

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



# Planning Committee

## Agenda

Monday, 3rd June, 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>





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**PLANNING COMMITTEE AGENDA**

Please note that due to the number of applications to be considered, it is proposed that the Committee 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, 3rd June, 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 7 May 2024.

**3. DECLARATIONS OF INTEREST (Page 6)**

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. ITEMS FOR NOTING**

- a) **Glossary of Terms** (Pages 7 - 9)
- b) **Core Strategy Policies** (Pages 10 - 31)

**9. INDEX AND DECISIONS ON APPLICATIONS** (Pages 32 - 121)

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 122 - 148)

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

**To: Members of the Planning Committee**

Councillors B Aota, T Barclay, R Blunt, A Bubb, R Coates, M de Whalley, P Devulapalli, S Everett, D Heneghan, S Lintern (Vice-Chair), T Parish (Chair), 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, 6 June 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 31 May 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.

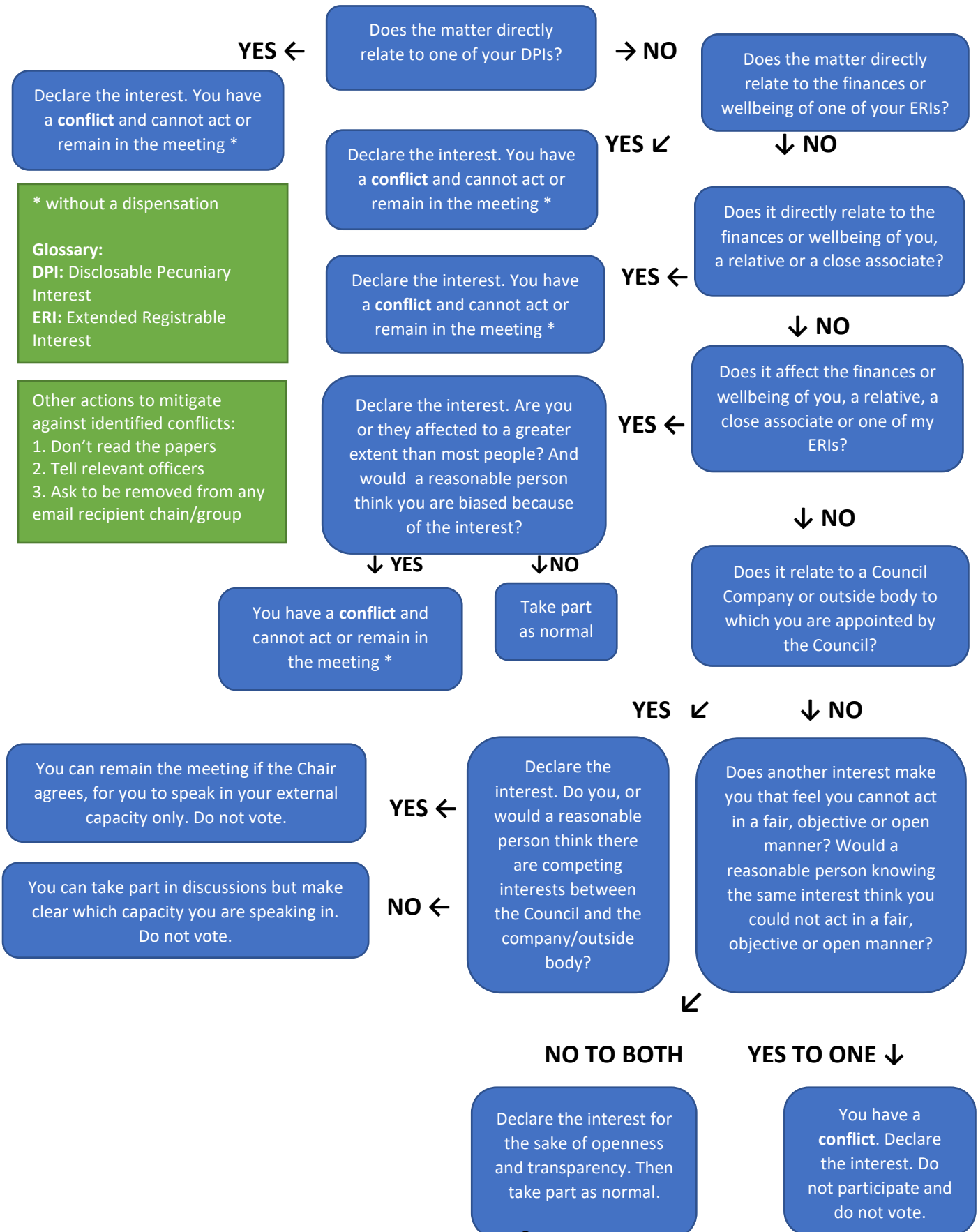
For Further information, please contact:

Kathy Wagg on 01553 616276  
[kathy.wagg@west-norfolk.gov.uk](mailto: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
DLUHC	Department for Levelling Up, Housing and Communities
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 a
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

<b>Suffixes to Reference Numbers</b>	
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

**CORE STRATEGY ADOPTED VERSION JULY 2011**

**POLICIES**

<b>POLICY No.</b>	<b>POLICY DESCRIPTION</b>	<b>POLICY SUMMARY</b>
CS01	SPATIAL STRATEGY	Development Priorities for the Borough
CS02	SETTLEMENT HIERARCHY	Decision on investment in services and facilities and on the location and scale of new development will be taken on the basis of the Borough settlement hierarchy
CS03	KINGS LYNN AREA	In support of the overall development strategy Kings Lynn will continue to meet its obligations as a Growth Point and Key Centre for Development and Change and develop as a sub-regional centre
CS04	DOWNHAM MARKET	The role of DM will continue as a main town providing and supporting employment and essential services for the southern part of the borough.
CS05	HUNSTANTON	The focus for Hunstanton will be on ensuring that as a main town it develops its position as a successful service hub for the local area, while strengthening the role as a tourist destination with year round activities.
CS06	DEVELOPMENT IN RURAL AREAS	The strategy for rural areas is to: <ul style="list-style-type: none"> <li>• Promote sustainable communities and patterns of development to ensure strong, diverse, economic activities</li> <li>• Maintain local character and high quality environment</li> <li>• Focus most new development in key rural service centres</li> <li>• Ensure employment, housing, services and other facilities are provided in close proximity</li> </ul>
CS07	DEVELOPMENT IN COASTAL AREAS	The Council will seek to balance the sensitive nature of the coastal area of West Norfolk with the national and international designations including the Area of Outstanding Natural Beauty for wildlife, landscape and heritage with the need for economic and social development of the area and the effects of climate change including the AONB for wildlife, landscape and heritage
CS08	SUSTAINABLE DEVELOPMENT	All new development should be of high quality design
CS09	HOUSING	The plan will identify sufficient land for a

	DISTRIBUTION	minimum of 16,500 new dwellings across the Borough over the period 2001 to 2026, (12,000 to 2021 and an additional 3,000 to maintain a 15 year supply from adoption date of the Core Strategy, anticipated 2011. The total also allows 10% for flexibility and non-completion of commitments etc.)
CS10	THE ECONOMY	The local economy will be developed sustainably
CS11	TRANSPORT – STRATEGIC ISSUES	The Council will work with partner organisations (including the Regional Transport Board, Highways Agency, public transport operators, Network Rail, Norfolk County Council and neighbouring authorities) to deliver a sustainable transport network which improves connectivity within and beyond the borough, and reinforcing the role of King's Lynn as a regional transport node
CS12	ENVIRONMENTAL ASSETS – Green Infrastructure, Historic Environment, Landscape Character, Biodiversity and Geodiversity	Proposals to protect and enhance our historic environment and landscape character, biodiversity and geodiversity will be encouraged and supported.  The Borough Council will work with partners to ensure an integrated network of green infrastructure throughout the urban and rural areas (identified through the Green Infrastructure Management Plan and Econet map) is successfully created and managed
CS13	COMMUNITY AND CULTURE	(i) Delivering community well-being and enhancing quality of life through good design  (ii) Creating sustainable communities through the provision of community infrastructure  (iii) Protecting, enhancing and promoting cultural assets as well as facilitating new cultural facilities in growth areas
CS14	INFRASTRUCTURE PROVISION	All development in the plan area will need to be accompanied by appropriate infrastructure (including off-site infrastructure) in a timely way, with arrangements for its subsequent maintenance

**SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN ADOPTED  
VERSION SEPTEMBER 2016**

**POLICIES**

<b>POLICY No.</b>	<b>POLICY DESCRIPTION</b>	<b>POLICY SUMMARY</b>
DM 1	PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT	<p>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively and jointly with applicants to find solutions that allow proposals to be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none"> <li>• Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</li> <li>• Specific policies in that Framework indicate that development should be restricted.</li> </ul>
DM 2	DEVELOPMENT BOUNDARIES	<p>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.</p> <p>The areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan, including:</p> <ul style="list-style-type: none"> <li>• farm diversification (under Core Strategy Policy CS06);</li> <li>• small scale employment (under Core Strategy Policy CS10);</li> <li>• tourism facilities (under Core Strategy Policy CS10);</li> <li>• community facilities, development in support</li> </ul>

		<p>(under Core Strategy Policy CS13);</p> <ul style="list-style-type: none"> <li>• renewable energy generation (under Policy DM20 of the rural economy or to this Plan);</li> <li>• rural workers' housing (under Policy DM6 of this Plan); and</li> <li>• affordable housing (under Core Strategy Policy CS09)</li> </ul> <p>In Smaller Villages and Hamlets, infilling in accordance with Policy DM3 will also be permitted in addition to those categories identified in the previous paragraph.</p>
DM 2A	EARLY REVIEW OF LOCAL PLAN	<p>An early review of the Local Plan will be undertaken, commencing with the publication of a consultation document (a Draft Local Plan) in 2016. This is set out in the Local Development Scheme (LDS). An early review will ensure a set of deliverable and achievable housing sites for the duration of the Plan period, with the most up to date policy framework to secure continuity for the longer term.</p> <p>The review will identify the full, objectively assessed housing needs for the District and proposals to ensure that this is met in so far as this is consistent with national policy (National Planning Policy Framework).</p>
DM 3	DEVELOPMENT IN THE SMALLER VILLAGES AND HAMLETS	<p>New development in the designated Smaller Villages and Hamlets will be limited to that suitable in rural areas, including:</p> <ul style="list-style-type: none"> <li>• small scale employment uses (under Policy CS10); community facilities (under Policy CS13);</li> <li>• smaller scale tourism facilities (under Policy CS10);</li> <li>• conversions of existing buildings (under Policy CS06);</li> <li>• rural exceptions affordable housing; and</li> <li>• development to meet specific identified local need, including housing to support the operation of rural businesses (under Policies CS01 and CS06);</li> </ul> <p><b>Plus housing as set out following:</b></p> <p>The sensitive infilling of small gaps within an otherwise continuously built up frontage will be permitted in Smaller Villages and Hamlets where:</p> <ul style="list-style-type: none"> <li>• the development is appropriate to the scale and character of the group of buildings and its surroundings; and</li> <li>• it will not fill a gap which provides a positive contribution to the street scene.</li> </ul> <p>In exceptional circumstances the development of small</p>

		groups of dwellings in Smaller Villages and Hamlets may be considered appropriate where the development is of a particularly high quality and would provide significant benefits to the local community.
DM 4	HOUSES IN MULTIPLE OCCUPATION	<p>The conversion of existing dwellings to and new development of properties for multiple occupation may be permitted where:</p> <ul style="list-style-type: none"> <li>• there is no adverse impact on the amenity of existing and new residents and the historic and natural environment; and</li> <li>• the development and associated facilities, including bin storage, car and cycle parking, can be provided without significant detriment to the occupiers of adjoining or neighbouring properties; and</li> <li>• the site is within reasonable distances to facilities, public open space, supporting services and local employment.</li> </ul>
DM 5	ENLARGEMENT OR REPLACEMENT OF DWELLINGS IN THE COUNTRYSIDE	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.
DM 6	HOUSING NEEDS OF RURAL WORKERS	<p><b>New Occupational Dwellings</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Agricultural or rural based occupancy conditions will be placed on any new permanent or temporary occupational dwellings specifying the terms of occupation.</li> </ol> <p><b>Permanent occupational dwellings</b></p> <ol style="list-style-type: none"> <li>3. New permanent dwellings should only be allowed to support existing rural based activities on well-established rural based enterprises, providing: <ol style="list-style-type: none"> <li>a. there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night,</li> </ol> </li> </ol>

		<ul style="list-style-type: none"> <li>b. the need could not be met by existing dwellings within the locality,</li> <li>c. the application meets the requirements of a financial test demonstrating that:</li> <li>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; <ul style="list-style-type: none"> <li>i. are currently financially sound, and have a clear prospect of remaining so and;</li> <li>ii. the rural based enterprise can sustain the size of the proposed dwelling;</li> <li>iii. acceptable in all other respects</li> </ul> </li> </ul> <p><b>Temporary occupational dwellings</b></p> <ul style="list-style-type: none"> <li>4. if a new dwelling is essential to support a new rural based activity, it should normally, for the first three years, be provided by a caravan, or other temporary accommodation.</li> <li>5. new temporary dwellings should only be allowed to support rural based activities providing: <ul style="list-style-type: none"> <li>a. the proposal satisfies criteria 3a and 3b above</li> <li>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);</li> <li>c. the application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis.</li> </ul> </li> </ul> <p><b>Existing Occupational Dwellings</b></p> <ul style="list-style-type: none"> <li>6. preference will be given to retaining agricultural or other rural based occupancy dwellings where there is a local identified need.</li> <li>7. proposals for the relaxation or removal of agricultural occupancy conditions will only be permitted where the applicant can demonstrate that: <ul style="list-style-type: none"> <li>a. the dwelling has been occupied in accordance with the terms of the occupancy condition for a minimum of 5 years; and</li> </ul> </li> </ul>
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		<p>b. there is no longer a need for the dwelling by those working, or last working, in the locality in agricultural, forestry or a rural enterprise, established by evidence of marketing (including the provision of details of an independent market valuation reflecting the occupancy condition, as well as all viewings and offers made) for a 12 month period at a price that reflects the occupancy condition.</p>
DM 7	RESIDENTIAL ANNEXES	<p>Development of residential annexes will be approved only subject to the following being secured by condition or planning agreement:</p> <ul style="list-style-type: none"> <li>• it remains in the same ownership as, and is occupied in conjunction with the principal dwelling; and does not appear as tantamount to a new dwelling</li> <li>• it is ancillary and subordinate in scale to the principal dwelling; • Its occupant(s) share(s) the existing access, garden and parking of the main dwelling;</li> <li>• occupation of the annexe is subsidiary to that of the main dwelling; and</li> <li>•</li> <li>• not capable of sub-division.</li> </ul> <p>Development of residential annexes outside the development boundaries of settlements will also be judged against the criteria in Policy DM5: Enlargement or Replacement of Dwellings in the Countryside.</p>
DM 8	DELIVERING AFFORDABLE HOUSING ON PHASED DEVELOPMENT	<p><b>Allocated Sites</b></p> <p>On sites allocated for residential development through the Local Plan process the requirement to provide affordable housing under Core Strategy CS09 Housing will apply jointly to the whole of a single allocated site that is developed incrementally (through sub-division etc.) and where development of the whole site results in a requirement for a proportion of (or in exceptional circumstances a contribution to) affordable housing.</p> <p><b>Windfall Sites</b></p> <p>On windfall sites the requirement to provide affordable housing under Core Strategy CS09 Housing will apply where the Council considers that the proposed development forms part of a larger site which, if developed, would result in a requirement for a proportion of (or contribution to) affordable housing. If</p>



		<p>the application site satisfies one or more of the following criteria, then it will be considered to be part of a larger site for the purposes of this policy:-</p> <ul style="list-style-type: none"> <li>• land ownership – If an application site is in the same ownership as one or more adjacent plots of land at the time the application is made or within 3 years of the date the application is made and development of those sites would comply with other policies of the Local Plan;</li> <li>• planning history – If there is evidence of previous applications for development of a larger site of which the application site forms a part within the past 3 years of the date an application is made and development of the larger site would still be acceptable under other policies of the Local Plan; or</li> <li>• extensions to existing consented development – If the site forms an extension to a development that has been approved in the 3 years before the application is made and which is still capable of being implemented or the site forms an extension to a development that is being built out on the date the application is made.</li> </ul>
DM 9	COMMUNITY FACILITIES	<p>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.</p> <p>Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:</p> <ol style="list-style-type: none"> <li>a) the area currently served by it would remain suitably provided following the loss, or if not</li> <li>b) it is no longer viable or feasible to retain the premises in a community facility use.</li> </ol>
DM 10	RETAIL DEVELOPMENT	<p>The Council attach a high priority to the need to support and maintain King's Lynn, Downham Market and Hunstanton as major retail centres. This will be achieved by a combination of measures to improve attractiveness (by increased accessibility, environmental enhancements, events and promotions), as well as strongly supporting proposals to redevelop and invest in the town centres including, where necessary, the use of compulsory purchase powers to consolidate land.</p> <p>New retail uses will be expected to be located in these town centres unless an alternative location is</p>

		<p>demonstrated to be necessary. If there are no suitable sites in the town centre, an edge of centre location will be expected. Other locations will only be acceptable where it is demonstrated either that there are no suitable sites in the town centre and edge of centre, or the format or nature of the proposed use would not be appropriate in a town centre location (e.g. bulky goods and trade, rural retail services, etc.).</p> <p>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, although in the case of the Hardwick area in King's Lynn (where there is already a significant accumulation of out of town centre retailing) greater weight will be attached to the cumulative impact of new development on the town centre. New retail uses in this area will not be subject to a floorspace threshold and will only be approved where they meet the sequential test set out in the NPPF and will not individually or cumulatively undermine the viability of the town centre.</p>
DM 11	TOURING AND PERMANENT HOLIDAY SITES	<p>(NOTE – For the purposes of this policy the term 'holiday accommodation' is used to describe caravan based accommodation, including touring and permanent sites/units, as well as permanent buildings constructed for the purpose of letting etc.)</p> <p><b>Location requirements</b></p> <p>Proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation will not normally be permitted unless:</p> <ul style="list-style-type: none"> <li>• the proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area;</li> <li>• the proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environmental qualities of the surrounding landscape and surroundings; and</li> <li>• the site can be safely accessed;</li> <li>• it is in accordance with national policies on flood risk;</li> <li>• the site is not within the Coastal Hazard Zone</li> </ul>

		<p>indicated on the Policies Map, or within areas identified as tidal defence breach Hazard Zone in the Borough Council's Strategic Flood Risk Assessment and the Environment Agency's mapping;</p> <p>Small scale proposals for holiday accommodation will not normally be permitted within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) unless it can be demonstrated that the proposal will not negatively impact on the landscape setting and scenic beauty of the AONB or on the landscape setting of the AONB if outside the designated area. Proposals for uses adversely affecting Sites of Special Scientific Interest (SSSIs) or European Sites will be refused permission.</p> <p><b>Conditions to be applied to new holiday accommodation</b></p> <p>Where development is permitted in the open countryside for new holiday accommodation, it is essential that such uses are genuine and will be operated and maintained as tourist facilities in the future. To achieve this aim, occupancy conditions will be placed on future planning permissions requiring that:</p> <ul style="list-style-type: none"> <li>• the accommodation is occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets;</li> <li>• the accommodation shall be for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence; and</li> <li>• the owners / operators shall maintain an up-to-date register of lettings / occupation and shall make this available at all reasonable times to the Local Planning Authority.</li> </ul>
DM 12	STRATEGIC ROAD NETWORK	<p>The Strategic Road Network within the Borough, comprising the A10, A17, A47, A134, A148, A149, A1101 &amp; A1122 and shown on the Policies Map, will be protected as follows outside of the settlements specified within Core Strategy policy CS02:</p> <ul style="list-style-type: none"> <li>• new development, apart from specific plan allocations, will not be permitted if it would include the provision of vehicle access leading directly onto a road forming part of this Strategic Road Network;</li> <li>• new development served by a side road which connects to a road forming part of the Strategic</li> </ul>

		<p>Road Network will be permitted provided that any resulting increase in traffic would not have a significant adverse effect on:</p> <ul style="list-style-type: none"> <li>• the route's national and strategic role as a road for long distance traffic</li> <li>• highway safety</li> <li>• the route's traffic capacity</li> <li>• the amenity and access of any adjoining occupiers.</li> </ul> <p>In appropriate cases a Transport Assessment will be required to demonstrate that development proposals can be accommodated on the local road network, taking into account any infrastructure improvements proposed.</p> <p>Policy CS11 of the Adopted Core Strategy sets out the transport requirements for development proposals to demonstrate that they accord with. Paragraph 013 - Transport Assessments and Statements of the Planning Practice Guidance should also be considered.”</p>
DM 13	RAILWAY TRACKBEDS	<p>The following existing and former railway trackways and routes, as indicated on the Policies Map, will be safeguarded from development which would prejudice their potential future use for paths, cycleways, bridleways, new rail facilities, etc. unless the proposals for trackway use are accompanied by appropriate alternative route provision that makes the safeguarding unnecessary:</p> <ul style="list-style-type: none"> <li>• King's Lynn Harbour Junction - Saddlebow Road;</li> <li>• King's Lynn east curve;</li> <li>• King's Lynn docks branch to Alexandra Dock and Bentinck Dock;</li> <li>• Denver - Wissington;</li> <li>• King's Lynn to Hunstanton; and</li> <li>• part of the former King's Lynn to Fakenham line route from the West Winch Growth Area to the Bawsey/Leziate countryside sports and recreation area.</li> </ul> <p>The King's Lynn docks branch (as above) will, however, not be safeguarded to the extent this</p>

		compromises port operations within the Port Estate.
DM 14	DEVELOPMENT ASSOCIATED WITH THE NATIONAL CONSTRUCTION COLLEGE, BIRCHAM NEWTON AND RAF MARHAM	<p>The Council strongly supports the roles that the National Construction College, Bircham Newton and RAF Marham play as local employers and as centres of excellence for construction and advanced engineering respectively.</p> <p>The Council will adopt a positive approach to new development to improve these facilities.</p> <p>Non-operational 'enabling' development which supports the retention, enhancement or expansion of these facilities will be permitted where it can be demonstrated</p> <ul style="list-style-type: none"> <li>• that the development will enhance the facility's long term value to the Borough's economy and employment; and</li> <li>• there are robust mechanisms to ensure the improvements justifying the enabling development are delivered and sustained; and</li> <li>• the resulting development will not undermine the spatial strategy set out in Core Strategy Policy CS01; and</li> <li>• it will not result in the loss of land needed for operation of the facility, or reduce its reasonably foreseeable potential to expand or be reconfigured.</li> </ul>
DM 15	ENVIRONMENT, DESIGN AND AMENITY	<p>Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:</p> <ul style="list-style-type: none"> <li>• heritage impact;</li> <li>• overlooking, overbearing, overshadowing;</li> <li>• noise;</li> <li>• odour;</li> <li>• air quality;</li> <li>• light pollution;</li> <li>• contamination;</li> <li>• water quality and</li> </ul>

		<ul style="list-style-type: none"> <li>• visual impact.</li> </ul> <p>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.</p> <p>Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.</p> <p>Development proposals should demonstrate that safe access can be provided and adequate parking facilities are available.</p>
DM 16	PROVISION OF RECREATIONAL OPEN SPACES FOR RESIDENTIAL DEVELOPMENTS	<p>All new residential development will be expected to make adequate provision for open space to the following standards:</p> <p>Schemes of up to 19 units will ensure that their schemes contain sufficient space to ensure a high standard of layout and amenity to the residents of the proposed development and to ensure that the scheme integrates into the wider landscape setting. On windfall sites the requirement to provide open space will apply where the Council considers that the proposed development forms part of a larger site which, if developed, would result in a requirement for a proportion of (or contribution to) open space.</p> <p>Schemes of 20 units or greater will provide 2.4 hectares of open space per 1000 population comprising approximately:</p> <ul style="list-style-type: none"> <li>• 70% for either amenity, outdoor sport, and allotments (see below) and</li> <li>• 30% for suitably equipped children's play space</li> <li>• developments of 20 – 99 dwellings will be expected to meet the requirement for suitably equipped children's play space only;</li> <li>• developments of 100 dwellings and above will be expected to meet the whole requirement.</li> <li>• on sites allocated for residential development through the Local Plan process, and where development of the whole site results in a requirement for a proportion of (or contribution to) open space, the requirement to provide open space will apply to the whole of a single allocated site, even if it is developed incrementally (through sub-division etc).</li> </ul>

