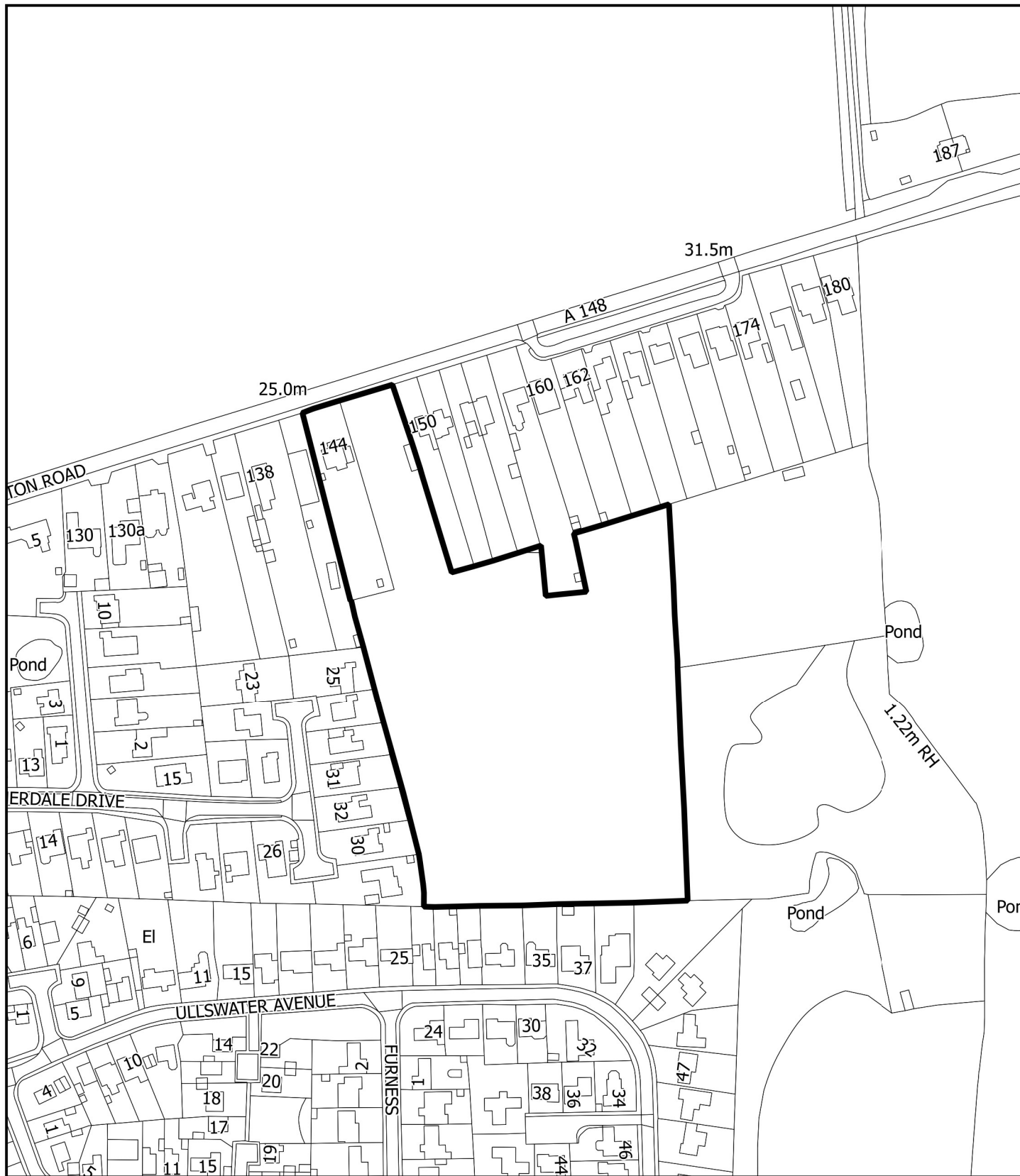
# 20/00666/RMM

## Land accessed between 144 and 150 Grimston Road South Wootton



# 20/00666/RMM

## Land accessed between 144 and 150 Grimston Road South Wootton



<b>Parish:</b>	<b>South Wootton</b>	
<b>Proposal:</b>	<b>Reserved Matters Application for consent for all reserved matters following outline planning permission</b>	
<b>Location:</b>	<b>Land Accessed Between 144 And 150 Grimston Road Grimston Road South Wootton Norfolk</b>	
<b>Applicant:</b>	<b>Clayland Estates Ltd</b>	
<b>Case No:</b>	<b>20/00666/RMM (Reserved Matters Application)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 11 August 2020 Extension of Time Expiry Date: 16 April 2021</b>

**Reason for Referral to Planning Committee** – Referred by the Assistant Director

**Neighbourhood Plan:** Yes

**Case Summary**

The site is located on the southern side of Grimston Road, on the north eastern side of King's Lynn.

The site is currently arable agricultural land and extends to 2.62 hectares. There are hedge boundaries around the site. There are no particular features on the site and the land is of grade 4 agricultural quality.

The site is bounded by agricultural land to the east. To the north are properties fronting Grimston Road. To the south are residential properties on Ullswater Avenue and to the west are dwellings accessed from Ennerdale Drive.

The form and character of the residential development in the locality comprises mainly of single and two storey, detached properties.

The site is not within the Area of Outstanding Natural Beauty as the boundary for this is on the northern side of Grimston Road.

The site lies within proximity of Roydon Common and Dersingham Bog SAC and Roydon Common Ramsar Site.

The site is a small part of the Knights Hill allocation for King's Lynn under Policy E4.1 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 600 dwellings on the whole 36.9ha site.

Outline planning permission was approved in 2018 for the residential development of this site. All matters were reserved.

Accordingly this application seeks permission for the approval of the details relating to access, appearance, landscaping, layout and scale following this outline approval.

Planning Committee  
12 April 2021

## **Key Issues**

- \* Principle of Development
- \* Design, character and appearance
- \* Impact upon AONB and Visual Amenity
- \* Impact upon Designated Heritages
- \* Highway impacts
- \* Impact upon Neighbour Amenity
- \* Trees and Landscape
- \* Ecology
- \* Affordable Housing
- \* Open Space
- \* Flood Risk and Drainage
- \* Contamination
- \* Air quality
- \* Archaeology
- \* S106 matters
- \* Other Material Considerations

## **Recommendation**

**APPROVE**

## **THE APPLICATION**

The principle of development has already been established; this application addresses the matters of access, scale, appearance, layout and landscaping.

Since the original submission, in response to comments received, the application has been amended to the following:-

- Total number of properties being reduced to 54, with the inclusion of 11 affordable units;
- Market housing =
  - 2 x 2 No. bedroom bungalows,
  - 1 x 2 No. bedroom houses,
  - 13 x 3 No. bedroom houses,
  - 9 x 3 No. bedroom bungalow/chalet,
  - 17 x 4 No. bedroom house
  - 1 x 4 No. bedroom bungalow.
- Affordable housing =
  - 2 x 1 No. bedroom flats,
  - 2 x 2 No. bedroom flats,
  - 2 x 2 No. bedroom bungalows,
  - 3 x 2 No. bedroom houses,
  - 1 x 3 No. bedroom house,
  - 1 x 4 No. bedroom house.
- 21 house types over a development of 54 homes;

- The affordable housing properties are in smaller clusters and will be indistinguishable from open market housing;
- A range of brick types, with bespoke brick bandings, lintels and brick headers, hand-made, barge boards, feature oak posts and gallows brackets and hand-made oak porches
- Two of the proposed dwellings are 2 ½ storeys. The other 6 plots with 2nd storey floors make use of the loft space with additional living areas. Together, these 8 dwellings are located to the centre of site and would not impact or overlook existing dwellings.
- The topography of the site is such that these properties do not sit higher on the site and would not have a detrimental effect on the skyline across the development
- The application includes information to discharge many of the planning conditions on the outline consent.

## **SUPPORTING CASE**

This site was allocated as part of the Knights Hill Strategic Growth Area and received outline planning approval in 2018 after 3 years in consultation. Since 2018 Clayland have been developing the detailed designs for reserved matters and working in consultation with KLWN to present the scheme before you today.

We have been through an extensive design process over the years which utilised input from many professional consultants and we are pleased to say we now have the support from all statutory consultees, and the local parish council.

Clayland are a small local firm of chartered Architects, developers and builders. We take pride in our reputation for building individual character developments throughout Norfolk which age well and offer a sense of place. We are committed to delivering a finished scheme at Grimston Road which people enjoy living in and which contributes to the local environment.

Our design process has led us to reduce housing numbers from 60 to 54 units. This has meant the scheme exceeds the OpenSpace requirements and can provide a Central Green with play equipment plus a landscaped walking route around the site. These features combined with our bespoke house style, choice material palette, tree planting and external landscaping measures contributes to the sense of place we are aiming to create.

The scheme includes 10 bungalows, 4 flats, 4 chalets and a range of detached and semi-detached houses. We have also agreed a generous 11 unit affordable housing schedule including 1 and 2 bed flats, 2 bed bungalows, 2 and 3 bed semis and a 4 bed detached house. These have been grouped in 2 clusters of no more 6 units in line with KLWN Affordable 'Pepper Pot' Policy 6.4 and separated on all sides by opening market units. Our proposal of well detailed affordable units will be indistinguishable from the open market houses. Clayland Homes have previously won the LABC best social or affordable new housing scheme in 2014 with Hastoe and hope to do the same here with the quality of the units.

The access proposals include local road widening, footpaths and cycles routes. The scheme has also been designed to provide cycle and pedestrian links to adjoining developments to the East as per outline approval.

We endorse a recommendation of approval which will allow us to progress and rapidly get this site underway.

## PLANNING HISTORY

15/01782/OM: Application Permitted: 05/11/18 - Outline application with all matters reserved for proposed residential development with access off Grimston Road. Land accessed between 144 and 150 Grimston Road South Wootton - Land Accessed Between 142 And 150 Grimston Road, South Wootton

## RESPONSE TO CONSULTATION

**Parish Council: SUPPORT** - with the strict condition that the proposed possible connection to adjacent development is used for cycle and pedestrian links ONLY. No through road for vehicular access.

The Parish Council have consulted with the Developer, the Borough Council Case Officer and the Borough Council Housing Officer and feel that our initial objections/concerns have been addressed with the new amended plans Drawing number 56A and 3B.

Oppose the removal of the new boundary hedge/ecological corridor.

Note: Planning Applications should conform to the Policies laid out in the South Wootton Neighbourhood Plan

Initial Objection - The Parish Council feels that under the heading of Layout, Density of Buildings, Design, Visual Appearance and finishing Materials the proposed development does not reflect the quality and individual character of other developments. Every property looks the same with red brick and either black or red roofs (the Parish Council would prefer Pantiles) all fitted with black rainwater goods. The key also shows all the windows and doors as off white, whereas some elevation plans show dark colours, clarification is required as to the colour of the windows and doors – does off-white actually mean coloured. The Parish Council were told pre-application that the design of the development would be very similar to developments at Necton. These plans do not indicate the attractive style of the Necton development, the Parish Council feels that some variation in brick colour and the use of natural materials such as Carrstone should be used.

With this in mind, we do not feel that the South Wootton Neighbourhood Plan Policy H2 – Encouraging High Quality Design (d) to provide well designed groups of houses, located in attractive, inclusive and secure spaces has been adhered to.

Many properties on the proposed site are Two and half storey properties, these are not in keeping with the character of the surrounding area contrary to the South Wootton Neighbourhood Plan Policy H2 (e) = respond to local character.

Overlooking and loss of privacy – Plots 6-9 and 10-13 these blocks of flats are placed at the highest point on the site, will be obvious on the skyline will overlook existing properties along Grimston Road from the First-Floor windows. Detrimental to the privacy of existing properties.

Flooding and Drainage – Concerns have been raised about the flooding in the rear gardens of Ullswater Ave, appropriate drainage systems must be put in place.

Access Points – The ‘proposed possible connection to adjacent development’ nearest to the flats should be for pedestrian/cyclists ONLY. This route should not be opened up to connect

the adjacent development. This connection will lead to a rat run by vehicles exiting the proposed new estate instead of using the proposed new roundabout.

The Parish Council also note that the Affordable Housing is clustered together, Plots 6-9, 10-13, 14 and 15. Policy H6 of the South Wootton Neighbourhood Plan, states that affordable housing provided should be dispersed in small groups throughout the development site. The Borough Council state no more than clusters of 6 units. Within this site they are accumulated together. We also note the comments of the Borough Council Housing Development Officer who also states that the proposed affordable units do not meet the current level of housing need, the proposed units do not meet the space standards and there is one unit short. In order to best meet the housing need she is requesting the following mix:

4 x 2 bed houses (1 for shared ownership, 3 for rent)  
6 x 3 bed houses (2 for shared ownership, 4 for rent)  
1 x 4 bed house (for rent)

We object to the Affordable Housing on the number of units proposed, they do not meet the space standards, the housing mix and the proposed cluster size

Note: Planning Applications should conform to the Policies laid out in the South Wootton Neighbourhood Plan.

**Highways Authority: NO OBJECTION**

**Historic England: NO COMMENTS**

**CSNN: NO OBJECTION** – conditionally re: details of the Construction Management Plan.

**Anglian Water: NO COMMENT**

**Internal Drainage Board: NO OBJECTION**

**Environment Agency: NO COMMENTS**

**Greenspace/Database Officer: NO OBJECTION** – conditionally. Following on from our previous comments, the layout appears much the same, although a few of the requested amendments have been made, which is appreciated (wildflower, fruiting trees within play area and dog walking area removed).

The latest plan also confirms that a management company will be responsible for open space and footpath areas.

Having discussed with my colleagues in Public Open Space, I would like to offer feedback as follows:

- Overall open space provision OK from 65 dwellings, although needs to be consideration to whether the site forms part of an incremental development with adjoining site, which would attract a requirement for 56m<sup>2</sup> per dwelling;
- Soft landscaping transferred to individual purchases should be within natural property curtilage, or they should be managed by Public Open Space Nominated Body;
- retained/improved trees and hedges around perimeter are shown as separated from private garden space by 1.2m close board fencing. As this landscaping is to be divided up and included in individual plot sales, these areas should be handed over in a condition such that residents can reasonably be expected to maintain them, with



- suitable access arrangements (gates) and retained trees having received an arboricultural assessment, with all action points addressed prior to transfer;
- strip of land behind 158 Grimston Road will be a maintenance liability, whilst not offering anything in terms of amenity space—could this be offered to the owner of 158 to extend their garden up to the roadside pavement/edge?;
- It appears there is a route through to the footpath/amenity space on the eastern site boundary over a shared/private driveway—this could lead to conflict in future.
- The same also applies to the play area’s maintenance and pedestrian gates, which appear to exit onto a shared/private driveway. As alternatives:
- may be better for the private driveway leading to the amenity space to be presented as adoptable highway;
- maintenance gate could be located north of the fire hydrant (complete with dropped kerb);
- pedestrian gate could be located on other side of play area, complete with pedestrian barrier on roadside edge to prevent free egress out onto roadway.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** - The applicant has submitted a further visual inspection report on a visit undertaken on 4th March 2021. The visual inspection is also reported to have included the collection of various soil and solid samples for laboratory analysis.

The report concludes that based on the results of the visual inspection, and the associated laboratory test results, that the asbestos containing materials have been appropriately removed from site and there is no continuing potential source of asbestos.

The evidence provided supports this conclusion and I have no further objection to the reserved matters application.

I understand that conditions 16-22 of 15/01782/OM have not been discharged so, any application to discharge these conditions should include all of the available documentation and verification of the removal of asbestos containing materials as well as details of any unexpected contamination which may be found during the course of the works.

No objections to the proposed development on air quality grounds. However, we would welcome the addition of EV changing points/infrastructure within the development in line with NPPF para. 110 (e) and measure 19 of the Borough Council’s Air Quality Action Plan.

**Natural England: NO OBJECTION** – The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

## REPRESENTATIONS

**29 Representations** received referring to the following:-

- The original specification showed a hedge type 1 Native Species Mixed being planted along the existing properties along Grimston Road. The latest version does not show this and no demarcation between the new properties and the existing properties along the Northern edge of the development. The privacy of these properties has already been compromised by replacing the bungalows in the outline planning with 2 storey houses and a block of flats.
- What provision is being made for the present owners of the properties on Grimston Road to be able to have access to a maintenance strip as per verbal agreement with original owners of this land?

- The cycleway shown in the proposed design no longer follows current guidance. Local Transport Note 1/20 section 6.5.4 says "shared use should be regarded as a last resort" in urban areas.
- If the cycle track is retained, the side road junction layouts need to change to use a design shown in Figure 10.13 of LTN 1/20 to reduce the risk of injury collisions, as required by the Local Transport Plan policy on casualty rate reduction, as required here by the Borough Core Strategy policy on Transport.
- it is proposed to extend the cycle path into this development, the pavement along Grimston Road is inadequate at the best of time because of the backdraft created by heavy vehicles.
- Object to absorption of boundary hedgerows into plots as the properties in Ullswater Avenue need to access the rear boundary of their existing fences for maintenance purposes.
- the owners in Ullswater Avenue own 50% of the hedgerow between the proposed development and their existing properties. Hence it would not be possible to take the whole of the hedgerow and transfer this land to private gardens of the new development.
- another development that will put even more pressure on the road infrastructure, schools, GP surgeries and the hospital. The latter are already over stretched and waiting times for appointments are getting longer and longer; in particular the hospital with 18 weeks plus before an appointment.
- Impact of more traffic on the roads
- Impact of pollution/ emissions from extra traffic
- Danger to pedestrians, especially near schools
- Impact on wildlife
- Impact on infrastructure and local amenities eg doctor surgeries and schools, which are already over stretched.
- Privacy issues have not been addressed as the buildings are two story behind the bungalows on Grimston Road.
- We were promised bungalows behind out properties not houses and flats.
- this will cause overlooking and an invasion of privacy as the land rises significantly from the bungalows up to the houses.
- I am also objecting to the way the social housing has been distributed on the development as there are none that back on to Ullswater Avenue or the woodland area this would constitute true peppering.
- any development would result in increased noise and pollution levels for those living in the local area
- additional housing not needed
- The link road between the Clayland development and the planned Knights Hill development would cause havoc on the main Grimston Road.
- Camland stated a link Road would not be required as they have alternative access arrangements through Ullswater Avenue.
- This part of Grimston Road is not served by a bus service and children have to be driven to outlying villages to school
- concerns about the possible air quality during construction
- asbestos is buried throughout the site and children live adjacent to the site along Grimston Road.
- This has been altered considerably from the plans submitted for outline. A proposed through road has been added and all the flats have been moved to the highest point of the development overlooking the bungalows on Grimston Road . Two and a half story buildings and an increase of properties have been added.
- Object to a tiny dog walking area being positioned right next to my garden fence. This is so small that it will serve only one purpose - dog fouling. It will be unhygienic and will

smell terribly. I also think it would be noisy with barking dogs being bought together in a restricted space.

- there are some 2½ storey houses included in this planning application.
- The applicant has not delivered what he promises at a Parish Council Meeting; The development now includes two and a half story buildings, one colour brick throughout.
- 144 Grimston Road, is to remain incorporated into the scheme.
- House designs do not reflect the quality and individual character of other developments I have seen from Clayland. They fail South Wootton by not providing properties of a more individual nature and character.
- In the interest and to protect residents and highway safety planners must insist on a planning condition. This needs to place a restriction in perpetuity that in the event of planning being granted on any of the other adjoining land or sites to the Clayland development whether by this or another developer.
- The road way running through the Clayland development should be fully restricted and solely for the use of residents and visitors to the Clayland site. The only exception being emergency vehicles. There must be a condition to prevent unauthorised use by all vehicles wishing to access adjoining sites or land by crossing the Camland development.
- This must not be used as a rat run on journeys to and from Grimston Road. To prevent this happening a condition should be placed on the developer to install and maintain retractable bollards at the turning head.
- have reservations regarding any further development on this land with regard to the increased risk of flooding to the existing neighbouring properties.
- It is my understanding that when the current houses were built there was a drainage ditch / dyke that flowed along the boundary of the site behind plots 46, 45, 44, 43, which allegedly was just filled in.
- Whenever there is heavy rain the rear gardens to 29, 27, 25 Ullswater Avenue are flooded. This is also likely to be the case with some properties in Ennerdale Drive that border the site.
- Hope the hedgerow and wild trees that form the boundary to the site at the rear of plots 46, 45, 44, 43 continuing up the hill are protected as this is home to many types of wildlife including barn owls that have nested there.
- Amended plans show the developer has been considerate in his approach to ensure our property is not over looked too much. If the window on plot one remains as a single upstairs landing window that would limit how much our privacy is breeched which we are grateful for.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS10** - The Economy

**CS11** – Transport

**CS12** - Environmental Assets

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**CS13** - Community and Culture

**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

**DM16** – Provision of Recreational Open Space for Residential Developments

**DM17** - Parking Provision in New Development

**DM19** - Green Infrastructure/Habitats Monitoring & Mitigation

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy E2** - Sustainable Drainage

**Policy E3** - Open Spaces

**Policy E4** - Strategic Landscape Framework

**Policy E5** - New Growth Areas

**Policy H1** - Growth Areas

**Policy H2** - Encouraging High Quality Design

**Policy H4** - Local Character

**Policy S2** - Community Infrastructure

**Policy T1** - Walking and Cycling Facilities

**Policy T2** - On-Street Parking

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

The main planning considerations in regards to the application are:-

- Principle of Development

- Design, character & appearance
- Impact upon AONB and Visual Amenity
- Impact upon Designated Heritages
- Highway safety
- Ecology
- Trees
- Open Space
- Neighbour Amenity
- Affordable Housing
- Flood Risk and Drainage
- Contamination
- Air quality
- S106 matters
- Other Material Considerations

### **Principle of Development**

Outline planning permission was approved by the Planning Committee in 2018 for the residential development of up to 60 dwellings under application ref: 15/01782/OM. All matters were reserved.

In policy terms the whole of this application site is a small part of the larger site allocated for housing under Policy E4.1 of the Site Allocations and Development Management Policies Plan 2016.

Policy E4.1 of the Site Allocations and Development Management Policies Plan 2016 relates to a 36.9 hectare (ha) site on the north eastern side of the town at Knights Hill. This application site is approximately 2.62 ha of the Knights Hill site.

Members will recall that the remainder of the site was granted outline planning permission by the Secretary of State, for up to 600 dwellings, a local centre, open space, sports pitches and associated infrastructure following a Public Inquiry in January 2020.r.

Accordingly the site already benefits from outline planning permission and this application seeks approval of each of the reserved matters, namely access, appearance, landscaping, layout and scale.

### **Design, Character & Appearance**

The main part of the application site is rectangular in shape with a narrower, northern offshoot linking through to Grimston Road. It therefore has a short road frontage before widening out behind the properties on Grimston Road. The site is currently an open field with few constraints. The only proposed vehicle link to a highway is to the north via Grimston Road.

There is a change in levels across the site which has been taken into account in considering the application, generally rising from Grimston Road into the site and from west to east (up towards Knights Hill).

The application provides details of the proposed appearance, layout, scale and landscaping of the residential development. The submitted plans demonstrate that the proposed numbers of 54 dwellings, open space and accompanying infrastructure can fit within the site.

The scheme proposes 21 dwellings per hectare across the site, (gross figure based on 54 dwellings on 2.62 hectares). The road layout shows a single vehicle access through to

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Grimston Road to the north. An adopted highway is shown to link through to the eastern boundary, but this is not shown to be connected to the adjoining site.

Cycle and pedestrian routes are provided throughout the site, with future links through to the larger Knights Hill site. This accords with the provisions of SWNP Policy T4 relating to the provision of new routes.

The applicant explains that the philosophy of the project design is to use local materials and details that will add character to the area in line with the traditional vernacular of South Wootton Village. Areas of open space are provided within the site to which also allow for tree planting.

The plans show a variety of house types and designs, including bungalows, flats, detached and semi-detached properties. The proposed dwellings are predominantly two storey buildings with a small number of 2.5 storey buildings in the centre of the site, away from the site boundaries. This reflects the scale of development in the local area.

The mix incorporates the appropriate amount of 11 affordable housing units, which are shown to be pepper potted around the site.

The detailed layout provides private amenity spaces for gardens as well as the necessary parking, waste, recycling and highways requirements. The houses have been arranged to both strengthen the street scene along Grimston Road and also create a new small private estate with properties fronting along the adopted access road into the site. The applicant has taken into account the policies for housing contained within the South Wootton Neighbourhood Plan.

The proposed layout gives opportunity for landscaping and planting. The landscaping will be an important part of a successful scheme.

Details of maintenance arrangements for all open space are covered by the S106 legal agreement, attached to the outline consent.

The form and character of the locality is characterised by a mixture of predominantly detached and semi-detached, single and two storey dwellings of various ages and designs. Grimston Road is characterised by a mixture of single and two-storey detached and semi-detached properties, Ennerdale Drive is predominantly detached bungalows and Ullswater Avenue is a mixture of predominantly two-storey detached dwellings with some detached bungalows.

The development proposes 19 No. 4 bedroom units, 23 No. 3 bedroom units and 10 No. 2 bedroom units and 2 No. 1 bedroom unit. In terms of design the proposal shows a mix of two and a half, two, and single storey detached and semi-detached and properties. Some of the units utilise the loft space for additional accommodation.

Several amendments have been received through the process of the planning application to improve the layout and relationship with neighbouring properties, in response to comments raised by consultees or third parties.

In terms of the general layout, the main adopted road into the site from Grimston Road gives way to narrower cul-de-sacs within the site, and there is a central area of open space as a key landscaping feature. There is also a landscaping strip along the eastern boundary, where it borders the larger part of the Knights Hill site, and this helps facilitate a dog walking loop around the estate as well as providing a green buffer.

Given that the site is between existing residential development to the north, south and west there are only limited public views of the development. The public views will be those glimpsed from Grimston Road and the currently open site to the east, which now has outline consent for housing. The entrance into the site has small open areas either side of the access road, with areas of grass and landscaping, which will enhance the characteristics of the street scene. This accords with the provisions of SWNP Policy E4 relating to visual impact.

Boundary treatment is predominantly vertical timber, close boarding fencing and bin storage areas have been incorporated on the plans.

The Parish Council originally objected to the proposal in terms of the location of the affordable housing units and design elements. However, the applicant has amended the plans in response to comments received during the consultation period.

At outline stage the issue of the number of units proposed was higher at up to 60 units. The revised plans have reduced the number of units to 54 to accommodate the open space and planting around the site. The submitted, amended layout now shows that this number of units can fit onto the site whilst retaining the characteristics of the area.

Policy DM15 refers that the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.

SWNP Policy H2 encourages high quality design and it is considered the proposed scheme achieves the criteria in this policy.

It is considered that, in terms of appearance, layout and scale the proposal will not detrimentally affect the form and character of development in the locality and conforms to national and local policy on design, including Policy DM15 and relevant SWNP policies.

### **Impact upon AONB and Visual Amenity**

The nearest boundary of the Norfolk Coast (AONB) is on the northern side of Grimston Road, on the opposite side of the road from the access into the site. This is the narrowest part of the site and where the vehicle access is proposed. The site then widens out behind the properties No. 144 to 166 Grimston Road.

Due to the topography of the site and the position of properties along Grimston Road views of it are limited from the AONB. For this reason it has not been necessary to seek a Landscape Visual Impact Assessment (LVIA), for this proposal.

The site is therefore well screened from public view and also from longer views from public areas. Accordingly there are no concerns regarding visual amenity and impact on the wider landscape and scenic beauty of the nearby AONB.

### **Impact upon Designated Heritage Assets**

There are several heritage assets and their settings within the surrounding area, including the Knights Hill Hotel (Grade II listed Rising Lodge) to the north-east, Castle Rising Castle (Scheduled Monument and Grade I listed building) and Church of St Lawrence, Castle Rising (Grade I listed) to the north, and the remains of Church of St James (Scheduled Ancient Monument and Grade I listed) and a Saxon and medieval settlement (Scheduled Monument) to the south.

The proximity and implications of residential development on this site upon these heritage assets was considered at outline application stage. Previously the impact of the proposed development was considered upon the setting of Rising Lodge, which is now the Best Western Hotel and spa known as Knights Hill Hotel, and Castle Rising Castle as these are the nearest listed buildings to the site.

The site is some distance from both Rising Lodge (0.6km) and Castle Rising Castle (2km).

With regard to Castle Rising Castle the main body of the Castle is 24m x 21m wide and 15m high. The closest datum point is set at 26.6m above sea level. The height of the castle is approximately 41m above sea level and is estimated to stand about 4m above the highest point of the surrounding earth works.

Between is a hill which is approximately 42m above sea level. There is also a copse of trees on that hill and a wide tree line (approx. 300m deep) adjacent to the Golf Course. As a result, the site is visually hidden from the Castle and Castle Rising conservation area.

With regard to Rising Lodge this is now the Best Western Knights Hill Hotel and Spa and consists of four main areas. The hotel accommodation with 79 bedrooms, the Garden Restaurant, The Farmers Arms Inn, Imagine Spa, Swimming Pool, and leisure club, and Knights Barn. Knights Barn is the largest of the buildings and is the conference, banqueting and exhibition centre.

Rising Lodge forms part of a large collection of buildings and is isolated by the fact that it is sited on the roundabout junction with A148/A149 and open fields. Existing residential dwellings in a linear pattern start about 500m from the asset on the A148 Grimston Road. This application site is separated from the asset by the field and an additional two parcels of land which has well established mature tree lines to their boundaries forming two bands of trees between the site and Rising Lodge. The lodge is approximately 51m above sea level and the ground slopes gradually down towards the site (32m at its highest point) and continues to slope away.

Members will be aware that the implications of the larger element of the Knights Hill development upon these heritage assets were discussed at length at the Public Inquiry into the appeal of the refusal of application 16/02231/OM. After due consideration the Planning Inspector found that the harm to heritage assets was found to be less than substantial. Further, in line with paragraph 193 of the NPPF, the benefits of the appeal scheme were collectively sufficient to outweigh the identified 'less than substantial' harm to heritage assets that were identified.

Given that this site sits near the edge of suburban development, that this proposed development will not encroach any closer than what has already been established, and the proposed development is of no greater scale or height than that in proximity, it is not considered the proposed development will impose upon the setting or cause substantial harm.

The impact of this development upon designated and non-designated heritage assets has been considered. The submission of the details in connection with this reserved matters application does not give rise to any change to this opinion at outline stage and that, in line with paragraph 193 of the NPPF, the benefits of the scheme are collectively sufficient to outweigh any identified 'less than substantial' harm to heritage assets.

Historic England makes no comment on this reserved matter application.



## **Highway issues**

The outline application showed an indicative single access point into the site from Grimston Road. Detailed plans show that the required visibility can be achieved.

The Highways Officer raises no highway safety objection to this access point.

Policy E4.1 requires a new road from north to south providing access to the new dwellings, a new roundabout junction with Grimston Road and also a second access point. As the larger part of the site, application 16/02231/OM is proposing a new roundabout on Grimston Road.

At the Planning Committee meeting which determined the outline application in June 2018, Members may recall that a vehicular link road connection with the larger site was not supported and Members amended condition 32 removing the need for a vehicular link, instead referring to just a pedestrian and cycle link.

The site plan shows a cycle and pedestrian link through to the larger site, located at the south east corner of the site. The provision and implementation of this link is already covered within condition 32 of the outline consent.

An adopted highway is shown to run towards the boundary at the north eastern corner of the site. It stops short of the boundary, with no direct vehicular link through to the larger site.

Parish Council and third party concerns have been made to this layout providing a link road through to the larger Knights Hill site. However, it is confirmed that the highway does not provide a link between the two sites, as this was shown not to be necessary during consideration of applications on both sites.

During the course of the application the Highways Officer has made several comments regarding the layout and has provided a list of required changes in order to comply with highways standards. The applicant has amended the plans to include these requirements.

As a result of the amendments there are no outstanding highway safety issues.

## **Ecology**

The outline application was supported by a Preliminary Ecological Appraisal and Phase 2 Ecological Impact Assessment and planning conditions relating to ecology are already in place on the outline consent (conditions 26 – 29).

The Ecological Impact Assessment (enims, 2016) highlighted the presence of small numbers of common lizard and grass snake within the site.

