

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



# Planning Committee

## Agenda

Monday, 4th March, 2024  
at 9.30 am

in the

Assembly Room  
Town Hall  
King's Lynn

Also available to view at:

<https://www.youtube.com/user/WestNorfolkBC>



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX  
Telephone: 01553 616200  
Fax: 01553 691663

**PLANNING COMMITTEE AGENDA**

Please note that due to the number of applications to be considered it is proposed that the Committee will adjourn for lunch at approximately 12.30 pm and reconvene at 1.10 pm.

Please ensure that all mobile phones are switched to silent

**DATE:** Monday, 4th March, 2024

**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 Monday 5 February 2024 (previously circulated).

**3. DECLARATIONS OF INTEREST (Page 5)**

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 Chair 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. CHAIR'S CORRESPONDENCE**

To receive any Chair's correspondence.

**7. RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

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

**8. GLOSSARY OF TERMS (Pages 6 - 9)**

**9. INDEX AND DECISIONS ON APPLICATIONS (Pages 10 - 174)**

The Committee is asked to note the Index of Applications and to consider and determine the attached Schedule of Planning Applications submitted by the Executive Director.

**10. DELEGATED DECISIONS (Pages 175 - 209)**

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

**11. EXCLUSION OF PRESS AND PUBLIC**

To consider passing the following resolution:

"That under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act".

## **12. PLANNING ENFORCEMENT REPORT (Pages 210 - 228)**

To consider the attached report.

### **To: Members of the Planning Committee**

Councillors B Anota, R Blunt, F Bone (Chair), A Bubb, M de Whalley, T de Winton, P Devulapalli, S Everett, S Lintern (Vice-Chair), B Long, S Ring, C Rose, A Ryves, Mrs V Spikings, M Storey and D Tyler

### **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 7 March 2024** (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 1 March 2024**. Please contact [borough.planning@west-norfolk.gov.uk](mailto: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.

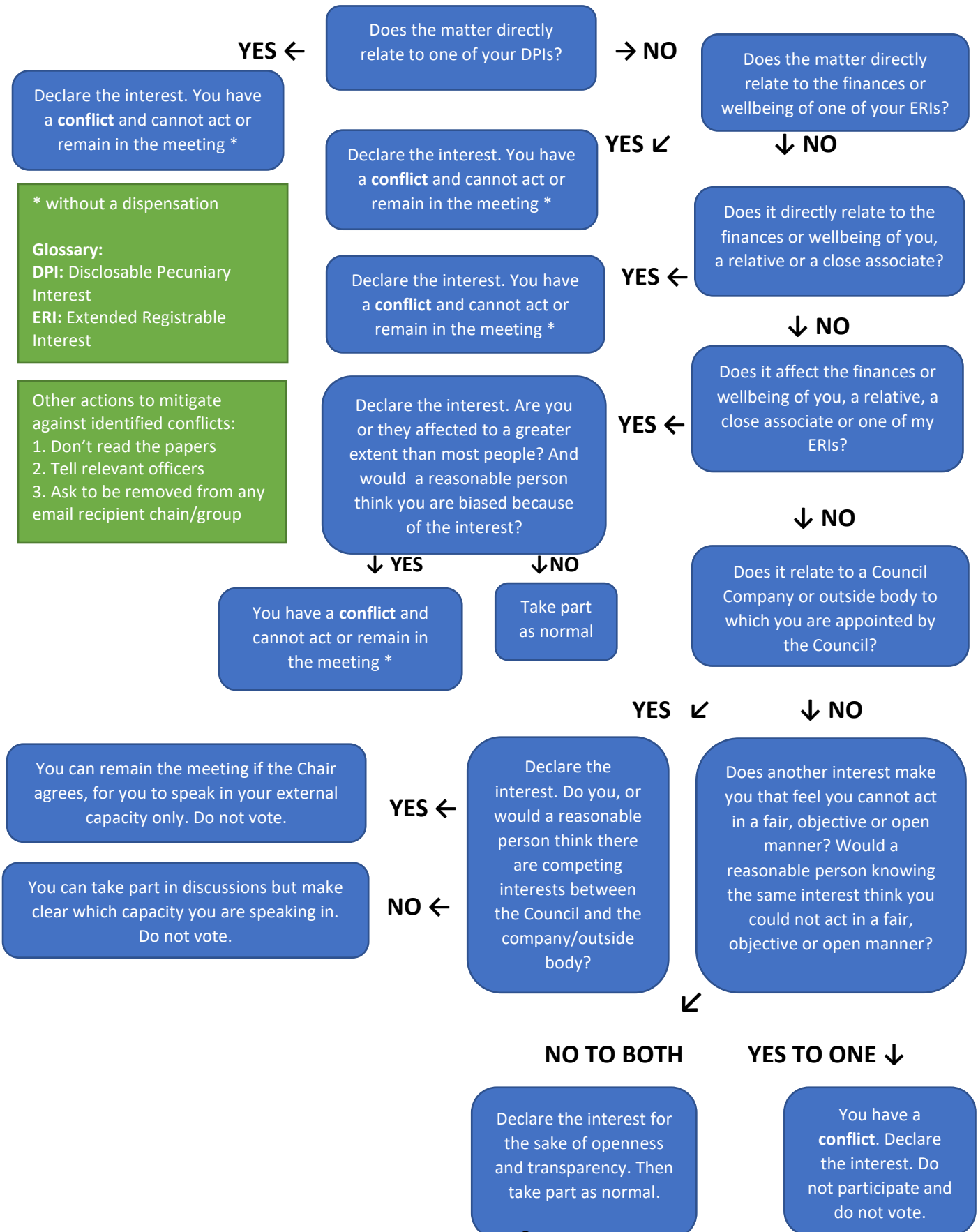
For Further information, please contact:

Kathy Wagg on 01553 616276  
kathy.wagg@west-norfolk.gov.uk

**DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART**



**START**



Declare the interest. You have a **conflict** and cannot act or remain in the meeting \*

\* without a dispensation

**Glossary:**

**DPI:** Disclosable Pecuniary Interest

**ERI:** Extended Registrable Interest

**Other actions to mitigate against identified conflicts:**

1. Don't read the papers
2. Tell relevant officers
3. Ask to be removed from any email recipient chain/group

<b>Glossary of Terms and Abbreviations</b>	
AIA	Arboricultural Impact Assessment
AMS	Arboricultural Method Statement
AOD	Above Ordnance Datum
AONB	Area of Outstanding Natural Beauty (now National Landscape)
AQMA	Air Quality Management Plan
ATC	Air Traffic Controller
BCKLWN	Borough Council of King's Lynn and West Norfolk
BCN	Breach of Condition Notice
BNG	Biodiversity Net Gain
BS	British Standard
CA	Conservation Area
CCTV	Closed Circuit Television
CHZ	Coastal Hazard Zone
CIL	Community Infrastructure Levy
CLEUD	Certificate of Lawful Existing Use or Development
CLOPUD	Certificate of Lawful Proposed Use or Development
CRM	Collision Risk Modelling
CS	Core Strategy
CSH	Code for Sustainable Homes
CSNN	Community Safety and Neighbourhood Nuisance
CTMP	Construction Traffic Management Plan
CWS	County Wildlife Site
D and A	Design and Access Statement
DDA	Disability Discrimination Act
DEFRA	Department for Environment, Food and Rural Affairs
DISC	Discharge of Condition
DMPP	Development Management Policies Plan
DS	Design Statement
EA	Environment Agency
EBR	Economic Benefit Report
EIA	Environmental Impact Assessment
EN	Enforcement Notice
EVC	Electric Vehicle Charging
FFL	Finished Floor Level
FRA	Flood Risk Assessment
GCN	Great Crested Newts
GIRAMS	Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy
GPDO	General Permitted Development Order
HAS	Health and Safety Assessment
HELAA	Housing and Economic Land Availability Assessment

HPG	Historic Parks and Gardens
HRA	Habitat Regulations Assessment
HSE	Health and Safety Executive
IAQM	Institute of Air Quality Management
IDB	Internal Drainage Board
IROPI	Imperative Reasons of Overriding Public Interest
LB	Listed Building
LCA	Landscape Character Assessment
LDFCS	Local Development Framework Core Strategy
LHA	Local Highway Authority
LLFA	Lead Local Flood Authority
LP	Local Plan
LPA	Local Planning Authority
LVA	Landscape and Visual Appraisal
LVIA	Landscape and Visual Impact Assessment
MOD	Ministry of Defence
MUGA	Multi Use Games Area
NL	National Landscape (formerly AONB)
NCC	Norfolk County Council
NCP	North Coast Partnership
NDG	National Design Guide
NE	Natural England
NHBC	National House Building Council
NMDC	National Model Design Guide
NMP	Noise Management Plan
NNR	National Nature Reserve
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance
OIA	Ornithological Impact Assessment
OS	Ordnance Survey
PADHI	Planning Advice for Development near Hazardous Installations
PCN	Planning Contravention Notice
PCPA	Planning and Compulsory Purchase Act
PEA	Preliminary Ecological Appraisal
PINs	Planning Inspectorate
POS	Public Open Space
PPG	Planning Practice Guidance
PROW	Public Rights of Way
PS	Protected Species
PSS	Protected Species Survey
RP	Registered Provider



RPA	Root Protection Area
RS	Ramsar Site
RSS	Regional Spatial Strategy
S106	Section 106 Agreement (Planning Legal Agreement)
S278	Section 278 Agreement (provide the legal mechanism required to carry out highway alterations)
S38	Section 38 Agreement (secure new road adoption by the highway authority)
SAC	Special Areas of Conservation
SADMPP	Site Allocations and Development Management Policies Plan
SCI	Statement of Community Involvement
SD	Sustainable Development
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SME	Subject Matter Expert
SOS	Secretary of State
SPA	Special Protection Area
SPD	Supplementary Planning Document
SS	Spatial Strategy
SSSI	Site of Special Scientific Interest
SUDS	Sustainable Urban Drainage Scheme
TA	Transport Assessment
TCPA	Town and Country Planning Act
TEMPO	Tree Evaluation Method for Preservation Orders
TPO	Tree Preservation Order
TPP	Tree Protection Plan
TRO	Traffic Regulation Order
UCO	Use Class Order
UU	Unilateral Undertaking
VA	Viability Assessment
VOA	Valuation Office Agency
WHO	World Health Organisation
WSI	Written Scheme of Investigation

#### **Suffixes to Reference Numbers**

A	Advertisement Consent
AG	Agricultural Prior Notification
BT	Adoption/Removal of BT Payphone Box
CM	County Matter
CU	Change of use (where no development is involved)

CON	Consultation by Adjoining Authority
DM	Demolition Prior Notification
F	Full Application (including Householder)
FM	Full Major Application
HZ	Hazardous Substance Application
LDE	Lawful Development Certificate (existing use or development)
LDP	Lawful Development Certificate (proposed use or development)
NMA	Non Material Amendment
O	Outline Application
OM	Outline Major Application
PACU	Prior Notification for a change of use (i.e. barn to dwelling)
PAGPD	Householder Prior Notification (larger home extension)
PAGAA	Householder Prior Notification (increase by adding an additional storey onto a dwelling)
PIP	Permission in Principle
RM	Reserved Matters Application
RMM	Reserved Matters Major Application
S257	Divert/stop up a Public Right of Way
T3	Telecoms Prior Notification
TPO	Application for works to Tree(s) subject to a TPO
TREECA	Application for works to Tree(s) in a Conservation Area

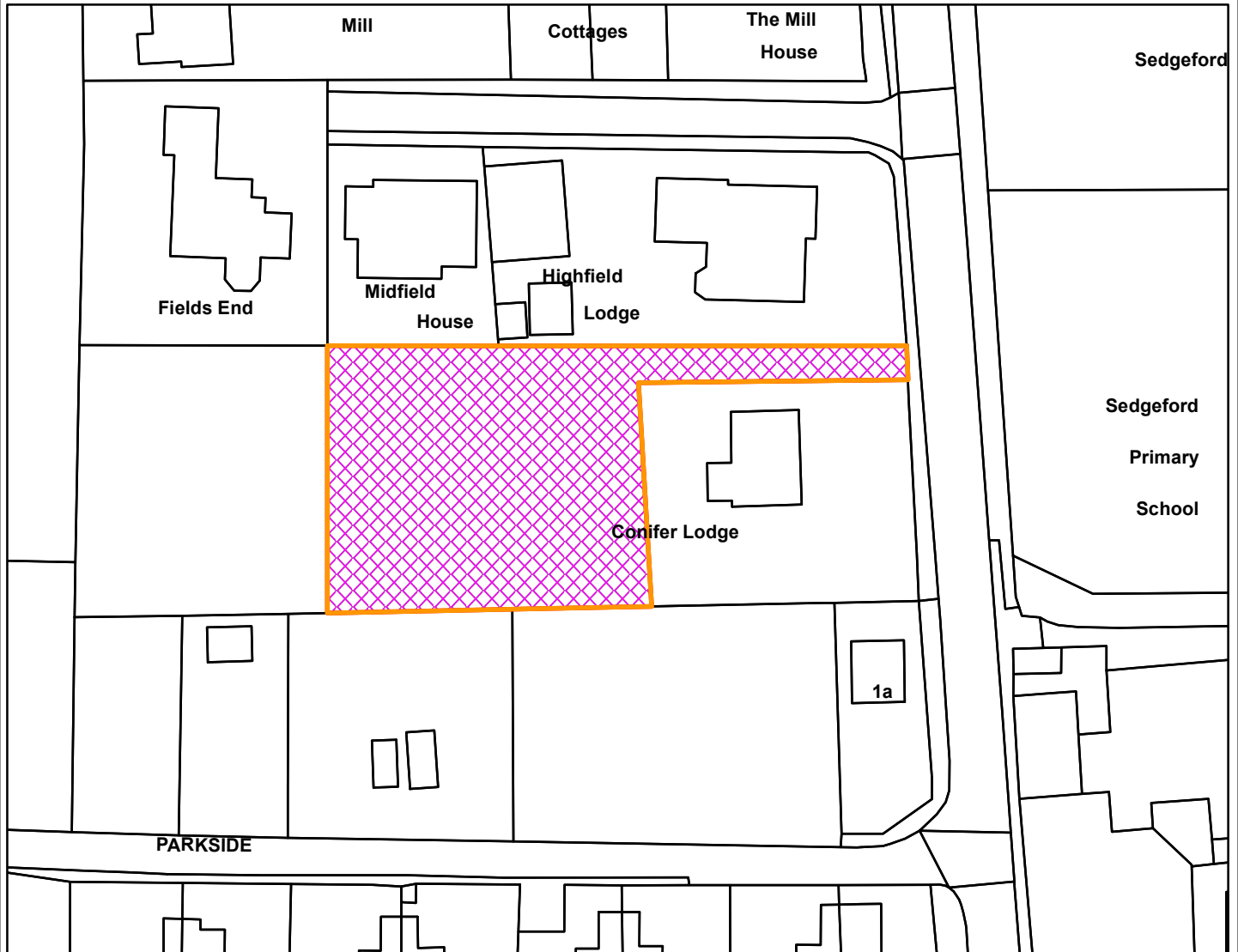
**INDEX OF APPLICATIONS TO BE DETERMINED  
BY THE PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 4 MARCH 2024**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
<b>9/1 OTHER APPLICATIONS FROM 5 FEBRUARY</b>				
9/1(a)	<b>22/00267/F</b> Conifer Lodge Ringstead Road Sedgeford Hunstanton Norfolk PE36 5NQ Construction of 2 residential dwellings in land adjacent Conifer Lodge	<b>SEDFORD</b>	<b>APPROVE</b>	<b>13</b>
9/1(b)	<b>23/01743/F</b> The Barn, 3 Burrettgate Road, Walsoken PE14 7BN Erection of 2 dwellings involving demolition of existing barns	<b>WALSOKEN</b>	<b>REFUSE</b>	<b>28</b>
<b>9/2 DEFERRED ITEMS</b>				
9/2(a)	<b>23/00739/F</b> Marsh Farm Main Road Burnham Deepdale PE31 8DD Conservation project including change of use of existing aviary, new aviaries and associated dwelling for warden/conservation officer	<b>BRANCASTER</b>	<b>REFUSE</b>	<b>37</b>
<b>9/3 MAJOR DEVELOPMENTS</b>				
9/3(a)	<b>23/01023/FM</b> Chestnut House Hillington Square King's Lynn PE30 5HS Demolition and redevelopment of Providence Street Community Centre and Hillington Square flatted blocks known as Aitken House, Norris House and Chestnut House excluding electrical substation. Development of 65 new dwellings and 1,106 square metres of class E commercial and community floorspace (Class E and F2) and associated soft landscaping, vehicle and cycle parking, refuse store and associated infrastructure.	<b>KING'S LYNN</b>	<b>APPROVE</b>	<b>51</b>

<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
<b>9/3(b)</b>	<b>23/00177/RMM</b> Land On the South West Side of Lynn Road PE33 9SW Reserved Matters Application for 62 dwellings including layout, external appearance, scale and landscaping	<b>STOKE FERRY</b>	<b>APPROVE</b>	<b>100</b>
<b>9/3(c)</b>	<b>23/00178/RMM</b> Furlong Store Furlong Road PE33 9SX Reserved Matters Application for 30 dwellings including layout, external appearance, scale and landscaping	<b>STOKE FERRY</b>	<b>APPROVE</b>	<b>121</b>
<b>9/4 OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE</b>				
<b>9/4(a)</b>	<b>23/00234/F</b> Middle Farm 15 Chequers Road Pott Row King's Lynn PE32 1AJ Self Build Bungalow for owner	<b>GRIMSTON</b>	<b>REFUSE</b>	<b>136</b>
<b>9/4(b)</b>	<b>23/02202/CU</b> 24 Ford Avenue North Wootton PE30 3QS Change of use form domestic converted garage to tattoo studio.	<b>NORTH WOOTTON</b>	<b>APPROVE</b>	<b>146</b>
<b>9/4(c)</b>	<b>23/01843/F</b> Last Bungalow Squires Drove Three Holes Wisbech PE14 9JY Retrospective change of use of land for the sitting of 4 Glamping pods and WC/Shower unit for holiday let accommodation	<b>UPWELL</b>	<b>REFUSE</b>	<b>156</b>
<b>9/4(d)</b>	<b>23/01860/O</b> Little Eastfield Barn Lynn Road Walsoken PE14 7AL OUTLINE APPLICATION WITH ALL MATTERS RESERVED; for Up to 2 dwellings	<b>WALSOKEN</b>	<b>REFUSE</b>	<b>167</b>



Conifer Lodge Ringstead Road Sedgeford PE36 5NQ



**Legend**

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**Scale:** 1:750

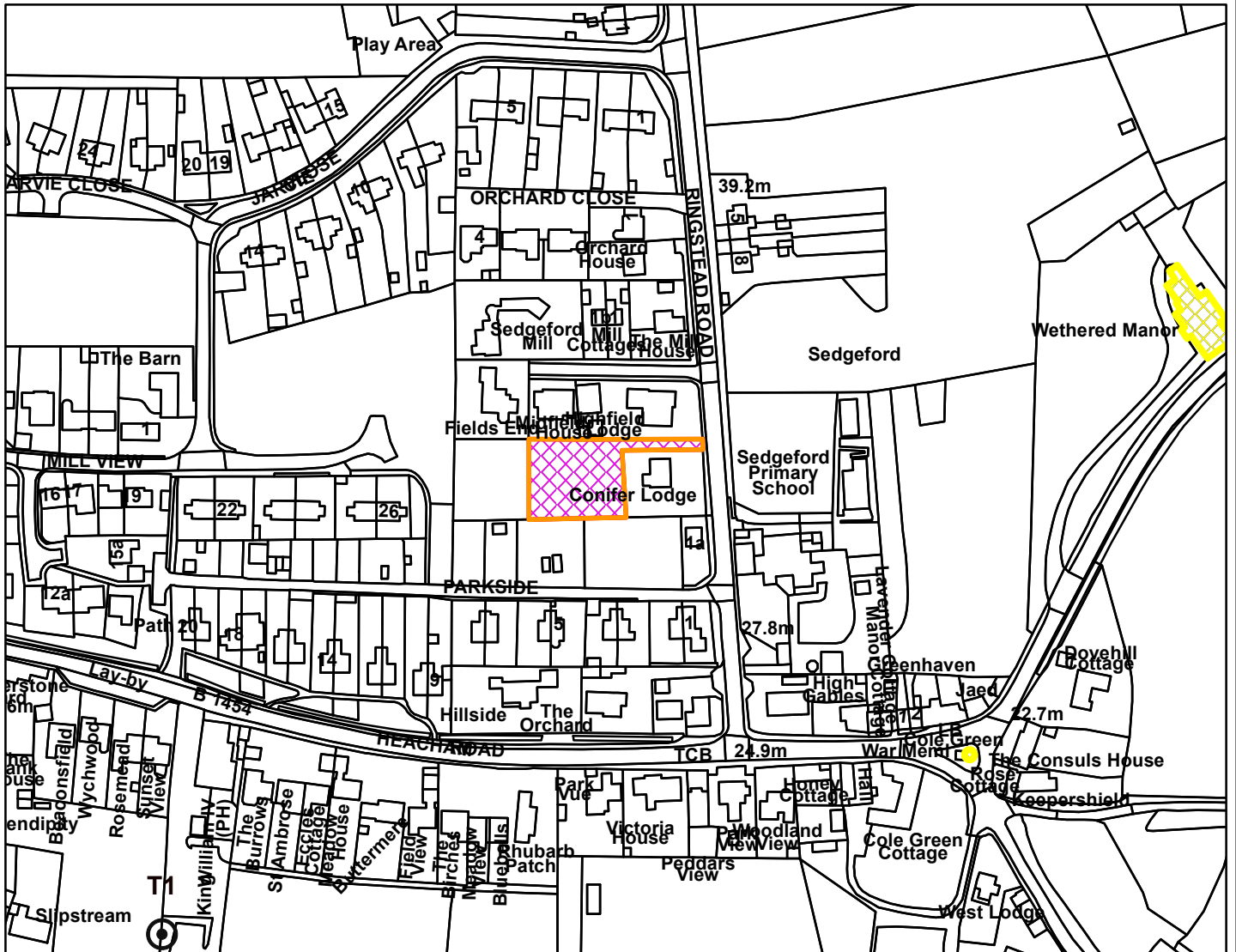
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Organisation	BCKLWN
Department	Department
Comments	
Date	20/02/2024
MSA Number	0100024314



Conifer Lodge Ringstead Road Sedgeford PE36 5NQ



**Legend**

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**Scale:** 1:2,500

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Organisation	BCKLWN
Department	Department
Comments	
Date	20/02/2024
MSA Number	0100024314

**AGENDA ITEM NO: 9/1(a)**

<b>Parish:</b>	<b>Sedgeford</b>	
<b>Proposal:</b>	<b>Construction of 2 residential dwellings on land adjacent Conifer Lodge</b>	
<b>Location:</b>	<b>Conifer Lodge Ringstead Road Sedgeford Hunstanton PE36 5NQ</b>	
<b>Applicant:</b>	<b>Norfolk Flint Ltd</b>	
<b>Case No:</b>	<b>22/00267/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 1 May 2023 Extension of Time Expiry Date: 8 March 2024</b>

**Reason for Referral to Planning Committee** – Officer Recommendation is Contrary to Parish Council. Recommendation and Referred by Sifting Panel.

**Neighbourhood Plan:** Yes

**Case Summary**

Full planning permission is sought for the erection of 2no. dwellings on land adjacent to Conifer Lodge in Sedgeford.

The site lies within the development boundary for Sedgeford which is designated as a rural Village in the settlement hierarchy of the Development Plan (CS02.)

The site is largely overgrown and once benefitted from planning permission for the erection of two dwellings. That permission, granted under application 15/00913/F, has since expired (on 03.02.2020.)

The site lies within the North Norfolk Coast Landscape Designation (formally Area of Outstanding Natural Beauty) and is located within Flood Zone 1.

The site lies within 30 metres from the Conservation Area.

**Key Issues**

Principle of Development

Principal Residence

Form and Character and Impact on National Landscape and Setting of the Conservation Area

Impact on Neighbour Amenity

Highway Impacts

Trees

Ecology

Crime and Disorder

Other Material Considerations

## Recommendation

**APPROVE**

### THE APPLICATION

Full planning permission is sought for the erection of 2no. dwellings on land adjacent to Conifer Lodge in Sedgeford.

The dwellings are 3-bed, 1.5 storey dwellings (7m to ridge; 3.75m to eaves) with accommodation in the roof. Catslide dormers are proposed front and rear and a front gable projection, accommodating an entrance and W/C at ground floor and bathroom at first floor, is also proposed. The plans do not specify the materials, but the applicant has suggested they will be multi-red bricks and flint work.

Access to the dwellings will be to the north of Conifer Lodge onto Ringstead Road to the east.

The site is largely overgrown and once benefitted from planning permission for the erection of two dwellings. That permission, granted under application 15/00913/F, has since expired (on 03.02.2020.)

The site is largely overgrown and once benefitted from planning permission for the erection of two dwellings, but that has since expired.

The site lies with the North Norfolk Coast Landscape Designation (formally Area of Outstanding Natural Beauty) and is located within Flood Zone 1.

The site lies within 30 metres from the Conservation Area.

### SUPPORTING CASE

The agent for the application submitted the following supporting statement: *I am writing to present the planning proposal for Application 22/00267/F for the construction of two residential dwellings on the land adjacent to Conifer Lodge in Sedgeford. As part of the planning committee, it is essential to consider the following points in the decision-making process:*

- 1. Previous Approval: It is important to note that the site in question has previously received approval under planning reference 15/00913/F for the construction of two residential dwellings. This previous approval was deemed appropriate by the planners and locals, indicating that the site is suitable for residential development.*
- 2. Adherence to Sedgeford Town Plan: The current application has been carefully developed to align with the now relevant Sedgeford Town Plan, which has been adopted into policy by the Borough Council of King's Lynn & West Norfolk. The proposal takes into account the specific guidelines and policies outlined in the Sedgeford Town Plan, demonstrating a commitment to meeting the local planning requirements and contributing to the sustainable development of the area.*
- 3. Local Family Development: It should be noted that the proposed development is being undertaken by a local family with the intention of building and living in the new*



*residential dwellings. This aligns with the goal of supporting local people and addressing the influence of the second home market in the area. The development will contribute to the local housing supply and provide opportunities for local families to reside within the community.*

*In light of the above points, I recommend that the planning committee considers the previous approval, the alignment with the Sedgeford Town Plan, and the local nature of the development when evaluating Application 22/00267/F. The proposal reflects a commitment to responsible and sustainable development, and it is in line with the local planning framework and the needs of the community.*

## **PLANNING HISTORY**

15/00913/F: Application Permitted: 03/02/17 - Refurbishment of dwelling and provision of 2 no additional dwellings (Delegated).

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECT**

The Parish Council continues to object to this application for the following reason:

Although the height of the proposed properties has reduced to 1.5 storeys high, with dormer windows, the revised plans do not appear to show any reduction in the overall footprint of the properties. These two houses will take up far more than 40% of the available plot and therefore contravene Policy H3 of Sedgeford's Neighbourhood Plan (NP)

Taking account of these points, the Parish Council would consider supporting the construction of a single 2/3 bedroomed property on this site with the following conditions:

- The property should be conditioned as a principal/ permanent residence - Policy H8 NP
- The property should be in keeping with surrounding properties – i.e., height and scale - 1.5 storeys high, with dormer windows. Materials and finishes should also be in keeping -brick and pantiles - Policy H3 NP
- The driveway should be constructed of a solid permeable material to prevent dispersed shingle becoming a hazard to pedestrians and vehicles on the adjacent footpath and road.
- The trees and hedges to the north of the site should be retained - Policy H3 NP.

**Highways Authority: NO OBJECTION** subject to conditions relating to parking provision, access upgrading, gradient of access, removal of pd rights for gates, bollards, etc, and visibility splays being appended to any permission granted.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** Recommends that an informative relating to wood burning stoves be appended to any permission granted.

**Community Safety and Neighbourhood Nuisance: NO OBJECTION** I have assessed the above application and due to the fact that it is surrounded by residential properties I request conditions relating to site hours and the submission of a construction management plan.

**Norfolk Coast Partnership:** None received at time of writing report.

**Conservation Officer: NO OBJECTION** The proposed development would not affect the setting or character of the nearby Conservation Area.

**Senior Ecologist: NO OBJECTION** Please condition that development is carried out in accordance with the method statement.

**Arboricultural Officer: NO OBJECTION** I have no objection to the proposal; it is tight, but the Arb supporting information demonstrates that the existing trees can be adequately protected through construction work and the buildings themselves are outside the minimum root protection areas.

Some facilitation pruning will be required to the ash tree, this is an acceptable level of pruning work.

There is only one issue and that is the tree protection plan on the last page, doesn't have any dimensions for the accurate setting out of the tree protection barriers, everything else is fine.

If we can get dimensions added to the tree protection plan to show where the fencing is to be set out then we can attach a condition for all tree protection measures to be in strict accordance with the Arb report, if not then we'll need a notwithstanding condition requiring a dimensioned tree protection plan.

## **REPRESENTATIONS**

Four third parties **OBJECT** to the proposed development. The reasons for objection can be summarised as:

- Materials are not clear but render and / or cladding is not appropriate.
- Overdevelopment of the site
- The development affects the setting of the conservation area and school.
- Inaccurate plans
- Dwellings should not be 4-bed.
- The design of the dwellings is not reflective of the locality.
- Details of the refurbishment of Conifer Lodge have not been included.
- 'Flat top' dormers are not appropriate.
- Whilst dormers have been provided there has been no reduction in the ridge height and therefore the dwellings are not 1.5 storey dwellings.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** – Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM19** - Green Infrastructure/Habitats Monitoring & Mitigation

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy H3:** Infill development within the Development Boundary

**Policy H5:** Housing Mix

**Policy H8:** New Housing as Permanent Dwellings

**Policy E6:** Dark Skies

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **PLANNING CONSIDERATIONS**

**The main considerations in the determination of this application are:**

- Principle of Development
- Principal Residence
- Form and Character and Impact on National Landscape and Setting of the Conservation Area
- Impact on Neighbour Amenity
- Highway Impacts
- Trees
- Ecology
- Crime and Disorder
- Other Material Considerations

### **Principle of Development:**

Paragraph 123 of the NPPF states that *Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.*

The site lies within the development boundary of Sedgeford, a Rural Village as classified in the Settlement Hierarchy of the Development Plan (CS02) and where the principle of

residential, of an appropriate scale, can be supported subject to compliance with other relevant planning policy and guidance.

Furthermore, a previous approval for development of the site is a material consideration. However, this can only be given limited weight considering that since that approval in February 2017 policy and guidance has been updated by virtue of adoption of the National Design Guide, Neighbourhood Plan in 2019 and updates to the NPPF the latest of which was in December 2023.

### **Principal Residence:**

Sedgeford Neighbourhood Plan (SNP) Policy H8 'New Housing as Permanent Dwellings' states that *New open market housing, excluding replacement dwellings, will only be supported where there is a restriction to ensure its occupancy as a Principal Residence.*

*Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any time.*

As such any permission granted will be conditioned to be occupied as a principal residence.

It is therefore considered, subject to condition, that the development accords with SNP Policy H8.

### **Form and Character and Impact on National Landscape and Setting of the Conservation Area:**

Paragraph 135 states *Planning policy and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)*

This is reiterated in Development Plan Policy CS08 that states *All new development in the borough should be of high quality design. New development will be required to demonstrate its ability to: 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, and DM15 which states that The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.*

Additionally, Sedgeford Neighbourhood Plan Policy H3: 'Infill development within the Development Boundary' states *Within the development boundary of Sedgeford infill development, of individual, or small groups of dwellings will be supported where:*

- *They would relate well to the neighbouring development in terms of height, scale and impact on the street scene, and, where applicable, would preserve or enhance the character or appearance of the Conservation Area, and*
- *They would not have an unacceptable detrimental impact on the living conditions of the occupants of neighbouring property, and*

- *The provision of a vehicular access would not have an unacceptable detrimental impact on to highway safety and on-site parking can be provided in accordance with NCC standards.*
- *Dwellings should maintain adequate spacing and not appear cramped on the plot or in relation to neighbouring dwellings and their footprint should not normally exceed 40% of the plot area;*
- *The development does not conflict with other development plan policies.*

The site also lies within the North Norfolk Coast National Landscape. In relation to the impact on Protected Landscapes, paragraph 180 of the NPPF requires planning decisions to contribute and enhance the natural and local environment by *a) protecting and enhancing valued landscapes, ...(in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside; and c) maintaining the character of the undeveloped coast...*

The NPPF continues at paragraph 182 by stating that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (now National Landscapes.) It states that *The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*

Protection of the National Landscape is reiterated in Development Plan Policies CS01, CS08, CS12 and DM15.

Furthermore, the site lies within 30m of the Conservation Area, and as is the case with the National Landscape Designation, development is required to respect the setting of the Conservation Area.

It is pertinent to note that the proposed development has been amended from 2no. 4-bed 2-storey dwellings with render to 2no. 3-bed, 1.5 storey dwellings (reduction in ridge height of 1.2m) with dormer windows to be constructed from multi-red bricks and flint work. This was in order to address the concerns of the Parish Council and meet the requirements of SNP Policy H5 'Housing Mix' that requires *Proposals for new residential development of two or more houses to demonstrate how the housing mix reflects the identified need for two and three-bedroom dwellings...* It should be noted however that the Parish Council retains their objection. Materials are not shown on the plans and will therefore be suitably conditioned if permission is granted.

Whilst contrary to the views of the Parish Council and some third-party representatives, it is considered that the proposed dwellings are of a scale, mass, design and appearance that relate adequately to the site and its wider setting and are visually attractive and sympathetic to locally character and history and relate well to neighbouring development in terms of height, scale and impact on the streetscene. The materials and catslide dormer windows are likewise appropriate.

In relation to other requirements of SNP Policy H3, the dwellings maintain adequate spacing and do not appear cramped and the footprints do not, contrary to the opinion of the Parish Council, exceed 40% of the plots area being closer to 30%.

The Conservation Officer has confirmed that the development would not have a material impact on the setting of the Conservation Area, and realistically, given the scale of the proposed development and fact that it is surrounded by existing built form, would not have an adverse impact on the National Landscape Designation.

As such, and whilst contrary to the Parish Council and some third-party comments, it is considered that the development would relate adequately to the site and its wider setting and accords with the NPPF in general and specifically to paragraphs 135 and 180, 182 of the NPPF, Development Plan Policies CS01, CS08, CS12 and DM15 and SNP Policy H3 and H5.

### **Impact on Neighbour Amenity:**

Paragraph 135f) of the NPPF requires development to have a high standard of amenity for existing and future users. This is reiterated in Development Plan Policy DM15 that states that *Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused*, and SNP Policy H3 that requires development to *...not have an unacceptable detrimental impact on the living conditions of the occupants of neighbouring property*.

The proposed dwellings have no first-floor windows on their side elevations (north and south) and there would therefore be no material overlooking to any non-associated dwelling. Furthermore, any windows that could be inserted on the side elevations at first floor level under permitted development rights would have to be obscure glazed and non-opening. There would be some overlooking to the donor dwelling, Conifer Lodge. However, considering the distances involved, 20.6m being the closest habitable window to habitable window relationship (22.5m at first floor level) and 11m being the closest habitable window to garden boundary relationship, it is considered that these relationships are acceptable.

There would be no material overbearing or overshadowing impacts given the distances, change in levels and presence of a substantial evergreen hedge of c.3.5m in height, that is to be retained, along the length of the northern boundary.

It is therefore considered, in relation to neighbour amenity, that the development accords with the NPPF in general and specifically to paragraph 135f) of the NPPF, Development Plan Policies CS08 and DM15 and SNP Policy H3.

### **Highway Impacts:**

The NPPF requires safe and suitable access to be achieved for all users (para 114b) and states, at paragraph 115, that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

This is reiterated in Development Plan Policies CS11 and DM15 and SNP Policy H3 that latter of which requires *vehicular access to not have an unacceptable detrimental impact on to highway safety and on-site parking can be provided in accordance with NCC standards*.

The existing and proposed dwellings will be accessed from Ringstead Road to the east via the existing access serving Conifer Lodge. Subject to conditions the Local Highway Authority raises no objection to this subject to conditions requiring improvements to the existing access with Ringstead Road.

The proposed development complies with parking standards as required by Development Plan Policy DM17 and SNP Policy H3 (2 spaces for 2 and 3-bed properties), and parking serving the donor dwelling remains unaffected by the proposed development with adequate parking and turning available to the front of the dwelling.

It is therefore considered, in relation to highway issues, that the development is in general accordance with the NPPF and specifically to paragraphs 114b and 115 of the NPPF, Development Plan Policies CS11, DM15 and DM17 and SNP Policy H3.

### **Trees:**

Paragraph 136 of the NPPF states *Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.*

No trees are proposed to be felled to enable the proposed development and the arboricultural officer has confirmed that the development could be constructed without significant impact on existing trees or the existing evergreen hedge along the northern boundary. Tree protection will be suitably conditioned if permission is granted.

It is therefore considered that the development accords with the NPPF in general and specifically to paragraph 136 of the NPPF.

### **Ecology:**

The NPPF requires development to minimise impacts on biodiversity and providing net gains where possible (para 180c). This is reiterated in Development Plan Policy CS12 which requires development to avoid, mitigate or compensate for any adverse impacts on biodiversity.

The LPA's Senior Ecologist raises no objection to the proposed development on the basis of its impact on protected species and site biodiversity subject to a condition ensuring that the development is carried out in accordance with the Bat Method Statement that accompanied the application.

The LPA has undertaken an appropriate assessment that has concluded that the development would not have any significant impact on [European] Protected Sites subject to the payment of the Green Infrastructure and Recreational Avoidance Mitigation Strategy (GIRAMS) fee in accordance with Development Plan Policy DM19. The Habitat Mitigation fee (£55) that was in place when the application was validated was paid on submission of the application. However, since this time GIRAMS has been adopted at £210.84 per dwelling. As such the shortfall of £311.68 has been paid by the applicant.

It is therefore considered that the development accords with the NPPF in general and specifically to paragraph 180c) of the NPPF and Development Plan Policies CS12 and DM19.

### **Crime and Disorder:**

There are no specific crime and disorder issues arising from the proposed development.

## **Other Material Considerations:**

*Drainage:* Very limited drainage information has been submitted. Although what has been submitted accords with the drainage hierarchy (surface water drainage via soakaway and foul water drainage via main sewer.) However, given the gradient of the land, and therefore potential for impact on neighbouring land downhill, it is considered, as was the case with the previous permission, that further drainage details should be secured by condition if permission is granted.

*Dark Skies:* SNP Policy E6 'Dark Skies' requires *Development proposals that include external lighting to minimise the extent of any light pollution that could be harmful to the dark skies that characterise this part of Norfolk.*

Therefore, if permission is granted, external lighting will be suitably conditioned.

## **Specific comments and issues:**

In relation to Parish Council and third-party representations not covered above your officers respond as follows:

- The driveway should be constructed of a solid permeable material to prevent dispersed shingle becoming a hazard to pedestrians and vehicles on the adjacent footpath and road – *the first 10 metres of the driveway has been conditioned and will ensure that shingle is not dispersed onto the highway.*
- Overdevelopment of the site – *the development is not considered to represent overdevelopment of the site.*
- Inaccurate plans - *this was addressed by the submission of amended plans.*
- Dwellings should not be 4-bed - *the dwellings are not 4-bed dwellings they are 3-bed dwellings.*
- Details of the refurbishment of Conifer Lodge have not been included - *Conifer Lodge does not form part of the proposal.*
- 'Flat top' dormers are not appropriate - *catslide dormers are considered appropriate for the locality and there is an example in the immediately vicinity of the site (to the north of Conifer Lodge)*
- Whilst dormers have been provided there has been no reduction in the ridge height and therefore the dwellings are not 1.5 storey dwellings – *the ridge height has been reduced by 1.2m.*

In relation to the conditions requested by the Community Safety and Neighbourhood Nuisance Team relating to site hours and the submission of a construction management plan, because the previous approval did not have such conditions, and nothing has changed in relation to the site or neighbouring uses, there is nothing to suggest these conditions are reasonable or necessary to make the current proposal, for essentially the same development, acceptable. Therefore, in this instance, the requested conditions have not been appended.

## **CONCLUSION:**

Paragraph 2 of the NPPF states that *Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.* This is reiterated in Paragraph 47 of the NPPG.

The development is for the erection of 2no, 3-bed dwellings within the development boundary of Sedgeford, a Rural Village where residential development of an appropriate



scale is to be supported in principle. The scale, mass, design and appearance of the dwellings is considered to relate adequately to the site and its wider setting and is sympathetic to existing built form and would not have a detrimental impact on the setting of the National Landscape or Conservation Area.

The dwelling can be appropriately conditioned to be retained as a Principal Residence.

The provision of the additional dwellings in this location, contrary to the Parish Council and third-party objections, is considered acceptable in terms of visual, neighbour, highway, and ecological issues and is in accordance with the NPPF in general and specifically to paragraphs 2, 47, 114b), 115, 123, 135a), b), c) and f), 136, 180 and 182. of the NPPF, Development Plan Policies CS01, CS02, CS08, CS11, CS12, DM1, DM2, DM15, DM17 and DM19 and Neighbourhood Plan Policies H3, H5, H8 and E6.

## **RECOMMENDATION:**

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

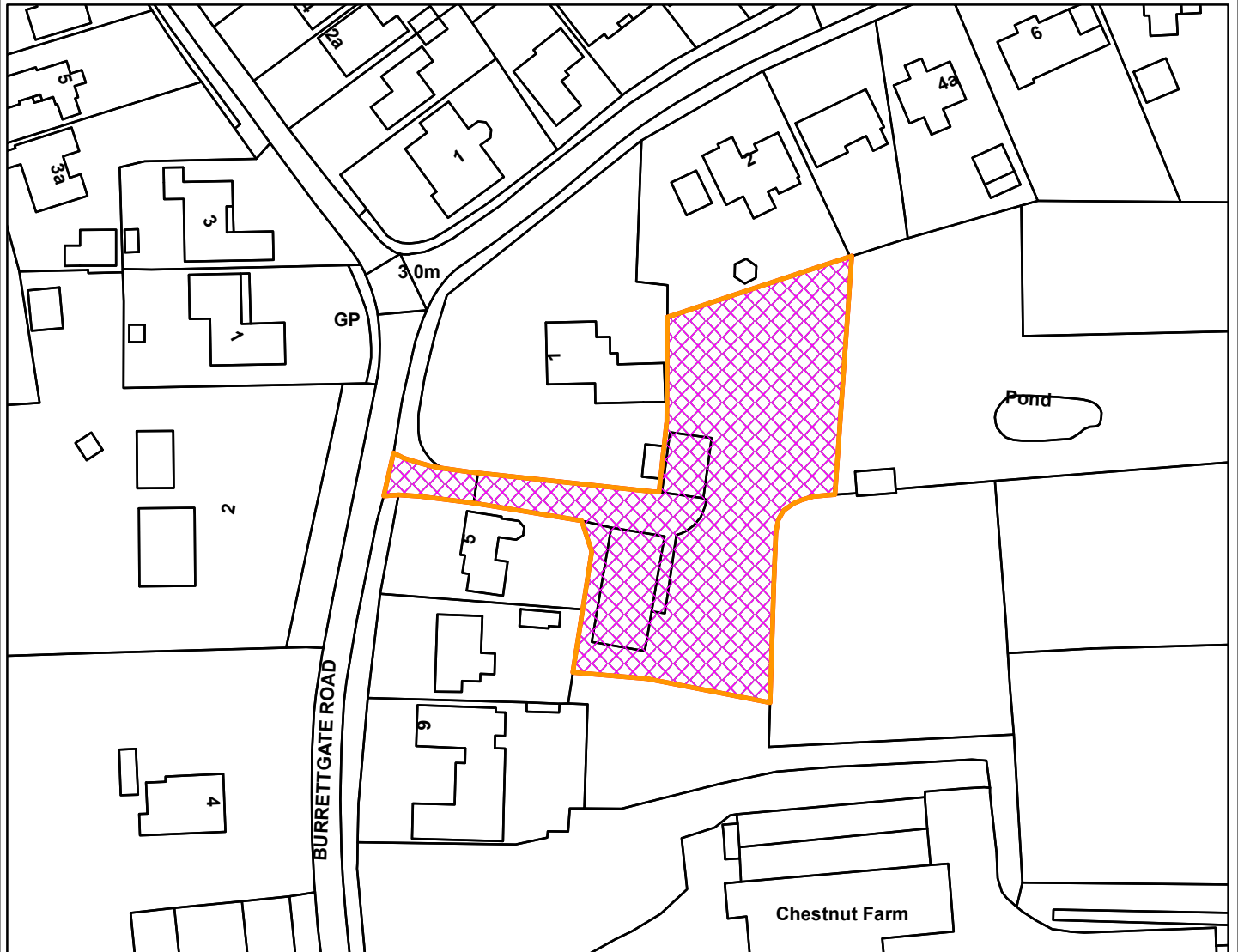
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos:  
  
D1.1-00045 dated 08/08/2022  
D2.3-00045 dated 05/08/2022  
D10.1-00045 dated 05/08/2022.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The dwellings hereby permitted shall not be occupied other than as a Principal Dwelling and shall at no time be used, purchased or occupied as a holiday let, buy-to-let or second home. A Principal Dwelling is defined as a dwelling that is occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home.
- 3 Reason To ensure the dwellings hereby permitted can only be occupied as Principal Dwellings in accordance with Policy H8 of the Neighbourhood Plan.
- 4 Condition Notwithstanding the details submitted or approved plans, no development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 4 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF and Development Plan Policies CS08 and CS12. 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.

- 5 Condition Notwithstanding the details submitted in the Tree Protection Plan and Method Statement by C Y Yardley Landscape Survey and Design LLP dated December 2023, prior to the commencement of the development hereby permitted, a dimensioned Tree Protection Plan (section 6.2 of BS5837:2012) shall be submitted to and approved by the Local Planning Authority. The Tree Protection Plan shall include locations of tree protection barrier and ground protection offsets dimensioned from existing fixed points on the site to enable accurate setting out, which is missing from the submitted Tree Protection Plan. All tree protection measures including facilitation pruning, tree protective fencing, and ground protection, shall be implemented in strict accordance with the approved Tree protection Plan and Method Statement by C Y Yardley Landscape Survey and Design LLP dated December 2023.
  
- 5 Reason To avoid harm to existing trees that enhance the general amenity of the area in which the development is located in accordance with the NPPF and Development Plan Policies CS08 and DM15.
  
- 6 Condition Prior to the first occupation of either dwelling hereby permitted the vehicular access shown on drawing no:D1.1-00045 dated 08/08/2022 shall be upgraded / widened to a minimum width of 4.5 metres in accordance with the Norfolk County Council residential access construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
  
- 6 Reason In the interest of highway safety and traffic movement in accordance with the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy H3.
  
- 7 Condition The gradient of the vehicular access shall not exceed 1:12 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway.
  
- 7 Reason In the interests of the safety of persons using the access and users of the Highway in accordance with the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy H3.
  
- 8 Condition Prior to the first occupation of either dwelling hereby permitted a 2.4-metre-wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
  
- 8 Reason In the interest of highway safety in accordance with the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy H3.
  
- 9 Condition Prior to the first occupation of either dwelling hereby permitted the proposed on-site access, car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use for that specific dwelling.
  
- 9 Reason To ensure the permanent availability of the parking / maneuvering area, in the interests of highway safety in accordance with the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy H3.

- 10 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 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 or 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.
- 10 Reason In the interests of highway safety in accordance with the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy H3.
- 11 Condition No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 11 Reason To ensure a satisfactory external appearance and grouping of materials in the interests of visually amenity in accordance with the NPPF, Development Plan Policies CS08 and DM15 and Neighbourhood Plan Policy H3.
- 12 Condition Prior to the installation of any external lighting associated with the development hereby permitted, a detailed wildlife sensitive outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 12 Reason In the interests of the amenity of the locality in accordance with the NPPF, Development Plan Policies CS12 and DM15 and Neighbourhood Plan Policy E6.
- 13 Condition The development hereby permitted shall be carried out in accordance with the Bat Method Statement that accompanied the application (Ref: P2023-44 R1, prepared by Philip Parker Associates Ltd, dated 27th July 2023.)
- 13 Reason In the interests of ecology in accordance with the NPPF and Development Plan Policy CS12.
- 14 Condition Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 14 Reason In the interests of the amenity of the locality in accordance with the NPPF, Development Plan Policy DM15 and Neighbourhood Plan Policy H3.



The Barn 3 Burrettgate Road Walsoken PE14 7BN



**Legend**

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**Scale:** 1:1,250

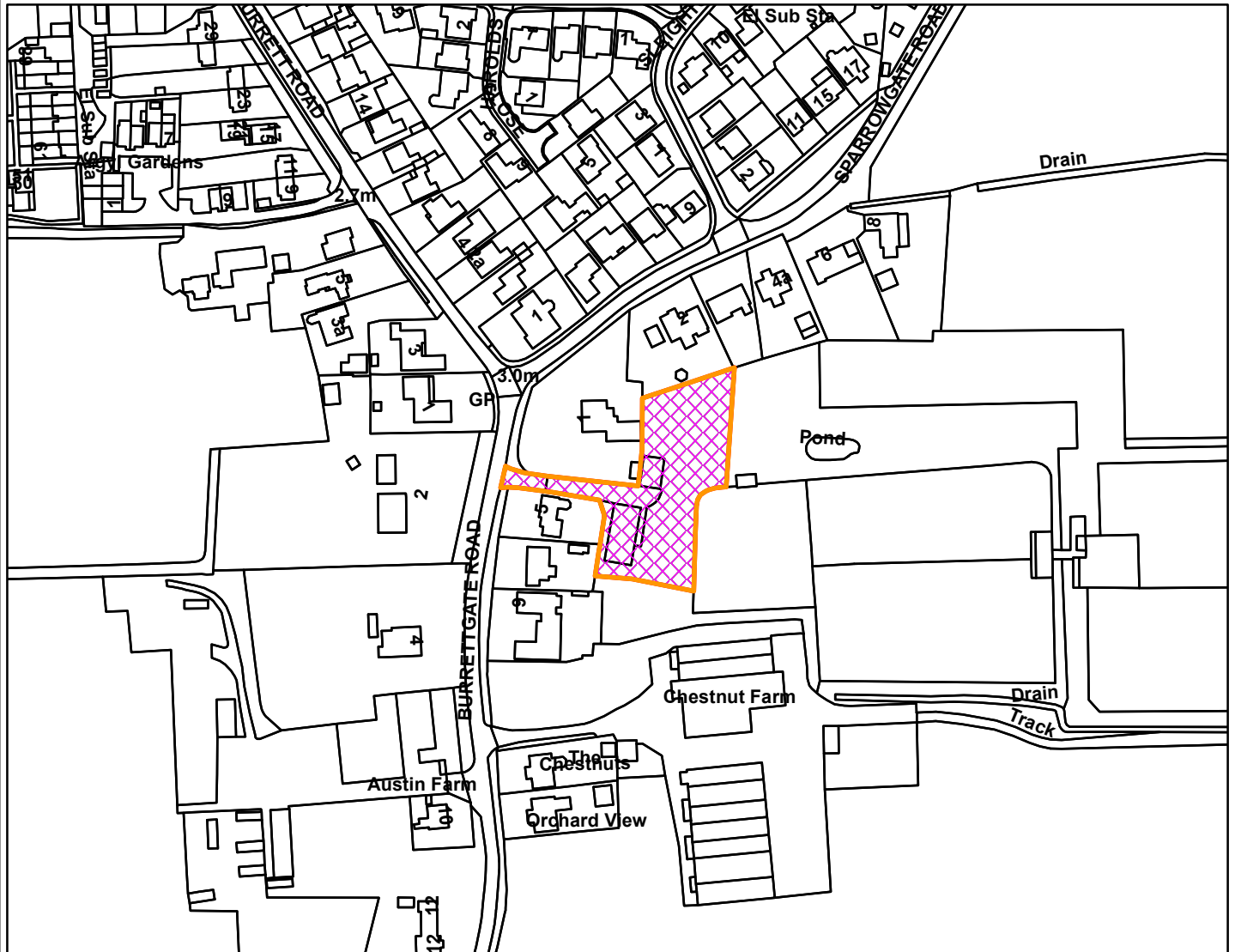
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Organisation	BCKLWN
Department	Department
Comments	
Date	23/01/2024
MSA Number	0100024314



The Barn 3 Burrettgate Road Walsoken PE14 7BN



**Legend**

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**Scale:** 1:2,500

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Organisation	BCKLWN
Department	Department
Comments	
Date	23/01/2024
MSA Number	0100024314

**AGENDA ITEM NO. 9/1(b)**

<b>Parish:</b>	<b>Walsoken</b>	
<b>Proposal:</b>	<b>Erection of 2 dwellings involving demolition of existing barns</b>	
<b>Location:</b>	<b>The Barn 3 Burrettgate Road Walsoken Norfolk PE14 7BN</b>	
<b>Applicant:</b>	<b>Mr S McCurry</b>	
<b>Case No:</b>	<b>23/01743/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 8 December 2023 Extension of Time Expiry Date: 8 March 2024</b>

**Reason for Referral to Planning Committee** – Called in for determination by the Planning Committee at the request of Cllr Richard Blunt.