		<p>All proposals involving the provision of publicly accessible areas of open space must include robust arrangements for the management and future maintenance of that open space. The Council may take on and adopt areas of public open space within developments, subject to bringing the scheme up to an appropriate standard and the payment of an appropriate fee.</p> <p>The Council will adopt a flexible approach to the types of open space required within a particular scheme only where it can be demonstrated :</p> <ul style="list-style-type: none"> <li>i) that there is excess provision available in the locality, or</li> <li>ii) where opportunities exist to enhance existing local schemes, or</li> <li>iii) the townscape or other context of the development is such that the provision of open space is not desirable.</li> </ul> <p>The Council will provide full details on the provision and maintenance of open space within Supplementary Planning Guidance.</p> <p><b>Allotments</b></p> <p>The Council will seek to resist the loss of allotments in areas where there is a current or predicted demand for such facilities, unless the loss were to be offset by alternative provision of an equal or higher quality in the vicinity. The provision of new allotments may be sought in locations for large-scale residential development (such as the strategic allocations) where there is an identified need. This will be balanced against the need for other types of recreational space and facilities and the financial viability of any development.</p>
DM 17	PARKING PROVISION IN NEW DEVELOPMENT	<p><b>Residential dwellings</b></p> <p>New dwellings (including flats and maisonettes) will be required to include car parking to the following minimum standards:</p> <ul style="list-style-type: none"> <li>a. one bedroomed unit – 1 space per dwelling;</li> <li>b. two or three bedroomed unit – 2 spaces per dwelling;</li> <li>c. four or more bedroomed unit – 3 spaces per dwelling.</li> </ul>

		<p>This provision may include under-croft parking and car ports providing these have no other use, but garages under 7m x 3m (internal dimensions) will not be counted.</p> <p>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.</p> <p>Each dwelling will also be required to provide a minimum of one secure and covered cycle space per dwelling.</p> <p><b>Other developments</b></p> <p>For developments other than dwellings car parking provision will be negotiated having regard to the current standards published by Norfolk County Council.</p>
DM 18	COASTAL FLOOD RISK HAZARD ZONE (HUNSTANTON TO DERSINGHAM)	<p>This policy applies within the Coastal Flood Risk Hazard Zone as defined on the Policies Map.</p> <p><b>New Developments</b></p> <p>The following developments will not be permitted within Tidal Flood Zone 3 (including climate change) as designated on the Strategic Flood Risk Assessment (SFRA) Maps:</p> <ul style="list-style-type: none"> <li>• new dwellings;</li> <li>• new or additional park homes/caravans.</li> </ul> <p><b>Replacement Dwellings</b></p> <p>Replacement dwellings will only be permitted in Tidal Flood Zone 3 where all of the following seven criteria are satisfied:</p> <ul style="list-style-type: none"> <li>• a Flood Risk Assessment (FRA) must be undertaken for the development;</li> <li>• all habitable accommodation will be provided above ground floor level (habitable accommodation would usually include bedrooms, sitting rooms, dining rooms, kitchens and any other room designed for habitation. Rooms that are not normally used for living in, such as toilets, storerooms, pantries, cellars and garages, are not considered to be habitable);</li> </ul>



		<ul style="list-style-type: none"> <li>• the dwelling will only be occupied between 1st April and 30th September in any one year;</li> <li>• the dwelling will incorporate flood mitigation and resiliency measures in accordance with the Department for Communities and Local Government publication: “Improving the flood performance of new buildings, flood resilient construction” (2007);</li> <li>• the building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/overtopping of the tidal defences;</li> <li>• a flood warning and evacuation plan will be prepared for the property and retained on site;</li> <li>• the level of habitable accommodation provided by the new dwelling would not be materially greater than that provided by the original dwelling. Proposals should not result in an increase in the number of bedrooms over and above the number in the original dwelling.</li> </ul> <p><b>Extensions</b></p> <p>Extensions to existing properties (beyond any Permitted Development Rights that could be exercised) should not materially increase the amount of habitable rooms. Significant extensions or those that raise the amount of habitable rooms in the property could lead to an increase in the number of people at risk and will not be permitted.</p> <p><b>Change of Use</b></p> <p>Any proposed Change of Use will not be permitted if, as a result of the change, the flood risk vulnerability (as defined in the National Planning Practice Guidance) would be increased.</p> <p><b>Seasonal Occupancy</b></p> <p>Seasonal occupancy will be limited to between 1 April and 30 September. Applications to remove, relax or vary (by way of extension) any existing seasonal occupancy condition will be resisted.</p>
DM 19	GREEN INFRASTRUCTURE / HABITATS MONITORING AND MITIGATION	<p>Opportunities will be taken to link to wider networks, working with partners both within and beyond the Borough.</p> <p>The Council supports delivery of the projects detailed in the Green Infrastructure Study including:</p>

		<ul style="list-style-type: none"> <li>• the Fens Waterway Link- Ouse to Nene;</li> <li>• the King's Lynn Wash/Norfolk Coast Path Link;</li> <li>• Gaywood Living Landscape Project;</li> <li>• the former railway route between King's Lynn and Hunstanton; and</li> <li>• Wissey Living Landscape Project.</li> </ul> <p>The Council will identify, and coordinate strategic delivery, with relevant stakeholders, of an appropriate range of proportionate green infrastructure enhancements to support new housing and other development and mitigate any potential adverse effects on designated sites of nature conservation interest as a result of increased recreational disturbance arising from new development. All new development must ensure there is no adverse effect on a European Protected Site through the provision of appropriate measures. These enhancements will be set out in a Green Infrastructure Delivery Plan.</p> <p>Major development will contribute to the delivery of green infrastructure, except:</p> <ul style="list-style-type: none"> <li>• where it can be demonstrated the development will not materially add to the demand or need for green infrastructure.</li> </ul> <p>Where such a contribution would make the development unviable, the development will not be permitted unless:</p> <ul style="list-style-type: none"> <li>• it helps deliver the Core Strategy; and</li> <li>• the relevant contribution to that Strategy could not be achieved by alternative development, including in alternative locations or in the same location at a later time; or</li> <li>• unless the wider benefits of the proposed development would offset the need to deliver green infrastructure enhancements.</li> </ul> <p>More detailed local solutions based on the Green Infrastructure Strategy will be developed for Downham Market and Hunstanton, particularly in relation to the main growth areas and King's Lynn and surrounding settlements.</p> <p>In relation to Habitats Regulations Assessment</p>
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		<p>monitoring and mitigation the Council has endorsed a Monitoring and Mitigation Strategy including:</p> <ul style="list-style-type: none"> <li>• project level HRA to establish affected areas (SPA, SAC, RAMSAR) and a suite of measures including all / some of:</li> <li>• provision of an agreed package of habitat protection measures, to monitor recreational pressure resulting from the new allocations and, if necessary, mitigate adverse impacts before they reach a significant threshold, in order to avoid an adverse effect on the European sites identified in the HRA. This package of measures will require specialist design and assessment, but is anticipated to include provision of: <ul style="list-style-type: none"> <li>i. A monitoring programme, which will incorporate new and recommended further actions from the Norfolk visitor pressure study (anticipated to be completed in Spring 2016) as well as undertaking any other monitoring not covered by the County-wide study.</li> <li>ii. Enhanced informal recreational provision on (or in close proximity to) the allocated site [Sustainable Accessible Natural Greenspace], to limit the likelihood of additional recreational pressure (particularly in relation to exercising dogs) on nearby relevant nature conservation sites. This provision will be likely to consist of an integrated combination of: <ol style="list-style-type: none"> <li>1. informal open space (over and above the Council's normal standards for play space);</li> <li>2. landscaping, including landscape planting and maintenance;</li> <li>3. a network of attractive pedestrian routes, and car access to these, which provide a variety of terrain, routes and links to the wider public footpath network.</li> </ol> <ul style="list-style-type: none"> <li>iii. contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space;</li> <li>iv. a programme of publicity to raise awareness of relevant environmental sensitivities and of alternative recreational opportunities.</li> </ul> </li> </ul> </li> </ul>
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		<p>Notwithstanding the above suite of measures the Borough Council will levy an interim Habitat Mitigation Payment of £50 per house to cover monitoring/small scale mitigation at the European sites. The amount payable will be reviewed following the results of the 'Visitor Surveys at European Sites across Norfolk during 2015 and 2016'.</p> <ul style="list-style-type: none"> <li>• the Borough Council anticipates utilising CIL receipts (should a CIL charge be ultimately adopted) for contributing to green infrastructure provision across the plan area.</li> <li>• forming a HRA Monitoring and Mitigation and GI Coordination Panel to oversee monitoring, provision of new green infrastructure through a Green Infrastructure Delivery Plan and the distribution of levy funding.</li> </ul>
DM 20	RENEWABLE ENERGY	<p>Proposals for renewable energy (other than proposals for wind energy development) and associated infrastructure, including the landward infrastructure for offshore renewable schemes, will be assessed to determine whether or not the benefits they bring in terms of the energy generated are outweighed by the impacts, either individually or cumulatively, upon:</p> <ul style="list-style-type: none"> <li>• sites of international, national or local nature or landscape conservation importance, whether directly or indirectly, such as the Norfolk Coast Area of Outstanding Natural Beauty (AONB), Sites of Special Scientific Interest (SSSIs) and Ramsar Sites;</li> <li>• the surrounding landscape and townscape;</li> <li>• designated and un-designated heritage assets, including the setting of assets;</li> <li>• ecological interests (species and habitats);</li> <li>• amenity (in terms of noise, overbearing relationship, air quality and light pollution);</li> <li>• contaminated land;</li> <li>• water courses (in terms of pollution);</li> <li>• public safety (including footpaths, bridleways and other non-vehicular rights of way in addition to vehicular highways as well as local, informal pathway networks); and</li> <li>• tourism and other economic activity.</li> </ul>

		<p>In addition to the consideration of the above factors, the Borough Council will seek to resist proposals where:</p> <ul style="list-style-type: none"> <li>a) there is a significant loss of agricultural land;</li> <li>or</li> <li>b) where land in the best and most versatile grades of agricultural land are proposed to be used.</li> </ul> <p>Development may be permitted where any adverse impacts can be satisfactorily mitigated against and such mitigation can be secured either by planning condition or by legal agreement.</p>
DM 21	SITES IN AREAS OF FLOOD RISK	<p>Where the Borough Council has allocated sites in flood risk Zones 2 and 3 or flood defence breach Hazard Zones identified by the Council's Strategic Flood Risk Assessment or more recent Environment Agency mapping:</p> <ol style="list-style-type: none"> <li>1. these will be subject to (and no relevant planning permission will be granted before): <ul style="list-style-type: none"> <li>• a site specific flood risk assessment satisfactorily demonstrating the development will be safe for its lifetime, taking climate change into account, and with regard to the vulnerability of its users, without increasing flood risk elsewhere and, where possible, reducing flood risk overall; and</li> <li>• satisfactory demonstration that any design or development features necessary to address flood risk issues are compatible with heritage assets in the vicinity (including conservation areas and listed buildings), local visual amenity and (where relevant) the landscape and scenic beauty of the Norfolk Coast Area of Outstanding Natural Beauty.</li> </ul> </li> <li>2. the sequential test set out in the National Planning Policy Framework (NPPF) policy 101 is deemed to be met by the allocation process, as set out in the Planning Practice Guidance - Flood Risk and Climate Change, so that development is, as far as reasonably possible, located where the risk of flooding (from all sources) is lowest.</li> </ol> <p>2. in relation to the exceptions test set out in the</p>

		<p>NPPF policy 102:</p> <ul style="list-style-type: none"> <li>• the first part (demonstration of wider sustainability benefits) is deemed to be met by the allocation process; and</li> <li>• the second part (site specific flood risk assessment, etc.) is not deemed to be met by the allocation process, and shall remain the responsibility of the prospective developer. No relevant planning permission shall be granted unless and until this second part of the test is met, as set out in section 1 of this policy, above</li> <li>• for further information, reference is made to Appendix 3 and Appendix 4</li> </ul> <p>The Borough Council will take into account advice from the Lead Local Flood Authority and the King's Lynn and West Norfolk Settlements Surface Water Management Plan to ensure that where a serious and exceptional risk of surface water flooding exists adequate and appropriate consideration has been given to mitigating the risk. Mitigation measures should minimise the risk of flooding on the development site and within the surrounding area.</p> <p>4. the design of new dwellings will be in accordance with the Environment Agency/Borough Council Flood Risk Design Guidance (Appendix 5) The Borough Council will take into account advice from the Lead Local Flood Authority and the King's Lynn and West Norfolk Settlements Surface Water Management Plan to ensure that where a serious and exceptional risk of surface water flooding exists adequate and appropriate consideration has been given to mitigating the risk. Mitigation measures should minimise the risk of flooding on the development site and within the surrounding area.</p>
DM 22	PROTECTION OF LOCAL OPEN SPACE	<p>The Council will have careful regard to the value of any area of open space when assessing planning applications for development. In assessing the contribution that an area of open space plays, the Council will consider the following factors:</p> <ul style="list-style-type: none"> <li>• public access;</li> <li>• visual amenity;</li> <li>• local distinctiveness;</li> <li>• landscape character;</li> </ul>

		<ul style="list-style-type: none"> <li>• recreational value;</li> <li>• biodiversity, geodiversity;</li> <li>• cultural value and historic character;</li> <li>• whether the site has been allocated for development in the local plan.</li> </ul> <p>Proposals that will result in the loss or restriction of access to locally important areas of open space will be refused planning permission unless such loss can be offset by the replacement of equivalent or higher standard of provision or the wider benefits of allowing development to proceed outweigh the value of the site as an area of open space.</p> <p>The Borough Council will support local communities in designating local green space for protection in neighbourhood plans where this:</p> <ul style="list-style-type: none"> <li>• meets the criteria for local green space as detailed in the National Planning Policy Framework; and</li> <li>• does not conflict with other policies in the Borough's Local Plan.</li> </ul>
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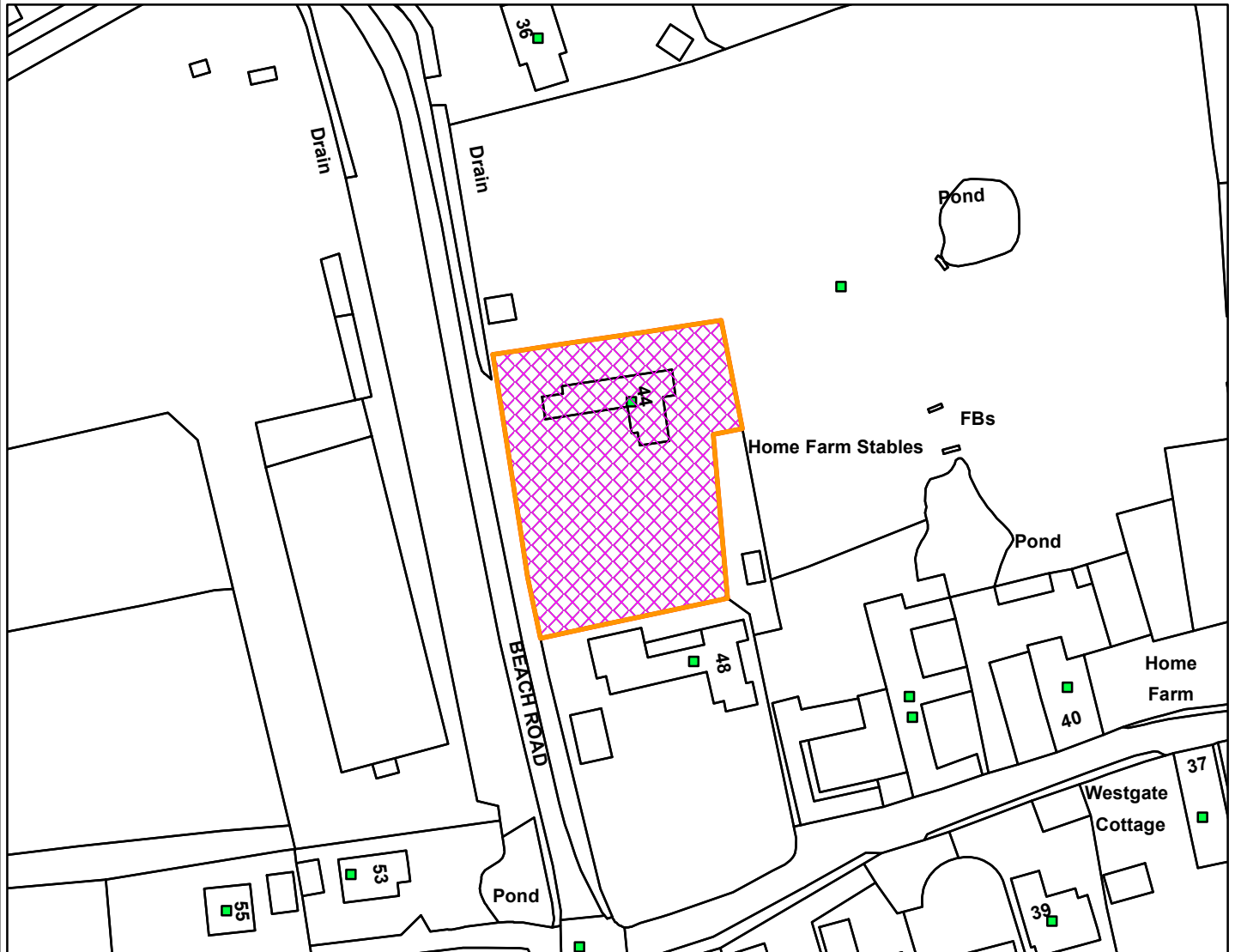
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE  
PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 3<sup>rd</sup> JUNE 2024**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
<b>9/1 DEFERRED ITEMS</b>				
9/1(a)	<b>22/01970/F</b> Brownsea 44 Beach Road Holme next The Sea Norfolk PE36 6LG Replacement dwelling.	<b>HOLME THE SEA</b>	<b>NEXT DEFERRED</b>	<b>34</b>
<b>9/2 OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE</b>				
9/2(a)	<b>23/01073/F</b> The Cottage Docking Road Burnham Market Norfolk PE31 8JU Demolition of existing dwelling and construction of replacement dwelling.	<b>BURNHAM MARKET</b>	<b>APPROVE</b>	<b>60</b>
9/2(b)	<b>23/02195/F</b> Land At Freebridge Farm Clenchwarton Road Freebridge Services West Lynn King's Lynn Norfolk PE34 3LP VARIATION OF CONDITIONS 2, 4, 16 AND 17 OF PLANNING PERMISSION 22/01332/F: VARIATION OF CONDITION 2 OF PLANNING PERMISSION 20/01685/FM: Highways depot comprising maintenance building, salt barn and ancillary offices plus parking and landscaping.	<b>KING'S LYNN</b>	<b>APPROVE</b>	<b>79</b>
9/2(c)	<b>24/00241/RM</b> Land Rear of 22 Grimston Road Grimston Road South Wootton Norfolk PE30 3HX RESERVED MATTERS APPLICATION FOR: All matters including, access, scale, appearance, landscaping and layout. Not an environmental impact assessment application: Proposed dwelling and associated garage/parking.	<b>SOUTH WOOTTON</b>	<b>APPROVE</b>	<b>98</b>
9/2(d)	<b>24/00148/F</b> Land and buildings N of Clear View, Long Road, Terrington St Clement PE34 4JL Proposed tractor store and concrete pad to replace existing buildings, new access, hardcore area and earth bund and screen planting.	<b>TERRINGTON ST CLEMENT</b>	<b>APPROVE</b>	<b>110</b>





Brownsea 44 Beach Road Holme next The Sea Norfolk PE36 6LG



**Legend**

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**Scale:** 1:1,250

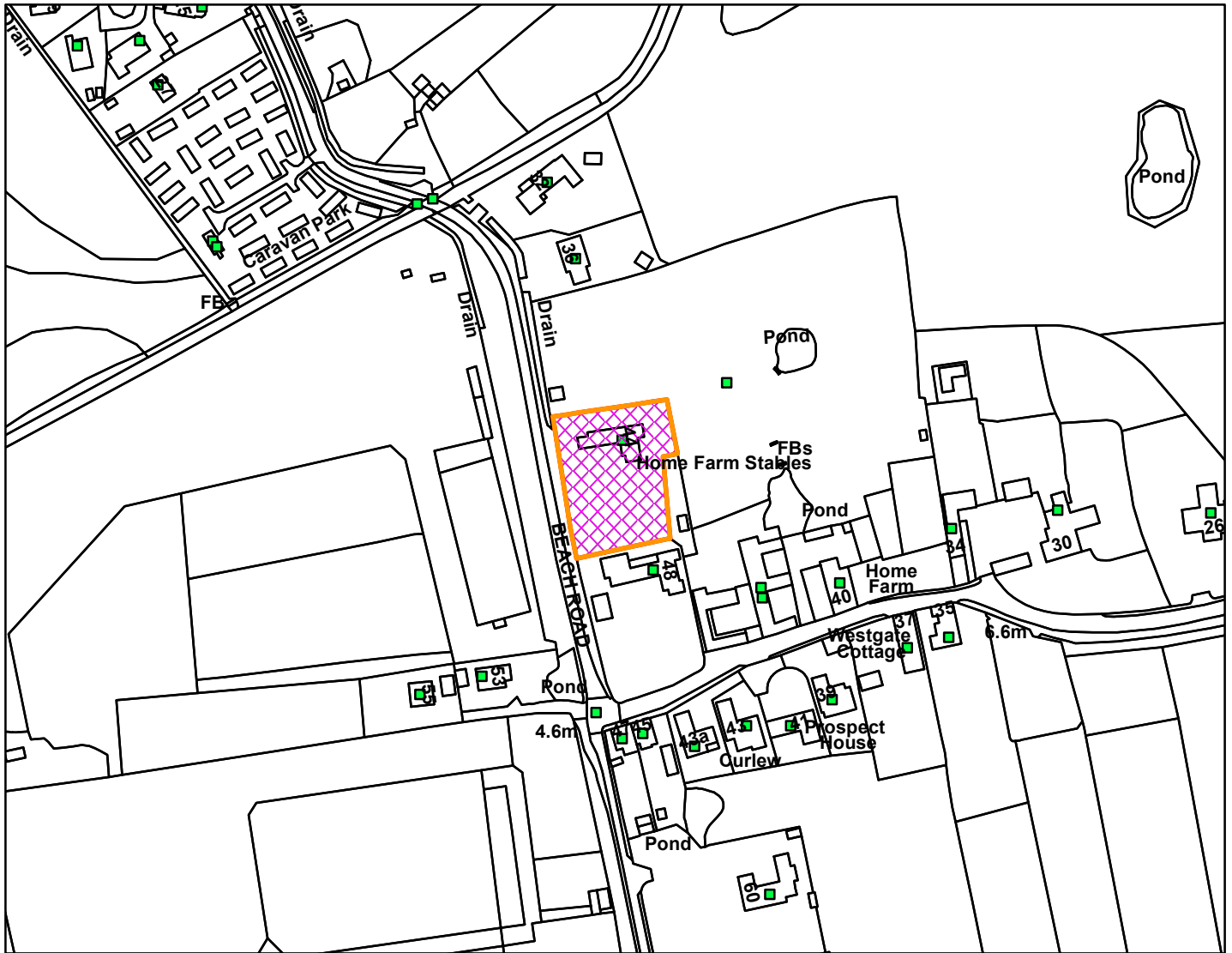
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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	16/05/2024
MSA Number	0100024314



Brownsea 44 Beach Road Holme next The Sea Norfolk PE36 6LG



**Legend**

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**Scale:** 1:2,500

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	16/05/2024
MSA Number	0100024314

<b>Parish:</b>	<b>Holme next the Sea</b>	
<b>Proposal:</b>	<b>Replacement dwelling</b>	
<b>Location:</b>	<b>Brownsea 44 Beach Road Holme next The Sea Norfolk PE36 6LG</b>	
<b>Applicant:</b>	<b>N Williamson</b>	
<b>Case No:</b>	<b>22/01970/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 28 February 2023 Extension of Time Expiry Date: 8 December 2023</b>

**Reason for Referral to Planning Committee** – Referred by Sifting Panel & Deferred at Planning Committee on 7<sup>th</sup> May.

**Neighbourhood Plan:** Yes

### Members Update

This application was deferred at Planning Committee on 7th May following receipt of late representations from the Parish Council, in order to allow Officers, in collaboration with the Conservation Team. to fully assess the points raised.

The late representation provided was a draft heritage assessment which outlines in greater detail the history of Brownsea and the associated dwellings by Stockdale Harrison and Sons. The additional information has been assessed within the main text of this report.

Updates are in bold.

### Case Summary

The application seeks full planning permission for the construction of a replacement dwelling at Brownsea, 44 Beach Road, Holme next the Sea.

The application site is within the Conservation Area and is within Flood Zones 2 & 3 of the Borough Council's SFRA (2018). The site is also within the Norfolk Coast National Landscape.

### Key Issues

- Principle of development
- Design, Heritage Impacts and Impacts on the Conservation Area
- Impact on the National Landscape
- Trees and Loss of Hedgerows
- Impact on Neighbours
- Flood risk
- Other material considerations

## **Recommendation**

**APPROVE**

### **THE APPLICATION**

The applications seeks full planning permission for the construction of a replacement dwelling at Brownsea, 44 Beach Road, Holme next the Sea.

The application site is within the Conservation Area, Norfolk Coast National Landscape and is within Flood Zones 2 & 3 of the Borough Council's SFRA (2018).

