



**Planning Committee**  
**Tuesday, 9th January, 2024 at 9.30 am**  
**in the Assembly Room, Town Hall, Saturday Market**  
**Place, King's Lynn PE30 5DQ**

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

1. **Receipt of Late Correspondence on Applications (Pages 2 - 14)**

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

**Contact**

Democratic Services  
Borough Council of King's Lynn and West Norfolk  
King's Court  
Chapel Street  
King's Lynn  
Norfolk  
PE30 1EX  
Tel: 01553 616394  
Email: [democratic.services@west-norfolk.gov.uk](mailto:democratic.services@west-norfolk.gov.uk)

**PLANNING COMMITTEE**

**9 January 2024**

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

**Item No. 9/1(a) 23/00605/O**

**Page No. 14**

**Third Party: SUPPORT** on the following grounds:

- It sits well within the surrounding area, it provides homes for singles/couples either young or senior and, most importantly, commercial space which is desperately lacking in Stoke Ferry.
- Commercial spaces would be ideal for a replacement post office and a convenience store, which the village has never had.
- Every element of the application fits perfectly with the requirements and wishes of the NP.
- It is inexplicable why Stoke Ferry Parish Council should object to a development which complies so neatly with its own Neighbourhood Plan and seek to deny its electorate facilities which every village would want.
- The PC's suggestion that the land should be a 'green space' does not fit with its own assertion that the land is contaminated since if it were, it could not be used by residents because of the health risk. Even if it were possible to use the land as such despite the inevitable high costs of purchase and maintenance to village taxpayers, the utility of green space to the village as a whole is surely eclipsed by the far greater utility of affordable, suitable homes, convenience store and post office.
- This is probably the last chance that Stoke Ferry has to gain a post office and convenience store within the village since all other development sites are designated exclusively for housing. The opportunity to provide this great benefit to Stoke residents, and residents of surrounding satellite villages, and others, should be enthusiastically grasped, and I request that the Planning Committee follows the recommendation of the Planning Officer and approves the application.

**Natural England: NO OBJECTION** subject to GIRAMS payment.

**NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION** This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for the following European designated site, Norfolk Green Infrastructure and Recreational Disturbance Avoidance and Mitigation Strategy (GIRAMS). It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment. Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development.

**Environmental Quality:** Additional detail has been provided to the applicant on what information would be needed to satisfy the requirements of the recommended conditions.

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## CORRECTIONS:

There is an NPPF update on p.29, under 'Neighbour Amenity'. The sentence should read: 'Paragraph 193 of the NPPF....'

### Assistant Director's comments:

In relation to additional representations received, while these are noted no changes are proposed to the scheme or to the proposed conditions as a result of these.

It is necessary to update references to the most recent National Planning Policy Framework document published on 19 December 2023.

Item No. 9/2(a) 23/01475/FM

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**Applicant (summarised):** We respond to each of the 7 points raised by the Tree Officer in turn:

1. *"There is a slight incursion into the minimum root protection area of T3 sycamore adjacent to the proposed play area and car parking".*

This is a self-set multi stemmed tree on neighbouring land. As with all the trees on this boundary they have grown up against the old flint wall. The proposed car parking area has been sited as far away as possible from it. The extent of the "incursion" is minimal.

2. *"The gable end wall of plot number 11 is proposed to be constructed within the minimum root protection area of T5 Horse Chestnut; the tree will require pruning to make space for construction work. Post development this tree is likely to be under constant pressure for pruning and or removal".*

As above, although Ravencroft felt this was a higher quality tree which is why we have taken extra care to design around it.

3. *"Construction activity is likely to need to be carried out within the root protection area of T6 and T7 and their crowns are recommended to be laterally pruned to make space for development work, this indicates the buildings are too close."*

As with the trees referred to above, these are multi stemmed self-set and tight on the boundary wall. They are not high value trees and we are not building too close to them, see RPA below.