The European Habitats Directive (the Directive) prohibits activities such as the deliberate capturing, killing or disturbance of protected species, subject to derogation in specific and limited circumstances. These requirements are enforced in England and Wales by the Conservation of Habitats and Species Regulations 2010 (the Regulations) and any derogation is regulated and overseen by a system of licensing administered by Natural England (NE).

In exercising its functions, including determining planning applications, a Local Planning Authority (LPA) is required to have regard to the requirements of the Habitats Directive in so far as they may be affected by the exercise of those functions. It is not the role or responsibility of the LPA to monitor or enforce NE's obligations under the Regulations. However, if a development proposal could potentially result in a breach of the Directive, the

LPA is required to form a view on the likelihood of a licence being granted under the Regulations by NE in order to fulfil its own obligation to have regard to the Directive requirements.

At outline stage the LPA concluded that there is the possibility that reptiles are present and that if development were to proceed there is the possibility of a breach of the Directive. Therefore the LPA undertook the test of derogation and formed the view that, from the information submitted to it Natural England would not be unlikely to grant a derogation licence under the Regulations in relation to this development and that planning permission should not be refused for this reason.

Accordingly, a planning condition imposed on the outline consent (condition 29) required a Reptile Mitigation Method Statement to be produced for approval by the Local Planning Authority prior to any works starting on-site.

The measures proposed in the submitted Reptile Mitigation Method Statement will be undertaken between the months of April and September only, when reptiles are active. These measures include the marking out of protected areas and woodpiles, hand searches prior to site clearance, controlled cutting of grassland and temporary amphibian fencing if required.

Third party concerns regarding common lizards and protected species are therefore noted, but conditions are already in place regarding works on site and protected species.

## **Trees**

The site is mostly grassed with trees and hedgerow to the majority of the boundary. There are some significant trees to the eastern boundary of the site.

At outline stage the Arboricultural Officer raised no objection to the proposal but requested a tree survey. This has been provided along with a landscaping schemes and details.

The Arboricultural Impact Assessment & Method Statement submitted in support of the application includes a survey of the trees on site, their condition and works required.

This report highlighted the removal of T4-T6, T9-T12 and G1 to accommodate the layout. Of the removals three individual trees are of good value Category B, and as such should be replaced on a 5 for 1 basis. Other removals are of low or poor value and their removal will have no effect on the arboricultural or landscape value of the site.

Overall, this report concludes that the proposal requires minimal removals to accommodate the layout and as such has minimal impact on the arboricultural value of the site. Provided the construction adheres to the tree protection measures as recommended in the report the proposal will have no material effect upon the health of those trees to be retained or to their overall value.

The report recommended a landscape plan be submitted that must show the replacement planting to mitigate the loss of the three Cat B trees (T10-T12) on a 5 for 1 basis.

The Landscape Plan (Drawing No. 1840 09 rev D) shows the opportunities around the site for open space and for new tree planting. The recommended new tree planting can be accommodated satisfactorily within the site.

The Arboricultural Officer raises no objection to the proposal on this basis.

The submitted landscaping details show that the development incorporates elements of soft planting that will enhance the character of the area and accord with the provisions of national guidance and local plan policy with regard to good design. The submitted details accord with the provisions of SWNP Policies E1, E4 and E5.

### **Open Space**

With regard to open space, 0.29ha (2900 m<sup>2</sup>) of open space would be required across the development split between 70% amenity space and 30% equipped play areas in accordance with Policy DM16 of the Site Allocations and Development Management Policies Plan 2016. However, Policy E4.1 and the findings of the HRA and EIA require an enhanced open space provision. At outline stage condition 31 was added which requires that the develop needs to demonstrate that the on-site open space provision is over and above the minimum open space standards.

In this regard the developer has provided a site plan which shows that the site can accommodate the number of houses, infrastructure, drainage etc. as well as open space and a running/dog walking circuit. The play area (LAP) has been redesigned following discussions with the open Space Officer.

The applicant has demonstrated, through the site layout plans and also within the land use calculations, that the onsite open space provision exceeds the minimum standards. In this regard the scheme complies with Policy S3 of the SWNP.

Maintenance arrangements will be secured through the requirements of the S106 Agreement.

### **Neighbour Amenity**

Third Party representations have raised concern about being overlooked, particularly from two storey properties where bungalows were shown at outline stage through an indicative site plan.

Careful consideration has been given to the impact of the development on the amenity of the occupants of neighbouring properties, including taking into account the change in levels across the site. The relationship between the development proposed and neighbouring properties has been examined and the impact upon the amenity of the occupants of these properties has been assessed. Consideration has been given to overlooking, overshadowing and whether the development would be overbearing.

The nearest properties to the north are residential properties on Grimston Road that back onto the site. These properties have very long gardens and many have existing hedging along the southern boundary. Concern has been raised by residents of some of these properties about overlooking from the two storey properties proposed in the northern part of the site, especially as bungalows were shown on the indicative site plan at outline stage and the ground levels are higher at this point.

However, two storey properties are not unusual in this area and they would not be out of keeping. The depths of the rear gardens and the distance between windows of the existing and proposed properties is such that there would be no significant concerns over lack of privacy as it would not be possible for one occupant to view directly into the windows of an adjoining property.

Similarly, the distances mean that there are no amenity concerns about the proposed new properties resulting in overshadowing or loss of light. It is considered this relationship is acceptable in terms of neighbour amenity.

To the west of the site are detached bungalows along Ennerdale Drive. The ground levels rise at this point from west to east. These properties have planting along the boundaries of the application site. The plans show the retention and improvement of hedging within the site along this boundary. The proposed new dwellings along this part of the site are shown to have 10m deep rear gardens. The distances mean that there are no amenity concerns about the proposed new properties resulting in overlooking overshadowing or loss of light. It is considered this relationship is acceptable in terms of neighbour amenity.

To the south of the site are the properties on Ullswater Avenue. These properties have planting along the boundaries of the application site. The plans show the retention and improvement of hedging within the site along this boundary. The proposed new dwellings along this part of the site are shown to have rear gardens in excess of 10m deep. The distances mean that there are no amenity concerns about the proposed new properties resulting in undue overlooking, overshadowing or loss of light. It is considered this relationship is acceptable in terms of neighbour amenity.

During the course of the application third parties were concerned about access to the existing hedging along the site boundaries and the need to gain access for maintenance purposes. Initial plans showed these areas to be outside the gardens of the proposed properties and accessible as open space. However, concerns over the long-term maintenance of these corridors and security issues relating to lack of surveillance resulted in their removal. Incorporating the established hedging into each property garden is considered the best way for their long-term maintenance.

Issues over access to the site for maintenance purposes would be a private matter between private land owners and not a planning consideration.

Overall the amended plans are welcomed and it is not considered there will be a significantly detrimental impact upon the amenity of the occupants of the neighbouring properties in terms of overlooking, being overshadowed or the proposed dwellings being over bearing, as a result of this proposal.

### **Affordable Housing**

In accordance with Policy CS09 of the adopted Core Strategy (2011), 20% provision of affordable housing is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha. In this instance, based on a development of 54 dwellings, 11 affordable homes are shown to be provided.

The breakdown of units is referred to in the application summary above. In accordance with policy CS09 70% (8 units – Plots 9-12, 23-24,51-52) are for affordable rent and 30% (3 units = Plots 7,8 and 18) are Help to Buy units.

The affordable housing mix and the size of the units has been amended following consultation with the Housing Development Officer, who now supports the scheme.

The units are positioned in three clusters around the site and are not distinguished separately from the market housing. The proposal accords with housing policy and good practice regarding pepper-potting. The amended layout now addresses all initial Parish Council and third-party concerns.

The S106 legal agreement relating to the outline consent will ensure the affordable units are delivered and retained.

### **Flood Risk and Drainage**

Third party representations are concerned about local drainage issues.

However, flood risk and drainage were considered at outline stage and there are conditions in place for the details of the drainage system to be submitted and agreed prior to the commencement of works (conditions 12 & 13).

The applicant has provided details of foul and surface water drainage as part of this reserved matters application, following additional on-site infiltration testing. The development will utilise infiltration through the permeable sub-base of the private shared driveways (Drive 1, Drive 3 and Drive 4). The remaining areas will be drained conventionally into a surface water sewer system which is attenuated prior to discharging off site.

It is proposed that the surface water sewers will be offered for adoption by the approving drainage authority, Anglian Water, via Section 104 agreements (Water Industry Act) which serves both private dwellings and the highway drainage network. Further development of the design to a suitable level for approval by Anglian Water, as Statutory Undertaker, to adopt the system will be completed during the subsequent project stages.

The elements of highway drainage which will not be adopted by Anglian Water via the Section 104 (Water Industry Act) are proposed to be offered for adoption to Norfolk County Council via a Section 38 (Highways Act) agreement, which will be sought for the adoptable estate roads.

Having now set finished floor levels for the development and further investigated the existing Anglian Water public foul sewer which crosses the site frontage within the development boundary, it has been confirmed that a gravity connection is possible to service all of the plots. This connection will be formed by the construction of a new chamber onto the existing public sewer. It was advised at the outline planning stage that the existing Anglian Water foul water system has suitable capacity to accept development foul water flows. The details and implementation of this area is already secured through condition 12 of the outline consent.

The future management and maintenance of any Suds features is already secured in the S106 agreement and through condition 13 of the outline consent.

### **Contamination**

At outline stage the Geo Environmental Desk Study identified potential asbestos containing materials in two locations on the site and suggested surface sampling in those areas and targeted analysis for asbestos.

However, after assessing the historic maps for the site the Environmental Quality Officer noted that structures which could potentially be the source of the contamination were placed across the entire site. Additionally, given that the purpose of the structures is unknown at this time it is not considered appropriate to limit the assessment to asbestos. The bungalow at the entrance may also contain asbestos containing materials.

Accordingly, the Environmental Health Officer requested full contamination conditions at outline stage.

The applicant has now submitted sufficient evidence to demonstrate that the asbestos has been appropriately removed and no more information is required in regard to asbestos.

Conditions are, however, already in place relating to unexpected contamination and measures to be taken if this is encountered during construction. Parish Council and third-party comments relating to contamination are noted, but have already been addressed. There is no need for additional planning conditions to be imposed at reserved matters stage.

### **Air quality**

At outline stage the Environment Quality Team raised concerns over air quality issues and an air quality impact assessment (AQIA) was subsequently submitted.

The AQIA assessed the potential for air pollution due to additional traffic movements and dust from construction. It concluded that the increase from traffic will be negligible. The Environment Quality Team considered that based on the AQIA it is unlikely that the air quality standard will be exceeded at this location due to additional traffic.

The AQIA also considered possible dust emissions during the construction phase of the development proposal. Mitigation measures were recommended in the report to limit the impact of the construction. Based on the findings of the AQIA the Environment Quality Team considered the potential impact from construction dust should be minimal when using the recommended mitigation measures. I

This element is already covered by planning condition and addresses any third-party concerns raised during this current application.

### **S106 matters**

At outline planning stage a S106 was signed relating to the provision of affordable housing, the management and maintenance of open space and the management and maintenance of SuDS features in the form of a SuDS Management Plan.

### **Other matters**

Consideration has been given to crime & disorder, and the layout has been amended to ensure the revised loop around the estate is subject to surveillance, as is the other open space on the estate. There are no other crime and disorder issues related to the development.

Condition 13 of the outline consent already requires details of the installation of fire hydrants and their installation prior to the use of the development. These are shown to be provided and their position is shown on the submitted site plan.

Third party comment has been raised to the principle of residential development on this site and the impact upon infrastructure and services, including doctors and dentists. However, these issues were considered at outline stage and this application seeks only to agree the details of the already approved residential development.

Third Party comments has been made as to why additional housing is required when existing new properties have not yet sold. However, that is not a reason to object to the application, and in addition the permission has already been granted outline permission.

## CONCLUSION

The site already benefits from a valid outline consent for up to 60 dwellings, although this application shows a layout with 54 dwellings. The matters of access, appearance, scale, layout and landscaping are considered under this current reserved matters application.

The proposal shows a good mix of dwellings, incorporating the required amount of affordable units, pepper-potted across the site. The layout demonstrates that this number of dwellings can fit within the site without having a detrimental impact in respect of form and character or neighbour amenity. The design and appearance is sufficiently in keeping with surrounding development.

A large number of conditions are already in place on the outline consent (32), including the requirement to submit details of further survey work with regard to reptiles and appropriate mitigation measures put in place prior to the commencement of works.

There is already a S106 agreement in place that will secure the affordable housing and SuDs (management and maintenance).

In light of the above, it is considered that the proposal complies with the provisions of the NPPF and local plan policy, particularly CS06, CS08, CS09, CS12, DM15, DM16 and DM17, as well as policies H2, H9, S5 and T4 of the South Wootton Neighbourhood Plan, and that reserved matters approval may be granted subject to the additional condition below.

## RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos:
  - Drawing No. 1841 01 Location and Existing Site Plan
  - Drawing No. 1841 03 Rev E Proposed Site Plan
  - Drawing No. 1841 04 Rev D Proposed Master Plan in Context
  - Drawing No. 1841 05 Rev A Storey Height Function Map
  - Drawing No. 1841 06 Rev A Space Planning Areas
  - Drawing No. 1841 07 Rev A Plot Areas and Vehicle Parking Plan
  - Drawing No. 1841 08 Rev A Construction Site Set up
  - Drawing No. 1841 09 Rev D Landscaping Plan
  - Drawing No. 1841 10 Rev A H1 Ground and First Floor Plans
  - Drawing No. 1841 11 Rev A H1 Elevations
  - Drawing No. 1841 12 Rev A H2 Ground Floor Plans
  - Drawing No. 1841 13 Rev A H2 Elevations
  - Drawing No. 1841 14 Rev A H3 Ground and First Floor Plans
  - Drawing No. 1841 15 Rev A H3 Elevations
  - Drawing No. 1841 16 Rev A H4 Ground Floor Plans
  - Drawing No. 1841 17 Rev A H4 Elevations
  - Drawing No. 1841 18 Rev A H5 Ground and First Floor Plans
  - Drawing No. 1841 19 Rev A H5 Elevations
  - Drawing No. 1841 20 Rev A H6 Ground and First Floor Plans
  - Drawing No. 1841 21 Rev A H6 Elevations
  - Drawing No. 1841 22 Rev A H7 Ground and First Floor Plans
  - Drawing No. 1841 23 Rev A H7 Elevations

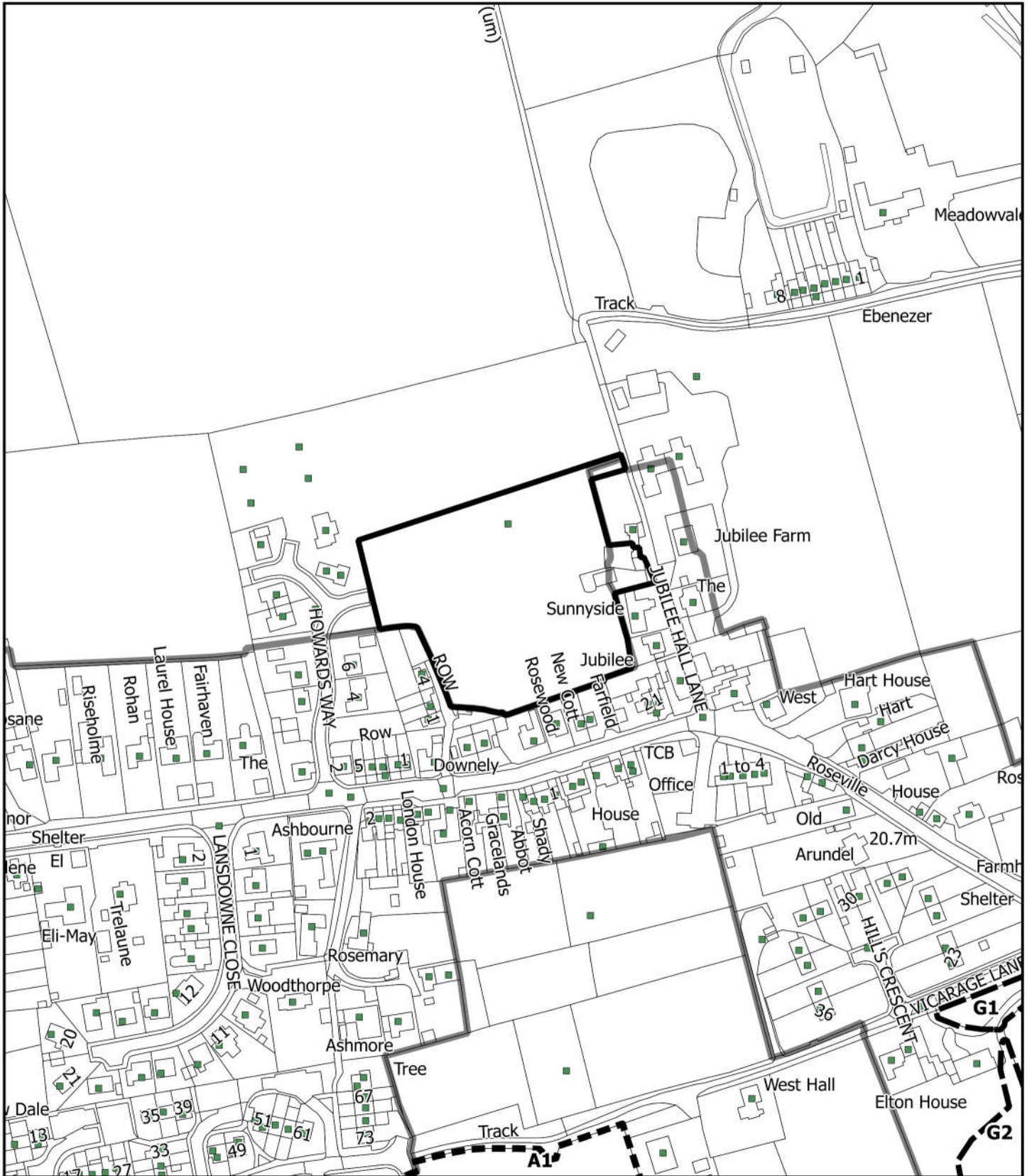
- Drawing No. 1841 24 Rev A H8 Ground and First Floor Plans
- Drawing No. 1841 25 Rev A H8 Elevations Proposed Site Plan
- Drawing No. 1841 26 Rev A H9 Ground, First and Second Floor Plans
- Drawing No. 1841 27 Rev A H9 Elevations
- Drawing No. 1841 28 Rev A H10 Ground, First Floor Plans
- Drawing No. 1841 29 Rev A H10 Elevations
- Drawing No. 1841 30 Rev A H11 Ground Floor Plans
- Drawing No. 1841 31 Rev A H11 Elevations
- Drawing No. 1841 32 Rev A H12 Ground First and Second Floor Plans
- Drawing No. 1841 33 Rev A H12 Elevations
- Drawing No. 1841 34 Rev A H13 Ground and First Floor Plans
- Drawing No. 1841 35 Rev A H13 Elevations
- Drawing No. 1841 36 Rev A H14 Ground and First Floor Plans
- Drawing No. 1841 37 Rev A H14 Elevations
- Drawing No. 1841 38 Rev A H15 Ground and First Floor Plans
- Drawing No. 1841 39 Rev A H15 Elevations
- Drawing No. 1841 40 Rev A H16 Ground and First Floor Plans
- Drawing No. 1841 41 Rev A H16 Elevations
- Drawing No. 1841 42 Rev - H17 Ground and First Floor Plans
- Drawing No. 1841 43 Rev - H17 Elevations
- Drawing No. 1841 44 Rev A H18 Ground and First Floor Plans
- Drawing No. 1841 45 Rev A H18 Elevations
- Drawing No. 1841 46 Rev A Single Garage Plans and Elevations
- Drawing No. 1841 47 Rev A Double Garage Cartlodge Plans and Elevations
- Drawing No. 1841 48 Rev - H19 Ground and First Floor Plans
- Drawing No. 1841 49 Rev - H19 Elevations
- Drawing No. 1841 50 Rev - H20 Ground and First Floor Plans
- Drawing No. 1841 51 Rev - H20 Elevations
- Drawing No. 1841 52 Rev - H21 Ground and First Floor Plans
- Drawing No. 1841 53 Rev - H21 Elevations
- Drawing No. 1841 54 Rev - Double Garage Plans and elevations
- Drawing No. 1841 55 Rev - Single Cartlodge Plans and Elevations
- Drawing No. 1841 56 Rev C Affordable Housing Plan

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



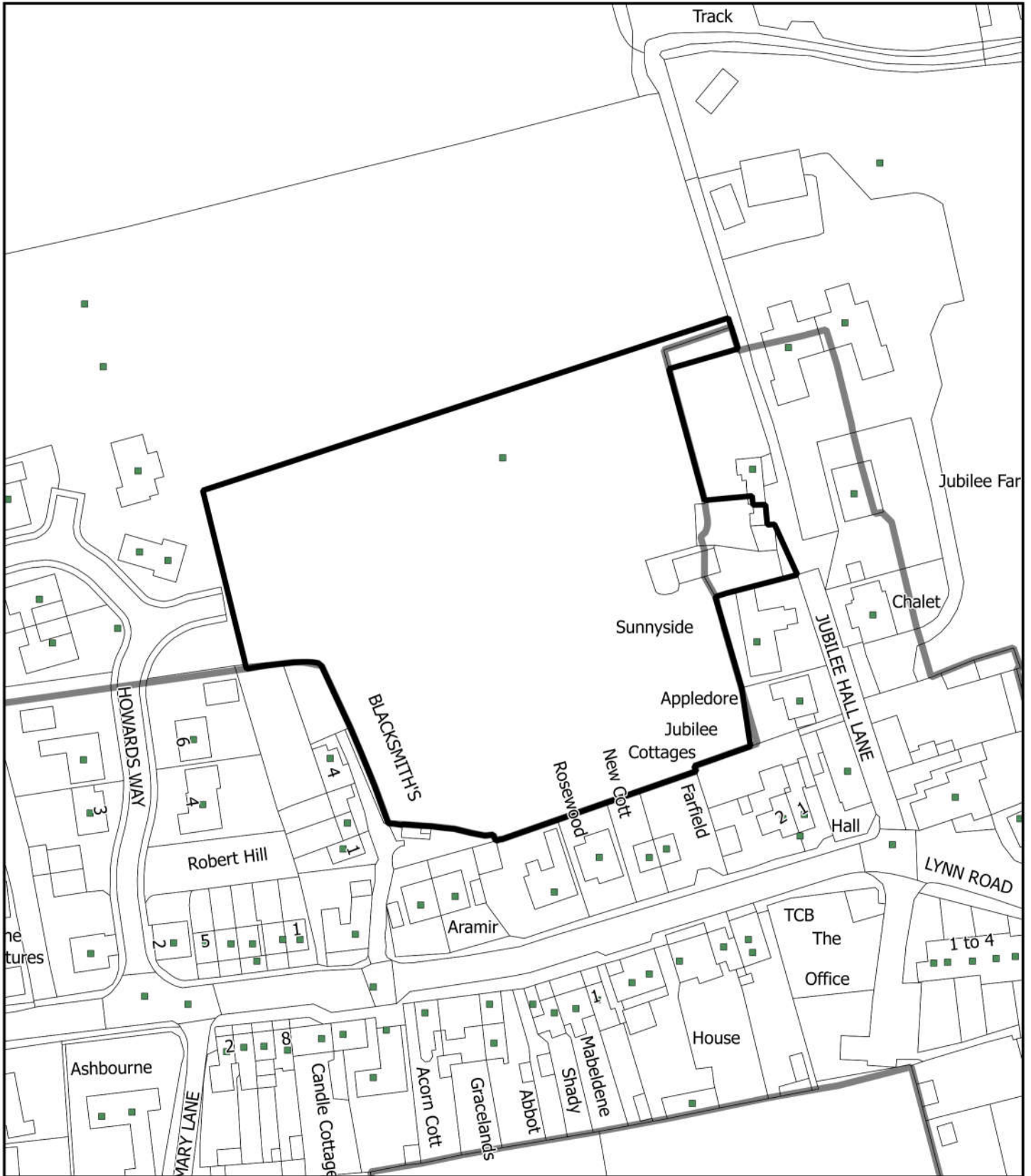
19/01325/RMM

Land NE of Downely Lynn Road Gayton



**19/01325/RMM**

**Land NE of Downely Lynn Road Gayton**



<b>Parish:</b>	<b>Gayton</b>	
<b>Proposal:</b>	<b>Major reserved matters: Construction of 19 dwellings (phase 3)</b>	
<b>Location:</b>	<b>Land NE of Downely Lynn Road Gayton Norfolk</b>	
<b>Applicant:</b>	<b>KMH Builders Ltd</b>	
<b>Case No:</b>	<b>19/01325/RMM (Reserved Matters - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 29 October 2019 Extension of Time Expiry Date: 9 November 2020</b>

**Reason for Referral to Planning Committee** – Parish Council objection and called in by Cllr de Whalley – deferred at Planning Committee of 7 December 2020

**Neighbourhood Plan:** No

**Case Summary**

Outline planning permission was approved on this site in 2016 when the borough did not have a 5 year housing land supply (lpa ref: 15/01776/OM). Outline consent was granted for up to 29 dwellings, with access being the only matter determined at this stage. The approved access is via a single access point onto Lynn Road to the south, known as Howard’s Way. These 29 dwellings are now known as Phases 2 and 3 of the Howard’s Way development.

All other matters, including layout, appearance, scale and landscaping were reserved for later consideration and form the subject of this reserved matters application.

Phase 1 of the Howard’s Way development for 6 dwellings was approved under a separate permission and has been completed and Phase 2 is nearing completion. Phase 2 related to 10 of the 29 dwellings approved under the outline consent referred to above.

This current application therefore seeks reserved matters for the remaining 19 dwellings of the outline consent approved under ref: 15/01776/OM and is referred to as Phase 3.

Gayton, combined with Grimston and Pott Row, is classified as a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy.

The application site lies on the northern side of Lynn Road, Gayton and is approximately 1.01 hectares of the original outline site of 1.63 hectares. The land levels are generally flat.

The outline application was subject to a S106 Agreement to secure an affordable housing contribution, county contributions, open space and SUDS management and maintenance.

Members will recall the determination of this application was deferred at the 7 December 2020 Planning Committee meeting after concerns were raised relating to pepper-potting and design of the affordable housing units, boundary treatments and service roads.

Since this committee meeting a set of amended plans has been submitted, addressing these issues.

### **Key Issues**

- Principle of Development
- Appearance, layout and scale
- Neighbour Amenity
- Affordable Housing
- Highway Safety
- Archaeology and Heritage Assets
- Flood Risk and Drainage
- Landscaping and open space
- Other matters

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

Outline planning permission was approved on this site in 2016 when the borough did not have a 5 year housing land supply (lpa ref: 15/01776/OM). Outline consent was granted for up to 29 dwellings, with access being the only matter determined at this stage. The approved access is via a single access point onto Lynn Road to the south, known as Howard's Way. These 29 dwellings are now known as Phases 2 and 3 of the Howard's Way development.

All other matters, including layout, appearance, scale and landscaping were reserved for later consideration and form the subject of this reserved matters application.

Phase 1 of the Howard's Way development for 6 dwellings has been completed under planning permission ref: 15/00499/F and Phase 2 is nearing completion (ref: 17/02355/F). Phase 2 is 10 of the 29 dwellings approved under the outline consent referred to above.

This current application therefore seeks reserved matters for the remaining 19 dwellings of the outline consent approved under ref: 15/01776/OM and is referred to as Phase 3. In total the 3 Phases would provide 35 dwellings.

Gayton, combined with Grimston and Pott Row, is classified as a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy.

The application site lies on the northern side of Lynn Road, Gayton and is approximately 1.01 hectares of the original outline site of 1.63 hectares. The land levels are generally flat.

The outline application was subject to a S106 Agreement to secure an affordable housing contribution, county contributions, open space and SUDS management and maintenance.

The site layout provides for 19 dwellings. This would result in a density of 19 dwellings per hectare.

Since the 7 December 2020 Planning Committee meeting a set of amended plans has been submitted, addressing the issues raised by Members.

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The following amendments have been made:-

- The terrace of 3 affordable housing units have been changed to a pair of 2 bedroom semi-detached dwellings with car port ( Plots 16 & 17) and a single detached 3 bedroom dwelling with garage (Plot 29)
- Provision of car port and separate drive to plots 16 and 17
- Plots 12, 15, 18, 20 & 28 amended too Type 3A house design
- Refuse collection points added at entrance to private drives
- Additional trees added
- Hedging shown to fronts of Plots 11-14, 22, 28 & 29
- Verge planting to frontages of Plots 15 – 18, 21 with post and rail fencing
- Mixed native hedging along northern boundary with post and rail timber fence.

The amendments show some changes to the overall house types resulting in the following list of :

12 No. x 4 beds,  
4 No. x 3 beds,  
3 No. x 2 beds

## **SUPPORTING CASE**

The applicant has submitted the following supporting text:

The application site is located to the north east of Downley, Lynn Road, Gayton in a central location to the village. The application seeks approval of Reserved Matters following the granting of Outline Approval by the Planning Committee in March 2016 (Decision dated August 2016). The first phase of this Outline Approval received Reserved Matters approval in August 2018 and this phase is now 85% complete.

The submitted scheme has developed through the application process and is a result of working closely with the planning officers and NCC Highway Authority to improve the special separation with the existing surrounding properties and minimise overlooking and impact on private amenity. The properties are a continuation of the density, style and high standards of quality already being provided in the first phase and the previous developments at the entrance to the site.

The proposal is considered to be compliant with material planning policy at both local and national level.

The site will be the natural progression of the overall development with the utility framework in place and is therefore suitable and available to deliver quality family homes without harm to policy, landscape or amenity.

It is therefore requested that planning permission be granted.

In answer to concerns raised by the previous Planning Committee and Parish Council:-

The frontages of the properties are open and generous with grass seeded areas in addition to the parking /drive areas which can be planted to the preferences of the future residents. The affordable housing requirement for the overall site is for six properties which is provided by a pair of semi detached units (constructed on the previous approved phase), a detached 3 bedroom house & garage, a detached 2 bedroom bungalow and a pair of 2 bedroom semi-

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detached houses with carports shown throughout the scheme as can be seen on drawing no.720C/15-3000H. This shows a reasonable spread of the units interspersed into the development and storage sheds now provided to the units. The detailing and materials used on the units are the same as all the other properties on the development.

The following amendments to the scheme have been made to address the points raised at the Planning Committee:

- The terrace of 3 AHS changed to a pair of 2 bedroom semi-detached dwellings with carports (Plots 16 & 17) and a single detached 3 bedroom dwelling with garage (Plot 29).
- Provision of carport and separate drive to plots 16 & 17 increases plot width and allows properties to be brought forward and increase rear private amenity depth.
- Plot 18 changed to a Type 3A design
- Plots 12,15,18, 20 & 28 changed to a Type 3A design.
- Refuse collection points added at entrances to private drives.
- Additional trees added.
- Hedging shown to frontages of Plots 11-14, 22, 28 & 29.
- Verge planting shown to frontages of Plots 15-18, & 21 with post and rail fencing to allow free movement of wildlife
- Mixed native hedging provide along northern boundary with post and rail timber fence.

Density of the development is similar to the existing density at the entrance of the site and the approved scheme of the first phase and in line with the outline approval for the site.

MG 29.03.21  
720C/15

## **PLANNING HISTORY**

15/01776/DISC\_B: Under consideration: - Discharge of conditions 6, 13 and 21 of planning permission 15/01776/OM: OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Residential development

15/01776/DISC\_A: Discharge of Condition final letter: 08/02/19 - DISCHARGE OF CONDITIONS 7, 8, 10, 17 AND 19: OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Residential development

15/01776/VAR1A: Application Permitted: 05/09/18 - Modification of Planning Obligation, reference LC/S106/16/58 relating to Planning Application reference 15/01776/OM

15/01776/OM: Application Permitted: 03/08/16 - OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Residential development

## RESPONSE TO CONSULTATION

**Parish Council: OBJECTION** - Gayton Parish Council wishes to recommend refusal on the above application. For the following reasons:

There are no boundary treatments, no hedges, no green verges though there is one tree in the property's front gardens. This is not in keeping with a rural village. The affordable houses are all together not interspersed throughout the development and look very different. The affordable houses also do not access to any storage facilities e.g. no garages or storage sheds. The density of the site is not in keeping with the surrounding area, with a density of 18 neighbouring areas of Grimston Road being 14 and Lynn Road being 8 properties per hectare. The Council have asked Cllr de-Whalley to call this application in to allow for the Parish Council and Parishioners to make their comments known.