The application has been amended during the course of this application to redesign the dwelling following concerns raised by the Parish Council and the Conservation Team. The proposed dwelling is positioned in a similar position to the existing, set back further from existing hedgerows and trees along the site boundaries. The dwelling is proposed to be positioned approximately 10m from the north boundary (2m greater than existing), 10.5m from the east boundary (approx. equal to existing), 16m from the front (west) boundary (5m more than the existing) and 24.5m from the south boundary (6m less than existing).

The proposed dwelling comprises a two-storey element to the north, with single storey projection to the south creating a courtyard area in the centre of the dwelling and garden area to the south. Catslide dormers are proposed in part of the roof slope.

The car port is a detached open fronted single storey outbuilding proposed between the dwelling and the road, set back approximately 7m behind the highway verge and what is left of previous hedgerow boundary features.

The dwelling includes a varied ridge line which breaks up the bulk of the development and includes a mix of materials which are typical to Holme next the Sea - Cobbled flint infill panels, clay pantiles, natural timber cladding.

The existing dwelling is positioned with side elevation facing the street, and the bulk of the development (the tallest part) in the northeast corner of the site. The ridge of the tallest part of the existing dwelling measures approx. 7.7m from ground level, with eaves at 5.8m. The ridge of the proposal is taller, at approx. 8.2m from ground level, however eaves are lower at 5.2m.

The remainder of the proposed dwelling is set down in height compared to the main section, with the other two storey element at a total height of 7.7m, and the single storey element at 5m.

The application site has previously been granted consent for the removal of trees in a Conservation Area under separate legislation. This has left the front boundary of the site adjoining Beach Road as more open than in recent history, however the site as a whole remains spacious and verdant and contributes to the setting of Holme next the Sea as a Smaller Village and Hamlet.

### **SUPPORTING CASE**

None received at time of writing.

Planning committee  
3 June 2024

## RELEVANT PLANNING HISTORY

22/00202/TREECA: Tree Application - No objection: 24/11/22 - T1 - eucalyptus. Fell. T2 - poplar. Fell T3 - apple. Fell R1 - mixed hedge (prunus, hawthorn, dead elm - Remove - Brownsea

19/00119/TREECA: Tree Application - No objection: 29/08/19 - Trees in a Conservation Area: T1, T2 Willow - Remove. TG1 Mixed spp - Reduce height of group to 2.5m and trim on an annual cycle to maintain at broadly reduced dimensions. TG3 4 x Lime - Clay shrinkage subsidence damage at Farm Corner, PE36 6LG - Brownsea

## CONSULTATION RESPONSES:

**Parish Council: OBJECTION**, the comments summarised as follows:

Comments sent to BCKWLN on 2nd May:

- This is one of the most contentious planning applications seen in the Parish for many years. It has attracted 20 public comments (all objections) from both parishioners and also from some of our regular holiday visitors.
- Brownsea and its setting make an important contribution to the Conservation Area
- Clearance of the site has caused lasting damage *Note – this clearance was authorised under 22/00202/TREECA.*
- No heritage statement has been provided by the Applicants, at odds with Paragraph 200 of the NPPF.
- Provided full draft heritage assessment and request for local listing, covering the following:
- Request that the Local Planning Authority clarifies the level of harm – substantial or less than substantial.
- Noting lack of heritage assessment provided by the Agent.
- The previous report underestimates the significance of the property.
- The document sets out that the houses are part of the legacy of Charles Bennion – one of Britain's leading Victorian industrialists and innovators who transformed the world shoe-making industry.
- Brownsea is one of a group of four houses recognised for their architectural quality and distinctiveness by such eminent authorities as Sir Patrick Abercrombie and Sir Clough Williams-Ellis. The heritage statement provides a brief outline of the features that are considered to contribute to their success (3.1.7).
- Harrison likely wanted to create a feeling of Spanish Colonial Style within the three smaller houses.
- The dwellings have height architectural value due to their recognition as being of architectural merit by leading authorities and because of their distinctive arts and crafts style with Spanish colonial influence.
- The four dwellings are considered to have group value because of their similarities and history.
- The four dwellings are considered to have aesthetic value because of their similarities and architectural style.
- The four dwellings have communal value as the local community have gone to great lengths to demonstrate their significance .
- The Heritage Statement considers the demolition of Brownsea would lead to substantial harm.

PLEASE NOTE - The draft Heritage Assessment provided by the Parish Council is 42 pages in length, including appendices. For the avoidance of doubt, the document is available on

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Public Access - scanned on 07 May 2024. The Conservation Officer's direct response to the Heritage Assessment is below.

*Comments up to 2nd May, incorporating Late Representations as published:*

- Large public response to this application, all of which are objections focused on demolition impacts, scale/appearance and impacts on the Conservation Area and street scene character
- Loss of the hedgerow and trees along the site frontage to prepare the development has caused lasting damaged to the Conservation Area & National Landscape (previously AONB)
- Beach Road is a key route for tourist visitors to the area
- Since original submission, a local history group has researched the house, the research indicates that four houses of similar design were built by Shirley Harrison architects and as a group make a contribution to the character and heritage of Holme. The loss of the dwelling would therefore be harmful.
- Design is contrary to HNTS12 - Conservation Area impacts. Whilst design has improved however the Parish Council do not consider its scale, height, massing etc reflect the requirements of the policy.
- The proposed dwelling does not sit as well in its plot, has large expanses of glazing and is substantially two storey, taller than the existing dwelling.
- The dwelling should be considered a non-designated heritage asset and should be considered to have 'significant merit', questioning over whether the Conservation Team have visited the site.
- Proposed garage placed to the front of the house will be intrusive
- First floor balcony would overlook Holme Stables which is a neighbouring property and important tourist draw.
- Provision of a large dwelling would dominate the street scene and replacement landscaping would take years to mature
- Application proposes a dwelling which is too large in relation to HNTS 16 and HNTS 17. When including the garage outbuilding in the measurements, the total area is 357sqm which is in excess of 40% greater.
- Application fails the Sequential Test, there is no proven need for the development, development sites elsewhere in the Borough would allow construction of replacement dwellings in lower flood zones
- HNTS 2 seeks to prevent development in the Flood Risk Area in line with the NPPF To pass the exceptions test, development must provide wider sustainability benefits to the community AND be safe for its lifetime. No wider sustainability benefits are described, and a large dwelling would damage the balance of housing stock (HNTS 16/17) and damage the street scene (HNTS 11) and be at odds with HNTS 7.
- The development would also destroy a non-designated heritage asset, and the loss of hedgerows is further at odds with policies protecting the National Landscape.
- No evidence that the Exception Test has been requested or provided **Note: the Exceptions Tests is the Local Planning Authority's responsibility to complete and takes place below**
- The EA state it is the LPA's responsibility to ensure the property is safe for its lifetime and Holme Parish Council consider it is not. The site has no safe access/egress in the event of a flood.
- Application makes no reference to impacts of Surface Water Flooding
- Overall, the proposes are contrary to HNTS1: Principle of Sustainable Development and HNTS7 Natural Capital and Ecosystem Services insofar as they fail to respect the natural capital and ecosystem services generated by the Parish (including its heritage assets)
- The proposal fails to take opportunities to secure a positive impact on habitats or to have due regard to the status of the National Landscape where great weight should be

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given to conserving and enhancing landscape and scenic beauty and where the conservation of wildlife and cultural heritage are important considerations (NPPF 176).

*Note – within their response, Holme Parish Council refer to their earlier response received January 2023. The majority of the comments within that original response were reiterated in their later response and are included in the summary above. The differences between the documents mainly relate to the research into Brownsea as a non-designated heritage asset, and specific design concerns which are no longer relevant due to the amended plans received.*

**Local Highway Authority: NO OBJECTION** subject to standard access/turning area condition.

**Environment Agency: NO OBJECTION** provided detailed comments relating to flood risk impacts, lack of resilience measures being detailed, lack of access/egress in flood event, and need for an evacuation plan.

**Emergency Planner: NO OBJECTION** Thank you for consulting me on the changes on this application. Because the ground floor includes sleeping accommodation I would strongly advise that if not done already the occupiers:

- Should sign up to the Environment Agency flood warning system (0345 988 1188 or [www.gov.uk/flood](http://www.gov.uk/flood) )
- A flood evacuation plan should be prepared (more details at [www.gov.uk/flood](http://www.gov.uk/flood) ):
- This will include actions to take on receipt of the different warning levels.
- Evacuation procedures e.g. isolating services and taking valuables etc.
- Evacuation routes.

**Environmental Quality: NO OBJECTION**, recommended asbestos informative.

**Historic Environment Service: NO OBJECTION**, No known archaeological implications

**Conservation Officer: NO OBJECTION**, comments summarised as follows:

**08.05.2024 – Comments on the Parish Council’s Late Representations:**

‘The time taken to research the building in question is appreciated and adds to our knowledge of the built environment of Holme-next-the-sea. This was acknowledged also in my comments to you of 16th February 2024 following the first submission of information by the Parish Council. I appreciate their passion for their built and natural heritage and the strength of feeling which this application has clearly instigated. My comments to you used one, of a number of methods of assessing significance.

The conservation team regularly use the 4 headings given to us by Historic England in their Conservation Principle’s document which are; Aesthetic Value, Historical Value, Communal Value and Evidential Value.

There are other methods which use less headings; Historic England’s other guidance document entitled “Assessing Significance in Historic Assets” and the Planning Practise Guidance use 3 Headings which are; Archaeological Significance Architectural and Artistic Significance Historic Significance.

The Holme Draft Heritage Assessment (paragraph 1.1.9) seems to state it uses 7 “well recognised” headings to assess significance but only goes on to use 5. This isn’t an

issue in itself as Historic England does recognise itself that there could be other reasons why a building or structure could be considered significant – they expressly mention setting as a separate category but in the interests of consistency across the assessments of significance of all of the assets across the Borough, the Conservation Team stick to the use of the 4 headings or the three headings mentioned above.

The NPPF does not require us to place a numerical value upon the significance of the building, nor does it require us to give a score. For the impact upon designated heritage assets in paragraph 208, we are required to do a planning balance of which heritage harm is weighed against the public benefits of a proposal. If the harm is substantial harm then the application should be refused (paragraph 207).

In order to assess whether the harm is substantial or less than substantial harm we have to bear in mind Paragraph 018 of the Planning Practise Guidance for Heritage which states that;

‘Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. ‘

Holme Parish Council have, based on a numerical score alone, determined that the impact of the proposal is “Substantial Harm” (paragraph 7.1.4). The paragraph in the PPG indicates that there must be a serious adverse impact upon a key element of the significance of the designated heritage asset (Conservation Area). While it is clear that there is some importance to the buildings as a group and their association with this architect, and our comments of 16th February have acknowledged this, it is not clear that the presence of these buildings represent a key part of what makes the Conservation Area of Holme special. It is a part of its significance but not a key part. This most likely lies in the use of traditional materials, the scale and form of buildings and the position of buildings within the street scene. We have acknowledged the loss of some significance, but we do not believe this loss to cause substantial harm which would result in a total loss of significance to the conservation area.

As the building is not listed but is within a conservation area, the Conservation Team are reliant upon the limited research we are able to undertake on each of the applications, as well as any information provided by the applicant, local community and the agent. It is not marked as an “Important Unlisted Building” either in the conservation area statement or within the more recently produced Holme Neighbourhood Plan, which had the ability to update the list of “Important Unlisted Buildings” or non-designated heritage assets if relevant. We appreciate that buildings of interest can be identified as part of the planning process (PPG paragraph 040) and there is limited opportunity to record these. The Historic Environment Record for Norfolk is often a good location to send information about these buildings of local interest so they can be recorded to inform other planning applications going forward. The Holme Neighbourhood Plan could also be updated to include an updated list of non-designated heritage assets within the area covered by the plan. The Borough Council of Kings Lynn and West Norfolk does not maintain a local list.

If a building is termed a non-designated heritage asset, this does not mean that its loss is automatically prevented. Paragraph 209 of the NPPF requires that “a balanced judgement” be made in the determination of the application.

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It is not disputed that Brownsea is an interesting building but, as discussed in my comments to you of 19th February, it is considered that the form and scale, as well as the way it integrates into the street scene (aesthetic values) makes a greater contribution to the character and significance of the area than the architect who created them (evidential and historical).

The proposed scheme echoes the form of the existing building and uses vernacular materials found elsewhere within the conservation area. With an appropriate landscaping scheme, the verdant nature of the street scene and the high hedges hiding the buildings, which is important to its character according to the conservation area appraisal (page 10) would be restored. While the information provided by the parish council adds to our understanding of the conservation area, it does not change the view of the conservation team in this instance.'

**16.04.2024** 'Following our further comments to you in February, we note that no changes to the scheme have been submitted by the agent. However, in line with our comments submitted, we do not object to the proposal as it stands.

Please consider conditions relating to the following;

- Joinery details
- Details of all external materials including a sample panel
- Landscaping scheme – hard and soft
- Rainwater goods
- Extractor vents and flues'

**19.02.2024** The Conservation Officer provided detailed responses to the claims of the Parish Council with regard to the dwelling being a non-designated heritage asset. The comments are summarised as follows, and discussed in depth within the report below:

- Brownsea is of some local interest (communal value), a local history society has recently taken some interest in the buildings and a group.
- Brownsea is the work of Shirley Harrison of Stockdale Harrison & Sons who are responsible for Listed Buildings in Leicester and beyond. This is evidential value.
- Four dwellings are linked by Holme Parish Council – Brownsea, Little Holme, Seagate and Farm Corner (No.48 Beach Road, an adjoining neighbour). Only No.48 is included as an 'important unlisted building' within the Conservation Area Character Statement. As a group of 4 they share little which would mark them out as being by the same architect.
- Some of the existing dwelling's features are typical of the practice's work however it is not necessarily representative of their typical domestic architecture at the time
- The building can be considered a non-designated heritage asset, has aesthetic value and fits well into the landscape, it has historic value in that it is an example of neo-classicism architectural style.
- The building is deteriorating and suffering from damp and vegetation ingress. Its likely that repairing the building as it stands would lead to significant loss of historic fabric.

**Historic England: NO COMMENT** 'Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.'

**CAAP:** the Conservation Area Action Panel originally objected to the submitted scheme, which has since been redesigned. To date, no further comments on the revised scheme have been submitted.

**Arboricultural Officer:** Recommended submission of Arboricultural Impact Assessment, with the following comments (summarised):

- The application site was not supported by arboricultural information to allow full assessment of the impact on trees.
- IT is apparent that almost all the vegetation along the front of the site has been removed leaving the whole site very open and making it very different from the rest of Beach Road.
- the arrangement of the North elevation may lead to increase in pressure from the increase of glazing along this elevation.
- A tree preservation order will help protect the trees. A more modest property moved away from the northern boundary by a few metres would reduce further any potential future conflict with these trees.
- If consent is granted, conditions should ensure that suitable level of arboricultural information comes forwards – an arboricultural report, tree protection details, site supervision, hard and soft landscaping details & implementation.
- Recommended pre-commencement condition relating to planting of a hedge along the front boundary.

## **REPRESENTATIONS:**

**TWENTY-ONE** Letters of **OBJECTION** (**FIVE** received following re-consultation on amended plans), comments summarised as follows:

- Inappropriate development and poor design
- Original scheme relocated to more prominent area and infills green space between dwellings
- Loss of trees and impact on biodiversity and street scene character
- Design does not reflect surrounding
- Impact on Dark Skies
- Loss of unique character of existing dwelling
- Overlooking of adjoining properties
- Dwelling is out of character with the local character
- Dwelling is excessively large
- Concern over construction vehicle parking
- Existing house is architecturally significant & well suited to the area
- Run-off from hard surfacing to Beach Road
- **Comments surrounding Brownsea being a Non-designated Heritage Asset**
- **Comments on visibility of site from Beach Road**
- **Request for Council to serve a s.215 notice on the house and grounds**

## **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

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

**DM15** – Environment, Design and Amenity

## **NEIGHBOURHOOD PLAN POLICIES**

**HNTS 1:** Principle of Sustainable Development

**Policy HNTS7:** Natural Capital and Ecosystem Services

**Policy HNTS11:** Street Scene, Character and Residential Environment

**Policy HNTS12:** Conservation Area

**Policy HNTS13:** Heritage Assets

**Policy HNTS16:** Replacement Dwellings

**Policy HNTS17:** Extensions, Annexes and Outbuildings

**Policy HNTS20:** AONB Landscape Quality

**Policy HNTS22:** Biodiversity

**Policy HNTS25:** Traffic and Car Parking

## **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, Heritage Impacts and Impacts on the Conservation Area  
Impact on the National Landscape  
Trees and Loss of Hedgerows  
Impact on Neighbours  
Flood risk  
Other material considerations

## **Principle of Development:**

The application seeks consent for the construction of a replacement dwelling in Holme Next The Sea. The principle of replacement dwellings is acceptable in accordance with Policy DM5 of the SADMPP (2016) and Policy HNTS 16 of the Neighbourhood Plan, subject to a suitable design coming forward.

### *Holme Neighbourhood Plan*

A key concern of the Parish Council relates, in part, to the floor space requirements and policy HNTS 16.

Policy HNTS 16 specifies that replacement dwellings should not increase Gross Internal Floor Space by more than 40%. Measurements have taken place based on the definition of Gross Internal Floor Area provided within the Glossary of the Neighbourhood Plan.

The definition included in the Neighbourhood Plan document (IPMS 3) specifies that areas of upper floor stairwells, upper-level voids of an atrium, ground floor patios/decks, external car parking or other ground floor areas not fully enclosed are excluded from the definitions. External open sided balconies are included within the measurements.

The existing floor space of the property totals 222.5m<sup>2</sup> (176.5m<sup>2</sup> ground floor and 46m<sup>2</sup> first floor). 40% more than this is 311.5m<sup>2</sup>.

The proposed dwelling, excluding covered areas to ground floor, first floor stairwell and the car port (discussed below) totals 312m<sup>2</sup> (201m<sup>2</sup> ground floor and 111m<sup>2</sup> first floor). This is only marginally above the 40% allowance (40.22%). The very minor increase in floor space above the required level would not form a reason for refusal for this application. The proposal is considered to comply with the overarching aims of the policy in regard to preventing substantial increases in the size of dwellings.

Policy HNTS 16 of the Neighbourhood Plan states that when calculating the GIFA of the original dwelling, outbuildings should be excluded. The existing garage on site is attached to the main dwelling and therefore has been included in the 'existing dwelling' calculations above. The policy does not however specifically address the situation of calculating the GIFA for the proposed dwelling where this includes outbuildings. It's reasonable to consider that proposed outbuildings are also excluded from the GIFA so as to ensure a like for like comparison. This approach was confirmed by the Inspector under application ref 21/00457/F (an application elsewhere in Holme).

Notwithstanding this, the car port (which has a GIA of 47m<sup>2</sup>) proposed is not-fully enclosed, parking areas that are not fully enclosed are specifically excluded from the RICS IPMS standards and therefore would not contribute to the overall floor space measurements discussed throughout this report. If the car port were to be included within the figure, the floor area would total 357sqm which aligns with the Holme Parish Council's calculations however, it is your officer's opinion that table 6 of the IPMS excludes the car port from the definition and therefore, the floor space meets the requirements of Policy HNTS16.

Conditions can be used to ensure that the proposed carport is not enclosed by doors or other means and therefore is retained for parking whilst not contributing towards the GIFA. This is consistent with the Eastgate Barn application which was determined by Members at the Planning Committee Meeting in July 2023 (22/01884/F).

To summarise, it is your Officer opinion that the GIFA of the proposed development complies with HNTS16 when the Neighbourhood Plan definition is taken into account as written. The

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dispute appears to stem from the inclusion of the car port within the proposed GIFA, which as per Table 6 of the IPMS standards should be excluded from the measurements as an 'External car parking and other ground floor areas that are not fully enclosed'

The principle of development therefore complies with the Development Plan, subject to consideration of design, heritage and other implications discussed in depth below.

## **Design, Heritage Impacts and Impacts on the Conservation Area**

### *Policy Context*

Policy HNTS 16 specifies that replacement dwellings must conserve and enhance landscape and scenic beauty and be appropriate to their location in the National Landscape (previously AONB).

The existing dwelling is of a traditional form and is sympathetic to the rural character of the immediate locality.

Policy HNTS 12 relates to protecting the setting of the Conservation Area and specifies that particular regard should be given to 'The effect of the proposal on the significance of any designated or non-designated heritage assets shown on the NDP Heritage and Conservation Area Maps. The application site is *not shown* as a non-designated heritage asset on this map. Despite this, Holme next the Sea Parish Council refer to the application site as a non-designated heritage asset due to research that was undertaken by the village history group during the course of this application.

The part of Policy HNTS 12 that refers to non-designated heritage assets does not therefore apply to the development; however, the remainder of the policy includes impacts on the Conservation Area as a whole, and the NPPF provides its own provisions for the consideration of non-designated heritage assets and therefore assessment takes place as follows.

### *The Existing Dwelling*

Research into the history and architecture of Brownsea and a collection of 3 other similar dwellings along Beach Road (Farm Corner, Seagate and Little Holme) took place during the course of this application by a local history group. Brownsea is believed to have been the work of Shirley Harrison, the son of Stockdale Harrison, a well-known architect in the Leicester area. The architecture practice is responsible for various Listed Buildings in Leicester and beyond.

The conservation area appraisal document itself does not specifically mention the buildings on Beach Road, only that it is intensely rural in character and mature hedgerows are a key characteristic. Number 48 Beach Road (Farm Corner), south of Brownsea, is the only property of the 4 to be recognised as an 'important unlisted building' despite three of the four dwellings being in the conservation area.

Brownsea, and the other 3 dwellings do have some of the classical features which would be expected from the firm of Stockdale Harrison and Sons however the overall design is not entirely representative of the domestic architecture the firm typically produced. Irrespective of this, the four dwellings as a group share little that would clearly mark them out as being designed by the same architect however are alike in that they are low key and have assimilated well into the landscape. The group of dwellings do make some contribution to the Conservation Area and each dwelling could be considered a non-designated heritage asset.

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### *Classification as a Non-designated Heritage Asset*

The Conservation Team provided detailed advice on how to assess a non-designated heritage asset and its contributions to the Conservation Area.

When considering whether something is a non-designated heritage asset, the Conservation Team use Historic England's values to guide a response. these values are;

**Aesthetic Value** - Brownsea has assimilated well into the landscape and the proportions and materials are clearly of the area. It is a mixture of vernacular and polite architecture which does not quite sit comfortably together as the portico appears rather attached onto the front for show rather than to actually achieve an architectural style.

**Historical and Evidential Value** – Brownsea is a product of the time and show the architectural style of neo classicism attempted in vernacular architecture, the link back to Shirley Harrison is further reference to its Historic Value and also to a degree of Evidential Value.

**Communal Value** – Brownsea is of some local interest and has a communal value in terms of the people who live in the village & have previously occupied the house or the other 3 houses.

Brownsea is therefore a non-designated heritage asset, and this is not disputed. However, rather than the style of the building and the fabric, it is considered that the form and scale, as well as the way it integrates into the street scene (aesthetic values) makes a greater contribution to the character and significance of the area than the architect who created them (evidential and historical). As per paragraph 209 of the NPPF (2023), In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

### *Current Condition*

The condition of the building itself is deteriorating. The building is suffering from damp and much vegetation ingress. There are large cracks through the building and water is coming in through the roof. Due to the extent of decay, it is highly likely that through the repair process, as well as the thermal upgrading required for living, that much original fabric would be lost in the process.

### *Assessment*

The primary importance of Brownsea to the Holme Conservation Area seems to lie in its contribution to the street scene in terms of its form, scale, massing, and landscape treatment. These factors combine to make Brownsea a recessive building that retreats into the site and used to be hidden behind a mature hedge, retaining the rural feel of the street.

It is clear that the existing building has some local interest being of a good scale and form and being designed by a nationally known architecture practice.

The proposed plans for the replacement dwelling at Brownsea are, as revised, much more in keeping with the architecture of the area and are of a form which in many ways echoes that of the existing. The proposed car port will be set back behind replacement planting and is in a similar position to an existing larger outbuilding at No. 48 Beach Road.

The proposed scheme echoes the form of the existing building and uses vernacular materials commonly found elsewhere throughout the conservation area. Whilst comments from the Conservation Team relating to the lack of chimneys and breaking up the larger expanses of roof slope are noted, the overall design of the dwelling is reflective of the wider character of Holme next the Sea and maintains Brownsea's position and relationship with the street scene.

Conditions can be used to ensure that the landscaping scheme and other details come forward to further establish the dwelling within its plot without detriment to the character of the street scene. Mature planting along the west boundary can be specifically controlled via condition to replace what has previously been removed.