**Neighbourhood Plan:** No

**Case Summary**

This is an irregular shaped site, covering approx. 0.3ha of land to the east of frontage development on Burrettgate Road and south of that onto Sparrowgate Road in Walsoken.

There is an existing access off Burrettgate Road between Nos. 1 & 5 serving the site. It presently contains a sizeable (247m<sup>2</sup>) brick and slate single storey barn on Plot 1 (southern-most) and a smaller (96.5m<sup>2</sup>) timber barn on Plot 2 (northern-most).

The access to the site lies within the defined development area of the village, however the majority of the site lies in 'countryside'.

Permission has historically been granted (initially under the prior notification procedure for permitted development) for change of use of two barns into dwellings (19/01979/PACU3) and subsequently the 'fall-back' position justifying the development of two new dwellings (21/02377/F) with footprints of 247m<sup>2</sup> and 94.6m<sup>2</sup> respectively.

This application seeks to change the design of the proposed dwelling on Plot 1.

**Key Issues**

Principle of development  
Design, appearance and impact upon character of the countryside  
Impact upon adjoining properties  
Any other material considerations

**Recommendation**

**REFUSE**

## **THE APPLICATION**

This application effectively seeks to amend the design of the dwelling on Plot 1 of two plots previously approved on this site.

Two new dwellings were granted under application ref: 21/02377/F following demolition of the existing two agricultural barns with earlier prior notification approval (ref: 19/01979/PACU3) to convert into two dwellings.

Plot 2 (northern-most) is a modest two bedroomed single storey dwelling of rustic character, sited between 18.3m and 19.7m away from the common boundary with The Limes/No.1 Burrettgate Road, and is identical to that already approved under application ref: 21/02377/F.

The most significant change applies to the proposed new dwelling on Plot 1 (southern-most). The replacement dwelling approved under application 21/02377/F on this plot was a substantial three bedroomed single storey dwelling once again with rustic features in brick and slate construction. It was of the same footprint and proportions as the existing barn on the site but positioned between 15m and 17.5m away from the common boundary with Nos. 5 & 7 Burrettgate Road.

This is now proposed to be a four double bedroomed two-storey dwelling with a H-form footprint. There are two double pitched elements east-west aligned with a connecting north-south link. Double gables are therefore presented to the east and west, plus two balconies at first floor level facing east. It is a contemporary design with brick ground floor, vertical timber cladding at first floor and metal sheet roofing.

## **SUPPORTING CASE**

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

“Policy DM2 of the Site Allocations and Development Management Policies Plan (SADMPP) states that development will be permitted inside of development boundaries. Outside of these boundaries will be considered as countryside where development will be more restricted.

The site lies part inside/part outside of the development boundary for Walsoken, with the access being positioned inside and the dwellings being positioned outside of the defined boundary. However, the proposal will replace the two barns which benefit from planning permission for demolition and rebuild into two new dwellings under reference 21/02377/F. This permission has been implemented as has been confirmed by CNC Building Control. Accordingly there is extant planning permission for the erection of two new dwellings on this site which constitutes a fallback position for the site and a material planning consideration. The principle of the development is therefore established.

Under 21/02377/F, the replacement dwellings would be positioned further back within the site to provide for a better relationship with the existing dwellings to the east. The current application proposes to replicate the siting of the dwellings in 21/02377/F. Plot 2, which is the northernmost plot, will remain as approved and there will be a redesign of Plot 1.

Plot 1 is a bespoke design which meets the specific aspirations of the applicant. It remains of an agricultural-type character, paying homage to the original building and the setting beyond the site. The dwelling is a contemporary, executive property which will address the

ever-changing lifestyle needs of the applicant, complying with the aspirations of the National Design Guide.

It is submitted that the dwellings are of sufficient distance from the rear boundaries of the properties to the west so to not cause any harm to their residential amenities by reasons of overlooking or overshadowing. The existing landscaping and hard boundary treatments on the western boundary will protect the rear garden areas of the dwellings along Burrettgate Road.

The proposal would result in a high quality, beautiful and sustainable building which is promoted by paragraph 131 of the NPPF and there are no technical objections to the development. It is therefore respectfully requested that planning permission is granted.”

## **PLANNING HISTORY**

21/02377/F: Application Permitted: 30/11/22 - Erection of 2 x single storey dwellings involving the demolition of the existing barns on site (Delegated decision)

19/01979/PACU3: Prior Approval - Approved: 13/01/20 - Prior Notification: Change of use of agricultural buildings to two dwelling houses (Delegated decision)

2/99/0185/O: Application Refused: 20/04/99 - Site for construction of dwellinghouse (Delegated decision)

## **RESPONSE TO CONSULTATION**

**Parish Council:** The Parish Council would like to defer the decision on this application to the Planning Officer.

**Local Highway Authority (NCC): NO OBJECTION** subject to condition to implement access, parking and turning provisions prior to occupancy.

**King’s Lynn Internal Drainage Board: NO OBJECTION** advice offered on Byelaw issues.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** – suggest condition regarding unexpected contamination.

## **REPRESENTATIONS**

**SIX** items of correspondence received raising **OBJECTION** on the following summarised grounds:

- Surface water flooding
- Overlooking properties on Burrettgate Road
- Proximity of Plot 1 to Burrettgate Road properties
- Disposal of asbestos containing material
- Septic tank connection issue
- Breach of covenants attached to the sale of the land
- Size of building far exceeds that which was approved
- Devaluation of adjoining property
- Future developments



**Cllr Richard Blunt:** Requests that the application is called in for determination by the Planning Committee.

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM5** – Enlargement or Replacement of Dwellings in the Countryside

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **PLANNING CONSIDERATIONS**

The main considerations in determining this application are as follows:

- Principle of development
- Design, appearance and impact upon character of the countryside
- Impact upon adjoining properties
- Any other material considerations

### **Principle of development**

The land use principle for the development of two dwellings on this site has already been established by previous planning applications (refs: 19/01979/PACU3 & 21/02377/F). The latter of which has been commenced and is extant.

This matter must turn on points of detailed analysis. Officers note case law (*Mansell vs Tonbridge and Malling Borough Council [2017]*); that enables a “fall-back” position for replacement permission for dwellings under an extant “Part Q” Permitted Development permission. In this case, this amounts to a decision as to whether:

*“a more comprehensive and coherent redevelopment of the site as opposed to a more piecemeal form of development that would arise should the applicant seek to undertake to implement permitted development rights”.*

Furthermore, whether the proposals under this application are in fact an acceptable fallback position as judged against the extant planning permission 21/02377/F for the replacement dwelling at Plot 1.

This proposal therefore revolves around the proposed amended design for the dwelling on Plot 1.

### **Design, appearance and impact upon character of the countryside**

The key Development Plan policies involved in assessing this application are as follows:

Policy CS06 – Development in Rural Areas: which seeks inter alia to “...maintain local character and a high-quality environment...” and “...in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty...”

Policy CS08 – Sustainable Development: which 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:

...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...” and “...achieve high standards of sustainable design.”

Policy DM 5 – Enlargement or Replacement of Dwellings in the Countryside also applies to this proposal which states as follows:

“Proposals for replacement dwellings or extensions to existing dwellings will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused.”

As indicated above, the dwelling on Plot 1, approved and commenced under application ref: 21/02377/F, was single storey with eaves at 3m and ridge at 6.8m, and a floor plan of some 247m<sup>2</sup>.

The dwelling now proposed is two-storey with eaves at 5m and principal ridges at 7.9m. The floor plan comprises some 505m<sup>2</sup> (including balconies), so the accommodation has effectively doubled in size. The ground floor comprises an integral garage, entrance hall, utility, three bedrooms plus a study. The first floor comprises a bedroom, living room, living/kitchen/dining room plus two east-facing balconies.

The siting of the dwelling has moved closer to the common boundaries with Nos. 5 & 7 Burrettgate Road (11-13m accordingly).

The design of the new dwelling is of a contemporary style with large, glazed gables and windows facing east and west. Its size, proportions, form and over-fenestration do not portray a rustic building; it therefore fails to reflect the scale and character of the building it seeks to replace and its surroundings.

The site is somewhat screened by the frontage development of detached houses on Burrettgate Road to the west and Sparrowgate Road to the north and there are large agricultural storage buildings to the south; the remainder of the land in the applicant's ownership lies to the east with the A47 beyond.

There would be glimpsed views of Plot 1 between existing buildings along Burrettgate Road and potentially at some distance from the east. The building would therefore be visible from public areas and have an impact upon its rural setting.

With regards to the dwelling on Plot 2, this has not changed so the impact of that particular unit is considered to be acceptable.

The design and appearance of the proposed dwelling on Plot 1 is however considered to be significantly larger than that already/previously approved and its design and appearance is out of context with the locality. The proposal therefore conflicts with Policies CS06, CS08 & DM5 of the Development Plan.

### **Impact upon adjoining properties**

As stated above, the accommodation is such that bedrooms are mostly at ground floor level and active rooms are at first floor level. The siting of the dwelling is closer to the common boundaries with Nos. 5 & 7 Burrettgate Road (11-13m away respectively) than the earlier consent (15-17.5 metres). The large west-facing glazed gables with full height fenestration, especially that serving the lounge/kitchen/dining room, is likely to give rise to overlooking of those neighbouring properties to the immediate west.

Whilst objections have been made on the grounds of loss of views, there is no private right to view across third party land. There would also be adequate separation distance to negate concerns regarding overbearing and overshadowing implications.

The large, glazed gables combined with other fenestration are likely to create light pollution which would adversely affect the adjoining properties specifically and the locality generally.

The proposal therefore fails to comply with Policy DM15 of the Development Plan.

### **Any other material considerations:**

Access already exists off Burrettgate Road and has no issues, subject to condition recommended by the Local Highway Authority to provide on-site parking and turning areas prior to occupancy.

All other technical matters are capable of being secured via condition and there are no objections from technical consultees including the IDB.

Asbestos-containing material disposal is covered under separate legislation and is not therefore a planning matter.

Connection to a neighbour's septic tank and breach of covenants attached to the sale of the land are civil issues rather than planning matters.

The effect of development, albeit up or down, upon the valuation of adjoining property is not a planning consideration.

Any future developments would be subjected to further planning applications which would be considered on their merits.

## CONCLUSION

The proposed dwelling on Plot 1 is considered to be significantly larger than that already/previously approved and its design and appearance is out of context with its countryside setting. The large west-facing glazed gables with full height fenestration, especially that serving the lounge/kitchen/dining room, is likely to give rise to overlooking of those neighbouring properties to the immediate west. The over-fenestration is also likely to create light pollution which would adversely affect the adjoining properties specifically and the locality generally.

On this basis then officers are minded that these proposals are not an acceptable fall-back as set against the extant permission 21/02377/F. Furthermore, the current proposals were informally tabled during processing of 21/02377/F and considered against the earlier "Part Q" permission. Officers considered that the proposals did not represent a more comprehensive and coherent redevelopment of the site as opposed to the "Part Q" consent and the design was rejected resulting in the single storey replacement being negotiated and approved under 21/02377/F.

The proposal therefore fails to accord with the provisions of the NPPF, Policies CS06 & CS08 of the Core Strategy (2011) and Policies DM5 & DM15 of the SADMPP (2016). It is duly recommended for refusal for the reason stated below.

There is a 'fall-back' position in that the earlier permission granted under ref: 21/02377/F can be developed/completed, officers contend that this earlier position is policy compliant and preferable to the unacceptable harm created under the current proposals.

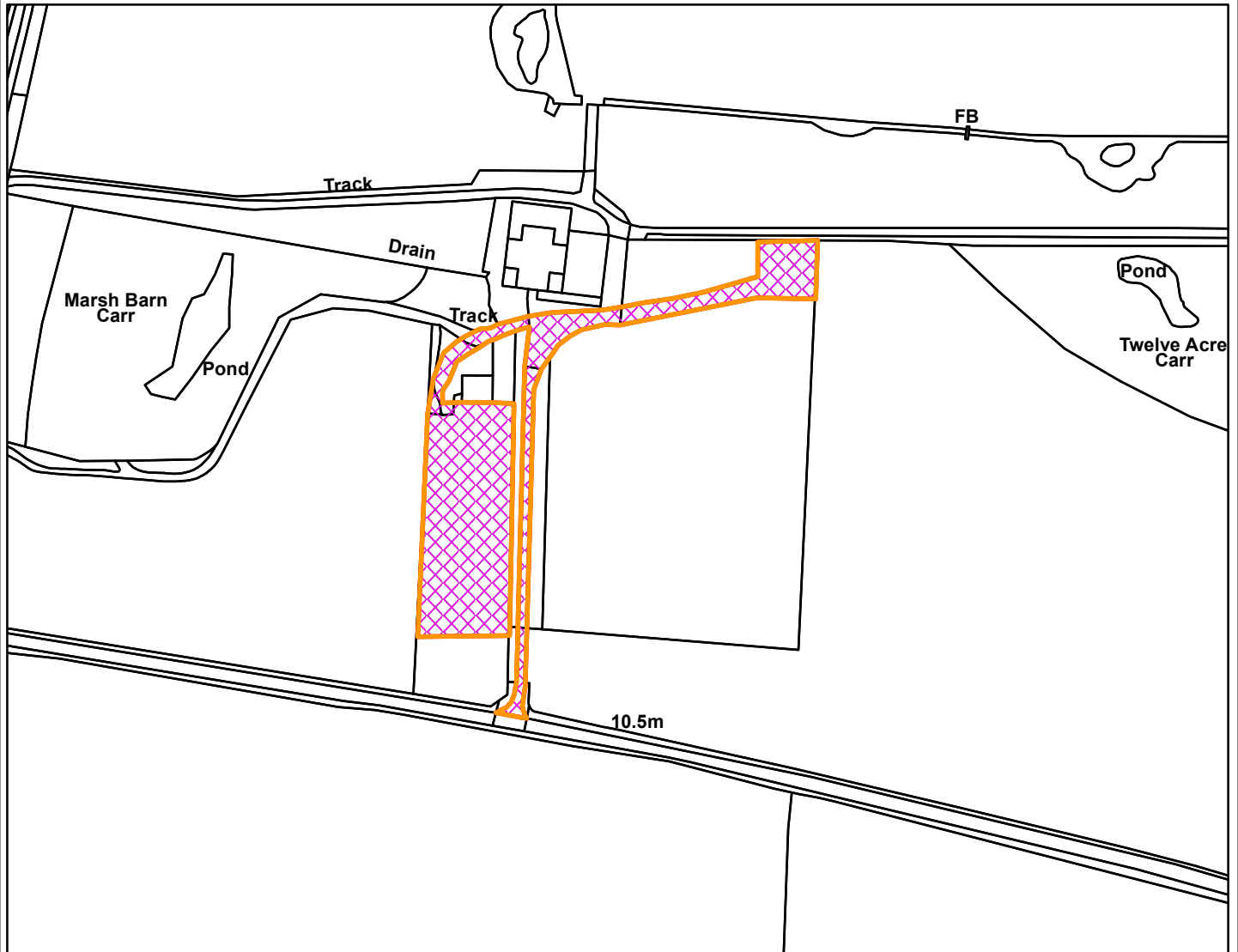
## RECOMMENDATION:

**REFUSE** for the following reason(s):

- 1 The proposed dwelling on Plot 1 is considered to be significantly larger than that already/previously approved and its design and appearance is out of context with its countryside setting. The proposal therefore conflicts with Policies CS06 & CS08 of the Core Strategy (2011) and Policy DM5 of the SADMPP (2016).
- 2 The large west-facing glazed gables with full height fenestration, especially that serving the lounge/kitchen/dining room, is likely to give rise to overlooking of those neighbouring residential properties to the immediate west to the detriment of residential amenity. Also, the large, glazed gables combined with other fenestration are likely to create light pollution which would adversely affect those adjoining properties specifically and the locality generally. The proposal therefore fails to comply with Policy DM15 of the SADMPP (2016).



Marsh Farm Main Road Burnham Deepdale PE31 8DD



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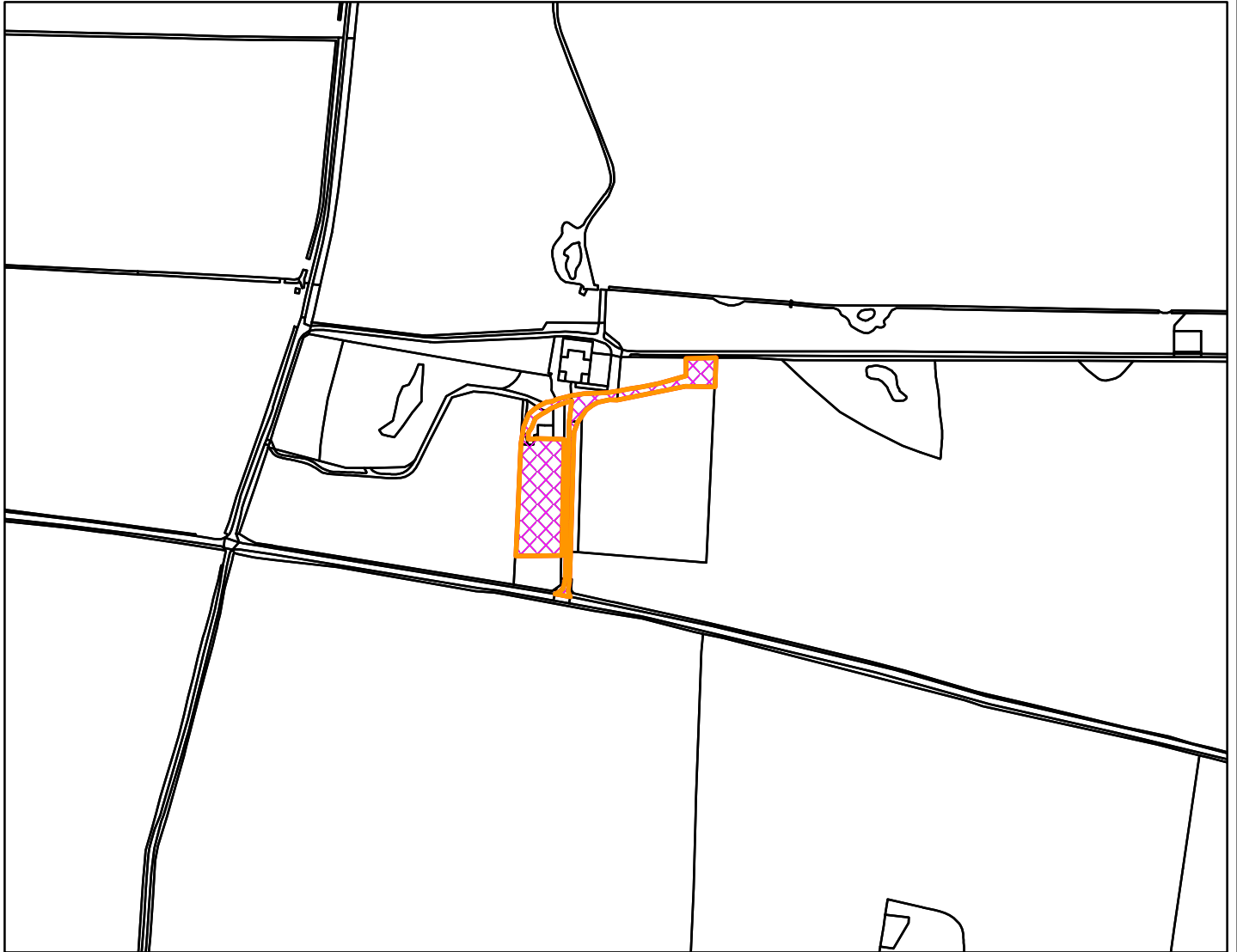
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Marsh Farm Main Road Burnham Deepdale PE31 8DD



**Legend**

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Organisation	BCKLWN
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Comments	
Date	21/02/2024
MSA Number	0100024314

**AGENDA ITEM NO: 9/2(a)**

<b>Parish:</b>	<b>Brancaster</b>	
<b>Proposal:</b>	<b>Conservation project including change of use of existing aviary, new aviaries and associated dwelling for warden/conservation officer</b>	
<b>Location:</b>	<b>Marsh Farm Main Road Burnham Deepdale Norfolk PE31 8DD</b>	
<b>Applicant:</b>	<b>Mr Andrew Crean</b>	
<b>Case No:</b>	<b>23/00739/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 29 May 2023 Extension of Time Expiry Date: 23 November 2023</b>

**Reason for Referral to Planning Committee** – Deferred at Planning Committee on November 16<sup>th</sup> 2023.

**Neighbourhood Plan:** Yes

**Members Update:**

The application was deferred from 16th November Planning Committee to enable discussions to take place with the Local Highway Authority and the Applicant in regards to the safety of the access and required visibility splays, and to clarify the justification for the new dwelling under Policy DM6.

The applicant has provided an amended plan which shows improvements to the visibility splays and access point.

The Agent has also provided an additional document outlining further justification for the proposed dwelling.

Updated sections of the report are in bold.

**Case Summary**

The application seeks full planning permission for the construction of a permanent bungalow and the creation of aviaries in connection with a Conservation Project at Marsh Farm, Burnham Deepdale. The application relates to a conservation project to re-introduce Ruff, a wading bird which is otherwise practically extinct in the UK. The application comprises a change of use of existing aviary and provision of new aviaries together with residential accommodation for a warden/conservation officer, which are all noted by the Agent to be integral to the project.

The site lies to the north of Main Road, Burnham Deepdale and is within the Norfolk Coast National Landscape.

The application site is bounded to the north and east by the North Norfolk Coast SSSI and the Holkham National Nature Reserve (NNRS) and Scolt Head National Nature Reserve (NNR) the north.

### **Key Issues**

Principle of development  
Need for rural workers dwelling  
Highway Safety  
Form and Character  
Habitat Regulations Assessment  
Flood Risk  
Other material considerations

### **Recommendation**

**REFUSE**

## **THE APPLICATION**

The application seeks full planning permission for the construction of a permanent bungalow and the creation of aviaries in connection with a Conservation Project at Marsh Farm, Burnham Deepdale. The application relates to a conservation project to re-introduce Ruff, a wading bird which is otherwise practically extinct in the UK. The application comprises a change of use of existing aviary and provision of new aviaries together with residential accommodation for a warden/conservation officer, which are all noted by the Agent to be integral to the project.

The site lies to the north of Main Road, Burnham Deepdale and is within the Norfolk Coast National Landscape.

The application site is bounded to the north and east by the North Norfolk Coast SSSI and the Holkham National Nature Reserve (NNRS) and Scolt Head National Nature Reserve (NNR) the north.

The proposed bungalow is intended to be utilised to house a warden/conservation officer to provide 24-hour care and security for the welfare of birds and to facilitate ongoing scientific research.

The existing aviary on site, positioned to the south of the proposed bungalow will be utilised as a breeding aviary and incorporated into the project. A series of new aviaries are also proposed to be constructed both further south towards Main Road and release aviaries positioned to the east of the existing dwelling on site.

## **SUPPORTING CASE**

The following supporting statement was provided by the Agent.

‘Sustainability: This is not an entirely new project, commencing with landscape recovery since 2007 (a pre-cursor to other projects in the area such as Ken Hill), together with the small-scale reintroduction of wader birds ongoing alongside, this reintroduction of Ruff is



now to be intensified, such that the project now demands a staff presence around the clock for the Ruff reintroduction. Hence the application including accommodation requirement.

With the history thus far, there is no reason to believe the project will not be sustained.

Trials are already ongoing for introduction of other species such as Black-tailed Godwit, so the on need is not going to decrease - it is long-term.

Proposed accommodation: Accommodation is for one permanent full-time member of staff (warden), together with occasional visiting staff including specialist researchers. Hence the second bedroom.

Highland Cattle: The cattle are linked to the conservation project, providing habitat management. Highland chosen to deliver our conservation objectives in terms of sward for breeding waders etc.

They are also a commercial element of the farm; beef being sold via local butchers to local restaurants. All income from the cattle operation is recycled into the conservation project.

The cattle will benefit from an on-site presence, though the current scale of the herd alone may not fully financially support the dwelling.

Existing Dwelling: As above, utilising welfare only accommodation on site would require additional staff to operate a shift system, which is not sustainable. The existing dwelling is not suitable to provide additional self-contained permanent accommodation for a warden, in the same way that a farmhouse would not be considered suitable to provide accommodation for the farmer and their essential farm workers.

Sustainable Funding: The conservation project, like all conservation projects is not self-funding, the applicant is committed to continual funding of the project as they have for the last 15+ years.

For additional reassurance it is expected that any approval will have an appropriate condition restricting the dwelling to ongoing management and use of the land.

## **PLANNING HISTORY**

22/01977/F: Application Withdrawn: 21/03/23 - Conservation Project including change of use of existing aviary, New aviaries and associated dwelling for warden/conservation officer - Marsh Farm

19/00314/F: Application Permitted: 05/04/19 - Extension to dwelling house - Marsh Barn – Delegated Decision

18/02141/AG: Consent Not Required: 21/12/18 - Agricultural Prior Notification: Proposed aviary for chickens, turkeys, ducks and geese - Marsh Farm – Delegated Decision

12/01915/F: Application Permitted: 18/01/13 - Extension to dwelling house - Marsh Barn Main Road – Delegated Decision

11/00325/AG: Consent Not Required: 28/04/11 - Agricultural Prior Notification - Erection of tractor shed/farm workshop/farm & machinery store - Deepdale Marsh Farm – Delegated Decision

08/00471/F: Application Permitted: 23/05/08 - Conversion of barn to residential dwelling - Marsh Barn – Delegated Decision

07/00507/F: Application Permitted: 23/07/07 - Change of use of barn to residential dwelling - Marsh Barn – Delegated Decision

## RESPONSE TO CONSULTATION

Parish Council: **NO OBJECTION**

Highways Authority: **NO OBJECTION TO AMENDED VISIBILITY PLANS**, stating the following comments:

‘Thank you for the revised consultation received relating to the above development proposal, which provides an improved access and visibility arrangement, which addresses my reasoning for refusal.

Whilst the site’s location raises some transport sustainability concerns given its location and the lack of any pedestrian facilities, leaving its occupants reliant upon the private car to access essential goods and services, this would not warrant any highway objection and I would leave this for your consideration.’  
Recommended various conditions controlling the upgrading of the access.

Ecology: **NO OBJECTION** provided guidance as to the adoption of the HRA.

Emergency Planner: **NO OBJECTION** recommended the occupiers sign up to the flood warning system.

Natural England: **NO OBJECTION** provided advice relating to GIRAMs and recreational impacts and the need for an appropriate assessment.

Environmental Health & Housing - Environmental Quality: **NO OBJECTION**

Environment Agency: **NO OBJECTION** in principle, providing advice in relation to future flood risk and proposed floor levels.

## REPRESENTATIONS

**ONE** Letter of **SUPPORT**, the comments summarised as follows:

- \*The access track, prior to 2009 was used to access barns storing farm machinery
- \*The marsh is a wildlife haven well known for rare birds
- \*Dwelling is needed for site warden to live on site
- \*Suggestion of alternative mobile home to prevent dwelling being sold separately
- \*The proposed use would decrease traffic movements from the warden
- \*Access 150 yards west could be used as alternative
- \*Other houses in the area have poor access safety

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS07** - Development in Coastal Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

## **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

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy 2** - Design, Style and Materials

**Policy 3** - Footprint for New and Redeveloped Dwellings

**Policy 4** - Parking Provision

**Policy 10** - Protection and Enhancement of the Natural Environment and Landscape

**Policy 1** - Appropriate Housing

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

## **PLANNING CONSIDERATIONS**

**The main considerations are:**

- \*Principle of development
- \*Need for rural workers dwelling
- \*Highway Safety
- \*Form and Character
- \*Habitat Regulations Assessment
- \*Flood Risk
- \*Other material considerations

### **Principle of Development:**

Burnham Deepdale, alongside Brancaster and Brancaster Staithe is categorised as a Key Rural Service Centre within Policy CS02 of the Core Strategy (2011). However, the

application site is outside of any development boundary and within the wider countryside for the purposes of planning policy. Whilst the site cannot be considered isolated due to its proximity to the existing dwelling and farm building to the north, the location is rural in character and remote from local services and facilities.

The provision of aviaries for the conservation project is considered to accord with the aims of the NPPF in regards to biodiversity and is acceptable in principle.

The site is some 600m east of the built extent of Burnham Deepdale and accessed via the A149 (Main Road) which is categorised as part of the Strategic Road Network in DM12 due to its propensity to carry significant levels of traffic along the coast.

The application site is within the Brancaster Neighbourhood Plan Area however the Neighbourhood Plan is silent in terms of the principle of rural workers dwellings and the Borough Council's policies therefore take precedent in this instance.

Policy DM2 of the SADMPP sets out that new development within the countryside will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan.

Policy DM6 applies where there is an identified need to provide housing for a rural worker. For the purposes of Policy DM6 and the NPPF, a rural worker is defined as someone who is needed to live permanently in the countryside and to provide vital support to an agricultural, forestry or other enterprise which supports the rural economy and environment, and on or in close proximity to that enterprise; and where neither the worker nor the enterprise can be located in a designated settlement. A warden/conservation officer for the conservation project is considered to meet this definition in principle, however the identified need for a dwelling in this position is discussed in full below.

### **Need for rural workers dwelling**

Policy DM6 states the following in relation to applications for new occupational dwellings:

#### **'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.

#### **Permanent occupational dwellings**

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

### **Temporary occupational dwellings**

**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.'**

**Whilst a conservation project has been operating at Marsh Farm for in excess of 15 years, the Ruff project – which provides the proposed justification for the rural worker's dwelling is new.**

**As per Policy DM6 above, where a new dwelling is deemed essential to support a new rural based activity (in this case the Ruffs breeding programme), it should normally for the first three years, be provided by a caravan, or other temporary accommodation.**

**The Agent has consistently declined the opportunity to consider the provision of a temporary residential unit (Caravan or otherwise) to provide accommodation needs whilst the Ruff project continues to expand.**

**It is the LPA's opinion that a temporary dwelling could provide the accommodation needs for the project until such a time as it is proven to be viable long term and that a permanent presence in addition to the existing dwelling on site is proven necessary.**

### *3a – Clearly Established Functional Need*

The Ruff is classified in the UK as Red under the Birds of Conservation Concern 4: the Red List for Birds (2015). Protected in the UK under the Wildlife and Countryside Act, 1981. It breeds in a very few lowland sites in eastern England and the Project has been created as it appears that numbers are dropping, with a UK breeding population of 0-11 females (RSPB). Wintering population of 820 birds.

The proposed bungalow is intended to be utilised to house a warden/conservation officer to provide 24-hour care and security for the welfare of birds and to facilitate ongoing scientific research.

It is clear that the Applicant has operated/overseen some form of conservation project at Deepdale Marsh (the application site) for over 15 years however, the introduction of Ruffs and the breeding and reintroduction of the species to the land is a new enterprise. Whilst the Applicant's previous history with rewilding/habitat management projects across the marsh indicate some intention for the enterprise to be sustainable. There is limited information available to ascertain whether this new Ruffs conservation project is capable of being sustained.

The accommodation element of the proposal is stated to be required for both permanent on-site site management and conservation staff and scientists carrying out ongoing research. The dwelling would be occupied by a full-time warden and would provide a further bedroom for visiting researchers etc.

The supporting information also notes biosecurity reasons for an onsite presence, as a reduction in movements to/from site could minimise potential for bringing disease into the project site. Biosecurity measures are noted however other mechanisms are in place to prevent spreading of disease or other contamination on such sites. **Additional information provided further details the need for monitoring of power systems, night monitoring of the marsh for wild breeding activities, pest control monitoring, and monitoring for trespassing or break-ins. No information has been provided to explain why the existing dwelling is not capable of monitoring these needs.**

The planning statement supplied references the site conservation manager being responsible for highland cattle on the marsh. **Additional information provided following the previous deferral outlines that there are currently 40 head of cattle on the wider site maximum (varying throughout the year). Currently there are around 12 calves per year and this is stated to be likely to increase, although no clear plans have been provided. The Agent's supporting statement agrees that the cattle alone would not justify a dwelling in this position.**

**Only very limited information has been provided to outline why other monitoring/automated systems are inappropriate. The newly submitted justification document outlines that the automated systems and water supply rely on constant power supply, any backup generator would need to be connected manually.** The occupation of the dwelling by a conservation warden full time has not been justified through provision of information to demonstrate why such a project could not operate on a shift-based system. Similarly, no information has been provided as to why researchers could not travel to/from site or operate from a welfare block/office type building which would not require permanent provision of a new dwelling.

### *3b – Existing Dwellings within the locality*

The Applicant owns the existing dwelling on site which is well-positioned to provide support for the aviaries without requiring a new permanent self-contained dwelling. The only justification provided by the Agent in this regard is that it would be 'unreasonable' to expect workers to share this accommodation, however the LPA suggests that ancillary accommodation or a welfare unit without permanent sleeping provision could be accompanied within or around the existing curtilage of this dwelling and could be considered to comply with other relevant policies.

Existing plans provided to the council under a separate application in 2019 showed the existing three-bedroom dwelling, with separate 'bunk room' outbuilding and playroom outbuilding and its established curtilage to the east, and the land around the house is considered likely able to accommodate a temporary annex building or similar which would not require the construction of a permanent new dwelling.

### *3c & 3d – Financial Viability*

The applicant has not provided any financial information to demonstrate financial viability of the conservation projection going forward – the supporting information states that the project is driven by conservation rather than a commercial reward, and it is the cattle farming element which has a financial benefit. **A statement was provided by the Applicant which**

**outlines that the Applicant has sufficient private funding sources to continue the use, but this would not necessarily be a self-sustaining enterprise.**

As noted above, very limited information has been provided to ascertain how a dwelling is necessary for the cattle farming on site. **The current number of cattle on site, considering the existing dwelling available, would not justify an entirely new dwelling for that purpose.**

**The need for the enterprise to be viable long-term particularly important given the nature of this consent seeks the permanent construction of a new dwelling rather than a temporary unit whilst this information comes forward.**

**The Applicants have declined the opportunity to consider the provision of a temporary caravan (or other temporary removable structure) which could provide the accommodation needs throughout the beginning stages of the project until the project is proven to be viable long term.**

**As a whole, the LPA do not consider that the application has been supported by sufficient information to demonstrate an essential functional need for a permanent new dwelling on site. Without adequate justification being provided, the application for a new dwelling is at odds with Policies CS01, CS02, CS08 of the Core Strategy (2011), Policies DM2 and DM6 of the SADMPP (2016).**

#### **Highway Safety:**

The application site does not **currently** benefit from adequate visibility splays due to high banks and vegetation allowing only negligible views westwards. The provision of a dwelling which has not been justified in policy terms would lead to an increase in vehicle movements from this access directly onto the A149 which has substandard levels of visibility.

The required level of visibility against the predicted 85th percentile speed requires the provision of 215m visibility splays in each direction. The Highway Officer confirmed via a site visit that the site can only demonstrate 15m visibility westwards and 50m eastwards.

The development as proposed would engender an 100% increase in vehicle activity via this access, comprising 6 daily movements per residential dwelling (TRiCS Database) resulting in an increase from 6 to 12 daily movements.

**Since the discussion at the previous Planning Committee, the Case Officer, the Agent and the Local Highway Authority officer have attended a site meeting to discuss the highway implications of the development, and an amended plan has been received which provides for improvements to the access and allows sufficient visibility to be created to the west of the access. The Applicant controls sufficient land in either direction to allow the visibility improvements to take place to standard. The amended plans include the maintenance of the hedge row at its set back position which limits the impact of the works on the street scene. The access itself will be surfaced to NCC TRAD 5 specification and this has been agreed by the Local Highway Authority.**

**Overall, the proposed changes would result in improvements to the existing access point which would be of some benefit to road users and have removed the highway safety concerns associated with the proposed development. Conditions could be utilised to ensure that the visibility splays and access improvements are implemented as planned.**

**The application is therefore considered to comply with the overarching aims of the NPPF (2023), Policies CS08, CS11 and DM15 of the Local Plan in regards to Highway Safety.**

### **Form and Character:**

The proposed dwelling would be located in proximity to the existing agricultural storage building, aviary and the Applicant's existing dwelling. The character of the wider area is especially rural and the proposed dwelling would result in an additional dwelling and the associated infrastructure being visible in the rural area when travelling along Main Road. Due to the height of boundary treatments and existing landscaping however the dwelling is likely to only be viewed in association with the existing dwelling and buildings on site and would not, on its own lead to any specific form and character concerns in terms of its position in the landscape and forward of the existing dwelling.

The application proposes the construction of a single storey two-bedroom bungalow with hipped roof and elements of stonework detailing. The bungalow is simple in design and its low ridge line will prevent any significant impact on the surrounding landscape when considered alongside the existing hedgerows around site boundaries.

The aviaries are proposed to be constructed of mesh with metal hoop supports. The various aviaries proposed would not have any significant adverse impact on the landscape.

Policies 1 and 2 of the Neighbourhood Plan require development to be in keeping with its context and to take into account the National Landscape. Policy 2 supports the use of traditional materials which have been utilised within this proposed design.

The proposal complies with Policy 3 of the Neighbourhood Plan in regards to footprint and plot coverage and Policy 10 in relation to protecting from harm to the National Landscape.

The proposed design is therefore considered acceptable and complies with Paras 135 and 182 of the NPPF (2023), Policy DM15 of the SADMPP (2016) and Policy 1 of the Neighbourhood Plan. Conditions could be used to ensure the proposed materials and landscaping are acceptable.

### **Habitats Regulations Assessment**

Natural England and the Borough Council's Ecologist have been in contact throughout the course of this application to ensure that the proposed development will not lead to adverse impacts on protected sites. Potential Impacts could arise both by reason of the new dwelling proposed and also through the introduction of new birds on to a sensitive site and the interrelationships between the introduced birds and the existing native species.

As Competent Authority, the LPA considers the information provided by the agent in support of this application is sufficient to rule out significant impacts, subject to the payment of the GIRAMs Fee (£210.84) to offset the impacts of the new dwelling. This fee was paid as part of the submission.

The Appropriate Assessment concludes that the Ruffs project is complimentary to the conservation objectives of the European Sites and the provision of permanent accommodation in association with the project will have no likely significant effect on European sites – alone or in combination.



The application therefore complies with the NPPF (2023), Policy CS12 of the Core Strategy (2011) and Policy 10 of the Neighbourhood Plan in relation to biodiversity impacts and impacts on protected sites.

### **Flood Risk:**

As confirmed by the Environment Agency, a flood risk assessment is not required for the proposed site as the residential use is within Flood Zone 1.

Whilst the release aviaries are partly within an area identified as Flood Zone 2 which runs along the north boundary of the application site, the aviaries are water compatible development for the purposes of the NPPF and therefore suitable for this level of flood risk and the flood risk impacts are considered acceptable.

The more vulnerable use (the proposed dwelling) is located on land currently categorised as Flood Zone 1, the Future Flood Zones included within the SFRA are considered by the Environment Agency to be out of date, as they have been superseded by the Environment Agency's 2018 coastal modelling, and subsequent updated UKCP18 climate change allowances. These show that the location of the proposed dwelling lies just within the future 0.5% (1 in 200) climate change outline (Future Flood Zone 3). So, while the requirement for the FRA in footnote 59 of the NPPF has not been officially met as the new up to date outlines are not within the SFRA as required in footnote 59, the proposed dwelling does actually lie within 'land identified as being at increased flood risk in future'.

The NPPF and Planning Practice Guidance set out that future flood risk should be taken into account as part of decisions.

**If the justification were to be accepted by Members, the Sequential Test could be considered to be passed as the dwelling is required to be in close proximity to the site and cannot reasonably be relocated elsewhere.'**

**Plans were amended during the course of this application to show the proposed FFL of the bungalow at 7.01m AOD which fully accords with the Environment Agency's recommendations. Further conditions could be appended to any consent.**

**On this basis, the proposed dwelling can be considered safe for its lifetime and complies with that part of Paragraph 170 of the NPPF (2023).**

### **Other material considerations**

*Impact on Neighbour Amenity:* The application site is remote from adjoining dwellings or sensitive uses and the proposal would not impact on residential amenity.

*Crime and Disorder:* There are no known crime and disorder impacts, other than those comments provided in relation to biosecurity and trespassing, discussed within the report above.

### **CONCLUSION:**

**The NPPF reiterates the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 which states that applications for planning permission must be determined in accordance with the development plan unless strong material considerations indicate otherwise.**

The starting point for consideration of this planning application is the development plan, and planning legislation dictates that planning decisions should be made in accordance with the development plan unless material considerations clearly dictate otherwise. The Borough Council's Core Strategy (2011) and Site Allocations and Development Management Policies Plan (2016) set out a strong presumption against new residential development in the countryside.

The application seeks consent for the change of use of existing aviaries, the construction of new aviaries and the construction of a new dwelling associated with a conservation project at Deepdale Marsh. Whilst the principle of new aviaries is acceptable, insufficient information has been provided as part of this application to demonstrate that there is an existing functional need for a permanent new dwelling in association with the project or that the need could not be met through existing dwellings or by other means.

The Applicants have declined the opportunity to consider the provision of a temporary caravan (or other temporary removable structure) which could provide the accommodation needs throughout the beginning stages of the project until the project is proven to be viable long term.

The application site does not currently benefit from adequate visibility splays due to high banks and vegetation allowing only negligible views westwards, however amended plans have been submitted to show improvements to the access point which could be controlled via condition. The provision of a dwelling which has not been justified in policy terms would lead to an increase in vehicle movements, however the access could be made safe through the changes proposed and the LPA cannot therefore substantiate a highway safety objection.

In light of insufficient information coming forwards to demonstrate a clearly established functional need for a permanent new dwelling in the wider countryside and some 650m from the edge of the Burnham Deepdale, the proposal constitutes unsustainable development at odds with the Local Plan when read as a whole and at odds with the overarching aims of the NPPF (2023). In particular, the proposal fails to comply with Paragraph 83 of the NPPF (2023) and Policies DM2 and DM6 of the SADMPP (2016).

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

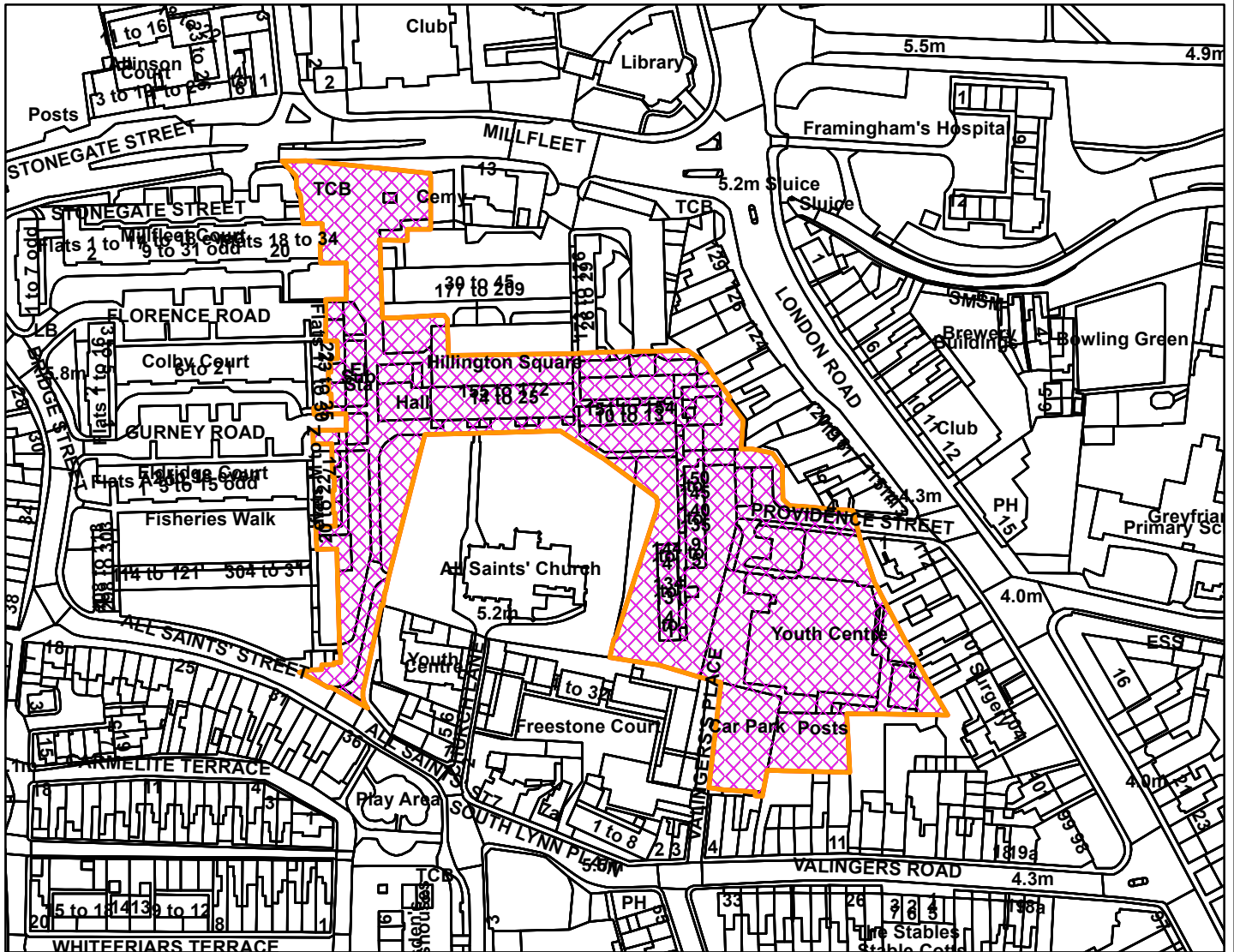
#### **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The application seeks consent for the construction of a permanent new dwelling the countryside in an area where such development would not normally be permitted, as per Policy DM2 of the SADMPP (2016). In light of insufficient justification coming forward to demonstrate a clearly established functional need for a new dwelling in association with an existing rural enterprise, or in this instance a Conservation Project, the proposed development is considered to be at odds with Policies DM2 and DM6 of the SADMPP (2016) and would fail to meet the aims of the NPPF (2023) and the Development Plan in relation to sustainable development.



Chestnut House Hillington Square King's Lynn PE30 5HS



**Legend**

**Scale:** 1:2,000

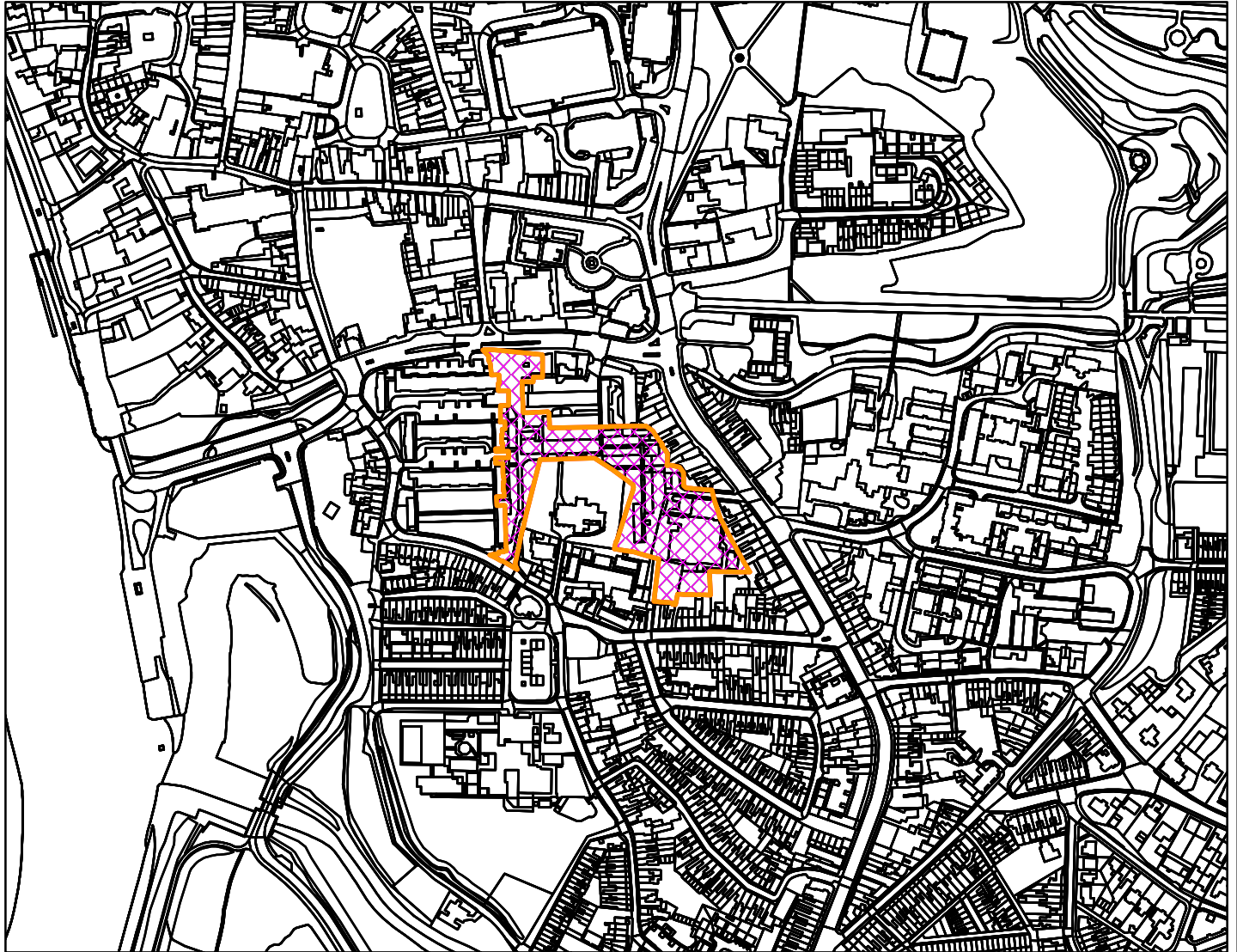
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Date	22/02/2024
MSA Number	0100024314



Chestnut House Hillington Square King's Lynn PE30 5HS



**Legend**

**Scale:** 1:5,000

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Organisation	BCKLWN
Department	Department
Comments	
Date	22/02/2024
MSA Number	0100024314

**AGENDA ITEM NO: 9/3(a)**

<b>Parish:</b>	<b>King's Lynn</b>	
<b>Proposal:</b>	<b>Demolition and redevelopment of Providence Street Community Centre and Hillington Square flatted blocks known as Aitken House, Norris House and Chestnut House excluding electrical substation. Development of 65 new dwellings and 1,106 square metres of commercial and community floorspace (Class E and F2) and associated soft landscaping, vehicle and cycle parking, refuse store and associated infrastructure.</b>	
<b>Location:</b>	<b>Chestnut House Hillington Square King's Lynn Norfolk PE30 5HS</b>	
<b>Applicant:</b>	<b>Freebridge Community Housing</b>	
<b>Case No:</b>	<b>23/01023/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 15 August 2023 Extension of Time Expiry Date: 8 March 2024</b>

**Reason for Referral to Planning Committee** – Called in by Councillor Bone.

**Neighbourhood Plan:** No

**Case Summary**

Full planning permission is sought for a mixed use development comprising residential (65 units) and 1106m<sup>2</sup> of Class E (commercial, business and service) and Class F2 (local community) within six blocks (A-F) ranging in height between three and four storeys following the demolition of four main blocks of flats and Providence Street Community Centre. The site measures c.1.3ha at Hillington Square, King's Lynn.