**Highways Authority: NO OBJECTION** – no further conditions required

**Environment Agency: NO COMMENTS** to make on this application.

**Water Management Alliance: NO OBJECTION** - The site is near to the Internal Drainage District (IDD) of the Kings Lynn Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District ([https://www.wlma.org.uk/uploads/128-KLIDB\\_index.pdf](https://www.wlma.org.uk/uploads/128-KLIDB_index.pdf)) as well as the wider watershed catchment ([https://www.wlma.org.uk/uploads/KLIDB\\_Watershed.pdf](https://www.wlma.org.uk/uploads/KLIDB_Watershed.pdf)).

I am pleased to see that initial testing shows that a drainage strategy reliant on infiltration is likely to be achievable on the proposed development. If for any reason a strategy wholly reliant on infiltration does not prove viable and a surface water discharge is proposed to a watercourse within the watershed catchment of the Board's IDD then we request that this be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible. The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 163 of the National Planning Policy Framework). For further information regarding the Board's involvement in the planning process please see our Planning and Byelaw Strategy, available online.

**Lead Local Flood Authority:** No further comments regarding latest amended plans

No objection - We previously objected to this reserved matters application in the absence of any specific drainage information to support the application. The applicant has now provided a Surface Water Drainage report (Plandescil ref: 24595 Rev 0 dated July 2020). We welcome that Sustainable Drainage Systems (SuDS) had been proposed in the development (via infiltration).

The drainage strategy document submitted states that the surface water runoff from the proposed hardstanding (0.510ha including roofs, drives, and access) will discharge into an infiltration system, which will comprise of the following;

- Surface water runoff from the roofs will be collected in plot/shared soakaways
- Surface water runoff from the highway will discharge into a highway soakaway located in the POS, to the south of the highway.
- The private access and drives will be constructed using pervious techniques.
- Water butts should be provided to each plot.

It is noticed that the half drain times are in excess of 24 hours, therefore to demonstrate that the capacity of the crate system are appropriate, Micro Drainage Design Simulations have been produced, demonstrating that the system has sufficient storage to contain consecutive 1% AEP and 10% AEP rainfall events. A preliminary maintenance and management plan has been provided detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. The Local Planning Authority should note that there are long term practicality issues for maintaining soakaways which potentially could be within the back gardens of properties and not within public open space to allow easy access. They may also wish to consider if permitted development rights are removed to prevent accidental damage to the structures or building over them. The documentation provided now demonstrates that the proposed SuDS features can be accommodated within the development layout. We therefore can remove our objection to this reserved matters application.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** - We assessed the outline application 15/01776/OM for potential air quality and contaminated land concerns. I have reviewed the proposed layout and have no further comments regarding contaminated land.

The proposed dwelling floor plans for house types 1A, 1B and 2A (making up 6 of the 19 dwellings) include a chimney and provision for a solid fuel burner. We therefore recommend the applicant should be aware of our advice on burning wood and coal at [www.west-norfolk.gov.uk/solid-fuel](http://www.west-norfolk.gov.uk/solid-fuel) in order to minimise potential pollution or nuisance for the solid fuel appliances.

**Housing Development Officer: NO OBJECTION** – confirm the proposed affordable units plots 16, 17, 27 & 29 meet the s106 requirements. They are adequately pepper potted throughout the site and the units meet our space standards. I note plot 16, a 2 bed 4 person house is proposed as shared ownership which I am content with. Please note plot 27 the 2 bed bungalow should be wheelchair accessible and should be fitted with a level access shower.

No objection – I have reviewed the affordable housing scheme today. I note that plot 27 is now proposed as a 2 bed 4 person bungalow. I can confirm this unit meets our space standards and have no objections. To meet housing need I would request the bungalow is switched from shared ownership to rent, and one of the end terrace 3 bed units is for shared ownership.

**Natural England:** No comments to make on this application.

**Greenspace/Database Officer: NO OBJECTION-** Gayton Parish Council are in the process of adopting the on-site open space/play. The proposed design, however, indicates a number of additional areas of soft landscaping, such as: landscaping on private driveway; hedges on roadside/pavement edges (i.e. corner of plot 13); grassed area as potential future access to field (labelled no access to paddock);

How will the permanent maintenance of these areas be secured? As a word of caution, such areas that are transferred to individual purchasers, yet outside of the natural curtilage/garden space of the associated property, have a tendency to not be maintained.

No objection - With reference to the submitted landscaping/layout plans, having consulted with my colleagues in Public Open Space, we would like to offer feedback as follows.

We request details of how the equipped play space will be laid out what equipment will be installed; a development of this size would typically provide:



- 1 x significant element of multi-play (suitable for under 8s), delivered to BSEN1176;
- suitable safety surfacing underneath equipment (i.e. resin bound rubber mulch) to BSEN1177;
- 1.2m bow topped fencing to surround – with 1 x pedestrian gate and 1 x combined (partially lockable) pedestrian and maintenance gate (although, in this case, the maintenance gate may need to be completely lockable, to avoid a direct route out onto the roadway);
- concrete wear pads covering the full width of both pedestrian and maintenance gate;
- 1 x bin (crescent style/with lid, i.e. no open top);
- 1 x bench, with concrete wear pad in front & below.

In previous response to consultation, we also recommended that a pedestrian barrier be provided on the roadside edge next to the pedestrian gate.

We would also caution against providing trees within the equipped play space, as they are particularly prone to damage/vandalism and, once established, can cause 'greening' of the play equipment underneath.

We would also query how some of the areas outside of private residences/garden space (but not included in the open space area) are to be managed, for instance:

- shingle in grid matting between plots 26/27 and north of plots 20-22. Presumably this will be the collective responsibility of individual purchasers, but how will this be managed/transferred and responsibility divided up?;
- field/potential future development access – how will this be presented and who will be responsible for future maintenance?.

As previously advised, the Borough Council do not maintain any equipped play space within Gayton Parish. An alternative will need to be sought to secure the permanent maintenance of the open space, in accordance with the s106 agreement.

**Green Infrastructure Officer (Public Rights of Way): NO OBJECTION** - in principle to the application but would highlight that a Public Right of Way, known as Gayton Footpath 2 is aligned adjacent to the proposed site. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

**Norfolk Constabulary Architectural Liaison Officer: NO OBJECTION** to latest amended plans – but commented that the fence height detailed in the fencing specification at 1500mm is too low to be affective for security of side and rear boundaries. 1.8m is the minimum height for this.

No objection but made comments - As the local Architectural Liaison Officer my role within the planning process is to give advice on behalf of Norfolk Constabulary in relation to, the layout, environmental design and the physical security of buildings, based upon the established principles of 'Designing out Crime'.

The layout of this application is disappointing in that it doesn't display the SBD preferred back to back garden design, although it does benefit having a primary vehicle access point.

It is very difficult to comment on the layout as I cannot see from the documentation provided, how this phase interlinks with the existing constructed phases.

If the development eventually provides through access to another phase / further development the increase in permeability will make the site more vulnerable to crime.

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Likewise also placing more vulnerability on the existing phases this development is linked. The SBD approved 'no through route' would provide residents with a feeling of ownership and encourage a feeling of community.

At present the rear boundaries to plots 28, 22, 21 and 20 are exposed. Research shows that up to 85% of burglaries are committed via the rear of the property. Creating a back to back garden design within this development would resolve this vulnerability. It is recommended that all rear fencing across this development to be at a minimum height of 1.8m and of a high standard with a view to privacy, keeping children and animals in and intruders out. Access gates to rear gardens should be a minimum height of 1.8 metres and capable of being locked by key from both sides. Gates should be located on, or as near to the building line as possible.

## REPRESENTATIONS

8 pieces of correspondence received relating to the application referring to the following:-

- object to the need to access my land for drainage
- object to the position of amenity land
- potential 'rat run' at the back of the Lynn Road houses on a narrow strip of land that might be used as a short cut to the chip shop and impact on residents.
- Is Unit 27 an HMO?
- ownership of strip of land behind Lynn Road properties
- moves have been made to lessen the impact upon my property, and for which I am extremely grateful; I have to accept the loss of this lovely paddock.
- potential overshadowing and overlooking of Sunnyside. Can internal rooms be moved to avoid overlooking?
- object to new properties being built in the paddock.
- Blacksmiths Row will be dwarfed by properties on all sides. We will end up as an isolated group of cottages surrounded by towering buildings looking down on us.
- noise from building work which has already been going on for a long time.
- misleading details on plans; a bungalow cannot be the similar height to a two storey property.
- When I built my bungalow, Appledore, next door, it had to be a bungalow to compliment Sunnyside. To have three big two-storey houses close to both bungalows, over powering and intruding on bedroom windows is unfair and intrusive.
- Sunnyside has a small back garden which when this was a paddock, was not a problem, but will be now
- my property will be completely surrounded by footpaths; I enjoy the exercise but not picking up the dog poo & rubbish out of my garden.
- When I first purchased the property it was surrounded by trees and paddocks. In the last 6 years to the east and west I've lost most of them including a large walnut tree located in the paddock on my west boundary.
- The small orchard area to the north of my garden is enjoyed by my children, rabbits, hedgehogs, nesting birds and numerous butterflies and insects. It would be a great shame to put a footpath through it or interfere with it in any way.
- I have a 6ft. high chain-link fence erected to secure my garden on the west and east side but not obscure the view, with phase 3 I have concerns my privacy will be lost.
- The ridge heights of adjoining property, Appledore, is still shown incorrectly and the two storey properties on Plots 19, 20 and 23 are over powering and intrusive.
- I have asked if at least the windows could be placed to avoid overlooking bedrooms in the bungalows

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**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

**DM16** – Provision of Recreational Open Space for Residential Developments

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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

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

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

The main planning considerations in regards to this application are:-

- Principle of Development
- Appearance, layout and scale
- Neighbour Amenity
- Affordable Housing
- Highway Safety
- Archaeology and Heritage Assets
- Flood Risk and Drainage
- Landscaping and open space
- Other matters

## **Principle of Development**

Outline planning permission was approved in 2016 for 29 dwellings on the site under ref: 15/01776/OM. This reserved matters application for 19 dwellings has been submitted in accordance with the details of the outline consent, which approved only the access point into the site.

Gayton, combined with Grimston and Pott Row is classified as a Key Rural Service Centre in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy (2011). The application site lies within an area designated as countryside as defined by the King's Lynn and West Norfolk Site Allocations & Development Management Policies (SADMP) Plan 2016, although it does lie adjacent to the development boundary and developed part of the village.

The site was granted outline consent when the borough did not have a 5 year supply of deliverable housing site as required by paragraph 49 of the NPPF. The reserved matters application was submitted within the correct timeframes of the outline consent and work has been ongoing with the applicant to amend the scheme in response to representations received throughout the public consultation process.

Phase 1 of the Howard's Way development for 6 dwellings, which is in the settlement boundary, is constructed and occupied, and Phase 2, comprising 10 dwellings, is nearing completion. This part of the site is known as Phase 3 of the larger development (19 dwellings).

Accordingly, the site already benefits from outline planning permission where 10 of the approved number of units have already been approved and are under construction. This application seeks approval of the outstanding reserved matters, (namely appearance, landscaping, layout and scale) for the remaining 19 units.

### **Appearance, layout and scale**

The application site lies on the northern side of Lynn Road, Gayton, is approximately 1.01 hectares in area and is generally flat. The site lies to the north of existing residential properties fronting Lynn Road and to the west of properties on Jubilee Hall Lane. Part of the site adjoins properties on Blacksmiths Row to the south west corner of the site.

Vehicle access to the site is already in place via Howard's Way. There is a pedestrian public footpath which runs close to the eastern boundary of the site. This is a public right of way and will remain unaffected by the proposal.

The site is bounded to the west by Phase 2 of the development and to the north are open fields.

The form and character of the locality is characterised by a mixture of detached, semi-detached and terraced, single and two storey dwellings of various ages and designs. Howard's Way is characterised by detached and semi-detached 2 storey dwellings with a row of terraced houses to its entrance on Lynn Road.

The development proposes 12 No. 4 bedroom units, 4 No. 3 bedroom units and 3 No. 2 bedroom units. In terms of design the proposal shows a mix of one and two storey detached and terraced properties.

Several amendments have been received through the process of the planning application to improve the layout and relationship with neighbouring properties, in response to comments raised by consultees or third parties.

Four units are proposed to be affordable houses, in accordance with policy, and these are pepperpotted across the site

These do not exceed the maximum cluster size of 4 dwellings, as set out in the Affordable Housing Policy document (2011).

The plans show the use of brick as the predominant external material for the properties and clay pantiles are shown to the roofs. Design details take reference from traditional buildings found in the village and include chimney stacks and gabled porches.

Boundary treatment includes a mix of low timber fencing to the front gardens and 1.8m close boarded timber fencing to rear gardens. Hoop top fencing is shown around the play area.

Given that the site is between existing residential development to the east, west and south, there are only limited public views of the development. The public views will be primarily from the public footpath to the west.

The Parish Council has objected to the proposal saying there are no hedges or green verges although acknowledges that there is a tree to each front garden. They claim that the density is not in keeping, stating that Grimston Road is 14 per hectare and Lynn Road is 8 properties per hectare.

At outline stage the issue of the number of units on the site and the resulting density was considered to be acceptable. The submitted, amended layout now shows that this number of units can fit onto the site whilst retaining the characteristics of the area. The front garden of each property allows for the parking and turning of vehicles and also for a degree of planting to soften the frontages. This is in the same manner as for the 16 houses already constructed in Howard's Way and is therefore not out of keeping.

In terms of density figures, some parts of Lynn Road have a higher average density than the figures quoted by the Parish council, whilst other sections will be lower. In terms of density the proposal is similar to the 2 phases already approved and constructed and is not out of keeping for this development.

Policy DM15 refers that the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.

In response to comments made at the Planning Committee meeting in December last year, changes to the layout have been made which results in a more sympathetic setting and amendments have been made to enhance the degree of planting and hedging across the site.

It is considered that, in terms of appearance, layout and scale the proposal will not detrimentally affect the form and character of development in the locality and conforms to national and local policy on design, including Policy DM15.

### **Neighbour Amenity**

Third Party representations have raised concern about being overlooked.

Careful consideration has been given to the impact of the development on the amenity of the occupants of neighbouring properties. The relationship between the development proposed and neighbouring properties has been examined and the impact upon the amenity of the occupants of these properties has been assessed. Consideration has been given to overlooking, overshadowing and whether the development would be overbearing.

The nearest properties to the south are properties which front Lynn Road. The garden depths of properties along the southern part of the site have been increased following officer concern about neighbour amenity issues. These amendments increase distances between properties by another 3-4 metres so that distances between the two storey elements of the proposed new dwellings and the rear garden boundary are in excess of 10m deep. It is now considered this results in a satisfactory relationship with the existing dwellings.

The relationships with the properties on Jubilee Hall Lane to the east have been examined and, again, improvements have been made to increase distances between the existing and proposed properties. The dwelling on Plot 19 has been set at an angle and pulled away further from the plot boundary to improve the relationship with the existing and proposed adjoining properties, Sunnyside, Orchard Cottage and plot No. 20. The dwelling on Plot 23 has been re-designed to move the two storey element further away from the boundary with Sunnyside by approximately 3m so there is now a space of 10m.

Also the proposed dwellings on Plots 19 and 23 have been re-sited within the plots to improve the relationship in terms of overlooking and improve the impact upon light entering windows of neighbouring properties.

At the western end of the site the relationship has been examined with properties on Black Row. The property shown to be nearest these dwellings is a 2 bedroom bungalow. Details provided on ground levels indicate that there should be no significant neighbour amenity issues through overlooking, loss of light or overshadowing. There will be a distance of at least 6m between the bungalow and No. 4. There will be some over shadowing from the bungalow roof at certain times of the day, but not considered to be so significant to warrant refusal of the proposal.

These amendments have responded to third party neighbour comments and officer concerns. Third party concern about properties on Blacksmiths Row being dwarfed by properties on all sides are noted, but the nearest property is shown to be a bungalow.

Overall the amended plans ensure there will be no significantly detrimental impact upon the amenity of the occupants of the neighbouring properties in terms of overlooking, being overshadowed or the proposed dwellings being over bearing, as a result of this proposal.

### **Affordable Housing**

In accordance with Policy CS09 of the adopted Core Strategy (2011), 20% provision of affordable housing is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in areas in the rural areas such as Gayton. In this instance based on a development of 19 dwellings, 4 affordable homes are shown to be provided.

The affordable units are Plots 16, 17, 27 and 29. Plots 16 and 17 are both 2 bedroom units and Plot 29 is a 3 bedroom unit. Plot 27 is a 2 bedroom bungalow. The size of the units and tenure reflects the affordable housing requirements of the area and have been amended in line with requests from the Housing Development Officer.

Members will recall that the previous plans showed a terrace of three properties, where the affordable units were the only terraced properties in the development. Members were

concerned that they were conspicuous and requested they be better assimilated into the overall residential development.

In response to this the terrace of three dwellings has now been replaced with a pair of semi detached dwellings and a detached unit. This not only fits in better with the layout of the whole scheme, it also allows more spacing around each unit so that the affordable units are no longer apparent in the street scene. Car ports have now been added to each of the semi-detached units, which again, is more in keeping with the designs of the surrounding market houses.

The applicant has submitted a layout scheme of the affordable units across the wider Howard's Way site. This shows that the units are positioned across the site and not located all in one place. Two semi-detached dwellings are shown to be provided in Phase 2 (Plots 9 and 10), and the additional pair of semi detached and two detached houses in this phase give a good mix of house types and variety.

None of the affordable house locations exceed the maximum cluster size as set out in the Affordable Housing policy (2011), which is four dwellings on a site of this number of dwellings for 20% affordable housing provision. The applicant has taken their layout advice from this policy and demonstrated that the proposal accords with this and good practise regarding pepper-potting.

The S106 legal agreement relating to the outline consent will ensure the affordable units are delivered and retained.

The Housing Development Officer supports the scheme as amended.

For this reason the concerns of the Parish Council regarding the location and appearance of the affordable housing units are not shared.

### **Highway safety**

During the course of the application the Highways Officer made several comments regarding the layout of the scheme and technical issues, and amended plans have been submitted in response.

Following these revisions the Highways Officer raises no highway safety objection to this new layout or its design, as amended.

Each unit has the required amount of parking spaces, provided as garaging or spaces and for those dwellings.

### **Archaeology and Heritage Assets**

The Historic Environment Service confirmed at outline stage that no archaeological work will be required.

At outline stage the impact of the proposal upon heritage assets was considered fully. The National Planning Policy Framework requires that the significance of affected heritage assets is explained and the degree of harm caused by the proposal be properly explained

The submitted Heritage Statement at outline stage provided an appraisal of the heritage assets which could be affected by the proposal and assessed the significance in accordance with the policies contained in the NPPF. This identified the principal heritage asset which might be affected by the proposal as the scheduled ancient monument known as Medieval

and early post-medieval settlement remains 570m west of Jubilee Farm (monument no. 1019339). The Statement identified that other monuments in the vicinity are too far away to be affected. So too are the sites of limekilns (NHER 12552 & 12763), which are non-designated heritage assets.

The Heritage Statement concluded that the monument comprises undulations in a pair of fields, which clearly indicate the presence of archaeological remains. The setting owes much to the connection with the open countryside and the manner in which that setting is experienced.

Overall, however, it was considered at outline stage there were wider public benefits through the contribution towards the Borough's housing land supply and there was 'clear and convincing' justification in terms of public benefit. It was found that the proposal accords with the provisions of paragraph 134 of the NPPF and Policy CS12 of the Core Strategy.

It was noted that the impact upon the scheduled monument could again be assessed at reserved matters stage when Historic England considered that soft boundary planting to the boundary and the scale of development to the northern and western part of the site could also be more fully explored at this stage.

However, the comments of Historic England at this time referred specifically to the sensitivity of the western part of the site, which is the part of the larger site that is closest to the heritage assets which lie west of the wider outline application site. This is land that forms Phase 2 of the Howard's Way development that has already been considered at reserved matters stage and now largely constructed. They had no objection to some development of the more southern parts of the site, including this current application site.

This Phase 3 part of the outline site, currently being considered, does not project as far to the north or west than the Phase 2 development. It is shielded from direct view of these heritage sites by the Phase 2 development and it is not possible for it to be 'experienced' in the landscape from these historic sites.

As it is separated from the fields by existing development, this proposal has very little impact upon the identified heritage assets listed above. Historic England's earlier concerns about heights of the development are noted. However, the development is of either single or two storey height and of traditional roof form. It is not of such height that it would be apparent in the wider countryside setting.

The key issues regarding the impact of this residential development upon heritage assets were fully considered at outline stage. The sensitive part of the site was found to be that to the north and west, which was Phase 2, now under construction. Phase 3 is surrounded by existing residential development on three sides and therefore screened from longer views to the east, west and south. There is no longer any direct connection with the SAM since Phase 2 has been commenced. Accordingly, in this case it is considered the proposal will not have a harmful impact upon the setting of these heritage assets and there is no conflict with local or national policy.

### **Flood Risk and Drainage**

Flood risk and drainage were considered at outline stage and there are conditions in place for the details of the drainage system to be submitted and agreed prior to the commencement of works (conditions 6 & 7).

The application has been supported by a drainage strategy which shows that a system reliant on infiltration is likely to be achievable on the proposed development. However, these



matters are currently under consideration as part of an application to discharge these planning conditions.

### **Landscaping and open space**

The application has been supported by a landscape layout plan.

In accordance with Policy DM16 residential schemes should ensure that their scheme contains sufficient space to ensure a high standard of layout and amenity to the residents of the proposed development.

The submitted landscaping details show that the development incorporates elements of soft planting that will enhance the character of the area and accord with the provisions of national guidance and local plan policy in regard to good design.

The layout shows an area of open amenity space which is partly within this application site and partly in Phase 2 land.

The Greenspace Officer has made suggestions regarding the layout of this open space and play equipment within it. However, the details of the planting scheme, benches, bins and the play equipment have been submitted under a discharge of condition application in relation to the Phase 2 development.

Comments about the maintenance of open spaces are noted but this is already covered by the terms of the Sec 106 agreement which ensure the details are agreed and the open space provided and maintained.

It is considered that the proposal is not in conflict with policy, including the provisions of policy DM16.

### **Other matters**

The application raises no issues regarding crime and disorder in the locality.

The Norfolk Constabulary Architectural Liaison Officer has not objected to the proposal but has pointed out some shortcomings in terms of Secured by Design issues. Reference is made to the layout of the scheme not having a back to back garden layout and that the rear gardens of some units may be vulnerable in terms of security. However, the rear garden boundaries of the three properties referenced by the Liaison Officer are overlooked by the frontages of the gardens to the south and so will have a degree of natural surveillance. It is not considered in this case to raise issues of significant concern.

Comments about the height of boundary fencing are noted but the rear gardens are shown to have 1.8m close boarded fencing to their perimeters.

The Environmental Health Team – Environmental Quality have no concerns regarding air quality or contaminated land, which were considered at outline stage.

A third party has commented about the amount of construction works that have already taken place on the site. In order to limit noise, dust and smoke from any construction work experienced by the adjacent neighbours and school, a condition in relation to a construction management plan detailing proposed timescale and hours of construction, sound power levels of equipment, their location, and proposed mitigation methods is already contained on the outline consent. Details required by this condition have already been agreed and discharged to the satisfaction of the CSNN Team.

Third party comments regarding the public footpaths are noted. However, the initial proposed footpath link through to the existing public right of way has now been removed from the amended scheme.

Comments regarding the ownership of a piece of land to the rear of properties on Lynn Road are not understood as the LPA has been advised that the applicant owns all of the land within the application site.

Concerns regarding a rat run through the site are not understood as the road is a cu-de-sac and there are no longer any footpaths running directly through the whole site.

Third party comment relating to the need to access neighbouring land for drainage are noted, but this is a civil matter between land owners and rights of access.

Third party comments about the position of the amenity land are noted, however, this was agreed during consideration of the reserved matters application for Phase 2 and this current layout links into that.

Third party comment has asked whether Unit 27 is a house of multiple occupation. This is one of the affordable houses and will not be an HMO.

Third party comments made about heights of surrounding development fitting in with other development in the same street are noted. However, this is a new development and the design reference and common design elements of dwellings should be compatible with the other dwellings in the same development, taking reference from, but not necessarily mimicking, design elements of existing surrounding properties.

## **CONCLUSION**

The site already benefits from a valid outline consent for up to 19 dwellings (balance of units from outline consent for 29 on larger site). The access is already constructed and the matters of appearance, scale, layout and landscaping are considered under this current reserved matters application.

The proposal, as amended, now addresses Members concerns regarding the affordable housing types, designs, pepperpotting and layout as well as concerns regarding boundary treatment and incorporates improvements to the frontages of dwellings. It is considered that this improved scheme shows a good mix of dwellings, incorporating the required amount of affordable units, spread across the site in accordance with the Council's affordable housing policy. The layout demonstrates that this number of dwellings can fit within the site without having a detrimental impact in terms of respect of form and character or neighbour amenity. The design and appearance is in keeping with surrounding development.

Drainage details and archaeology are also matters already covered under the outline conditions.

There is already a S106 agreement in place that will secure the affordable housing, open space and SuDs (management and maintenance).

In light of the above, it is considered that the proposal complies with the outline permission already granted, as well as the provisions of the NPPF and local policy, particularly CS06, CS08, CS09, CS12, DM15, DM16 and DM17, and that planning permission may be granted subject to the additional conditions below.

## RECOMMENDATION:

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

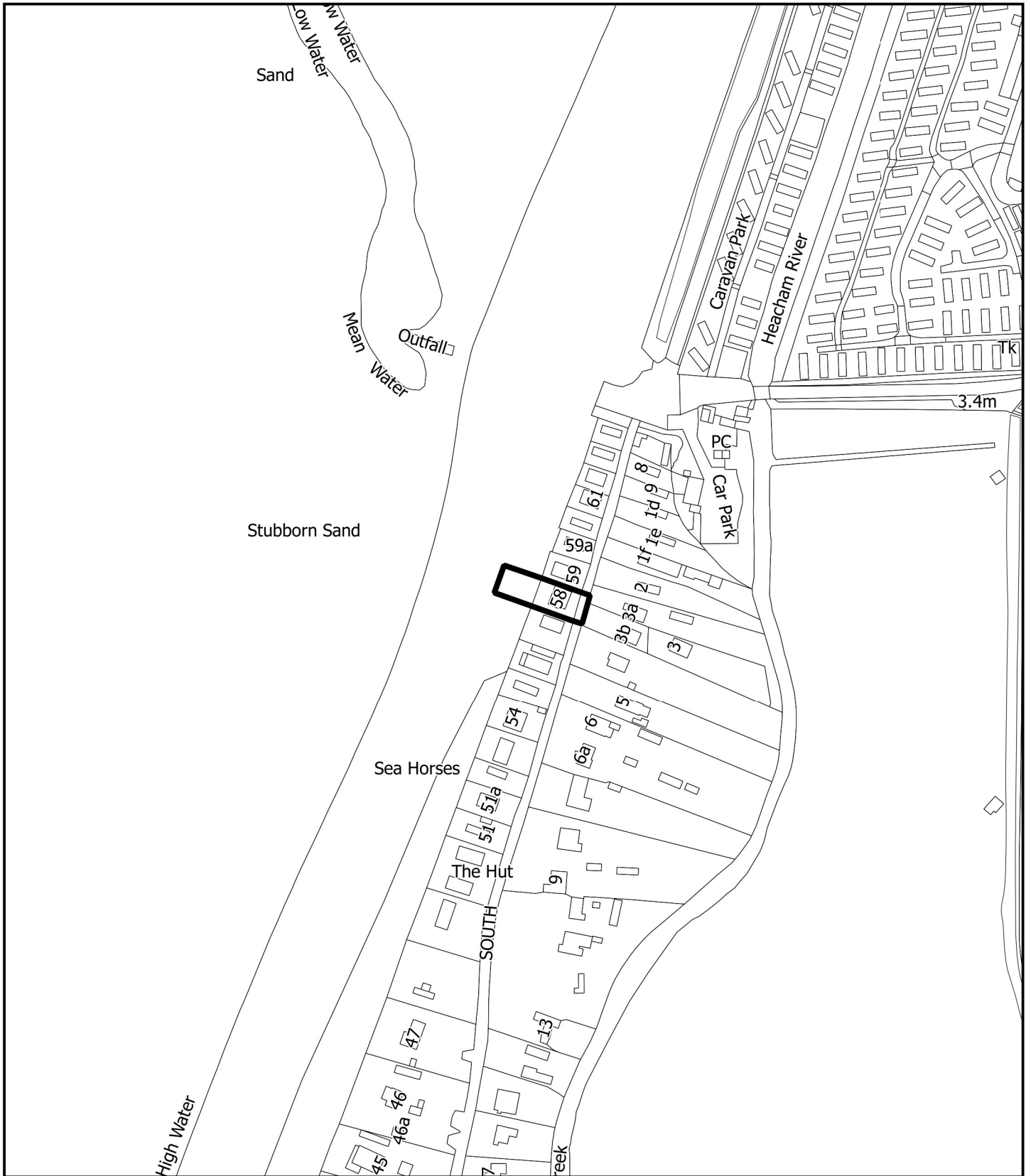
- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:

- \* Drawing No. 720C.15-311B Type 1A Floor Layouts
- \* Drawing No. 720C.15-312A Type 1A Elevations
- \* Drawing No. 720C.15-313A Type 1B Floor Layouts
- \* Drawing No. 720C.15-314B Type 1B Elevations
- \* Drawing No. 720C.15-323B Type 2B Floor Layouts
- \* Drawing No. 720C.15-324A Type 2B Elevations
- \* Drawing No. 720C.15-325B Type 2C Floor Layouts
- \* Drawing No. 720C.15-326A Type 2C Elevations
- \* Drawing No. 720C.15-327A Type 2D Floor Layouts - Plot 19
- \* Drawing No. 720C.15-328 Type 2D Elevations - Plot 19
- \* Drawing No. 720C.15-333A Type 3A Floor Layouts
- \* Drawing No. 720C.15-334 Type 3A Elevations
- \* Drawing No. 720C.15-353B Type 5B Floor Layouts
- \* Drawing No. 720C.15-354A Type 5B Elevations
- \* Drawing No. 720C.15-361A Type 6 Floor Layouts
- \* Drawing No. 720C.15-373 Type 7 Floor Layouts
- \* Drawing No. 720C.15-374 Type 7 Elevations
- \* Drawing No. 720C.15-380A Single Garage Details
- \* Drawing No. 720C.15-381 Type 8 Floor Layouts
- \* Drawing No. 720C.15-382 Type 8 Elevations
- \* Drawing No. 720C.15-3000H Proposed Site Layout
- \* Drawing No. 720C.15-3002C Landscaping Scheme
- \* Drawing No. 720C.15-3004A Proposed Fence Details

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of the building(s) 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.
2. Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 3 Condition The boundary treatment hereby approved shall be completed before the occupation of each dwelling to which it relates or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason: In the interests of the residential amenities of the future occupants of the development in accordance with the NPPF.

