

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



Planning Committee

Agenda

**Monday, 11th October, 2021
at 9.30 am**

in the

**Assembly Room
Town Hall
King's Lynn**



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, 11th October, 2021

VENUE: Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

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 13 September 2021 (previously circulated).

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.

Councillor appointed representatives on the Internal Drainage Boards are noted.

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. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman'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 6 - 7)

The Committee is asked to note the Index of Applications.

a) Decisions on Applications (Pages 8 - 120)

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

9. DELEGATED DECISIONS (Pages 121 - 147)

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

To: Members of the Planning Committee

Councillors F Bone, C Bower, A Bubb, G Hipperson (Vice-Chair), C Hudson, C Joyce, B Lawton, C Manning, E Nockolds, T Parish, S Patel, C Rose, J Rust, Mrs V Spikings (Chair), S Squire, M Storey, D Tyler and D Whitby

Site Visit Arrangements

When a decision for a site inspection is made, consideration of the application will be adjourned, the site visited, and the meeting reconvened on the same day for a decision to be made. Timings for the site inspections will be announced at the meeting.

If there are any site inspections arising from this meeting, these will be held on **Wednesday, 13 October 2021** (time to be confirmed) and the meeting reconvened on the same day (time to be agreed).

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.
- (3) **Public Speaking**

Please note that the deadline for registering to speak on the application is 12 noon the working day before the meeting, **Friday 8 October 2021**. Please contact borough.planning@west-norfolk.gov.uk or call (01553) 616818 or 616234 to register.

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

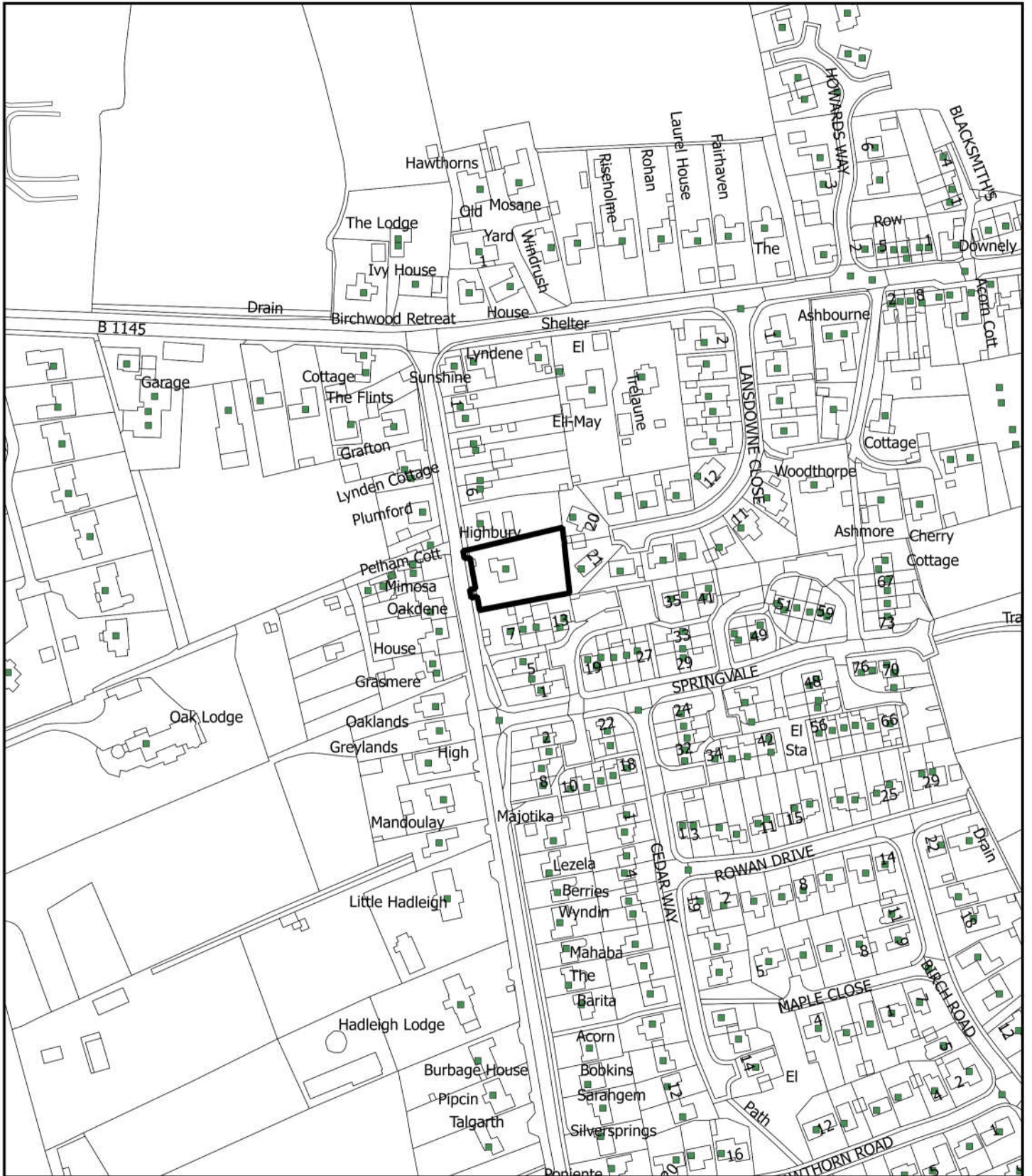
**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 11 OCTOBER 2021**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	DEFERRED ITEMS			
8/1(a)	20/01422/O Willow Dale Winch Road PE32 1QP Outline Application: Proposed residential development for 1 unit.	GAYTON	APPROVE	8
8/1(b)	21/00127/CU Five Bells Inn 1 New Road PE14 9AA Retrospective Change of use to holiday let.	UPWELL	APPROVE	20
8/2	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE			
8/2(a)	21/00543/F 7 Mill Yard Overy Road PE31 8HH Proposed garden office	BURNHAM MARKET	APPROVE	35
8/2(b)	21/01496/O 149 Main Road Clenchwarton PE34 4DT OUTLINE APPLICATION SOME MATTERS RESERVED: Demolition of the existing dwelling and garage and the construction of up to 3No dwellings and a new access along with parking, landscaping and associated infrastructure	CLENCHWARTON	REFUSE	46
8/2(c)	21/01373/F Land adjacent to 54 Bagthorpe Road PE31 8RA Proposed new residential dwelling	EAST RUDHAM	REFUSE	57
8/2(d)	21/01275/F Land at Five-Bar-Gate Cliffe En Howe Road Pott Row PE32 1BY Side and porch extension & insulated render cladding	GRIMSTON	APPROVE	66
8/2(e)	21/00566/LB Dairy Cottage Church Road PE36 6JS Amendments to position of proposed connecting door to link existing landing with consented loft conversion	OLD HUNSTANTON	APPROVE	75

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/2(f)	21/00999/F 51 Alma Avenue PE34 4LN Proposed residential development of 5 dwellings including demolition of bungalow and garage	TERRINGTON ST CLEMENT	APPROVE	85
8/2(g)	21/00981/F Land East of Tarrazona 16 S-Bend Lynn Road PE14 7AP 2-storey 4-bed dwelling with attached double garage	WALSOKEN	REFUSE	97
8/2(h)	21/01536/F Rosalie Farm Lynn Road PE14 7DA Proposed conversion and extension of silos to form dwelling	WALSOKEN	REFUSE	105
8/2(i)	21/01596/CU Land off Church Road Walpole St Peter PE14 7PA Change of use from agricultural field to private equestrian paddock	WALPOLE	APPROVE	114

20/01422/O

Willow Dale Winch Road Gayton PE32 1QP



20/01422/O

Willow Dale Winch Road Gayton PE32 1QP



Parish:	Gayton	
Proposal:	Outline Application: Proposed residential development for 1 unit.	
Location:	Willow Dale Winch Road Gayton King's Lynn PE32 1QP	
Applicant:	Mr D Garrard	
Case No:	20/01422/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 22 December 2020 Extension of Time Expiry Date: 15 October 2021

Reason for Referral to Planning Committee – Officer recommendation contrary to Parish Council comments and called in to Planning Committee by Cllr de Whalley.

Neighbourhood Plan: No

Members update

Members will recall that the application was deferred in March 2021. The reason given was- That the application be deferred in order to obtain further information on the drainage issues that had been raised at the site.

The applicant has subsequently submitted full drainage arrangements for the site which have been considered by Anglian Water, the Environment Agency and CSNN. Updated comments are included below in bold.

Case Summary

The application seeks outline planning consent with all matters reserved bar access for one residential unit.

The application site is located to the east of Winch Road, to the west of the village of Gayton. The site is currently garden land to the donor dwelling Willow Dale. Willow Dale is a detached bungalow situated within a substantial plot. The proposed dwelling is on land to the south of the existing dwelling with a new access created to the front of the proposed site off Winch Road.

The application site is located within the development boundary for Gayton. Gayton is categorised as a joint Key Rural Service with Grimston and Pott Row in the Site Allocations and Development Management Policies Plan (SADMPP)(2016).

Key Issues

- Principle of Development
- Form and Character / Residential amenity
- Highways / Access
- * Drainage
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks outline planning consent with all matters reserved bar access for one residential unit.

The application site is located to the east of Winch Road, to the west of the village of Gayton. The site is currently garden land to the donor dwelling Willow Dale. Willow Dale is a detached bungalow situated within a substantial plot. The proposed dwelling is on land to the south of the existing dwelling with a new access created to the front of the proposed site off Winch Road.

The application site is located within the development boundary for Gayton. Gayton is categorised as a joint Key Rural Service with Grimston and Pott Row in the Site Allocations and Development Management Policies Plan (SADMPP)(2016).

Initially the application was submitted for an additional three dwellings, with one in the position as proposed and two the rear of the donor dwelling. However the applicant was advised that the proposal represented an overdevelopment of the site and did not respond to the form and character of the locality. The applicant revised the scheme and has therefore submitted an indicative site layout plan to illustrate that the application site is capable of accommodating a detached dwelling with adequate parking and turning to the front of the site, and private garden to the rear.

SUPPORTING CASE

This statement supports the Outline Planning Application for the proposed new dwelling at Willowdale, Winch Road, Gayton, King's Lynn. Only matters of access are committed for consideration at this stage.

The site at present is currently residential curtilage associated with Willowdale, Winch Road, Gayton. The surrounding area is dominated by residential properties.

The proposal will provide a good-sized dwelling for private use within the village assisting in community cohesion. It is designed to have minimal impact on the surrounding properties with no overlooking issues at all. The proposed dwelling will include landscaping and off-road parking to the front of the site with planting to soften the front of the property. The garden will be levelled and seeded with grass and enclosed within 1.8m high timber fencing for privacy to the residents and all neighbouring properties.

The Host property will be left with ample rear and front amenity space along with ample parking.

The existing access point to Willowdale will remain and a new access will be provided to serve the new unit.

The site is located in Flood Zone 1 which further emphasises the proposal as new development should be designated to areas that are not prone to flooding.

PLANNING HISTORY

None

RESPONSE TO CONSULTATION

Parish Council: OBJECTION.

Gayton Parish Council wishes to recommend refusal on the above application on the grounds of overdevelopment of the site and not in keeping as the garden would not be the same as the surrounding properties and any additional property on the site would be better on the back of the site. It was also resolved to ask our Borough Councillor to call the application in.

Local Highways Authority: NO OBJECTION.

Plans now detail that only one unit is to be provided and it offers access and parking that would accord with the adopted standard. As a result the specified conditions should be attached to the consent.

Internal Drainage Board: NO FURTHER COMMENTS.

Environment Agency: NO OBJECTIONS

We have reviewed the above application and it is considered that there are no Agency related issues in respect of this application and therefore we have no comment to make.

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Contaminated Land - Following a review of our records, there appears to have been demolition of three outbuildings/sheds to the rear of the existing dwelling. The screening assessment also indicates the storage of heating oil fuel to the rear of the building. As the site has been amended (to exclude the land to the rear) a condition should be attached to ensure the reporting of any unexpected contamination due to the site history.

Natural England: NO COMMENTS

Anglian Water: NO OBJECTION

Wastewater Treatment - The foul drainage from this development is in the catchment of Grimston Water Recycling Centre that will have available capacity for these flows.

Used Water Network - The sewerage system at present has available capacity for these flows via a gravity fed connection to the public foul water sewer on site. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. We recognise that a number of customers on Winch

Road have been affected by flooding recently. We can confirm that this is due to heavy rainfall and a fault at our pumping station. We have been using tankers. We are still investigating the issue and work is ongoing. The flooding is not caused by lack of hydraulic capacity in the foul system.

Surface Water Disposal - The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented. The applicant has indicated on their application form that their method of surface water drainage is via SUDS.

CSNN: NO OBJECTION

In light of this information I would be prepared for drainage to be conditioned as per the submitted information/scheme. I note that Anglian Water provided a site specific response after my initial comments which should allay public concerns (“We recognise that a number of customers on Winch Road have been affected by flooding recently. We can confirm that this is due to heavy rainfall and a fault at our pumping station. We have been using tankers. We are still investigating the issue and work is ongoing. The flooding is not caused by lack of hydraulic capacity in the foul system.”).

Surface water drainage has been robustly considered and an enlarged soakaway is proposed combined with permeable surfacing to the drive/parking area.

REPRESENTATIONS

10 letters of **OBJECTION** received from neighbouring dwellings. The following issues were raised-

- Development is out of keeping with local area
- Overdevelopment / Inappropriate density in village location
- Insufficient amenity space
- Loss of privacy / overlooking
- Light pollution/ noise / disturbance from additional dwellings
- Overshadowing
- Poor relationship to bungalows on Lansdowne Close
- Design should respond to locality
- Increased pressure on local drainage. Anglian Water has issues at Winch Rd pumping station. Have the existing sewerage and water issues in the locality been taken into account?

- Access and traffic issues – Vehicular and pedestrian movements along Winch Rd. This would increase traffic further at a difficult ‘pinch point’. Existing access opposite and parked cars on the road. The footpath also on one side in this location.
- Winch Road is busy with traffic moving too quickly. The new school will increase traffic further.
- Commentary on outbuildings previously to the rear of the site (the buildings have been removed)
- Reference to a clause on land restricting additional residential development
- No ecology studies have been produced. There are snakes, toads etc within neighbouring gardens.
- Request removal of tree at front of application site as it is encroaching on neighbouring land.
- **Concern that granting consent for one dwelling will then lead to an application for two dwellings to the rear.**

Cllr de Whalley raises the following concerns-

With respect to the flooding experienced in Gayton and Grimston Ward this winter along with Anglian Water’s written concerns, dated as far back as 2016, I am extremely worried at the ability of the locality’s foul water infrastructure to handle any additional development without consequence until significant improvements are made. This is of particular relevance to this application as a number of properties at the top end of Winch Road have experienced sewage contaminated flooding and/or the inability to flush loos etc.

LDF CORE STRATEGY POLICIES

CS11 – Transport

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS02 - The Settlement Hierarchy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM2 – Development Boundaries

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The key issues in assessing this application are considered to be as follows:

Planning Committee
 11 October 2021

- Principle of Development
- Form and Character / Residential amenity
- Highways / Access
- Drainage
- Other Material Considerations

Principle of Development

The application site lies within the development boundary for Gayton as outlined in the Site Allocations and Development Management Policies Plan (SADMPP)(2016). Policy DM2 (of the SADMPP) allows for new development within development boundaries, providing the scheme is in accordance with other Local Plan policies.

Therefore, the principle of development is considered to be acceptable and in line with the Local Plan policies CS06 and CS08 (Core Strategy) and DM2 (SADMP), subject to accordance with other Local Plan policies.

Form and character / Residential amenity

The proposed site layout and the form of the dwelling proposed is yet to be submitted given this is an outline application with all matters reserved bar access. The applicant has submitted an indicative plan to illustrate that a dwelling can be accommodated within the application site, with adequate private amenity space to the rear and parking and turning to the front.

Initial discussions as part of the application process identified that the form of development along this part of Winch Road is predominantly frontage development. The initial application sought development for three dwellings in total, with two to the rear of the donor dwelling which represented backland development. The applicant was advised this scheme would be contrary to the form and character of the locality as well as an overdevelopment of the site.

The amended application seeks to reflect the established built form by proposing a single new dwelling in line with the donor dwelling to the north. The positioning of the application site is commensurate with the locality and therefore at this stage the form and character is acceptable and in line with Policies CS08 (Core Strategy) and DM15 (SADMPP).

In terms of neighbour amenity, this will be fully assessed as part of the reserved matters application. The site is of an adequate size that a single dwelling could be appropriately designed to sufficiently minimise impacts on neighbouring residential amenity. In terms of noise and disturbance caused by additional traffic to the proposed dwelling, given the nature of Winch Road, it is not considered that one additional dwelling would have a significantly detrimental impact on neighbouring dwellings. The proposal would therefore comply with Policy CS08 of the CS and Policy DM15 of the SADMPP.

Highways / Access

A number of objections have been received regarding highway safety, although most of these were to the initial proposals for three new dwellings on the site. Nevertheless the objections raise concerns about increasing traffic on Winch Road, and increasing the number of stopping/ turning movements opposite an existing access. Neighbours state it is already a busy road with a pinchpoint close to the site access. They state that cars are parked along the road, and pedestrians cross over to use the footpath in this location and that this is alongside the fast moving traffic.

The Local Highway Authority (LHA) does not raise an objection to the proposal. The proposed dwelling will require the creation of a new access, and sufficient parking and turning is possible within the site as shown on the indicative plan. The LHA officer does request conditions are attached to a consent related to the access. The arrangements for the parking and turning area will be determined with the layout as part of the reserved matters application. In summary, the scheme is considered acceptable in terms of the proposed access and the impact on the highway, and is in accordance with policies CS11 (Core Strategy) and DM17 (SADMPP).

Drainage

Objections have been raised regarding drainage in the locality both in terms of the existing capacity of the sewerage system to accommodate additional foul water, and also the disposal of surface water. Instances of flooding within the village are referred to and specifically some foul water flooding on Winch Road.

This is an outline application and initially it was proposed that a condition was attached to the planning consent requesting full details of foul and surface water drainage arrangements to be submitted and agreed by the Local Planning Authority prior to the commencement of the development. However, at Planning Committee on 8 March 2021 the application was deferred until a detailed drainage plan had been submitted and agreed.

The applicant has submitted a detailed drainage plan which identifies that the foul water will drain into the foul sewer maintained by Anglian Water, but that the surface water will drain into soakaways within the site. The applicant has conducted drainage testing including percolation rates and the soakaway proposed is considered acceptable. Anglian Water, the Environment Agency, the IDB, and CSNN have been formally consulted. There are no objections to the proposed drainage arrangements. The LLFA would not normally be consulted on a scheme of this size, however informal (verbal) discussions have been held and the LLFA are also entirely satisfied with the drainage arrangements proposed.

Anglian Water has also confirmed that there is sufficient capacity within the Grimston Water Recycling Centre catchment and the sewerage system to accommodate these flows. They recognise that a number of customers on Winch Road have been affected by flooding recently which is due to heavy rainfall and a fault at our pumping station. The flooding is not caused by lack of hydraulic capacity in the foul system.

It is proposed that the drainage scheme/plans are conditioned. Based on the information submitted, and the consultation responses received, the scheme is in accordance with Policy CS08 (Core Strategy) and DM15 (SADMPP).

Other material considerations

Contamination – To the rear of the site there were previously outbuildings and sheds. As the application site now excludes the land to the rear of the site the Environmental Quality officer has requested a condition is attached related to any unexpected contamination found.

Ecology - Natural England had no comments to make on the application. While the site falls within a SSSI Impact Risk Zone, the site is within the built extent of the village and would have minimal if any impact on the SSSI. An objection to the site queries the lack of ecological studies submitted. However, this is garden land currently laid to lawn within an established residential area and no evidence has been put forward of any protected species

on the site, and therefore it is not considered necessary to request this additional information in this case.

Other - Neighbouring objections received include a request for the removal of a tree on the front boundary of the site, and also refer to clauses on the land to prevent residential development. Any clause on the land is a legal/ civil matter and not for consideration as part of this application. The presence of the tree (and whether this should be retained) will be addressed during the reserved matters application. However, at this stage it is considered the scheme could be designed so as not to be harmful to the tree, should it be retained.

CONCLUSION

The principle of development in this location, for one dwelling, is acceptable and in line with the adopted Local Plan (Core Strategy Policy CS08 and Policy DM2 from the SADMPP). This is an outline application with access only, and the applicant has provided an indicative plan to illustrate that the site is capable of accommodating a single detached dwelling. The site layout, design, scale and landscaping are all to be determined as part of a reserved matters application at a later date. While concerns have been raised about highway safety in this locality, the LHA has no objections to the creation of a new access to serve the proposed dwelling. **Similarly objections refer to the capacity of the drainage systems to accommodate new development. Anglian Water has confirmed that there is sufficient capacity to accommodate the development, and drainage plans have been submitted to the LPA and are considered acceptable.** The application is therefore in accordance with the adopted Local Plan specifically Core Strategy policies CS02, CS06, CS08 and CS11 and SADMPP policies DM2, DM15 and DM17, and therefore is duly recommended for approval.

RECOMMENDATION:

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

- 1 Condition: Approval of the details of the means of 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 development hereby permitted shall be carried out in accordance with the following approved plan (Drawing No SE-1299 PP1000 E) insofar as access only.
- 5 Reason: For the avoidance of doubt and in the interests of proper planning.
- 6 Condition: Prior to the first occupation of the development hereby permitted the vehicular / pedestrian/ cyclist access 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.
- 6 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.
- 7 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.
- 7 Reason: In the interests of highway safety.
- 8 Condition: Prior to the first occupation/use of the development hereby permitted 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage (and additionally along the flank frontage of the adjacent property as outlined in blue on the submitted details).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.
- 8 Reason: In the interests of highway safety in accordance with the principles of the NPPF.
- 9 Condition: The development hereby permitted shall be constructed in strict accordance with the drainage details specified on Drawing No. 0118-JCE-00-SI-DR-C-3000 P02 received on 2nd September 2021. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 10 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

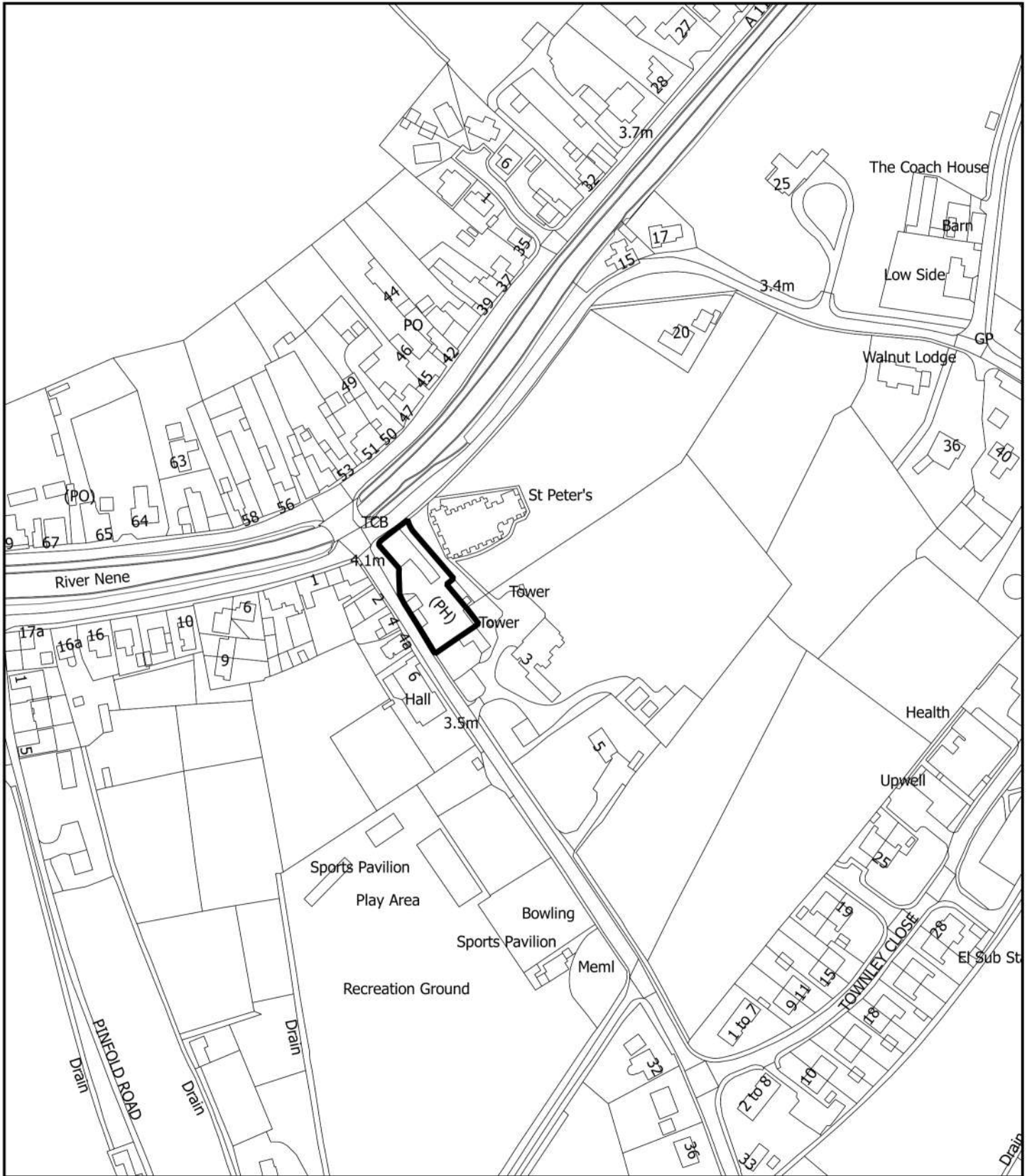
necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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.

- 10 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.

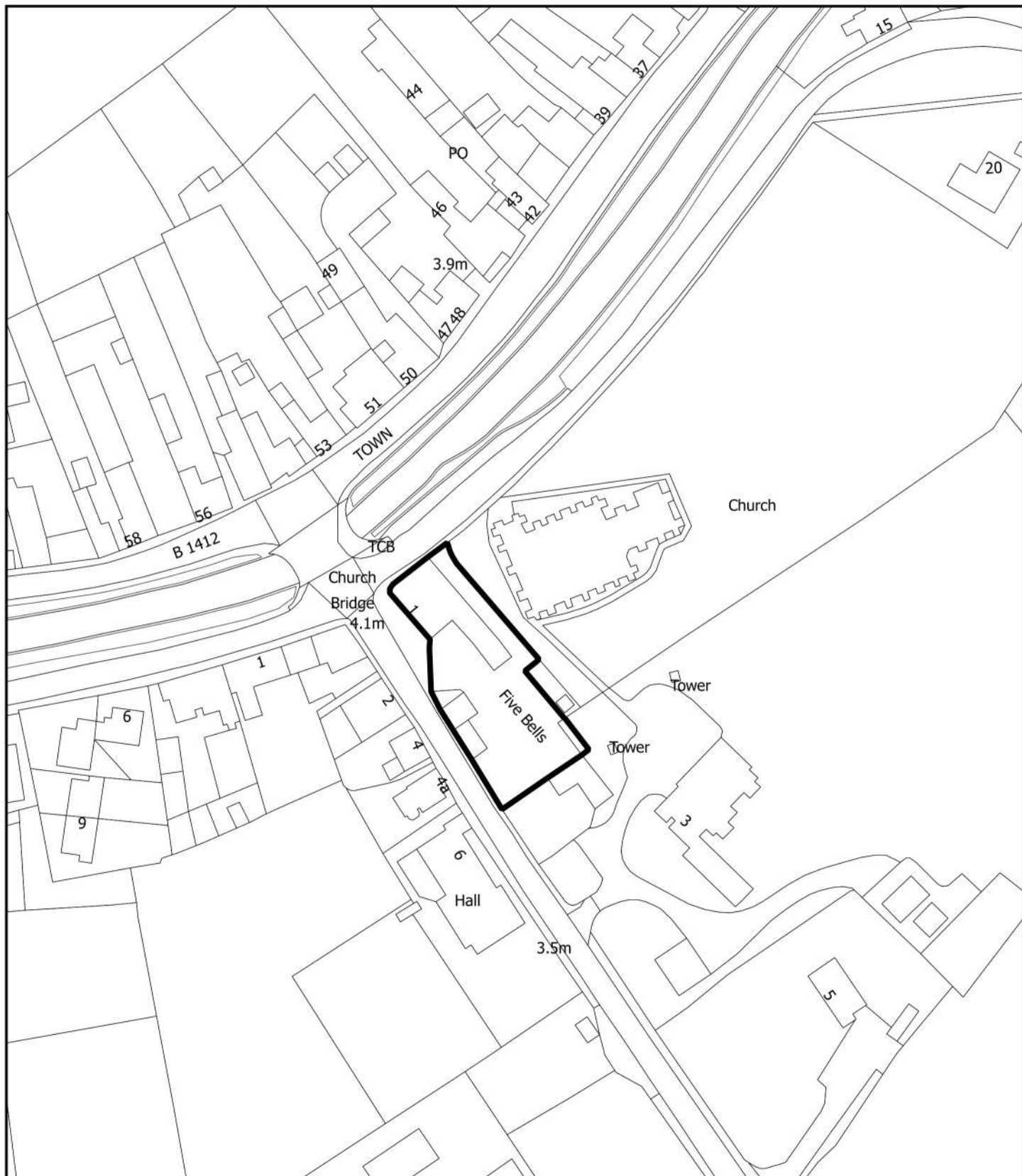
21/00127/CU

Five Bells Inn 1 New Road Upwell PE14 9AA



21/00127/CU

Five Bells Inn 1 New Road Upwell PE14 9AA



Parish:	Upwell	
Proposal:	Retrospective Change of use to holiday let.	
Location:	Five Bells Inn 1 New Road Upwell Wisbech PE14 9AA	
Applicant:	Mr Robinson and Mr Brighty	
Case No:	21/00127/CU (Change of Use Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 7 April 2021 Extension of Time Expiry Date: 20 August 2021

Reason for Referral to Planning Committee – Referred by the Assistant Director given the level of public interest.

Neighbourhood Plan: Yes

Members Update

The application was deferred at Planning Committee in August 2021. An application had been made to register the public house as an Asset of Community Value, and a query was raised as to whether the determination of the planning application would affect the ACV application. The application was deferred to enable the Council to fully assess the legislation and seek clarification/ legal advice. Updated comments are included below in bold.

Case Summary

The application seeks retrospective planning consent for a change of use for the Five Bells Inn public house to a large holiday let. The Five Bells Inn is situated centrally within the village of Upwell, on the junction of New Road and Small Lode in a prominent location next to St Peters Church and the River Nene.

Upwell is categorised as a joint Key Rural Service Centre in the adopted Site Allocations and Development Management Policies Plan, recognising its role as a service centre to the wider locality.

The application is for change of use only and does not propose any physical changes to the building or site.

Key Issues

- * Principle of Development
- * Loss of Employment Use
- * Loss of Community Facility
- * Restrictions on Holiday-let Use
- * Neighbour Amenity

- * Impact on Conservation Area
- * Highways / Access
- * Other material considerations

Recommendation:

APPROVE

THE APPLICATION

The application seeks retrospective planning consent for a change of use for the Five Bells Inn a public house to a large holiday let. The Five Bells Inn is situated centrally within the village of Upwell, on the junction of New Road and Small Lode in a prominent location next to St Peters Church and the River Nene.

Upwell is categorised as a joint Key Rural Service Centre in the adopted Site Allocations and Development Management Policies Plan, recognising its role as a service centre to the wider locality.

The application is for change of use only and does not propose any physical changes to the building or site.