The site lies within the development boundary for King's Lynn, the Borough's main town and administrative centre. The site is not within a Conservation Area but has St Margaret's Conservation Area to the immediate north, The Walks Conservation Area to the northeast and The Friars Conservation Area to the immediate east and south. There are several listed buildings in the immediate locality most notably the Grade II\* All Saints Church which the site surrounds on three of its four compass points.

The development would result in the net loss of two dwellings (existing 67; proposed 65) and 179m<sup>2</sup> of community facilities (existing 1285m<sup>2</sup>; proposed 1106m<sup>2</sup> comprising Class E and Class F2) contained with Providence Street Community Centre and Chestnut House.

All the units would be affordable.

Most of the site lies within Flood Zone 1 with the fringes of the site being within Flood Zones 2 and 3 as depicted on the Local Authority's Strategic Flood Risk Maps. However, the site is at risk in a breach event and is in a critical drainage catchment area, although the southeastern corner (where Block F is proposed) would flood to a lesser extent.

The development is stated to represent the final phase (phase 6) of the redevelopment of Hillington Square, a housing estate that was built in the 1960s and comprises of predominantly five-storey blocks of flats.

### **Key Issues**

Principle of Development  
History  
Form and Character and Impact on the Historic Environment  
Community Facilities / Employment Uses / Protection of Town Centre Highway Issues  
Residential Amenity  
Flood Risk and Drainage  
Trees and Landscaping  
Ecology  
Crime and Disorder  
Other Material Considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

Full planning permission is sought for a mixed use development comprising residential (65 units) and 1106m<sup>2</sup> of Class E (commercial, business and service) and Class F2 (local community) within six blocks (A-F) ranging in height between three and four storeys following the demolition of four main blocks of flats and Providence Street Community Centre. The site measuring c.1.3ha at Hillington Square, King's Lynn.

The site lies within the development boundary for King's Lynn, the Borough's main town and administrative centre. The site is not within a Conservation Area but has St Margaret's Conservation Area to the immediate north, The Walks Conservation Area to the northeast and The Friars Conservation Area to the immediate east and south. There are several listed buildings in the immediate locality most notably the Grade II\* All Saints Church which the site surrounds on three of its four compass points.

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The development would result in the net loss of two dwellings (existing 67; proposed 65.)  
The existing mix is:

31 x 1-bed units  
20 x 2-bed units  
16 x 3-bed units.

The proposed mix is:

22 x 1-bed/2-person (1bsp) units.  
43 x 2-bed units (19 x 2b3p and 24 x 2b4p)

All the units would be affordable units.

The proposed ground floor of Blocks A, B, C and D are made up of Class E and F2 uses as well as ancillary residential uses (e.g., bin storage, cycle storage and communal areas.)

Blocks A and B are the tallest blocks on site at 4 storeys high (12.7m).

Blocks C, D, E and F are three storeys high (9.9m.)

*Overview:*

**Block A:** Four-storey building containing 21 dwellings: 3 x 1b2p, 9 x 2b3p and 9 x 2b4p over floors 1 to 3 with 380m<sup>2</sup> of commercial / community space, 10 x 1100 litre bins and 46 cycle bays at ground floor level.

**Block B:** Four-storey building containing 9 dwellings: 3 x 1b2p, 3 x 2b3p and 3 x 2b4p over floors 1 to 3 with 159m<sup>2</sup> of commercial / community space, 4 x 1100 litre bins and 18 cycle bays at ground floor level.

**Block C:** Three-storey building containing 4 x 2b4p dwellings over floors 1 and 2 with 125m<sup>2</sup> of commercial / community space, 4 x 1100 litre bins and 10 cycle bays at ground floor level.

**Blocks D and E** create an L-shape three-storey high building containing 20 dwellings: 13 x 1b2p and 7 x 2b3p dwellings over floors 1 and 2 with 390m<sup>2</sup> commercial space, 8 x 1100 litre bins and 42 cycle bays, 3 garages and 52m<sup>2</sup> of 'free space' at ground floor level.

**Block F:** Three-storey building containing 11 dwellings: 3 x 1b2p and 8 x 2b4p over all three floors with no community / commercial space, 6 x 1100 litre bins and 22 cycle bays at ground floor level.

The 1106m<sup>2</sup> of proposed commercial / community space which includes 52m<sup>2</sup> 'free space' would be provided on the ground floor of five of the six blocks (Blocks A-E.) This results in a net loss of 179m<sup>2</sup>.

In terms of scale and mass the following table compares the existing with the proposed as well as the previously refused and extant schemes.

	Top of lift shaft	Top / Top of parapet	Length	Width
<b>Block A</b>	N/A	<b>12.7</b>	<b>61.4</b>	<b>11</b>
Chestnut House (existing)	15.1	13.1	60.5	10
Refused Scheme (Block 3)	16.5	15.1	47	15.5
Extant Scheme (Chestnut House)	N/A	13.2	61	11.8
<b>Block B</b>	N/A	<b>12.7</b>	<b>26.8</b>	<b>11.4</b>
Aitkin House (existing)	12.4	10.2	29.5	6.4
Refused Scheme (Block 4)	13.6	12.1	32.5	15.5

Extant Scheme (Aitken House)	12	10.8	35	6.4
	Top of lift shaft	Top / Top of parapet	Length	Width
<b>Block C</b>	<b>N/A</b>	<b>9.9</b>	<b>19.8</b>	<b>11.2</b>
Norris House A (existing)	12.4	10.2	33	7
Refused Scheme (N/A)	N/A	N/A	N/A	N/A
Extant Scheme (Norris House A)	11.8	10.6	35	7
<b>Block D</b>	<b>N/A</b>	<b>9.9</b>	<b>41.7</b>	<b>11.4</b>
Norris House B (existing)	12.4	10.2	29	7
Refused Scheme (Block 5)	13.6	12.1	45	15.5
Extant Scheme (Norris House B)	11.8	10.6	29	7
<b>Block E</b>	<b>N/A</b>	<b>9.9</b>	<b>35.2</b>	<b>10.3</b>
Providence Street (existing)	N/A	8m to ridge	45	36
Refused Scheme N/A	N/A	N/A	N/A	N/A
Extant Scheme N/A	N/A	N/A	N/A	N/A
<b>Block F</b>	<b>N/A</b>	<b>9.9</b>	<b>39.6</b>	<b>10.5</b>
Providence Street (existing)	N/A	8m to ridge	45	36
Refused Scheme N/A	N/A	N/A	N/A	N/A
Extant Scheme N/A	N/A	N/A	N/A	N/A

The site has three main pedestrian and cycle access points, Millfleet to the north, All Saints' Street to the south and Providence Street to the east.

Vehicular access will be via the existing access from Millfleet to the North and Providence Street to the east.

Parking (75 spaces) is proposed to the north of Block A (13no. spaces accessed from Millfleet), to the east of Blocks, C, D, E and F (26 accessed from Providence Street) and 36 in Valingers Place to the south of Block F which is accessed via Valingers Road.

There are currently 70 parking spaces available (35 in Valingers Place, 26 at Providence Street, 9 in front of Aitkin House and 2 adjacent to Chestnut House.) The proposed development would therefore result in a net gain of 3no. parking spaces serving a development of -2no. dwellings and -179m<sup>2</sup> community facilities.



Materials are proposed to be red brick and terracotta cladding.

Most of the site lies within Flood Zone 1 with the fringes of the site being within Flood Zones 2 and 3 as depicted on the Local Authority's Strategic Flood Risk Maps. However, the site is at risk in a breach event and is in a critical drainage catchment area, although the southeastern corner (where Block F is proposed) would flood to a lesser extent.

The development is stated to represent the final phase (phase 6) of the redevelopment of Hillington Square, a housing estate that was built in the 1960s and comprises of predominantly five-storey blocks of flats.

## **SUPPORTING CASE**

Thank you for the opportunity to address members of the Planning Committee.

These proposals will provide significant benefits to the local area, including:-

- Provision of high quality new affordable housing which will contribute towards increasing the supply of affordable housing in the Borough.
- The proposals would result in a more legible street layout with planned circulation spaces and legible street layout.
- The proposals would offer improved surveillance for open spaces which would help reduce the potential for crime and anti-social behaviour.
- The development would enable sightlines between All Saints Church and the public realm. The development would provide a more considered backdrop to the church and enhance appreciation of the heritage asset.
- Through the use of low and zero carbon technology, the development would meet a high level of sustainability, greater than what is required under policy CS08.

The development has been carefully designed as a modern continuation of phases 1-5 of the Hillington Square development. It has been amended considerably both from the previous 2020 proposals and those initially submitted so that they respect the historic setting of the Grade II\* All Saints Church, Jewish Cemetery and other heritage assets in the wider vicinity. The proposals also incorporate Providence Street Community Centre to allow for the more comprehensive regeneration of this part of Kings Lynn.

The proposals are of an appropriate scale and massing that would fit appropriately within the wider area. The proposals demonstrate an exemplary standard of design using high quality materials, and as a result the proposals will enhance the character of the local area and wider townscape, complying with policy DM15.

The proposals would provide a comparable amount of parking in comparison to that existing and would not result in harmfully increased level of on street parking because of the development.

Freebridge Community Housing have an excellent opportunity to secure Brownfield Funding from Norfolk County Council as supported by your colleagues in Strategic Housing. Schemes across Norfolk are being considered on their own merit, but deliverability is key so obtaining planning before they consider schemes during April and May would put this scheme ahead of many others. The other criteria for the funding is to achieve a start on site (being commencement of foundations of new homes) by March 2026. We are also looking at using Homes England funding to deliver this scheme, they require completions by March 2027.

We would respectfully ask the Planning Committee to grant planning permission for this development.

## **PLANNING HISTORY**

23/00578/EIASC: Is NOT EIA Development: 24/04/23 - REQUEST FOR SCREENING OPINION: Mixed use redevelopment.

20/01166/FM: Application Refused: 19/07/21 - Demolition of existing residential blocks to provide mixture of new flats with communal space and townhouses, including parking and hard and soft landscaping.

19/00151/F: Application Permitted: 24/12/19 - Variation of conditions 1, 4, 5 and 11 of planning permission 16/01832/F: Variation of condition 1 of planning consent 15/00252/F to allow the drawings to be amended to alter frame configurations to ground floor units, addition of obscure glazing to lower panels and change of pattern of some entrance door styles.

16/01832/F: Application Permitted: 19/12/16 - Variation of condition 1 of planning consent 15/00252/F to allow the drawings to be amended to alter frame configurations to ground floor units, addition of obscure glazing to lower panels and change of pattern of some entrance door styles.

15/00252/NMA\_1: Application Permitted: 19/09/16 - Non-material amendment to planning permission 15/00252/F: Variation of condition 6 of planning permission 14/01254/F to alter frame configurations to ground floor units, addition of obscure glass to lower panels of windows and change of pattern of some entrance door styles.

15/00252/F: Application Permitted: 14/04/15 - Variation of condition 6 of planning permission 14/01254/F to alter frame configurations to ground floor units, addition of obscure glass to lower panels of windows and change of pattern of some entrance door styles.

14/01254/F: Application Permitted: 22/10/14 - Variation of condition 2 and 7 of planning permission 13/01873/F.

13/01873/F: Application Permitted: 03/03/14 - Variation on conditions 2, 6 and 7 for planning application 12/00546/FM.

12/00546/FM: Application Permitted: 03/07/12 - Demolition of existing stair cores, lifts, bin stores, sheds, some walkways and a number of dwellings. Erection of new stair and lift cores, new entrances to bedsits, extension of bedsits, extension to some upper floor units. Refurbishment of garage spaces into storage, bin stores and bicycle stores. Upgrading balconies, walkways and internal spaces. No. 60 to be re-converted to residential. New hard and soft landscaping to communal areas.

## **RESPONSE TO CONSULTATION**

**Parish Council:** N/A

**King's Lynn Area Planning Advisory Committee: NO OBJECTION** Following the submission of amended plans changing the materials the sub-group raised no objection to the application.

**Local Highways Authority (NCC): NO OBJECTION**

As previously stated, this development retains use of the substandard Valingers Place and Providence Street instead of using this opportunity to consider removing all vehicular access to one or both of these roads in the interests of highway safety. However, I accept the proposed redevelopment of this site will not generate significantly more traffic than the previous use. Therefore, whilst I would not support the proposed layout, in relation to highway matters I do believe there would be grounds for objecting to it either.

The following comments are made in relation to the current proposal:

1. Bike rack details noted, no objection.
2. I remain of the view that alternative options could have been looked at that could have reduced the use of Valingers Place / Providence Street. However, as stated above, if the Planning Authority deem the layout to be acceptable, I would not be able to object to the principle as proposed.
3. I have previously asked for details of how the existing Valingers Place car park is used and by who, which has never been provided. Informing me the car park is staying broadly the same size (increased by 1 space), does not prove it is fit for purpose for the new development. Also, I assume the applicant will be surfacing and marking out this car park? The applicant has suggested 26 parking spaces are currently accessed from Providence Street and that blocks C-F will have 34 spaces available to them. However, there only appears to be 26 parking spaces accessed from Providence Street in the new layout, 4 of which will be within the public highway and cannot be allocated to anybody. Where are the additional 8 parking spaces?
4. No further comment in relation to refuse vehicles.
5. Whilst contrary to standard advice, if the fire service and building control are satisfied sufficient space is available adjacent to a fire tender within the surrounding areas of open space then that is their prerogative (although I don't agree). However, the entire tracked route that the fire tender takes including the turning area should be constructed to an appropriate standard and therefore included within the area of adopted highway. Notwithstanding this the Local Highway Authority do not object to this.
6. The revised visibility plan shows an acceptable level of visibility is achievable from the proposed access, based on the low vehicle speed.
7. I don't agree the highway stopping up plan has been amended as requested, which should occur before a decision notice is issued, as I will require a condition be imposed on any permission that refers to an agreed plan.
8. No further action required in relation to cars existing the Providence Street car park
9. See point 3 regards parking. It is still unclear what is required / provided and where for each block. As an additional comment on parking, I assume all parking spaces will have EV charging facilities.
10. I note a 3m wide cycle path has been provided through the development therefore I have no further comments.
11. I have reviewed the revised drawing which shows no differentiation between private and adopted areas and still retains use of block paving on cycle paths. The area of highway must be different to private areas and the use of block paving on cycle paths should be avoided. I note it is now proposed to stop the adoption short of the buildings as suggested.

Request conditions relating to: construction worker parking, grant of stopping up order, road, footway and cycleway details and implementation, on-site access and parking, are appended to any decision issued.

**Public Rights of Way (NCC): NO OBJECTION** We have no objections on Public Rights of Way grounds as there are none in the vicinity.

**Lead Local Flood Authority (NCC): NO OBJECTION** The applicant is applying for full planning in relation to the demolition and redevelopment of an existing community centre and residential buildings. The proposal is to use lined permeable paving for the car parking areas and attenuation crates for the roof runoff. The site would be partially pumped within areas of the proposed network prior to discharging via gravity at the point of discharge to sewer. The sewer outfalls to watercourse.

All previous concerns with the proposed drainage strategy have been addressed and therefore the LLFA has no objection to the proposed development subject to a condition ensuring the development is carried out in accordance with the agreed details and an informative relating to recommended sensitivity checks.

*NB Previous correspondence is available on the planning portal.*

**Anglian Water: NO OBJECTION** There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water requests an informative be appended to any permission granted relating to this.

*Wastewater Treatment:* The foul drainage from this development is in the catchment of King's Lynn Water Recycling Centre that will have available capacity for these flows.

*Used Water Network:* The sewerage system at present has available capacity for these flows to connect by gravity into manhole 0602. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. Anglian Water requests informative be appended to any permission granted relating to this.

*Surface Water Disposal:* The applicant has been in discussions with Anglian Water regarding surface water connections and that the proposed connection point and discharge rate has been agreed in principle.

**Environment Agency: NO OBJECTION** We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) (Rossi Long Consulting, dated May 2023, RLC Ref. 221098) are adhered to. In particular, the FRA recommends that:

- Finished floor levels will be set no lower than +5.1mAOD (Block F); +4.7mAOD (Blocks D & E); +4.75mAOD (Block C); +4.95mAOD (Block B); and +4.95mAOD (Block A)
- Flood resilience measures will be provided in accordance with recommendations included in the Communities and Local Government guidance
- There will be no ground floor sleeping in Blocks A-F inclusive
- There will be no habitable accommodation for Blocks A-E inclusive
- For block F, safe refuge will be provided on the first floor which will be 2.6m above the ground floor level.

*Exception Test:* With regard to the second part of the Exception Test, your Authority must be satisfied with regards to the safety of people (including those with restricted mobility), the ability of people to reach places of safety, including safe refuges within buildings, and the ability of the emergency services to access buildings to rescue and evacuate people.

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their

decisions. We have reviewed the submitted FRA with regard to tidal and main river flood risk sources only.

The Internal Drainage Board should be consulted with regard to flood risk associated with their watercourses and surface water drainage proposals.

- Byelaw 3 (Surface and Treated Foul Water) – consent not required
- Section 23 (Land Drainage Act, 1991) – consent not required
- Byelaw 10 (Works within 9 meters of a Board Maintained Watercourse) - consent not required

**Emergency Planning Officer (BCKLWN): NO OBJECTION** however, because of its location in an area at risk of flooding and in line with best practice in business continuity, I would suggest that if permission is granted then a condition requiring the applicants sign up to the Environment Agency's flood warning system and that a flood evaluation plan is submitted and approved.

**Historic England: NO OBJECTION** Historic England has no objection to the application on heritage grounds.

Historic England have considered the proposals alongside legislation, policy and guidance. In our view the proposals would result in a slight improvement to the setting of All Saints Church through the changes to layout and opening up.

**Conservation Officer (BCKLWN): NO OBJECTION**

*Comments on amended materials:* It is clear that the bricks and the cladding have been altered to a red/terracotta which better reflects the material palette of Kings Lynn and better reflects the regeneration of other blocks within the same development without mimicking it.

Subject to conditions relating to external materials, we have no objections to the proposed amendments.

*Original comments:* Hillington Square is a housing development built between 1926 and the 1970's. It consists of flats, built in block format surrounding the grade II\* listed All Saints Church. The presence of built form in this location is accepted, as prior to Hillington Square being built the area was dominated by rows of terraced housing which were cleared to make way for the new housing blocks. These blocks have now fallen into disrepair and currently represent an eyesore within both the conservation area and the setting of the highly graded listed building. Some of the blocks have been refurbished and these blocks are now tidy and represent a positive change within this historic area.

The proposal to demolish some blocks would represent a positive change within the conservation area and the setting of the grade II\* listed church. The replacement buildings have a difficult line to tread as they have to respect the setting of the church and conservation area while still forming a cohesive whole with those blocks within Hillington Square that have already been refurbished. The proposed blocks would be no higher than those other blocks and, in design terms would be a modern take on the existing buildings. The increase in height of the single storey part of Chestnut House is required to keep the overall height of the scheme down. Although this is disappointing in that it blocks a view of the church from Millfleet, the benefits outweigh the harm in this instance.

The materials used in the scheme are to be grey bricks and cladding. While the grey bricks have been chosen to respect the flint and stone of the church building, in practise the church is a mixture of materials including red brick. Red brick has also been used in the existing

buildings on Hillington Square. Red brick is also the dominant material used in the town for its housing stock. We do not consider that the grey brick would be appropriate in this location. Red brick would be more in keeping with the town and would result in a cohesive whole with the rest of Hillington Square.

We do not object to the scheme overall but have some concerns with it as it stands. This is due to the materials chosen which would not respect the character of the conservation area. We would be happy to work with the agents to resolve this should you think this appropriate.

**Historic Environment Service (NCC): NO OBJECTION** The proposed development site is located within the historic core of the settlement of South Lynn, adjacent to the medieval All Saints parish church. Pockets of significant archaeological remains may still exist within the proposed development area despite extensive truncation during the construction of the present housing. Significantly, human burials may be present adjacent to the churchyard, as churchyards often altered in size and shape. It should further be noted that the proposed development shares a boundary with the nationally important Millfleet Jewish cemetery. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance may be affected by the proposed development.

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 to be secured by condition.

**Conservation Area Advisory Committee (BCKLWM): NO OBJECTION** Following amended materials the committee agreed, subject to a landscaping condition, the application had improved.

**Environmental Health & Housing – Environmental Quality (BCKLWN): NO OBJECTION**

*Contaminated Land:* Recommend the full suite of contamination conditions from site characteristics to reporting of unexpected contamination and informatives relating to asbestos containing material.

*Air Quality:* Recommend conditions relating to dust that should be included within a Construction Environmental Management Plan and EV charging scheme.

**Housing Team (BCKLWN): NO OBJECTION** I have reviewed this application today. The application proposes the demolition and replacement of existing dwellings to create 65 dwellings. The demolition and replacement of existing dwellings for substantially the same type of dwelling does not require an affordable housing contribution. Therefore, there will be no affordable housing contribution required on this site.

In relation to the proposed housing mix, we don't have any concerns regarding the housing mix here. We have a significant need for 1 & 2 bed units and Hillington Square is a highly sustainable location. Existing 3 bed maisonettes in King's Lynn are historically hard to let therefore this is something we are trying to steer away from.

**Community Safety and Neighbourhood Nuisance (BCKLWN): NO OBJECTION** subject to conditions relating to:

- Air Source Heat Pumps
- Hours of operation and delivery for the commercial / community elements
- Site hours and a Demolition & Construction Environmental Management Plan Sound insulation of the blocks (to prevent noise transfer issues between flats and between

the community/ground floor uses and flats; BC Regs don't have a high enough level of protection)

- External plant/extraction for the ground floor uses
- External lighting.

**Waste and Recycling Team: NO OBJECTION** I have carefully reviewed the proposal and although I share some of the concerns of NCC Highways I am content that adequate arrangements have been made for the collection of waste and recycling.

I therefore have no adverse comments which would lead to an objection.

**Greenspace Officer (BCKLWN): NO OBJECTION**

- Trees near car parks should be moved as could potentially cause issues. If they remain then the large trees near parking spaces should at least be replaced by small trees.
- We will need clarity on which trees are to be placed at each location, rather than grouping the species into small/medium/large.
- Shrubs along car park spaces can't be accessed if a car parked there.

**Natural England: NO OBJECTION** Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

**Senior Ecologist (BCKLWN): NO OBJECTION** In response I have reviewed the following documents:

- Landscape masterplan
- Existing Location Plan
- Site Plan
- Site Plan – Demolition
- Natural England comment
- Ecology Assessment
- Shadow Habitats Regulations Assessment

*Ecology Assessment:* The site was found to be dominated by low value habitats consisting of improved grassland managed for amenity, ornamental planting and sealed surface (buildings & hardstanding). Scattered trees were present outside of the red line boundary and generally clustered around All Saints Church located centrally. One of these trees was identified with low bat roosting potential and the others with negligible roosting potential. The church itself was assessed to have moderate potential.

Additional bat surveys were undertaken regarding potential indirect impacts to bats which could be roosting within either the church or lime tree within the church yard. The report concluded that there will not have indirect impacts in roosting bats. I do not dispute this conclusion. I therefore have no objection to the proposal.

*Habitats Regulation Assessment:* I have no concerns with the Shadow Habitats Regulation Assessment (sHRA) and agree with its conclusions. I advise that we can adopt the sHRA provided by Hopkins Ecology (April 2023).

**Arboricultural Officer (BCKLWN): NO OBJECTION**

*Tree Removals:* The Arboricultural Impact Assessment details 18 trees to be removed out of a total of 57 trees surveyed on and immediately adjacent to the site.

One tree T14 is being removed on arboricultural grounds alone and has been categorised as U (unsuitable for retention.)

17 other trees are to be removed for development purposes. One of these, tree T22 categorised B, is very close to one of the blocks to be demolished, the other 16 trees are all categorised as C.

It is worth noting of these 16 trees that three of them T7, T8 and T9 are all young pear trees planted in the previous phase of development in large planters, which have not been very successful here and elsewhere in the previous phase.

*Tree Pruning and facilitation Tree Work:* There are no details for pruning work to any of the trees proposed to be retained, although it is likely that pruning will be desirable for the larger trees to at least lift/raise the crowns. A pre-commencement condition will be required for the proposed specifications for work to existing trees.

*Future threats to trees by proximity of trees to structures:* Although the proposed development is close to large existing trees, in all areas it will be the same or further away from the trees than the existing buildings.

The critical issue for this development will be the protection of trees during demolition and construction work.

*New pedestrian footpath construction:* The landscape masterplan appears to show new pedestrian footpaths within the root protection areas of T30 and T29 which are both mature trees.

I have no objection to the proposed development in principle, but many detailed items are missing, for which pre-commencement conditions will be required, and more effort is required by the landscape architects tasked with this scheme to provide a quality landscape for residents and visitors, to help with local distinctiveness and sense of place. Conditions relating to the following should be appended to any permission granted:

- Tree protection
- Arboricultural Site Supervision
- New Tree Planting and Hard and Soft Landscaping
- Landscape establishment and maintenance
- Landscape management

It would be our intention to place a Tree Preservation Order on the newly planted trees to ensure their long-term survival and when necessary, replacement.

**Norfolk Constabulary: NO OBJECTION** However, the proposal is still for a very permeable semi-public style development, and it would be preferable for residents to have greater defensible space to enable them a degree of control over the activities that take place there. Notwithstanding this, the improvements to the eastern elevation of Block B so that it no longer provides a blank elevation are appreciated.

Points of summary:

- The proposal provides excellent level of natural surveillance and has a long accepted public access route through development. However, it is a missed opportunity not to partner this with greater access control and create territorial responsibility.
- Poorly observed segregated footpaths are not recommended.



- It is recommended that the shared courtyard area for Blocks D, E and F could be a semi-private space by provided access gates.
- Landscaping needs to specify shrubs and hedges that have a maximum growth height of one metre whilst all trees should be up pruned to a minimum height of two metres.
- A carefully designed lighting plan to cover all vulnerable areas should be in place to provide a uniform spear of white light.
- CCTV should be provided and cover sensitive areas such as communal spaces and letterboxes.

*NB Previous correspondence is available on the planning portal.*

**Norfolk Fire and Rescue: NO OBJECTION** The development will be required to meet building regulations approved document B. However, I would like to ensure the developer can confirm the installation of bollards will not delay the emergency response time for attending fire appliances in the event of a fire emergency at this location and how they intend to achieve.

**UK Power Networks: NO OBJECTION** Advice and recommendations made in relation to development in proximity of UK Power Networks substations and what to do if any diversion works are necessary.

**Caden Gas: NO OBJECTION** Information submitted to applicant in relation to apparatus in the vicinity of the proposed development and the responsibility and obligations / actions to be taken.

Request an informative be appended to any permission granted.

**Planning Obligations: NO OBJECTION** subject to the provision of a fire hydrant that shall be provided at the applicant's cost.

**CIL Team (BCKLWN): NO OBJECTION** This is in the non-parished area of King's Lynn and therefore no CIL applies.

## REPRESENTATIONS

**50 'letters' of OBJECTION** have been received. The reasons for objection can be summarised as:

- The total lack of risk assessment for Designing out Crime and Health & Safety issues is unforgivable
- It appears that discussions have been going on in the background between the applicant and consultees such as Highways and the Lead Local Flood Authority. The process is not therefore open and transparent
- Reports and counter arguments are of an inadequate standard
- The shadow diagrams are not fit for purpose
- Why are comments still being submitted after the consultation deadline?
- Opening up the development to the wider public is encouraging drug runners who now use bar codes on lampposts
- The development should offer a variety of units
- The lack of clarity in relation to the commercial floor areas leaves them vulnerable to vandalism and antisocial behaviour
- There shouldn't be so much flexibility in terms of the commercial uses
- The loss of residential units to accommodate commercial units is sacrilege

- Noise and disturbance as a result of commercial activity within a residential area
- Residents do not want public traffic through the estate
- The planning application should be presented within the context of the whole town of King's Lynn because it has more Grade II listed buildings than York
- There are no asbestos reports even though it is known that asbestos is present
- Before any demolition takes place all surveyor reports must be presented
- The buildings should be refurbished not demolished
- Demolition will delay the delivery of badly needed homes, result in enormous disruption to the community as well as the Grade II\* church
- Public walkways should not be permitted adjacent to habitable rooms
- The proposals should be amended to provide private amenity space for each unit
- There are no 3, 4 or 5 bed units. If 4 and 5-bed units were required in 2020, why are they no longer required?
- Car parking in other phases should not be used to serve commercial users
- There is no demonstrable need for further commercial or community floor space in this location given the amount of currently vacant floorspace within King's Lynn including on London Road
- If the buildings were renovated rather than replaced there could continue to be ground floor residential accommodation
- The recent amendments are no more than putting lipstick on a pig
- Demolition is not the right approach for economic, environmental, and practical reasons
- I am totally astonished as to why it is considered acceptable to demolish accommodation suitable for families and replace it with accommodation for single people
- I believe All Saints Church is the oldest church in King's Lynn and it should be protected from damage
- Demolition will be noisy, dusty and smelly, and will distribute many harmful materials and toxins into the environment which would be especially bad for the young, old or ill
- Workers are using heavy machinery by 8am on weekdays next to my front door without notice or warning
- There is a lack of green space for children living on Hillington Square to play on
- No justification has been given for the demolition in preference of refurbishment. The buildings remain structurally sound
- The disused Jewish Cemetery Millfleet has been called 'a little gem' of National Importance to British Jewry. It is favourable to this historical cemetery site that the plans to the adjacent area will continue to be landscaped
- Our experience of adjacent 'landscaping' demonstrates the landlord has scant regard for the site and present residents
- What timescales have been considered?
- I am concerned that not only the church may be damaged in the demolition process, but also other buildings in the locality including other buildings in Hillington Square
- I am worried about the safety of my children during demolition as they currently play around the area in front of Aitken House and Norris House
- Loss of privacy and overlooking
- Overshadowing and loss of light
- Will have a negative impact on public services such as drainage and water supply
- Highway safety including traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians / cyclists
- The Parochial Church Council of All Saint's Church is broadly supportive of the proposed scheme. However, we object to the block extending over the site of the one-storey community café and blocking the view of the church from Millfleet. The opening up of this view was a declared aim of Freebridge when they demolished the flats in this position in 2013.

- The proposed balconies are climbable so do not meet secured by design
- The commercial / community facilities are not required here; they would be better provided within the Carnegie building when the library is relocated
- It is disgraceful that so many flats have stood empty for so long
- There has been no application for an environmental assessment
- Will a church architect be consulted about undermining the church foundations?
- Where will all the groups accommodated in Providence Street Community Centre go?
- Isn't Providence Street Community Centre listed?
- Views of the church from London Rd and Millfleet will be hidden
- Views of Greyfriars Tower will be hidden
- Refurbishment would reduce the carbon footprint and have less impact on climate change
- Spending £20,000,000 of public money to get less than you had in the first place is sheer madness and doubly so in the current financial crisis
- The refurbished blocks have won two prestigious design awards; Keep it the Hemingway
- The buildings have been declared as 'unsuitable for refurbishment' but notably no survey reports of these buildings have been included with the planning application
- This would be really bad for people that work during the night because it would be really loud and busy
- Works in Hillington Square have gone on too long, this will just extend the timeframe for completion
- The applicant incorrectly references drawing numbers in his responses to consultee comments; this is deplorable
- The Local Highway Authority raise a number of misgivings
- Valingers Place is not named on some of the plans
- The application is not fit for purpose
- Occupiers of the proposed development need to feel safe and secure in their homes
- The applicant has continually ignored objections made by residents
- Double rack cycle storage disadvantages: children, adults of short stature, the elderly and anyone with a physical disability
- The use of the cycle storage for residential occupiers of the flats and those using the commercial units is not appropriate
- Thieves have already stolen bikes in Valentine Place
- The applicant considers that if a problem already exists he is exempt from finding a solution
- There is insufficient parking to cater for the residential and commercial / community uses and parking in All Saints and Bridge Streets is currently not covered by parking permits and is at all times full of cars, as are the neighbouring streets
- I am not in favour of turning the path that connects Millfleet to All Saints Street and beyond into a thoroughfare for bikes
- I am equally concerned about the narrow path in front of blocks A and B which is access from Providence Street. While, in theory, it is not wide enough for cycle use I seriously doubt that this will be a deterrent
- The applicant's suggestion that, specifically in terms of overshadowing, the development would not have a significant adverse impact on neighbouring amenity is not proven in the evidence presented in the overshadowing plans
- It is shocking that the detailed advice from the constabulary in relation to designing out crime can be summarily dismissed in just over three lines of text by the applicant
- Two of the views that the applicant seeks to claim credit for in the new layout already exist

- There has been no meaningful consultation with residents or local people by the applicants
- The roof-based sunlight driven water heating system proposed may sound good, but on close inspection is full of unresolved issues
- The omission of a detailed fully comprehensive carbon footprint report is unforgivable and contrary to the new building regulations.
- SuDSPod is largely unknown; is this the right proposal for the site?

**Four** 'letters' of **SUPPORT** have been received. The reasons for support can be summarised as:

- The buildings to be demolished are beyond use; all buildings have a shelf life and sadly these ones are up
- The development will bring much more to the area and finish a project to improve the area
- The redevelopment will breathe life back into the community and surrounding area
- The development will bring new business into the community
- I support the development so that Giggles and Squiggles can continue to operate
- I think it's great that they are going to knock down these old buildings and build new ones. They look awful and it's miserable to walk through.
- It's good that there will be a place for local groups to meet that's easy to find.
- It's good that none of the flats will have families; I grew up in a flat and it's no life for kids without a garden
- The community café was awful and attracted people you didn't want hanging around.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

**CS13** - Community and Culture

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM9** - Community Facilities

**DM10** – Retail Development

**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

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

## **PLANNING CONSIDERATIONS**

**The main considerations in the determination of this application are:**

- Principle of Development
- History
- Form and Character and Impact on the Historic Environment
- Community Facilities / Employment Uses / Protection of Town Centre
- Highway Issues
- Residential Amenity
- Flood Risk and Drainage
- Trees and Landscaping
- Ecology
- Crime and Disorder
- Other Material Considerations

### **Principle of Development**

The application seeks the demolition of four main residential blocks of flats and Providence Street Community Centre (PSCC.) In total there are currently 67 dwellings and 1285m<sup>2</sup> of Class E and F2 uses contained within PSCC and Chestnut House.

The proposal is for 65 dwellings (net loss of 2no dwellings) and 1106m<sup>2</sup> (net loss of 179m<sup>2</sup>) commercial / community (Class E and F2 uses) within six new mixed-use buildings that range between 3 and 4 storeys in height.

Other than Block F, which is located outside of the tidal breach area, all ground floor uses are non-habitable, with the ground floor areas being set aside for commercial / community uses and ancillary residential uses such as bin and cycle storage.

The site is located within a highly sustainable location (easy walking distance to the town centre, bus station and train station) within the development boundary of King's Lynn, the Borough's main town and administrative centre. The development is in essence 'like-for-like' in terms of uses / square meterage and the number of dwellings with the net losses as outlined above. Therefore, the starting point is that the development would not result in any material change in vehicular activity or parking / cycle storage requirements, access via Millfleet and Providence Street remains the same and there is no policy requirement to

provide affordable housing or amenity space, although as previously stated the proposal is for 100% affordable housing. It is therefore considered that the principle of development is acceptable subject to compliance with other relevant planning policy and guidance.

Of particular relevance, Development Plan Policy CS01 refers to the need for new development to make appropriate use of the high-quality historic environment in the town through sensitive inclusion in regeneration proposals. Policy CS03 relates specifically to development in King's Lynn and states *Within the historic and commercial cores of the town, new development will be required to demonstrate a high quality of design which, without stifling innovation, respects and enhances the wider historic surroundings and reinforces a positive visitor experience to the town and consequently supports the local tourism, leisure and culture economies...Elsewhere throughout the urban area, schemes of renewal or replacement that positively contribute to the regeneration of the town will be encouraged where there is no detrimental impact upon:*

- *flood-protection strategies set out in CS01 and CS08;*
- *the transportation network*
- *local services and facilities;*
- *significant trees, wildlife or historic assets;*
- *enjoyment of the public realm;*
- *crime prevention.*

This is reiterated in Development Plan Policies CS08 and DM15.

Nationally, the NPPF seeks a high standard of design that takes opportunity to improve an area. Some of the key objectives referred to in the NPPF are for development to make a positive contribution to local character and distinctiveness (para 196), are visually attractive as a result of good architecture, layout and appropriate and effective landscaping (para 135b) and that good design is a key aspect of sustainable development (para 131.)

It is considered that the current proposal continues to focus on updating and improving the quality of housing on the site (as per the previous phases of development in Hillington Square) by opening up views and routes, improving connectivity and seeking to reduce the overall impact of the development on the heritage context and allowing visibility from surrounding streets. It seeks to create a new public space and provide better pedestrian and cycle routes, more openness around the built form and greater separation from the church and creating activity at ground level which improves security and encourages interaction between residents for a better sense of community.

It proposes dwellings built to current energy efficient standards which would be built to modern standards and reflect layouts better suited to modern living.

An Environmental Impact Screening Assessment was submitted under application 23/005778/EIASC. A screening assessment was undertaken in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended.) The conclusion of the Assessment was that the development is not EIA development.

It is therefore considered that the principle of development is acceptable and accords with the NPPF in general, but specifically to paragraphs 131, 135b and 196 of the NPPF and Development Plan Policies CS01, CS03, CS08 and DM15, and provided the development meets other policy criteria, can be supported.

## History

Application 20/0116/FM for *Demolition of existing residential blocks to provide mixture of new flats with communal space and townhouses, including parking and hard and soft landscaping* was refused by planning committee on 20.07.2021 for the following reason:

*The proposal results in an unsympathetic design and layout in the locality and is overbearing in terms of scale and height. It will be harmful to the setting of the listed buildings and the conservation areas, contrary to paragraphs 7, 8, 193, 194 & 196 of the NPPF, Core Strategy Policies CS08 and CS12 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.*

The application was similar in some respects (it sought the demolition of existing residential blocks and the construction of replacement flats (86 units) and townhouses to provide a mixed residential scheme with communal space, private gardens, parking and hard and soft landscaping.) However, it was substantially different in that the site area was different and included the area to southwest and excluded providence street community centre as well as proposing townhouses which the current proposal does not.

## Form and Character and Impact on the Historic Environment

The main consideration in respect of design and visual impact is the impact on the historic environment. However, wider considerations of design need to be taken into account.

In relation to general design principles, paragraph 135 states that *Planning policies and decisions should ensure that developments:*

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- 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.*

This is reiterated in Development Plan Policies CS08 which requires development to *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* and DM15 which requires *the scale, height, massing, materials and layout of a development to respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.*

The refurbishment works that have been carried out so far have resulted in significant improvements in terms of impact on the conservation area and adjacent listed buildings. It is

therefore vitally important that any new scheme for the remaining phase blends well with the existing refurbished block and reads as a cohesive development.

The tallest blocks (A and B) of the proposed development are lower than the previously refused scheme being four storeys rather than five, and block D is further away from All Saints Church giving greater separation. The ability to reduce the overall height by removing the fifth storey has come at the expense of block A being full four storeys in height rather than having a lower element as is the case with the existing Chestnut House which affords a glimpse of the church from Millfleet. However, to counter this a new glimpse of the church is provided from Millfleet from the northeast.

In relation to the impact on designated heritage assets, paragraph 205 of the NPPF states: *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

Paragraph 206 of the NPPF states *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a) *grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) *assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Paragraph 208 of the NPPF states *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...*

Paragraph 212 of the NPPF states *Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*

Protection of the Historic Environment is reiterated in Development Plan Policies CS01, CS03, CS08, CS12 and DM15.

The site is largely surrounded by Conservation Areas and there are a number of listed buildings within the immediate vicinity, most notably the grade II\* listed All Saints Church.

The proposal therefore has the potential to impact on the setting of the Church and the Conservation Areas.

All Saints Church is the oldest parish church in King's Lynn, dating back to the 11th Century. The church was rebuilt in the 14th and 15th Century. The west tower collapsed in 1763 and was rebuilt in yellow brick topped with a Victorian bellcote. Historic England state that the church is a "fine example of a large multiphase medieval parish church" and that "it's more than special architectural and historic interest are reflected in its grade II\* listing".

The Friars Conservation Area wraps around the site and the wider Hillington Square development that is at odds with the rest of the historic centre of King's Lynn.



Historic England have no objection to the principle of demolition and replacement stating that *The current buildings of Chestnut, Aitken, Norris Houses and Providence Street Community Centre are not of any architectural or historic merit, so the proposed demolition is not of concern, and The replacement buildings for would be of a scale and form broadly suitable considering the existing buildings on the site.*

Historic England continue by stating *The proposals would provide an improvement on the current situation through stepping back Block B from the church yard further back than the existing Aitkin House. The increased space created at the northeastern corner of the churchyard would provide an additional 'breathing space' between church and buildings and a link to Providence Street and London Road beyond.*

*The proposed pedestrian connection to Millfleet between Block A and B (Chestnut and Aitken Houses) would also be a positive way to make the immediate setting of the church more permeable and connected and improve visibility All Saints.*

Historic England concludes by stating *In our view the proposals would result in a slight improvement to the setting of All Saints Church through the changes to layout and opening up.*

Historic England's comments are similar to those of the Conservation Officer who states *The proposal to demolish some blocks would represent a positive change within the conservation area and the setting of the grade II\* listed church. The replacement buildings have a difficult line to tread as they have to respect the setting of the church and conservation area while still forming a cohesive whole with those blocks within Hillington Square that have already been refurbished. The proposed blocks would be no higher than those other blocks and, in design terms would be a modern take on the existing buildings. The increase in height of the single storey part of Chestnut House is required to keep the overall height of the scheme down. Although this is disappointing in that it blocks a view of the church from Millfleet, the benefits outweigh the harm in this instance.*

The amended materials, which now comprise red brick with dark balcony railings, window head cladding panels to match the colour of brickwork and dark grey metal frame windows are considered to be more reflective of the character of the immediate area and would better assimilate the development within the conservation area. This change in materials addresses the initial concerns expressed by Historic England, the Conservation Officer, the Conservation Area Advisory Committee, and the King's Lynn Advisory Consultative Committee.

Your officer's opinion accords with those of Historic England and the Conservation Officer, and it is not considered that the development would result in any harm to heritage assets in the immediate vicinity of the site and in particular the Friar's Conservation Area and grade II\* listed All Saints Church.

If it could be argued that the development would result in harm, which is not the conclusion reached by your officers or Historic England, then it is considered that the harm would be outweighed by the benefits of providing of a high quality 100% affordable housing scheme.

Subject to conditions relating to materials and archaeology, it is considered that the development accords with the NPPF in general and specifically to paragraphs 135, 205, 206, 208 and 212 of the NPPF and Development Plan Policies CS01, CS03, CS08, CS12 and DM15 in relation to the design and impacts on the historic environment.

## Community Facilities / Employment Uses / Protection of Town Centre

Paragraphs 97a) and e) state *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

- a) *plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environment, and*
- b) *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*

It is also reiterated in Development Plan Policies CS13 and DM9 with the latter stating *The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth.*

*Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:*

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

Likewise, Development Plan Policy CS10 seeks to retain existing employment uses and states *The Council will seek to retain land or premises currently or last used for employment purposes (including agricultural uses) unless it can be demonstrated that:*

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

The current site accommodates space for a community café housed within Chestnut House (the café has not operated since March 2020) and Providence Street Community Centre (PSCC) which provides 1285m<sup>2</sup> of commercial / community space. PSCC previously accommodated: The College of West Anglia, Giggles and Squiggles Nursery, the Mancroft Advice Project, NHS Wellbeing Service, the Matthew Project, Mark Farnham Tae Kwando school, and other ad hoc uses. The applicant informed the LPA that all these occupiers worked with Freebridge to find alternative accommodation and were either offered / relocated space at the Discovery Centre in North Lynn or have been allocated similar facilities within the development other than the NHS who are stated to be struggling to find alternative accommodation.

The proposal includes the provision of 1106m<sup>2</sup> of Class E (commercial, business and service) and F2 (local community) uses.

Class E encompasses the following uses:

- a) Display or retail sale of goods, other than hot food, principally to visiting members of the public
- b) Sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises

- c) Provision of: Financial services, Professional services (other than health or medical services), or Other appropriate services in a commercial, business or service locality
- d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms)
- e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- f) Creche, day nursery or day centre (not including a residential use)
- g) Uses which can be carried out in a residential area without detriment to its amenity: Offices to carry out any operational or administrative functions, Research and development of products or processes, or Industrial processes.

Class F.2 encompasses the following uses:

- a) A shop mostly selling essential goods, including food, to visiting members of the public in circumstances where: The shop's premises cover an area not more than 280m<sup>2</sup> and There is no other such facility within 1000 metre radius of the shop's location
- b) A hall or meeting place for the principal use of the local community
- c) An area or place for outdoor sport or recreation, not involving motorised vehicles or firearms
- d) An indoor or outdoor swimming pool or skating rink.

The proposed mix of uses includes space that would enable all existing users to relocate in terms of the Use Class Order. The King's Lynn Area Consultative Committee (KLACC) originally requested that dedicated café space be provided within the new development to replace the community café. In relation to this it can be confirmed that the community café closed on 20 March 2020 when we went into Covid lockdown and never reopened. Before that it was running on a year-on-year loss. The local planning authority cannot make someone provide a café, but if a viable opportunity was identified someone may decide to locate there in a new building with views over the church.

KLACC also queried whether it would be possible to accommodate community uses temporarily on-site during construction. However, for safety reasons, as well as the lack of space, it is not possible to achieve this.

The small net loss of 179m<sup>2</sup> of community space / employment use is not considered to be material and it is likely that the new accommodation would be more attractive to potential users.

In relation to the impact on the town centre, the site lies immediately adjacent to the Town Centre Area boundary (edge of centre) as depicted on the inset map on page 88 of the Site Allocations and Development Management Policies Plan.

Policy DM10 of the Development Plan relates specifically to Retail Development and states *... New retail uses will be expected to be located in these town centres unless an alternative location is demonstrated to be necessary. If there are no suitable sites in the town centre, an edge of centre location will be expected... The Council will strongly resist proposals for out-of-town retail uses that either individually or cumulatively would undermine the attractiveness and viability of the town centres. Retail impact assessments will be required for individual schemes having a floorspace of greater than 2500 square metres...* This policy accords with NPPF paragraphs 91 and 92 which respectively read *Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available should out of centre sites be considered and When considering edge of centre and*

*out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.*

This policy is not directly relevant to the proposed development because the proposed development is for replacement facilities in a similar accessible location that is well connected to the town centre rather than new facilities. Notwithstanding this, given the edge of centre location and size (far less than 2500m<sup>2</sup>) it is not considered that the development would have a detrimental impact or undermine the attractiveness and viability of King's Lynn Town Centre.

For these reasons it is not considered necessary nor reasonable to control the size, number, or specific mix of uses, but to leave it to the market to dictate.

It is therefore considered that the development accords with the NPPF in general and specifically to paragraphs 91, 92, 97a) and e) of the NPPF and Development Plan Policies CS10, CS13, DM9 and DM10 in relation to community facilities, employment uses and the impact on the Town Centre.

### **Highway Issues**

The NPPF requires significant development to be focused on locations which are or can be made sustainable by limiting the need to travel and offering a genuine choice of transport modes (para 109), and that safe and suitable access to the site can be achieved (para 114.) This is reiterated in Development Plan Policies CS11 and DM15.

Paragraph 112 of the NPPF states *Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network...* This is reiterated in Development Plan Policy DM17 that states *Reductions in car parking requirements may be considered for town centres, and for other urban locations where it can be shown that the location and the availability of a range of sustainable transport links is likely to lead to a reduction in car ownership and hence need for car parking provision.*

The Local Highway Authority have stated that they could not object to the scheme on the grounds of highway safety although they do suggest that alternative access options could have been investigated to reduce the use of Valingers Place and Providence Street. In response to this the applicant suggests that such a change would result in the loss of Blocks C and D and some open space. Notwithstanding this, the application must be determined as submitted, and without a reason for refusal being put forward by the Local Highway Authority on the grounds of highway safety in utilising the existing accesses, it is concluded that the development is acceptable in this regard.

As with access arrangements, the existing situation with parking has to be given substantial weight in the planning balance. In this regard the redevelopment would result in a net increase of 3 parking spaces to serve a scheme with a reduced number of dwellings (-2no.) and amount of community / commercial space (-179m<sup>2</sup>.) In relation to this the Local Highway Officer states *In this instance we clearly need to consider the previous use and location of the proposed development, close to the town centre, public transport and employment opportunities. Therefore, we would not insist on the full provision being achieved and we wouldn't object if it wasn't. The surrounding highway network is all subject to parking restrictions and it is my understanding that the existing parking provision within the Hillington Square development is managed by the Housing Association.*

Secure cycle storage provision of 130 is proposed to serve the residential units in the ground floor areas of all the blocks except block D of which the cycle provision is located in block E. This exceeds the required amount by 8no.

The status quo is retained in relation to commercial / community cycle provision and that is that none is provided now or as part of the redevelopment, although the Local Highway Authority have requested a condition relating to the provision of cycle storage for the commercial / community uses be appended to any permission granted.

In relation to specific aspects that the applicant and Local Highway Authority have had ongoing discussions about, the following is a summary:

1. Bike rack details are acceptable.
2. Cannot object to the use of Valingers Place / Providence Street on the grounds of highway safety.
3. Further details on the number and use of existing car parks has been submitted. Notwithstanding any shortfall, given the current situation and that the redevelopment would result in no material increase in vehicular activity and therefore parking requirements, coupled with the highly sustainable location of the development in terms of sustainable transport there are no grounds of refusal on the basis of parking provision.
4. Refuse vehicles access is acceptable.
5. Whilst contrary to standard advice, if the fire service and building control are satisfied sufficient space is available adjacent to a fire tender within the surrounding areas of open space then the local highway authority has no reason to object. However, they state that the entire tracked route that the fire tender takes, including the turning area, should be constructed to an appropriate standard and therefore included within the area of adopted highway. Notwithstanding this the Local Highway Authority to do not raise an objection.
6. The revised visibility plan shows an acceptable level of visibility is achievable.
7. Highway stopping up has not been agreed and therefore requires conditioning.
8. No further action is required in relation to cars existing the Providence Street car park
9. Parking is acceptable as per point 3 above. EV charging facilities to be conditioned.
10. A 3m wide cycle path has been provided through the development.
11. The surfacing of the cycle path cannot be block paving. This can be controlled by condition.

It is therefore considered that the proposed redevelopment accords with the NPPF in general and specifically to paragraphs 109, 112 and 114 of the NPPF and Development Plan Policies CS11, DM15 and DM17 in terms of parking provision, cycle storage and highway safety.

### **Residential Amenity**

Residential amenity, both to existing neighbours and occupiers of the proposed development is a key consideration of the NPPF and Development Plan.

Paragraph 135f) of the NPPF states that planning decisions should *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.*

This is reiterated in Development Plan Policy DM15 which states *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.* In relation to this, DM15 states that

overlooking, overbearing, overshadowing, noise, air quality and light pollution are factors of consideration.