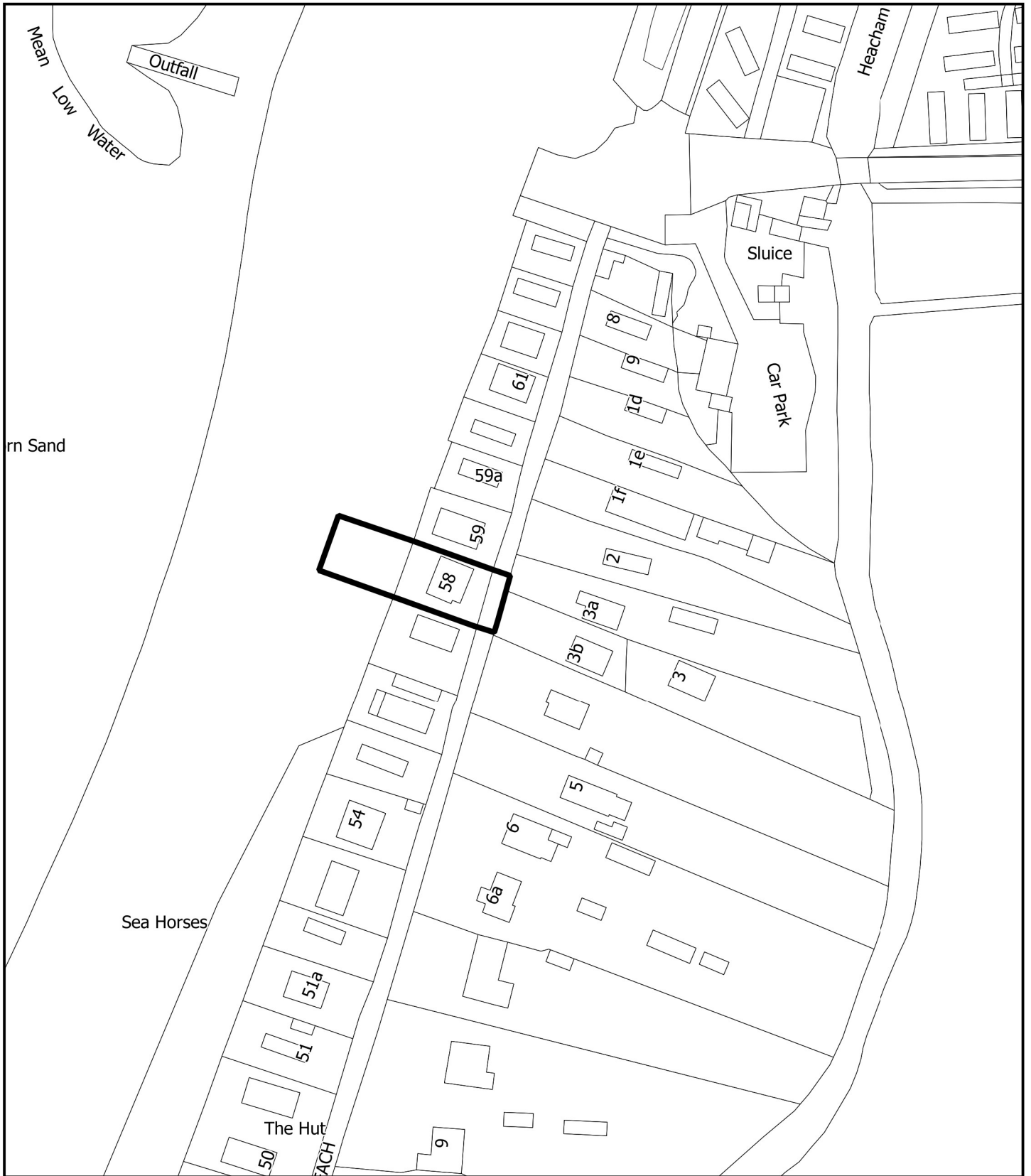
# 20/01854/F

## Mary Ann 58 South Beach Heacham



# 20/01854/F

## Mary Ann 58 South Beach Heacham



<b>Parish:</b>	<b>Heacham</b>	
<b>Proposal:</b>	<b>Demolition of Existing &amp; Provision of Replacement Dwelling and All Ancillary Works.</b>	
<b>Location:</b>	<b>Mary Ann 58 South Beach Heacham Norfolk</b>	
<b>Applicant:</b>	<b>Claire Gill</b>	
<b>Case No:</b>	<b>20/01854/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs Jade Calton</b>	<b>Date for Determination: 4 February 2021</b>

**Reason for Referral to Planning Committee** – Called in by Cllr Parish

**Neighbourhood Plan:** No

**Case Summary**

The application is for a replacement dwelling at No. 58 South Beach, Heacham. The existing bungalow is proposed to be replaced with a two-storey dwelling with no habitable accommodation at ground floor due to the site's location in Flood Zone 3.

**Key Issues**

- Principle of development
- Flood Risk
- Form and Character
- Impact on neighbours
- Other material considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application is for a replacement dwelling at No. 58 South Beach, Heacham. The existing bungalow is proposed to be replaced with a two-storey dwelling with no habitable accommodation proposed at ground floor.

The subject site totals approximately 0.058ha and is bordered to the north and south by neighbouring dwellings. There are existing steps to the rear of the house which lead to a raised terrace, with the western boundary formed by sand dunes which are in the ownership of the

property and lead towards the beach. Side boundaries comprise a mix of close boarded and post and rail fencing.

## **SUPPORTING CASE**

None received at time of writing

## **PLANNING HISTORY**

2/97/1371/F: Application Permitted: 21/10/97 - Retention of holiday bungalow - 58 South Beach. Heacham - DELEGATED DECISION

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECTION** - on the following grounds:

'It is an increased habitable area in a flood zone and the Basic Conditions statement for the NP, DM18 - Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham of SADMP states "Extensions to existing properties (beyond any Permitted Development Rights that could be exercised) should not materially increase the amount of habitable rooms. Significant extensions or those that raise the amount of habitable rooms in the property could lead to an increase in the number of people at risk and will not be permitted"

**Environment Agency: NO OBJECTION** stating that the FRA and DM18 should be complied with.

**Highways Authority: NO OBJECTION**

**Environmental Quality: NO OBJECTION**

**Emergency Planning Officer: NO OBJECTION** provided occupancy restriction condition is in place.

**Natural England: NO OBJECTION** - advice note should be followed in regard to drainage.

## **REPRESENTATIONS**

**TWO** letters of **OBJECTION**, the comments summarised as follows:

- Out of character with locality and ignores local vernacular
- Contrary to Local Plan
- Proximity to neighbouring dwellings and impact on amenity
- Ground floor could be converted to habitable space
- Impact of construction on surrounding dwellings
- Patio to rear of dwelling and Impact on dunes

**ONE neutral** letter, the comments summarised as follows:

- Sand dune provides protection against flooding and habitat for wildlife and should not be damaged
- Concern over height compared to neighbours
- There should be no impact on private track

- No damage should be caused to neighbouring dwellings

## **LDF CORE STRATEGY POLICIES**

**CS08** - Sustainable Development

**CS11** - Transport

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM18** – Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham)

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

The key issues are:

Principle of development  
Flood Risk  
Form and Character  
Impact on neighbours  
Other material considerations

### **Principle of Development**

The application is for the construction of a replacement dwelling at Mary Ann, No. 58 South Beach, Heacham.

The application site is outside the development boundary for Heacham and therefore in the wider countryside where replacement dwellings are permitted subject to accordance with Policy DM5. The principle of development is therefore considered acceptable subject to accordance with other policies of the Local Plan.

### **Flood Risk**

The site is located within Flood Zone 3 of the Borough Council's SFRA and is within the Coastal Flood Risk Hazard Zone.

As outlined in Policy DM18 of the SADMPP (2016), this area of coastline is considered to be at very high risk of tidal flooding. Considering the risks associated with the seasonality of each of the highest astronomical tides, the probability of storm surges and wave action severity, reports undertaken for the Borough Council concluded that the only safe period of occupancy for dwellings in this zone was between 1st April and 30th September each year. Occupation

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12 April 2021



outside these dates at this location could not be considered safe due to flood risk and would therefore be considered contrary to the NPPF (2019), specifically in regards to the requirements of the exceptions test outlined in Paragraphs 159 & 160.

Policy DM18 of the SADMPP (2019) applies in relation to replacement dwellings in this Hazard Zone and requires development proposals to demonstrate their accordance with seven criteria, namely:

- 1) The submission of a Flood Risk Assessment
- 2) All habitable accommodation above ground floor level
- 3) The dwelling will only be occupied between 1st April and 30th September
- 4) The dwelling will incorporate flood mitigation and resiliency measures
- 5) The building must be designed to withstand and be resilient to hydrostatic pressures
- 6) A flood warning and evacuation plan will be prepared and retained on site
- 7) The level of habitable accommodation should not be materially greater than that provided by the original dwelling and should not result in an increase in the number of bedrooms over and above the number in the original dwelling.

The proposal is considered to comply with the criteria outlined in Policy DM18 as detailed below.

1 - The FRA submitted as part of this application is considered acceptable and proposed plans indicate mitigation and resiliency measures to comply with the above policy provisions.

2- All habitable floor space is provided at first floor level (at a minimum 7.32m AOD). As existing sleeping accommodation is positioned at 5.635m AOD, this results in habitable rooms at approximately 2.5m above the existing floor levels in the bungalow.

3 – Conditions are recommended to ensure the occupation of the dwelling only between 1st April and 30th September.

4 & 5 – Flood mitigation and resilience measures have been detailed as part of the submission, this includes improved foundations and footings, solid concrete blockwork walls as recommended by a structural engineer.

6 – A flood warning and evacuation plan has been submitted with application detailing the actions for occupants to take in an emergency.

7 - The proposed bungalow has a current floor area of approximately 70m<sup>2</sup> with two bedrooms. Proposed plans indicate a total habitable floor space of approximately 71m<sup>2</sup> (excluding the external balcony) which is not considered to be a material increase in the habitable accommodation provided within the dwelling. It is noted that the ground floor of the proposal allows a total floor area in excess of this figure, however the ground floor of the development comprises carport, storage areas and a bathroom only and is therefore not included in this figure.

As stated above a separate condition is recommended to ensure that the proposed replacement dwelling is only occupied between 1 April and 30 September in order for the proposed development to be safe for its lifetime and comply with DM18. In addition and for the avoidance of doubt, conditions are also recommended to ensure that the development is completed in accordance with the mitigation measures proposed within the flood risk assessment submitted as part of this application.

Overall, the proposal is therefore considered to comply with the relevant policies relating to flood risk. Subject to the conditions discussed above, the proposal complies with paragraphs 155-160 of the NPPF (2019), and Policy DM18 of the SADMPP (2019).

### **Form and Character**

Proposed plans indicate a two storey dwelling, with open fronted car ports at ground floor. All habitable accommodation is proposed at first floor with a low pitched roof above with a total height of 6.3m. The pitch of the roof is consistent with a number of dwellings in the wider locality.

A covered balcony is proposed across the rear of the property, with substantial glazing proposed on this west elevation of the dwelling providing an outlook towards the dunes and seafront. A number of dwellings in the wider locality benefit from existing balconies on the rear elevation and this element of the proposal is therefore considered unlikely to lead to a significant impact on the form and character of the area.

The proposed dwelling is indicated to be clad in cement boarding at first floor and with coloured render at ground floor. These materials are considered acceptable in principle given the range of materials in the wider street scene.

Comments were received from neighbouring dwellings in relation to the impact on the street scene and the impact of the style of the dwelling on the local vernacular. These comments are noted, however the proposed dwelling is not considered likely to lead to any significant impact on the street scene as a whole. Whilst taller than the existing dwelling and the neighbouring dwellings either side as a result of flood risk mitigation, the wider street scene comprises a broad mix of dwelling styles and heights. The immediate vicinity comprises a broad mix of styles and a wide range of external materials and the proposal is not considered likely to lead to any adverse impact on the form and character of the area as a whole.

The proposal is therefore considered to comply with paragraph 127 of the NPPF and policies CS08 and DM15 of the Local Plan.

### **Impact on Neighbours**

The dwelling is proposed approximately 1m from the north boundary of the site and 4m from the neighbouring dwelling (north). Whilst no closer than the existing bungalow in terms of footprint, as a two storey dwelling, with a height increase from 2.8m to 6.3m to ridge line, and approximately 4.8m to eaves, there is the potential for the proposed dwelling to lead to an increased impact in terms of overshadowing of this neighbouring dwelling's side elevation. The impact of the dwellings position to the south of this neighbour and the representations received are noted, however given the distances involved and the overall position of the dwelling within the plot, the proposal is considered unlikely to lead to a significant adverse impact in regards to overshadowing of this neighbouring property.

The proposed dwelling is approximately 4 metres north of the neighbour to the south. Given the orientation of the dwellings, and a height to eaves of approximately 4.8m, this is considered to be an acceptable distance to mitigate the potential for any adverse overbearing or overshadowing of this neighbour.

A condition is recommended to ensure that screening is erected on the side elevations of the proposed balcony to limit any potential loss of privacy for adjoining properties. Only high level roof lights are proposed on side elevations and, subject to this screening being constructed, the proposal is considered unlikely to lead to overlooking or any significant loss of privacy for these neighbouring dwellings.

Overall, the proposal is considered to comply with the design principles outlined in paragraph 127 of the NPPF and policies CS08 and DM15 of the Local Plan. The proposed replacement dwelling will not pose a significant adverse impact on the amenity of adjoining residents.

### **Other material considerations**

The dwelling retains parking on site in accordance with the required standard and the proposal has not drawn objections from the Local Highway Authority. South Beach itself is an unmade private track and will not be adversely impacted by the proposal.

The existing septic tank is proposed to be retained post-development which is considered acceptable considering that this is existing on site. Storm water is proposed to be directed to soakaways in accordance with the required standard.

In regards to protected species and ecology, as a replacement dwelling the proposal is considered unlikely to lead to an adverse impact on any designated site. The proposal is entirely within the existing curtilage and will not lead to a loss of habitats.

Neighbour representations commented on any impact on the dunes in relation to a proposed patio to the rear. This patio is shown on the existing site plan and no changes are indicated to be made as part of this application. Neighbours also comments on the potential for ground floor rooms to be converted to habitable use - this would be contrary to the FRA condition proposed to be included on the consent,

Comments have also been received also relating to the potential impact on surrounding dwellings during construction and the need for access. These comments are noted however these issues are civil matters and are not material planning considerations. Any impact on the private track as a result of construction traffic will also need to be dealt with separately.

The Parish Council objected on the basis that the proposal fails to comply with DM18. For the reasons outlined above, the Borough Council consider the proposed plans to accord with this policy and the principle of development is therefore considered acceptable.

The Heacham Neighbourhood Plan is due to go out for submission consultation on 6th April 2021. In accordance with paragraph 48 of the NPPF (2019), the Neighbourhood Plan Policies are considered to have limited weight at this stage of the consultation process.

There are no known crime and disorder impacts associated with this proposal.

### **CONCLUSION**

The proposed development is considered to comply with Policy DM18 in regards to the construction of replacement dwellings in the coastal flood risk hazard zone. Conditions are recommended to ensure that the proposal is only occupied between 1st April and 30th September each year to comply with this policy.

The dwelling is sufficiently distanced from neighbouring dwellings to minimise the potential for any adverse impact on adjoining properties and the overall design of the dwelling is considered to comply with policies CS08 and DM15 of the Local Plan.

The application is therefore recommended for approval.

## RECOMMENDATION:

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

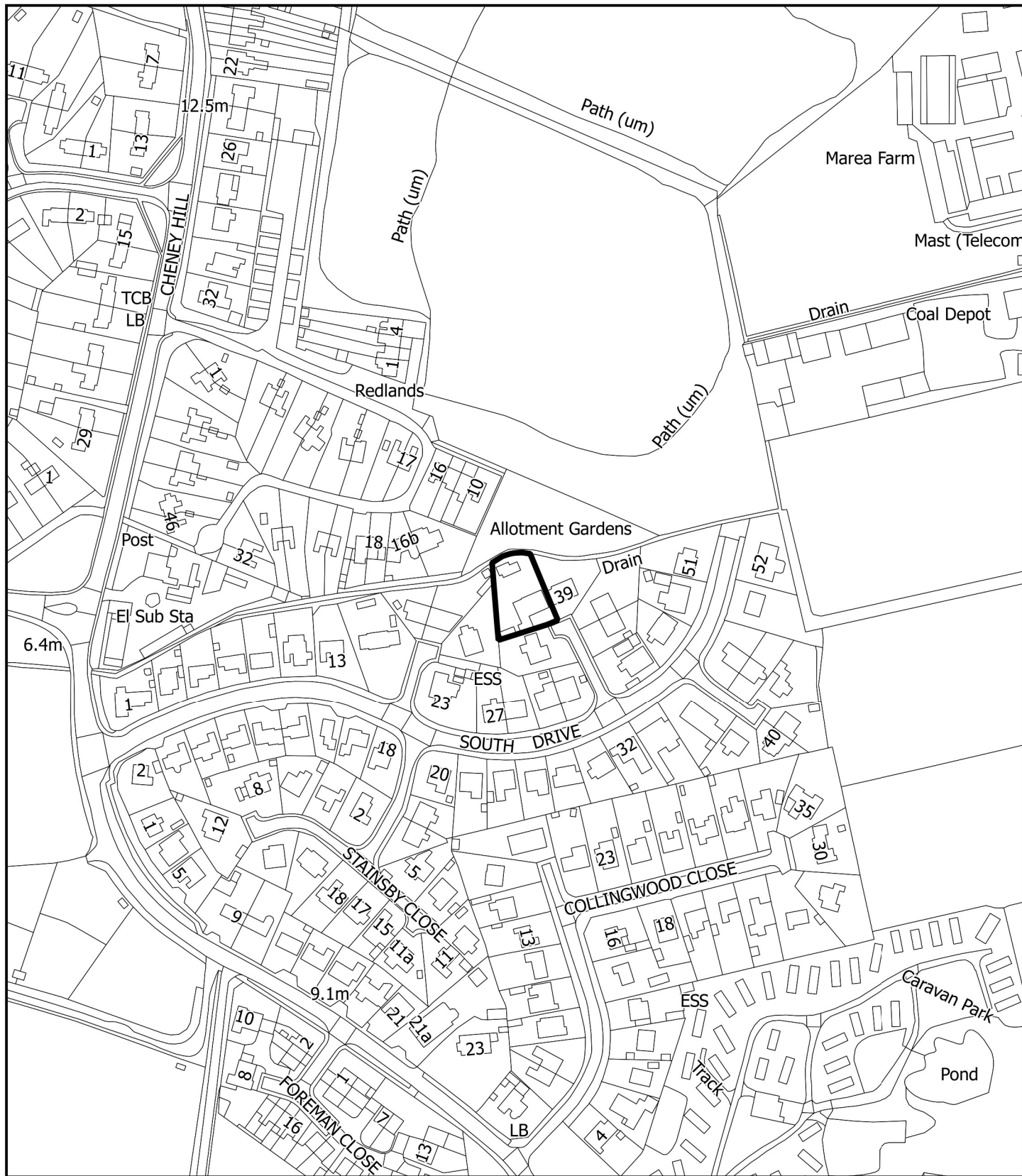
- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:
  - \*2013.PL.03 - Proposed Site Section & Elevations
  - \*2013.PL.02 - Proposed Plans, Sections, Elevations & Block Plan
  - \*2013,PL.01 - Location Plan
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The dwelling hereby permitted shall only be occupied between 1st April and 30<sup>th</sup> September in any given year.
- 3 Reason: For the avoidance of doubt and to prevent an adverse risk of flooding in accordance with the NPPF (2019) and DM18 of the SADMPP (2016).
- 4 Condition: The development hereby permitted shall be completed and retained in accordance with the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) written by Geoff Beel Consultancy, dated 23rd November 2020. In particular, the FRA states that:
  - \*Finished first floor levels will be set no lower than 7.32mAOD.
  - \*Flood resistance and resilient measures will be incorporated into the design.
  - \*There will be no habitable ground floor accommodation.
- 4 Reason: In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 5 Condition: The development hereby approved shall be carried out in accordance with the Flood Resilient Measures document dated 23rd November 2020 submitted as part of this application unless otherwise agreed in writing by the Local Planning Authority.
- 5 Reason: In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 6 Condition: The development hereby approved shall be carried out in accordance with the Flood Warning & Evacuation Plan written by Geoff Beel Consultancy dated November 2020 unless otherwise agreed in writing by the Local Planning Authority.
- 6 Reason: In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 7 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class A, B and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the dwelling house, the enlargement of

the dwelling house consisting of an addition or alteration to its roof or the provision within the curtilage of the dwelling house of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission

- 7 Reason: In order that the Local Planning Authority may retain control over development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 8 Condition: Notwithstanding the details shown on the approved plan, prior to the first occupation of the dwelling hereby approved, 1.8m high obscure glazed screening shall be erected along the north and south side elevations of the proposed balcony shown on dwg No. 2013.PL.02, to the written satisfaction of the Local Planning Authority. The screens shall be retained and maintained as approved thereafter.
- 8 Reason: In the interests of the amenities of the locality in accordance with the NPPF.

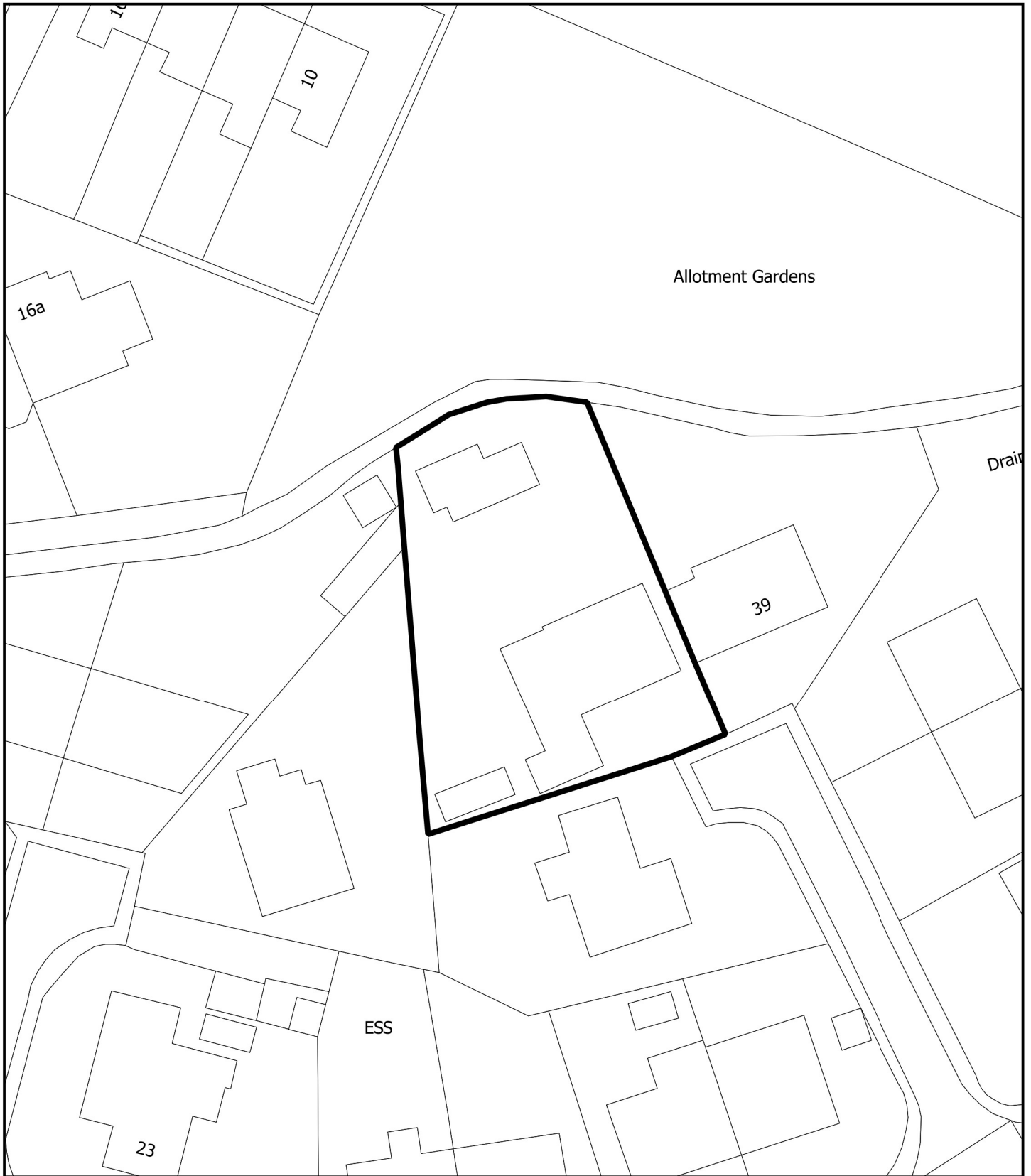
# 20/01978/CU

## 37 South Moor Drive Heacham



# 20/01978/CU

## 37 South Moor Drive Heacham



<b>Parish:</b>	<b>Heacham</b>	
<b>Proposal:</b>	<b>Change of use of Annex to holiday let</b>	
<b>Location:</b>	<b>37 South Moor Drive Heacham Norfolk PE31 7BW</b>	
<b>Applicant:</b>	<b>Mr And Mrs Beecroft</b>	
<b>Case No:</b>	<b>20/01978/CU (Change of Use Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 20 January 2021 Extension of Time Expiry Date: 16 April 2021</b>

**Reason for Referral to Planning Committee** – Appeal History and Recommendation is Contrary to Parish Council view

**Neighbourhood Plan:** No

**Case Summary**

The application site is situated on the west side of South Moor Drive, Heacham at the end of a cul-de-sac. The site consists of a single-storey detached bungalow and garden. In the rear garden is a small garden building, stated to have been previously used as an annexe, which has been converted to a short-stay holiday let.

The site is within the development boundary.

The proposal seeks retrospective permission for the change of use of the annexe to a holiday let.

An application for the same came before Planning Committee on 2 March 2020 with a recommendation of approval, but was refused on the basis of insufficient parking and turning.

The application was dismissed at appeal with the Inspector concluding that whilst parking and turning was sufficient due consideration had not been given to the impact on European Protected Sites.

**Key Issues**

- Planning History
- Impact on European Protected Sites
- Other Material Considerations

**Recommendation**

**APPROVE**



## THE APPLICATION

The application site is situated on the west side of South Moor Drive, Heacham at the end of a cul-de-sac. The site consists of a single-storey detached bungalow and garden. In the rear garden is a small garden building, previously used as an annexe, which has been converted to a short-stay holiday let.

The site is within the development boundary.

The proposal seeks retrospective permission for the change of use of the annexe to a holiday let.

The holiday let will share the parking, garden and utilities of the existing bungalow and will be held in the same ownership.

## SUPPORTING CASE

Information to enable the Local Planning Authority to fully consider the impacts of the development on European Protected Sites was submitted with the application together with the £50 Habitat Mitigation Fee (HMF).

The information relating to Protected Sites concludes that the £50 HMF is suitable to mitigate any impacts from the proposed development.

## PLANNING HISTORY

19/02128/F: Application Refused: 02/03/2020 – Change of use from annex to summerhouse / holiday let (Committee): Dismissed at Appeal 13/11/2020 (APP/V2635/W/20/3252842)

14/00675/F: Application Permitted: 02/07/14 - Single storey extension and garage (Delegated)

14/00159/F: Application Permitted: 01/04/14 - Single storey side extensions and construction of a new garage (Delegated)

## RESPONSE TO CONSULTATION

**Parish Council:** Heacham Parish Council **OBJECT** to this planning application on the following grounds:-

The application goes against a Policy contained in the emerging Heacham Neighbourhood Plan which reflects the strong community objection to any increase in holiday accommodation within the village.

The Holiday let development fails to provide adequate on-site parking and manoeuvring space for the holiday let and existing dwelling contrary to policies DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016).

We can't find any evidence to prove this building was previously recognised as an annex and therefore object to the change of use.

Planning Committee  
12 April 2021

**Highways Authority: NO OBJECTION** With consideration to the cul-de-sac location and the availability of 3 parking places within the frontage, I am able to comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to resist the grant of consent subject to a condition securing the parking and turning area in perpetuity.

**Natural England: NO OBJECTION** Based on the information submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

*European sites:* Based on the information submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. **To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.**

*Sites of Special Scientific Interest:* Based on the information submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

## **REPRESENTATIONS**

**One** third party supports the application although they give no reasons for this support.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** – Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM11** – Touring and Permanent Holiday Sites

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM19** - Green Infrastructure/Habitats Monitoring & Mitigation

## NATIONAL GUIDANCE

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

## PLANNING CONSIDERATIONS

The Principle of Development (tourism development within the development boundary of a Key Rural Service Centre), Form and Character and Neighbour Amenity were all fully considered in the determination of the previous application / appeal (which is identical to this proposal) and found to be acceptable subject to conditions requiring the use be only for holiday accommodation in association with the main dwelling.

As such the main issue for consideration in the determination of this application, given the Inspector's findings in relation to highway safety, is the Impact on European Protected Sites.

### Planning History

The same application as currently proposed came before committee on 2 March 2020 with a recommendation of approval. However, committee members concluded that: *The development fails to provide adequate on site car parking and manoeuvring space for the holiday let and existing dwelling contrary to Policies DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016).* The application was refused on these grounds.

The applicant appealed the decision. The Inspector concluded that there were two main issues for consideration: *(i) the effect of the development on European sites; and (ii) the effect of the development on highway safety.*

The LPA had not considered the first point was a material consideration to be given weight in the determination of the application given the very small-scale nature of the development and the fact that Natural England had stated the development would not likely have a significant effect on European Protected Sites, and that any impact could be suitably mitigated by payment of the £50 Habitat Mitigation Fee (HMF) required under Development Plan Policy DM15.

However, the Inspector concluded that the impact on European Protected Sites had not been suitably considered to conclude that the development would not have a likely significant effect on such sites concluding:

*In light of the above, following Appropriate Assessment and adopting a precautionary approach, as I am required to do, I am unable to conclude that likely significant effects on the integrity of the European sites, due to the potential increased disturbance through recreational activity generated by the appeal development, in combination with other plans and projects, can be excluded. The proposal would therefore fail to comply with the requirements of the Regs as well as Paragraph 175(a) of the National Planning Policy Framework 2019 (the Framework) which states that where significant harm to biodiversity resulting from a development cannot be adequately mitigated, then planning permission should be refused.*

The Inspector's main concern regarding this aspect was that for the LPA to require payment of the Habitat Mitigation Fee (as required by Development Plan Policy DM15) the Local Planning Authority had to consider there was an impact (otherwise we could not reasonably

require the fee to be paid) and that the LPA should therefore have given more consideration to European Protected sites.

The Inspector also raised concerns in relation to how the fee was collected and control over how it was spent because he did not have sufficient information on this issue. In relation to collection of the fee, where the development does not require a S106 to secure other contributions, the fee is paid prior to the issue of a decision (although the applicant does have the option to pay via S106, this route is very rarely taken as the cost of a standalone S106 would in many cases be far greater than the HMF itself). In relation to the spending of the HMF, the HRA Monitoring & Mitigation & GI Coordination Panel (HRAMMGI) meets quarterly to determine this. Further details of this are set out below.

In relation to highway safety, the Inspector concluded that there were no highway grounds for refusing the application stating:

Taking all of the above matters into consideration, I conclude that the development does not give rise to an unacceptable risk to highway safety. Thus, it accords with DMP Policies DM15 and DM17 which together and amongst other matters, require safe access and adequate parking facilities.

Those other matters were parking provision which is in accordance with policy requirements, albeit the garage is below the recommended size it was noted that the provision of a garden shed provides storage; and the limited size of the holiday accommodation would not generate a significant increase in vehicular movements or parking demand.

### **Impact on European Protected Sites (Appropriate Assessment)**

The site is located close to The Wash and North Norfolk Coast Special Area of Conservation (SAC), The Wash Special Protection Area (SPA) and The Wash Ramsar Site (RAMS) all of which are designated Natura 2000 sites (European Protected Sites (EPS)). The Wash and Heacham Brick Pit Sites of Special Scientific Interest are also within the local area.

All European Protected Sites (EPS's) receive statutory protection under the conservation of Habitats and Species Regulations 2019 (the Regulations). These regulations transpose into UK legislation the 'Habitats Directive' 1992 and 'the Birds Directive' 2009.

The Regulations impart a duty on local planning authorities to carefully consider whether any proposals (including individual developments) may have a significant effect on a European site, either alone or alongside other plans / developments in the area.

It is clear from the appeal decision that the Inspector did not have sufficient information in relation to how the Local Planning Authority (LPA) considers the impact of small-scale development on EPS's to consider that the proposed development would not have a significant effect on them.

The Inspector therefore concluded that, due to a lack of information he must adopt a precautionary approach, and concluded that a Habitats Regulation Assessment (HRA) was required to determine if any likely significant effect would result from the development.

The LPA deals with small-scale development via the Habitat Mitigation Fee (HMF) which is a £50 fee paid for any new dwelling or unit of holiday accommodation. There is a formal process for dealing with the funds raised, and they are ring-fenced to go towards specific measures, which are determined through the HRA Monitoring & Mitigation & GI Coordination Panel (HRAMMGI). This is a group of interested bodies, such as the Norfolk Coastal Partnership, the Norfolk Wildlife Trust, and the RSPB, and is chaired by a Borough councillor. The panel

meets quarterly to determine how to best utilise the funds raised for the benefit of the European Protected Sites. Projects funded out of the HMF have included additional wardens during bird nesting season, monitoring of the reserves and species, publicity and information for visitors, and physical works to reserves.