**Prior to Planning Committee on the 7th May, the Parish Council have provided a draft heritage statement which has been forward to the Conservation Team for comment and ultimately used to guide this report.**

**The Conservation Team continue to raise no objection to the scheme on balance and subject to detailed conditions including landscaping (discussed below), materials, joinery, flues/extractor vents and rainwater goods.**

As noted above, the proposed development is acceptable in design and its construction, in isolation, would have a neutral impact on the character and appearance of the Conservation Area. **It is the loss of the non-designated heritage asset that will lead to the less than substantial level of harm – due to the loss of the associated historical and evidential values and its aesthetic and communal values and this harm must be balanced and fully assessed as part of this application.**

**Paragraph 213 of the NPPF (2023) states that: 'Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 207 or less than substantial harm under paragraph 208, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole'**

**The Local Planning Authority has identified that the existing building makes a positive contribution to the Holme Next The Sea Conservation Area, and that the loss of Brownsea as a result of this development would amount to less than substantial harm. Therefore, Paragraph 208 applies. This is irrespective of the fact that the dwelling itself is a non-designated heritage asset which would in other instances (i.e. where no harm to designated heritage assets is identified) be assessed against Paragraph 209.**

#### *Planning Balance*

The demolition of the non-designated heritage asset will cause a degree of harm which must be balanced against public benefits in line with the NPPF (2023).

The application must also be considered against fallback positions provided by legislation such as the General Permitted Development Order which would allow substantial alterations to take place to the dwelling without the need for planning consent to be granted, for example rear extensions, additions/alterations to windows etc.

The existing dwelling is deteriorating and suffering from damp, vegetation ingress, water ingress and large cracks and in need of repair. It is likely therefore that, irrespective of

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whether planning permission is granted or not, that significant works would take place which would in their own right have an impact on the appearance of the dwelling and its aesthetic value as a non-designated heritage asset. **Partial demolition could take place without the requirement for planning consent, as could various extensions and alterations to the existing building.**

**The Dorothy Bohm v SSCLG [2017] EWHC 3217 Judgment clarifies that just because something is a ‘positive contributor’, so long as it is not designated in itself, a Local Planning Authority should not automatically conclude that it cannot be demolished/redeveloped until it has assessed it in comparison with the potential enhancements of the proposed development as a whole. This implies that the demolition of a non-designated heritage asset in a Conservation Area should not be automatically treated as harm to a designated heritage asset in isolation, but that the scheme as a whole need to be considered, with the demolition being just one factor in this.**

**The NPPF (2023) provides separate paragraphs for different levels of harm to designated heritage assets (i.e. Substantial Harm vs Less than Substantial Harm) as well as a separate paragraph specifically for harm to non-designated heritage assets.**

**As noted within the Conservation Team’s updated response, the harm to the Conservation Area as a result of this proposal is considered to be less than substantial. This is because, whilst it is clear that there is some importance to the buildings as a group and their association with this architect, it is not clear that the presence of these building represents a key part of what makes the Conservation Area of Holme special. As per paragraph 018 of the NPPG (Planning Practice Guidance, used to supplement the NPPF’s key policies), substantial harm is a high test & an important consideration is whether the adverse impact seriously affects a key element of its special architectural or historic interest.**

**The dwelling is a part of the significance of the Conservation Area but is not a key part of it and the demolition of the dwelling would not lead to total loss of significance to the Conservation Area. The proposal would therefore not be considered to represent substantial harm and Paragraph 208 of the NPPF (2023) therefore applies which requires the less than substantial harm to be weighed against the public benefits of the proposal.**

**The key contributor to the Conservation Area’s significance lies in the use of traditional materials and the scale and form of buildings as well as their position in the street scene. For the reasons discussed above, the form of the proposed building, its use of materials and its form, scale and massing are considered to accord with the overarching character of the Conservation Area. This minimises the identified harm to an extent, however irrespective of the level of harm, the planning balance is required to demonstrate that this harm is outweighed by the public benefits of the proposal.**

**As discussed in more detail below, the proposed dwelling would provide some betterment in regard to flood risk and safety during a flood event.**

**Given the level of flood risk on site and the existing dwelling’s lack of flood resistance and resilience measures, whilst no formal structural survey has been provided, it is clear that the current dwelling does not benefit from raised floor levels and is deteriorating to an extent that a larger flood event could lead to significant impacts on the structural integrity of the dwelling as well as significant impacts of the safety of any occupants.**



The construction of a replacement dwelling would allow suitable flood resistant and resilience measures to be incorporated into the design and conditioned for retention throughout the property's lifetime. This is a benefit to the community which is considered to outweigh the lesser degree of harm identified to occur as a result of the loss of the non-designated heritage asset. **Despite the Parish Council's comments to the contrary, there is no indication that the proposal for a replacement dwelling would increase flood risk elsewhere.**

It is considered, on balance that the principle of demolition of the dwelling and replacement with a flood resistant dwelling of appropriate design is acceptable. For the reasons discussed above, the building's design, scale, height and massing are considered appropriate for the site's position within the settlement and Conservation Area. Subject to conditions, the design therefore complies with the overarching aims of the NPPF (2023) in regards to design and heritage assets, Policies CS08 and CS12 of the Core Strategy (2011), Policies DM5 and DM15 of the SADMPP (2016) and Policies 12, 16, 17, 20, 22 of the Holme Next The Sea Neighbourhood Plan.

### **Impact on the National Landscape**

The application site is within the National Landscape (previously AONB). As a result of the design changes that have taken place during the course of this application, and considering the landscaping and materials details which will be controlled via condition, the proposal is not considered likely to lead to any adverse impacts on the National Landscape.

The street scene is intensely rural in character, with low density dwellings around a verdant street scene. The site will be viewed in association with the residential properties in either direction and the provision of appropriate landscaping, particular along the front street scene boundary will limit any visual impacts.

The application therefore complies with Policies NPPF (2023) in regards to design and heritage assets, Policies CS07, CS08 and CS12 of the Core Strategy (2011), Policies DM5 and DM15 of the SADMPP (2016) and Policies 12, 16, 17, 20, 22 of the Holme Next The Sea Neighbourhood Plan.

### **Trees and Loss of Hedgerows**

Prior to this application being submitted, a mature hedgerow was removed from the front boundary, and various trees removed/cut back. This has left the site significantly more open and visible within the street scene compared to recent history. Consent was granted for this removal under application 22/00202/TREECA.

To date, the Applicant has not provided any detailed landscaping plans to show the reinstatement of this hedgerow either in whole or in part. It is clear however that landscaping will form an important part of integrating the new dwelling into the primarily verdant street scene. Therefore, full landscaping conditions are recommended, specifically that the front (west) boundary of the site should be replanted in accordance with a detailed scheme to be agreed by the LPA. This will soften the replacement dwelling within its context and resolve some of the issues raised by the Parish Council and neighbouring residents.

Considering the position of remaining trees/hedges across the site, no significant impacts are considered likely as a result of the proposed development. Alongside standard landscaping conditions, additional conditions can be used to ensure that no trees or hedgerows on site are removed without agreement from the Local Planning Authority. This will ensure that the final landscaping plans retain the majority of remaining existing trees which will protect what is left of the setting of the plot.

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The Arboricultural Officer provided comments which referred to the pressure on the trees along the north boundary of the site due to the increase in glazing on the north elevation. The windows proposed on the north elevation primarily serve either non-habitable rooms or rooms which benefit from windows in other elevations. On the ground floor, the windows serve a plant room, utility room, a vaulted entryway/landing, a boot room and an ensuite. The entryway is also served by windows on the south elevation. At first floor, the windows serve bedroom 1, an ensuite, bedroom 4 and another ensuite. Bedroom 4 is the only habitable room on the north elevation which is not served by other windows.

Therefore, as a whole, it is considered that the internal layout of the dwelling is appropriately designed to minimise the pressure on the trees whilst continuing to respect the historic plot layout and position of the dwelling within the street scene acknowledged in the section above.

The Arboricultural Officer also recommended that the front boundary hedge is conditioned for replacement as a pre-commencement condition, due to the importance of verdant boundary treatments within the immediate street scene. These comments are noted; however, it is not considered necessary to strictly control the replacement hedgerow separately to the other landscaping conditions which require compliance prior to occupation of the unit. Members should consider the timing of the proposed landscaping conditions and whether this suitably controls the proposed developments landscaping and final appearance from the street scene.

The serving of a Tree Preservation Order on site could better control future impacts on the trees with merit. The Arboricultural Officer is considering the serving of a Tree Preservation Order on site as of the date of writing this report. In the interim, the trees as existing are protected by virtue of being in a Conservation Area, and recommended conditions will further control works without granting of consent by the Local Planning Authority.

The NPPG and PPG set out that Local Planning Authorities should consider the suitability of appropriately worded planning conditions to control adverse impacts. On the basis that planning conditions can suitably control landscaping details and ensure that mature species planting is utilised along the west boundary of the site, the impact on the character of the street scene and Conservation Area as a result of the development would be limited.

Subject to the aforementioned conditions, the impacts on trees are considered acceptable and comply with the NPPF (2023), Policies CS06, CS08 and CS12 of the Core Strategy (2011), Policy DM15 of the SADMPP (2024) and Policies 1, 7, 11, 12, 20 and 22 of the Holme Next the Sea Neighbourhood Plan.

### **Impact on Neighbours**

The Parish Council responded with concerns that the proposed balcony will lead to loss of privacy for Holme Stables. The application site is well distanced from any of the private amenity spaces associated with Holme Stables (in excess of 90m). The balcony provides an outlook towards the large fields to the north of these properties and the existing pond. The amenity impacts associated with Holme Stables are therefore considered acceptable.

The nearest neighbour adjoins the site to the south. The proposed development is well-distance from this neighbour (in excess of 25m between the single storey element of this dwelling and the shared boundary) and any significant impacts in regard to overbearing/overlooking are therefore limited. The increase in floor levels for flood risk purposes (approx. 0.5m

As a result of the limited width and lack of parking provision on the adjacent road, a construction management plan (CMP) condition is recommended to ensure that parking for construction workers can take place safely and without dis-amenity impacts. Subject to a condition controlling the CMP, the impacts on neighbours are considered acceptable and comply with the NPPF (2023), Policies CS08 and DM15 of the Local Plan and Policy

## **Flood Risk**

The application site is in Flood Zones 2 & 3 of the Borough Council's SFRA (2018). As a replacement dwelling, the sequential test is deemed to be passed however the proposal must pass the exceptions test and be considered safe for its lifetime.

The principle of a replacement dwelling complies with the local plan and the proposed plans demonstrate a betterment in regard to flood resistance and resilience measures, including raised floor levels. The application must be considered on the basis that the fall-back position is that of continued use of a dwelling that is stated by the applicants as being structurally compromised and where the existing dwelling has no known flood resilience measures in place.

The Environment Agency do not object to the application however put the onus on the LPA to consider flood risk implications in full. Conditions can be imposed to ensure that additional detail in regard to further flood resilience and resistance measures are provided and implemented prior to first occupation. This provides a safety benefit directly for the occupants of the dwelling.

Site levels vary from approx. 4.3m OD adjacent to the access point to 5m OD to the south. The existing house generally sits at between 4.4mOD and 4.65M OD. Therefore, flood depths on site are around 1.24m in the 0.5% (1 in 200) annual probability flood event including climate change. The flood risk assessment proposes a finished floor level of no less than 4.8mAOD and so whilst the ground floor (in the absence of detailed resistance measures) would be impacted in the event of a flood, the first-floor level (approx. 7.4m AOD) would provide safe refuge above the 0.5% AEP level. A first-floor level of 7.4m AOD is also above the 0.1% (1 in 1000) annual probability event, which has an estimated level of 6.57mAOD.

Given that safe refuge is identified as a fall-back mitigation measure it is important that the building is structurally resilient to withstand the pressures and forces (hydrostatic and hydrodynamic pressures) associated with flood water, as per the requirements of the PPG. Conditions can ensure details come forward once the structural calculations for the building are finalised.

The EA and the Parish Council's comments on access during a flood event are noted. An Emergency Flood Evacuation Plan can be conditioned. Considering there is no uplift in the number of residential units proposed, the provision of an evacuation plan is considered suitable to overcome this issue.

To conclude, this application seeks full planning permission for a replacement dwelling. The principle of residential use is established by the extant dwelling on site and therefore, the provision of a replacement dwelling will not increase the number residential units at risk in a flood event. Furthermore, the existing dwelling has no known flood resilience or resistance measures incorporated into its design. This application therefore provides a degree of betterment, proposing raised floor levels and a first-floor level which allows safe refuge. Conditions can be used to further ensure that the building is constructed to withstand hydrostatic pressure as well as to confirm additional resilience and resistance measures that can be incorporated into the scheme. This provides further betterment when compared to

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the unrestricted extant use. A flood evacuation plan will also be conditioned in line with the Emergency Planner's requirements.

As a whole, the proposal therefore complies with the overarching aims of the NPPF (2023) in regard to flood risk.

### **Other material impacts:**

*Highways* – The application site's existing access will be retained as part of the development. Sufficient parking area is provided on site and has not drawn objection from the Local Highway Authority and the highway safety implications comply with Policies CS11 and DM15 of the Local Plan and Policy HNTS 25 of the Neighbourhood Plan.

### **Specific comments or issues:**

#### **Response to the Parish Council and Third Parties**

The majority of comments from the Parish Council and within Third Party representations have been addressed within the main body of this report. The remaining comments are addressed as follows:

The Parish Council's comments with regards to the Sequential Test are noted, however it is not appropriate to state that other replacement dwellings could be built in completely different settlements and therefore the Sequential Test cannot be passed. Where the sequential test is necessary, the Local Planning Authority's established protocol is that the sequential test takes place on a settlement-wide basis. The NPPF (2023) and PPG detail that the sequential test must be based on 'reasonably available' sites, and, suggesting that a dwelling could be built in Downham Market or Kings Lynn or East Rudham at a lower level of flood risk would be unreasonable. Notwithstanding that, as discussed in the Flood Risk section above, the application is for a replacement dwelling, does not increase the number of residential units at risk in the event of a flood and does not increase the vulnerability of the development in regard to Annex 3 of the NPPF and the sequential test is not required.

Comments on surface water flooding are noted. Conditions are recommended to ensure that foul and surface water drainage details come forward prior to commencement of development. Landscaping conditions can ensure that landscaping to the front of the dwelling remains permeable or has method to guide drainage away from Beach Road.

Neighbour comments refer to dark skies. The proposed dwelling has more glazing than the existing dwelling, some of which is partly shielded from wider views by reason of the courtyard shape. Conditions can be imposed to ensure that external lighting meets the requirements of HNTS 20. As the existing site is residential in nature, it is not considered necessary to further control glazing types to prevent any disturbance to wildlife. The impact on the National Landscape (previously AONB) is acceptable, and the landscape and scenic beauty of the village will be preserved.

As discussed throughout this report, the loss of the trees and hedgerows, a key cause of concern for the interested parties was permitted under the tree in a Conservation Area consent reference 22/00202/TREECA. In the event that this application is approved, Conditions 3, 4, 5, 6 and 19 together ensure that the remaining trees across the site are suitably protected and retained, and that a suitably mature hedgerow is planted along the Beach Road frontage.

### *Section 215*

A neighbour comment requested the LPA to serve a notice under Section 215 of the Town and Country Planning Act. That part of the Town and Country Planning Act 1990 gives Local Planning Authorities the power to require the proper maintenance of land. In the event that the application is refused, Officer's would visit the site and take a view on the condition of the land following usual operational procedures.

### *Local Listing*

Part of the Holme Next the Sea's late representation included a proposal for Brownsea and its associated houses to be put forward for the Local List. The Borough Council does not currently maintain a local list and this therefore is not an available avenue for control of the heritage impacts discussed above. The Parish Council could consider updating their Neighbourhood Plan to make reference to Brownsea and the other houses as Important Unlisted Buildings or could consider recording the research information on the Historic Environment Record for Norfolk.

## **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.

It is considered, on balance that the principle of demolition of the dwelling and replacement with a flood resistant dwelling of appropriate design is acceptable. For the reasons discussed in detail above, the building's design, scale, height and massing are considered appropriate for the site's position within the settlement and within the Conservation Area. The flood resilience and resistance measures included within the design and controlled via condition are considered to outweigh the lesser degree of harm associated with the demolition of a non-designated heritage asset of local interest.

Conditions can control, drainage, flood resilience measures, landscaping details, impacts on existing trees and material details and ensure that the policies of the neighbourhood plan are complied with in regard to dark skies.

Subject to conditions, the design complies with the overarching aims of the NPPF (2023) in regard to design and heritage assets, Policies CS08 and CS12 of the Core Strategy (2011), Policies DM5 and DM15 of the SADMPP (2016) and Policies 12, 16, 17, 20, 22 of the Holme Next The Sea Neighbourhood Plan.

## **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:

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- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No work or other operations development shall take place on site until a scheme for the protection of the retained hedges and trees in the form of a site specific Arboricultural Method Statement (AMS), and accompanying hedge and Tree Protection Plan has been approved 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 areas (section 4.6 of BS5837:2012) of every retained hedge and tree on site and on neighbouring or nearby ground, superimposed on the layout plan. The positions of all hedges and 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 Hedge and 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. 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 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.
  - d, the AMS 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 approved Hedge and Tree protection must be erected prior the commencement of development on site and remain in place for the duration of works. All tree protection works shall be carried out in complete accordance with the approved details.

- 3 Reason: For the avoidance of doubt and to ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and the overarching aims of the Neighbourhood Plan.
- 4 Condition: Any trees or hedges within the site 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, shrubs or hedges removed 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.
- 4 Reason: For the avoidance of doubt and to ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the

NPPF, Policies CS08 and DM15 of the Local Plan and the overarching aims of the Neighbourhood Plan.

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

The landscaping plan shall include the provision of a mature, native species rich hedgerow along the front (west) boundary of the site. The hedge shall comprise a staggered row of whips no less than 60cm in height.

The specific details shall include:

- i. Hard landscape works, to include but not be limited to, finished levels or contours, hard surface materials, refuse or other storage units, boundary types, and any paved surfaces (including manufacturer, type, colour and size) underground modular systems, and sustainable urban drainage integration where appropriate.
- ii. Soft landscape works, to include planting plans (which show the relationship to all underground services 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 tree planting pits/trenches including, but not limited to, locations, soil volumes in cubic metres, structural soils, root barriers cross sections and dimensions. The details shall include a establishment plan to 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.
- 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, Policies CS08 and DM15 of the Local Plan and the overarching aims of the Neighbourhood Plan.
- 6 Condition: No work or other operations development 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 3 above have been 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.
- 6 Reason: For the avoidance of doubt and to ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and the overarching aims of the Neighbourhood Plan.
- 7 Condition: No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:
- (a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used;
  - (b) the location of any temporary buildings and compound areas;
  - (c) the location of parking areas for construction and other vehicles;
  - (d) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway; and,
  - (e) a scheme for the management and signage of all construction traffic.

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The development shall be carried out in accordance with the approved construction management statement throughout the construction period.

- 7 Reason: For the avoidance of doubt and in the interests of the amenities of the locality in accordance with the NPPF (2021) and Policy DM15 of the SADMPP (2016) and HNTS 22 of the Holme next the Sea Neighbourhood Plan.
- 8 Condition: Prior to the first use of the development hereby permitted the proposed on-site car parking/turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the NPPF (2023) and Policy DM15 of the SADMPP (2016) and HNTS 25 of the Neighbourhood Plan.
- 9 Condition: 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.
- 9 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.  
This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 10 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.
- 10 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 11 Condition: No development shall commence on any external surface of the development until a sample panel of the stonework and facing bricks 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.
- 11 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 12 Condition: No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 12 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.

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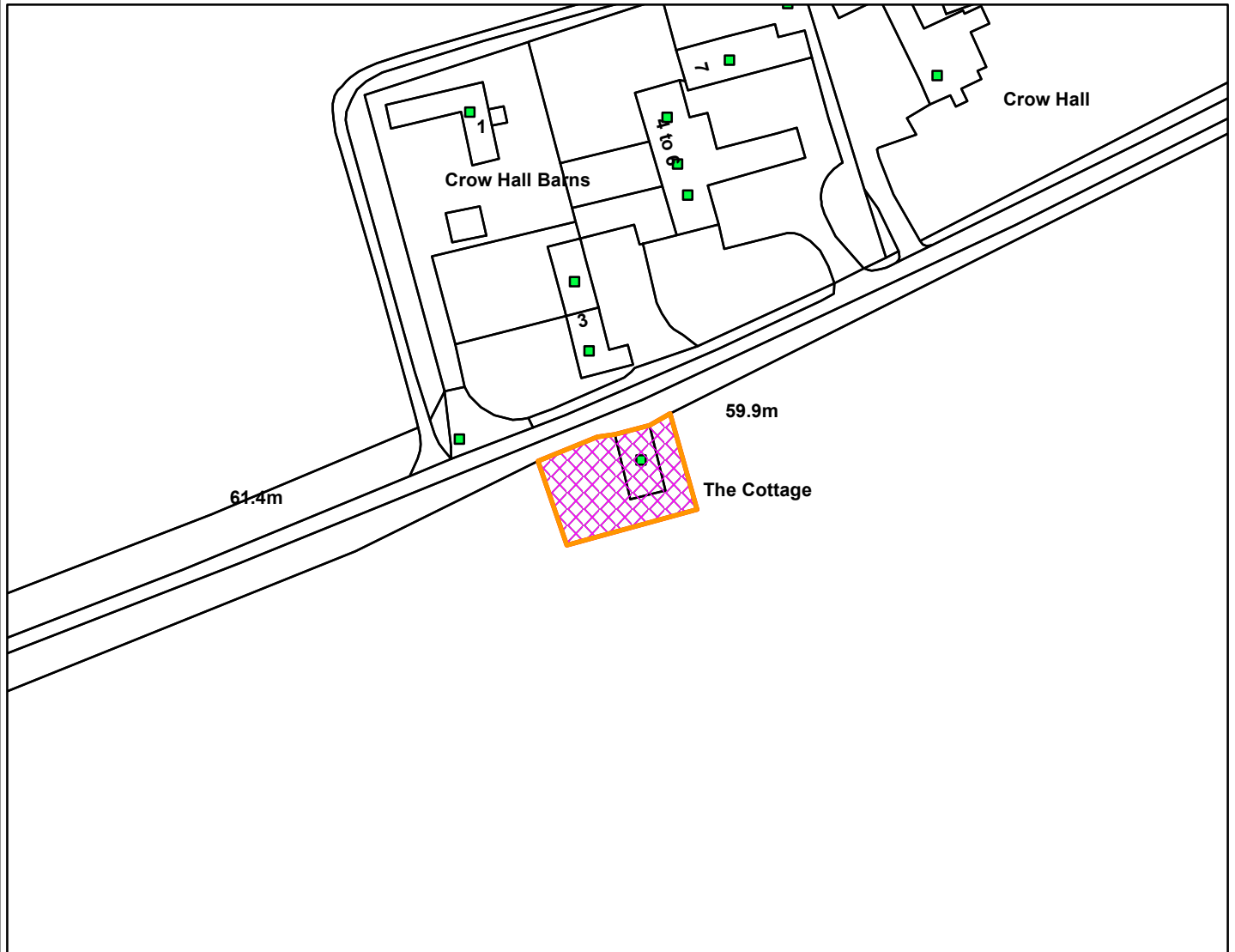
- 13 Condition: Full details of all new gutters and down pipes and any vents, flues, soil pipes or meter boxes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on site. The development shall be implemented in accordance with the approved details prior to the first occupation of the dwelling.
- 13 Reason: To ensure that such details appropriate and will not cause detrimental impacts to the Conservation Area in accordance with the principles of the NPPF.
- 14 Condition: All external lighting associated with the proposed development shall be installed and maintained in accordance with the following requirements:
- (i) Fully shielded (enclosed in full cut-off flat glass fitments)
  - (ii) Directed downwards (mounted horizontally to the ground and not tilted upwards)
  - (iii) On a motion timer or similar (i.e. no dusk to dawn lamps)
  - (iv) LED luminaries to be used wherever possible.
- 14 Reason: In order to safeguard the ecological interests of the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy 2011 and Section 15 of the NPPF.
- 15 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, or the erection or construction of a porch outside any external door of a dwelling house, shall not be allowed without the granting of specific planning permission.
- 15 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 16 Condition: Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order (2015) as amended, no doors/gates/other means of enclosure shall be installed/erected to enclose the car port proposed on dwg No. 22033 03 Revision G.
- 16 Reason: For the avoidance of doubt and in accordance with Policy HNTS 16 of the Holme Next the Sea Neighbourhood Plan.
- 17 Condition: The development hereby permitted shall be carried out in full accordance with the recommendations of the Flood Risk Assessment written by Ellingham Consulting and submitted as part of this application. In particular, the document states:
- The ground floor of the dwelling will be set at +4.8m AOD.
  - The occupiers of the dwelling should register to receive flood warnings and an Emergency Evacuation Plan should be created
  - At least 0.5m of flood resilient construction shall be incorporated above finished floor level.
- 17 Reason: In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 18 Condition: Notwithstanding the information submitted as part of this application, no development shall commence on site until a full scheme/engineers report for the

replacement dwelling and associated structures to withstand the hydrostatic and hydrodynamic pressures associated with flood water in the event of a severe flood event has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme should include details of flood resilience and resistance measures which will be incorporated into the design and shall be fully implemented in accordance with the details agreed prior to the first occupation/use of the dwelling hereby permitted and retained as such in perpetuity thereafter.