The pub was purchased by the current owners in 2014 and substantially refurbished, it was re-opened in 2015. The pub use has shown a declining profit and the premises closed as a pub in March 2020. The building can sleep up to 20 people in 9 bedrooms, and the intention is to let it to families/ groups of friends. Further information is included in the Business Plan submitted with the application which explains how the site will be managed.

SUPPORTING CASE

The consideration of this application falls to be assessed against policy DM9 of the local plan.

It is maintained that the proposal is consistent with DM9 (as set out in previous emails particularly 15 April) which is explicitly addresses compliance with DM9.

In respect to alternative pubs/ similar facilities, reference is made to the Globe Inn within 1km of the site, the Crown 1.5km of the site, the Royal British Legion in the village and The Moorings restaurant- and as such the area would remain suitably provided for in respect to criterion (a).

In addition, and in respect to the viability issues set out in email correspondence, during their ownership of the 5 Bells neither of the current owners have taken any rental income from the pub and it is estimated that had a market rent been charged- the viability would be down another £40K per year- giving a sustained and substantial loss consistent with the criteria (b).

It is evident that the proposal is consistent with DM 9 on both counts- however it is reiterated that DM9 only requires compliance with one of the criteria – either ‘a’ or ‘b’;

It is reiterated that the historic use of the 5 Bells is public house with accommodation and as such the application is essentially for the cessation of the former primary use rather than introduction of a completely new use.

Both the owners were born in Upwell and take pride in the village, they sponsor many activities and have not taken the decision to seek the change of use lightly; they have always taken a keen interest in the village & want to make Upwell a welcoming place to stay & visit, there is so much potential here for tourism, which will in turn increase local trade,

Therefore, the proposal is in accordance with the relevant policy in the development plan and as such in accordance with Para 11 of the NPPF (2021) it is requested that permission be granted.

PLANNING HISTORY

06/02392/F: Application Permitted – Delegated decision: 22/12/06 - Alteration and extension to kitchen - Five Bells Inn

2/94/0626/CA: Application Permitted – Delegated decision: 06/06/94 - Incidental demolition in connection with proposed extension - Five Bells P H

2/94/0625/F: Application Permitted – Delegated decision: 13/06/94 - Extension to form preparation room store and toilets - Five Bells P H

2/93/1141/F: Application Refused – Committee decision: 02/11/93 - Extension to form preparation room store and toilets. - Five Bells Inn

2/93/1142/CA: Application Refused – Committee decision: 02/11/93 - Incidental demolition in connection with proposed extension. - Five Bells P H Church Bridge Town Street Upwell

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION

2 Mar 2021 - Upwell Parish Council has been unable to identify Material Grounds for the refusal of this retrospective application.

12 Mar 2021 - Following our full council meeting on Monday 8th March 2021 where we heard from several parishioners the council discussed planning application 21/00127/F and the decision that our planning group sent you on March 2nd. The council stands by the decision the planning group submitted but wishes to add more substance to the response.

The following statement has been agreed by a majority of the Parish Council:-

'Upwell Parish Council would like to add some comments to the submission we made on March 2nd regarding planning application consultation 21/00127/F. The Parish Council would like to make the Borough Council aware of the strong opposition from a significant number of local residents to the application to change the use of the Five Bells Public House. The pub is situated at the heart of the village, has been on the same site for more than 250 years and attracts and promotes significant traffic from the waterway running through the village. Our new Neighbourhood Plan stresses the importance of maintaining access to community facilities and preserving our attractive village centre. The Parish Council does not want to see a closed up and unused building in the centre of the village and whilst it is keen to support the idea of retaining the Five Bells as a working Public House

Planning Committee
11 October 2021

and Inn it recognises the apparent financial challenges the pub has suffered in its recent history, both with the existing and previous owners. However, the contravention of the Neighbourhood Plan may be a material matter affecting the decision to approve or reject, our planning group were divided on this point. We very much hope that, should the application be approved, the opportunity remains for a local group or entity to work with the existing owners in developing a business plan to allow the Five Bells to reopen as a Public House once again in the future, we would urge the provision of planning conditions which would protect the building infrastructure to safeguard it's future use should the opportunity for reopening arise.'

Highways Authority: NO OBJECTION

Having examined the information submitted, in terms of highway considerations for the adopted road network, I have no objection to the principle of the application on balance of its existing class uses.

Community Safety and Neighbour Nuisance Team: NO OBJECTION

Would like to make the applicant aware that if planning consent is granted it does not remove the possibility of complaints being investigated by the Borough Council in relation to noise or anti-social behaviour. Accordingly an informative should be attached to the consent.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Contaminated Land - Having reviewed the information in the application and our files, we have no comments with regard to contaminated land.

Planning Policy: NO OBJECTION

REPRESENTATIONS

132 OBJECTIONS received, **73** letters of **SUPPORT** and **4 NEUTRAL** responses. These have been summarised (by officers) below-

4 NEUTRAL comments:

- Let the owner do what they want to their property.
- It would be a shame to lose a pub and restaurant in the local community but recognise that a hospitality business in a rural village location did not have a significant amount of custom.
- Would like to see it remain as a pub but understand owners want a more viable option.
- The last thing the village needs is a derelict building.

130 OBJECTION comments:

- CAMRA (Campaign for Real Ale) - the pub is a vital resource for the community and losing it would be a big loss to a growing village. There are many local examples of seemingly unviable pubs in the area becoming very successful under new management, such as King's Arms in Shouldham. The increasing strength of support for local pubs is demonstrated by the number of community buyouts in the area.
- The Pub was a delight to the community to have somewhere to eat, drink and socialise with family and friends. (18)
- The village needs a pub doing food and drinks. There is no evening transportation so food and drinks in the village is essential.(3)
- Pub has always been busy and successful until the new owners, who managed it terribly. (5)

- The Pub has potential and if there are interested parties willing to purchase it, it should be entertained first. (6)
- Owners should operate within the parameters of the law and comply with the regulations, also taking in account public opinion where plausible.
- The Parish Council could apply for an Asset of Community Value under the Localism Act 2011 which would safeguard the pub from development and create other opportunities for the community if the owner wished to sell.
- The pub is one of the largest amenities in a growing village linking to other village, Outwell.
- The pub was an attractive amenity and makes Upwell a destination for visitors.
- The Pub is essential for people who have been isolated since the Pandemic and on the way back to 'normal'. (4)
- Change of use would have a detrimental impact on the character of the local area. (2)
- It will remove a key asset and hub from the village and offer no tangible benefit for the local community. (5)
- Pub is ideally located by the Church, Village Hall, playing fields, shops, cafes, and Well Creeke and worked well with them. (5)
- The pub is a prominent building in a prominent position that should play a prominent part in the future of the village. It was a key meeting place for the community. (8)
- Five Bells was key for the tourist economy. Many boaters and canoeists visited Five Bells on their trip on Well Creeke. (9)
- Not happy about the future of the holiday let which may end up as a full-time let for 'undesirable' people.
- Allowing the pub to be used as a B&B makes it easier to turn into housing in the future. (2)
- Pointless having a B&B in a small village with hardly anything around. Upwell is not a holiday destination. (2)
- Upwell does not need holiday lets, there is already accommodation available in Upwell. (2)
- More and more houses are being built and we need amenities for the people. (7)
- Loss of the pub will be missed within the community and local area. (8)
- Loss of a pub will be detrimental to property prices.
- Inns have played an important part of English culture and infrastructure. Why can't the pub remain to run as a pub and B&B as it currently is. (4)
- There is no evidence suggesting anti-social behaviour. (2)
- A B&B may affect church services, whereas as a public house, the hours can be controlled.
- The Pub provided the village with jobs and brought a real sense of community. (2)
- The village has high level of traffic running through it as it is.
- According to Upwell NP 2011, there were 2,750 residents in Upwell. This will be higher due to large number of new dwellings being built in the village. No 1 objective in Upwells's Neighbourhood Plan (NP) is to 'provide opportunities for all community to access community, cultural, leisure and sports activities...'. Five Bells is a community facility. No 9 is to 'support attractive and viable village centres'. Five Bells is the centre of the village and next to St Peters Church.
- By agreeing to the change of use, the Parish Council is going against its own NP. They are also supporting an illegal change of use as the application is contrary to DM9 of the SADMPP which states 'The Council will encourage the retention of existing community facilities..' and 'that in the case of shops or pubs/restaurants the applicant can demonstrate genuine attempts to market and sell the use as an ongoing concern for a 12 month period.' This has not been done by the owners who claim on the planning application that the business was running at a loss.
- The pub is vital to the community and can be profitable when well managed. There is little competition, with pubs at least 15 min walk away and not offering the same in the

way of dining amenities. Potential for the pub to be the heart and soul of the village and should be prioritised.

- The original Parish's comments followed a meeting of a planning subcommittee chaired by a person who is financially and otherwise engaged in associated projects with the said owner.
- Apparent financial difficulties are ridiculous, usual losses simply being used against gains in an accounting manner for businesses.
- Attention is drawn to Policies – Core Strategy CS06 and CS10, Site Allocations and Development Management Policies Plan DM9 and Upwell Neighbourhood Plan ET2 and ET3. 7 7
- **Policy DM09 refers to the type of use to be lost, and that the area would remain suitably provided for following the loss. The facilities and standards between the Five Bells, and other alternative establishments within the village are not comparable. The Globe Inn is a small public house with one room, no accommodation and seldomly serves food. The Royal British Legion is a members only club which does not serve food or offer accommodation. The Crown Inn/ The Moorings is 2 miles away from the application site.**

72 SUPPORT comments:

- Pub being used as a holiday let is a good idea. It looks amazing.
- The pub was barely used. The building should be put to good use. (4)
- It doesn't get used as a pub currently. It will become derelict and an eyesore if something doesn't change. (2)
- The pub doesn't get used Monday – Thursday. It is a waste of space.
- Preserving local history and revenue for the village. (2)
- The public was not supporting the pub. The pub would still look the same from the outside, so preserving the building.
- It will bring more people to use the local businesses such as the butchers, shops, taxi, baby sitters etc. (3)
- Great for tourism for the village from people visiting from outer villages, towns and cities. (11)
- Will bring greater local employment and economy. (3)
- Anti-social behaviour has been reported in the Pub. A change of use will have a positive impact on visitors and locals. (8)
- Would be a great idea and something to do with friends.
- Great idea and gives unique style holiday.
- Perfect venue for families and friends to spend time together. Ideal venue for locals to hire. 3
- It is an interesting enterprise venture and why not if there was not enough local support as a pub. Too many failing pubs close and never reopen, at least the pub will be maintained into a derelict eyesore.
- Covid changed the ways people socialise.
- Would be something different for the village. (2)
- Owners are diversifying. There are five pubs and two village halls with alcohol licences. (2)
- There are various different pubs within walking distance from the former pub. (2)
- Family were able to visit the premises as a holiday let in August 2020. Accommodation is immaculate. Local manager met us on arrival to show us round and gave her mobile number and email address for any issues. Car park was more than sufficient for us as guests. Used local shops (including butchers and Premier) and local café. Enjoyed our stay and visited surrounding areas while staying there and would like to visit again.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

CS13 - Community and Culture

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

Economy and Tourism Policy ET2: Economic Development

Economy and Tourism Policy ET3: Tourism

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The key planning matters for consideration include:

- Principle of Development
- Loss of Employment Use
- Loss of Community Facility
- Restrictions for Holiday-let Use
- Neighbour Amenity
- Impact on Conservation Area
- Highways / Access
- Other material considerations

Principle of Development

Policy CS01 states that the Borough Council will support facilities and services that will encourage economic growth and inward investment. Policy CS02 outlines the Settlement Hierarchy within which Upwell is classed as a 'Key Rural Service Centre'. Key Rural Service Centres (KRSC) help to sustain the wider rural community. They provide a range of services that can meet basic day-to-day needs and it is encouraged that local scale development will be concentrated in these given areas including new employment development. Limited growth of a scale and nature appropriate to secure sustainability of Upwell as a Key Rural Service Centre will be supported within the development limits of KRSCs. This application is of a limited scale and nature and will support sustainable development with employment and social opportunities as a large holiday-let. Policy CS06 outlines the approach to 'Development in Rural Areas'. The strategy of CS06 is that within all centres and villages, priority will be given to retaining local business sites. This is discussed in detail below alongside Policies CS10 (The Economy) and DM 9 (Community Facilities).

The application site lies within the development boundary for the settlement of Upwell, and therefore in line with Policies CS01, CS02, CS06 (Core Strategy 2011) and DM2 (Site Allocations and Development Management Policies Plan (SADMPP) 2016) development is permitted providing it is in line with other Local Plan Policies.

Upwell Neighbourhood Plan states in the objectives and aims of the Plan (under point 2) that the policies look to ensure sufficient community facilities within Upwell Parish. It goes on to set out Policy ET2 (Economic Development) which supports and encourages new economic development as long as the proposal would not have an adverse impact on residential amenity; would not have an unacceptable adverse impact on the transport network; could accommodate all parking for staff within its site; and would not have any other unacceptable environmental impacts, including impacts on the historic environment.

Policy ET3: Tourism favours developments which demonstrate a contribution towards enhancing tourism and/or the cultural heritage of the Upwell community. It states tourism will be strengthened by the creation, enhancement and expansion of high-quality tourism attractions and related infrastructure; which sits alongside the proposal for holiday-let use.

Loss of Employment Use

CS06 Development in Rural Areas: The Strategy of CS06 is that within all centres and villages, priority will be given to retaining local business sites unless it can be clearly demonstrated that continued use for employment (including tourism or leisure) of the site is economically unviable, or cannot overcome an overriding environmental objection, or a mixed use can continue to provide local employment opportunities and also meet other local needs.

Policy CS10 'The Economy' states that retail, tourism, leisure, and cultural industries are key elements of the economic and social vibrancy of our borough and contribute to the regeneration and growth of the area. The Council will promote opportunities to improve and enhance the visitor economy, supporting tourism opportunities throughout the borough. Promoting the expansion of tourism opportunities at a smaller scale will also be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to our valuable natural environment.

Regarding the retention of employment land, the Council will seek to retain land or premises currently or last used for employment purposes (including agricultural uses) unless it can be demonstrated that:

- continued use of the site for employment purposes is no longer viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand; or
- use of the site for employment purposes gives rise to unacceptable environmental or accessibility problems particularly for sustainable modes of transport; or
- an alternative use or mix of uses offers greater potential benefits to the community in meeting local business and employment needs

The Design and Access Statement, alongside additional information submitted (including financial accounts) states that the former public house the Five Bells Inn closed down in March 2020 after several years of declining profitability with an unsustainable loss of profit. The applicant states that the former use was unviable. The business plan supplied gives the indication that the use as a holiday let for tourism purposes has already proved to be more viable, particularly in the current climate.

Objections to the application state that the lack of profit to date was as a result of the poor management of the premises; and that under alternative management the public house could be a viable business. Therefore, that this use/business should not be lost to the village.

While the use of the building as a public house would generate more employment opportunities within the locality, in comparison to the proposed use as a holiday-let, the current proposal could still be considered an employment-generating use. On balance therefore it is not considered that the application is contrary to policy CS10.

Loss of Community Facility

Policy DM9 'Community Facilities' of the SADMPP (2016) states that the Council will encourage the retention of existing community facilities. Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:

- a) the area currently served by it would remain suitably provided following the loss, or if not
- b) it is no longer viable or feasible to retain the premises in a community facility use.

The Five Bells Inn is not the only community facility use or public house in Upwell. The applicant has drawn specific attention to The Globe Inn and the Royal British Legion within Upwell, as well as The Crown Lodge and The Moorings restaurant in Outwell which are alternative pub/ restaurants within the KRSC. Accordingly, the application does meet the requirements of part a) of Policy DM9 of the SADMPP. Only one aspect of the policy has to be satisfied. The applicant goes on to make the point that the Five Bells had traditionally been an Inn which included an element of accommodation alongside the public house. Therefore, the change of use is not dissimilar to the historic use of the building and this should be a key material planning consideration.

However, a significant number of objections have been received regarding the application, most of which centre around the importance of this public house to the village. It is argued, its central location and historic importance to the character of the settlement as well as the need for these types of facilities as community hubs and meeting places, should be retained within rural areas. **In addition objectors have made the point that the offer of The Five Bells is much greater than alternative neighbouring establishments. The Globe Inn being a one-room public house with no accommodation and rarely serving food. The Royal British Legion is a members only club, doesn't serve food or offer accommodation. The Crown Inn/ The Moorings is 2 miles away. Therefore, that the area will not remain suitably provided for following the loss.**

The Five Bells Inn Preservation Society submitted a nomination to register the public house as an Asset of Community Value (ACV) which was deemed successful on 27 August 2021. The application met the regulations as set out in the tests (Section 88(1) and 88(2) of the Localism Act 2011) which include that the application body must have at least 21 individuals as members; the current or recent use of the building furthers the social wellbeing or social interest of the local community; and it is realistic to think that there is a time in the next five years where the use of the building could further the social wellbeing of interests of the local community. The Society state that this ACV status is a relevant material planning consideration in the determination of this application.

The ACV status simply means that prior to the sale of a community building (public house in this case), that the owner does not have the ability to dispose of the site without the community having the 'right to bid' for the site. The ACV status lasts for 5 years. However, the owners of the public house do not intend to sell the premises. It is also important to state that the ACV status is not a planning policy to protect against change of use, rather local authorities can use their local plan or an Article 4 direction to do that. Furthermore, in the determination of planning applications it is for the decision-making authority to determine the weight given to an ACV status.

Having considered case law on the weight awarded to a building with ACV status, there is not a clear direction. In the case of R(OAO Loader) v Rother DC (2015) EWHC 1877 (Admin) Mrs Justice Paterson said 'planning applications have to be determined in the normal way in accordance with the development plan unless material considerations indicate otherwise. At present there is no direct case law on what weight is attached to an ACV listing. The weight to be given to any material consideration is a matter for the decision maker....Each case depends on its merits.'

A Planning Inspector decision (APP/Y5450/W/14/3001921 May 2015) for the change of use from a public house to two three bedroom dwellings in Haringey states at para. 22 that the 'relevant ACV legislation sets out specific tests which are narrower than the planning considerations before me. The primary purpose of the ACV listing is to afford the community an opportunity to purchase the property, not to prevent otherwise acceptable development. Accordingly, whilst I afford it some weight in this case it is not determinative.' In this particular case the Inspector considered the needs of the community could be met by other public houses in the area.

That said the status of a building registered as an ACV does recognise that the community places value on the use of the building as a community asset, which is supported by the number of objections received.

Restrictions for Holiday-let Use

Policy DM 11 of the SADMPP addresses 'touring and permanent holiday sites' but this includes permanent buildings constructed for the purpose of letting etc. The policy requires that applicants submit a business plan stating how the site would be managed and how it would support tourism in the area; demonstrates a high standard of design; can be safely accessed; is in accordance with flood risk policies and finally is not within the Coastal Hazard Zone. A business plan was submitted with the application and this provides sufficient information as required by the policy. Furthermore, the proposal does not include any changes to the existing building and so in design terms is entirely acceptable and is safely accessed, it is within flood zone 1 and accords with flood risk policy, and is not within the Coastal Hazard Zone. Therefore, the scheme is in line with Policy DM11 of the SADMPP.

The Policy goes on to detail the condition to be applied to new holiday accommodation which includes restrictions to the use, controls with regard to the time periods of stays and the need for an up to date lettings register. It is proposed that this condition would be attached to the planning consent if approved. Concerns raised by the public include that the building could be a full-time let however the conditions specified will prevent this happening.

Whether short stay accommodation is considered to be within the use class C3 (dwellinghouses) or a sui generis use is a matter of fact and degree and determined on a case by case basis. The proposal seeks consent for the creation of a 9 bedroom holiday let (7 bedrooms in the main building and 2 in an ancillary outbuilding) which can sleep in total up to 20 guests.

The case *Moore v SoS* 2012 deals with the question of the difference between use as a dwellinghouse (C3) and use as a large holiday let and where this would amount to a material change of use. In this case, the inspector determined that the scale of use as an 8 bedroom holiday let, sleeping up to 18 people for periods of between 3 and 7 days, was such that the holiday let was far removed from a use as a dwelling house and a material change of use had occurred.

It is considered, given the scale of the proposed use, that the proposed use as a large holiday let, accommodating up to 20 guests across 9 bedrooms, is materially different to a C3 use and the proposed use would therefore be considered a Sui Generis use. The site would not therefore benefit from the permitted development rights outlined in Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Neighbour Amenity

A number of objections refer to historic anti-social behaviour issues associated with the public house, and in contrast concerns are raised about the potential use of the holiday-let and the ability to adequately manage this in terms of impacts on neighbouring uses/residents. It is likely that the use of the building as a large holiday-let has less potential to result in anti-social behaviour than a public house. CSNN have been consulted on the application and do not request any conditions are attached to the consent. They have requested an informative to remind the applicant however that they do have the ability to take action on the owners/ managers of the buildings should any such issues occur. Given the holiday-let use is already underway there have been no cases of nuisance/ disturbance reported to CSNN to date.

The proposal would therefore be in accordance with Policy CS08 of the CS and Policy DM15 of the SADMPP.

Impact on Conservation Area

The application site lies within the Upwell Conservation Area and within close proximity of Listed Buildings St Peters Church (Grade 1) and Welle Manor House (Grade 2*). The applicant has also submitted a Heritage Impact Statement. Objections refer to the impact of the change of use on the character of the locality. However, there are no proposed changes to the physical appearance of the building or curtilage. It is not considered the proposed change of use would have any impact on the street scene, neighbouring designated historic assets, or the wider conservation area.

The proposal would therefore be in accordance with Policy CS12 of the Core Strategy (2011).

Highways / Access

The public house has a car park with approximately 25+ parking spaces which would adequately accommodate visitors to the holiday-let. The Local Highway Authority has no objections to the proposal. The proposal would therefore comply with Policy CS11 of the CS and Policy DM15 of the SADMPP.

Other material considerations

Licensing - Within the information supplied with the application; the applicant states that there is the ability for guests to request that the bar is stocked with alcohol for their stay. Concerns have been raised about whether this is acceptable in licensing terms. Information has been sought from the Licensing team at the Borough Council and they have stated that they are unaware of any breaches of the Licensing Act at the Five Bells Inn. Furthermore whether or not the property remains a licensed premises or is a hotel does not matter as long as the four licensing objectives (the prevention of crime and disorder, public safety, the provision of public nuisance and the protection of children from harm) are not being undermined by the proposal.

Parish Council comments – The Parish Council in their comments dated 12 March stated that ‘... should the application be approved, ...we would urge the provision of planning conditions which would protect the building infrastructure to safeguard it’s future use should the opportunity for reopening arise. However, given the application accords with the NPPF and Local Plan policy it is not considered appropriate to include such conditions on a planning consent. Any significant changes to the physical building in the future would require a planning application in their own right, and any internal changes to the building would not require planning consent and cannot be controlled by condition.

Upwell Neighbourhood Plan - The application site is within the Upwell Neighbour Plan area and the neighbourhood plan policies therefore apply. Policy ET2 of the plan relates to new employment generating uses, which are required to demonstrate no adverse impact on their surroundings, including residential amenity, the highway network and the historic environment and provide parking for all staff on site. As discussed above, the impact on the locality, including on the Upwell Conservation Area is considered acceptable. Sufficient parking is provided on site to cater for both the future guests and any staff members involved in the management of the property.

Policy ET2 of the Neighbourhood Plan supports the creation, enhancement and expansion of tourism attractions and infrastructure.

The application is therefore considered to accord with the relevant policies of the Upwell Neighbourhood Plan.

CONCLUSION

The application seeks retrospective consent for the change of use of the site from a public house to a large holiday-let. The applicant makes the case, and has supplied information, to illustrate that the use of the building as a public house is, in their view, no longer viable and therefore a change of use is necessary. Objectors argues that this is not the case but is down to the way the business has been managed in recent years. Notwithstanding this, the change of use from a public house to a large holiday-let is in accordance with Policy CS06 and CS10 because the tourism use of the building would still make an economic contribution to the locality albeit a reduced one to that of a public house. While this change of use would result in the loss of the public house as a meeting place and focal point for the community,

there are other public houses within the village and so it would not be the last one. In this regard the proposal is in accordance with policy DM9. Finally, if consent were approved for the application a condition should be attached to the consent to restrict the use of the building to short term stays etc and with this condition in place the application is also in accordance with policy DM11.

There are a number of objections to the loss of the public house as a community facility; and a local community group has been formed to try and save the use as a public house. **The premises has recently been listed as an Asset of Community Value, and it is for Members to take a view regarding the weight given to the ACV status as a material planning consideration given the proposal accords with the adopted development plan.**

There are no objections to the application from statutory consultees and the Parish Council does not object to the proposal. The Parish Council does recognise the level of community interest however and suggests that the Council should seek to protect the building infrastructure to enable the reinstatement of the use as a public house in the future. The application submitted does not detract from this possibility.

In conclusion the application is in accordance with the NPPF, Policies CS06 and CS10 of the Core Strategy (2011), and Policies DM2, DM9 and DM11 of the SADMPP (2016) and Members are thereby recommended to approve.

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 Drawing No 6255/PL02A.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The accommodation hereby permitted shall only be used as a short-stay holiday accommodation (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 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.
- 2 Reason: In the interests of the amenities of the locality in accordance with the NPPF and Policy DM11 of the SADMPP (2016).

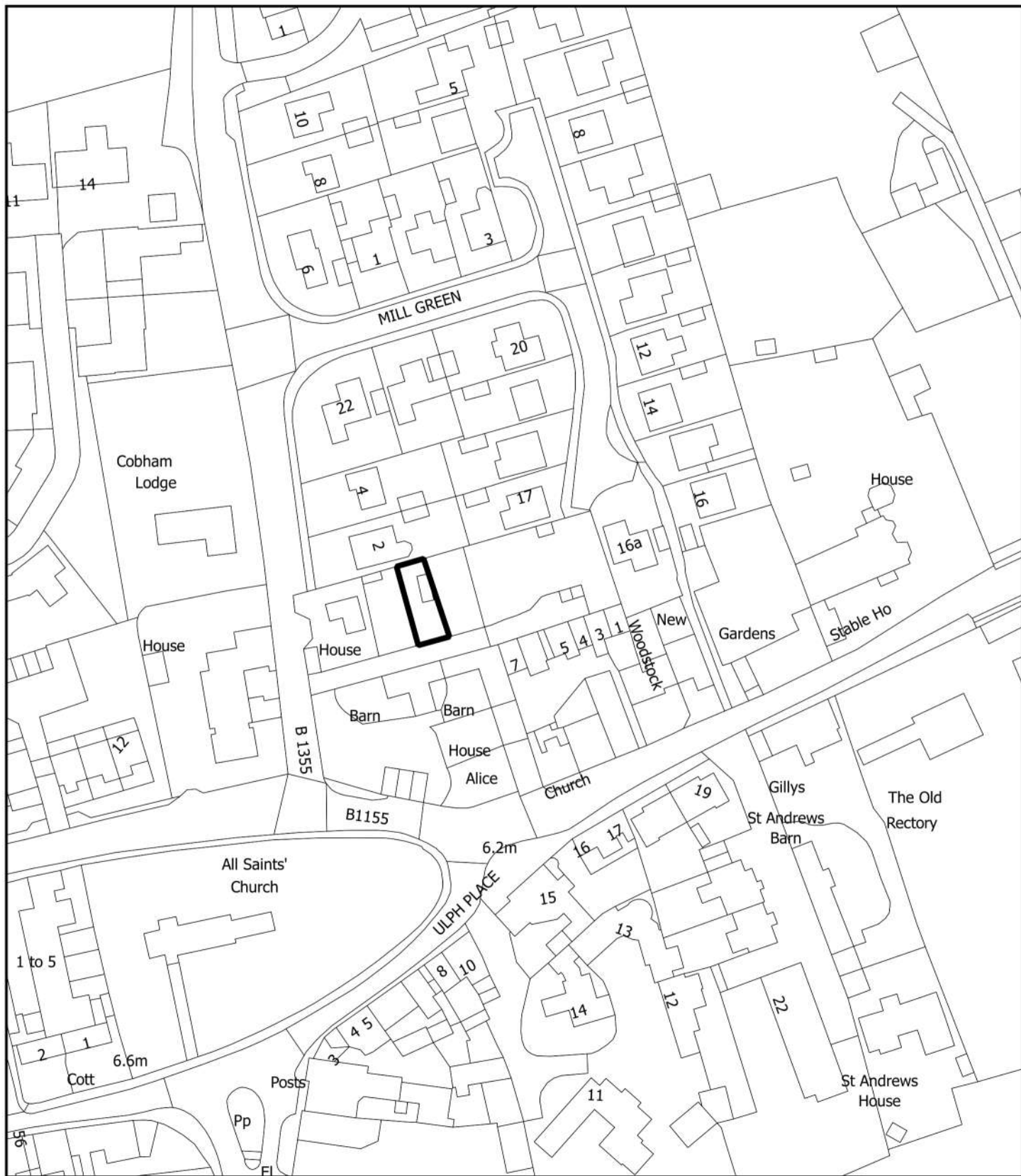
21/00543/F

7 Mill Yard Overy Road Burnham Market PE31 8HH



21/00543/F

7 Mill Yard Overy Road Burnham Market PE31 8HH



Parish:	Burnham Market	
Proposal:	Proposed garden office	
Location:	7 Mill Yard Overy Road Burnham Market King's Lynn PE31 8HH	
Applicant:	Mrs Lucy Gordon Clark	
Case No:	21/00543/F (Full Application)	
Case Officer:	Mr M Broughton	Date for Determination: 14 May 2021 Extension of Time Expiry Date: 15 October 2021

Reason for Referral to Planning Committee – Referred to Planning Committee at the discretion of the Assistant Director.

Neighbourhood Plan: No

Case Summary

The land is situated on the north side of Mill Yard, Overy Road, Burnham Market, within the village boundary, Conservation Area and the designated Norfolk Coast AONB.

The application is for the construction of a detached, single storey, office / garage building on garden land at 7 Mill Yard, Burnham Market

Key Issues

- Principle of development and policy
- Form and Character and impact on the Conservation Area and AONB
- Impact on neighbour amenity
- Other material considerations

Recommendation

APPROVE

THE APPLICATION

The land is approximately 32m east of B1355 Bellamy's Lane, situated on the north side of Mill Yard, Burnham Market, with vehicular access shared from Bellamy's Lane serving the Mill Yard track (no through route) and row of dwellings situated therein.

The site comprises garden land, approximately 18m deep x 7.6m at its widest point, but decreasing to 6.2m at the extreme northern boundary. The garden land is associated with and effectively fronting, but off-set to the host dwelling at No 7 Mill Yard.

Set-back to the rear north-east side of the site is an existing detached timber garage 2.8m wide x 5.8m deep with a 3m high ridge oriented south / north. In the north-west corner is a detached timber storage shed 2m wide x 2.7m. Both are to be demolished.

Access into the garden is via a 5 bar timber gate on the south side. Low level ranch fencing forms the west boundary and a wall is sited on the rear north boundary. There is marker post and wire on the eastern boundary, but the latter is backed by neighbouring, close formatted 3m - 4m high conifers.

The application presents an amended scheme to that submitted originally and seeks to construct a detached, single storey, office / garage building on the aforementioned garden land. The building would be set-back into the site in L shaped format, with the larger portion of the structure (garage element) abutting the eastern side of the site and the office element to the north-west side.

It would be built on a brick plinth, clad with timber boarding and have a pan-tiled roof, with 2 velux in the rear northern roof plane. The ground floor area would measure 5.6m wide on its rear northern elevation and 8.2m in depth along its eastern side. The office portion is 4.25m in depth on the north-west elevation. The overall ridge height would be 4m with eaves level 2.4m.

Post and rail fencing is proposed to the eastern boundary. An apple tree in the south-west corner of the site would be retained.

Some high level planting has been added to the west and northern boundaries more recently, but does not form part of the application description.