In relation to concerns raised by the Community Safety and Neighbourhood Nuisance Team the applicant suggests that any criticism of the internal layout, in terms of noise, would be addressed by improved standards of sound insulation (which could be secured by condition) and that impacts from the proposed community / commercial uses could be suitably addressed by restricting hours of delivery and operation by condition. Hours of operation and delivery have been negotiated between the applicant and CSNN as 0800 to 2000 Monday to Saturday and 1000 to 1600 on Sundays and Bank / Public Holidays. For reference the current hours of Providence Street Community Centre, which is a detached building, are 7.30am-9pm Monday to Friday.

In terms of overshadowing, The National Design Guide (NDG) states, at paragraph 71, *Proposals for tall buildings (and other buildings with a significantly larger scale or bulk than their surroundings) require special consideration. This includes their location and siting; relationship to context; impact on local character, views and sight lines; composition - how they meet the ground and the sky; and environmental impacts, such as sunlight, daylight, overshadowing and wind. These need to be resolved satisfactorily in relation to the context and local character.*

To aid in this assessment regarding sunlight, daylight and overshadowing, shadow diagrams have been submitted. These show that there would be an increase in overshadowing during certain periods of the day / seasons of the year to some properties to the immediate east of the site that front onto London Road. These shadow diagrams have been supplemented by further information from the applicant in relation to daylight as measured by the 25-degree rule. It should be noted that this rule is not policy or design advice, but it is a further tool to aid consideration of impacts in the absence of design codes and standards. The 25-degree rule states that *if a new building or extension breaches a perpendicular line at an angle of 25-degrees above the horizontal taken from a point 2 metres above ground level on an existing house, it is likely that windows in the existing house will be overshadowed.*

Your officer's main concern in relation to overshadowing and loss of light primarily relates to buildings to the immediate northeast and east of Block E and principally to commercial ground floor elements, but there is also some impact on residential units.

The impacts, taking account of both the shadow diagrams and 25-degree rule, suggest the following in relation to residential impacts:

No residential windows are affected for daylighting as measured by the 25-degree rule.

In relation to overshadowing:

1. No.117 London Road - Windows would receive 1hr less sunlight in winter (4hrs vs 5hrs) but are otherwise unaffected.
2. No.115C London Road – One window (on the western elevation of the unit) currently gets about 1.5hrs of sunlight in winter. This would be fully shaded as a result of the new buildings in winter. However, this window would get an extra hour of sunlight in the spring/autumn through the new gap formed between Blocks C and D. The hour of sunlight received by windows on the eastern elevation would be unaffected.
3. No.115B London Road – Windows on the southern elevation of this unit would receive 1hr less sunlight in winter (2hrs v 3hrs.) They are otherwise unaffected.
4. Nos. 113 / 113A London Road – Windows on the southern elevation of these units would receive 1hr less sunlight in winter (3hrs vs 4hrs). In spring and summer, they are partly overshadowed for an additional hour in the middle of the day but would

receive more sunlight at the end of the afternoon through the new gap on Providence Street. They are otherwise unaffected.

There would also be some impact to properties to the immediate east of Block E in terms of impacts on windows and amenity space that are principally residential (109 – 112 London Road inclusive.) This can be summarised as:

- Nos.109, 110, 111 and 112 to the south of Providence Street would be affected in the early evening in summer.

There would also be some additional overlooking primarily from windows on the northern elevation of Block E. Overlooking would be increased, and whilst there is 18m between the nearest dwelling, given the height and prominence of Block E (being 3 storey and 9.9m in height), the perception of being overlooked would be increased too. Those residential properties most affected would be 111 and 112 south of Providence Street and 113, 113a, 115B, 115C and 117 north of Providence Street.

The height and prominence of Block E would also result in overbearing impacts to properties to the immediate north and east.

However, the area is an urban environment where relationships are closer and overlooking, overbearing and overshadowing impacts are generally more concentrated than suburban / rural environments. Additionally, it should be noted that shadow diagrams generally show the 'worst case scenario' and do not show the intricacies of shading. Furthermore, it is important to note that gaps between the blocks will provide additional breaks as per point 2 above.

Conditions can be used to secure details of air source heat pumps and lighting as well as demolition / construction management in terms of noise, dust, vibrations and construction worker parking.

Crime and disorder / fear of crime is covered later in this report.

Members will therefore need to carefully consider whether the benefits of the scheme (removal of unsightly buildings and replacement with modern buildings that offer far higher standards of amenity for their occupiers, both residential and commercial, significant reduction in the risks associated with flooding and slight improvement in regards to the relationship between the development and All Saints Church by virtue of a greater degree of separation) outweigh these negative impacts and therefore if the development accords with the NPPF in general and specifically to paragraph 135f) of the NPPF and Development Plan Policy DM15.

### **Flood Risk and Drainage**

*Flood Risk:* One of the main threads running through the NPPF and Development Plan is to reduce the risks associated with flooding by directing development away from areas at highest risk of flooding, whilst acknowledging in some instances development in areas at risk of flooding will be required where development is necessary.

This is reiterated in Development Plan Policies CS01 and CS08.

This is achieved by a sequential, risk-based approach to the location of development taking into account all sources of flood risk and the current and future impacts of climate change. This is achieved by applying the sequential and where necessary the exception test.

Paragraph 165 of the NPPF states *Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*

The site lies within Flood Zone 1 as depicted on the Local Authority's Strategy Flood Risk Maps, but in an area that in a tidal breach event (of the River Ouse) could flood in parts up to 1-2m in depth. However, the southeastern part of the site, where Block F is proposed to be located, should only flood to a maximum of 0.5m in a breach event. For this reason, only block F has any ground floor habitable accommodation, but still has no sleeping accommodation. This is in line with the Strategic Flood Risk Assessment and Tidal River Hazard Mapping Protocol and Flood Risk Design Guidance contained within Annexes 4 and 5 of the Site Allocations and Development Management Policies Plan, 2016 (SADMP.)

In relation to the sequential test, this application is for redevelopment of the site, which by its very nature cannot take place elsewhere.

Paragraph 170 relates to the exception test and states *To pass the exception test it should be demonstrated that:*

- a) *the development would provide wider sustainability benefits to the community that outweigh the flood risk; and*
- b) *the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.*

Both elements of the exception test need to be passed for development to be permitted.

In relation to the exception test the drainage strategy has shown that the development would not increase flooding elsewhere and the Environment Agency has confirmed that the development would be safe. In relation to wider sustainability benefits, it is considered that the redevelopment of the site with modern affordable housing achieves this. Additionally, and of significance, is that the redevelopment of the site removes most habitable accommodation and all sleeping accommodation from ground floor level.

*Drainage:* Paragraph 173c) requires development in areas at risk of flooding that pass the sequential and exception tests to incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate. This is reiterated at paragraph 175 and Development Plan Policies CS08 and CS12.

The proposed surface water strategy is to capture surface water from the roof of the proposed buildings via rainwater down pipes. The rainwater downpipes will transfer the surface water through a number of rain garden planters into the piped network. In turn, all the run-off collected water will pass through detention facilities prior to discharging off-site into the Anglian Water sewer.

The drainage hierarchy requires that the disposal of surface water should be considered in the following order of priority:

- a) Rainwater re-use
- b) Infiltration into the subsoil via soakaways or permeable paving
- c) Discharge to a water course or the sea
- d) Discharge to a surface water sewer
- e) Discharge to a combined sewer.



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

Whilst drainage is ultimately captured by Building Regulations it is a requirement of the planning systems to achieve sustainable development. In this regard, the surface water drainage strategy, that is outlined below, is considered acceptable and has raised no objection from statutory consultees subject to condition.

In relation to surface water drainage, there were numerous rounds of comments raised by the Lead Local Flood Authority (LLFA) during the planning application consultation process, and these generated corresponding responses from Rossi Long (RLC) the applicant's drainage consultants.

Below is a summary of the drainage strategy supplied by the applicant's drainage consultant.

*Surface water run-off from the development will be managed as follows:*

- *The site is divided into two areas from a surface water drainage perspective, with Blocks A, B and C discharging into a northern sub-system and Blocks D, E and F discharging into a southern sub-system. Each sub-system includes an underground detention tank, each tank is sized to accommodate the volumes of run-off generated by a 100yr +40% climate change allowance rainfall event as required by current guidance.*
- *The southern sub-system includes a pumping station, necessary to pump the flow from this system into the northern sub-system. The pumped solution to the southern area is necessary as the existing outfalls for surface water from the old buildings in this area discharged into a combined sewer in Providence Street – Anglian Water have advised that discharge of surface water into this sewer would no longer be permitted.*
- *The northern sub-system will discharge all surface water from the new development into an existing chamber located to the north of Block A, at the restricted maximum flow rate of 13 l/s. It is estimated that the old drainage arrangement discharged at a maximum rate of up to 90 l/s into this chamber, therefore the new arrangement will significantly reduce the peak flow rates into the Phase 5 system thereby reducing flood risk on the site.*
- *The new Phase 6 development will ultimately discharge into an AW sewer in Millfleet, which then heads to the west and discharges into the River Great Ouse.*
- *The new parking area on Phase 6 will comprise permeable concrete block paving of the non-infiltration type, which will provide attenuation and improve the quality of the run-off from the area. The larger external communal areas will also comprise the same type of permeable paving. All run-off from these areas will therefore benefit from the water quality improvement resulting from filtering flows through the permeable subbase material. All permeable paving systems are designed to attenuate without flooding the 1% AEP event +40% allowance for climate change, before discharging into the proposed drainage system.*
- *As discussed in the FRA, the site is located within an area at risk of flooding should the flood defences to the main river fail. For all blocks the predicted breach flood depth is 1.0m to 2.0m. Raising ground floor levels by up to 2.0m was discounted early in the design process, as it cannot feasibly be implemented on the site; therefore, proposals include no habitable ground floor accommodation. The proposals for the ground floor areas of Blocks A - E are to provide communal space only together with cycle stores, bin storage and plant rooms. Block F is slightly less*

*at risk, guidance for this block requires that no sleeping accommodation is proposed at ground floor level. Resilience measures are to be provided in accordance with recommendations included in the Communities and Local Government guidance 'Improving the Flood Performance of New Buildings – Flood Resilient Construction'.*

In a nutshell all surface water will be discharged to an existing large diameter Anglian Water sewer in Millfleet, which discharges into the River Great Ouse.

In relation to this, the surface water strategy/flood risk assessment submitted with the planning application, where it is relevant to Anglian Water, proposes a surface water connection into the 900-diameter culvert located in Millfleet. Anglian Water has confirmed that the applicant has been in discussions with them and that the proposed connection point, and the discharge rate has been agreed in principle. They also agree with the LLFA that the drainage strategy is acceptable and should be conditioned if permission is granted.

Anglian Water has confirmed that there is capacity in relation to foul drainage and the Internal Drainage Board has confirmed that none of their byelaws are affected by the proposed development.

There are therefore no objections from statutory consultees in relation to drainage issues, subject to conditions that will be appended if permission is granted.

It is therefore considered that the proposed development accords with the NPPF in general and specifically to paragraphs 165, 170, 171, 173 and 175 of the NPPF and Development Plan Policies CS01, CS08, CS12 and the Approach to Flood Risk contained within annexes four and five of the SADMP in relation to flood risk and drainage.

### **Trees and Landscaping**

Paragraph 136 of the NPPF states *Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.*

As outlined in the arboricultural officer's comments, the Arboricultural Impact Assessment details 18 trees to be removed out of a total of 57 surveyed on and immediately adjacent to the site. Points of note are:

- 1 tree (T14) is being removed on arboricultural grounds alone and has been categorised as U (unsuitable for retention)
- 17 other trees are to be removed for development purposes. One of these (T22 categorised B), is very close to one of the blocks to be demolished, the other 16 trees are all categorised as C
- It is worth noting of these 16 trees that three of them (T7, T8 and T9) are all young pear trees planted in the previous phase of development in large planters, which have not been very successful here and elsewhere in the previous phase
- Although the proposed development is close to large existing trees, in all areas it will be the same or further away from the trees than the existing buildings
- The critical issue for this development will be the protection of trees during demolition and construction work.

The arboricultural officer raises no objection to the loss of the trees.

In relation to new tree planting:

- The Arboricultural Assessment does not specify tree replacement and simply suggests that tree replacement should occur on a 1:3 replacement ratio; the trees shown on the plans can only be considered indicative. Notwithstanding this tree replacement can be suitably conditioned.
- A Tree Preservation Order will be placed on all the newly planted trees to ensure their long-term survival and when necessary, replacement.

Whilst the open space officer raised some concerns in relation to trees in parking areas, the arboricultural officer is in some disagreement suggesting that trees in car parks should be encouraged. The arboricultural officer states *If specified correctly and the right tree is planted in the right place properly with the necessary soil volumes and root barriers there will be no issues. Also, we need to get more large growing tree species in the ground where it is sensible to do so, not smaller growing species (generally)... Provided the planting and establishment and the trees themselves close to and in hard surfaces are properly specified and selected (which the conditions I have suggested should do on this site) there will be no issues above or below ground.*

Whilst detailed landscape design at this stage is always preferable, in its absence, the use of tree sizes as indicated on the submitted plans is fine for master planning purposes until such time as detailed plans are produced which will be secured by condition as outlined above.

*Landscaping:* In relation to landscaping, the NPPF notes that landscaping should form part of the overall design for a development and that it is synonymous with good design (para 135b) and therefore the overall visual appearance of a development as required by Development Plan Policy DM15.

In addition to the arboricultural officer's comments, the senior ecologist states:

- *“Some areas of species rich grassland have been included within the masterplan which is welcomed.*
- *Other areas are comprised of `lawn`. An amenity lawn has very little value to wildlife. I recommended that all grassland on site is seeded with species rich grassland and managed as such. There are some conflicts between managing grassland in this way and the public perception of this management. However, there are solutions to this i.e., cutting the edges of such grassland in public places short to give the 'looked after appearance' that a lawn maybe perceived to have. This, in addition to the trees and ornamental planting proposed in these same areas, has the opportunity to create a more diverse matrix of habitats for local wildlife to utilise.*
- *Ornamental planting should comprise pollinator friendly species and include some night scented plants which would provide a food resource for a broad variety of invertebrates.*
- *Some hedge planting has been proposed which mostly comprises short length of hedge to the southeast and a section around the electrical substation to the north. Any new hedge planting is welcomed and should be comprised of native woody species with consideration given to inclusion of fruit bearing species. Where hedgerows are proposed a suitable understory could be planted to further enhance these features. There can again be conflicts between the visual appearance of sensitively managed native hedges and a negative public perception of it. Use of such as hornbeam and beach alongside climbers can be used in hedgerows and give a neat visual appearance.”*

These aspects would be suitably controlled via the landscape condition.

It is therefore considered that the proposed development accords with the NPPF in general and specifically to paragraphs 135b) and 136 of the NPPF and Development Management Plan Policy DM15.

## **Ecology**

The NPPF places great weight on protecting and enhancing habitats and biodiversity, with Chapter 15 of the NPPF concentrating on this subject that includes protected sites, sites of specific scientific interest, habitats, and protected species.

This is reiterated in Development Plan Policy CS12.

The site was found to be dominated by low value habitats consisting of improved grassland manged for amenity, ornamental planting and sealed surface (buildings & hardstanding). Scattered trees were present outside of the red line boundary and generally clustered around All Saints Church located centrally. One of these trees was identified with low bat roosting potential but further surveys found no bat roosts present.

Therefore, the senior ecologist raises no concerns in relation to ecological issues.

The application is for replacement dwellings and therefore impacts on protected sites are assessed as minimal and GIRAMS payment is not required. The senior ecologist raises no concern with the Shadow Habitats Regulation Assessment (sHRA) and agree with its conclusions and advises that we can adopt it as competent authority.

It is therefore considered that in terms of ecology the development accords with the NPPF in general and specifically to Chapter 15 of the NPPF and Development Plan Policy CS12.

## **Crime and Disorder**

Paragraph 96b) of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which... *are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas.*

This is reiterated in paragraph 135f) which requires planning decisions to ensure that developments *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.*

The applicant has taken steps to address some of the constabulary's Designing out Crime officer's comments. These changes seek to define private and public spaces more clearly and include:

- Private entrances to the north of block A and B redefined by change of material
- Entrances to the north and south of block E and F defined using material change and pockets of planting
- Metal fence with gate added south of block F, to add sense of security and privacy. This is only 1m high vertical bar metal fence with gates. Gates are not intended to be padlock or prevent people walking through, but to add another layer of the sense that this is semi-private space

- Turning head west of Providence Street added, material of the footpath around Providence Street changed to tarmac
- Improvements to the eastern elevation of Block B so that it no longer provides a blank elevation
- Bollard specification changed to say that they are removable bollards (and therefore emergency access can be gained) and moved to accommodate layout changes.

The applicant wishes to retain the 'courtyard' created between Blocks D, E and F as accessible to the public to encourage pedestrian and cycle movement through the site and community cohesion in accordance with paragraph 96b) of the NPPF. They have however inferred that they would be willing to amend this aspect if Members consider it necessary to make the scheme acceptable.

As is often the case with crime, the perception is that the greater the permeability the greater the chance of crime, and this can quite often lead to conflict between permeability, useability and cohesion with crime or the fear of crime. This conflict also often manifests itself in terms of landscaping proposals and lighting.

The constabulary officer still feels that the proposal is for a very permeable, semi-public style development, and they would prefer residents have greater defensible space to enable them a degree of control over the activities that take place there. It is however important to point out that unlike the other residential aspects of the wider site, the ground floor elements of this scheme, other than block F, have no residential uses at ground floor level and therefore not directly associated outside areas. This is also relevant to a number of third-party comments that raise issues in relation to cycle paths and footways adjacent to ground floor windows.

As always there are some aspects sought by the constabulary that do not fall within the remit of planning (such as, but not limited to, window and door locks.)

On balance, given the known conflicts that can arise between crime and the fear of crime with permeability, useability and cohesion it is considered that the proposed development accords with the NPPF in general and specifically to paragraphs 96b) and 135f) of the NPPF.

### **Other Material Considerations**

In relation to UK Power Network comments, the applicant has confirmed that the substation will be enclosed by a brick building and is therefore sited a sufficient distance from the nearest buildings and habitable rooms to comply with their guidelines.

In relation to the Chief Fire Officer's comments regarding bollards it can be confirmed that they are now removable.

Energy Efficiency - The application is supported by an Energy Statement which considers the use of renewable energy choices that would be appropriate for the scheme and states that the building envelope thermal performance will adopt the Future Homes Standard 2025. The renewable energy strategy is to use direct electric heating via Solar PV and hot water via air source heat pumps (ASHP). The latter of which two options are suggested: 1) individual ASHPs on the roof serving each unit or 2) community ASHP on the roof serving a central store. The Environmental Quality Team suggests that a communal / block system would be preferable. The strategy accords with the provisions of Policy CS08, and it is recommended that final details of the ASHPs are secured by way of a condition prior to their installation.

In relation to third party comments that are considered to represent material considerations and are not covered in the report above, your officer comments as follows:

- The total lack of risk assessment for Designing out Crime and Health & Safety issues is unforgivable – *risk assessments per se are not a requirement*
- It appears that discussions have been going on in the background – *it is more often than not the case with major developments that background meetings take place between applicants and statutory consultees to seek to address technical issues*
- Reports and counter arguments are of an inadequate standard – *this is a personal opinion*
- The shadow diagrams are not fit for purpose – *the shadow diagrams are a tool for assessing impacts and in this regard are considered acceptable*
- Why are comments still be submitted after the consultation deadline? *comments can be submitted right up until a decision is made*
- Opening up the development to the wider public is encouraging drug runners– *there is nothing to suggest that this application would encourage drug runners. It would be easier to suggest that redevelopment of the currently empty buildings with a scheme that provides excellent natural surveillance is likely to reduce such occurrences*
- The planning application should be presented within the context of the whole town of King's Lynn because it has more Grade II listed buildings than York – *the assessment is considered appropriate for its impact*
- There are no asbestos reports even though it is known that asbestos is present – *asbestos is covered under separate legislation*
- The buildings should be refurbished not demolished – *the application must be considered as submitted*
- There are no 3, 4 or 5 bed units. If 4 and 5-bed units were required in 2020, why are they no longer required? *the application has been submitted by Freebridge Community Housing, a registered provider. It must therefore be considered that the proposed development seeks to address the current need. Additionally, the LPA's Housing Team has stated "We don't have any concerns regarding the housing mix here. We have a significant need for 1 & 2 bed units and Hillington Square is a highly sustainable location. Existing 3 bed maisonettes in King's Lynn are historically hard to let therefore this is something we are trying to steer away from"*
- Workers are using heavy machinery by 8am on weekdays next to my front door without notice or warning – *this does not relate to the current application*
- There is a lack of green space for children living on Hillington Square to play on – *there is no requirement to provide additional green space as part of this application*
- What timescales have been considered? – *work will be required to commence within three years of the date of the decision*
- I am concerned that not only the church may be damage in the demolition process, but also other buildings in the locality including other buildings in Hillington Square – *structural damage is controlled under separate legislation*
- The proposed balconies are climbable so do not meet secured by design
- Isn't Providence Street Community Centre listed? *no*
- The buildings have been declared as 'unsuitable for refurbishment' but notably no survey reports of these buildings have been included with the planning application – *the applicants are not required to submit structural surveys showing that the buildings cannot be renovated*
- The applicant incorrectly references drawing numbers in his responses to consultee comments; this is deplorable – *any decision issued will list the appropriate plans*
- Double rack cycle storage disadvantages: children, adults of short stature, the elderly and anyone with a physical disability – *this is considered a reasonable solution for cycle provision*

- The use of the cycle storage for residential occupiers of the flats and those using the commercial units is not appropriate – *cycle storage is for the residential element only*
- The applicant considers that if a problem already exists, he is exempt from finding a solution – *the current situation is a material consideration in the determination of the application*
- There has been no meaningful consultation with residents or local people by the applicants – *there is no requirement for the applicant to undertake a public consultation*
- The omission of a detailed fully comprehensive carbon footprint report is unforgivable and contrary to the new building regulations – *building regulations to not fall within the planning regime.*

## CONCLUSION

The application proposes a significant change in the previous approach to the redevelopment of this part of Hillington Square and now includes Providence Street Community Centre. The redevelopment now proposes demolition and rebuild rather than refurbishment. This is a similar approach to application 20/01166/FM that was refused by planning committee on 19/07/2021 for the following reason *The proposal results in an unsympathetic design and layout in the locality and is overbearing in terms of scale and height. It will be harmful to the setting of the listed buildings and the conservation areas, contrary to paragraphs 7, 8, 193, 194 & 196 of the NPPF, Core Strategy Policies CS08 and CS12 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.* However, the two are not directly comparable because application 20/01166/FM did not include Providence Street Community Centre.

The current proposal is for six blocks with two blocks (A and B) being four storeys in height (12.7m to parapet) and the other four blocks (C, D, E and F) being three storeys in height (9.9m to parapet.) This is substantially lower than the previously refused scheme, of which comparable Block 3 had a lift shaft measuring 15.1m tall and an overall parapet height of 15.1m.

It is considered that the height of the six blocks relates well to the existing built form on Hillington Square and would not result in harm to the wider setting of the conservation areas or listed buildings especially the Friar's Conservation Area and Grade II\* Listed All Saints Church. However, in terms of overbearing, overshadowing and overlooking impacts, the height, together with the proximity of Block E to existing properties on London Road results in some disamenity during certain periods of the day and seasons of the year which needs to be weighed in the planning balance. This consideration also needs to take account of the closer relationships between properties that occur in urban environment.

The applicant has demonstrated that the proposed development complies with the provisions of the NPPF and Development Plan in terms of design and impact on the historic environment / Heritage Assets with Historic England stating that there would be “a slight improvement to the setting of All Saints Church through the changes to layout and opening up.”

The proposal will result in an overall reduction in the number of residential units and community / commercial space across the site, but an increase in car parking spaces and provision of secure cycle storage facilities. Conditionally the proposal raises no highway safety objection.

Flood risk and drainage issues have been adequately assessed and, conditionally, accord with the provisions of the NPPF and Development Plan.

There is no loss of significant trees and there is scope within the site for new planting.

It is acknowledged that there remain some concerns from the Local Highway Authority and Constabulary's Designing out Crime Officer, but neither raise an objection. It is also acknowledged that the development would result in a limited degree of overshadowing and overlooking currently not experienced. However, when looking at the application as a whole it is considered, on balance, that the benefits of the scheme outweigh this harm, and it remains the case that there are no objections from statutory consultees to any aspect of the proposed development.

The demolition of these outdated flats and the redevelopment with modern, energy efficient dwellings and Class E and F2 uses, with improved facilities, reflects the NPPF and Development Plan Policies relating to sustainability and can be supported. The aims of the scheme, which include improving the setting of the Grade II\* listed All Saints Church, improving the standard of the accommodation and the quality of the external environment and increasing connectivity are supported.

Furthermore, it is considered that this proposal addresses the reason for refusal of application 20/01166/FM.

The proposal will optimise the site potential, whilst protecting and enhancing the historic environment, although this does come at the expense of neighbour amenity. However, on balance, it is considered that the development accords with the NPPF in general and specifically to paragraphs 91, 92, 96b), 97a) and e), 109, 112, 114, 131, 135, 136, 165, 170, 171, 173, 175, 196, 205, 206, 208 and 212 of the NPPF, Development Plan Policies CS01, CS03, CS08, CS10, CS11, CS12, CS13, DM9, DM10, DM15 and DM17 and the Approach to Flood Risk contained within annexes four and five of the SADMP in relation to flood risk and drainage.

It is therefore recommended that this application be approved subject to the conditions outlined below.

## **RECOMMENDATION:**

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos:
  - 9501-FM-XX-01-DR-A-001-P07 (Location Plan as Existing)
  - 9501-FM-XX-01-DR-A-002-P06 (Site Plan as Existing)
  - 9501-FM-XX-01-DR-A-0003-P08 (Proposed Site Plan Ground Floor Level)
  - 9501-FM-XX-01-DR-A-0004-P05 (Proposed Site Plan Roof Level)
  - 9501-FM-XX-01-DR-A-005-P05 (Site Plan Demolition)
  - 9501-FM-XX-01-DR-A-0006-P04 (Proposed Refuse Collection Plan)
  - 9501-FM-XX-01-DR-A-0007-P04 (Fire Access Strategy Plan)
  - 9501-FM-XX-01-DR-A-0110-P07 (Proposed GA Plan Block A Ground Floor Level)
  - 9501-FM-XX-01-DR-A-0111-P07 (Proposed GA Plan Block A First Floor Level)



9501-FM-XX-01-DR-A-0112-P07 (Proposed GA Plan Block A Second Floor Level)  
 9501-FM-XX-01-DR-A-0113-P07 (Proposed GA Plan Block A Third Floor Level)  
 9501-FM-XX-01-DR-A-0120-P08 (Proposed GA Plan Block B & C Ground Floor Level)  
 9501-FM-XX-01-DR-A-0121-P08 (Proposed GA Plan Block B & C First Floor Level)  
 9501-FM-XX-01-DR-A-0122-P08 (Proposed GA Plan Block B & C Second Floor Level)  
 9501-FM-XX-01-DR-A-0123-P08 (Proposed GA Plan Block B & C Third Floor Level)  
 9501-FM-XX-01-DR-A-0130-P07 (Proposed GA Plan Block D & E Ground Floor Level)  
 9501-FM-XX-01-DR-A-0131-P07 (Proposed GA Plan Block D & E First Floor Level)  
 9501-FM-XX-01-DR-A-0132-P07 (Proposed GA Plan Block D & E Second Floor Level)  
 9501-FM-XX-01-DR-A-0140-P07 (Proposed GA Plan Block F Ground Floor Level)  
 9501-FM-XX-01-DR-A-0141-P07 (Proposed GA Plan Block F First Floor Level)  
 9501-FM-XX-01-DR-A-0142-P07 (Proposed GA Plan Block F Second Floor Level)  
 9501-FM-XX-00-DR-A-300-P03 (Block A Proposed North & East Elevations)  
 9501-FM-XX-00-DR-A-301-P03 (Block A Proposed South & West Elevations)  
 9501-FM-XX-00-DR-A-302-P04 (Block B Proposed North & East Elevations)  
 9501-FM-XX-00-DR-A-303-P03 (Block B Proposed South & West Elevations)  
 9501-FM-XX-00-DR-A-304-P03 (Block C Proposed North & East Elevations)  
 9501-FM-XX-00-DR-A-305-P03 (Block C Proposed South & West Elevations)  
 9501-FM-XX-00-DR-A-306-P03 (Block D & E Proposed East & West Elevations)  
 9501-FM-XX-00-DR-A-307-P03 (Block D & E Proposed North & South Elevations)  
 9501-FM-XX-01-DR-A-308-P03 (Block F Proposed North & East Elevations)  
 9501-FM-XX-01-DR-A-309-P03 (Block F Proposed South & West Elevations)  
 3417-LAN-ZZ-XX-R-L-201-P14 (Landscape Masterplan)  
 221098 C-600 P05 (Autotrack Swept Path)  
 221098 C-601 P02 (Visibility Splay Plan)  
 221098 C-602 P01 (Autotrack Swept Path Sheet 2)

- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to commencement of demolition, site clearance or any development a detailed demolition / construction environmental management scheme shall be submitted to and approved in writing by the Local Planning Authority; this must include proposed timescales and hours for the demolition, construction phase, deliveries / collections and any piling. The scheme shall also provide the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound, the location and layout of the materials storage area, machinery storage area and waste & recycling storage area, all proposed attenuation and mitigation methods to protect residents from noise, vibrations, dust and litter and communication methods to the wider community regarding the demolition and construction phases and likely disruptions. If piling is required, full assessment of noise and vibration impacts should be included. The scheme shall be implemented as approved.
- 3 Reason To ensure that the amenities of occupants of neighbouring properties are safeguarded in accordance with the NPPF and Development Plan Policy DM15. This is required to be a pre-commencement condition to ensure the demolition and construction is suitably controlled.
- 4 Condition Development shall not commence (including demolition) 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.
- 4 Reason In the interests of highway safety and neighbour amenity in accordance with the NPPF and Development Plan Policies CS11 and DM15. This is required to be a

pre-commencement condition to ensure the demolition and construction parking is suitably controlled from the outset.

- 5 Condition No development shall take place (including demolition, ground works, vegetation clearance) until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall detail the management and planting details. The LEMP shall detail the management and details of enhancement measures to be installed including the number, type and location of bird boxes and hedgehog links and the location and species composition of hedge-planting/establishment identified within Section 7 of the Ecological Impact assessment in addition to those recommended by the LPA (email dated 03/11/2023). This must include a spatial plan of where enhancements are located.
  
- 5 Reason In order to safeguard the ecological interests of the site in accordance with the NPPF and Development Plan Policy CS12. The details are required prior to commencement to ensure the ecological interests of the site are not prejudiced during demolition or construction.
  
- 6 Condition No work or other operations associated with the development hereby permitted (including demolition) shall take place on site until a scheme for the protection of the retained trees including Arboricultural Method Statements and a Tree Protection Plan or Plans (section 5.5, BS 5837:2012) has been agreed in writing with the Local Planning Authority. This scheme shall include:
  - a) Site layout plans to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and root protection area (section 4.6 of BS5837:2012) of every retained tree on site and on neighbouring or nearby ground, superimposed on the layout plan. The positions of all trees to be removed shall be indicated on this plan.
  - b) The details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers, (section 6.2 of BS5837:2012), to form a construction exclusion zone, and the type and extent of ground protection (section 6.2.3 of BS5837:2012) or any other physical tree protection measures, such as tree boxes. These details are to be identified separately where required for different phases of construction work (e.g., demolition, construction, hard landscaping). Barrier and ground protection offsets must be dimensioned from existing fixed points on the site to enable accurate setting out. The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection.
  - c) The details and positions (shown on the plan at paragraph (a) above) of any underground service runs that are proposed within the root protection areas of any retained tree, (section 7.7 of BS5837:2012). The details of the working methods to be employed with regard to site logistics including, the proposed access and delivery of materials to the site; space for storing materials spoil and fuel, and the mixing of cement; contractor car parking; site huts, temporary latrines (including their drainage), and any other temporary structures.
  - d) The arboricultural method statement/s (BS5837:2012 part 6.1) shall include details for the installation of any temporary ground protection, excavations, or other method for the installation of any hard structures or underground services within the minimum root protection areas of any retained tree.

The Tree Protection Barriers and ground protection must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection

Barriers are repositioned for that phase. All tree protection works shall be carried out in complete accordance with the approved details.

All existing trees, within the site that are shown as being retained on the approved plans shall not 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 removed or pruned without such approval, or which 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 similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.

- 6 Reason To ensure that the existing trees are properly protected in the interests of visual amenity in accordance with the NPPF and Development Plan Policy DM15. This needs to be a pre-commencement condition to ensure that trees are fully protected during demolition and construction.
- 7 Condition No work or other operations associated with the development hereby permitted (including demolition) shall take place on site until details of all Arboricultural Supervision to include a schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition 6 shall be submitted to the Local Planning Authority for approval in writing. Site arboricultural supervision and monitoring shall thereafter be carried out in strict accordance with the approved details.
- 7 Reason To ensure that the existing trees are properly protected in the interests of visual amenity in accordance with the NPPF and Development Plan Policy DM15. This needs to be a pre-commencement condition to ensure that trees are fully protected during demolition and construction.
- 8 Condition Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
  - (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:
    - human health,
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - adjoining land,
    - groundwaters and surface waters,
    - ecological systems,
    - archaeological sites and ancient monuments;
    - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

- 8 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. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 9 Condition Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 9 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. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 10 Condition The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

- 10 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.
- 11 Condition In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 9, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 10.
- 11 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.

12 Condition Prior to the commencement of the development hereby approved (including demolition), a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.

12 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

This also needs to be a pre-commencement condition given the fundamental details linked to asbestos containing materials which need to be planned for at the earliest stage in the development.

13 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.

13 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

14 Condition Prior to the commencement of development (including demolition) the developer shall:

- Sign up to the Environment Agency flood warning system
- Have an appropriate on-site management regime prepared to the satisfaction of the local planning authority to warn any contractors on-site
- Have a flood evacuation plan prepared to the satisfaction of the local planning authority. The flood evacuation plan shall include:
  - 
  - Actions to take on receipt of the different warning levels.
  - Evacuation procedures e.g., isolating services, securing plant etc.
  - Evacuation routes.

14 Reason To reduce the risks associated with flooding in accordance with the NPPF. This needs to be a pre-commencement condition to ensure that those working on the site are fully aware of the risks.

15 Condition No development (excluding demolition) shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and

records of the site investigation, 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.

- 15 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 16 Condition No development shall take place other than in accordance with the written scheme of investigation approved under condition 15 and any addenda to that WSI covering subsequent phases of mitigation.
- 16 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 17 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 15 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 17 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 18 Condition No works shall commence on site until such time as detailed plans of the roads, footways and cycleways 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.
- 18 Reason To ensure appropriate development of the site in terms of highway design and safety in accordance with the NPPF and Development Plan Policies CS11 and DM15. 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.
- 19 Condition Notwithstanding the details indicated on the submitted plans no works shall commence on site (excluding demolition) until a detailed stopping up drawing is agreed and a Stopping Up Order to remove all highway rights subsisting in the highway land indicated on the agreed plan has been granted and all highway rights over the land have been successfully removed.
- 19 Reason To remove the highway rights of way over the land. In order to comply with statutory provisions this must take place prior to commencement. In the interests of highway safety in accordance with the NPPF.
- 20 Condition Before any dwelling is first occupied the road(s), footway(s) and 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.
- 20 Reason To ensure appropriate development of the site in terms of highway design and safety in accordance with the NPPF and Development Plan Policies CS11 and DM15.

- 21 Condition All footway(s) and cycleway(s) shall be fully surfaced prior to the first occupation of the development hereby permitted in accordance with a phasing plan to be approved in writing prior to the commencement of development by the Local Planning Authority.
- 21 Reason To ensure appropriate development of the site in terms of highway design and safety in accordance with the NPPF and Development Plan Policies CS11 and DM15.
- 22 Condition Prior to the first occupation of the development hereby permitted the proposed on-site access, car parking and turning areas (including Valingers Place car park) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 22 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 and Development Plan Policies CS11 and DM15.
- 23 Condition Prior to first occupation of the development hereby permitted a scheme for the parking of cycles for the commercial / community uses shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.
- 23 Reason To ensure the provision of adequate cycle parking that meets the needs of occupiers of the commercial / community uses in the interests of encouraging the use of sustainable modes of transport in accordance with the NPPF.
- 24 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 24 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF and Development Plan Policies CS01, CS08, CS12 and DM15.
- 25 Condition Notwithstanding the approved plans, prior to the first use / occupation of the development hereby permitted, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority.
- i. Hard landscape works, to include but not be limited to, finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts, boundary types, and any paved surfaces (including manufacturer, type, colour and size) underground modular systems, and sustainable urban drainage integration (see detailed design proposals for street trees planting pits/trenches at ii)
  - ii. Soft landscape works, to include planting plans, and in relation to tree planting this should include replacement of those lost on a 1:3 replacement ratio, (which show the relationship to all underground services overhead lighting and the drainage layout), written specifications (including cultivation and other operations associated with plan and grass establishment), schedules of plants noting species, plant sizes, proposed numbers and densities, tree planting details including method of staking, and irrigations, detailed design proposals

for street trees planting pits/trenches including, but not limited to, locations, soil volumes in cubic metres, cross sections and dimensions.

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.

- 25 Reason To ensure that the development is properly landscaped in the interests of visual amenity in accordance with the NPPF and Development Plan Policies CS01, CS08, CS12 and DM15.
- 26 Condition Prior to the occupation of the development a landscape establishment and maintenance scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the initial establishment and maintenance of all landscaped areas for a minimum period of 5 years and specify the maintenance responsibilities and arrangements for its implementation. The landscape maintenance scheme shall be carried out as approved.
- 26 Reason To ensure that the development is properly landscaped in the interests of visual amenity in accordance with the NPPF and Development Plan Policies CS01, CS08, CS12 and DM15.
- 27 Condition A landscape management plan including long-term design objectives, management responsibilities, management, and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of any part of the buildings or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
- 27 Reason To ensure that the development is properly landscaped in the interests of visual amenity in accordance with the NPPF and Development Plan Policies CS01, CS08, CS12 and DM15.
- 28 Condition The development shall not be brought into use until a scheme for the provision of 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.
- 28 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 29 Condition Prior to the first occupation of the development hereby permitted:
- Individual occupiers shall sign up to the Environment Agency flood warning system
  - A flood evacuation plan shall be prepared to the satisfaction of the local planning authority (a community plan maybe satisfactory if there is clear accountability for its maintenance and ongoing promulgation to occupiers). The flood evacuation plan shall include:
    - - Actions to take on receipt of the different warning levels.
      - Evacuation procedures e.g., isolating services and taking valuables etc.



- Evacuation routes.
- 29 Reason To reduce the risks associated with flooding in accordance with the NPPF.
- 30 Condition Prior to the first occupation of the development hereby permitted electric vehicle charging shall be installed in accordance with a scheme to be submitted and agreed in writing by the Local Planning Authority.
- 30 Reason To ensure the electric vehicle charging is safe, accessible, and convenient for all future users including visitors in accordance with the NPPF.
- 31 Condition Prior to the first occupation of the development hereby permitted:
- Finished floor levels shall be set no lower than
    - +5.1m AOD (Block F)
    - +4.7m AOD (Blocks D & E)
    - +4.75m AOD (Block C)
    - +4.95m AOD (Block B) and
    - +4.95m AOD (Block A)
  - Flood resilience measures will be provided in accordance with recommendations included in the Communities and Local Government guidance
  - There will be no ground floor sleeping accommodation at any time in Blocks A-F inclusive
  - There will be no ground floor habitable accommodation at any time in Blocks A-E inclusive
  - For block F, safe refuge will be provided at all times on the first floor which will be 2.6m above the ground floor level.
- 31 Reason To reduce the risks associated with flooding in accordance with the NPPF.
- 32 Condition The community and commercial premises hereby permitted shall only be used between the hours of 0800 and 2000 Monday to Saturday, and 1000 to 1600 on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 32 Reason In the interests of the amenity of the locality in accordance with the NPPF and Development Plan Policy DM15.
- 33 Condition Delivery hours for the community and commercial premises hereby permitted shall be limited to the hours of 0800 and 2000 Monday to Saturday, and 1000 to 1600 on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 33 Reason In the interests of the amenity of the locality in accordance with the NPPF and Development Plan Policy DM15.
- 34 Condition Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the neighbouring dwellings, plus provide details of anti-vibration mounts, and all noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.

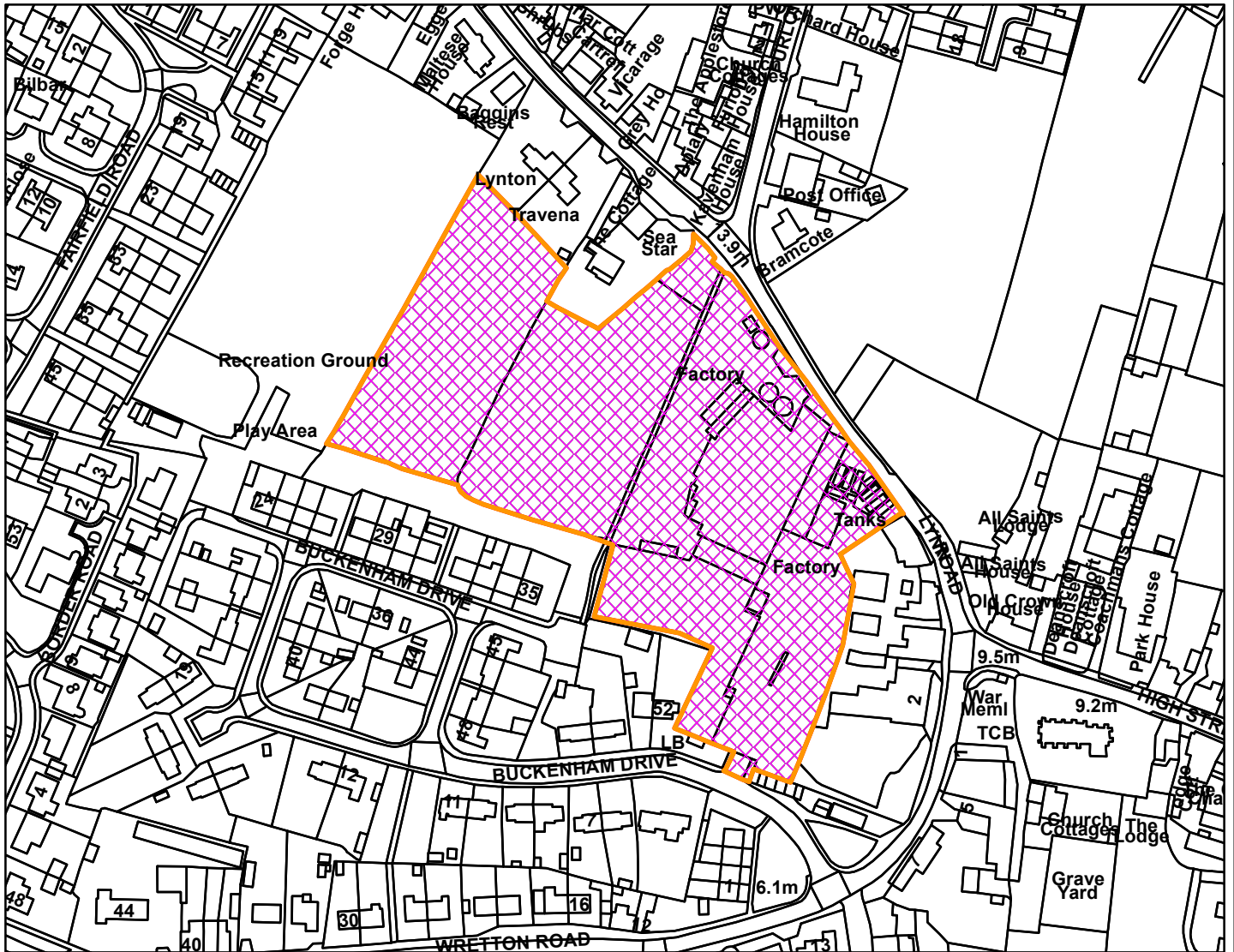
- 34 Reason In the interests of the amenities of the locality in accordance with the NPPF and Development Plan Policy DM15.
- 35 Condition Demolition, construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between the hours of 0900 and 1800 weekdays, and 0930-1300 on Saturdays, with no work allowed on Sundays and Bank/Public Holidays. Piling is only permitted weekdays between 0900 and 1700 hours.
- 35 Reason In the interests of the amenities of the locality in accordance with the NPPF and Development Plan Policy DM15.
- 36 Condition No development above foundation level shall take place on site until a detailed scheme for the sound insulation of the building to prevent noise transfer has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and thereafter maintained as such.
- 36 Reason In the interests of the amenities of future occupiers of the development in accordance with the NPPF and Development Plan Policy DM15.
- 37 Condition Prior to the installation of any external plant/equipment or air intake or extraction associated with the use(s) of the ground floor areas, full details of the sound power levels, make, model and mounting locations of the plant/equipment, noise attenuation and anti-vibration mounts, vents, flues, air intake and extraction equipment to be used, including the flue height, the design and position of all vents and ductwork/pipework, the noise/power levels of the fan(s), the number, type and attenuation characteristics of any silencers, and odour abatement measures shall be submitted for written approval by the Local Planning Authority. The plant/equipment shall be implemented as approved prior to the commencement of the use and thereafter maintained as such.
- 37 Reason In the interests of the amenities of the locality in accordance with the NPPF and Development Plan Policy DM15.
- 38 Condition Prior to the installation of any external lighting, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting, the extent/levels of illumination over the site and the measures to ensure light is contained within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.
- 38 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and Development Plan Policy DM15.
- 39 Condition Prior to the first use of any commercial / community use hereby permitted commercial waste and recycling shall be provided in accordance with a scheme to be approved in writing by the Local Planning Authority.
- 39 Reason To ensure that waste is properly considered in accordance with the NPPF.
- 40 Condition The development hereby permitted shall be constructed in accordance with the submitted FRA and Drainage Strategy (Flood Risk Assessment and Drainage Strategy, Rev 00, May 2023, by Rossi Long Consulting) as well as

31005\_221098\_Rev.00\_FRA + DS Addendum 01 (Rev 00, 05 October 2023, by Rossi Long Consulting) prior to the first use of the development.

- 40 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF and Development Plan Policies CS08 and CS12.



Land on the South West side of Lynn Road Stoke Ferry PE33 9SW



**Legend**

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**Scale:** 1:2,500

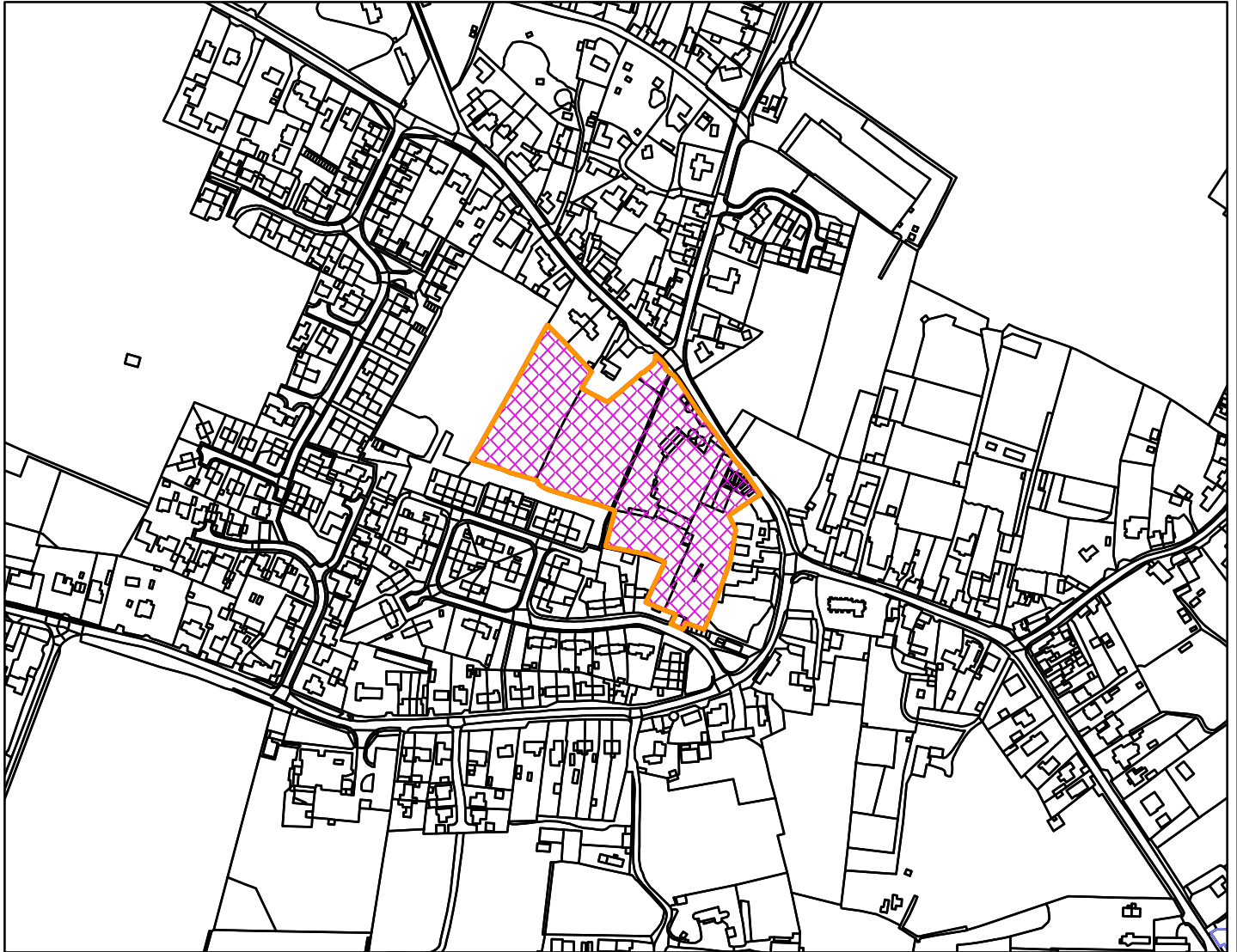
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Organisation	BCKLWN
Department	Department
Comments	
Date	21/02/2024
MSA Number	0100024314



Land on the South West side of Lynn Road Stoke Ferry PE33 9SW



### Legend

**Scale:** 1:5,000

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Organisation	BCKLWN
Department	Department
Comments	
Date	21/02/2024
MSA Number	0100024314

**AGENDA ITEM NO: 9/3(b)**

<b>Parish:</b>	<b>Stoke Ferry</b>	
<b>Proposal:</b>	<b>Reserved Matters Application for 62 dwellings including layout, external appearance, scale and landscaping</b>	
<b>Location:</b>	<b>Land On the South West Side of Lynn Road Stoke Ferry Norfolk PE33 9SW</b>	
<b>Applicant:</b>	<b>Amber REI Ltd</b>	
<b>Case No:</b>	<b>23/00177/RMM (Reserved Matters - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs C Dorgan</b>	<b>Date for Determination: 9 May 2023 Extension of Time Expiry Date: 17 November 2023</b>

**Reason for Referral to Planning Committee** – Referred by Planning Control Sifting Panel.

**Neighbourhood Plan: Yes**

**Case Summary**

The application site measures approximately 2.3ha in area and is located in the centre of the village of Stoke Ferry, a Key Rural Service Centre (KRSC). The site is to be accessed via Buckenham Drive to the south and Lynn Road to the north. The site has residential development to the south, a playing field to the west, and Lynn Road forms the northern and eastern boundaries. The site is partially within and adjacent to Stoke Ferry Conservation Area and is directly adjacent to four Listed Buildings (one of which is Grade II\*). The current use of the site is in two parts. To the west is an area of privately owned greenfield land, and to the east is the site of the Stoke Ferry Mill consisting of a number of large scale buildings and an area of hard standing which is currently still in operation.

