

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



Planning Committee

Agenda

Monday, 7th March, 2022
at 9.30 am

in the

Assembly Room
Town Hall
King's Lynn

Also available to view on [WestNorfolkBC on YouTube](#)



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
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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, 7th March, 2022

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 24 February 2022 (to follow).

3. DECLARATIONS OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

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 - 132)

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

9. DELEGATED DECISIONS (Pages 133 - 166)

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), A Holmes, C Hudson, 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 **Thursday 10 March 2022 (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 4 March 2022**. 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

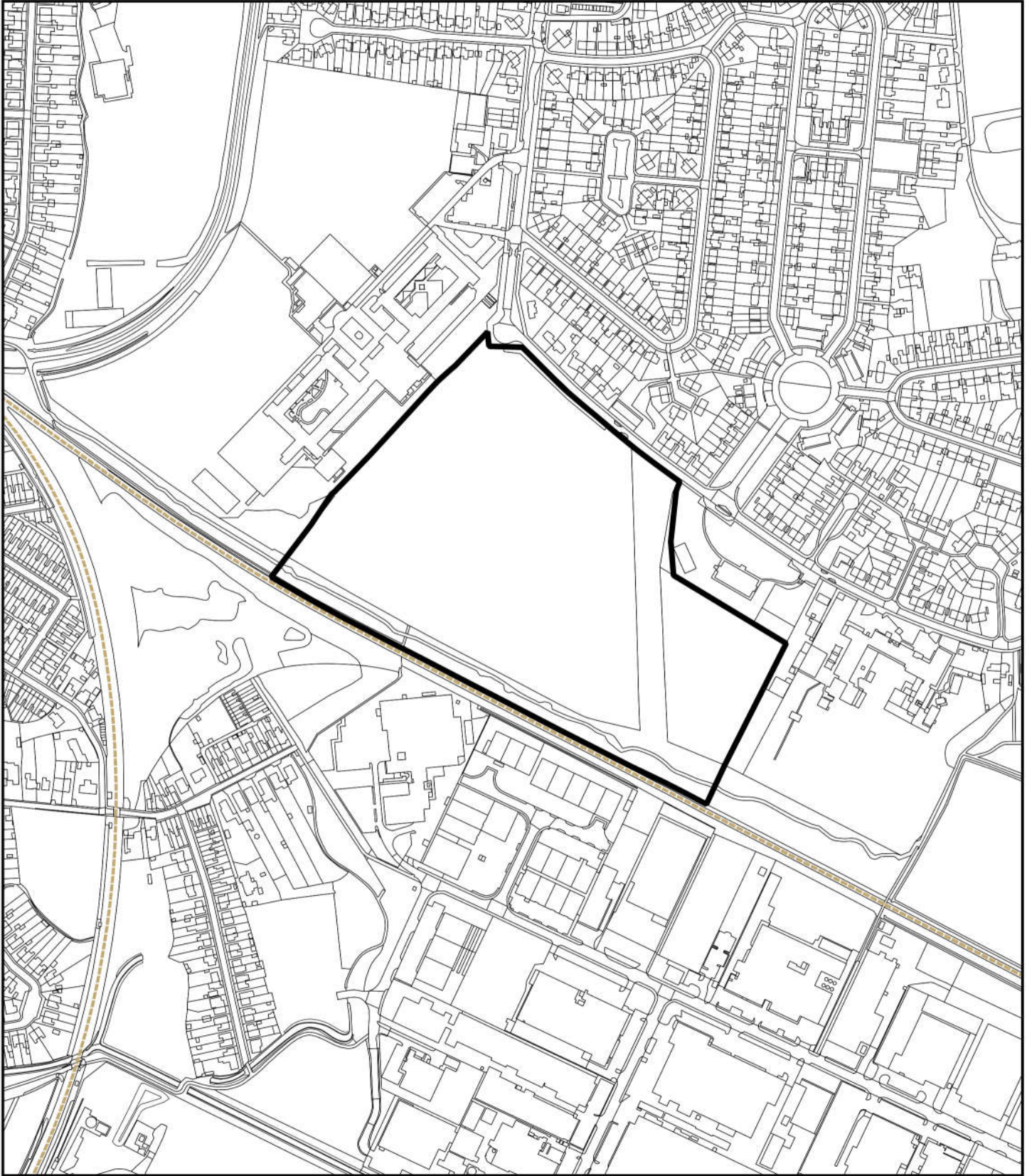
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE
PLANNING COMMITTEE AT THE MEETING TO BE HELD ON
MONDAY 7 MARCH 2022**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	MAJOR DEVELOPMENTS			
8/1(a)	21/01873/FM Land SE of 60 Queen Mary Road N of Railway Line and S of Parkway PE30 4QS Construction of 226 new homes and associated green space, landscaping and ancillary infrastructure	KINGS LYNN	APPROVE	8
8/1(b)	21/02103/FM Jensons Way, Whittington, PE33 9FT Phased development of 10 dwellings built to Passivhaus standards, using existing entrance from Jensons Way	NORTHWOLD	REFUSE	55
8/2	OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE			
8/2(a)	21/02121/F 25 Front Street, Burnham Market, PE31 8EJ Variation of condition 2 of planning permission 17/02079/F to amend drawings	BURNHAM MARKET	APPROVE	69
8/2(b)	21/01771/F Land At Clenchwarton Road, West Lynn, PE34 3LJ Proposed Butchers Shop and Associated Facilities.	KINGS LYNN	APPROVE	77
8/2(c)	21/01886/F Coralyn House 12 Glebe Avenue Hunstanton PE36 6BS Proposed single storey rear extension incorporating internal alterations of residential care home (Use Class C2) following the removal of existing conservatory structure. Proposed single-storey garden room to rear of site following removal of outbuilding	HUNSTANTON	APPROVE	92

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/2(d)	20/02044/F Rapiscan Systems, Vacant, Middle Drove, Marshland St James PE14 8JT REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 19/01247/F: Retrospective sub-division of old industrial unit	MARSHLAND JAMES	ST APPROVE	102
8/2(e)	21/01781/F Land North-East of Thurston Farm, Common Road, Walton Highway, PE14 7ER Change of use of land and stables to commercial livery yard and erection of dwelling in connection to commercial livery.	WEST WALTON	REFUSE	113
8/2(f)	21/02363/F Deerfields, Lynn Road, Setchey, PE33 0BD Rebuilding of original Carrstone wall in connection with planning application 20/00303/FM.	WEST WINCH	APPROVE	123

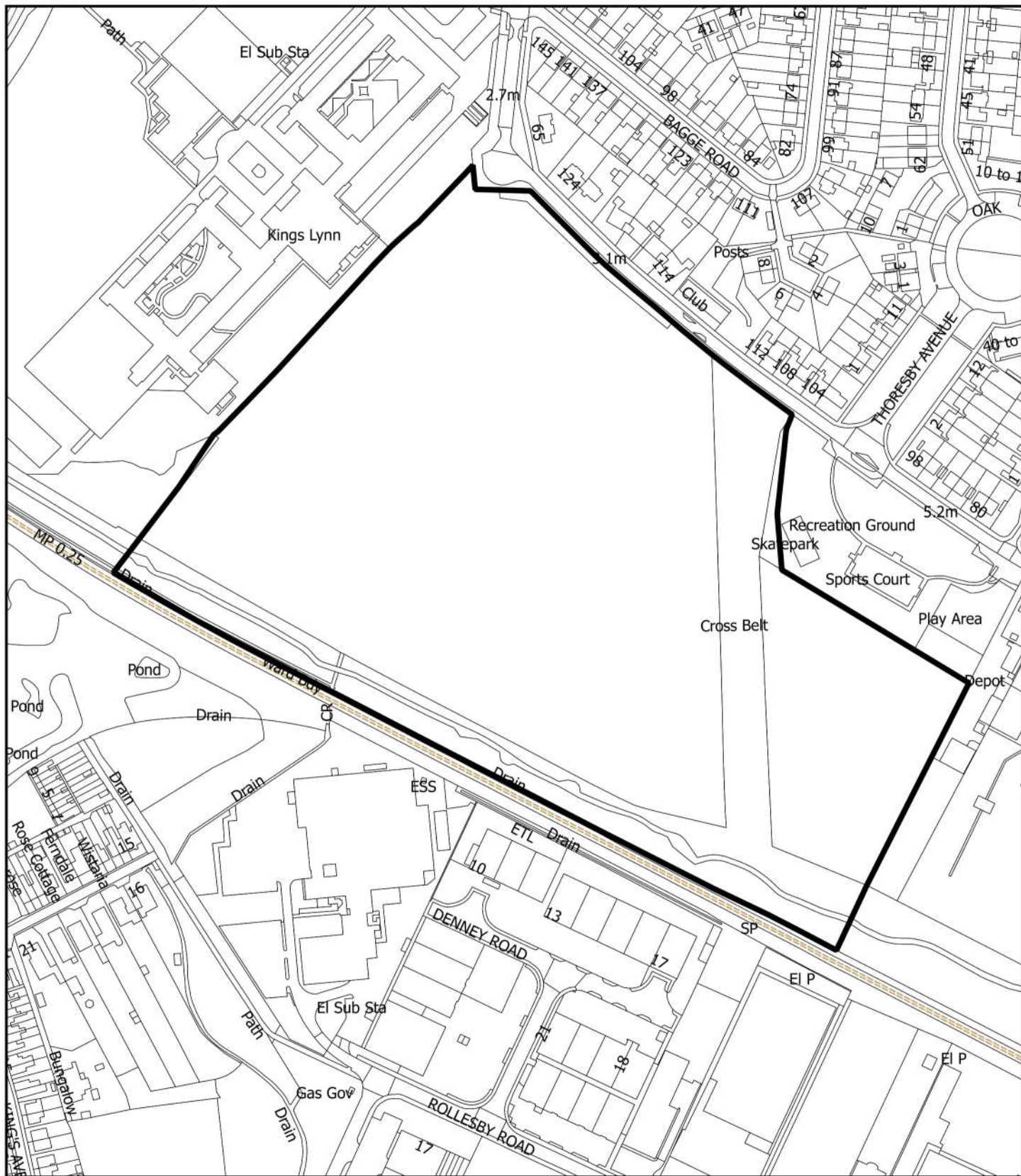
21/01873/FM

Land SE of 60 Queen Mary Road N of Railway Line and S of Parkway Kings Lynn PE30 4QS



21/01873/FM

Land SE of 60 Queen Mary Road N of Railway Line and S of Parkway Kings Lynn PE30 4QS



Parish:	King's Lynn	
Proposal:	Construction of 226 new homes and associated green space, landscaping and ancillary infrastructure	
Location:	Land SE of 60 Queen Mary Road N of Railway Line And S of Parkway Gaywood King's Lynn PE30 4QS	
Applicant:	BCKLWN	
Case No:	21/01873/FM (Full Application - Major Development)	
Case Officer:	Mr Chris Fry	Date for Determination: 27 December 2021 Extension of Time Expiry Date: 30 April 2022

Reason for Referral to Planning Committee – Referred to Committee given the scale of development and wider issues raised.

Neighbourhood Plan: No

Case Summary

Members will recall a recent application for 379 homes and associated development (Ref 20/00724/FM) which was located on the current application site in combination with land to the south of Howard Junior School and was considered at the Planning Committee of 15th April 2021. Whilst Members resolved to approve that application, it was subsequently withdrawn by the Applicant.

The current application proposes 226 houses and associated green space, landscaping and ancillary infrastructure. The development proposes a reduced site area and is entirely located within the allocation known as Policy E1.6 – King’s Lynn – South of Parkway of the Site Allocation and Development Management Policies Plan 2016, which proposed development up to 260 dwellings.

The proposed development has been screened in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and whilst the development falls within Schedule 2, Class 10 (bii) Urban Development, it is not considered that the development would cause significant environmental effects and therefore an Environmental Statement is not required to be submitted.

The application is recommended for approval.

Key Issues

- Principle of development
- Form and character
- Flood risk and drainage
- Highway impact
- Impact on trees
- Ecology - protected sites

Ecology
Open space and landscaping
Affordable housing
Residential amenity
S106 requirements, viability and local finance considerations
Other considerations; and
Crime and disorder.

Recommendation

A. APPROVE subject to conditions and the satisfactory completion of a S106 Agreement to secure affordable housing, open space provision and maintenance, sustainable transport contribution and associated monitoring within 4 months of the date of this committee resolution.

B. In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, open space provision and maintenance, sustainable transport contribution and associated monitoring.

THE APPLICATION

The application seeks full planning permission for the construction of 226 new homes (including 15% policy requirement of affordable homes) and associated green space, landscaping and ancillary infrastructure.

The application site lies within King's Lynn and covers an area of approximately 10.27ha hectares that is located to the south of the Gaywood and Fairstead estates, comprising land to the west of the Howard Junior School and King's Oak Academy in Gaywood, as well as land to the north the railway sand line which is a freight railway to Leziate. Further to the south beyond the rail line is Hardwick Industrial Estate.

The site is comprised predominately of an open field with a large belt of mature trees running diagonally across the site.

The site is currently allocated for a residential development of some 260 dwellings under Policy E1.6 King's Lynn - South of Parkway of the Site Allocations and Development Management Policies Plan (2016). This area measures approximately 9.3 hectares and was formerly used as the College of West Anglia playing fields. Along its southern side, adjacent to the rail line, this part of the site is bounded by the Swaffham Belt path and tree belt. The Swaffham Plantation (along the southern boundary) and the Cross Belt (running north/south across the site) are significant belts of mature tree planting within the western side of the site.

A total of 226 dwellings are proposed for the site with two vehicular access points directly off Parkway, both to the west of Thoresby Avenue. The site is the subject of a Master Plan which has responded to both design work and consultee comments. The site would be accessed via the primary road from the north west corner of the site, meandering through to the south east corner. Secondary routes including a further access onto Parkway are provided along with footpath links provided to all corners of the site including a link running through the Swaffham Plantation adjacent to the sand line at the south boundary of the site. Significant design work has been undertaken to make the site more attractive in terms of

character areas, key vistas and focal points, an increase in green space (as a result of removing swales and lagoons in favour of below ground storage crates), and the promotion of sustainable pedestrian and cycle routes which mimic existing desire lines through to the town centre and Hardwick Business Park for retail and leisure activities.

The site area amounts to 10.27ha with a density of 26 dwellings hectare (net) and 22 dwelling per hectare gross. The accommodation comprises, 1 (23 no.),2 (78 no.) ,3 95 no.) and 4 (30 no.) bedroom properties. Affordable housing amounts to 34 units and comprises 24 units for affordable rent and 10 units for shared ownership.

SUPPORTING CASE

The importance of addressing the need for new homes in the Borough is greater than ever in these increasingly challenging times. Recent months have shown the value of strong community networks and the need to focus on boosting the well-being of our local communities. Well-designed homes in the right place are key to achieving this.

Since 2018, we have seen a significant change in the way local authorities' housing performance is assessed and monitored with this moving from a focus on housing supply i.e. ensuring sufficient housing sites were allocated and permissions granted, to a new focus on housing delivery; ensuring enough homes are built out each year. This new approach presents its own difficulties as local authorities are not able to control when schemes come forward and delays in delivery as a result of the pandemic are likely to be ongoing for some time.

The Parkway proposals have been developed in detail over time to ensure that the planning and development constraints were fully examined, and detailed solutions put forward to reduce the risk of deliverability being impacted by future detailed design considerations.

The application site has been described by the officer in detail. It sits within the development boundary and is a current housing allocation E1.6 (King's Lynn – South of Parkway and part of the former allocation 5/33(Lynn East South Fairstead-Housing from the 1998 Local Plan). The application site is situated in a highly sustainable location, within easy reach of the town centre and with easy access to local shops, services and amenities in the town. It is within walking distance of a number of local schools, only 1.4 miles from the King's Lynn Railway Station, 1.5 miles from the Queen Elizabeth Hospital, 0.5 miles from Gaywood Park, and adjacent to key employment sites on the eastern edge of the town. It is just over a mile from the College of West Anglia King's Lynn Campus.

Of the 226 dwellings proposed, there would be 10 shared ownership properties and 24 rented affordable homes alongside substantial areas of green infrastructure (with proposed on and off-site biodiversity enhancements), improvement of existing footpaths and cycleways.

Retention and, where possible, reinforcement (through additional planting) of existing green infrastructure has been fundamental to planning the layout of the scheme with the majority of the trees being retained. Established formal and informal routes across the site are retained and improved, and substantial green buffer zones are retained.

In addition to the above, a s106 agreement would be in place to secure the provision of affordable homes, contributions for further biodiversity and open space enhancements, etc.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the Borough is comprised of the Local Plan (The Core Strategy and the Site Allocations and Development Management Policies Plan), adopted Neighbourhood Plans, and the Norfolk County Council Minerals and Waste Plan.

The planning application has demonstrated compliance to all relevant policies of the Core Strategy as follows:

- Policy CS01:- sets out the development priorities for the Borough which includes, among other things:
 - the improvement of accessibility for all to services, education, employment, health, leisure and housing
 - the protection and enhancement of cultural and environmental assets and
 - fostering sustainable communities with an appropriate range of facilities.
- Policy CS02:- sets out the Settlement Hierarchy, identifying King's Lynn including West Lynn and Gaywood at the top tier as a sub-regional centre.
- Policy CS03:- sets the framework for development in the King's Lynn Area and contributes to Core Strategy objectives 1-15 (Economy Society and Environment) and 16-20 (King's Lynn).
- CS08:- (Sustainable Development)
- CS09:- (Housing Distribution)
- CS10:- (The Economy)
- CS11:- (Transport)
- CS12:- (Environmental Assets)
- CS13:- (Community and Culture)
- CS14:- (Infrastructure Provision)

The proposed development also complies fully with the relevant provisions of the Site Allocations & Development Management Policies Document. Namely, Policies DM1(Presumption in favour of sustainable development), DM2 (Development boundaries), DM12 (Strategic road network), DM15 (Design & amenity), DM16 (Provision of recreational open space for residential developments), DM17 (Parking provision in new development: Residential dwellings), DM19 (Green infrastructure/ habitats monitoring and mitigation), DM21 (Flood risk), DM22 (Protection of local open space) and E1.6 (Allocation: King's Lynn – South of Parkway)

The NPPF is a material consideration in planning decisions. The proposal is in accordance with the NPPF.

The need to ensure that all matters raised were assessed fully and the proposals revised accordingly, has meant that the target determination date will be exceeded.

Combined Cultural, Environment Social and Economic Impacts

The proposed development has been carefully considered and would result in significant community benefits including:

- enhancing the quality of life of existing and new residents and visitors to the area through good design, providing community infrastructure;
- promoting development in an area where the need to travel by car is reduced, promoting active travel by alternative modes that do not discriminate against wheelchairs, buggies, mobility scooters and adapted trikes, optimising the site potential and ensuring a high standard of design;

- the scheme would enhance existing footpaths and cycle paths, provide new and enhance existing infrastructure, both within the development and the surrounding area
- the proposals have been informed by detailed assessments of their impact on the environment and ensure that the environmental, social and economic needs of the local communities and the wider Borough would be addressed by, for example,
 - EV charging points to all homes,
 - maximising the number of roofs with Solar PV,
 - air source heat pumps to all properties; and
 - flood resistance and resilience measures
 and
- safe and secure neighbourhoods are created.

Summary of Planning Obligations:

- 34 affordable dwellings
- £16,950- Library
- £12,430- Habitat Monitoring and Mitigation Payment
- £119,780 – Travel plan contribution
- £921,911 - County education contribution
- £71,464.60 - Open space contribution
- Zero CIL rated

Conclusion

The development is proposed on a sustainable site allocated for housing in the local plan. However, its delivery is challenged and the site cannot be delivered by the market as it has been found to be unviable. In order to come forward and to deliver the level of regeneration required, it has been necessary for the Borough to invest in its delivery and enter into a contract with Homes England to accept their accelerated funding (ACP) offer to bring the site forward. The ACP funding is conditional on the scheme being delivered at a policy compliant level of affordable housing, and that the whole scheme is delivered at 130% of the current market housing delivery rate.

The viability assessment prepared in support of the application shows that the scheme is not viable at around 12% profit margin. This is substantially less than the NPPF recognised average percentage of 17.5%. A review of case law finds that a 20% margin has been noted as an acceptable margin in numerous appeal decisions. [Golland, 2022]. For this reason, it is not possible to secure all of the planning obligations sought by statutory consultees.

The application would deliver good quality, and much needed, new market and affordable housing in a highly sustainable location, as well as significant infrastructure improvements which would confer real benefits for existing and proposed new residents. The development is in accordance with relevant policies of the adopted Local Plan and national policies and guidance and should be permitted.

PLANNING HISTORY

20/00724/FM - 379 new homes and associated green space, landscaping and infrastructure, together with a new vehicular bridge over the sand line, including new roads, infrastructure and hard and soft landscaping – Committee resolution to approve 15th April 2021 – Withdrawn 13.8.2021

16/00149/PREAPP – Pre-application enquiry (Outline with consultations): Construction of 50 residential properties (Mixed houses and flats) and associated works.

12/01490/OM – Outline application for employment use (B1(A), B1(C), B2 and B8). Approved 04.12.2012 (committee).

12/00826/OM – Outline Application for employment use Classes B1(a), B2 and B8. Refused 30.07.2012 (committee).

08/01761/OM – Outline Application: residential development of open amenity space and access from Parkway. Application withdrawn 25.09.2008.

07/01398/F – The construction of a macadam multi use games area including 3 & 5m high fencing and 12m high floodlights. Approved 04.09.2007 (committee).

07/00171/F – Variation of condition 9 attached to planning permission 06/01397:-re vehicular crossing of railway line. Approved 27.03.2007 (delegated).

06/01397/NMA_1 – NON-MATERIAL AMENDED TO PLANNING CONSENT 06/01397/F: Variation of condition 1 attached to Planning Permission 2/99/1367/O to extend the time period for submission of reserved matters and implementation by 3 years. Approved 15.08.2016 (delegated).

06/01397/F – Variation of condition 1 attached to Planning Permission 2/99/1367/O to extend the time period for submission of reserved matters and implementation by 3 years. Approved 16.08.2006 (delegated).

2/99/1367/O – Site for residential development including associated infrastructure open space and storm water reservoir (revised proposal). Approved 21.09.2001 (committee).

2/94/1424/F – Construction of a 2.1 m high palisade security fence. Approved 14.10.1994 (delegated).

2/90/2905/O – Site for industrial development including provision of access and balancing reservoir. Application withdrawn 10.02.2000.

RESPONSE TO CONSULTATION

NCC Highways Authority: NO OBJECTION The proposed development is situated at a cul-de-sac that is accessed via the Gaywood Clock junction. The junction was assessed in connection with a previous application at this allocated site and no appropriate junction improvements were identified to mitigate impact of the proposal.

As the site is suitably located, the decide and provide development trip rate estimation methodology is accepted for the current application. The methodology is however predicated on delivery of infrastructure to enable active and sustainable travel.

The Highway Authority expects that the site will be exemplary in supporting walking, cycling and bus travel at and in the vicinity of the development to mitigate impact at Queen Mary Road and the Gaywood Clock junction. The provided measures should seek to improve and support the local bus service and provide strong cycling and walking connections to local facilities and schools.

Drawings detailing highway proposals have been supplied but these are not agreed by the Highway Authority as yet - The Highway Authority would not object to the development

proposal subject to the off-site works (including cycleway/footway improvements, speed restrictions, public transport infrastructure as well as a Travel Plan.

All off-site highway measures will be subject to agreement of their detailed design and s278 agreement will be required before any work takes place within existing highway. Delivery of the above is required to mitigate impact of the development, regardless of any other considerations external to this proposal

With regards to the revised layout shown on drawing 003 rev P45, still queries visitor parking numbers but does not object and the finalised road design details can be dealt with through the S38 and S278 process.

Therefore, with reference to the submitted application, the highways authority would request conditions.

NCC Planning Obligations

A monitoring fee levied at a rate of £500 per obligation.

Education – £921,908

- Mitigation for 30 Junior School places = £14,022 x 30 no. of places = £420,660
- Mitigation for 29 High School places = £15,664 x 29 = £454,256
- Mitigation required for 3 Sixth Form places = 15,664 x 3 places = £46,992

Fire:- This development will require 1 fire hydrant per 50 dwellings at a cost of £921 per hydrant (5 fire hydrants)

Library – 226 houses x £75 per dwelling = £16,950

Housing Strategy Officer: Affordable housing is required in accordance with Policy CS09 of the Core Strategy. In this instance 34 units are required, broken down into the following:-

Affordable Rent = 24 units:-

2 x 1 bed house
6 x 1 bed flat
6 x 2 bed
8 x 3 bed
2 x 4 bed

Shared Ownership = 10 units:-

5 x 2 bed houses
5 x 3 bed houses

Emergency Planner: NO OBJECTION subject to flood evacuation plan, signing up to EA flood warning system for construction and occupation phases.

Environment Agency: NO OBJECTION subject to condition regarding the FRA and updated finished floor levels.

LLFA: NO OBJECTION to amended plans subject to condition regarding surface water drainage.

Internal Drainage Board: Comments that the proposed development will require land drainage consent in line with the Board's byelaws. Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy.

Notes the presence of a watercourse which has not been adopted by the Board (a riparian watercourse) adjacent to the site boundary. Whilst this is not currently proposed should the applicant proposals change to include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991.

Whilst the consenting process as set out under the Land Drainage Act 1991 and the aforementioned Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. As such, strongly recommends that the required consent is sought prior to determination of the planning application.

Anglian Water: NO OBJECTION subject to condition regarding foul drainage.

Environmental Quality:- Air Quality - NO OBJECTION subject to a detailed scheme for dust monitoring during the construction phase being submitted to and agreed in writing with the LPA. Further, additional details regarding the construction traffic routes in order to limit the impact on air quality in the locality.

Environmental Quality (Contaminated land): NO OBJECTION subject to a condition regarding the implementation of the Remediation and Verification Strategy (November 2021) and associated submission of verification reports.

Community Safety & Neighbourhood Nuisance: NO OBJECTION The noise report produced by Royal Haskoning DHV (Ref: PB9582-RHD-ZZ-XX-RP-Z-0001 dated 9th Feb 2022) adequately address the CSNN teams concerns regarding noise from the Industrial Estate and Rail Line.

In order to ensure that internal noise levels at noise sensitive properties are controlled the Glazing and Ventilation Strategy as described in Section 6.3 and Appendix A7 of the report should be followed. Should site layouts change the Glazing and Ventilation strategy will need to be remodelled and resubmitted for approval.

Confirms that the Construction Management Plan Version 8 submitted on the 10th February 2022 is acceptable in terms of noise control.

Leisure and Open Space: Makes the following comments (summarised):

- development attracts a requirement for 3842m² of suitability equipped children's play space. A provision equivalent to 2016m² can be provided by refurbishing the existing Parkway Recreation Ground. The remaining open space requirements will need to be satisfied on site. The central open space area (2005m²) may be used to make up any shortfall in children's play space and gives detailed comments on layout, fencing and planting. Contribution of £71465 calculated to be secured via S106.
- provides comments on grassed areas behind parking bays, areas of landscaping that are to be made the responsibility of individual purchasers;
- details of fencing between the site and Parkway Recreational Ground will need to be agreed;
- *use of drainage crates appreciated;
- confirmation about how pathways will be constructed through open space would be appreciated.

Waste and Recycling Manager: NO OBJECTION following receipt of amended plans (updated Master Plan received 22.2.22), withdraws objection.

Sports England: OBJECTS (summarised) to the application as it is not considered to meet Sports England's adopted playing fields policy or NPPF paragraph 99.

It is understood that the site forms part of, or constitutes land used as playing field as defined in The Town and Country Planning (Development Management Procedure)(England) Order 2015 No.595

However as the playing field has not been used for at least 5 years, the consultation with Sport England is not a statutory requirement.

Notwithstanding the non-statutory nature of the consultation, Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and against its own playing fields policy. Considers that no evidence of a surplus of playing field provision in King's Lynn, the proposal does not relate to ancillary development for its former use as a playing field, the site is large enough to accommodate playing pitches' no replacement playing pitches have been put forward to compensate for the loss, the proposal does not relate to new indoor/outdoor sports facilities.

However, if the following amendments were made, we would be likely to be in a position to support the proposals:

a financial contribution of £300,000 to be spent on enhancements to existing sports pitches in the locality, to compensate for the loss of this former playing field.

Historic Environment Service: Following the receipt of WSI and trial trenching, no further archeological works required.

Arboricultural Officer: NO OBJECTION to amended AA subject to conditions.

Natural England: Given the developments proximity to European designated sites, **NO OBJECTION** subject to appropriate mitigation being secured in the form of:

- A financial contribution to appropriately manage closely located designated sites.
- A financial contribution to the Borough Council of King's Lynn Monitoring and Mitigation Fund to mitigate the impacts of additional recreational disturbance as designated sites, in combination, in line with Policy DM19.
- The provision of well designed, proportionate, on and offsite green infrastructure.
- The provision and maintenance of sustainable drainage systems.
- Follow guidance suggested in section 8.8 of the ecological assessment to mitigate construction impacts

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Refer to Natural England Standing advice regarding protected species.

Norfolk Wildlife Trust: We have no concerns in principle regarding the application but are concerned at the tree planting element of the biodiversity net gain provisions. Whilst we support the aspirations of the applicant to deliver a measurable net gain for biodiversity as part of their proposal, we strongly believe that the new tree planting proposals would be to

the detriment of the existing open wetland habitats and the water vole population that are dependent on them.

The BNG proposals are based on the Remedial Tree Planting and Landscape Works report included with the application, which recommends new tree planting in the wetland habitat to the east of the proposed housing. We believe this site, adjacent to Plantation Woodland County Wildlife Site (CWS), is already of CWS calibre, and the planting of trees here would be detrimental to the site's value primarily as a mosaic of grassland, reed bed and scrub habitats. The planting of new trees would also over time contribute to a more shaded site, with negative impacts on the existing habitats and water vole population.

This is a situation where, whilst the BNG calculations indicate that there would be a numerical net gain based on the metric, it would be at the expense of the existing open wetland habitats, and the protected species which depend on them, and so in the long term would lead to a decline in the existing habitats present. We recommend instead that the provisions are reviewed in favour of the long-term management of the wetland site for its existing habitats and would be happy to discuss this further with the Council and applicant should this be useful. Should additional off-site tree planting still be required as part of BNG delivery, then alternative locations should be considered.

Norfolk Fire Service: NO OBJECTION

Police Architectural liaison Officer: The proposal layout does show that crime prevention features have mostly been carefully considered and incorporated into the proposal. However, provide additional comments on existing footpaths, lighting and CCTC, overlooking of parking spaces, active windows to private driveways, gates to parking courtyards and positioning of bin/cycle stores.

KLACC: The Panel did not support the application with their main concern being the impact the development would have on traffic in what was an already busy area.

King's Lynn Civic Society: Thankful that the Council did not proceed with previous scheme and find that the reduction in dwellings to 226 is a great improvement and makes the following comments (summarised):

- Consider a further reduction in numbers is necessary and would safeguard more of the existing trees;
- Prefer to see large proportion of houses for affordable rent or shared ownership;
- Comments on the design and appearance of the units (including materials) and do not like the appearance of the flats;
- Welcome sustainable build (ASHP, PV, cycle storage and cycle routes etc);
- Appreciate issues around traffic/pollution around Gaywood clock but feel that the scheme is designed with excellent pedestrian and cycle access plus incorporates wider policies to reduce congestion and air pollution;
- Disappointing to see removal of several category A oak trees and consider "three new trees for everyone one lost" is not relevant or acceptable. On any other site, would have been TPO'd
- Should be an exemplar site setting standards for tree planting to become carbon neutral as an organisation;
- The Arboricultural Assessment does not appear to have taken account of the drainage proposals;
- Disappointed there are not more street trees proposed and the planting plan does not seem to have taken into account for the ultimate size of plants.

REPRESENTATIONS

Amended plans – 19 additional letters of **OBJECTION** regarding the following:

- Notwithstanding a more environmentally friendly development, still the wrong place to build;
- Extra pollution caused by the building of the extra houses that caused by the extra cars which will be used if they are built is unacceptable.
- Loss of green space.
- More buildings, more hard surface and loss of vegetation will add to the already high risk of flooding.
- Increased traffic on Gaywood Road, QMR, and at the Gaywood Clock junction. At school starting and leaving times there is already gridlock.
- Air pollution in Gaywood already exceeds safe limits.
- Has access by emergency vehicles been considered
- No carbon chopping down 15 mature trees has been considered
- Flies in the face of the council climate emergency
- The services cannot accommodate an additional 400-500 people and traffic implications at the gaywood clock junction as a result of the development will impede emergency vehicles
- The field floods
- There is wildlife there too
- Where will the children go to play and adults to get fresh air
- Lack of privacy as result of dense development;
- Promotes more sustainable transport but not realistic;
- Police cannot cope with additional development in the area;
- Impact on health and wellbeing of neighbours;
- Increases flood risk in the locality;
- Welcome sustainable transport measures and ecological mitigation measures but concerns still remain;
- Need to go further with sustainable transport measures and be greener (e.g. no car site);
- Lack of doctors and dentists in the locality;
- Will result in an oversubscribed bus route with limited numbers of spaces;
- Impact on bin collections as a result of increased development;
- Not for community development, just for profit.

Original submission – 8 letters of **OBJECTION** regarding the following (summarised):

- Loss of ancient wood and wetland would be disastrous;
- Air Quality implications in the locality given increased traffic numbers;
- Retain much green space as possible for future generations;
- Nightmare in terms of traffic at school times;
- Infrastructure is at breaking point;
- Risk of flooding;
- Concerns re access for emergency vehicles.

County Cllr R Cowell – (taken from NCC Planning obligations)

Pleased to note that the revised planning application does not encroach on the Swaffham belt;

The local roads cannot cope with the traffic, many local residents leave 30-45 minutes early to ensure they get to work on time;

The road infrastructure proposed on the site does not appear to be suitable for the size of development; and

Enhancement should be considered to the Swaffham Belt and The Rookery.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

DM21 - Sites in Areas of Flood Risk

DM22 - Protection of Local Open Space

Policy E1.6 - King's Lynn South of Parkway

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The key issues identified in the consideration of this application are as follows:

- Principle of development;
- Form and character;
- Flood risk and drainage;
- Highway impact;
- Impact on trees;
- Ecology - protected sites;
- Ecology
- Open space and landscaping;
- Affordable housing;
- Residential amenity;
- S106 requirements, viability and local finance considerations;
- Other considerations; and
- Crime and disorder.

Principle of Development

The site is allocated for residential development of some 260 dwellings under Policy E1.6 King's Lynn - South of Parkway of the Site Allocations and Development Management Policies Plan (SADMP) 2016. This policy sets out the following requirements:

1. Retention of the Cross Belt avenue of trees and southern boundary tree belt;
2. Submission of a site specific Flood Risk Assessment;
3. Submission of an Arboricultural Assessment;
4. Submission of an Archaeological Assessment;
5. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;
6. Informal recreation provision on, or in the vicinity of, the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to the exercising of dogs) on Roydon Common Special Area of Conservation. This provision may consist of some combination of: informal open space (new and/or existing); pedestrian and cycle routes (new and/or existing) which provide a variety of terrain, routes and links to greenspace and/or the wider footpath and cycle network; and a contribution to greenspace provision or management in the wider area within which the site is located;
7. In judging the amount of on-site open space appropriate under Policy DM16 (Provision of Recreational Open Space) regard will be given to the proximity of the development to existing safeguarded facilities (such as those at The Walks to the west of the site). The Borough Council will consider flexibility of open space provision requirements where this would result in qualitative and quantitative benefits to the community and where the following habitats requirements are met;
8. Provision of a project level habitats regulations assessment, with particular regard to the potential for indirect and cumulative effects through recreational disturbance to the Roydon Common Special Area of Conservation;

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9. Submission of an Ecological Study that establishes that either: there would be no negative impact on flora and fauna; or, if any negative impacts are identified, establishes that these could be suitably mitigated;
10. Financial contributions towards the provision of infrastructure including additional primary and secondary school places; and
11. Provision of affordable housing in line with the current standards.

Whilst only 226 dwellings are proposed as opposed to the 260 dwellings allocated for development, the principle of residential and infrastructure development on the application site is considered to be acceptable.

Housing has been resolved to be approved on this site relatively recently (planning committee on 15 April 2021), although it is noted that this was part of a wider scheme for 379 houses, that included a road and a new road bridge connection to the Hardwick Industrial estate.

This proposed development has been screened in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and whilst the development falls within Schedule 2, Class 10 (bii) Urban Development, it is not considered that the development would cause significant environmental effects (in terms of those regulations) and therefore an Environmental Statement is not required to be submitted.

Form and Character

The proposed site is located in Gaywood on the southern side of Parkway. Immediately to the northwest boundary of the site is the edge of King's Lynn Academy. To the east of the site is The Howard Junior School and open space and pathways leading to the Fairstead Estate.

The existing housing immediately to the north of the application site was developed mainly in the 1930s and 1940s, the earlier development being to the west and subsequently infilling to the east as far as Gaywood Hall. With the exponential growth of King's Lynn from 1962, the remaining land in the area, such as the Oak Circle roundabout, was developed at a much higher density, including four-storey flat blocks.

A wide variety of materials have been used in the adjacent housing which includes buff and red brick, pebbledash, and render. Roofing materials vary from red clay pantiles along Parkway, to concrete pantiles and concrete plain tiles in a variety of colours. Roof form is both hipped and gable in the locality. Fenestration styles vary widely but now appear to be mostly uPVC replacement units.

There is a belt of significant trees across the site which are well established and make a substantial positive contribution to the character of the site and the area generally. The proposals have therefore been designed to retain these significant features as far as possible in order to integrate the development with its surroundings.

Due to the significant amount of open space to be retained throughout the development this results in relatively low densities. 226 dwellings across the allocated site of 8.8 hectares (net) equates to 26 dwellings hectare (net) and 22 dwelling per hectare gross (application site 10.27ha). This is slightly denser than the previous scheme which proposed 24 dwellings per hectare (net). However, significant design work has been undertaken and independently

assessed to ensure that the development complies with the National Model Design Code 2021.