SUPPORTING CASE

The timber framed and pan-tiled structure (revised scheme) is intended to be an office / garage which can cater for all the storage and use requirements of the existing two sheds which would be removed from the site. The garden fronting the building retains the same depth.

- Objections do not have merit from a planning perspective.
- No intention to use or sell the building as a residence
- No plumbing envisaged - electricity only

PLANNING HISTORY

20/00164/F: Permitted: 16/04/20 - Proposed extension and alterations - 7 Mill Yard, Overy Road, Burnham Market

RESPONSE TO CONSULTATION

Parish Council: OBJECTION: The building is overdevelopment of the plot being both too large and too high impacting the neighbouring gardens and conservation area.

Planning Committee
11 October 2021

Local Highway Authority: NO OBJECTION: Access into the site is unmade, parking limited and would be considered unsuitable to serve additional units/increased vehicle activity associated with independent occupation/use of the building, separate from the main dwelling.

If the building is genuinely ancillary, then the traffic levels should not increase. To ensure the building remains ancillary to the main dwelling, an appropriate condition should be appended in the interests of highway safety.

For the avoidance of doubt, the Highway Authority would seek to recommend refusal of any subsequent planning application seeking to remove the ancillary condition.

Conservation Officer: NO OBJECTION: This site lies within the Burnham Market Conservation Area and forms one of several independent gardens serving adjacent, but not connected to, host cottages. These gardens are characterised by informal planting of fruit trees, lawns and other planting, some better kept than others. Low key buildings such as timber garages and sheds are also to be found. This garden setting enhances the historic cottages to which they belong and make a positive contribution to the Burnham Market Conservation Area.

This garden already contains a timber garage and modest timber garden shed. The amended shape and position of the proposed studio will ensure that the garden sits around the building and the relationship between building and garden is far less eroded, especially if complimented by careful planting. This will allow the garden to retain a spacious feel and will reduce the harm this proposal could cause to the Burnham Market Conservation Area.

On the basis of the amended application, no further conservation objections.

Norfolk Coast Partnership: NO OBJECTION: Acknowledge some of the observations made regarding scale and the impact on the Conservation Area. However there will be limited impact to the wider landscape of the AONB so we have no major objections. Recommend condition and Informative re external lighting applied

Natural England: NO OBJECTION: Advice provided in our previous response applies equally to this amendment - we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

REPRESENTATIONS

TEN OBJECTIONS submitted comprising:

- One objection – member of the public
- Four objections – individual neighbour dwellings
- Three objections – one neighbouring household
- Two objections - one neighbouring household

Overbearing - Overshadowing: Small lane characterised by small terraced cottages and small outbuildings. Overall scale (mass and height) will impact on nearby dwellings and garden amenity, is not in keeping with the locality and will set an undesirable precedent for further development in the Conservation area - a sensitive location

Planning Committee
11 October 2021

The new building is so close to the boundaries it would necessitate disruptive access to the neighbouring gardens, with inevitable, if temporary, loss of amenity and future maintenance issues. Gardens were formerly allotments and contain unobtrusive, single storey garages, garden sheds and small conservatories. In its present form, size, location, and orientation, the building is inappropriate

Revised proposal is seductive. It appears, on first examination, to have a significantly smaller impact than the previous application. However, on closer examination it is clear that it is little better, and in some ways worse, than its predecessor. Gross external square footage has increased from roughly 415 sq ft to 435 sq ft. and the building would dominate what has traditionally been a small, simple cottage garden. It would significantly diminish both the character of Mill Yard and the amenity of our garden.

Would dominate and block the light from neighbouring conservatory and garden, which is at the rear of the proposed office (north)

Re-consult time was insufficient to respond

- Note: A re-consultation period of 7 days was applied to all consultees (all of whom responded) and relevant persons in relation to the amended scheme (10 letters of objection as listed)

High beech trees have been planted along the applicant's side of the western boundary adjacent to the garden of No 5 whilst this planning application has been awaiting decision

- Note: The said boundary treatment is not considered in this application and is snot development.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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

National Design Guide 2019

PLANNING CONSIDERATIONS

The main planning considerations are:

- Principle of development and policy
- Form and Character and impact on the Conservation Area and AONB
- Impact on amenity
- Other considerations

Principle of development

Mill Yard lies at the eastern end of the built-up area of Burnham Market, with access from Bellamy's Lane, in an area traditionally known as Burnham Ulph. It is within the Conservation Area and AONB.

The application seeks to construct an L shaped office / garage for personal use of the applicant in the garden of the dwelling (7 Mill Yard).

In principle, development in this location is acceptable if the proposal accords with the King's Lynn and West Norfolk Borough Council Core Strategy 2011 and the Site Allocations and Development Management Policies Plan (SADMP) 2016. Due consideration is also given to the National Planning Policy Framework.

Form and Character and impact on the Conservation Area and AONB

Mill Yard, on the eastern side of Bellamy's Lane (formerly Norton Lane) is an unmade, no through track serving the 2 storey, 18th century terraced cottages of traditional style therein, numbered 1-3, 4,5,6 and 7, sited on the south side of the track, with No 1-3 at the eastern most end of the track.

This range of cottages are undesignated heritage assets within the Burnham Market Conservation Area. Their location and the informal access track add to the character of the conservation area, albeit not detailed in the village conservation character statement.

On the northern side of the track are the elongated gardens to the cottages, historically on 1886 ordnance and other mapping, and, as reported, considered to be former vegetable plots.

At the entrance to Mill Yard on the junction with the north side of Bellamy's Lane lies, in good shape, a detached aged building, purported to be a former grain store for the post-mill and set-back from that building, is the relatively modern Lettes dwelling, accessed from Bellamy's Lane, but forming the junction plot with Mill Yard.

Thereafter lie the aforementioned gardens from west to east: No 5, No 7, No 6, No 4 and the combined garden of No 1-3 at the eastern end of the track. The gardens are out of sequence in relation to the dwellings and also, in relation to Nos 5, 7 and 6, the gardens are off-set from the dwelling frontages.

The plan GA01 Revision 4 identifies boldly the garden in question. The garden on the western side of the site is that of No 5, equally as narrow as that of No 7, and which abuts the site of Lettes dwelling, whilst that on the east side is garden of No 6 and 4 respectively, with garden for No 1-3 the larger garden area at the eastern-most end of the track. Thus:

- The garden to No 5 has hedge west abutting Lettes dwelling, low wall south to Mill Yard and fence to the east boundary, a fruit tree on site and a shed at its north-western edge. Backing this garden, and part of the adjacent No 7, are trees and hedge – providing a degree of screening on that boundary from the dwelling sited north at 2 Bellamys Lane.
- The garden to No 7 is ranch fenced to abut No 5, with a fruit tree on site and set-back a garage and shed on its northern end - as previously described – giving the impression of an L shaped format, albeit both buildings are detached.
- The garden to No 6 has 3m - 4m high conifers on its west boundary with No 7, is overgrown by brambles, a greenhouse at the northern end and a garage of similar proportions to that existing on site No 5, but more central to the said site.
- There are a mix of outbuildings on or fronting gardens to No 4 and 1-3 including 2 small brick former outdoor or privy style builds.
- Lettes dwelling has a low wall forming its Mill Yard south boundary. With hedge on its eastern boundary with No 5 and a substantial tree in the south-east corner of its garden, a fair degree of view of Mill Yard gardens is screened to a passer-by on Bellamys Lane.

On the south side, prior to the row of cottages and partly fronting the lane, lie Louisa and Beatrix Barns (converted barns to dwellings) but with access from Bellamy's Lane and private gardens encompassed by wall along Bellamys Lane and Overy Road.

A modern 2 storey detached dwelling (2 Bellamys Lane) with conservatory on its rear eastern elevation abuts the northern side of the proposal site, where the land is at a higher level than the said garden land of No 7 and the boundary is a relatively modern wall.

Given the above, it is evident that there are outbuildings of varying scale within the gardens setting. It is also evident that the site is contained by existing development.

There is a requirement to preserve or enhance the character or appearance of the conservation area.

Whilst the quaintness of Mill Yard is recognised in conjunction with the dwellings, the historic fabric of the row of dwellings is unaffected.

The structure is to be timber clad with pan-tiles and is considered to be of a low key style, constructed in materials which would not undermine the rural character of the village and taking the ground floor area proposed being similar to that existing in visual terms, then the proposal is not considered over-development of the site.

Each case is viewed on its own merit. Given its set-back siting, layout and screening available (landscaping at Leetes dwelling), it is unlikely it will create any adverse appearance on the setting of the Conservation Area or AONB. Public views into the gardens of Mill Yard are restricted by Leetes dwelling hedge and tree and in terms of overall views, there would be marginal visual impact on the locality or neighbouring sites.

The Conservation Officer and NCP Officer raise no objection to the amended scheme.

The proposal would therefore comply with the NPPF, Policy CS06, CS08 and CS12 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016.

Impact on amenity

The existing detached garage and detached shed on the garden (in L shaped format) are to be demolished. The amended scheme shows the ground floor area and siting of the proposed L shaped garage / office overlaying the existing buildings and is not dissimilar in format, though it is greater in floor area at the rear north edge of the garden. There would be no change to in 'open' garden area than that fronting the existing garage.

The proposed ground floor of the building would measure 5.6m wide on its rear northern elevation and 8.2m in depth along its eastern side, the latter approximately 0.5m clearance along the majority of the 3-4m high conifer boundary with No 6.

The office portion is 4.25m in depth on the north-west corner and that section of the building would be approximately 0.4m - 0.6m from the boundary with No 5. Overall ridge height would be 4m with eaves level 2.4m high all round.

Apart from the double timber garage doors (south), two pedestrian doors are proposed in conjunction with 2 cottage style windows (west elevation of the garage element and south elevation of the office element).

The neighbouring garden to no 5 (west) is set to lawn, as is No 7, and approximately 7.5m wide x 18m deep. Given orientation, scale, design and layout, with just 2.45m of the proposed building in close proximity to the boundary at the northern most end of the site, it is highly unlikely the proposal, to any great extent, will create overbearing or overshadowing of the garden of No 5 given the limited scale and form of the building. Whilst there are windows to the building, given current access to gardens and boundary treatment there is already view into and from each garden.

The neighbouring garden (east) No 6 has high level conifers on the boundary, thus views of the proposed building will be limited, with no likely overbearing, and given orientation no overshadowing issues.

The neighbouring garden on the north side at 2 Bellamy's Lane is at a distinctly higher level than the proposal site. The proposal includes a splayed northern roof plane to off-set the build against the boundary. Thus there will be no significant loss of light to that dwelling. There is no right to a view from one site to the other and given scale and layout, the proposed building is unlikely to create any adverse impact on that dwelling.

The use proposed is personal to the applicant for office, garage and storage purposes and can be conditioned accordingly.

Notwithstanding the 4m high ridge height, eaves level is kept to 2.4m. Given the dimensions, design, set-back and relatively low level eaves height, it is considered impact on surrounding dwellings would be minimal, ensuring the garden still retains a spacious feel.

Building works are only temporary and land access will be a matter between site owners.

On the basis of the above, the proposal would therefore comply with the NPPF, Policy CS08 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016.

Other Considerations:

Highways:

Planning Committee
11 October 2021

There is no loss of on-site parking, no additional vehicular movements proposed and this proposal should not affect highway movements onto Bellamy's Road. A condition would be imposed so that the development remains ancillary to the use of the dwelling and not for business or commercial purposes. The Local Highway Authority raises an objection as a result.

Lighting:

This locality is AONB. Development proposals that include external lighting can cause light pollution which could be harmful to the dark skies which characterise this part of Norfolk.

In conjunction with the National Planning Policy Framework Clause 125, the Norfolk County Council's Environmental Lighting Zones Policy recognises the importance of preserving dark landscapes and dark skies.

The application has not identified any outdoor lighting. Any future outdoor lighting associated with the development would require application. No objection has been received from North Coast Partnership nor Natural England.

Crime and disorder:

There are no known crime and disorder issues associated with this site or proposal

CONCLUSION:

Historically, a garage and a shed have been present in the current location over a number of years

It is considered that the proposed office / garage is of an acceptable design and scale, which does not overdevelop the site, which will not impact adversely on the character and appearance of the locality or neighbour amenity and would not create a detrimental impact upon the Conservation Area or AONB.

Overall, the proposal is considered to be in accordance with the requirements of the Core Strategy 2011, the Site Allocations and Development Management Policies Plan (SADMP) 2016, as well as the National Planning Policy Framework. It is therefore recommended this application be approved.

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 plan:

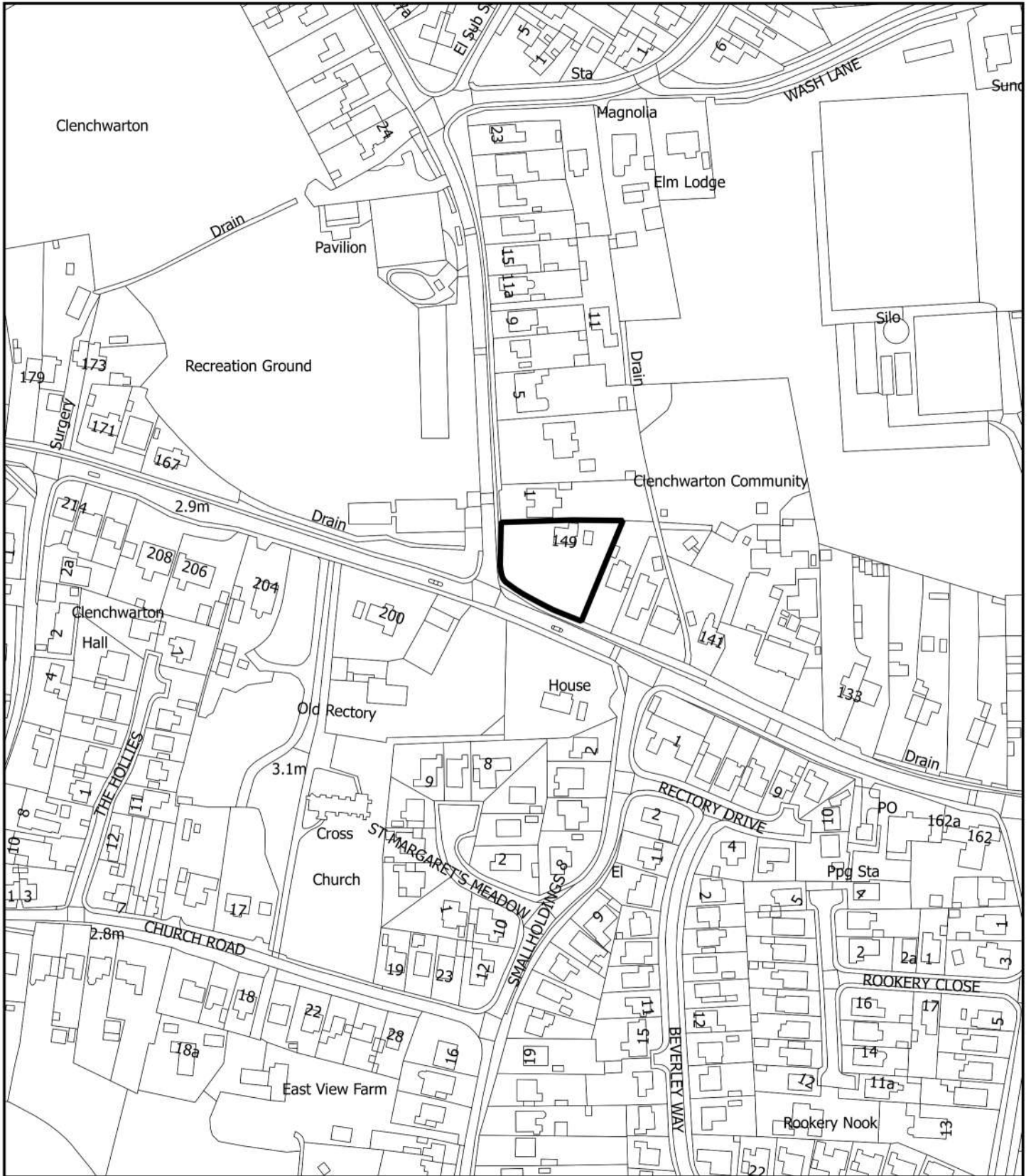
Planning Committee
11 October 2021

* Block plan, roof plan, elevations and layout – drawing GA01 REV 4 – receipt dated 11/08/21.

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The use of the garden office / garage building hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling (7 Mill Yard) and shall at no time be used for any permanent residential occupancy, nor for any business or commercial purposes.
- 3 Reason: In the interests of highway safety and residential amenity, in accordance with the NPPF.
- 4 Condition: No lighting to the exterior of the building hereby approved shall be allowed without a detailed lighting scheme being 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 the approved scheme and thereafter maintained and retained as agreed.
- 4 Reason: In the interests of 'dark skies' and the overall amenity of this locality, in accordance with the NPPF, Policy CS12 of the Core Strategy 2011 and Policy DM15 of the SADMP 2016.
- 5 Condition: No development above ground level shall take place on any external surface of the garden building hereby permitted until samples of the brick, timber and roofing tile have been made available on site for inspection by the Local Planning Authority and subsequently approved in writing. The development shall be carried out in accordance with the approved details.
- 5 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF and Policy CS12 of the Core Strategy 2011

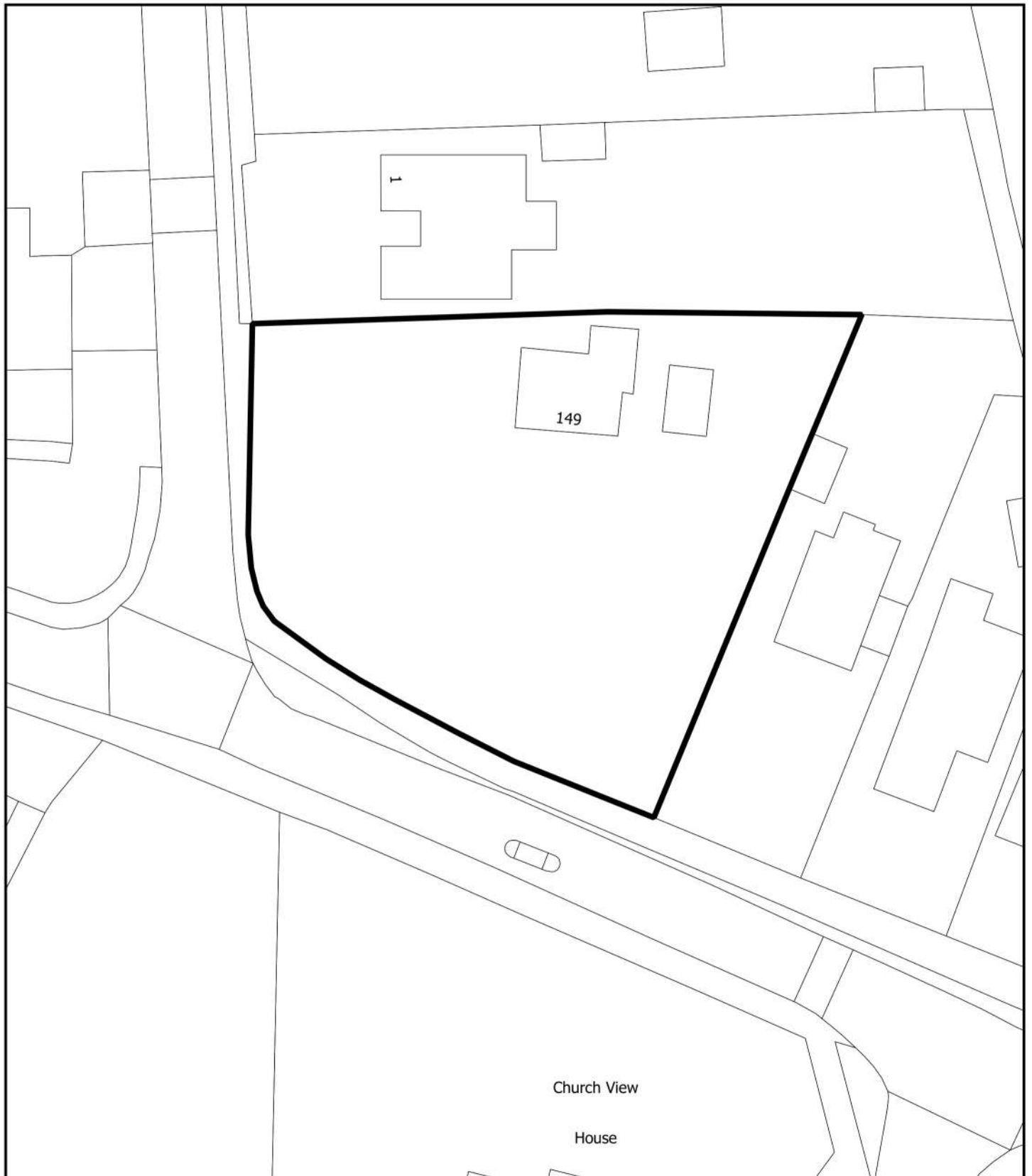
21/01496/O

149 Main Road Clenchwarton PE34 4DT



21/01496/O

149 Main Road Clenchwarton PE34 4DT



Parish:	Clenchwarton	
Proposal:	OUTLINE APPLICATION SOME MATTERS RESERVED: Demolition of the existing dwelling and garage and the construction of up to 3No dwellings and a new access along with parking, landscaping and associated infrastructure	
Location:	149 Main Road Clenchwarton King's Lynn Norfolk PE34 4DT	
Applicant:	C/o CLC Limited	
Case No:	21/01496/O (Outline Application)	
Case Officer:	Bradley Downes	Date for Determination: 14 September 2021 Extension of Time Expiry Date: 15 October 2021

Reason for Referral to Planning Committee – Called in by Cllr Whitby

Neighbourhood Plan: No

Case Summary

The application is outline with access to be considered and all other matters reserved for the erection of up to 3 dwellings. The site lies in the development boundary of Clenchwarton on the north side of Main Road. The site also lies in Flood Zones 2 and 3a.

Key Issues

- Principle of development
- Impact on character and appearance of the area
- Impact on neighbour amenity
- Flood risk
- Other matters that require consideration prior to the determination of the application

Recommendation

REFUSE

THE APPLICATION

The application is outline with access to be considered and all other matters reserved for the erection of up to 3 dwellings. The site lies in the development boundary of Clenchwarton near the centre of the village on the north side of Main Road with Hall Road running along the west. The site also lies in Flood Zones 2 and 3a.

Planning Committee
11 October 2021

The street scene is verdant with Clenchwarton park to the west, however the character becomes more urban towards the east. The neighbouring dwellings immediately north and east of the proposed site have generous plot sizes. The site currently has a detached two storey dwelling which is proposed to be demolished as part of the development.

SUPPORTING CASE

The applicant originally sought consent to erect up to four dwellings on the site (planning application 21/00226/O). Following discussions with planning officers, outline planning application 21/00226/O was withdrawn. This application seeks outline planning permission for a reduced quantum of development of up to three dwellings.

The illustrative masterplan indicates how the scheme could be designed to comprehensively address the comments raised by planning officers and the Planning Inspectorate in relation to past applications for residential development on the site. In particular:

- 149 Main Road will be demolished to avoid the new homes having an awkward relationship with the existing house.
- The front elevations of the new homes directly face Main Road and/or Hall Road.
- The landscaped space on the southern and western side of the site helps to retain the open aspect of the site and the views towards Clenchwarton Park.
- The three dwellings sit comfortably with the building lines on Main Road and Hall Road.
- The new houses collectively turn the corner at the Main Road/Hall Road junction to create a coherent street frontage.

Additionally, the existing property has a poor relationship with its surroundings due to its siting within the plot. The proposal seeks to address this issue by demolishing the existing dwelling and constructing up to three new high-quality homes on the site that sit comfortably with the surrounding properties. The scheme is therefore sympathetic to the local pattern of development and provides a significant opportunity to create a more coherent and attractive street frontage at the Main Road/Hall Road junction. As such, the scheme will add to the overall quality of the area and will improve the appearance of the local street scene.

Furthermore, the proposed residential development density of circa 16.7 dwellings per hectare is similar to the combined density of the three residential plots immediately to the east of the site. As a result, the proposed development will facilitate the redevelopment an underutilised residential plot of land within the Development Boundary of Clenchwarton at a density that is appropriate for the local context.

The scheme will also make a positive contribution towards increasing the supply of housing in the Borough and will help to reduce the pressure to develop new housing on greenfield sites located on the edge of settlements in the future.

Moreover, the site is located towards the centre of Clenchwarton and is within a convenient walking distance of local services, facilities, public amenity space and public transport routes. As a result, the scheme will help to promote a sustainable pattern of development in the village and will support the sustainability of the local rural community.

In summary, this outline planning application seeks to deliver up to three high quality homes on an underutilised residential plot of land that is located within the Development Boundary of Clenchwarton and currently has a poor relationship with its surroundings. As a result, the proposed development provides an opportunity to improve the attractiveness of the local area. It is therefore respectfully requested that members approve this planning application.

PLANNING HISTORY

21/00226/O: Application Withdrawn: 14/07/21 - Outline Application with Some Matters Reserved: Demolition of the existing dwelling and garage and the construction of up to 4no. dwellings and a new access along with parking, landscaping and associated infrastructure (all matter reserved except for access). - 149 Main Road, Clenchwarton

12/00929/O: Application Refused: Committee: 04/09/12 - Outline Application: 2No new dwellings with alterations and retention of existing. - 149 Main Road, Clenchwarton, PE34 4DT - Appeal Dismissed 06/06/13

11/00944/O: Application Refused: Delegated: 28/07/11 - Outline Application - 2No new dwellings with alterations and retention of existing - 149 Main Road, Clenchwarton

08/00160/PREAPP: INFORMAL - Likely to refuse: 23/07/08 - INFORMAL REQUEST - Alterations and formation of 2 plots - 149 Main Road, Clenchwarton

RESPONSE TO CONSULTATION

Parish Council: NO RESPONSE

Highways Authority: NO OBJECTION

The point of access would be acceptable for a minor level of development and accords with standards for speed and traffic. At this outline stage therefore with only access to be determined I recommend conditions to ensure the construction of a satisfactory access, avoid carriage of extraneous material onto the highway, and in the interests of highway safety.

Internal Drainage Board: NO OBJECTION

Boards byelaws apply. Viability of proposed drainage strategy has not been evidenced by ground investigation to determine infiltration potential of the site.

Environment Agency: NO OBJECTION

It is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.

We have no objection to the proposed development but strongly recommend the mitigation measures set out in the submitted Floor Risk Assessment are adhered to.

Environmental Quality: NO OBJECTION

The existing garage building contains asbestos. Consequently, the development must be carried out in accordance with The Control of Asbestos Regulations (2012).

REPRESENTATIONS

None received

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations:

The principle of development.

Impact on character and appearance on area.

Impact on neighbour amenity.

Flood risk.

Other matters that require consideration prior to the determination of the application.

Principle of development:

The proposed development site lies within the development boundary for Clenchwarton, which is identified as a Key Rural Service Centre in Policy CS02 of the Core Strategy 2011. Within the development boundaries of settlements, Policy DM2 of the SADMPP 2016 states that development will be permitted provided it is in accordance with the other policies in the Local Plan. As such, the principle of development is acceptable.

Impact on character and appearance of the area:

Previously on this site permission was refused under planning ref: 12/00929/O for the erection of two new dwellings on the site with the existing dwelling retained. The scheme involved the two new dwellings set further forward with their backs facing Main Road. This was considered detrimental to the character and appearance of the area, and the application was subsequently dismissed at appeal. More recently 21/00226/O originally sought for up to 4 dwellings, however this was considered too many for the site and would have resulted in a cramped development. The proposal was reduced to 3 dwellings, however it was still considered the site was not capable of accommodating these dwellings. Prior to a delegated refusal of the application being issued, it was withdrawn. The current scheme is effectively a resubmission of the previous application so that it could be called-in to the Planning Committee.

Policy CS06 of the Core Strategy 2011 says that the strategy is for development to maintain local character and a high quality environment. Policy DM15 expands on this and states that the scale, height, materials and layout of development should respond sensitively to the local setting including the pattern of adjacent streets and gaps between buildings. Though an

indicative layout is provided, this outline application does not contain formal details for the layout or appearance of the proposed dwellings. However, the impact of the proposed development on the character and appearance of the area insofar as its density can still be considered based on the site area and number of dwellings proposed. The proposed access road will be a significant constraint in the final design.

The character and appearance of dwellings along Main Road is varied, with a mix of bungalows and two-storey dwellings, however the dwellings all have generous plot sizes, resulting in a low overall density. It is considered the proposed development would be too cramped in this context for the reasons set out below.

The following figures are the approximate plot sizes for some of the immediate neighbours. No.1 Hall Road to the north is 1284Sqm and No.3 beyond that is 2083Sqm. No.147 Main Road to the east is approximately 765Sqm, and No.145 beyond that 617Sqm. Lastly, Rectory Main Road to the south is approximately 2104Sqm, and No.200 Main Road to the south is approximately 1502Sqm.

The proposed site area is approximately 1838Sqm in total. 426Sqm in the south-west corner of the site has been indicatively set aside as shared or public amenity space, separated from the dwellings by the proposed access road. This space is useful to maintain the verdant character of this part of Main Road and views into Clenchwarton Park and overcomes the heart of the issues from the previously dismissed appeal.

However, excluding the amenity land and the proposed access road from the area leaves approximately 1080Sqm of the site for the proposed dwellings and their private gardens. Taking a mean of the surrounding dwellings' plot sizes results in an average plot size of 1108Sqm (or approximately 9 D/Ha). By contrast, each of the proposed dwellings will have a plot size of approximately 360Sqm (or approximately 27.8 D/Ha). These plots will be significantly smaller and more cramped than the dwellings in the surrounding area.

Although indicative and not intended for formal assessment, the site plan submitted with this application shows 3 detached dwellings on site in a potential arrangement. It is considered the layout on the indicative site plan would be cramped and alternative layouts such as semi-detached or terraced arrangements would not overcome these issues due to the constraints placed on the site area by the access road.

As such, it is considered the proposed development would be cramped in appearance and have a detrimental impact on the character and appearance of the area. The development would fail to be sympathetic to the local character and will be contrary to Policies DM15 of the SADMPP 2016 and CS06 of the Core Strategy 2011.

Impact on neighbour amenity:

Policy DM15 of the SADMPP 2016 says that development should not adversely impact on the amenity of others. NPPF Paragraph 130 says that developments should create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

In order to fit 3 dwellings onto the site comfortably, the gaps between the proposed dwellings and the boundaries to the north and the east will be small. The dwelling to the north is No.1 Hall Road, which is a bungalow with several windows to habitable rooms along its south elevation. If a dwelling was constructed in the location shown on the indicative site plan, there would be a detrimental overbearing and overshadowing impact on this neighbour. While the submitted plan is indicative, it is considered such an impact would be highly likely to occur in any arrangement of 3 dwellings, due to the constrained site area. As such, it is

considered the proposed development would fail to meet the requirements of Policy DM15 and would not provide a development that has a high standard of amenity.

Flood risk:

The site lies in several different flood risk zones, including Flood Zones 2 and 3a. The Environment Agency has no objection to the development subject to compliance with the recommendations set out in the Flood Risk Assessment. However the EA's response does not consider the sequential or exception tests. That is the responsibility of the Local Planning Authority.

The majority of the Clenchwarton lies within Flood Zone 3a and there are no alternative sites at lower risk, therefore the development would pass the sequential test. However, following the sequential test, it is considered the development would fail the exception test, because it is not considered to represent sustainable development. The Borough Council can currently demonstrate it has a sufficient supply of housing land to meet the housing need identified for the district, and therefore, development of this site to the detriment of the character and appearance of the area and of the amenity of neighbouring occupiers would have limited sustainability benefits. Overall, it is therefore considered the limited sustainability benefits of providing up to 3 dwellings on this site does not outweigh the flood risks contrary to the NPPF and Policy CS08 of the Core Strategy 2011.