The amount of HRF charged in the future will be taken forward as part of the Local Plan review process, and potentially on a county-wide basis.

This is as broadly outlined in, and in accordance with, Development Management Policy DM19 'Green Infrastructure / Habitats Monitoring and Mitigation'.

The HRA is a multi-stage assessment process. The first stage is known as screening and is necessary to determine if the proposals will result in any likely significant effect on the features of the EPS's.

If it is concluded that there are unlikely to be any significant effects no further assessment is necessary; if any likely significant effects are identified or it is unclear if effects will be significant the assessment should move to the second stage. Stage two is the Appropriate Assessment (AA).

Natural England confirmed that the proposed development would not likely have a significant effect on EPS's. In addition, the LPA is confident that the concerns of the Inspector have been dealt with through the further explanation of how the LPA specifically addresses this issue. There is therefore no need to undertake an Appropriate Assessment.

Notwithstanding this, the applicant has submitted information to enable the LPA to carry out an AA, as part of its application. In essence the conclusion of the submitted information confirms Natural England's determination that, subject to payment of the £50 HMF, the development would not have a likely significant effect on EPS's.

Although it is the responsibility of the LPA as competent authority to produce the HRA and be accountable for the conclusions, officers confirm that they fully concur with the conclusions of the HRA prepared by Hillier ecology dated February 2021. An Appropriate Assessment, has therefore also been submitted and is available to view on the public file.

Your officers can confirm that the HMF has been paid in this case.

### **Other Material Considerations**

#### Parish Council Comments

In relation to issues raised by the Parish Council that are not covered above your officers respond as follows:

- The emerging Heacham Neighbourhood Plan is not at a stage where it is being given material weight in planning decisions.
- Regardless of the previous use of the building and whether it was formally permitted for use as an annex the Committee and Inspector found the principle of its use as a holiday let acceptable. The application has been considered on the basis of its end use as a holiday let.

There are no specific Crime and Disorder issues with the proposed application.

## CONCLUSION

The applicant has provided sufficient additional information to enable the Local Planning Authority and Natural England to conclude that the proposed development would not have a likely significant effect on European Protected Sites.

The highway concerns that the Committee previously had were dealt with by the Inspector and felt to be acceptable.

The single reason for dismissal of the previous application at appeal has therefore been suitably addressed, and it is 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 carried out in accordance with the following approved plan: DWG H6725-01A.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The approved parking and turning area (as shown on the approved plan) shall be retained in perpetuity available for that specific use.
- 2 Reason: To ensure the permanent availability of the parking areas, in the interests of satisfactory development and highway safety.
- 3 Condition: The holiday let hereby approved shall be held at all times and owned in conjunction with 37 South Moor Drive, Heacham.

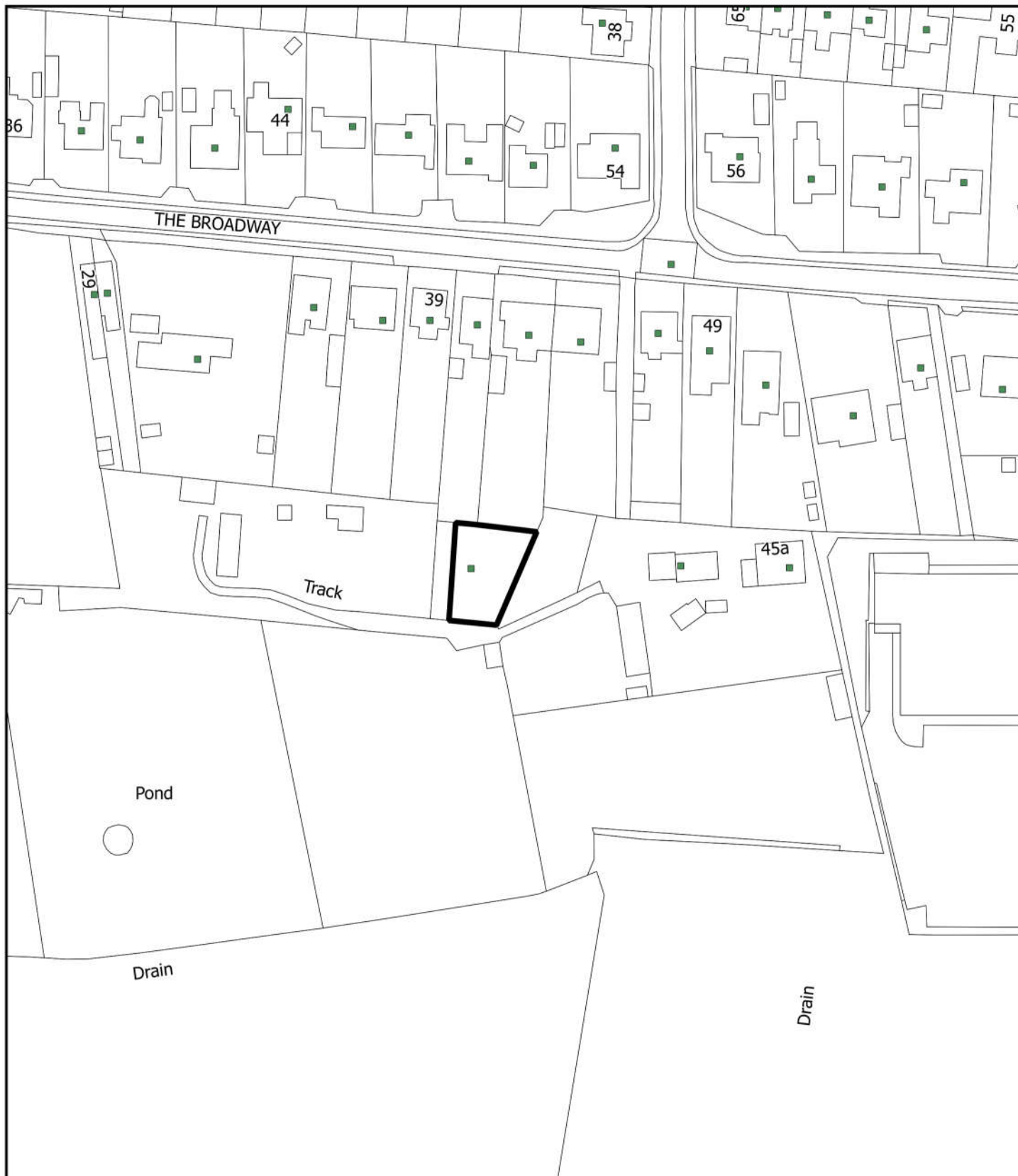
The accommodation shall be limited to occupation for holiday purposes only shall be for short stay accommodation only (no more than 28 days per single let); and shall not be occupied as a person's sole or main place of residence.

The owners/operators shall maintain an up-to-date register of lettings/occupation and shall make the register available at all reasonable times to the Local Planning Authority.

- 3 Reason: The site lies within in an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.

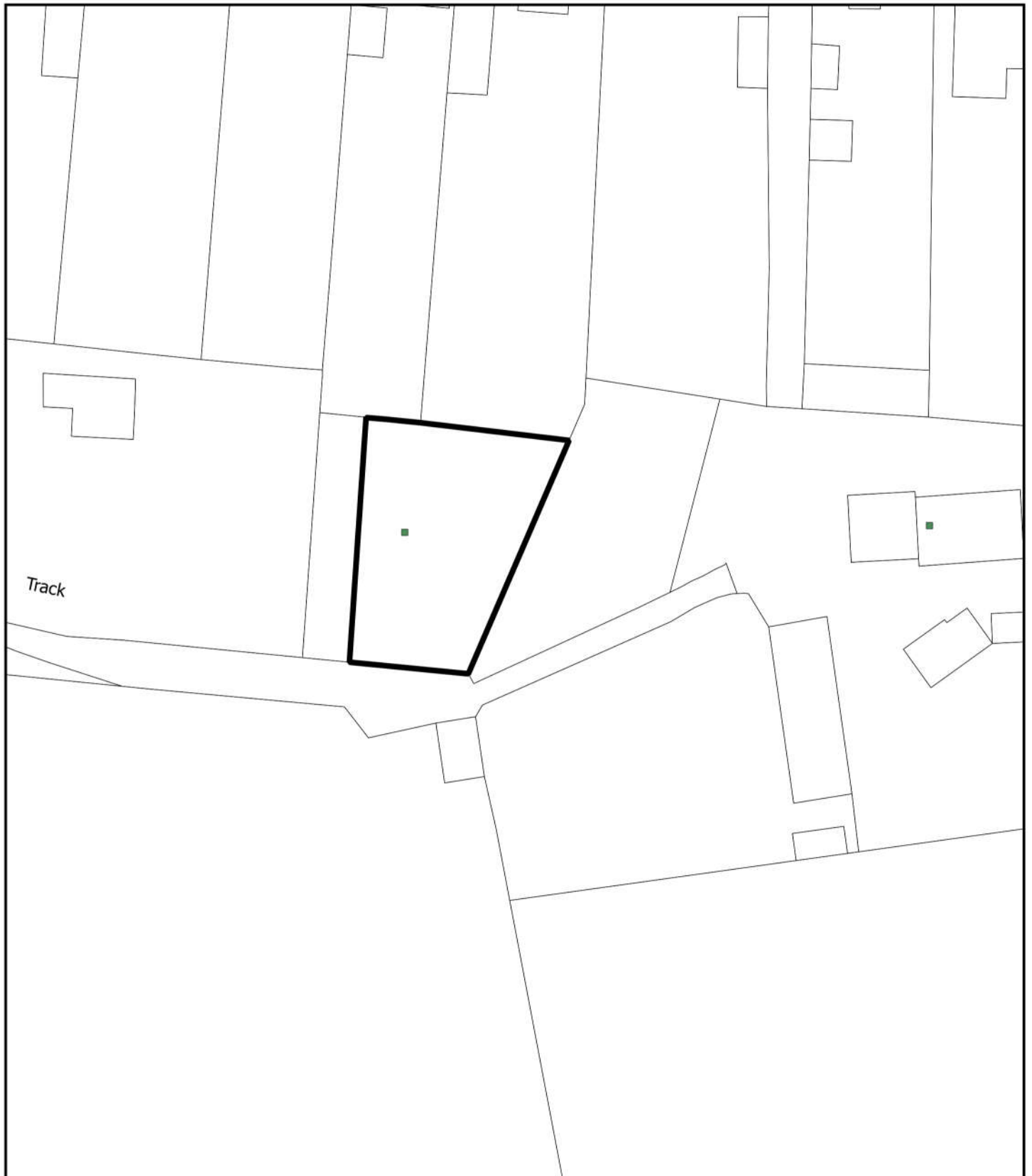
**21/00057/F**

**Land S of 43 and 45 The Broadway Heacham**



**21/00057/F**

**Land S of 43 and 45 The Broadway Heacham**





<b>Parish:</b>	<b>Heacham</b>	
<b>Proposal:</b>	<b>Proposed retention of twin-unit caravan for purposes incidental to the use of the dwelling</b>	
<b>Location:</b>	<b>Land S of 43 And 45 The Broadway Heacham King's Lynn</b>	
<b>Applicant:</b>	<b>Mrs R McGinn</b>	
<b>Case No:</b>	<b>21/00057/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 11 March 2021</b>

**Reason for Referral to Planning Committee** – The Parish Council’s comments are contrary to the officer’s recommendation and the Sifting Panel requires the application to be determined by Planning Committee.

**Neighbourhood Plan:** No

**Case Summary**

The proposal is for the retrospective siting of a twin unit caravan on land to the south of 43 and 45 The Broadway, Heacham. The proposed caravan is intended to be utilised for ancillary purposes incidental to the use of 45 The Broadway. However the site is located outside of the curtilage or garden land of this dwelling and is outside of the development boundary shown on Inset Map G47 of the SADMPP (2016).

**Key Issues**

- Principle of Development
- Form and Character
- Highway Safety
- Other Material Considerations

**Recommendation**

**REFUSE**

**THE APPLICATION**

The proposal is for the retrospective siting of a twin unit caravan on land to the south of 43 and 45 The Broadway, Heacham. The proposed caravan is intended to be utilised for ancillary purposes incidental to the use of 45 The Broadway. However the site is located outside of the curtilage or garden land of this dwelling and is outside of the development boundary shown on Inset Map G47 of the SADMPP (2016).

Planning Committee  
12 April 2021

## **SUPPORTING CASE**

The proposed twin-unit caravan has been sited to provide the applicant with ancillary space incidental to the main house at No.45. It is solely to be used as incidental accommodation to the main house for separate relaxation purposes ancillary to the main dwelling. The importance of this separate space from the main dwelling is emphasized in detail within the submitted letter from a qualified medical professional.

The caravan does not detrimentally affect its setting and the local vernacular as its placement in the 'fringe development' is well screened by high native hedging on three sides. Still, the caravan structure is clearly less impacting than other prominent buildings in the locality, although not isolated it is not in a visually prominent location either, making it ideal for the applicant's sole use as a necessary day sanctuary form the main dwelling.

It should be noted, that the caravan would normally be sited without requiring permission under the 1968 Caravan Act as ancillary accommodation were it not outside of the defined development boundary. Be that as it may, as per the Caravan Act , the structure is strictly ancillary with the applicant asserting absolutely no desire to let out the caravan, and it is invited for the local authority to word a condition outlining that the use is tied to the main dwelling. In line with the proposed use as an ancillary there would therefore be no new traffic movements or additional use of access.

Pedestrian access is the only requirement, and this is solely through the garden from the house at No. 45 Broadway. The caravan is ancillary and subordinate to the occupation of the main house, therefore the existing access and parking arrangements direct from Broadway will be of continued use with no separate vehicular access required.

The submitted application seeks to obtain planning approval for the retention of the siting of a twin-unit caravan on land in the ownership of, but adjacent to the applicants defined domestic curtilage.

Despite this, it is requested that the local authority not only consider planning policy in this case, but also extenuating and exceptional health and wellbeing circumstances.

With this regard it would not be considered unjust to grant a temporary approval should the local authority see it appropriate.

## **PLANNING HISTORY**

19/01196/F: Application Withdrawn: 18/10/19 - Proposed retention of twin-unit caravan and erection of decking for purposes incidental to the use of the dwelling - Land To The Rear of 43 The Broadway

18/00101/F: Application Permitted: 13/03/18 - Variation of condition 2 to vary previously approved drawings - Cedar House – Committee Decision

17/00691/F: Application Permitted: 31/07/17 - Construction of Replacement Workshop and Store in Builders Yard (Re-Submission) - Cedar House 45A the Broadway – Committee Decision

16/01461/F: Application Refused: 06/03/17 - Construction of replacement workshop and store in builders yard at Cedar House - Cedar House – Committee Decision

14/01398/F: Application Refused: 28/11/14 - New build single storey dwelling & garage - all detached - 45 the Broadway – Delegated Decision – Appeal Dismissed

13/01093/F: Application Permitted: 25/09/13 - Variation of condition 2 of planning consent – Delegated Decision

12/02028/F to replace approved drawing with amended drawing - 45 the Broadway – Delegated Decision

12/02028/F: Application Permitted: 08/02/13 - Replacement dwelling and demolition of existing dwelling - 45 the Broadway – Delegated Decision

12/01160/LDE: Was Lawful: 31/10/12 - Lawful Development Certificate: Retain permanent residential unit, with parking area and garden - 45 the Broadway – Delegated Decision

2/94/1062/O: Application Refused: 19/09/94 - Site for construction of chalet bungalow - Land Rear of 49-51 the Broadway – Delegated Decision

## **RESPONSE TO CONSULTATION**

**Parish Council: SUPPORT** subject to the imposition of conditions relating to a temporary use of the caravan

**Highways Authority: OBJECTION** – the Local Highway Authority raised concern over the inadequate access to/from site. The intensification of the use of a substandard access track onto the Broadway and is not supported by the Local Highway Authority due to the adverse impact on highway safety.

## **REPRESENTATIONS**

**None** received at time of writing

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

## **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

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

The key issues are:

Principle of Development  
Form and Character  
Highway Safety  
Other material considerations

### **Principle of Development**

The site comprises a small parcel of agricultural land which has previously been separated from the wider field by extensive hedgerows to the north, east and west boundaries. The site primarily sits within a patchwork of small parcels of open land including paddocks and a smallholding. The existing builder's yard is to the east. The site is accessed through a shared driveway/track adjoining The Broadway, which serves the caravan, No. 45 to the front of the site and the existing builder's yard to the east.

The proposed caravan is situated to the rear of the dwellings on the southern side of Broadway and separated from these existing dwellings by long rear gardens, boundary treatments, and existing vegetation.

The application is submitted with reference to a caravan being utilised in association with the main dwelling at No.45 the Broadway. These comments are noted, however the application site is outside of the curtilage of this dwelling and the caravan has a separate parking area and outdoor amenity space. Vegetation along boundaries provides a high level of separation between the caravan and the dwelling. Existing close boarded fencing with trellis above further divides this parcel of land from the garden land of the nearby dwelling.

Whether a use of land is ancillary to another is a matter of fact and degree and each case should be determined on its particular merits. The application site is wholly outside of the curtilage or garden land associated with No. 45 the Broadway. The caravan is separated from the dwelling by extensive boundary treatments and hedgerows, has its own parking area and outdoor space and could therefore practically and viably operate on its own without a necessary functional link to or dependency on the nearby dwelling.

The Local Planning Authority therefore consider that the siting of a caravan in this position would result in the creation of a new dwelling which is fully self-contained and would form a separate planning unit rather than ancillary accommodation to the existing dwelling. As the site is outside the development boundary shown on inset map G47 of the SADMPP (2016), the principle of residential development in this location is contrary to Policy DM2 of the SADMPP (2016).

The Agent has provided supporting information stating that the caravan is needed for the health and wellbeing of the occupants of the dwelling. Whilst these comments are noted, the caravan is sited on land which is countryside and outside of any defined curtilage. Whilst the

justification is noted, the application must be determined based on planning merits, and it is not considered that this information justifies the support of an application which is fundamentally contrary to the provisions of the Local Plan.

The applicant has stated that they wish for temporary consent to be considered given the personal circumstances of the occupant of the caravan. This is noted, however the Planning Practice Guidance is clear that temporary consent should only be granted in exceptional circumstances. The application site is outside of the development boundary and outside of any curtilage or garden land and the principle of development on site is therefore not considered acceptable, as addressed above.

Overall, the principle of this type of development on site is considered contrary to Policy CS08 of the Core Strategy (2011) and Policies DM2 and DM7 of the SADMPP (2016).

For the reasons outlined above, the application is also considered contrary to Policies 2, 6 and 17 of the Heacham Neighbourhood Plan. The Neighbourhood Plan is due to go out for submission consultation on 6th April 2021. In accordance with paragraph 48 of the NPPF (2019), the Neighbourhood Plan Policies are considered to have limited weight at this stage of the consultation process.

### **Form and Character**

The caravan proposed as part of this application is screened from view from the wider area by existing hedgerows and the proposal's impact on the visual amenities of the area is therefore limited. Whilst the site's position to the rear of frontage dwellings is contrary to the typical liner form of the wider locality, the existing built development of the builder's yard and dwelling known as 45A to the east limit the possibility for any long views of the application site to the south. The proposal is considered unlikely to lead to such a significant impact on the form and character of the area so as to warrant refusal.

On balance, the layout of the proposal is therefore considered acceptable and accords with Paragraph 127 of the NPPF (2019) and Policies CS08 and DM15 of the Local Plan.

### **Highway Safety:**

The proposal would generate vehicle movements using the narrow shared access with the existing dwelling and activities to the east of the appeal site. As discussed above, the caravan is considered to have a degree of separation above any beyond that of a residential annex or incidental outbuilding and the highway safety assessment must be carried out on this basis.

The Local Highway Authority have objected on the basis that as a new dwelling, the use would generate vehicle movements in its own right, above and beyond that expected as part of an ancillary or incidental use.

The access to the site is via a shared track which also serves the adjacent commercial use. This access track is restricted in width (by boundary fencing to 47 The Broadway and a service pole adjacent to the access to 45 The Broadway) to approximately 3.2m at the rear of the frontage footpath, measured at 2m back from the carriageway edge. No passing places are available and the LHA consider that the proposal would lead to interference with vehicles stopping, starting and reversing onto the Broadway to allow vehicles to exit the site. The visibility splays provided at the junction of the Broadway also fail to meet the required standard.

The Local Planning Authority has been consistent regarding the safety of the access track throughout a range of application across the wider site. The safety concerns surrounding the intensification of use of the inadequate access were upheld by the Inspector during the appeal of application ref 14/01398/F (see appendix).

The intensification of use of the existing substandard access to the site would be detrimental to the safety of highway users, including pedestrians on the footway. The application is therefore considered contrary to Paragraph 108 of the NPPF (2019) and Policies CS11 and DM15 of the Local Plan as well as Policy 2 of the Heacham Neighbourhood Plan.

**Crime and Disorder** The proposal is considered unlikely to lead to an impact on crime and disorder.

#### **Other Material Impacts:**

Given the extensive boundary treatments existing on site and distance between properties, the proposed caravan is unlikely to lead to a significant impact on the amenity of neighbouring dwellings.

The proposal site is located within Flood Zone 1 of the Borough Council's SFRA (2018) and no flood risk assessment is necessary.

#### **CONCLUSION**

The caravan is outside of any defined curtilage or garden land and outside of the development boundary shown on inset map G47 of the Site Allocations Development Management Policies Plan (2016). The use of a caravan for domestic purposes in this location is considered to form a new dwelling in the countryside for the purposes of the NPPF and Local Plan.

As a new dwelling, the proposed use would lead to an intensification in the use of a substandard access, which fails to provide enough room for two vehicles to pass and which does not provide acceptably visibility splays across the junction.

No justification has been provided which is considered to outweigh the conflict with the Local Plan and the proposed retention of a caravan for independent residential purposes is therefore considered contrary to the overriding aims of the NPPF (2019) as well as Policies CS01, CS06, CS08 and CS11 of the Core Strategy (2011) and Policies DM2, DM7 and DM15 of the SADMPP (2016).

#### **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The retention of a caravan in this location is considered to form a new dwelling in the countryside for the purposes of the NPPF and Local Plan. The caravan is outside of any defined curtilage or garden land and is outside of the development boundary shown on inset map G47 of the Site Allocations Development Management Policies Plan (2016). The site is therefore considered to be within the wider countryside where residential development is required to comply with countryside protection policies. No justification has been provided to outweigh the policy provisions outlined in Policy DM2 of the SADMPP (2016) and the proposed retention of a caravan for independent

residential purposes is therefore considered contrary to Policies CS01, CS06 and CS08 of the Core Strategy (2011) and Policies DM2, DM7 and DM15 of the SADMPP (2016).

- 2 The provision of a new dwelling in this location would lead to an intensification in the use of a substandard access. The access is unsatisfactory to serve the proposed development by reason of its inadequate width which would lead to the stopping or reversing of vehicles on the highway and lead to interference in the safe and free flow of traffic along the Broadway as an important traffic route, leading to conditions to the detriment of Highway Safety. The application is therefore considered contrary to Policies CS08 and CS11 of the Core strategy (2011) and Policy DM15 of the SADMPP (2016).



## Appeal Decision

Site visit made on 20 May 2015

**by David Spencer BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 June 2015

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**Appeal Ref: APP/V2635/W/15/3005626**

**45 Broadway, Heacham, King's Lynn, Norfolk PE31 7JJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Neil Desborough against the decision of King's Lynn and West Norfolk Borough Council.
  - The application Ref 14/01398/F, dated 26 September 2014, was refused by notice dated 28 November 2014.
  - The development proposed is a new build single storey dwelling & garage – all detached.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this appeal are the effect of the appeal proposal on the character and appearance of the surrounding area and the effect of the proposed access on highway safety, with particular reference to vehicle movements on Broadway.

### Reasons

#### *Character and Appearance*

3. The appeal site comprises a grass field enclosed by a combination of post and rail fencing and boundary hedging and trees to the east and south. The site primarily sits within a patchwork of small parcels of open and gently undulating land including paddocks to the west and grazing land to the south. Land to the west contains some outbuildings, but these are visually contained by hedging and trees. Therefore the appeal site and the adjoining fields form part of the countryside edge to Heacham at this location. This countryside character to the appeal locality can be appreciated in longer views from both the A149 to the south-east and from the public bridleway at the end of School Road to the south-west.
4. The appeal proposal would be situated to the rear of the dwellings on the southern side of Broadway. The proposed dwelling would be separated from these dwellings by their long rear gardens. Further separation would result from intervening land between the rear gardens and the appeal site which is primarily laid out to grass with some modest outbuildings and external storage of materials. Consequently, the appeal proposal would have a poor relationship with the existing linear pattern of development on Broadway and



would occupy a peripheral position, incongruously extending the built form of the village into the countryside setting described above.

5. The appellant submits that the proposed dwelling would have a barn style appearance due to its single storey scale and materials, which would enable it to blend into its context. However, design details such as the proposed porch and garden room would lend an overtly domestic appearance to the building. Furthermore, given the degree of separation from any existing dwelling or sizeable structure, the appeal proposal would harmfully appear in longer views as an isolated new structure in the countryside and not as part of an established pattern of fringe development.
6. The appellant has also referred to a new dwelling to the east of the appeal proposal, which is separated by a paddock and an area containing glasshouses and ancillary buildings. I observed that this chalet style dwelling, like the appeal site, is beyond the settlement boundary for Heacham as defined in the King's Lynn & West Norfolk Local Plan 1998, to which I was referred to on the site visit. Neither party has presented me with the planning history of this dwelling, which represents a solitary incursion into the countryside edge at this part of Heacham. It has a limited relationship to the existing form and character of Heacham and as such I am not persuaded that it should set the pattern for development to the rear of The Broadway.
7. I therefore conclude that the appeal proposal would have a significantly adverse effect on the character and appearance of the surrounding area. It would also fail to respond to the local context including a poor relationship with the existing built form in this part of Heacham. It would represent a new dwelling in the countryside, outside of the defined settlement boundary, where no special circumstances have been advanced to justify a rural dwelling on an exceptional basis. Therefore, the appeal proposal would be contrary to Policies CS01, CS06 and CS08 of the King's Lynn and West Norfolk Local Development Framework – Core Strategy 2011 (the CS). It would also be contrary to emerging Policies DM2, DM6 and DM15 of pre-submission King's Lynn & West Norfolk Site Allocations and Development Management Policies document 2015. It would also fail to accord with the objectives of the National Planning Policy Framework (NPPF) to recognise the intrinsic character and beauty of the countryside and to secure high quality design, including responding to local character.

#### *Highway Safety*

8. The proposed access to the appeal proposal would involve a notable length of single width driveway between Nos 45 and 47 Broadway, which has restricted visibility at the entrance due to the position of a brick pier and electricity pole to the front of No.45. The appellant has sought to address the concerns of the Local Highway Authority by proposing a passing bay on land within the curtilage of No.45 and to widen the initial point of access where it meets the Broadway, which it is suggested could be secured by way of a condition.
9. Both of the proposed improvements to the site access involve land which is outside of the red line of the planning application. Whilst the adjoining blue line on the plans before me includes No.45 it is my understanding from the evidence before me and from the site visit that No.45 is owned by a family member. As such, whilst there may be no objection from the occupiers of No.45 there is also no guarantee of control that the appellant can undertake

the required works. I have therefore considered the content of the Planning Practice Guidance<sup>1</sup> which states that conditions that require works on land that is not controlled by the applicant often fail the tests of reasonableness and enforceability. I therefore accept the Council's submission that the appellant's suggested access solution cannot be appropriately conditioned.

10. The appeal proposal would generate vehicle movements using the narrow shared access with the existing dwelling and activities to the east of the appeal site. The appellant contests the use of TRICS estimates suggesting a much lower figure. However, it does not seem likely to me that daily vehicle movements from the appeal proposal would be restricted to just 2 movements a day and I have no compelling evidence that the appellant or future inhabitants of the proposed dwelling would not generate a scale of vehicle movements comparable with the more robust TRICS estimates.
11. Accordingly, it is reasonable to assume that there would be times when there would be a conflict of vehicle movements on the narrow length of access. This would be likely to lead to vehicles reversing out onto and stopping in the Broadway. Vehicles manoeuvring out of the proposed access would be doing so at a point where visibility is substandard. Whilst I accept the appellant's submission that junction changes at the A149 will have affected vehicle flows on Broadway, this does not apply to the unrestricted ability to turn left into Broadway when approaching from the south on the A149. As such the Broadway still functions at the appeal location as a connecting road into Heacham. As such I am concerned that the intensified use of the existing substandard access to the appeal site would be detrimental to the safety of highway users, including pedestrians on the footway, due to the likelihood of stopping and reversing vehicles.
12. I therefore conclude that the proposed access would be harmful to highway safety, with particular reference to vehicle movements on Broadway. Accordingly the proposal would be contrary to CS Policy CS11 which requires new development, amongst other things, to provide for safe and convenient access for all modes.

### **Conclusion**

13. For the above reasons, and having regard to all other matters, I conclude that the appeal should be dismissed.

*David Spencer*

INSPECTOR.

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<sup>1</sup> Planning Practice Guidance ID Ref: 21a-009-201406



# The Planning Inspectorate

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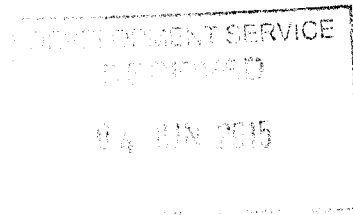
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Ruth Redding  
King's Lynn and West Norfolk Borough  
Council  
Kings Court  
Chapel Street  
King's Lynn  
Norfolk  
PE30 1EX

Your Ref: 14/01398/F  
Our Ref: APP/V2635/W/15/3005626

03 June 2015



Dear Ruth Redding,

**Town and Country Planning Act 1990**  
**Appeal by Mr Neil Desborough**  
**Site Address: 45 Broadway, Heacham, KING'S LYNN, Norfolk, PE31 7JJ**

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at <http://www.planningportal.gov.uk/planning/planninginspectorate/customerfeedback/feedback>.