Outline planning with access only was granted 19/00274/OM 'Outline application with some matters reserved for the erection of up to 70 residential dwellings and access' and this consent included a Section 106 agreement to secure affordable housing, open space, Habitat monitoring and mitigation, and also phasing of the development of the application site with the Furlong Road site (applications 19/00272/OM and 23/00178/RMM).

This application seeks reserved matters consent for appearance, landscaping, layout and scale for the construction of up to 70 residential dwellings, incorporating affordable housing and open space contributions in line with the adopted Local Plan policy requirements, and associated development to include drainage features, roads, pedestrian paths and other works.

The applicant has submitted a further application for the redevelopment of the Furlong Drove storage and distribution site (23/00177/RMM).

## **Key Issues**

Principle of development  
Form and character and Impact on Stoke Ferry Conservation Area/ Listed Buildings.  
Impact on neighbour amenity  
Access/ Highway safety  
Other matters requiring consideration prior to determination of the application.

## **Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site measures approximately 2.3ha in area and is located in the centre of the village of Stoke Ferry, a Key Rural Service Centre (KRSC). The site is to be accessed via Buckenham Drive to the south and Lynn Road to the north. The site has residential development to the south, a playing field to the west, and Lynn Road forms the northern and eastern boundaries. The site is partially within and adjacent to Stoke Ferry Conservation Area and is directly adjacent to four Listed Buildings (one of which is Grade II\*). The current use of the site is in two parts. To the west is an area of privately owned greenfield land, and to the east is the site of the Stoke Ferry Mill consisting of a number of large scale buildings and an area of hard standing.

Outline planning with access only was granted (19/00274/OM - Outline application with some matters reserved for the erection of up to 70 residential dwellings and access) and this consent included a Section 106 agreement to secure affordable housing, open space, Habitat monitoring and mitigation, and also phasing of the development of the application site alongside the development of the Furlong Road site (applications 19/00272/OM and 23/00178/RMM).

This application seeks reserved matters consent for appearance, landscaping, layout and scale for the construction of 62 residential dwellings, incorporating affordable housing (12 units) and open space contributions in line with the adopted Local Plan policy requirements, and associated development to include drainage features, roads, pedestrian paths and other works. This represents a density of 27 dwellings per hectare.

The applicant has submitted a further application for the redevelopment of the Furlong Drove storage and distribution site (23/00177/RMM).

The site layout has a clear road hierarchy. This includes a single primary street running north to south with a secondary lane to the west, with seven private drives off these. The plots all include off road parking, some with garages, and all plots include private rear amenity space.

Market housing – 50 units

- 12 x 4 bed dwellings
- 34 x 3 bed dwellings
- 4 x 2 bed dwellings

## Affordable housing – 12 units

- Affordable rent - 6 x 3 bed (2 of which are bungalows) and 2 x 2 bed.
- Shared ownership – 2 X 3 bed and 2 X 2 bed

There are a number of different house types proposed. The dwellings are all two storey, aside from two affordable rent dwellings which are single storey. The heights of the two-storey units range from 6.4m to 8.2m at ridge height.

The materials proposed are a mix of red brick, carstone and render in colours linen, off-white and mint. The roof tiles proposed are red clay pantiles and grey slate roof tiles. The detailed types are yet to be agreed and will be conditioned as such. Detailing on the dwellings include brick quoin detailing, stone cills and headers, brick headers, covered porches, brick plinths, dormer windows and the inclusion of some chimneys. This will add character and interest throughout the site.

## SUPPORTING CASE

1. This reserved matters application relates to Outline Application 19/00274/OM which established the principle of re-development of the Mill. The reserved matters provides the layout, external appearance, scale, and landscaping of 62 dwellings which will replace the mill and provide an attractive residential development in the centre of the village.

2. The Site is located adjacent to four listed buildings; Stoke Ferry Hall (Grade II\*), Crown House, Bayfields and The Cobbles (all Grade II). The existing Mill dominates the setting of these listed buildings. In contrast, the reserved matters have been designed to enhance the setting of these listed buildings through the use of smaller buildings, appropriate detailing and suitable materials which reflect and respond to the historic core of Stoke Ferry.

3. Whilst the listed buildings are not in the red line boundary of this application. To further enforce the character of the Grade II\* Stoke Ferry Hall, the proposed development will provide it with a large rear garden. This will enhance the setting of the building whilst also providing it with outdoor space.

4. As required by Condition 7 of the outline application, the layout includes a second vehicular access point from Lynn Road. This will reduce the amount of traffic which would otherwise use the main access on Buckenham Drive.

5. The proposed layout maintains the existing route of the Public Right of Way through the Site. The existing Public Right of Way will be enhanced with landscaping creating a green corridor whilst the adjacent dwellings provide natural surveillance and security.

6. The proposed scheme meets the Council's parking standards, and the Local Highway Authority has confirmed it has no objection to the proposal subject to conditions.

7. The new dwellings have been designed to respect the character of the village through the use of a variety of house designs reinforced with the use of local materials and features. The use of materials such as brick, Carstone, and rendering along with details such as chimneys and porches further reinforce the area's character and ensure the development will fit in with its surroundings and enhance the appearance of Stoke Ferry.

8. The proposal will provide a mix of 2, 3 and 4 bedroom homes and includes a 20% policy-compliant affordable housing element with the mix of affordable housing being informed by the Council's requirements. This includes two specifically requested bungalows. The



affordable housing is wholly located within the first phase of the Site to ensure delivery of affordable housing at the earliest opportunity.

9. The applicant has responded to consultee comments which included advice from the Council's Tree, Housing and Heritage Officers as well as the Police Architectural Liaison Officer, which has resulted in an application where there are no objections from any statutory consultees. Council Officers have confirmed the design, use of materials and layout of dwellings is acceptable. The approval of the reserved matters application will not only remove a 'bad neighbour' use which currently has a harmful impact on the appearance of the centre of the village but also on the amenity of residents and replace it with an attractive residential development which reflects and harmonises with the existing character of housing in Stoke Ferry.

## **PLANNING HISTORY**

19/00274/OM: Application Permitted: Planning Committee decision - 31/01/20 - Outline application with some matters reserved for the erection of up to 70 residential dwellings and access - Land On The South West Side of Lynn Road

16/00091/TREECA: Delegated decision - Tree Application - No objection: 14/07/16 - T1 Sycamore Tree - Remove within Conservation Area - Sea Star Fish Bar Kebab Pizza

2/97/1714/F: Application Permitted: Delegated decision - 05/02/98 - Raising of part of roof to vehicle workshop - Favor Parker Stoke Ferry Hall

2/96/1408/F: Application Permitted: Delegated decision - 09/12/96 - New frame and cladding to bulk store area - Favor Parker The Hall Stoke Ferry

2/02/1308/LB: Application Permitted: Delegated decision - 23/10/02 - Alteration to provide office space fire escape and improved access - The Hall Lynn Road

2/02/1309/F: Application Permitted: Delegated decision - 23/10/02 - Provision of fire escape - The Hall Lynn Road

2/93/0320/CU: Application Permitted: Delegated decision - 16/07/93 - Change of use of electrical workshop to storage associated with existing shop and construction of three dwellings - Lynn Road

2/01/0755/CU: Application Permitted: Planning Committee decision - 11/09/01 - Continued use of building for car repairs - Ferry Stores Ltd Lynn Road

2/00/0806/A: Application Permitted: Delegated decision- 11/12/00 - Non-illuminated business sign (revised proposal) - Favor Parker Ltd

2/02/0648/F: Application Permitted: Delegated decision - 06/06/02 - Change of use from garage building to parking area and changing room - Favor Parker Ltd

2/93/1003/LB: Application Permitted: Planning Committee decision - 07/02/94 - Incidental demolition associated with internal alterations of building and construction of extension - Favor Parker Ltd

2/93/0991/CA: Application Permitted: Planning Committee decision - 07/09/93 - Incidental demolition in connection with extension - Favor Parker Ltd

2/93/0990/F: Application Permitted: Planning Committee decision - 07/09/93 - Extension to create new office - Favor Parker Ltd

## **RESPONSE TO CONSULTATION**

### **Parish Council: SUPPORT**

The members of Stoke Ferry Parish Council would like to support this application with the following comments:

- There needs to be some type of official crossings or raised tables, which will slow the traffic through the development. They should be strategically located where the public footpaths lead to the most likely crossing.
- There needs to be some type of screening at the playing field, perhaps tall trees - this was previously asked for.
- At the entrance onto Lynn Road, there needs to be a crossing to slow traffic.

**Highways Authority: NO OBJECTION** subject to conditions.

With reference to the application relating to the above development (as shown on drawing P18-0840\_DE\_200\_02 rev F), in relation to highways issues only, notice is hereby given that Norfolk County Council recommends that any permission which the Borough Council may give shall include conditions re – visibility splays, and the Traffic Regulation Order for waiting restrictions on Lynn Road.

### **Internal Drainage Board: NO OBJECTION**

The current application relates to conditions associated with the subsequent outline consent that was granted, and which are in turn related to layout external appearance, scale and landscaping. The information required to clear the conditions can/ will be submitted at a later date.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** subject to condition/ informative.

Air Quality - At outline we recommended that traffic emissions were to be minimised through best practice principles as recommended by the Institute of Air Quality Management in their development control (2017) guidance. For a residential use as in this case, the provision of electric vehicle (EV) charging infrastructure will be now delivered through the Building Regulations. On the plans submitted against the 62 dwellings there appear only 3 such spaces to prevent the on-street parking from visitors and a condition should be included to request an EV charging layout for these.

A number of the dwellings are shown with chimneys. Whilst these may be ornamental, we must advise that best practice includes stoves to the latest Ecodesign standards and wood storage systems of sufficient capacity. The preference as always is for all space heating sourced from lower carbon renewable sources.

Contamination - The factory is first labelled in historic maps dated 1945-1970. The surrounding landscape is largely residential and industrial. The Site has previously been approved under 19/00274/OM with conditions relating to contaminated land. No further information has been provided to remove these conditions so those still apply.

### **Housing Enabling Officer: NO OBJECTION**

Have reviewed the amended plans and note our objection surrounding the 3 bed rental units has been addressed and these are now proposed as 3 bed 5 person houses which are policy compliant.

Overall the proposed affordable housing is acceptable and meets policy however we do have concerns the affordable units are not adequately dispersed throughout the site. Whilst they do not exceed the maximum affordable cluster size and are therefore policy compliant, they are effectively located in one area of the site and more work could be done to disperse them.

### **Public Right of Way: HOLDING OBJECTION**

We offer a holding objection to this application. The Public Right of Way, known as Stoke Ferry Footpath 17 is within the red line plan of the site. We note that the submitted plans include an indicative line denoting the Public Footpath, this is not adequate. We advise the applicant obtain a Highway Boundary plan to ensure that the full legal alignment and extent (width) remains open and available.

The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

### **Waste and Recycling Officer: HOLDING OBJECTION**

The proposed bin collection points are not adjacent to the adopted highway (now marked as shared surface). It remains necessary to maintain the objection and if approved the Waste Collection Authority will use its powers to determine the collection points which may be different to those in the plans adopted by the LPA. This difference may lead to a loss of amenity to occupiers of the site.

### **Open Space Officer: NO OBJECTION**

- There are lots of grassed areas where it is not clear who would be responsible for maintenance. Any on site landscaping to be transferred to individual purchasers should be within the natural curtilage of the property, or otherwise delineated such that it is clearly the responsibility of the relevant property owner/occupier. Areas that are transferred to individual purchasers but do not fall within the natural curtilage have a tendency to not be maintained. The ownership and maintenance responsibilities of the area and tree between 56 and 57 should be made clear for example.
- Many landscaping areas have no access due to private drives blocking access.
- No access to maintain hedges alongside private drives. Hedging around parking spaces is difficult to maintain if cars are parked there and problematic if it becomes overgrown, so should be set back.
- Clarification on the form of the attenuation basins is needed, if they will contain open water then appropriate boundary treatment (i.e. Fencing) will be required due to the proximity to footpaths to prevent unauthorised/unintentional access.
- The attenuation basins may be hard to maintain depending on depth/steepness.
- The retained poplar trees grow very tall and susceptible to wind damage and branches snapping off.
- The Borough Council is not equipped to collect arisings, so we would not be able to adopt.

- The hedging and trees along the west boundary could become problematic as they grow larger.
- The design of putting random trees in gaps or ends of grass points where the grass meets the path or road is better served by putting them in threes in more open ground.
- A number of trees are planted either at the end or to the side of private roads which means that if we adopt it then we cannot cross private land to maintain it
- The tree near 10 and existing T4 would be planted over the root zone of T4 which will not pass planning regulations.
- Tree near Travena is also too close to buildings and would be near a private road thus unmaintainable.

**CSNN: NO OBJECTION** subject to conditions.

Note the changes to the boundary treatments of the properties that border the kebab shop car park area since my original comments were made on 13/04/23 and confirm that these address my concerns.

No further comments to add and confirm that we still request conditions re a Construction Management Plan, Site Hours and Air Source Heat Pumps.

**Conservation Officer: SUPPORT** subject to conditions.

The design of the dwellings fronting Lynn Road have now taken their influences from traditional buildings of a Georgian age found elsewhere in Stoke Ferry. The proportions, including the window positions are aesthetically pleasing and proportionally accurate. This is now acceptable. The render colours represent similar colours to those used already on the same street frontage. This is also therefore acceptable. Please note, we will be expecting the use of timber windows for all buildings on this street frontage. Double glazing is appropriate.

The placement of the wall to the rear of the listed building within phase one of the development is heartening and a flint wall could be appropriate. It is a fine balance here as it needs to be a feature of the development as well as a boundary wall for the listed building. The listed building is of brick construction therefore a nicely detailed brick wall in Flemish bond with good half round copings could be a more appropriate alternative.

The use of materials throughout the estate is complex and there is a large mixture of types, particularly of boundaries. It is also noted that some house elevations are also proposed in carstone. This could be appropriate but, please be aware that the use of pre-cast car stone panels will not be considered acceptable. If car stone or indeed flint is being used on any elevation be it wall or house, these should be traditionally constructed and not pre-cast panels.

The conservation team therefore do not object to the principle of this development in the manner proposed however, we suggest that further consideration is given to the materials proposed for the wall around the listed building and the materials overall given the use of pre-cast panels will not be acceptable.

Should you be minded to approve the application, please consider conditions relating to the following:

- Details of all external materials including a sample panel for masonry elevations of walls and houses and details of render including colour

- Joinery details
- Vents ducts meter boxes and extractor flues

**Historic England:**

Comments to follow.

**Arboricultural Officer: NO OBJECTION** subject to conditions.

Support proposals subject to detailed conditions re tree protection and landscaping.

**Norfolk Constabulary: NO OBJECTION**

Detailed advice provided to the applicant regarding secured by design measures.

**Norfolk Fire and Rescue: NO OBJECTION**

No objections providing the proposal meets the necessary requirements of the Building Regulations 2010 – Approved Document B (volume 1 – current edition, or as revised) including any requirements in relation to B5: Access and facilities for the fire service and arrangements for emergency service vehicles, as administered by the Building Control Authority.

**REPRESENTATIONS**

**FIVE OBJECTIONS** received to the application. These can be summarised below –

- Query regarding boundary lines of application site.
- We do not have enough schools or doctors/ infrastructure to support this amount of housing nor are the roads capable of taking this amount of traffic.
- The 2 storey dwellings that will be overlooking neighbouring properties. With the incline of the land and the stated levels this would mean that the houses are already about 2m higher than our rear boundary. This elevated position would look into our properties and take away privacy. These should be bungalows. There would be 10 new properties overlooking Oxborough Road. The rear boundary has not been specified on the boundary fencing.
- The plans currently show trees in neighbouring garden which are not as shown on the plans.
- Attenuation pond- this is in an elevated position and in wet periods what is to stop this from overflowing and running down into the properties downhill. Also, safety concerns due to it being located next to a busy park. Will this just be an ugly open hole that empties and fills or could this be landscaped to help maintain how wet the ground may become also adding to the local ecosystem.

**OBJECTION** from The Norfolk & Fens Cycling Campaign -

The scheme fails to meet chapter 9 of the National Planning Policy Framework, and policy CS11 Transport due to its non-compliance with the Norfolk Local Transport Plan policy on Travel Choice. This is due to its failure to consider "opportunities to promote walking, cycling and public transport use [to be] identified and pursued" (NPPF). The policies requiring this are not even mentioned in the Planning Compliance Statement, let alone considered. Moreover, it is a car-centred development proposal which will increase carbon emissions, contrary to the general air quality and climate policies wisely adopted by the borough in 2021.

In particular, the vast majority of dwellings shown have no route towards trip attractors such as the village shop and church which are shorter by cycling than by driving. There is no shorter walking route to the shop, church or bus stop than by walking the driving routes. This obviously will encourage short-distance driving and exacerbate parking problems around the corner shop.

This could be remedied by including a walking and cycling access at the westernmost point of the development. It should be 3m and protected by a bollard that can be collapsed by emergency vehicles, in order to offer emergency access if other estate accesses are unusable.

We also suggest either a similar link should be made to the playing fields from the southwestern corner, or the southern section of footpath to Buckenham Close should be widened to 3m and upgraded to bridleway to enable residents to cycle that way to the playing fields.

We welcome more housing being provided near Regional Cycle Route 30, but it is disappointing that the current proposal doesn't meet even the basic policies for encouraging active travel.

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM16** – Provision of Recreational Open Space for Residential Developments

**DM17** - Parking Provision in New Development

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy SF3:** Housing Mix

**Policy SF4:** Design and Character

**Policy SF5:** Historic Environment and Conservation Area

**Policy SF6:** Non-Des Heritage Assets

**Policy SF9:** Development boundary

**Policy SF10:** Protection of Important Public Views

**Policy SF13:** Dark Skies

**Policy SF14:** Protection and Enhancement of Natural Features and Species

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

## **PLANNING CONSIDERATIONS**

The main considerations are:

- Principle of development
- Form and character and Impact on Stoke Ferry Conservation Area/ Listed Buildings.
- Impact on neighbour amenity
- Access/ Highway safety
- Other matters requiring consideration prior to determination of the application

### **Principle of Development:**

The principle of development has already been established by planning consent 19/00274/OM *'Outline application with some matters reserved for the erection of up to 70 residential dwellings and access'*. Access was approved as part of that application, with all other matters reserved. This reserved matters application is fully in accordance with the extant outline consent.

A Section 106 agreement was agreed as part of that application which secured the affordable housing, open space, and habitats monitoring and mitigation contributions. It also tied the development of the application site with the Furlong Road site (applications 19/00272/OM and 23/00178/RMM) to ensure these were developed in conjunction. The scheme as proposed is compliant with the requirements of the Section 106 agreement.

### **Form and character and Impact on Stoke Ferry Conservation Area/ Listed Buildings:**

The application provides details of the appearance, layout, scale and landscaping of the site. This demonstrates that 62 dwellings can be accommodated within the site alongside the necessary infrastructure.

To the south the site is bordered by contemporary residential development (two storey semi-detached dwellings) of a higher density. To the north and east of the site is the historic core of the village, with four Listed Buildings immediately adjacent. To the west of the site is the established recreation ground. There are three areas of green space proposed within the site with landscaping running throughout. The levels across the site fall away from north to south. With land levels at the front of the site, adjacent to the recreation ground at approximately 11.5, it is approximately 12 at Lynn Road and then fall to 7.5 to the south at Buckenham Drive. The existing land levels are to be retained as shown on the plans.

The details of the layout, dwelling types, design and materials proposed are provided above. Broadly speaking the proposal include a range of two storey dwellings which are two, three and four bedroom units. There are also two single storey dwellings proposed for affordable rent. The scheme proposes a mix of terraced, semi-detached and detached dwellings spread throughout the site. These reflect the mix of housing types to the south of the application site, and the range of buildings within the centre of the village to the north. They also respond to the Stoke Ferry Design Codes document and are entirely appropriate in the locality. The dwellings all include private amenity space and dedicated parking.

The application site lies within Stoke Ferry Conservation Area and immediately adjacent to four Listed Buildings (Grade II and II\*) namely Crown House, Stoke Ferry Hall, Bayfields and Cobbles. Stoke Ferry Neighbourhood Plan and Design Codes documents identify the sensitivity of this location. While it is acknowledged that the existing site is an issue for the village and this historic core in particular, the documents stress the need for new development to be *'designed and developed sensitively and sympathetically.'* The documents recognise the importance of the nearby landmarks within the village and the need to protect views across the village. This scheme has sought to achieve this by keeping dwellings to two storey, with the highest pitch at 8.2m. The mix of housing types and materials across the site creates variation in the street scene and rooflines. At the entrances to the site; areas of green space are used to form landmarks to the new development and enhance the street scene.

In terms of architectural vernacular within the village it is clear that there are a range of styles, and as such uniform architectural vernacular should be avoided. The Stoke Ferry Design Codes document identifies the range of materials appropriate to Stoke Ferry which include traditional flint, clunch and brick, with some render and painted brick. Render should be pastel colours. Within the conservation area detailing includes sash windows, red and gault brick, masonry detailing around windows, brick coins. Roof tiles are generally red pantiles and grey slates. The rooflines vary throughout the village as does how far the dwellings are setback from the public highway which adds to the variation.

The applicant has worked alongside the Council's Conservation Officer to secure appropriate features across the site with particularly careful consideration given to the frontage along Lynn Road together with the site layout and density to the rear of the Listed Buildings. Design has evolved through sensitive amendments throughout the planning application which have fine-tuned the proposals into an acceptable scheme. The Conservation Officer has no objections to the development proposed subject to conditions being attached.

The site layout, housing types, design and materials comply with the character of Stoke Ferry. Likewise boundary treatments proposed are acceptable with planting, fencing at prominent locations brick/ stone walls. These are consistent with national and local policy.

In terms of the public realm the proposed layout by retaining existing vegetation/ trees provides opportunity for landscaping and planting throughout the site. The Stoke Ferry Design Codes document highlights the importance of protecting and enhancing green space in the village. While the formal play space will be available off site at the established recreation ground immediately to the west, the scheme provides more informal areas of green space on site. There is also quality planting/ hedging/ trees proposed throughout the site both along the boundaries of the site but importantly also within the street scene. This is in line with the National Design Guide and is supported by officers. The Arboricultural Officer is happy with the submitted survey and proposed retention of existing trees/ planting and supports the proposed landscaping schemes. These can be secured via conditions.



The scheme as proposed is considered appropriate in this location and in accordance with the NPPF, the National Design Guide, policies CS08, CS12 and DM15 of the adopted Local Plan and policies SF3, SF4, SF5, SF6, SF10 and SF14 of the Stoke Ferry Neighbourhood Plan.

### **Impact on Neighbour Amenity:**

The application is bordered to the north west by detached/ semi detached two storey dwellings which front onto Lynn Road and Furlong Road. The separation distance between plot 62 and existing dwelling Lynton is 21m which is considered acceptable. This is reinforced in the Design Codes document which refers to a distance of 20m for privacy. The dwelling type includes only landing/ bathroom windows on the rear elevation. In terms of levels given the existing land levels are to be retained and the dwelling proposed at plot 62 would be 7m in height, this relationship would not give rise to unacceptable levels of harm in terms of overlooking, overshadowing or would appear overbearing. Similarly separation distance of 27m and oblique outlook gives an acceptable relationship between plots 62 and Travena. The Cottage at Lynn Road is substantively separated from proposed plots 62, 51 and 60 by 39m, this relationship also benefits from existing mature tree planting screening which further ameliorates any intervisibility and impacts from scale and massing.

Properties at the Junction of Lynn Road and Furlong Road are separated by the width of Lynn Road itself, Bramcote sits on the corner of the junction and is set back from the street frontage, it has a wall along the frontage with shrub planting along the front garden area. Matters such as intervisibility, massing and scale are appropriately managed between Plots 36 & 37 with regard to existing residential amenities at Bramcote. The separation distance between these is 27m.

Proposed Plots 29 – 35 share a frontage with Lynn Road, they outlook over the road towards the village hall and recently approved Freebridge Development to the North East of the application site. No adverse amenity relationship is created between the village hall, which is otherwise a community use. The recently approved Freebridge development (23/01475/FM) provides areas of car parking and gable end for a terrace of three cottages to the adjacent Lynn Road frontage. In this instance outlook is created towards a single ground floor window and the amenity space of the recently approved terrace (Plot 29), this outlook is suitably screened by a boundary wall and is approximately 11m in distance. The remaining “Freebridge” frontage is given over to open space at the site entrance. Therefore, suitable amenity and outlook relationships are created between existing and proposed residential properties in this instance.

The site is bordered to the south by existing residential development in the form of two storey semi-detached dwellings. The proposed dwellings (Plots 52-54, 44-48) are separated by existing mature planting along the South / South Western site corner to Buckenham Drive, together with the proposed green space and attenuation pond. . The proposed Plots 1 - 10 “crank” around the corner of the primary estate road. Rear views from these plots outlook towards 51 & 52 Buckenham Drive. Separation distances at 38m are again reasonable and further enhanced along the Southern site boundary by existing mature planting in the gardens of 51 & 52 Buckenham Drive.

Officers consider that intervisibility, scale massing and outlook between existing and proposed dwellings is acceptable and complies with relevant policy guidance and case law.

To the east of the application site the Listed Buildings currently have some outdoor space/ outbuildings between the buildings and the application site to the rear. Furthermore, the developers have provided an additional area of garden land to serve Stoke Ferry Hall. While the conversion of these Listed Buildings is to be considered at a later date, under a different

application, it is not considered that the layout or dwellings proposed would restrict the conversion of these or result in neighbour amenity issues.

As stated above the site levels fall from north to south. The land levels are to be largely retained and the applicant has identified proposed slab levels across the site. Given the site layout and dwelling types proposed, the levels would not result in unacceptable overlooking/overshadowing.

Within the application site officers have sought to ensure that residential amenity for future residents is acceptable. All gardens have an area of private amenity space commensurate to the dwelling size. Where the site layout results in proposed dwellings facing/ backing onto each other consideration has been given to the window-to-window relationships with separation distances of at least 20m. Where windows are proposed on elevations within a closer proximity these are non habitable rooms, ie. either landing windows or bathroom/ shower room windows which would be obscure glazed. There are a couple of examples with bedroom windows on the side elevations but in these cases there is sufficient distance to neighbouring windows/ amenity space that they would not give rise to unacceptable overlooking.

CSNN has requested that a lighting scheme is conditioned on the planning consent. This is also appropriate and will ensure compliance with the dark skies policy (SF13) in the Stoke Ferry Neighbourhood Plan. They also request conditions are attached to secure details of air source heat pumps to ensure there are no neighbour amenity issues as a result of their installation.

The Parish Council requested hedging/tall trees/high fencing near the playing field, at the boundary of the houses to alleviate issues with nuisance balls going into gardens. The applicant has agreed to hedging and trees to be planted along this boundary.

As part of the conditions on the outline consent a detailed demolition and construction management plan is required to be submitted and agreed to protect residential neighbours.

In terms of neighbour amenity, the development proposed is considered acceptable and in line with policy CS08 and DM15 of the Local Plan.

### **Access / Highway Safety:**

The site layout proposes two points of vehicular access into the site, one off Lynn Road and the second off Buckenham Drive which were agreed and conditioned as part of the outline consent. A number of highways conditions were attached to the outline consent. These included that no works shall commence onsite until full details of the roads, footways and drainage shall be submitted and agreed, and that these shall be implemented as agreed to the required NCC standard. Further, that visibility splays are secured and that a management and maintenance plan for the streets will be submitted and agreed. The outline permission also secures the provision of offsite highways works to provide a footpath alongside Lynn Road.

The site layout includes a clear road hierarchy with a single primary street running north to south with a secondary lane to the west, with seven private drives off these. This creates a clear street hierarchy. The plots all include the required dedicated parking spaces and some include garages. As such the scheme is policy compliant (CS11 and DM15).

In terms of pedestrian movement through the site the existing Public Right of Way has been retained and the route remains unaltered. The PROW is shown as 2m in width for the extent of this route. There will be two vehicular crossing points across the PROW, however this has

been segregated from the public highway with planting alongside and the site designed so as dwellings overlook this route.

An objection has been received from the Norfolk and Fens Cycling Campaign. Their view is that the scheme fails to adequately consider "opportunities to promote walking, cycling and public transport use [to be] identified and pursued" (NPPF). They state it is a car-centred development proposal which will increase carbon emissions. They suggest additional routes could be introduced for example at the western most point of the site and a similar link should be made to the playing fields.

It is officers view that the development by virtue of its location, centrally within the village, does provide opportunities for walking, cycling, public transport use. However, this is a rural area and it is appropriate that there is adequate provision for car ownership and use. In terms of linkages through the site directly into the recreation ground this was something the Parish Council objected to. However, there are safe routes north to south through the site, as the existing PROW network is preserved and enhanced.

The Local Highway Authority has no objections to the proposed scheme. They do request the inclusion of two conditions, one securing the necessary visibility splays at the junction with Lynn Road, and the second the implementation of a Traffic Regulation Order for waiting on Lynn Road. While these would normally have formed part of the outline consent, given this second access point was a requirement of the outline consent, it is necessary to include the appropriate conditions.

The Parish Council support the application but has suggested traffic calming measures are introduced. This matter has been discussed with the Local Highway Authority and the local ward member. The traffic calming measures were not considered necessary due to the clear road hierarchy and the positive design of the street pattern which itself would slow traffic down.

Finally, the Environmental Quality officer referred to the need for EV charging points within the site. For new residents this will be addressed via building control regulations. In terms of EV charging point for visitor spaces it is not considered that this is a policy requirement and given the nature and scale of the site would be difficult to deliver and maintain.

The development as proposed is in accordance with the NPPF and policies CS11 and DM15 and DM17 of the adopted Local Plan, as well as the Norfolk County Council Parking Guidelines for new developments in Norfolk and policy SF7 of the Neighbourhood Plan.

**Other matters requiring consideration prior to the determination of this application:**

Flood Risk / Drainage – The application site is in Flood Zone 1 in the adopted SFRA (2018), and therefore not at risk of flooding.

A condition is attached to the outline consent requiring full foul and surface water drainage arrangements to be submitted and agreed by the Local Planning Authority.

Affordable housing/ Housing Needs Assessment – The application proposes affordable housing units in line with the Local Plan, and the outline consent and Section 106 agreement. The Housing Enabling officer does state that the houses are in accordance with the policies, but queries whether these could be better dispersed throughout the site. The applicant has clarified that because it was agreed the affordable units would come forward as part of phase 1 of the development, that is why they are laid out as such. As such, this approach is accepted and will enable early stage delivery of the affordable homes.

Policy SF3 of the Stoke Ferry Neighbourhood Plan considers the housing mix, including the provision of affordable housing and the proposed scheme is in accordance with this. The Stoke Ferry Housing Needs Assessment estimated that there will be a need for 40 affordable homes for sale and 28 affordable homes for rent over the plan period. The result of a life-stage modelling process suggests that by 2036, the size distribution of dwellings should be focussed on delivering more three-bedroom homes as a priority but with a reasonable proportion of 1, 2 and 4 bedroom homes. This is consistent with the proposed development as proposed.

Open space – As part of the outline planning consent, open space was agreed to be provided on site alongside a financial contribution of £150,000 towards play equipment to be utilised on the adjacent recreation ground. The open space and management/ maintenance of was secured via the Section 106 agreement.

The Public Open Spaces officer has provided detailed comments on the proposed design of the public open space, raising concerns about the potential maintenance of some of these features and identifying what elements the Borough Council would be able to adopt. They also provide their view on elements of the design which in some cases contradicts the features required in terms of their contribution to the street scene, and at the request of the Parish Council. However, it is the intention of the developer to have the public open space maintained by a management company rather than the Borough Council. The details of the management and maintenance of the open space are to be agreed through the works specification required in the legal agreement. The proposals are in accordance with Policy CS14 of the Core Strategy 2011 and Policy DM16 of the SADMPP 2016.

Waste/ Recycling – The applicant has provided bin collection points alongside the highway where it is necessary due to private driveways. We are awaiting updated comments from the Waste and Recycling Officer to confirm the proposed arrangements are acceptable.

Contamination/ Air Quality – The outline consent included conditions 8 to 11 to address potential land contamination issues. These conditions remain binding and so it is not appropriate to replicate these on a reserved matters decision.

Ecology – Condition 23 of the outline consent required development on the site to be in accordance with the recommendations for mitigation detailed within the Appraisal. Again, it is not necessary to repeat this requirement.

Third party objections – Two objections raise concerns about the infrastructure of the village and its ability to cope with additional dwellings. This is a reserved matters application and the scale of development has already been assessed as part of the outline application. As such those comments are not material to the determination of the matters reserved under the outline permission.

The agent has confirmed that the site is entirely within their ownership and the boundaries identified reflect the outline consent.

Concerns are raised about the attenuation pond, the potential condition of this in the longer term, how this will be managed and safety implications of this. The concerns including potential for surface water flooding elsewhere and also whether this would be a safe for residents (especially children). In terms of the maintenance of this area this would be covered by the landscaping management and maintenance agreed through the Section 106 legal agreement, and also as part of the relevant condition. In terms of likelihood of flooding elsewhere; the ponds will be designed to meet the needs of the locality and as such the capacity would be sufficient to achieve nil detriment to the wider local network. This will be considered by drainage engineers under conditional control including the design and depth of the ponds.

## CONCLUSION:

The application seeks consent for the reserved matters of scale, layout, appearance and landscaping in conjunction with the extant outline planning consent 19/00274/OM which secured the access arrangements. The application proposes to develop 62 dwellings in total, which includes 12 affordable homes alongside area of open space/ landscaping and associated infrastructure. A Section 106 agreement was agreed as part of the outline application which secured the affordable housing, open space and habitats monitoring and mitigation contributions and tied the development of the site to the Furlong Road site. The reserved matters submission is compliant with the Section 106 requirements and follow the principles of the outline permission.

The proposed scheme provides a good mix of dwellings across the site, including affordable units, and demonstrates that 62 units can be successfully incorporated. The site layout and the form and character of the dwellings proposed is considered appropriate to the locality. The scheme is influenced by the local architecture and materials. It would not cause harm to the conservation area or Listed Buildings but creates an opportunity to improve the historic core of the village. In terms of neighbour amenity there would be no unacceptably detrimental impact on existing and potential residents as a result of the scheme. Extensive landscaping is proposed throughout the site.

In light of the above, it is considered that the proposal complies with the outline permission already granted as well as the provisions of the NPPF and local policy, particularly CS06, CS08, CS11, CS12, DM15, DM16 and DM17. As well as Stoke Ferry Neighbourhood Plan policies SF3, SF4, SF5, SF6, SF7, SF10, SF13, SF14 and Stoke Ferry Design Codes.

## 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 –

Received 8 FEB 24-

P18-0840\_DE\_200\_10C HOUSETYPE PORTFOLIO  
P18-0840\_DE-200\_01 SITE LOCATION PLAN  
P18-0840\_DE-200\_02F PLANNING LAYOUT  
P18-0840\_DE\_200\_03D MATERIALS DISTRIBUTION PLAN  
P18-0840\_DE\_200\_04D BOUNDARY TREATMENTS PLAN  
P18-0840\_DE\_200\_05D TENURE ALLOCATION PLAN  
P18-0840\_DE\_200\_06D PHASING PLAN  
P18-0840\_DE\_200\_07D PRESENTATION LAYOUT  
P18-0840\_DE\_200\_08B INDICATIVE SLAB LEVELS  
P18-0840\_EN\_0003\_D\_0001 DETAILED SOFT LANDSCAPE PROPOSALS  
P18-0840\_EN\_0003\_D\_0002 DETAILED SOFT LANDSCAPE PROPOSALS  
P18-0840\_EN\_0003\_D\_0003 DETAILED SOFT LANDSCAPE PROPOSALS  
P18-0840\_EN\_0004\_D\_0001 COMPOSITE LANDSCAPE PLAN

- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Prior to the installation of any external lighting on the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting, the

extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.

- 2 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 3 Condition Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of antivibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 3 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 4 Condition Before the first occupation of the dwellings hereby permitted the windows at first floor serving the bathrooms and ensuites shall be fitted with obscured glazing. The windows shall be permanently retained in that condition thereafter.
- 4 Reason To protect the residential amenities of the occupiers of nearby property.
- 5 Condition Prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.
  - a. Hard landscape works, to include but not be limited to, finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts, boundary types, and any paved surfaces (including manufacturer, type, colour and size) underground modular systems, and sustainable urban drainage integration (see detailed design proposals for street trees planting pits/trenches at ii)
  - b. Soft landscape works, to include planting plans (which show the relationship to all underground services overhead lighting and the drainage layout), written specifications (including cultivation and other operations associated with plan and grass establishment), schedules of plants noting species, plant sizes, proposed numbers and densities, tree planting details including method of staking, and irrigations, detailed design proposals for street trees planting pits/trenches including, but not limited to, locations, soil volumes in cubic metres, cross sections and dimensions.
- 5 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 6 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

- 6 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 7 Condition No works or development shall take place until a scheme for the protection of the retained trees (section 5.5, BS 5837:2012, the Tree Protection Plan) has been approved in writing with the Local Planning Authority. This scheme shall include:
- a a site layout plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (section 4.6 of BS5837:2012) of every retained tree on site and on neighbouring or nearby ground to the superimposed on the layout plan. The positions of all trees to be removed shall be indicated on this plan.
  - b a schedule of tree works for all the retained trees in paragraphs (a) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Recommendations for tree work.
  - c the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers, (section 6.2 of BS5837:2012), to form a construction exclusion zone, and the type and extent of ground protection (section 6.2.3 of BS5837:2012) or any other physical tree protection measures, such as tree boxes. These details are to be identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). Barrier and ground protection offsets should be dimensioned from existing fixed points on the site to enable accurate setting out. The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection. The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
  - d the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7 of BS5837:2012). the details of the working methods to be employed with regard to site logistics including, the proposed access and delivery of materials to the site; space for storing materials spoil and fuel, and the mixing of cement; contractor car parking; site huts, temporary latrines (including their drainage), and any other temporary structures.

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

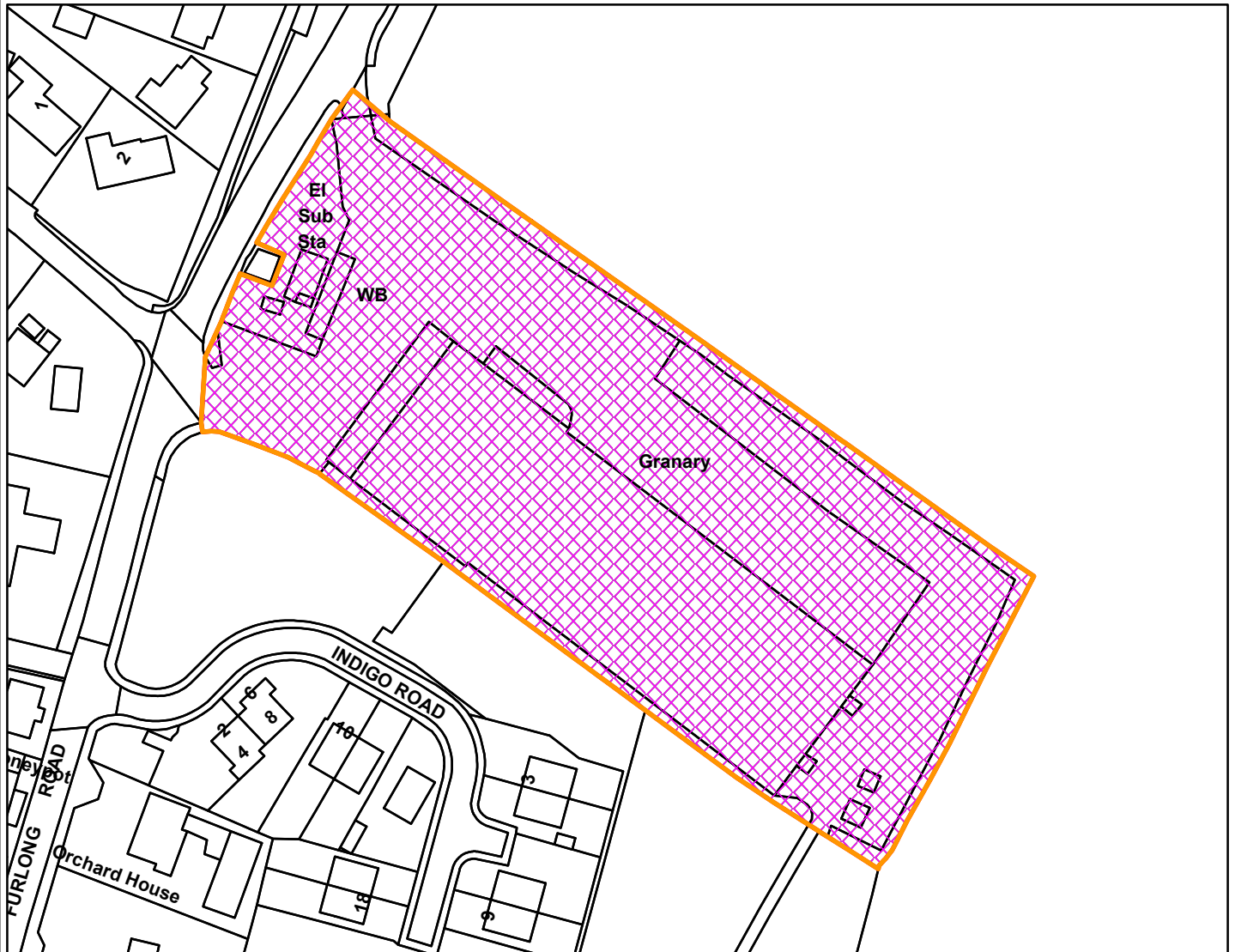
- 7 Reason To ensure the existing trees within the development site are suitably protected throughout the demolition and construction phases of this development.
- 8 Condition The boundary treatments hereby approved shall be completed before the dwellings are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.
- 8 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

- 9 Condition Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 9 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 10 Condition No development shall commence on any external surface of the dwellings and walls hereby approved until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) 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.
- 10 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 11 Condition No development over or above foundations shall take place on site until full details of the window and door style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 11 Reason To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 12 Condition Full details of all extractor vents, heater flues and meter boxes including their design and location shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Installation shall be carried out in accordance with the approved details.
- 12 Reason To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 13 Condition No works shall commence on the site until the Traffic Regulation Order for waiting restrictions on Lynn Road has been promoted by the Local Highway Authority.
- 13 Reason In the interests of highway safety in accordance with the NPPF and policy CS11.
- 14 Condition Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 43 metres shall be provided to each side of the access with Lynn Road where it meets the near edge of the adjacent highway carriageway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 14 Reason In the interests of highway safety in accordance with the NPPF and policy CS11.





Furlong Store Furlong Road Stoke Ferry PE33 9SX



Legend	

**Scale:** 1:1,250

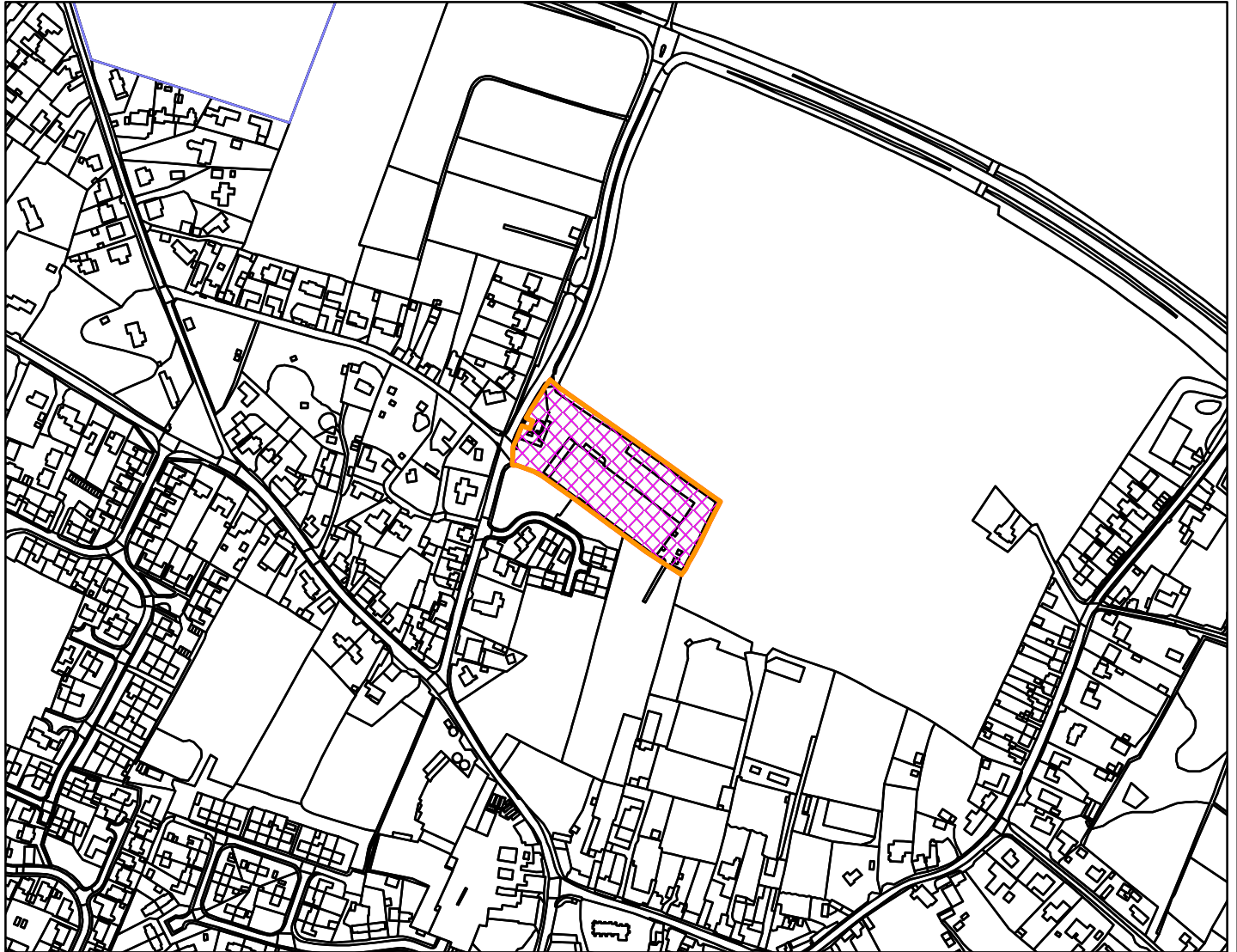
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Organisation	BCKLWN
Department	Department
Comments	
Date	21/02/2024
MSA Number	0100024314



Furlong Store Furlong Road Stoke Ferry PE33 9SX



### Legend

**Scale:** 1:5,000

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Organisation	BCKLWN
Department	Department
Comments	
Date	21/02/2024
MSA Number	0100024314

**AGENDA ITEM NO: 9/3(c)**

<b>Parish:</b>	<b>Stoke Ferry</b>	
<b>Proposal:</b>	<b>Reserved Matters Application for 30 dwellings including layout, external appearance, scale and landscaping</b>	
<b>Location:</b>	<b>Furlong Store Furlong Road Stoke Ferry Norfolk PE33 9SX</b>	
<b>Applicant:</b>	<b>Amber REI Ltd</b>	
<b>Case No:</b>	<b>23/00178/RMM (Reserved Matters - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs C Dorgan</b>	<b>Date for Determination: 9 May 2023 Extension of Time Expiry Date: 8 March 2024</b>

**Reason for Referral to Planning Committee** – Referred by Planning Committee Sifting Panel.

**Neighbourhood Plan:** Yes

**Case Summary**

The application site measures approximately 1ha in area, and is located within the village of Stoke Ferry, a Key Rural Service Centre (KRSC). The site is accessed via Furlong Drove. The site is rectangular in shape and has residential development to the south and agricultural land to the north east and south east. The site is adjacent to, but not within, Stoke Ferry Conservation Area. The current use of the site is a storage facility associated with Stoke Ferry Mill, and consists of a large storage building and associated hardstanding.

Outline planning consent 19/00272/OM with some matters reserved (access only) was granted and this consent included a Section 106 agreement to secure open space, affordable housing etc.

This application seeks reserved matters consent for appearance, landscaping, layout and scale for the construction of 30 residential dwellings, incorporating affordable housing and open space contributions in line with the adopted Local Plan policy requirements, and associated development to include drainage features, roads, pedestrian paths and other works.

The applicant has submitted a further application for the redevelopment of the Stoke Ferry Mill (23/00177/RMM).

**Key Issues**

Principle of Development

Form and Character and Impact on Stoke Ferry Conservation Area

Impact on Neighbour Amenity

Highways/ Access

Other matters requiring consideration prior to the determination of this application

## **Recommendation**

**APPROVE**

### **THE APPLICATION**

The application site measures approximately 1ha in area, and is located within the village of Stoke Ferry, a Key Rural Service Centre (KRSC). The site is accessed via Furlong Drove. The site is rectangular in shape and has residential development to the south and agricultural land to the north east and south east. The site is adjacent to, but not within, Stoke Ferry Conservation Area. The current use of the site is a storage facility associated with Stoke Ferry Mill, and consists of a large storage building and associated hardstanding.

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This application seeks reserved matters consent for appearance, landscaping, layout and scale for the construction of 30 residential dwellings, incorporating affordable housing and open space contributions in line with the adopted Local Plan policy requirements, and associated development to include drainage features, roads, pedestrian paths and other works.

The application seeks reserved matters consent for 30 dwellings, including 6 affordable homes. This would equate to a density of approximately 30 dwellings per hectare. The site layout includes a single estate road running east to west, with four private drives off this. The plots all include off road parking, some with garages, and all plots include private rear amenity space.

Market housing – 24 units

- 7 x 4 bed dwellings
- 9 x 3 bed dwellings
- 8 x 2 bed dwellings

Affordable housing – 6 units

- Affordable rent - 2 x 2 bed and 2 x 3 bed
- Shared ownership – 1 X 2 bed and 1 X 3 bed

There are a number of different house types proposed. The dwellings are all two storey, aside from two house types which are 2.5 storeys. The heights of the units range from 7.3m to 9.3m at ridge height. The materials proposed are a mix of red and gault brick. Dwellings with off-white and linen render are proposed on the frontage of the site. The roof tiles proposed are red pantiles and slate roof tiles. The detailed types are to be agreed. Detailing on the dwellings include brick quoin detailing, stone cills and headers, brick headers, covered porches, brick plinths, dormer windows and the inclusion of some chimneys. The architectural detailing will add character and interest throughout the site.

## **SUPPORTING CASE**

1. This reserved matters application relates to Outline Application 19/00272/OM which established the principle of residential development on the Site. The reserved matters sets out the layout, external appearance, scale, and landscaping of the 30 dwellings which would occupy the Site.

2. The Site is currently wholly brownfield and is currently occupied by a storage facility associated with the operation of the Mill. The storage facility currently dominates the street scene on the approach into the village and its removal provides the opportunity for a significant improvement to the appearance of the village.

3. The dwellings have been designed to respect the location of the Site on the edge of the village. Dwellings on the Site's frontage will be rendered to ensure that they create an attractive gateway feature on the approach into the village. Further back in the development, a mixture of red brick and Gault brick will be used, which reflects other edge-of-village developments in Stoke Ferry.

4. The proposal will provide a mix of 2, 3 and 4 bedroom homes and includes 20% policy-compliant affordable housing with the mix of affordable housing being informed by the Council's requirements. These have been located in small groups around the Site in accordance with the Council's requirements.

5. The Outline application sought, if appropriate, to retain the row of Poplar Trees on the northeast boundary. The original layout in the Reserved Matters retained these trees. despite the fact that the trees were nearing the end of their lifespan and that demolition of the buildings and structures around the trees are likely to undermine their stability. Comments from the Council's Tree Officer further reinforced that the row of Poplar Trees is not compatible with the housing development on the Site. In view of these comments, the Applicant worked with Council Officers and the local Member to come up with an appropriate landscaping boundary for the scheme which retained part of the row of Poplars whilst introducing new tree planting which will provide an appropriate and long-lasting landscaped edge to the village.