Other material impacts:

The level of traffic generated from the site would not have any significant adverse impact on highway safety at the existing access point onto Hall Road. The Local Highway Authority raise no objection subject to conditions. Lastly, although asbestos has been identified in the existing buildings on site, this is controlled under the Control of Asbestos Regulations 2012. There are no other significant contamination risks involved with this site and Environmental Quality do not object to the application.

CONCLUSION:

The site lies inside the development boundary for Clenchwarton and therefore it is considered the principle of residential development of the site is acceptable. However, the number of dwellings proposed and the constraints to layout imposed by the access road would result in a cramped scheme with much higher density than the surrounding spacious plots contrary to Policies DM15 of the SADMPP 2016 and CS06 of the Core Strategy 2011. In addition, it is considered that any arrangement of three dwellings would be likely to have a detrimental overbearing and overshadowing impact on No. 1 Hall Road to the north, further contrary to the objectives of Policy DM15 of the SADMPP 2016. Subsequently, it is considered the risk of flooding on the site would outweigh the limited overall sustainability benefits of providing 3 dwellings, contrary to Policy CS08 of the Core Strategy 2011 and the NPPF.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Policy CS06 of the Core Strategy 2011 says that the strategy in rural areas is for development to maintain the local character and a high quality environment. Policy DM15 of the SADMPP 2016 states that the layout of development should respond sensitively to the local character including the pattern of adjacent streets and gaps

between buildings. NPPF Paragraph 130 adds that developments should be sympathetic to local character, including the surrounding built environment and landscape setting.

The size of the plots for the dwellings are cramped when compared with surrounding dwellings, resulting in a much greater density on this site, contrary to the character and pattern of development in the locality. Therefore the application is contrary to Policies CS06 of the Core Strategy 2011, DM15 of the SAMPP 2016 and contrary to the NPPF.

- 2 Policy DM15 of the SADMPP 2016 says that development should not adversely impact on the amenity of others. NPPF Paragraph 130 says that developments should create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

Due to the spatial constraints of the development imposed by the proposed access road it is considered highly likely that the development would have any adverse overbearing and overshadowing impact on No.1 Hall Road to the north. Therefore, the development would be contrary to Policy DM15 of the SADMPP 2016 and contrary to the objectives of the NPPF.

- 3 The application site falls within Flood Zone 3a of the SFRA 2018 and passes the sequential test; therefore the exception test is required. It is considered the proposal fails the exception test because the impacts to the character of the area and residential amenity diminish the sustainability benefits of the development such that it would not outweigh the flood risk. Therefore, the proposed development is contrary to the NPPF and Policy CS08 of the Core Strategy 2011.



Appeal Decision

Site visit made on 28 May 2013

by **SP Williamson** MBA Dip TP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 June 2013

Appeal Ref: APP/V2635/A/13/2193178

149 Main Road, Clenchwarton, Kings Lynn, Norfolk PE34 4DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr S Locke against the decision of the Borough Council of Kings Lynn & West Norfolk.
 - The application Ref 12/00929/O, dated 7 June 2012, was refused by notice dated 4 September 2012.
 - The development proposed is 2 No new dwellings with alterations and retention of existing.
-

Preliminary Matters

1. The application was submitted in outline, with access, landscaping and layout to be determined at this stage. Full details of alterations to No 149 were included. Details of the elevations of the new dwellings were shown as indicative. I have dealt with the appeal on this basis.
2. The decision notice refers to Policy ENV7 of the East of England Plan. Before the appeal was made an Order revoking the Regional Strategy for the East of England came into force.

Decision

3. The appeal is dismissed.

Main Issue

4. The main issue in this case is the effect of the proposal on the character and appearance of the area.

Reasons

5. The proposal seeks to build two detached dwellings on a prominent corner plot that forms part of the garden to No 149 Main Road. The host property is a detached two storey house which sits towards the rear of the plot when seen from Main Road and from Hall Road.
 6. The detached houses and bungalows along Main Road to the east of the appeal site have frontage road and pedestrian access, with a variety of front boundary
-

treatments including planting and high fences that impart an urban character along the road. In contrast, the appeal site has an open aspect over a low fence. The public view over this space forms an important transition between the more intensive development to the east and the attractive verdant character to be found to the west, beyond Hall Road.

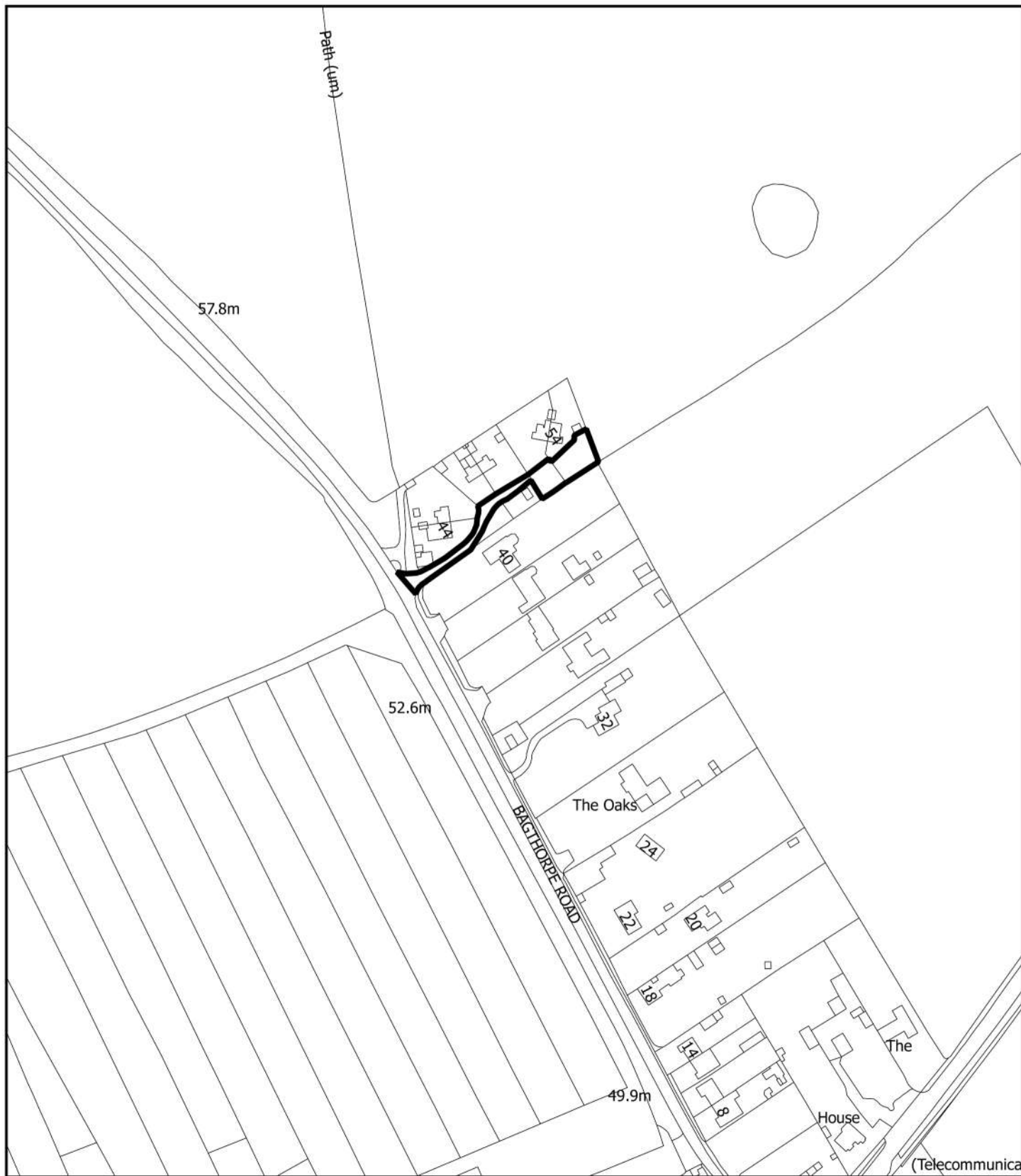
7. A shared vehicular and pedestrian access from Hall Road would serve the three properties. Works would be undertaken to No 149 to partially re-orientate its layout to face east and west, away from the appeal buildings. The proposed layout would place the new dwellings between No 149 and the Main Road boundary, approximately on a building line consistent with dwellings further east close to the local school. Indicative elevations show rooms facing on to private gardens occupying the space between the dwellings and Main Road, although I note the appellant's contention that in submitting details of the appearance of the dwellings the properties could be made to face the road addressing the Council's concerns in this regard. The western property would have an additional garden area around two retained trees adjacent to Hall Road.
8. Without screening, the gardens would have little privacy from traffic and pedestrians passing by on Main Road; I therefore understand the desirability of the proposed fence along the highway boundary. At 1.65m high the fence would be a dominating feature that would effectively close off the open aspect at this prominent corner. The proposed associated landscaping would not moderate the effect of such an alien feature in a highly visible and sensitive location.
9. I therefore conclude that the layout of the appeal proposal would unreasonably harm the character and appearance of the surrounding area. This is contrary to Policy CS06 of the 2011 Kings Lynn & West Norfolk Local Development Framework – Core Strategy, which seeks to maintain local character, and CS08 which requires that all new development should be of a high quality design. It is also contrary to saved Policy 4/21 of the 1998 Kings Lynn & West Norfolk Local Plan which states that development which damages the appearance of its built surroundings will not be permitted. These policies are consistent with the overarching principle in the National Planning Policy Framework to secure high quality design.
10. It has been put to me that there are no local objections to the scheme, that the new properties would have more privacy than adjacent dwellings and that only the roofs would be visible from the road. However, these matters do not outweigh the concerns expressed above.
11. For the reasons given above I conclude that the appeal should be dismissed.

S P Williamson

INSPECTOR

21/01373/F

**Land adjacent 54 Bagthorpe Road East Rudham
PE31 8RA**



21/01373/F

**Land adjacent 54 Bagthorpe Road East Rudham
PE31 8RA**



Parish:	East Rudham	
Proposal:	Proposed new residential dwelling	
Location:	Land Adjacent To 54 Bagthorpe Road East Rudham King's Lynn PE31 8RA	
Applicant:	The Property And Land Company Ltd	
Case No:	21/01373/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 1 September 2021

Reason for Referral to Planning Committee – called in by Cllr Morley

Neighbourhood Plan: No

Case Summary

Full planning permission is sought for the erection of a 1 ½ storey chalet detached dwelling with parking. Lying on the eastern side of Bagthorpe Road, the site is accessed via a gravel drive that also serves ex-authority semi-detached properties within a cul-de-sac setting.

The application site is contained within the development boundary of East Rudham which is Key Rural Service Centre.

Key Issues

- Principle of Development
- Impact upon Visual Amenity
- Impact upon Neighbour Amenity
- Highway Safety
- Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The application site lies within the development boundary of East Rudham, a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site is on the eastern side of Bagthorpe Road and is served by a gravel driveway. The site is currently waste grassland with hedging to the front (west) and southern boundaries. Two trees are located towards the front of the site, behind the hedge.

The application originally sought consent for a two storey detached dwelling which would be constructed in red brick. That proposed dwelling scales 8.3m (h) x 9m (d) x 8.9m (w).

The application now seeks consent for a 1 ½ storey dwelling which scales 7.2m (h) x 9m (d) x 8.9m (w). The property would be constructed from Hampton Rural Blend Brickwork, Orange pantile and grey upvc windows. Other features to note in the design of the dwelling include a storm porch and header treatments above the ground floor windows. The property would benefit from parking to the front and garden to the rear.

SUPPORTING CASE

No Design and Access Statements are required for this scale of development.

PLANNING HISTORY

17/00045/PREAPP: INFORMAL - Likely to approve: 11/05/17 - PRE- APPLICATION FULL (WITH CONSULTATIONS): Erection of 2 storey dwelling

RESPONSE TO CONSULTATION

Parish Council:

NO COMMENT received at time of report in regard to the amended 1 ½ storey scheme.

Original proposal

NO OBJECTION to the original 2 storey dwelling scheme

Highways Authority: NO COMMENT received at time of report regarding the amended 1 ½ storey scheme.

Original proposal

NO OBJECTION subject to conditions regarding the original 2 storey scheme.

Arboricultural Officer: NO COMMENT received at time of report in regard to the amended 1 ½ storey scheme.

Original proposal

NO OBJECTION please condition in accordance with the arb report regarding the original 2 storey scheme.

Environmental Health & Housing – Environmental Quality: No comment received regarding the 1 ½ storey scheme.

Original proposal

No comment to make regarding contaminated land when consulted on the original 2 storey scheme.

Natural England: NO COMMENT to make on the application. Natural England has not assessed the application in terms of the impacts on protected species.

REPRESENTATIONS

1 OBJECTION letter of representation regarding the amended scheme

- Nowhere for building lorries and materials to come in and out the one shared driveway. Our access in and out could be blocked, the road would be full of construction vehicles causing further obstruction on the road.
- There is also enough houses in the cul-de-sac and would crowd an already small area.
- Parking for construction vehicles would also be an issue
- Noise would also be an issue
- Safety for children in the cul-de-sac is still a concern as there is only one way in and out which is where they walk.
- Emergency vehicles would also have trouble coming in and out if there are lots of construction vehicles.
- Overlooking issues
- This house would look out place being a different style

5 OBJECTION letters of representation regarding the original scheme stating the following:-

- The plans cause overbearing issues upon an adjacent property, which will also cause a loss of natural light and sunlight, and the rights of people to enjoy their homes and privacy
- The access to this property will be over and un-adopted track regularly used by children from at least three families
- As a long standing resident I am aware of the long standing issues in relation to drainage in the cul-de-sac.
- Damage to the unmade road
- May prevent or prohibit access to my property
- Noise
- Concerns over boundary hedge
- Potential overlooking
- Small entry and exit to existing properties
- Blockage in driveway from construction vehicles
- Size and appearance does not match the existing properties. The grey upvc and Hampton Rural Blend would have a negative impact on the character and appearance of the existing 1930s ex local authority dwellings
- Can the sewerage system take the extra waste

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

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 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 the application are:-

1. Principle of Development
2. Impact upon Visual Amenity
3. Impact upon Neighbour Amenity
4. Highway Safety
5. Other Material Considerations

Principle of Development

The site lies within the development boundary of East Rudham. East Rudham is a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core strategy. Development within Key Rural Service Centres of this scale (1 dwelling) is acceptable. Thus, subject to other material considerations the proposal could be supported.

Impact upon Visual Amenity

The proposed site comprises of grassland to the side of a two storey ex-authority dwelling. Within the cul-de-sac, from which the site is accessed, there are 2 storey ex-authority semi-detached dwellings with parking to the front and side. Each property has similar sized amenity spaces. Dwellings to the south of the site comprise of two storey detached dwellings on wide, deep ample sized plots. Dwellings are set well back from the road. The properties

in the area are constructed from pantiles, mixed red/orange buff brick with white upvc windows and doors.

The proposed 1 ½ storey detached dwelling would be sited in front of no.54 Bagthorpe Road, one of a pair of two-storey semi-detached dwellings in the cul-de-sac. The property would be constructed from UPVC (grey) windows and doors, Hampton Rural Blend (irregular surfaced multi-tone brick in red) and Norfolk Pantiles. The property would face up the gravel drive (westerly direction) and have its ridge line perpendicular to the driveway. Parking would be provided to the front of the proposed dwelling.

The dwelling would be alien to the form of dwelling (detached) found within the cul-de-sac but, such dwellings are found in the wider locality on Bagthorpe Road so on balance, the form of dwelling is acceptable. However, those detached dwellings on Bagthorpe Road, are on much larger, deeper and wider plots, compared to this dwelling which is being shoehorned into the corner of the cul-de-sac, sitting forward of the building line of no.54. Fundamentally, the proposal is cramped and unduly prominent within the cul-de-sac contrary to the established character of detached dwellings in the locality.

The agent draws reference to a pre-application in 2017 that reported that a two storey dwelling on the site could be supported if presented formally. That pre-application detailed a dwelling set further back on the site with a projection to the front flanking the southern boundary.

Since the 2017 pre-application, the government has placed greater emphasis on good design. Paragraph 128 of the NPPF states that LPAs need to prepare design guides and codes to set out design expectations but in the absence of such local design guides and codes, paragraph 129 of the NPPF, states that the National Design Guide and National Model Design Code should be used to guide decisions on such applications

The National Model Design Guide states that (Paragraph 53) well designed new development is influenced by, amongst other things, the characteristics of the existing built form, this includes the height, scale and massing and relationships between buildings and in this case, for the reasons stated above the proposal would not advocate good design principles, contrary to paragraphs 126,128,129 of the NPPF and the Council Design Policies CS08 of the Core Strategy 2011 and DM15 of the Site Allocation and Development Management Policies Plan 2016.

Impact upon Neighbour Amenity

The proposed dwelling is sited in front and to the south west of no.54 Bagthorpe Road. Notwithstanding that the proposed dwelling has been reduced in height by 1m, it remains at its closest point the proposed dwelling would only be 5.8m from this neighbour's front elevation. This separation distance is unacceptable and would cause the neighbour detrimental overbearing issues upon the enjoyment of their habitable rooms that face towards the proposed dwelling. The proposed property would also cast shadow into the rooms at the front of no.54 to such a degree that would warrant a refusal of the application. This neighbour would not be overlooked as there are no windows proposed at ground or first floor in the northern elevation of the proposed property.

The adjoining dwelling to no.54 would not be detrimentally affected by the proposed dwelling given the proposed dwelling's siting and scale.

The proposed dwelling causes no detrimental impact upon the neighbour to the south, no. 40 Bagthorpe Road. The hedgerow along the southern boundary will screen any views from ground floor windows into this neighbour's garden and there is over 30m between first floor

windows in the proposed dwelling and the windows in this neighbouring property. Albeit the proposed dwelling is adjacent to the shared boundary with no.40 Bagthorpe Road, it is towards the very rear of their long garden. Being sited to the north of the neighbour the dwelling would not cause any overshadowing into this neighbour's garden. There are no neighbours to the east or west of the site that would be materially affected by the proposal.

Given the close proximity and unneighbourly siting of the proposed dwelling and its resultant impact on No 54, the proposal would not comply with Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

Highway Safety

The proposed property is served by 2 parking spaces to the front of it. This accords with NCC standards.

The officer's recommended condition that the access onto Bagthorpe Road to be widened to 4.5m to NCC standards could be imposed.

Other Material Considerations

An established hedgerow forms the southern boundary of the site. Hedges and trees are also evident towards the front of the site. A small group of trees in the garden of no.54 and two other trees are located immediately off-site that could be affected by the proposal.

From the arboricultural report that has accompanied the application, the two trees and hedgerow to the front of the site would need to be removed to facilitate the parking. The hedgerow that forms the southern boundary would also need to be cut back. The trees offsite would not be impacted by the development.

The Arboricultural Officer has no objection to the proposal and requests that a condition be imposed that the development will be carried out in accordance with the arboricultural report.

Bar the hedges that form the front and the southern boundaries of the site, there are no redeeming features on or off site that would require a protected species report. It is advised that should Members wish to approve the application, that the works to the hedgerows are conducted outside of the bird nesting season (Bird nesting March-August inclusive).

The site is contained in flood zone 1. Surface and foul water drainage information can be requested by way of condition.

The Environmental Quality Officer has no objection to the proposal in terms of contaminated land.

CONCLUSION

Notwithstanding the pre-application that was submitted in 2017 stating that a 2 storey dwelling would likely to gain officer's support if presented formally, the government in the interim period has placed greater emphasis on achieving good design through the publication of the National Design Code and National Design Guides.

The proposed dwelling is not considered to advocate the good design principles within the Guides and Codes. The dwelling being a 1 ½ storey detached dwelling shoehorned into a corner of the cul-de-sac on a small plot and sited in unduly prominent in a forward position of no.54 causes a visual amenity issue within the cul-de-sac and contrary to the character of

development in the wider locality where detached dwellings are sited on large ample plots. Additionally, the siting and scale of the dwelling will result in overbearing and overshadowing issues upon the adjacent neighbour at no.54 to such a degree that the proposal would be an unneighbourly form of development.

The proposal is therefore recommended refusal for the following reasons.

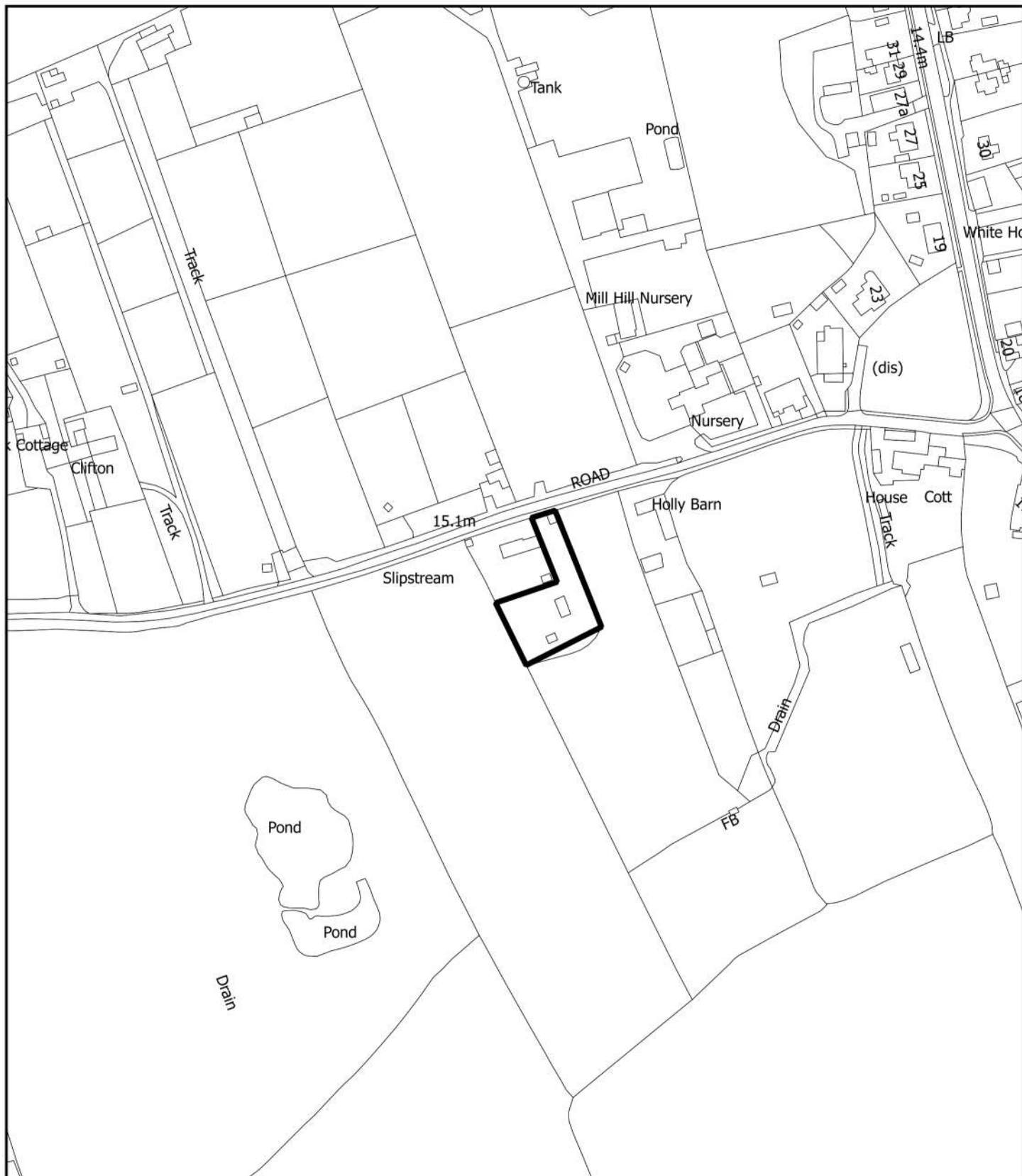
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposal, due to the form, scale and siting forward of the neighbouring properties, would result in dwelling that would appear cramped and overly prominent form of development contrary to the established form and character of the cul-de sac and the wider locality. The proposal therefore fails to comply with Policies CS02, CS06 and CS08 of the Local Development Framework Core Strategy 2011; Policy DM15 of the Site Allocation and Development Management Policies Plan and paragraphs 126,129,130 and 134 of the NPPF
- 2 The proposal by virtue of its scale and siting in relation to no.54 Bagthorpe would cause detrimental overshadowing and overbearing issues upon this neighbour. The proposal therefore fails to comply with CS08 of the Local Development Framework Core Strategy 2011; Policy DM15 of the Site Allocation and Development Management and paragraphs 126,129,130 and 134 of the NPPF

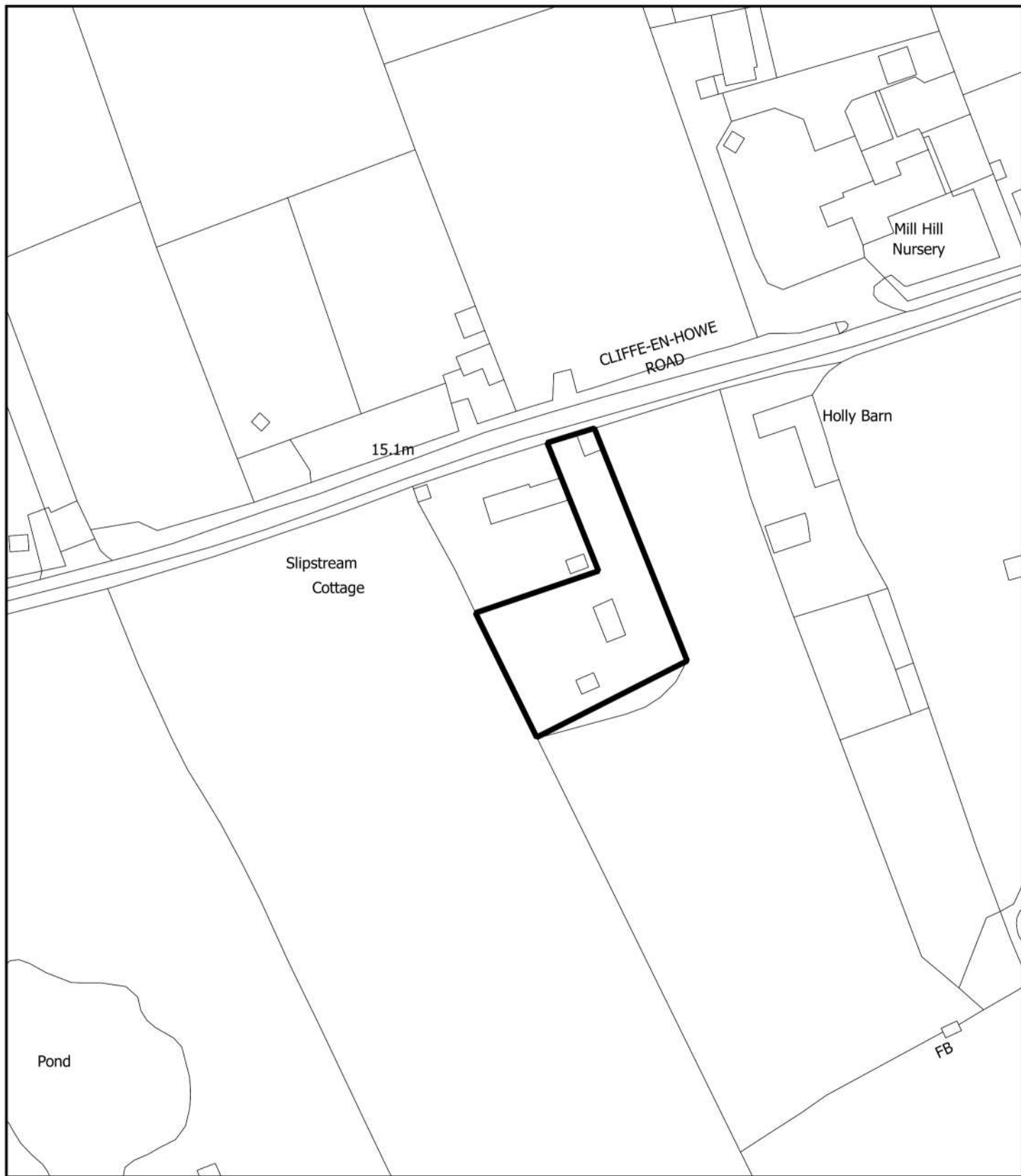
21/01275/F

Land at Five-Bar-Gate Cliffe En Howe Road Pott Row PE32 1BY



21/01275/F

Land at Five-Bar-Gate Cliffe En Howe Road Pott Row PE32 1BY



Parish:	Grimston	
Proposal:	Side and porch extension & insulated render cladding	
Location:	Land At Five-Bar-Gate Cliffe En Howe Road Pott Row Norfolk PE32 1BY	
Applicant:	Steve & Julie Gent	
Case No:	21/01275/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 6 August 2021

Reason for Referral to Planning Committee – Called in by Councillor De Whalley

Neighbourhood Plan: No

Case Summary

The application site comprises a single storey detached dwelling situated to the south of Cliffe En Howe Road, Pott Row.

Planning permission is sought for the construction of single storey side and porch extensions and insulated render cladding to the existing dwelling. **Key Issues**

- * Principle of Development;
- * Impact on the Character and Appearance of the Area;
- * Impact on Neighbour Amenities;
- * Impact on Highway Safety; and
- * Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a modest single storey dwelling situated on the southern side of Cliffe En Howe Road, Pott Row. It is located behind a frontage property; Slipstream Cottage.

The application site has a long complicated planning history. However, outstanding issues were resolved under a recent application; 19/00985/F. This application confirmed the continued use of the building as a dwelling subject to certain conditions and as such confirms the residential status of the site.

Conditions were imposed relating to the removal of Permitted Development Rights for extensions, porches, roof alterations and Class E structures. The reason for this was to retain control over the visual impact of the dwellinghouse in the countryside and in response to comments from the Highways Authority. Highways raised no objection to the application for residential use on the basis that it was a modest scale of development (single bedroom) and the accompanying traffic generation was therefore low.

Following that, an application was approved for a small single storey side extension, porch extension and render cladding in 2020 (20/01079/F). The approved side extension measured approximately 3m x 4.7m (14.1 square metres).

The current application proposes to construct a much larger single storey extension, measuring approximately 6.5m x 9m (58.5 square metres) and porch extension along with the use of the insulated render cladding. The extension will provide for two additional bedrooms and a second bathroom, making it a 3-bedroom dwelling.

SUPPORTING CASE

The Applicant's agent has submitted a Supporting Case, as follows: -

'Members should note that whilst Condition 4 of the original Planning Permission 19/00985/F removes permitted development rights this does not result in an absolute exclusion of further development, but provides the council with the opportunity to control development that would otherwise be permitted under the GPDO.

Members should therefore note that the principle of the residential use of the building as a dwelling has already been considered acceptable and therefore the key material planning considerations relate to the planning merits of the proposal. In this particular case, the key considerations include: impact on the character and appearance of the area; impact on neighbouring amenities; and design.

The application site is located in open countryside adjacent to the rural village of Pott Row, which combined with Grimston and Gayton is designated a Key Service Centre by virtue of Policy CS02 (The Settlement Hierarchy) of the Core Strategy and DM2 of the SADMP.

Policy DM5 of the SADMP – Enlargement or Replacement of Dwellings in the Countryside Proposals for replacement dwellings or extensions to existing dwellings states, will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits.

The proposal is for a single storey extension to provide two further bedrooms and additional living accommodation of overall modest 107m² gross internal area. The ridge height is 4350mm above finished floor level some 200mm lower than the original dwelling and is therefore subservient.

The proposal is set some 36m back from the highway and is obscured by the property immediately to the north with its outbuilding, hedging and fencing resulting in limited views of the proposal from Cliffe en Howe Road. The site is remote from any other highway or public accessible route and cannot be seen from other than private land. The proposal therefore causes no visual harm to the character and appearance of the area.