- 18 Reason: The application site lies in an area which is at significant risk of flooding, the submission of a full structural scheme is required to ensure that the development can be made safe for its lifetime in line with the NPPF (2023) and the Borough Council's Flood Risk Design Guidance and Policy CS08 of the Core Strategy (2011).
- 19 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 first occupation or use of any part of the development. 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.
- 19 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and the overarching aims of the Neighbourhood Plan.



The Cottage Docking Road Burnham Market Norfolk PE31 8JU



**Legend**

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**Scale:** 1:1,250

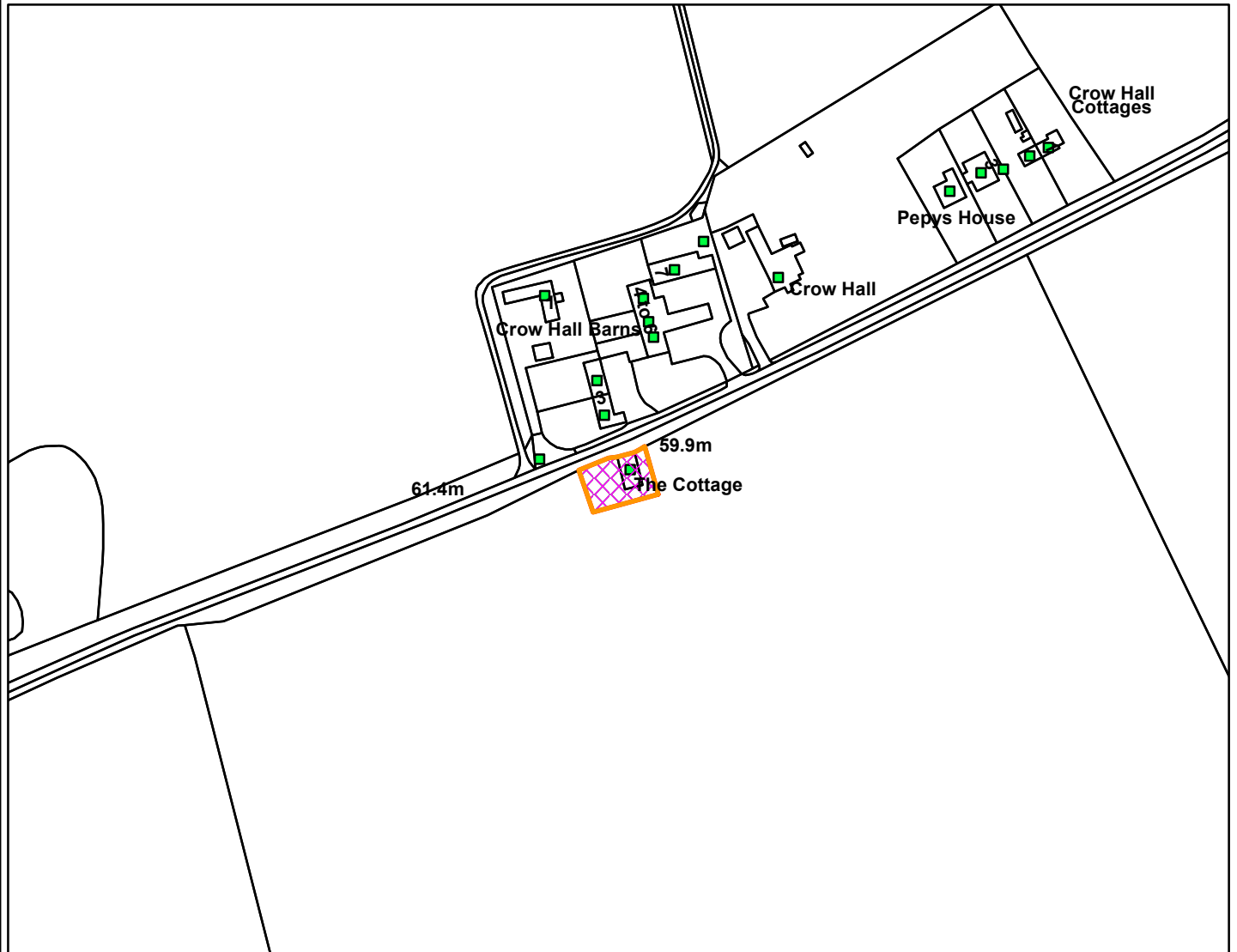
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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2024
MSA Number	0100024314



The Cottage Docking Road Burnham Market Norfolk PE31 8JU



Legend	

**Scale:** 1:2,500

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2024
MSA Number	0100024314

<b>Parish:</b>	<b>Burnham Market</b>	
<b>Proposal:</b>	<b>Demolition of existing dwelling and construction of replacement dwelling</b>	
<b>Location:</b>	<b>The Cottage Docking Road Burnham Market Norfolk PE31 8JU</b>	
<b>Applicant:</b>	<b>Mrs Camilla Carter</b>	
<b>Case No:</b>	<b>23/01073/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Connor Smalls</b>	<b>Date for Determination: 30 October 2023 Extension of Time Expiry Date: 7 June 2024</b>

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

**Neighbourhood Plan:** Yes

**Case Summary**

The application site relates to an existing residential site located on Docking Road outside of Burnham Market. The area is rural in nature with limited built form concentrated to the north. The existing dwelling on site forms a traditional cottage and is considered a non-designated heritage asset. The site is within the Norfolk Coast National Landscape and within the Burnham Market Neighbourhood Plan area.

The application proposes the demolition of this dwelling following an engineer’s report demonstrating that the current dwelling is in a poor structural condition. Subsequently a replacement dwelling with associated landscaping is proposed.

**Key Issues**

- Principle of Development
- Form, Character and Impact on Non-designated Heritage Asset
- Impact on Neighbour Amenity
- Ecology and Trees
- Highway Safety and Parking
- Any Other Considerations

**Recommendation:**

**APPROVE**

## **THE APPLICATION**

The application site relates to an existing residential site with an existing dwelling located on Docking Road outside of Burnham Market. The area is rural in nature with limited built form concentrated to the north. To the east, west and south the area is characterised by agricultural fields, associated hedge boundaries and pockets of trees. The existing dwelling on site forms a traditional two storey cottage consisting mostly of brick and flint and red clay pantiles with some poor-quality later additions. The dwelling is considered a non-designated heritage asset due to its age (at least early 19th century), traditional scale and materials despite the lack of survival of internal features. The site is within the Norfolk Coast National Landscape and within the Burnham Market Neighbourhood Plan area.

The application proposes the demolition of this dwelling following an engineer's report demonstrating that the current dwelling is in a poor structural condition. Subsequently a replacement dwelling with associated access, parking and landscaping is proposed.

## **SUPPORTING CASE**

None received at time of writing.

## **PLANNING HISTORY**

No recent relevant history.

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECTS**

The PC feels the scale and design of the proposed development is out of character with the original rural cottage to be replaced, with the proposed development being much larger and out of proportion to the original cottage in a highly sensitive and unspoiled rural location.

If planning officers and/or planning committee are minded to approve this application, the PC requires all policies of the Burnham Market Neighbourhood Plan and Design Codes to be STRICTLY ENFORCED. In particular, the PC draws attention to Policy 3 (Principal Residence Policy) because the proposed development will form a net new residence (given previous property was derelict and uninhabited for many decades), Policy 8 (Biodiversity) owing to the existing undisturbed countryside location, and Policy 11 (Dark Skies) owing to the sensitive situation without any surrounding light pollution.

### **Highways Authority: NO OBJECTION** (summarised for clarity)

With a setback building line and simplified access arrangement which does not impact upon the public highway, the development for a replacement dwelling provides an acceptable solution. Several conditions and informatives (relating to the access specification, limits on obstructions adjacent to the access, visibility splays and parking and turning area) are requested and recommended for any approval.

### **Conservation Officer: NO OBJECTION**

Full detailed responses from the Conservation Officer are available on the online file in regard to previous iterations including suggested conditions.

### *Non-designated Heritage Asset*

The Cottage is a brick and flint cottage of traditional scale, form and mass, situated on the old Docking Road. The tithe map for the area, readily available on the internet from various sources, shows that The Cottage was present on this map and differs very little if at all, from the footprint shown on this map. The Cottage is therefore of at least early 19th century date. The proximity to Crow Hall indicates that there may have been a relationship between the two buildings. The tithe map shows that at that date, there was a set of farm buildings and a Crow Hall House on the opposite side of the road to this modest cottage which formed a discreet and traditionally proportioned group of buildings. It is therefore likely that they had a functional relationship with each other.

The age of the building as well as its construction from traditional materials and its scale, all combine to make this building a non-designated heritage asset despite the lack of survival of internal features. However, the building is in a poor structural condition, with cracks running across the north gable wall and the east elevation. The south gable has been rebuilt in more modern bricks at some stage and there are a number of unsightly single storey extensions also to the south. The outshut to the west is also in poor condition and suffering from vegetation ingress. If this building were to be repaired, it is likely that there would be more rebuilt sections than in situ historic fabric. It is therefore with regret that the principle of the replacement of this building is agreed.

Over the course of the application design advice has been given, this has included the footprint of the dwelling, materials, height, scale, boundary treatments as well as detailed design considerations. Conditions recommend include: sample panel, details of all external materials, joinery details including sections at 1:20, boundary treatments and extractor vents ducts and flues and meter boxes.

#### *To final amendment:*

The building has been reduced in height since our last comments and a chimney added. The rear projection has been made shorter and the overall design is now appropriate.

It is appreciated that the building is taller than that which exists at present. It is accepted that in order to meet modern building regulations there are standards which need to be met and, in this instance the agent and applicant have worked with us to ensure that, as far as possible the scale of the building is as close to the existing as can be achieved. The footprint is similar but the height has been increased. While this is disappointing, the reasons behind this are understood.

**Historic Environment: NO OBJECTION**

**Environmental Quality: NO OBJECTION**

**Arboricultural Officer: NO OBJECTION**

A soft landscaping condition is requested and recommended for any approval (including hedging and tree planting).

**Ecology: NO OBJECTION** (summarised for clarity – full responses available online)

Initial response

*Protected species*

Evidence of historic birds nesting was identified within both levels of the building but no evidence of roosting or nesting barn owls was found. The potential for badger, great crested newt, reptiles and aquatic mammals to be present is assessed as low or negligible. The potential for bats both roosting and foraging is assessed as moderate.

Further surveys for roosting bats were recommended by the consultant within the PEA and have been undertaken and reported as part of the Ecological Appraisal. Nocturnal (presumably emergence) surveys were undertaken on 26 June and 29 July. Infrequent passes by common pipistrelle as well as occasional barbastelle and brown long eared bats.

Following three surveys no evidence of bats or owls were identified within the property and a conclusion of likely absent was made which is not disputed.

In reference to great crested newt, a record from MAGIC for a European Protected Species Mitigation licence was identified from MAGIC 1.8km north east. However, there are no ponds present within 250m of the site which is the accepted distance from which newts can colonise terrestrial habitat. The conclusion that newts are likely absent is therefore not disputed.

*Protected habitats*

No protected habitats were identified within the red line boundary and no protected habitats are anticipated to be impacted by the proposal.

*Designated sites*

No designated sites were identified within 2km of the site boundary and impacts to protected sites are scoped out. Although the proposal is within the Zone of Influence for Protected sites identified within the GIRAMS strategy, the proposal does not increase the amount of overnight accommodation available and thus does not fit the criteria for GIRAMS and is not likely to add to recreational issues on these sites.

The proposal is not within the catchment area for the Wensum SAC and is not subject to Nutrient Neutrality.

Final response to Biodiversity Net Gain

No objections are raised and a condition is recommended in regard to a Biodiversity Gain Plan (BGP), Habitat Monitoring and Mitigation Plan (HMMP) and full Biodiversity Metric in accordance with the Biodiversity Net Gain Overview (Grey Ecology, 2024) submitted demonstrating a minimum 10% gain.

**Natural England: NO OBJECTION**

Original Comment:

It has been identified that this development falls within the 'Zone of Influence' (Zoi) for one or more of the European designated sites scoped into the Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS'). It is anticipated that

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certain types of new development (including new tourist accommodation) in this area is 'likely to have a significant effect' on the sensitive interest features of these European designated sites, through increased recreational pressure when considered either alone or 'in combination' with other plans and projects.

The GIRAMS has been put in place to ensure that this additional recreational pressure does not lead to an adverse effect on European designated sites in Norfolk. The strategy allows effective mitigation to be implemented at a strategic level, so that the relevant councils, Natural England and other stakeholders are able to work together to provide the best outcomes for the designated sites. It also has the benefit of streamlining the process, so reducing the amount of time taken to process individual planning applications for the councils and Natural England.

Natural England worked collaboratively with all the relevant councils to set up the strategy. We fully support the aims of the strategy; in our view it is the best way to provide appropriate avoidance and mitigation measures for the European sites in question. As such, we advise that a suitable contribution to the Norfolk GIRAMS should be sought from this development to ensure that the delivery of the GIRAMS remains viable. If this does not occur then the tariff in the adopted GIRAMS will need to be increased to ensure the GIRAMS is adequately funded.

Additional comment- Natural England subsequently raised no objection to the development.

**REPRESENTATIONS** (summarised for clarity – full responses available on online file)

**SEVEN** public **OBJECTIONS** to previous iterations from **FIVE** objectors:

- No justification for replacing what is a typical flint and brick cottage with something which is double the existing footprint. The current dwelling complements the seven barns directly opposite built at the same time approx. 200 years ago in this area which is within an AONB.
- Not a family home, believe development is for commercial reasons and not for owner occupation – holiday let.
- Using the majority of the site for the dwelling sacrifices proper off road parking as well as highway safety issues.
- Use of park railing does not blend with the open countryside which surrounds the property.
- Any development should be restricted to correspond to the existing footprint.
- Building materials and roof tiles to complement the properties immediately opposite.
- 1.5m close boarded fence along the roadside boundary is totally out of character.
- Proposal is an overdevelopment and increase in size and height of the new dwelling would appear incongruous and imposing.
- Significant loss of garden and wildlife habitat, with no biodiversity net gain.
- The ecological survey and proposed mitigations are inadequate. The existing cottage has been a well-known bat roost for many years. Owls have also been present within the cottage and there are newts in the vicinity which have not been considered.
- Overlooking to neighbouring properties.

## **Final amended scheme:**

**TWO** public **OBJECTIONS** to final amended scheme from **TWO** objectors:

- The design is still too tall, it should not be taller than the existing cottage.
- It will be too imposing and out of keeping with its neighbours and conflicts with the original cottage's size.
- While the siting of the new building may need to alter to allow for off road parking, the overall property should not be beyond the existing footprint - almost double the existing dwelling.
- Overlooking to northern neighbour.
- Side element should at the very least be kept to single storey.
- Development is for commercial reasons and not for owner occupation.
- The traditional flint cottage should be rebuilt using the existing footprint albeit adjusted to permit the off road parking.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

**CS12** - Environmental Assets

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

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

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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy 1:** Housing Mix

**Policy 4:** Replacement Dwellings

**Policy 6:** Design

**Policy 7:** Residential Parking Standards

**Policy 8:** Biodiversity and Green Corrido

**Policy 11:** Dark Skies

## **Policy 12: Surface Water Management**

### **NATIONAL GUIDANCE**

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

### **PLANNING CONSIDERATIONS**

#### **Principle of Development**

The application site is outside of the village of Burnham Market and is therefore not within any development boundary. The application proposes the replacement of the existing dwelling. However, the Parish Council consider that the proposal should be viewed as a new dwelling “given the previous property was derelict and uninhabited for many decades”.

In relation to the abandonment of the residential use, several considerations are relevant: the physical condition of the building, the period of non-use, whether there has been any other use and the owner's intentions.

The Conservation Team acknowledge that the demolition is unfortunate but accepted given the fact that if the dwelling was repaired, limited historic fabric would remain untouched. However, this is not to say the dwelling could not be repaired as a matter of possibility. Whilst there has been limited long term maintenance of the dwelling it still physically resembles a dwelling. It is clear that the dwelling has not been in use for an extended period of time however, there is no record of any other use on this site which would otherwise alter the historic residential use of the site and plot. Based on this, there is no evidence that there has been any owner intention to change the use of the site from residential. It is not considered reasonable, based on the available evidence and physical building on site, to consider the residential use abandoned.

On this basis, the LPA considers this to be a replacement dwelling with no net increase in residential units. Therefore, Policy 3 (Principal Residency) of the Neighbourhood Plan would not apply as there is no residential net increase.

As detailed below, the LPA considers that the demolition of the existing dwelling is justified and acceptable. Policy DM 5 – Enlargement or Replacement of Dwellings in the Countryside - of the Site Allocations and Development Management Policies Plan 2016 states:

“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”.

Policy 4: Replacement Dwellings of the Burnham Market Neighbourhood Plan states:

“Proposals for replacement dwellings will be supported provided that:

- a) They are appropriate to their location with the new dwelling integrating into the surrounding;
- b) Do not unacceptably affect the amenity of neighbouring properties;
- c) They are on a one-for-one basis; and

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d) Redevelopment of farm buildings should follow the design guidance set out under BF08- Design of Agricultural Buildings of the Design Codes and Guidance Document (2022)".

A detailed assessment of the design is included below within the Form, Character and Impact on Non-designated Heritage Asset element of this report. However, the above policies demonstrate in principle support for such a development and the principle of development is therefore considered acceptable.

### **Form, Character and Impact on Non-designated Heritage Asset**

#### *Identification as a Non-designated Heritage Asset*

The existing cottage has been identified as a Non-designated Heritage Asset. The Conservation Officer states:

"The Cottage is a brick and flint cottage of traditional scale, form and mass, situated on the old Docking Road. The tithe map for the area, readily available on the internet from various sources, shows that The Cottage was present on this map and differs very little if at all, from the footprint shown on this map. The Cottage is therefore of at least early 19th century date. The proximity to Crow Hall indicates that there may have been a relationship between the two buildings. The tithe map shows that at that date, there was a set of farm buildings and a Crow Hall House on the opposite side of the road to this modest cottage which formed a discreet and traditionally proportioned group of buildings. It is therefore likely that they had a functional relationship with each other.

The age of the building as well as its construction from traditional materials and its scale, all combine to make this building a non-designated heritage asset despite the lack of survival of internal features".

#### *Demolition*

In relation to the status of the dwelling as a non-designated heritage asset and the proposed demolition, both a Heritage Impact Assessment (HIA) and Structural Survey have been submitted in support.

The HIA has included an identification of the building and assessment of its significance as well as both a drawn and photographic recording. Conclusions within the Structural Survey note that the "cottage has suffered from general long-term neglect with it currently remaining in a dilapidated condition. It has suffered significant structural defects with the risk of partial or complete collapse of the roof, eastern flank wall and southern section of the first floor. The property has also suffered foundation movements".

The Conservation Officer has reviewed both documents and concludes:

"However, the building is in a poor structural condition, with cracks running across the north gable wall and the east elevation. The south gable has been rebuilt in more modern bricks at some stage and there are a number of unsightly single storey extensions also to the south. The outshot to the west is also in poor condition and suffering from vegetation ingress. If this building were to be repaired, it is likely that there would be more rebuilt sections than in situ historic fabric. It is therefore with regret that the principle of the replacement of this building is agreed".

Paragraph 209 of the NPPF states:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.

As this application would result in the total loss of the existing dwelling, this needs to be fully justified. It is an accepted fact that the current state of the dwelling and likely lack of original fabric left as a result of refurbishment act in favour of demolition. The site is not within a Conservation Area so the sole consideration is in regard to the dwelling as a Non-designated Heritage Asset. It accepted as a matter of fact that the resultant development would no longer include the Non-designated Heritage Asset. However, as explored below the proposal would be of an in keeping scale reflecting the design of the existing dwelling including fenestration and materials. In addition, the proposal would result in a modern access to current Highway Authority standards alongside the provision of compliant parking provision with associated turning area. This all leads to highway safety and parking improvements compared to existing. Further, the proposal would result in provision of cycle parking, a biodiversity net gain of at least 10% and additional soft landscaping including tree planting.

Based on the above, the support of the Conservation Team considering the impacts of retaining the dwelling as well as the benefits the proposal would deliver is considered to outweigh the loss of the Non-designated Heritage asset. The principle of demolition is therefore accepted.

### *Design Considerations*

It is important to note that the proposed site is not within a specific character area as identified within the Burnham Market Neighbourhood Plan, however the development has been assessed against the overarching requirements of the Plan and Design Code.

The first scheme submitted consisted of a main gable element towards the footprint of the existing dwelling with a further smaller gable to the west and a single storey link element in between. Access would be to the east of the building with a parking and turning area beyond at the side of the dwelling. A new hedge was proposed along the front of the building with an oak board gate and wooden face to the access area. Materials included flint and buff brick, black glazed pantiles as well as zinc roofing to the link element.

It was however considered by the Conservation Officer that the replacement dwelling should be of a scale and form that is respectful of its context and its historic setting. The group of farm buildings were present on 19th century mapping and the cottage forms a group with these farm buildings (to the north). It is considered likely that The Cottage has always been a smaller building than the barns opposite so something of a similar scale to those barns would not be appropriate. The built form on the southern side of Docking Road has also historically been limited, so a large building in footprint was also considered inappropriate.

It was considered that there is no precedent within this group of buildings for long elevations adjacent to Docking Road. Instead, where closer to the road, buildings lay gable onto it. This proposal would therefore be out of keeping with other built form in the vicinity and would be dominating within the street scene, creating a sense of enclosure. The second gabled extension resulted in a spread of built form across the site and a loss of rural openness.

Based on the above assessment, the design was altered. The footprint of the amended scheme was a mostly ‘L’ shape with the main gable generally towards the footprint of the existing dwelling. The side gable extended towards the west. Fenestration was more

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traditional in proportion however, a larger glazed area to the south was proposed. Materials in this interaction included red brick rather than buff.

It was considered that the 'L' shape footprint is acceptable, however, as noted by the Conservation Officer the overall scale of the proposed building would dwarf that of the existing despite it being of traditional design and materials. It was also considered that a proposed flue should be replaced with a more in keeping chimney and the front boundary should not include wooden fencing. It was also noted that black pantiles are not traditional to Burnham Market or this 'discreet' group of buildings.

The final scheme has responded to all feedback and the Conservation Officer now raises no objection. The building has been reduced in height, with the increase compared to the original dwelling of approx. 1.2m. The original dwelling has a height of approx. 5.6m with a main gable width of approx. 4.5m. The final proposal would have a height of approx. 6.8m with a main gable width of approx. 5.8m. A chimney has also been added in place of a flue. The projection to the west has been made shorter and the overall design includes traditional fenestration and detailing. The large, glazed area is now replaced with traditionally proportioned cottage style windows. Materials include flint and red brick, red clay pantiles, cast iron guttering and painted timber windows.

The proposed building would be taller than the existing cottage. However, in order to meet modern building regulations there are standards which need to be met and, in this instance, as far as possible the scale of the building is demonstrated to be as close to the existing as can be achieved. The Conservation Team consider this to be unfortunate, but appropriate and acceptable. The footprint is now similar to existing whilst still an increase. In terms of plot coverage, the existing dwelling covers approx. 92 m<sup>2</sup> whilst the proposed dwelling would cover approx. 116 m<sup>2</sup>. The whole plot is approx. 542 m<sup>2</sup>.

In relation to the front boundary, the element of fencing has been removed and a flint and brick wall is now proposed, the gate to access would be oak board. A small wooden gate and fence would be to the front of the dwelling behind existing hedge.

Conditions are recommended for any approval regarding sample panels, details of all external materials, joinery details including sections at 1:20, boundary treatments and the placement of extractor vents, ducts, flues and meter boxes.

In relation to the Neighbourhood Plan and Policy 4, Replacement Dwellings - it is considered the proposed dwelling would be appropriate to the location and it would integrate into the surroundings due to the design, materials and scale as amended. The proposal is also on a one-for-one basis and it does not relate to redevelopment of farm buildings and therefore BF08- Design of Agricultural Buildings of the Design Codes and Guidance Document (2022) is not relevant.

In relation to Policy 6 - Design, the proposal would be of a density and height appropriate to the locality with ample plot space remaining. Materials as described above are considered acceptable and in keeping as are boundary treatments which includes new hedge planting (further details of which are conditioned/included within biodiversity considerations). Details of ecology and planting are discussed below.

In relation to Policy 10: Protection of Important Local Views, it would not appear that the dwelling would be within any identified view. However, should the dwelling be visible from the wider locality it is considered that its scale and materials would ensure it sits comfortably within the established character of the locality and would be in keeping with the rural character of the area.

Policy 11: Dark Skies sets out requirements for external lighting and seeks to mitigate any impact as well as from internal sources of lighting within buildings. External lighting on this development would be controlled by the addition of a condition that is recommended for any approval. Due to the now traditional proportions of the fenestration and reduced size and scale, it is not considered that there would be excessive light pollution from the dwelling itself. The existing site is residential, and the site is within a small cluster of dwellings.