The site is naturally divided into a large western section and a small pocket of development to the south of the recreation ground which is to the east of the cross tree belt. This has assisted the architects in allocating character areas to different parts of the site – The Spine (primary route through the development), The Edges (to the east and west boundaries) and the Mews (adjacent the south boundary). The generous cross belt of trees and the green edges around the site have also provided a reason to respond differently in materials. The western and eastern parcels linked by the spine road would hold a similar array of house types, but vary in materials, colour and form to create increased interest as this route will be the main thoroughfare through the development. The Edges area along the green belts will introduce a timber cladding while the Mews area consists of simple buff brickwork.

Most dwellings across the site as a whole will be 2-storeys in height interspersed with some 2.5 storey semi-detached units and the 3 no. blocks of flat would all have 3-storeys. This would not be at odds with existing development within the surrounding areas of Gaywood and Fairstead.

The development would be constructed in 6 phases. This would comprise development on the western side of the site as phases 1-5 and the remaining to the east of the cross tree belt, as the final phase.

The proposed development would retain and formalise the existing footpaths & cycleways through the site that are well used. New cycle and footway links provide connectivity across the site to provide direct links from the cycleway to the south of the site through to the Gaywood Clock.

All dwellings would have provision for 3 no. 240 litre wheelie bins to accommodate general waste, recycling and garden waste, if required in accordance with the Council's recycling policy. Each house would have direct access to its rear garden via an external path and gate with a dedicated hard landscaping area within each garden for the storage of bins to eliminate the bin from the street scene. The proposed flats would also have integrated storage areas for cycles and bins on the ground floor. All houses would have gardens to accommodate garden storage units or a shed for secure storage and although not all dwellings would have garages (53 units would have a garage), parking accords with NCC parking standards as adopted in Policy DM17 of the SADMPP. Across the site there would be 27 visitor parking spaces.

Overall it is considered that the proposals are appropriate for the site and its surroundings and would represent high quality development, enhancing the character of the area. The proposal therefore complies with Policy CS08 of the CS and Policies DM15 and DM17 of the SADMPP.

Flood Risk and Drainage

The application site predominately lies within defended Flood Zone 3 benefiting from Environment Agency maintained flood defences from the Tidal Great Ouse and the wash sea defences. As with almost all of the King's Lynn urban area, the modelling shows that most of the development is at risk of flooding if the existing tidal and sea flood defences breach. As this is an allocated site in the Development Plan, there is no need to carry out the sequential test.

The Environment Agency has undertaken breach modelling for a breach of the flood defences during a 1 in 200 year event with climate change allowance which determines the

flood depths, velocity and level of risk. In the event of a breach, the flood depths within the parts of site proposed for residential development vary between 0 and 2m.

The proposed development is estimated to be at low to very low surface water flood risk during a 1 in 100 year surface water flood event including allowance of climate change, with some very localised areas of medium and high risk within the drains or locally low areas. An open ditch, known as the Swaffham Belt Drain, runs along the southern boundary of the Western Site, to the north of the rail line.

The flood risk to the site and its residents will be addressed in accordance with local planning policies and guidance. Particular measures will include locating houses away from the areas at highest risk of flooding (such as adjacent to watercourses), providing minimum finished floor levels for properties that accounts for flood risk and ensuring appropriate use of the ground floors of properties. To ensure the development does not worsen flood risk elsewhere, any additional water flows generated by the development will be attenuated on site using sustainable drainage systems. Given the site is currently undeveloped, greenfield runoff rates apply when calculating current discharge from the site.

The submitted Flood Risk Assessment (FRA) considers flood risk implications associated with both the residential development and has been amended since its original submission to respond to the EA's original concerns regarding the ground floor accommodation of flats.

The amended FRA (and accompanying Finished Floor Levels drawings) demonstrate that all properties will have Finished Floor Levels (FFLs) set at a sufficient height so as to remain above modelled flood levels during a 1 in 1,000 year surface water flood event (a min of 3.15m AOD). In addition, some properties have FFLs set above the modelled levels for a 1 in 200 year (with climate change allowance) Tidal/Sea defence breach (3.75m AOD). There is no ground floor accommodation e.g. flats proposed with finished floor levels below 3.75m AOD.

In the proposed properties that would have FFLs just below the modelled depths for a 1 in 200 year Tidal/Sea defence breach, flood resistance measures (to prevent internal water entry) and resilience measures are proposed up to 600mm above the minimum FFL across the site of 3.15m AOD. These measures include:

- Flood doors for all external doors;
- Self-closing airbricks; and
- All drainage pipes through the property raised above the minimum FFL or provided with non-return valves.
- Avoid standard gypsum plasterboard in construction as it would disintegrate when immersed in water
- Any new sewer connections should be fitted with non-return valves to prevent back-flow and provide mitigation against potential sewer flooding.

It is therefore considered overall that the depth of flooding during a tidal breach is such that resilience and resistance measures would be effective and therefore is compliant with local plan policy.

Furthermore, other than flats (set at 3.75AOD min FFL), none of the proposed dwellings will include sleeping accommodation at ground floor level, and the FRA concludes that the development will provide safe access and egress during extreme flood events. The fact that greenfield surface water run off rates will be maintained after the development is completed also means that proposal will not increase flood risk off site.

In addition to the above, the FRA includes consideration of the sequential test but as stated above, the sequential test is not necessary as the site is allocated for residential development within the Development Plan. Regarding the exception test, the proposal can be made safe from flooding for its lifetime by providing safe refuge, flood resistant and resilient measures and the second part of the test is passed by providing much needed housing in the wider public interest, which is planned for as the site is an allocation of the Development Plan.

The FRA recommends that the future occupants of the property are made aware of the EA Flood information service which identifies whether any flood warnings or alerts have been issued. A flood evacuation plan for the future occupants will need to be conditioned.

The EA raise no objection to the amended FRA subject to the LPA confirming that any internal flooding is unavoidable and justifiable. However, if flood resistance measures are incorporated into the design up to the level of predicted breach risk i.e. 3.75mAOD, the risk of internal flooding falls away. As a result, along with conditioning the FRA, it shall also specifically state that flood resistance measures be incorporated into those properties with lower FFLS than the predicted breach depths to minimise risk of internal flooding.

The proposed development would be safe and would not increase the risk of flooding off site. The Environment Agency raise no objection to the scheme on flood risk grounds. Accordingly, the development satisfies criterion 2 of Policy E1.6 and Policy DM21 of the SADMPP (2016), the requirements of Core Strategy policy CS08, and the provisions of the NPPF, namely paras 149 - 163.

Drainage Strategy: The application is accompanied by a detailed drainage strategy, setting out the principles for management of both foul and surface water.

The proposed surface water drainage strategy has been developed in line with the SuDS hierarchal approach outlined in the Flood Risk and Coastal Change Section of the Planning Practice Guidance. This requires that surface water runoff should be discharged as high up the hierarchy of drainage options as reasonably practicable.

In this instance, due to site ground conditions, discharge by infiltration is not considered practicable and, following the hierarchy, the most appropriate solution at the site is to discharge to a surface water body. Accordingly, the application proposes that the residential site will drain to the existing network of ditches on the western boundary. The site is split into two catchment areas. Catchment Area A covers the majority of the site, with catchment B taking the surface water from the eastern pocket of development beyond the wooded tree belt area and the south east corner of the Parkway development. Flows from Catchment B will go to Catchment A. Due to the topography of the site, a pumping station in the south west corner of the site will pump the surface water off the site at 7.8m l/s which is the calculated greenfield run off rate of the site. Attenuation from Catchment A and B was originally in the form of basins along the southern boundary of the site, however an underground crate system is now the proposed attenuation method.

Due to the topography of the site, surface water collected from the western half of the residential development will need to be pumped to the discharge point into the existing ditch network: this pump will be configured to restrict flows to the greenfield run-off rate.

In accordance with best practice, it is anticipated that the SUDS infrastructure will be offered to Anglian Water for adoption, ensuring its long-term maintenance.

No objection has been raised to the revised drainage strategy incorporating storage crates by the LLFA. Again, the Water Management Alliance's revised comments refer back to its

previous comments, but no objections were raised by the IDB with relevant consent to drain being required to under the Land Drainage Act.

Foul water from the site will be pumped from the south west corner of the site to the mains sewer on Parkway, with the necessary infrastructure to be approved, and subsequently adopted by, Anglian Water.

In terms of the foul water drainage strategy, Anglian Water has confirmed the local infrastructure has sufficient capacity to accept the predicted flows from the site. Anglian Water requests that that a condition be imposed that notwithstanding the foul water drainage information submitted, final details for on-site foul water drainage should be submitted to the LPA for approval.

As required by criterion 5 of Policy E1.6, the application is accompanied by a detailed foul and surface water drainage assessment which establishes that surface water will be dealt in the most appropriate and sustainable way for the conditions at the site. Contrary to Third Party comments, the site would be developed in a safe manner and would not increase flood risk elsewhere. Accordingly the development is considered to satisfy criterion 5 of policy E1.6 of the SADMPP, Policy CS08 of the CS and para 165 of the NPPF.

Highway Impact

The site has been allocated for some 260 Houses in the Development Plan and this amount of housing was always envisaged for this site and the local highway network. The proposal, unlike the previous scheme, does not propose a new vehicular bridge over the sand line and there has therefore been a shift in the approach to analysing the impact of the development upon the localised highway network.

The Department for Transport has recently published their decarbonisation policy which identifies the importance of decarbonising transport for Britain and the policy identifies a target of 50% of all journeys in towns and cities as being walking and cycling by 2030, and has committed £2bn investment over the next 5 years to deliver this vision of a world class cycling walking network in England.

Key walking and cycling routes in Kings Lynn have been identified in the Local Cycling and Walking Infrastructure Plan (LCWIP). The plan has identified cycling and walking routes in the wider Kings Lynn area, along with potential improvements and enhancements to the routes over the short, medium and long term. The site is in close proximity to three identified LCWIP routes.

The proposed development would provide a package of off-site works which would improve and enhance the existing walking and cycling infrastructure adjacent to the site and link with the LCWIP key routes. The off-site measures would be on routes that link to key educational, health, community and employment destinations are detailed. As a result of the measures, there would be a 15% modal shift from cars to walking, cycling and public transport, in line with NCC Travel and Transport Services Travel Plan mode shift targets that were published in January 2019. It is by virtue of the modal shift from cars to walking, cycling and public transport, that the TRICS data has been extrapolated from a "decided and provide level" of predicted development travel.

From the development of 226 units, the following number of trips arise from the development:

Car movements - 714 per day
Walking movements - 193 per day

Cycling movements - 48 per day
Bus passengers:- 40 per day.

NCC Highways in their initial response stated that the Transport Assessment lacked justification as to why there was no modelling of transport movements of the Gayhood Clock junction. However, NCC Highways has acknowledged that there are no capacity or efficiency improvements that can be made at the Gayhood Clock. Further, through a shift in approach to modelling, using the decide and provide approach to local transport planning, additional walking cycling and bus facilities would mean less focus on the car as a form of travel across the wider local area. The development is in a highly sustainable location and this justifies the approach taken.

NCC Highways also expressed a desire, that the pedestrian bridge over the Sandline be improved as a result of the development. However, this scheme is contained in the LCWIP scheme which is to be funded through the Towns Fund. It is not essential for this allocation to come forward.

The proposed wide-ranging package of off-site works enable the development to be acceptable in terms of its impact upon the highway network. The proposals have been agreed with NCC and are necessary mitigation for the development to proceed as well as complement the LCWIP. The proposals are as follows:

Public Transport

- New bus shelter with real time passenger information display at the east side of the south end of Queen Mary Road.
- Improvement to existing bus stop at west side of Queen Mary Road/Parkway to enable frequency improvements for a 5 year period.
- Financial support to existing town centre bus service at Queen Mary Road/Parkway to enable frequency improvements for a 5 year period(as part of the sustainable transport contribution).
- Where works are implemented adjacent to a bus route, the carriageway should if possible be maintained at a minimum width of 6m.

Cycleways/footways

Where possible, cycle improvements should accord with the guidance contained in LTN1/20. Improvements to shared use footway/cycleways should provide a minimum width measuring 3.0m

- Improvement to the existing cycleways at both sides of Queen Mary Road for its full extent with segregated facilities provided at one side of the road if practicable.
- New cycleway at south side of Parkway from Queen Mary Road to Raleigh Road, including relocation of off-road parking away from Thoresby Avenue junction.
- New pedestrian crossing via a pinch point east of Dawber Close
- Improvements to the Swaffham Belt cycleway with particular regard to intervisibility and light levels to improve personal safety
- Improve ramp and barriers between Hulton Road and Sandringham Railway cyclepath to support inclusive mobility.
- Improvement to existing junction between Swaffham Belt and Sandringham Railway cyclepath
- 2.0m Mandatory cycle lane for the full extent of Queensway between Gayton Road and Springwood school, subject to maintaining a 6m carriageway. Otherwise, advisory cycle lanes should be provided.
- Provide lighting at cyclepath through The Rookery to improve personal safety.

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- Speed Restrictions
- 20 mph zone at Queen Mary Road and Parkway covering the whole of the existing area that includes the schools, along with the proposed development. This should include traffic calming features to enable the speed limits to be self-enforcing. The highway authority would also support the principle of a 20mph speed restriction covering the existing developed area subject to assessment and potentially provision of speed reducing measures.
- 20 mph zone at Queensway to support the cycle lanes, reinforced by speed cushions. The Highways Authority would also support the principle of a 20mph restriction covering wider residential area subject to assessment and potentially provision of speed reducing measures.

All of these measures will be secured via condition including a phasing plan, detailed design and separate S278 agreement. Given the significant package of sustainable transport measures proposed and associated mitigation, the comments on Third Parties regarding increased traffic at local road junctions cannot be supported.

Travel Plan

A Travel Plan has also been submitted in support of the application with the aim of further enhancing access to the site by sustainable modes of travel via objectives and measures.

The Travel Plan seeks to deliver a 15% reduction in single-occupancy car use, when measured against baseline residential Travel Surveys. To achieve this the Travel Plan would include a number of measures such as:

dedicated travel plan personnel; timescale for implementation; promotion of travel plan with local public transport operators/businesses; sustainable travel information packs; promote sustainable transport/establish sustainable transport habitats; and performance monitoring

Notwithstanding the submitted travel plan, NCC has requested that an Interim Travel Plan be submitted for approval. A contribution of £530 per dwelling is secured through the s106 agreement to be used for sustainable transport measures outlined above. This is a total of £119, 780.

Onsite provision

The total car parking provision of 487 no. spaces is considered appropriate for the 226 units proposed and complies with adopted standards. 53 houses will be provided with garages. All houses will have EV ready charging points. Cycle parking is also to be provided within the curtilage of each dwelling (and part of the fabric of the flat blocks structure).

Visibility splay and swept path analysis drawings show that the proposed development can achieve the design requirements to ensure safe access and egress for all vehicles (including reduce vehicles) using the site.

In order to address concerns raised by Norfolk County Highways, changes have been made to the original proposals in terms of the development layout; the change in surface material and reduction in street width of secondary routes, in order to provide focus on the primary route through the site have been incorporated. The proposals are considered acceptable in principle by Norfolk County Highways and the final design will be secured through the S38 agreement. The comments of Third Parties regarding safe access cannot therefore be supported.

Conclusion

The proposed development proposes a layout that is fully satisfactory, a range of sustainable transport measures and off-site highway improvements works which mitigate for

the development proposed and enhance the locality. The proposal is therefore considered in accordance with Policy E1.6 of the SADMPP, CS08 of the Core Strategy and DM 15 of the SADMPP.

Impact on Trees

The application is supported by a detailed Arboricultural Report and accompanying tree constraints and protection plans.

The application site currently benefits from an abundance of trees along the south boundary and the cross belt which are well established and make a substantial positive contribution to the character, amenity and ecological value of the site itself but also the wider area.

The linear features of the Swaffham Plantation (running east/west across the site that runs along the southern boundary), the Cross Belt (running north/south through the site) and the mature broadleaf woodland of the Rookery and Gaywood Plantation (CWS) (to the immediate north of the site) are all significant in landscape, arboricultural and ecological terms. In addition, outside of these established groups, there are also individual trees of significance some of which are estimated to be approximately 150 years old. There are also smaller groups of younger trees too which, whilst not of particular arboricultural value, play an important role in establishing the character of the area.

The development proposals have been designed to retain these significant features as far as possible whilst still enabling the provision of new homes and new infrastructure and also providing pedestrian, cycle and vehicle connectivity across the site.

However, it is inevitably unfortunate that due to the extent of development proposed, some loss of trees is required which can be summarised as follows:

- Loss of 1 Category A oak (T1) to facilitate plots 99-101
- To create the entrance points onto Parkway, 12 Category B Trees (individual trees T13 and T14, 9 trees within Group G3 and 1 tree within Group G4) will need to be removed;
- To create the connecting road through the cross belt plantation, 3 Category A trees within Group G1 will need to be removed.
- To create the footpath along Parkway frontage, a category C group of trees will need to be removed.

Although it would without doubt be preferable to prevent the loss of any trees, the majority of those that would need to be lost to the development are lower quality trees in the self-seeded, unmanaged eastern side of the site. Within this part of the development, with the exception of 4 high quality individual trees, the remaining trees will be retained, as will key belts at the northern and eastern boundaries of the site.

Where Category 'A' trees are proposed to be lost, their removal is critical to the delivery of the scheme. The 3 no. category 'A' trees that need to be removed have to be done so to enable the connection via the link / spine road between the eastern and western parts of the site through the cross belt area. Whilst this is certainly regrettable, these 3 trees are viewed in the context of the mature belt of trees within which they are located and, as such, in landscape and amenity terms, the impact of their removal is not as significant as it would be if these trees were viewed in isolation. The single Category A tree for plots 99-101 is required to be removed in order to provide the surface water pumping station in the southwest corner of the site. The pumping station location cannot be altered, as it is required in this location to enable the drainage system to work and to be served by an adoptable road.

Overall the new road has been sited so it minimises tree removal along its route and retained trees either side at this point will be protected throughout the construction process. The routes through the existing tree belt, to service the proposed buildings have also been chosen to minimise the tree loss/impact.

In regard to shared driveway, parking areas and cycleways, these will need to be constructed using no-dig methods of construction.

To mitigate the necessary loss of trees, the development includes significant areas of new tree planting along established routes with good quality, native species tree stock. This new planting will comprise roadside planting throughout the site and planting to strengthen existing tree belts, particularly along the southern boundary.

The Arboricultural Officer has no objection to the Arboricultural Report subject to it being conditioned.

A replacement planting scheme has been submitted with the application that refers to tree planting scheme at a ratio of 3 for every 1 lost. The report details 20 trees (needs to be 48 + trees to get to 3:1). This would be through enrichment planting in the Swaffham and Cross belt edge and this can be conditioned.

As part of the bio-diversity enhancements to the scheme, there is the provision of an area of enhanced scrub, enhanced low quality grassland with shrub planting and planting of wet woodland and woodland to the east of the site, on an area which was previously to have residential development as part of the previous scheme.

Notwithstanding the replacement planting report, a detailed scheme for replacement planting and habitat enhancements shall be conditioned to ensure that the trees are replaced at a ratio of 3:1, which has been deemed to be a suitable ratio of replacement according to the Arboricultural Officer and suitable habitat enhancements and management that is suitable for the existing habitat in the locality in accordance with the comments of NWT. The comments of third parties regarding loss of trees and habitat cannot be supported given the mitigation and habitat enhancement proposed.

Having regard to the above, it is considered that the proposal accords with criteria 1 and 3 of policy E1.6 in addition to the provisions of Core Strategy policy CS12.

Ecology - Protected Sites

No statutory designated sites for nature conservation can be found within or directly adjacent to the application site. The Wash Ramsar Site and SPA is 5.4km north of the site, The Wsah and North Norfolk SAC is also 5.4km north of the site. The Roydon Common and Dersingham Bog SAC is 4.7km east. Dersingham Bog SAC is 9.1km north and the Norfolk Valley Fens 10.15km east of the site.

South of Gaywood Park County Wildlife Site (CWS) is located adjacent to and the south of the railway line. This is the closest county wildlife site. The previous application abutted Plantation Wood which was to the south of Swallowfield Road and to the west of Silver Green. This reduced application site does not abut that particular county wildlife site.

In accordance with the requirements of policy E1.6 of the SADMPP (2016), the application is accompanied by a shadow Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment Report prepared by Hopkins Ecology.

Within this report the shadow HRA screening concluded that, when considered alone, the proposed development would not have any Likely Significant Effects on any protected site. However, when considered in combination with all other development permitted and planned in the Borough, the HRA concluded that Likely Significant Effects could not be ruled out due to increased visitor and recreational pressure. As a result, appropriate assessment (AA) is required.

Whilst it is the responsibility of the local planning authority (LPA), as competent authority, to produce the HRA and be accountable for its conclusions, Natural England has raised no objection to the application and the mitigation proposals of the habitats payment of £12,430 will need to be secured 226 x £55 per dwelling), on-site areas of open space and pathways around the site, to connect to existing paths and further recreation area should reduce visitor pressure on the designated sites.

A condition is imposed that the householders will need to be provided with information packs to inform the occupiers or the need to limit the recreational pressures on the designated sites.

As part of the open space specification (final details to be secured via the s106) the provision of dog bins will need to be secured.

A further area of habitat enhancement is also proposed to the east of the site within the control of the applicant as set out earlier and tree planting and habitat management plan shall be conditioned accordingly.

Overall officers, concur with the conclusions of the shadow HRA carried out by Hopkins but in accordance with our responsibility as competent authority the LPA has undertaken a separate appropriate assessment (AA) which can be found at Appendix 1 to this report. This found that, having reviewed the contents of the submitted HRA report, officers consider that it has been adequately demonstrated that the impacts upon the protected sites referred to above can be mitigated against to a sufficient degree for it to be determined that the proposal would not adversely affect the integrity of the sites. It is therefore considered that the proposed mitigation measures as part of the development proposals and throughout the Borough to address similar concerns raised in the AA of the Local Plan, serve to eliminate or at least reduce, adverse effects such that, for all three European Sites, they are not likely to be significant.

Ecology

The application is accompanied by Ecological Assessment (EA) by Hopkins Ecology which considers ecological habitats currently found at the site.

Great Crested Newts and Water Voles

Great Crested Newts were evident in drainage ditches along the northern boundary of the eastern portion of the larger site (2020 application) and in the location of the footbridge over the sand line. No Great Crested Newts were found within the Sandringham Drain or along the western boundary of this reduced site. The Hopkins Ecological statement has reviewed the boundary ditches of the current site (western and southern) and whilst they were wet, they were dry in 2019. These watercourses are therefore seasonal watercourses and are deemed "extremely unlikely to support open water and other features suitable for breeding great crested newts. On this basis great crested newts are scoped out and considered to be absent".

With regard to water voles, only two short lengths of ditches within the site held water in August 2021. Further, these ditches had very limited aquatic vegetation and were isolated from wet ditches or ditches confirmed as having had water voles in 2019. The scoping

survey in 2019 described these ditches as dry ditch and the 2 direct surveys did not record evidence of water voles. It is concluded that the habitat is unsuitable for water voles and the likelihood of them being present is sufficiently low for them to be scoped out.

It should be noted that reference to water voles from some consultees refers to those off-site, on an area previously intended to build on.

Reptiles have also been scoped out of the 2021 survey that were originally part of the 2019 survey. The far eastern part of the previous site, and beyond had reptiles however the western field (the current application site) did not. The western fields lack cover or shelter for reptiles, and the margins are overly shaded.

Bats:

The masterplan for the earlier scheme incorporated information on bats, and included features such as buffers to the woodland and the known roosts to minimise direct and indirect impacts.

For 2021 surveys, the rationale was to focus on the overall level of activity across the site, and in particular to the cross belt where roosts were located in the 2019 survey. In addition two trees that are in close proximity to the western boundary of the site and two specific trees in the cross belt were surveyed.

The pattern of activity in 2021 is similar to that reported in 2019, albeit with only 5 as opposed to 8 species reported.

In terms of roosts, in two trees that are in the cross belt and two trees near the western boundary of the site, it is confirmed as per the 2019 study, that the trees had low roosting potential (tree 13 and 22) and 19 and 30 contained roosts but no bats were seen to emerge in 2021.

In terms of activity surveys, a total of 10-night surveys were carried out, between August to September. With 2 static stations in Swaffham Belt and 2 in the Cross Belt. Common pipistrelle bats were the most active with a total number of movements of 6,281; soprano pipistrelle 2,941; Nathusius pipistrelle - 3; Noctule - 285; myotis species - 76.

Transect surveys recorded similar of level of activity as that of the static detectors.

Notwithstanding the legal protection afforded to bat roosts, the two confirmed roosts on site are of a value at a local scale only, appearing to support only small numbers of bats or used sporadically. These trees are being retained. In terms of mitigation, it is proposed to minimise the light spill into soft landscaping and trees and in the event of bats being found during tree works then works should cease and advice sought. Other measures can include the hedgerows such as Hawthorn, Blackthorn, holly, hazel, oak, field maple, Acer, cherry species crab apple, aspen, dogwood, guilder rose, privet and hornbeam. Small trees suitable for the scheme could include silver birch forms of hornbeam and pedunculated oak, rowan and whitebeam species. Full details of soft planting and replacement tree planting across the site would agreed via condition.

Other measures can also include tree mounted boxes which would have a high chance of success. The boxes should face different aspects and be as high as possible.

It is considered that conditions in respect to bat box location and number can be secured by way of condition. Details in regards to any lighting to be provided as part of the scheme will need to consider the light level and colour and its impact upon bats and shall be conditioned.

Breeding Birds: The 2021 ecology report relies on data from the previous survey and concludes that the site is likely to be used by common species and small number of widespread but declining species.

In order to limit the impact upon nesting birds, the clearance of vegetation used by nesting birds should start outside of the nesting bird season. Should work be required to take place during the nesting season, a bird survey shall be required to be provided and submitted to the Council. Other measures include the installation of swift boxes on gables except those directly facing south, with groups of boxes as high as possible. Ultimately a condition can be imposed in regard to the erection of bird boxes, in so far as their scale, siting, numbers and appearance of Swift Boxes. This is notwithstanding any tree planting.

Reptiles

Whilst suitable habitat was found on the larger site, reptiles are now scoped out of the current application as the on-site habitat is low for this species.

Conclusions

The reduced application site has reduced the number of protected species that are considered to be impacted by the development. There are no interconnecting ditches between the ditches to the east of the site and the ditches on this site that would result in Great Crested Newts being present. Reptiles are now scoped out of this smaller application site as the on-site habitat is low suitability of reptiles and with the wooded copse, cross belts and Swaffham belt being too shady. Water voles are scoped out on the basis of the ditches being seasonal ditches and not interconnecting with the ditches that contained water voles.

Through mitigation in regard to bird and bat boxes, the sensitive timing of works and the planting of new trees, there should be limited detrimental impact upon these protected species that cannot be compensated for. The report underlines that there is no requirement for a European Protected Species license for the development. Accordingly, the tests of derogation are not required to be undertaken.

Paragraph 179 and 180 of the NPPF requires Local Planning Authorities to consider Biodiversity in development proposals and most recently the Environmental Act 2021, dated 9th November 2021 specifies that there is a mandatory net gain target of 10% across development sites, however there is a transitional period of 2 years before this becomes operational, so it not currently a requirement. Notwithstanding this, off-site biodiversity enhancements are proposed with the creation of enhanced scrub, wet woodland and woodland on the adjacent 6.4ha site. These can be conditioned.

Whilst Third Party comments are noted, in light of the above, and taking into account the on- and off-site mitigation and enhancement measures proposed, it is considered that the proposed development would not result in significant harm to protected species and therefore accords with the provisions the NPPF, Policy E1.6 of the SADMPP(2016) and Policy CS12 of the Core Strategy (2011).

Open Space and Landscaping

The proposed development provides a generous amount of public open space that accords with Policy DM16 'Provision of Recreational Open Space for Residential Developments' of the SADMPP (2016). On developments of 100 dwellings and above the policy requires provision of 2.4 hectares of open space per 1,000 population comprising of approximately 70% informal amenity and/ or play space and 30% formal equipped play space based on the Fields in Trust guidance (FIT)).

Policy E1.6 of the SADMPP (2016) also refers specifically to on-site open space provision for the proposed development. This states regard will be given to the proximity of the development to existing safeguarded facilities (such as those at The Walks to the west of the site). The Borough Council will consider flexibility of open space provision requirements where this would result in qualitative and quantitative benefits to the community and where habitats requirements are met.

The open space plan that has accompanied the application has identified a total of 26,466m² of Open space which is over and above the policy requirement of 12,656m². As part of this figure, 226 units would require the following 3842 m² equipped play space. Contrary to Third Party comments, significant informal and formal opens space is provided for play and well-being purposes.

In order to accord with policy and the FIT guidance, a Local Area of Play is proposed on site. In terms of LEAPs and a MUGA, these can be at 400m walking distance and need to be a minimum of 20m and 30m between the activity zone and the boundary of the nearest property containing a dwelling. With the recreation ground being located within 400m of the furthestmost dwelling on the site, and the flexible approach to planning policy, a contribution is proposed to refurbishing the existing Parkway Recreation Ground.

In order to ensure that the future occupants of plots that face the upgraded recreation ground are not disturbed in terms of noise, the shape of the play area will need to ensure that there is a 20m separation distance from the plots at 200-205. Final details in terms of layout of the extended play area this will form part of the open space specification secured through the s106 agreement.

The Council's Public Open Space team have raised no objection to the proposed development and if planning permission is granted they will continue to work with the project team to agree the finer details of the open space provision, maintenance regimes and landscaping (in particular species selection and locations for tree planting).

Sport England, whilst not a statutory consultee in this case, has objected to the proposal on the basis of the loss of former sports fields. Sport England, in accordance with its own Playing Fields policy, has stated that it wants a contribution of £300,000 to be spent on enhancements to existing sports pitches in the locality as compensation for the loss of the former sports field.

However, it must be acknowledged that this site is a longstanding allocation of the Development Plan for residential development, there is no requirement for the provision of a contribution to sports facilities other than local open space provision/place space and the development itself, proven through viability, cannot support additional voluntary contributions on a scale such as this. In addition, national guidance only requires consultation with Sport England in certain circumstances, which in this case would be if the playing fields had been in use within the last 5 years. The playing fields have not been used for much longer than this, and Google Earth aerial photography indicates this is at least 15 years, likely longer.

Given the fact this is an allocation in the Local Plan, it has been through a comprehensive assessment, including consideration of loss of a playing field, and it is considered to meet the terms of the NPPF para 99 point a). It is considered the request for £300,000 towards alternative provision is unreasonable in the circumstances and, notwithstanding issues around viability of such a request, it is not proposed that such a contribution is required.

The proposal complies with the provisions of Policy E1.6 of the SADMPP and Policy DM16 of the SADMPP subject to the open space contributions and specifications being secured by S106 agreement.

Affordable Housing

The site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy, CS09. At present a 15% provision is required on sites capable of accommodating 10 or more dwellings and/or 0.33ha in King's Lynn. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and the other 30% for shared ownership or any other intermediate product that meets the intermediate definition within the NPPF, meets an identified need in the Borough and is agreed by the Council.

In this instance 34 units are required, this is broken down into the following:-

Affordable Rent = 24 units:-

2 x 1 bed house
6 x 1 bed flat
6 x 2 bed
8 x 3 bed
2 x 4 bed

Shared Ownership = 10 units:-

5 x 2 bed houses
5 x 3 bed houses

Units 66-69 and 78-82 would be built in Phase 2 (all for rent), Plots 123-127 and 130-132 (shared ownership) in Phase 3, Plots 13-14 (rent) and Plots 15-16 (shared ownership) in Phase 4 and Plots 189-90 and 183 – 188 (all for rent) in Phase 6.

The Council's Housing Strategy Officer has confirmed the proposed affordable units meet both their space standards, are fully integrated within the site and the cluster sizes of the units are acceptable and accord with Council policy. A S.106 Agreement will be required to secure the affordable housing provision. The proposal therefore complies with Policy E1.6 of the CS and Policy CS09 of the Core Strategy.

Residential Amenity

In terms of the relationship between the proposed development and existing residential properties on Parkway, the dwellings would be sufficiently separated to prevent any overbearing impact or loss of privacy / overlooking.

In addition, the relationships between units within the proposed development itself has been considered. All dwellings would be provided with sufficient private amenity space and where properties have a direct back-to-back relationship with each other there would be a minimum separation distance of approximately 21 metres which is considered to be acceptable and would provide a good quality living environment for future occupiers.

The previous application contained a detailed noise and vibration assessment. From the modelling of that application, the noise impacts of from the neighbouring site, the railway line and the industrial estate beyond had limited and not significant impact on the proposed dwellings. This application has also been supported by a detailed noise survey.

In terms of the potential impact of noise levels from external noise sources, the Council's CSNN team asked for additional control measures to be put in place to ensure that the internal and external amenity space do not experience noise levels above the relevant WHO guidelines. Where compliance may not be achieved through normal ventilation and glazing, additional measures would be required, such as enhanced acoustic glazing and passive ventilation systems that allow for certain windows to remain closed. A revised noise report was submitted in February 2022 and CSNN has confirmed that the concerns raised have been addressed on the proviso that the glazing and ventilation strategy at noise sensitive properties is implemented in accordance with the details outlined in the report.

In terms of noise and disturbance during construction, the revised Construction Traffic and Environmental Management Plan Revision 8 is fully acceptable.

On this basis, there are sufficient controls to mitigate against noise and disturbance during the construction stage and to protect residents from existing noise sources surrounding the site. As a result, the proposal complies with the NPPF, Policy CS08 of the CS and Policy DM15 of the SADMPP.

S106 requirements, viability and local finance considerations

The proposed development would meet the requirements for the costs of relevant infrastructure, facilities and resources reasonably related to and directly arising from the development.

Should Members resolve to grant planning permission, a S106 agreement would be required to cover the provision of the affordable housing units (34 no. affordable homes as required by policy), provision of open space, contributions towards ecological mitigation, off-site financial contribution towards open space and its maintenance and management and sustainable transport contributions.

Section 70(2) of the Town and Country Planning Act 1990 provides that a LPA must have regard to a local finance consideration as far as it is material. This includes any Community Infrastructure Levy (CIL) as well as a grant from Homes England. Members will need to consider the weight attached to a £2.1m grant that the site benefits from as part of the Accelerated Construction Programme (ACP) set out below.

The development is also subject to S106 contributions, although these must be;

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related to in scale and kind to the development.

Whilst this site is in a zero CIL charging area, there is the ability to capture the infrastructure projects under the s106 mechanism. That said, it is important to note that it must not make the development unviable. This is covered in more detail below.

Norfolk County Council Infrastructure Planning team have requested an education contribution for 30 Junior School places at a cost of £420,660,29 High School places at £454,256 and 3 Sixth Form places at £46,992. A total contribution of £921,908.

In terms of library contributions, there would be the need for a library contribution of £75 per dwelling = £16,950

Whilst on face value, the obligations are considered to meet the tests of an obligation, imposing obligations upon a development that would render it unviable would be unreasonable and contrary to government guidance. For development, to come forward it needs to be viable.

As per paragraph 58 of the NPPF and para 8 of the NPPG, where up to date policies set out contributions expected from development, planning applications that comply with them are assumed to be viable. It is up to the applicant to demonstrate whether a particular circumstance justifies the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

The starting point is that the site is a historic allocation of the development and its viability has been reviewed as part of the Local Plan process. Most recent evidence within the Local Plan Review Viability Update 2021 demonstrates that the allocation is only viable with contributions of around £100, 000 plus policy compliant affordable housing.

It is also very important to note that the site has previously been through a viability appraisal to secure Homes England funding of £2.1m through the Accelerated Construction Programme (ACP) which clearly demonstrates the government intervention that is necessary for the development to come forward. This would indicate why the site has not come forward previously on the open market.

Notwithstanding this, the applicant has also submitted a viability assessment, which has been independently assessed and this demonstrates that the total contributions including education and library contributions cannot be secured through the development as in order for the developer to provide full S106 contributions to the tune of approx. £1.1m, it would need to operate on a significantly reduced profit margin of a maximum of 12% as opposed to the lower end profit margin of 17.5% that the NPPG envisages. The development cannot therefore afford to provide the education and library contributions along with 15% affordable housing, open space contributions, and sustainable transport contributions.

The delivery of policy compliant affordable housing is a key requirement of Homes England funding and therefore cannot be reduced below the 15% provision. Given the already proven viability issues for this site as outlined by the Homes England funding as well as the updated Local Plan Viability Review 2021, the education and library contributions will not therefore be included within the S106 because they would render the site wholly unviable.

Other contributions are considered to meet the Regulation 122 CIL test and comply with Policy CS14 of the CS.

Other Considerations

Contaminated land:

The previous application was supported by a Preliminary Geo-Environmental Risk Assessment (PRA), Delta Simonds, August 2019. The PRA identified limited potential sources of contamination: underlying Tidal Flat Deposits (peat), localised Made Ground deposits, the adjacent Hardwick Industrial estate, adjacent railway, off-site electrical substation and deposited waste (fly-tipped) on-site. The Council's Environmental Quality team raised no objection to the proposal but given further work is required to characterise the site and assess remedial options they have recommended the imposition of contaminated land conditions.

Since the previous application, the most recent Preliminary Risk Assessment Report (November 2021) reviews the previous work carried out on the site and covers the proposed development of 226 units. Concerns raised in regard in earlier reports regarding potentially elevated ground gas in one area (R2) are reported to have been revised based on the current proposal. The report concludes that previously elevated concentrations of ground gas in borehole R2 are mitigated by the location of the pump house and the area of public open space.