6. The proposed scheme meets the Council's parking standards and is acceptable in regard to all other highway matters with the Local Highway Authority confirming it had no objection to the proposal.

7. The applicant has worked with Council Officers and consultees to provide a high-quality development which will improve the appearance of the village and reinforce its character. Council Officers have confirmed after assessing the application in detail that the layout, scale, external appearance, and landscaping are acceptable and will meet with all relevant policies and guidance. The proposed development will ultimately result in the delivery of an attractive edge of village development which will replace the current storage facility resulting in an overall improvement to the appearance of Stoke Ferry as well as providing new homes and a new pocket park.

## **PLANNING HISTORY**

19/00272/OM: Application Permitted: Planning Committee decision - 31/01/20 - OUTLINE APPLICATION: Construction of up to 30 residential dwellings - Furlong Store Furlong Drove

## **RESPONSE TO CONSULTATION**

### **Parish Council: SUPPORT**

The members of Stoke Ferry Parish Council would like to support application 23/0178/RMM with the additional comments: there is a need for 'raised tables' to be added to the roads to slow traffic and hedging/tall trees/high fencing near the playing field, at the boundary of the houses to provide acoustic protection. Play equipment has been shown on the site plans but it was requested that funds should be given towards the existing playing field in the village to contribute to the improvement of play equipment at that site.

### **Highways Authority: NO OBJECTION**

With reference to the application relating to the above development (as shown on drawing P18-0840\_DE\_100\_02 rev D), in relation to highways issues only, notice is hereby given that Norfolk County Council does not wish to restrict the grant of permission.

### **Internal Drainage Board: NO OBJECTION**

The Board provided comment to the LPA under cover of their letter dated 21st February 2023. The comment being that none of the information submitted related to matters that impact on the Board. This remains the case with the latest information provided and the comments made at outline consent remain relevant. The Board wish to be consulted on the discharge of Condition 10.

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** subject to conditions/ informative.

We would not object in terms of air quality subject to the following matters:

All residential developments especially those in more rural locations should utilise electric vehicle (EV) infrastructure and for the most part the Building Regulations via Approved Document Part S will deliver this. However, visitor parking spaces should include a communal EV charging point(s) and a condition for the layout can be applied.

The proposed layout includes chimneys within 2 of the plots and whilst these may be ornamental, best practice includes stoves to the latest Ecodesign standards and wood storage systems of sufficient capacity. The preference is for all space heating sourced from lower carbon renewable sources.

Contamination - The store is first labelled in historic maps dated 1945-1970 labelled as a granary. The surrounding landscape is largely residential and industrial. The Site has previously been approved under 19/00272/OM with conditions relating to contaminated land which still apply. Due to the age of the property on site there is the potential for asbestos containing materials to be present and an informative should be included.

### **Housing Enabling: NO OBJECTION**

The proposed affordable housing is policy compliant, meets our space standards and is adequately dispersed throughout the site.

### **Conservation Officer: NO OBJECTION**

We note the provision of a landscaping scheme which shows mature and enhanced planting along the boundaries. This will act as a visual break to the development which still,

unfortunately consists of rather standard housing types. This being said, subject to the landscaping scheme, including boundary treatments between plots and details being agreed of all materials, there is unlikely to be harm to the historic environment. We therefore have no further comments to make on this scheme.

#### **Greenspace Officer: NO OBJECTION**

- There are areas of landscaping that are not possible to maintain due to the need to cross private drives. These areas may not be maintained if conveyed to residents as they do not fall within the natural curtilage of the property.
- The LAP should not include trees within the fenced area. Otherwise, tree species and locations are fine across the rest of the site.
- The shrubs in the LAP along the fence line will be difficult to maintain.
- There is no maintenance gate for mower access to the LAP, so the whole area will need to be strimmed.
- Tiger mulch surfacing under toddler items is not recommended due to potential for black carbon dust/staining as the surface wears. Wet-pour or grass matting would be better suited to this type of equipment. We would not adopt Tiger mulch for this reason.

**CSNN:NO OBJECTION** subject to conditions:

- Conditions 10 and 11 of the outline consent related to drainage.
- Condition 16 requires a detailed demolition and construction management scheme.
- External lighting is an outstanding element and a condition is required.

The boundary treatments are agreed, as walls are shown to provide additional noise attenuation to rear gardens alongside vehicle routes.

Finally, the proposal does not indicate whether ASHPs are proposed, and these were also not conditioned at the outline stage therefore request a condition is attached.

#### **Architectural Liaison Officer: NO OBJECTION**

Detailed advice provided to the applicant regarding secured by design measures.

#### **Waste and Recycling Officer: HOLDING OBJECTION**

It remains necessary to maintain the objection because if approved the Waste Collection Authority will use its powers to determine the collection points which may be different to those in the plans adopted by the LPA. This difference may lead to a loss of amenity to occupiers of the site.

#### **REPRESENTATIONS**

KLWNBUG The Norfolk and Fens Cycling Campaign are broadly supportive of this housing near Regional Cycle Route 30 if the estate will be subject to a 20mph speed limit.

We question whether there should be a 3m walking and cycling access at the south end of the frontage onto Furlong Road, protected by a collapsible bollard, in line with the county Local Transport Plan and Policy CS11. There is currently an HGV gateway in that approximate location.

This seems a clear opportunity to promote sustainable travel which should be taken up. It is also an obvious desire line towards the centre of Stoke Ferry, from plots 1-6 if not more. The verge/border at that position is likely to be trampled and plants damaged or killed, if no positive route is provided.

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM16** – Provision of Recreational Open Space for Residential Developments

**DM17** - Parking Provision in New Development

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy SF3** Housing Mix

**Policy SF4** Design and Character

**Policy SF5** HE and CA

**Policy SF6** Non-Designated Heritage Assets

**Policy SF7** Accessibility

**Policy SF9** Development boundary

**Policy SF13** Dark Skies

**Policy SF14** Protection and Enhancement of Natural Features and Species

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021



## **PLANNING CONSIDERATIONS**

### **The main considerations are:**

- Principle of Development
- Form and Character and Impact on Stoke Ferry Conservation Area
- Impact on Neighbour Amenity
- Highways/ Access
- Other matters requiring consideration prior to the determination of this application

### **Principle of Development:**

The principle of development has already been established by planning consent 19/00272/OM 'Outline application: Construction of up to 30 residential dwellings'. Access was approved as part of that application, with all other matters reserved. This reserved matters application seeks reserved matters consent for appearance, landscaping, layout and scale and is broadly in accordance with the extant outline consent.

A Section 106 agreement was agreed as part of that application which secured the affordable housing, open space and habitats monitoring and mitigation contributions.

### **Form and Character and Impact on Stoke Ferry Conservation Area:**

The application provides details of the appearance, layout, scale and landscaping of the site. This demonstrates that 30 dwellings can be accommodated within the site alongside the necessary infrastructure.

The application site is rectangular in shape and to the south of the site is bordered by modern residential development (two storey semi-detached dwellings). To the north and east of the site is countryside, and to the west is Furlong Road with dwellings opposite. Access is via a single road off Furlong Road. Pedestrian footpaths are provided either side of this access road. There is a single area of public open space positioned centrally within the site, alongside the access road. The levels across the site fall away from west to east. With land levels at the front of the site, adjacent to Furlong Road, at 16.8AOD which fall to 14AOD to the rear.

The details of the layout, dwelling types, design and materials proposed are provided above. Broadly speaking the proposal includes a range of two / two and a half storey dwellings which are two, three and four bedroom units. These are a mix of terraced, semi-detached and detached dwellings spread throughout the site. The proposed house mix and types generally reflect the existing mix of housing types to the south of the application site, and as you approach the centre of the village. The proposed types and mix are considered entirely appropriate in the locality. The dwellings all include appropriate levels of private amenity space to the rear of the dwellings.

The application site lies adjacent to, although not within Stoke Ferry Conservation Area and opposite a non-designated heritage asset (the wall along the opposite road frontage of Furlong Road). Therefore, the site frontage would impact upon and contribute to the conservation area. The dwellings proposed along the frontage are more traditional in form, they are rendered with brick detailing. In addition, planting is proposed in appropriate 'pockets' along the frontage of the site to soften the appearance of the development on the street scene and enhance the wider conservation area. The Conservation Officer has no objections to the development proposed.

Aside from the frontage of the site, the proposals include a range of materials and housing designs to create variation and interest through the site. The design and materials proposed are acceptable.

The proposed layout provides opportunity for landscaping and planting which is considered a key element of the proposed development on this site. As stated above planting is proposed along the frontage of the site, onto Furlong Road. It is also proposed that there is planting/hedging/ trees proposed throughout the estate both along the boundaries of the site but importantly also within the street scene. This is in line with the National Design Guide and is supported by officers given the location of the site on the edge of the village and close to the conservation area. The Arboricultural Officer is content with the information submitted on the application regarding existing trees/ planting and also the proposed landscaping schemes. These can be secured via conditions. Boundary treatment planting on the edge of the site are proposed to be native hedging and trees. Within the site boundary treatments include walling, hedgerows, railings and post and rail fencing alongside close board fencing to the rear of dwellings.

Specifically condition 19 of the outline planning consent required that 'The row of Poplar trees on the northeast boundary shall be retained unless otherwise agreed in writing by the Local Planning Authority.' Detailed discussions have been held between the Arboricultural officer and the applicant about the existing Poplar trees along this boundary. Their impact and value on the locality, their condition and longevity, and their suitability adjacent to residential development. Officers note that the northern boundary of the site is visible across the countryside from north, east and west viewpoints. Policy SF10 recognises this as an important view. The boundary marks an edge to the village of Stoke Ferry and the conservation area, and as a result it is important that this site boundary landscaping is of a high quality. While it was the Councils intention to try and retain all the existing Poplar trees, it is also evident that they have an expected further lifespan of approximately for no more than 15-20 years. It is appropriate that some of these trees may be removed on the condition that they are replaced with an extensive and high-quality planting scheme which will add to the future vitality and viability of the local treescape. The indicative detail shows a quality native hedgerow along this boundary interspersed with suitable heavy standard trees. It is appreciated that there will be a short-term impact on the landscape, but this is balanced against a longer-term benefit to the site and landscape views. On this basis the officers support partial removal of the Poplars considered under condition 19 of the outline permission.

The scheme as proposed is considered appropriate in this location and in accordance with the NPPF, the National Design Guide, policies CS08, CS12 and DM15 of the adopted Local Plan and policies SF3, SF4, SF5, SF6, SF10 and SF14 of the Stoke Ferry Neighbourhood Plan.

### **Impact on Neighbour Amenity:**

The application is bordered to the south by existing residential development in the form of two storey semi-detached dwellings. To the southwest of the site is an area of derelict land currently, and so in terms of the relationship to the development proposed and neighbouring units there is sufficient separation distance between these. In addition, land to the southeast, which borders plot 19 is not currently utilised and therefore there would be no neighbour amenity issues here. The closest residential neighbour to the site is no.3 Indigo Road which is positioned side-on to the development boundary with approximately 30m distance to plots 14-16. The orientation of the dwelling and the separation distance means that the development would not give rise to unacceptable overlooking or overshadowing and would not appear overbearing.

To the west is Furlong Road and the closest residential neighbours here (no.s 2 and 3 Furlong Road) are in excess of 20m from the proposed plots 1-4. Given the separation distance this is considered acceptable.

As stated above the site levels fall from west to east. The land levels are to be largely retained and the applicant has identified proposed slab levels across the site. In terms of how this may impact the closest residential neighbours the slab level of plots 13-16 are 15.5 and 16AOD. Given the dwellings proposed the ridge heights of 7.6m and 9m would be approximately 24.6/23.6AOD which is comparable to the ridge height of 25.2AOD for no 3 Indigo Road to the south.

Within the application site residential amenity for future residents is considered acceptable. All gardens have an area of private amenity space commensurate to the dwelling size. Where the site layout results in proposed dwellings facing directly towards one another consideration has been given to the window-to-window relationships with separation distances of at least 20m window to window. Where windows on side elevations are proposed these are either landing windows or bathroom/ shower room windows which are non-habitable and the bathroom windows would be obscure glazed. There are a couple of examples with bedroom windows on the side elevations but in these cases there is sufficient distance to neighbouring windows/ amenity space that they would not give rise to unacceptable overlooking.

A lighting scheme is to be conditioned on the planning consent. This will satisfy amenity (Local Plan policy DM15) and the dark skies policy (Neighbourhood Plan policy SF13) in the Stoke Ferry Neighbourhood Plan. A condition is attached to secure details of air source heat pumps to ensure there are no neighbour amenity issues as a result of their installation.

The Parish Council requested hedging/tall trees/high fencing near the play space, at the boundary of the houses to provide acoustic protection. However, planting does not offer acoustic protection and this is not deemed necessary.

As part of the conditions on the outline consent a detailed demolition and construction management plan is required to be submitted and agreed to protect residential neighbours.

In terms of neighbour amenity, the development proposed is considered acceptable and in line with policy CS08 and DM15 of the Local Plan.

### **Highways / Access:**

The site layout proposes a single access off Furlong Road as agreed in the outline consent. As such a number of highway conditions were attached to the outline consent. These included that no works shall commence onsite until full details of the roads, footways and drainage shall be submitted and agreed, and that these shall be implemented as agreed to the required standard. That visibility splays are secured and that a management and maintenance plan for the streets have been submitted and agreed.

The internal site layout includes a single estate road running east to west, with four private drives off this. Pedestrian footpaths run alongside the access road. All plots include off road parking, some with garages and all are compliant with policy requirements, in addition, six visitor spaces are provided. The Local Highway Authority has no objections to the proposed scheme.

The Parish Council support the application but has suggested traffic calming measures are introduced. This matter has been discussed with the Local Highway Authority and the local ward member. The traffic calming measures were not considered necessary for a scheme of

this size with this layout, and accordingly the applicant has not been asked to accommodate these.

Finally, the Environmental Quality officer referred to the need for EV charging points within the site, this will be addressed via building control regulations. In terms of EV charging points for visitor spaces it is not considered that this is a policy requirement and given the nature and scale of the site would be difficult to deliver and maintain.

The development as proposed is in accordance with the NPPF and policies CS11 and DM15 and DM17 of the adopted Local Plan, as well as the Norfolk County Council Parking Guidelines for new developments in Norfolk and policy SF7 of the Neighbourhood Plan.

**Other matters requiring consideration prior to the determination of this application:**

Flood Risk / Drainage – The application site is in Flood Zone 1 in the adopted SFRA (2018), and therefore not at risk of flooding.

A condition is attached to the outline consent requiring full foul and surface water drainage arrangements to be submitted and agreed by the Local Planning Authority.

Affordable housing/ Housing Needs Assessment – The application proposes affordable housing units in line with the Local Plan, and the outline consent and Section 106 agreement. The Housing Enabling officer does state that the houses are in accordance with the policies in terms of pepper potting across the site. Policy SF3 of the Stoke Ferry Neighbourhood Plan considers the housing mix, including the provision of affordable housing and the proposed scheme is in accordance with this. The Stoke Ferry Housing Needs Assessment estimated that there will be a need for 40 affordable homes for sale and 28 affordable homes for rent over the plan period. The result of a life-stage modelling process suggests that by 2036, the size distribution of dwellings should be focussed on delivering more three-bedroom homes as a priority but with a reasonable proportion of 1, 2 and 4 bedroom homes. This is consistent with the development as proposed.

Open space – As part of the outline planning consent, an area of open space was agreed to be provided on site. The open space and management/ maintenance of was secured via the Section 106 agreement. The public open space onsite is policy compliant. The Public Open Spaces officer has provided comments on the design/ maintenance of the POS/ LAP. However, it is the intention of the developer to have the POS maintained by a management company rather than the Borough Council. The Parish Council has requested that play equipment is not provided on this site instead that the funds are used to enhance off site equipment on the recreation ground on Lynn Road instead. However, the outline consent required equipment and the applicant has submitted plans including this accordingly. That said the details of the open space are to be agreed through the works specification required in the legal agreement. The proposals are in accordance with Policy CS14 of the Core Strategy 2011 and Policy DM16 of the SADMPP 2016.

Waste/ Recycling – The applicant has provided bin collection points alongside the highway where it is necessary due to private driveways. We are awaiting updated comments from the Waste and Recycling Officer to confirm the proposed arrangements are acceptable.

Contamination/ Air Quality – The outline consent included conditions 6 to 9 to address potential land contamination issues. It is not appropriate to replicate these.

Ecology – Condition 18 of the outline consent required development on the site to be in accordance with the recommendations for mitigation detailed within the Appraisal. Again, it is not necessary to repeat this requirement.

## CONCLUSION:

The application seeks consent for the reserved matters of scale, layout, appearance, and landscaping in conjunction with the extant outline planning consent 19/00272/OM which secured the access arrangements. The application proposes to develop 30 dwellings in total, which includes six affordable homes alongside the provision of an area of open space and associated infrastructure. A Section 106 agreement was agreed as part of the outline application which secured the affordable housing, open space and habitats monitoring and mitigation contributions.

The proposed scheme provides a good mix of dwellings across the site, including affordable units, and demonstrates that 30 units can be successfully incorporated. The site layout and the form and character of the dwellings proposed is considered appropriate to the locality. It would not cause harm to the conservation area or to views into the village from the north. In terms of neighbour amenity there would be no detrimental impact on existing and potential residents as a result of the scheme. Extensive landscaping is proposed throughout the site, and the opportunity has been taken to create a quality edge to the village on the northern and eastern boundaries.

In light of the above, it is considered that the proposal complies with the outline permission already granted as well as the provisions of the NPPF and local policy, particularly CS06, CS08, CS12, DM15, DM16 and DM17. As well as Stoke Ferry Neighbourhood Plan policies SF3, SF4, SF5, SF6, SF7, SF10, SF13, SF14 and Stoke Ferry Design Codes.

## 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:

Received 13 FEB 24-

P18-840\_DE\_100\_05D            BOUNDARY TREATMENTS PLAN

Received 8 FEB 24-

P18-0840\_DE\_100\_10B            HOUSETYPE PORTFOLIO  
P18-0840\_EN\_0001\_E\_0001       DETAILED SOFT LANDSCAPE PROPOSALS  
P18-0840\_EN\_0001\_E\_0002       DETAILED SOFT LANDSCAPE PROPOSALS  
P18-0840\_EN\_0002\_D\_0001       DETAILED LAP PROPOSALS  
P18-840\_DE\_100\_01            SITE LOCATION PLAN  
P18-840\_DE\_100\_02D            PLANNING LAYOUT  
P18-840\_DE\_100\_03B            PRESENTATION LAYOUT  
P18-840\_DE\_100\_04B            MATERIALS DISTRIBUTION PLAN  
P18-840\_DE\_100\_06B            TENURE ALLOCATION PLAN  
P18-840\_DE\_100\_07B            INDICATIVE SLAB LEVELS

- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Prior to the installation of any external lighting on the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting, the

extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.

- 2 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 3 Condition Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of antivibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 3 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 4 Condition Before the first occupation of the dwellings hereby permitted the windows at first floor serving the bathrooms and ensuites shall be fitted with obscured glazing. The windows shall be permanently retained in that condition thereafter.
- 4 Reason To protect the residential amenities of the occupiers of nearby property.
- 5 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
- 5 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 6 Condition No works or development shall take place until a scheme for the protection of the retained trees (section 5.5, BS 5837:2012, the Tree Protection Plan) has been approved in writing with the Local Planning Authority. This scheme shall include:
  - a. a site layout plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (section 4.6 of BS5837:2012) of every retained tree on site and on neighbouring or nearby ground to the superimposed on the layout plan. The positions of all trees to be removed shall be indicated on this plan.
  - b. a schedule of tree works for all the retained trees in paragraphs (a) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Recommendations for tree work.
  - c. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers, (section 6.2 of BS5837:2012), to form a construction exclusion zone, and the type and extent of ground protection (section 6.2.3 of BS5837:2012) or any other physical tree protection measures, such as tree boxes. These details are to be identified separately where required for different phases of construction work (e.g.

demolition, construction, hard landscaping). Barrier and ground protection offsets should be dimensioned from existing fixed points on the site to enable accurate setting out. The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection. The approved Tree Protection must be installed prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection is repositioned for that phase.

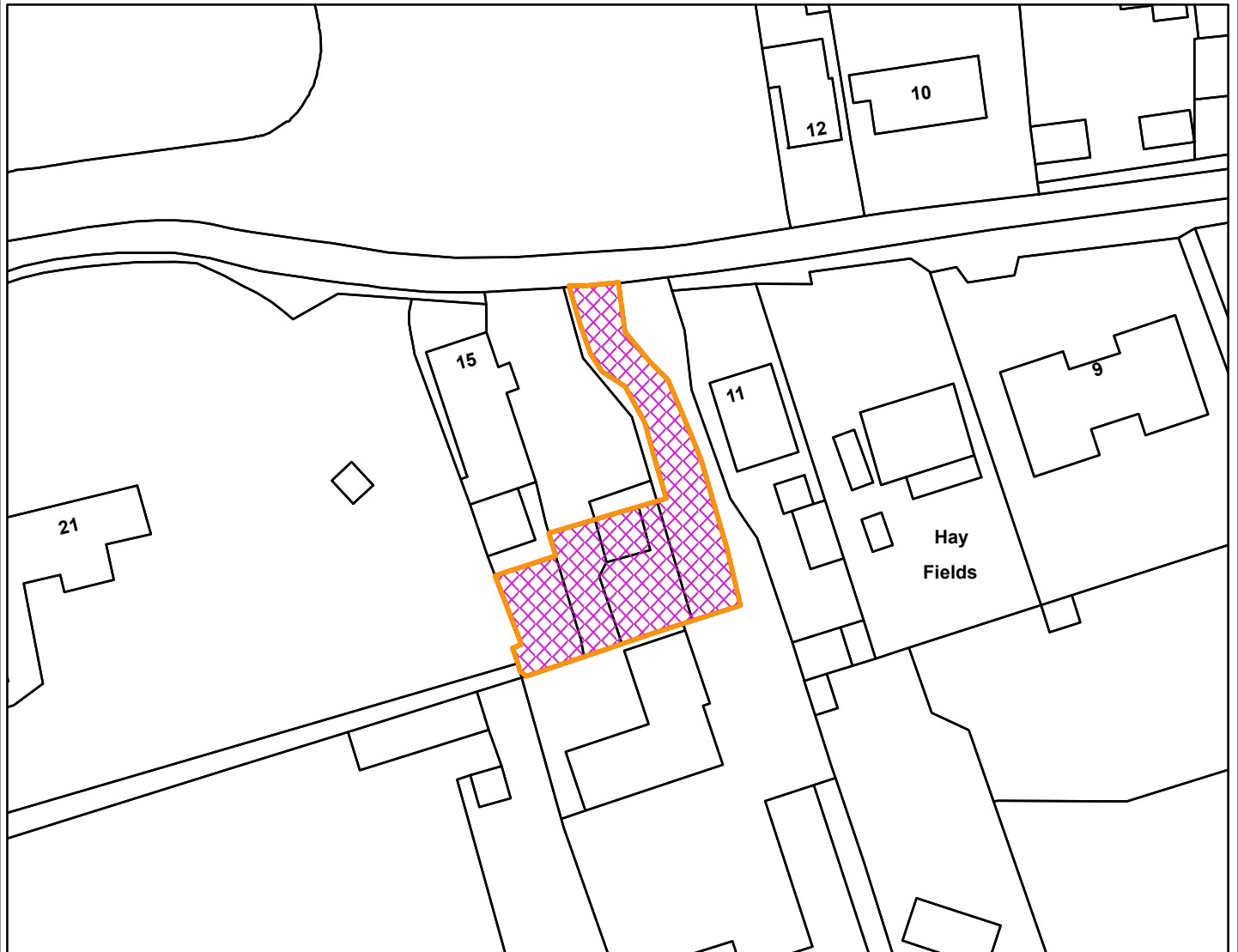
- d. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7 of BS5837:2012). the details of the working methods to be employed with regard to site logistics including, the proposed access and delivery of materials to the site; space for storing materials spoil and fuel, and the mixing of cement; contractor car parking; site huts, temporary latrines (including their drainage), and any other temporary structures.

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

- 6 Reason To ensure the existing trees within the development site are suitably protected throughout the demolition and construction phases of this development.
- 7 Condition The boundary treatments hereby approved shall be completed before the dwellings are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.
- 7 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 8 Condition Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 8 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.



Middle Farm 15 Chequers Road Pott Row PE32 1AJ



**Legend**

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**Scale:** 1:750

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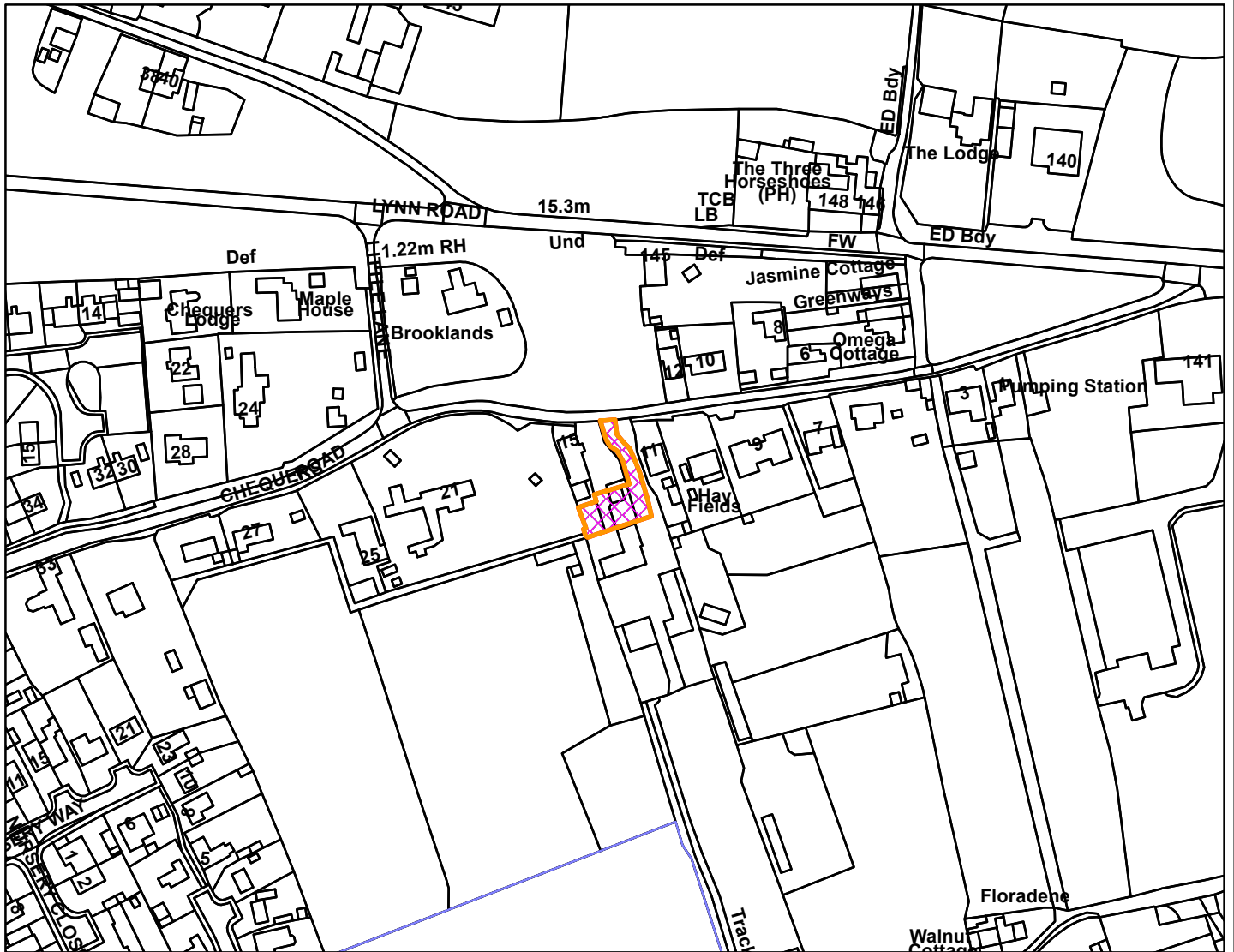
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Organisation	BCKLWN
Department	Department
Comments	
Date	21/02/2024
MSA Number	0100024314





Middle Farm 15 Chequers Road Pott Row PE32 1AJ



**Legend**

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**Scale:** 1:2,500

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Organisation	BCKLWN
Department	Department
Comments	
Date	21/02/2024
MSA Number	0100024314

**AGENDA ITEM NO: 9/4(a)**

<b>Parish:</b>	<b>Grimston</b>	
<b>Proposal:</b>	<b>Self-Build Bungalow for owner</b>	
<b>Location:</b>	<b>Middle Farm 15 Chequers Road Pott Row King's Lynn</b>	
<b>Applicant:</b>	<b>Mrs Linda Taylor</b>	
<b>Case No:</b>	<b>23/00234/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 20 June 2023 Extension of Time Expiry Date: 10 November 2023</b>

**Reason for Referral to Planning Committee** – Called in by Cllr de Whalley.

**Neighbourhood Plan:** No

**Case Summary**

The application seeks full planning permission for the construction of a new single storey bungalow on garden land between existing dwellings at Middle Farm, Chequers Road, Pott Row.

The application was submitted alongside a separate application for the subdivision of the existing dwelling known as Middle Farm however this application has since been withdrawn by the Agent (application ref 23/00235/F).

Pott Row is categorised as a Joint Key Rural Service Centre (alongside Gayton and Grimston) as defined in the Settlement Hierarchy within Policy CS02 and the development boundary policy therefore applies. The application site is within the development boundary shown on Inset Map G41 of the SADMPP (2016) and the principle of development is therefore acceptable in line with Policy DM2.

The application site is situated between the donor dwelling and a group of three dwellings granted consent under 15/01999/F at a time when the Borough Council could not demonstrate a 5-year supply of land.

**Key Issues**

Principle of Development  
Design  
Highway Safety  
Impacts on Neighbours  
Other material considerations

## Recommendation

**REFUSE**

### THE APPLICATION

The application seeks full planning permission for the construction of a new single storey bungalow on garden land between existing dwellings at Middle Farm, Chequers Road, Pott Row. The bungalow has been described as a Self-Build Bungalow by the Applicant.

The application was submitted alongside a separate application for the subdivision of the existing dwelling known as Middle Farm however this application has since been withdrawn by the Agent (application ref 23/00235/F).

Pott Row is categorised as a Joint Key Rural Service Centre as defined in the Settlement Hierarchy within Policy CS02 and the development boundary policy therefore applies. The application site is within the development boundary shown on Inset Map G41 of the SADMPP (2016) and the principle of development is therefore acceptable in line with Policy DM2.

The application site comprises an area of garden land situated between the donor dwelling and a group of three dwellings granted consent under 15/01999/F at a time when the Borough Council could not demonstrate a 5-year supply of land.

The application site is in Flood Zone 1. Levels on site are flat and would remain unchanged post-development.

The proposal is for the construction of a modest two-bedroom bungalow with gable end fronting the private access drive. A timber porch is proposed centralised on a front elevation formed primarily of carstone with brick quoins and detailing. The remainder of the property will be constructed in facing brickwork.

The dwelling is proposed with eaves height of approx. 2.5m and ridge height of 6.1m. The 2-bedroom dwelling is proposed with a rear garden area measuring a maximum of 9.3m deep with a width of 8.7m. A separate parking area is proposed with 2 tandem spaces and bin storage area shown to the north side of the bungalow, adjacent to the garden area of the donor dwelling. 1.8m high close boarded fencing would be provided to enclose the proposed site.

The donor dwelling is traditional in character and form, with a dual frontage and elongated form comprising a range of extensions/alterations throughout its lifetime. The donor property has a frontage to Chequers Road however the main access door and parking area front the shared access drive to the properties to the south.

The properties to the south are in the style of converted barns with the nearest property, immediately south of the application site comprising a hipped roof bungalow. A wide range of properties are existing in the immediate locality, including a mix of more recent two storey properties, chalet bungalows and single storey bungalows in a range of orientations and utilising a range of materials.

## SUPPORTING CASE

A supporting statement was requested however no such document has been provided as of the date of writing this report.

## PLANNING HISTORY

23/00235/F: Application Withdrawn: 24/07/23 - Proposed Sub-Division of Middle Farm, to provide Residential dwelling in its own right. - Middle Farm

15/01999/F: Application Permitted: 09/02/16 - Construction of three houses following demolition of store building and with change of use - Middle Farm - COMMITTEE DECISION

15/00093/PREAPP: INFORMAL - Likely to approve: 27/07/15 - PRE-APPLICATION ENQUIRY: redevelopment of brownfield site for 3 barn/cartshed type dwellings - Middle Farm

05/00698/F: Application Permitted: 16/05/05 - Two storey extension to dwelling - Middle Farm 15 Chequers Road

## RESPONSE TO CONSULTATION

**Parish Council: NO OBJECTION in principle** with the following comments:

'The Council does not in principle object to the building of a small property as proposed, so long as it is in keeping in design with both Middle Farm and the new properties.

It is noted however that there appears to be limited parking for anyone visiting the property'.

**Highways Authority: NO OBJECTION** The point of access with the public highway was considered, approved and implemented under the previous application 15/01999/F and is appropriate for the additional dwelling. The parking layout as submitted would also accord with the adopted guidance. Recommended conditions.

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** recommended various conditions relating to contaminated land.

## REPRESENTATIONS

None received.

## 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

**DM17** - Parking Provision in New Development

### **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

### **PLANNING CONSIDERATIONS**

**The main considerations are:**

- Principle of development
- Design
- Impact on neighbours
- Highway safety
- Other material considerations

#### **Principle of Development:**

Pott Row is categorised as a Joint Key Rural Service Centre as defined in the Settlement Hierarchy within Policy CS02 and the development boundary policy therefore applies. The application site is within the development boundary shown on Inset Map G41 of the SADMPP (2016) and the principle of development is therefore acceptable in line with Policy DM2.

The site is surrounded by residential development and could provide an additional dwelling towards the Borough Council's Housing Land Supply in a sustainable location within an established settlement.

#### **Design:**

The proposal is for the construction of a modest two-bedroom bungalow with gable end fronting the private access drive. A timber porch is proposed centralised on the front elevation which will be formed of carstone with brick quoins and detailing. The remainder of the property would be constructed in facing brickwork.

The bungalow is proposed with contemporary proportions however the use of materials relates back to the more traditional materials in the wider locality, with traditional carstone and clay pantiles.

The proposed materials accord with the character of the immediate locality, in particular the donor dwelling and the dwellings to the south. Proposed materials could be further controlled through the imposition of sample panel conditions for the proposed stonework.

Tandem parking spaces and bin storage are provided to the north of the dwelling, separated from the garden area.

In regard to layout, the proposed bungalow would benefit from rear garden area, totalling approximately 79m<sup>2</sup> (excluding the parking/bin storage area and front/side gardens) to the west, this garden area will however have limited privacy due to the position of a bedroom window at first floor of the donor dwelling's south elevation.

Whilst in terms of size, this garden area is similar in size to nearby dwellings The Forge (to the south of the site), and Blacksmiths Cottage (to the northeast of the access point), the overall plot coverage, distances to boundaries and extent of development are considered at odds with the typical local vernacular.

It is accepted that the houses immediately south are existing and have changed the character of the area to a degree, however the emphasis on good design has expanded and changed since their original approval in 2016 with the updates to the NPPF and the National Design Guide placing further emphasis on creating high quality environments and making places better for people. The existing courtyard arrangement of dwellings immediately south of the site is better spaced as a whole but as existing is dominated by hard surfacing on property frontages and the addition of a further dwelling to this group, infilling a space between this previous development and the donor dwelling will further contribute to this harsh environment.

The development as a whole therefore represents a cramped form of development, with the lack of privacy for the rear garden area further diminishing the ability for the proposal to be good design or for it to provide for a high standard of amenity for future occupiers. The proposal is therefore at odds with Paragraph 135 of the NPPF (2023) and Policy DM15 of the SADMPP (2016).

### **Impact on Neighbours:**

As a single storey dwelling with ridge line running parallel to side boundaries, the proposal is considered unlikely to lead to any adverse overbearing or overshadowing impacts on adjoining properties. The addition of close boarded fencing to boundaries will limit loss of privacy impacts for the existing dwellings adjoining the site associated with the creation of outdoor space and viewpoints created from the bathroom window proposed on the side elevation of the dwelling.

However, the NPPF (2023) at Paragraph 135 clearly sets out that planning decisions should ensure that development creates places with a high standard of amenity for both existing and future users. An existing bedroom window is positioned at first floor of the donor dwelling's south elevation. This window will have an outlook into the rear garden space, and the limited distances involved (5m from the rear elevation of the donor dwelling to the boundary) will result in the garden area of the proposed plot being overlooked, and the future occupiers having a severely restricted level of privacy for their only amenity space. Given the angles and distances involved, the provision of landscaping along the shared boundary would not suitably resolve the adverse impacts identified.

The proposed loss of garden land for the donor dwelling would maintain sufficient space within that plot to allow for a suitable level of amenity for the existing occupiers.

The creation of a new dwelling will lead to an intensification of the use of the existing gravelled access drive, however with an existing group of dwellings served by the private drive, any increased impacts would be minor and would not warrant refusal of this application on those grounds.

The application fails to provide adequate and suitable amenity space for the proposed dwelling and therefore fails to comply with the NPPF (2023) where it relates to development functioning well and providing a high standard of amenity for future occupiers. For the same reasons, the development fails to comply with Policies CS08 and DM15 of the Local Plan.

### **Highway Safety:**

Access is proposed to be provided via the existing shared driveway to the east of the site.

The point of access with the public highway was considered, approved, and implemented under application reference 15/01999/F and is considered to be appropriate for the additional dwelling proposed under this application, having not drawn any objection from the Local Highway Authority.

The highway network is considered suitable to cater for the proposed development and the Local Highway Authority have raised no objection on those grounds. The addition of one dwelling to this part of the highway network is not considered likely to give rise to highway safety concerns to an extent that would warrant refusal by virtue of Para 115 of the NPPF (2023).

Whilst the Parish Council comments on the lack of visitor parking are noted, the parking layout complies with the adopted parking standards for a scheme of this size, and the Local Highway Authority raise no objection on this basis, subject to standard access conditions. As the proposal is for one additional dwelling, it would be unreasonable and unnecessary to require the provision of specific visitor spaces to alleviate existing issues in the wider area.

The application is therefore considered acceptable insofar as highways matters, and the highway safety impacts can be adequately controlled through conditions ensuring the parking area is provided and retained in accordance with the agreed details, in line with the NPPF (2023) and Policies CS11, DM15 and DM17 of the Local Plan.

### **Other material considerations**

*Contamination* - The Environmental Quality Team has recommended full contamination conditions due to known contamination from a domestic heating oil spill on site. Conditions could be used to ensure that there is no harm to the health of future occupants, in line with Paragraph 180 of the NPPF (2023) and Policy DM15 of the SADMPP (2016).

*Heritage Impacts* - The application site is approximately 50m east of Grade II Listed Building known as The Shaws (21 Chequers Road). As a result of the scale of the proposal, boundary treatments, screening, distance and the existing modern development in the immediate locality, the proposal will not lead to any impact on the setting of this designated heritage asset. The proposal therefore complies with the NPPF (2023) and Policies CS12 and DM15 of the Local Plan in regard to heritage impacts.

*Self-Build* – The Applicant has described the development as a self-build bungalow and provided evidence of their entry on the Custom and Self Build Register. These comments are noted, and the weight given to the provision of self-build sites within the NPPF is also noted. The NPPF (2023) sets out that weight should be given to suitable sites which contribute to self-build provision. It is not considered in this instance that the very minor

benefit to the self-build supply would justify the construction of a dwelling which fails to provide a suitable level of amenity for future occupants and fails to correspond to the overall form and character of the street scene, as discussed in depth above.

### **Specific comments and issues:**

**Withdrawn Application 23/00235/F** – This application was submitted alongside application ref 23/00235/F which sought consent for the subdivision of the donor dwelling into two independent properties. The application was withdrawn following officer discussion as to the scale and layout of the development, the lack of private amenity space, and form and character concerns relating to the requirement for additional close boarded fencing to shield parking areas.

This application is a standalone application which seeks consent only for the construction of a new bungalow.

### **CONCLUSION:**

The NPPF reiterates the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 which states that applications for planning permission must be determined in accordance with the development plan unless strong material considerations indicate otherwise.

The application seeks consent for the construction of a 2-bedroom bungalow on land between existing dwellings to the south of Chequers Road, Pott Row. The application site is within the development boundary on land which is considered in principle to be suitable for the proposed use.

The application has demonstrated safe access to accord with the Local Highway Authority's requirements and two parking spaces have been provided within the plot to accord with the development plan in regard to parking provision. No objections have been received from the Local Highway Authority in relation to the suitability of Chequers Road to cater for the proposed traffic.

However, whilst the existing character of this part of Pott Row has resulted in wide variations in plot sizes, dwellings in the immediate locality typically benefit from better spacing and have private amenity spaces which are appropriate for their use. In contrast, the proposal scheme is considered to be uncharacteristically cramped for the character of this part of Pott Row, and the position of the proposed garden area in relation to the bedroom window on the donor dwelling is considered to give rise to conditions detrimental to the privacy of the future occupiers.

The material considerations advanced by the agent, namely the very limited benefit of one additional self-build plot does not remove the need for the development to provide for good design and comply with the development plan as a whole.

The proposal therefore is not considered to meet the NPPF requirements for good design and is at odds with Paragraph 135 of the NPPF (2023), Policy CS08 of the Core Strategy (2011), and Policy DM15 of the SADMPP (2016).

### **RECOMMENDATION:**

**REFUSE** for the following reason(s):

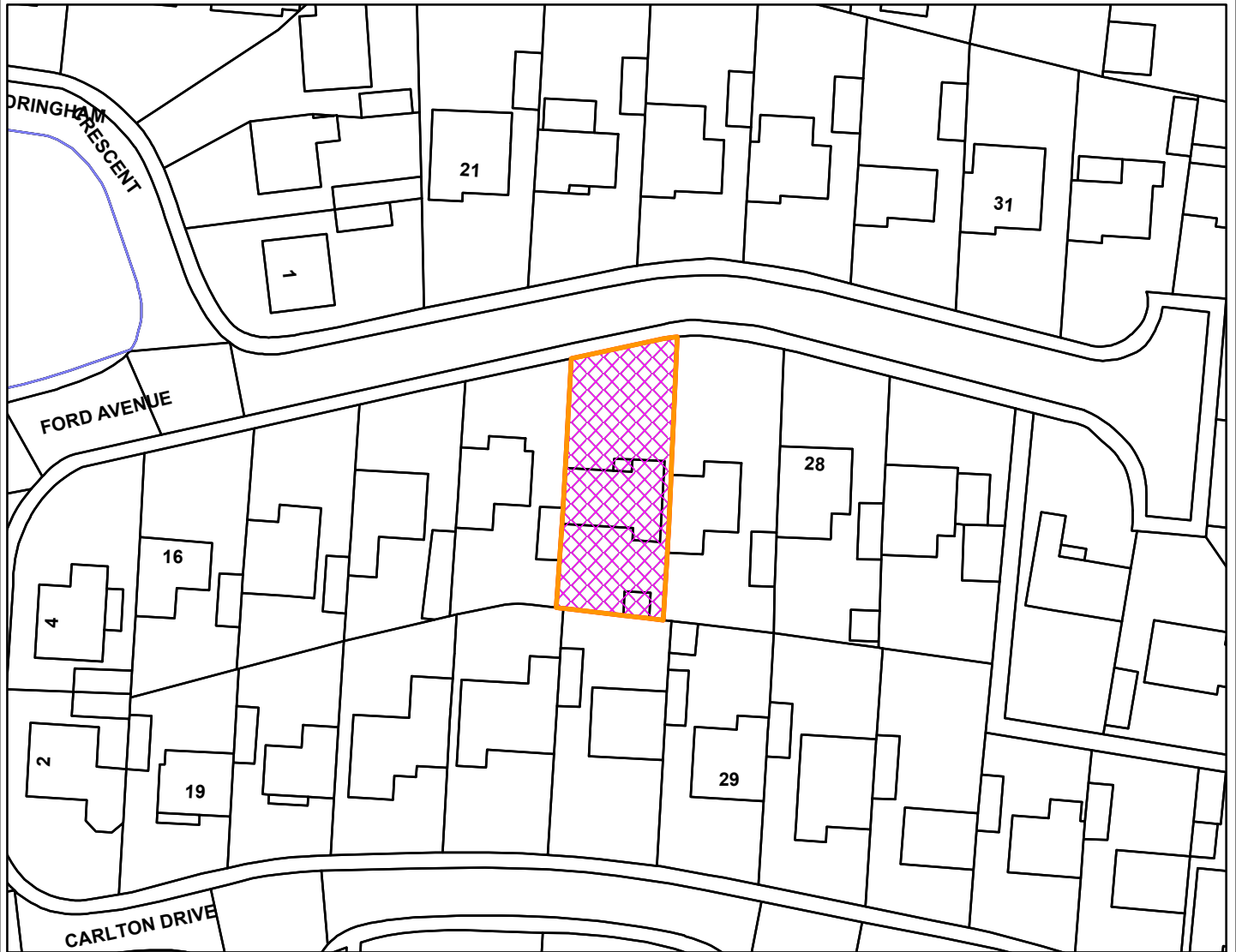


- 1 Whilst the existing character of this part of Pott Row has resulted in wide variations in plot sizes, dwellings in the immediate locality typically benefit from suitable spacing and plot coverage and have private amenity spaces which are appropriate for their use. In contrast, the proposal scheme is considered to be uncharacteristically cramped for the character of this part of Pott Row, and the position of the proposed garden area in relation to the bedroom window on the donor dwelling is considered to give rise to conditions to detriment of the privacy of the future occupiers.

The proposal therefore is not considered to meet the NPPF requirements for good design and is at odds with Paragraph 135 of the NPPF (2023), Policy CS08 of the Core Strategy (2011), and Policy DM15 of the SADMPP (2016).



24 Ford Avenue North Wootton PE30 3QS



Legend	

**Scale:** 1:750

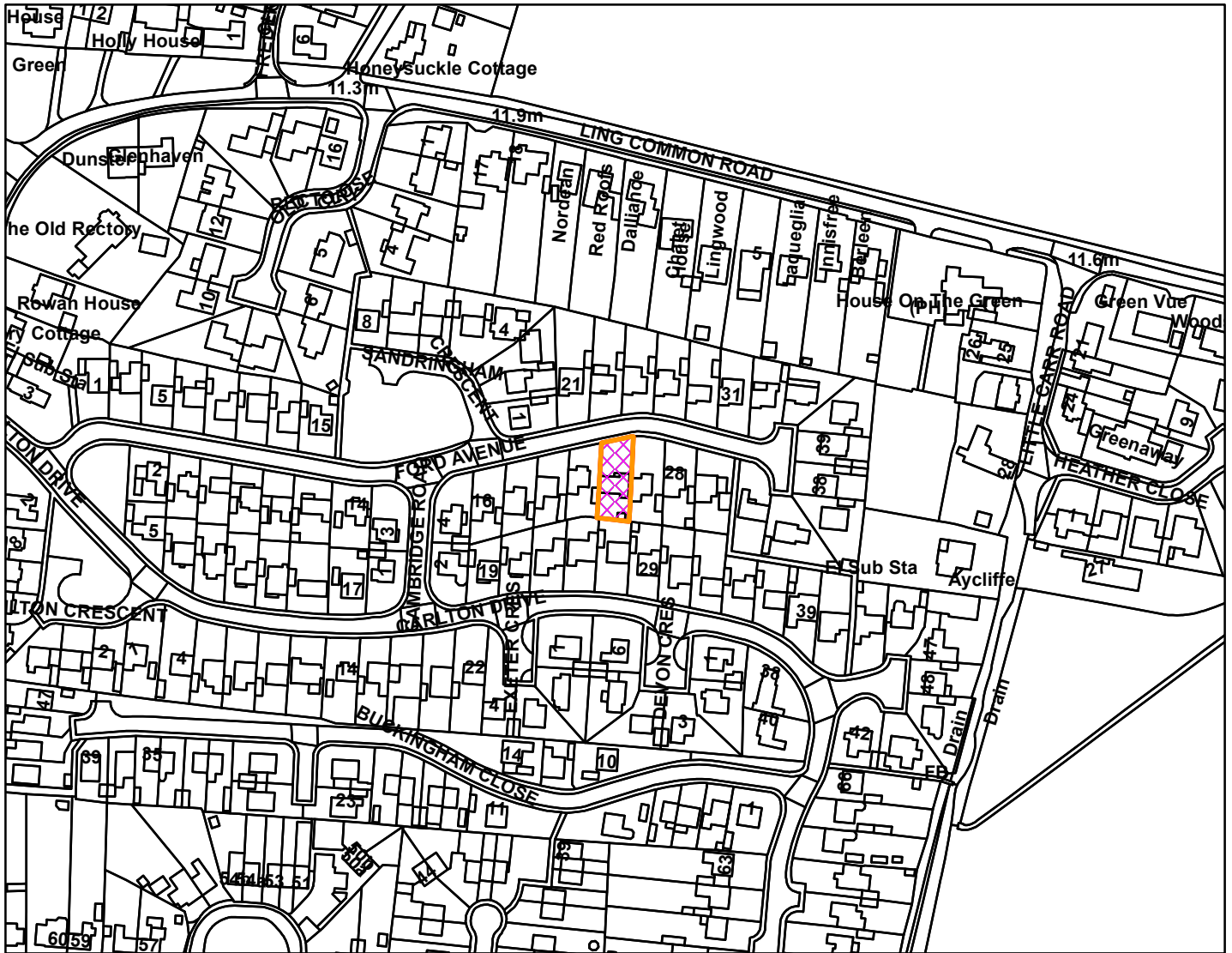
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Organisation	BCKLWN
Department	Department
Comments	
Date	20/02/2024
MSA Number	0100024314



24 Ford Avenue North Wootton PE30 3QS



**Legend**

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**Scale:** 1:2,500

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Organisation	BCKLWN
Department	Department
Comments	
Date	20/02/2024
MSA Number	0100024314

**AGENDA ITEM NO: 9/4(b)**

<b>Parish:</b>	<b>North Wootton</b>	
<b>Proposal:</b>	<b>Change of use from domestic converted garage to tattoo studio.</b>	
<b>Location:</b>	<b>24 Ford Avenue North Wootton King's Lynn Norfolk PE30 3QS</b>	
<b>Applicant:</b>	<b>Mr D Wells</b>	
<b>Case No:</b>	<b>23/02202/CU (Full Application)</b>	
<b>Case Officer:</b>	<b>Jonathan Doe</b>	<b>Date for Determination:</b> <b>29 January 2024</b> <b>Extension of Time Expiry Date:</b> <b>8 March 2024</b>

**Reason for Referral to Planning Committee** – Call in by Councillor Ring.

**Neighbourhood Plan:** No

**Case Summary**

The site is a four-bedroom detached house on the southern side of Ford Avenue. The arm of Ford Avenue on which the property is set is a cul-de-sac.

Planning permission is sought for a change of part of the house to a tattoo studio.

The site is located within the development boundary of North Wootton. North Wootton is covered under the part of the SADMPP dealing with King's Lynn and Surrounding Areas. Paragraph E.5.3 of the SADMPP states that North Wootton is classified as a settlement adjacent to King's Lynn rather than a Key Rural Service Centre.

**Key Issues**

Principle of Development  
Neighbour Amenity  
Highway safety  
Other material considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application site is a four-bedroom detached house in a residential area within the Parish of North Wootton. The residential area is to the east of Priory Lane and south of Ling Common Road.

The application essentially relates to a part of the house, which was a single integral garage, but which has been converted to part of the accommodation of the house. A physical change has been made to the exterior of the house in that a garage door has been changed to a wall with a window. However, this recent change to the house is considered acceptable in terms of its appearance. The property has an area between the house and the highway available for parking and this would be used by visitors to the proposed tattoo studio. A parking plan has been provided.