The proposal has no immediate neighbours except the dwelling to the north.

The existing dwelling has rendered elevations surmounted by a clay pantile roof and the proposal seeks to use these same materials.

The design has windows proposed predominantly to the west, south and east elevations of the extension save one obscure glazed widow to the bathroom on the north elevation and therefore does not overlook the property to the north. This north elevation is some 3.9m distant from the neighbouring property which has in any case a 1.8m high fence. Therefore no loss of privacy will result from the proposal.

By virtue of the separation to the north boundary there will also be no overshadowing of the property to the north.

I note no adverse public comment has been received, the Parish Council have no objections and highways do not seek to restrict the development.

In conclusion the proposal does not adversely impact on the adjacent dwelling, is of high quality design, preserves the character of the area and has no impact on the streetscene'.

PLANNING HISTORY

20/01079/F: Application Permitted: 17/09/20 - Side and porch extension and insulated render cladding - Five-Bar-Gate, Cliffe En Howe Road, Pott Row

19/00985/F: Application Permitted: 29/07/19 - Continued use of building as a dwelling - Land At Five-Bar-Gate, Cliffe En Howe Road, Pott Row

18/00121/PREAPP: INFORMAL - Likely to refuse: 21/11/18 - PRE- APPLICATION FULL (WITH CONSULTATIONS AND A MEETING): Change of use of agricultural building to dwelling - Land At Five-Bar-Gate, Cliffe En Howe Road, Pott Row

08/02449/F: Application Refused: 26/05/09 - Change of use of agricultural building to dwelling - Land At Five-Bar-Gate, Cliffe En Howe Road, Pott Row

08/00019/PREAPP: INFORMAL - Likely to approve: 23/04/08 - INFORMAL REQUEST - Alterations to existing dwelling - Land At Five-Bar-Gate, Cliffe En Howe Road, Grimston

2/94/1784/CU: Application Refused: 17/01/95 - Retention of change of use of former stable and hay barn to residential dwelling - Five-Bar-Gate, Cliffe En Howe Road, Pott Row

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION

Highways Authority: NO OBJECTION

REPRESENTATIONS

No representations received from local residents.

Councillor De Whalley requested that the application be referred to the Planning Committee, making the following comments: -

Planning Committee
11 October 2021

'Concerns include upholding the condition on the related planning permit 19/00985/F (dated 29 July 2019) that "if permission is approved, it is conditional upon the dwellinghouse remaining at this scale and that permitted development rights are removed" as the result of Highways Authority comments'.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

DM2 – Development Boundaries

DM3 - Development in the Smaller Villages and Hamlets

NATIONAL GUIDANCE

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

OTHER GUIDANCE

N/A

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are as follows: -

- Principle of Development;
- Impact on the Character and Appearance of the Area;
- Impact on Neighbour Amenities;
- Highway Safety; and
- Other Material Considerations

Principle of Development:

Residential use of the property was established through the granting of application 19/00985/F. In addition an extension to the property has recently been granted in 2020, albeit smaller than proposed through this application.

The current application seeks consent for householder extensions and alterations to the existing dwellinghouse within the residential curtilage, following the removal of PD Rights. As such the principle of the development is acceptable subject to other relevant policies and material considerations.

Character and Appearance:

The immediate setting of the site is sparsely built up with relatively modest properties constructed of traditional materials and proportions. Cliffe En Howe Road is rural in nature and this part is particularly open with views of the surrounding countryside.

The proposed extensions will double the gross floor area, but that said, the original dwelling is exceptionally small, comprising only one bedroom.

The most recent application at the site (20/01079/F) for the approval of a smaller single storey side extension, front porch extension and the render cladding panels is a material consideration in the determination of the current application.

The proposal intends to provide two extra bedrooms and an additional bathroom. The proposed extensions will be constructed using an insulated render cladding, and the same finish will be used on the external surfaces of the existing dwelling. The extension will have a pitched roof to match that of the existing building but due to the orientation of the proposed extension and the way in which it attaches to the dwelling, it has a slightly awkward element to its roof configuration. However, this is not visible from the highway, particularly directly from the north as a two storey dwelling (Slipstream Cottage) along with its high boundary hedgerow and outbuilding obscures it. Beyond that to the west, there are no views from the public domain as there is screening along the roadside verge by way of established hedging.

Whilst the dwelling can be seen from the fields to the south, there are no public views.

Amended plans have been sought to simplify the roof configuration slightly, but it cannot be totally avoided due to the geometry of the roof and juxtaposition of the extension to the existing dwelling.

That said, the resultant property will still be relatively modest and whilst there are views of it from the east, this is considered to be acceptable. The render cladding will improve the external appearance of the dwelling overall. It is therefore considered that the proposed extensions will cause no harm to the character of the street scene or to the wider character and appearance of the area, in accordance with Policy DM5 of the Site Allocations and Management Policies Plan (2016).

On the basis of the above, it is also considered that the proposed development will have no adverse impact on the intrinsic character of the surrounding countryside, in accordance with Policy CS06 of the Core Strategy (2011).

Neighbour Amenity:

There is one directly adjoining neighbouring property; Slipstream Cottage, which sits forward (to the north) of Five-Bar-Gate fronting the road. The neighbouring property to the east;

Holly Barn is set some distance away from the application site and as such will not be affected by the proposal.

No comments or objections have been received from any local residents in regards to the proposal.

The proposed extensions are single storey and there is high level hedging bounding the site to the north which provides sufficient screening from the development. That said, there is only one window located on the northern elevation of the proposed extension which will serve a bathroom and can therefore be obscurely glazed. The bedroom windows are shown to be located on the side elevations (east and west) of the proposed extension where there will be no resulting impact.

On this basis, the proposed single storey extensions will cause no overlooking to the neighbouring property.

In regard to overshadowing and overbearing impact, given the small scale of the proposed development and the adequate separation distance between that and the neighbouring property to the north, there will be no material impact on their amenities.

The proposal would therefore accord with the provisions of the NPPF (2021) and Policies CS08 of the Core Strategy (2011) and DM15 of the Site Allocations and Development Management Policies Plan (2016).

Highway Safety:

One of the key considerations is whether or not the granting of this proposal to ultimately create a 3-bedroom dwelling would undermine the reason for imposing the condition in the 2019 application to remove PD Rights for extensions and alterations.

Those conditions were imposed by the case officer at the time in order to control future development at the site in response to the Highway Officer's comments and given that it amounted to conversion of a building in the countryside to a dwellinghouse. Highways raised no objection to the application for residential use due to the fact that the development would result in a one-bed dwelling which generates little associated traffic. Furthermore, the historic agricultural use of the site was also taken into consideration and the traffic generation associated with that.

The removal of PD Rights is not in place to completely prevent any future development on the site, but to allow some control over it, to prevent any harm to local amenities.

The Local Highway Authority has raised no objection to the current application for extensions to the existing dwelling. However, they acknowledged that the application would increase the number of bedrooms from one to three and that some additional traffic is likely to result.

The Highways Officer is still mindful of the sites historical uses (agricultural) and that the increase in traffic is unlikely to be significant overall. Therefore, on balance with the historical and existing uses they would not seek to restrict the grant of permission.

There have been highway improvement works carried out along Cliffe En Howe Road over recent years, by way of passing bays, which makes it safer for road users.

Paragraph 111 of the NPPF (2021) states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

The increase from one bedroom to three bedrooms is unlikely to create a material increase in the number of vehicles accessing the application site to such an extent that could reasonably be considered to have an unacceptable impact on highway safety. Neither would it be the case that any additional traffic generated by such a small increase would have a severe impact on the local highway network.

Other Material Considerations:

Crime and 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. The application before the Committee is not considered to have any material impact upon crime and disorder.

CONCLUSION

The main considerations in the determination of this application are visual impact of the proposed extensions and impact on highway safety by virtue of two additional bedrooms. A balance in weighing the reason for removing PD Rights originally against what realistic harm would be caused to the character and appearance of the countryside and to the local highway network is needed.

It is your officer's opinion that the proposed extensions (and render cladding) would cause no visual harm to the character and appearance of the countryside, or area in general, in accordance with the above-mentioned Policies. Neither is it considered that the proposal would cause a material increase in the traffic generation to and from the site that would have significant adverse effect on highway safety, in accordance with the NPPF.

It is therefore recommended that the application is approved subject to conditions.

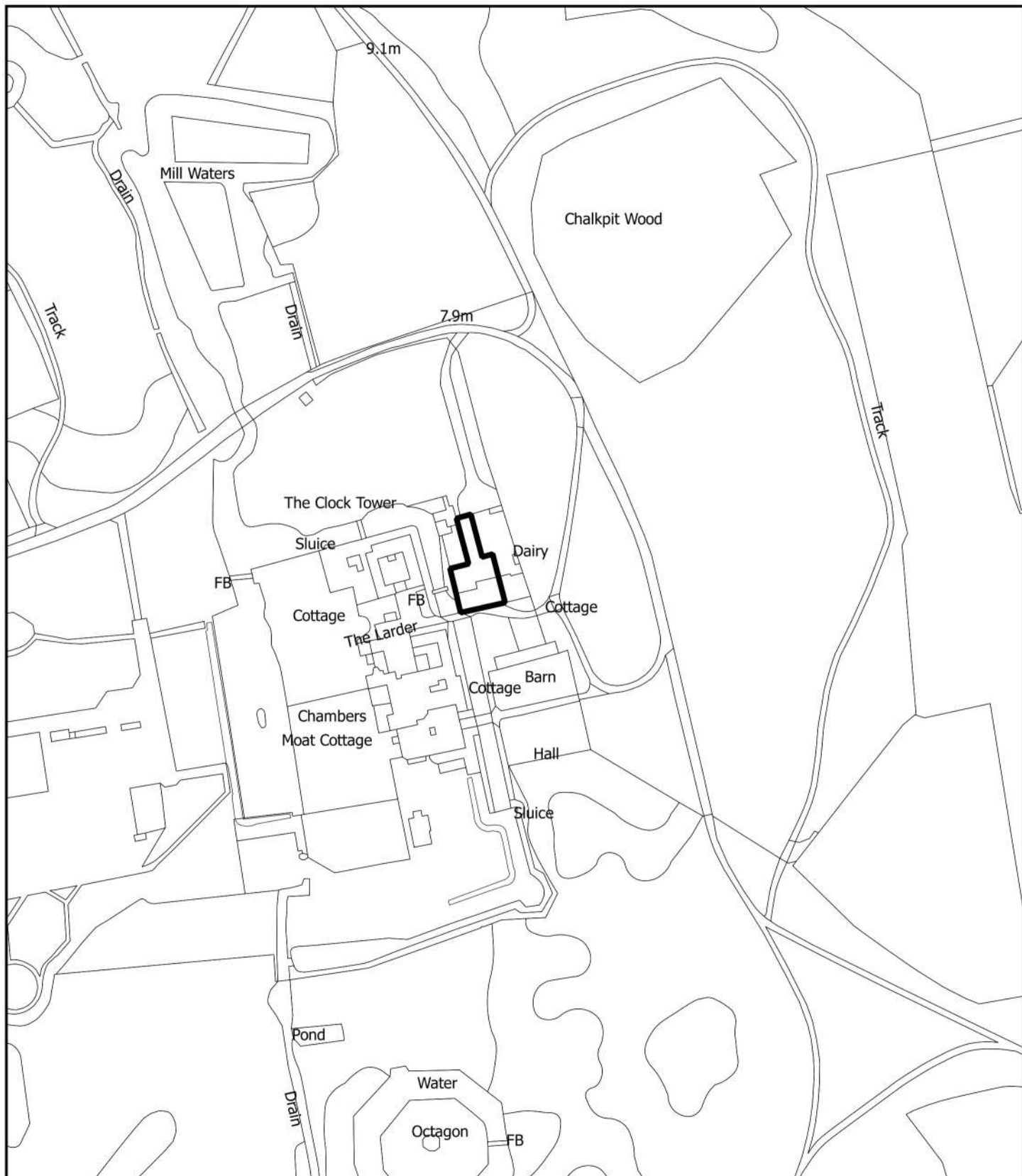
RECOMMENDATION:

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; 21062 02-02; 21062 02-03; 21062 03-1; and 2106203-2.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.

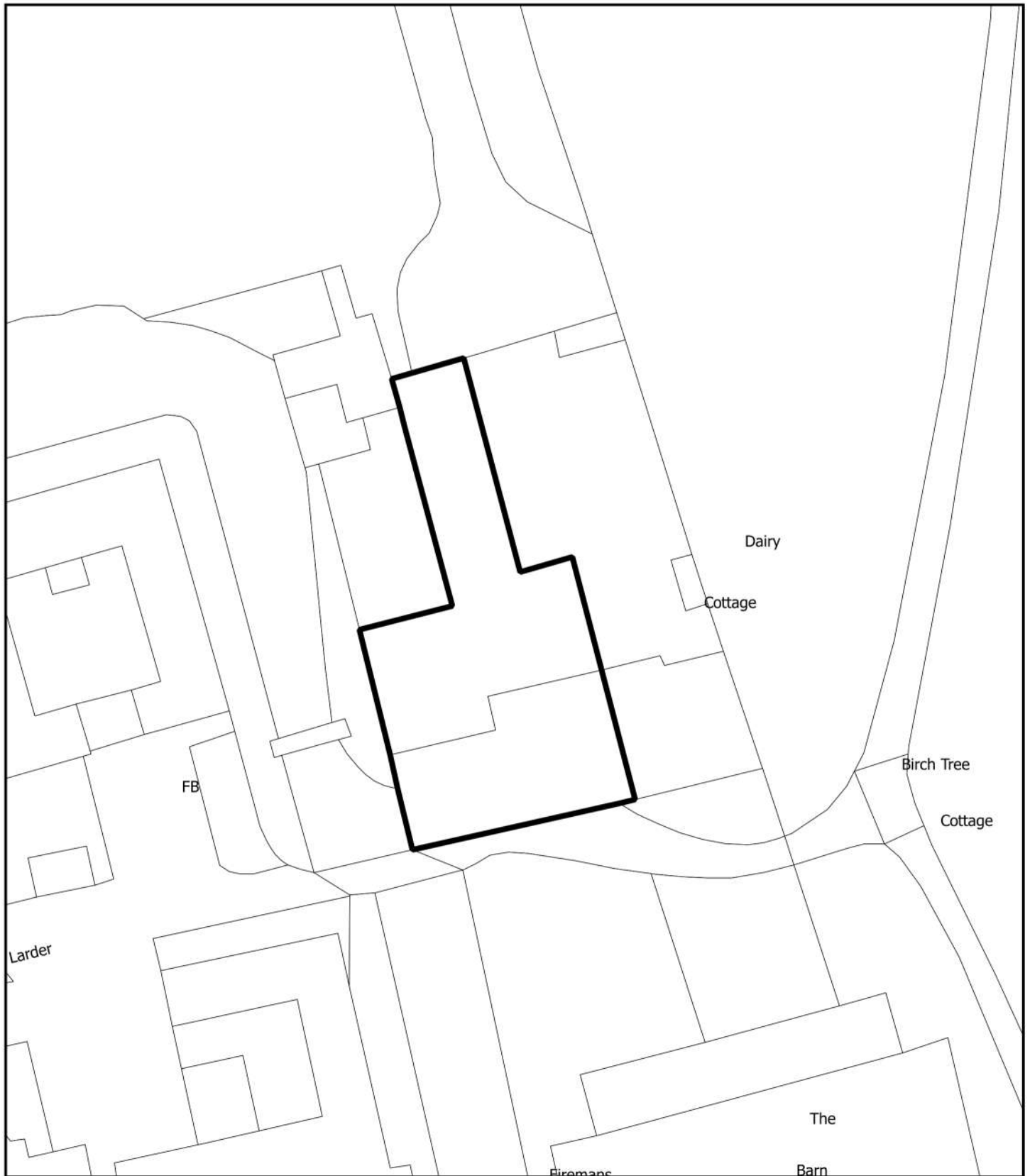
21/00566/LB

Dairy Cottage Church Road Old Hunstanton PE36 6JS



21/00566/LB

**Dairy Cottage Church Road Old Hunstanton PE36
6JS**



Parish:	Old Hunstanton	
Proposal:	Amendments to position of proposed connecting door to link existing landing with consented loft conversion	
Location:	Dairy Cottage Church Road Old Hunstanton Hunstanton PE36 6JS	
Applicant:	Mr E Newling	
Case No:	21/00566/LB (Listed Building Application)	
Case Officer:	Steven King	Date for Determination: 18 May 2021 Extension of Time Expiry Date: 15 June 2021

Reason for Referral to Planning Committee – Called in by Cllr Lawton

Neighbourhood Plan: No

Case Summary

This listed building application proposes amendments to the consent granted in 2014 to convert the roof space to this Grade II listed building. Dairy Cottage originally a barn was converted into a dwelling some time ago.

Key Issues

Impact upon the fabric and internal appearance of the listed building.

Recommendation

APPROVE

THE APPLICATION

Dairy Cottage is the western half of a 17th century former barn, one of a number of buildings relating to Old Hunstanton Hall, a moated mansion part constructed in 1480, part Jacobean and part Victorian, which was home to the Le Strange family. The Hall is listed grade I and a further 16 of the ancillary structures are also designated heritage assets in their own right including this particular building which is listed grade II.

Dairy Cottage itself was Grade II listed in September 1984, the listed building description reads as follows:

Barn. C17. Coursed rubble carstone, brick and clunch dressings, steeply pitched red pantiled roof. East gable ground floor chequerwork of brick and clunch, gable brick courses with carstone. Ground floor gable porch C20, first floor single 4-light wooden casement under arched head; brick quoins and parapet. South face with inserted C20 windows. Included for group value.

Planning Committee
11 October 2021

The barn was converted to two dwellings many years ago with limited accommodation on the upper floor/loft. More recently the upper floor of the adjoining eastern cottage has been brought into residential use with the insertion of a number of roof-lights.

In 2014, listed building consent was granted for the conversion of the loft to three further bedrooms, two accessed from the existing stairs/gallery and the third by a new staircase to be installed at the western end of the building. The proposal received consent to modify one of the principle trusses to allow the introduction of a doorway but otherwise the conversion retained much of the existing roof structure with raised ceilings. Consent was also granted for the installation of 7 additional new roof-lights installed at low level to the front and rear elevation and in largely new timbers. The consent allowed for an existing ground floor bedroom to be modified to allow the insertion of a second staircase. Other works included the rebuilding of the western wall and the incorporation of two new window openings within in it. Conditions were discharged for this application and some of the works have been implemented, therefore this is an extant consent.

This current application which has been amended twice, currently seeks consent to alter the plan of the first floor further to the 2014 listed building consent. The original proposal to install further roof lights and a second floor mezzanine gallery have been omitted.

SUPPORTING CASE

This application has been brought to committee on the request of the local ward councillor, on the following grounds:

1. Concerns remain that the property will become a holiday let regardless of the covenant
2. The property is Grade II listed and next door to a Grade I listed building so the changes are totally against the listing and not in keeping with the conservation area.
3. The insufficient parking is still a concern.
4. All the local residents are objecting.

An amended Heritage Impact Assessment was not submitted to compliment the amended plans.

Paragraph 199 of the NPPF states "When considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harms amounts to substantial harm, total loss or less than substantial harm to its significance"

This proposal has been substantially amended since submission, now proposing only small changes to that granted consent in 2014. These amendments have ensured more of the building's remaining historic fabric will be conserved in line with paragraph 199 of the NPPF.

Any harm to a listed building requires clear and convincing justification as required by Paragraph 200. The degree of harm must be assessed in conjunction with Paragraphs 201 and 202. In the officer's view, the proposed alterations will lead to 'less than substantial harm to the significance of the heritage asset as opposed to substantial harm'. Therefore, Paragraph 202 of the NPPF rather than Paragraph 201 applies which states: "Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

In this case, the continuing use of the building as a dwelling provides a sustainable use ensuring the future maintenance and longevity of the building. On balance this less than substantial harm to the fabric, due to the minor modifications made to the consent granted in 2014 are considered to be justified and acceptable in the context of the guidance set out in the NPPF.

PLANNING HISTORY

21/00565/F: Conversion of remaining loft space into bedrooms including new roof light – withdrawn July 2021

14/00472/LB: Conversion of remaining loft space into bedrooms including rebuilding of gable wall with two windows – approved May 2014

RESPONSE TO CONSULTATION

Parish Council:

OBJECT (strongly) to this planning application. The building should retain its historic appearance and remain as part of the character of the neighbouring properties. The proposals will seriously spoil the appearance of the property and the plans to cut through structural beams threaten the structure of the building. Furthermore the proposed new bedroom windows will cause overlooking issues to neighbouring gardens.

The property lies at the end of a private track and a six bedroom holiday let is going to cause an increase in traffic. In addition there is only availability for parking for two cars for this property without any additional parking facilities nearby. This would not be sufficient parking for a six bedroom holiday let that could see large numbers cars at any one time.

Old Hunstanton Parish Council have noted the large number of objections from local residents and are in agreement with those residents and the comments they have put to the planning officer.

Further to the amendments made by the applicant on 4 June 2021, Old Hunstanton Parish Council commented as follows on the 23 June 2021:

OBJECT strongly

1. Concerns remain that the property will become a holiday let regardless of the covenant
2. The property is Grade II listed and next door to a Grade I listed building so the proposed changes are totally against the listings and not in keeping with the conservation area.
3. The insufficient parking is still a concern.
4. All the local residents have objected.

HISTORIC ENGLAND

Do not consider the proposed works would result in harm to the historic significance of the Grade I listed Hunstanton Hall, but would draw attention to internal works proposed for the Grade II listed barn.

REPRESENTATIONS

Some **9 OBJECTIONS** were received to the initial proposal and can be summarised as follows:

- Adverse impact upon the setting, appearance and fabric of the Grade II listed building due to the proposed installation of the velux roof lights, along with the impact upon the structure of the roof.
- Impact upon the setting of the complex of listed buildings to Hunstanton Hall, a Grade I listed building.

Other objections included:

- Amenity of neighbouring properties through overlooking from roof lights.
- Over development of site creating a six bedroom unit.
- Size of the property and the impact this would have on parking. Car parking space would be insufficient.
- Breach of covenant – Cottage is being used as a holiday let.
- Negative impact of holiday makers.
- More cars would be attracted to the site.
- Impact upon septic tank and sewage.
- Increased noise, including noisy stag dos.
- Absentee Landlords.

These objections are not relevant to the application for listed building consent and cannot be considered as part of this application.

SIX OBJECTIONS were received the amended plans submitted in June 2021 and can be summarised as follows:

- *The one roof light does not relate to the existing roof.
- *The one roof light is still at a higher level.
- *Roof light will compromise the clean line of cat slide roof plane.

Additional comments not relevant to this application for listed building consent:

- Amendments do not address concerns.
- Overlooking and loss of privacy.
- Increased traffic Septic tank and sewage.
- Over development
- Noise
- Residential amenity
- Traffic and highways.

LDF CORE STRATEGY POLICIES

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National 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 considerations in the determination of this application are the impact of the proposal on the significance of the building.

The National Planning Policy Framework (NPPF) identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of sustainable development in the planning system (paras 7, 8). It also states that the significance of listed buildings can be harmed by alteration to them (para. 199) and that where a development proposal will lead to less than substantial harm to significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para.202).

Since the application has been amended to remove any additional proposed roof lights, the main consideration now relates only to the internal works to facilitate the loft conversion.

The 2014 listed building consent granted permission for three additional bedrooms to the first floor. This amended scheme also only proposes three additional bedrooms to the first floor. Proposed Bedroom 5 (proposed bedroom 6 within the 2014 application) to the west end of the barn remains unchanged in both plan and access to it. This element of the works have not yet commenced.

Proposed Bedroom 6 (proposed bedroom 5 in application 14/00472/LB) is reduced in size to allow some of the space to be used as a passageway to bedroom 4. A family bathroom is retained in the same location as the previously consented en suite bathroom. Access from the existing gallery/landing is moved slightly to the west external wall than that previously granted consent. An additional access to Bedroom 4 is created from the newly formed passage way, rather than via a staircase granted consent under the 2014 approval.

This will entail one further modification to a roof truss. Previously accessed by a new separate staircase, Bedroom 4 will now be accessed from the first floor as with the other two bedrooms. The staircase will no longer be required.

Impact upon the Significance of the listed building.

External Fabric

Further to the omission of the proposed two additional roof lights, there will no further loss of historic roof covering or accompanying works to the structure.

Internal Fabric

Internally due to the creation of the passageway to gain access to Proposed Bedroom 4, one additional modification will be required to a roof truss. The relocated opening from the gallery landing to the passageway will also ensure that the consented modification to the roof truss is relocated to the west. The disturbance to historic fabric caused by the installation of the consented staircase will no longer take place. Given the consent already in place, these works will cause only minor harm to the significance of the listed building.

Appearance

Further to the amended scheme and the subsequent loss of the additional roof lights, there will be no additional impact upon the external appearance of the listed former barn.

Historic Plan

No additional harm to the historic plan will be caused by these proposed changes.

Paragraph 199 of the NPPF states "When considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harms amounts to substantial harm, total loss or less than substantial harm to its significance"

Any harm to a listed building requires clear and convincing justification as required by Paragraph 200. The degree of harm must be assessed in conjunction with Paragraphs 200 and 201. In the officer's view, the proposed alterations to the building's fabric will lead to 'less than substantial harm to the significance of the heritage asset as opposed to substantial harm'. Therefore, Paragraph 202 of the NPPF rather than Paragraph 201 applies which states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

In this case, the continued use of this listed building as a dwelling provides a sustainable use ensuring the future maintenance and longevity of the building. Further to the amendments made, the sum impact of this proposal over the consent granted in 2014 is modest. There is no longer any impact upon the appearance of the building and only one additional modification to the roof structure. This less than substantial harm to this curtilage Grade II listed building is considered to be justified and acceptable in the context of the guidance set out in the NPPF.

Historic England have raised no concerns over the setting of the Grade I Hunstanton Hall. Whilst attention was drawn to the works proposed for the interior of the barn as initially submitted, the scope of the works now proposed for the interior of the building has substantially reduced, resulting in little internal change to what has already been given consent. Historic England have also confirmed that it was unnecessary for them to be consulted again.

CONCLUSION

In accordance with paragraph 199 of the NPPF, great weight should be given to a heritage asset's conservation. In this case, the proposed alterations, most of which were granted consent in 2014, will lead to less than substantial harm to the significance of this heritage asset. However, the long-term public benefits of continuing a sustainable use for this listed

building, outweigh this less than substantial harm. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective (paragraphs 7 and 8); this application on balance complies with this aim.

The application is therefore duly recommended for approval subject to certain conditions stated below

RECOMMENDATION:

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

1 Condition: This Listed Building Consent is granted subject to the condition that the works to which it relates shall be begun not later than the expiration of three years from the date of this consent.

1 Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2 Condition: This Listed Building Consent relates only to works specifically shown on the drawings detailed below. Any other works, the need for which becomes apparent, are not covered by this consent and details must be submitted to the Council as Local Planning Authority and approved before work continues:

Proposed floor plan, proposed elevation and proposed sections Drawing no 132-01 Rev B dated 29.06.2021

2 Reason: To ensure that the works are properly controlled in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.

3 Condition: Soil and vent pipes shall be internal and painted black where they project above the roof unless otherwise approved in writing by the Local Planning Authority.

3 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.

4 Condition: All new internal partitions shall be scribed around the timber roof structure.

4 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.

5 Condition: Full details of all extractor vents, heater flues and meter boxes including their design and location shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Installation shall be carried out in accordance with the approved details.

5 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.

6 Condition: No structural works shall be undertaken to the building until a comprehensive structural report has been submitted to and approved in writing by the Local Planning Authority. All building works approved shall be carried out in

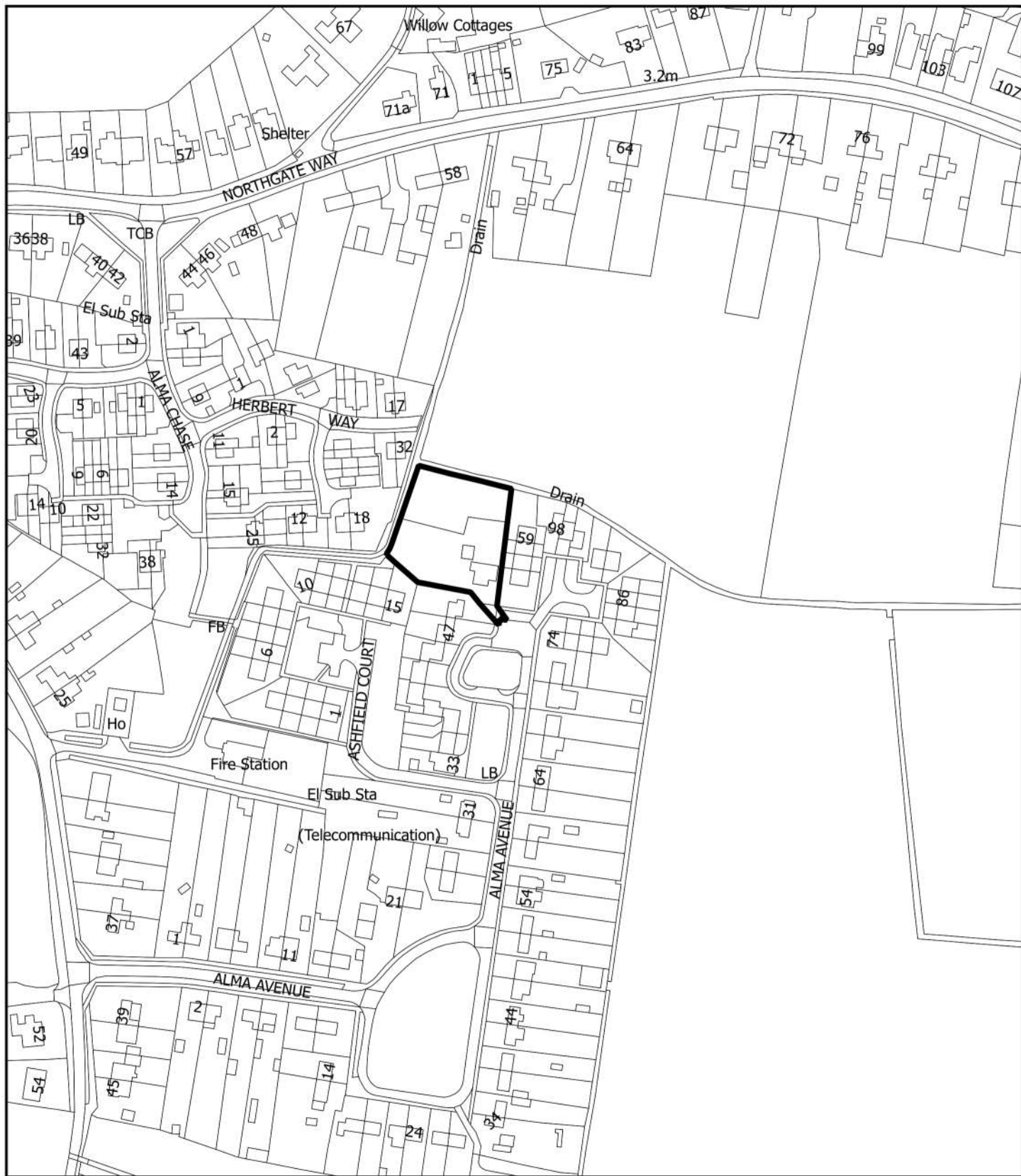
Planning Committee
11 October 2021

accordance with the specification of works and method statement contained in the approved structural report.

- 6 Reason: To safeguard the integrity of the Listed Building in accordance with the principles of the NPPF.