If you do not have internet access please write to the Quality Assurance Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

Yours sincerely,

**Natalie Dun**  
Natalie Dun

## Ruth Redding

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**From:** borough.planning  
**Sent:** 04 June 2015 08:11  
**To:** Ruth Redding  
**Subject:** FW: Planning Inspectorate: Ref APP/V2635/W/15/3005626: 45 Broadway, Heacham, PE31 7JJ  
**Attachments:** Despatch Cover Letter - Ruth Redding - 03 Jun 2015.pdf; Appeal Decision.pdf

Borough Council of King's Lynn and West Norfolk

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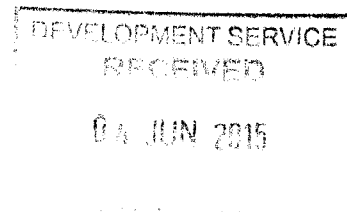
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**Sent:** 03 June 2015 16:40  
**To:** borough.planning  
**Subject:** Planning Inspectorate: Ref APP/V2635/W/15/3005626: 45 Broadway, Heacham, PE31 7JJ

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The Planning Inspectorate  
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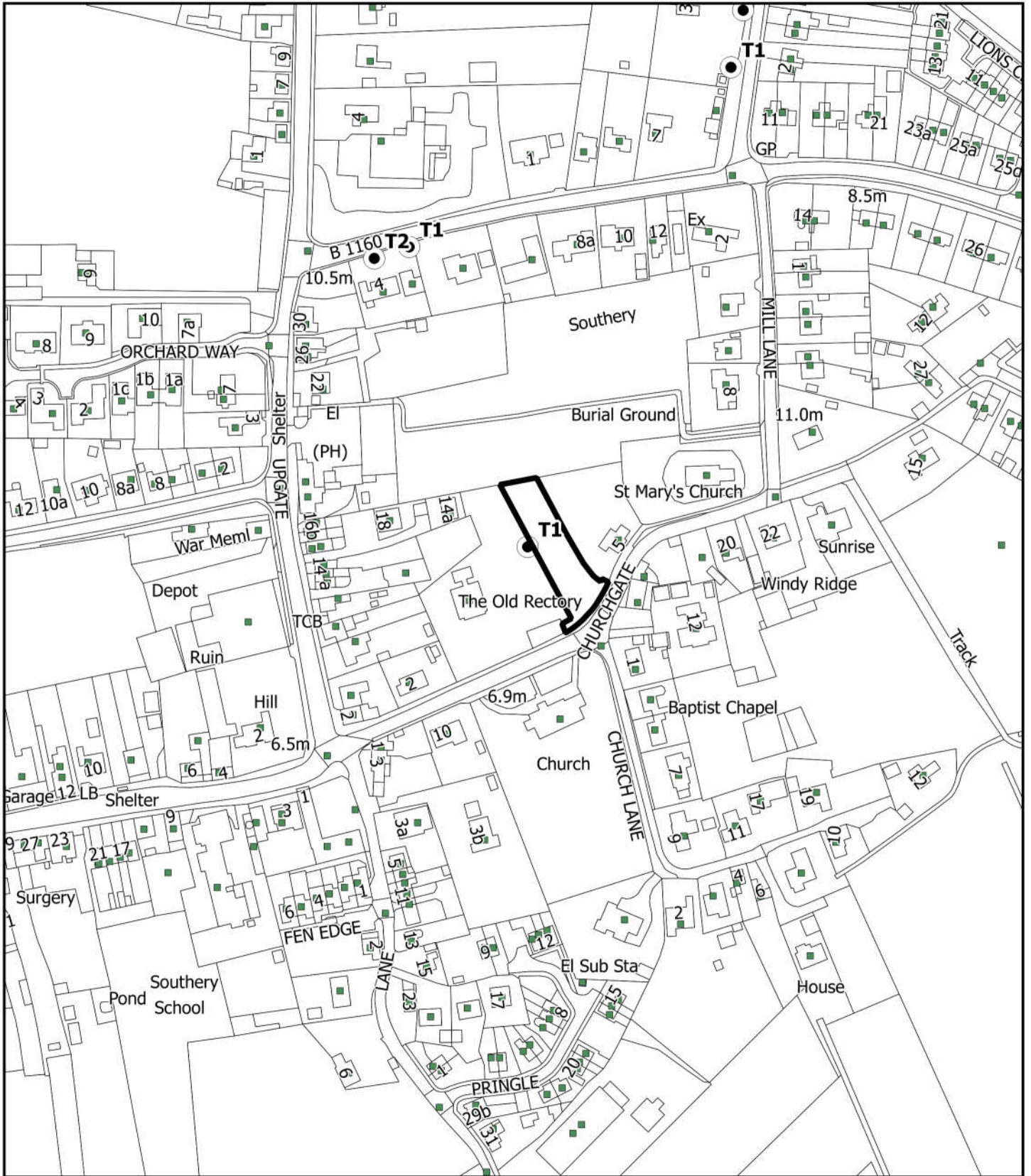
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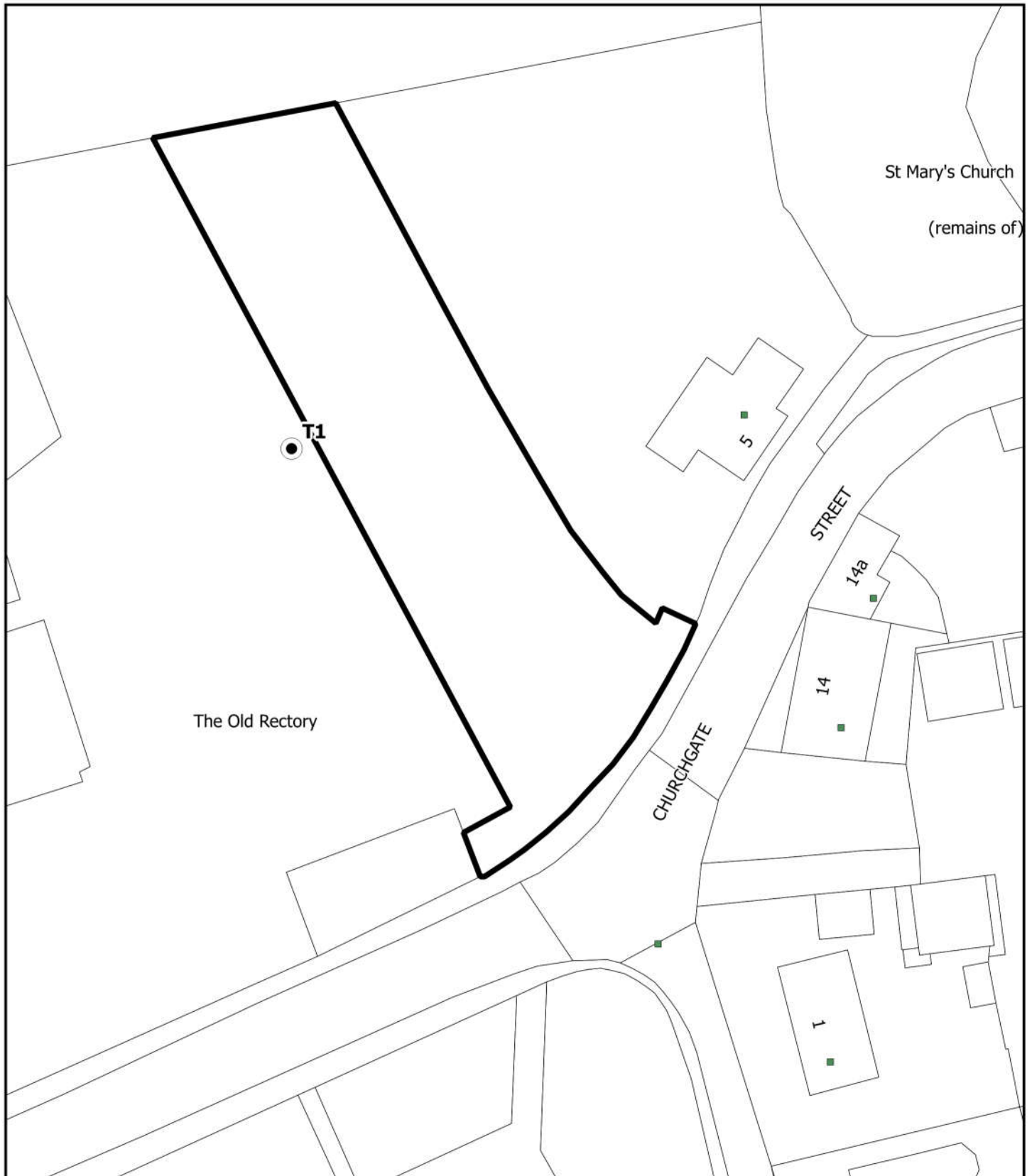
20/02130/F

# The Old Rectory 3 Churchgate Street Southery



20/02130/F

# The Old Rectory 3 Churchgate Street Southery



<b>Parish:</b>	<b>Southery</b>	
<b>Proposal:</b>	<b>Erection of 4 bedroom dwelling including new access drive, garage, landscaping and retaining wall</b>	
<b>Location:</b>	<b>The Old Rectory 3 Churchgate Street Southery Downham Market</b>	
<b>Applicant:</b>	<b>Mr Jason Poole</b>	
<b>Case No:</b>	<b>20/02130/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 16 March 2021</b>

**Reason for Referral to Planning Committee** – Officer recommendation is contrary to the views of the Parish

**Neighbourhood Plan:** No

**Case Summary**

The proposal is for the construction of a new dwelling on land to the east of The Old Rectory, 3 Churchgate Street, Southery. The application site is located opposite St Marys Church on land that is within the development boundary as outlined in inset map G85 of the SADMPP (2016).

**Key Issues**

- Principle of Development
- Design and Impact on Heritage Assets
- Impact on Neighbours
- Highway Safety
- Other Material Considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The proposal is for the construction of a new dwelling on land to the east of The Old Rectory, 3 Churchgate Street, Southery. The application site is located opposite Grade II Listed St Marys Church on land that is within the development boundary as shown on inset map G85 of the SADMPP (2016).

The site has been granted planning permission for the construction of a dwelling several times since 2004. The current proposal is effectively the resubmission of plans originally

Planning Committee  
12 April 2021

submitted under ref 10/00578/F, and permission has since been granted for the same development in 2015 and most recently in 2018 under application ref 17/02333/F. The most recent consent on site expired on 2nd March 2021 without being implemented.

## **SUPPORTING CASE**

**None** received at time of writing

## **PLANNING HISTORY**

17/02333/F: Application Permitted: 02/03/18 - Construction of a detached 4 bedroom house, garage, new access drive and landscaping - The Old Rectory

15/00072/F: Application Permitted: 13/03/15 - 1 detached 4 bedroom house, garage, new access drive, hedging & trees and retaining wall - The Old Rectory

13/00322/EXF: Application Permitted: 15/04/13 - EXTENSION FOR TIME FOR THE IMPLEMENTATION OF A PLANNING PERMISSION REFERENCE 10/00578/F: construction of detached dwelling and garage with new access - The Old Rectory

13/00011/F: Application Permitted: 28/02/13 - Two storey residential extension to side and erection of open store to rear - 5 Churchgate Street

10/00578/F: Application Permitted: 01/06/10 - Construction of detached dwelling and garage with new access - The Old Rectory  
3 Churchgate Street

09/01373/F: Application Withdrawn: 04/01/10 - Construction of four bedroom house with garage, new access and retention of wall - The Old Rectory

07/00750/F: Application Permitted: 25/06/07 - Variation of Condition 7 of planning permission reference number 05/00417/O to provide visibility splays to a reduced standard achievable within the site frontage and public highway - Land Adjoining Former Rectory

05/00417/O: Application Permitted: 09/05/05 - Outline application: Construction of one dwelling - Land Adjoining Former Rectory  
Churchgate Street

04/01902/O: Application Permitted: 16/12/04 - Outline Application: Construction of dwelling - Land Adjoining Former Rectory  
Churchgate Street

2/02/0346/O: Application Refused: 22/04/02 - Site for construction of dwelling - Land Fronting Churchgate Street

2/95/1307/O: Application Permitted: 20/11/95 - Demolition of existing house and site for construction of dwellinghouse and garage - 5 Churchgate Street

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECTION** on the following grounds (summarised):



- Highway Safety - the site's access is on a corner and directly onto a well used route and may lead to conflict with pedestrians and vehicles parked on the road
- Loss of Trees and impact on nature conservation and drainage - there is a visual impact associated with any loss of trees and the Parish Council are concerned about the impact on nature conservation and drainage in the vicinity associated with the loss of trees

**Highways Authority: NO OBJECTION** on the basis of previous granting of consents on site, subject to conditions relating to the laying out of the access and retention of visibility splays.

**Conservation Officer: NO OBJECTION** - The proposal will not cause harm to the two nearby listed buildings. Whilst the Rectory and outbuilding are not listed, they are buildings of some quality and could be regarded as non-designated heritage assets. Likewise, this application will not cause harm to the non-designated heritage assets.

**Historic Environment Service: NO OBJECTION** subject to conditions relating to archeological mitigatory works.

**Arboricultural Officer: NO OBJECTION** - recommended conditions relating to implementation in accordance with Arboricultural Report and landscaping/tree replacement details to be agreed.

## REPRESENTATIONS

**None** received at time of writing

## 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

## NATIONAL GUIDANCE

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

## **PLANNING CONSIDERATIONS**

The key issues are:

- Principle of Development
- Design and Impact on Heritage Assets
- Impact on Neighbours
- Highway Safety
- Other Material Considerations

### **Principle of Development**

The proposal seeks consent for the construction of a chalet bungalow with a small basement store on land to the east of The Old Rectory in Southery.

The application site is within the development boundary for Southery as outlined within the SADMPP (2016) and the principle of development is therefore considered acceptable.

At the time of submission of this application, the site had extant consent for the construction of a dwelling under planning reference 17/02333/F. The time limit for implementation of this previous consent expired on 2nd March 2021. The proposal seeks consent for the construction of a dwelling with no changes proposed to the previously approved scheme (see 17/02333/F).

### **Design and Impact on Heritage Assets**

The proposed dwelling a modest L-shaped chalet bungalow, with small basement area below and brick detailing in the form of parapets along gable ends, contrasting bricks above windows, and an off-centred chimney. The proposed dwelling is set towards the rear of the site. As a result of the sloping site, the dwelling is set into the hill to the rear, allowing a small basement below the front facing gable on site. Roof lights are proposed to serve the bedrooms at first floor, and the window proposed at first floor on the east side elevation will be obscure glazed.

Proposed materials include the majority of the dwelling clad in smooth render with a brick plinth and detailing. The front facing gable, which is the most prominent part of the dwelling in terms of its visibility in the street scene is proposed in red facing bricks. Full details of these materials will be conditions.

The design is in line with the previous approval on site. The dwelling is proposed set back within the site away from the Churchgate Street and will have no adverse impact on the overall street scene. Trees to the front of the site are proposed to be retained to further shield the property from view from the street frontage.

A garage is proposed towards the east boundary of the site, as a single storey structure with a low pitch roof and given that this structure remains set back behind mature trees to the south, this part of the proposal is considered unlikely to pose a significant impact on the amenity of the locality.

Access to the site is proposed to the south and will include the removal of the existing brick wall along the front boundary. The removal of this wall has previously been considered

acceptable by the LPA and it is considered that a suitable replacement can be built with limited impact on the surrounding street scene or designated heritage assets.

The donor dwelling, located to the west of the site is not listed however is of some significant age and character. Whilst within the existing garden land of the donor dwelling, the application site has a degree of separation from the main house as a result of existing vegetation and boundary treatments on site which divide the curtilage. The proposed dwelling is sufficiently distanced from the donor dwelling and shielded from view by mature trees that are proposed to be retained post-development. The proposal is therefore not considered to pose a significant impact on the non-designated heritage asset and is not considered to lead to harm to the Grade II Listed St Mary's Church which is located to the south of the site.

The proposed development lies adjacent to the ruins of the medieval church of St Mary. There is therefore potential that heritage assets with archaeological interest may be present at the site and that their significance will be affected by the proposed development. Conditions are recommended to ensure satisfactory archaeological investigations take place prior to the commencement of works.

Overall, the design is therefore considered to accord with paragraphs 127, 193 and 197 of the NPPF (2019), Policies CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

### **Impact on Neighbours**

Windows are proposed at first floor facing both east and west. The east facing window is shown to be obscure glazed on the approved plan which will minimise any impact on the rear curtilage of No. 5 Churchgate Street to the east of the application site.

To the west, the bedroom window is considered to be sufficiently distanced from the nearest dwelling (No. 14A Upgate Street) to limit any significant impact on this property, whose rear elevation faces towards the proposed dwelling.

The dwelling is considered to be suitably designed and sufficiently distanced to minimise the potential for any adverse levels of overbearing or overshadowing of neighbouring dwellings.

No neighbour objections were received. Overall, the proposal is not considered likely to lead to a significant impact on surrounding dwellings and the development therefore complies with Policies CS08 and DM15 of the Local Plan.

### **Highway Safety**

Access is proposed to the south of the site in close proximity to the bend in Churchgate Street as it heads towards Mill Lane to the north east. The Local Highway Authority responded with no objection to the scheme, and the previous applications on site were considered acceptable on highway safety grounds.

The removal of the existing front boundary wall and a small group of trees from the front of the site will improve the visibility splays achieved for the site's access.

Conditions are recommended to control the laying out of the access track, including conditions to ensure the permanent availability of visibility splays to mitigate any adverse impact on highway safety. Overall, the proposal is considered acceptable in terms of

highway safety and is considered to comply with policies CS08, CS11 and DM15 of the Local Plan.

### **Other Material Impacts**

The Parish Council raised concern over the impact of loss of trees on site. An updated Arboricultural Impact Assessment has been provided as part of this application. This has not drawn objections from the Arboricultural Officer. Tree protection measures and compliance with the arb report will be conditioned in line with the Arboricultural Officer's recommendations.

The arboricultural report indicates a number of trees are proposed to be removed, this includes three trees to the front of the site (a cherry tree, ornamental apple tree and a yew tree) that are required to be removed to provide an acceptable access and visibility splays.

A small group of trees towards the rear of the site, primarily comprising laburnum and sycamore trees, which are not currently a prominent part of the street scene are also proposed to be removed as a result of the proposed layout of the site. Whilst the Parish Council's comments regarding the loss of trees are noted, the trees proposed to be removed are not subject to tree preservation orders and replacement planting can be conditioned as part of the consent. It is considered that conditions requiring accordance with the Arboricultural Report alongside soft landscaping details are adequate to minimise any significant impact on the immediate locality.

**Crime and Disorder** There are no known crime and disorder impacts in relation to this proposal.

### **CONCLUSION**

The application site is within the development boundary for Southery and the principle of development is therefore considered acceptable in accordance with Policy DM2 of the SADMPP (2016). The proposed access and visibility splays have not received objections from the Local Highway Authority and the proposal is therefore considered acceptable on highway safety grounds subject to conditions.

The application site has previously been granted consent for the same development. The proposal is not considered to pose an adverse impact on nearby designated or non-designated heritage assets and is positioned appropriately in the street scene to minimise any impact on surrounding properties.

The proposal is considered to comply with the NPFF, Policies CS08, CS11 and CS12 of the Core Strategy (2011) and Policies DM2 and DM15 of the SADMPP (2016) and the application is therefore recommended for approval.

### **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.

Planning Committee  
12 April 2021

- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:
- \* T333/3 Rev C - Elevations and Roof Plan
  - \* T333/4 Rev D - Floor Plans, Block Plan and Sections
  - \* T333/5 Rev A - Proposed Garage Elevations and Floor Plan
  - \* T333/7 Rev B - Proposed site sections
  - \* Proposed Location Plan, received 22 December 2020
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first occupation of the development hereby permitted the vehicular access crossing over the footway shall be constructed in accordance with the highways specification TRAD 1 and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- 3 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with the principles of the NPPF and Policies CS11 and DM15 of the Local Plan
- 4 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 4 Reason: In the interests of highway safety in accordance with the principles of the NPPF and Policies CS11 and DM15 of the Local Plan
- 5 Condition: Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 5 Reason: In the interests of highway safety in accordance with the principles of the NPPF and Policies CS11 and DM15 of the Local Plan
- 6 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking area shall be laid out, levelled, surfaced and drained at a minimum in accordance with the approved plan 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 in accordance with the principles of the NPPF and Policies CS11 and DM15 of the Local Plan.
- 7 Condition: No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication

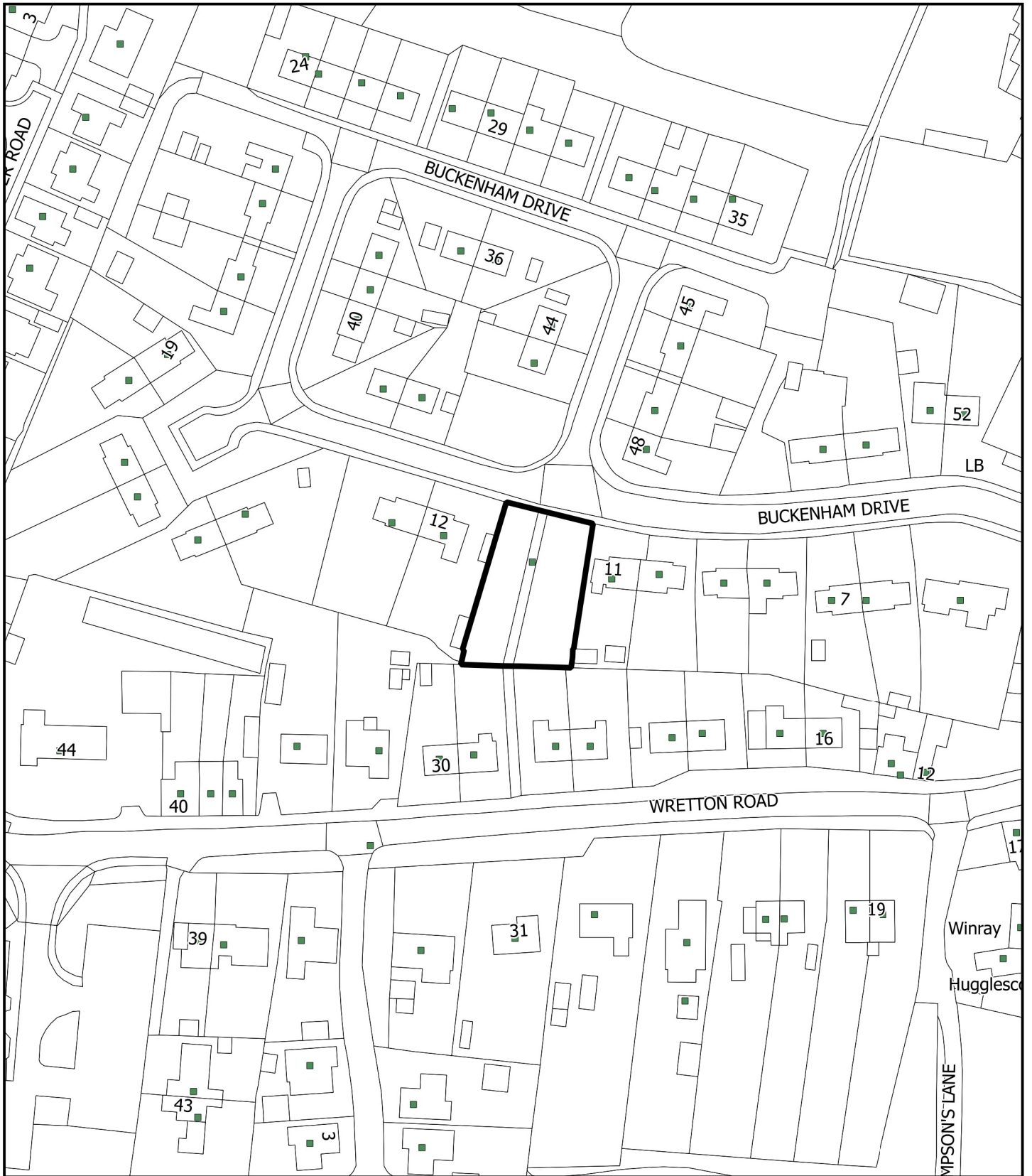
and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

- 7 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 8 Condition: No development shall take place other than in accordance with the written scheme of investigation approved under condition (7).
- 8 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 9 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 7 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 9 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 10 Condition: The development hereby permitted shall be carried out in accordance with the recommendations proposed within section 3 of the submitted Arboricultural Impact Assessment and Tree Protection plans produced by Ravenscroft Tree Services Ltd Revision A dated 07/01/21.
- 10 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 11 Condition: Prior to the first use/occupation of the development hereby permitted, full details of proposed hard and soft landscape works, including a scheme detailing replacement trees shall be submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours and hard surface materials. Soft landscape works shall include planting plans, including a scheme of replacement trees, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 11 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 12 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.
- 12 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

- 13 Condition: No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) 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.
- 13 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 14 Condition: Before the first occupation of the building hereby permitted the first floor eastern flank elevation window shown on dwg No T333/3 Rev C shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- 14 Reason: To protect the residential amenities of the occupiers of nearby property.
- 15 Condition: Notwithstanding the details shown on the approved plan, prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected along the front (south east) boundary of the site. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 15 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

**20/01985/O**

**Land between 11 and 12 either side of footpath at Buckenham Drive**





**20/01985/O**

**Land between 11 and 12 either side of footpath at  
Buckenham Drive**



<b>Parish:</b>	<b>Stoke Ferry</b>	
<b>Proposal:</b>	<b>OUTLINE APPLICATION ALL MATTERS RESERVED: Proposed semi-detached houses</b>	
<b>Location:</b>	<b>Land Between 11 And 12 Either Side of Footpath Buckenham Drive Stoke Ferry King's Lynn</b>	
<b>Applicant:</b>	<b>BCKLWN</b>	
<b>Case No:</b>	<b>20/01985/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Mrs C Dorgan</b>	<b>Date for Determination: 25 March 2021 Extension of Time Expiry Date: 16 April 2021</b>

**Reason for Referral to Planning Committee** – Application called in by Cllr Sampson, Parish Council contrary to officer recommendation and application site is owned by the Borough Council.

**Neighbourhood Plan:** No

**Case Summary**

The application site is situated on the southern side of Buckenham Drive, Stoke Ferry between Nos.11 and 12. It comprises a vacant parcel of land currently used as an informal parking area. The land is owned by the Borough Council and there is currently access to an existing footpath (not a public right of way) at the rear of the site.

The application site lies within the development boundary for Stoke Ferry as defined on Inset Map G88 of the Site Allocations and Development Management Policies Plan 2016 (SADMPP).

The application seeks outline planning permission for proposed residential development of the land with all matters reserved.

**Key Issues**

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

- Principle of development;
- Form and character;
- Neighbour amenity;
- Highways impact; and
- Other material considerations.

**Recommendation**

**APPROVE.**

## **THE APPLICATION**

The application seeks outline planning permission with all matters reserved for proposed residential development on the land. The plans include an indicative layout which shows a pair of semi-detached houses with car parking situated to the rear and access retained for No.11 Buckenham Drive. The indicative scheme also includes pedestrian access to the footpath at the rear of the site.

Attention is drawn to previous applications on the site; 14/01454/O and 17/01951/RM, an outline application and reserved matters application for an identical scheme as that currently under consideration. These planning consents have now lapsed and the applicant is thus seeking a new outline consent.

## **SUPPORTING CASE**

Provided by the planning agent - I write in regard application reference 20/01985/O and start by addressing the comments made at the Parish Council meeting on 03.02.2021.

The first comment refers to Highway Safety & Road Access; space for four cars manoeuvring, I quote "There would not be enough space for four cars belonging to the proposed new houses to manoeuvre in the proposed location due to the current lack of parking in the area and space". I can confirm that there is sufficient space for four vehicles to manoeuvre and park as shown on the proposed site plan drawing reference 20-L65-PL001A. The proposal has achieved a minimum of 6m to the rear of every parking space which is required as per NCC Highways.

Comment 2 again refers to Highway Safety & Road Access I quote "There would not be enough parking space for four cars belonging to the proposed new houses to manoeuvre in this location due to it being a route that children walk to school and sometimes unattended". I would like to highlight that the proposal comprises a designated footpath for all members of the local community which I would suggest is safer than the current situation; children walking through this area that is often parked in by several local residents which doesn't have a designated footpath. I would also like to reiterate the point made above; the proposal has achieved a minimum of 6m to the rear of every parking space which is required as per NCC Highways.

The third comment I quote "There is currently not enough space for emergency services to access Buckenham Drive properties currently due to the restricted amount of parking and space to manoeuvre in this area. There are already many cars parked on the highway due to lack of parking. This can be evidenced by locals to that area". In reference to emergency services, this is a very serious comment. I would like to state that the vast majority of residents of Buckenham Drive already have drop kerbs installed and adequate space (off-road) for parking. Also, there is several turning spaces for emergency services down Buckenham Drive.

The fourth comment again refers to Highway Safety & Road Access I quote "there is a path leading to the garage behind the proposed location and a pathway used by children to go to school which would make it more unsafe to include more properties and driveways". The proposal comprises of designated access for the garage discussed as well as a zebra crossing for the safety of footpath users. The driveway and parking provision has been separated by 1m high bollards.

The last comment refers to highway safety, I quote "if the houses are built in the proposed space the footpath and streetlight will be affected by reduced visibility making it unsafe for all

residents especially children". I can confirm that there are only two streetlights on Buckenham Drive in relation to this site, one of which is east of the northern boundary and is proposed to be relocated approximately 3m further east. This will have little or no impact at all on the footpath and existing streetlight provision.

I would now like to move on the objection made by no. 11 Buckenham Drive. I would firstly like to highlight that it states children are walking through a carpark to get to school, the provision that we have proposed surely increases the safety of anyone walking this route as we have indicated a footpath with 1m high bollards. There is also a comment regarding the dwellings overlooking into no. 11's garden, the proposed dwellings are west of this residential property with a distance of approximately 9.9m in between. The proposed dwellings will not overlook no. 11's rear garden any more than no. 10 as no. 10 & 11 are semi-detached dwellings. Regarding the comment about the house being close to no.11's fence, again I wish to reiterate that the proposed dwellings are not near the fence and have a distance of approximately 9.9m in between. I have noticed in the objection that no.11 uses this land owned by the council to park on (as well as other residents apparently), and the access to the garage in the rear garden. I wish to state that no.11 does have space at the front of their property for vehicles and a drop kerb is already present. It is indicated on the conveyance plan dated 1995 that this land is not within the red line of no.11's property & states vehicular access and shared pedestrian access only, not parking space. Provision for no.11 to access their garage has been provided.

There are a further 11 comments of the same concerns regarding decreased provision of off-road parking, emergency vehicle access, refuse vehicle access, existing walkway etc. Again, I wish to highlight that the majority of the residential dwellings of Buckenham Drive have adequate space for off-road parking at the front of their properties, including drop kerbs, why is this space not already being used? This leads on to access for emergency vehicles and refuse vehicles being a hazard, if this is a priority and of genuine concern, should cars not already be parked off-road, on residential land as there is adequate space, rather than on the road or on the site in question. The current use of this land is not decided by the residents and if this is a valid point, could the land east of the site on the northern side of the highway be used instead? As stated before, the proposed footpath is in a better location and of better standard than the existing walkway and there is not an alleyway in the proposal. The Arboricultural Officer and Highway Officer have not objected.

## **PLANNING HISTORY**

17/01951/RM: Application Permitted – Committee decision: 06/02/18 - Reserved Matters Application: construction of two dwellings - Land Between 11 And 12 Buckenham Drive

14/01454/O: Application Permitted – Committee decision: 02/12/14 - Proposed residential development - Land Between 11 And 12 Buckenham Drive

14/01420/O: Application Withdrawn: 07/10/14 - Outline application: Proposed residential building - 11 Buckenham Drive

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECT**

The Stoke Ferry Parish Council wish to object to this application 20/01985/O based on the following material reasons:

\*'Highway Safety' and 'Road Access' as a material consideration - There would not be enough space for four cars belonging to the proposed new houses to manoeuvre in the proposed location due to the current lack of parking in the area and space.

\*'Highway Safety' and 'Road Access' as a material consideration - There would not be enough parking space for four cars belonging to the proposed new houses to manoeuvre in this location due to this being a route that children to walk to school and sometimes unattended.

\*'Highway Safety' and 'Road Access' material consideration- There is currently not enough space for emergency services to access Buckenham Drive properties currently due to the restricted amount of parking and space to manoeuvre in this area. There are already many parked cars on the highway due to lack of parking. This can be evidenced by locals to that area.

\*'Highway Safety' and 'Road Access' as a material consideration – There is a path leading to the garage behind this proposed location and a pathway used by children to go to school which would make it unsafe to include more properties and driveways.

\*'Highway Safety' - If the houses are built in the proposed space the footpath and the streetlight will be affected by reduced visibility making it unsafe for all residents especially children.

#### **Highways Authority: NO OBJECTION**

Having reviewed the information submitted the access, parking and turning could in principle be provided to accord with the adopted standards and a footpath link introduced for the wider pedestrian benefit. No objection to the principle of development at this all matters reserved stage. However, the applicant would need to provide an appropriate design at a reserved matters stage to address the following points in accordance with the adopted standards:

- i) Visibility splays.
- ii) Access
- iii) Parking provision in accordance with adopted standard.
- iv) Turning
- v) Continued footpath provision across the site

**Environmental Quality: NO OBJECTION** subject to condition.

Contaminated Land - Due to the presence of a factory, located to the north east, it is plausible that sources of contamination may be present at the site. Therefore, it is recommended a condition is attached to cover the reporting of unexpected contamination.

**IDB: NO OBJECTION** subject to standard guidance.

#### **Conservation Officer: NO OBJECTION**

Although this site is located on the outside boundary of the conservation area, it is unlikely to affect the setting or character of the area.

#### **Arboricultural Officer: NO OBJECTION**

**REPRESENTATIONS:** 13 letters of **OBJECTION** received to the planning application. The issues raised can be summarised as below-

- Residents use this for off road parking which eases congestion in the locality.
- The development would result in more on street parking which would be hazardous for emergency vehicles, refuse collection etc.
- This is part of a footpath used by children to get to school, the development would create an alleyway making this route dangerous.
- Proposed access will have poor visibility and will be dangerous with the footpath alongside.
- Loss of light and privacy to neighbouring dwellings.
- Increased noise for neighbouring dwellings.
- Not in keeping with the character of the locality.
- Loss of tree.
- There are bats in this locality.
- There is a manhole within the site which is used by Anglia Water to access sewerage system; can this infrastructure be developed upon?
- Note the right of access for no.11 to their garage to the rear.