The 2021 Preliminary Risk Assessment Report includes a contaminant linkage assessment, concludes that the potential linkages are all very low risk and makes recommendations for site specific remediation and verifications strategy. A remediation and verification strategy report dated November 2021 recommends a number of measures based on the previous findings. These include

- Hotspot protocol,
- Materials management plan for earthworks
- Cover system and imported materials validation
- Testing of site-won material
- Post placement verification of topsoil or cover materials
- Verification reporting for the enabling phase and construction phase

Following this remediation strategy, the Environment Health Environmental Quality team have no objection to the proposal subject to it being conditioned accordingly.

Air quality - The NPPF states that "planning policies and decision should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in the local areas".

"Planning decisions should ensure that any new development within Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan".

Air quality assessments (AQA) were carried out to assess a) risk of dusts from construction phase (Royal Haskoning DHV, AQA Sept 21), and b) traffic emissions once operational (Royal Haskoning DHV AQA, Addendum Oct 21).

Dust emissions:

The AQA for the construction phase (Sept 2021) identified high-risk receptors as schools that are situated at either ends of the development (west and east) with estimated population exposure at around 10-100 persons and with exposure within 20m. No ecological receptors were identified. Risks were assessed as low for human health based on these constraints, although if population exposure is in excess of 100 risks would increase (medium). Dust soiling was assessed as higher risk (medium during construction / earthworks and high risk from trackout). No demolition as site is greenfield.

The AQA (Sept 2021) for the construction phase put forward range of potential mitigation options to reduce overall risk. Actual mitigation was set out by Lovells via their Construction Traffic and Environmental Management Plan (CTEMP), which initially did not identify any dust / particulate matter monitoring (v.4). Environmental Quality noted this and recommended a condition for a suitable dust monitoring scheme to be implemented as approved.

Later editions of the CTEMP included monitoring e.g. final version 8. The AQA for the construction phase explained that monitoring can be via a number of techniques (dust

deposition, dust flux, or via real-time PM10 continuous monitoring) but actual should be agreed with this Council.

IAQM guidance on the monitoring of dust from construction sites (IAQM, 2018) explains that 'where monitoring of PM concentrations is to be carried out, a minimum of two sampling sites should be established; these may be located upwind and downwind of the site'. Suitable scheme is to be agreed.

The Construction Management Plan Version 8 also restricts site activities involving any machinery (noise impacts) to the hours of 7.30am to 5.30pm Monday to Friday and 7.30 am to 1.00pm on Saturday.

HGV movements are noted by Lovells to peak at around 25 (deliveries) during main construction period (approx. 1 yr) but when averaged over the build period reduce to around 6 per day.

Traffic Emissions:

In terms of the risks from additional traffic emissions once the site is operational this was assessed by AQA Addendum (Oct 2021). Traffic will flow out from the site via Queen Mary Rd into the Gaywood Clock junction. This area is declared as an Air Quality Management Area (AQMA) due to nitrogen dioxide (NO₂) exceeding the annual mean air quality objective (40ug/m³).

The AQA focused on the emissions associated with traffic (NO₂, PM10 and PM2.5) over three assessment scenarios (with and without development) for base year (2019), an opening year (2023) and a completed year (2025). It has modelled the main road links. Relevant meteorological data was obtained from local station at Marham. Modelling has been verified also against this Council's NO₂ monitoring in accordance with the guidance. In relation to modelled impacts from traffic emissions for NO₂, PM10 and PM2.5 they have been predicted as negligible when compared to the relevant air quality objectives at the receptor locations, that includes the AQMA's in Gaywood Clock and also in the Town Centre in accordance with IAQM guidance (2017). The conclusion reached on impact is not significant.

Notwithstanding impacts IAQM explains that mitigation of emissions should follow best practice. The mitigation set out is for additional walking and cycling infrastructure shown within plans within the appendices and with links to the Local Cycling and Waling Plan (LCWIP) for Kings Lynn. The use of low NO_x (electric) air source heat pumps, solar panels, to be used for heating, cycle storage and EV charge points and reduction of speed to 20 mph limits are being proposed.

A Travel Plan is to be adopted that seeks to deliver a 15% reduction in single-occupancy car use through appointment of travel plan co-ordinator, plus offers and incentives and a sustainable travel pack for each dwelling.

Senior AQ Officer in Environmental Quality has considered the assessments and mitigation for the impact of the development (both during construction and operational phases) and appear to be satisfactory and the development would not adversely affect air quality. The comments of third parties cannot therefore be supported.

Third party comments have mainly been addressed within the main body of the report. With regard to lack of infrastructure (school places, doctors, police etc) it must be noted that this is an allocation of the development plan i.e. a planned form of development and thoroughly assessed by the Local Plan process.

The Waste and Recycling Manager initially raised concerns that bin collection lorries would not be able to safely access/egress bin collection points in specific areas of the site; raised concerns regarding road construction and the ability to cater for a 26 Tonne vehicle; and regarding bin collection points that would not be located adjacent to the adopted highway. Amended plans have been submitted to address these concerns and the objection is now withdrawn.

With regard to archaeology, work has been done in regard to archaeological excavations which has involved trial trenching. The results from the trial trenching have concluded no significant findings and accordingly, the Historic Environment Service has no objections or require any further works.

Crime and Disorder

The Police Architectural Liaison Officer has commented on the application, commented that they are pleased to see that there are changes in road surfaces that give the impression that the area beyond is private to the general community and this often deters casual intrusion by non-residents. They are also pleased that the design avoids blank gables overlooking the public realm.

The officer raises various concerns with regard to design, surveillance of footpaths and location of parking spaces etc. In response to these comments, in order to provide connectivity and to encourage sustainable modes of transport, on foot and cycling, the proposal does result in an intensification of the use of existing footways and cycleways. No such issues were raised in regard to the previous application by Norfolk Constabulary, which also provided connections back onto the existing footways and cycleways. It should be noted that a suite of improvements are proposed to local footways and cycleways including lighting to ensure that the scheme is sustainable.

Whilst it is noted that 39% of the dwellings may not have a habitable room window overlooking their associated side parking, observation of such areas is achieved by surrounding properties and people permeating through the site. Accordingly, there will be suitable natural surveillance.

The use of parking courts at the back of flats is noted, but this is common. The flats overlook the parking courts, and there is direct view of the parking court entrances afforded by the dwellings opposite the entrances.

Overall it is considered that the proposal on has suitably and comprehensively considered the impact upon crime and disorder in the area, as Local Authorities are required to do, and would not warrant a refusal on these grounds.

CONCLUSION/PLANNING BALANCE

The application site is allocated for a development of some 260 dwellings under Policy E1.6 of the SADMPP (2016). The principle of developing this site for residential development is therefore one that is long established, and is fully acceptable.

The application has been significantly reduced in scale since the previous application and now only proposes 226 units on this allocated site at a density of 26 dwellings per hectare (net). The proposal has retained the cross belt avenue of trees and the southern belt and proposes a significant replacement planting scheme along with proposed off-site habitat enhancement.

Minimum FFLs have been raised across the site to 3.15 AOD with ground floor only accommodation being raised to 3.75AOD. All properties in the western area of the site will have flood resilient and resistant construction up to 3.75m AOD. The EA raises no objection subject to condition.

The proposal does result in the loss of 3 category A trees, in order to provide a satisfactory highways scheme and to provide the surface water pumping station. The Arboricultural officer has no objection to the Arboricultural Implication Assessment and the implications of the revised crated system as opposed to the attenuation basin scheme.

The proposal has provided an overprovision of informal open space through which there are pedestrian routes. The proposal has made significant provision in the form of 4 new cycle routes to link the site to the existing footway and cycleway network to the Gaywood Clock and wider network including the Hardwick industrial estate. Formal open space would be provided as a mix of on-site and off-site provision. On-site, a LAP is provided and a significant contribution to upgrade the skate park and the play equipment at the adjacent recreation ground is proposed.

Through the Habitats Regulation Assessment and the appropriate assessment the proposal has, through a combination of measures, mitigated its impact upon the protected European sites and has identified and established appropriate mitigation in terms of protected species.

Whilst NCC Planning Obligations have requested additional funding regarding school places, the scheme cannot take over £1 million of additional contributions. The scheme would not be viable in terms of the NPPF standard methodologies and therefore no NCC education or library contribution is sought. The site has provided affordable housing in line with the current standards, and would provide significant off-site transport improvements including sustainable transport. It is the view of officers that these should still be sought as part of the scheme, and they have been considered as part of the viability assessment.

Overall, the scheme is considered to provide a high quality development, that is well served by and improves existing sustainable connections to the town and wider suburb of Gaywood. The design draws reference from other recent developments within the town and has its own individual character with identifiable character areas.

Members will be aware that applications should be considered in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the scheme is in accordance with a housing allocation as well as other policies set out in the current Development Plan, and there are no material considerations that would weigh against an approval. The planning balance is therefore heavily weighed in favour of approval for this proposed development.

Given the above, the proposal complies with the provisions of the NPPF and NPPG, Policies CS01, CS03, CS08, CS09, CS11, CS12 and CS14 of the Core Strategy and Policies DM1, DM2, DM15, DM16, DM17, DM21, DM22 and E1.6 of the SADMPP and as stated, the proposal is therefore recommended for approval.

RECOMMENDATION:

A. APPROVE subject to the satisfactory completion of a S106 Agreement to secure affordable housing, open space provision and maintenance, sustainable transport contribution and associated monitoring within 4 months of the date of this committee resolution and subject to the imposition of the following condition(s):

Planning Committee
7 March 2021

- 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:

Site Location Plan P06
 Site Plan – Proposed Masterplan Roof P45
 Site Plan – Ground Floor Plan – Part 1 P08
 Site Plan – Ground Floor Plan – Part 2 P08
 Site Plan – Ground Floor Plan – Part 3 P07
 Material Schedule Plan P08
 Accommodation Mix P08
 Building Heights Plan P08
 Phasing Plan P11
 Public Open Space P08
 Refuse Strategy Plan P08
 Boundary Treatment Plan P07
 Parking Matrix Plan P06
 Affordable Plan P08

HOUSE TYPES

0050 H1437(D) - Plans and Elevations P02
 0051 H1437(D) - Plans and Elevations P02
 0061 H1295(D) - Plans and Elevations P02
 0070 H1282(D) - Plans and Elevations P02
 0071 H1282(D) - Plans and Elevations P02
 0080 H1213(S) - Plans and Elevations P02
 0090 H1015(D) - Plans and Elevations P02
 0092 H1015(D) - Plans and Elevations P02
 0095 H1015W(D) - Plans and Elevations P03
 0100 H980(D) - Plans and Elevations P01
 0120 H912(D) - Plans and Elevations P02
 0121 H912(D) - Plans and Elevations P02
 0124 H912(D) - Plans and Elevations P02
 0130 H897(D+garage) - Plans and Elevations P02
 0131 H897(D) - Plans and Elevations P02
 0132 H897(S) - Plans and Elevations P02
 0133 H897(S) - Plans and Elevations P02
 0134 H897(T3) - Plans and Elevations P02
 0135 H897(T3) - Plans and Elevations P02
 0140 H789(S) - Plans and Elevations P02
 0141 H789(T3) - Plans and Elevations P02
 0142 H789(S) - Plans and Elevations P00
 0143 H789(S) - Plans and Elevations P00
 0150 H663(S) - Plans and Elevations P02
 0152 H663(T3) - Plans and Elevations P02
 0153 H663(T4) - Plans and Elevations P02
 0160 A2B(S) - Plans and Elevations P02
 0161 A2B(T3) - Plans and Elevations P02
 0170 A3B(S) - Plans and Elevations P02

0171 A3B(T3) - Plans and Elevations P02
0180 A4B(S) - Plans and Elevations P02
0185 A1B(S) - Plans and Elevations P02

FLAT TYPES

Flat Type 1B2P Type 1 - Plans P02
Flat Type 1B2P Type 1 - Elevations P02
Flat Type 1B2P Type 3 - Plans P02
Flat Type 1B2P Type 3 - Elevations P02
Flat Type 1B2P+2B3P Type 1A - Plans P02
Flat Type 1B2P+2B3P Type 1A - Elevations P02

GARAGE TYPES

Garage Type 1 - Plans and Elevations P01
Garage Type 2 - Plans and Elevations P01
Garage Type 8 - Plans and Elevations P01
Garage Type 9 - Plans and Elevations P01
Garage Type 11 - Plans and Elevations P01

ELEVATIONS

Street Elevation 1 P01
Street Elevation 2 P00

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, street lighting, 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: This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.
- 4 Condition: Prior to the occupation of the final dwelling all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 4 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 5 Condition: Before any dwelling is first occupied the road(s)/ footway(s)/cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 5 Reason: Reason: To ensure satisfactory development of the site.
- 6 Condition: Notwithstanding details submitted within the Lovells Construction Traffic & Environmental Management Plan Version 8 - February 2022, development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

- 6 Reason: To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 7 Condition: Notwithstanding details submitted within the Lovells Construction Traffic & Environmental Management Plan Version 8 - February 2022, prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing air quality issues, any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
- 7 Reason: In the interests of air quality in the locality and maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 8 Condition: For the duration of the construction period all traffic associated with 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.
- 8 Reason: In the interests of maintaining highway efficiency and safety.
- 9 Condition: Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works to include:

Phasing plan for proposed off-site highways works

Bus shelter with real time passenger information display at the east side of the south end of Queen Mary Road.

Improvement to existing bus stop at west side of Queen Mary Road, north of Hulton Road to make it DDA compliant.

Improvement to the existing cycleways both sides of Queen Mary Road for its full extent with segregated facilities provided at one side of the road if practicable.

Cycleway on the south side of Parkway from Queen Mary Road to Raleigh Road, including relocation of off-road parking away from Thoresby Avenue junction.

Pedestrian crossing via a pinch point east of Dawber Close.

Improvement to the Swaffham Belt cycleway with particular regard to intervisibility and light levels to improve personal safety.

Improvement to ramp and barriers between Hulton Road and Sandringham Railway cyclepath to support inclusive mobility.

Improvement to existing junction between Swaffham Belt and Sandringham Railway cyclepaths.

2.0m Mandatory cycle lanes for the full extent of Queensway between Gayton Road and Springwood High School, subject to maintaining a 6.0m carriageway. Otherwise advisory cycle lanes should be provided.

Lighting at cyclepath through The Rookery to improve personal safety.

20mph speed limit / zone covering the whole of the existing area accessed via Queen Mary Road, along with the proposed development. This should include traffic calming features to enable the speed limits to be self-enforcing.

20mph zone at residential area including Queensway to support safe cycle route to Springwood School, reinforced by traffic calming features.

have been submitted to and approved in writing by the Local Planning Authority.

- 9 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 10 Condition: Prior to the first occupation of the development hereby permitted, or in accordance with the agreed Phasing Plan approved under Condition 9, the off-site highway improvement works (including Public Rights of Way works) referred to in Condition 9 shall be completed to the written satisfaction of the Local Planning Authority.
- 10 Reason: To ensure that the highway network is adequate to cater for the development proposed.
- 11 Condition: Notwithstanding details submitted, prior to the first occupation of the development hereby permitted an Interim Travel Plan shall be submitted to and approved by the Local Planning Authority.
- 11 Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.
- 12 Condition: No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan referred to in Condition 11. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to in Condition 11 shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority as part of the annual review.
- 12 Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.
- 13 Condition: Upon commencement of the development, to procure for a period of 5 years from the first occupation of the development a bus service of 30 minute frequency between the development and King's Lynn town centre Monday to Saturday and with an hourly frequency on Sunday (or such other hours as the Local Planning Authority may from time to time approve). Such service is to be provided by a bus operator or operators with details of the service and operators to be approved in advance in writing by the Local Planning Authority.

- 13 Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.
- 14 Condition: The development shall not be brought into use until a scheme for the provision of 5 fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 14 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 15 Condition: The development hereby permitted shall be carried out in strict accordance with the mitigation measures set out in the submitted Flood Risk Assessment (FRA) undertaken by Royal HaskoningDHV (ref: PB9582-ZZ-XX-RP-Z-0001, dated: 18/02/2022), drawing no. PB9582-RHD-CE-I1-DR-D-0120 (rev. 03) - Finished Floor Levels Plan and drawing nos. 004 (P07), 005 (P07) and 006 (P07) - Ground Floor Plans are adhered to. In particular, the recommendations that:
- Finished floor levels set no lower than the levels shown on drawing no. PB9582-RHD-CE-I1-DR-D-0120 (rev. 03) - Finished Floor Levels Plan
 - Flood resilient measures will be incorporated up to 600mm above finished floor levels.
 - Finished floor levels of all properties with ground floor sleeping shall be set at a minimum of 3.75m ODN.

and the following measure

Flood resistant construction will be incorporated up to 600mm above finished floors levels on all properties with FFLs below 3.75m ODN

- 15 Reason: In the interests of flood risk and to accord with the provisions of the Development Plan, NPPF and NPPG.
- 16 Condition: The development must be carried out in strict accordance with the application form, plans and documents detailed below:

Flood Risk Assessment, Parkway, Kings Lynn (Reference: PB9582-ZZ-XX-RP-Z-0001 dated 18th February 2022), Parkway, King's Lynn Drainage Strategy (Reference: PB9582-

CE-SW-RP-D-0500 dated 7th January 2022) and drawings DRAINAGE LAYOUT (WESTERN SITE) Sheet 1 of 2 (Drawing No: PB9582-RHD-DE-SW-DR-D-0500 rev: P04 dated 7th January 2022) and DRAINAGE LAYOUT (WESTERN SITE) Sheet 2 of 2

(Drawing No: PB9582-RHD-DE-SW-DR-D-0501 rev: P04 dated 7th January 2022).

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

- 16 Reason: For the avoidance of doubt and in the interests of proper planning and to prevent flooding in accordance with National Planning Policy Framework paragraph 165,169 and 174 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

17 Condition: No development shall commence until full details of the foul 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.

17 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

18 Condition: Notwithstanding details submitted within the Lovells Construction Traffic & Environmental Management Plan Version 8 - February 2022, during the construction phase and to help quantify risk of dust emissions to most sensitive receptors, a dust monitoring scheme (in accordance with IAQM 2018) shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the details agreed for the duration of the development.

18 Reason: To ensure dust emissions are controlled in the interests of air quality in the locality in accordance with the NPPF.

19 Condition: The approved remediation scheme, Remediation & Verification Strategy, dated November 2021 by Delta Simons, 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.

19 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.

20 Condition: The development shall be carried out in accordance with the Site Suitability Noise Assessment PB9582-RHD-ZZ-XX-RP-Z-0001 dated 9th February 2022 and specifically in accordance with the noise mitigation set out in Section 5.2 and associated glazing and ventilation specifications set down in Appendices A7 and A8.

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

21 Condition: Other than in accordance with Conditions 6, 7 and 18, the development shall be carried out in strict accordance with the Lovell Parkway Gaywood King's Lynn Construction Traffic & Environmental Management Plan Version 8 - February 2022.

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

- 22 Condition: The development shall be carried in strict accordance with the Arboricultural Impact Assessment and Method Statement by A T Coombes Associates Ltd dated 7th January 2022.
- 22 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 23 Condition: No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 23 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 24 Condition: Notwithstanding details submitted, no development shall commence on site until details of the proposed mitigatory replacement planting have been submitted to and approved in writing by the Local Planning Authority. These details shall specify the number (at a ratio 3 replacement trees:1 felled), type and size of trees proposed at the time of planting and include a planting plan, timescale for planting and details of the proposed management and maintenance of the trees. The mitigatory replacement tree planting shall be carried out in accordance with the approved details and the management and maintenance shall begin immediately following the planting of the replacement trees, which will be in accordance with the timescale specified in the approved scheme.
- If within a period of five years from the contractual practical completion of the development hereby approved, any of the replacement trees are removed, uprooted or destroyed or die or become, in the opinion of the local planning authority, seriously damaged or diseased, they 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.
- 24 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 25 Condition: Prior to commencement of the development hereby permitted, a scheme for habitat enhancement and associated management incorporating further surveys, tree planting and habitat improvement and programme for implementation for land identified in blue on Dwg 8966W-001 P06 (to the east of the Howard Junior School) shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with the details agreed and maintained thereafter.
- 25 Reason: In the interests of biodiversity and to accord with the provisions of the NPPF and NPPG.
- 26 Condition: Prior to the first occupation of the development hereby permitted, full details of both hard and soft landscape works for that phase shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include

finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 26 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 27 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works for each phase shall be carried out prior to the first occupation or use of any part of the phase to which they relate, 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.
- 27 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 28 Condition: Prior to the first occupation of each phase of the development hereby permitted a landscape management plan including long-term design objectives, management responsibilities, management and maintenance schedules for all landscape areas within that phase, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.
- 28 Reason: To ensure that the landscaping is properly managed and maintained in accordance with the NPPF.
- 29 Condition: Welcome packs (to include information relating to the availability of and whereabouts of locations for dog walking routes which are less sensitive than international sites, and the provision of connecting accesses to existing rights of way and open space) shall be provided on first occupation of all houses hereby approved.
- 29 Reason: In the interests of protected sites and to accord with the provision of the NPPF and NPPG.
- 30 Condition: The recommendations, mitigation and enhancement measures identified in paragraphs 7.13 - 7.18 in the Ecological Assessment (updated January 2022) by Hopkins Ecology at shall be implemented in accordance with the approved details and in accordance with a programme to be submitted to and approved in writing by the local planning authority prior to the commencement of development.
- 30 Reason: In the interests of biodiversity and protected species and to accord with the provisions of the NPPF and NPPG.
- 31 Condition: Prior to the first occupation of each phase of the development hereby approved, details of the method of lighting and extent of illumination to the access roads, footpaths, shared parking areas and circulation areas within that phase 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

lighting scheme shall be implemented in accordance with the approved scheme prior to the first occupation of the phase of the development to which it relates and shall thereafter be maintained and retained as agreed.

- 31 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 32 Condition: No development shall take place on any external surface within each phase of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) in that phase 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.
- 32 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 33 Condition: Prior to first occupation/use of each dwelling hereby permitted the boundary treatment relating to that property shall be completed in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
- 33 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- B. In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, open space provision and maintenance, sustainable transport contribution and associated monitoring.

APPENDIX 1

Habitats Regulations – Appropriate Assessment

Application ref: 21/01873/FM – Construction of 226 new homes and associated green space, landscaping and ancillary infrastructure

Land SE of 60 Queen Mary Road N of Railway Line And S of Parkway Gaywood King's Lynn

1. Background

1.1 The Conservation of Habitats and Species Regulations 2017 (as amended), commonly referred to as 'The Habitats Regulations', transpose the European Union Habitats Directive on the conservation of natural habitats and of wild fauna (92/43/EEC) into national law and sets out the provisions for the protection and management of habitats and species of European importance. For clarity, changes have been made to the Conservation of Habitats and Species Regulations 2017 (as amended) (2017 Regulations). The changes are made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (2019 Regulations).

1.2 The Habitats Regulations require a Competent Authority (for planning decisions this is the Local Planning Authority) to make an Appropriate Assessment of the implications of a plan or project which is likely to have a significant impact on European (or Natura 2000) sites and is not directly connected with or necessary to the management of those sites.

1.3 In the context of The Habitats Regulations, European sites comprise:

- Special Areas of Conservation (SAC) and candidate Special Areas of Conservation (cSAC), which are designated under the Habitats Directive
- Special Protection Areas (SPA) and potential Special Protection Areas (pSPAs) classified under the 'Birds Directive' (2009/147/EC); and
- Ramsar sites – although not included within the Habitats Regulations definition of European sites, government policy requires Ramsar sites to be given the same protection as European sites.

1.4 The Habitats Regulations provide for the control of potentially damaging operations, whereby consent for a plan or project may only be granted once it has been shown, through the Habitats Regulations Assessment process, that the proposed operation will not adversely affect the integrity of the European site(s) either individually or in-combination with other plans or projects.

1.5 HRA: Key Stages

- i) Stage 1: Screening for Likely Significant Effect - screening to identify whether a plan is likely to have a significant effect on a European Site.
- ii) Stage 2: Appropriate Assessment and ascertaining the effect on site integrity - where likely significant effects have been found, appropriate assessment of the development to ascertain whether it has an adverse effect on the integrity of the European site.
- iii) Stage 3: Procedures where Significant Effect on the Integrity of International Sites Remains - consideration of mitigation measures and alternative solutions where adverse effects on the integrity of a European site have been identified.

1.6 A 2018 case law ruling from the European Court of Justice Ruling on Article 6 of the Habitats Directive in Grace & Sweetman has dictated that screening for likely significant effects cannot take

into account any mitigation; however, the effects of mitigation measures can be assessed and accounted for at Appropriate Assessment (AA).

1.7 When considering potentially damaging operations, the Competent Authority must apply the precautionary principle i.e. consent cannot be given unless it is ascertained that there will be no adverse effect on the integrity of the site with regard to the site's conservation objectives.

Stage 1: Screening for Likely Significant Effect

1.8 The application site is not within and does not contain any European sites. The following European Protected Sites are within 15km of the Application Site:

- The Wash, Ramsar and SPA
- The Wash and North Norfolk Coast, SAC
- Roydon Common, Ramsar
- Dersingham Bog, Ramsar
- Roydon Common and Dersingham Bog, SAC
- Norfolk Valley Fens, SAC

1.9 The Site comprises a housing allocation for King's Lynn under Policy E1.6 King's Lynn - South of Parkway of the Site Allocations and Development Management Policies Plan (2016), with the policy requiring some 260 dwellings. The Habitats Regulations Assessment (HRA) carried out to inform the site/policy selection process for the SADMP concluded that this project, due to its cumulative impact with other large housing allocations, would likely have a significant effect on The Wash Ramsar and SPA and The Wash and North Norfolk Coast SAC.

1.10 A shadow Habitats Regulations Assessment (sHRA) prepared by Hopkins Ecology dated September 2021 with the application and subsequently updated in January 2022 to enable the Competent Authority (in this case the local planning authority) to undertake an Appropriate Assessment of the proposals after it was identified that without mitigation there is a risk of significant effects to The Wash SPA/Ramsar Site, The Wash and North Norfolk Coast SAC and Roydon Common and Dersingham Bog SAC/Ramsar Sites.

Stage 2: Appropriate Assessment (AA)

1.11 The Screening carried out within the submitted sHRA Report has indicated that the Application Site may lead to likely significant effects on three European sites, when considered in combination with the King's Lynn Core Strategy and corresponding Site Allocations Plan (in relation to residential development. The sites are:

- The Wash (SPA/Ramsar Site and Wash and North Norfolk Coast SAC)
- Roydon Common and Dersingham Bog SAC/Ramsar Site
- Norfolk Valley Fens (at East Walton and Adcock's Common SSSI)

The in-combination effects at all three groups of these sites are associated with the increase in the population size of King's Lynn albeit it minor as a result of this development, and the resultant increase in disturbance due to a potential proportional increase in visitor pressure.

The Local Planning Authority (LPA) is the Competent Authority for the purposes of the Conservation of Habitats and Species Regulations 2017 (as amended) and it is required to make an Appropriate Assessment of the implications of the project on the integrity of any affected European site in view of

each site's conservation objectives. Those sites are The Wash SPA/Ramsar Site, The Wash and North Norfolk Coast SAC and Roydon Common and Dersingham Bog SAC/Ramsar Site.

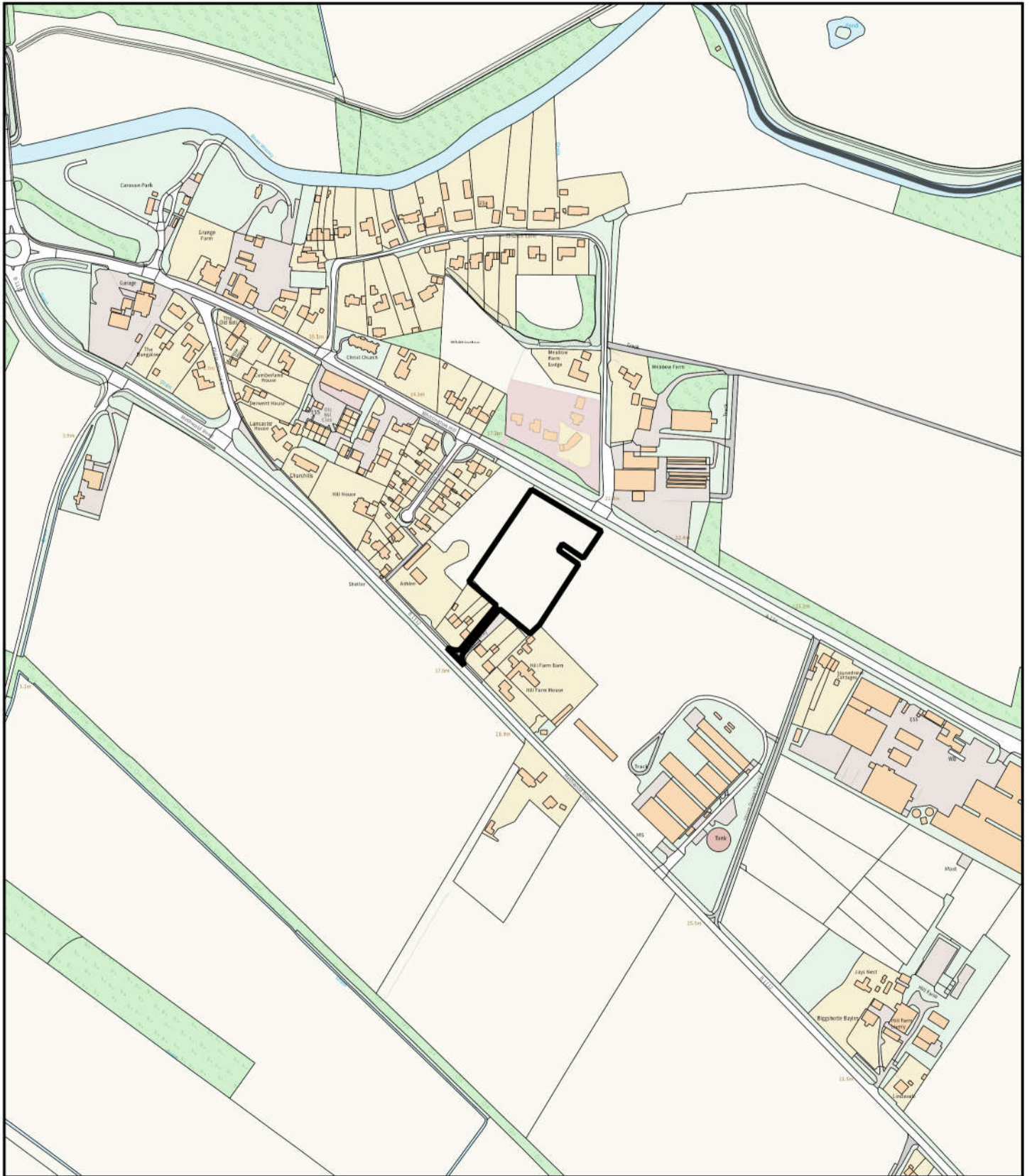
The LPA agrees with the assessment and findings in the Appropriate Assessment of the sHRA report prepared by Hopkins Ecology dated January 2022 and therefore adopts Section 5 of that report as the necessary Appropriate Assessment in its role as the Competent Authority on this matter and agrees that there would be no adverse effect on the integrity of the designated sites based on the mitigation package proposed as follows:

- The mitigation for in combination impacts is via a tariff-based scheme to fund mitigation on relevant sites, such as signage and visitor infrastructure. This is outlined within the 'Natura 2000 Sites Monitoring and Mitigation Strategy' and Policy DM19 Green Infrastructure/Habitat Monitoring and Mitigation of the SADMPP 2016. The Habitat Mitigation Payment is £55 per house and a payment of £12,430 has been paid.
- Additional mitigation would also be provided via the existing local path network and provision of on-Site open space. These would serve to provide alternative areas of recreation and reduce the likelihood of residents travelling to sites for recreation, in particular dog walking. It is also recommended that as additional mitigation an advisory leaflet is distributed in the sale pack of the properties, to provide information on areas for recreation / dog walking and describe the value and importance of Ramsar Sites and Nature Directives sites and their sensitivities.

Notwithstanding the above, a further package of habitat enhancement measures on 6.4ha of land to the east of the development (in the applicant's control) is also proposed and will be secured via condition.

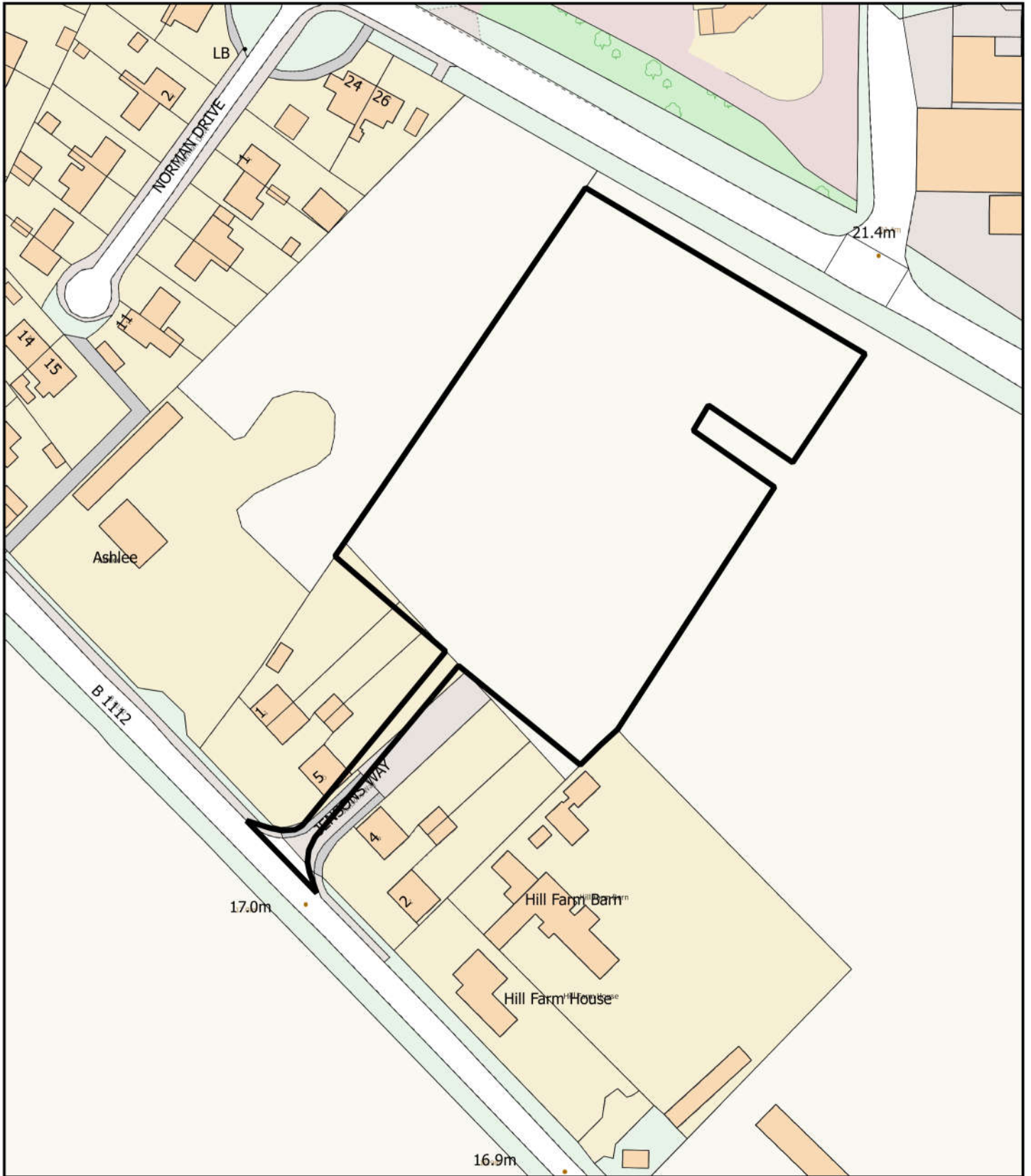
21/02103/FM

Jensons Way Whittington PE33 9FT



21/02103/FM

Jensons Way Whittington PE33 9FT



Parish:	Northwold	
Proposal:	Phased development of 10 dwellings built to Passivhaus standards, using existing entrance from Jensons Way	
Location:	Jensons Way Whittington Norfolk PE33 9FT	
Applicant:	Councillor Tony White	
Case No:	21/02103/FM (Full Application - Major Development)	
Case Officer:	Lucy Smith	Date for Determination: 4 February 2022

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

Neighbourhood Plan: No

Case Summary

The application seeks full planning permission for the construction of 10 new dwellings to the rear of dwellings fronting Jensons Way, Whittington.

Key Issues

- Principle of Development
- Planning History
- Highway Safety and Access
- Design and Impact on Form and Character
- Impact on Neighbours and Residential Amenity
- Affordable Housing
- Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The application seeks full planning permission for the construction of 10 new dwellings to the rear of dwellings fronting Jensons Way, Whittington.

The site comprises approximately 0.85ha of agricultural land and stretches from the rear of houses fronting Jensen’s Way to the south to the A134 to the North.

An application for a similar scheme was refused under application 21/00460/FM in June 2021.

Planning Committee
7 March 2022

SUPPORTING CASE

None received at time of writing

RELEVANT PLANNING HISTORY:

21/00460/FM: Application Refused: 28/06/21 - Phased development of 10 dwellings on land on Whittington Hill, using existing entrance and adopted entrance from Methwold Road - Jensons Way - Appeal Withdrawn 03/08/21; DELEGATED DECISION

20/00081/PREAPP: INFORMAL - Likely to refuse: 24/09/20 - PRE-APPLICATION ADVICE (OUTLINE WITH CONSULTATIONS AND A MEETING WITH A PLANNING OFFICER): 10 dwellings - Land Off Methwold Road

16/01159/RM: Application Permitted: 05/10/16 - RESERVED MATTERS: Construction of 5 dwellings including a site access road and all associated site works - Land South of Ashlee Methwold Road - COMMITTEE DECISION

16/00413/O: Application Permitted: 13/06/16 - OUTLINE APPLICATION SOME MATTERS RESERVED: Construction of 5 dwellings including a site access road and all associated siteworks - Land South East of Ashlee - COMMITTEE DECISION

RESPONSE TO CONSULTATION:

Parish Council: NO OBJECTION – stating the following comments:

'This application was discussed at our meeting last week and the Parish Council wish to say that they do not object but have made the following comments to be considered:-
The developer to pay for speed reduction on the A134 from the roundabout to the entrance to the estate and there are concerns over what "Social Housing" on the application means – are these to be available for rent or are they classed as affordable housing therefore privately owned.'