21/00999/F

51 Alma Avenue Terrington St Clement PE34 4LN



21/00999/F

51 Alma Avenue Terrington St Clement PE34 4LN



Parish:	Terrington St Clement	
Proposal:	Proposed residential development of 5 dwellings including demolition of bungalow and garage	
Location:	51 Alma Avenue Terrington St Clement King's Lynn Norfolk PE34 4LN	
Applicant:	Dene Homes Ltd	
Case No:	21/00999/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 14 July 2021 Extension of Time Expiry Date: 15 October 2021

Reason for Referral to Planning Committee – The views of the Parish Council are contrary to the officer recommendation and at the instruction of the Committee Sifting Panel (15/09/21)

Neighbourhood Plan: No

Case Summary

Full permission is sought for the demolition of an existing bungalow and garage at 51 Alma Avenue, Terrington St Clement and construction of 5 detached dwellings and garages.

The site covers 0.26Ha and is bounded on three sides by existing residential development – bungalows to south and east, and houses on Herbert Ward Way to the west.

The site lies within the defined development area of the village and Flood Zone 3 of the Council adopted Strategic Flood Risk Assessment, plus the Environment Agency’s Tidal Hazard Mapping Zone.

The application initially sought 9 dwellings, however the number of units was negotiated down and amended to 5No. References in this report are made in conjunction with the amended scheme only.

Key Issues

- Principle of development
- Highway implications
- Appearance and impact upon form and character
- Impact upon adjoining properties
- Other material considerations

Recommendation

APPROVE

THE APPLICATION

Full permission is sought for the demolition of an existing detached bungalow and garage at 51 Alma Avenue, Terrington St Clement and construction of 5 detached dwellings and garages.

The site covers 0.26Ha and is bounded on three sides by existing residential development – bungalows to south and east, and houses on Herbert Ward Way to the west.

The dwellings proposed are 1½ storey cottage/chalet style, with dormer windows serving accommodation within the roofspace. The roofline is slightly asymmetric in that the front eave is in line with the bottom of the dormer windows (4.3m above existing ground level) and the rear eave is slightly higher (300mm) at mid-window level. The dwellings have chimneys and ridge heights of 8.3m, decorative gallows bracketed front porches and finial detail to dormers. The garages are single with simple dual pitched roofs. The scale/design of the dwellings has taken into account the flood risk mitigation measures requiring Finished Floor Levels being raised by 1.0m. This is consistent with an earlier outline permission for three dwellings and retention of No.51 (Ref 18/01692/O).

This proposal gives a density of 19 dph.

The site lies within the defined development area of the village and Flood Zone 3 of the Council adopted Strategic Flood Risk Assessment, plus the Environment Agency's Tidal Hazard Mapping Zone.

The application is accompanied by a site-specific Flood Risk Assessment, Ecological Assessment Report, Design & Access Statement, Phase 1 Environment Desk Study and Contamination Screening Form.

SUPPORTING CASE

The following statement has been submitted by the agent in support of this proposed development:

“This planning application is for 5 chalet style dwellings (increase of 4 dwellings as one is a replacement). This application has evolved to what is now in front of you after ongoing discussions with the planning department.

The application has been brought to this committee due to an objection from the Parish Council who state:

‘Benn's Lane unsuitable for any increase in traffic or accesses due to lane being narrow and an expected influx of traffic when the development of 40+ houses in Benn's Lane is used as a rat run. Road is also the Fire Station access route.’

We would like to reiterate that the Highways authority have no concerns regarding access.

However the Parish Council made no such objection under application 18/01692/O which was on the same site and for only one dwelling less.

Benn's Lane currently serves in excess of 100 dwellings with a further 40+ approved, it is the Fire Station access route and the memorial park parking area.

There will be no new accesses onto Benn's Lane and we feel an additional dwelling off Alma Avenue will have no detrimental effect on the area."

PLANNING HISTORY

18/01692/O: Application Permitted: 05/08/19 - OUTLINE APPLICATION SOME MATTERS RESERVED: Alterations and extensions to bungalow plus three additional dwellings (Delegated decision)

RESPONSE TO CONSULTATION

Parish Council: OBJECT - Benn's Lane unsuitable for any increase in traffic or accesses due to lane being narrow and an expected influx of traffic when the development of 40+ houses in Benn's Lane is used as a rat run. Road is also the Fire Station access route.

Highways Authority: NO OBJECTION subject to conditions relating to access implementation, no gates or means of enclosure, plus parking and turning created prior to occupation.

Internal Drainage Board: NO OBJECTION comments regarding suitability of soakaways and consent to drain into IDB system if not feasible.

Anglian Water: NO OBJECTION - Confirm there is a public foul sewer within the proposed development site. The easement required is 3m either side of the centre line of the sewer.

Environmental Health & Housing – Environmental Quality: NO COMMENTS

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: No response to consultation at the time of writing but commented as follows to the earlier application (18/01692/O): "There is a mains rising sewer approx. 5 ½ m from the drain running to the west of the site and within the 9m 'no build zone' suggested on the site plan for the IDB drain. I suggest checking with Anglia Water to check if this will restrict the build. I have no concerns over the use of the main foul sewer for drainage of foul water, subject to agreement by Anglia Water. It would also be good to consult IDB to get comment due to the proximity of the drain to the west and north of the site. It does look a bit cramped with regard to vehicle access and space for drainage (if sewer easement is needed) for surface water via soakaways.

Conditions recommended regarding site construction hours and air source heat pump details and informatives relating to Noise and Dust from construction and soakaway informative."

Historic Environment Services: There are no known archaeological implications.

Environment Agency: NO OBJECTION subject to condition regarding mitigation measures as recommended in the FRA.

District Emergency Planning Officer: NO OBJECTION suggests registration with EA Flood Warning System and preparation of an Evacuation Plan.

Natural England: NO COMMENTS – standing advice applies.

Arboricultural Officer: NO OBJECTION

Housing Development Officer: NO OBJECTION - As Terrington St Clement is not classed as a designated rural area, no affordable housing contribution will be sought.

REPRESENTATIONS

ONE item of **SUPPORT** received requesting that appropriate measures are taken with regards to wildlife.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

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 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 key issues in assessing this proposal are considered to be as follows:

Principle of development

Highway implications

Appearance and impact upon form and character

Impact upon adjoining properties

Other material considerations

Principle of development

The site lies within the development area of Terrington St Clement as defined on Insert map G93 of the Site Allocations & Development Management Policies Plan (SADMPP). The principle of development with housing is therefore acceptable subject to compliance with other policies contained in the Development Plan.

A planning application has recently been approved under ref: 18/01692/O for three dwellings on the land associated with the existing bungalow. This permission remains extant until August 2022.

The proposal therefore accords with Policies CS01 & CS02 of the Core Strategy (2011) and Policies DM1 & DM2 of the SADMPP (2016).

Highway implications

The Parish Council raise the following objection to the proposed development:

“Benn's Lane unsuitable for any increase in traffic or accesses due to lane being narrow and an expected influx of traffic when the development of 40+ houses in Benn's Lane is used as a rat run. Road is also the Fire Station access route.”

Paragraph 110 of the NPPF states inter alia: “In assessing... specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

It will be noted from the History section and Principle of development section above, that it has already been established that 4 dwellings can be accommodated on this overall site (3 new plus the existing bungalow). Indeed, the Parish Council raised no objection to that scheme. This proposal effectively seeks one additional residential unit.

It is generally recognised that the traffic associated with one further dwelling would on average equate to 8 vehicular trips per day. However, this is a highly sustainable location within walking/cycling distance of all the amenities and services that this Key Rural Service Centre has to offer.

It is noted that the local Fire Station is served off Benn's Lane, but the additional traffic created by this proposal would be insignificant and would not create severe adverse impact upon the highway network or highway safety. The NPPF states at Paragraph 111 that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be **severe**. This would not be the case.

Ample parking and turning areas are to be provided within the site and the existing access upgraded to serve the new development. This accords with Policies DM15 and DM17 of the SADMPP.

The proposal is considered to be acceptable to the Local Highway Authority and accords with Paragraph 110 of the NPPF and Policy CS11 of the Core Strategy.

Appearance and impact upon form and character:

Alma Avenue is a former Council estate which, immediately adjacent to the site (to both the east and south), is made up of blocks of attached bungalows. To the east of the site, the bungalows surround a turning head in a 'square' formation and similar to the south. The application site currently contains a vacant bungalow which probably pre-dates the estate, with a large amount of unkempt land to its west and rear (north) bounded by land drains. To the west there are two storey more contemporary houses on Herbert Ward Way.

The five dwellings proposed are identical in appearance as described above – cottage/chalet style with bedrooms in the roofspace, in a choice of facing materials (red multi bricks, red clay double pantiles and cream uPVC windows and joinery) which are considered to be compatible to the palette in this locality. However, given the supply problems created by the pandemic, the exact choice of facing materials will be secured via condition.

This proposal is therefore for an enclave of cottages and garages which would sit behind the bungalows with garages creating a visual progression in height/scale necessary to mitigate flood risk implications. The 1½ storeys correspond with the earlier recent permission on the site. So the principle has already been effectively established.

From the west they would be seen in context with the existing two storey houses in Herbert Ward Way.

The detached nature of the dwellings, mostly introspective, and the use of garages sited between, creates a form which is considered to be complementary to this locality and relates comfortably with adjoining development.

It is considered that the proposal accords with Policies CS06 & CS08 of the Core Strategy and Policy DM15 of the SADMPP.

Impact upon adjoining properties

Given the elevated nature of the dwellings, the orientation of windows at first floor and boundary treatments have been carefully considered.

The cottages have steps down into the rear gardens which are at existing ground floor level. The southern and western boundaries are proposed to be 2m close boarded fences with 300mm trellis on top.

The new dwellings are inward facing onto the cul-de-sac/private driveway with garden depths ranging from 7 – 15m. The orientation of the new units, angles of view from active rooms and separation distances involved result in acceptable relationships. This will be clear when viewing the site layout plan.

The rear elevations have two dormers – one serving a bedroom and the other a bathroom. The layout is such that the bathrooms are situated closest to the side boundary to Plot 1 and nearest to the rear boundary of Plot 4. The orientation and separation distances from common boundaries (approx. 8 m & 10 m respectively) are considered to be acceptable. Additional mitigation can however be created in the form of side screen panels which can also be used to the rear door platforms of steps of units on Plots 1 & 4 – details of which may be secured via condition along with implementation and maintenance in that form.

The positioning of the garage to the side of the dwelling on Plot 5, is such that it creates a screen from the raised small patio/platform to the rear of the adjoining bungalows to the immediate east. It will be noted that there have been no objections raised regarding the design of this scheme.

It is considered that with the mitigation measures stated above, the proposal meets the provisions of Policy DM15 of the SADMPP.

Other material considerations

Crime and Disorder – There are no significant issues or concerns raised regarding Crime and Disorder.

Flood Risk – The application site is within Flood Zone 3 of the SFRA 2018, however most of the village of Terrington St Clement is within Flood Zone 3 and therefore there is no site at a lower risk of flooding and the site therefore passes the sequential test. Table 2 (Flood Risk Vulnerability Classification) of the NPPG states that residential development is a 'more vulnerable' form of development and that the Exception Test would be required (Table 3 – Flood Risk Vulnerability and flood zone compatibility NPPG). As set out within paragraphs 164 and 165 of the NPPF, both elements of the exception test need to be satisfied for the development to be permitted.

There are no objections to the proposal from the EA provided the mitigation measures outlined within the FRA are conditioned (raising FFLs by 1.0m above existing ground levels). The development can be made safe for its lifetime. The proposal would provide housing within the development boundary of a Key Rural Service Centre and therefore it is considered that this would provide sustainability benefits also which make the proposal acceptable.

Whilst the recommendation of our Emergency Planning Officer is noted, the matter will be covered via an informative note on any decision, given concerns relating to enforceability with respect to the tests applied to the use of conditions.

Drainage – There is a main foul sewer parallel to the western boundary of the site which requires a 3m easement strip within which there can be no structures. The proposal has been designed with this in mind.

The drainage ditches to the west and north of the site are not IDB controlled drains but are riparian owned / maintained watercourses. In order to avoid a pre-commencement condition, a drainage strategy is being designed following percolation testing and is expected to have been submitted for consideration by CSNN and the IDB in advance of the meeting. If soakaways are not wholly suitable, then IDB consent may be required to discharge to the drains under Byelaw 3. Members will be updated in late correspondence.

Ecology – The application is accompanied by an Ecological Assessment Report which recommends certain mitigation measures (bird nesting boxes, hedgehog gravel board to fences) which can be secured via condition.

Construction hours – CSNN sought a condition on the earlier permission to restrict the hours of construction and deliveries. Whilst Central Government has advised relaxation in light of the pandemic, this is a site contained by accommodation for the elderly and for consistency it is felt that this should be used with the current proposal.

Details of any air source heat pumps – these may be secured via condition as requested previously by CSNN.

CONCLUSION

The principle of developing this overall site with four dwellings has already been established by an earlier permission (ref: 18/01692/O). The design and suitability of the proposed dwellings would be acceptable to this locality and complement the form and character. The inter-relationship between existing and proposed dwellings is also considered to be acceptable with certain mitigation measures.

There are no objections from technical consultees and all matters of planning importance may be secured via condition.

The only issue of concern is the highway implications as raised by the Parish Council. Whilst the Parish Council's concerns are noted, the increase of effectively one additional residential unit and its associated traffic, would not create severe adverse impact upon the highway network or highway safety. The Local Highway Authority concurs with this view and the development accords with Paragraph 110 of the NPPF.

The proposal is therefore considered to meet the requirements of the NPPF and NPPG, Policies CS01, CS02, CS06, CS08, CS11 & CS12 of the Core Strategy (2011) and Policies DM1, DM2, DM15 & DM17 of the SADMPP (2016). It is recommended for approval subject to certain conditions stated below.

RECOMMENDATION:

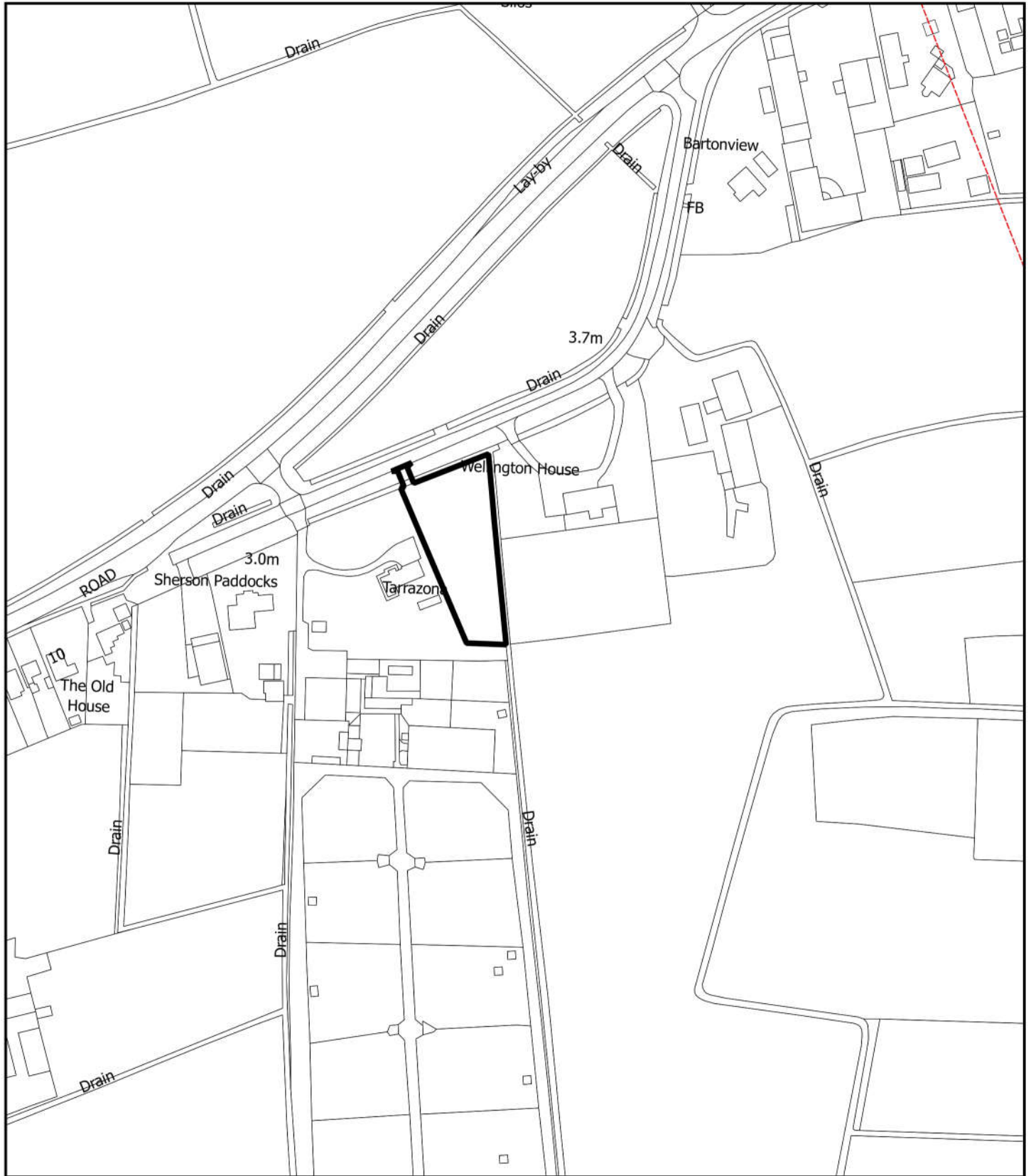
APPROVE subject to the imposition of the following condition(s):

- 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: 6265-PL01B & 6265-PL02C.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 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.
- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: The development hereby approved shall be carried out in accordance with the mitigation measures contained in the Flood Risk Assessment ref: ECL0444/PETER HUMPHREY ASSOCIATES produced by Ellingham Consulting Ltd, dated March 2021 and submitted as part of this application:

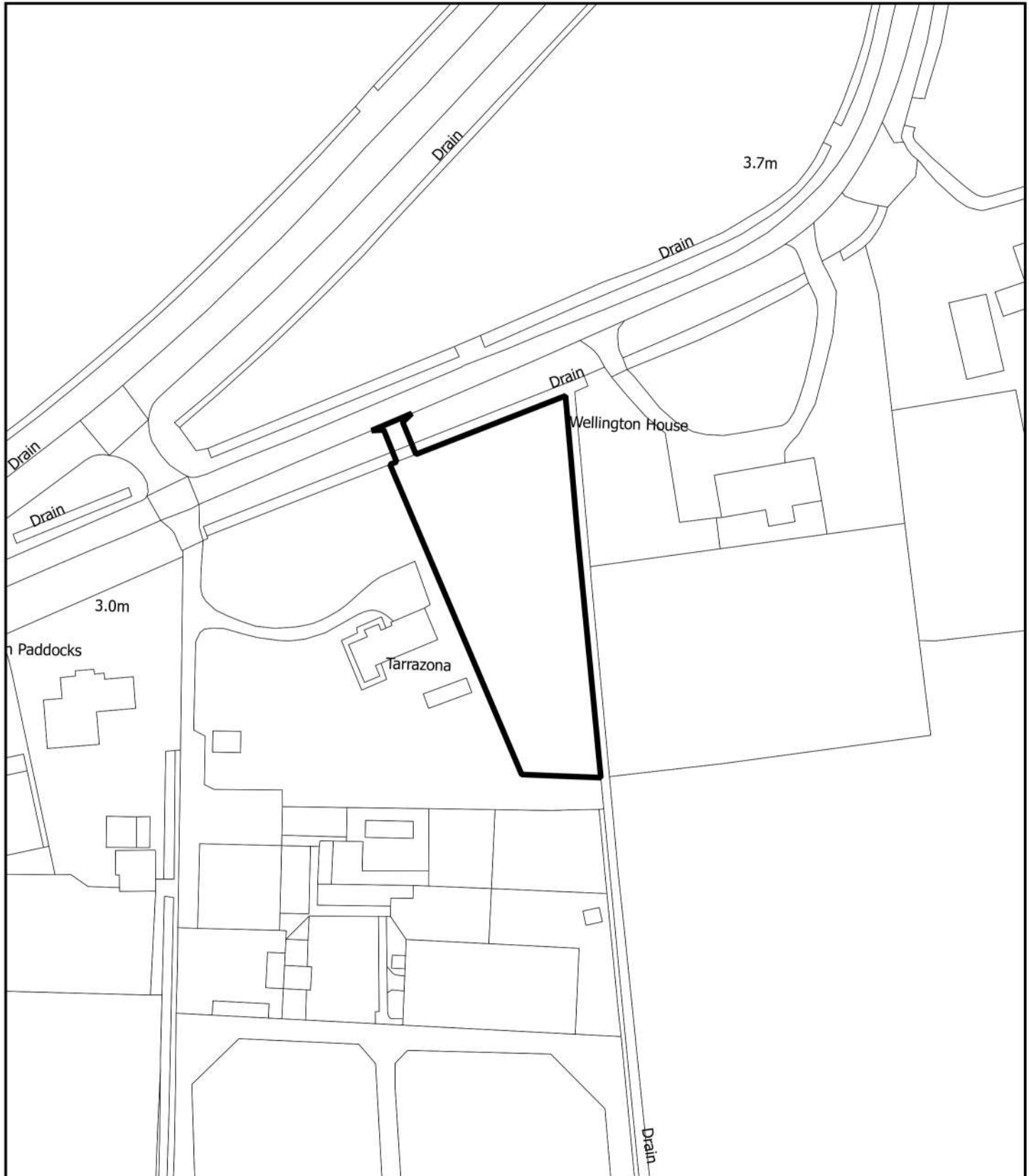
- Finished Floor Levels shall be set at 1.0m above existing ground level.
 - Flood resilient construction shall be carried out a further 300mm above finished floor levels.
- 4 Reason: To protect the development and future residents at times of high risk of flooding and to accord with the provisions of the NPPF and Policy CS08 of the Core Strategy (2011).
 - 5 Condition: Prior to occupation of Plots 1 & 4, details of side screens to the rear door platforms of steps of the associated dwelling adjacent to side and rear boundaries respectively, shall be submitted to, and agreed in writing by, the Local Planning Authority. The screens shall be implemented as agreed prior to occupation and shall be maintained in that condition thereafter.
 - 5 Reason: In the interests of residential amenity and to accord with the provisions of the NPPF and Policy DM15 of the SADMPP (2016).
 - 6 Condition: The development hereby approved shall be carried out in accordance with the mitigation measures set out within the 'Ecological Assessment Report' by Wild Frontier Ecology dated July 2021 and shown on Drawing No. 6265-PL01B. These measures shall include planting, bird nesting boxes and bat boxes.
 - 6 Reason: To ensure that appropriate mitigation measures are in place in order to comply with Policy CS12 of the Core Strategy (2011).
 - 7 Condition: Prior to the first occupation of the development hereby permitted the vehicular / pedestrian / cyclist access shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highways specification and thereafter retained at the position shown on the approved plan 6265-PL02C. 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.
 - 7 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 and to accord with Policies CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).
 - 8 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.
 - 8 Reason: In the interests of highway safety and to accord with Policy CS11 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).
 - 9 Condition: Prior to the first occupation of the development hereby permitted the associated proposed access / on-site car parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
 - 9 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety and to accord with Policies DM15 & DM17 of the SADMPP (2016).

- 10 Condition: Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the units and the distances from the proposed units to the boundaries with neighbouring dwellings, and provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 10 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 11 Construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between the hours of 0800 and 1800 weekdays, and 0900-1300 on Saturdays, with no work allowed on Sundays and Bank / Public Holidays.
- 11 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.

21/00981/F
Land East of Tarrazona 16 S-Bend Lynn Road Walsoken
PE14 7AP



21/00981/F
Land East of Tarrazona 16 S-Bend Lynn Road Walsoken
PE14 7AP



Parish:	Walsoken	
Proposal:	2-storey 4-bed dwelling with attached double garage	
Location:	Land East of Tarrazona 16 S-Bend Lynn Road Walsoken PE14 7AP	
Applicant:	Mr L Bosworth	
Case No:	21/00981/F (Full Application)	
Case Officer:	Lucy Smith	Date for Determination: 13 September 2021

Reason for Referral to Planning Committee – Officer recommendation is contrary to the views of the Parish Council and the application has been referred by Sifting Panel

Neighbourhood Plan: No

Case Summary

Full planning permission is sought for the erection of a two storey 4 bedroom detached dwelling. The site lies to the East of the dwelling known as Tarrazona and to the West of Wellington House. A commercial livery, owned and operated in connection with Tarrazona is to the south of the site . The site is on the south side of Lynn Road, on the original s-bend section and lies outside any development boundary and is therefore considered to be within the wider countryside.

Key Issues

- Principle of development
- Character and appearance
- Neighbour amenity, noise and disturbance
- Other material considerations

Recommendation

REFUSE

THE APPLICATION

Full planning permission is sought for the erection of a two storey 4 bedroom detached dwelling. The site lies to the East of the dwelling known as Tarrazona and to the West of Wellington House. A commercial livery, owned and operated in connection with Tarrazona is to the south of the site. The site is on the south side of Lynn Road, on the original s-bend

21/00981/F

Planning Committee
11 October 2021

section and lies outside any development boundary and is therefore considered to be within the wider countryside.

The site comprises an area of garden land associated with the donor dwelling (Tarrazona) which is set back from the roadside frontage behind mature hedgerows. The character of the area is overall fairly mixed, with commercial/industrial uses further to the east. Open land and agricultural fields, including Rosalie Farm are located to the north of the site. The site lies over 1 km from the main built up edges of Wisbech and Walsoken, and just under 1 km away from Walton Highway.

SUPPORTING CASE

I take this opportunity to mention two planning applications within close proximity to this site that members of the Committee approved.

First application reference is 20/01122/F – Construction of a 2-storey 4-bed dwelling and garage. Located opposite FNR Self storage. Towards the East of this application site. 20/01122/F was granted planning permission due to the committee concluding that application is considered infill, and would enhance the street scene. Application approved on 6th November 2020.

Second application reference is 19/01221/F – Construction of a 2-storey 4-bed dwelling. Located east of the Old Police House. Towards the West of this application site. 19/01221/F was granted planning permission due to the committee concluding that application is considered infill. Application approved on 5th September 2019.

The proposed development, 21/00981/F, is situated in-between these two recent approvals along the same road.

Referring to this application and the proposed development, 21/00981/F – Construction of 2-storey 4-bedroom dwelling with integral garage, the development is infill between Tarrazona and Wellington House. Therefore, it is considered that this application meets the same decision making criteria as the aforementioned applications.

PLANNING HISTORY

RESPONSE TO CONSULTATION

Parish Council: SUPPORT – with the following reasons:

‘the plans are well thought out and it will fit well into the plot and a recent similar application was also supported’

Highways Authority: NO OBJECTION IN PRINCIPLE – recommended standard access/turning area conditions.

Environment Agency: NO COMMENT Flood Risk Standing Advice applies

IDB: NO OBJECTION The Board’s Byelaws should be complied with, and the disposal of surface water via infiltration should be supported by ground investigation.

Planning Committee
11 October 2021

21/00981/F

Environmental Health & Housing - Environmental Quality: NO COMMENT

CSNN: NO OBJECTION – recommended Soakaway Informative and informative relating to culverting the ditch on site.

REPRESENTATIONS

ONE letter of OBJECTION, raising concerns around existing noise nuisance relating to Tarrazona and the potential for any new dwelling to exacerbate this impact.

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

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
Character and appearance
Neighbour amenity, noise and disturbance
Other material considerations

Planning Committee
11 October 2021

Principle of Development

The site lies outside any development boundary (1km West of the development boundary for Walton Highway shown on inset map G120.1) and is not allocated for development in the SAMDPP 2016. As such it will be treated as countryside, where new development is more restricted, and limited to that identified as suitable in rural areas. Additionally, Policy CS06 of the Core Strategy 2011 reinforces this position, by stating that development of greenfield sites will be resisted unless essential for agricultural or forestry use. No suitable rural use has been advanced on this site, hence there is no justification in favour of the development of this greenfield land.

The site is well separated from any of the nearby settlements. The site lies approximately 1.3km away from the edge of Wisbech, and 1km from Walton Highway. This part of Lynn Road is developed to an extent, but it does not associate with the main built up part of Walsoken. Hence, it is considered that development of the site would not in any significant way contribute to enhancing the vitality of the surrounding rural communities and it would be distant from service centre provision. As such, the site is not considered to be a suitable location for a new dwelling. This is contrary to the objectives of the NPPF, which supports housing that is located where it would be beneficial to a rural community.

For the reasons above, the development of a dwelling on the site in question, well outside of the development boundary with no material reasons why policy should be overridden, would not be sustainable development, as it is contrary to the NPPF, Policies CS02, CS06 and CS08 of the Core Strategy 2011 and DM2 of the SADMPP 2016.

Character and Appearance

The proposed dwelling would be set back from Lynn Road, and situated between existing dwellings, with the livery to the south. The dwelling would be two storey with a front gable projection and attached double garage. The external materials proposed include brickwork, red clay pantiles and timber casement windows and doors. Details of the bricks have not been provided with this application but could be conditioned.

Although the site is in between existing development on both sides, the dwellings to either side of the site are set within large plots and well screened by dense and mature vegetation.

The open land to the north off the application site, viewed in context with this part of S-Bend when approaching from either direction provides an overall rural character to the immediate vicinity. Whilst the proposal is set within two frontage dwellings and partially screened by existing hedgerows, the proposal will consolidate the current sporadic pattern of development in the immediate vicinity, to the detriment of the form and character of the countryside.

Neighbour amenity, noise and disturbance

The proposed dwelling is sited within its plot forward of the donor dwelling and with gable end facing the shared boundary (west). With in excess of 7m between the donor dwelling and the proposed dwelling, and considering the orientation of the properties, the dwelling is considered unlikely to lead to any significant impact on the amenity of the existing dwelling. Windows at ground floor level on this elevation will be screened from view by proposed close boarded fencing and the proposal therefore will not lead to overlooking or a loss of privacy for current and future occupants.

Planning Committee
11 October 2021

To the east, the dwelling is considered to be suitably distanced from Wellington House to minimise the opportunity for any significant impact on this dwelling.

Whilst a commercial livery is located to the south of the site, the proposed development is considered to be suitably distanced from this commercial use to minimise the potential for any adverse impacts in regard to noise, disturbance or odour impacts. Any impact is further reduced as a result of the existing tree line to the south of the site and the proposed close boarded fencing. The Borough Council's CSNN team raised no concern regarding noise impacts as part of their consultation response.

A neighbour objection commented on nuisance complaints relating to the existing uses at Tarrazona. Whilst these comments are noted, the proposal is for the construction of a single residential dwelling. Whilst there may be limited periods of noise and disturbance during construction, the use of a new dwelling in this location is considered unlikely to lead to any detrimental impact on adjoining dwellings.

Other material considerations

The proposed plans detail the construction of a new access onto S-Bend which is considered acceptable by the Local Highway Authority. Visibility splays and parking/turning areas meet the required standard and the proposal is therefore unlikely to lead to any significant impact on highway safety. The development therefore complies with policies CS08, CS11 and DM15 of the Local Plan.

The proposed dwelling is located within Flood Zone 1 and the sequential and exceptions tests are therefore not required as part of the consideration of this application. Whilst a strip of land to the east of the site is categorised as Flood Zone 2, no development is proposed in this area. The proposal complies with the Borough Council's Flood Risk Design Guide and Paras 159-165 of the NPPF (2021). As recommended by the CSNN team, an informative is recommended relating to the suitability of proposed soakaways and the need for percolation tests. If the current drainage strategy is determined to be unsuitable, additional applications would be required.

Crime and Disorder There are not considered to be any crime and disorder impacts associated with the proposal.