Based on the above, it is considered that the development is acceptable, including in regard to the National Landscape, and in accordance with Policy CS06, 08 and 12 of the Core Strategy 2011, DM5 and 15 of the Site Allocations and Development Management Policies Plan 2016, Policy 4, 6, 10 and 11 of the Neighbourhood Plan as well as the requirements of the Burnham Market Design Code, National Design Guide and NPPF 2023.

### **Impact on Neighbour Amenity**

There is only one neighbouring dwelling in close proximity to the application site directly across Docking Road to the north. Proposed plans demonstrate that the replacement dwelling would be two storey (approx. 6.8m to the ridge of the higher element of the building) and not any closer to the north than the existing dwelling.

The north elevation of the dwelling would have windows at ground floor which would face towards Docking Road and the boundary wall of the neighbouring dwelling beyond. At first floor, two windows are proposed, one serving bedroom 3 and one serving bedroom 1.

In relation to bedroom 3, this would be the sole window serving this room. However, the existing dwelling has a window at first floor in this elevation. Based on the new plans the proposed window would be in a slightly different position and would be further to the west. However, the window would still be mostly opposite the side of the neighbouring dwelling with more limited lateral views to the main rear amenity space beyond. With this considered, as well as the separation of approx. 9.2m to the neighbour's boundary as well as the road between, it is not considered, taking a balanced view, that a refusal could be substantiated on this relationship.

In relation to bedroom 1, this would not be the sole window to this room with two windows to the southern elevation of the dwelling. In addition, this element of the dwelling is further set back than the main gable element and is separated from the neighbouring boundary to the north across Docking Road by approx. 10.6m. Based on the above, it is considered, again taking a balanced view, that this relationship would not lead to unacceptable overlooking.

In addition to the above, the separation distances across Docking Road from the proposed replacement dwelling to the neighbouring boundary are considered to ensure that there are no adverse overbearing or overshadowing impacts. This is as well as an acceptable relationship relating to overlooking.

The development is therefore considered to be in accordance with Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016, Policy 4 of the Neighbourhood Plan and the NPPF 2023.

### **Ecology and Trees**

In relation to trees, the Arboricultural Officer raises no objection, noting that it appears that the two large cypress trees have been removed from the site prior to the application – this did not require consent. In relation to other trees and hedges, these are considered to be of limited value for any redevelopment of the site. A soft landscaping condition, to include new tree planting is requested and recommend on any approval.

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In relation to Ecology, the BCKLWN Ecologist raises no objection. The submitted Ecological Impact Assessment demonstrates no evidence of bats or owls and the conclusion of likely absent is not disputed. The same applies in regard to newts whereby there is not a pond with 250m of the site and the conclusion of likely absent is not disputed.

No protected habitats or designated sites are considered to be adversely impacted as noted by the Ecologist's comments.

In relation to Biodiversity Net Gain, the submitted Biodiversity Net Gain Overview states:

"Given that habitats within the site will be limited to hardstanding or vegetated gardens which will not provide any significant net gain in biodiversity, it is proposed that post-development net gain is sought off-site, but adjacent to, the development Site, as extensive land locally is in the ownership of the developer.

In the first instance, the poorly-maintained garden hedgerow around the site will be removed to facilitate access to the Site during clearance and construction works, with the exception of the 12m section along Docking Road which will be retained and enhanced through the infilling of gaps with new native-species hedgerow planting.

It is proposed this a new, mixed-species native hedgerow is planted, running just adjacent to the red line boundary but outside the curtilage of the dwelling and therefore "off-site", replacing 0.027km of garden hedgerow within 0.071km of mixed-species native hedgerow. Half of this would be considered compensatory planting, and half would be put towards biodiversity net gain. Extending the hedgerow around the entirety of the boundary will establish a much stronger green corridor in an area close to potential green corridors identified in the Burnham Market Neighbourhood Plan."

The submitted Biodiversity Net Gain Overview includes the following Non-Measurable Biodiversity Enhancements:

- One integrated bat box should be installed on the new house, at the apex of a gable wall, ideally facing south and at least 4-5m high. This should be a box suitable for small numbers of crevice dwelling bats such as the Habibat 3S bat box.
- Two integrated swift boxes should be installed on site, ideally facing north, at least 5m in height on the building. The Cambridge Nest Box System would be a suitable design.

Based on the above, the BCKLWN Ecologist raises no objection and a relevant condition is recommended on any approval. The habitats should be secured for at least 30 years via planning obligation and a S106 agreement would be required to secure this.

In addition, the Ecologist recommends that any impermeable boundary treatment must include signed egress for small mammals i.e. hedgehog holes. This recommendation is included as a recommended condition on any approval as part of a condition relating to boundary treatment details which would further ensure a suitable visual impact in this regard.

The development would therefore accord with Policy CS12 of the Core Strategy 2011, Policy 8 of the Burnham Market Neighbourhood Plan and the NPPF 2023.

### **Highway Safety and Parking**

NCC Highways raise no objection based on either highway safety or parking. Requested conditions are included on any approval.

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In relation to the Neighbourhood Plan, the parking proposed is in accordance with Policy 7 of the Neighbourhood Plan (two off-road spaces for a three-bed dwelling). Car parking is to the side of the dwelling, behind the building frontage and would be 6m in length, in excess of the policy requirement. The parking area would be permeable and consist of shingle and areas of reinforced grass, mostly screened to the street by the proposed brick and flint boundary wall and oak boarded gate. Existing vegetation and proposed boundary hedging would further screen to the wider area although there are limited views. As the proposal does not include a garage, a condition requiring details of covered and secured cycle parking within the domestic curtilage is recommended for any approval.

The development is therefore considered to be appropriate and in accordance with Policy CS11 of the Core Strategy 2011, DM17 of the Site Allocations and Development Management Policies Plan 2016, Policy 7 of the Neighbourhood Plan and the NPPF 2023.

### **Any Other Considerations**

#### Surface and Foul Water

The application site is not shown on SFRA mapping to be a risk of surface water flooding, due to the scale of the development it is not therefore considered that additional information is required. In relation to foul drainage, plans indicate the installation of a sewage treatment plant to the south-west corner of the plot. Such matters would be considered under Building Regulations.

#### Natural England comment

Natural England in their latest comment raised no objection, However, previously Natural England requested that this application should pay the GIRAMS contribution. However, this application is for a replacement dwelling which is not a net increase in accommodation. In addition, this application does not relate to 'holiday accommodation' and the dwelling would form a C3 residential use. Whilst the use of the dwelling as a holiday let could fall within this use this would not be within the control of the LPA. It is however relevant to note that within supporting documentation, the applicant has specially noted that this dwelling is not intended to be used as a holiday let:

"This dwelling has been purchased by Burnham Farms with the intention to restore it as part of the larger working farm it sits within. Importantly, knowing and understanding the difficulties facing Burnham Market in recent years, we would like to note that there is no intention of this house being used as a holiday let, by contrast, it will be restored as a vital part of the community and to the functioning and running of the farm itself."

For the avoidance of doubt, the BCKLWN Ecologist has stated that "no designated sites were identified within 2km of the site boundary and impacts to protected sites are scoped out. Although the proposal is within the Zone of Influence for Protected sites identified within the GIRAMS strategy, the proposal does not increase the amount of overnight accommodation available and thus does not fit the criteria for GIRAMS and is not likely to add to recreational issues on these sites".

#### Parish Council Objection

In relation to scale and design, this is addressed within the Form, Character and Impact on Non-designated Heritage Asset element of this report. The Neighbourhood Plan and Design Code are addressed above including in relation to Policy 8 (Biodiversity) and Policy 11 (Dark Skies). Regarding Policy 3 (Principal Residence Policy), this application has been determined as a replacement dwelling as discussed within the Principle of Development

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section of this report. Based on this, there is no net increase in dwellings on this site and it would not therefore be reasonable to impose a principal residency condition as this does not currently apply to the existing dwelling.

### Third Party Objection

Many public objections relate to previous versions of the scheme, however, all relevant comments relating to the principle of demolishing and replacing the dwelling, form and character, impact on neighbour amenity as well as highway safety and ecology/biodiversity have been addressed above.

### **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:

\* PROPOSED SITE AND BLOCK PLAN, Drawing Number: 101 PL4, Received: 26 March 2024.

\* PROPOSED PLANS ELEVATIONS AND SECTIONS, Drawing Number: 102 PL3, Received: 26 March 2024.

2 Reason: For the avoidance of doubt and in the interests of proper planning.

3 Condition: Prior to occupation, full details of soft landscape works (both red line and the blue line land) shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. Soft landscape works shall include planting plans (tree planting as proposed in the ECOLOGICAL IMPACT ASSESSMENT), written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate. All 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 which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

3 Reason: To ensure appropriate landscape design in accordance with Policy CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF 2023 as well as Policy 6 and 8 of the Burnham Market Neighborhood Plan.

- 4 Condition: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the dwelling and boundary wall hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 4 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy CS12 of the Core Strategy 2011 and Policy 6 of the Burnham Market Neighbourhood Plan.
- 5 Condition: Notwithstanding approved plans, no development shall take place on any external surface of the development hereby permitted until samples of the materials to be used 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.
- 5 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy CS12 of the Core Strategy 2011 and Policy 6 of the Burnham Market Neighbourhood Plan.
- 6 Condition: Notwithstanding approved plans, no development over or above foundations shall take place on site until 1:20 drawings of all new and/or replacement windows and doors have been submitted to and approved in writing by the Local Planning Authority. The plans shall include joinery details, cross sections and the opening arrangements as well as window style, reveal, cill and header treatment. The development shall be implemented in accordance with the approved details.
- 6 Reason: To ensure a satisfactory external appearance in accordance with the principles of the NPPF, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy CS12 of the Core Strategy 2011 and Policy 6 of the Burnham Market Neighbourhood Plan.
- 7 Condition: Prior to first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. Any impermeable boundary treatment must include signed egress for small mammals i.e. hedgehog holes.

The boundary treatment shall be completed before the occupation hereby permitted is commenced or before the building is 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.

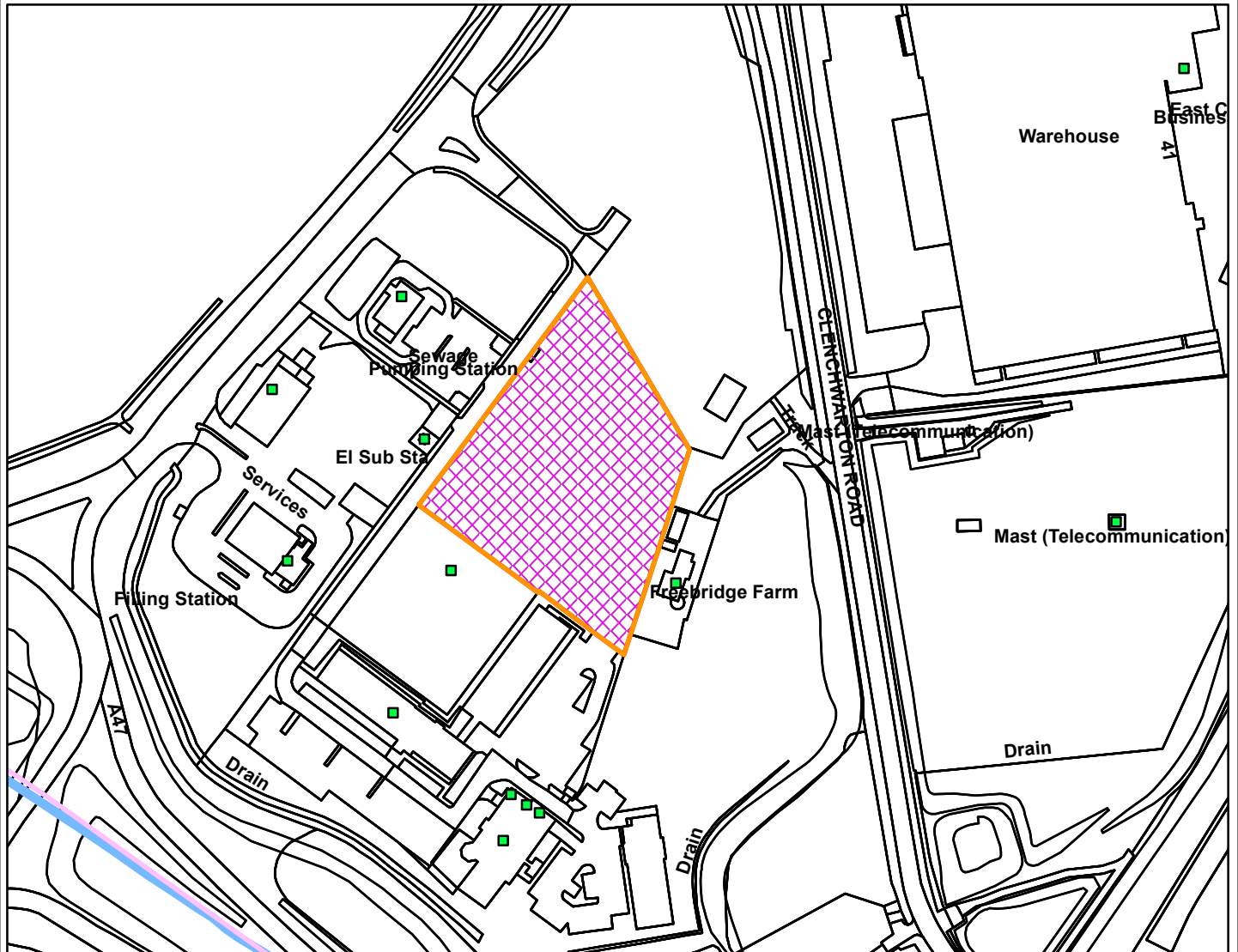
- 7 Reason: To ensure that the development is compatible with the amenities of the locality and takes place with due regard for biodiversity and ecology in accordance with Policy CS08 and CS12 of the Core Strategy 2011 as well as DM15 and DM19 of the Site Allocations and Development Management Policies Plan 2016, Policy 6 and 8 of the Burnham Market Neighbourhood Plan and the NPPF 2023.

- 8 Condition: Any vents, ducts, flues, extractors and meter boxes associated with the development hereby approved shall be, so far as is practicable, sited so as to minimise their effect on the external appearance of the building.
- 8 Reason: To minimise adverse impacts to the external appearance of the dwelling, in accordance with the NPPF 2023 and Policies CS12 and DM15 of the Local Plan.
- 9 Condition: Prior to occupation, a scheme for covered and secured cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented prior to occupation and retained as permitted in perpetuity.
- 9 Reason: To ensure the provision of suitable covered and secured cycle parking for future occupiers and in the interests of encouraging sustainable forms of transportation in accordance with Policy CS08 of the Core Strategy 2011 as well as Policy 7 of the Burnham Market Neighbourhood Plan and the NPPF 2023.
- 10 Condition: Prior to the first occupation/use of the development hereby permitted the vehicular/cyclist access over the verge shall be constructed in accordance with the highways specification (TRAD 4) and thereafter retained at the position shown on the approved plan. 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.
- 10 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF 2023.
- 11 Condition: Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.
- 11 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF 2023.
- 12 Condition: Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225metres above the level of the adjacent highway carriageway.
- 12 Reason: In the interests of highway safety in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF 2023.
- 13 Condition: Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking/servicing/turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 13 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF 2023.

- 14 Condition: Prior to the commencement of development, a Biodiversity Gain Plan (BGP), Habitat Monitoring and Mitigation Plan (HMMP) and full Biodiversity Metric shall be submitted to and approved in writing by the local planning authority. The plans shall accord with the Biodiversity Net Gain Overview (Grey Ecology, 2024) and accompanying calculations, demonstrating a minimum 10% gain calculated using the Biodiversity Metric, including information about the steps taken or to be taken to minimise the adverse effect of the development on biodiversity of the onsite habitat and any other habitat identify how the Habitat will be secured , monitored and the mechanism to achieve it. Development shall be carried out in accordance with the approved plan.
- 14 Reason: To ensure that the development delivers at least 10% biodiversity net gain in accordance with Policy 8 of the Burnham Market Neighbourhood Plan and the NPPF 2023.
- 15 Condition: Prior to the installation of any outdoor lighting, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height/locations 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.
- 15 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF, Policy CS08 and CS12 of the Core Strategy 2011, Policy DM15 of the Site Allocations and Development Management Policies Plan 2016 and Policy 11 of the Burnham Market Neighbourhood Plan.



Land At Freebridge Farm Clenchwarton Road West Lynn PE34 3LP



**Legend**

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**Scale:** 1:2,500

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2024
MSA Number	0100024314



Land At Freebridge Farm Clenchwarton Road West Lynn PE34 3LP



**Legend**

**Scale:** 1:5,000

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2024
MSA Number	0100024314

<b>Parish:</b>	King's Lynn	
<b>Proposal:</b>	VARIATION OF CONDITIONS 2, 4, 16 AND 17 OF PLANNING PERMISSION 22/01332/F: VARIATION OF CONDITION 2 OF PLANNING PERMISSION 20/01685/FM: Highways depot comprising maintenance building, salt barn and ancillary offices plus parking and landscaping	
<b>Location:</b>	Land At Freebridge Farm Clenchwarton Road Freebridge Services West Lynn King's Lynn PE34 3LP	
<b>Applicant:</b>	National Highways	
<b>Case No:</b>	23/02195/F (Full Application)	
<b>Case Officer:</b>	Mrs N Osler	<b>Date for Determination:</b> 1 February 2024 <b>Extension of Time Expiry Date:</b> 7 June 2024

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

**Neighbourhood Plan:** No

**Case Summary**

Permission is sought to make amendments to a permitted scheme via an application to vary certain conditions attached to the permitted scheme. Such an application is known as a Section 73 application because it is governed by S73 of the Town and Country Planning Act, 1990, as amended.

The current application seeks to vary conditions, 2, 4, 16 and 17:  
Condition 2 relates to the approved plans,  
Condition 4 relates to the Construction Traffic Management Plan,  
Condition 16 relates to the proposed access, parking and circulation areas, and  
Condition 17 relates to external lighting.

The application relates to permission granted under application 22/01332/F which itself varied permission granted under application 20/01685/FM for a *Highways depot comprising maintenance buildings, salt barn and ancillary offices plus parking and landscaping.*

The application is required because additional operational land is required.

**Key Issues**

- Principle of Development
- Form and Character
- Landscaping and Trees
- Neighbour Amenity
- Highway Safety
- Flood Risk and Drainage
- Crime and Disorder
- Other Material Considerations



**Recommendation:**

**APPROVE**

**THE APPLICATION**

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The site lies within the development boundary for King's Lynn which for the purposes of the Local Plan includes West Lynn.

The site lies in an area at risk of flooding (Flood Zone 3 and within the Tidal Breach Hazard Mapping Area.)

The site measures approximately 0.77ha and is relatively flat with areas of vegetation on site. The site has commercial uses to its west, residential to its east and a hotel to its south. To the north is further vegetation. An Anglian Water drain and easement strip lies in this area.

The applicant is National Highways (previously Highways England.) National Highways is a government owned company charged with operating, maintaining, and improving England's motorways and major A roads. Following a national exercise of strategic operational requirements King's Lynn was identified as one of 12 locations across England where a new depot was required.

The site was originally picked due to its location with good accessibility and connectivity to the strategic road network.

The permitted depot site (sui generis use) would accommodate a salt barn, maintenance building, fuel island, associated hardstanding and parking / circulation areas.

Landscaping, tree protection, lighting and acoustic bund and fences were also approved.

Access was approved from the existing estate spine road to the immediate west via an 'in and out' arrangement.

The site will operate 24-hours a day all year round. It is expected that the site will be in greater use in the winter months when gritting operations are undertaken.

In summary the site benefits from an extant sui generis use within the development boundary of the borough's Main Town and this application seeks to make amendments to the permitted scheme.

## **SUPPORTING CASE**

The applicant did not wish to submit a supporting statement.

## **PLANNING HISTORY**

22/01332/F: Application Permitted: 22/09/22 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION 20/01685/F (Delegated Decision.)

20/01685/NMAM\_1: Application Permitted: 24/03/22 - NON-MATERIAL AMENDMENT to Planning Permission 20/001685/FM (Delegated Decision.)

20/01685/FM: Application Permitted: 21/07/21 - Highways depot comprising maintenance building, salt barn and ancillary offices plus parking and landscaping (Delegated Decision.)

20/01739/F: Application Permitted: 23/12/20 - Variation of conditions 9, 10 and 11 of planning permission 18/01533/OM (Delegated Decision.)

18/01533/OM: Application Permitted: 18/04/19 - Hybrid Application: Outline application for B1, B2 & B8 units and associated roads, carparking and external works and drainage. Full application for the construction of 2 x A1/A3 class units (Delegated Decision.)

10/01371/OM: Application Permitted: 07/02/11 - Outline application for employment use (B1(c), B2 and B8) (Committee Decision.)

2/97/1643/D: Application Permitted: 19/01/98 - Creation of garden centre including refurbishment to existing building (Committee Decision.)

2/92/2816/D: Application Permitted: 01/09/95 - Construction of phase 1 Truckers' facility comprising lorry park facilities building shop and ancillary roads and parking (Committee Decision.)

2/94/0062/O: Application Permitted: 16/01/95 - Site for garden centre/farm shop (Committee Decision.)

## **RESPONSE TO CONSULTATION**

**Parish Council: N/A**

**Highways Authority (NCC): NO OBJECTION** Having considered the revised information submitted, I can confirm that there are no highway related concerns with any of the proposed variations.

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

**Anglian Water: NO OBJECTION** subject to condition relating to foul water drainage.

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**Internal Drainage Board: NO OBJECTION** The Board has no objection to the changes in the surface water drainage arrangements.

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

As the proposal does not alter the approved staff parking provision to the National Highways office building with 21 spaces, incl. 2x spaces for electric vehicle charging and cycle spaces, we would have no objection regarding air quality.

It is noted that PV panels are to be added to the office building which is a welcome addition in support of core policy CS08.

**Community Safety and Neighbourhood Nuisance (BCKLWN): NO OBJECTION.**

CSNN's Comments, following the latest amendments, can be summarised as:

- Moving the acoustic maintenance gates further north along the eastern boundary and removal of the hedgehog holes has addressed concerns regarding the noise integrity of this barrier,
- The southern part of the acoustic barrier proposed to be 4.5m high GreenSoundBlok by GRAMM Barrier Systems should be conditioned,
- The newest lighting plan is agreed.

CSNN's agreement to the revised scheme is based on the information supplied within the addendum to the original Noise Assessment undertaken for the previous planning application. Results show noise levels will be below existing background levels, therefore we have no grounds for objection or concerns over the amended scheme. As stated by the planning agent, with the acoustic fence being located nearer the site boundary the level of noise protection now extends further beyond.

*Original Comments (19/01/24):* This is an objection to the revision of the scheme from CSNN, due to the risk of adverse impact on the residential amenity of the two dwellings located to the east of the site, specifically Freebridge Farm alongside the eastern boundary.

The original approved scheme benefitted from an acoustic fence and a large landscape buffer to the residential property, ensuring yard activity was a reasonable distance from the boundary at all times. Furthermore, the HGV wash area was against the rear of the garage rather than alongside the north eastern boundary as now proposed, the fuelling area was further from the eastern boundary (by virtue of the landscaped buffer), and there were no storage bunkers anywhere within the site (where the site plan now shows storage bunkers alongside the eastern boundary and the dwelling beyond).

The revised scheme now brings all activity much closer to the boundary, with a significant reduction in the landscaped buffer. The approved scheme's larger landscaped buffer provided more separation distance, and it was not useable yard space. There is a real risk that loading and un-loading of the storage bunkers will cause additional noise over and above the previous scheme (this was not considered or assessed within the previous noise assessments for the site) and maintaining control over how the yard is used once operational would be difficult. Therefore, allowing the yard area to extend close to the boundary of the dwelling known as Freebridge Farm, where there would be no control over the activities that will take place close to the dwelling, will result in detrimental impacts from the associated noise generated.

It is also noted that the two 8m high pole mounted floodlights on the eastern side will be much closer to Freebridge Farm with this proposed small landscape buffer; this is also of concern with respect to lighting impacts on occupiers of the dwelling.

We would also be concerned that a 4.5m high acoustic fence so much closer to the dwelling and its surrounding land will be extremely imposing and may impact on amenity in terms of overshadowing or loss of light (although this is not our remit).

**Emergency Planning Officer: NO OBJECTION** Flood evacuation arrangements were dealt with on this original application and these changes don't appear to require them to be altered.

**Senior Ecologist (BCKLWN): NO OBJECTION.** The ecologist's comments can be summarised as:

- The loss of the bund, wildflower grassland, single species hedge and landscape buffer is a retrograde step. Notwithstanding this, Biodiversity Net Gain (BNG) did not become mandatory until February 12, 2024, for major developments and 02 April 2024 for minor developments. Therefore, the developers are under no obligation to meet a 10% BNG net gain,
- Notwithstanding this, recommendations made within the Ecological Appraisal (Practical Ecology) that accompanied the original permission, and is the subject of condition 21, must be realised in order to achieve a measurable net gain as is required by the NPPF.