Local Highway Authority: HOLDING OBJECTION – the comments summarised as follows:

With reference to the application relating to the above development, you will be aware that the County Council has previously commented that the lack of transport sustainability for new development in Whittington should be taken into consideration. It remains the view of the County Council that due to the limited access to wider services and employment opportunities in Whittington, it remains a concern. Furthermore, the catchment primary school in Methwold is approximately 4.5km to the south.

Notwithstanding the above, should the Borough Council deem the principle of small scale development in this location to be acceptable (as shown on drawing 200 rev A), in relation to highways issues only, notice is hereby given that Norfolk County Council requests that the following amendment / additional information be submitted.

1. The existing junction has been constructed with 10m radii, which is excessive for this scale of development and could result in vehicles entering at an unacceptable speed. A junction radius of 6.0m would be more appropriate. The existing kerbing across the junction will also need to be removed and give way lines provided.

2. The visibility splays from the junction onto Methwold Road should be secured in perpetuity by widening / re-aligning the frontage footway. This will prevent it from becoming overgrown due to the lack of maintenance, in the interests of highway safety.
3. The access road as constructed is 4.8m wide with 1.5m wide footways. The proposed estate road should therefore not widen to 5.34m as proposed. If sufficient space is available, footways should be widened to 1.8m.
4. The proposed estate road will need to be subject to a 20mph zone, the slight kink in the road alignment is unlikely to be sufficient to retain vehicle speeds at the appropriate level and will need to be tightened.
5. Junction radii measuring 6.0m will be required at the turning head.
6. If access to the retained land to the east of the turning head is to be provided, what is the proposed use of this land.
7. The road extends too far beyond the turning head.
8. All dwellings must have two parking spaces (excluding garages), which is not clear from the submitted layout plan. Where four-bedroom dwellings are provided that require 3 parking spaces, they should not all be end to end tandem spaces.
9. Vehicular access to plot 10 must be clear of the adjacent junction radii.
10. Garages serving as a the third parking space for a 4 bedroom dwelling must have internal dimensions measuring 3.0m x 7.0m.

In addition to the above, whilst the previous development of 5 dwellings on the site frontage has provided a 1.5m wide footway to the bus stop, I would expect a larger scale development to be required to extend this footway to Old Methwold Road. Where possible within the highway, it should also be 1.8m wide.

CSNN: OBJECTION, with the following comments:

The reason for our objection relates to the potential impact of noise from the A134, specifically on Plots 9&10 but potentially also on the outdoor amenity space of the remaining plots.

The submitted noise report is not sufficient to address these issues and makes no reference to any recognised guidance for the protection of amenity and sleeping spaces. Without such a report, undertaken by a suitably qualified and competent noise consultant, I cannot determine if the plots will be subject to excessive noise levels.

Environmental Quality: NO OBJECTION with regard to Air Quality or Contaminated Land. Conditions are recommended to control additional details of proposed Electrical Vehicle charging provisions, Construction Environmental Management Plan (CEMP) in relation to Construction Dust, and Unexpected Contamination.

Environment Agency NO COMMENT

Housing Officer – NO OBJECTION - A Section 106 agreement would be required to ensure onsite provision of Affordable Housing.

Historic Environment Service: NO OBJECTION in principle, recommended archaeological investigation conditions with the following comments:

'Although little is known about the archaeological remains in the area of the proposed development site, it does lie close to the edge of the fen, an area rich in resources and densely settled from the prehistoric to the medieval periods. There are a few finds of Prehistoric and especially Roman material in the locality. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be affected by the proposed development.

Consequently, we request that the results of an archaeological evaluation are submitted in support of any planning application in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 194. In this instance that is primarily because the development will be phased and the archaeological investigations really need to be completed for the whole development area at the same time. That would also reduce the mitigation costs for the developer.

In this case the archaeological evaluation should commence with trial trenching. A brief for this is available from Norfolk County Council Historic Environment Service. Please note that we now charge for our services. Subject to the results of this evaluation, archaeological conditions may be required.'

Note: Following re-consultation as a result of lack of archaeological investigation, the Historic Environment Service stated the following:

'Archaeological mitigation can be secured by condition, it just reduces the applicant's options if significant remains are encountered.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205.'

NORFOLK FIRE & RESCUE SERVICE NO OBJECTION, the proposal should meet the necessary Building Regs requirements and a condition is recommended to ensure the provision of at least one fire hydrant.

CPRE Norfolk OBJECTION - based on the principle of development, sustainable development and the impact on the countryside

REPRESENTATIONS:

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

- No change from previous application
- Overlooking and loss of privacy as a result of position of windows
- Highway safety and impact of increasing traffic from Jenson's Way
- No need for additional houses in the village
- Access to services - schools and doctors surgeries at full capacity
- Loss of outlook and loss of agricultural fields
- Inconsistent details on existing access point compared to width shown on plan and impact on highway safety
- Impact on wildlife
- Jenson's Way is unadopted and owned by the residents, the access and roadway could therefore lead to a loss of property values
- Maintenance of Jenson's Way is currently controlled by existing occupants and future occupants would change liability
- Loss of light to houses in Jenson's Way
- Noise and disturbance (including light pollution) of houses in Jenson's Way as a result of increased use of proposed access
- Query over leisure area stated to be previously approved and not built out
- Impact of lack of main sewerage and impact of access of larger vehicles to empty septic tanks etc.

- Proximity of housing to pig farm and charcoal factory and the potential impact on these existing businesses
- Potential for future development as a result of spur road into blue land

THREE letters of **SUPPORT**, the comments summarised as follows:

- In keeping with houses in the wider vicinity
- Houses will support local businesses

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

DM3 - Development in the Smaller Villages and Hamlets

DM9 - Community Facilities

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 in this case are:

Planning History
 Principle of Development
 Highway Safety and Access
 Design and Impact on Form and Character
 Impact on Neighbours and Residential Amenity
 Affordable Housing
 Other Material Considerations

Planning History

Application 21/00460/FM was refused under delegated powers in June 2021. The application proposed a similar scheme of 10 new dwellings in a similar layout on site. The reasons for refusal were as follows:

- 1 - The application site is located on the outskirts of Whittington which is categorised as a Smaller Village and Hamlet in CS02 of the Core Strategy (2011) and the entire settlement is therefore subject to countryside protection policies. By reason of the site's location, to the rear of frontage dwellings and therefore not meeting the definition of a small gap in an otherwise continuously built up frontage, the proposal fails to comply with Policy DM3 of the SADMPP (2016). No additional justification has been provided and the application therefore comprises urban encroachment into an area of land defined as countryside and would be considered contrary to Paragraph 78 of the NPPF (2019), Policies CS06 and CS08 of the Core Strategy (2011) and Policies DM2 and DM3 of the Site Allocations and Development Management Policies Plan (2016) which seek to protect areas in the open countryside from unjustified development.
- 2 - Plots 9 & 10 are positioned with side elevations facing the A134 and with acoustic fencing spanning the length of the boundary with this principal route. This lack of active frontage, combined with the visual impact of substantial fencing along a key route, is considered to be contrary to the form and character of the street scene and will have an adverse urbanising impact on the countryside which would be harmful to character and appearance of the area and is considered contrary to the NPPF (2019), Core Strategy Policies CS01, CS02, CS06 and CS08 and SADMPP Policies DM1, DM2 and DM3 which support sustainable patterns of development and protect the character of an area
- 3 - Insufficient detail has been provided to demonstrate that the site complies with the standards required by the Local Highway Authority and the site therefore cannot demonstrate a safe access or turning area for service or emergency vehicles. The application is therefore considered contrary to Paragraphs 108 & 110 of the NPPF (2019), Policies CS08 and CS11 of the Core Strategy (2011) and Policy DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016)

Principle of Development

The proposal is for the construction of 10 No. dwellings on a site in Whittington. The application site is proposed to be accessed via the B112 to the south, with the rear of the site (north) directly adjacent to the A134.

Whittington is categorised as a Smaller Village and Hamlet in the settlement hierarchy of Policy CS02 of the Core Strategy (2011) and as a result the entire settlement is considered to be within the wider countryside for the purposes of planning policy.

Policy DM3 of the Site Allocations and Development Management Policies Plan (2016) supports the construction of new dwellings in Smaller Villages and Hamlets where the development comprises the sensitive infilling of small gaps in an otherwise continuously built-up frontage, where the development is appropriate in scale and character of the group of buildings and its surroundings, and where it does not fill a gap which provides a positive contribution to the street scene.

The application site comprises part of a wider agricultural field located to the rear of a row of 5 new dwellings fronting the B1112. Whilst there is residential development further to the west of the site and an industrial unit further to the east, the application site would not be

considered to comprise either a small gap or a continuously built up frontage for the purposes of Policy DM3. The principle of residential development on site is therefore not acceptable.

In the interests of sustainability, the SADMPP and specifically Policy DM3 restricts development in Smaller Villages and Hamlets to very modest housing growth in the form of infill development discussed above. This is in the interests of sustainability and to ensure that the majority of growth in rural areas is located where it can benefit from and support rural services and facilities. In this instance, Whittington has very limited services and facilities and the proposed dwellings are therefore not considered to be in a sustainable location for the purposes of planning policy or paragraph 79 of the NPPF (2021). Whilst the Agent has put forward 'PassivHaus' principles and innovative design as additional justification for the dwellings, the development is not considered to be innovative or of exceptional quality and therefore the conflict with the Local Plan and the National Planning Policy Framework remains. The sustainability credentials of passivHaus' are not sufficient to justify the development of a greenfield site in this location which is fundamentally contrary to the Local Plan.

The applicant suggests that as the proposal site is within the parish of Northwold and Whittington, that the subject site should be considered as 'adjacent to' Northwold for the purposes of Para 79 of the NPPF (2021) in regards to the future occupants being able to make use of the facilities in Northwold. The application site, which is its own settlement as per the settlement hierarchy in CS02, is in excess of 3km from the outskirts of Northwold (A Joint KRSC) and cannot reasonably be considered adjacent to this settlement or the services it provides.

No additional justification has been provided to overcome the principle policy objections above. No information suggests that the dwellings would meet an identified local need for the purposes of para 78 of the NPPF (2019).

The Borough Council can currently demonstrate a housing land supply of 7.96 years and proposals should therefore be considered against the policies of the current local plan. The construction of 10 dwellings in this position comprises an un-sustainable form of development in the countryside which is contrary to both the NPPF (2019) and policies Cs01, Cs02, Cs06, Cs08 of the Core Strategy (2011) and Policies DM2 and DM3 of the SADMPP (2016).

Highway Safety and Access

The Local Highway Authority submitted a holding objection due to a lack of detail and concerns of the drawing of the proposed site access and layout plans.

The Local Highway Authority note that the existing access has been constructed with 10m radii, which is excessive for this scale of development and could result in vehicles entering at an unacceptable speed. Amendments are required for the proposed junction to remove existing kerbing and add give way lines to bring the proposal up to the required standard. The footway frontage also needs to be altered to allow visibility splays to be retained in perpetuity. Both the existing access point and the turning head should have an radii of 6.0m and the road extends too far from the turning head towards blue land.

The existing access road as constructed is 4.8m wide with 1.5m wide footways and existing dwellings' side elevations immediately adjacent. The proposed estate road can therefore not be widened to 5.34m as proposed and the LHA recommended that, if sufficient space is available, footways should be widened to 1.8m.

The proposed estate road also will need to be subject to a 20mph zone, the slight kink in the road alignment is unlikely to be sufficient to retain vehicle speeds at the appropriate level and will need to be tightened.

The site plan also gives limited detail with regard to the location/extent of parking areas for each dwelling and additional detail is required to illustrate parking in accordance with the required standard.

Whilst some additional information could be provided via condition, highway safety is a fundamental issue and sufficient detail is required upfront to ensure the impacts of the proposal on the wider highway network are fully considered. As it stands, insufficient information has been provided to demonstrate that the highway safety impacts of the proposal can be controlled and maintained and no additional detail has been provided to demonstrate that the site meets the required parking standards. The application therefore fails to comply with Paragraphs 110 & 111 of the NPPF (2021), Policies CS08 and CS11 of the Core Strategy (2011) and Policies DM15 and DM17 of the SADMPP (2016).

Design and Impact on Form and Character

The proposed dwellings are set around a central access road with an existing access between two dwellings to the south of the site.

The proposed dwellings are large two storey units with a mix of both 3 bedroom semi-detached pairs and detached four bedroom dwellings, each with single garages to the side of the plots. Each dwelling has soldier course detailing and a central porch projection.

The application site is on the outskirts of Whittington which has an overall rural character and comprises a range of houses of various scales and types. An existing cul-de-sac to the west of the site comprises a large group of semi-detached dwellings which are equally spaced around a central access road. The remainder of Whittington is mixed frontage development, with the majority of dwellings in the vicinity fronting main roads and with limited instances of any development in depth.

As a housing development on the outskirts of a smaller village and hamlet, the proposal site is visible on approach from the east/south east and the extent of development in depth will be apparent across fields as viewed from the A134.

In regards to the visual appearance from the A134, whilst there is residential development further to the west and to the north of the site, the existing residential development around Normans Drive is the last in a row of frontage dwellings on this side of the A134. The open character of the application site and the land either side provide a clear change in character when travelling away from the village and provide a gap between the village and the nearby industrial charcoal unit.

Plots 9 & 10 are positioned with rear elevations facing the A134. This lack of active frontage, combined with the visual impact of substantial fencing along a key route, is considered to be contrary to the form and character of the street scene, particularly due to the lack of active frontage, and will have an adverse urbanising impact on the countryside which would be harmful to the character and appearance of the area and is considered contrary to the NPPF (2019), Core Strategy Policies CS01, CS02, CS06 and CS08 and SADMPP Policies DM1, DM2 and DM3 which support sustainable patterns of development and protect the character of an area.

Impact on Neighbours and Residential Amenity

In regards to overlooking and loss of privacy, windows on the first floor side elevations of the semi-detached units serve bedrooms. The position of Plot 1 will therefore allow a viewpoint from the first-floor bedroom towards the rear elevations and private amenity space of the existing dwellings to the south of the site. Whilst this is noted, the proposed dwelling is in excess of 35m north of the rear elevation of the dwellings fronting the B1112. The proposed bedroom window is therefore considered unlikely to lead to such a significant adverse impact as to warrant refusal of the application on this basis.

Remaining bedroom windows in the side elevations of plots 2, 7 & 8 will look towards the blank gable ends of the adjoining plots and are considered unlikely to lead to any significant loss of privacy for the proposed dwellings.

However, the layout of the proposed development is considered likely to lead to adverse impacts in relation to noise and disturbance from the A134, specifically on Plots 9&10 but potentially also on the outdoor amenity space of the remaining plots.

Plots 9 & 10 are located with rear elevations and therefore rear private amenity space directly adjacent to the A134m, approximately 150m from the change in speed limit from 60 to 40mph. The distance from Plot 9 to this key strategic route measures less than 10m and the submitted noise report does not sufficiently address the potential issues. The noise report/plan submitted with this application makes no reference to any recognised guidance for the protection of amenity and sleeping spaces. Without such a report, undertaken by a suitably qualified and competent noise consultant, CSNN have objected to the application over the amenity of future occupiers – both in relation to the indoor habitable rooms and the outdoor private amenity/rear garden space. It is not considered reasonable to impose pre-commencement conditions for the submission of a further noise survey as there is no guarantee that this would lead to the impact on amenity being acceptable.

Limited mitigation measures have been put forward to control the noise and disturbance impacts of the traffic on the future occupiers of these units, with no fencing shown along site boundaries and less than 10m distance between the rear elevations of the dwellings and this principal route. Both plots have two bedroom windows at first floor and open plan Kitchen/Dining rooms facing directly towards this adjacent highway which carries significant levels of traffic and therefore has the potential to lead to adverse impacts and noise and disturbance on these habitable rooms and the outdoor private amenity space. Whilst the sound insulation and triple glazing associated with the proposed 'passive Haus' construction are noted, the siting and orientation of these units is not considered to represent a good standard of amenity for future occupiers and is considered contrary to Paragraph 130(f) of the NPPF (2021) and Policy DM15 of the SADMPP (2016).

Affordable Housing

The site area and number of dwellings proposed triggers the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy.

At present a 20% provision is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in Whittington. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and the other 30% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council. In this instance 2 units would be required, 1 for rent and 1 for First Homes.

The applicant has provided plans to demonstrate the onsite provision of two 3 bedroom semi-detached units. A s106 agreement would be required to ensure on site provision in accordance with Policy CS09.

Other material impacts:

With 10 dwellings proposed, the application falls below the threshold to provide public open space. DM16 states that whilst there is no definitive figure for sites of this size, proposals should contain enough space to ensure a high standard layout and amenity and integrate houses into the surrounding landscape.

The application site is within the Impact Risk Zone for Boughton Fen SSSI. Natural England have stated no comments, with the proposal unlikely to lead to significant impacts on designated sites or landscapes. No evidence has been provided to suggest that there are protected species on or around the site and the proposal is considered unlikely to lead to any significant impact on protected species.

No drainage details have been included as part of this application. It is considered that these details could be conditioned.

Specific comments or issues:

The agent notes extant consent for other residential development across Whittington in their supporting statement. The applications referred to each were considered to represent infilling of a continuously built-up frontage which, as outlined above, does not apply in this instance.

The supporting statement also notes that home working is increasingly common and therefore that the development could be sustainable despite the lack of services in the immediate vicinity. Whilst this is noted, the ability for residents to work from home is not considered to pose such significant benefits to warrant the approval of an application which is fundamentally contrary to the Borough Council's Local Plan.

An existing charcoal factory is located approximately 200m to the east of the application site and has been granted consent to extend under application ref 21/00794/FM. Consideration of the impact on neighbours took place in association as part of that decision and acoustic fencing on this nearby site will sufficiently limit any impact of this adjacent use on the properties proposed under this application.

Comments were received from the Historic Environment Service (HES) relating to the potential for archaeological remains to be present on site and a request for trial trenching was requested prior to the determination of this application. Whilst no such details have been provided, it is considered that pre-commencement conditions will suitably control the submission of additional details and the undertaking of archaeological investigations prior to the commencement of development on site. Subject to conditions, the application is therefore considered unlikely to lead to adverse impacts to heritage assets with archaeological significant and complies with Para 194 of the NPPF (2021) and Policies CS12 and dM15 of the Local Plan.

CONCLUSION

Policies CS01 and CS02 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011 (CS) set out the overarching approach to the location of

development in the Borough. Together they seek to direct development to the most accessible locations while preventing the encroachment of development into the countryside.

Policy DM3 of the SADMPP (2016) supports the construction of new dwellings in Smaller Villages and Hamlets where the proposal meets the definition of infill development. As development in depth, to the rear of existing frontage dwellings and with open land to both the east and west, the proposal is not considered to comprise the infilling of a small gap in an otherwise continuously built-up frontage.

The principle of development on site is contrary to Policies DM2 and DM3 of the Local Plan and no justification has been provided to outweigh this conflict.

Secondly, insufficient detail has been provided to demonstrate that the site complies with the standards required by the Local Highway Authority and the site therefore cannot demonstrate a safe access or turning area for service or emergency vehicles. This is contrary to the NPPF (2019) and Policies CS08, CS11, DM15 and DM17 of the Local Plan. Whilst some detail could be controlled and provided via condition, some elements requested by the Local Highway Authority would likely result in fundamental changes to the proposal layout which could not be controlled or varied in this way. Whilst some detail could be controlled and provided via condition, some elements requested by the Local Highway Authority would likely result in fundamental changes to the proposed layout which could not be controlled or varied in this way.

Limited mitigation measures have been put forward to limit the noise and disturbance impacts of the traffic on the future occupiers of these units, with no fencing shown along site boundaries and less than 10m distance between the rear elevations of the dwellings and the A134 route. Whilst the sound insulation and triple glazing associated with the proposed 'passiveHaus' construction are noted, the siting and design of Plots 9 and 10 and the location of private amenity space is not considered to represent a good standard of amenity for future occupiers and is considered contrary to Paragraph 130(f) of the NPPF (2021) and Policy DM15 of the SADMPP (2016).

Finally, the proposal constitutes the construction of 10 no. new dwellings in the countryside. The visual impact of this development in depth, combined with the lack of screening available is considered to give rise to adverse impacts on the character of the countryside and is considered contrary to policies CS02, CS06 and CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

The application is therefore recommended for refusal for the following reasons.

RECOMMENDATION:

REFUSE for the following reason(s):

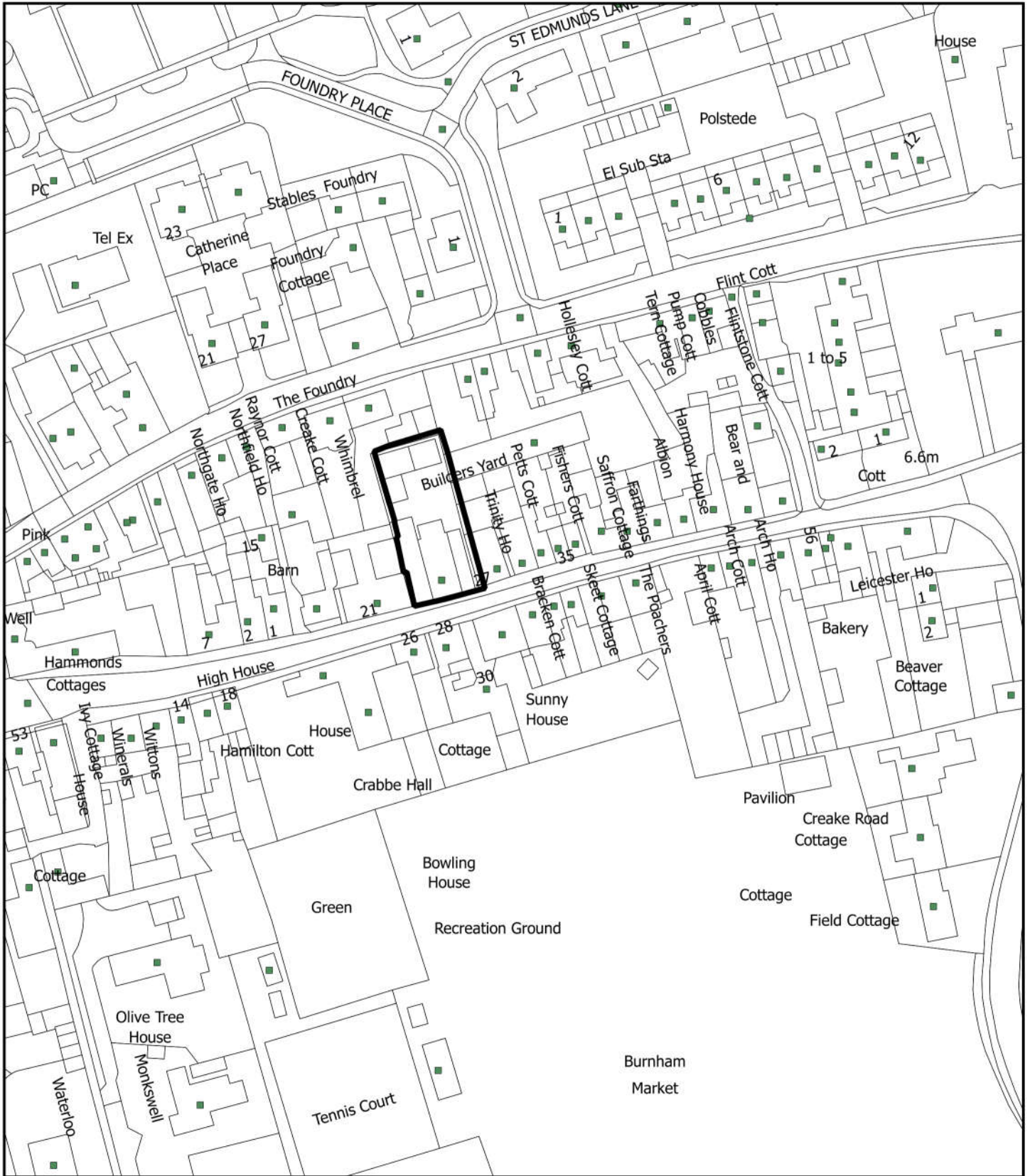
- 1 The application site is located on the outskirts of Whittington which is categorised as a Smaller Village and Hamlet in CS02 of the Core Strategy (2011) and the entire settlement is therefore subject to countryside protection policies. By reason of the site's location, to the rear of frontage dwellings and therefore not meeting the definition of a small gap in an otherwise continuously built up frontage, the proposal fails to comply with Policy DM3 of the SADMPP (2016). No additional justification has been provided and the application therefore comprises urban encroachment into an area of land defined as countryside and would be considered contrary to Paragraph 78 of the NPPF (2019), Policies CS06 and CS08 of the Core Strategy (2011) and Policies DM2 and

DM3 of the Site Allocations and Development Management Policies Plan (2016) which seek to protect areas in the open countryside from unjustified development.

- 2 The dwellings are proposed as backland plots extending into open agricultural land to the rear of existing dwellings and Plots 9 & 10 are sited with rear elevations fronting the A134. This lack of active frontage provided to this principal route is considered to be contrary to the form and character of the street scene and the overall development is therefore considered to have an adverse urbanising impact on the countryside which would be harmful to character and appearance of the area and is considered contrary to the NPPF (2019), Core Strategy Policies CS01, CS02, CS06 and CS08 and SADMPP Policies DM1, DM2 and DM3 which support sustainable patterns of development and protect the character of an area
- 3 Insufficient detail has been provided to demonstrate that the site complies with the standards required by the Local Highway Authority and the site therefore cannot demonstrate a safe access or turning area for service or emergency vehicles. The application is therefore considered contrary to Paragraphs 108 & 110 of the NPPF (2019), Policies CS08 and CS11 of the Core Strategy (2011) and Policy DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016)
- 4 Plots 9 & 10 are sited with rear elevations fronting the A134, resulting in bedroom windows at first floor and open plan kitchen/dining room at ground floor facing towards this Principal Route. Whilst the use of triple glazing and insulation is noted, with less than 10m between the rear elevation of Plot 9 and the adjacent highway, the proposed development is considered likely to give rise to noise and disturbance impacts to future occupiers of these plots. The noise assessment submitted as part of this application is not sufficiently detailed to overcome the issues raised. The application is therefore considered contrary to Paragraph 130 of the NPPF (2021) and Policies CS08 and DM15 of the Local Plan.

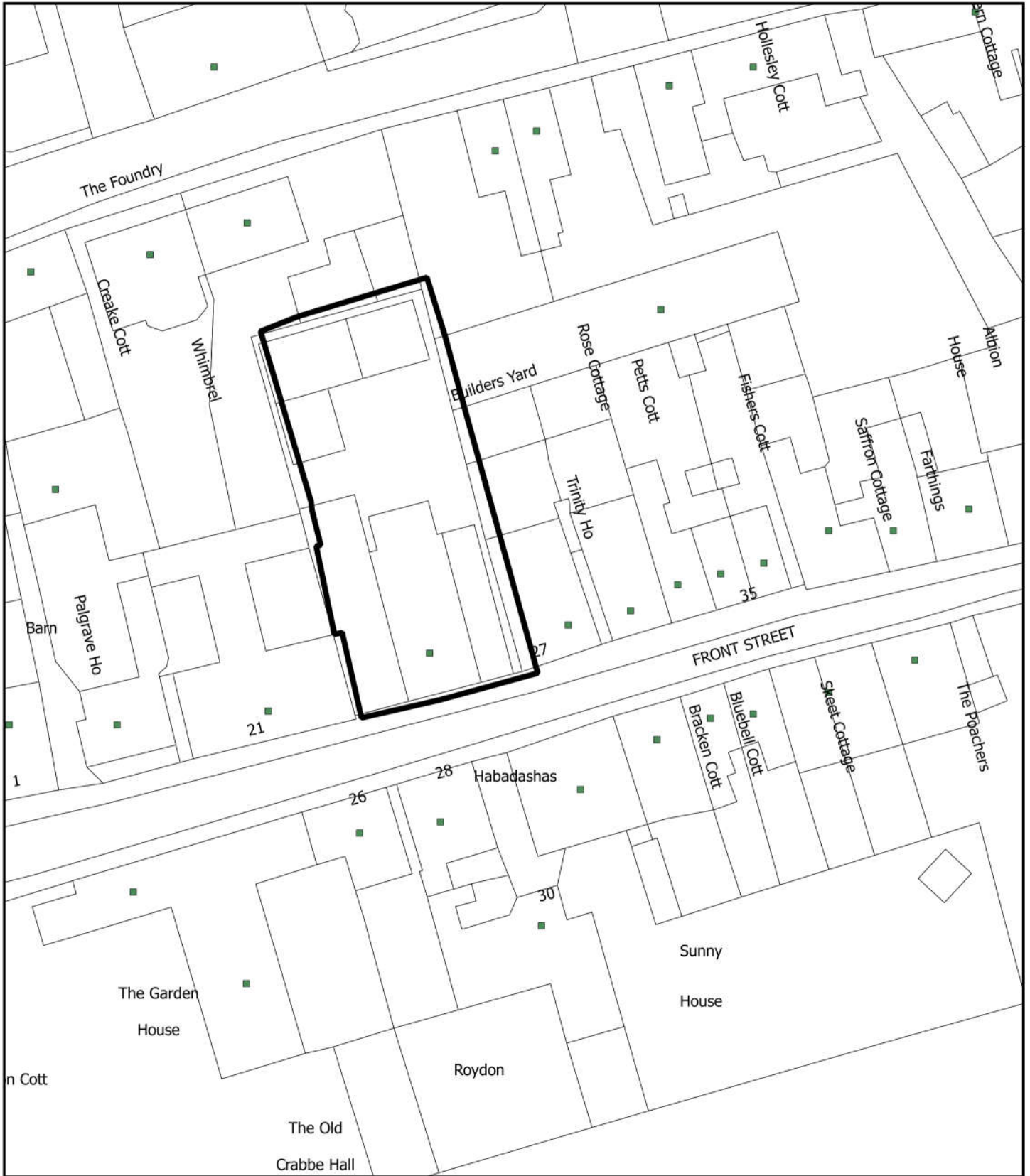
21/02121/F

25 Front Street Burnham Market PE31 8EJ



21/02121/F

25 Front Street Burnham Market PE31 8EJ



Parish:	Burnham Market	
Proposal:	Variation of condition 2 of planning permission 17/02079/F to amend drawings	
Location:	25 Front Street Burnham Market King's Lynn Norfolk PE31 8EJ	
Applicant:	WW Properties (East Anglia) Limited	
Case No:	21/02121/F (Full Application)	
Case Officer:	Bradley Downes	Date for Determination: 1 February 2022

Reason for Referral to Planning Committee – Parish Council objection contrary to planning officer recommendation Sifting Panel chose not to delegate decision

Neighbourhood Plan: No

Case Summary

The application is retrospective for the variation of condition 2 of 17/02079/F, to make alterations to the approved plans to match what has been constructed on site. The most significant alterations include increased depth and different external materials of the single storey rear portion of the dwelling, change of the eastern balcony on the rear to a juliet balcony, balcony fenestrations altered from glass balustrade to steel railings, and a revised internal floor layout. These changes will be set out in more detail below. The application site lies on the north side of Front Street within Burnham Market conservation area, and lies opposite listed buildings along the south of Front Street.

Key Issues

- Principle of development
- Form and character
- Impact on neighbour amenity
- Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application is retrospective for the variation of condition 2 of 17/02079/F, to make alterations to the approved plans to match what has been constructed on site. The most significant alterations include increased depth and different external materials of the single storey rear portion of the dwelling, change of the eastern balcony on the rear to a juliet

Planning Committee
7 March 2022

balcony, balcony fenestrations altered from glass balustrade to steel railings, and a revised internal floor layout. These changes will be set out in more detail below. The application site lies on the north side of Front Street within Burnham Market Conservation area, and lies opposite Listed Buildings along the south of Front Street.

Permission was granted under 17/00630/F for the dwelling, and the design later amended under 17/02079/F. The development was then carried out with some further changes which this application is seeking to regularise. As such, at this stage it is only the changes to the design of the dwelling which are to be considered under this application.

SUPPORTING CASE

None submitted

PLANNING HISTORY

17/02079/F: Application Permitted: Delegated Decision: 03/01/18 - Variation of condition 2 of planning permission 17/00630/F (Construction of a dwelling and car port/outbuilding): To vary previously approved drawings - Julers Yard, 21 Front Street, Burnham Market

17/00630/F: Application Permitted: Delegated Decision: 13/10/17 - Construction of dwelling and car port/outbuilding. - Julers Yard 21 Front Street, Burnham Market

RESPONSE TO CONSULTATION

Parish Council: OBJECTION on the following grounds

Considered that the noise and privacy to neighbouring properties is concerning. Neighbours have objected to the living accommodation on the first floor. A more traditional layout on the ground floor would be more in keeping.

Conservation Officer: NO OBJECTION on the following grounds

The amendments will have no impact on the street scene or the conservation area.

REPRESENTATIONS

2 Letters were received which raise **OBJECTIONS** to the application as follows:

- This variation differs substantially from 17/02079/F where all living accommodation other than bedrooms and baths were at ground floor.
- The proposed first floor living accommodation significantly overlooks the garden of neighbouring properties, including patio and summer house in Whimbrel's garden.
- No. 27 Front Street and to some extent Creake Cottage, 30 North Street are also detrimentally overlooked by the property.
- Because living room is at first floor, there will be a loss of privacy and being readily overlooked throughout the day.
- The doors at first floor on the rear now serve lounge and dining rooms. As a result they will have a higher frequency of use during the day and more commonly occupied by larger numbers of people. As such social gatherings/music/tv with open doors at first

floor level will result in higher than usual noise carry resulting in noise pollution and disturbance.

- Screening to the east side balcony has not been installed as required by condition under 17/02079/F
- The railing to west side balcony has been removed allowing the flat-roof space has to be used for social activity, resulting in substantially greater overlooking impacts.
- It is foreseeable that the occupants would continue to use the flat roof for social purposes. External lighting has been installed either side of the first floor door, causing further concern about the intended future use of the flat roof.
- If permission is to be granted, recommend conditions to re-instate balcony screening of up 1.4m to the east side balcony, re-instate the barrier to the west side balcony, restrict access to the flat roof and to remove the external lighting.
- What has been constructed has resulted in a kitchen and living area facing directly into a bedroom window opposite which is approximately 7m away. There is now no privacy in our bedroom as the kitchen is a much more used and social part of the house as opposed to the previously approved bedroom. Kitchen should be reinstated towards the rear.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

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

Principle of Development

The subject site has existing permission for the construction of a dwelling under 17/00630/F and 17/02079/F which has been substantially completed. This application seeks retrospective permission for changes to the design of the dwelling.

The consideration of this application therefore is limited to the merits of the proposed amendments. The principle of making amendments to the design of a residential dwelling is considered acceptable.

Form and Character

The application involves alterations to the approved scheme as follows. Single-storey rear portion of the dwelling increasing in depth from 3m to 3.5m. The previously approved full balcony with glazed balustrade to the east side of the rear elevation has instead been constructed as a juliet balcony with a steel railing. A new finish is proposed to the single-storey rear portion; rather than full height glazing all around, it has been constructed with natural painted timber boarding to the east and west elevations with full height glazing along the rear elevation still. The internal floor layout has been amended so that the majority of bedrooms are now situated at ground floor and living room / kitchen etc at first floor. However, as set out in more detail below this element is beyond planning control. Lastly, the larger roof light window has been reduced from 4 panes to 2.

All of the proposed alterations are proposed at the rear of the dwelling and would not be easily visible from Front Street. The conservation officer raised no objections to the proposal and subsequently it is considered the alterations would not have any significant adverse impact on the character and appearance of the conservation area or the setting or significance of any nearby listed buildings. The development is therefore considered to comply with Policies CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016).

Impact on residential amenity

It is considered the enlargement of the rear single-storey portion to approximately 3.5m from its original 3.0m, its change of materials to timber cladding, and the reduction in size of the largest roof light are not considered to have any significant impacts on residential amenity.

The proposed alterations to the balconies and internal floor layout are where the most concerns have been raised. It is considered changing the full balcony with glazed screening on the east side to a juliet style balcony with metal railing will not have any significant increase in its capacity to overlook neighbouring property to the east. It was previously considered that maintaining the obscure glazed balustrade would reduce the perception of overlooking, but since the approved glass balustrades were only approximately 0.8m in height, ultimately there is no material mitigation achieved by them remaining obscured. Therefore, it is considered the change from obscure glazed balustrade to steel railings (east balcony railing approximately 1m in height while west balcony remains approximately 0.8m), would not have any additional overlooking impact on the neighbours to the east and west.

Regarding the changes to the internal floor layout, concern is raised that rooms more commonly used during the day such as living room and kitchen are now set at first-floor level, and that this will lead to greater noise disturbance and overlooking opportunities throughout the day. The internal floor layout and arrangement of rooms in a residential dwelling are not a material consideration, as internal works are not taken to be development for the purposes of planning and the layout could be re-arranged again freely at any time without the need for planning permission. Therefore, the alterations to the internal floor layout of the dwelling to put bedrooms at ground floor and living room / kitchen etc at first-floor do not require consideration in this application as the change could have been carried out without planning permission.

Another concern raised by third party responses was the window to window relationship with No. 28 to the south, whose front elevation lies approximately 7m away from the front elevation of the proposed dwelling. Front Street is a relatively narrow street with many existing close front window to window relationships. In any case, as it has been established above that the internal layout is not a material planning consideration and the actual design and positioning of the windows on the front elevation is unchanged from the existing

approval, there would not be any additional overlooking impact on the front elevation of No. 28.

