

DEVELOPMENT SERVICES

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NOTICE OF DECISION - GRANT OF PLANNING PERMISSION

Mrs P Copeman
c/o Peter Humphrey Associates _Wisbech
30 Old Market
Wisbech
Cambs
PE13 1NB

Reference No: 10/02089/F
Application
Registered: 15 December 2010
Parish: Welney

Details: **Demolition of existing timber pavilion and construction of new village hall including replacement sports facilities and associated works at Land East of 2 Hurn Drove Welney Norfolk**

Town and Country Planning Act 1990
Town and Country Planning (General Development Procedure) Order 1995 (as amended)

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 no's 4451 (P) 11 rev C and 4451 (P) 12 rev D received 14/03/2011.
3. No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
4. Prior to the installation of any outdoor lighting, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained.
5. Prior to the commencement of the use hereby permitted, the vehicular access (Hurn Drove with March Road) shall be hard surfaced/widened to a minimum width of 4.8m at a gradient of no more than 1:12 in accordance with the Norfolk County Council access construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway (March Road).
6. Prior to the commencement of any development, a scheme for the provision and implementation of Flood Proofing Measures shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
7. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:
 1. Provision of a flood warning system. The applicant should sign on to the Environment Agency's Flood Warning Service as recommended in section 8.3 of the submitted FRA.
 2. Finished floor levels shall be set no lower than 500mm above surrounding ground level unless otherwise approved in writing by the LPA.

8. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
9. Prior to the first occupation of the development hereby permitted the proposed on-site car parking shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
10. No development shall commence on the site until a scheme to protect the local residents from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use.

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 that there is a satisfactory means of drainage serving the site.
4. In the interests of minimising light pollution and to safeguard the amenities of the locality.
5. In the interest of highway safety and traffic movement.
6. To protect the property against flooding in extreme circumstances.
7. To ensure adequate provision of flood warning mechanism/evacuation in order to protect life and property on, and in the vicinity of, the application site and to reduce the impact of flooding on the proposed development and future occupants.
8. To prevent the increased risk of pollution to the water environment.
9. To ensure the permanent availability of parking in connection with the use, in the interests of highway safety and in accordance with Policy T2 of the Norfolk Structure Plan (1999).
10. To ensure that the amenities of future occupants are safeguarded.

NOTE

The Local Planning Authority has had regard to the provisions of the Development Plan comprising the East of England Plan (2008), the remaining saved policies from the Norfolk Structure Plan, 1999, and the saved policies from the King's Lynn & West Norfolk Local Plan, 1998, so far as they are material to the application, to national policy guidance & statements, and to all other material considerations. In this particular case, the following were specific reasons for approving this application:

The Local Planning Authority considers that the proposed development is acceptable in terms of its impact on neighbouring amenity and the local highway network, whilst the form and character of the building would be complimentary to neighbouring dwellings.

In approving the application the following Development Plan Policies and national planning policy guidance and statements were identified as being particularly relevant to the proposal:

NATIONAL GUIDANCE

PPS1 - "Delivering Sustainable Development" (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS7 - "Sustainable Development in Rural Areas" (2004) aims to promote sustainable patterns of development in rural areas and contains specific advice on the consideration of applications for agricultural dwellings.

PPG13 - "Transport" (2001) aims to integrate planning and transport, promote sustainable forms of development, improve accessibility by public transport, walking and cycling, and reduce the need to travel, especially by car.

PPG17 - "Planning for Open Space, Sport and Recreation" (2002) contains advice on the consideration of proposals in rural areas.

PPS23 - "Planning and Pollution Control" (2004) contains guidance on the consideration of land, air and water quality issues, the pollution control regime, and the development of contaminated land.

PPS25 - "Development and Flood Risk" (2006) provides advice on land-use planning and flooding considerations.

EAST OF ENGLAND PLAN

Policy SS1: Achieving Sustainable Development - The strategy seeks to bring about sustainable development by applying the guiding principles of the UK Sustainable Development Strategy 2005, the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All:

Policy WAT4: Flood Risk Management - States that the priorities are to defend existing properties from flooding and locate new development where there is little or no risk of flooding.

PLANNING POLICIES

The Norfolk Structure Plan (1999) contains the following policies that are relevant to this application:

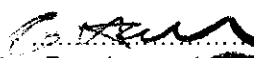
T.2 - requires that the traffic implications of new development are assessed.

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

4/21 - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

9/14 - states that development resulting in the permanent loss of open space and amenity land will be resisted unless alternative provision of an equivalent value can be made.

OTHER GUIDANCE


Executive Director, Development Services
On behalf of the Council
19 May 2011

1. INFORMATIVE

Your attention is drawn to the attached letter from the Environment Agency.

2. This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

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. Please note that it is the applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Control Group. Please contact Richard Smith on tel. 01603 638010.

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.

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.

The case officer who dealt with this application was Mr K Wilkinson, telephone number 01553 616794.

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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 0117 372 6372). 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.
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.