A verbal discussion with the ecologist has confirmed that the latest lighting plan is now acceptable because the light temperature is now 2700K and, given the necessity to retain the acoustic integrity of the barrier, it is not necessary to pursue egress points for mammals in this instance.

**Arboricultural Officer (BCKLWN): NO OBJECTION** subject to conditions for Tree Protection and Landscaping.

**REPRESENTATIONS** The neighbour to the immediate southeast (Freebridge Farm) **OBJECTS** to the application. The reasons for objection can be summarised as:

- Noise by virtue of bring activity right up to the boundary due to the significant reduction in landscape buffer; the relocation of the bunkers to the north, rather than the east, does not address this concern.
- It would be difficult to control the use of the 'yard area' once operational (which could be used for anything associated with the development e.g., skips, lorries, generators, etc.)
- The application is missing vital information in relation to trees.
- I would like the CSNN officer to explain to the committee why they have changed their response.
- The noise survey was undertaken in Covid lockdown when noise was at an absolute minimum and is therefore invalid.

Following submission of amended plans the third party retains their **OBJECTION** and makes further comments which can be summarised as:

- The acoustic fence is still closer than the approved scheme, and would be extremely imposing and may impact on amenity in terms of overshadowing or loss of light.
- There is still a significant loss of landscape buffer which means activities associated with the development would be much closer to the boundary of the site with the neighbouring dwelling.
- Maintaining control over the yard, once operational, would be difficult.
- The revised scheme addresses none of these issues.

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- This is not an appropriate site for a highway's depot; such a use should be in a location that would not cause nuisance to others, it should be in an isolated site or an industrial estate.
- The application should be refused on the grounds of loss of amenity.

Additionally, Cllr Kemp called the application in stating *"I oppose the Amended Application for the Salt Barn, next to Freebridge Farm, West Lynn, on grounds of residential disamenity, including overshadowing, noise, light pollution, tree damage, petrol fume pollution and potential fire risk, affecting the adjacent dwelling house, known as Freebridge Farm...The current Application severely diminishes the original LARGE buffer zone, approved in the original application, which was not constructed, but the proposed changes would bring all the commercial activities much closer to the residential boundary.*

*This will bring more noise from HGV's, compared to the original application and from the usage of skips etc close to the boundary.*

*There would be refuelling close to the residential property, bringing the risk of industrial petrol fumes and fire hazard.*

*The fence in the application is approx. 10 feet away from the trees on residential property and could damage the roots.*

*The 2.8 metre high pole mounted floodlights will cause light pollution to the residential property.*

*This application is not a suitable neighbour for a residential property.*

*I would recommend this for refusal, unless the applicant reverts to the original application, as approved."*

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**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

**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  
Form and Character  
Landscaping and Trees  
Neighbour Amenity  
Highway Safety  
Flood Risk and Drainage  
Crime and Disorder  
Other Material Considerations

#### Principle of Development:

A S73 application is an application to develop land without compliance with conditions previously attached. The legislation states that *On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and*

*(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and*

*(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.*

The powers granted under a S73 application also enable the LPA to take a different approach to overcoming the problem to which the condition is addressed and to impose fresh conditions.

Planning Practice Guidance explains the effect of a grant of permission under section 73 as *Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.*

*A decision notice describing the new permission should clearly express that it is made under section 73. It should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect.*

*As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission. If the original permission was subject to a planning obligation then this may need to be the subject of a deed of variation. (NPPG, Paragraph: 015 Reference ID: 17a-015-20140306)*

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The principle of development has been found acceptable by development granted under application 20/01685/FM which has had various conditions partially discharged (construction management, foul and surface water drainage, and contamination) and was subsequently amended by application 22/01332/F to insert roller shutter doors on the southeast elevation of the main building.

This application seeks to vary conditions 2, 4, 16 and 17 of application 22/01332/F.

Condition 2 relates to the approved plans – change required to enable proposed development,

Condition 4 relates to the approved internal Construction Traffic Management Plan,

Condition 16 relates to on-site access and parking – change required to enable reference to amended condition, and

Condition 17 relates to external lighting – change required to enable alternative lighting scheme to take account of amended layout.

The changes sought can be summarised as:

- Amending the design of the salt barn to a dome. The application form suggests that the dome would have approximately 50% lower carbon footprint than a traditional salt barn which is achieved through a blend of off-site modular manufacturing and sustainable construction materials and that it would provide more flexibility to the service yard (through a reduced footprint while retaining the required capacity (2,500 tonne),
- Changing the roof profile of the main office / garage building to a standard portal frame
- Increasing the service yard area for material storage by reducing soft landscaping,
- Replacing a 2m high bund plus 2.5m high acoustic fence atop with a 4.5m high acoustic fence and green acoustic barrier,
- Moving this acoustic barrier closer to the eastern boundary of the site,
- Repositioning the gates and fencing to the [on-site] main frontage area to improve vehicle movements,
- Reorientating the fuel island by rotating it slightly and moving it approximately 7m northwest and 2m east,
- Provision of 3 storage bunds (for storing stone aggregate for use for various reasons on the roads) adjacent to the northern boundary of the site
- Removing one of two garage doors on the east elevation of the main building.

It should be noted that, as is common with many S73 applications, other conditions (than those listed by the applicant) are also affected by the proposed changes and will need to be appropriately reworded if permission is granted. These can be summarised as:

- Condition 3 which relates to the approved Construction Management Scheme and for the avoidance of doubt is being amended to take account of the proposed changes to the acoustic barrier,
- Condition 5 which relates to tree protection and needs to reflect the amendments to the arboricultural information as a result of the changes to layout / landscaping,
- Condition 6 which relates to landscaping and needs amending to take account of the amended layout / landscaping plan,
- Condition 7 which relates to a change in the surface water drainage proposals,
- Condition 8 which relates to foul drainage,
- Condition 12 which needs amending to take account of the addendum to the noise assessment,

- Condition 18 which relates to ecological mitigation and has been amended to take account of the loss of mammal access in the acoustic barrier, and
- Condition 19 which has been amended to refer to just one roller shutter door.

### **Form and Character:**

Achieving well-designed places that reflects the form and character of their locality is a theme running through the NPPF and Development Plan.

Paragraph 131 of the NPPF states *Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*, and Development Plan Policy DM15 requires aspects such as scale, height, materials and layout to *respond sensitively and sympathetically to the local setting...*

The area is characterised by largely industrial / commercial uses. However, a residential property and its annexe, known as Freebridge Farm, lies to the immediate east / northeast of the site.

The main changes between the approved and proposed scheme can be summarised as:

*Salt Barn* The salt barn as approved comprised of two elements, a taller element that measured 13m to ridge and 12m to eaves, and a lower element that measured 9.5m to ridge and 8.5m to eaves. The footprint of the building measured 31.5m x 19m.

This building is now a dome that measures 11.6m to its tip with a diameter of 25m.

*Main Building* The main building as approved comprised two elements each with a mono-pitch roof giving an asymmetric building which was to be constructed from a mixture of grey, silver, and blue horizontal and vertical metal cladding over a brick plinth with a grey metal composite roof covering.

The highest point of the taller element of the building is 8m and the lowest point is 5m. The highest point of the lower element is 5m and the lowest point is 4m, and the footprint of the building measured 32.2m x 31m.

The building is now symmetrical in nature and measures 6.9m to ridge and 4.5m to eaves and is to be constructed from metal gladding (grey and blue) under a grey composite roof covering. The building measures 32.2m in length and 31m in width.

*Acoustic Barrier* The acoustic barrier as approved comprised a 2m bund with a 2.5m acoustic fence atop. Planting was proposed on the bund to soften its appearance.

The closest part of the barrier from the rear amenity space of Freebridge Farm was 20m, with a distance of 23.5m at the furthest point. These distances are now 4m and 11m respectively.

The barrier is now proposed to be a 4.5m high acoustic fence along the eastern boundary, changing to a 4.5m high GreenSoundBlak acoustic barrier at the southeastern edge where the conifer hedge ends. A green acoustic barrier is one that can be encased with plant growth. In this case 20 climbers are to be planted. Tree planting is proposed between this barrier and the boundary with Freebridge Farm in the southeastern corner landscape buffer area. A further 3m wide landscape buffer strip is proposed to the west of the acoustic barrier.

*Storage Bunkers* three storage bunkers are now proposed. These have been relocated from the eastern boundary to the northern boundary at the request of CSNN.

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Other elements of the development remain substantially the same as the permitted scheme.

In terms of form and character the majority of changes raise no material concerns. The biggest impact in terms of form and character is the more visible acoustic barrier, the screening of which has been reduced by lack of landscaping on its western side. However, the main building and salt dome will largely obscure long views from the west, whilst existing built form including Costa, MacDonalds, Premier Inn, etc obscure views from the southwest and south. Existing mature planting obscures views from the southeast, east, northeast and north.

It is therefore considered that the development accords with the NPPF in general and specifically to paragraph 131 of the NPPF and Development Plan Policy DM15.

### **Landscaping and Trees:**

Paragraph 140 of the NPPF states *Local Planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion as a result of changes being made to the permitted scheme (for example through changes to approved details such as the material used.)*

*Landscaping:* It is beyond question that the amendments will result in a retrograde step in terms of the amount of landscaping proposed (from c. 1140m<sup>2</sup> to c.604m<sup>2</sup>) regardless of the fact that the amount of landscaping originally proposed could not have been reasonably requested by the LPA. The amount of landscaping was either as a result of an underestimation of the operational requirements of the applicant or a change in those requirements. That is to say, had an application originally been submitted with less landscaping than originally proposed it would have been found acceptable.

*Trees:* Likewise, tree planting is being reduced under the varied proposal with an approximate reduction of 11 trees (from 26 to 15.)

Notwithstanding this, the Arboricultural Officer raises no objection, subject to conditions, in relation to tree retention (which relates to the retention of the conifer hedge) and new tree planting.

Paragraph 7 of the NPPF states *The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner...[by addressing] social progress, economic well-being and environmental protection.*

In this regard it is important to balance the operational requirements of the applicant with the amount of landscaping / tree planting that is reasonable given the nature of the location of the development.

In summary, in relation to landscaping and trees, whilst it is acknowledged that there is a marked reduction, when one balances the economic needs against environmental needs it is considered that the development is in general accordance with the NPPF and Development Plan Policies CS12 and DM15.

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

Paragraph 134f) 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 *Development must protect and enhance the amenity of the wider environment including its*

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*heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development.* The assessment under DM15 includes factors such as overlooking, overbearing, overshadowing, noise, light pollution and visual impact.

The main issue with the proposed variation to the scheme is the resultant impact on the residential neighbour to the immediate east (Freebridge Farm) given the closer proximity of the proposed acoustic barrier and reduction in amount of landscape buffer.

The overall height of the barrier is not changing. However, its nature (2m bund with 2.5m acoustic fence on top to 4.5m acoustic barrier) and location are material changes that will have an impact on occupiers of Freebridge Farm.

In both examples screen trees are proposed, although obviously those to screen a 4.5m fence will need to be taller than those to screen a lower fence, and this planting is now proposed in a buffer area between the acoustic barrier and neighbouring property rather than on the bund.

The green nature of the element of the barrier that would be visible from Freebridge Farm by virtue of the climbers that will be encased into the barrier together with the tree planting is considered to suitably mitigate any visual or overbearing impacts. The proposed trees are either of a species that would not grow too tall or those which could (the pine trees) would have restricted growth by virtue of the limited amount of soil which would have a bonsai effect. The arboricultural officer has confirmed the trees should not themselves result in unacceptable neighbour impacts.

Shadow diagrams have been submitted that suggest overshadowing to the rear amenity space of Freebridge Farm would not be significant. The fence would not affect other elements of Freebridge Farm in terms of overshadowing due to the presence of the conifer hedge that would still be substantially taller than the acoustic fence.

In terms of noise, the Community Safety and Neighbourhood Nuisance Team (CSNN) raise no objection given that the results of the original noise assessment and addendum to that assessment shows noise levels will be below existing background levels. It is pertinent to note that the background levels were recorded during a period of lower general use due to Covid restrictions. Whilst the applicant suggests this should make the assessment invalid, in reality, it produced more stringent thresholds for the development to comply with. It is also pertinent to note that should noise become a statutory nuisance CSNN have their own powers to intervene.

The neighbour also suggests that light pollution will be an unacceptable impact. However, CSNN nor the senior ecologist considers that light spread would result in material impacts on neighbouring uses.

However, Members will need to carefully consider whether they believe the reduction in landscaping, which has resulted in the acoustic barrier being moved closer to the residential use to the east, is acceptable in terms of its visual appearance and overbearing and overshadowing impacts. Your officers believe, on balance, the proposal would not result in disamenity to occupiers of the neighbouring dwelling of a level to warrant refusal.

The proposed development is therefore considered to accord with the NPPF in general and specifically to paragraph 134f) of the NPPF and Development Plan Policy DM15.

### **Highway Safety:**

Highway impacts were fully considered and conditioned as part of the original approval. The proposed alterations do not affect highway safety or parking provision. Therefore, the conditions appended to the previous approval will be appended to any permission granted under this application amended where necessary to reflect the layout changes in accordance with the NPPF and Development Plan Policies CS11 and DM15.

### **Flood Risk and Drainage:**

*Flood Risk:* Flood Risk was fully considered and conditioned under the previous application. The proposed alterations do not affect the flood risk of or to the site. Therefore, the conditions appended to the previous approval will be appended to any permission granted under this application.

*Drainage:* Foul and surface water drainage were conditioned on the previous approval and details submitted and approved via discharge applications. However, the changes do alter the approved details and Anglian Water, whilst not objecting to the proposed changes, require additional information in relation to foul drainage whilst the Internal Drainage Board are happy with the amended surface water drainage proposals. This is reflected in conditions 7 and 8.

### **Crime and Disorder:**

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

### **Other Material Considerations:**

This application is for a variation to a consented scheme. Therefore, in line with best practice, all conditions of the previous permission should be appended to any permission granted under the current application, amended as necessary.

## **CONCLUSION**

This application proposes changes to a consented scheme by virtue of an application under S73 of the Town and Country Planning Act, 1990.

Most of the changes proposed are not considered to be controversial, and officers consider them to be wholly acceptable.

However, it is beyond question that the amendments would result in a retrograde step in terms of the amount of landscaping proposed and the proximity of the acoustic barrier with the residential property to the east. The proximity, given its height (4.5m), of the acoustic barrier would be far more apparent to occupiers of Freebridge Farm than the currently permitted scheme.

Notwithstanding this, on balance, given the green nature of the element of barrier that would be visible from Freebridge Farm, together with tree planting between that barrier and boundary with Freebridge Farm it is considered that its visual impact would be suitably mitigated. Likewise shadow diagrams suggest that overshadowing would be of an acceptable degree.

It is considered that the variations to the permitted scheme accord with the NPPF in general and specifically to paragraphs 7, 131, 134f) and 140 and Development Plan Policies CS08,

Planning Committee  
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CS11, CS12 and DM15. It is therefore recommended that this application be approved subject to the following conditions.

**RECOMMENDATION:**

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

- 1 Condition: The development hereby permitted shall be begun before the 21.07.2024.
- 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 drawings nos:  
  
Permitted under application 20/01685/FM (the original permission):  
16635-128 Proposed Cycle Details  
16635-129 Proposed Refuse Store  
16635-130 Proposed Fuel Island  
16635-131 Proposed Gate Details  
  
Permitted under the current application:  
16635-120 Rev.A Location Plan  
16635-122 Rev.N Proposed Site Plan  
16635-123 Rev.G Proposed Offices / Garage GA & Roof Plans  
16635-124 Rev.B Proposed Salt Barn GA & Roof Plans  
16635-125 Rev.G Proposed Offices / Garage Elevations  
16635-126 Rev.B Proposed Salt Barn Elevations  
16635-127 Rev.A Proposed Fencing Details  
16635-132 Rev.C Construction Traffic Management Plan  
16635-VL L01 Rev.N Landscape Plan.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The development hereby permitted shall be carried out in accordance with the Construction Management Scheme approved under application 20/01685/DISC\_A as amended by the acoustic fence and barriers approved under the current application which shall be erected prior to the commencement of any development on the site. In relation to the permitted acoustic screen this must be GreenSoundBlok by GRAMM Barrier System or an equal alternative with the same or improved acoustic performance.
- 3 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 4 Condition: For the duration of the construction period all traffic associated with the construction of the development hereby permitted shall comply with the Construction Traffic Management Plan (drawing no 16635-132 Rev.C hereby permitted.)
- 4 Reason: In the interests of maintaining highway efficiency and safety in accordance with the NPPF and Development Plan.
- 5 Condition: No work or other operations development shall take place on site until a scheme for the protection of the retained trees including Arboricultural Method

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3 June 2024

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 existing 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.

- 5 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 6 Condition: All hard and soft landscape works shall be carried out in accordance with drawing number: 16635-VL L01 Rev.N and the notes contained thereon. The works shall be carried out prior to the 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

Planning Committee  
3 June 2024

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: In relation to surface water drainage only, the development hereby permitted shall be carried out in accordance with drawing no. 9172-NDA-ST-ZZ-DR-C-1251 Rev.P02 prior to any part of the development being brought into use.
- 7 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 8 Condition: Prior to the construction above damp-proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase of the development hereby permitted, the foul water drainage works relating to that phase shall be carried out in complete accordance with the approved scheme.
- 8 Reason: To ensure that there is a satisfactory means of drainage and to prevent environmental and amenity problems arising from flooding in accordance with the NPPF.
- 9 Condition: The approved remediation scheme (approved under application 20/01685/DISC\_E) 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.
- 9 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.
- 10 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 and where remediation is necessary a remediation scheme must be prepared 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.
- 10 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.
- 11 Condition: Prior to the installation of any external plant and / or machinery associated with the development hereby permitted but not expressly permitted under this application a detailed scheme showing the siting of fixed machinery and external plant, including any mechanical extract systems, ASHPs, air conditioning or air handling units etc, shall be 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.

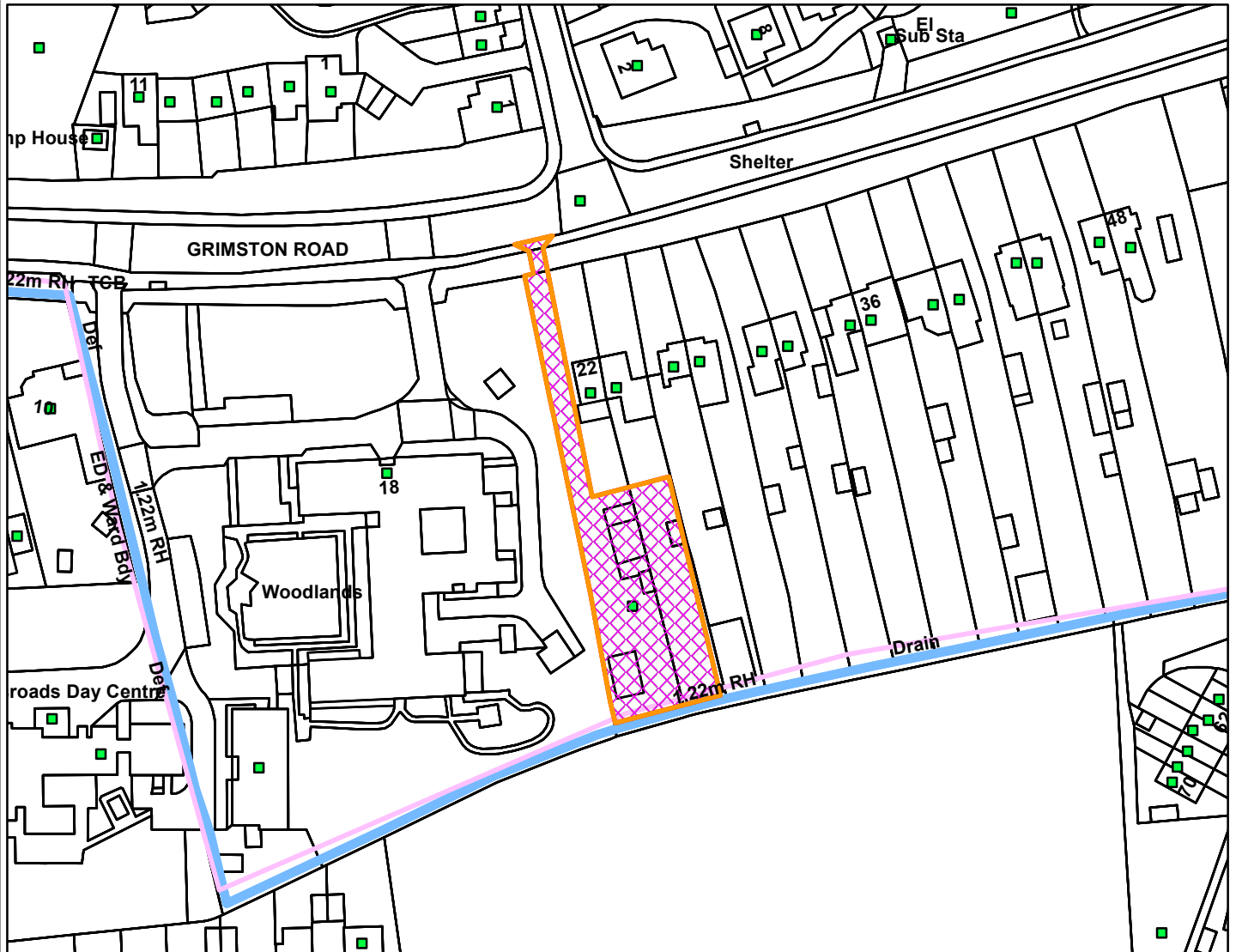
- 11 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 12 Condition: The development hereby permitted shall be carried out in full accordance with the Mitigation and General Good Practice Measures as outlined in sections 7 and 7.1 of the Noise Impact Assessment that accompanied application 20/01685/FM (Ref: 1700491.003-RP-NIA-0002 dated May 2021) as amended by details contained within Technical Note 0001 that accompanied the current application (Ref. 1700491.008-DN-NIA-0001.3)
- 12 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 13 Condition: The development hereby permitted shall be carried out in strict accordance with the mitigation measures proposed in the FRA that accompanied application 20/01685/FM (ref: AMF/FRA/Y19069, Version 2 dated May 2021).
- 13 Reason: To reduce the risks associated with flooding in accordance with the NPPF and Development Plan.
- 14 Condition: Prior to the first use of the development hereby permitted the applicants / owners / successors in title shall sign up to the Environment Agency flood warning system (0345 988 1188 or [www.gov.uk/flood](http://www.gov.uk/flood)). Additionally, prior to the first use of the development hereby permitted a flood evacuation plan (FEP) should be submitted and approved in writing by the Local Planning Authority. The FEP shall include:
- Actions to take on receipt of the different warning levels.
  - Evacuation procedures e.g. isolating services and taking valuables etc
  - Evacuation routes
- Prior to the first use of the development hereby permitted the approved FEP shall be located in a prominent position within the main staff building and shall thereafter be retained in that position.
- 14 Reason: To reduce the risks associated with flooding in accordance with the NPPF and Development Plan.
- 15 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.
- 15 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 16 Condition: Prior to the first use of the development hereby permitted the proposed access, on-site car and cycle parking, servicing, loading, unloading, turning, waiting areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan (16635-122 Rev.N) and retained thereafter available for that specific use.

- 16 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.
- 17 Condition: External lighting shall be installed and thereafter BE retained and maintained in accordance with drawing no. D40986/RD/G.
- 17 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 18 Condition: Other than in relation to egress points for mammals that are not wanted in this instance because they may affect the integrity of the acoustic barriers, the development hereby permitted shall be carried out in full accordance with the details contained within the updated Ecological Survey that accompanied application 20/01685/FM produced by PRACTICAL ecology including, but not limited to, additional surveys, mitigation and enhancements, and application for licenses if required.
- 18 Reason: To ensure that the impact of the development upon protected species is acceptable in accordance with the NPPF and Development Plan.
- 19 Condition: The roller shutter door on the southeast elevation of the development hereby permitted shall be automatically controlled (motor with manual override for power failures) and shall only operate between 07:00 and 19:00 during peak winter months (between 1st October and 31st March.)
- 19 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.