Some external lighting has been installed either side of the juliet balcony and a third party considers this should be removed to discourage use of the flat roof as a balcony space. However, this form of domestic lighting does not need planning permission, and is not part of this application.

Some conditions have been suggested by a third-party response. It is considered that to insist on a 1.4m high screen to each juliet balcony would not be a reasonable condition as the existing approval has no such requirement. Third party concerns have also mentioned that there has been use of the single storey flat roof space for social activity. This space was not permitted to be a balcony under the previous permission and it would not be necessary to impose a condition to restrict the use of the flat roof space, because to do so would amount to the creation of a new balcony and require planning permission in its own right. It is considered with the proposed steel railing in place, the resulting juliet balcony on the west side would not have any significant additional overlooking impact on the neighbour to the west when compared with the existing permission.

While it is noted there are some concerns with the proposed alterations, it has been carefully considered above that there would not be any detrimental impact on residential amenity over and above the existing approved scheme. As such, the proposed development is considered to maintain a satisfactory standard of amenity for neighbouring occupiers in accordance with Policy DM15 of the SADMPP 2016.

Specific comments or issues:

Many of the conditions on the 17/02079/F decision notice are now redundant as the development is complete. The remaining 6 conditions proposed (though in an amended form), are still considered relevant and necessary to impose on the development.

CONCLUSION

The proposed minor alterations to the dwelling as built will not have any adverse impacts on the character and appearance of the street scene, conservation area, or the setting or significance of any nearby listed buildings. It is considered the proposed alterations to the balconies on the rear of the dwelling would not have any additional impact on residential amenity over and above that already approved. Other alterations to the design of the dwelling are also not considered to have any material impact on residential amenity.

As such, it is considered the proposed dwelling is in accordance with Policy DM15 of the SADMPP 2016, Policies CS06, CS08 and CS12 of the Core Strategy 2011, and in accordance with the NPPF. It is recommended that the Planning Committee approve this application.

RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - Proposed Plans and Elevations - drawing no. 1916-02A dated February 2022

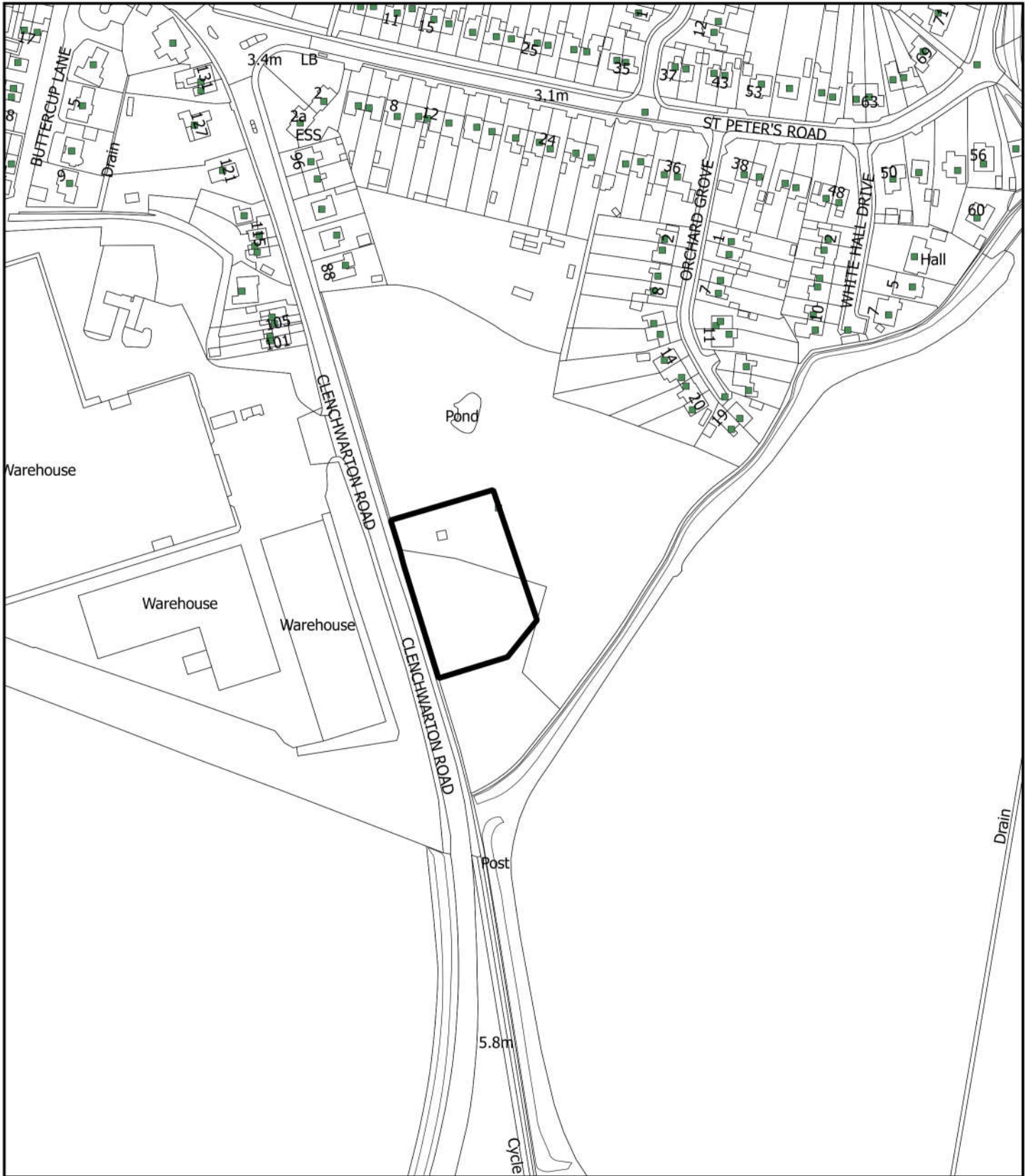
Planning Committee
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- Proposed Site Plan - drawing no. 102 dated October 2017 (see 17/02079/F)

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The use of the outbuilding building hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling and shall at no time be used as an independent unit of residential accommodation or for business or commercial purposes.
- 2 Reason: For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF.
- 3 Condition: Vehicular access shall be retained at the position shown on the approved plan 330-102 dated October 2017 (see 17/02029/F) in accordance with the highway specification drawing No: TRAD 1.
- 3 Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 4 Condition: No part of the proposed structure (to include fascia board/rainwater guttering) shall overhang or encroach upon highway land and no gate/door/ground floor window shall open outwards over the highway.
- 4 Reason: In the interests of highway safety.
- 5 Condition: The approved access / on-site car parking shall be retained in accordance with the approved plan 330-102 dated October 2017 (see 17/02029/F) for that specific use.
- 5 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

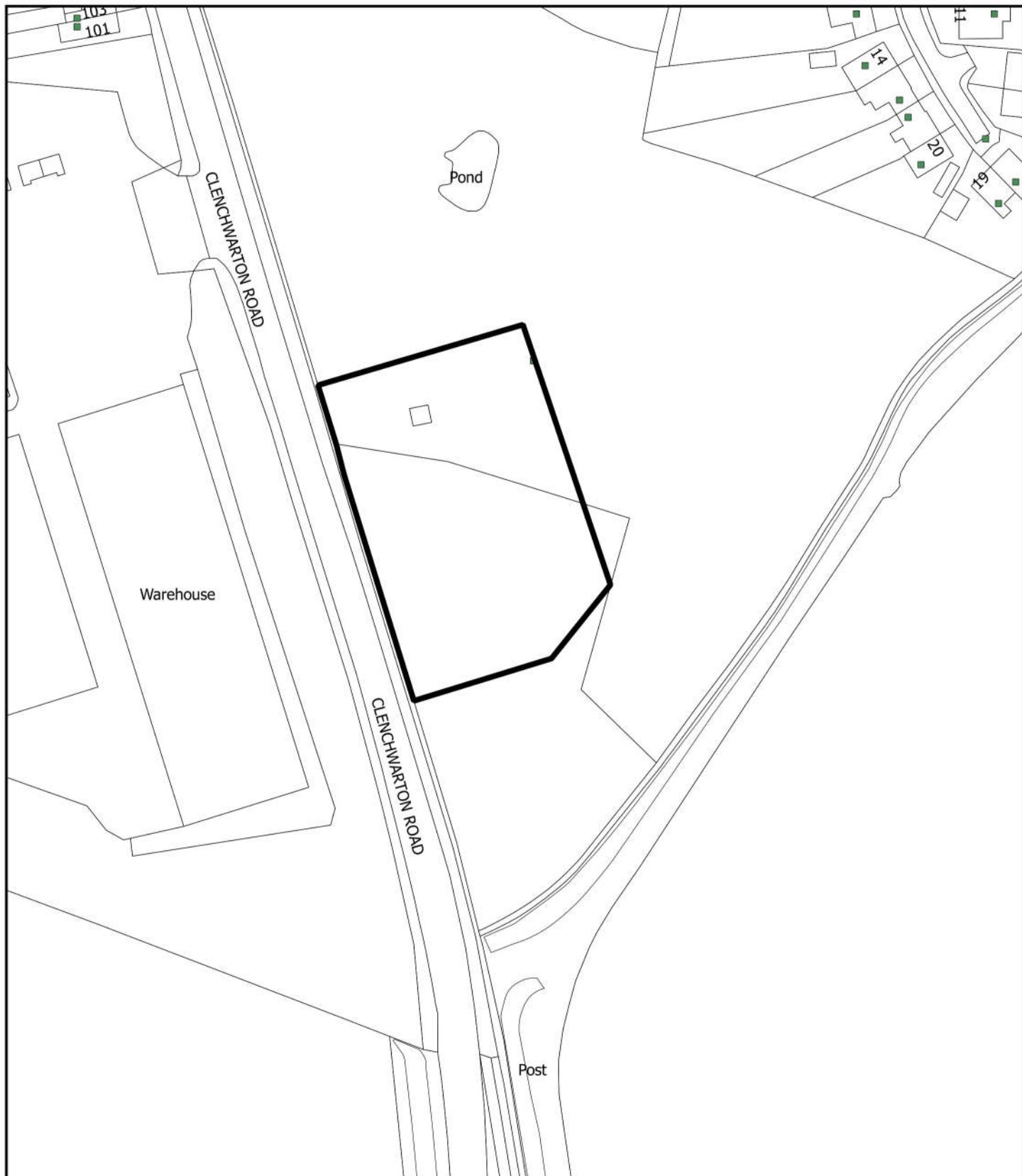
21/01771/F

Land at Clenchwarton Road West Lynn PE34 3LJ



21/01771/F

Land at Clenchwarton Road West Lynn PE34 3LJ



Parish:	King's Lynn	
Proposal:	Proposed Butchers Shop and Associated Facilities.	
Location:	Land At Clenchwarton Road West Lynn King's Lynn Norfolk PE34 3LJ	
Applicant:	Mr Chris And Andrew Prior	
Case No:	21/01771/F (Full Application)	
Case Officer:	Lucy Smith	Date for Determination: 2 November 2021 Extension of Time Expiry Date: 11 March 2022

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

Neighbourhood Plan: No

Case Summary

Full planning permission is sought for the construction of a Butcher Shop/Retail unit with associated car parking, servicing and landscaping arrangements.

The site is part of a larger field which currently comprises open grass land with a number of mature trees and other established vegetation.

West Lynn is grouped with King's Lynn in regards to the policies outlined in both the Core Strategy (2011) and the Site Allocation and Development Management Policies Plan (2016). The site is located on the edge of the village approximately 125m south of the development boundary in an area classed as countryside on the Local Plan maps and is within Flood Zone 3 of the Borough Council's SFRA (2018).

Key Issues

- Principle of Development
- Design and Impact on Form and Character
- Access/Highways
- Flood Risk
- Ecology
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Full planning permission is sought for the construction of a Butcher Shop/Retail unit with associated car parking, servicing and landscaping arrangements. The retail unit includes a gross internal area of approximately 816m² which includes the butcher's retail floor space (221m²) as well as various storage, preparation and staff facilities.

The site lies to the east of Clenchwarton Road on the outskirts of the main built extent of West Lynn and approximately 280m south of the junction with St Peters Road. The site is part of a larger field which currently comprises open grass land with a number of mature trees and other established vegetation.

The site is proposed towards the centre of the wider field providing a significant gap between the houses to the north and the proposed commercial use. To the west, on the opposite side of Clenchwarton Road is an existing group of warehouse buildings.

West Lynn is grouped with King's Lynn in regards to the policies outlined in both the Core Strategy (2011) and the Site Allocation and Development Management Policies Plan(2016). The site itself lies outside of the development boundary in an area classed as countryside on the Local Plan maps. The site lies in Flood Zone 3 of the Borough Council's SFRA (2018).

SUPPORTING CASE

The name of the applicant's business is Priors of West Lynn and it has been located in and has been synonymous with West Lynn for many years; the current site has been occupied for over 60 years and is very constrained within the core of the village; and there are parking and amenity issues caused by the position of the current store in respect to the highway and adjacent residential properties.

Whilst planning permission was granted for an expansion of the existing store premises in 2020 –after careful consideration Mr Prior considers that this could only be a short-term solution and one that fundamentally does not address the underlying issues and constraints of the existing site in terms of access parking and impact on neighbours. A letter from Mr Prior setting this out is included in annex1 of the Planning Design and Access Statement which accompanies the application.

This application seeks a long-term solution that removes the butchers shop from the core of the village to remove amenity access parking and amenity issues whilst maintaining the strong links with West Lynn village.

Following pre application correspondence with KLWN planners we have undertaken a retail sequential test for West Lynn looking at all available sites and assessing their availability and suitability. The sequential test report concludes that there are no sequentially preferable sites available, and as such the site is in principle acceptable for the development proposed subject to site specific constraints.

The planning design and access statement sets out the relevant planning policy consideration and impacts of the proposal to inform the application process; it is noted that there are no technical objections from statutory consultees to the proposal and issues raised by objectors are addressed in the supporting documentation and or in consultation responses.

The proposal is of high-quality design and consistent with all material planning policy in terms of principle and impacts; it is therefore requested that planning permission be granted.

Planning Committee
7 March 2022

PLANNING HISTORY

20/00160/PREAPP: INFORMAL - approve with amendment: 05/02/21 - PRE-APPLICATION ENQUIRY WITH CONSULTATIONS AND WITH MEETING: Outline: Construction of Butchers Shop. Offices. Take-away. Ancillary Cold Rooms and Associated Facilities. - Land S of 88 Clenchwarton Road

16/00572/FM: Application Refused: 08/11/16 - Proposed residential development - Land Between Clenchwarton Road And Orchard Grove West Lynn – COMMITTEE DECISION

RESPONSE TO CONSULTATION

Highways Authority: NO OBJECTION to revised plan – recommended standard access/turning area/parking conditions.

Arboricultural Officer: NO OBJECTION

Internal Drainage Board: NO OBJECTION, in principle. Recommended additional infiltration testing takes place and notes that The Board's Byelaws must be complied with.

Environmental Health & Housing - Environmental Quality: NO OBJECTION in regard to contaminated land.

Environment Agency: NO OBJECTION – the FRA mitigation measures should be complied with.

Natural England: NO OBJECTION – the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

REPRESENTATIONS

NINE letters of **OBJECTION**, stating comments summarised as follows:

- Existing surface water drainage issues, localised flooding
- Impact on biodiversity and loss of trees
- Query over 'anonymous documents' scanned online
- Query over previously incorrect site address
- Traffic, highway safety and speeding
- Noise and disturbance impacts on biodiversity
- Potential options elsewhere within West Lynn
- Proposed site requires vehicular access
- Development of greenfield site
- Concern over future development of surrounding site
- Query over response from Natural England, sent to Natural England directly however also included as a representation to this application

SIX letters of **SUPPORT** stating comments summarised as follows:

- Local business should be allowed to stay local
- Easily accessible for local people
- Positive for local employment

- Improvement from existing highway issues

TWO NEUTRAL letters, stating comments summarised as follows:

- Support expansion of business in principle
- Less sustainable location and development of greenfield site with some ecological/landscape/drainage value
- Loss of retail unit in centre of village
- Potential use of empty units elsewhere in Lynn.

LDF CORE STRATEGY POLICIES

CS11 – Transport

CS12 - Environmental Assets

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS10 - The Economy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

DM10 – Retail Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

OFFICER ASSESSMENT

The Key Issues are:

Principle of Development

Design and Impact on Form and Character

Access/Highways

Flood Risk

Ecology

Other Material Considerations

Principle of Development

The application proposes the construction of a new retail unit, to be used as a butchers on the outskirts of West Lynn. West Lynn is grouped with King's Lynn within Policy CS02 of the Core Strategy (2011) and therefore benefits from a Development Boundary to guide development to the most suitable locations across the village.

The application site lies outside the development boundary for West Lynn as shown on page 111 of the SADMPP (2016) and some distance away from any existing retail centres or similar uses. As a Butchers/Retail unit the development does not have the same character as the roadside services further to the south of the site and would be considered as a Main Town Centre Use as defined in Annex 2 of the NPPF (2021) for the purposes of Paragraph 87 of the NPPF (2021) and Policy DM10 of the SADMPP (2016)..

CS10 The Economy states that:

'The local economy will be developed sustainably: to facilitate job growth in the local economy, Job growth will be achieved through the provision of employment land as well as policies for tourism, leisure, retail and the rural economy;

Permission may be granted on land which would not otherwise be appropriate for development for an employment generating use which meets a local business need. Any development must satisfy the following criteria:

- It should be appropriate in size and scale to the local area;
- It should be adjacent to the settlement;
- The proposed development and use will not be detrimental to the local environment or local residents.'

Policy CS02 makes it clear that decisions on investment, service and facilities and the location and scale of new development will be taken based on the settlement hierarchy.

This is a site outside of the development boundary and away from any existing retail centres. However the application site is considered to be adjacent to West Lynn, and is located with access on a key route between West Lynn and nearby King's Lynn. The site location is therefore a sustainable location which would accord with Policy CS10.

Town Centre Issues

The NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development (para 81). However, it goes on to reiterate the need to ensure the vitality of town centres and requests a sequential test is carried out for out of centre proposals (para 87).

Policy DM10 of the SADMPP (2016) seeks to ensure that the Borough's town centres continue to be the hub of retail and service provision for the local population, which in turn aids investment to preserve the unique historic architecture and significant streets, spaces and market places of King's Lynn. However, the unique circumstances of West Lynn also need to be recognised as the business provides a community facility for the village itself and any loss would have an impact as per Policy DM9, discussed below.

Out of town centre retail development can complement the existing retail offer of towns, and is appropriate where there is insufficient space in the town centre or when development would have an adverse impact on residential amenity. However, if poorly controlled out of town centre developments can lead to retailers relocating to edge of town sites, attracting

shoppers away from the town centres, leaving behind empty shop premises in town centres and leading to adverse impacts on the vitality of high streets as a whole.

Policy DM10 refers to the need to demonstrate the sequential approach to site selection for retail development and the 'town centre' first approach (as outlined in the NPPF discussed above). The application seeks permission for the development of a butchers/retail unit (with associated car parking, servicing and landscaping arrangements), relocating the local business to a larger and more accessible area adjacent to West Lynn.

The policy states that locations other than town centre or edge of centre sites will only be considered where it can be demonstrated either that there are no other suitable sites in the town centre or at the edge of centre, or where the format or nature of the proposed use would not be appropriate in a town centre location (e.g. bulky goods and trade, rural retail services, etc.).

The applicant has provided a Retail Sequential Test addressing the requirements of the Paragraph 86 of the NPPF (2019) and Policy DM10 and justifying the site's positioning based on other available sites within West Lynn. The applicant has put forward the business' history and links to West Lynn as justification for the site being located within West Lynn as opposed to King's Lynn (to which West Lynn is linked within Policy CS02) and the sequential test has therefore been conducted solely on available sites within the settlement of West Lynn.

The sequential test report concludes that there are no sequentially preferable sites available – with other sites closer to the centre of West Lynn being inappropriate due to site area, residential requirements through allocations or highway safety/access issues (alongside other material considerations) and as such the site is in principle acceptable for the development proposed.

Community Facility and West Lynn

The existing business' ties to West Lynn are clear and it is considered reasonable that the business, which has outgrown its current site, should be retained as a key service for the residents of West Lynn.

Policy DM9 is also relevant and helps to provide justification for the development to be located within West Lynn. This policy states that the priority will be to protect existing community facilities and the provision of new facilities, especially where there is no alternative provision within the settlement.

The existing business maintains its position as a key service for West Lynn and there is a clear understanding of the applicant's wishes for the business to remain in West Lynn and continue to serve its existing customers. The local service provision within West Lynn, and the community benefit of its retention within close proximity to the village itself would also be a material consideration.

C.10.3 of Policy DM9 states that the strategy will be to protect existing community facilities where there is a proven demand and encourages replacement facilities in the immediate locality if it is not viable to retain the facility on site.

Recent planning applications on the business' existing site have been subject of a number of neighbour complaints and councillor involvement due to the popularity of the business and the knock on impacts the business' operations have on the adjacent highway network, as there is no formal parking area provided on the premises for either the staff or customers. It

is clear that in some respects the business use has outgrown its current site, and the existing lawful operations are having an impact on the adjoining occupiers and road network.

Overall, with regards to Paragraphs 81, 86 and 87 of the NPPF (2021) and Policies CS02, CS10, DM9 and DM10 of the Local Plan, the principle of development is considered acceptable.

Design and Impact on Form and Character:

Plans show a single storey building in a loose U shape to somewhat accord with the form of traditional barns in the wider area, with low pitch gable ends fronting Clenchwarton Road and a central doorway/entrance and customer retail floor space. A delivery/business vehicle parking area is proposed to the rear, with customer parking to the front of the proposed building.

41 parking spaces including 10 staff spaces as well as 4 motorcycle spaces and covered cycle parking are shown on the site plan, with landscaping provided at the end of rows and around the perimeter of the site which will soften the impact of the development as a whole on this edge of settlement location. Full details of the proposed landscaping would be required as part of any application. Access for delivery vehicles and staff parking are located to the rear of the building.

Replacement tree planting over the site area is intended to replace those trees lost to development – noting that there are a number of dead trees in the southern area of the site due to waterlogging (temporary and due to an AW main failure). The lost trees (approx. 25 not including those which have died) will be replaced by 29 trees proposed primarily around the boundaries of the site which are native species – Silver Birch, Common Alder and Bird Cherry – intended to be appropriate to the landscape. The implementation of these details can be controlled via condition to ensure the building's appearance is softened within the overall street scene. Hedges along site boundaries will further limit any adverse impact.

Conditions are recommended to ensure the development is completed in accordance with the mitigation measures outlined in the proposal. The development is therefore considered to comply with policies CS08 and DM15 of the Local Plan.

Access/ Highways

The application site is located to the east of Clenchwarton Road and is linked to both West Lynn and King's Lynn by an existing shared footpath/cycle way which provides safe access for pedestrians.

The Local Highway Authority state that they have no objections in principle to the proposed scheme subject to standard access/parking conditions.

Visibility splays are achievable and the proposal is considered unlikely to lead to adverse impacts on highway safety in the vicinity. The proposal therefore complies with Policies CS08 and CS11 of the Core Strategy (2011) and Policy DM15 of the SADMP (2016).

Neighbour comments relating to the accessibility of the site compared to the current location are noted, however there are known issues relating to the location of the existing premises that have been discussed above. The site's position has been justified through a sequential test and is considered acceptable. A cycle path and pedestrian footpath link will be retained in situ to allow safe access for all modes from both directions and this has not led to objections from the Local Highway Authority.

Neighbour amenity

Residential dwellings are located to the north of the site however are considered to be sufficiently distanced from the proposal site to mitigate any significant impacts on these surrounding dwellings. Houses around Orchard Grove to the rear of the site are also suitably distanced from the proposal to mitigate any adverse impacts.

The proposal is therefore considered to comply with the NPPF (2021) and policies CS08 and DM15 of the local plan.

Flood Risk

The proposed use is categorised as 'Less Vulnerable' within the PPG and the flood risk sequential and exceptions tests are therefore not required in association with this application. Whilst located in Flood Zone 3, the Flood Risk Assessment provided as part of this application outlines that the development can be made safe from the risk of flooding for the duration of its life and that other flood risks are not increased elsewhere as a result of the proposal.

The development therefore complies with paragraphs 155-165 of the NPPF (2021) and policy CS08 of the Core Strategy (2011).

Ecology

Natural England raise no objections to the scheme and have assessed the application's impact on protected sites. National guidance set out in the Planning Practice Guidance must be used to assess the impact on protected species.

A Pond approximately 30m to the north of the site is a County Wildlife Site (CWS 406) and surveys suggest that Great Crested Newts are present and breeding. The terrestrial habitats on the site itself are suitable for great crested newts (both foraging and hibernation), therefore it is expected that great crested newts would be present on the site and could be impacted by the construction of the building and associated hardstanding.

The Ecology Report submitted with this application details that given the site characteristics, the development and operational activities associated with the business use on site will have negligible impact on protected species – it is the construction activities and the initial clearance of land that could disturb animal species using the site and mitigation measures have therefore been outlined within the ecological assessment to mitigate this impact.

Part 7.2 of the ecological assessment sets out two options for mitigation on site in relation to Great Crested Newts: District Level Licensing or conventional Licensing. If conventional Licensing is selected then it will be a requirement to fence and trap great crested newts from the works area and provide compensatory habitat on or adjacent to the site. If District Level Licensing is selected then no on site mitigation will be required but standard precautionary measures for all terrestrial species will still be adhered to.

These mitigation measures include:

- The removal of vegetation outside of nesting season
- Two stage vegetation clearance to encourage small terrestrial species to move off the site and deter use following commencement of works
- Clearance works should commence from the road and move eastwards to allow terrestrial species to escape into the vegetation to the north
- Controls over storage of building materials and waste and backfilling of excavations

In the even that district level licencing is not undertaken then further surveys will be required to fully assess impacts to great crested newts and inform a standard European Protected Species Licence application.

The tests of derogation are therefore required to be passed to ascertain whether Natural England is likely to grant such a license for the proposed works, in accordance with the habitats directive.

NE will only grant a licence if satisfied that the three statutory tests prescribed under the directive and regulations have all been met. The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and
3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status

The obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

LPA's consideration of the tests:

1. Imperative reasons of overriding public interest (IROPI) – NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. In this case, the principle of development is considered to accord with the NPPF (2021) and the development supports the expansion and retention of a business which also provides a community facility for West Lynn and the surrounding area.
2. No satisfactory alternatives – The retail sequential test supplied as part of this application demonstrates that there are no satisfactory alternate locations within West Lynn for the proposal. The building/red line has been located in excess of 30m away from the pond itself however is required in this position due to highway safety and access purposes.
3. Population maintenance – it appears unlikely that the development of the site, subject to the appropriate mitigation measures, will affect the conservation status of the protected species. Specific mitigation measures for Great Crested Newts will be agreed by Licensing. . If District Level Licencing is selected then no on site mitigation will be required but standard precautionary measures for all terrestrial species will still be adhered to (see below). If conventional Licensing is selected then it will be a requirement to fence and trap great crested newts from the works area and provide compensatory habitat on or adjacent to the site. Two Bird boxes are proposed to be installed on site within the fabric of the building and general precautionary measures are proposed during construction.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application, that NE would be likely to grant a derogation license under the Regulations in relation to this development.

The application is therefore considered to comply with the PPG Guidance, Policies CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

Planning Committee
7 March 2022

Other Material Considerations

Trees

A group of sycamore trees is required to be removed to allow the construction of the building and associated hardstanding area – the landscaping report submitted with this application categorises 4 of these trees as mature, with the remainder being young or semi-mature. The lost trees (approx. 25 not including those which have died) are not protected and will be replaced by native species planting. The Landscaping Plan outlines a total of 32 trees to be planted (15 Common Alder, 9 Silver Birch and 8 Bird Cherry) – intended to be appropriate to a fenland landscape. Native species hedgerows will span the outer boundary of the site and will soften and screen the close boarded fencing which is proposed to the side and rear site boundaries.

Conditions will ensure the development is completed in accordance with the landscaping plan and any trees which die will be replaced in the next planting season. This is considered appropriate and will limit the impact of the loss of trees on the amenities of the locality in accordance with the NPPF (2021) and DM15 of the SADMPP (2016).

Drainage

A statement provided by the Agent as part of this application outlines existing drainage issues on site which are said to be as a result of burst/broken water pipes. The leaks have led to waterlogging and excessive surface water across the wider site. The agent has provided email correspondence which states that Anglian Water have been to site to fix two individual leaks on the site that were the primary cause of the water on site.

Consultation responses from Anglian Water state no objection in principle, subject to foul water drainage strategy being provided via condition. These comments are noted and full conditions relating to both foul and surface water drainage are recommended as part of any approval.

The development therefore complies with the NPPF (2021) and Policy DM15 of the SADMPP (2016).

Crime and disorder

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

Response to Neighbour Objections

Neighbour objections were received, and the majority of issues are discussed above.

Neighbour objections refer to refused application 16/00572/FM which proposed the residential development of the site with 50 houses. The application was refused by Planning Committee in 2016 as the principle of development was contrary to the Local Plan and the site is/was at a risk of flooding. Whilst neighbour comments are noted, this application is for a different type and form of development. Any future development on the wider site would be assessed on its own merits.

Comments received regarding surface water drainage and flooding are noted and additional information has been provided by the agent in relation to damaged pipes and previous maintenance/repairs. As discussed above, the application has not drawn objection from consultees on these grounds and conditions are considered adequate to mitigate any risk of flooding on site or increased impacts off site.

In regard to queries over the site address and 'anonymous documents', the site address was rectified during the course of the application to better represent the location of the site. The anonymous documents refer to photos submitted by the Agent which are discussed within an email response received the same day, showing the site conditions at an earlier site visit conducted by the agent.

Some comments noted the site's position as a greenfield site and the policies intended to protect greenfield sites from development. These comments are noted, however as discussed above, on balance, the principle of development on the site is considered acceptable in line with the NPPF (2021) and policies CS08, CS10, DM9 and DM10 of the development plan.

CONCLUSION

The application seeks permission for the development of a butchers/retail unit with associated car parking, servicing, and landscaping. The proposal is situated outside the settlement boundary of West Lynn/King's Lynn, on land which is therefore considered to be within the countryside. However, the has been positioned to allow the retention of the existing pond to the north and provides visibility splays to accord with the required standard without impacting on the amenity of residential properties. The creation and expansion of business is widely supported through policies at both a local and national level and the site is in close proximity to the main built extent of West Lynn.

On balance, officers put weight on national and local level policies which support the retention and expansion of existing enterprises as well as the benefits of the retention of a community facility. Members should consider whether the sustainability and economic benefits of the proposal outweigh any adverse impact on the intrinsic character and beauty of the countryside.

A condition is recommended to restrict the use of the development to use as a butchers/farm shop only in order to prevent a wider retail use of the development which would be contrary to the policies of the development plan.

Details have been provided to control and mitigate any impacts on Highway Safety, Drainage and Biodiversity and overall, the application is therefore considered to comply with the NPPF (2021), Policies CS01, CS02, CS08, CS10, CS11 and CS12 of the Core Strategy (2011) and Policies DM1, DM9, DM10 and DM15 of the Site Allocations and Development Management Policies Plan (2016).

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:

*2358-16D
*2358-14C
*2358-13
*2358-00A

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No development shall commence on site 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 scheme for foul water drainage shall include details of the connection point and discharge rate. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 3 Reason: To prevent environmental and amenity problems arising from flooding
- 4 Condition: The development hereby permitted shall be constructed in accordance with the mitigation measures proposed in the submitted Flood Risk Assessment (FRA). In particular, the FRA recommends that:

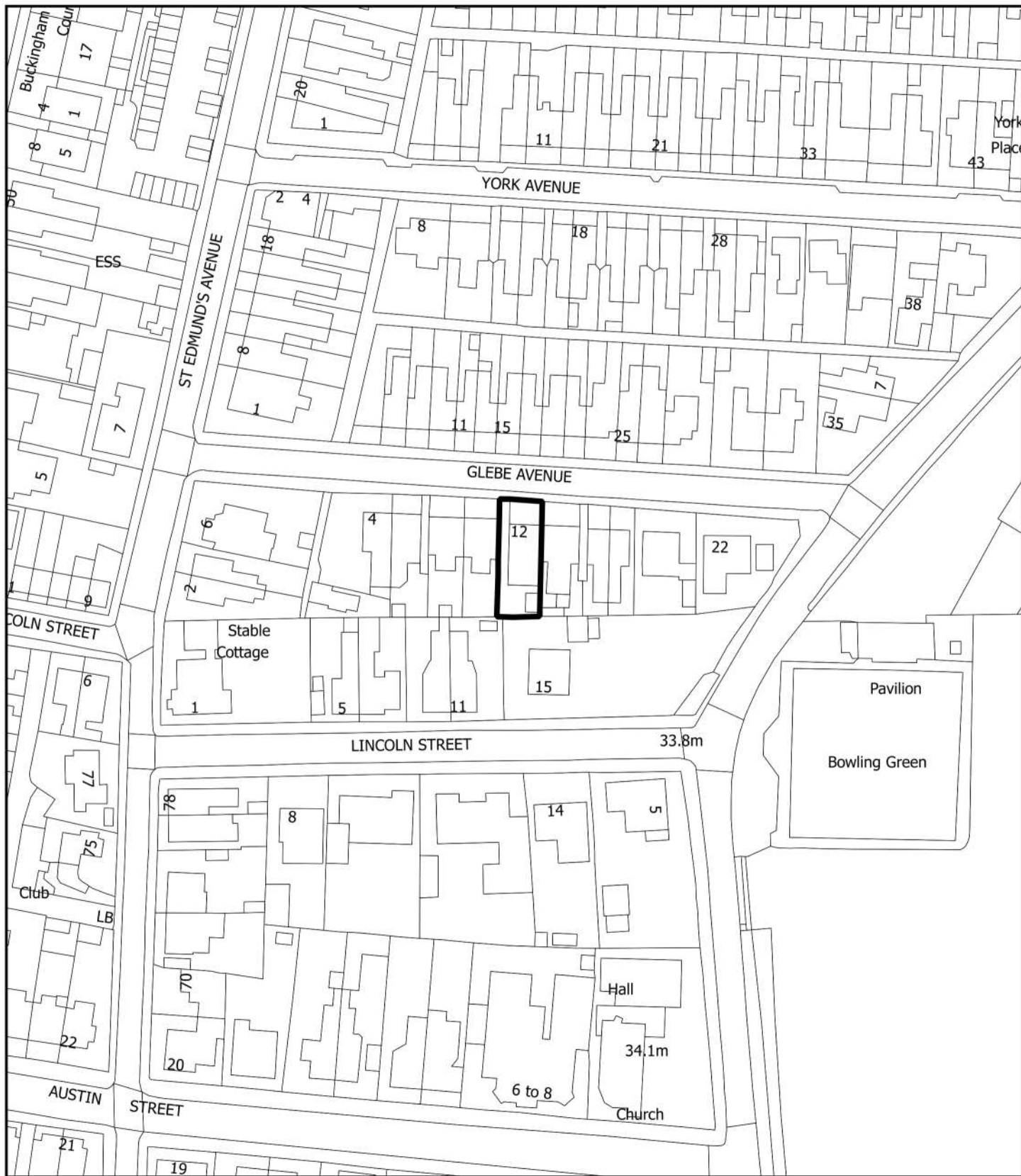
*Finished floor levels will be set at least 300mm above surrounding ground levels
*Flood resilient measures will be incorporated into the development, as detailed within section 5.2.
- 4 Reason: In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 5 Condition: All hard and soft landscape works shall be carried out in accordance with the Landscaping Schedule and Landscape Management Plan dated December 2021. The works shall be carried out prior to the first 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.
- 5 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 6 Condition: Prior to the first use of the development hereby permitted the vehicular / pedestrian / cyclist access / crossing over the footway/cycleway shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority 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 in accordance with the NPPF (2021).
- 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 in accordance with the NPPF (2021).
- 8 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking / servicing / loading / unloading / turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the NPPF (2021).
- 9 Condition: The development hereby permitted shall be constructed in accordance with the mitigation measures and recommendations outlined in the Ecological Assessment Report, written by Wild Frontier, Dated June 2021.
- 9 Reason: To protect the interests of protected species and habitats and biodiversity on site in accordance with the NPPF (2021) and Policy CS12 of the Core Strategy (2011).
- 10 Condition: The development hereby permitted shall only be used as a Butchers/Farm Shop and for no other purpose, including any use within Class E of the Town and Country Planning (Use Classes) Order (1987) as amended.
- 10 Reason: In order that the Local Planning Authority may retain control over the use of the premises where an alternative use or use for wider retail purposes would be contrary to the development plan and detrimental to the amenities of the locality, in accordance with the NPPF (2021) and Policies DM2, DM9 and DM10 of the Local Plan.

21/01886/F

Coralyn House 12 Glebe Avenue Hunstanton PE36 6BS



21/01886/F

Coralyn House 12 Glebe Avenue Hunstanton PE36 6BS



Parish:	Hunstanton	
Proposal:	Proposed single storey rear extension incorporating internal alterations of residential care home (Use Class C2) following the removal of existing conservatory structure. Proposed single-storey garden room to rear of site following removal of outbuildings.	
Location:	Coralyn House 12 Glebe Avenue Hunstanton Norfolk PE36 6BS	
Applicant:	Mr and Mrs Ramana	
Case No:	21/01886/F (Full Application)	
Case Officer:	Mr M Broughton	Date for Determination: 24 November 2021 Extension of Time Expiry Date: 11 March 2022

Reason for Referral to Planning Committee – Called in by Councillor Bower

Neighbourhood Plan: No

Case Summary

The land is situated on the south side of Glebe Avenue, Hunstanton, approximately 75m west of A149 Cromer Road, a similar distance east of St Edmunds Avenue junction and within the designated Conservation Area of the town.