The setting of the site is a wholly residential area which appears to date from the 1970s. No other house in a commercial use is apparent in the streetscene.

The site is located with the development boundary of North Wootton, which is covered under the part of the SADMPP dealing with King's Lynn and Surrounding Areas. Paragraph E.5.3 of the SADMPP states that North Wootton is classified as a settlement adjacent to King's Lynn rather than a Key Rural Service Centre.

## **SUPPORTING CASE**

Details regarding the operation of the proposed use were sufficient to validate the application though additional information has been provided in the course of considering the application. The agent provided a letter to the Parish Council with a copy to the case officer. The letter provides the following information:

“The applicant currently works as a commercial floor layer but has recently developed a lung condition which has impacted his health and is unable to continue in this line of work due to the solvents used and energy levels required. He has therefore decided to concentrate on the tattoo skills he has for the family income, hence the need for the home studio.

The tattoo studio will be a low key part time operation with clients visiting between 2-4 times per week with sessions lasting 2-3hours due to the concentration levels needed. The days of operation was stated as Monday to Saturday to allow for the flexibility to accommodate clients and their schedules. Clients will be on an appointment basis only with only one client at a time to provide the privacy required. There will be no overlap of clients as there is a 1hour separation between appointments to allow for cleaning down surfaces and equipment. In addition, a considerable amount of time is required preparing artwork and designs for clients which is done when there are no clients in the studio.”

A plan has been submitted showing how the front drive can accommodate 6 parking spaces which is more than sufficient for the dwelling (4 bedrooms) and a client.

Additional information submitted by the agent is as follows:

- The property is a family home.
- The studio area is only suitable for one chair and therefore no room for expansion.
- There will be no external signs or advertising.
- Customers will be by appointment only – no walk in customers.
- Initial consultations are conducted remotely until there is a commitment from a customer to proceed at which time the location will be provided.
- The applicant wants the property appearance to remain as a domestic property and the business to be discreet.
- The internal conversion of the room included additional insulation to external walls to improve acoustics with acoustic insulation included above the ceiling.

- Available working hours to be 9am to 7pm Monday to Saturday – no Sundays. The studio will not be in operation all of this time but these hours are required to accommodate flexibility with clients.
- Applicant is prepared to enter into an agreement to cease the permission if the property is sold.

**PLANNING HISTORY** No relevant planning history.

## **RESPONSE TO CONSULTATION**

**Parish Council:** At its meeting on 4th January 2024, the Parish Council agreed to **SUPPORT** this application.

### **Highways Authority:**

There is said to be 4 parking spaces on the site and on-street parking.

Therefore, on balance, we believe that it would be difficult to substantiate a highway objection to that submitted on highway safety grounds.

**Environmental Health & Housing – Environmental Quality:** The applicant should be aware that he will need to apply for a practitioner and premises registration; and that the premises will need to be inspected by an officer, before he begins trading. His premises will need to meet the requirements of the byelaws, before any registration certificate can be issued.

We have **NO OBJECTION** regarding contaminated land.

**REPRESENTATIONS** Twelve **OBJECTIONS** received and **twenty-eight SUPPORT**, these are summarised below –

### **Objections –**

- Additional traffic would be a highway hazard.
- Lack of detail within application
- Business operation in the evenings or at weekends would be unacceptable.
- Any conditions to planning permission would be unenforceable.
- Concerns regarding signage, noise and other disturbance from visitors arriving and departing.
- Total strangers would frequent the street.
- As a lounge window is directly opposite would impact on privacy
- Would impact on sale value of our property.
- Commercial premises in a residential cul-de-sac would be detrimental to the amenity of a residential street.
- Available vacant commercial premises in an area zoned for this type of activity should be used.
- Could lead to more on-street parking.
- Use would be more in keeping with a High Street environment.
- The proposal is for the conversion of a garage to a tattoo studio.

## **Supports –**

- As a supporter of small businesses going by the book who make the correct applications and requests, it would seem unreasonable to deny permission to run a small business from home.
- The presence of a high-quality, private tattoo studio would contribute to the cultural and artistic enrichment of the neighbourhood.
- \*Do not see that the scenarios proposed in pre-emptive concerns about the location of the studio will come to fruition
- \*Would be no more disruptive than the property receiving visitors for social purposes
- \*Hope that the community can come to embrace the prospect of having an independent artistic business endeavour in the area as a point of pride
- \*The tattoo gun itself is quieter than your everyday usage of a Hoover.
- \*Many small business owners such as nail technicians and hair salons are based at their homes
- \*Numerous politicians state that we should support local business; this business should be given a chance
- \*A tattoo studio is terminology for one person doing one tattoo at a time
- \*Strangers go into an area when a delivery driver visits, this proposal would involve a very similar situation
- \*Applicant is partially deaf so loud music would prevent focus on his work
- \*Points made by those seeking to prevent the approval are based heavily on assumption

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

**CS10** - The Economy

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM10** – Retail Development

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **PLANNING CONSIDERATIONS**

### **The main considerations are:**

- Principle of development
- Impact on neighbour amenity
- Highway safety
- Other Material Considerations

### **Principle of Development:**

Policy CS01 of the Core Strategy sets out development priorities for the borough, one of which is to encourage economic growth, and sets out an approach of a settlement hierarchy. The site is within the Development Boundary of North Wootton. G.66 of the SADMPP refers to the section of the Plan concerned with King's Lynn and surrounding area with E.5 being the subject of North Wootton. The text of E.5 gives an overview of strategic policy for North Wootton, referring to its close proximity to King's Lynn.

Policy CS02 expands on the settlement hierarchy approach introduced by Policy CS01. Policy CS02 allocates North Wootton as a settlement adjacent to King's Lynn and the main towns. This allocation is one near the top of the hierarchy. Part of Policy CS02 states that for settlements adjacent to King's Lynn, development will take place where it can demonstrate a positive impact on the main town and which will assist in enhancing the provision of services and employment. Policy DM10 of the SADMPP extends the approach set out in Policy CS02, stating that new retail uses will be expected to be located in defined town centres. However, a tattoo studio is a sui generis use, not a retail use, and these strategic policies to protect the attractiveness and viability of existing town centres are not appropriate to the scale of development proposed in the current application.

Likewise, Policy CS10 is also of somewhat limited relevance to the proposal given the limited scale of employment creation it involves though the thrust of Policy CS10 is to encourage employment and this proposal would do so albeit by that of a single person. Policy DM10 expands on Policy CS10 but is also concerned with major retail centres. The use is not a retail use and it is considered that the scale of the proposal is such that, even cumulatively, it would not undermine the attractiveness or viability of town centres.

Policy DM1 of the SADMPP confirms that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy DM2 states that development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.

Paragraph 85 of the NPPF states that planning decisions should help create conditions in which businesses can invest.

In conclusion with regard to the principle of development, the site is within a Development Boundary and would provide a minimal degree of employment generation. In broad principle there is some support in terms of strategic policy for the proposal.

### **Impact on Neighbour Amenity:**

An integral garage has been changed to accommodation of the house and it is proposed to use this part of the house as a tattoo studio. In terms of a change to the appearance of the



exterior of the house, a garage door has been replaced by a domestic scaled window set in cladding. It is considered that this element has a good appearance.

Policies CS08 and DM15 refer to how development must protect and enhance the amenity of the wider environment. Proposals will be assessed against their impact on neighbouring uses and their occupants. Proposals will be assessed against a number of factors. Overlooking, noise and visual impact are some of these factors which are considered relevant in this case.

Visitors to the tattoo studio would arrive via the public highway and accordingly have any sight of neighbouring properties from the public realm. There is no reason to suppose that the proposal would have any overlooking.

Visitors would arrive at the tattoo studio by a prior appointment which would limit activity associated with the proposed use. A parking area off the highway would be available to visitors with the house being relatively easy to find and distinguish. It is considered that visitors would arrive at the property, park and enter the tattoo studio easily and therefore in a manner which would not lead to disturbance to neighbours.

The operation of the tattoo studio would be contained within the built form of part of the detached house. The external walls of the house would contain any noise generated by the operation of the tattoo studio. The house is detached and so no noise would be transmitted to a neighbour through a shared wall. There is a passageway between the position of the tattoo studio and a neighbouring house. The proposal is considered acceptable with regard to noise.

Subject to a condition addressing advertisements, there would be no impact to visual amenity since the proposed use would operate indoors.

The proposal is considered acceptable with regard to the future amenity of neighbours and accordingly is acceptable with regard to Policy DM15.

### **Highway Safety:**

Policy DM15 states that development proposals should demonstrate that safe access can be provided and that adequate parking facilities are available. Policy DM17 states that for developments other than dwellings car parking provision will be negotiated having regard to the current standards published by Norfolk County Council.

Norfolk County Council, the local highway authority, was consulted on the application and no objection was raised.

The property has an existing vehicular access which would be unchanged. The area between the house and the highway consists of landscaping and an extensive area of gravel available for parking. It is considered that existing parking provision is sufficient for this four-bedroom house together with a visitor at any one time to the property. However, to ensure that this remains the case it is considered that a condition to ensure that there is only one client to the tattoo studio at a time is reasonable and necessary.

The proposal is considered acceptable with regard to parking and highway safety and accordingly is acceptable with regard to Policy DM17.

## Other Material Considerations:

### *Crime and Disorder:*

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee will not have a material impact upon crime and disorder.

Paragraph 96 of the NPPF states that planning decisions should aim to achieve safe places and how the fear of crime should not undermine the quality of life. Having examined the details of the application, subject to appropriate conditions there is no reason to consider that the operation of the proposed use would be materially discernible.

## CONCLUSION:

Whilst the proposed use is an unusual one for a residential area since such uses have traditionally been found in commercial centres, the proposal represents a trend for working from home for self-employed people made possible by the internet advertising a business and providing contact between potential client and business. The proposal represents how the economy is evolving and would provide a means of employment. Given the very limited scale and the containment of the business almost within a family home, it is considered on balance that, approval of planning permission for the use proposed, subject to the conditions set out below, would be reasonable, considering the policies set out above, and the consultation responses received.

## RECOMMENDATION:

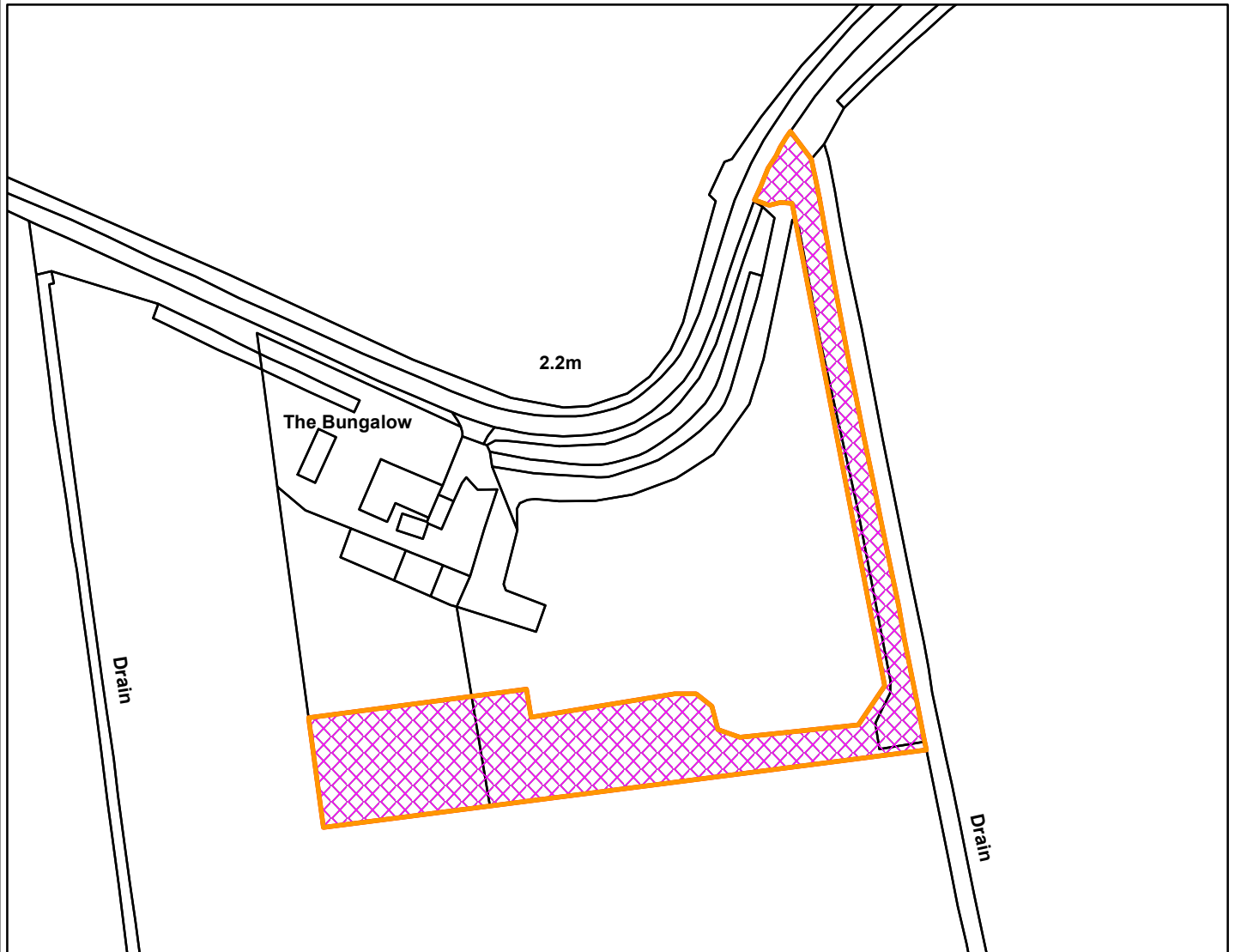
**APPROVE** subject to the imposition of the following condition(s):

- 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 drawings and documents:  
  
1070/23-DW Site location plan  
1070/23-01 Existing and proposed plans  
Parking layout plan received 15th January 2024  
Statement to North Wootton Parish Council dated 3rd January 2024  
Statement attached to email of 2nd February 2024 to case officer.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The use hereby permitted shall be carried on only by Mr Daniel Wells. The tattoo studio hereby approved shall be incidental to the use of the main dwelling and shall not be occupied at any time as a separate and un-associated unit of accommodation. The tattoo studio hereby approved shall be used as such by the occupants of the dwelling.

- 3 Reason To provide for the specific personal needs advanced by the applicant and to ensure that the development remains compatible with Policy DM15 of the Site Allocations and Development Management Policies Plan and the provisions of the NPPF.
- 4 Condition The tattoo studio shall not be open for business outside the hours of 09:00 to 17:00 Monday to Saturday. No business shall be done on Sundays or Public Holidays unless otherwise approved in writing by the local planning authority.
- 4 Reason In the interest of the residential amenity of occupiers of neighbouring properties in accordance with Policy DM15 of the Site Allocations and Development Management Policies Plan and the provisions of the National Planning Policy Framework.
- 5 Condition Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 as amended, no display of advertising material shall be displayed within the site without express advertisement consent.
- 5 Reason For the avoidance of doubt and to ensure the proposal would be as set out in the application documentation and in the interests of the amenity and character of the locality in accordance with Policy DM15 of the Site Allocations and Development Management Policies Plan and the provisions of the National Planning Policy Framework.
- 6 Condition There shall be no more than one client or visitor to the tattoo studio at any one time. Prior booking of appointments to the tattoo studio shall be made with a margin of a minimum of one hour between appointments.
- 6 Reason For the avoidance of doubt and to ensure the proposal would be as set out in the application documentation and in the interests of the amenity and character of the locality in accordance with Policy DM15 of the Site Allocations and Development Management Policies Plan and the provisions of the National Planning Policy Framework.



Last Bungalow Squires Drove Three Holes PE14 9JY



Legend	

**Scale:** 1:1,250

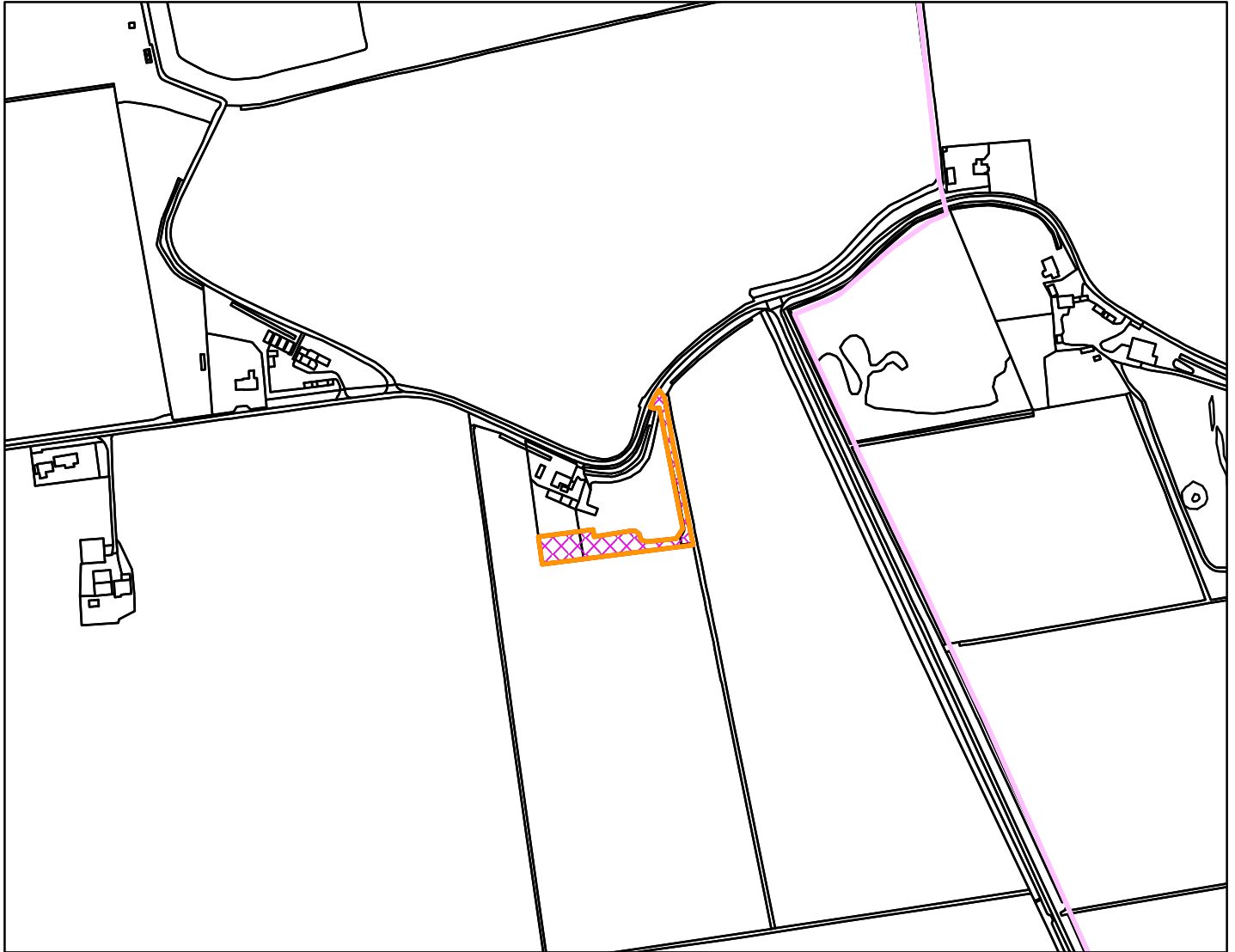
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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	20/02/2024
MSA Number	0100024314



Last Bungalow Squires Drove Three Holes PE14 9JY



**Legend**

**Scale:** 1:5,000

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	20/02/2024
MSA Number	0100024314

**AGENDA ITEM NO: 9/4(c)**

<b>Parish:</b>	<b>Upwell</b>	
<b>Proposal:</b>	<b>Retrospective change of use of land for the sitting of 4 Glamping pods and WC/Shower unit for holiday let accommodation</b>	
<b>Location:</b>	<b>Last Bungalow Squires Drove Three Holes Wisbech PE14 9JY</b>	
<b>Applicant:</b>	<b>Mr B Cook</b>	
<b>Case No:</b>	<b>23/01843/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Bradley Downes</b>	<b>Date for Determination: 25 December 2023 Extension of Time Expiry Date: 9 February 2024</b>

**Reason for Referral to Planning Committee** – Called in by Cllr Colin Rose.

**Neighbourhood Plan:** No

**Case Summary**

The application is retrospective for the change of use of agricultural land to create a glamping site with 4 pods, toilet/shower block and 2.5m fence to the north and east of the site. Access is proposed to be taken from Squires Drove and is laid to gravel. The site lies in the countryside where development is more restricted and limited to that identified as suitable in rural areas. Squires Drove is a narrow single track road with the proposed site access immediately adjacent to a bend in the road. The site lies on designated Grade 1 Agricultural Land.

**Key Issues**

Principle of Development  
Form and Character  
Highway Safety  
Flood Risk  
Other material considerations

**Recommendation**

**REFUSE**

**THE APPLICATION**

The application is retrospective for the change of use of agricultural land to create a glamping site with 4 pods, toilet/shower block and 2.5m fence to the north and east of the site. The site lies in the countryside where development is more restricted and limited to that identified as suitable in rural areas. The surrounding landscape is flat and undeveloped

which creates a strong sense of openness. The settlement pattern along Squires Drove is dispersed, appearing sparse with large open gaps separating small pockets of development.

Access is proposed to be taken from Squires Drove and is laid to gravel. Squires Drove is single track width, and the site access lies in a bend in the road. The site is approximately 1.75km to the east of the built-up edge of Three Holes. The site lies on designated Grade 1 Agricultural Land. A previous application for substantially the same development (ref: 23/00212/F) was to be recommended for refusal but was withdrawn by the applicant before a decision was issued. The application arose because of an enforcement investigation.

## **SUPPORTING CASE**

The proposal consists of four timber Glamping pods and a WC/Shower unit. The site utilises an existing access, which provides good visibility in all directions. The site is close to local facilities and outdoor pursuits such as walking, cycling, fishing and water sports. Visitors to the accommodation will all contribute to the wider area through off-site spending at other local service providers. The use at this location provides the opportunity for recreation and relaxation in the countryside, and enables visitors to enjoy a quiet relaxed holiday, helping to promote good health and wellbeing.

The Business Plan demonstrates the site will play an important role in the local economy and help the viability of local tourist attractions. Further the site does not provide cooking facilities in the form of a traditional sense, but outdoor cooking facilities are provided. Those not wanting to use these facilities can travel to other local facilities thus benefitting the wider economy and community. Again, while it will be necessary to travel to these other facilities, the same is true for anyone living or staying within the local area. As the site encourages people to re-connect with nature it is hoped a lot of those staying will choose to travel locally by cycle.

While it is acknowledged the development is not immediately adjacent to a settlement, this needs to be weighed against the preference for some tourists to stay in the countryside, and the whole point of the business is to allow those using the facility to re-connect with nature and the outdoor environment. To have such a site situated in close proximity to a settlement defeats the whole point of this.

We believe the site is in a sustainable location. Due to poor public transport in the area, the vast majority of visitors to all local attractions other than possibly those within Downham Market or Kings Lynn which are serviced by a railway station, will drive. Driving to Three Holes the nearest settlement to the development, or Upwell, the largest nearby rural service centre will make very little if any difference with regards to the sustainability of the site.

The site has been designed to blend in with its remote environment. It is screened and landscaped with willow hedging ensuring minimal adverse impact on the visual amenities of the area, with the glamping pods and WC/shower block no longer visible when viewed from the surrounding land, ensuring extensive vistas with wide open skies evoking a strong sense of openness, exposure and isolation.

The proposal is situated away from other residential properties and should not therefore have a detrimental impact on the residential amenities of others. Traffic generated by the proposal is also low and it should not have an adverse impact on the transport network. There is sufficient parking on site to accommodate all guests, and the proposal should not have an adverse environmental impact, or impact on the historic environment.

The proposal only has a site area of around 0.16 acres, that due to its shape and size could not easily and economically be farmed with modern farming equipment. Further given the overriding community benefits from the proposal as noted above, the loss of such a small area of land to the proposal should be seen as insignificant. The proposal should therefore be seen to accord with the parish neighbourhood plan and it should be noted an earlier planning application reference 23/00212/F for the same proposal was supported by the Parish Council.

## **PLANNING HISTORY**

23/00212/F: Application Withdrawn: 05/10/23 - Retrospective change of use of land for the sitting of 4 Glamping pods and WC/Shower unit for holiday let accommodation - Last Bungalow, Squires Drove, Three Holes

19/00842/F: Application Permitted: 04/07/19 - Horticultural building - Last Bungalow, Squires Drove, Three Holes

## **RESPONSE TO CONSULTATION**

### **Parish Council: SUPPORT**

Willow trees no doubt causing problems overhanging the highway, so these should be re-planted further from the road, or conditioned to be maintained on a regular basis so that they do not become overgrown.

### **Highways Authority: NO OBJECTION**

Road conditions are not ideal due to Squires Drove being narrow and the site access being in close proximity to a bend. However, Squires Drove is lightly trafficked and the pods are unlikely to be occupied full time with the resultant trips to and from each pod being on average 2-3 per day. Therefore, on balance I would not seek to object to the application. However, any further expansion of the site is unlikely to be acceptable given the road constraints. Currently, the private point of access is not hard surfaced and in the interest of highway safety I recommend a condition to ensure a satisfactory access is constructed.

On my visit I observed that fencing had been erected with planting that may encroach on the public highway. Whilst this does not affect my consideration in relation to this application, the applicant is advised to liaise with the West Area Engineer with respect to addressing any encroachment.

### **Environment Agency: NO OBJECTION**

Strongly recommend the mitigation measures in the flood risk assessment are adhered to.

### **Environmental Quality: NO OBJECTION**

The site is on land not seen developed prior to the current structures occupying the site. No potential sources of contamination are identified in our records, or in the information provided by the applicant.

### **Natural England: NO OBJECTION**

Standing advice in relation to GIRAMS



## **Emergency Planning: NO OBJECTION**

Occupiers should sign up to the EA flood warning system and a flood evacuation plan should be prepared.

## **REPRESENTATIONS**

5 Letters have been received raising **OBJECTIONS** to the proposed development. Salient points as follows:

- Holiday-makers will need to use their vehicles to travel in the area due to poor / non-existent public transport.
- Road is in a very poor state.
- Increased traffic will damage road.
- Residents will be affected by noise and traffic all year round.
- Use could result in parties and music. Noise travels and this will disturb residents.
- Outdoor cooking could increase fire risk during summer with dry fields.
- Guests are likely to travel to visit places to eat which increases traffic.
- One of the promoted activities is nature walks. There are no public footpaths, would be dangerous on the road.
- Site entrance is on a blind corner which is a safety concern.
- Willow trees to site boundary are hazardous to road users, on a windy day they can be found laying on the carriageway.
- Water pressure and internet speed is poor.
- 30% occupancy rate is optimistic.
- Gym and space facility should be included in the application.
- Application not in accordance with Policy CS10.
- Increase in litter on Squires Drove since site has been open.
- Increased anti-social behaviour.

## **LDF CORE STRATEGY POLICIES**

**CS12** - Environmental Assets

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM11** – Touring and Permanent Holiday Sites

**DM15** – Environment, Design and Amenity

## **NEIGHBOURHOOD PLAN POLICIES**

**Economy and Tourism Policy ET2:** Economic Development

**Environment and Nature Policy EN2:** Agricultural Land

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

## **PLANNING CONSIDERATIONS**

**The main considerations are:**

- Principle of development
- Form and character
- Highway safety
- Flood risk
- Other material considerations

### **Principle of Development:**

Policy DM2 states that areas beyond the development boundaries of settlements will be treated as countryside where new development is more restricted and limited to that identified as suitable in rural areas. Policy CS06 of the Core Strategy states that in the countryside the strategy will be to protect the countryside for its intrinsic character and beauty, diversity of landscapes, and its natural resources to be enjoyed by all. Development of greenfield sites will be resisted unless essential for agriculture or forestry needs. Policy CS10 of the Core Strategy 2011 and DM11 of the SADMPP 2016 set out the criteria for new tourism accommodation.

Policy CS10 states that the Council will permit the development of new tourism accommodation in rural areas subject to the following criteria being met:

- It should be located in or adjacent to our villages and towns.
- It should be a high standard of design.
- Will not be detrimental to the landscape.
- Mechanisms put in place to permanently retain the tourism related use.

A key strategic issue with this application is the otherwise remote location separated from local villages and towns, the proposals fail to comply with the locational and sustainability criterion of CS10. Tourism development in such locations should be resisted.

Policy CS10 also states that in the countryside, preservation of the natural environment should be a priority. At this point the Policy makes reference to Policy CS12 of the Core Strategy 2011 which is relevant as follows: "The design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment". It states that development will be informed by and seek opportunities to reinforce distinctive character areas identified in the KL&WN Landscape Character Assessment. Development should demonstrate that the location, scale, design and materials

will protect, conserve and where possible, enhance the special qualities and local distinctiveness of the area.

The Landscape Character Assessment states that key characteristics of the landscape around the site include extensive vistas with wide open skies evoking a strong sense of openness, exposure and isolation. Landscape sensitivities identified include the sense of openness and remoteness within views across the area and a very strong sense of tranquillity throughout the area. The report sets out that the overall strategy for the fens should be to conserve the predominantly open strong geometric landscape pattern of arable fields. Landscape planning guidelines are to conserve the generally undeveloped, rural character of the area and strong sense of remoteness and tranquillity; conserve wide open views across the area; and seek to ensure that new small-scale development in the area is consistent with the settlement pattern.

It is considered the proposed glamping site being located in a remote location within the open countryside contributes to a harmful deterioration of the distinctive qualities of the landscape. The site is visually prominent in the landscape due to being largely flat and undeveloped, and it is considered the development would not be consistent with the settlement pattern, given that it lies a considerable distance away from the nearest settlement. The south, west and north boundaries of the site (approx. 340m perimeter) have been lined with double row interspersed whips (Willow) at approximately 30cm centres to create a hedgerow. This planting is inappropriate to the landscape and is not considered to result in a positive landscape effect. Rather they contribute to the obtrusive impact of the development as a whole when compared with its previous open and undeveloped nature.

Policy DM11 of the SADMPP 2016 reinforces the criteria set out in Policy CS11. It states that new holiday accommodation shall be supported by a business plan setting out how the site will be managed and how it will support tourism or tourist related uses in the area. It also requires that the proposal demonstrates a high standard of design in terms of layout, screening and landscaping to ensure minimal adverse impact on the landscape. Lastly, it states that the site must demonstrate safe access and compliance with national flood risk policies.

A business plan has been submitted and detail given with regard to financial forecasts. Having reviewed the evidence, officers consider that the site has no substantial economic benefit in terms of supporting local tourism. The site is at a location disadvantage being distant from tourist attractions. It is noted that the applicant had recently advertised wellness retreat holidays for patrons to stay on-site and use adjoining unauthorised health facilities under the name 'Endure Fitness Hub'. This proposed use is more of an "all inclusive" inward looking use which would not have a symbiotic relationship with wider tourist uses. Regarding the next criteria, the proposals do not reflect a high standard of design, for example extensive screening from a ubiquitous 2.5m high timber fence which is a harmful dominant feature in the wider landscape. The glamping pods lack design innovation, rather they are generic and common to such uses. While it is acknowledged that significant planting is proposed to the boundaries, it is considered this would not be sufficient to mitigate the impact of the proposal and will in effect make an adverse impact in the otherwise open fenland landscape.

Policy ET2 of the Upwell Neighbourhood Plan states that new economic development will need to demonstrate that it will not have any unacceptable environmental impacts. Policy EN2 of the Neighbourhood Plan states that new development will only be permitted on Grade 1 agricultural land if there are overriding community benefits resulting from the development; or there are no reasonably available sites within Upwell Parish appropriate for the proposed development on previously developed land, land not in agricultural use, or land which is not viable for commercial agricultural use. Where appropriate, applications should

be accompanied by a viability assessment to demonstrate land is not viable for commercial agricultural use. The site lies on grade 1 agricultural land and therefore is subject to the sequential criteria in Neighbourhood Plan Policy EN2 and NPPF Para 180.

It is considered the proposal for glamping pods in a remote countryside location with limited benefit to wider tourism uses would not give rise to any significant community benefits. Secondly, the applicant has not submitted any detailed information to demonstrate that there are no alternatively available sites within Upwell Parish, or on any other selected search areas, upon previously developed land, land not in agricultural use or otherwise within the Development Boundary that could host the development. Finally, it has not been demonstrated that the land subject of this application is not viable for commercial agricultural use. Officers note that under 19/00842/F, permission was granted for an agricultural store on the land immediately to the east of the glamping pods to support a new agricultural enterprise which was justified via a business case. No persuasive evidence has been provided with this application that indicates that the land could not be viable for agricultural use.

Policies CS06, CS10 and CS12 of the Core Strategy, Policy DM11 of the SADMPP 2016 and Policies EN2 and ET2 of the Upwell Neighbourhood Plan set out the strategy to protect the countryside, the most versatile agricultural land and its landscapes while supporting the provision of tourism accommodation where it would be sustainable and not detrimental to the qualities of the area. Policy DM11 of the SADMPP 2016 also requires that proposals for new tourism accommodation can demonstrate that it would support other tourism uses in the area. It is considered the proposal fails to meet the requirements of these policies as the site lies in a remote location, would adversely affect the character and qualities of the landscape, would not support other local tourism uses and does not otherwise provide sufficient justification to warrant development of this grade 1 agricultural land.

#### **Form and Character:**

As indicated above, the character of the surrounding landscape is open, flat, and undeveloped and this is supported by the Kings Lynn and West Norfolk Landscape Character Assessment. It is considered an unjustified encroachment into this open landscape would be harmful to its special characteristics and would fail to enhance the qualities of the area contrary to Policies CS06 and CS12 of the Core Strategy 2011.

#### **Highway Safety:**

Squires Drove is single track width but due to the relatively low numbers of vehicles which use the road, it is considered a small increase in traffic originating from the site would not have any significant adverse impact on highway safety. It is worth noting that the highway authority has indicated they would likely object to any further intensification of the site which may include the unauthorised gym / wellness facilities on which the proposed glamping use relies.

Policies CS11 of the Core Strategy and DM15 of the SADMPP 2016 state that development should provide safe and convenient access. While the site lies in a remote location which would be reliant on the private car, it is considered the proposed glamping site would not result in any significant adverse highway safety conditions.

#### **Flood Risk:**

The site lies in Flood Zone 3a and the proposed development is classed as 'more vulnerable'. Such development is considered acceptable subject to passing the sequential and exception tests. Proposed mitigation includes raising floor levels of the pods and

shower/toilet facilities to 0.4m above surrounding ground levels. The operator has also subscribed to the EA flood warning service and there is a simple evacuation plan in the event of a flood warning. It is considered these. The EA don't object to the application on this basis of these mitigation measures being implemented. However the EA does not consider the sequential or exception test in their response.

Paragraph 169 of the NPPF 2023 states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source limited information is provided to the LPA to enable it to complete the sequential test, but its own records indicate that only 2 permissions for holiday accommodation have been granted in the last 3 years. Following application of the sequential test, the exception test is required. NPPF Paragraph 170 states that development should both provide wider sustainability benefits to the community that outweigh the flood risk, and that the development can be made safe for its lifetime. While it is considered that the proposal could be made reasonably safe through appropriate mitigation as set out in the flood risk assessment, the limited benefits from the provision of 4 glamping pods in an unsustainable location would not be considered the outweigh the flood risk.

### **Other material considerations:**

There are no residential neighbours within close enough proximity to the site to experience any significant adverse impacts as a result of the proposed development.

Concerns have been raised by third parties regarding a potential increase in anti-social behaviour. While it cannot necessarily be guaranteed that patrons of the glamping site will behave responsibly, it is considered that the site for 4 glamping pods would not result in any significant crime or public disorder as a whole. In any event the consideration would lay out with Planning Control and within an alternative spheres of legislation.

It is noted that willow trees surrounding the site frontage may encroach into the highway verge and onto the carriageway in windy conditions. The Local Highway Authority have indicated that this is a matter for the owner to liaise with them as landowner. i.e. it is a civil matter.

The agricultural building permitted under 19/00842/F is annotated on the proposed site plan as being 'under construction'. It is acknowledged that this permission was implemented as excavations had begun on the foundations. This permission was subject to condition that the building be used for agricultural purposes in association with the connected land only. Since the land is not being used for agricultural purposes, the permission cannot currently be carried out without resulting in a breach of condition occurring, which may be subject to further consideration through the planning enforcement process.

### **CONCLUSION:**

In considering the planning balance of this case officers find that the location of the site is distant from any supporting tourism uses, the sensitivities of the landscape would be adversely affected by the proposed development, and that the development of Grade 1 agricultural land has not been appropriately justified. The limited economic benefits to local tourism from the proposed glamping pods are noted. It is considered there are no significant benefits or other material considerations that would otherwise outweigh the harm identified and otherwise support departure from the development plan. Therefore, it is considered that the principle of development for the glamping site is not acceptable.

The proposed glamping site is situated a considerable distance from the nearest settlement and would not have any significant positive contribution to local tourism uses contrary to Policies DM11 and CS10 of the Development Plan. In addition, insufficient information has been submitted to demonstrate that the development of this Grade 1 agricultural land is justified contrary to Policy EN2 of the Upwell Neighbourhood Plan. The surrounding landscape is flat and open with long views. It is considered the unjustified development would materially harm the landscape characteristics of the area contrary to Policy CS12 of the Core Strategy 2011. Lastly, the limited benefits of the proposed development in an unsustainable location would not be considered to outweigh the flood risk of the site. For the reasons set out below, it is recommended that planning permission should be refused.

## **RECOMMENDATION:**

**REFUSE** for the following reason(s):

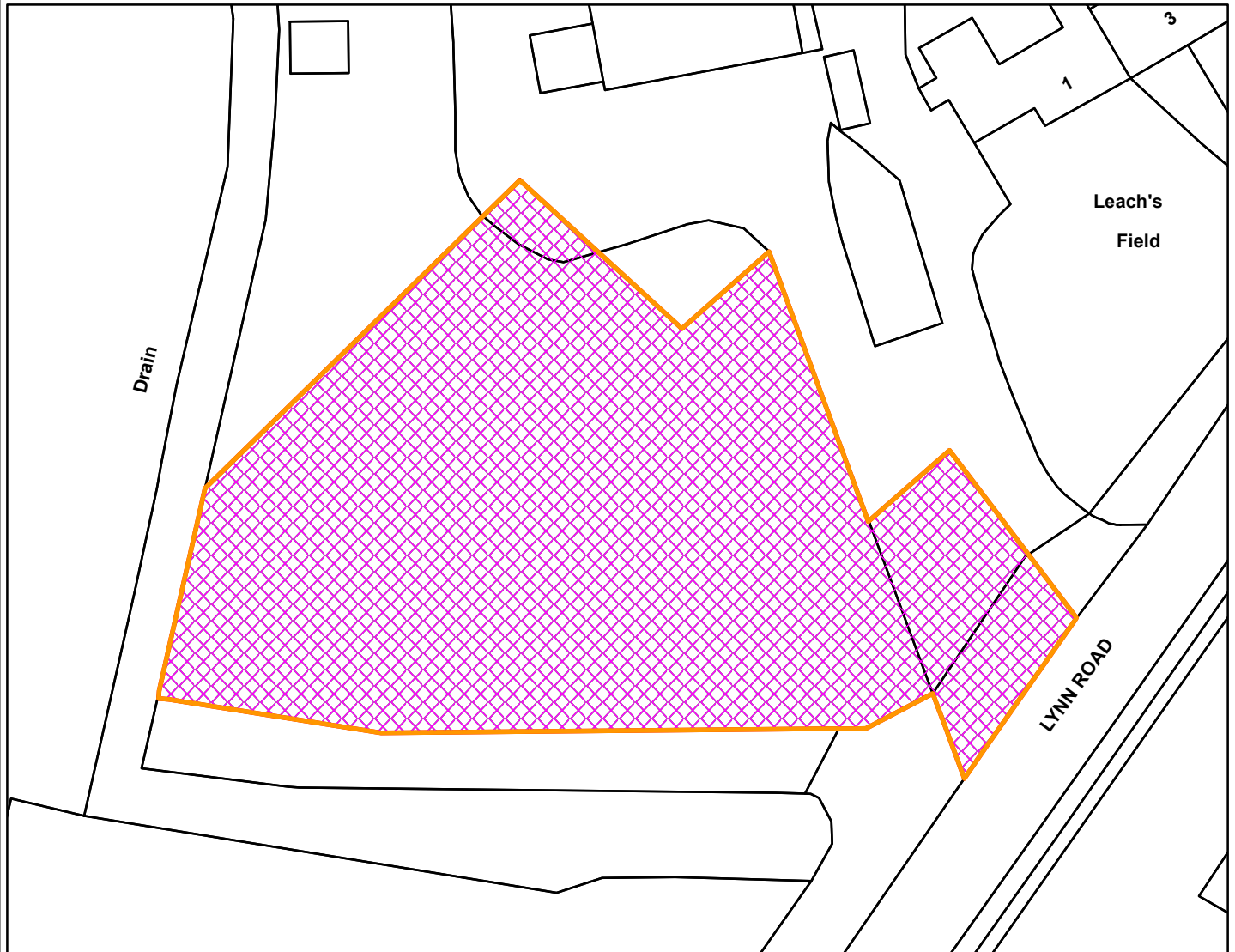
- 1 Policy CS10 of the Core Strategy states that permission may be granted for employment uses in the countryside where it is adjacent to the settlement. Policy EN2 states that development shall not be permitted on Grade 1 agricultural land unless there are overriding community benefits or no reasonably available alternative sites.

The location of the site is distant from any supporting tourism uses and does not lie adjacent the settlement of Three Holes. Furthermore, insufficient information has been provided to justify the development of Grade 1 agricultural land. As such it is considered the principle of development for the glamping site is not acceptable as it would represent unjustified development in the countryside contrary to Policies DM11 of the SADMPP 2016, CS10 of the Core Strategy 2011 and EN2 of the Upwell Neighbourhood Plan.

- 2 Policy CS12 of the Core Strategy 2011 states that proposals should demonstrate that their location, scale, design and materials will protect, conserve and enhance the special qualities and local distinctiveness of the area including landscape setting. The character of the surrounding landscape is open, flat, and undeveloped and this is supported by the Kings Lynn and West Norfolk Landscape Character Assessment. It is considered an unjustified encroachment into this open landscape would be harmful to its special characteristics and would fail to enhance the qualities of the area resulting in a detrimental impact on the character and appearance of the countryside contrary to Policies CS06, CS08 and CS12 of the Core Strategy 2011.
- 3 The application site falls within Flood Zone 3a of the SFRA 2018 and passes the sequential test; therefore the exception test is required. It is considered the proposal fails the exception test because the limited sustainability benefits of the development would not outweigh the flood risk. Therefore, the proposed development is contrary to Paragraphs 164 and 165 of the NPPF and Policy CS08 of the Core Strategy 2011.



Little Eastfield Barn Lynn Road Walsoken



Legend	

**Scale:** 1:500

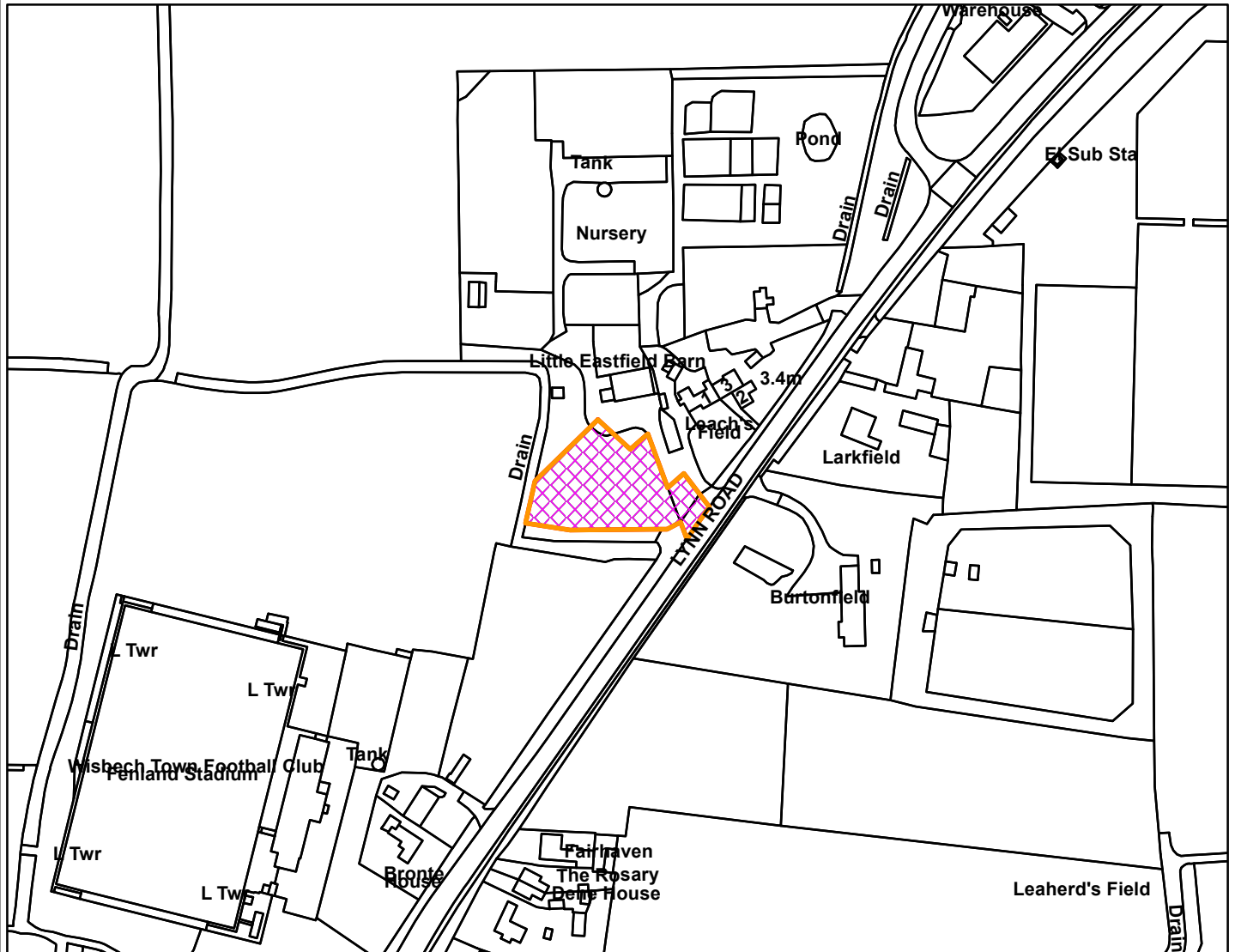
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Organisation	BCKLWN
Department	Department
Comments	1::2500
Date	16/02/2024
MSA Number	0100024314



Little Eastfield Barn Lynn Road Walsoken



**Legend**

**Scale:** 1:2,500

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Organisation	BCKLWN
Department	Department
Comments	1::2500
Date	16/02/2024
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**AGENDA ITEM NO: 9/4(d)**

<b>Parish:</b>	<b>Walsoken</b>	
<b>Proposal:</b>	<b>OUTLINE APPLICATION WITH ALL MATTERS RESERVED; for Up to 2 dwellings</b>	
<b>Location:</b>	<b>Little Eastfield Barn Lynn Road Walsoken WISBECH PE14 7AL</b>	
<b>Applicant:</b>	<b>Mr M Lambert</b>	
<b>Case No:</b>	<b>23/01860/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Bradley Downes</b>	<b>Date for Determination: 14 December 2023</b>

**Reason for Referral to Planning Committee** – Called in by Councillor Julian Kirk.

**Neighbourhood Plan:** No

**Case Summary**

The application is outline with all matters reserved for the erection of two detached dwellings on land to the front of Little Eastfield Barn. The site lies on Lynn Road, near S-Bend and near the built-up edge of Wisbech. However, the site does not lie within a development boundary, and therefore is considered to be a countryside location from a planning policy perspective. In such locations development is more restricted and limited to that identified as suitable in rural areas as set out in other policies of the Development Plan.

The site is bounded by relatively mature trees to the south and west and benefits from an existing access point onto Lynn Road. The site access is shared with the donor dwelling. To the west of the site is a sports field used in association with Wisbech Football Club, to the south of the site is an undeveloped field which creates a distinct gap between the built-up edge of Wisbech and the more sporadic development further to the north along Lynn Road. Permission for 2 dwellings was already refused outline planning permission under delegated powers on this site under ref: 22/02221/O (28.04.2023).

**Key Issues**

Principle of development  
Form and character  
Impact on neighbour amenity  
Flood risk

**Recommendation**

**REFUSE**

## **THE APPLICATION**

The application is outline with all matters reserved for the erection of two detached dwellings on land to the front of Little Eastfield Barn. The site lies on Lynn Road, near S-Bend and near the built-up edge of Wisbech. However, the site does not lie within a development boundary, and therefore is treated as countryside where development is more restricted and limited to that identified as suitable in rural areas as set out in other policies of the Development Plan.

The site is bounded by relatively mature trees to the south and west. The site benefits from an existing access point onto Lynn Road, shared with multiple neighbouring dwellings. To the west of the site is a sports field used in association with Wisbech Football Club, to the south of the site is an undeveloped field which creates a distinct gap between the built-up edge of Wisbech and the more sporadic development further to the north along Lynn Road. The site is therefore separated from the built-up edge of Wisbech by an undeveloped gap of approximately 100m. Permission for 2 dwellings was already refused outline planning permission under delegated powers on this site under ref: 22/02221/O. The current proposal is identical to the previously refused scheme, Planning history is a significant material consideration in making planning decisions.

## **SUPPORTING CASE**

The site is positioned within a cluster of residential dwellings and there is a hub of commercial development to the northeast which comprises of Wisbech Carpet Warehouse, Paragon Motors and Princes. The land to the southwest of the site accommodates Wisbech Town Football Club and its associated football pitches and there is residential development immediately opposite with a footpath leading into Wisbech town centre. The site is outside of the defined settlement boundary however is within a well-established area of development.

Policy DM2 of the Site Allocations and Development Management Policies Plan (SADMPP) states that development inside of the defined settlement boundaries will be supported (subject to other policies of the Plan) and areas outside of the defined settlement boundaries will be treated as countryside where a more restrictive approach is applied.

The application site is located outside of any defined settlement boundary and is therefore in a countryside location for the purposes of Policy DM2. However, it is pertinent to this case that the Local Planning Authority (LPA) approved application 22/00991/F (31.03.2023) which was for a new dwelling and garage positioned to the south of Bronte House, and also outside of the defined settlement boundary.

In their consideration of 22/00991/F the LPA noted that the site was outside of the development boundary and that it was positioned between an existing dwelling and Wisbech Town Football Club. On the opposite side of the highway there is the continuous development which forms part of Wisbech and a footpath. The Officer report states that despite the site being located within the countryside in policy terms, the site 'does not represent isolated development (in the context of Braintree District Council v Sec of State for Communities and Local Govt & Ors) and it is considered that a dwelling in this location would comply with Paragraph 79 of the NPPF which states that housing in rural areas should be located where it will enhance or maintain the vitality of rural communities'.

The current application site has the same locational characteristics as 22/00991/F in that it is located amongst existing dwellings and is positioned opposite a footpath which leads into Wisbech. As per the considerations of 22/00991/F, the Braintree case law and Paragraph

79 (now paragraph 84) of the NPPF are relevant and have substantial weight in the consideration of this case. The site is not isolated and the development of the land for up to 2 dwellings will enhance the vitality of the community in this area. Therefore, despite the conflict with Policy DM2 of the SADMPP, the principle of the proposal can be supported in accordance with case law and Paragraph 84 of the NPPF.

There are no technical objections raised by any of the consultees and the indicative drawings demonstrate that the site can easily accommodate the proposed development of up to two dwellings which are of a scale and layout which is commensurate with the neighbouring development. It is therefore respectfully requested that planning permission is granted.