### **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

### **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**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 identified in the consideration of this application are as follows:

- Principle of development;
- Form and character;
- Neighbour amenity;
- Highways Impact; and
- Other material considerations.

## **Principle of Development**

The application site lies within the development boundary for Stoke Ferry as defined on Inset Map G88 of the Site Allocations and Development Management Policies Plan (SADMPP). Within this location the principle of new residential development is generally considered to be acceptable under saved Policy DM2 of the SADMPP (2016) provided that it is in harmony with the building characteristics of the area.

Stoke Ferry is defined as a Key Rural Service Centre under Policy CS02 of the Council's Core Strategy (2011) as it provides a range of services that can meet basic day to day needs and a level of public transport that can enable access to and from the settlement. The location of the proposal therefore accords with the core principles of the NPPF which requires proposals to be in sustainable locations.

Outline planning permission and reserved matters have previously been granted for the same development in 2014 and 2018 respectively and both applications were considered by Planning Committee. This planning permission has expired.

The principle of residential development on the site is therefore generally considered to be acceptable provided that it would be in keeping with the established character of the area and not result in any material harm to residential amenity or highway safety. The scheme accords with the NPPF, Policies CS02 and CS08 (Core Strategy 2011) and Policy DM2 (SADMPP 2016).

## **Form and Character**

The area in which the site is situated is predominantly characterised by two storey semi-detached properties. Whilst this application seeks outline planning permission only with all matters reserved, an indicative site layout plan has been submitted which demonstrates that a pair of semi-detached dwellings and 4 no. car parking spaces could be satisfactorily accommodated on the site without harming the established form and character of the area. Furthermore, the indicative site plan also illustrates that existing pedestrian access to the footpath at the rear of the site will be maintained along with access to the rear garage of No.11 Buckenham Drive.

The proposal therefore complies with the NPPF, Policy CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

## **Neighbour Amenity**

Although the application seeks outline planning permission only with all matters reserved the indicative site plan shows that a pair of semi-detached houses can be satisfactorily accommodated on the site without having any material detrimental impact on either neighbouring property (Nos. 11 and 12 Buckenham Drive) in terms of either overshadowing / loss of light, loss of privacy or overbearing impact.

Concerns have specifically been raised by occupiers of the neighbouring properties that the proposed dwellings would result in loss of light to their flank elevation kitchen windows but given the indicative site plan shows a sufficient separation distance on both sides it is not considered that any loss of light would be material. Therefore the proposal is in accordance with Policy DM15 of the SADMPP (2016).

## Highway Impact

The Local Highway Authority has not objected to the scheme. The indicative site plan clearly illustrates that 2 no. on-site car parking spaces per dwelling can be provided and that a segregated footpath can be incorporated in order to provide access to the existing footpath at the rear of the site.

The Parish Council has raised a number of concerns regarding the highway impact of the proposed development. Firstly it is their view that there is insufficient space for parking and turning facilities for the two dwellings; there is also conflict between the vehicular access and the pedestrian use of the public footpath; and in addition that the development would affect the footpath and streetlight which would result in this pedestrian route becoming darker and unsafe. These matters raised are detailed considerations for the reserved matters application on the site, however the Local Highway Authority are of the view there is sufficient space to secure the necessary standards and requirements.

Both the Parish Council and a number of neighbouring objections refer to the continued need for the land for parking, as this eases congestion of on street parking on Buckenham Drive. Concerns are raised that without this there would be issues with emergency vehicles and refuse collection vehicles gaining access. However, the land is used informally as a parking area for the locality the Council's property team have confirmed that no-one using the area for parking has any licence of lease to use it.

Furthermore, a significant number of properties in the area now have their own driveways. This is not considered a reason to warrant a refusal of the application given there is no objection from the Local Highway Authority.

The proposed development is in line with the NPPF, Core Strategy Policies CS08 and CS11, and DM15 and DM17 from the SADMPP.

## Other Material Considerations

Drainage - Concerns have been raised regarding a main sewer being sited on the land in addition to an electricity cable. However, in previous applications it was confirmed by way of Anglian Water maps that there is no sewer on the land. Consideration has also been given to the route of the electrical cable and this area has now been shown as footpath / access drive on the indicative site plan giving necessary easements to the service.

Protection of tree - While the proposal does result in the loss of an existing tree on the site, the site is not within the Conservation Area and the tree is not worthy of a Tree Preservation Order. The Arboricultural Officer has no objections to the scheme and on balance the loss of the tree does not warrant the refusal of the planning application on this basis.

Ecology - An objection received from a neighbouring resident states that there are bats within the locality of the site. However given the nature and form of the tree to be removed, alongside the fact that this is an individual tree within a residential estate, it is unlikely that the tree to be removed is a habitat for roosting bats. There is no other history of bats on the site to date. Therefore, based on the information available, it is considered that a bat survey is not required as part of this planning application.

Conservation Area – The application site is adjacent to the Stoke Ferry Conservation Area boundary, however it is not considered that the scheme will affect the setting or character of the Conservation Area given the form and character along Buckenham Drive.



Environmental Quality – Due to the proximity of the commercial buildings to the north east, sources of contamination may be present at the site. Therefore, a condition is recommended which covers the reporting of unexpected contamination.

## CONCLUSION

The principle of a pair of semi-detached dwellings, associated gardens and parking and the retention of the informal footpath is acceptable and it is considered that the proposal would not result in any material harm to the established form and character of the area, residential amenity or highway safety. The site has benefitted from planning permission very recently in 2014 (outline) and 2018 (reserved matters) and both applications were determined by Planning Committee. There has been no material change in circumstances on the site. As a result the proposal has been found to comply with the provisions of the National Planning Policy Framework, Policies CS02, CS06, CS08 and CS11 of the adopted Core Strategy (2011) and Policies DM2, DM15 and DM17 of the Site Specific Allocations and Development Management Policies Plan (2016). As such it is recommended that outline planning permission be approved subject to the conditions outlined below.

## RECOMMENDATION:

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

- 1 Condition: Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called ‘the reserved matters’) shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition: Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition: The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition: The details required in accordance with Condition 1 shall include:
  - provision of a pedestrian footpath from the existing footpath to the south of the site to Buckenham Drive, and

- provision for a vehicular access to the rear of no.11 Buckenham Drive.
- 5 Reason: To ensure satisfactory development of the site in accordance with the NPPF and Core Strategy Policy CS11.
  - 6 Condition: No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved 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.
  - 6 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
  - 7 Condition: Prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
  - 7 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
  - 8 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

- 8 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

## PLANNING ENFORCEMENT REPORT

PLANNING COMMITTEE – 12 April 2021

Report of the Executive Director of Environment and Planning, pursuant to the Scheme of Delegation.

Parish:	Heacham (enf ref: 18/00575/UNAUTU)
Purpose of report:	TO UPDATE MEMBERS IN RESPECT OF A CONTINUING BREACH OF PLANNING CONTROL AND TO SEEK A RESOLUTION IN RESPECT OF WHAT FURTHER ENFORCEMENT ACTION IS REQUIRED, IF ANY, TO REMEDY THE BREACH OF PLANNING CONTROL.
Location:	Land North East of, 20 North Beach, Heacham, Norfolk, PE31 7LJ
<p><b>Recommendation – That Members of the Planning Committee:</b></p> <ul style="list-style-type: none"> <li>a) Note the update in respect of the continuing breach of planning control; and</li> <li>b) Grant authority to the Executive Director of Environment and Planning for the implementation and execution of direct action under Section 178 of The Town and Country Planning Act 1990 (as amended) to comply with the requirements set out in Paragraph 5 of the Enforcement Notice dated 26<sup>th</sup> April 2019.</li> </ul>	

### 1.0. INTRODUCTION

1.1. This report is brought to the Planning Committee so that Members can note the continuing breach of planning control and for a resolution to remedy the breach of planning control following non-compliance with a Planning Enforcement Notice. A copy of the Enforcement Notice is attached at **Appendix 1**.

### 2.0. THE LAND

2.1. The Land is located on the eastern side of North Beach Road, Heacham and is un-registered with HM Land Registry. A plan of the Land can be found attached to the Enforcement Notice at **Appendix 1**.

2.2. It is apparent that a caravan has been in place on the Land for a long period of time and that this is considered by the Local Planning Authority to constitute a use of land that requires planning permission, that has neither been applied for or granted in this instance.

2.3. Photographs showing the caravan are attached at **Appendix 2**.

### **3.0. RELEVANT LEGISLATION**

3.1. The following legislation is relevant:

- Town and Country Planning Act 1990 (as amended) (the 1990 Act), Sections 172 to 179, 187B and 191.
- Law of Property Act 1925 (the 1925 Act), Section 103
- Public Health Act 1936 (the 1936 Act), Sections 276, 289 and 294.

### **4.0. PLANNING CONSIDERATIONS**

4.1. The following planning considerations are relevant:

- National Planning Policy Framework
- Planning Practice Guidance – Ensuring effective enforcement

### **5.0. PLANNING HISTORY**

5.1. There is no specific planning history relevant to this matter.

### **6.0. THE BREACH OF PLANNING CONTROL**

6.1. The breach of planning control is set out at Paragraph 3 of the enforcement notice as:

*Without planning permission, the material change of use for the Land from countryside to a mixed use of countryside and use for the siting of a residential caravan and tent and associated paraphernalia.*

### **7.0. ENFORCEMENT HISTORY**

7.1. The breach of planning control was brought to the attention of the Planning Department in late 2018.

7.2. As the land was un-registered and the owner's identification was not verified, a letter was affixed to the exterior of the caravan and on a wooden stake placed in the ground on 13<sup>th</sup> December 2018 requesting contact is made with the authority as a matter of urgency, no contact was received.

7.3. On 26<sup>th</sup> April 2019 the enforcement notice was served on the Land by affixing a copy to a wooden stake in the ground and stapling a copy to the entrance door of the caravan. As an appeal to the Planning Inspector against the Enforcement Notice was not made the notice came into effect on 8<sup>th</sup> June 2019.

7.4. The compliance period given in the notice was one week.

7.5. It should be mentioned that it is possible that not all of the area of land shown on the enforcement notice is in one ownership. The area was identified in this way at the time of service to prevent the caravan simply being moved around/ placed on nearby land, effectively complying with the requirements of the notice.

- 7.6. Since the service of the notice someone has made contact with the Authority purporting to be the owner of the Land

Guidance and information have been provided to this person, including the requirement to comply with the terms of the enforcement notice. However, as can be seen from the most recent photographs this has been ignored. **Appendix 3**

## **8.0. OPTIONS FOR REMEDYING THE BREACH OF PLANNING CONTROL**

### **8.1. Option 1 – Prosecution**

- 8.2. Section 179 of the 1990 Act provides:

Where, at any time after the end of the period for compliance with an enforcement notice, any step required by the notice to be taken has not been taken or any activity required by the notice to cease is being carried on, the person who is then the owner of the land is in breach of the notice.

Where the owner of the land is in breach of an enforcement notice he shall be guilty of an offence.

A person guilty of an offence under this section shall be liable on summary conviction, or on conviction on indictment, to a fine.

- 8.3. The court has no power to order compliance with the terms of the enforcement notice, although in cases where there is a successful prosecution, it is usually made clear that it is expected that there will be compliance.

- 8.4. Although it is open to the Local Planning Authority to consider prosecution proceedings in relation to the failure to comply with the enforcement notice, it is the judgement of officers that this may not persuade the purported owner of the Land of the need to comply with the requirements of the notice.

Furthermore, the purported owner may simply say he is not the owner as his defence, and/or, there is also a claim that he never received a copy of the enforcement notice directly.

Therefore, it is recommended that this option is not considered.

### **8.5. Option 2 – Injunction**

- 8.6. Section 187B of the 1990 Act provides that where a Local Planning Authority consider it necessary or expedient for any actual or apprehended breach of planning control to be restrained by injunction, they may apply to the court for an injunction, whether or not they have exercised or are proposing to exercise any of their other powers under Part VII (Enforcement) of the 1990 Act.

- 8.7. Whilst an application may be made to the court in respect of the above breach of planning control, the court would need to be satisfied that the granting of an injunction to force compliance will achieve the required aim and that such intervention is as a last resort. This is because the court would also need to be

satisfied that if the owner fails to obey the injunction they would be prepared to commit them to prison for contempt of court.

8.8. In this particular case it is considered that the Local Planning Authority will have some difficulty in persuading the court to grant injunctive relief, particularly as it is not the only option open to them, nor is it a last resort at the current time. Also, the court may consider that injunctive relief is a draconian and disproportionate tool under the circumstances and one that would put the owner (if this can be established) at immediate risk of contempt if compliance was not fully achieved.

8.9. Members would also have to commit to the costs involved with obtaining and enforcing the order, with little realistic prospect of success. This option is therefore not considered to be the most appropriate and proportionate action to take.

#### **8.10. Option 3 – Direct Action (Section 178 of the 1990 Act)**

8.11. Section 178 of the 1990 Act provides that where any steps required by an enforcement notice to be taken are not taken within the period for compliance with the notice, the local planning authority may –

(a) enter the land and take the steps; and

(b) recover from the person who is then the owner of the land any expenses reasonably incurred by them in doing so.

8.12. Enforcement action must be proportionate, necessary, reasonable, appropriate and justifiable, and commensurate to the breach of planning control. Some incidents or breaches of regulatory requirements have the potential to cause serious risks to the public, environmental damage or loss of public or residential amenity. One of the Local Planning Authority's responsibilities is to protect the public and prevent harm to the environment from occurring or continuing.

8.13. The continued failure to comply with the requirements of the Enforcement Notice is causing an adverse impact to the amenity of the area. It is considered that the best option for remedying the continuing breach of planning control is to undertake direct action to ensure the requirements of the Enforcement Notice are fully met.

8.14. Paragraph 5 of the Enforcement Notice requires the following steps to be taken:

*i) The unauthorised caravan, tent and associated paraphernalia is permanently removed from the Land.*

*ii) The Land is restored to its former condition.*

8.15. In this particular case, it is considered that direct action pursuant to Section 178 of the 1990 Act is justifiable, reasonable, appropriate, proportionate and necessary and the best option open to Members to remedy the breach of planning control, to protect the amenity and prevent harm to the environment from occurring or continuing.

## **8.16. Option 4 – Take No Further Action**

8.17. The enforcement notice will remain extant indefinitely and therefore a decision to take formal enforcement action could be reconsidered at a later date. The result of this is that the unauthorised use cannot become immune from enforcement and therefore lawful for the purpose of Section 191 of the 1990 Act. However, Members should consider that whilst the Local Planning Authority has a general discretion to take enforcement action, the continued failure to resolve the breach of planning control may affect public perception and confidence in the planning system.

## **8.18. Option 5 - Compulsory Purchase Order (CPO) (Section 226 of the 1990 Act)**

8.19. The Council has the power to purchase land under Section 226 in the following circumstances:

(1) A local authority to whom this section applies shall, on being authorised to do so by the Secretary of State, have power to acquire compulsorily any land in their area which –

(a) if the authority think that the acquisition will facilitate the carrying out of development/ re-development or improvement on or in relation to the land, or  
(b) is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.

(1A) But a local authority must not exercise the power under paragraph (a) of subsection (1) unless they think that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objects –

(a) the promotion or improvement of the economic well – being of their area;  
(b) the promotion or improvement of the social well-being of their area;  
(c) the promotion or improvement of the environmental well-being of their area.

8.20. Guidance for the use of this power is provided by the Department for Communities and Local Government – October 2015, which states at paragraph 12.

*A compulsory purchase order should only be made where there is a compelling case in the public interest.*

*An acquiring authority should be sure that the process for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provision of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.*

8.21. Further the Council would have to demonstrate that it had the funds to carry out the acquisition prior to making the relevant compulsory purchase order and that no obstacles existed to the exercise of the CPO.

8.22. Only in exceptional circumstances would a CPO be likely to be an appropriate course of action in controlling unauthorised development of sites since the Local Planning Authority has other powers to secure compliance with planning control which have a less drastic effect than taking away property rights.

8.23. Again, assuming such action could be justified, the procedure involved could be likely to be protracted, most probably involving a public inquiry and subsequent report. The Secretary of State would then have to consider whether to confirm the Order or not.

#### **8.24. Option 6 - A Discretionary Extension of the Compliance Period**

8.25. In this particular case, extending the compliance period of the notice is not considered the best option as it is likely to result in a delay in the need to take further enforcement action, and the purported owner has had ample time already to remove the caravan.

### **9.0. COST IMPLICATIONS**

9.1. An assessment has been made of the costs involved to secure compliance with the requirements of the Enforcement Notice. In accordance with the Council's Contract Standing Orders procedure (23<sup>rd</sup> January 2020), a quotation has been provided to remove the caravan that forms part of the requirement of the enforcement notice (the tent and other paraphernalia have been removed already).

The quote is:

£930.00 + VAT, this includes recovery from the site, and disposal (if required).

Additionally, there is a charge of £10.00 + VAT per day storage.

The owner of the caravan is entitled to collect their property, as such the Local Planning Authority must retain it safely for a minimum period of 3 days.

Under section 276 of the 1936 Act, a Local Planning Authority may sell any materials which have been removed by them from any premises when executing works, including direct action under the 1990 Act, and which are not before the expiration of three days from the date of their removal claimed by the owner and taken away by him.

9.2. Given the nature of the work, a specialist contractor would be needed to carry out the work.

9.3. If Members resolve that Direct Action (Option 3) is authorised it should be noted that although the costs involved of taking direct action, including the Local Planning Authority's establishment costs are recoverable by way of imposing a registered charge on the Land, it is not foreseen that the debt will be recovered in this instance.

This is due to the uncertainty regarding land ownership and the perceived lack of interest/ desirability in acquiring, then selling the land in order to recover the debt.



Therefore the costs associated with the taking of direct action might not be recovered, although they must be reasonable and justifiable. In this respect, direct action will be carried out in accordance with the law, best practice guidance, and the Local Planning Authority's own procedures.

## **10.0. THE HUMAN RIGHTS ACT AND THE EQUALITY ACT**

- 10.1. The Local Planning Authority has a duty to consider Land owner's rights under the Human Rights Act (HRA), in particular Articles 8 and Article 1 of the first protocol to the Convention on Human Rights, which state that a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property.
- 10.2. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedom of others. Therefore, on balance it is considered that the wider adverse impact due to the condition of the land and the continued failure to comply with the requirements of the enforcement notice outweighs the Land owner's rights under the HRA.
- 10.3. The Council must also have due regard to the provisions of the Public Sector Equality Duty (PSED) contained in the Equality Act 2010. Amongst other things, this requires consideration to be given to the need to eliminate unlawful discrimination, harassment, and victimisation and to advance equality of opportunity and foster good relations between people who share protected characteristics and people who do not share it.
- 10.4. It is not known whether the owner (s) of the Land falls within one of the protected characteristics. However, even if they do it does not follow from the PSED that formal enforcement action should not be taken. The adverse impact the condition of the Land is having on the amenity of the area is demonstrable and therefore it is not considered that the requirement to have due regard to meet the needs of people with protected characteristics is of sufficient weight in this instance to justify taking no action.
- 10.5. On balance, it is considered justifiable and proportionate to remedy the ongoing breach of planning control by the taking of further enforcement action using the above options.

## **11.0. RECOMMENDATION**

### **11.1. That Members of the Planning Committee:**

- a) **Note the update in respect of the continuing breach of planning control.**
- b) **Grant authority to the Executive Director of Environment and Planning for the implementation and execution of direct action under Section 178 of the Town and Country Planning Act 1990 (as amended) to comply with the requirements set out in paragraph 5 of the Enforcement Notice dated 26<sup>th</sup> April 2019.**



Case Reference Number: 18/00575/UNAUTU

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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Borough Council of King's Lynn & West Norfolk

**TOWN AND COUNTRY PLANNING ACT 1990**  
(as amended by the Planning and Compensation Act 1991)('the Act')

## **ENFORCEMENT NOTICE**

ISSUED BY: Borough Council Of King's Lynn & West Norfolk ('the Council')

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control within paragraph (a) of Section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The annex at the end of the Notice and enclosure to which it refers contain important additional information.
  
2. **THE LAND TO WHICH THIS NOTICE RELATES**  
  
Land at Land N E of 20 North Beach Heacham King's Lynn, ("the Land") as shown shaded on the attached plan.
  
3. **THE BREACH OF PLANNING CONTROL ALLEGED**  
  
Without planning permission, the material change of use of land from countryside to a mixed use of countryside and use for the siting of a residential caravan and tent and associated paraphernalia.
  
4. **REASONS FOR ISSUING THIS NOTICE**  
  
The above breach of planning control has occurred within the last 10 years.  
  
The site falls within an Article 4 Direction area (GDO/ART4/004) restricting the temporary use of land for the purposes of public amusement or entertainment or for camping or the sale of goods, including beach requisites, foodstuffs and refreshments; and the erection or placing of moveable structures, including motor vehicles, caravans or trailers on the land for the purposes of that use.

The caravan and tent are also sited along the access track in an unduly prominent position harming the character and appearance of this countryside location contrary to the provision of paragraph 170 of the National Planning Policy Framework (NPPF) 2018 and Policy CS06 of the adopted Core Strategy (CS) 2011.

The site also falls within Flood Zone 3 and the Coastal Flood Risk Hazard Zone, and in this area new development and changes of use are strictly controlled due to the high risk of flooding. The proposed retention of the caravan and tent would result in an increase in habitable accommodation and a change of use that increases flood risk vulnerability and the number of people at risk of flooding. This is contrary to Paragraph 167 of the National Planning Policy Framework (NPPF) 2018 and Policy DM18 of the Site Allocations and Development Management Plan (SADMP) 2016 and Policy CS08 of the adopted Core Strategy (CS) 2011.

#### **5. WHAT YOU ARE REQUIRED TO DO**

- i) The unauthorised caravan, tent and associated paraphernalia is permanently removed from the Land.
- ii) The land is restored to its former condition.

#### **6. TIME FOR COMPLIANCE**

**1 week** from the date this notice takes effect

#### **7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **8 June 2019**, unless an appeal is made against it beforehand.

Date of Issue: 26 April 2019

Signed:



Stuart Ashworth  
Assistant Director  
Authorised Signatory

On behalf of Borough Council of King's Lynn and West Norfolk  
King's Court Chapel Street King's Lynn Norfolk PE30 1EX.

A copy of this notice has been served upon the following persons:

Owner/occupier of Land at Land N E of 20 North Beach Heacham King's Lynn

In the event of an appeal against the issue of this Enforcement Notice on Ground (a) that planning permission ought to be granted, the fee payable to the Local Planning Authority is £924.

## ANNEX

# THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>); or
- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk).

**You MUST make sure that we receive your appeal before the effective date on the enforcement notice.**

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in paragraph 7 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution, injunctive action in the High Court or County Court and/or remedial action by the Council.



## ENFORCEMENT OF PLANNING CONTROL

*Town and Country Planning Act 1990*

*(As amended by the Planning & Compensation Act 1991)*

### DEVELOPMENT AND REGENERATION SERVICES

King's Court, Chapel Street

King's Lynn, Norfolk PE30 1EX

Tel: (01553) 616200

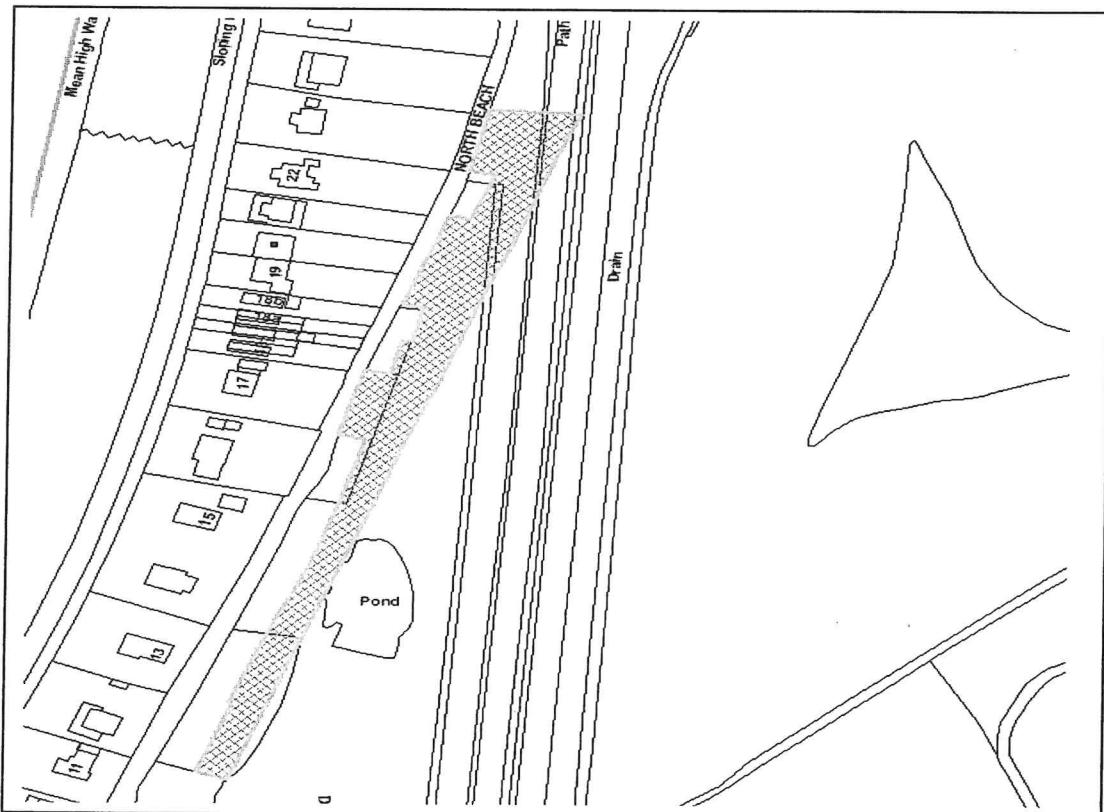
Fax: (01553) 616652

DX 57825 KING'S LYNN

Website: [www.west-norfolk.gov.uk](http://www.west-norfolk.gov.uk)

A Plan showing site at: Land N E of 20 North Beach Heacham

Ref: 18/00575/UNAUTU	Date: 20 APRIL 2019
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13/11/2019





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13/11/2019



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13/11/2019



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03/03/2021





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03/03/2021

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03/03/2021



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03/03/2021



**PLANNING COMMITTEE – 12 APRIL 2021**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

**PURPOSE OF REPORT**

- (1) To inform Members of the number of decisions issued between the production of the March Planning Committee Agenda and the April agenda. 122 decisions issued 117 decisions issued under delegated powers with 5 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 60% 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 24/02/2021 – 26/03/2021

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
<b>Major</b>	3	3	-		3	<b>100%</b>	60%	-	-
<b>Minor</b>	49	39	10	46		<b>94%</b>	80%	2	1
<b>Other</b>	70	69	1	69		<b>98%</b>	80%	2	0
<b>Total</b>	<b>122</b>	<b>111</b>	<b>11</b>						

Planning Committee made 5 of the 122 decisions, 4%

**PLANNING COMMITTEE - 12 APRIL 2021**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

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**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**

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<b>DATE RECEIVED</b>	<b>DATE DETERMINED/ DECISION</b>	<b>REF NUMBER</b>	<b>APPLICANT PROPOSED DEV</b>	<b>PARISH/AREA</b>
04.12.2020	12.03.2021 <b>Application Permitted</b>	20/02023/F	Cottontail Lodge 11 Bagthorpe Road Bircham Newton Norfolk VARIATION OF CONDITION 1 OF PLANNING PERMISSION 20/00870/F: Variation of condition 1 of planning permission 19/00354/RM (Reserved Matters Application for new dwelling)	Bagthorpe With Barmer - VACANT
07.12.2020	09.03.2021 <b>Application Permitted</b>	20/01941/F	74 Stoke Ferry Road Eastmoor Barton Bendish Norfolk 2 Storey Extension to existing Dwelling	Barton Bendish

11.12.2020	01.03.2021 <b>Application Refused</b>	20/01992/O	Land S of Victory Lodge Eastmoor Road Eastmoor Barton Bendish Outline application for proposed residential development	Barton Bendish
19.01.2021	12.03.2021 <b>Application Permitted</b>	21/00085/F	1 Queens Crescent Great Bircham King's Lynn Norfolk Extension to dwelling	Bircham
11.01.2021	15.03.2021 <b>Application Permitted</b>	21/00029/F	Fern Hill Farm Mill Hill Road Boughton KINGS LYNN Extension and alterations to dwelling	Boughton
04.02.2021	02.03.2021 <b>Application Permitted</b>	20/01823/NMA_1	The Hyde Broad Lane Brancaster KINGS LYNN NON-MATERIAL AMENDMENT to Planning Permission 20/01823/F: VARIATION OF CONDITION 2 OF PLANNING PERMISSION 20/01194/F: Variation of condition 2 of planning permission 19/00538/F: The erection of two detached dwellings with associated parking and turning space with access from Broad Lane	Brancaster
13.07.2020	19.03.2021 <b>Application Refused</b>	16/01797/NMA_1	Fisher & Sons North Street Burnham Market Norfolk NON-MATERIAL AMENDMENT to Planning Permission 16/01797/F: Renovation of existing building to provide one shop with flat above and one new dwelling. Demolition of workshop to rear of site. Addition of four new dwellings	Burnham Market



08.09.2020	12.03.2021 <b>Application Permitted</b>	20/01352/F	Westgate Old Rectory Ringstead Road Burnham Market King's Lynn Conversion of stables/coach house to dwelling (annex to main house) - Previously permission 05/1013/CU	Burnham Market
29.10.2020	03.03.2021 <b>Application Permitted</b>	20/01680/F	Goosebec Church Walk Burnham Market King's Lynn Demolition of existing dwelling and erection of five dwellings (Revision Of 20/00744/F)	Burnham Market
21.12.2020	12.03.2021 <b>Application Permitted</b>	20/02067/F	Church Pightle Station Road Burnham Market Norfolk Variation of condition 2 of planning permission 19/01731/F for the addition of an outdoor swimming pool	Burnham Market
24.12.2020	12.03.2021 <b>Application Permitted</b>	20/02102/F	Hamlet Cottage Station Road Burnham Market King's Lynn Proposed single storey extension, garage conversion and alterations.	Burnham Market
01.12.2020	18.03.2021 <b>Application Permitted</b>	20/01916/F	Norton Cottage 6B Norton Street Burnham Norton Norfolk Raise the roof of the existing extension to allow for a new first floor for a master bedroom. To then use the existing footprint of the existing extension to place a terrace off the master bedroom	Burnham Norton

14.01.2021	11.03.2021 <b>Application Permitted</b>	21/00059/F	The Old Bullock Box 1 Blacksmiths Lane Burnham Norton Norfolk LISTED BUILDING APPLICATION: Insertion of additional rooflight to serve a second mezzanine area in dwelling.	Burnham Norton
14.01.2021	09.03.2021 <b>Application Permitted</b>	21/00060/LB	The Old Bullock Box 1 Blacksmiths Lane Burnham Norton Norfolk Insertion of additional rooflight to serve a second mezzanine area in dwelling.	Burnham Norton
04.01.2021	19.03.2021 <b>Tree Application - No objection</b>	21/00003/TREECA	Little Surprise Wells Road Burnham Overy Staithe King's Lynn Trees in a Conservation Area: GI Italian Alders - Group of trees previously pollarded encroaching on highway and potentially treating wall - remove	Burnham Overy
06.01.2021	19.03.2021 <b>Application Permitted</b>	21/00065/F	Larksfield Gong Lane Burnham Overy Staithe King's Lynn REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 16/00771/F: Demolition of existing house and erection of new house. Existing garage to be retained	Burnham Overy

10.12.2020	09.03.2021 <b>Application Permitted</b>	20/02047/F	Cuckstool Cottage Cuckstool Lane Castle Acre Norfolk Replacement of deteriorating timber framed asbestos garage/workshop with timber cabin/studio on existing concrete foundation.	Castle Acre
12.01.2021	09.03.2021 <b>Application Permitted</b>	21/00083/F	Orchard Bungalow Orchard Lane Castle Acre King's Lynn Demolition of existing single storey garage and rebuild as single storey extension to enlarge bedroom accommodation	Castle Acre
22.02.2021	16.03.2021 <b>Tree Application - No objection</b>	21/00042/TREECA	64 Bailey Street Castle Acre King's Lynn Norfolk Tree in a Conservation Area: Beech - reduce crown by approx. 1.5-2m	Castle Acre
19.01.2021	15.03.2021 <b>Application Permitted</b>	21/00091/F	Meadow View Black Horse Road Clenchwarton King's Lynn Variation of condition 2 of planning permission 18/00754/F to re-site the office building	Clenchwarton
01.02.2021	12.03.2021 <b>Tree Application - No objection</b>	21/00024/TREECA	7 Manor Road Dersingham King's Lynn Norfolk T1 and T2 - Chesnutt Trees - prune as requested by NCC.	Dersingham
14.12.2020	05.03.2021 <b>Application Permitted</b>	20/02002/F	Flint Cottage 5 Yeomans Cottages Station Road Docking Building a summer house in the garden	Docking