The application proposes the construction of a single storey rear extension and a single-storey garden room following the removal of the existing conservatory structure and outbuildings at Coralyn, 12 Glebe Avenue Hunstanton.

The building is currently used as a care home (Use class C2)

Key Issues

- Principle of development and policy
- Form and character
- Impact on amenity
- Other considerations

Recommendation

APPROVE:

THE APPLICATION

The site comprises a semi-detached two storey dwelling (western unit of the pair). It has a two storey rear projection and a large lean-to conservatory abutting the rear elevation, which 'wraps around' each side elevation of the aforementioned projection. That configuration currently abuts the eastern neighbour boundary. It has a side path on its west elevation leading through to the rear garden. There is no on-site parking provision.

The plot is elongated and has patio laid to the front and rear, with a step-up from the latter to the level of the rear garden. There is a pergola and seating area at the south-west corner of the rear garden and dilapidated sheds along the south-east / south side of the garden.

There is 2m fence / wall, with hedge / shrub growth over, on the east and western boundaries. To the rear south boundary there is 3m high hedge.

The application seeks to demolish the conservatory and garden structures and construct a single storey, flat roofed, 7m wide rear extension (23sqm) to abut the original rear elevation, but with the eastern elevation off-set from the eastern boundary leaving a separation gap of 1.47m. Its western elevation would follow the course of the existing western elevation, as it does currently. The depth of the proposal from the rear elevation would be 4.8m, the height at 3.4m and the proposed red brick build is proposed to match existing bricks as closely as possible.

There would be a small door link from the said extension to access a flat roofed single-storey garden room 4m x 3.5m x 3m high and set back in the south-east area of the garden, but off-set from boundaries, with a bi-fold door arrangement facing west to within the confines of the garden.

The proposed works incorporate internal alterations to this existing residential care home (Use Class C2 - residential institutions) and would increase the number of bedrooms and residents therein from 5 to 7 and ensures each room has an en-suite facility.

The proposal was originally for two storey development, which has since been reduced to single storey

SUPPORTING CASE

The application seeks planning approval for a single storey rear extension to Coralyn House, 12 Glebe Avenue, Hunstanton following the removal of an existing conservatory.

As a residential care home for those with Downs Syndrome, the property is defined as a residential institution.

The proposals also include a garden room to be utilised as further communal space for residents, following removal of an existing brick store and shed.

The footprints proposed are similar to that existing and also match the form and a character of surrounding properties, especially that of the immediate neighbouring property Rosamaly Guesthouse, No. 14 Glebe Avenue. Photographs from a first-floor window of the application property show the density of structures in the rear garden of no.14.

The original proposals included a two-storey element and public objections were made concerning overbearing and over-shadowing upon No.14, especially a ground floor window. In respect of these justified concerns the proposals were reduced to single storey with a

significant element pulled away from the eastern boundary with No 14. Unfortunately, the objections remained.

In response to the continued objections further evidence was obtained allowing 'shadow plans' to be prepared. The diagrams show the single storey proposals will have no additional impact upon No.14.

We understand that there is a perceived notion that the existing conservatory roof would allow light through to the aforementioned ground-floor window. In practice this is not the case. Light would have to travel through two elements of the roof and photographs show the roof material to not be easily penetrable by light. Indeed, anyone who has experienced use of a conservatory understand they only offer natural light into their own volumes and are often detrimental to other adjoining rooms. Combine this with the thick framework and the shadow cast is no different to any other structure.

The shadow plans demonstrate that the only real factor putting the No.14's side elevation window in shade is the existing two storey projection, and the only way to worsen this would be to extend the two-storey element, as identified by the planning department. As the sun would travel further west, the boundary structure attached to No.14's rear flat roof extension would shade the area from sun light and ambient light.

To summarise, the amended proposals density, single storey height and overall scale are in harmony with the established form and character of surrounding properties. The proposals are shown to have no additional impact on neighbouring properties concerning overbearing and overshadowing. The care home will benefit greatly from the proposals. It was identified favourably in recent reports, but for its facilities. The works will markedly improve facilities and quality of life for the residents.

PLANNING HISTORY

02/0669/F: Permitted: 31/05/02 - Retention of conservatory extension to dwelling - 12 Glebe Avenue Hunstanton

RESPONSE TO CONSULTATION

Town Council: NO RESPONSE:

The Town Council did not respond to re-consultation on the amended single storey scheme

The Town Council objected to the original 2 and single storey proposal citing:

- Loss of light to the neighbouring property No 14 Glebe Avenue, due to the close proximity of the properties at the rear.
- Over-development of the site in a residential area.
- Adding to existing parking difficulties in Glebe Avenue - no off street parking provided for additional expansion of the property.

Highways Authority: NO OBJECTION:

Environmental Quality: NO OBJECTION

Due to the shed roof on site being constructed of Asbestos containing materials and requiring demolition, we recommend the following informative be applied to an approval:

The proposed development will include the removal of an existing building which could contain asbestos materials. The Control of Asbestos Regulations 2012 (CAR 2012) require that suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present before demolition or other work is carried out. CAR 2012 requires that a suitable written plan of work must be prepared before any work is carried out and the work must be carried out in accordance with that plan. If asbestos is not managed appropriately then the site may require a detailed site investigation and could become contaminated land as defined in Part 2A of the Environmental Protection Act 1990.”

Conservation Officer: NO OBJECTION

This rear extension will have no harmful impact on the character of the Conservation Area or the street scene.

Arboricultural Officer: NO OBJECTION

REPRESENTATIONS

Third party **4 OBJECTIONS** to the amended single storey scheme:

- Amenity: Loss of light, intrusive, with overshadowing on neighbours kitchen and office / utility extension
- Excavations will put extra stress onto the party wall.
- Noise during construction phase
- Parking in Glebe Avenue: traffic increase by care staff and other healthcare professional visits with no facility for off-street parking
- Over-development of the site by a business use in a residential area.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

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

HUNSTANTON NEIGHBOURHOOD PLAN POLICIES

Policy K2: Design, style and materials

Policy K: Parking provision

PLANNING CONSIDERATIONS

The main planning considerations are:

Principle of development and policy
Form and character
Impact on amenity
Other considerations

Principle of development and policy:

Coralyn House is situated in a compact residential area, within the settlement boundary on the northern side of Hunstanton, a main town in the settlement hierarchy, which acts as a service centre for the surrounding rural area, a local employment centre and is also a successful seaside resort.

The application seeks to construct a single storey extension to the rear (south) elevation of this care home (Class C2) use, with a link to a garden room.

The proposed development would replace the existing conservatory and garden storage sheds.

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 and the emerging Hunstanton Neighbourhood Plan.

Hunstanton Neighbourhood Plan:

The Town Council updated a ‘draft referendum version’ (dated 15/12/21) of the emerging Neighbourhood Plan, following scrutiny by an Examiner (September 2021). The latest version has not been formally finalised. The report on this application, Policies considered in the ‘draft referendum version’ were:

- Design, style and materials (Policy K2)
- Parking provision (Policy K4)

Form and character:

The land is situated on the south side of Glebe Avenue, Hunstanton, approximately 75m west of A149 Cromer Road, on the northern side of the town, set back from the sea front and within the designated Conservation Area.

Several 'Avenues' in this location were constructed in the late Victorian era, in conjunction with the expansion of the town and which included the format of residential building around 'squares'.

Glebe Avenue is primarily residential and comprises mainly two storey semi-detached dwellings constructed around 1896, in the late Victorian era. Several are constructed with bay window style and built in carrstone and red brick. But there are variations to that style in the street scene. There are some trees in the street scene and the majority of dwellings retain low front walls to front gardens.

The south side of the street is in 'back to back format' with the rear gardens of two storey dwellings fronting Lincoln Street.

Coralyn House is the western unit of a two storey semi-detached pair, a residential care home for 5 persons, with patio frontage and rear garden. The rear conservatory is outdated and in need of replacement along with the garden storage sheds.

Rosamaly is the eastern unit of the pair and is a 'Bed and Breakfast' Guesthouse, with a patio frontage for guest use. It has a single storey extension abutting its rear elevation with raised sun panels on the flat roof and that extension projects into its rear garden, with a pergola attached and a shed across the width of its rear boundary.

Overall, in terms of scale and design the proposal provides a modern single storey ancillary extension. The works to the existing dwelling increase the number of bedrooms to 7, with internal arrangements re-organised such that bedrooms are kept in tandem to the front of the dwelling and a more compatible arrangement is made to the layout than that existing, with the kitchen /dining / lounge adjacent within the extension proposed, with the small garden room leading off for the use of residents.

There is no impact on the street scene, or on views into or out of the site which would impact adversely on the Conservation Area. The brickwork is to be conditioned to match that existing as closely as possible.

Parking is limited to the street, without kerbside parking restriction, save an occasional dwelling having converted the frontage to off road parking. There is no known off-road parking available to Coralyn or its immediate neighbours. The residents of No 12 are not known to own or drive cars and the current position with perceived vehicular movements by carers or health workers visiting the site is unlikely to alter. The highway officer raised no objection.

Impact on amenity:

The original two and single storey rear projection proposed for the site was revised following objection by the Local Planning Authority case officer. The application was amended and opted for a flat roof design to a single storey extension to minimise the overall height and impact on neighbours.

Given scale, design and siting, there are no overlooking, overbearing or overshadowing issues affecting the nearest neighbours, the latter borne out by the agent in the provision of 'shadow plans' depicting shadows cast in summer and winter, morning and afternoon and comparing existing and proposed formats. The plans identify negligible or additional overshadowing.

Notwithstanding the perceived 'business use' of the premises, this is the residential home of persons in need of special care and the use of the building as extended is unlikely to create any adverse impact on the neighbouring sites in terms of noise or disturbance.

In terms of development, the depth of the extension into the garden will increase by approximately 2.5m with the height proportionate to that existing at 3.4m. Given the boundary treatment which varies between hedge topped 2m high fence or wall east and west in the case of the southern boundary 3m high hedge, views of the proposed development from adjacent ground levels are not considered to be overly obtrusive.

There are no other overriding factors which are likely to adversely impact on the neighbouring sites or those further afield.

Noise from building work is generally acceptable as it is considered temporary. Complaints of noise can be addressed by other legislation'.

Any perceived party wall issues are civil matters.

Other considerations:

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

Asbestos: The corrugated roof of the garden shed at the rear of Coralyn contains asbestos and informative advice on disposal is applied accordingly.

CONCLUSION:

This is a residential care home, catering for the special needs of the residents. Notwithstanding the proposal increases the number of residents from 5 to 7, it is not envisaged the number of visitors to the premises will increase dramatically, such that the development impacts on the parking needs of the street.

It is considered that the proposed single storey extensions are of an acceptable design and scale, which will 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.

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 and emerging Neighbourhood Plan. It is therefore recommended this application be approved.

RECOMMENDATION:

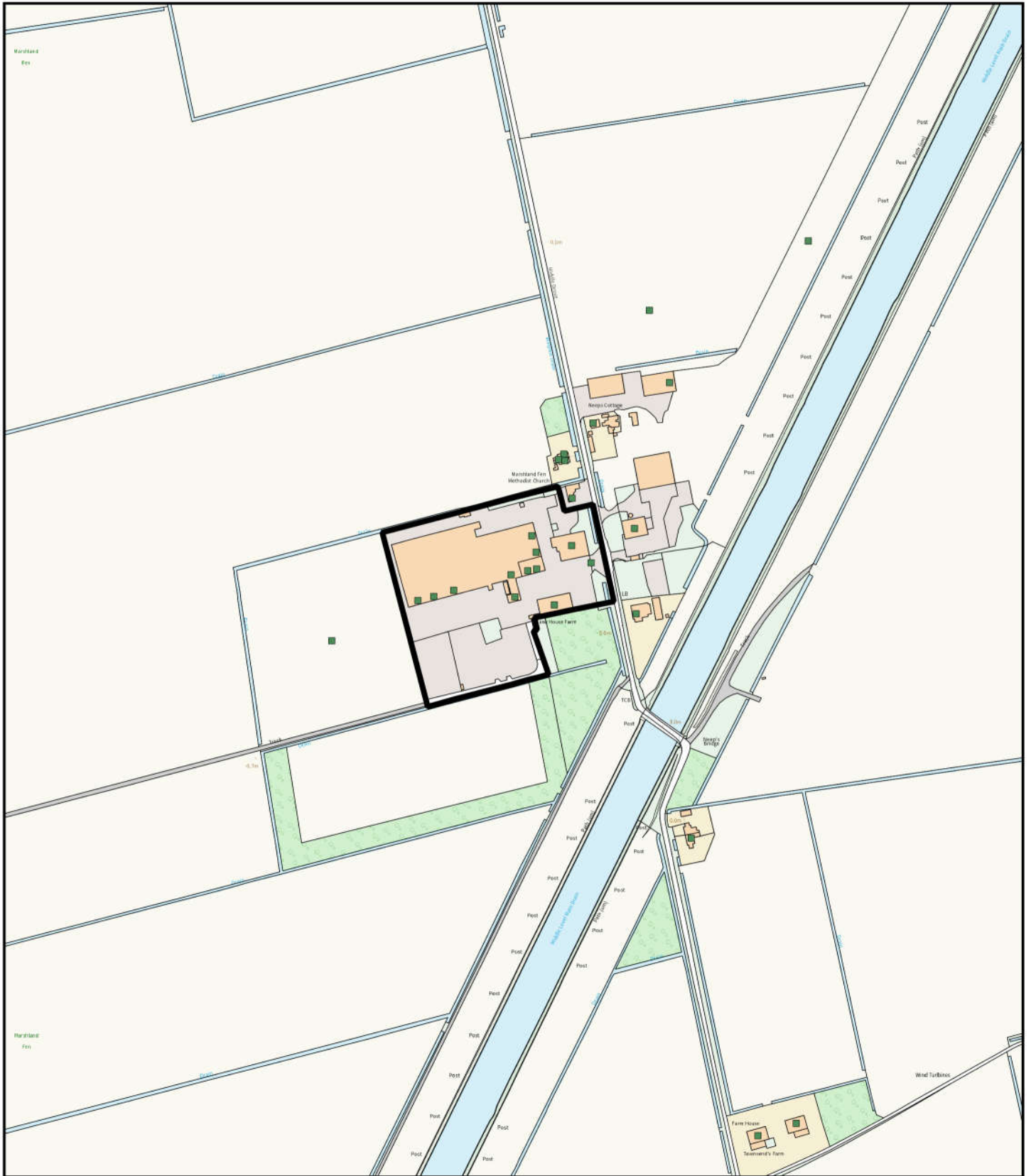
APPROVE subject to the imposition of the following condition(s):

- 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 plans:

Block plan and sections through – drawing 579/21/06 – receipt dated 6/01/22
Elevations and layout – drawing 579/21/05 – receipt dated 6/01/22
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The bricks to be used in the construction of the external surfaces of the extension hereby permitted shall match, as closely as possible, the type, colour and texture those used in the construction of the existing building.
- 3 Reason: In the interests of visual amenity, in accordance with the NPPF

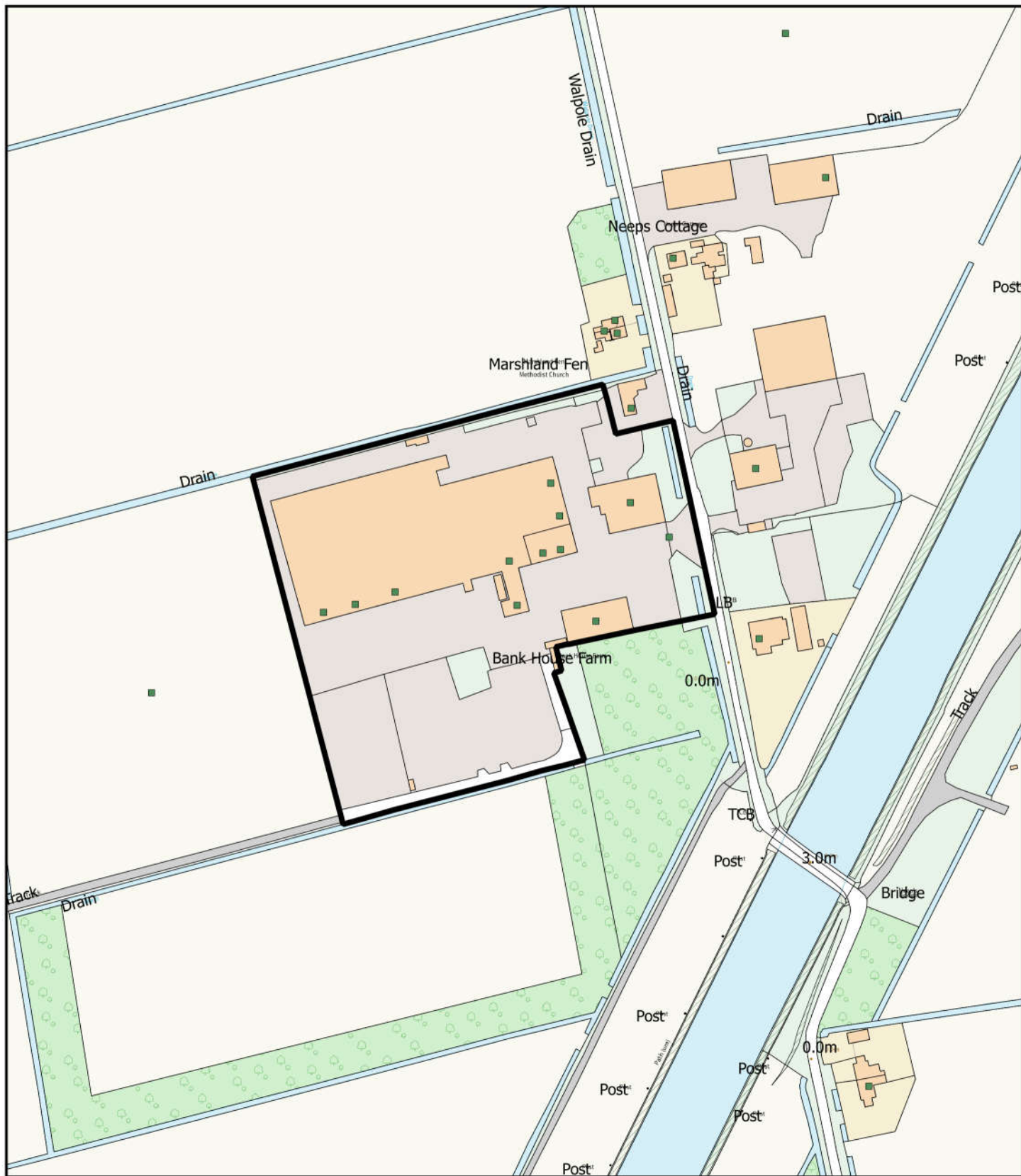
20/02044/F

Rapiscan Systems Middle Drove Marshland St James PE14 8LB



20/02044/F

Rapiscan Systems Middle Drove Marshland St James PE14 8LB



Parish:	Marshland St James	
Proposal:	REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 19/01247/F: Retrospective sub-division of old industrial unit	
Location:	Rapiscan Systems Vacant Middle Drove Marshland St James PE14 8JT	
Applicant:	MCR Property Group	
Case No:	20/02044/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 4 February 2021 Extension of Time Expiry Date: 11 March 2022

Reason for Referral to Planning Committee – At the instruction of the Planning Committee Sifting Panel (09.02.22) and the views of the Parish Council are contrary to the Officer recommendation.

Neighbourhood Plan: No

Case Summary

The application site lies on the western side of Middle Drove, Marshland St James, close to Neep's Bridge over the Middle Level Main Drain, approx. 2km south of its junction with School Road.

Planning permission is sought to vary hours of operation of a collection of industrial units, to allow additional indoor working at the start and end of the currently authorised timeframes.

Key Issues

Site History
Principle of the development
Impact upon residential amenity of nearby properties
Other material considerations

Recommendation

APPROVE

THE APPLICATION

Planning permission is sought to vary condition 2 attached to planning permission granted under ref: 19/01247/F which states as follows:

Planning Committee
7 March 2022

“2. No machinery shall be operated, no process or work shall be carried out and no deliveries shall be taken at, or despatched from, the site outside the hours of 0800 to 1800 Mondays to Fridays, 0900 to 1300 on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason - In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF and Policy DM15 of the SADMPP.”

The new wording for condition 2 proposed by the applicants is as follows:

“No deliveries shall be taken at, or despatched from, the site outside the hours of 0800 to 1800 Mondays to Fridays, 0900 to 1300 on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

No machinery shall be operated, no process or work shall be carried out outside the hours of 0600 to 1900 Mondays to Fridays, 0600 to 1400 on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Free-field ambient noise levels at the red line boundary defined in the Noise Management Plan, P4236/R02a/PJK, due to noise breaking out of the industrial units should not exceed 40dBLAeq,15min between 0600 to 0800 and 1800 to 1900 Monday to Friday and 0600 to 0900h and 1300 to 1400h on Saturdays.”

This essentially seeks to allow additional working within the buildings between 6-8am and 6-7pm Monday to Friday plus 6-9am and 1-2pm on Saturday (i.e. a further 7 hours of work per week). During those additional hours where necessary all windows and roller shutter doors in certain units will be closed.

SUPPORTING CASE

The agent has submitted the following statement in support of this proposal:

“The application seeks to amend the delivery and working hours for the existing 9 local businesses on the site which currently employs 70 people. The primary reason for the application is to help sustain the existing local businesses and jobs in this rural location.

The application site has been in use as an employment/ industrial site since the 1970’s where, prior to sub-division works, had been used much more intensively with in excess of 160 employees working on the site for Herbert Engineering/Systems. This involved longer hours of work and significantly more deliveries and activity taking place both in the early hours of the morning and weekends.

As members will note from the planning officer’s report, the application originally sought to allow a wider range of hours for deliveries and works on the site. Following lengthy discussions with planning officers and the Environmental Health Officer (EHO) the application has been substantially amended.

In response to concerns raised by residents and the EHO the application has been amended to remove any extension to the hours in which deliveries can be taken at, or despatched from, the site.

Notwithstanding this and the fact that there are no restrictions on the hours of vehicles entering and exiting the site itself, the applicant has agreed with officers, as part of a detailed Noise

Management Plan, that any HGV's entering the site outside the permitted offloading/loading hours, are to park away from residential properties in a specific area of the site.

In terms of hours of working inside the buildings following detailed discussions with the EHO the applicant/businesses on the site have agreed to reduce the number of additional hours sought in the application. A robust and widely accepted noise level planning condition is proposed and as part of a detailed Noise Management Plan, a noise complaint management system is proposed and would be in place in the unlikely event that a noise complaint be received.

Accordingly, the application proposals are fully in accordance with both development plan and national planning policy with support from both your planning and environmental health officers. We therefore respectfully ask councillors to support planning officer's recommendation and grant planning permission for the proposal."

PLANNING HISTORY

22/00140/A: Pending decision: Advertisement application for 2 x roadside non-illuminated business signs

19/01247/F: Application Permitted: 02/12/19 - Retrospective sub-division of old industrial unit (Delegated decision)

06/01041/F: Application Permitted: 26/06/06 - Construction of free-standing building for washing, drying and storing (Delegated decision)

2/99/1215/F: Application Permitted: 02/11/99 - Extension to existing factory after demolition of building (Delegated decision)

2/98/1107/F: Application Permitted: 18/09/98 - Use of building without complying with Condition 2 of planning permissions 2/87/3177/F 2/89/4102/F and 2/90/0307/F to allow General Industrial Use (Delegated decision)

2/97/0247/F: Application Permitted: 21/03/97 - Extension to office block (Delegated decision)

2/93/1589/F: Application Permitted: 15/12/93 - Extension to factory (Delegated decision)

2/93/1184/F: Application Permitted: 15/09/93 - Loading bay extension to existing works (Delegated decision)

Front/SE portion of overall site area:

12/01869/F: Application Permitted: 01/03/13 - Extension to existing factory to form storage area (Delegated decision)

RESPONSE TO CONSULTATION

Parish Council: OBJECT due to noise or disturbance resulting from use, including proposed hours of operation which would have a detrimental impact on amenity of neighbours and highways concerns regarding any extension to the periods of operation.

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION – subject to new condition restricting uses and addition of an informative note to be added to any consent.

REPRESENTATIONS

A total of **TWELVE** items of correspondence (8 no. to initial scheme and 4 no. to amended proposal) from **6** no. households raising **OBJECTION** on the following summarised grounds:

- Noise levels from site are already causing sleep disturbance and enjoyment of our house and garden.
- Unacceptable that the burden of complaint lies with the local residents – it is for the owners to explain the restrictions to the tenants.
- There is no reason to vary the existing condition of use.
- The ability to start work at 0600 every weekday and a Saturday. They are already doing this with cars coming into the site from 0530 and this is having a significant impact on our quality of life. Our preference would be that they are allowed to start work at 0700 on a weekday with the noise restriction in place but not until 0800 on a Saturday as this will have a significant impact on the glamping business.
- There is still the allowance for HGVs arriving at any time. This is already causing a lot of disruption to us as again this already happening and our house shakes when they go past so I must request that this is not allowed to happen and that HGVs must arrive and depart during the agreed working hours.
- The HGV holding area is still at the back of our first meadow and if these arrivals and departures are allowed 24 hours a day it means that we will NOT be able to use the first meadow for glamping at all and will halve our business revenue.
- The house and meadow and farm cottages have all been sold to individuals who bought the properties knowing that the current planning regulation were in place. Also planning was granted for our glamping business again with the industrial site working hours taken into consideration. This outweighs the history of the site.
- The Noise survey carried out has taken place when strangely there were minimal movements or staff on site. I would propose an independent survey be utilised over a period of time. The following morning it was back to normal high levels.
- Impact to surrounding property values.
- No issue with the current operational hours if they are followed and controlled.
- No signage stating operational hours or required noise levels anywhere to be seen.
- Impact upon wildlife.
- Unsure how "Only welding" can be achieved without the associated noise of grinding, cutting or movement/positioning of the materials being joined.
- Unacceptable that the burden of complaint resides purely on the residents.

LDF CORE STRATEGY POLICIES

CS08 - Sustainable Development

CS10 – The Economy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

Site History

It is evident from aerial imagery and the Planning History section above, that there have been industrial uses on this site since the early 1970s (formerly operated by RJ Herbert Engineering Ltd until 2017) and from research it appears that general industrial use (Class B2) was authorised in 1998 when the business evolved from local market potato graders into the world-wide market, and changing most latterly to commercial conveyor systems used in airports. However, hours of operation were not restricted/conditioned (with the exception of the washing facility permitted in 2006).

The property was bought by the current owners/applicants and planning permission was granted under application ref: 19/01247/F for the retrospective sub-division into smaller units and mix of Class B1, B2 & B8 uses.

It is clear that the former business evolved and expanded over time and nearby dwellings were occupied by owners/relations, so the activity was somewhat self-controlled, however circumstances and ownerships had significantly changed in the interim. Our CSNN colleagues suggested a condition to the effect of : “No machinery shall be operated, no process or work shall be carried out and no deliveries shall be taken at or despatched from the site outside the hours of 0800 to 1800 on weekdays, 0900 to 1300 on Saturdays nor at any time on Sundays, Bank or Public Holidays.” This was attached to that permission as Condition 2. No other operational restrictions were imposed.

Principle of the Development

Core Strategy Policy CS08 of the LDF states inter alia:

“All new development in the borough should be of high quality design. New development will be required to demonstrate its ability to: protect and enhance the historic environment; enrich the attraction of the borough as an exceptional place to live, work and visit; respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout and access will enhance the quality of the environment; optimise site potential, making the best use of land including the use of brownfield land; enhance community wellbeing by being accessible, inclusive, locally distinctive, safe and by promoting healthy lifestyles (see Policy CS14 Community & culture); achieve high standards of sustainable design.”

Core Strategy Policy CS10 states inter alia:

“The Council will support the rural economy and diversification through a rural exception approach to new development within the countryside; and through a criteria based approach to retaining employment land and premises. Permission may be granted on land which would not otherwise be appropriate for development for an employment generating use which meets a local business need. Any development must satisfy the following criteria:

- It should be appropriate in size and scale to the local area;
- It should be adjacent to the settlement;
- The proposed development and use will not be detrimental to the local environment or local residents.”

Policy DM15 of the SADMPP states inter alia:

“Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring

uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:

...Noise...Light pollution...

Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.”

The NPPF states:

“130. Planning policies and decisions should ensure that developments: ...(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

...e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions...

187. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

These will be addressed in the next part of this report.

Impact upon residential amenity of nearby properties

This application initially sought to allow more extensive operations at, and deliveries to/from, the site (including Sundays and Bank Holidays), but this was amended following protracted negotiations with our CSNN colleagues.

As stated above, the proposed new wording as agreed by all parties for condition 2, is as follows:

“No deliveries shall be taken at, or despatched from, the site outside the hours of 0800 to 1800 Mondays to Fridays, 0900 to 1300 on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

No machinery shall be operated, no process or work shall be carried out outside the hours of 0600 to 1900 Mondays to Fridays, 0600 to 1400 on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Free-field ambient noise levels at the red line boundary defined in the Noise Management Plan, P4236/R02a/PJK, due to noise breaking out of the industrial units should not exceed 40dBLAeq,15min between 0600 to 0800 and 1800 to 1900 Monday to Friday and 0600 to 0900h and 1300 to 1400h on Saturdays.”

This essentially seeks to allow additional working within the buildings between 6-8am and 6-7pm Monday to Friday plus 6-9am and 1-2pm on Saturday (i.e. a further 19 hours of work per week). During those additional hours where necessary all windows, high-level vents and roller shutter doors in certain units will be closed. Four of the nine units are affected which lie towards the rear of the site and contain the following businesses: East Anglia Steel, Securafence, JM Technical and Selfcair Manufacturing.

The proposal is accompanied by a Noise Management Plan produced by consultant acoustic engineers. Our Environmental Health Manager (Community & Partnerships) states the following in response to this submission:

“Further to the amended noise report and withdrawal of proposed new delivery hours for this application, as outlined in the planning agent’s letter of the 18th January and AEC REPORT: P4236/R02a/PJK, I am satisfied that the proposed conditions can be agreed.

I have noted public concern about ancillary noise associated with welding activities and general site noise. This is addressed within the noise report and the applicant is reminded of the need to undertake appropriate training for staff and also the potential requirement for additional noise attenuation.

I would ask that in addition to the proposed conditions in the applicant’s letter that the Statutory Nuisance informative, is also added to any permission granted.”

The Noise Management Plan introduces an in-house complaints procedure:

- 3.1 *Local residents should be provided with a means by which a noise complaint can be made. This could be in the form of a letter, email, newspaper advert or via a website. Any communication should include a telephone number for noise complaints.*
- 3.2 *Should a noise complaint be received, MCR Property Group will provide an empathetic and polite response in order to minimise the risk of escalation. This will entail making time to fully listen to the complaint, document the details and plan to take appropriate action.*
- 3.3 *Should a noise complaint be received, it will be investigated and if activity noise is clearly above the limits set out in this document, immediate action will be taken to reduce noise levels at source.*
- 3.4 *The responsible person(s) on-site will log the complaint, detailing the time of complaint, address and any action taken. They should be willing to meet with the complainant and/or arrange phone call or meeting where appropriate.*
- 3.5 *Once a complaint has been received, a visual inspection will be undertaken to ensure that all doors, windows and other ventilation openings are closed and there are no areas of disrepair in the external envelope.*
- 3.6 *If complaints continue noise measurements will be undertaken at the location identified as NML on Figure 1 to determine if the noise level limit outlined in Section 1.0 has been exceeded. If the noise level limit has been exceeded and investigation will be undertaken to determine the cause and mitigation measures will be provided.*

This ‘in-house complaints procedure’ is purely a voluntary measure and, albeit a further level of control by the owners/managers of the site, this does not replace the restrictive condition which is enforceable by our Planning function. It is therefore separate from both Planning and Environmental Health enforcement measures. Contrary to third party comments, the onus is not on them to resolve complaints with the owners.

Under the Environmental Protection Act 1990, the Local Authority has a duty to investigate complaints of noise nuisance and should a complaint be received, irrespective of planning consent, the Local Authority may (on determination of a Statutory Nuisance) serve a legal notice requiring any said nuisance to be abated. Failure to comply may result in prosecution.

There are therefore provisions beyond planning control to resolve any statutory nuisance caused by site operations.

Vibration from passing HGVs to existing buildings has been taken into consideration in assessing the impact upon residential amenity. There are no restrictions in terms of the number of deliveries to and from the site during existing operational times and is not considered to be materially affected by this proposal.

Given the noise control measures contained within the Noise Management Plan and definitive noise levels at the relevant site boundaries, these are measurable and considered to be acceptable to both Enforcement and CSNN colleagues. The extended hours of operation at the beginning and end of working days are considered to be acceptable, comply with national guidance, and the provisions of the Development Plan.

Other material considerations

With regards to traffic implications, there are no restrictions upon the number of HGV or other vehicular movements to and from the site. From the consultation response relating to application ref: 19/01247/F, the LHA raised no objection to the proposal, as the Ground Floor Area remained constant and was considered to be self-restricting and consistent in terms of traffic generation.

There are adequate parking and servicing areas contained within the site to meet current standards and accommodate the associated workforce and visitors.

A 'glamping' holiday facility in shepherd huts has been approved on land to the south of the site (April 2012: 20/01832/F). This has been taken into consideration when making this assessment and the industrial units existed prior to that consent.

There are no significant Crime and Disorder issues raised by this proposal.

Additional comments in response to objections raised:

The effect of development (either up or down) upon the value of adjoining properties, is not a material planning consideration.

There are no significant implications relating to wildlife.

Wear and tear upon the bridge is to be expected and is not considered to be grounds for refusal with this application.

CONCLUSION:

This is an application to vary a condition, to allow more flexibility in working arrangements for the occupiers of the industrial units, to help the operation of their businesses. Planning policy is generally supportive of established businesses, although it has to be balanced with impact upon the local residents.

There has been a great deal of discussion and negotiation with Environmental Health (CSNN) to get to a position where a suitably worded and varied condition can be supported, without having an unacceptable impact upon nearby residents.

The proposal is therefore considered to comply with the provisions of Paragraphs 130, 174 & 187 of the NPPF, Policy CS08 of the LDF and Policy DM15 of the SADMPP.

The application is therefore duly recommended for approval.

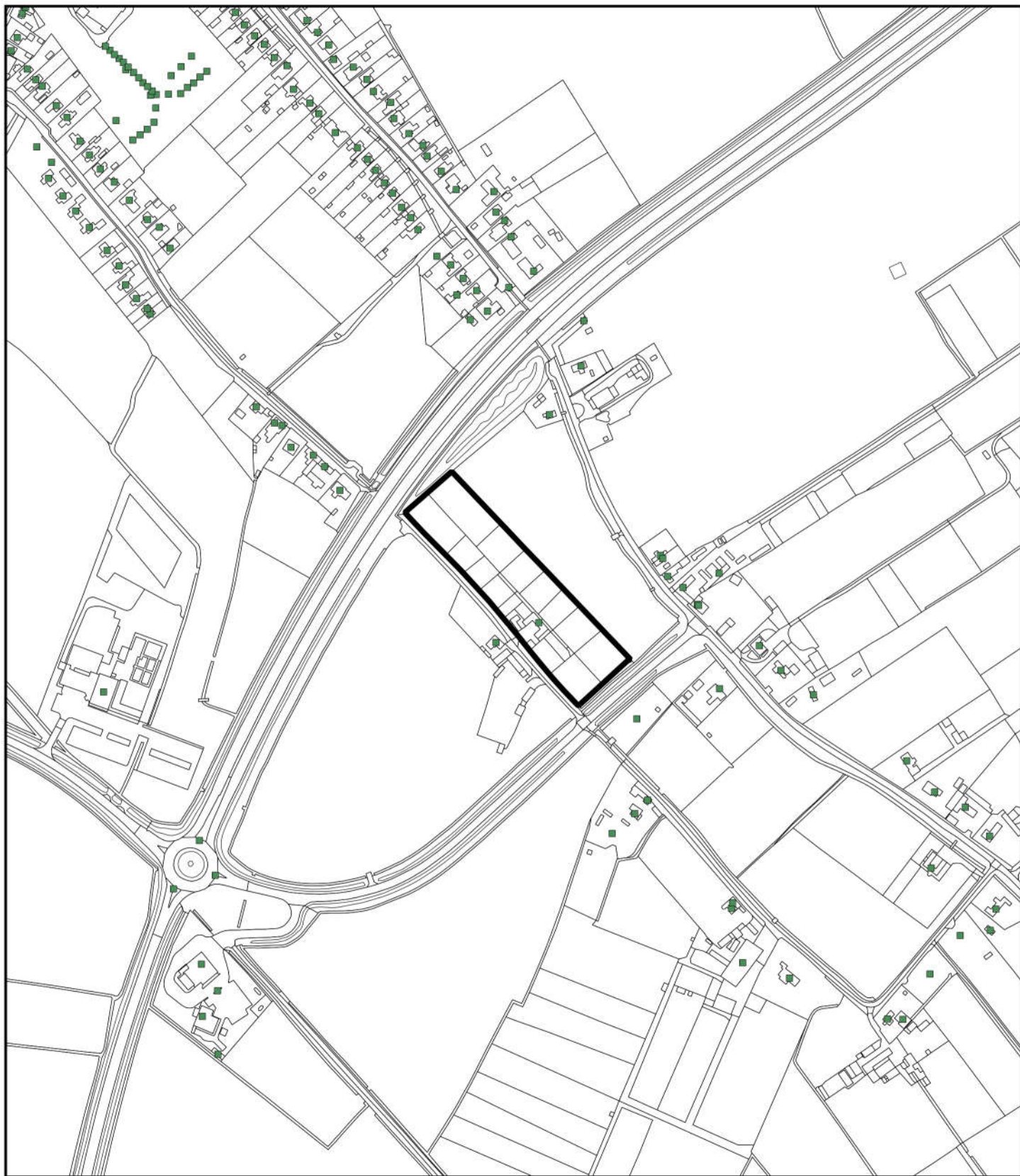
RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: HAL19-HE-110 Revision A, HAL19-HE-200 Revision A, HAL19-HE-201 & HAL19-HE-210 Revision A.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: No deliveries shall be taken at, or despatched from, the site outside the hours of 0800 to 1800 Mondays to Fridays, 0900 to 1300 on Saturdays, nor at any time on Sundays, Bank or Public Holidays. No machinery shall be operated, no process or work shall be carried out outside the hours of 0600 to 1900 Mondays to Fridays, 0600 to 1400 on Saturdays, nor at any time on Sundays, Bank or Public Holidays. Free-field ambient noise levels at the red line boundary defined in the Noise Management Plan, P4236/R02a/PJK, due to noise breaking out of the industrial unit units should not exceed 40dB LAeq, 15min between 0600 to 0800 and 1800 to 1900 Monday to Friday and 0600 to 0900h and 1300 to 1400h on Saturdays.
- 2 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF and Policy DM15 of the SADMPP.