4. *"There is an incursion with the minimum root protection areas for T14 Sweet Chestnut and T15 Sycamore for parking hard surfacing for plot 1. The trees are very close to this property, the edge of the crown of T15 will be within 3 metres of the new dwelling. One of the car parking spaces will be partly beneath the crown of the sycamore tree T15, and any vehicles parked here will suffer from honeydew drop, fruit and leaf fall. The detached 3 bed property is shown as having PV panels on the south facing roof. PV Panels in this location will be shaded out by T14 and T15 especially when in leaf, this will impact the capability of these panels. The whole of the main roof of this property will be shaded by these trees and there will be an impact on the amount of light reaching the front sitting room because of the location and orientation of this house so close to the existing trees."*

As confirmed within the submitted AIA, a "no-dig" solution will be used. The real issue with these two trees, albeit they are the better trees on the site, is that they are too close to existing buildings.

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The owner of Crown House (who also own the barn) have already expressed concern that the low level branches are damaging his roof. The trees are also damaging the retaining wall for All Saints Lodge. Some tree work is therefore required regardless of the proposals. Clearly the buildings and wall must predate the trees.

5. *“A new access hard surface is proposed within the minimum root protection area of T1 willow. The level of change around the tree is such that the desire to see this tree retained may be misplaced. In the long term it would be unsuitable in this location and without extensive engineering roots are likely to create disturbance to adjacent surfaces.”*

This is another self-set tree. Against an existing old brick wall (which it is assumed is of the same date as the wall abutting the highway). We could have removed it but Ravencroft felt that it would be good to retain if we could, therefore we did. It is considered the existing wall has a greater impact on the tree than the development proposals.

6. *“A small area of the village hall car park surface will be within the minimum root protection area of off-site trees listed as G1 self-set ash.”*

As previously stated, there is an extant approval for this allocated site with the village hall car park in this location. The comment from the tree officer also ignores the fact that there is an existing difference in level between the sites, with the application site being lower.

7. *“Gardens of plot numbers 5, 7, and 8, will be dominated by existing broad crowned horse chestnut trees, and to a lesser extent plot 6.”*

This is not considered to be the case, the dwellings have ample amenity space that is not affected by the trees.

#### **CORRECTIONS:**

There is an NPPF update on p.59, under ‘Archaeology’. The sentence should read: ‘...in accordance with the National Planning Policy Framework (2023), Section 16: Conserving and enhancing the historic environment, para 211.’

#### **Assistant Director’s comments:**

In relation to comments made by the applicant, while these are noted no changes are proposed to the scheme or to the proposed conditions.

It is necessary to update references to the most recent National Planning Policy Framework document published on 19 December 2023.

Amendments have been made to conditions following discussions with the applicant regarding the timely delivery of the site. In order to provide clarity and avoid duplication with other conditions and also with the Section 106 agreement, the recommended conditions have been amended as set out below:

#### **Amended Condition schedule:**

#### **Conditions 1 and 2 remain as per p.61**

3. Condition: No works shall commence on the site, other than up to slab level on plots 1, 2, 3, 27, 28 and 29 accessed via Lynn Road, until such time as detailed plans of the roads,

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footways, 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.

3. Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with policy CS11.

**Conditions 4, 5 and 6 remain as per p. 62**

7. Condition: 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 unless otherwise approved in writing with the Local Planning Authority.

7. Reason: In the interests of maintaining highway efficiency and safety in accordance with policy CS11.

8. Condition: Prior to the first use/occupation of the development hereby permitted the Traffic Regulation Order for waiting restrictions on Lynn Road shall have been secured by the Highway Authority.

8. Reason: In the interests of highway safety in accordance with policy CS11.

9. Condition: No demolition/development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.

9. Reason: To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.

10. Condition: No demolition/development shall take place other than in accordance with the written scheme of investigation approved under condition 9 and any addenda to that WSI covering subsequent phases of mitigation.

10. Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.

11. Condition: The development shall not be occupied or put into first use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 9 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

11. Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.

12. Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management (LCRM).

12. Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

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

13. Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

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

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

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

15. 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 the requirements of condition 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14.

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

16. Condition: Notwithstanding the details on the submitted plans hereby approved 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.

16. Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

17. Condition: Notwithstanding the details hereby approved prior to first occupation/use of the development hereby permitted, full details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

17. Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

18. Condition: Notwithstanding the approved details no development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

18. Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

19. Condition: Prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority.

a, Hard landscape works, to include but not be limited to, finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts, boundary types, and any paved surfaces (including manufacturer, type, colour and size) underground modular systems, and sustainable urban drainage integration (see detailed design proposals for street trees planting pits/trenches at ii)

b. Soft landscape works, to include planting plans (which show the relationship to all underground services overhead lighting and the drainage layout), written specifications (including cultivation and other operations associated with plan and grass establishment), schedules of plants noting species, plant sizes, proposed numbers and densities, tree planting details including method of staking, and irrigations, detailed design proposals for street trees planting pits/trenches including, but not limited to, locations, soil volumes in cubic metres, cross sections and dimensions.

19. Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.

20. Condition: All hard and soft landscape works shall be carried out in accordance with the details approved in condition 19. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

20. Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

21. Condition: The development shall be implemented in accordance with the recommendations of the 'Bat Ecological Impact Assessment of Land at Lynn Road' carried out by TORC Ecology and dated 12 July 2023.

21. Reason: In the interests of protected species in accordance with the NPPF and Policy CS12.

22. Condition: Prior to the installation of any external lighting a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting, the extent/levels of illumination over plots, 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.

22. Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and policy SF13.

23. Condition: Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

23. Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land uses in line with the NPPF and the EA Groundwater Protection; Principles and Practice.



24. Condition: Prior to commencement of development a detailed Construction Management Plan must be submitted to and approved in writing by the Local Planning Authority. This must include details of on-site parking for construction workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period. It should also include proposed timescales and hours of the construction phase, deliveries/collections and piling. The scheme shall also provide the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound, the location of contractor parking, the location and layout of the materials storage area, machinery storage area and waste & recycling storage area, proposed attenuation and mitigation methods to protect residents from noise, dust and litter and communication methods to the wider community regarding the construction phases and likely disruptions. If piling is required, full assessment of noise and vibration impacts should be included. The scheme shall be implemented as approved.

24. Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

25. Condition: 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. Piling on site shall only be carried out between the hours of 0900 and 1700 weekdays.

25. Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

26. Condition: Notwithstanding the details already submitted, 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 unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.

26. Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.

27. Condition: The development shall not be brought into use until a scheme for a fire hydrant has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.

27. Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.

28. Condition: The development hereby approved shall be constructed fully in accordance with the recommendations and specifications identified in the Environmental Noise Assessment for a Proposed Residential Development at Lynn Road, Stoke Ferry, Report No.JG/J3726/18417 (dated July 2023):

- Gardens should be surrounded by 1.8 m close-boarded fences (with a minimum surface density of 10kg/m<sup>2</sup> ), with the exception of plots 27-29, where a 2.5 m tall barrier/close[1]boarded fence fences (with a minimum surface density of 10kg/m<sup>2</sup> ) should be erected.

- Double glazing fitted with compression seals should be built into all bedrooms and living rooms. The weighted sound reduction index of the windows should be no lower than  $R_w = 32$  dB.
- In plots 26-29 a Type 4 ventilation system should be installed, without trickle vents or in-wall vents in bedrooms.

28. Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.

29. Condition: No works or development shall take place until a scheme for the protection of the retained trees (section 5.5, BS 5837:2012, the Tree Protection Plan) has been approved in writing with the Local Planning Authority. This scheme shall include:

- a, a site layout plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (section 4.6 of BS5837:2012) of every retained tree on site and on neighbouring or nearby ground to the superimposed on the layout plan. The positions of all trees to be removed shall be indicated on this plan.
- b, a schedule of tree works for all the retained trees in paragraphs (a) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Recommendations for tree work.
- c, the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers, (section 6.2 of BS5837:2012), to form a construction exclusion zone, and the type and extent of ground protection (section 6.2.3 of BS5837:2012) or any other physical tree protection measures, such as tree boxes. These details are to be identified separately where required for different phases of construction work (e.g., demolition, construction, hard landscaping). Barrier and ground protection offsets should be dimensioned from existing fixed points on the site to enable accurate setting out. The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection. The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- d, the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7 of BS5837:2012). the details of the working methods to be employed with regard to site logistics including, the proposed access and delivery of materials to the site; space for storing materials spoil and fuel, and the mixing of cement; contractor car parking; site huts, temporary latrines (including their drainage), and any other temporary structures.

All tree protection shall be carried out in complete accordance with the approved details.