CONCLUSION

The application proposes the construction of a new dwelling well away from any defined development boundary on land which is therefore considered to be within the wider countryside. The benefits associated with a single dwelling in this location are not considered to outweigh this clear conflict with the settlement strategy for new housing, as set out in Paragraphs 79 of the NPPF (2021), Policies CS02 and CS08 of the Core Strategy (2011) and Policy DM2 of the SADMPP (2016) and the principle of development on site is therefore not considered acceptable.

The application is therefore recommended for refusal on the following grounds.

Planning Committee
11 October 2021

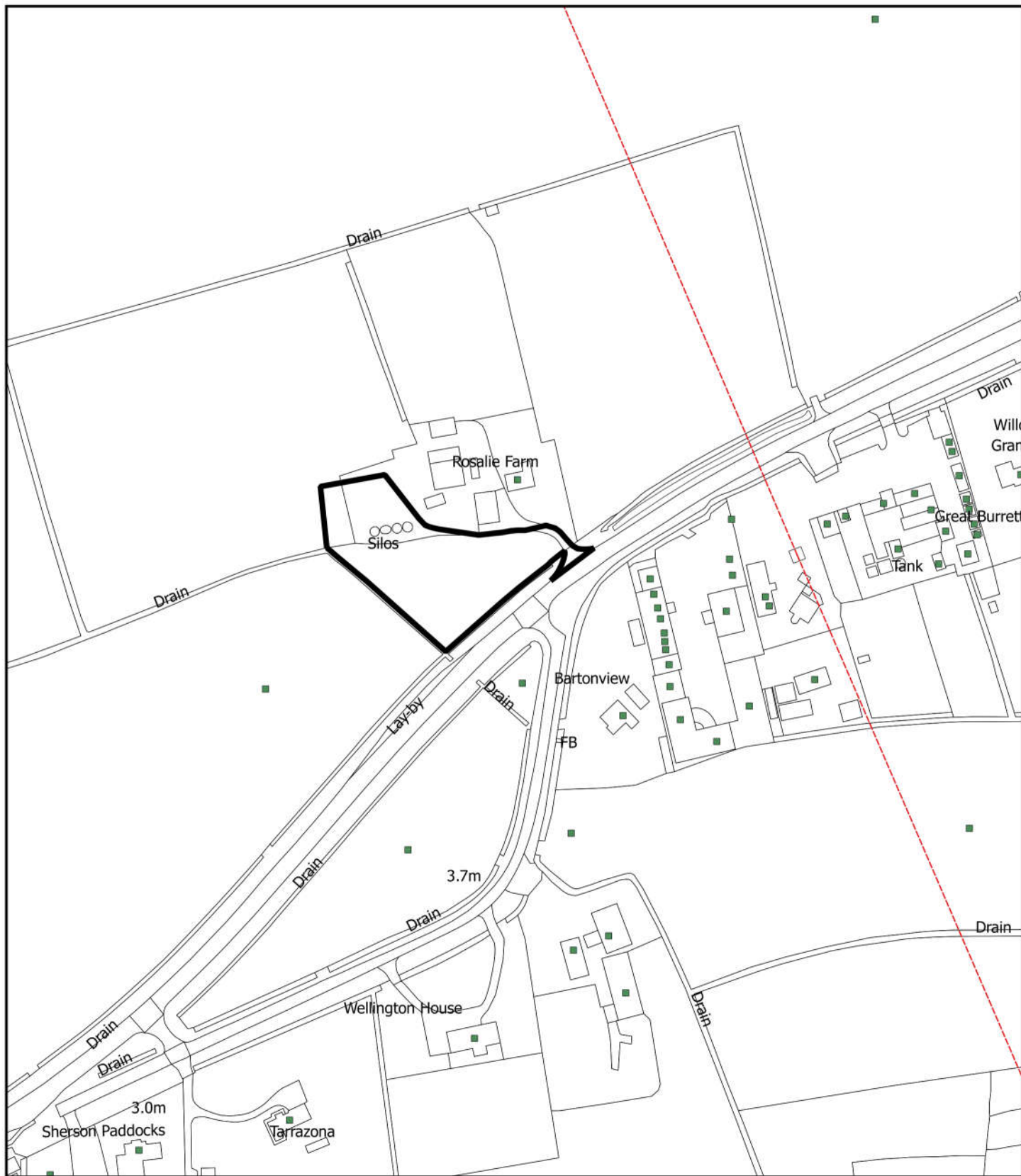
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The site lies outside the development boundaries of Walsoken and Walton Highway and is therefore located in the countryside as defined by the Local Plan. No justification has been provided to outweigh this conflict with the Local Plan and as such the application is considered contrary to the provisions of the NPPF (2021), Policies CS06 and CS08 from the Core Strategy (2011), Policy DM2 of the SADMPP (2016).

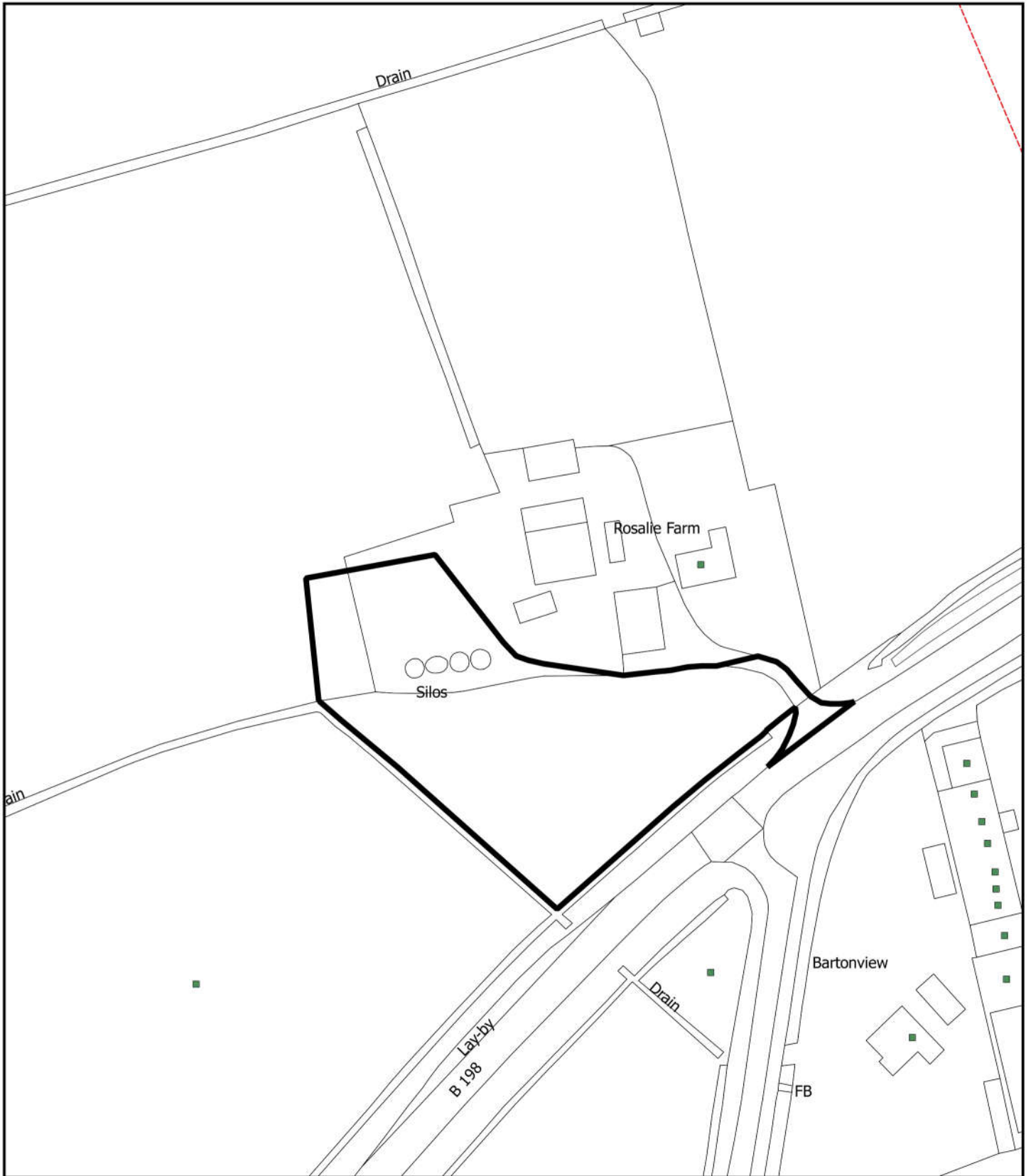
21/01536/F

Rosalie Farm Lynn Road Walsoken PE14 7DA



21/01536/F

Rosalie Farm Lynn Road Walsoken PE14 7DA



Parish:	Walsoken	
Proposal:	Proposed conversion and extension of silos to form dwelling	
Location:	Rosalie Farm Lynn Road Walsoken Norfolk PE14 7DA	
Applicant:	Mr Clark	
Case No:	21/01536/F (Full Application)	
Case Officer:	Lucy Smith	Date for Determination: 23 September 2021

Reason for Referral to Planning Committee – Officer recommendation is contrary to the views of the Parish and the application has been referred by Sifting Panel

Neighbourhood Plan: No

Case Summary

Full planning permission is sought for the conversion of 4 silos to a single dwelling at Rosalie Farm, Lynn Road, Walsoken. Plans show the conversion of 4 existing silos which are proposed to be linked via the construction of a rear extension measuring approximately 15 x 4.5m from the rear of the existing silos. This extension provides the majority of the residential floor space proposed.

The site is outside of any defined development boundary on land which is therefore considered to be within the wider countryside for the purposes of the Local Plan. The applicant quotes the use of policies allowing the conversion of redundant rural buildings as justification for the proposal.

Key Issues

- Planning History
- Principle of Development
- Form and Character and Impact on the Countryside
- Other material considerations

Recommendation

REFUSE

THE APPLICATION

Full planning permission is sought for the conversion of 4 silos to a single dwelling at Rosalie Farm, Lynn Road, Walsoken. Plans show the conversion of 4 existing silos which are proposed to be linked via the construction of a rear extension measuring approximately 15 x

4.5m from the rear of the existing silos. This extension provides the majority of the residential floor space proposed.

The site is outside of any defined development boundary on land which is therefore considered to be within the wider countryside for the purposes of the Local Plan although the applicant's case is that policies for re-using redundant rural buildings are relevant and therefore the application should be supported.

SUPPORTING CASE

The application is made for the conversion and alteration to 4 existing silos to create a single bespoke dwelling on land at Rosalie Farm, Lynn Road, Wisbech. A similar application was submitted earlier this year but was refused; this submission seeks to address the reasons for refusal pursuant to 21/00377/F.

These silos were a common sight 50 years ago, but their purpose has been superceded by more efficient methods, and due to their simple structure are very easy to dismantle and scrap. Therefore, they are a part of agricultural history that should be retained. This proposal retains the character of the silos, while making good use of them as part of a dwelling, with the new modern link structure mostly hidden from general view.

NPPF states that houses in Rural locations re using redundant or disused buildings and enhancing its immediate surroundings should be supported.

Local policy states conversion to residential will only be considered where the existing building makes a positive contribution to the landscape, we believe these Silo buildings are becoming a rarity in the countryside and this simple conversion will sympathetically blend new with old.

We would ask that this unique conversion be supported.

PLANNING HISTORY

21/00377/F: Application Refused: 12/05/21 - Proposed Conversion and extension of silos to form dwelling - Rosalie Farm

20/00075/PREAPP: INFORMAL - Likely to refuse: 04/08/20 - PRE- APPLICATION FULL (NO CONSULTATIONS AND NO MEETING): Proposed conversion of 2 barns and 4 silos to create 3 dwellings - Rosalie Farm

11/00042/PREAPP: INFORMAL - Likely to approve: 16/03/11 - Demolition of existing dwelling and erection of new replacement dwelling - Rosalie Farm
Formerly Denny Farm

RESPONSE TO CONSULTATION

Parish Council: SUPPORT stating the following comments:

We supported the first application and I feel should support this again, for the following three reasons.

Planning Committee
11 October 2021

The two reasons given for refusal on the first application have been addressed by the applicants agent.

These silos were a common sight 50 years ago, but their purpose has been superseded by more efficient methods, and due to their simple structure are very easy to dismantle and scrap.

Therefore, they are a part of agricultural history that should be retained.

This proposal retains the character of the silos, while making good use of them as part of a dwelling, with the new modern link structure mostly hidden from general view.

Highways Authority: NO OBJECTION recommended conditions relating to laying out of proposed access/turning area

Environment Agency: NO OBJECTION subject to FRA condition

Internal Drainage Board: NO OBJECTION the Board's byelaws should be complied with. If infiltration is proposed, it should be supported by ground investigation.

Environmental Health & Housing - Environmental Quality: NO OBJECTION recommended conditions relating to contamination and remediation given previous use of the site and potential pollutants.

Natural England: No comment

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

CS10 - The Economy

CS11 – Transport

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)
National Design Guide 2019

PLANNING CONSIDERATIONS

The key issues are:

Planning History
Principle of Development
Form and Character and Impact on the Countryside
Other material considerations

Planning History

This application is submitted following the refusal of a similar application on 12th May 2021 (ref 21/00377/F). The previous application was refused on the following grounds:

1. The application site is located outside of any designated development boundary and therefore in the wider countryside as outlined in Policy DM2 of the SADMPP (2016). No other justification has been provided which is considered to outweigh this conflict with the current Local Plan. Given the extent of new build-extension proposed, the application is not considered to comply with Policy CS06 in relation to the conversion of rural buildings and the construction of a new dwelling in this position, including the associated change of use of land is considered to pose an adverse impact on the intrinsic character and beauty of the countryside. The proposal is therefore considered contrary to the NPPF (2019), Policies CS06 and CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).
2. The application site is on land categorised as within flood zones 2 & 3 of the Borough Council's SFRA. The proposed dwelling would create a dwelling on land which is at risk of flooding and the sequential and exceptions tests are therefore required. The construction of a new dwelling in this location is not considered to pose any benefit to the wider community that would outweigh the flood risk and the proposal therefore fails the exceptions test outlined in Paragraph 160 of the NPPF (2019). Overall, the proposal is therefore considered contrary to paras 159-161 of the NPPF (2019), policy CS06 and CS08 of the Core Strategy (2011) and policies DM15 and DM21 of the SADMPP (2016).

Limited changes have been made to the previously refused scheme.

Consent is sought for the extension to and conversion of existing grain silos on land to the north of Lynn Road, Walsoken, to the north east of S Bend and sharing a proposed access with an existing dwelling known as Rosalie Farm.

Principle of Development

The proposal is for the conversion of a group of agricultural silos to residential use, including a significant single storey extension, which will form the majority of the accommodation.

The farm unit is located some 1.5km from the edge of Wisbech and consists of the main house along with 4 barns and the 4 silos. The silos are located to the west of the rest of the

Planning Committee
11 October 2021

farm buildings and are set back from Lynn Road behind existing agricultural fields which add to the rural setting of the buildings as a whole.

For the purposes of the Local Plan, the existing silos are located on the outskirts of Walsoken which is categorised as a Settlement Adjacent to a Main Town in CS02 of the Core Strategy (2011). The site is not within the development boundary for either Walsoken to Walton Highway which lies approximately 850m to the east of the site and is therefore on land which is considered to be within the wider countryside for the purposes of the Local Plan, where development is restricted to that identified as suitable in rural areas.

Policy CS06 of the Core Strategy (2011) supports conversion to residential use where:

- The existing building makes a positive contribution to the landscape.
- A non-residential use is proven to be unviable.
- The accommodation to be provided is commensurate to the site's relationship to the settlement pattern; and
- The building is easily accessible to existing housing, employment and services.

Paragraph 174 of the NPPF (2019) recognises the intrinsic character and beauty of the countryside and supports the protection of the countryside. Paragraph 120d of the NPPF states that decisions should support the development of under-utilised buildings. Paragraph 79 of the NPPF supports development which will enhance or maintain the vitality of rural communities.

The silos, with a diameter of 4.45m, each provide around 15.5sqm of floor space (totalling 62sqm), whereas the proposed extension forms closer to 70sqm of 'new build' floor space. Therefore, the amount of new build involved in the proposed development is such that, it is the LPA's opinion that the proposal could not be considered a conversion and therefore Policy CS06 does not apply.

Irrespective of this, the currently unused utilitarian silo buildings have limited positive impact on the landscape of the area and therefore the proposal is not considered to comply with CS06.

No justification has been provided to meet any of the other criteria outlined in Policy DM2 of the SADMPP (2016).

The principle of development is therefore considered contrary to policies CS02, CS06 and CS08 of the Core Strategy (2011).

Form and Character and Impact on the Countryside

The proposed design includes the conversion of the existing silos, with windows inserted and walls proposed to be clad in timber to replace the existing zinc - full details of proposed materials could be controlled via condition. A single storey extension is proposed to the rear of the silos with a flat roof and semi-circular porch overhang from the north elevation. This extension measures around 14m x 4.5m when measured from the rear of the existing silos. A small roof overhang which projects from each side and a covered patio area to the north lend itself to an overall modern design.

As a result of the positioning of this extension, the impact on the street scene is largely limited by the screening provided by the existing silos. In regard to proposed curtilage, a substantial portion of land is proposed to be in residential use post-development.

Planning Committee
11 October 2021

It is also of note that the extent of the red line site area involved, with a total site area of approximately 0.45ha in this proposal is considered likely to lead to domestication of the landscape to the detriment of the rural character of the area as a whole. No evidence has been provided to justify the extent of the curtilage proposed and no differentiation has been provided within the wider site to separate a smaller parcel for use as garden and other areas for paddock land or another use.

Other Material Considerations

The site is well distanced from surrounding properties. The existing dwelling, to the east of the proposal site is sufficiently distanced to mitigate the potential for overlooking, overshadowing or overbearing as a result of the proposed development.

An ecological survey was provided as part of this application which suggests there is little potential for the existing silos to form a habitat for any protected species. The proposal is therefore considered to comply with the standing advice for protected species in the PPG.

The application site is within flood zone 3 of the Borough Council's SFRA (2018). As a partial conversion of an existing building, the proposal cannot reasonably be relocated in an area of lesser flood risk and the sequential test is therefore passed. However, in regards to the exceptions test, whilst the proposal can be demonstrated to be safe for its lifetime through raising floor levels by 0.3m, as the part conversion part new build is considered contrary to the overarching policies of the local plan, the creation of a new dwelling is not considered to pose any significant benefit to the wider community to the extent that the proposal passes this second part of the exceptions test. The proposal is therefore considered contrary to paragraph 164 of the NPPF (2019) and Policy CS08 of the Core Strategy (2011).

Contamination conditions would be required as part of any approval due to the existing use of the site, to ensure the safety of future occupants.

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

CONCLUSION:

This application proposes a part conversion of utilitarian former silos, with a large extension to form the majority of the accommodation. The applicant relies on policies for the conversion of redundant rural buildings to justify the scheme. However, Policy CS06 of the Core Strategy supports the conversion of existing buildings in the countryside only where the existing building makes a positive contribution to the landscape. It is the LPA's opinion that the building does not provide such a significant positive impact on the landscape that the need for its retention outweighs the overall policy contradictions related to the site's location outside of any development boundary.

It is also noted that this application, by reason of the extent of new build proposed, is considered to represent the construction of a new dwelling rather than a true conversion as required under the provisions of Policy CS06. The site is outside of any defined development boundary on land which is therefore considered to be within the wider countryside. No other justification has been provided to outweigh this conflict with the settlement strategy of the Local Plan and the principle of development on site is therefore not considered acceptable.

The extent of curtilage proposed further increases the overall impact of proposal on the intrinsic character and beauty of the countryside which the Local Plan seeks to protect.

The application is therefore recommended for refusal on the following grounds.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The application site is located outside of any designated development boundary and therefore in the wider countryside as outlined in Policy DM2 of the SADMPP (2016). Given the extent of new build-extension proposed, combined with the utilitarian and limited positive impact of the existing building, the application is not considered to comply with Policy CS06 in relation to the conversion of rural buildings and the construction of a new dwelling in this position, including the associated change of use of land is considered likely to lead to domestication of the landscape to the detriment of the rural character of the area as a whole. The proposal is therefore considered contrary to the NPPF (2019), Policies CS06 and CS08 of the Core Strategy (2011) and Policy DM2 of the SADMPP (2016).
- 2 The application site is within flood zone 3 of the Borough Council's SFRA (2018). As a partial conversion of an existing building, the proposal cannot reasonably be relocated in an area of lesser flood risk and the sequential test is therefore passed. In regards to the exceptions test, whilst the proposal can be demonstrated to be safe for its lifetime through raising floor levels by 0.3m, as the part conversion part new build is considered contrary to the overarching policies of the local plan, the creation of a new dwelling is not considered to pose any significant benefit to the wider community to the extent that the proposal passes this part of the exceptions test. The proposal is therefore considered contrary to paragraph 164 of the NPPF (2019) and Policy CS08 of the Core Strategy (2011).

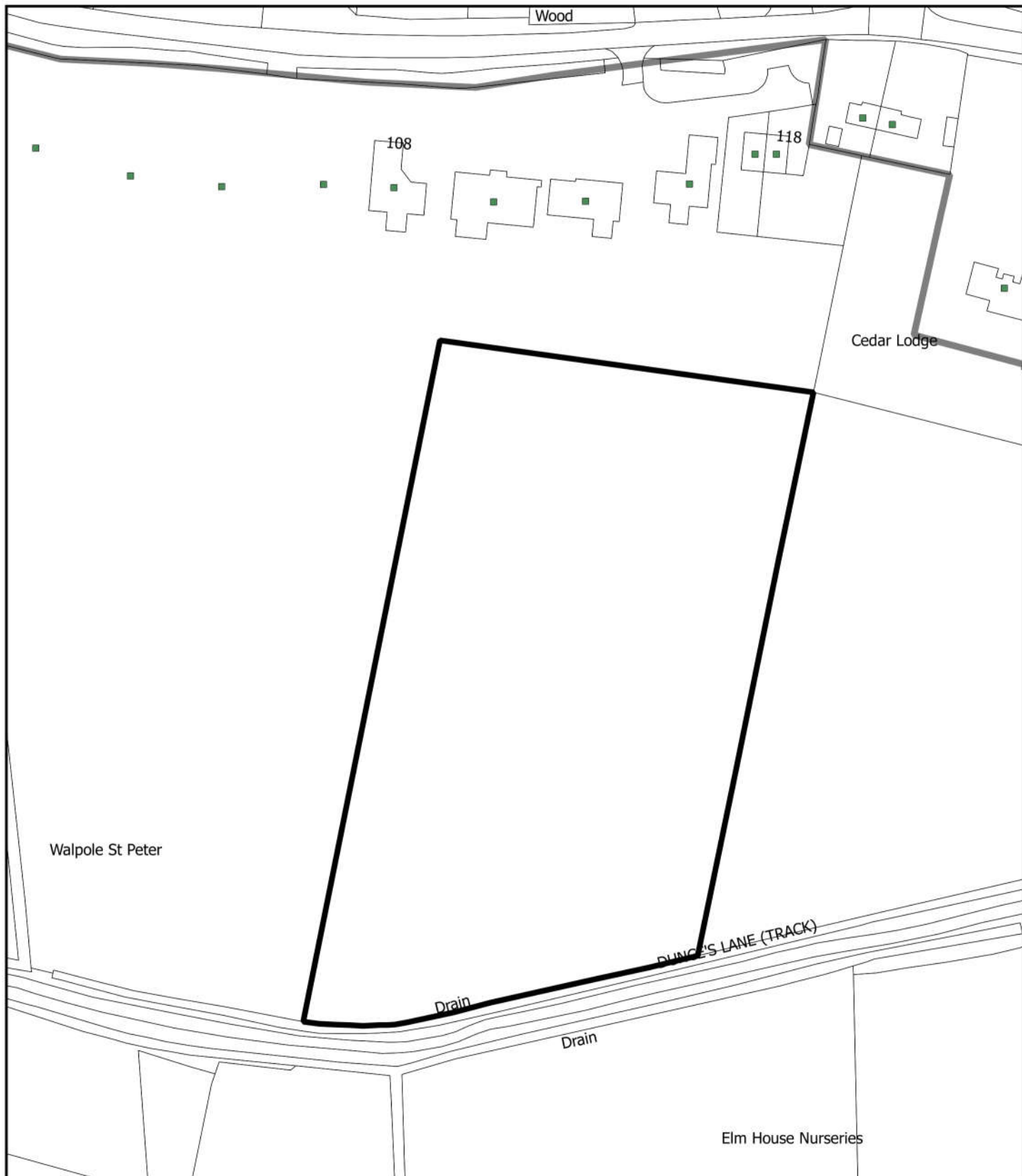
21/01596/CU

Land Off Church Road, Walpole St Peter, PE14 7PA



21/01596/CU

Land Off Church Road, Walpole St Peter, PE14 7PA



Parish:	Walpole	
Proposal:	Change of use from agricultural field to private equestrian paddock	
Location:	Land Off Church Road Walpole St Peter Norfolk PE14 7PA	
Applicant:	Miss Katie McCoo	
Case No:	21/01596/CU (Change of Use Application)	
Case Officer:	Bradley Downes	Date for Determination: 5 October 2021

Reason for Referral to Planning Committee – Called in by Cllr Blunt

Neighbourhood Plan: No

Case Summary

The site lies in the countryside on the south side of Church Road, Walpole St Peter, to the rear of a row of dwellings recently permitted under 18/01472/RMM. The proposal is for the change of use of approximately 1.24 Hectares of the agricultural land to an equestrian paddock for private use. No operational development is involved in the planning application.

Key Issues

- Principle of development
- Form and character
- Impact on amenity of neighbouring occupiers
- Highway safety and access

Recommendation

APPROVE

THE APPLICATION

The site lies on the south side of Church Road, Walpole St Peter, to the rear of a row of dwellings recently permitted under 18/01472/RMM. Walpole St Peter is classified as a Rural Village in Policy CS02 of the Core Strategy 2011, and the site lies outside the development boundary for Walpole St Peter. The proposal is for the change of use of approximately 1.24 Hectares of the agricultural land to an equestrian paddock for private use. No operational development is involved in the planning application.

PLANNING HISTORY

No relevant planning history

RESPONSE TO CONSULTATION

Parish Council: SUPPORT - Support the application on the understanding that any future buildings on the land will have the correct planning application as concerns are raised regarding stables/housing which would not be supported.

Highways Authority: NO OBJECTION - No objection being utilised for private use

Environment Agency: NO COMMENTS

Environmental Quality: NO OBJECTION - There is no known contamination or suspected contamination on the site based on the application form. This seems to correlate with the land historic use.

REPRESENTATIONS

TWO letters have been received, **ONE** with **NEUTRAL** comments and **ONE** which raises concerns.

The neutral comments raised are as follows:

- As ex horse owners and exhibitors it will be pleasant to see horses around again. Fencing has already begun and appears to be aligned with individual houses rather than to the applicants house.

The letter which raised concerns made the following points:

- We wish for the matter to be referred to the planning committee as we have discovered from the original developer that the applicant has 3 relatives that occupy No. 100, 102 and 104. We hold a flood report from 2020 that shows flooding can and does occur and hold photographic evidence parts of our rear garden underwater and parts of adjoining land showing standing water. Concerned if permission is granted it would create a precedent and could lead to development of the land and there is also the opportunity for conducting business, despite covenants of the property preventing business along with storage of caravans and trailers. Currently the site is accessed across a drainage dyke that is shared. Any increase in traffic such as heavier vehicles may ruin the integrity of the road surface. Neighbour's rear boundary fence lies adjacent to the land, there are fears it could be damaged. Animal welfare would suggest the need for shelter added to the fact the storage of dry goods can attract vermin. During the time of our purchase the developer assured that no development was possible.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations:

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

Principle of development:

The site lies outside the development boundary for Walpole St Peter. In such areas, policies seek to restrict development in the countryside to that which is identified as suitable in rural areas as set out in other policies of the Development Plan. Policy CS06 states that in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty. Given the proposed change of use relates to compatible development within the countryside, there would be no conflict in principle with the policies of the Development Plan or with the NPPF.

Impact on character and appearance:

The proposed change of use relates to 1.24ha of land and does not involve any operational development. The keeping of horses on the land is a common sight in the countryside and is not considered to result in any significant visual impact on the character and appearance of the countryside.

Concerns have been raised regarding the potential for buildings to be erected such as stables. It is considered that stabling would be compatible with the locality. However, this application is only for the keeping of horses on the land. Any subsequent development would require a planning application and, in that event, should be considered on its own merits.

Impact on neighbour amenity:

Due to the nature of the development there will not be any significant overlooking, overbearing or overshadowing impacts. It is considered the proposed use of the land for keeping horses for private use will not have any significant noise impact on neighbouring dwellings. The application will be conditioned to ensure it is private use in connection with the dwelling also owned by the applicant (as outlined in blue on the location plan). This provides the required certainty that the land would not be used in connection with an equestrian business without planning permission.

Highway safety:

The applicant has right of access from the rear using a shared track, or they can access the site through the rear garden of the dwelling. The agent has stated that either access may be used. The only time vehicles will need to visit the site in connection with the use are if horses need to be transported or dropped off. It is considered the use of the land for keeping horses

Planning Committee
11 October 2021

for private purposes will not have any significant impact on highway safety. The Local Highway Authority do not object to this application on the basis of these access arrangements. Any increased use of the shared access track and subsequent costs for maintenance are a civil matter and not material to this application.

Other material impacts:

The historic use of the land has been agricultural with no known sources of contamination. It is considered the proposed change of use will not be at any significant risk from land contamination and no further assessment is deemed necessary. Environmental Quality do not object to the application.

Specific comments or issues:

Concern was raised by third party regarding surface water flooding. The proposed use of the land for the private keeping of horses would not have any significant impact on surface water drainage. It is mentioned that covenants of the property are supposed to prevent business being carried out. The proposed development is for private purposes only, in any case covenants on the land are not material planning considerations and remain civil matters

Concern is also raised that since the land is proposed for keeping horses it is imperative buildings are also proposed to adequately house the horses from the elements and to store their food to prevent vermin. Regardless, the proposal to be considered is only for the change of use of the land. It is the applicant's prerogative whether to submit subsequent applications for any buildings, and these will be considered on their own merits.

Any damage that could be done to neighbour's fences by the use of the land for the keeping of horses for private purposes would be a civil matter and not a material planning consideration.

CONCLUSION:

The principle of the proposed development is considered acceptable. The proposed change of use will not have any significant adverse impact on the character and appearance of the area and will not have any significant impacts on the amenity of neighbouring occupiers. The proposal is in accordance with Policies CS06 and CS08 of the Core Strategy 2011 and DM2 and DM15 of the SADMPP 2016. The recommendation is to approve the application.

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. 536.PD.01 (Location Plan - received 18/8/21).
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Condition: The use of the equestrian paddock hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling shown in blue on dwg no. 536.PD.01 and shall at no time be used for business or commercial purposes.

- 3 Reason: For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.