## **PLANNING HISTORY**

22/02221/O: Application Refused: Delegated Decision: 26/04/23 - Outline application with all matters reserved for up to two proposed dwellings - Little Eastfield Barn, Lynn Road, Walsoken

## **RESPONSE TO CONSULTATION**

**Parish Council:** No observations

Walsoken Parish Council will support the decision of the planning officer.

### **Local Highways Authority: NO OBJECTION**

No objection to the principle subject to appropriate design at reserved matters stage to address visibility, access, parking and turning to adopted standards.

### **Internal Drainage Board: NO OBJECTION**

Land drainage consent is required.

### **Environmental Quality: NO OBJECTION**

Screening assessment states no known contamination but the site is within 250m of 2 industrial estates. The site is on land first seen with structures in historical maps dated 1843-1893. This structure has been removed by historical maps dated 1945-1970. A 'refuse tip' is labelled approximately 40m to the southwest of the site on this historic map. As the site has been previously developed, and considering the proximity to a potential former landfill we recommend that the applicant provides further information via conditions to assess if the site is suitable for the proposed use.

### **Environment Agency – Flood Risk: NO OBJECTION**

No objection subject to the mitigation measures set out in the flood risk assessment.

### **Ecology Officer: NO OBJECTION**

The site appears to be grassy amenity land based on Google Earth imagery. Trees which bound the site are considered unlikely to provide roosting opportunities for bats, however they may form part of the foraging of commuting resource. A sensitive lighting strategy should therefore be designed into the development.

Close boarded fencing is proposed which is likely to cause habitat severance to small animals. Any fenced boundaries must include egress for small mammals to prevent this. All development must provide a measurable biodiversity gain under the NPPF. As such I recommend that at least 1 bat box and 1 bird box is installed, with some species rich grassland to amenity areas.

GIRAMS has been completed. I advise there are no other issues regarding protected sites so GIRAMS alone is sufficient to conclude no likely significant impacts. Recommend a condition to ensure satisfactory mitigation and lighting scheme recommended above including protection of existing tree boundaries.

**Arboriculture Officer: OBJECT**

This site is well treed, along the southern and western boundaries there are lines of topped Italian poplar trees, and along the eastern boundary between the proposed site and the existing access driveway to Little Eastfield Barn adjacent is a grouping of semi mature mixed broadleaved trees. There are also a few individual semi mature trees, that appear to be Cedar species within the site.

Because the applicant has not provided any supporting Arboricultural information, the layout has not been informed by any assessment of the trees and the constraints they pose, above and below ground or allowance made for their future growth. An accurate assessment of the potential impact on the trees cannot be made.

It is difficult to see how the present proposal can be achieved without loss of more than half of the trees on the site. In its present form, I cannot support this proposal because of the potential loss of trees to enable development and also post development.

Any design for a development proposal on this site needs to be carefully considered and should be informed by Arboricultural information, which is an important design tool. This information should be prepared by a suitably qualified and experienced arboriculturist.

**REPRESENTATIONS** None received.

**LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## PLANNING CONSIDERATIONS

### The main considerations are:

- Principle of development
- Form and character
- Impact on neighbour amenity
- Flood risk

### Principle of Development:

The application is outline with all matters reserved for a residential development of two dwellings on land to the north side of Lynn Road and to the front of Little Eastfield Barn. This part of Lynn Road is largely rural in character with an open agricultural field to the southwest of the site, and some limited groupings of sporadic linear development to the east. The roadside frontage is verdant with mature trees to the site boundaries. It is considered the character is distinct from that of the more urban built-up edge of Wisbech to the south-west. The field to the southwest provides clear visual separation of the site from the settlement edge of Wisbech. Footpath provision is limited to the opposite side of Lynn Road with no formal crossing. The site lies outside of any development boundary, therefore in accordance with Policy DM2, the site will be treated as countryside where new development is more restricted and limited to that identified as suitable in rural areas. Policy CS06 of the Core Strategy 2011 reinforces this position, by stating that development of greenfield sites will be resisted unless essential for agricultural or forestry use.

It is acknowledged that the site lies in proximity to the built-up edge of Wisbech, however it is considered that proximity to the settlement is not in itself a sufficient justification to warrant development of the site. The Council applies its countryside protection policies in cases where the dwelling is immediately adjacent a settlement as these are often at crucial locations where an encroachment into the countryside would represent harmful urban sprawl which Policy DM2 of the SADMPP 2016 seeks to restrict. This site is not considered to be isolated, Paragraph 84(formerly Para 80) of the NPPF 2023 / The Braintree case law is not considered to be directly relevant to the consideration of this application. Rather Para 83 (Formerly Para 79) NPPF 2023 is relevant whereby development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Officers are persuaded that the proposed development is substantially similar to the previously refused application and this is considered to represent a significant material consideration against the application. The agent's case (see supporting statement above) sets out that since this refusal, planning permission 22/00991/F has been granted on a site approximately 150m to the southwest of the site and that the merits of that case are similar to the current proposal.

It is considered the current application site cannot be compared to the approved development to the southwest. 22/00991/F, that decision related to a plot which was surrounded to the south and west by Wisbech Football Club grounds and parking area, and to the north and east by existing dwellings. Therefore, the proposal under 22/00991/F represented a logical infill of an otherwise completed developed group of dwellings where the development of the site would have no material harm.

On the contrary, the current site is located 150m further to the north, and separated from the main built-up edge of Wisbech by a gap of approximately 100m. The gap is comprised of undeveloped fields to the south with a training field for Wisbech Football Club to the west. It is important to note that this training field is undeveloped and only used in its capacity as an open space for practicing football. Permission was granted on this field under 17/01695/F for

a skating and cycling track in 2017, but the approved development was never implemented and that permission has now expired. As such, the adjacent field does not currently benefit from any planning permission and should be considered in its current undeveloped form.

For the reasons above, the site is considered to be a countryside location with a more rural character as opposed to the approved site to the southwest under 22/00991/F which was situated in a more built-up context. Although the site has a proximity to the settlement of Wisbech, the erection of a dwelling on this site would be contrary to Policy DM2 as it is not considered a suitable rural use in this countryside location. The NPPF supports homes in rural areas where they would benefit the vitality of rural communities, but as the site is not situated within a rural settlement and there is limited footpath provision or other transport links, it is considered this will not be the case. Furthermore, the development of the site for two dwellings would detract from the semi-rural character of the street scene and contribute to an urbanisation effect of the countryside which Policy DM2 seeks to prevent. Subsequently there is not sufficient justification for the residential development of this greenfield land to satisfy Policy CS06. Overall, the principle of development is not acceptable and the application would be contrary to Policies DM2 and CS06 of the Local Plan and contrary to the NPPF.

#### **Impact on character and appearance of the area:**

No formal details are provided as to the design and appearance of the dwellings. However, as outlined above, it is considered that development of the site would be harmful to the semi-rural character of the area and would contribute to a harmful form of urban sprawl at the edge of Wisbech contrary to Policies DM2 and CS06 of the Development Plan.

Furthermore, insufficient information has been submitted to demonstrate that mature trees on-site wouldn't be affected by the proposed development. Loss of trees to the site boundaries would further detract from the rural character.

#### **Impact on neighbour amenity:**

The proposed dwellings are shown to be situated sufficiently far from neighbouring dwellings that they would avoid any significant overbearing or overshadowing impacts. Subject to appropriate design and placement of windows, it is considered the scheme could be carried out without any significant adverse impact on residential amenity. Notwithstanding the design and impact on neighbours being acceptable, permission is being recommended for refusal for other reasons as set out in this report.

#### **Flood risk:**

The site lies in Flood Zone 3a. The Environment Agency has no objection to the development subject to compliance with the recommendations set out in the Flood Risk Assessment. However, the EA's response does not consider the sequential or exception tests, that is the responsibility of the Local Planning Authority.

The majority of the Walsoken Parish lies within Flood Zone 3a and there are no alternative sites at lower risk, therefore the development would pass the sequential test. Following the sequential test, it is considered the development would fail the exception test. The Borough Council can currently demonstrate it has a sufficient supply of housing land to meet the housing need identified for the district. Development of this site for 1 dwelling in an area considered unsuitable for new development would therefore have limited sustainability benefits. Overall, it is considered the limited sustainability benefits of providing this dwelling in an unsuitable location would not outweigh the flood risk contrary to the NPPF and Policy CS08 of the Core Strategy 2011.

## **CONCLUSION:**

The erection of two dwellings on this site would be contrary to Policy DM2 as it is not considered a suitable rural use in this countryside location. Insufficient justification has been provided for the residential development of this greenfield land to satisfy Policy CS06. The development and potential loss of trees on site would have a detrimental impact on the rural character of the street at this edge of settlement location and contribute to a harmful urbanisation effect that Policy DM2 seeks to prevent. In addition, When the significant material consideration that is the recently refused planning application for the same development on this site is added to the balance, it is considered the principle of the development is not acceptable and would be contrary to Policies DM2 and CS06 of the Local Plan and contrary to paragraph 83 of the NPPF.

Furthermore, the proposed development could be made reasonably safe from flooding through mitigation, but there are no significant sustainability benefits from the provision of two dwellings on this site. Therefore, it is considered the benefits of the proposal do not outweigh the flood risk, further contrary to the NPPF. For the reasons set out below, it is recommended that the proposed development is refused.

## **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The site does not lie within any development boundary as set out in the SADMPP 2016 and Policy DM2 states that areas outside development boundaries will be treated as countryside where development is more restricted, except for development identified as suitable in rural by areas by other policies in the plan. The proposed dwelling does not meet the criteria of any policies which outline suitable development in rural areas and would result in a detrimental urbanisation effect at this edge of settlement location which would harm the semi-rural character of the street scene. As such, it does not accord with the objectives of sustainable development and the application is contrary to Policies DM2 of the SADMPP 2016, CS06 and CS08 from the Core Strategy 2011, and paragraph 83 of the NPPF.
- 2 The application site falls within Flood Zone 3a of the SFRA 2018 and passes the sequential test; therefore the exception test is required. It is considered the proposal fails the exception test because the limited sustainability benefits of the development would not outweigh the flood risk. Therefore, the proposed development is contrary to Paragraphs 164 and 165 of the NPPF and Policy CS08 of the Core Strategy 2011.

**PLANNING COMMITTEE – 4 March 2024**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

**PURPOSE OF REPORT**

- (1) To inform Members of the number of decisions issued between the production of the 5 February 2024 Planning Committee Agenda and the 4 March 2024 agenda. 154 decisions issued. 147 decisions issued under delegated powers with 7 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 15 January 2024 and 15 February 2024

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
<b>Major</b>	2	2	0		2	100%	60%	0	0
<b>Minor</b>	73	60	13	66		90%	80%	3	4
<b>Other</b>	79	69	10	75		95%	80%	0	0
<b>Total</b>	<b>154</b>	<b>131</b>	<b>23</b>						



Planning Committee made 7 of the 154 decisions, 5%

**PLANNING COMMITTEE – 4 March 2024**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

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**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**

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<b>DATE RECEIVED</b>	<b>DATE DETERMINED/ DECISION</b>	<b>REF NUMBER</b>	<b>APPLICANT PROPOSED DEV</b>	<b>PARISH/AREA</b>
12.10.2023	18.01.2024 <b>Application Permitted</b>	23/01808/F	Land West of 8 Bagthorpe Road Bircham Newton Norfolk Variation of condition number 2 attached to planning permission 22/00963/F: Change of Use with Extension of Existing Building to create Dwelling House.	Bagthorpe With Barmer - VACANT
03.04.2023	23.01.2024 <b>Application Permitted</b>	23/00614/F	Hill Farm Boughton Long Road Barton Bendish King's Lynn Installation of digestate tank and an extended concrete apron around the tank for access.	Barton Bendish

11.10.2023	30.01.2024 <b>Would be Lawful</b>	23/01813/LDE	Land NE of Blueberry Lodge 81 Docking Road Great Bircham King's Lynn The application seeks to certify the use of the land to the North East as domestic use	Bircham
27.11.2023	19.01.2024 <b>Application Permitted</b>	23/02103/F	Broad Lane House Broad Lane Brancaster King's Lynn VARIATION OF CONDITION 2 OF PLANNING CONSENT 23/00952/F : Demolition of existing single-story extensions and construction of replacement extensions with the reconfiguration of the internal layout and vernacular of the existing dwelling. Demolition of existing shed/garage and garden room and construction of replacement garage and garden room. Creation of new access onto Broad Lane with alterations to the parking and turning area. Construction of new pool.	Brancaster
26.05.2023	25.01.2024 <b>Application Permitted</b>	23/00976/F	Palgrave House 19 Front Street Burnham Market Norfolk Single storey extension to rear of house, single storey extension link to existing kitchen and rear dormer window to main house.	Burnham Market

02.06.2023	06.02.2024 <b>Application Permitted</b>	23/01183/F	The White House 62 Market Place Burnham Market Norfolk Internal alterations, construction of boiler room extension, external alterations to fenestration to rear elevation, repair works to fabric of building including renewal of render to front elevation and joinery repairs and retention of previously installed pv cells to inner roofslope	Burnham Market
14.09.2023	08.02.2024 <b>Application Permitted</b>	23/01663/F	Land North West of 40 Sutton Estate Burnham Market King's Lynn VARIATION OF CONDITIONS 2, 3, 4, 5 AND 18 OF PLANNING PERMISSION 20/01866/F: Residential development of 9no. dwellings	Burnham Market
29.11.2023	23.01.2024 <b>Application Permitted</b>	23/02134/F	19 Mill Green Burnham Market King's Lynn Norfolk Single storey rear and side extension	Burnham Market
05.12.2023	06.02.2024 <b>Application Permitted</b>	23/02175/F	Coastal Vetinary Group Station Garage Creake Road Burnham Market Proposed external wall mounted condenser for new air conditioning unit	Burnham Market
15.12.2023	06.02.2024 <b>Application Refused</b>	23/02251/F	Sunnymead Whiteway Road Burnham Market King's Lynn Proposed new wall and Entrance Gate	Burnham Market

21.12.2023	12.02.2024 <b>Application Permitted</b>	23/02286/F	The Old Rectory Overy Road Burnham Market King's Lynn Variation of Condition 2 of Planning Permission 20/00242/F: Conversion of outbuilding to annex accommodation for use by main house	Burnham Market
20.06.2023	25.01.2024 <b>Application Permitted</b>	23/01289/F	Denning 7 Marsh Lane Burnham Norton Norfolk Extensions to two storey cottage and extension and relocation of garage at Denning, 7 Marsh Lane, Burnham Norton, Norfolk, PE31 8DS.	Burnham Norton
26.07.2023	06.02.2024 <b>Application Permitted</b>	23/01480/F	2 Faiths Corner Ringstead Road Choseley Docking Replacement wall to driveway and widening of driveway	Choseley
06.07.2023	15.01.2024 <b>Application Permitted</b>	23/01206/F	Land South of 15 Wildfields Road Clenchwarton King's Lynn Norfolk Creation of Access (retrospective)	Clenchwarton
01.12.2023	26.01.2024 <b>Application Permitted</b>	23/02153/F	Manor Farm 199 Main Road Clenchwarton King's Lynn Alterations and extension to existing dwelling and garage	Clenchwarton
03.07.2023	31.01.2024 <b>Application Refused</b>	23/01166/F	15 Gelham Manor Dersingham King's Lynn Norfolk Extensions, Alterations and Loft Conversion.	Dersingham
12.07.2023	26.01.2024 <b>Application Refused</b>	23/01271/LB	8 Jannoch's Court Dersingham King's Lynn Norfolk Proposed replacement window	Dersingham

24.11.2023	29.01.2024 <b>Application Permitted</b>	23/02136/F	20 Earl Close Dersingham King's Lynn Norfolk Proposed external alterations including new side door, replacement window and doors through out and making an existing door into a window with infill below.	Dersingham
24.11.2023	17.01.2024 <b>Application Refused</b>	23/02137/F	22 Pansey Drive Dersingham King's Lynn Norfolk Erection of a detached one bedroom retirement bungalow.	Dersingham
15.01.2024	29.01.2024 <b>Would be Lawful</b>	24/00098/LDP	13 Shernborne Road Dersingham King's Lynn Norfolk Lawful Development Certificate: Installation of solar panels to roof of dwelling - south and west elevations.	Dersingham
23.10.2023	31.01.2024 <b>Application Permitted</b>	23/01890/F	Hazeldene Farm Barn Stanhoe Road Docking King's Lynn Permission to demolish an agricultural barn and attached two-car garage, in tandem configuration. To completely demolish these buildings, reinstating the ground, by removing all structural elements.	Docking
04.12.2023	29.01.2024 <b>Application Permitted</b>	23/02154/F	4 Harefields Station Road Docking King's Lynn Proposal to remove dormers with raising of lower eaves with flint cladding to rear facade to replace brick & timber infill below first floor windows, including enlarged door and window openings.	Docking

13.06.2023	05.02.2024 <b>Application Permitted</b>	23/01054/FM	Sovereign Way Trafalgar Industrial Estate Downham Market Norfolk Erection of 7 industrial units	Downham Market
22.11.2023	24.01.2024 <b>Application Permitted</b>	23/02081/F	8 Burdock Close Downham Market Norfolk PE38 9AZ The change of use of open amenity land to residential garden land following the erection of fencing.	Downham Market
28.11.2023	30.01.2024 <b>Application Permitted</b>	23/02113/LB	The Land of Gin & Honey 11 Market Place Downham Market Norfolk APPLICATION FOR LISTED BUILDING CONSENT: Internal Alterations	Downham Market
30.11.2023	23.01.2024 <b>Application Permitted</b>	23/02135/F	157 And 159 Bexwell Road Downham Market Norfolk PE38 9LJ VARIATION OF CONDITION 2 AND REMOVAL OF CONDITION 19 OF PLANNING PERMISSION 22/01443/FM: Demolition of existing dwellings and re-development to provide a 72 bedroom care home (Use Class C2) together with associated access, car and cycle parking, structural landscaping and amenity space provision.	Downham Market
19.12.2023	13.02.2024 <b>Application Permitted</b>	23/02262/F	Nelson Academy Nursery Road Downham Market Norfolk Replacement of existing perimeter metal fencing with new weld mesh fencing.	Downham Market

02.01.2024	12.02.2024 <b>Application Permitted</b>	24/00001/F	Sandilands 43 Collingwood Road Downham Market Norfolk single storey extension on rear of existing bungalow	Downham Market
03.01.2024	12.02.2024 <b>Application Permitted</b>	24/00012/F	27 Burnham Road Downham Market Norfolk PE38 9SF Single storey side and rear extension to bungalow	Downham Market
03.01.2024	12.02.2024 <b>Application Permitted</b>	24/00014/A	The Swan Hotel 29 High Street Downham Market Norfolk Erection of illuminated and non- illuminated signs to the exterior of the building.	Downham Market
13.12.2023	12.02.2024 <b>Application Permitted</b>	23/02224/F	Woodcroft Common Road West Bilney King's Lynn Retrospective Application to Regularise Works: Retrospective Application for Conversion of Garage to Habitable Space, Installation of PV solar panels, Erection of Storage Shed, Chimney, Log Store, External Covered Seating Area, First Floor Balcony, Glazed Link, Carport and Kitchen Extension, Overcladding of Existing Garage Doors and Installation of 2No Ground Floor Windows to Existing Kitchen.	East Winch



23.01.2024	30.01.2024 <b>Application Permitted</b>	22/02172/NMA_1	Three Ways Gayton Road East Winch King's Lynn NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 22/02172/F: Rear Two Storey Extension and Garage Conversion	East Winch
15.11.2023	05.02.2024 <b>Application Permitted</b>	23/02041/F	Lane Cottage 44 Church Road Emneth Wisbech Proposed detached garden room and garden store	Emneth
20.11.2023	14.02.2024 <b>Application Refused</b>	23/02072/CU	Appleyard Farm Outwell Road Emneth Wisbech Change of use of agricultural barn to B2	Emneth
23.12.2023	14.02.2024 <b>Application Permitted</b>	23/02300/F	71 Church Road Emneth Wisbech Norfolk Erection of garage & Change of use of Land from agricultural field to residential.	Emneth
31.10.2023	30.01.2024 <b>Application Permitted</b>	23/01935/F	2 Curtis Drive Feltwell Thetford Norfolk Single storey side extension to bungalow, alterations and new boundary fence.	Feltwell
15.11.2023	24.01.2024 <b>Application Permitted</b>	23/02050/F	14 Long Lane Feltwell Thetford Norfolk Alterations to raise roof of existing garage and convert part into a non self-contained annexe	Feltwell
20.11.2023	18.01.2024 <b>Application Permitted</b>	23/02071/F	7 Feltwell Farm Lodge Road Feltwell Thetford (i) Demolition of existing fire damage dwelling (ii) Erection of new single storey dwelling	Feltwell

22.11.2023	17.01.2024 <b>Application Permitted</b>	23/02128/F	Bramley Lodge Orchard Road Gayton King's Lynn Ground floor flat roof extension to dwelling.	Gayton
08.11.2023	31.01.2024 <b>Application Permitted</b>	23/02002/F	Land Between 60 And 64 Station Road Great Massingham Norfolk A single four bedroom dwellinghouse and detached carport/garage together with associated access and gardens	Great Massingham
30.11.2023	24.01.2024 <b>Application Permitted</b>	23/02141/F	102 Summerwood Estate Great Massingham King's Lynn Norfolk Single Storey Rear Extension to Dwelling	Great Massingham
14.12.2023	06.02.2024 <b>Application Permitted</b>	23/02235/F	The Rectory 27 Weasenham Road Great Massingham King's Lynn VARIATION OF CONDITION 2 OF PLANNING PERMISSION 21/01965/F: Development of an outdoor swimming pool and plant building.	Great Massingham
07.12.2023	01.02.2024 <b>Application Permitted</b>	23/02193/F	Warren Barn Warren Farm Sandy Lane South Wootton Installation of PV Panels	Grimston
07.12.2023	01.02.2024 <b>Application Permitted</b>	23/02194/LB	Warren Barn Warren Farm Sandy Lane South Wootton Installation of PV Panels	Grimston
08.12.2023	31.01.2024 <b>Application Permitted</b>	23/02212/F	Pipistrelle Barn Sandy Lane South Wootton King's Lynn Installation of PV Panels.	Grimston

08.12.2023	01.02.2024 <b>Application Permitted</b>	23/02220/LB	Pipistrelle Barn Sandy Lane South Wootton King's Lynn Application for listed building consent for installation of PV Panels.	Grimston
21.12.2023	14.02.2024 <b>Application Permitted</b>	23/02287/F	18 Philip Rudd Court Pott Row King's Lynn Norfolk Demolition of Conservatory and Construction of Rear Extension to Dwelling and Retention of Store Outbuilding	Grimston
04.12.2023	06.02.2024 <b>Application Permitted</b>	23/02167/F	Hayes Barton Nethergate Street Harpley King's Lynn Conversion of out building to form granny annexe	Harpley
23.10.2023	24.01.2024 <b>Application Permitted</b>	23/01892/LB	Heacham Lodge 18 Lodge Road Heacham KINGS LYNN Application for listed building consent for part demolition of boundary wall facing Lodge Road to provide a wider, safer access. 2 new iron gates will be installed- 6m remote controlled sliding gate and adjacent pedestrian gate	Heacham
24.10.2023	08.02.2024 <b>Application Permitted</b>	23/01894/F	Land At E566681 N 336881 South Beach Road Heacham Norfolk Creation of a habitat bank including engineering works to create 2.no wildlife ponds and associated landscape planting and habitat enhancements.	Heacham

26.10.2023	30.01.2024 <b>Application Permitted</b>	23/01915/F	Meadows Caravan Park Lamsey Lane Heacham King's Lynn Removal or variation of conditions 1, 5, 6 and 7 attached to planning permission 19/02115/F: Proposed Extension to an existing established static caravan site.	Heacham
17.11.2023	13.02.2024 <b>Application Refused</b>	23/02088/F	Silver Sands Beach Club North Beach Heacham King's Lynn Retrospective: Replacement pergola/covered space with first floor veranda.	Heacham
23.11.2023	06.02.2024 <b>Application Permitted</b>	23/02091/F	Heacham Lodge 18 Lodge Road Heacham KINGS LYNN Creation of new gated entrance set back from Lodge Road.	Heacham
27.11.2023	29.01.2024 <b>Application Permitted</b>	23/02116/F	Cockles 6A South Beach Heacham King's Lynn Proposed pitched roof and rear patio	Heacham
11.12.2023	02.02.2024 <b>Application Permitted</b>	23/02207/F	33 Church Lane Heacham King's Lynn Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 23/01147/F: Rear garden room and kitchen extension and internal alterations to create third bedroom	Heacham
10.01.2024	30.01.2024 <b>Application Refused</b>	23/00951/NMA_1	7 Jubilee Road Heacham King's Lynn Norfolk NON-MATERIAL AMENDMENT to Planning Permission 23/00951/F: Rear Extension, Modifications to Exterior, Rebuild of existing Garage	Heacham

25.09.2023	26.01.2024 <b>Application Refused</b>	23/01702/LDE	Bellador Church Road Ten Mile Bank Norfolk Lawful Development Certificate: Use of land as extended garden area.	Hilgay
30.10.2023	18.01.2024 <b>Application Refused</b>	23/01925/F	Field View Ferry Farm River Bank Ten Mile Bank Removal of condition number 6 attached to planning permission 08/02427/F: Demolition of garage and erection of new garage/outbuilding and two storey extension to dwelling.	Hilgay
05.12.2023	12.02.2024 <b>Application Refused</b>	23/02218/F	Land South of Riverside And North of No 7 Holts Lane Hilgay Norfolk Proposed two bedroom detached dwelling.	Hilgay
09.08.2023	08.02.2024 <b>Application Permitted</b>	23/01463/F	Soay Farm Cowles Drove Hockwold cum Wilton THETFORD Application for mobile home / temporary accommodation, serving existing equine stables business. This is an application as previously approved in 2020 under planning reference 19/01854/F.	Hockwold cum Wilton
11.07.2023	30.01.2024 <b>Application Refused</b>	23/01265/F	8 Kirkgate Holme next The Sea Norfolk PE36 6LH Removal of existing sheds and erection of 1no storage shed built in an agricultural style within paddock area	Holme next the Sea

02.11.2023	23.01.2024 <b>Prior Approval - Refused</b>	23/01955/PACU6	26 Le Strange Terrace Hunstanton Norfolk PE36 5AJ Proposed changes to 1 flat, retention of previous permission for 3 flats as per application 21/02208/PACU6 (Proposed conversion of previous restaurant to flats).	Hunstanton
06.11.2023	17.01.2024 <b>Application Permitted</b>	23/01968/F	33 Sandringham Road Hunstanton Norfolk PE36 5DP Rear single storey extensions, alterations and refurbishments of existing bungalow. Remove existing garage and replace with new cartshed structure.	Hunstanton
07.11.2023	31.01.2024 <b>Application Permitted</b>	23/01993/F	Golden Lion Hotel 1 The Green Hunstanton Norfolk Proposed Extension to existing hotel including alterations	Hunstanton
07.11.2023	30.01.2024 <b>Application Permitted</b>	23/01994/LB	Golden Lion Hotel 1 The Green Hunstanton Norfolk Proposed Extension to existing hotel including alterations	Hunstanton
27.12.2023	09.02.2024 <b>Application Permitted</b>	23/02299/F	22 Kings Road Hunstanton Norfolk PE36 6ES Extensions & alterations to dwelling	Hunstanton
05.09.2023	14.02.2024 <b>Application Permitted</b>	23/01613/F	Davy Field Hill Road Ingoldisthorpe Norfolk Variation of Condition 1 of Planning Permission 21/01691/F: Residential development and new public amenity area (Alterations to Plots 5 and 9).	Ingoldisthorpe

09.11.2023	30.01.2024 <b>Application Permitted</b>	23/02016/F	1 Davy Field Hill Road Ingoldisthorpe KINGS LYNN Proposed Reading Room Extension	Ingoldisthorpe
20.12.2023	14.02.2024 <b>Application Permitted</b>	23/02269/F	Tuesday House 8 Davy Field Lynn Road Ingoldisthorpe Retrospective Garden Shed	Ingoldisthorpe
27.12.2023	06.02.2024 <b>GPD HH extn - Refused</b>	23/02303/PAGPD	16 Ingoldsby Avenue Ingoldisthorpe King's Lynn Norfolk Single storey flat roofed rear extension which extends beyond the rear wall by 5.4m with a maximum height of 2.9m and a height of 2.48m to the eaves.	Ingoldisthorpe
06.02.2023	24.01.2024 <b>Application Permitted</b>	23/00208/LB	Lloyds 23 High Street King's Lynn Norfolk New external render/ roof replacement & repairs/window repairs/chimney & parapet works, and lead valley/internal box gutter works	King's Lynn
10.02.2023	31.01.2024 <b>Application Permitted</b>	23/00248/F	Lloyds 23 High Street King's Lynn Norfolk New external render/roof replacement & repairs /window repairs/chimney & parapet wall works, and lead valley/internal box gutter works	King's Lynn
30.03.2023	02.02.2024 <b>Application Permitted</b>	23/00600/F	King's Lynn Glass & Trimming Ltd (Dispatch And Deliveries) 25 Old Sunway King's Lynn Norfolk Variation of Condition 2 of Planning Permission 19/00510/F: Construction of 9 Apartments.	King's Lynn

20.04.2023	25.01.2024 <b>Application Refused</b>	23/00857/F	Bishops Lynn House 18 Tuesday Market Place King's Lynn Norfolk Change of use of front of building, first and second floors from offices to four flats.	King's Lynn
20.04.2023	26.01.2024 <b>Application Refused</b>	23/00858/LB	Bishops Lynn House 18 Tuesday Market Place King's Lynn Norfolk Listed Building Application: Change of use of front of building, first and second floors from offices to four flats.	King's Lynn
29.08.2023	19.01.2024 <b>Application Refused</b>	23/01582/F	5 Elvington King's Lynn Norfolk PE30 4TB Extension to Existing Annexe	King's Lynn
13.10.2023	26.01.2024 <b>Application Permitted</b>	23/01828/A	Nationwide Building Society 9 New Conduit Street King's Lynn Norfolk ADVERTISEMENT APPLICATION FOR ; Replace 1no. projecting signage with new 500mm. Replace 1x grey fascia panel with blue & 1x Lozenge logo with new 290mm logo height. Replace 1no. ATM surround and decals with new. Install new window message "A good way to bank." Replace safety manifestation with new.	King's Lynn
24.10.2023	18.01.2024 <b>Application Permitted</b>	23/01897/F	32 South Everard Street King's Lynn Norfolk PE30 5HJ Replacement of modern windows to front elevation with timber sliding sash windows.	King's Lynn



06.11.2023	26.01.2024 <b>Application Permitted</b>	23/01977/LB	King's Lynn Museums Old Market Street King's Lynn Norfolk Installation of new tie rods to provide structural tie for gallery roof structure. Installation of structural ties to gable end brickworks. Along with associated enabling works.	King's Lynn
09.11.2023	31.01.2024 <b>Application Permitted</b>	23/02011/F	25 Tower Place King's Lynn Norfolk PE30 5DF VARIATION OF CONDITION 2 OF PLANNING CONSENT 22/00735/F : Conversion of ground floor to form 4 retail units within Class E. External alterations to form new shopfronts and other openings and construction of new second floor to form 8 dwellings. (partial alternative scheme to granted prior approval)	King's Lynn
09.11.2023	29.01.2024 <b>Application Permitted</b>	23/02014/F	23 Queens Avenue King's Lynn Norfolk PE30 5LR Residential extension and loft conversion plus erection of home office at 23 Queens Avenue, South Lynn	King's Lynn

21.11.2023	25.01.2024 <b>Application Permitted</b>	23/02122/F	Sensient Colours UK Limited Oldmedow Road Hardwick Industrial Estate King's Lynn PROPOSED PITCHED ROOF TO EXISTING SINGLE STOREY FLAT ROOF, PROPOSED FACADE TO BOTH SINGLE STOREY AND TWO STOREY EXISTING BUILDING AND ADDITIONAL WINDOWS.	King's Lynn
24.11.2023	25.01.2024 <b>Application Permitted</b>	23/02106/F	97 Grafton Road King's Lynn Norfolk PE30 3EY Demolition of existing garage and rear extension. Construction of single storey side and rear extension.	King's Lynn
27.11.2023	02.02.2024 <b>Application Permitted</b>	23/02112/F	Ravago Building Solutions UK Ltd Estuary Road King's Lynn Norfolk Water storage tank and pump house for fire fighting	King's Lynn
05.12.2023	31.01.2024 <b>Application Permitted</b>	23/02201/F	27 Peckover Way South Wootton King's Lynn Norfolk Proposed front porch and extension to living room.	King's Lynn
06.12.2023	30.01.2024 <b>Application Permitted</b>	23/02185/F	47 South Everard Street King's Lynn Norfolk PE30 5HJ Proposed extension and alterations	King's Lynn

11.12.2023	13.02.2024 <b>Application Permitted</b>	23/02232/LB	170 St Peters Road West Lynn King's Lynn Norfolk Listed building application for replacement windows and external doors. Minor internal alterations. Replacement front boundary wall. Installation of chimney flue to serve log burning stove	King's Lynn
14.12.2023	07.02.2024 <b>Application Refused</b>	23/02221/F	Romarlo 8 Ffolkes Drive King's Lynn Norfolk Demolish single storey rear extension. Two storey side extension, single storey rear extension, garage extension and associated works.	King's Lynn
04.12.2023	23.01.2024 <b>Application Permitted</b>	23/02163/F	Red Creek Squires Hill Marham King's Lynn Retrospective application to erect a garage forward of the dwelling at Red Creek	Marham
13.09.2023	01.02.2024 <b>Application Permitted</b>	23/01654/F	Agricultural Farm Building NE of St Peters Farm E Side of Drove Eastern Most Building Middle Drove Marshland St James Norfolk RETROSPECTIVE APPLICATION FOR Construction of revised access to agricultural field off Middle Drove.	Marshland St James
31.10.2023	18.01.2024 <b>Application Permitted</b>	23/01933/F	14 Trinity Road Marshland St James Wisbech Norfolk Erection of 2-storey side and rear extension and part single-storey rear extension.	Marshland St James

01.08.2023	14.02.2024 <b>Application Permitted</b>	23/01409/F	Residential Development Crown Street Methwold THETFORD VARIATION OF CONDITION 2 OF PLANNING PERMISSION 15/01683/FM: Construction of 30 dwellings and associated infrastructure on vacant field	Methwold
14.11.2023	24.01.2024 <b>Application Permitted</b>	23/02034/F	West Croft 27 Crown Street Methwold Thetford Replace existing sash windows.	Methwold
24.05.2023	17.01.2024 <b>Application Permitted</b>	23/01117/F	Derelict Esso Filling Station 36 West Winch Road West Winch The demolition of an existing building and the creation of an EV charging zone and erection of canopy, two jet wash bays, sub-station enclosure, plant room and associated forecourt works	North Runcton
14.06.2023	02.02.2024 <b>Application Permitted</b>	23/01071/F	Land Off Jenson's Way Whittington Norfolk VARIATION OF CONDITIONS 2, 13 AND 15 OF PLANNING PERMISSION 21/02103/FM: Phased development of 10 dwellings built to Passivhaus standards, using existing entrance from Jenson's Way	Northwold
05.10.2023	15.01.2024 <b>Application Refused</b>	23/01824/O	The Crown Inn 30 High Street Northwold Thetford Erect 1 No single storey dwelling and double garage on land rear of The Crown Inn, High Street , Northwold	Northwold

10.10.2023	16.01.2024 <b>Application Permitted</b>	23/01800/F	Anmer Cottage 38A Methwold Road Northwold Thetford Change of use of undertakers premises to Holiday Let and garden	Northwold
17.10.2023	01.02.2024 <b>Application Refused</b>	21/02103/NMAM_1	Land Off Jensions Way Whittington Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSSION 21/02103/FM: Removal of garage at plot 8	Northwold
20.12.2023	07.02.2024 <b>Application Permitted</b>	23/02272/F	7 Kelsey Close Old Hunstanton Hunstanton Norfolk Single storey side extension and associated alterations	Old Hunstanton
04.09.2023	08.02.2024 <b>Application Permitted</b>	23/01644/F	Agricultural Barn N of Low Marsh Meadows Marsh Road Outwell Norfolk Proposed cattle shelter	Outwell
25.09.2023	08.02.2024 <b>Application Permitted</b>	23/01704/F	Agricultural Barn N of Low Marsh Meadows Marsh Road Outwell Norfolk Permission for proposed extension of existing cattle shelter	Outwell
03.10.2023	08.02.2024 <b>Application Permitted</b>	23/01769/F	Agricultural Barn N of Low Marsh Meadows Marsh Road Outwell Norfolk Extension of existing cattle shelter	Outwell

23.10.2023	24.01.2024 <b>Application Permitted</b>	23/01884/F	56 Church Drove Outwell Wisbech Norfolk VARIATION OF CONDITION 3 OF PLANNING PERMISSION 21/01406/F: Change of use to incorporate new child minding business within existing dwelling	Outwell
04.12.2023	26.01.2024 <b>Prior Approval - Approved</b>	23/02157/PACU3	Parkfield Farm Downham Road Outwell Wisbech Notification for Prior Approval: Change of Use of Agricultural Building to One Dwellinghouse (Schedule 2, Part 3, Class Q)	Outwell
04.12.2023	29.01.2024 <b>Prior Approval - Approved</b>	23/02158/PACU3	Parkfield Farm Downham Road Outwell Wisbech Notification for Prior Approval: Change of Use of Agricultural Building to Two Dwellinghouse (Schedule 2, Part 3, Class Q)	Outwell
08.12.2023	08.02.2024 <b>Prior Approval - Not Required</b>	23/00002/PACU6	Land East of Hawthorn Cottage Robbs Lane Outwell WISBECH (Schedule 2, Part 3, Class R) - Change of use of agricultural building to B8 storage	Outwell
05.01.2024	12.02.2024 <b>Application Permitted</b>	24/00028/F	Sunningdale Isle Road Outwell Wisbech Proposed rear extension, internal alterations, detached double garage and associated works.	Outwell

31.10.2023	12.02.2024 <b>Application Refused</b>	23/01978/F	52 Pentney Lakes Common Road Pentney KINGS LYNN VARIATION OF CONDITION 1 OF PLANNING CONSENT 22/00322/F; Construction of a two storey log cabin	Pentney
19.10.2023	25.01.2024 <b>Was Lawful</b>	23/01868/LDE	Estoria House 63 Station Road Roydon KINGS LYNN LAWFUL DEVELOPMENT CERTIFICATE APPLICATION FOR AN EXISTING; Continued use of land rear of 63 Station Road, Roydon, Kings Lynn, Norfolk, PE32 1AW, as garden land	Roydon
18.08.2023	23.01.2024 <b>Application Permitted</b>	23/01524/F	Downham Country Garden Store Stonecross Road Bexwell Downham Market Installation of an external Biomass Boiler on existing concrete slab and associated underground pipework to heat existing building	Ryston
11.12.2023	13.02.2024 <b>Application Permitted</b>	23/02200/F	4A West Hall Farm Barns Church Lane Sedgeford Hunstanton New Bi-fold doors to replace existing kitchen window in South Elevation	Sedgeford
16.03.2023	30.01.2024 <b>Application Permitted</b>	23/00577/F	Shouldham Bowls Club Fairstead Drove Shouldham King's Lynn New rear extension to form multi use area, internal alterations to form accessible w/c and change of window openings to bowling green side	Shouldham

13.09.2023	23.01.2024 <b>Application Permitted</b>	23/01657/F	33 Kenside Snettisham Norfolk PE31 7PB Proposed single storey rear extension, two storey side extension and porch. Proposed store.	Snettisham
06.10.2023	23.01.2024 <b>Application Permitted</b>	23/01786/F	93 Lynn Road Snettisham King's Lynn Norfolk RETROSPECTIVE APPLICATION: Continued use of site as a full time holiday let	Snettisham
16.11.2023	25.01.2024 <b>Application Permitted</b>	23/02073/F	7 Hall Road Snettisham King's Lynn Norfolk Removal of the existing single storey lean-to and minor alterations to the first floor of the dwelling to accommodate an external staircase for fire escape	Snettisham
14.08.2023	16.01.2024 <b>Application Permitted</b>	23/01487/F	Manor Farm House 57 Burnham Road South Creake FAKENHAM Proposed change of use from an outbuilding store to residential annexe in the setting of a grade II listed dwelling.	South Creake
14.08.2023	18.01.2024 <b>Application Permitted</b>	23/01488/LB	Manor Farm House 57 Burnham Road South Creake FAKENHAM Proposed change of use from an outbuilding store to residential annexe in the setting of a grade II listed dwelling. Proposals specify alterations including raising of floor levels in bedroom and bathroom areas outlined by the flood risk assessment.	South Creake



02.11.2023	02.02.2024 <b>Not Lawful</b>	23/01949/LDE	The Old Chequers 37 Front Street South Creake Fakenham Application for a Lawful Development Certificate for existing improvements and alterations to convert the former cart shed into a games room, including the infilling of the vehicle bays with bi-fold doors and a set of new windows and infill brick on the front (northeast) elevation, and a new door cut into the rear (southwest) elevation for access to the garden	South Creake
21.11.2023	31.01.2024 <b>Application Permitted</b>	23/02074/F	Sutton House 33 Back Street South Creake Fakenham Installation of a Shepherds Hut style building in residential garden for ancillary residential use	South Creake
15.12.2023	08.02.2024 <b>Application Permitted</b>	23/02249/F	71 Recreation Drive Southery Downham Market Norfolk Single garage to the side of the property and a porch to the front	Southery
09.01.2024	13.02.2024 <b>Application Permitted</b>	24/00046/F	21 Lynn Road Southery Downham Market Norfolk Single storey rear extension with pitched roof including new pitched roof over existing single storey rear extension replacing flat roof	Southery

04.12.2023	08.02.2024 <b>Application Permitted</b>	08/02466/NMA_1	Formerly Geoff Allen Timber Merchant Old Station Yard Bridge Road Stoke Ferry NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 08/02466/F: Construction of nine dwellings and conversion of three existing dwellings varying condition 2 of permission 05/02590/F to allow for contamination investigation to be undertaken in a phased manner	Stoke Ferry
18.07.2023	12.02.2024 <b>Application Permitted</b>	23/01318/F	The Birches Cuckoo Road Stow Bridge KINGS LYNN PROPOSED 2no CONTAINERS AND LEAN-TO STRUCTURE	Stow Bardolph
22.11.2023	23.01.2024 <b>Application Permitted</b>	23/02084/F	Drove Lodge 39 The Drove Barroway Drove Downham Market Dismantle existing sunroom and replace with an extension on existing footprint c/w a loft conversion	Stow Bardolph
05.01.2024	01.02.2024 <b>DM Prior Notification NOT Required</b>	24/00021/DM	New Fen Farm White City Road Barroway Drove Downham Market Prior Notification: Demolition of the building. The building is red-brick construction bungalow with a steep pitched slate roof, chimneys and timber extension to the side elevation.	Stow Bardolph

05.01.2024	01.02.2024 <b>DM Prior Notification NOT Required</b>	24/00022/DM	Widders Farm White City Road Barroway Drove Downham Market Prior Notification: Demolition of the building. The building is a 2-storey detached dwelling of red-brick construction with a slate roof, chimney, front porch and a single storey extension to the rear.	Stow Bardolph
27.11.2023	31.01.2024 <b>Application Permitted</b>	23/02156/F	Paradise Manor Downham Road Stradsett King's Lynn The installation of solar panels to the roofs of three outbuildings comprising the holiday lets, garage and services building	Stradsett
02.08.2023	23.01.2024 <b>Application Permitted</b>	23/01414/A	Terrington Veterinary Centre 24 Marshland Street Terrington St Clement Norfolk Retrospective application: Advertisements proposed are to enhance the visibility of the practice	Terrington St Clement
03.10.2023	29.01.2024 <b>Application Permitted</b>	23/01762/F	Church Farm Distribution Depot Northgate Way Terrington St Clement Norfolk Variation of condition 6, 7 and 22 attached to planning permission 18/00940/OM: Outline Application: Erection of 76 dwellings with means of site access following demolition of existing structures.	Terrington St Clement
11.10.2023	14.02.2024 <b>Application Permitted</b>	23/01809/F	115 Station Road Terrington St Clement KINGS LYNN Norfolk Extension to the side of house for a kitchen / dining area	Terrington St Clement

01.12.2023	16.01.2024 <b>Application Permitted</b>	23/02151/F	5 Alma Avenue Terrington St Clement King's Lynn Norfolk Retrospective: Retention of Extension as Built.	Terrington St Clement
21.12.2023	14.02.2024 <b>Application Permitted</b>	23/02288/F	J A Collison & Sons Tuxhill Road 36 Tuxhill Road Terrington St Clement Variation of Condition 1 attached to planning permission 17/01066/FM: Proposed extension of glasshouses, existing reservoir and rainwater lagoon and retention of relocation of land drain.	Terrington St Clement
10.01.2024	16.01.2024 <b>Application not required</b>	24/00057/LB	Walnut House 41 Marshland Street Terrington St Clement King's Lynn Listed Building Application: Removal of all external paint from house to return it to red brick & return windowsills to limestone. This is to allow bricks to breath & to stop black mould forming internally	Terrington St Clement
13.12.2023	13.02.2024 <b>Application Refused</b>	23/02225/F	Elmcroft Church Road Terrington St John Wisbech Extension to side of existing dwelling	Terrington St John
02.11.2023	15.01.2024 <b>Application Permitted</b>	23/01947/F	Herga Green Lane Thornham Hunstanton Extension and alterations to dwelling	Thornham

07.11.2023	17.01.2024 <b>Application Permitted</b>	23/01995/LB	Red House High Street Thornham Hunstanton Proposal: to erect solar panels on two-storey roof of barn, facing east and west for the purposes of generating renewable energy to run the domestic needs of the Red House.	Thornham
21.11.2023	29.01.2024 <b>Application Permitted</b>	23/02078/F	Shoreboat Farm Lynn Road Tilney All Saints King's Lynn PROPOSED DEMOLITION OF EXISTING AGRICULTURAL BARN (WHICH HAS APPROVAL FOR 1no. RESIDENTIAL DWELLING 22/02041/PACU3) TO ERECT 1no RESIDENTIAL DWELLING.	Tilney All Saints
15.12.2023	23.01.2024 <b>Consent Required</b> <b>Not</b>	23/02278/AG	Chase Farm Shepherdsgate Road Tilney All Saints King's Lynn NOTIFICATION UNDER SCH 2 PART 6 CLASS A OF THE GENERAL PERMITTED DEVELOPMENT ORDER: General purpose agricultural building extension to existing building	Tilney All Saints
14.08.2023	14.02.2024 <b>Prior Approval - Approved</b>	23/01519/PACU3	Buildings North of The Willows Mumbys Drove Three Holes Norfolk Notification for Prior Approval for change of use of agricultural building to two dwellings (Schedule 2, Part 3, Class Q)	Upwell

02.11.2023	24.01.2024 <b>Application Permitted</b>	23/01989/F	9 Green Road Upwell Wisbech Norfolk Proposed demolition of existing dwelling and construction of new replacement dwelling and detached garage.	Upwell
16.11.2023	26.01.2024 <b>Application Permitted</b>	23/02051/F	Rose Hall Farm Walpole Bank Walpole St Andrew Wisbech Variation of conditions 2, 7, 13 and 14 attached to planning permission 22/01616/FM: Installation of a Synchronous Condenser facility with associated infrastructure access and landscaping.	Walpole
20.11.2023	23.01.2024 <b>Application Permitted</b>	23/02070/RM	Land SE of Helian House And W of Walnut Tree Farm Walnut Road Walpole St Peter Norfolk Application for reserved matters for site frontage and plots 3 and 6	Walpole
22.11.2023	23.01.2024 <b>Application Permitted</b>	23/02080/F	Land At East Marsh S of Gunthorpe Road W of Flowers Farm And Frenchs Road The Marsh Walpole St Andrew Norfolk VARIATION OF CONDITION 3 OF PLANNING CONSENT 21/01442/FM ; Installation of a solar farm and battery storage facility with associated infrastructure.	Walpole

31.01.2024	15.02.2024 <b>Application Refused</b>	23/01127/NMAM_1	Buildings SE of 21 Sutton Road Walpole Cross Keys Norfolk NON-MATERIAL AMENDMENT TO PERMISSION 23/01127/RMM: Reserved matters application for 16 Dwellings	Walpole Cross Keys
22.05.2023	14.02.2024 <b>Application Permitted</b>	23/01082/F	Land North of Clydesdale Biggs Road Walsoken WISBECH Change of use to station one residential static caravan and two touring caravans to include ancillary Works .	Walsoken
18.10.2023	26.01.2024 <b>Application Refused</b>	23/01849/F	1 Popenhoe Cottages Station Road Walsoken Wisbech VARIATION OF CONDITION 2 OF PLANNING PERMISSION 22/01567/F: Replacement barn style dwelling. The proposal is to demolish the existing barn, which sits with permission to convert into a dwelling under ref 21/01889/PACU3. The existing barn has been deemed not suitable for conversion due to its poor quality and operational inefficiencies. It is proposed that a new residential development will be constructed in its place	Walsoken
29.11.2023	16.01.2024 <b>Application Withdrawn</b>	23/02180/F	Little Mede Ryston Road West Dereham King's Lynn Proposed loft conversion and porch.	West Dereham

18.12.2023	02.02.2024 <b>Application Permitted</b>	23/02260/F	Oyster House Lynn Road West Rudham King's Lynn Replacement 3 car barn	West Rudham
19.09.2023	23.01.2024 <b>Application Permitted</b>	23/01680/F	Whinams Farm 81 St Pauls Road South Walton Highway WISBECH RETROSPECTIVE APPLICATION: Conversion and extension of barn to create a dwelling and construction of cart shed/garage	West Walton
20.12.2023	07.02.2024 <b>Prior Approval - Not Required</b>	23/02266/T3	Mast Telecom N of Whinham Farm 81 St Pauls Road South Walton Highway Norfolk APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED: Telecommunications mast and associated equipment	West Walton
02.10.2023	05.02.2024 <b>Application Permitted</b>	23/01755/F	2 Birch Grove West Winch King's Lynn Norfolk Proposed extension and alterations (revised garage dormers) Retrospective: wall at the front of the property.	West Winch
06.04.2023	01.02.2024 <b>Application Permitted</b>	23/00747/F	Green Gates Common Road Wiggshall St Mary The Virgin KINGS LYNN Retention of shed and storage container and erection of a stable associated with equestrian use of land	Wiggshall St Germans



05.12.2023	30.01.2024 <b>Application Permitted</b>	23/02168/F	62 Sluice Road Wiggshall St Germans King's Lynn Norfolk Proposed double storey side and single storey rear extension following removal of former conservatory system, complete with internal alterations.	Wiggshall St Germans
03.11.2023	31.01.2024 <b>Application Permitted</b>	23/01957/F	The Nest 32 Mill Road Wiggshall St Mary Magdalen King's Lynn Extension and Alterations to form front porch, bay window to bedroom, double garage to right side, rear infill extension, former garage conversion, re-roof of former conservatory, addition of windows to front and rear for loft conversion, removal of portacabin to front drive and retrospective consent for front boundary fence including that on sides going down plot to gate posts.	Wiggshall St Mary Magdalen
04.10.2023	08.02.2024 <b>Application Permitted</b>	23/01774/F	ISG International Scientific Group 1 Karoo Close Bexwell Business Park Bexwell Building to be erected on existing concreted forecourt used for warehousing purposes.	Wimbotsham
25.10.2023	31.01.2024 <b>Application Permitted</b>	23/01908/F	Park Farm Castle Road Wormegay KINGS LYNN Installation of 130kWp solar PV ground array for generation and consumption of electricity at the farm	Wormegay

29.11.2023	06.02.2024 <b>Application Refused</b>	23/02133/CU	Advent House 31 Church Road Wretton King's Lynn Change of use application from amenity space to private garden land and for a new/ relocated boundary treatment.	Wretton
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