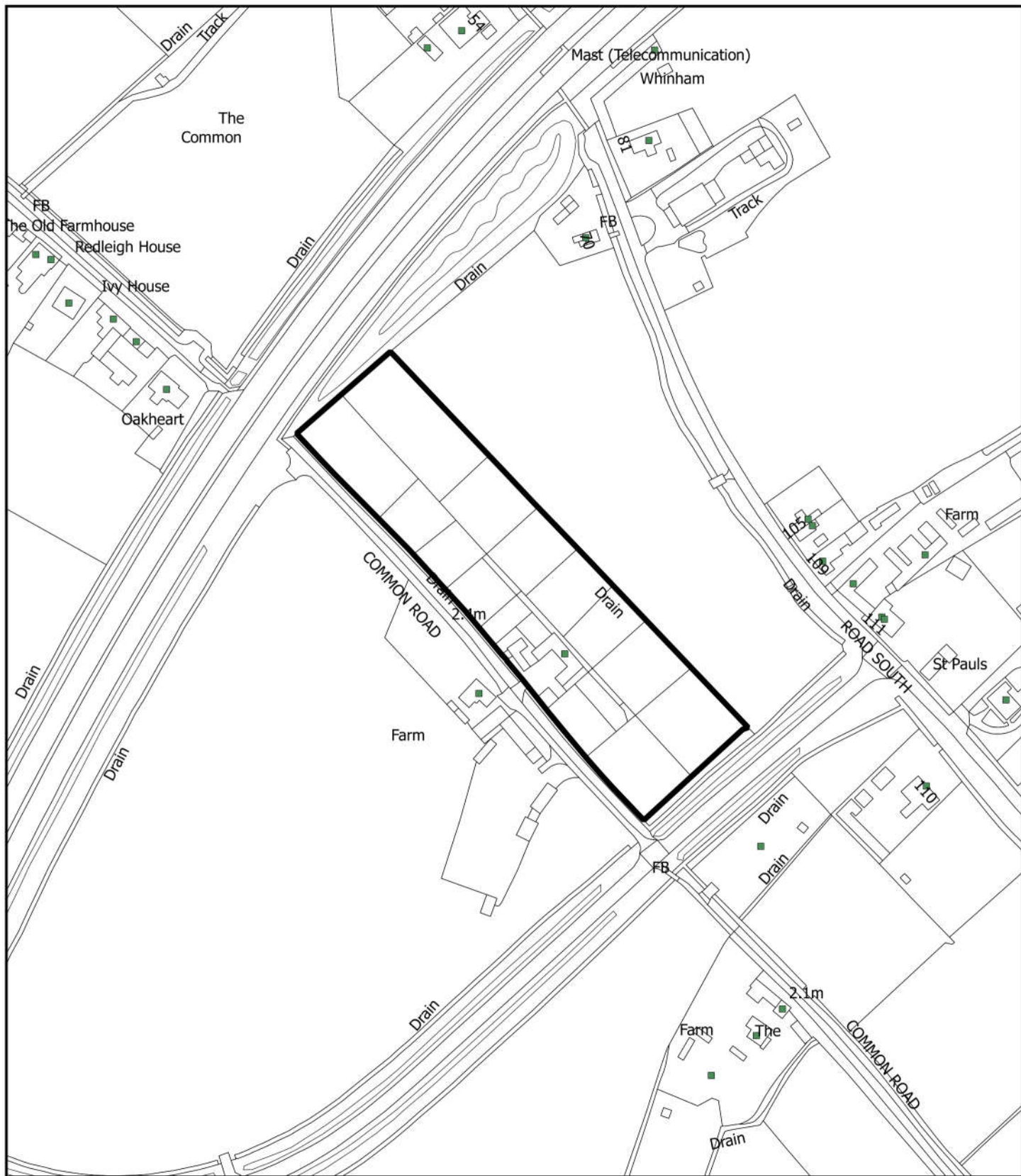
21/01781/F

**Land North East of Thurston Farm Common Road
Walton Highway PE14 7ER**



21/01781/F

**Land North East of Thurston Farm Common Road
Walton Highway PE14 7ER**



Parish:	West Walton	
Proposal:	Change of use of land and stables to commercial livery yard and erection of dwelling in connection to commercial livery.	
Location:	Land North-East of Thurston Farm Common Road Walton Highway Norfolk PE14 7ER	
Applicant:	Mrs D Glover	
Case No:	21/01781/F (Full Application)	
Case Officer:	Lucy Smith	Date for Determination: 9 November 2021 Extension of Time Expiry Date: 11 March 2022

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

Neighbourhood Plan: No

Case Summary

Full planning permission is sought for a new business tied dwelling in association with a proposed change of use of existing stables to use as a commercial livery. The site is accessed via Common Road, Walton Highway.

The site is located outside of the development boundary on land which is considered to be within the wider countryside for the purposes of planning policy.

Key Issues

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

Recommendation

REFUSE

THE APPLICATION

Full planning permission is sought for a new business tied dwelling in association with a proposed change of use of existing stables to use as a commercial livery. The site is accessed via Common Road, Walton Highway.

Planning Committee
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The site is located outside of the development boundary on land which is considered to be within the wider countryside for the purposes of planning policy.

SUPPORTING CASE

None received at time of writing

PLANNING HISTORY

08/01851/F: Application Permitted: 22/09/08 - Erection of sectional timber framed and clad stables - Land On The North East Side Of Common Road – Delegated Decision

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION – subject to occupancy restriction

Highways Authority: NO OBJECTION in principle – subject to standard access/turning area condition.

Environment Agency: NO OBJECTION – The Flood Risk Assessment submitted with this application is acceptably, the EA recommend that the IDB are consulted with regard to flood risk associated with watercourses under their jurisdiction.

Internal Drainage Board: NO OBJECTION – The Board's Byelaws must be complied with.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

REPRESENTATIONS

None received

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

DM6 - Housing Needs of Rural Workers

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The key issues are:

Principle of Development
Form and Character
Impact on Neighbours
Highway Safety
Other Material Considerations

Principle of Development:

Full planning permission is sought for a business tied dwelling associated with a change of use of existing stables to a commercial livery yard. The business has been operating contrary to the original planning consent (08/01851/F) for approximately 3 years and the new dwelling is proposed in association with the commercial livery to allow a constant on-site presence.

In relation to the change of use to commercial livery, the creation of rural enterprises is widely supported by policies at both a local and national level and the principle of development is therefore considered acceptable in accordance with Policies CS06 and CS10 of the Core Strategy (2011).

In relation to the creation of a new dwelling on site, Policy DM6 applies in this instance as the proposed dwelling is in excess of 300m outside of the development boundary for Walton Highway outlined on inset map G120 of the SADMPP (2016) and is therefore located within the wider countryside where countryside protection policies apply.

Information provided by the agent as part of this application states an intention for a permanent dwelling in connection with the business use which has been operating unlawfully since 2018.

With regards to the creation of permanent dwellings in association with an existing business, Policy DM6 sets out the following criteria:

New Occupational Dwellings

1. Development proposals for occupational dwellings must demonstrate the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained. Proposals should show that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.

2. Agricultural or rural based occupancy conditions will be placed on any new permanent or temporary occupational dwellings specifying the terms of occupation.
3. New permanent dwellings should only be allowed to support existing rural based activities on well-established rural based enterprises, providing:
 - a. there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night,
 - b. The need could not be met by existing dwellings within the locality,
 - c. The application meets the requirements of a financial test demonstrating that:
 - d. the enterprise(s) and the rural based activity concerned have been established for at least three years, have been profitable for at least one of them and;
 - i. are currently financially sound, and have a clear prospect of remaining so and;
 - ii. the rural based enterprise can sustain the size of the proposed dwelling;
 - iii. acceptable in all other respects
4. If a new dwelling is essential to support a new rural based activity, it should normally, for the first three years, be provided by a caravan, or other temporary accommodation.
5. New temporary dwellings should only be allowed to support rural based activities providing:
 - a. The proposal satisfies criteria 3a and 3b above
 - b. The application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions);
 - c. The application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis.'

Need For A Permanent Dwelling

In order to comply with Policy DM6, applications must demonstrate a clearly established functional need for an on-site presence in connection with a rural enterprise.

The site is located down a part of Common Road with only 1 permanent dwelling (a farmhouse to the immediate west of the application site). Vehicular access is to the south with the A47 to the west and St Pauls Road South to the east. A footpath (not a Public Right of Way) is available north across the A47. The Agent states the site's positioning leads to a lack of natural surveillance and therefore, to opportunities for crime if the site is not occupied. CCTV is available on site however this is not considered adequate to protect the site due to the care requirements for some of the animals. The agent states that whilst other methods of security are existing on site, including security cameras and flood lighting, these are not fit for their intended purposes due to false alarms and causing distress to animals.

Information from the applicant states the business provides three types of care: DIY Livery, Part Livery and Full Livery (including the provision of livery care at other yards). The site can cater for ten/eleven animals at any one time however five of the Applicant's own animals are on site which reduces the total capacity in connection with the business to a maximum of six. Of these six, a maximum of two animals could be on site for medical reasons/recovery – it is primarily these animals that would require on-site attendance for 24 hours a day.

Financial Information and Business Viability

In order to comply with Policy DM6, applications for permanent dwellings must demonstrate the business is currently financially sound and has a clear prospect of remaining so and that the business can support the occupation of the dwelling in perpetuity.

Tax records submitted with this application suggest that the applicant has made a very limited amount of profit from self-income for the three years it has been established for (2018-2021) although no full financial reports have been provided to outline the precise source of the income or costs/outgoings of the business. Whilst it is stated that the applicant has full ownership of the land and therefore limited outgoing costs associated with the day to day operations of the business, the LPA consider that there is lack of justification to support a new dwelling in association with a business of this scale.

There is also a lack of evidence that such a business could support a new dwelling of this size in perpetuity. No detailed business plan has been provided to demonstrate any significant investment in the business or site and no evidence of an intent to expand or grow the business above its current scale, other than an intent to advertise livery services once the livery use is deemed lawful.

Existing Dwellings in The Locality

At the time of the application, the Applicant's address is listed as St Pauls Road South - less than five minutes' drive from the business premises. Whilst the Agent has put forward potential unreliability of vehicles as a reason why this existing address is not suitable, the LPA do not consider that 3b above has been met.

Overall, whilst the Applicant states the site has been at maximum capacity site for the past 3 years, from the information available it is evident that the business is of a very limited scale. The LPA do not therefore consider that criteria 1, 3a, 3b and 3dii above have been met. Only very limited evidence has been provided to demonstrate that the business is of a suitable scale to justify and sustain a new dwelling in this position and that the applicant's existing address is not a viable alternative.

The application is therefore considered to represent the construction of a new dwelling in the countryside, contrary to Policy CS08 of the Core Strategy (2011) and Policies DM2 and dM6 of the SADMPP (2016).

Form and Character:

No external changes are proposed to the existing stable building and therefore the impact of the change of use to commercial livery on the surrounding area is limited. The proposed dwelling has the appearance of a static caravan and will be visible from the wider street scene. The dwelling's appearance and the appearance of any associated domestic paraphernalia and the extent of hardstanding proposed will lead to some impact on the countryside. However, on balance with regard to the existing use of the site and surrounding hedgerows proposed to be retained, the visual impact of the new dwelling is not considered to warrant refusal of the application, although members will need to consider the potential impact on the countryside in line with Policies CS06 and CS08 of the Core Strategy (2011) and Policy DM2 of the SADMPP (2016).

Impact on Neighbours

The closest dwelling to the site is located to the south-west of the site's access point on Common Road. This existing dwelling is remote from other neighbours and there will be some existing impact as a result of vehicle movements to/from the application. The use as a commercial livery is considered unlikely to lead to significant increased impacts on this adjoining dwelling and the use could be suitably conditioned to protect dis-amenity to this residential unit.

The proposed dwelling is sited to the east of this adjoining dwelling and is considered to be sufficiently distanced to limit any opportunity for overlooking, overbearing or overshadowing impacts.

The application is therefore considered to comply with policies CS08 and DM15 of the Local Plan.

Highway Safety

The commercial use of the land and the creation of a new dwelling has raised no objections from the Local Highway Authority. The application site has an existing level of traffic which can be balanced against the proposal and the application is not considered likely to lead to conditions to the detriment of highway safety.

The application therefore accords with Para. 110 of the NPPF (2021), Policy CS08, CS10 and CS11 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

Other Material Considerations

Crime and Disorder

The Applicant suggests that the existing site is not secure and there are existing crime and disorder impacts. An instance of theft from site has been referred to within supporting information however this has not been evidenced and other methods of security such as CCTV, silent alarms, secure fencing and lighting or other sensors have not been fully considered or ruled out. Therefore, whilst the security of the site is noted and it is a requirement to take these impacts into account, the security issues associated with the extant use of the site are not considered sufficient to justify the creation of a new dwelling in the countryside in a location which is fundamentally contrary to the Local Plan.

Flood Risk and Drainage

The application has drawn no objections from the Environment Agency in regards to Flood Risk. As a result of comments from the IDB, conditions would be required to ensure the proposed foul and surface water drainage strategies are viable and will not lead to adverse impacts elsewhere.

In relation to flood risk, the site is within Flood Zone 3 of the Borough Council's SFRA (2018). The sequential test is passed in this instance as the dwelling is stated to be required on site in association with the business and therefore cannot reasonably be relocated elsewhere in an area of less flood risk, although it should also be noted that the vast majority of the built extent of Walton Highway is also at the same level of flood risk which would also satisfy this element.

In regards to the exceptions test, the submitted Flood Risk Assessment states that flood levels should be no lower than 500mm above adjacent ground level to ensure mitigation against extreme events. The second part of the exceptions test (Para 164a) requires development to provide sustainability benefits to the wider community to outweigh flood risk. As discussed above, in light of the conflicts with Policy DM6, the proposal represents the creation of a new dwelling on land which is contrary to the local plan and the very limited benefits of a single new dwelling in this position is not considered to outweigh the impact of flood risk. The exceptions test is therefore failed.

The proposal therefore fails to comply with Paragraph 164 of the NPPF (2021) and Policies CS08 and DM15 of the Local Plan.

Contamination

The application has drawn no objections from the Environmental Quality team with regard to contamination. A screening assessment was provided as part of this application and suggests there is no likely impact on the proposed residential use. The application therefore complies with the NPPF (2021) and CS08 of the Core Strategy (2011).

CONCLUSION

The application seeks consent for the retrospective change of use of an existing stables and paddock land to use as a commercial livery and the subsequent creation of an associated business-tied dwelling.

The principle of the livery business in a countryside location such as this is considered acceptable, and is supported by both national and local policy.

However, whilst some information has been provided to outline the need for a dwelling in this location, the information provided falls well short of what is required, and officers do not consider the proposal meets the criteria set out in Policy DM6 of the SADMPP (2016).

In summary, insufficient justification has been put forward to demonstrate a clearly established functional need for a new dwelling in this location or to demonstrate that the business use is capable of sustaining a new dwelling on site.

The application is therefore considered to constitute the construction of a new dwelling in the countryside contrary to the NPPF (2021), Policies CS02 and CS08 of the Core Strategy (2011) and Policies DM2 and DM6 of the SADMPP (2016).

The application is therefore considered to constitute the construction of a new dwelling in the countryside with insufficient justification, contrary to the NPPF (2021), Policies CS02 and CS08 of the Core Strategy (2011) and Policies DM2 and DM6 of the SADMPP (2016).

The application is recommended refusal for the following reason.

RECOMMENDATION:

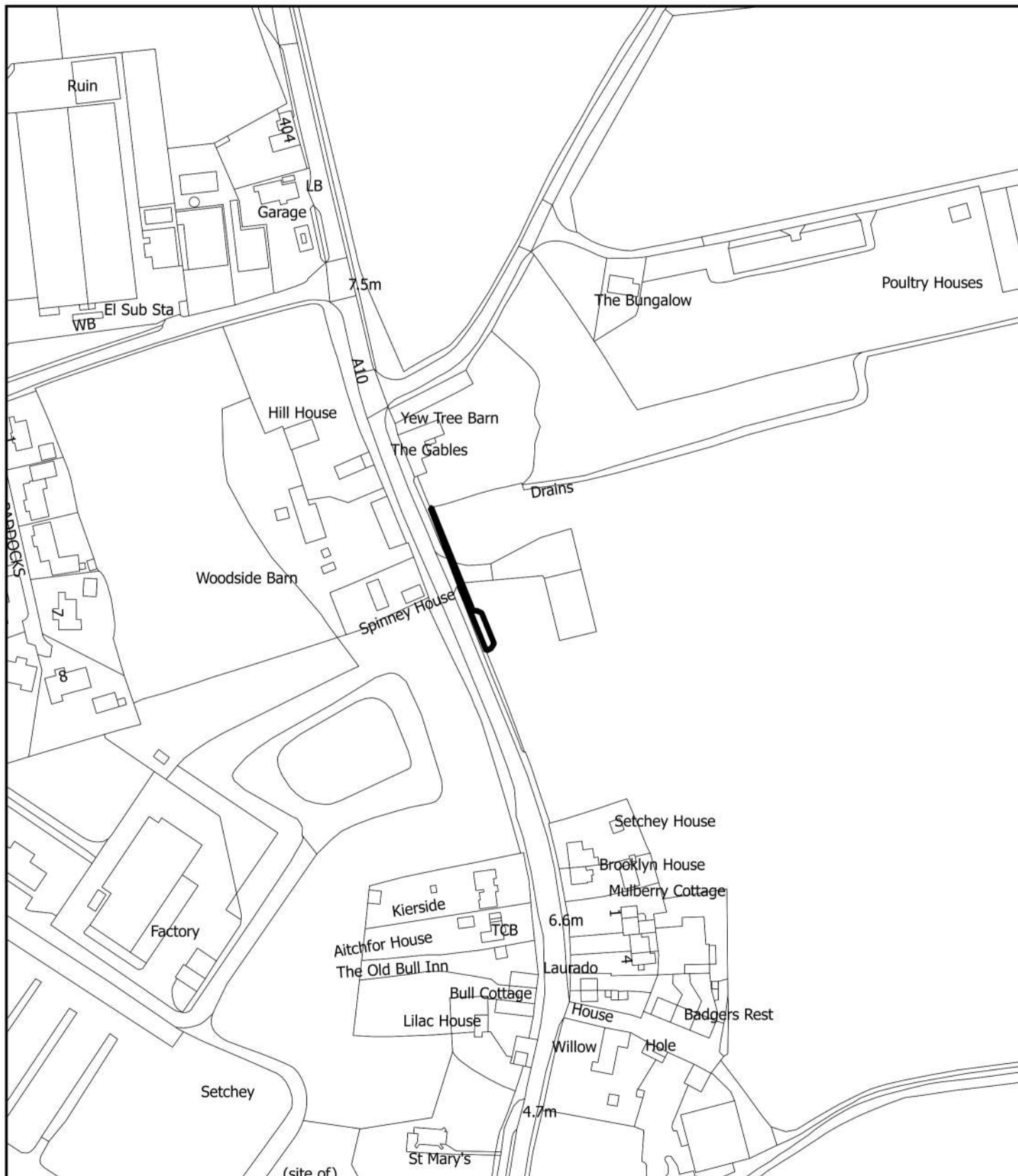
REFUSE for the following reason(s):

- 1 Insufficient justification has been put forward to demonstrate a clearly identifiable need for a new dwelling in association with the proposed business use. It is considered the proposal fails criteria 1, 3a, 3b and 3dii of Policy DM6 of the SADMPP (2016), in so far as only very limited evidence has been provided to demonstrate that the business is of a suitable scale to justify and sustain a new dwelling in this position and that the applicant's existing address is not a viable alternative. The application is therefore considered to represent the construction of a new dwelling on land which is outside of any development boundary and in the wider countryside for the purposes of planning policy. The proposal is therefore contrary to Policies CS01, CS02 and CS08 of the Core Strategy (2011) and Policy DM2 and DM6 of the SADMPP (2016).
- 2 The application site is located within Flood Zone 3 of the Borough Council's SFRA (2018). Paragraph 164 of the NPPF (2021) requires development to pass both parts of the exceptions test. In light of the lack of justification put forward for a new dwelling in this position, the proposal is considered to constitute the construction of a new dwelling in an unsustainable location for the purposes of planning policy. The benefits of a single dwelling in this location are not considered sufficient to outweigh the risk of

flooding and the application is therefore considered contrary to Paragraphs 163-165 of the NPPF (2021) and Policy CS08 of the Core Strategy (2011).

21/02363/F

Deerfields Lynn Road Setchey West Winch PE33 0BD



21/02363/F

Deerfields Lynn Road Setchey West Winch PE33 0BD



Parish:	West Winch	
Proposal:	Rebuilding of original Carrstone wall in connection with planning application 20/00303/FM.	
Location:	Deerfields Lynn Road Setchey KINGS LYNN	
Applicant:	Mr M Fentiman	
Case No:	21/02363/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 10 February 2022 Extension of Time Expiry Date: 11 March 2022

Reason for Referral to Planning Committee – Referred by Assistant Director

Neighbourhood Plan: No

Case Summary

Planning permission is sought for the construction of a new carrstone boundary wall (87m in length) in order to regularise works which took place contrary to planning consent reference 20/00303/FM. The boundary wall is proposed along the western boundary of the site known as Deerfields, Lynn Road, Setchey, directly adjacent to the A10.

Key Issues

- Principle of Development and Planning History
- Impact on Form and Character
- Impact on Highway Safety
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Planning permission is sought for the construction of a new carrstone boundary wall (87m in length) in order to regularise works which took place contrary to planning consent reference 20/00303/FM. The boundary wall is proposed along the western boundary of the site known as Deerfields, Lynn Road, Setchey, directly adjacent to the A10.

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SUPPORTING CASE

To follow.

PLANNING HISTORY

20/00303/DISC_A: PENDING CONSIDERATION : DISCHARGE OF CONDITIONS 1 – 14 OF PLANNING PERMISSION 20/00303/FM: Change of use of existing grain store barn and site to warehouse and external storage of products for sale and dispatch. New entrance to highway created. Over-cladding of existing fibre cement panels, new mezzanine floor, internal offices and warehouse storage - Building W of Spinney House Lynn Road

20/00303/FM: Application Permitted: 03/06/20 - Change of use of existing grain store barn and site to warehouse and external storage of products for sale and dispatch. New entrance to highway created. Over-cladding of existing fibre cement panels, new mezzanine floor, internal offices and warehouse storage - Building W of Spinney House – COMMITTEE DECISION

19/01838/FM: Application Withdrawn: 03/02/20 - Change of use of existing grain store barn and site to warehouse and external storage of products for sale and dispatch. Over-cladding of existing fibre cement panels, new mezzanine floor, internal offices and warehouse storage. and perimeter fencing. - Building W of Spinney House

12/00075/PREAPP: INFORMAL - Likely to refuse: 22/06/12 - PRE-APPLICATION ENQUIRY: change of use of existing agricultural building for sale and repair of motorcycles including proficiency training - Land North of Brooklyn Lynn Road

12/01549/F: Application Permitted: 18/12/12 - Change of use of agriculture building to architectural, food industry and motorcycle and bespoke parts fabrication with associated display and sales - Land North of Brooklyn, Lynn Road – DELEGATED DECISION

10/01519/F: Application Permitted: 06/12/10 - Change of use of existing agricultural building for manufacture and distribution of themed play equipment - Land North of Brooklyn, Lynn Road - – COMMITTEE DECISION

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

"The applicant is not offering to "rebuild" the original Carrstone wall in its entirety which is what the Parish Council and the local residents in Setchey wish to see.

The plans on planning application 20/00303/FM showed the wall remaining in its entirety which is why the Parish Council asked for a condition to be added to any planning approval to ensure that where the wall was taken down to allow for a new access to be created, the old access would be built up by using the left over carrstone.

We didn't ask for a condition to be placed on the decision notice for the wall to be kept in it's entirety as it was shown as such on the plans which were approved and listed on the planning decision notice.

We note the comment of BCKLWN Conservation Officer on the original planning application stated: "The recladding of this building will improve its appearance and will therefore have a

Planning Committee
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positive impact on the setting of the nearby listed building. It is also pleasing to see that the historic carrstone wall adjacent to the A10 will be retained and repaired."

The new plan shows only a small section of wall of low wall would be built.

This bears no relationship to the wall which the applicant dismantled. That was a historic carrstone wall with high visual amenity value which was entirely in keeping with the neighbourhood.

There has been a negative effect on the residential amenity of the local area by the removal of the wall. This will not be remedied by building a much smaller wall in its place.

A much shorter and lower wall is not in-keeping with the surrounding area.

In the opinion of the Parish Council the whole of the frontage should have the carrstone wall replaced in its entirety at the same height and position as before except for the amended access road.

Please Borough Council Planners, stand firm and insist that this once beautiful wall is rebuilt in full. The Parish Council has testimony from the builder who repaired the wall that it had been well maintained. Honesty is the best policy."

Highways Authority: NO OBJECTION

The wall is not proposed to be over 0.9m in height and would be behind the access visibility lines. I therefore have no objection to the principle of the application on highway safety grounds.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

No concerns surrounding contamination on site as a result of the replacement wall.

Conservation Officer: NO OBJECTION subject to conditions

This is considerably better than the plans dating from December 2021. The rebuilding of the wall to the north will enhance the setting of the adjacent listed building and the continuation of the wall to the south is an improvement. I would recommend a sample panel is required by condition, this will ensure that the carrstone and copings are of appropriate quality. On balance no further conservation objections.

Given the age of the wall and the possible history attached to it, the wall structure should be regarded as a non-designated heritage asset. On this basis paragraph 203 of the NPPF is relevant. Not replacing the wall would cause harm to the setting of the listed building. However, this application seeks to rebuild the wall up to and beyond the vehicular entrance ensuring a visual enclosure to the application site enhancing rather than harming views and therefore the setting of the listed building. Rebuilding the wall to its original height would of course be the ideal solution but the current application seeks a lower wall. Any harm caused by this proposed lower height would be negligible provided the wall is of the appropriate appearance and construction. This amended scheme seeks consent to increase the extent of rebuilt wall from that proposed last year, albeit at a lower height. The increase in length of wall and the resultant enclosure provides more visual benefit to the wider area than a smaller amount of wall which is taller.

REPRESENTATIONS

THREE letters of **OBJECTION**, stating comments summarised as follows:

- Retrospective application and height and extent of proposed replacement is not sufficient
- Impact on historic wall
- Query over lack of enforcement action
- Impact on street scene and character of village
- Impact on house valuations
- Additional application elsewhere to remove woodland and create access elsewhere will have further impact
- Congestion of A10 and impact of additional development

Cllr Kemp has commented as follows-

Residents and I want the wall to be rebuilt. How is Planning going to assist? The amended Planning Application should not relieve Ineos's obligations. The Borough Council should respect tradition and history.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

NEIGHBOURHOOD PLAN POLICIES

Policy WA07 - Design to Protect and Enhance Local Character

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The key issues are:

Principle of Development and Planning History

Impact on Form and Character

Impact on Highway Safety

Other Material Considerations

Principle of Development and Planning History

Planning permission was granted at Planning Committee in 2020 (ref 20/00303/FM) for the change of use of an existing grain store to use as a warehouse including external storage in connection with a commercial use. The change of use was implemented following the granting of consent, however a carrstone boundary wall, which spanned across the western boundary of the site fronting the A10/Lynn Road, was demolished during construction. The wall is said to have been approximately 1.5m in height and was approximately 81m in length. The development was therefore not completed in accordance with the agreed details and is contrary to conditions attached to the consent. Specifically, conditions -

1. The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos 25124/022B received on 19 May 2020, and 25124/020A, 25124/021A, 25124/023A, 25124/024A, 25124/025A and 25124/901A received on 27 Feb 2020).
7. The existing boundary wall to the west of the development hereby approved shall be taken down to provide a new entrance, and the existing stone and masonry set aside for re-use. The wall to be built in the new location as shown on drawing 25124-022A is to be constructed with the reused or similar materials, mortar, bond and pointing to match the existing.

Drawing number 25124/022B of the previous consent is entitled "Proposed Site Plan and Site Entrance Plan". It identifies the location of the original carrstone wall on either side of the proposed new access. Two sections of the wall are indicated "to remain" and third section is annotated "Rebuilt Carrstone Wall". Condition 7 of 20/00303/FM further provides for the reuse of materials when infilling the section of wall to close up the previous access point. Neither of these conditions have been complied with.

Neighbour objections query why enforcement action had not been taken on the site. An enforcement case has been opened on the site following the demolition of the wall and a Breach of Condition Notice served on the owner/ applicant (ref: 21/00059/BOC). The Breach of Condition Notice states that the owner is in breach of conditions 1 and 7 of the approved consent 20/00303/FM. S.73A of the Town and Country Planning Act allows the submission of planning applications to regularise developments without enforcement action being taken. Although a local planning authority may invite an application, it cannot be assumed that permission will be granted, and the local planning authority should take care not to fetter its discretion prior to the determination of any application for planning permission – such an application must be considered in the normal way. The applicants are therefore within their rights to submit this application and it must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

This application, therefore, seeks consent to regularise the unauthorised demolition and proposes the rebuilding of the carrstone wall to 0.9m in height and in total 88m long (with 82m adjacent to the road). The wall proposed stretches from the northern boundary south and includes a gateway feature either side of the new access. There will be approximately 50m of this boundary which would consist of the security fencing and hedgerow planting only to the far south. It is important to note that historically the carrstone wall did not stretch along the entire frontage of the site. The positioning of the proposed wall does differ from the previous location in that it now runs from the north of the site 88m in total (with 82m immediately alongside the A10) whereas previously the boundary wall was not positioned this far north.

A letter from the applicant submitted with this application states that the wall was in disrepair with limited foundations. During the construction of the development part of the wall

collapsed onto the public highway, and the applicant states that the wall was unsafe. The remaining extent of wall was then subsequently entirely demolished.

Initially, as part of this application, the applicant proposed to build a shorter wall approximately 55m in length. Following comments made during the consultation process and discussions held with the applicant, amended plans have been submitted to extend this. Consultation is currently underway on the revised scheme and any further comments received will be included in late correspondence.

In summary, the principle of development has already been established on the site by the implemented planning consent ref: 20/00303/F and the associate conditions. Enforcement action has been taken to address the removal of the wall contrary to the approved consent. This current planning application is a response to the Breach of Condition Notice served by Planning Enforcement.

Impact on Form and Character

As a carrstone wall directly adjacent to the A10, the boundary treatment previously played a role in the visual amenities of the street scene. The traditional wall and materials are indicative of historic buildings and walls in the immediate vicinity. It is important to note that the wall was not located within a Conservation Area nor was it a Listed structure and therefore had no protection in its own right. Prior to the planning consent the landowner could have removed the wall at any time without the need for planning permission.

Paragraph 135 of the NPPF (2021) states that ‘Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).’

Paragraph 203 of the NPPF (2021) goes on to state that ‘in weighing up applications that directly or indirectly affect non-designated heritage assets a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’

The application site falls within the neighbourhood area for the North Runcton and West Winch Neighbourhood Plan (2017). Policy WA07 of the Plan seeks to protect and enhance local character. The policy states

‘Development proposals shall recognise, sustain and develop the distinctive village characteristics of the existing neighbourhoods in relation to building design, spatial layout, height, density, scale, lighting and use of materials.

This means...materials used in the construction of dwellings, including boundary design, shall be high quality and respond positively to the characteristics of existing properties. The use of traditional local building materials (local brick types, carrstone, pantile) will be strongly supported. Boundary demarcation should embrace ‘rural’ character, e.g. by using hedging consisting of mixed native species (hawthorn, blackthorn, field maple, hazel, holly, etc.). Unsympathetic boundary design (e.g. unmitigated security railings or Leylandii hedging) will not be supported.’

The loss of the traditional carrstone wall, which previously provided a positive feature in the street scene is considered to represent a retrograde step when compared to the extant approval on site. Given the age of the wall and the possible history attached to it, the wall structure should be regarded as a non-designated heritage asset and on this basis paragraph 203 of the NPPF is relevant. The proposal to rebuild the carrstone wall will

reinstate the appearance of this boundary to retain the character of the area. The relocation of the proposed wall further to the north of its original location would also provide betterment by providing a continuation of the boundary wall of the Grade II Listed 'The Gables'. This would make a positive contribution to the setting of this listed building.

It is the view of the Conservation Officer that by not replacing the wall this would cause harm to the setting of the listed building. However, this application seeks to rebuild the wall up to and beyond the vehicular entrance ensuring a visual enclosure to the application site enhancing rather than harming views and therefore the setting of the listed building. In terms of the lower height proposed, any harm caused by this proposed lower height would be negligible provided the wall is of the appropriate appearance and construction.

Under the 2020 planning consent the carrstone wall was to be retained with planting behind, and then set behind the planting the security fence as shown on the approved plans. Under application ref 20/00303/DISC_A the native hedgerow planting scheme was submitted and approved. This same native hedgerow planting scheme has been re-submitted to form part of this application to clarify the proposed boundary treatment along this frontage. The native hedgerow planting scheme remains acceptable. The security fencing has already been installed, but the planting has not been carried out to date. However, it is recommended the planting be conditioned to ensure it is implemented.

The rebuilding of the wall is in line with the NPPF, policies CS08 and CS11 of the Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016), as well as policy WA07 of the North Runcton and West Winch Neighbourhood Plan (2017).

Impact on Highway Safety

The application site retains the existing access in the position approved under 20/00303/FM. The view of the Local Highway Authority is that the proposed replacement wall will not impact on the visibility splays from this access and therefore no impact on highway safety is considered likely as a result of the proposal.

Other Material Considerations

Neighbour objections were received relating to house valuations as a result of the impact on the street scene. Whilst these comments are noted, house prices are not a material planning consideration. Comments also referred to planning applications elsewhere and potential impact of additional development on the existing congestion along the A10. These comments are assumed to refer primarily to an entirely separate application ref: 21/02227/F for a new access point to the immediate west of the site. The comments are noted however these applications are not linked in anyway and no increase in traffic to/from this site is likely as a result of changes to a boundary treatment.

CONCLUSION

The application seeks to regularise/ gain planning consent for the rebuilding of an historic carrstone wall, which formed the western site boundary of the site known as Deerfields, Lynn Road, Setchey and which fronts onto the A10.

The positioning of the proposed wall does differ from the previous location in that it now runs from the north of the site 88m alongside the A10 (with 82m fronting directly onto the road). Previously the boundary wall was approximately 81m in length and did not abut the northern boundary. The previous wall was approximately 1.5m in height, and the wall proposed is

0.9m. While the positioning of the wall is not identical to that before, and the wall is not of the same height, the applicant proposes to rebuild the wall to approximately the same length as the previous structure. The relocation will provide betterment by joining onto the boundary wall of the listed building to the north of the site and extending south.

Given the wall was not a protected structure, nor is in a designated area, it is considered reasonable that the applicant is replacing the full length of wall albeit at a reduced height. The proposal is in accordance with the NPPF and Policies CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016) and policy WA07 of the North Runcton and West Winch Neighbourhood Plan (2017). The recommendation is to approve the application subject to the conditions attached.

RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be completed before the expiration of one calendar year from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos 25124-1000 Rev B Site Location Plan, 25124-1001 Rev D Carrstone Wall Layout Plan and 25124-1002 Rev A Proposed Street Scene received 23 February 2022).
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 3 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 4 Condition: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the wall hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details and retained in perpetuity.
- 4 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

PLANNING COMMITTEE – 7 MARCH 2022

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the February Planning Committee Agenda and the March agenda. 131 decisions issued 123 decisions issued under delegated powers with 8 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 25/01/22 – 22/02/22

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
Major	4	4	0		4	100%	60%	1	0
Minor	51	40	11	45		88%	80%	2	3
Other	76	74	2	60		79%	80%	1	1
Total	131	118	13						

Planning Committee made 8 of the 131 decisions, 6%

PLANNING COMMITTEE – 7 MARCH 2022

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
18.10.2021	11.02.2022 Application Permitted	21/02046/F	3 Manor Farm Barns Main Road Brancaster Norfolk Construction of porch, car port conversion, amended garage door and window to west elevation, additional windows and door to east elevation, erection of weather vane	Brancaster
03.11.2021	17.02.2022 Application Permitted	21/02151/F	Birstgate House Market Lane Brancaster KINGS LYNN Proposed extension and alterations to dwelling and erection of Boat Store.	Brancaster

25.11.2021	07.02.2022 Application Permitted	21/02317/F	Dormy Cottage London Street Brancaster King's Lynn Proposed annexe replacement	Brancaster
07.12.2021	01.02.2022 Application Permitted	21/02332/F	4 Skippers Piece Close Brancaster KINGS LYNN Norfolk Proposed Single Storey Flat Roof Extension	Brancaster
15.12.2021	11.02.2022 Application Permitted	21/02401/F	27 Mill Hill Brancaster King's Lynn Norfolk Replacement oak frame porch	Brancaster
20.12.2021	11.02.2022 Application Permitted	20/02029/NMA_1	Old School House 1 School Pastures Burnham Deepdale King's Lynn NON MATERIAL AMENDMENT to Planning Permission 20/02029/F: Single Storey Side and infill Extension between Main House and School House, Dormer Windows to School House, replacement of roof over garage, replacement of windows and doors throughout, solar PV panels and air source heat pump to rear and side of main house	Brancaster

05.01.2022	02.02.2022 Application Permitted	20/02029/NMA_2	Old School House 1 School Pastures Burnham Deepdale King's Lynn NON MATERIAL AMENDMENT TO PLANNING CONSENT 20/02029/F: Single Storey Side and infill Extension between Main House and School House, Dormer Windows to School House, replacement of roof over garage, replacement of windows and doors throughout, solar PV panels and air source heat pump to rear and side of main house	Brancaster
06.10.2020	03.02.2022 Application Permitted	20/01578/A	14 North Street Burnham Market Norfolk PE31 8HG Two signs with the name Barefoot Living on - one on the front of the building, the other on the side elevation.	Burnham Market
03.11.2021	10.02.2022 Application Permitted	21/02144/F	West Mead Docking Road Burnham Market King's Lynn Proposed remodel of dwelling incorporating extension and conversion of existing garage and erection of new 3 bay garage. Part removal of boundary wall to existing access	Burnham Market
04.11.2021	08.02.2022 Application Permitted	21/02160/F	Appletrees Herrings Lane Burnham Market King's Lynn Proposed replacement dwelling and garage/store	Burnham Market

09.12.2021	03.02.2022 Application Permitted	21/02362/F	4 St Ethelberts Close Burnham Market King's Lynn Norfolk Single storey extension to replace conservatory	Burnham Market
16.12.2021	16.02.2022 Application Permitted	21/02414/F	Downlands Herrings Lane Burnham Market King's Lynn Proposed first floor extension, single storey rear extension and internal alterations	Burnham Market
16.11.2021	14.02.2022 Application Permitted	21/02213/F	Pound Cottage Friars Lane Burnham Norton King's Lynn Side extensions with new windows and rooflights to existing dwelling.	Burnham Norton
09.12.2021	15.02.2022 Application Permitted	21/02424/LB	Trowland Barn 3 Blacksmiths Lane Burnham Norton Norfolk Retention of flue to outbuilding	Burnham Norton
09.12.2021	15.02.2022 Application Permitted	21/02437/LB	Trowland Barn 3 Blacksmiths Lane Burnham Norton Norfolk Insertion of three roof windows to rear elevation of dwelling (two ground floor, one attic floor)	Burnham Norton
14.12.2021	10.02.2022 Application Permitted	21/02385/F	6 Walsingham Road Burnham Thorpe King's Lynn Norfolk Construction of new porch and drive. Minor internal alterations	Burnham Thorpe
01.10.2021	03.02.2022 Application Permitted	21/01903/F	Land West of The Grange 262 Main Road Clenchwarton King's Lynn VARIATION OF CONDITION 1 OF Planning Permission 19/01287/RMM: To amend drawings	Clenchwarton

03.12.2021	07.02.2022 Application Permitted	21/02320/F	High Cottages 12 St Andrews Lane Congham King's Lynn Construction of replacement single storey extension, and placing of new roof dormers together with associated work including temporary living accommodation during course of work (static mobile home).	Congham
23.11.2021	21.02.2022 Application Permitted	21/02258/F	Land Adj Bumbles Folly Market Lane Crimplasham King's Lynn Construction of one single storey dwelling	Crimplasham
20.12.2021	14.02.2022 Application Permitted	21/02440/F	2 Fern Hill Dersingham King's Lynn Norfolk Proposed single storey extension to dwelling house	Dersingham
20.12.2021	16.02.2022 Application Permitted	21/02448/F	48 Queen Elizabeth Drive Dersingham King's Lynn Norfolk Single-storey side extension to existing dwelling house	Dersingham
27.10.2021	27.01.2022 Application Permitted	21/02127/LB	Manor House Well Street Docking KINGS LYNN Listed Building Application: Minor works to base of listed wall along Pound Lane in connection with 18/00866/OM.	Docking

22.11.2021	08.02.2022 Application Permitted	21/02252/F	Land And Buildings To The South of Pound Lane Docking KINGS LYNN Variation of Condition 1 (to amend the approved plans to reflect minor design changes) of planning permission 21/01849/F (which sought to vary condition 1 (to amend the approved plans to reflect minor design changes) of planning permission 18/01960/RMM for 33 new dwellings with means of access from the public highway from Pound Lane and a pedestrian route off Well Street)	Docking
13.12.2021	10.02.2022 Application Permitted	21/02374/CU	Sunnydene Well Street Docking KINGS LYNN Change of Use from Woodland to Residential land for use with 2 New Properties granted under permission 19/02125/F	Docking
16.12.2021	10.02.2022 Application Permitted	21/02413/F	Land Between Fernie Cottage And The Old Observatory Sandy Lane Docking Norfolk Variation of Condition 2 of Planning Permission 20/00141/F: Construction of a single storey dwelling, vehicular access and associated works	Docking

14.01.2022	11.02.2022 Application Permitted	21/00125/NMA_1	7 The Old Woodyard Sedgford Road Docking KINGS LYNN NON-MATERIAL AMENDMENT TO PLANNING CONSENT 21/00125/F: Preapproved artists studio to be changed into a 3 bed eco lodge. To swap the locations of 2 windows on the south and west elevation	Docking
19.01.2022	03.02.2022 Application Permitted	19/00523/NMA_1	Long Meadow (Plot 1) Land East of Rosedene Fakenham Road Docking NON-MATERIAL AMENDMENT of Planning Permission 19/005523/F: Variation of condition 2 & 3 of planning permission 16/00965/F	Docking
24.01.2022	21.02.2022 Application Permitted	21/01304/NMA_1	2 Meadow Court Bradmere Lane Docking King's Lynn NON-MATERIAL AMENDMENT TO Planning Permission 21/01304/F: Single Storey Extension to dwelling house.	Docking
06.07.2021	07.02.2022 Application Permitted	21/01377/F	Donnadell Howdale Road Downham Market Norfolk Construction of two dwellings and garages	Downham Market
28.07.2021	10.02.2022 Application Permitted	21/01513/F	44 Willow Road Downham Market Norfolk PE38 9PG Proposed Extension and Replacement Garage	Downham Market

15.12.2021	04.02.2022 Application Permitted	21/02402/LB	84 Bridge Street Downham Market Norfolk PE38 9DJ Application for listed building consent for replacement of existing windows	Downham Market
17.01.2022	16.02.2022 Tree Application - No objection	22/00011/TREECA	Hazeldene 51 Bexwell Road Downham Market Norfolk Tree in a Conservation Area: T1-Eucalyptus - Sectional fell due to location of tree within close proximity of boundary line and structures. Low amenity value. Wrong species with space planted. Upheaval of pond and damage to property. Client will be re planting mountain Ash and Yew to replace and hold better options for long term maintenance plan.	Downham Market
18.01.2022	10.02.2022 Application Permitted	20/01798/NMA_2	(Plot 5) 42 London Road Downham Market DOWNHAM MARKET Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 20/01798/F: Construction of 2 dwellings & garages (plots 4-5) following demolition of existing dwelling. To use Sandtoft Olympus Flanders clay roofing tiles on Plot 5 (same as Plot 4)	Downham Market

18.01.2022	07.02.2022 Tree Application - No objection	22/00016/TREECA	Westfield House 70 Bexwell Road Downham Market Norfolk Trees in a Conversation Area: T1 Walnut - reduce, T2 Neighbours Holly - remove limb against fence, T3 and T4 Norway Maple - reduce limbs, T5 Norway Maple fell stem and reduce limbs, 2 x Robinias remove lower branches and raise crown	Downham Market
11.02.2021	28.01.2022 Application Permitted	21/00252/F	Straw Hall Farm Birchfield Road Nordelph DOWNHAM MARKET Proposed general purpose grain store	Downham West
26.02.2021	17.02.2022 Application Permitted	21/00498/FM	Land NE of 5 Eye Lane And S of The Bungalow Fakenham Road Fakenham Road East Rudham Norfolk Proposed residential development of 10 dwellings	East Rudham

23.12.2021	17.02.2022 Tree Application - No objection	21/00258/TREECA	Manor Farm The Green East Rudham King's Lynn T001 to T005 - Horse Chestnut - Crown Raise to 5.2m for highway clearance. T006 - Sycamore - Crown Raise to 5.2m for highway clearance. T007 and T008 - Horse Chestnut - Crown Raise to 5.2m for highway clearance. T009 - Horse Chestnut - Fell tree due to stem split. T010 - Horse Chestnut - Crown Raise to 5.2m for highway clearance. T011 - London Plane - Crown Raise to 5.2m for highway clearance. T012 - Common Beech - Fell tree due to significant dysfunction at base due to high association with Ganoderma spp. T013 - Leyland Cypress - Remove partially hung up tree. T014 - Common Beech - Fell tree due to high volumes of basal dysfunction and high association with Kretzschmaria deusta.	East Rudham
18.08.2021	31.01.2022 Application Refused	21/01649/F	Tanglewood Main Road West Bilney Norfolk Variation of condition 2 for planning permission 20/00081/F to change drawings	East Winch
01.10.2021	02.02.2022 Application Permitted	21/01908/F	Church Farm Main Road West Bilney King's Lynn Proposed two storey extension to rear of existing dwelling	East Winch

24.05.2021	27.01.2022 Application Refused	21/01040/O	Pal-Mar Chapel Lane Emneth Wisbech Outline application for erection of 2 dwellings (with matters committed in respect of access only)	Emneth
07.09.2021	27.01.2022 Application Permitted	21/01774/F	The Old Vicarage 76 Church Road Emneth Wisbech Proposed extension to outbuilding to provide indoor swimming pool, construction of new 4 bay garage with games room above and new outdoor tennis court.	Emneth
27.01.2022	10.02.2022 Application Permitted	19/00596/NMA_2	Ravenscroft Main Road Fincham King's Lynn NON-MATERIAL AMENDMENT TO PERMISSION 19/00596/RM: Reserved matters application for two dwellings	Fincham
01.12.2021	25.01.2022 Application Permitted	21/02303/F	The Limes 73 Station Road Great Massingham King's Lynn Rear extensions and alterations	Great Massingham
12.01.2022	09.02.2022 Application Permitted	21/00549/NMA_1	3B Kennels Farm 19 Castleacre Road Great Massingham King's Lynn NON-MATERIAL AMENDMENT of Planning Permission 21/00549/F: Proposed rear extension to existing residential property	Great Massingham
19.11.2021	09.02.2022 Application Permitted	21/02240/F	93 Leziate Drove Pott Row KINGS LYNN Norfolk New Vehicle Access	Grimston
16.12.2021	16.02.2022 Application Permitted	21/02466/F	91 Lynn Road Grimston King's Lynn Norfolk Rear single storey extension	Grimston

01.03.2021	28.01.2022 Application Permitted	21/00386/F	Field Shelter At Searles Caravan Park South Beach Road Hunstanton Norfolk Construction of field shelter for year-round use, construction of tennis courts, paddle ball court and multi-sports pitch, and use of land for 38 serviced tent / glamping pitches with installation of electric service network.	Heacham
26.05.2021	07.02.2022 Application Refused	21/01064/F	Long Acres Holiday Home Park South Beach Road Heacham Norfolk Change of use of land to caravan park (extension of existing holiday caravan park)	Heacham
18.10.2021	09.02.2022 Application Permitted	21/02021/F	18 Pocahontas Way Heacham King's Lynn Norfolk Single storey rear extension to dwelling	Heacham
22.10.2021	28.01.2022 Application Permitted	21/02059/F	4 Manor Road Heacham King's Lynn Norfolk Proposed Extension and Alterations to Existing Dwelling	Heacham
15.11.2021	28.01.2022 Application Permitted	21/02200/F	17 Collingwood Close Heacham King's Lynn Norfolk PROPOSED EXTENSION AND GARAGE	Heacham
17.11.2021	02.02.2022 Application Permitted	21/02224/F	44 Cheney Hill Heacham King's Lynn Norfolk Proposed ancillary annexe within two story extension and alterations to dwelling	Heacham

29.11.2021	04.02.2022 Application Permitted	21/02292/F	29 North Beach Heacham King's Lynn Norfolk Application for the erection of a garage and boat store at an existing property.	Heacham
20.12.2021	31.01.2022 Application Permitted	21/01731/NMA_1	9 Hills Court Hilgay Downham Market Norfolk NON-MATERIAL AMENDMENT of Planning Permission 21/01731/F: Single storey rear extension to existing two storey dwelling	Hilgay
04.01.2022	07.02.2022 GPD HH extn - Not Required	22/00026/PAGPD	4 Railway Cottages Fakenham Road Hillington King's Lynn Single storey rear extension which extends beyond the rear wall by 6m with a maximum height of 2.9m and a height of 2.9m to the eaves	Hillington
21.06.2021	04.02.2022 Was Lawful	21/01236/LDE	1 Chalk Pit Road Holme next The Sea Norfolk PE36 6LW Lawful Development Certificate: Alterations to Dwelling house and ancillary buildings	Holme next the Sea
01.12.2021	04.02.2022 Application Permitted	21/02355/F	Houghton Hall Houghton Park Bircham Road Houghton Remove 20th century roller shutter from the west archway to the square (the stable block) and to replace it with a pair of wrought iron gates to match the pattern of the original gates in the north and south archways. Remove two timber glazed screens with doors installed in 1990's.	Houghton

22.10.2021	07.02.2022 Application Permitted	21/02096/F	12 Queens Drive Hunstanton Norfolk PE36 6EZ Retrospective: Erection of Amateur Radio aerials and long wire supporting pole for personal use at home bungalow.	Hunstanton
06.12.2021	28.01.2022 Application Permitted	21/02324/F	2 Homefields Road Hunstanton Norfolk PE36 5HJ Alterations and conversion of outbuilding	Hunstanton
08.12.2021	10.02.2022 Application Permitted	21/02410/F	15 - 17 Avenue Road Hunstanton Norfolk PE36 5BW Proposed Change of Use from closed Youth hostel (Use Class - Sui Generis) back to 2 no residential dwellings (Use class - C3) incorporating the demolition of the conservatory.	Hunstanton
20.12.2021	14.02.2022 Application Permitted	21/02444/F	8 Old Town Way Hunstanton Norfolk PE36 6HE Garage and first floor extension.	Hunstanton
29.11.2021	01.02.2022 Application Permitted	21/02330/F	48 Grovelands Ingoldisthorpe King's Lynn Norfolk Rear single storey garden room extension. Craft room extension to rear of garage	Ingoldisthorpe
05.05.2021	03.02.2022 Application Permitted	21/00871/F	Nar Hideaway Thiefgate Lane Saddlebow KINGS LYNN Proposed replacement dwelling including retention of existing outbuildings	King's Lynn

31.08.2021	08.02.2022 Application Permitted	21/01745/F	29 Hoveton Close Hickling King's Lynn Norfolk Proposed single storey front extension, side extension and internal alterations	King's Lynn
08.10.2021	11.02.2022 Application Permitted	21/01966/F	29 River Walk West Lynn King's Lynn Norfolk Two storey side extension with existing rear single storey extension demolished on completion (ammended design)	King's Lynn
05.11.2021	09.02.2022 Would be Lawful	21/02178/LDP	262 Wootton Road King's Lynn Norfolk PE30 3BH Application for a Lawful Development Certificate for the proposed use of the land for siting a mobile home for use ancillary to the main dwelling	King's Lynn
12.11.2021	07.02.2022 Application Permitted	21/02190/A	Vacant 23 Tuesday Market Place King's Lynn Norfolk Advert Application: Replacement/reinstatement of single hanging sign and externally illuminated fascia signs	King's Lynn
22.11.2021	07.02.2022 Application Refused	21/02250/F	62 Checker Street King's Lynn Norfolk PE30 5AS 1 front room PVC window, 1 Master bedroom PVC window, 1 PVC Front door, all on the front of house	King's Lynn

02.12.2021	04.02.2022 Application Permitted	21/02312/F	Kettlewell House Kettlewell Lane King's Lynn Norfolk Removal of 15m Pole to be replaced with 22.5m Monopole which will support 3No. New Antenna and ancillary equipment there to including RRHs and MHAS.	King's Lynn
03.12.2021	02.02.2022 Application Permitted	21/02319/F	112 London Road King's Lynn Norfolk PE30 5ES Repair three front windows (including one lounge bay window and two bedroom windows, facing London Road) that are timber sash windows. Replace the front external door with a composite door. Replace one back bedroom window (facing the garden) with rosewood UPVC window and the conservatory door with a rosewood UPVC door. Replace the old garage gate (black timber) with a new garage gate (matching colour and style).	King's Lynn
09.12.2021	04.02.2022 Application Permitted	21/02364/F	The Hemitage Driftway Wootton Road King's Lynn Single storey rear extension and alterations to dwelling.	King's Lynn
16.12.2021	15.02.2022 Application Refused	21/02416/F	1 Blackford King's Lynn Norfolk PE30 3UL Two storey extension with single storey lean-to all to rear of existing two storey dwelling.	King's Lynn

17.12.2021	28.01.2022 GPD HH extn - Not Required	21/02469/PAGPD	167 Wootton Road Gaywood King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall 7.97m with a maximum height of 3.59m and a height of 2.91m to the eaves.	King's Lynn
20.12.2021	11.02.2022 Application Permitted	21/02451/F	Anglers Corner 22 - 24 Windsor Road King's Lynn Norfolk VARIATION OF CONDITION 2 of Planning Permission 20/00368/F: To amend drawings	King's Lynn
22.12.2021	15.02.2022 Was_Would be Lawful	21/02476/LDE	Riverside Business Centre Cross Bank Road King's Lynn Norfolk Application for a Lawful Development Certificate for the construction and use of Anaerobic Digestion facility as per the permitted application 21/00800/F. Development has been started by installing the base for the Fire Water Store	King's Lynn
24.01.2022	11.02.2022 Application Permitted	21/01979/NMAM_1	Queen Elizabeth Hospital Gayton Road Queen Elizabeth Hospital Site King's Lynn NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/01979/FM: Public service infrastructure planning application. Proposed construction of a two-storey hospital building (Use Class C2) with associated infrastructure and landscaping	King's Lynn

25.01.2022	11.02.2022 Application Permitted	21/01979/NMAM_2	Queen Elizabeth Hospital Gayton Road Queen Elizabeth Hospital Site King's Lynn NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/01979/FM: Public service infrastructure planning application. Proposed construction of a two-storey hospital building (Use Class C2) with associated infrastructure and landscaping	King's Lynn
29.10.2021	14.02.2022 Application Refused	21/02153/F	2 Chilver Farm Cottages Chilver House Lane Bawsey KINGS LYNN Retrospective application for retention of residential garden and change of use of land for commercial/business/services use to include porta cabin, 3 No. storage containers, parking and retained caravan	Leziate
21.12.2021	04.02.2022 Application Permitted	21/00665/NMA_1	Birchwood 65 East Winch Road Ashwicken King's Lynn NON-MATERIAL AMENDMENT TO PLANNING CONSENT 21/00665/F: Change of external material from a mix of brickwork, hanging tiles and timber paneling to white render and timber paneling	Leziate
01.10.2021	11.02.2022 Application Permitted	21/01922/O	New House Church Lane Marham King's Lynn Proposed construction of dwelling	Marham

14.09.2021	27.01.2022 Application Permitted	21/01820/F	14A Old Severalls Road Methwold Hythe Thetford Norfolk 2 Storey Rear Extension.	Methwold
26.10.2021	03.02.2022 Application Permitted	21/02111/F	11 Old Feltwell Road Methwold Thetford Norfolk Swimming pool cover and associated rooms, enlargement of the pool in length, application has been approved for a smaller version - 14/01193/F	Methwold
23.12.2021	17.02.2022 Application Permitted	21/02482/F	25B And 27 High Street Methwold Thetford Norfolk PV Panels to be installed on the roofs of 25b and 27, canopy erected to the rear of 27 and new patio doors to 27 and replacement gate entrance to the shared driveway	Methwold
13.09.2021	27.01.2022 Application Permitted	21/01808/F	No Idea Wormegay Road Blackborough End King's Lynn Side and rear extension	Middleton
20.10.2021	25.01.2022 Application Permitted	21/02081/F	23 St Marys Terrace Station Road Middleton Norfolk Proposed Extension to front and Side of Dwelling	Middleton
04.11.2021	10.02.2022 Application Permitted	21/02173/F	Norviede 27 Hill Road Middleton King's Lynn Single storey extension to rear of bungalow	Middleton
26.11.2021	21.02.2022 Application Permitted	21/02322/F	Land Between The Old Well And The Moorings High Street Nordelph Norfolk Construction of one dwelling and garage (amended design)	Nordelph

11.01.2022	01.02.2022 TPO Work Approved	22/00002/TPO	The Old Well High Street Nordelph Downham Market (2/TPO/00342) T1 - Ivy, crown raise to 2m, reduce large branch over the drive by 2m, educe the side branch on the right hand side by 1.5m. Clean out Ivy in the crown and sever at the base	Nordelph
11.01.2022	17.02.2022 Tree Application - No objection	22/00007/TREECA	Cemetery High Street Nordelph Norfolk T13 Ash - Fell to fence height (1.8m) within a conservation area	Nordelph
30.12.2020	14.02.2022 Application Refused	20/02113/F	Burn Valley Vineyards - Office And Barn Beacon Hill Road Shammer North Creake Extension to existing farm building (winery) to provide storage areas to the south east of the building and a farm shop with tasting area to the north west, along with associated car parking.	North Creake
28.01.2021	11.02.2022 Application Permitted	21/00142/F	Post Office (Formerly) 36 Church Street North Creake Norfolk Change of use of former post office and forge into single dwelling including extension and alteration	North Creake
08.12.2021	02.02.2022 Application Permitted	21/02351/F	Scuderia Normans Lane North Creake Fakenham Replacement of Existing Timber Conservatory on Garage Block, 6200 wide X 3270 Projection frames and roof to be dismantled and replaced with Aluminium frames & roof	North Creake

08.12.2021	01.02.2022 Application Permitted	21/02352/LB	Scuderia Normans Lane North Creake Fakenham Replacement of Existing Timber Conservatory on Garage Block, 6200 wide X 3270 Projection frames and roof to be dismantled and replaced with Aluminium frames & roof	North Creake
17.05.2021	28.01.2022 Application Permitted	21/01126/F	44 Woodland Gardens North Wootton Norfolk PE30 3PX Porch extension to garage	North Wootton
12.11.2021	21.02.2022 Application Permitted	21/02193/F	South of 3 Church Lane Whittington King's Lynn Norfolk Construction of a pair of dwellings	Northwold
22.12.2021	15.02.2022 Application Permitted	21/02506/F	The Piggeries 49 Methwold Road Whittington King's Lynn Variation of Conditions 2, 6, 7, 10 and 14 of Planning Permission 21/00794/FM: Demolition of existing piggery buildings and construction of industrial buildings to provide additional warehousing/storage of timber based fuel and charcoal products, with associated processing (drying and saw/splitter) buildings, an office/amenity block, weighbridge, staff and visitor car parking, log storage lanes, and associated access, circulation, landscaping and drainage works.	Northwold

25.11.2021	08.02.2022 Application Permitted	21/02277/F	La Hat 27 Golf Course Road Old Hunstanton HUNSTANTON Renovation and refurbishment of existing dwelling including construction of dormers, a single storey extension with canopy over, new and replacement decking, a new exterior stair and refurbishment of a retaining wall.	Old Hunstanton
14.01.2022	07.02.2022 Tree Application - No objection	22/00010/TREECA	The Old Vicarage Church Road Old Hunstanton Hunstanton T1 Yew - Fell, causing root damage to border wall which has been damaged and repaired on multiple occasions. The applicant would like to have wall repaired with the tree removed to prevent future damage and cost. T2 Yew - Remove limbs growing through adjacent Holly to allow Holly more space within a conservation area	Old Hunstanton
15.12.2021	22.02.2022 Application Permitted	21/02394/F	Plot 53 Pentney Lakes Common Road Pentney Norfolk Retrospective approval for car port to be altered to enclose timber posts with timber frame to form sun room	Pentney

04.01.2022	07.02.2022 Tree Application - No objection	22/00001/TREECA	Church of St Andrew High Street Ringstead Norfolk T1-T3 - Sycamore's, Crown lift to approx. 5 metres even out Crown's along the boundary and remove low heavy limb's encroaching over the grave stone's. T4-T7 Ash - Crown lift to approx. 5 metres even out Crown's along the boundary and remove low heavy limb's encroaching over the grave stone's. T8-T9 Cherry - Crown reduction. unbalanced crown's encroaching over memorial's in the church yard. T10 Hawthorn - Removal of dying Hawthorn encroaching over the war memorial	Ringstead
05.10.2021	03.02.2022 Application Refused	21/01931/F	Land N of Charnwood And E of Footpath Known As Hall Lane Stoney Road Roydon Norfolk Construct new Residential Dwelling	Roydon
14.07.2021	25.01.2022 Application Refused	21/01473/F	Field View Docking Road Sedgeford Norfolk Variation of condition 1 and 4 of planning permission 18/02145/RM	Sedgeford
15.11.2021	08.02.2022 Application Permitted	21/02198/F	Keepersfield Cole Green Sedgeford Norfolk Construct rear dormer to existing bathroom.	Sedgeford

24.11.2021	25.01.2022 Application Permitted	21/02266/F	25 The Green Shouldham Norfolk PE33 0BY Demolition of detached outbuilding and construction of new annex. Erection of porch canopy to an existing dwelling.	Shouldham
29.12.2021	22.02.2022 Application Permitted	21/02489/F	Briarose Middle Road Shouldham Thorpe King's Lynn Proposed replacement extension and associated alterations	Shouldham Thorpe
06.04.2021	03.02.2022 Application Permitted	21/00658/LB	13 Hall Road Snettisham Norfolk PE31 7LU Conversion of outbuilding to residential annex and addition of porch to main dwelling	Snettisham
19.10.2021	28.01.2022 Application Permitted	21/02032/F	45 Station Road Snettisham King's Lynn Norfolk Single storey rear extension and alterations to dwelling	Snettisham
15.11.2021	09.02.2022 Prior Approval - Approved	21/02209/PACU6	11 Poppyfields Retail Park Poppyfields Drive Snettisham KINGS LYNN Prior Notification: Change of use of first floor retail store area to 1No. residential flat.	Snettisham
25.10.2021	28.01.2022 Application Permitted	21/02080/F	8 Back Street South Creake Fakenham Norfolk Single storey rear extension and alterations to dwelling	South Creake
27.07.2021	25.01.2022 Application Permitted	21/01499/F	39 St Augustines Way South Wootton King's Lynn Norfolk Replacement of old porch canopy with a new porch	South Wootton

29.11.2021	04.02.2022 Application Permitted	21/02295/F	Lower Farm 126 Grimston Road South Wootton King's Lynn An attic conversion to provide two staff bedrooms and a small extension in the courtyard to provide a drying room.	South Wootton
20.12.2021	11.02.2022 Application Permitted	21/02478/F	4 Malvern Close South Wootton King's Lynn Norfolk Extension to front of house to create an entrance porch.	South Wootton
17.01.2022	07.02.2022 TPO Approved Work	22/00004/TPO	8 Melford Close South Wootton King's Lynn Norfolk 2/TPO/00211: T1 Oak - Reduce and reshape to previous pruning points (approx. 6 years ago) and raise crown evenly to clear adjacent house and garages by at least 2m, all works to BS3998:2010	South Wootton
29.06.2021	26.01.2022 Application Permitted	21/01319/F	Bowles Vehicle Repairs 56 Campsey Road Southery Norfolk Change of use of land from Car and Commercial Repair Garage (including HGVs) to Car Repair Garage and siting of 20 shipping containers for rental as storage units.	Southery
13.12.2021	10.02.2022 Application Permitted	21/02376/F	76 Feltwell Road Southery Downham Market Norfolk 2 Storey Side Extension	Southery
17.12.2021	21.02.2022 Application Permitted	21/02434/F	JD Signs 9 Westgate Street Southery Norfolk Retrospective extension to design studio	Southery

16.08.2021	21.02.2022 Application Refused	21/01621/F	Thistledown Lynn Road Stoke Ferry King's Lynn Current front drive is to become a building plot, the proposal is for a two storey family dwelling	Stoke Ferry
01.09.2021	31.01.2022 Application Permitted	21/01757/O	275 The Drove Barroway Drove Downham Market Norfolk Outline application: Proposed Residential Development of Two New Dwellings	Stow Bardolph
23.11.2021	31.01.2022 Application Permitted	19/00077/NMA_1	Land At 16 The Drove Barroway Drove Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 19/00077/F: Construction of one dwelling house and detached double garage	Stow Bardolph
26.11.2021	09.02.2022 Application Permitted	21/02286/F	197 The Drove Barroway Drove DOWNHAM MARKET Norfolk VARIATION OF CONDITION 1 AND 5 OF PLANNING PERMISSION 18/01878/RM: RESERVED MATTERS: To amend drawings	Stow Bardolph
17.11.2021	31.01.2022 Application Permitted	21/02228/F	Land To The West of The Street Syderstone KINGS LYNN VARIATION OF CONDITIONS 7, 15 AND 16 OF PLANNING PERMISSION 20/01593/F: Vairation of condition 2 of planning permission 18/01917/F (Erection of 5 dwellings) to revise the design on Plots 3, 4 and 5	Syderstone

28.09.2021	22.02.2022 Application Permitted	21/01875/F	Rhoon Cottages 91 Rhoon Road Terrington St Clement King's Lynn Alterations and extension to rear of semi-detached cottage	Terrington St Clement
05.10.2021	10.02.2022 Application Permitted	21/01927/FM	J A Collison & Sons Tuxhill Road 36 Tuxhill Road Terrington St Clement Proposed extension to existing agricultural building and concrete yard extension	Terrington St Clement
08.11.2021	31.01.2022 Application Permitted	21/02168/F	Racecourse Barn Race Course Road Terrington St Clement KINGS LYNN Cart Shed Extension	Terrington St Clement
15.12.2021	09.02.2022 Application Permitted	21/02405/F	7 Marsh Road Terrington St Clement King's Lynn Norfolk Erection of 2no single storey rear extensions and alterations to existing dwelling	Terrington St Clement
24.05.2021	08.02.2022 Application Permitted	21/01181/F	Megget Ploughmans Piece Thornham HUNSTANTON Single Storey rear extension and alterations to dwelling	Thornham

22.11.2021	09.02.2022 Application Permitted	20/01044/NMA_2	Lyng Farm Ringstead Road Thornham Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 20/01044/F: Variation of conditions 5 and 11 (to allow changes to the timing of the approved landscaping / planting) of planning application 19/01080/F which varied condition 13 of planning permission 13/00049/FM (to extend the operational life to 40 years) of the solar farm and associated infrastructure permitted under application 13/00049/FM.	Thornham
30.11.2021	04.02.2022 Application Permitted	21/02338/F	The Orange Tree High Street Thornham Norfolk Proposed gazebos over existing outdoor seating area (gazebo to match 20/01887/F)	Thornham
09.12.2021	03.02.2022 Application Permitted	21/02358/F	Stinted The Green Thornham Hunstanton Oak Framed Garden Room	Thornham
20.12.2021	11.02.2022 Application Permitted	21/02445/F	The Old School Old School Court Thornham Norfolk Change an existing rear ground floor window into a door opening.	Thornham
20.12.2021	11.02.2022 Application Permitted	21/02446/LB	The Old School Old School Court Thornham Norfolk Change an existing rear ground floor window into a door opening.	Thornham

15.09.2021	15.02.2022 Application Permitted	21/01823/F	Site Adjacent 24 Westfields Tilney St Lawrence King's Lynn PROPOSED TWO STOREY NEW RESIDENTIAL DWELLING	Tilney St Lawrence
02.11.2021	22.02.2022 Application Permitted	21/02131/F	Esgate House 55 Church Road Tilney St Lawrence King's Lynn Removal of former garage/workshop and construct barn style extension to dwelling in existing footprint.	Tilney St Lawrence
24.11.2021	02.02.2022 Application Permitted	21/02297/F	Nolans 22 Magdalen Road Tilney St Lawrence King's Lynn Creation of a replacement drop kerb to allow vehicular access to the property	Tilney St Lawrence
23.11.2020	16.02.2022 Application Permitted	20/01965/F	Briarfields Hotel Main Road Titchwell King's Lynn Proposed extension to Briarfields Hotel accommodating swimming pool and spa facilities	Titchwell
20.04.2021	22.02.2022 Application Permitted	21/00941/F	Upwell Academy 61 School Road Upwell Wisbech Replacement of timber windows with white UPVc windows	Upwell
12.10.2021	27.01.2022 Application Permitted	21/01976/RM	Plot North of 19 Dovecote Road Upwell Wisbech Norfolk RESERVED MATTERS: Construction of a dwelling including a new access	Upwell
24.11.2021	26.01.2022 Application Permitted	21/02269/F	19 New Road Upwell WISBECH Norfolk VARIATION OF CONDITION 1 OF PLANNING PERMISSION 21/01718/RM: To amend drawings	Upwell

17.12.2021	16.02.2022 TPO Work Approved	21/00145/TPO	105 Croft Road Upwell Norfolk PE14 9HQ 2/TPO/00223: To remove 2 x snapped branches, remove major deadwood and epicormic growth from main stem up to first true branch	Upwell
20.12.2021	18.02.2022 Application Permitted	21/02450/F	Flint House Barn Flint House Road Lott's Bridge Three Holes Proposed shed and garage amendments	Upwell
23.12.2021	25.01.2022 AG Prior Notification - NOT REQD	21/02510/AG	Beechwood Farm Ha Penny Toll Road Lott's Bridge Three Holes New Agricultural Grain Storage Building	Upwell
24.08.2021	08.02.2022 Application Permitted	21/01712/F	Walpole St Peter Village Hall Church Hall Church Road Walpole St Peter Demolition of Village Hall and replacement with New Village Hall	Walpole
31.08.2021	26.01.2022 Application Permitted	21/01715/FM	Model Farm Frenchs Road Walpole St Andrew Wisbech Proposed development of a battery storage installation and associated development to allow for the storage, importation and exportation of energy to the National Grid	Walpole

10.12.2021	10.02.22 No Objection	21/02457/CM	M & M Services Marsh Road Walpole St Andrew Wisbech COUNTY MATTERS - Planning application for the Extension to open skip storage area with 3.5-metre-high earth bund (retrospective): M & M Services	Walpole
27.11.2020	08.02.2022 Application Permitted	20/01881/F	Old Farm Market Lane Walpole St Andrew Norfolk Change of use of part of former agricultural building to create 6 no. units - 3 Class B8, 2 Class E and taxi garage (sui generis)	Walpole Cross Keys
09.03.2021	27.01.2022 Application Permitted	21/00449/F	Samuels Family Farm Shop And Butchers Market Lane Walpole St Andrew Norfolk Completion and retention of extensions to farm shop to create walk-in freezer, kitchen extension, cafe/restaurant, outdoor play/seating area and revised associated parking layout	Walpole Cross Keys
13.07.2021	08.02.2022 Application Permitted	21/01431/F	Ivy House West Drove South Walpole Highway Wisbech Proposed two storey extension	Walpole Highway
29.09.2021	03.02.2022 Prior Approval - Approved	21/01889/PACU3	1 Popenhoe Cottages Station Road Walsoken Wisbech Notification for Prior Approval: Change of Use of Agricultural Building to one Dwellinghouse (Schedule 2, Part 3, Class Q)	Walsoken

24.11.2021	22.02.2022 Application Permitted	21/02270/F	People And Animals Lynn Road Walsoken WISBECH VARIATION OF CONDITION 2 of Planning Permission 18/01490/FM: To amend drawings.	Walsoken
29.11.2021	02.02.2022 Application Permitted	21/02290/F	The Bungalow Wilkins Road Walsoken Wisbech Erection of single-storey side extension to bungalow, erection of detached single car garage including storeroom and outdoor toilet, and loft conversion	Walsoken
02.02.2022	21.02.2022 Application Permitted	21/00883/NMA_3	Green Gates Walton Road Walsoken Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/00883/F: Variation of condition 2 of planning permission 20/00885/F to amend drawings	Walsoken
16.11.2021	03.02.2022 Application Permitted	21/02216/F	3 Pell Place West Winch King's Lynn Norfolk Single storey extension to side of existing bungalow	West Winch
13.12.2021	07.02.2022 Application Permitted	21/02372/F	4 Willow Drive Setchey King's Lynn Norfolk Remodel internal layout to increase number of Bedrooms and improve current room sizes. Provide side extension to increase Kitchen and Living Spaces. Provide new detached Garage	West Winch

10.01.2022	09.02.2022 Application Permitted	21/01332/NMA_1	Miller Chicken Farm 80 Main Road West Winch King's Lynn NON-MATERIAL AMENDMENT TO PLANNING CONSENT 21/01332/F: Variation of condition 2 attached to Planning Permission 18/00995/F: Proposed Development of Three Dwellings	West Winch
25.11.2021	28.01.2022 Application Permitted	21/02279/F	Willow Farm Cottage High Road Saddlebow Norfolk Side _ Rear Extensions	Wiggenhall St Germans
06.12.2021	08.02.2022 Application Permitted	21/02328/F	Orton Field 146 Stow Road Wiggenhall St Mary Magdalen King's Lynn PROPOSED SINGLE STOREY SIDE EXTENSIONS AND INTERNAL ALTERATIONS	Wiggenhall St Mary Magdalen
06.10.2021	08.02.2022 Application Permitted	21/01936/F	Clover Social Club Low Road Wretton King's Lynn Variation of condition 1 of planning permission 19/00118/RM	Wretton
08.12.2021	07.02.2022 Application Permitted	21/02346/F	1 Rose Cottage Cromer Lane Wretton King's Lynn Construction of self contained residential annexe	Wretton