29. Reason: To ensure the existing trees within the development site are suitably protected throughout the demolition and construction phases of this development in accordance with the NPPF.

30. Condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no new windows/dormer windows (other than those expressly authorised by this permission) or no enlargement of the dwellinghouse consisting of an addition or alteration to its roof shall be allowed on plot 1 on the eastern or southern elevations of the dwelling without the granting of specific planning permission.

30. Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.

31. Condition: Prior to the occupation of the penultimate dwelling, the estate road shall be constructed and finished to an adoptable standard in accordance with detailed road plans and specifications approved under Condition 3.

31. Reason: To ensure that the proposed access road is completed to a satisfactory level within a reasonable timeframe, for the avoidance of doubt and in the interests of proper planning in line with the NPPF and Policies CS11 and DM15 of the Local Plan.

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**Parish Council: OBJECT**

- The development will not cope in a high rainfall event, leading to more localised flooding.
- Site lies outside development area as indicated on the SADMP 2016.

**Third Party: 2 letters of OBJECTION regarding:**

- Blatant disrespect of planning rules applying retrospectively and continuing to build.
- Contrary to the officer report, bats exist in quite large numbers as we often see them.
- Owls referred to in previous comment were tawny owls, not barn owls, which have bred in owl boxes in garden of the Firs.
- Not happy with dogs being exercised within 3m of boundary for The Firs.
- Astonished that licence has been granted before planning permission.
- Officer report refers to the site as being outside the development boundary, however the development plan clearly shows the site inside the development boundary and therefore should be regarded as residential, not countryside.
- Dogs would be allowed to foul within 1.5m of the boundary for Carillson. Could potentially lead to contamination of vegetable garden.
- Development would restrict ability to use garden of Carillson. Play equipment accidentally going over the fence may be a hazard to the dogs.
- Site would be a fire risk due to use of wood materials and lots of trees with no easy access for a fire engine and no nearby fire hydrant.
- Most people in the area are elderly and do not have access to a computer, so are effectively isolated from the application making it difficult to express their views.
- Policy DM15 states that proposals should avoid detrimental impact on the amenity of new or existing residents. Developments that are likely to impact on residential amenity should be sited away from residential areas. Lastly, development that has a significant adverse impact on amenity will be refused.

**Assistant Director's comments:** Regarding surface water drainage, the proposed building occupies a relatively small footprint and the runs are not hard-surfaced. Furthermore, the proposed kennel building benefits from its own surface water drainage in the form of a soakaway as shown on the proposed site plan. Overall, it is considered the development would not have any significant implications in terms of surface water drainage.

The Parish Council correctly identify that the land containing the proposed kennel building lies outside the development boundary. A third party comment states that the site lies inside the development boundary and should therefore be considered as residential land, not agricultural. The maps contained within the Local Plan document are constrained in their accuracy due to being presented at a wide-reaching scale. While being located in the countryside and being used as garden are not mutually exclusive, in this particular case the donor dwelling and its immediate

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rear garden are within the development boundary of Outwell, while the land further to the rear of the dwelling where the proposed kennel building is sited is not within the development boundary.

Licensing is a separate legislative regime and therefore planning permission is not a pre-requisite for granting a dog breeding licence. The development would not result in any significant fire risk sufficient to be material to the consideration of the application or above what could be expected in a residential garden with outbuildings. The management plan sets out that dog waste is routinely picked up and bagged to be collected by a waste collection company. As such, the use of the site for dog kennels and dog breeding would not be likely to result in any significant land contamination.

A third party has re-iterated that bats are often seen in the area. The buildings on site are considered to have negligible/no potential for roosting bats. However, the site is likely to be used by commuting and foraging bats which would not be significantly affected as a result of the development. Tawny Owls do not benefit from any additional protection above that afforded by the Wildlife and Countryside Act 1981. It is considered the proposed development would not result in any direct impact and would otherwise be sufficiently covered by the alternative legislation outside of planning.

Regarding concerns over the accessibility of expressing views for members of the public who may not have access to a computer, occupiers immediately adjoining the site are sent a letter notifying them of the planning application and a site notice is posted in a public place near to the site. This fulfils the Council's statutory duty to consult with members of the public. The Council accepts comments sent in the post and therefore it is not necessary to use a computer to express views.