08.01.2021	12.03.2021 <b>Application Permitted</b>	21/00024/F	The Old Rectory Sedgeford Road Docking KINGS LYNN Convert part of Loft area into 3 Bedrooms complete with En Suite Facilities. Form 6no Dormer Windows.	Docking
27.01.2021	11.03.2021 <b>Application Permitted</b>	20/01643/NMA_1	Robinia Cottage Station Road Docking King's Lynn NON-MATERIAL AMENDMENT TO Planning Permission 20/01643/F: Extension and alterations to dwelling	Docking
04.02.2021	04.03.2021 <b>Application Permitted</b>	18/01960/NMAM_3	2 Manor Road Docking KINGS LYNN Norfolk NON-MATERIAL AMENDMENT TO PERMISSION 18/01960/RMM: Proposals for 33 new dwellings with means of access from the public highway from Pound Lane and a pedestrian route off Well Street	Docking
19.10.2020	05.03.2021 <b>Application Permitted</b>	20/01675/RM	Between 91 And 93 Ryston End Downham Market Norfolk Reserved Matters Application: construction of one dwelling	Downham Market
04.12.2020	09.03.2021 <b>Application Permitted</b>	20/02022/F	6 Masefield Drive Downham Market Norfolk PE38 9TS Construction of detached single garage	Downham Market

21.12.2020	03.03.2021 <b>Application Permitted</b>	20/02068/F	18 Ryston Close Downham Market Norfolk PE38 9BD Chalet style extension to existing bungalow to create open plan kitchen, diner and living room, first floor master bedroom suite within roof void and detached garage	Downham Market
21.12.2020	02.03.2021 <b>Application Permitted</b>	20/02071/F	39A Bexwell Road Downham Market Norfolk PE38 9LH Single storey side extension to widen the property, render the whole property and a new double garage to the side	Downham Market
22.12.2020	17.03.2021 <b>Application Permitted</b>	20/02088/F	Plot 2 St Johns Way St John's Business Estate Downham Market Norfolk REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 18/01339/FM: New storage and distribution facility to create 4 units and new access	Downham Market
24.12.2020	18.03.2021 <b>Application Permitted</b>	20/02136/F	Crow Hall Farm Crow Hall Estate Downham Market Norfolk Construction of Garden Building (Folly)	Downham Market
13.01.2021	19.03.2021 <b>Application Permitted</b>	21/00109/F	Donnadell Howdale Road Downham Market Norfolk Variation of Condition 2 attached to Planning Permission 19/01944/F: Construction of two dwellings and garages following demolition of existing bungalow	Downham Market

28.01.2021	18.03.2021 <b>Application Permitted</b>	21/00139/F	15 Wingfields Downham Market Norfolk PE38 9AR Single storey rear extension on two storey dwelling	Downham Market
28.01.2021	17.03.2021 <b>Application Permitted</b>	21/00140/F	Orchard House Porter Street Downham Market Norfolk Single storey rear and side extensions to two storey dwelling and erection of domestic garage following removal of existing extensions and garage	Downham Market
01.02.2021	25.03.2021 <b>Application Permitted</b>	21/00160/F	McDonald's 163 Bexwell Road Downham Market DOWNHAM MARKET Install two rapid electric vehicle charging stations within the car park. Two existing parking spaces will become EV charging bays, along with associated equipment.	Downham Market
03.02.2021	25.03.2021 <b>Application Permitted</b>	21/00191/F	1 Civray Avenue Downham Market Norfolk PE38 9NU Single storey front extension to house	Downham Market
05.02.2021	25.03.2021 <b>GPD HH extn - Not Required</b>	21/00334/PAGPD	25 Coriander Road Downham Market Norfolk PE38 9WB Single storey rear extension which extends beyond the rear wall by 3.7 metres with a maximum height of 3.7 metres and a height of 2.7 metres to the eaves	Downham Market
19.01.2021	25.03.2021 <b>Application Permitted</b>	21/00087/F	Orchard Farm House Lady Drove Barroway Drove Norfolk Single storey extension to rear of detached dwelling	Downham West

21.01.2021	25.03.2021 <b>Application Permitted</b>	21/00105/F	York Villa Bridge Road Downham Market Norfolk Construction of Domestic Garage.	Downham West
17.12.2020	19.03.2021 <b>Application Permitted</b>	20/02046/F	Rock Cottage Broomsthorpe Road East Rudham King's Lynn Proposed extensions and alterations	East Rudham
14.01.2021	18.03.2021 <b>Application Permitted</b>	21/00090/F	Holly Lodge Station Road East Rudham King's Lynn Single storey side extension to existing dwelling house	East Rudham
22.01.2021	25.03.2021 <b>Application Permitted</b>	21/00116/F	The Homelands 60 Gaultree Square Emneth Wisbech DEMOLITION OF EXISTING CONSERVATORY AND PROPOSED 2 STOREY REAR EXTENSION	Emneth
16.10.2020	25.02.2021 <b>Application Permitted</b>	20/01599/F	Red Wing Cottage Mundford Road Feltwell Thetford First floor side extension over the current double garage with a pitched roof	Feltwell
29.01.2021	23.03.2021 <b>Application Permitted</b>	21/00151/F	26 Oak Street Feltwell Thetford Norfolk Retrospective construction of garden building	Feltwell
01.02.2021	25.03.2021 <b>Application Permitted</b>	21/00166/F	Chantek 4 Leonards Lane Feltwell Thetford Replacement conservatory to front of property	Feltwell

08.02.2021	26.03.2021 <b>Tree Application - No objection</b>	21/00032/TREECA	Fring Estate/The Seasons 37 Docking Road Fring KINGS LYNN Tree in a Conservation Area: T1 Beech - Fell due to serious decay, large bracket fungus present on main stem	Fring
28.01.2021	09.03.2021 <b>Application Permitted</b>	16/01634/NMAM_1	Land South of Walcups Lane Great Massingham Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 16/01634/OM: Outline Application: construction of up to 16 dwellings re condition 10	Great Massingham
28.01.2021	09.03.2021 <b>Application Permitted</b>	16/01634/NMAM_2	Land South of Walcups Lane Great Massingham Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 16/01634/OM: Outline Application: construction of up to 16 dwellings re condition 15	Great Massingham
23.12.2020	18.03.2021 <b>TPO Work Approved</b>	20/00137/TPO	The Oaks 87 Chapel Road Pott Row King's Lynn 2/TPO/00109: T76 - Oak - Pollard	Grimston
29.12.2020	12.03.2021 <b>Application Permitted</b>	20/02109/F	26 Bracken Way Grimston King's Lynn Norfolk Construction of porch extension	Grimston
01.02.2021	02.03.2021 <b>Application Permitted</b>	19/01035/NMA_2	Land N of 105 And Immediately W of 101 Leziate Drove Pott Row Norfolk NON-MATERIAL AMENDMENT TO PERMISSION 19/01035/RM: Proposed new dwelling	Grimston



08.02.2021	05.03.2021 <b>Application Permitted</b>	20/00465/NMA_1	6 Blake Close Pott Row King's Lynn Norfolk NON-MATERIAL AMENDMENT to Planning Permission 20/00465/F: Single storey side extension and alterations	Grimston
27.10.2020	26.03.2021 <b>Application Refused</b>	20/01659/F	25 High Street Heacham King's Lynn Norfolk Construction of retail shop unit with 1 bedroom flat above	Heacham
01.12.2020	10.03.2021 <b>Application Permitted</b>	20/01909/F	Cheney Hollow 3 Cheney Hill Heacham Norfolk Variation of Conditions 2 and 3 of planning permission 18/00369/F	Heacham
03.12.2020	05.03.2021 <b>Application Refused</b>	20/01933/LDP	Riverside Caravan Park Jubilee Road Heacham Norfolk Application for a Lawful Development Certificate which seeks confirmation that the site can be used for the siting of caravans from the 1st March - 30th November. This certificate is sought on the basis the extended season would not generate a material change of use requiring an application for planning permission	Heacham
07.12.2020	25.02.2021 <b>Application Permitted</b>	20/01949/F	23 Fenside Heacham King's Lynn Norfolk Two storey extension to the rear of the property.	Heacham

06.11.2020	26.02.2021 <b>Application Permitted</b>	20/01742/F	Cronins Cottage Steels Drove Hilgay DOWNHAM MARKET REMOVAL OR VARIATION OF CONDITION 1 OF PLANNING PERMSSION 19/01339/F: Use of property for part residential and part dog day care and home boarding business	Hilgay
16.12.2020	19.03.2021 <b>Application Permitted</b>	20/02035/F	Wynholme Thornham Road Holme next The Sea Norfolk Replacement fence and erection of new piers and gateway	Holme next the Sea
07.12.2020	04.03.2021 <b>Application Permitted</b>	20/01943/F	3 Park Road Hunstanton Norfolk PE36 5BP Partial demolition of existing extensions, New ground floor and first floor extensions, Addition of dormer window and Conservation Rooflight, Replacement windows, Replacement boundary materials and addition of off-road parking.	Hunstanton
18.12.2020	26.02.2021 <b>Application Permitted</b>	20/02055/F	Hanover Gardens Collingwood Road Hunstanton Norfolk Retrospective installation of ground source heat pumps (1 in each 24 Units, Managers Residence/Communal Area), drilling of 13 boreholes to a maximum depth of 148m and associated works	Hunstanton

21.12.2020	04.03.2021 <b>Application Permitted</b>	20/02120/F	5 Park Road Hunstanton Norfolk PE36 5BP Partial demolition of existing extensions and outbuildings and construction of new ground and first floor extensions, replacement windows, new dormer window and landscaping works	Hunstanton
22.12.2020	02.03.2021 <b>Application Permitted</b>	20/02085/F	7 Queens Drive Hunstanton Norfolk PE36 6EX Variation of condition 2 of planning permission 19/00326/F to approve plan Nos 2212-02D and 03E in place of the approved plans and removal of condition 4 as no longer applicable	Hunstanton
30.12.2020	26.03.2021 <b>Application Permitted</b>	20/02114/F	Thomas Bingo 5 Beach Terrace Road Hunstanton Norfolk Replacement of Windows and Doors and Proposed Rendering	Hunstanton
18.01.2021	18.03.2021 <b>Application Permitted</b>	21/00174/F	5 Castle Close King's Lynn Norfolk PE30 3EP Construction of single storey extension	King's Lynn
27.10.2020	16.03.2021 <b>Application Permitted</b>	20/01753/F	85 Gayton Road King's Lynn Norfolk PE30 4EH Construction of a detached outbuilding containing a workshop and store	King's Lynn
05.11.2020	18.03.2021 <b>Application Permitted</b>	20/01819/F	33 Reffley Lane King's Lynn Norfolk PE30 3SA Two storey side extension	King's Lynn

02.12.2020	16.03.2021 <b>Application Permitted</b>	20/01925/F	7 Baldwin Road King's Lynn Norfolk PE30 4AL Extension, alterations and garden house extension	King's Lynn
16.12.2020	16.03.2021 <b>Application Permitted</b>	20/02030/F	17 Queen Street King's Lynn Norfolk PE30 1HT Erect greenhouse in walled vegetable garden	King's Lynn
17.12.2020	24.02.2021 <b>Application Permitted</b>	20/02079/LB	33 London Road King's Lynn Norfolk PE30 5QE Listed Building Application: Change of use from residential accommodation to serviced accommodation	King's Lynn
18.12.2020	18.03.2021 <b>Application Permitted</b>	20/02053/FM	Unique 18 25 Bryggen Road North Lynn Industrial Estate King's Lynn Construction of two new industrial units including offices and amenities	King's Lynn
24.12.2020	03.03.2021 <b>Application Permitted</b>	20/02135/A	Page And Bird North Street King's Lynn Norfolk Advertisement application for 2 x non-illuminated fascia signs, 1 x non-illuminated tray sign, 1 x non-illuminated window vinyl and 1 x non-illuminated totem sign	King's Lynn
07.01.2021	03.03.2021 <b>Application Permitted</b>	21/00017/F	Deers Leap Bar And Restaurant 361 Wootton Road King's Lynn Norfolk Construct new entrance porch, covered pergola with raised planters and covered seating booths. Install new bi-fold doors to existing window opening	King's Lynn

11.01.2021	15.03.2021 <b>Application Permitted</b>	21/00076/F	15 Daseleys Close King's Lynn Norfolk PE30 3SL Single storey rear extension	King's Lynn
03.02.2021	11.03.2021 <b>GPD HH extn - Not Required</b>	21/00256/PAGPD	8 Middlewood King's Lynn Norfolk PE30 4RS Single storey rear extension which extends beyond the rear wall by 6 metres with a maximum height of 3 metres and a height of 2.9 metres to the eaves	King's Lynn
05.02.2021	25.03.2021 <b>Application Permitted</b>	21/00213/F	30 Baldwin Road King's Lynn Norfolk PE30 4AN Proposed rear single storey extension.	King's Lynn
22.12.2020	05.03.2021 <b>Prior Approval - Refused</b>	20/02124/PACU3	Rookery Farm 90 Church Lane Ashwicken King's Lynn Notification for Prior Approval for change of use of agricultural building to dwelling (Schedule 2, Part 3, Class Q)	Leziate
23.12.2020	15.03.2021 <b>Application Refused</b>	20/02094/F	Outbuildings W of 52 Church Lane Ashwicken N of Farm Rookery Farm 90 Church Lane Ashwicken Retrospective planning for works to extend an existing stable/ hobby workshop and the siting of a static caravan for non-residential purposes.	Leziate
27.01.2021	17.03.2021 <b>Application Permitted</b>	21/00132/F	Trafalgar House The Street Marham King's Lynn Extension	Marham
03.02.2021	25.03.2021 <b>Application Permitted</b>	21/00188/F	Davanmor The Street Marham King's Lynn Side Extension	Marham

19.08.2020	02.03.2021 <b>Application Permitted</b>	20/01279/F	Land At Former RAF Methwold Brandon Road Methwold Norfolk Freestanding solar panels	Methwold
01.12.2020	15.03.2021 <b>Application Refused</b>	20/02009/F	Blencathra 47 Main Road Brookville Thetford New build 3 bedroom chalet bungalow with parking for 3 to 4 cars	Methwold
05.01.2021	25.02.2021 <b>Application Permitted</b>	21/00006/LB	The Old Vicarage 11 Crown Street Methwold Thetford Listed building application for installation of an eaves gutter and two rainwater pipes to the west elevation	Methwold
23.02.2021	24.03.2021 <b>Application Permitted</b>	19/00457/NMA_1	St Georges Hall 16 High Street Methwold Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 19/00457/F: Alteration to the existing building including deepening existing windows, addition of an external doorway by converting a window opening, extension to provide a small room for making refreshments and extension to provide a single unisex/disabled public toilet	Methwold
14.12.2020	26.03.2021 <b>Application Permitted</b>	20/02049/F	Priory Court Veterinary Clinic 53 St Augustines Way Priory Court South Wootton Fixed door awning above the entrance door to protect clients from the elements	North Wootton

18.01.2021	15.03.2021 <b>Application Permitted</b>	21/00078/F	10 Tyndale North Wootton King's Lynn Norfolk Variation of condition 2 and 3 of planning permission 18/01832/F to slightly amend plans	North Wootton
14.09.2020	09.03.2021 <b>Application Permitted</b>	20/01381/F	Walnut Lodge 29 Church Lane Whittington Norfolk Variation of conditions 2, 7, 8, 10 and 11 of planning permission 15/00884/F	Northwold
22.01.2021	19.03.2021 <b>Application Permitted</b>	21/00117/F	Meadow Farm Church Lane Whittington Norfolk Variation of conditions 2, 3, 5 and 14 of planning permission 18/00389/F	Northwold
14.12.2020	24.03.2021 <b>Application Permitted</b>	20/02003/F	10 Wodehouse Road Old Hunstanton Hunstanton Norfolk Extensions, alterations and ancillary annexe to dwelling	Old Hunstanton
15.12.2020	03.03.2021 <b>Application Permitted</b>	20/02018/F	The Chalet 19 Golf Course Road Old Hunstanton HUNSTANTON Proposed Replacement Dwelling & Store following Demolition of Existing Dwelling and Garage	Old Hunstanton
10.02.2021	10.03.2021 <b>Application Permitted</b>	19/02192/NMA_1	Seagrass 22 Golf Course Road Old Hunstanton HUNSTANTON NON-MATERIAL AMENDMENT to Planning Permission 19/02192/RM: New dwelling	Old Hunstanton
08.12.2020	10.03.2021 <b>Application Permitted</b>	20/02041/F	Sandyfield Langhorns Lane Outwell WISBECH Extension and alterations to dwelling	Outwell

24.12.2020	10.03.2021 <b>Application Permitted</b>	20/02100/F	56 Church Drove Outwell Wisbech Norfolk Change of use to incorporate new child minding business within existing dwelling	Outwell
15.01.2021	16.03.2021 <b>Was Lawful</b>	21/00156/LDE	Sydney House Mullicourt Road Outwell Wisbech LAWFUL DEVELOPMENT CERTIFICATE: Retention of the caravan for residential accommodation with the curtilage of Sydney House.	Outwell
28.01.2021	22.03.2021 <b>NO OBJECTION TO NCC APP</b>	21/00236/CM	Pentney Quarry Abbey Road Pentney King's Lynn COUNTY MATTERS APPLICATION: Extraction of sand and gravel (MIN 19) with restoration to a nature conservation afteruse	Pentney
29.01.2021	22.03.2021 <b>NO OBJECTION TO NCC APP</b>	21/00264/CM	Pentney Quarry Abbey Road Pentney King's Lynn County Matters Application: Variation of Conditions 3 and 9 of PP C/2/2007/2005 to allow re-phasing of the extraction and amendments to the timescales for extraction.	Pentney
12.01.2021	05.03.2021 <b>Application Permitted</b>	21/00039/F	13 Golds Pightle Ringstead Hunstanton Norfolk Rear and side lounge, kitchen and utility extension.	Ringstead



20.01.2021	11.03.2021 <b>TPO Approved</b>	21/00010/TPO	The Barn 74 High Street Ringstead Hunstanton 2/TPO/00083: Qty 1 Sycamore in Group G1. During works granted under application Reference 20/00161/TPO, the subject tree was found to have a large cavity within the main stem, along with several cavities at limb junctions higher in the crown. We are recommending carrying out a hard pollard, to remove stresses from the affected limbs and reduce the risk of potential failure of the tree.	Ringstead
21.01.2021	18.03.2021 <b>Application Permitted</b>	21/00193/F	6 Holme Road Ringstead Hunstanton Norfolk Proposed extension and alterations	Ringstead
19.11.2020	12.03.2021 <b>Application Permitted</b>	20/01956/F	70 Station Road Roydon King's Lynn Norfolk Two storey rear extension	Roydon
05.01.2021	02.03.2021 <b>Application Permitted</b>	21/00005/F	Lynnfields 2 School Road Runcton Holme King's Lynn Side extension and render to whole bungalow	Runcton Holme
16.12.2020	02.03.2021 <b>Application Permitted</b>	20/02033/F	1 Goodminns Estate Sedgeford Hunstanton Norfolk Variation of condition 2 of planning permission 20/01168/F to change the proposed utility to a porch	Sedgeford
24.12.2020	05.03.2021 <b>Application Permitted</b>	20/02101/F	2 Holly Cottages Holly Hill Sedgeford HUNSTANTON Proposed single story extension and alterations.	Sedgeford

25.01.2021	11.03.2021 <b>Application Permitted</b>	18/02145/NMA_1	Field View Docking Road Sedgeford Norfolk NON-MATERIAL AMENDMENT to Planning Permission 18/02145/RM: Reserved Matters Application: construction of three dwellings (amended design)	Sedgeford
14.09.2020	05.03.2021 <b>Application Refused</b>	20/01386/F	82 Station Road Snettisham King's Lynn Norfolk Construction of new dwelling following sub-division of garden and erection of fences and garden walls including provision of a private amenity area for the donor property.	Snettisham
20.11.2020	24.03.2021 <b>Application Refused</b>	20/01958/F	3 Dawes Lane Snettisham King's Lynn Norfolk Proposed dwelling following sub-division	Snettisham
03.12.2020	18.03.2021 <b>Application Permitted</b>	20/02016/F	7 Longview Close Snettisham King's Lynn Norfolk Demolition and rebuild of existing 2-bed semi-detached property following fire damage	Snettisham
04.01.2021	04.03.2021 <b>Application Permitted</b>	21/00041/F	9 The Avenue Snettisham King's Lynn Norfolk Extension and alterations to dwelling with new garage	Snettisham

05.01.2021	24.03.2021 <b>Application Permitted</b>	21/00051/F	Poppyfields Retail Park Poppyfields Drive Snettisham Norfolk Variation of Condition 1 of Planning Permission 19/00427/RM: Erection of 4no. dwellings	Snettisham
20.01.2021	17.03.2021 <b>Application Permitted</b>	21/00099/F	2 Norton Hill Snettisham King's Lynn Norfolk Construction of New boundary wall.	Snettisham
05.02.2021	12.03.2021 <b>TPO Partial</b>	21/00016/TPO	The Grange Dental Surgery Lynn Road Snettisham King's Lynn 2/TPO/00228 - T1 - Pine, fell.	Snettisham
16.12.2019	03.03.2021 <b>Was Lawful</b>	19/02157/LDE	The Oaks The Common South Creake Norfolk Lawful Development Certificate: Mix use of B8 (storage and distribution) and residential	South Creake
05.01.2021	12.03.2021 <b>Application Permitted</b>	21/00052/F	32 Front Street South Creake Fakenham Norfolk Extension to rear of dwelling	South Creake
10.02.2021	18.03.2021 <b>LDP LB NOT Lawful</b>	21/00337/LDE	The Common South Creake Fakenham Norfolk Application for a Lawful Development Certificate for the existing use of land for drainage pits and the storage of industrial machinery, vehicles (including lorries), trailers, straw, waste stone, soil and polythene and continued use for such purposes	South Creake

24.12.2020	03.03.2021 <b>Application Permitted</b>	20/02104/F	4 The Birches South Wootton King's Lynn Norfolk Proposed single storey rear extension , dormer extension, internal alterations (re design) and erection of car port/ store.	South Wootton
29.12.2020	11.03.2021 <b>Application Permitted</b>	20/02107/F	The Landings 53 Castle Rising Road South Wootton Norfolk Proposed first floor extension and alterations including alterations to existing garage.	South Wootton
29.12.2020	12.03.2021 <b>Application Refused</b>	20/02111/F	1 Rushmead Close South Wootton King's Lynn Norfolk Construction of a single dwelling	South Wootton
06.01.2021	02.03.2021 <b>Application Permitted</b>	21/00011/F	20 The Birches South Wootton King's Lynn Norfolk Extensions and Alterations (Revised Design).	South Wootton
22.01.2021	16.03.2021 <b>TPO Approved</b> <b>Work</b>	21/00007/TPO	Darkwood St Augustines Way South Wootton King's Lynn 2/TPO/00121: Oak T1 fell, extensive bark dysfunction Velvet Shank present	South Wootton
08.02.2021	25.03.2021 <b>Application Permitted</b>	21/00218/F	4 Blickling Close South Wootton King's Lynn Norfolk Front extension and alterations.	South Wootton

17.02.2021	16.03.2021 <b>TPO Work Approved</b>	21/00014/TPO	32 The Birches South Wootton King's Lynn Norfolk 2/TPO/00432: Permission is also sought to add three removals to the list: T14: Silver Birch - Suffering with suspected Turkey tails fungus. Dismantle, process and remove. T19 / T20: Silver Birch - Poorly formed with little to no amenity or aesthetic value, these two trees concern the clients neighbours who regularly complain of the trees shedding assorted size branches onto their conservatory. Dismantle, process and remove	South Wootton
30.06.2020	25.03.2021 <b>Application Permitted</b>	20/00933/F	Land And Building S of 218 And 220 And N of 224 The Drove Barroway Drove Downham Market Proposed commercial development	Stow Bardolph
21.09.2020	25.03.2021 <b>Application Permitted</b>	20/01416/F	Land And Building S of 218 And 220 And N of 224 The Drove Barroway Drove Norfolk Variation of Conditions 5 and 11 of Planning Permission 18/01076/F: Construction of commercial workshop with B1, B2 and B8 business uses (See Design and Access Statement)	Stow Bardolph
28.01.2021	25.02.2021 <b>Application Permitted</b>	19/01935/NMA_1	Land Adjacent 116 The Drove Barroway Drove Norfolk NON-MATERIAL AMENDMENT TO PERMISSION 19/01935/RM: Construction of two dwellings	Stow Bardolph

22.12.2020	11.03.2021 <b>Application Permitted</b>	20/02084/F	93 Rhoon Road Terrington St Clement King's Lynn Norfolk Extension and detached garage to semi-detached cottage	Terrington St Clement
15.01.2021	11.03.2021 <b>Prior Approval - Approved</b>	21/00154/PACU3	Land W of 1 And 1A Eastgate Lane Sutton Road Terrington St Clement Norfolk Prior approval for change of use of agricultural building to dwelling	Terrington St Clement
30.11.2020	02.03.2021 <b>Application Refused</b>	20/01898/F	Land E And NE of The Stet School Road St John's Fen End Terrington St John Proposed dwelling and use of agricultural land as gardens	Terrington St John
27.11.2020	26.03.2021 <b>Application Permitted</b>	20/01887/F	The Orange Tree High Street Thornham Norfolk Gazebos over existing outdoor seating area	Thornham
18.01.2021	16.03.2021 <b>TPO Work Approved</b>	21/00003/TPO	The Pastures 6 Choseley Road Thornham Norfolk 2/TPO/00590 : T1 - Cedar crown raise to 4.5m and crown clean. T36 - Norway Maple, remove. G19 - fallen Scots pine to remove, and adjacent dead Scots pine. T4 - small silver birch, poor form leaning, remove and replace. T8 & T9 - cherry, both poor condition remove. T10 - Purple leaved plum, diseased remove. T12 - Cotoneaster remove. T11- small yew remove and replace	Thornham

20.01.2021	05.03.2021 <b>Application Permitted</b>	20/01759/NMA_1	Stonecroft Ploughmans Piece Thornham HUNSTANTON NON-MATERIAL AMENDMENT to Planning Permission 20/01759/F: Extension to the rear of the property and conversion of loft space into habitable space and construction of a dormer window to front elevation	Thornham
13.03.2020	25.03.2021 <b>Application Permitted</b>	20/00405/FM	Holly Manor Lynn Road Tilney All Saints Norfolk New builders yard and workshop/store and associated external works and change of use of existing area under use by business to residential use and existing store/building to be used for domestic storage	Tilney St Lawrence
27.10.2020	26.02.2021 <b>Application Permitted</b>	20/01664/F	Waterworks House 16 St Johns Road Tilney St Lawrence Norfolk Construction of outbuilding with change of use to Joinery workshop and store -Retrospective-	Tilney St Lawrence
24.02.2021	17.03.2021 <b>AG Prior Notification NOT REQD</b>	21/00351/AG	Chase Farm 117 Spice Chase Tilney St Lawrence King's Lynn Agricultural Prior Notification: New agricultural building	Tilney St Lawrence
28.11.2019	16.03.2021 <b>Application Permitted</b>	19/02062/F	Flint House Barn Flint House Road Lott's Bridge Three Holes Erection of storage outbuilding to store garden machinery, tools and household items (retrospective)	Upwell

22.12.2020	19.03.2021 <b>Application Permitted</b>	20/02129/F	2 Scholars Way Low Side Upwell Wisbech First floor extension to side, single storey flat roof extension to rear with roof lantern, front porch, single storey lean-to with refuse area built in. New 1.8m high brick wall up to owned boundary of plot to facilitate change of use to residential garden and extension to driveway	Upwell
23.12.2020	19.03.2021 <b>Application Permitted</b>	20/02134/F	1 Blunt's Orchard Drive Upwell Norfolk PE14 9EP Variation of condition 1, 2 and 4 to regularise boundary wall and driveway as built on site.	Upwell
19.01.2021	25.03.2021 <b>Application Refused</b>	21/00172/F	St Peters Lodge Fence Bank Walpole Highway Wisbech Change of use from agricultural tractor shed to light commercial purposes, Class B2/E(g)(iii)	Walpole
29.01.2021	25.03.2021 <b>Application Permitted</b>	21/00245/F	Newton Lodge Farm Market Lane Walpole St Andrew Wisbech Removal of Condition 5 attached to Planning Permission 2/93/0298/O: Site for construction of agricultural dwelling.	Walpole
05.01.2021	16.03.2021 <b>Would be Lawful</b>	21/00004/LDP	Christmas Tree Cottage 144 Sutton Road Walpole Cross Keys King's Lynn Lawful Development Certificate: Siting of a static caravan.	Walpole Cross Keys



23.12.2020	12.03.2021 <b>Application Refused</b>	20/02131/F	The Gables Wheatley Bank Walsoken Wisbech Part change of use to salon. Part retention of shed, use to be used in connection to the existing land	Walsoken
14.01.2021	10.03.2021 <b>Application Permitted</b>	21/00108/F	Paradise Farm Biggs Road Walsoken Norfolk Proposed Annexe	Walsoken
22.12.2020	08.03.2021 <b>Application Permitted</b>	20/02089/F	12 Woodward Close Watlington Norfolk PE33 0FL Continue use of garden building trading as Aroma Senses	Watlington
12.01.2021	16.03.2021 <b>Application Permitted</b>	21/00037/F	20 Rowan Close Watlington Norfolk Substitution of house type, change of materials and positioning of approved house design on permission 06/00145/FM	Watlington
10.11.2020	12.03.2021 <b>Application Permitted</b>	20/01853/F	Rudham Court Lynn Road West Rudham Norfolk Conversion and extension of existing garage to annexe.	West Rudham
11.02.2021	11.03.2021 <b>AG Prior Notification NOT REQD</b>	21/00249/AG	Fox Covert Common Lane Pockthorpe West Rudham Agricultural Prior Notification: General purpose agricultural building	West Rudham
11.11.2020	26.02.2021 <b>Application Permitted</b>	20/01770/F	25 St Pauls Road North Walton Highway Norfolk PE14 7DN Proposed first floor extension, internal alterations and garage.	West Walton
11.01.2021	08.03.2021 <b>Application Permitted</b>	21/00031/F	The Rosary Lynn Road Walton Highway Norfolk Proposed Carport	West Walton

21.12.2020	16.03.2021 <b>Application Permitted</b>	20/02072/F	34 Back Lane West Winch King's Lynn Norfolk A log cabin to be erected in the south west corner of our garden	West Winch
11.01.2021	15.03.2021 <b>Application Permitted</b>	21/00071/F	Glendawn Rectory Lane West Winch King's Lynn Variation of Condition 2 of Planning Permission 20/00340/F: Proposed 3no. new dwellings and the demolition of existing bungalow	West Winch
04.01.2021	25.03.2021 <b>Application Permitted</b>	20/02117/F	1 Nursery Cottages High Road Saddlebow King's Lynn Extensions and alterations to dwelling with addition of a car port	Wiggenhall St Germans
22.02.2021	16.03.2021 <b>TPO Approved</b> <b>Work</b>	21/00024/TPO	Plot of Land West of 30 Lynn Road Wiggenhall St Germans Norfolk PE34 3EY 2/TPO/00006: Horse Chestnut Tree - Tree to be felled	Wiggenhall St Germans
06.01.2021	03.03.2021 <b>Application Permitted</b>	21/00010/F	Orton Field 146 Stow Road Wiggenhall St Mary Magdalen King's Lynn Proposed two storey and single storey side extension and internal alterations	Wiggenhall St Mary Magdalen
03.02.2021	25.03.2021 <b>Application Permitted</b>	21/00189/F	Porchester House Chequers Road Wretton King's Lynn Construction of a domestic garage	Wretton