PLANNING COMMITTEE – 11 OCTOBER 2021

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the September Planning Committee Agenda and the October agenda. 131 decisions issued 127 decisions issued under delegated powers with 4 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 27/08/2021 – 23/09/2021

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
Major	6	3	3		6	100%	60%	0	0
Minor	48	45	3	42		88%	80%	3	1
Other	77	77	0	71		92%	80%	0	0
Total	131	125	6						

Planning Committee made 4 of the 131 decisions, 3%

PLANNING COMMITTEE – 11 OCTOBER 2021

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
07.07.2021	23.09.2021 Application Permitted	21/01385/F	Land SE Holly House Fincham Road Barton Bendish King's Lynn Change of use of former workshop/store (B8) to single office unit (Use Class E) with associated works to building and adjoining land	Barton Bendish
27.07.2021	02.09.2021 Application Permitted	19/01572/NMA_2	Land At Hill Farm Boughton Long Road Barton Bendish King's Lynn NON-MATERIAL AMENDMENT for Planning Permission 19/01572/F: New dwelling for essential rural worker (gamekeeper)	Barton Bendish

05.07.2021	03.09.2021 Application Permitted	21/01367/F	2 Church Farm Barns Back Lane Great Bircham King's Lynn Garage conversion including replacement window	Bircham
17.05.2021	03.09.2021 Application Permitted	21/01137/F	Farm Office Field House Farm Mill Road Brancaster Conversion of farm office and store to single dwelling	Brancaster
27.05.2021	07.09.2021 Application Permitted	21/01201/F	9 Anchorage View Brancaster King's Lynn Norfolk Rear two storey extension to existing dwelling house	Brancaster
21.07.2021	10.09.2021 Application Permitted	21/01464/F	Bonnierigg Orchard Close Brancaster Staithe Norfolk Single storey side extension and alterations to dwelling	Brancaster
19.05.2021	27.08.2021 Application Permitted	21/01160/LB	25 Market Place Burnham Market Norfolk PE31 8HF Listed Building Application: replacement of windows of rear lean-to structure with new windows and double doors in the centre	Burnham Market
28.06.2021	02.09.2021 Application Permitted	21/01297/F	Bedfords Estate Agent 25 Market Place Burnham Market Norfolk Replacement of windows of rear lean-to structure with new windows and double doors in the center. Please Refer to BED02.01.01 Existing and Proposed	Burnham Market

05.07.2021	27.08.2021 Application Permitted	21/01368/F	Westgate Old Rectory Ringstead Road Burnham Market King's Lynn Demolition of existing porch and construction of replacement single storey extension to form larger boot room.	Burnham Market
26.07.2021	15.09.2021 Application Permitted	21/01493/F	Windfall Cottage Back Lane Burnham Market King's Lynn Proposed rear extension	Burnham Market
30.06.2021	01.09.2021 Application Permitted	21/01321/F	The Parsonage Creake Road Burnham Thorpe King's Lynn Erection of the new shed and greenhouse	Burnham Thorpe
29.06.2021	09.09.2021 Application Permitted	21/01312/F	Emmington House Bailey Street Castle Acre King's Lynn Two windows in gable wall	Castle Acre
07.07.2021	27.08.2021 Application Permitted	21/01387/LB	Ostrich Inn Stocks Green Castle Acre King's Lynn Listed Building: Carry out repairs to first floor function room including strengthening timbers, strapping walls and replastering.	Castle Acre
22.07.2021	15.09.2021 Was_Would be Lawful	21/01468/LDP	9 Orchard Lane Castle Acre King's Lynn Norfolk Application for a Lawful Development Certificate for a proposed single storey rear extension	Castle Acre
05.07.2021	27.08.2021 Application Permitted	21/01360/F	Birchdale Market Lane Crimplasham King's Lynn Single storey extension to provide ground floor shower room	Crimplasham

04.06.2021	07.09.2021 Application Permitted	21/01111/F	71 Ryston Road Denver Downham Market Norfolk Construction of two dwellings and garages following demolition of existing dwelling	Denver
05.07.2021	06.09.2021 Application Permitted	21/01363/F	The Old Rectory Downham Road Denver Downham Market Alterations to outbuilding in grounds of Listed Building	Denver
07.06.2021	06.09.2021 Application Permitted	21/01122/F	14 Reynolds Way Dersingham King's Lynn Norfolk Extension and Highway Wall Alterations	Dersingham
27.07.2021	16.09.2021 Application Permitted	21/01548/A	7 Jubilee Court Hunstanton Road Dersingham Norfolk Advertisement application for 1 x non-illuminated hanging sign	Dersingham
25.06.2021	25.08.2021 Application Permitted	21/01343/F	Long View High Street Docking Norfolk Rear extension and garage extension	Docking
28.06.2021	17.09.2021 Application Permitted	21/01298/F	17 Harewood Estate Docking King's Lynn Norfolk Two storey side extension	Docking
02.07.2021	08.09.2021 Application Permitted	21/01383/F	Chalfont House High Street Docking King's Lynn Proposed rear single storey flat roof extension. Replacement windows and new sweet chestnut featheredge external cladding to existing single storey dwelling and dormers	Docking

20.04.2021	27.08.2021 Application Permitted	21/00753/F	Break Charity 30 - 32 High Street Downham Market Norfolk Refurbishment of existing first and second floors above Break Charity shop creating two self-contained flats	Downham Market
13.05.2021	27.08.2021 Application Permitted	21/00950/LB	Break Charity 30 - 32 High Street Downham Market Norfolk Application for Listed Building Consent for refurbishment of existing first and second floors above Break Charity shop creating two self-contained flats."	Downham Market
10.06.2021	21.09.2021 Application Permitted	21/01272/LB	25 Lynn Road Downham Market Norfolk PE38 9NJ Listed Building Application: Removal of single flat roof conservatory. Removal of small brickwork nib between cottage door and window and introduction of new lintel. Erection of single storey conservatory with roof light.	Downham Market
23.06.2021	16.09.2021 Application Permitted	21/01328/F	Ivy Cottages 53B Railway Road Downham Market Norfolk VARIATION OF CONDITION 1 of Planning Permission 20/01512/F: To amend drawings.	Downham Market
01.07.2021	27.08.2021 Application Permitted	21/01341/F	14 Park Lane Downham Market Norfolk PE38 9SH Extension and alterations	Downham Market

21.07.2021	21.09.2021 Application Permitted	21/01462/F	99 Wimbotsham Road Downham Market Norfolk PE38 9QB Rear single storey extension to dwelling	Downham Market
23.07.2021	02.09.2021 Application Permitted	19/02216/NMA_2	Land At 161 Bexwell Road Downham Market Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 19/02216/F: Erection of Starbucks coffee shop and drive thru (class A3 use) and freestanding McDonald's restaurant with drive-thru (class A3/A5). Includes car parking, landscaping and associated works including the installation of 2 no. customer order displays, goal post height restrictor and child's play frame. Works for enclosure for gas and electricity	Downham Market
29.07.2021	22.09.2021 Application Permitted	21/01527/F	15 Trafalgar Road Downham Market Norfolk PE38 9JP Demolish the existing garage and build a new flat roof extension to the side and rear of the existing property	Downham Market
13.08.2021	13.09.2021 Application Permitted	21/00461/NMA_1	Monkey Puzzle Lodge 128 Lynn Road Downham Market Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 21/00461/F: Construction of one house and garage	Downham Market

25.08.2021	21.09.2021 Tree Application - No objection	21/00171/TREECA	Ryston End Downham Market Norfolk Tree Works as per Tree report within Conservation Area.	Downham Market
27.04.2021	17.09.2021 Application Permitted	21/00992/F	East & West Rudham Pre School Group School Road East Rudham King's Lynn Change of use of school to dwelling	East Rudham
07.04.2021	16.09.2021 Application Permitted	21/00853/O	Land S of 2 Elmfield Drive And W of 117 Elm High Road Elmfield Drive Emneth Wisbech OUTLINE APPLICATION ALL MATTERS RESERVED: Erection of single dwelling on existing garden land	Emneth
05.07.2021	03.09.2021 Application Permitted	21/01357/F	20 Falcon Road Feltwell Thetford Norfolk Single Storey Side Extension	Feltwell
23.07.2021	27.08.2021 GPD HH extn - Not Required	21/01521/PAGPD	33 Walcups Lane Great Massingham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 6 metres with a maximum height of 4 metres and a height of 3 metres to the eaves	Great Massingham
07.06.2021	31.08.2021 Application Permitted	21/01117/F	Dawn 23 Lynn Road Grimston King's Lynn Construction of 1 1/2 storey rear extension	Grimston
05.07.2021	27.08.2021 Application Permitted	21/01359/F	Chiquita 48 Vong Lane Pott Row King's Lynn Proposed porch extension to front of bungalow	Grimston

13.07.2021	15.09.2021 Application Permitted	21/01472/F	61 Lynn Road Grimston King's Lynn Norfolk Single storey rear/side extension _ detached garage.	Grimston
28.07.2021	23.09.2021 Application Permitted	21/01510/F	Derby Field Farm 101 Leziat Drive Pott Row KINGS LYNN Construction of Proposed Toilet Block and Replacement Unit for 8 x light industrial/storage units following demolition of existing building	Grimston
29.07.2021	22.09.2021 Application Permitted	21/01533/F	Mill Hill Nursery Cliffe En Howe Road Pott Row Norfolk Proposed single storey front extension	Grimston
22.02.2021	16.09.2021 Application Permitted	21/00329/F	The Mill Mill Road Harpley King's Lynn Construction of tennis court to be use in association with the residential/holiday accommodation.	Harpley
15.03.2021	03.09.2021 Application Permitted	21/00685/F	23 Poplar Avenue Heacham King's Lynn Norfolk Retrospective application for installation of Air Source Heat Pump	Heacham
11.05.2021	09.09.2021 Application Permitted	21/00915/F	66 Hunstanton Road Heacham King's Lynn Norfolk First floor extension to dwelling	Heacham

01.06.2021	22.09.2021 Application Permitted	21/01082/F	T-Mobile Mast Telecom NE Corner Millennium Wood Chalk Pit Road Heacham Replacement of existing 15m mast with 17.5m mast to support 6no. antennas, 1no. 0.6m transmission dish and ancillary development thereto	Heacham
28.06.2021	09.09.2021 Application Permitted	21/01294/F	23 Lords Lane Heacham King's Lynn Norfolk Retrospective application for garden room	Heacham
16.07.2021	16.09.2021 TPO Work Approved	21/00077/TPO	Invermore Hunstanton Road Heacham King's Lynn 2/TPO/00251: T6- Lime- Pollard to approx 8 metres, T5- Horse Chestnut- Pollard to approx 8 metres, T4- Beech- Fell- Significant evident die back spread throughout crown (this has become more obvious now that it has come into leaf), Misshapen canopy and form due to previous poor pruning.	Heacham
27.07.2021	08.09.2021 GPD HH extn - Not Required	21/01546/PAGPD	26 College Drive Heacham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 4.5 metres with a maximum height of 3.25 metres and a height of 2.25 metres to the eaves	Heacham

28.07.2021	17.09.2021 Application Permitted	21/01517/F	9 Lamsey Lane Heacham King's Lynn Norfolk Proposed single storey rear extensions and conversions to provide new utility, boot room and garden room	Heacham
10.05.2021	22.09.2021 Was Lawful	21/01076/LDE	Venney Farm Hundred Foot Bank Welney WISBECH Lawful Development Certificate: Stationing of mobile home occupied as a residential annexe to the main dwelling.	Hilgay
22.07.2021	21.09.2021 Application Refused	21/01469/F	40 Tower Road Hilgay Downham Market Norfolk Construction of new dwelling attached to an existing semi detached house, form 4 no. parking spaces.	Hilgay
23.07.2021	16.09.2021 Application Permitted	21/01522/FM	Martins Farm Station Road Ten Mile Bank Norfolk Construction of two grain storage buildings and a third hopper silo to add to existing continuous flow grain dryer and hopper silos (reference 20/01705/F)	Hilgay
14.05.2020	16.09.2021 Application Refused	20/00706/OM	Land S of 22 Lynn Road Between Pasture Close And Wheatfields Close Lynn Road Hillington Norfolk Outline Major Application: Proposed residential development	Hillington
22.02.2021	13.09.2021 Application Permitted	21/00322/F	Wilton Farm 193 Main Street Hockwold cum Wilton Norfolk Replacement of ex. outbuilding with cottage dwelling	Hockwold cum Wilton

04.05.2021	07.09.2021 Application Permitted	21/01045/F	1 Lakelands Hockwold cum Wilton Norfolk IP26 4NJ New vehicular access to dwelling and construction of 1m high boundary wall	Hockwold cum Wilton
26.10.2020	27.08.2021 Application Permitted	20/01744/F	The Bungalow 7 Beach Road Holme next The Sea Norfolk Proposed pool, plant room and decking	Holme next the Sea
19.01.2021	03.09.2021 Application Permitted	21/00173/F	Gurneys Fish Box 1 Drove Orchards Thornham Road Holme next The Sea Extension on to retail unit (Use Class A1) for restaurant area (Use Class A3), storage and WCs including parking and drainage.	Holme next the Sea
29.09.2020	23.09.2021 Application Refused	20/01529/F	The Hideaways 3A South Beach Road Hunstanton Norfolk REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 05/01381/F: Construction of 5 holiday chalets and swimming pool	Hunstanton
29.06.2021	06.09.2021 Application Permitted	21/01310/F	94A Westgate Hunstanton Norfolk Change of use from office to restaurant and new external extraction flue	Hunstanton
12.07.2021	15.09.2021 Application Permitted	21/01453/F	12 Clarence Road Hunstanton Norfolk PE36 6HQ Retrospective application for a wood framed garden building attached to exterior wall of garage	Hunstanton

21.07.2021	21.09.2021 Application Permitted	21/01507/F	The Beach House 101B South Beach Road Hunstanton Norfolk VARIATION OF CONDITION 2 of Planning Permission 20/01826/F: to amend drawing	Hunstanton
26.08.2020	16.09.2021 Application Permitted	20/01295/F	11 Davy Field Lynn Road Ingoldisthorpe Norfolk Construction of a new dwelling	Ingoldisthorpe
16.07.2021	14.09.2021 Application Permitted	21/01485/F	Mellors 1 Smithy Road Ingoldisthorpe King's Lynn Amalgamation of two properties to include extension of existing dormer	Ingoldisthorpe
24.08.2021	22.09.2021 Application Permitted	18/02200/NMAM_4	6 Davy Field Lynn Road Ingoldisthorpe KINGS LYNN NON-MATERIAL AMENDMENT OF PLANNING PERMISSION: Reserved Major application: Residential development and new public amenity area	Ingoldisthorpe
01.03.2021	13.09.2021 Application Permitted	21/00387/F	75 Elvington King's Lynn Norfolk PE30 4TB Demolition of existing conservatory and replacement with 2 storey extension	King's Lynn
14.05.2021	10.09.2021 Application Permitted	21/00957/F	River Island 85 High Street King's Lynn Norfolk Proposal to replace like for like existing timber framed sash windows (8x on front elevation and 3x on rear elevation)	King's Lynn

02.06.2021	08.09.2021 Application Permitted	21/01100/F	41 Sidney Street King's Lynn Norfolk PE30 5RF Single storey rear extension with replacement outbuilding	King's Lynn
08.06.2021	15.09.2021 Application Permitted	21/01277/F	176 St Peters Road West Lynn King's Lynn Norfolk Erection of Sectional Concrete Garage	King's Lynn
10.06.2021	09.09.2021 Application Permitted	21/01259/F	5 Marsh Lane King's Lynn KINGS LYNN Norfolk Loft conversion to form 4th bedroom with en-suite	King's Lynn
14.06.2021	08.09.2021 Application Permitted	21/01174/F	Eastern European Supermarket 107 Norfolk Street King's Lynn Norfolk Change of use from E(a) (Retail) to Sui-Generis (Hot Food takeaway)	King's Lynn
18.06.2021	06.09.2021 Application Permitted	21/01225/CU	North Lynn Farm Estuary Road King's Lynn Norfolk Change from General Store/Stables to Workshop/Office	King's Lynn
22.06.2021	02.09.2021 Application Permitted	21/01316/F	Springwood High School Queensway King's Lynn Norfolk Proposed extension to existing changing room block.	King's Lynn
05.07.2021	08.09.2021 Application Permitted	21/01364/F	94 Gayton Road King's Lynn Norfolk PE30 4ER Erection of a timber single storey granny annexe for ancillary use to the main dwelling	King's Lynn
08.07.2021	27.08.2021 Application Permitted	21/01392/F	9 Marsh Lane King's Lynn Norfolk PE30 3AD Proposed single storey rear extension.	King's Lynn

16.07.2021	08.09.2021 Application Permitted	21/01439/F	GHR Greatest Hits Radio 18 Blackfriars Street King's Lynn Norfolk Variation of condition 6 of planning permission 21/00960/F The premises shall only be used for the preparation and sale of hot food (including delivery of hot food off site) and ancillary purposes between the hours of 0800 and 2300 Sunday to Wednesday and 0800 to 0200 Thursday to Saturday	King's Lynn
22.07.2021	16.09.2021 Application Permitted	21/01470/LB	White's House 1 St Nicholas Street King's Lynn Norfolk Listed Building Application: Conversion of office back to two dwelling houses - amended design	King's Lynn
26.07.2021	22.09.2021 Application Permitted	21/01523/A	Howdens Joinery St Andrews Court Rollesby Road Hardwick Industrial Estate ADVERT APPLICATION: Retention of 3 x externally illuminated fascia signs	King's Lynn
02.08.2021	27.08.2021 Consultation by Adj Authority	21/01567/CON	Corner House March Road Tipps End PE14 9SN Proposed single storey side extension and front porch	King's Lynn
28.07.2021	21.09.2021 Application Permitted	21/01526/F	25 Station Road Leziate KINGS LYNN Norfolk The construction of a single storey extension at the rear of an existing dwelling.	Leziate

13.04.2021	23.09.2021 Application Permitted	21/00886/F	Land S of 1 Fen Road Upper Marham Norfolk Proposed construction of a sewage pumping station, a rising main, gravity sewers and associated manholes	Marham
14.07.2020	16.09.2021 Application Permitted	20/01013/F	Wrenfield Black Drove Marshland St James Norfolk Permanent permission for existing dwelling on site.	Marshland St James
20.08.2020	03.09.2021 Application Refused	20/01246/FM	Orchard South of School Road Marshland St James Norfolk The use of land for the stationing of caravans for residential purposes, together with the formation of hardstanding and utility/day room ancillary to that use and the use of land for the keeping of horses and the erection of a stable	Marshland St James
08.06.2021	27.08.2021 Application Permitted	21/01132/CU	47 School Road Marshland St James WISBECH Norfolk Change of use of residential dwelling (Use Class C3) to children's care home (Use Class C2)	Marshland St James
11.03.2021	02.09.2021 Application Permitted	21/00474/F	Poppylot Bungalow Southery Road Feltwell Thetford Construction of dwelling and detached garage in connection with existing dog breeding business	Methwold

23.03.2021	02.09.2021 Application Permitted	21/00772/F	The Green Man 1 Whiteplot Road Methwold Hythe Norfolk Proposed extension to form enlarged restaurant to ground floor and additional living accommodation to first and second floors, with various associated alterations	Methwold
21.05.2021	08.09.2021 Application Permitted	21/01023/F	The Yews 10 Buntings Lane Methwold Thetford Variation of Conditions 2 & 4 of Planning Permission 18/01732/F: Construction of two dwellings	Methwold
23.02.2021	15.09.2021 Application Permitted	21/00462/F	Fernhill Bishops Close Blackborough End Norfolk Construction of dwelling within gardens of existing house following removal of existing swimming pool and games room (revised design).	Middleton
23.06.2021	21.09.2021 Application Permitted	21/01323/F	Cedarwood Sandy Lane Blackborough End King's Lynn Construction of first floor extension to bungalow	Middleton
17.03.2021	15.09.2021 Application Permitted	21/00725/RM	1 Bridge Cottages Downham Road Nordelph Downham Market Reserved Matters Application for replacement of Bridge Farm Cottages (two dwellings) with four dwellings	Nordelph
23.06.2021	31.08.2021 Application Permitted	21/01260/F	Chalk Hill Cottage 73 Burnham Road North Creake Norfolk Proposed replacement Entrance Porch to Dwelling house	North Creake

24.06.2021	03.09.2021 Would be Lawful	21/01331/LDP	4 The Paddock Dunns Lane North Creake Fakenham Lawful Development Certificate: Proposed Porch	North Creake
02.07.2021	07.09.2021 Application Permitted	21/01384/F	Tall Trees 32 Rectory Lane North Runcton King's Lynn Variation of Condition 2 of Planning Permission 20/00519/F: Demolition of existing dwelling house and new detached dwelling with inclusive self contained annex and garage along with associated landscape works incidental to the development.	North Runcton
09.07.2021	03.09.2021 Application Permitted	21/01408/F	17 Little London Lane Northwold Thetford Norfolk Construction of replacement dwelling & garage following demolition of existing dwelling & outbuilding	Northwold
20.07.2021	01.09.2021 Application Permitted	19/02192/NMA_2	Seagrass 22 Golf Course Road Old Hunstanton HUNSTANTON NON-MATERIAL AMENDMENT of Planning Permission 19/02192/RM: Reserved Matters Application: New dwelling	Old Hunstanton
19.04.2021	15.09.2021 Application Refused	21/00739/FM	Land SE of Magnola House Hall Road Outwell Norfolk Proposed residential development of 29 units	Outwell

15.06.2021	16.09.2021 Application Permitted	21/01184/F	3 Lakes Langhorns Lane Outwell Wisbech Change of use of agricultural land to residential garden and proposed snooker room	Outwell
23.06.2021	07.09.2021 Would be Lawful	21/01268/LDP	Tippitiwitchet Cottage 3 Hall Road Outwell Wisbech Application for a Lawful Development Certificate to convert garage to a dining room, remove garage door and replace with a window. Door opening knocked through from existing hall way. Back wall of garage knocked through to existing kitchen	Outwell
09.07.2021	03.09.2021 Application Permitted	21/01406/F	56 Church Drove Outwell Wisbech Norfolk REMOVAL OR VARIATION OF CONDITIONS 2, 3 AND 4 OF PLANNING PERMISSION 20/02100/F: Change of use to incorporate new child minding business within existing dwelling	Outwell
11.08.2021	22.09.2021 Prior Approval - Approved	21/01617/PACU3	Agricultural Building NW of Fairview Angle Road Outwell Norfolk Notification for Prior Approval for change of use of agricultural barn to two dwellings (Schedule 2, Part 3, Class Q)	Outwell
16.08.2021	07.09.2021 AG Prior Notification - NOT REQD	21/01664/AG	Meadow Farm Marsh Road Outwell Norfolk Agricultural Prior Notification: Agricultural machinery shed	Outwell

17.06.2021	08.09.2021 Application Permitted	21/01218/F	Land North of School Road Runcton Holme Norfolk VARIATION OF CONDITION 1 of Planning Permission 19/01491/RMM: To amend the design of Plot 10.	Runcton Holme
22.12.2020	15.09.2021 Application Permitted	20/02126/F	The Grange 42 Lynn Road Snettisham King's Lynn Conversion, extension and sub- division of coach house to dwelling	Snettisham
17.06.2021	06.09.2021 Application Permitted	21/01302/F	24A Common Road Snettisham King's Lynn Norfolk Extensions and alterations to dwelling and proposed cart shed	Snettisham
12.05.2021	03.09.2021 Application Permitted	21/00932/F	Meadow Barn 2 Bluestone Farm Barns Bluestone Road South Creake To replace all existing windows and doors, including the main double height sections on the northeast and southwest elevations of the main barn.	South Creake
12.05.2021	03.09.2021 Application Permitted	21/00933/LB	Meadow Barn 2 Bluestone Farm Barns Bluestone Road South Creake To replace all existing windows and doors, including the main double height sections on the northeast and southwest elevations of the main barn.	South Creake
06.04.2021	23.09.2021 Application Permitted	21/00655/F	55 Ullswater Avenue South Wootton King's Lynn Norfolk Proposed Extension to Existing Residential Dwelling	South Wootton

17.06.2021	23.09.2021 Application Permitted	21/01301/F	43 The Birches South Wootton King's Lynn Norfolk VARIATION OF CONDITION 2 AND REMOVAL OF CONDITION 4 of Planning Permission 20/01483/F: To amend the Proposed Block Plan and Remove Condition relating to the retention of existing trees.	South Wootton
18.06.2021	27.08.2021 Application Permitted	21/01224/F	28 Stody Drive South Wootton King's Lynn Norfolk Proposed Extension to existing dwelling house with detached garage	South Wootton
21.06.2021	27.08.2021 Application Permitted	21/01239/F	7 Rushmead Close South Wootton King's Lynn Norfolk Erection of a Porch and Alterations to Existing Dwelling	South Wootton
14.07.2021	07.09.2021 Application Permitted	21/01475/F	Gladwin Lynn Road Stoke Ferry Norfolk Extension to dwelling	Stoke Ferry
20.04.2021	16.09.2021 Application Permitted	21/00942/LB	The Cottage Stow Bridge Road Stow Bardolph King's Lynn Listed building application for alterations to dwelling	Stow Bardolph
29.04.2021	13.09.2021 Application Withdrawn	21/00833/F	Hybrid Farm 246 The Drove Barroway Drove Norfolk Demolition of existing buildings and construction of dwelling and Cattery and Pet Hotel business	Stow Bardolph

28.06.2021	27.08.2021 Application Permitted	21/01299/F	Cat's Protection Cuckoo Road Stow Bridge Norfolk Temporary use (four years maximum) of a pre-built Portacabin for the purposes of using it for an office and private meeting space	Stow Bardolph
29.07.2021	22.09.2021 Was Lawful	21/01532/LDE	The Stockyard Creake Road Syderstone King's Lynn Lawful Development Certificate: Use of the land as garden land associated with The Stockyard	Syderstone
30.07.2021	22.09.2021 Application Permitted	21/01541/F	The Stockyard Creake Road Syderstone King's Lynn Proposed Orangery to west elevation	Syderstone
27.05.2021	22.09.2021 Application Permitted	21/01074/F	67 Marsh Road Terrington St Clement King's Lynn Norfolk Alteration and conversion of integral garage with first floor extension above.	Terrington St Clement
13.07.2021	21.09.2021 Application Permitted	21/01423/F	6A The Saltings Terrington St Clement King's Lynn Norfolk Retrospective Construction of a garage	Terrington St Clement
17.09.2021	23.09.2021 Tree Application - No objection	21/00194/TREECA	Greenwoods High Street Thornham Hunstanton Trees in a Conservation Area: T1 - Robinia - fell and T2 - Robinia - Reduce crown by approx 2 meters. Reshape	Thornham
06.07.2021	27.08.2021 Application Permitted	21/01379/F	Parish Cottage Shepherds gate Road Tilney All Saints King's Lynn erection of detached car port (retrospective)	Tilney All Saints

01.06.2021	20.09.2021 Application Withdrawn	21/01089/LDP	Duncans Farm Bungalow Lynn Road Tilney All Saints King's Lynn Certificate of Lawfulness: Lowering of kerb and footpath and crossing over of dyke to create new access	Tilney St Lawrence
01.06.2021	08.09.2021 Application Permitted	21/01213/F	107 High Road Tilney cum Islington Norfolk PE34 3BJ First floor extension to dwelling	Tilney St Lawrence
02.03.2021	22.09.2021 Application not required	21/00398/F	Willow Farm Cock Fen Road Lakes End WISBECH Variation of Condition 2 of Planning Permission 16/01990/F: Proposed barn conversion to dwelling	Upwell
22.03.2021	16.09.2021 Application Permitted	21/00557/F	Land North East of 73 St Peters Road Upwell Norfolk Part single storey, and part two storey dwelling with detached double garage	Upwell
31.03.2021	03.09.2021 Application Permitted	21/00805/F	Flint House Barn Flint House Road Lott's Bridge Three Holes Proposed Ground Floor Extension Annex	Upwell
22.06.2021	16.09.2021 Application Permitted	21/01247/F	Bridge View Main Road Three Holes Wisbech Erection of new single storey oak framed porch to the front elevation of the property	Upwell
17.05.2021	07.09.2021 Application Permitted	21/00968/F	2 Thomas Close Watlington King's Lynn Norfolk Front and Rear extension to dwelling.	Watlington

12.07.2021	09.09.2021 Application Permitted	21/01417/F	3A Thomas Close Watlington King's Lynn Norfolk single storey extension to rear of semi-detached dwelling	Watlington
20.07.2021	09.09.2021 Application Permitted	21/01505/F	27 Mill Road Watlington King's Lynn Norfolk Extension and Alterations together with retention of outbuilding.	Watlington
06.08.2021	16.09.2021 Application Permitted	21/01574/F	Holme Oak Stoke Road Wereham King's Lynn Site access to be widened from site boundary and to utilise the existing drop kerb to allow for improved access	Wereham
13.07.2021	17.09.2021 Application Permitted	21/01429/F	Abbey Fields Station Road West Dereham King's Lynn Demolition of existing conservatory, addition of side a rear extension and replacement windows.	West Dereham
12.04.2021	16.09.2021 Application Permitted	21/00703/F	38 School Road West Walton Wisbech Norfolk Construction of manege, lighting and fencing	West Walton
14.05.2021	27.08.2021 Application Permitted	21/00959/F	19 St Pauls Road North Walton Highway Norfolk PE14 7DN First floor extension forming master suite over existing kitchen/dining area	West Walton

22.06.2021	16.09.2021 Application Permitted	21/01255/F	Marshland High School 69 School Road West Walton Wisbech Proposed construction of new canopy to technology block and associated works	West Walton
25.06.2021	21.09.2021 Application Permitted	21/01290/F	4B St Pauls Road North Walton Highway Norfolk PE14 7DN Proposed first floor side extension to dwelling, above existing single storey garage.	West Walton
28.07.2021	22.09.2021 Application Permitted	21/01516/F	25 St Pauls Road North Walton Highway Norfolk PE14 7DN Proposed first floor extension, internal alterations and garage. (REDESIGN)	West Walton
03.06.2020	27.08.2021 Application Permitted	20/00783/F	Woodside Barn Lynn Road Setchey King's Lynn Alterations and conversion to existing barn into a dwelling	West Winch
19.03.2021	09.09.2021 Application Permitted	21/00548/F	B E Beers Europe Garage Lane Setchey Norfolk Completion and retention of alterations to the existing building to accommodate increased sales floorspace, creation of offices, cafe, bar and lounge seating with associated external seating, play area, landscape works and parking (following demolition of redundant building)	West Winch
01.06.2021	16.09.2021 Application Permitted	21/01219/F	20 Row Hill West Winch King's Lynn Norfolk Extensions to dwelling	West Winch

06.07.2021	27.08.2021 Application Permitted	21/01414/F	2 Birch Grove West Winch King's Lynn Norfolk Proposed extension and alterations	West Winch
12.07.2021	09.09.2021 Application Permitted	21/01460/F	5 Birch Grove West Winch King's Lynn Norfolk Retention of timber outbuilding as craft/hobby room incidental to the residential use of the dwelling	West Winch
01.06.2021	09.09.2021 Application Permitted	21/01212/F	Barley Twist 1 St Peters Road Wiggshall St Germans Norfolk Demolition of existing single storey extension with New Single storey rear side extension.	Wiggshall St Germans
16.07.2021	08.09.2021 Application Permitted	21/01440/F	5 Clover Walk Wiggshall St Germans King's Lynn Norfolk Proposed single storey rear extension.	Wiggshall St Germans
11.02.2021	21.09.2021 Application Permitted	21/00253/F	Plots 7, 8 & 9 Land South of 85 Stow Road Stow Road Wiggshall St Mary Magdalen REMOVAL OR VARIATION OF CONDITION 1 OF PERMISSION 19/01124/RM: Reserved matters application, construction of 9 dwellings	Wiggshall St Mary Magdalen
18.08.2021	09.09.2021 Application Permitted	19/01179/NMA_1	West View 37 Stow Road Wiggshall St Mary Magdalen King's Lynn NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 19/01179/F: Demolition of existing bungalow and replacement with 2 No three bedroomed houses	Wiggshall St Mary Magdalen

18.03.2021	16.09.2021 Application Permitted	21/00745/F	2 Church Road Wimbotsham King's Lynn Norfolk Replacement fence to Low Road	Wimbotsham
07.07.2021	01.09.2021 Application Permitted	21/01388/F	9 Bridle Lane Downham Market Norfolk PE38 9QZ REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 20/00651/F: Development for 3 no. five bedroom detached houses	Wimbotsham
09.07.2021	03.09.2021 Application Permitted	21/01407/F	11 Southside Wimbotsham King's Lynn Norfolk Single storey extension to front of bungalow	Wimbotsham