**Item No. 9/3(c) 23/01693/F**

**Page No. 97**

**CORRECTIONS:**

There are NPPF updates as follows-

Page 104 under 'Principle of Development'. The sentence should read 'The applicant refers to the NPPF paragraph **84**...'

Page 105, under 'Conclusion'. The sentence should read: 'The applicant fails to meet any of the requirements of paragraph **84** of the NPPF....'

Page 106, under 'REFUSE for the following reason'. The reason should read: 'The scheme fails to meet the required criteria of paragraph **84** of the NPPF.'

**Assistant Director's comments:**

It is necessary to update references to the most recent National Planning Policy Framework document published on 19 December 2023.

**Item No. 9/3(e) 22/01857/F**

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**CSNN:** Further to all my previous comments raising concerns over the proposals for Ford Cottage, I note that there have not been any further revisions to the proposal or the plans.

I still cannot see why the ground floor layout remains more in the style of an area which lends itself to public/open access; for example, with toilet provision in each of the four guest rooms, only one toilet (which would not need to be an accessible toilet given there is no accommodation provision (despite my recommendation) for accessible room/s) would be required on the ground floor, rather

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than three. Three toilets indicates a greater use, and also use for people not residing in Ford Cottage. There remains space for larger numbers of guests than the eight persons accommodation provided at Ford Cottage. This raises concerns that the five rooms in The Stag will also be accommodated for breakfast in Ford Cottage, which could lead to 18 persons using the external areas of Ford Cottage. It would still be our recommendation that all catering was done in The Stag, with limited use (more representative of a family holiday let) being at Ford Cottage.

I would be concerned if there were planning conditions allowing joint use of Ford Cottage ground floor and garden space by guests accommodated in The Stag. Ford Cottage should be a more contained and private site for the users of the four bedrooms in Ford Cottage only. A planning condition should control the use.

I request a planning condition restricting the playing of music to background level only at both Ford Cottage and The Stag.

**Waste and Recycling Manager:** Further information is required to ensure that adequate arrangements for the safe collection of waste and recycling at Ford Cottage have been provided. A swept path analysis is required to demonstrate safe access and egress for a collection vehicle. This should be based on a Dennis Eagle Elite 2 chassis 6x2 RS NT with OL19 body. An apron of smooth, level and impervious construction will be required by the bin store for the manoeuvring of bins to be emptied. Alternatively a path of smooth, level and impervious construction with a width of 1.2m will be required to the boundary with Low Road. Wheeling commercial waste bins over shingle is not acceptable form of manual handling.

In respect of the Stag Inn an apron of smooth, level and impervious construction will be required by the bin store for the manoeuvring of bins to be emptied. Alternatively a path of smooth, level and impervious construction with a width of 1.2m will be required to the boundary with Low Road or other point where a collection vehicle may safely access is required. Wheeling commercial waste bins over shingle is not acceptable form of manual handling.

On this basis I am obliged to object.

**CORRECTION:**

There is a typographical error on p. 132, Impact on Neighbour Amenity, paragraph 6. The first sentence should read:

The proposed extension at first floor would **not** be overbearing and would not have a significant impact compared to the current relationship with the neighbouring dwelling and The Stag.

**CORRECTION:**

As a point of clarification, on p. 141, Conclusion, paragraph 1. The last sentence should read:

A separate condition would secure the use of the accommodation for holiday let purposes as well as limit the number of holiday let rooms to 9 **across the whole development of both The Stag and Ford Cottage.**

**Assistant Director's comments:** In relation of the additional comment from CSNN, the ground floor of Ford Cottage is addressed in the officer's report for this application. The use of the ground floor would be limited to use by the 9 holiday let rooms as a self-catering facility. The conditions recommended within the officer's report are considered adequate and appropriate as justified. As The Stag is an existing use it would not be reasonable to add a control regarding music. No music

is suggested at the Ford Cottage site and due to the nature of the proposed development it is not considered reasonable to impose such a condition.

Whilst the Waste and Recycling Manager's comments, the Stag is an existing public house with existing waste storage and recycling facilities. Ford Cottage could benefit from its own domestic facilities. Give the existing commercial use and proposed small scale use at Ford Cottage, it is considered unreasonable and unnecessary to require an additional condition regarding waste storage and collection.