

Our ref: 17/01008/F  
 Planning Officer: Mrs H Morris  
 Council Information Centre: 01553 616200 Option 3  
 E-mail: borough.planning@west-norfolk.gov.uk

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



Borough Council of King's Lynn And West Norfolk  
 c/o Norfolk County Council  
 Miss Alisa Magar  
 Martineau Lane  
 Norwich  
 NR1 2DH

Environment, Transport &  
 Development Dept

**Geoff Hall**  
 Executive Director

**Environment and Planning**

11 SEP 2017

7 September 2017

Dear Sir / Madam

**Decision Date:** 6 September 2017  
**Development:** Construction of three new access roads off the southern end of Hardings Way and relocation of bus gate  
**Location:** Hardings Way King's Lynn Norfolk  
**Applicant:** Borough Council of King's Lynn And West Norfolk

**Town & Country Planning Act 1990**

**PLEASE FIND ATTACHED A COPY OF YOUR PLANNING PERMISSION FOR THE ABOVE PROPOSED DEVELOPMENT. HOWEVER, YOU SHOULD READ THE NOTES BELOW AS FAILURE TO COMPLY WITH CONDITIONS IMPOSED ON THE ATTACHED PLANNING PERMISSION COULD RENDER THE DEVELOPMENT UNAUTHORISED OR REQUIRE THE SUBMISSION OF A FURTHER FORMAL APPLICATION**

1. This planning permission is granted in strict accordance with the approved plans. It should be noted that:
  - a) Any variation from the approved plans following commencement of the development may constitute unauthorised development and may be liable to enforcement action.
  - b) You or your agent or any other person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised as to the best method of resolving the matter. This may require the submission of a new formal application.
2. We have a formal process for discharging conditions which involves completing a form or writing to us with sufficient information to allow us to fully assess the information, and submitting an appropriate fee. The form can be downloaded from our website at <http://www.west-norfolk.gov.uk/Default.aspx?page=24452> or you can request a form to be sent to you. Although there is a national target of 8 weeks to deal with these requests we will endeavour to deal with these sooner, particularly the more straightforward requests.
3. This permission is granted subject to conditions and it is the site owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
4. If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development, this is called a "condition precedent". If a condition precedent is not complied with, this may render the whole of the development unauthorised and you may be liable to enforcement action or need to submit a further formal application.
5. If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Building Regulations can be obtained from CNC Building Control who provide the Building Control service for the Borough of Kings Lynn & West Norfolk. Their telephone number is 0808 168 5041 or [enquiries@cncbuildingcontrol.gov.uk](mailto:enquiries@cncbuildingcontrol.gov.uk) and their website is [www.cncbuildingcontrol.gov.uk](http://www.cncbuildingcontrol.gov.uk).
6. If your development results in the need to have a new address then you are advised to do this as soon as the development commences. The application form and fee schedule is available on our website <http://www.west-norfolk.gov.uk/default.aspx?page=23895>. Alternatively, you can email the Address Management Team at [snn@west-norfolk.gov.uk](mailto:snn@west-norfolk.gov.uk) for more information.

Yours faithfully

Executive Director  
 Environment and Planning

King's Court, Chapel Street, King's Lynn, Norfolk PE30 1EX  
 Tel: (01553) 616200; fax: (01553) 691663  
 DX 57825 KING'S LYNN

Chief Executive – Ray Harding



**ENVIRONMENT AND PLANNING**

*King's Court, Chapel Street, King's Lynn, Norfolk PE30 1EX*

Tel: (01553) 616200  
Fax: (01553) 616652  
DX: 57825 KING'S LYNN  
e-mail: borough.planning@west-norfolk.gov.uk

**NOTICE OF DECISION - GRANT OF PLANNING PERMISSION**

Borough Council of King's Lynn And West Norfolk  
c/o Norfolk County Council  
Miss Alisa Magar  
Martineau Lane  
Norwich  
NR1 2DH

Reference No: 17/01008/F  
Application  
Registered: 2 June 2017  
Parish: King's Lynn

Details: **Construction of three new access roads off the southern end of Hardings Way and relocation of bus gate at Hardings Way King's Lynn Norfolk**

The Town and Country Planning Act 1990 (as amended)  
*The Town and Country Planning (Development Management Procedure) (England) Order 2015*

**Permission is granted** for the carrying out of the development referred to above in accordance with the application and plans submitted **subject to compliance with the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: drawing nos. PK6062-HP1-002C and PK6061-HP1-004.
3. No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
4. No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority.
5. Prior to the use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing no. PK6062-HP1-002C) in accordance with the appropriate highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
6. Prior to the commencement of the use hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
7. Prior to the commencement of any works a Construction Traffic Management Plan which shall include information regarding the secure fencing to be used and retained at all times during construction to stop any access to Hardings Pits shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority.
8. For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the Construction Traffic Access Route and no other local roads unless approved in writing with the Local Planning Authority.

9. Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing number PK6062-HP1-002C and to include information regarding secure fencing have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
10. Prior to the commencement of the use hereby permitted the off-site highway improvement works referred to in condition 9 shall be completed to the written satisfaction of the Local Planning Authority.
11. No works shall commence on the site until the Traffic Regulation Order for the amendment to the bus only route has been secured by the Highway Authority.

The Reasons being:

1. 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. For the avoidance of doubt and in the interests of proper planning.
3. To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.
4. To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
5. To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
6. In the interests of highway safety.
7. In the interests of maintaining highway efficiency and safety.
8. In the interests of maintaining highway efficiency and safety.
9. To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
10. To ensure that the highway network is adequate to cater for the development proposed.
11. In the interests of highway safety.



Executive Director, Environment and Planning  
On behalf of the Council  
6 September 2017

1. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer. If required, street furniture will need to be repositioned at the Applicants own expense.

Please note that any conditions that may be attached to this decision notice form an integral part of the permission. Failure to comply with any conditions could lead to enforcement action or the need to submit a further formal application.

In accordance with the NPPF, in determining this application for planning permission, the Borough Council has approached it in a positive and proactive way, and where possible has sought solutions to problems to achieve the aim of approving sustainable development. As such the development hereby approved is considered to represent sustainable development.

The case officer who dealt with this application was Mrs H Morris, telephone number 01553 616481.

### Notes relating to decisions on planning applications:

1. This permission refers only to that under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw order or regulation.
2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to The Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990. Appeals must be made within 6 months unless subject to an enforcement notice (see below). (Appeals must be made on a form which is available from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, telephone 0303 4445000). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (\*), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority is based on a decision given by him.

Appeal time limits where the same development is subject to an enforcement notice

- 28 days from the date of the refusal or the expiry of the period which the local planning authority (LPA) had to determine the application, where the enforcement notice is served before the application is submitted;
  - 28 days from the date of the refusal or the expiry of the period which the LPA had to determine the application, where the enforcement notice is served before the decision on the application is reached or the determination period has expired; or
  - 28 days from the date the enforcement notice is served, where the enforcement notice is served after the decision or expiry of the period which the LPA has to reach a decision on the application, unless the effect would be to extend the period beyond the usual time limit for cases not involving an enforcement notice.
  - These time limits apply where an enforcement notice has been served no more than two years before the date of the application or where it is served on or after the date of the application, regardless of whether an appeal was lodged against the enforcement notice and provided the notice is not withdrawn prior to the expiry of the time limits outlined above.
3. If permission to develop land is refused or granted subject to conditions, whether by the local authority or by the Secretary of State of the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has or would be permitted, he may serve on the Council or the county district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
  4. In certain circumstances, a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

(\*) The Statutory requirements are those set out in Section 76(6) of the Town and Country Planning Act 1990 namely section 70 and 72(1) of the Act.

#### 5. Time Limits for Appeals

Householder planning applications against refusal or to remove/amend conditions = 12 weeks  
Minor Commercial and Advertisement Consent Appeals = 12 weeks  
All other appeals = 6 months

For more information please see website: <http://www.planningportal.gov.uk/planning/appeals>



## After Planning comes Building Control

Building Control is a statutory requirement on the vast majority of building projects (including internal alterations and conversions) irrespective of whether planning permission has been required or not.

It is the process of ensuring projects are completed in accordance with the building regulations and exists to ensure that the safety and well-being of any person is not compromised by changes or work that takes place.



CNC Building Control can help in numerous ways, including:

- Technical input and pre-submission advice
- Guidance on applying for and registering an application
- Becoming part of your design team
- Ensuring projects are completed timely and to budget, including providing advice and guidance on related facets such as energy reports, acoustic issues, air tightness testing and fire strategy.

In essence, CNC will support you through your project from pre-planning and commencement all the way to project completion and issuing of certification.

For more information or to obtain a quotation, please use one of the following:

Email – [quotations@cncbuildingcontrol.gov.uk](mailto:quotations@cncbuildingcontrol.gov.uk)

Phone – 0808 168 5041

CNC Building control provides the statutory building control functions for the Local Authority areas of Kings Lynn and West Norfolk, Fenland, South Norfolk, Norwich City, and Broadland.



Borough Council of  
King's Lynn &  
West Norfolk



NORWICH  
City Council