Land Rear of 22 Grimston Road South Wootton Norfolk PE30 3HX



**Legend**

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**Scale:** 1:1,250

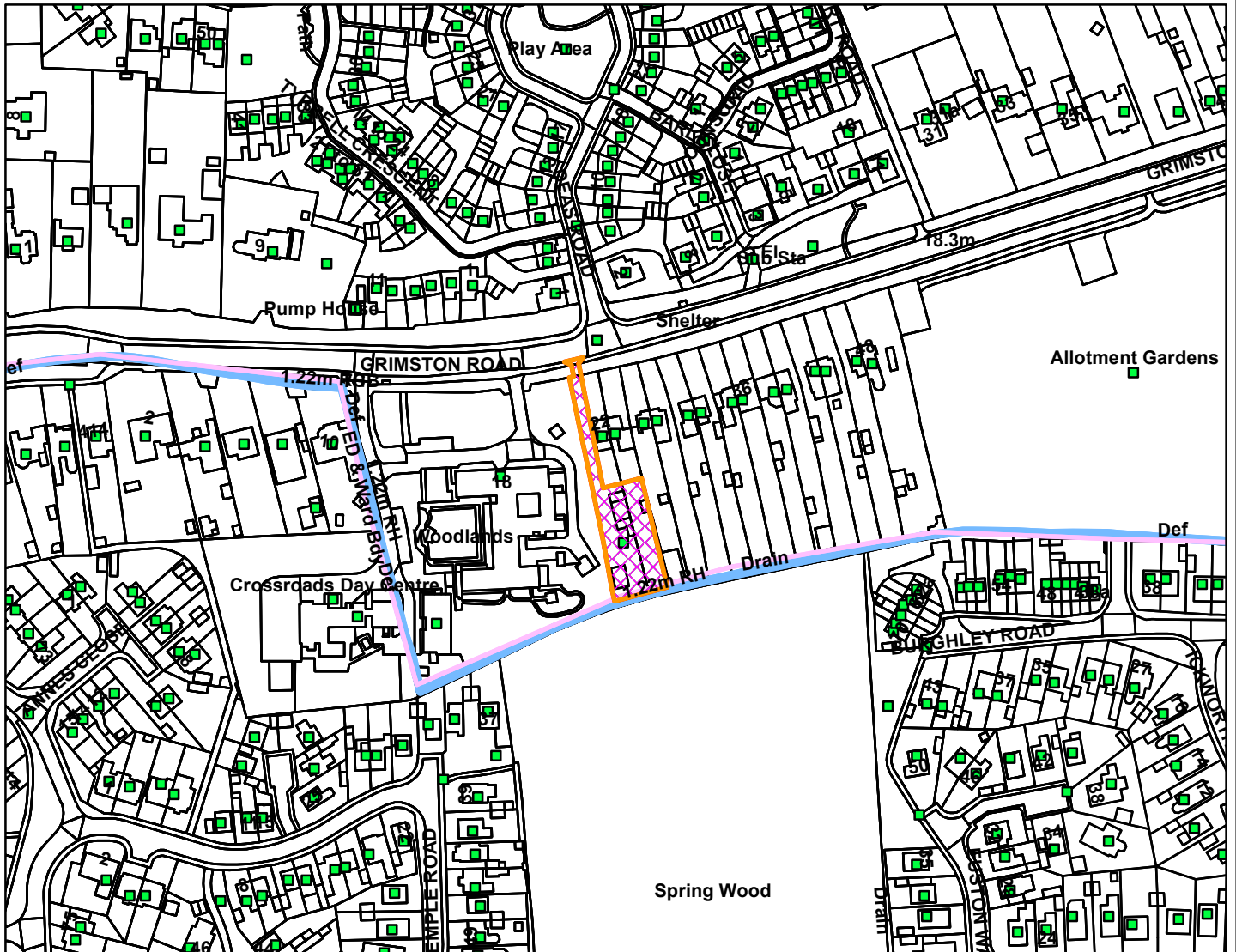
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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2024
MSA Number	0100024314



Land Rear of 22 Grimston Road South Wootton Norfolk PE30 3HX



**Legend**

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**Scale:** 1:2,500

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2024
MSA Number	0100024314

<b>Parish:</b>	<b>South Wootton</b>	
<b>Proposal:</b>	<b>RESERVED MATTERS APPLICATION FOR : All matters including, access, scale, appearance, landscaping and layout. Not an environmental impact assessment application : Proposed dwelling and associated garage/parking</b>	
<b>Location:</b>	<b>Land Rear of 22 Grimston Road Grimston Road South Wootton Norfolk PE30 3HX</b>	
<b>Applicant:</b>	<b>Mr Robert Patterson</b>	
<b>Case No:</b>	<b>24/00241/RM (Reserved Matters Application)</b>	
<b>Case Officer:</b>	<b>Mrs Jade Calton</b>	<b>Date for Determination: 8 April 2024 Extension of Time Expiry Date: 10 June 2024</b>

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

**Neighbourhood Plan:** Yes

**Case Summary**

The application site relates to a parcel of land measuring approximately 1084 square metres situated on the southern side of Grimston Road, South Wootton.

The land was historically garden land to Nos. 22 and 24 Grimston but has now been sub-divided and demarcated with a close boarded timber fence.

Reserved Matters consent is sought for the construction of a 1.5 storey, three-bedroom dwelling and detached garage.

The site lies within the development boundary of South Wootton, which is classified as a ‘settlement adjacent to King’s Lynn’ within the Development Plan settlement hierarchy, where development is supported subject to compliance with relevant planning policies.

**Key Issues**

- Principle of Development
- Design
- Neighbour Amenity
- Highway Safety
- Other Material Considerations

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site relates to a parcel of land measuring approximately 1084 square metres situated on the southern side of Grimston Road, South Wootton.

The land was historically garden land to Nos. 22 and 24 Grimston but has now been subdivided and demarcated with a close boarded timber fence.

The site benefits from outline consent (22/01239/O) which permitted a 1.5 storey dwelling and garage. All matters were reserved.

The current application seeks approval of Reserved Matters for the construction of a 1.5 storey, three-bedroom dwelling and detached garage.

The proposed dwelling would be sited behind the donor plots and it is proposed to utilise the existing access serving No.22 to the western side of the site, creating a shared access.

The proposed dwelling would have a footprint of approx. 179 square metres (58.5 sqm of which is flat roof single storey). It measures approx. 7.4m in overall height and 2.2m to its eaves.

The main bulk of the proposed dwelling has been designed with a pitched roof with clipped gables, containing three pitched dormer windows to the northern (front) roof slope and four small rooflights to the rear roof slope.

The proposed materials include render, brickwork, black slate / concrete roof tiles and black uPVC window frames, doors and rainwater goods.

The site is bounded by a 1.8m close boarded timber fence and hedging. The proposed dwelling would be sited approx. 13m from the southern (rear) boundary, approx. 1.5m from the eastern boundary (shared with the neighbour at No.26), 4.5m from the western boundary and approx. 15.8m from the northern (front) boundary.

The proposed garage would be sited between the front elevation of the new dwelling and the northern boundary, set back from the shared boundary by approx. 1m. It has the same roof design as the proposed dwelling and measures approx. 5.4m to its ridge and 2.3m to its eaves.

## **SUPPORTING CASE**

The Applicant's Agent has submitted the following supporting case: -

### **'BACKGROUND:**

Outline planning permission was granted on this site under reference 22/01239/O which is what this subsequent Reserved Matters application relates to. Condition 5 of the Outline consent clearly specified 'the dwelling hereby permitted shall be limited to 1.5 storeys'.

This Reserved Matters application complies with the parameters of Condition 5 by proposing a 1.5 storey chalet type dwelling. Key characteristics of the dwellings that are the use of clipped gables and a flat roof to reduce the overall height and massing to each side of the dwelling with the consideration of the neighbours in mind.

#### CONSIDERATIONS:

Overlooking has been addressed via the careful positioning of the dwelling and first floor dormers in relation to the carport. Both a site section and concept visual from the first-floor dormer window were produced to clearly demonstrate that there would be no adverse overlooking impacts.

Overshadowing has been addressed via the submission of a shadowing assessment (2461-13) which clearly demonstrates that shadowing is minimal and not of an overbearing nature. It should also be noted that the chimney has since been handed to the West side of the dwelling.

This application has received little resistance from most consultees although the Parish Council have objected based on the grounds that a single storey dwelling would be more appropriate for this site. This goes directly against the Outline planning condition that was specifically imposed on this site. If a 1.5 storey dwelling was permitted at outline stage, then this should still be permitted at Reserved Matters stage and not disregarded.

As previously mentioned, the design is sympathetic to the neighbouring developments by incorporating clipped gables, additional shadowing assessments and overlooking details. It should also be noted that a large portion of the dwelling is single storey flat roof whereas there was potential to proposed a dual-gabled pitched roof although the possible detrimental impact on the neighbours were considered at the time.

This Reserved Matters application has not received any public comments therefore implying that there are no local members of the public who object to the application – including neighbours.

#### PLANNING POLICY:

The application site is shown within the Development Boundary. 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.

Policy H2 of the South Wootton Neighbourhood Plan is satisfied via the provision of; a large garden and additional garden area to the frontage, adequate vehicle access/parking visibility, secure boundary treatments (with shingles access to alert residence of potential authorised visitors), soakaway drainage systems which will be engineered to accommodate climate change events, allowance, or security provisions such as alarms, external lighting, and cameras.

Policy H3 is satisfied as the dwelling is going to be of a high-quality design and be designed to the most up to date Building Regulations which creates a much more sustainable home compared to existing developments. The site is also more than large enough to accommodate the proposals and does not create an overly dense development thus not causing harm to surrounding properties.

Policy H4 is satisfied as the materials used are featured within the local vicinity and South Wootton area.

Policy H5 is satisfied via the provision of a three bay carport which is more than large enough to accommodate modern cars and bicycles which can be directly used by the inhabitants of the dwelling.

With all of the above considerations taken into account, we strongly believe that planning permission be granted'.

## PLANNING HISTORY

22/01239/O: Application Permitted: 13/10/22- DELEGATED - Proposed dwelling and associated garage/parking - Land Rear of 22 Grimston Road, Grimston Road, South Wootton

22/00383/O: Application Permitted: 08/06/22 – DELEGATED - Proposed two storey dwelling and associated garage/parking - 24 Grimston Road, South Wootton

## RESPONSE TO CONSULTATION

### Parish Council: OBJECTS

As with previous applications the Parish Council strongly believes that a single storey dwelling is the most appropriate form of development in this location to avoid overlooking and loss of privacy to surrounding properties.

The proposed development would have significant harmful impacts on the amenities of surrounding residential properties and would be an overbearing and unneighbourly form of development. Contrary to the South Wootton Neighbourhood Plan Policy H3 ( c) and H2 ( f).

**Highways Authority: NO OBJECTION** – subject to conditions relating to highways works, laying out and retaining the access, parking and turning, and removal of PD Rights for gates etc.

**Internal Drainage Board: NO OBJECTION**

**Environmental Health & Housing – Environmental Quality:** No comments to make in relation to contaminated land.

**Environmental Health & Housing – CSNN:** Initially objected on disamenity grounds due to the location of the proposed chimney being within close proximity to the neighbour to the east.

This has now been addressed through an amendment to the scheme, essentially handing the dwelling and relocating the chimney on the western elevation.

## REPRESENTATIONS

None received

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS11** - Transport

## **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

### **NEIGHBOURHOOD PLAN POLICIES**

**Policy H2** - Encouraging High Quality Design

**Policy H3** - Infill Developments

**Policy H4** - Local Character

**Policy H5** - Residential Garages

**Policy T2** - On-Street Parking

### **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 as follows: -

Principle of Development

Design

Neighbour Amenity

Highway Safety

Other Material Considerations

#### **Principle of Development:**

The site lies within the development boundary of South Wootton, which is classified as a 'settlement adjacent to King's Lynn' within the Development Plan settlement hierarchy.

Development in such locations would be considered acceptable in principle in accordance with the Development Plan, subject to compliance with relevant planning policies.

Further, the principle of residential development on the application site has already been established through the approval of outline consent (22/01239/O) in October 2022, where all matters were reserved. The approved dwelling was conditioned to be no more than 1.5 storeys in height in the interests of neighbour and visual amenities.

Previous to this, outline consent (22/00383/O) was granted in June 2022 where the dwelling was conditioned to be single storey, 'for both neighbouring amenity purposes and to ensure

the dwelling would not be out of character and an overly dominant form of backland development’.

The Parish Council were in support of both outline applications but stated within their comments that they ‘feel a single storey dwelling is the most appropriate to avoid overlooking and loss of privacy’.

The earlier outline consent clearly considered that a single storey dwelling was the most suitable form of development for the site at that time.

The Applicant’s Agent has explained that the reason for re-submitting the outline application (22/01239/O) so soon after the previously approved application was due to the imposition of the condition restricting the scale of the dwelling. They stated that the application title was for a two storey dwelling but it was conditioned a single storey dwelling which contradicted each other and they had limited opportunity that a 1.5 storey dwelling would be acceptable.

Notwithstanding the Parish Council comments, the re-submitted outline application (22/01239/O) allowed for further assessment of the application site, it’s surroundings and built form, and it was concluded that a [up-to] 1.5 storey dwelling would cause no material harm to the character and appearance of the street scene or to neighbour amenity and could be further assessed at reserved matters stage, hence the condition. The Parish did not raise a formal objection to the proposal and did not raise concerns in regard to form and character.

### **Design:**

General consideration regarding the impact of the proposed development on the form and character of the area was given and deemed to be acceptable in the outline consent (22/01239/O).

In terms of assessing the scale, appearance and layout of the proposed dwelling, the area is characterised by a mix of dwelling types, widely varying in scale, design and use of materials. The donor properties (Nos 22 and 24) are semi-detached 1930’s flat roofed Art Deco style dwellings.

Directly to the west is a large two storey residential care home constructed on red/orange brick. There are bungalows beyond that to the west along with large detached two storey dwellings.

Further to the east along Grimston Road, the development varies considerably, with a mix of single storey and 1.5 storey dwellings of differing roof forms.

The proposed dwelling would be 1.5 storeys in height (approx. 7.4m to its ridge and 2.2m to its eaves), containing accommodation within the roof space, which includes three pitched roof dormer windows to the front elevation. This is in keeping with the variety of design features in the area and the mixed character more generally.

In terms of its footprint, the proposed dwelling would relate adequately to the size of the plot in which it would sit, with sufficient spacing around the dwelling, so not to appear cramped, and a private garden that would be commensurate to a three-bedroom property.

The proposed dwelling would be sited behind the donor dwellings, roughly central of the plot. As such it would be set some 66m back from the highway. This together with its relatively modest scale, and the fact that it would be set against a backdrop of trees from the adjacent woodland, means that it would not be visually prominent.



The proposed garage would be sited in between the proposed dwelling and the host dwellings. It has been designed with a similar form as the new dwelling which it will be associated with.

Taking the above into account, it is not considered that the proposed 1.5 storey dwelling and garaging would cause any visual harm to the street scene or the wider character and appearance of the area.

It is considered therefore that the proposed development would accord with Neighbourhood Plan Policies H2, H3, H4 and H5; Core Strategy Policies CS01, CS02 and CS08; SADMPP Policies DM2, DM15 and DM17; and the general provisions of the NPPF.

### **Neighbour Amenity:**

Due to the siting of the proposed dwelling, consideration is given to the relationship with, and impact upon the host dwellings and their neighbour to the north. There is a separation distance of approx. 33.7m between the front (northern) elevation of the proposed dwelling and the rear elevation of No.22, and between 28m – 33.7m from the rear elevations of No.24. As such, there would be no significant overshadowing or overbearing impact upon the neighbouring properties as a result of the proposed dwelling.

Whilst the proposed garage is approx. 1m from the northern boundary of the site, due to its scale and the depth of the host dwelling's gardens (approx. between 13m – 18m), it is not considered that any resulting impact would be significant to the detriment of the resident's living conditions.

The three dormer windows within the northern roof slope of the proposed dwelling serve bedrooms. A cross section has been submitted with the application demonstrating that the garage building would obscure any views towards the host dwellings. Notwithstanding this, the separation distance between properties is such that it is not considered to result in significant loss of privacy to the adjacent properties.

The easterly-most dormer window serving bedroom 4 would be sited some 35m away from the rear elevation of No.26. Although this is considered to be more than sufficient distance to limit any significant overlooking, the presence of garden sheds and such like, and garden planting to the rear of No.26 would further mitigate against any impact.

The proposed garage would be approx. 3.2m from the eastern boundary with No.26 and approx. 21m (at an acute angle) from the rear elevation of No.26. Thus, there is adequate separation distance so not to cause significant overshadowing or overbearing impact to the neighbouring property.

It is not considered that the proposed development would cause a material impact on the amenities of the residential care home to the west due to the scale of the proposed dwelling and the separation distances involved (approx. 19.6m between the western side elevation of the proposed dwelling and the eastern side elevation of the care home).

On the basis of the above, it is considered that the proposed development would accord with Neighbourhood Plan Policy H3; Core Strategy Policy CS08; SADMPP Policy DM15; and the general provisions of the NPPF.

## **Highway Safety:**

It is proposed to utilise the existing access off Grimston Road serving the host dwelling at No. 22. The access driveway will continue along the western boundary of the site to serve the new dwelling to the rear of the plot.

There is adequate visibility at the access point onto Grimston Road and the intensification of the use of the access is not considered to cause highway safety concerns.

The Local Highway Authority raises no objection to the proposed development given that the access and layout accords with adopted guidance and subject to the recommended conditions.

The proposed open fronted garage provides three parking bays, which meets the adopted Norfolk Parking Standards for a three-bedroom dwelling. There is adequate turning space on site to enter the highway in a forward gear.

As such, the proposed development is considered to accord with Neighbourhood Plan Policies H2, H5 and T2; Core Strategy Policies CS08 and CS11; SADMPP Policies DM15 and DM17; and the general provisions of the NPPF.

## **Other Material Considerations:**

### *Landscaping*

As a reserved matter, the landscaping proposed is simple with a gravel driveway, patio immediately surrounding the dwelling and the garden set out to grass. A grass belt is also proposed around the garage to the north, east and west.

### *Parish Council*

The Parish Council's comments in relation to the scale of the proposed dwelling and the impact upon the neighbouring properties are noted.

However, the most recent outline consent (22/01239/O) conditioned the dwelling to a maximum of 1.5 storeys in the interests of neighbour and visual amenities. As such, the scale of the proposed dwelling is considered to accord with the outline consent. The Parish Council did not formally object to the previous applications and thus did not trigger them to be referred to the sifting panel so were delegated decisions.

Overlooking and loss of privacy are considerations for reserved matters.

The impact upon neighbour amenities, such as overshadowing, overbearing and overlooking has been addressed in more detail above in this report, in accordance with Neighbourhood Plan Policies H2 (f) and H3 (c).

### *Biodiversity Net Gain (BNG)*

The application is exempt from the BNG mandatory requirements as it was submitted prior to when the legislation came into force (April 2024).

## *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.

## **CONCLUSION**

The NPPF (2023) (Paragraph 2) states that Planning Law requires that application for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise, as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

The overriding objective of the NPPF is a presumption in favour of sustainable development in accordance with an up-to-date plan.

The application seeks reserved matters approval for the construction of a 1.5 storey, three-bedroom dwelling and garage. The principle of residential development on the site has been established through the approval of outline consent (22/01239/O), which imposed a condition restricting any new dwelling to a maximum of 1.5 storeys in height. The current proposal is therefore compliant.

The proposed development is considered to be of an acceptable scale, design, appearance and layout for the reasons set out above within this report. It is not considered that the proposal would have a detrimental impact upon the amenities of neighbouring properties due to adequate separation distances together with screening from the proposed garage building.

Access, parking and turning accords with adopted standards and as such, the Local Highway Authority raises no objection to the proposal.

Overall, the proposed development is considered acceptable and complies with Policies H2, H3, H4, H5 and T2 of the South Wootton Neighbourhood Plan (2023); Local Plan Policies CS01, CS02, CS03, CS08 and CS11 of the Core Strategy (2011); Policies DM1, DM2, DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF (2023).

## **RECOMMENDATION:**

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

- 1 Condition: The development hereby permitted shall be carried out using only the following approved plans:
  - 2461-10B Proposed Floor Plans, Elevations and Sections
  - 2461-11B Proposed Site Plan
  - 2461-12 Proposed Carport Plan, Elevations and Sections
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: Prior to the first occupation of the development hereby permitted the vehicular / pedestrian / cyclist access / crossing over the verge / footway shall be

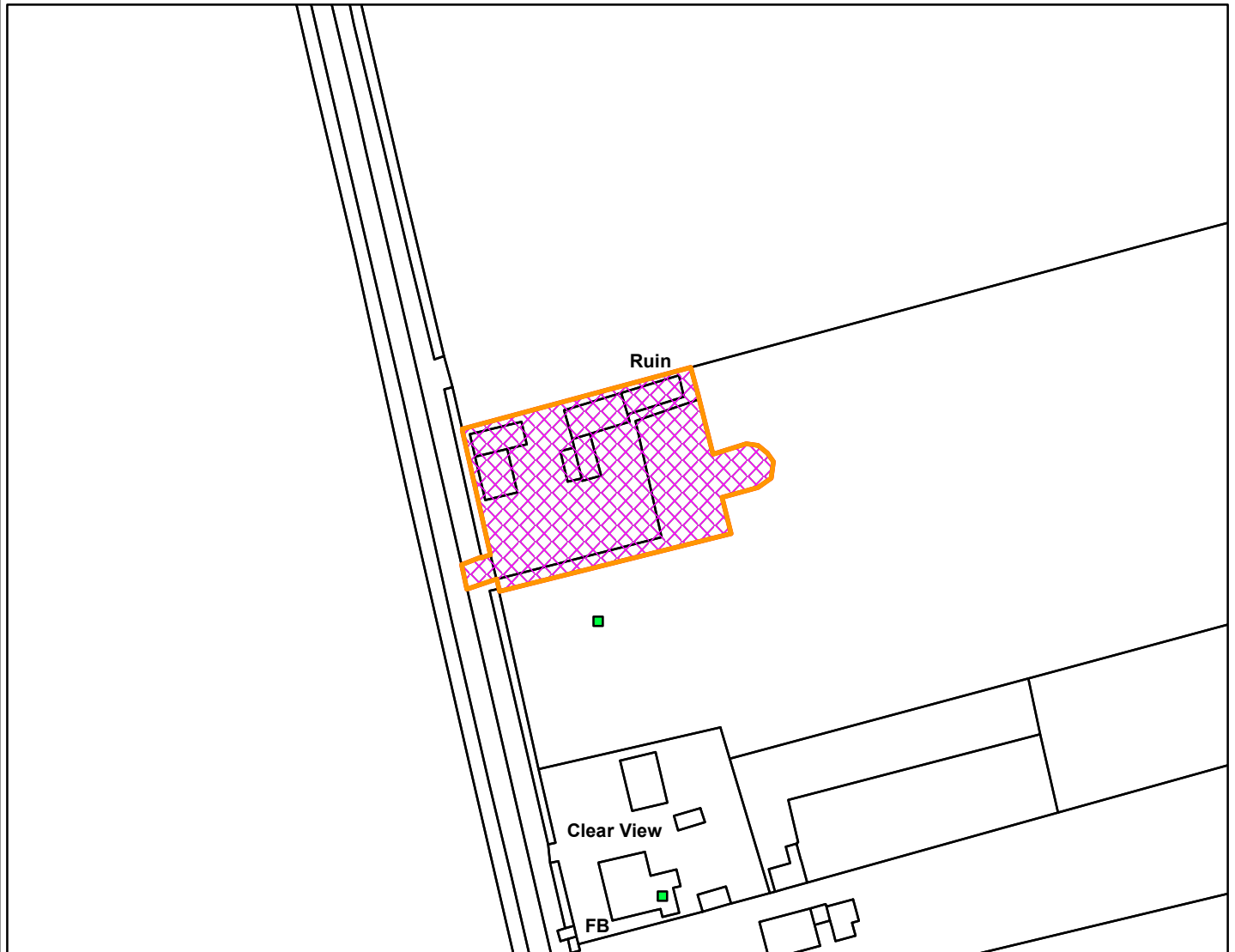
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constructed in accordance the highways specification TRAD 2 and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.

- 2 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety, in accordance with Policy H2 of the South Wootton Neighbourhood Plan (2023); Core Strategy (2011) Policies CS08 and CS11; SADMPP (2016) Policy DM15; and the general provisions of the NPPF (2013).
- 3 Condition: Any access gates / bollard / chain / other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway.
- 3 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened, in accordance with Policy H2 of the South Wootton Neighbourhood Plan (2023); Core Strategy (2011) Policies CS08 and CS11; SADMPP (2016) Policy DM15; and the general provisions of the NPPF (2013).
- 4 Condition: Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.5 metres for a minimum length of 10 metres as measured from the near edge of the highway carriageway.
- 4 Reason: In the interests of highway safety and traffic movement, in accordance with Policy H2 of the South Wootton Neighbourhood Plan (2023); Core Strategy (2011) Policies CS08 and CS11; SADMPP (2016) Policy DM15; and the general provisions of the NPPF (2013).
- 5 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with Policies H2, H5 and T2 of the South Wootton Neighbourhood Plan (2023); Core Strategy (2011) Policies CS08 and CS11; SADMPP (2016) Policies DM15 and DM17; and the general provisions of the NPPF (2013).



Land & Buildings N of Clear View Long Road Terrington St Clement PE34 4JL



**Legend**

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**Scale:** 1:1,250

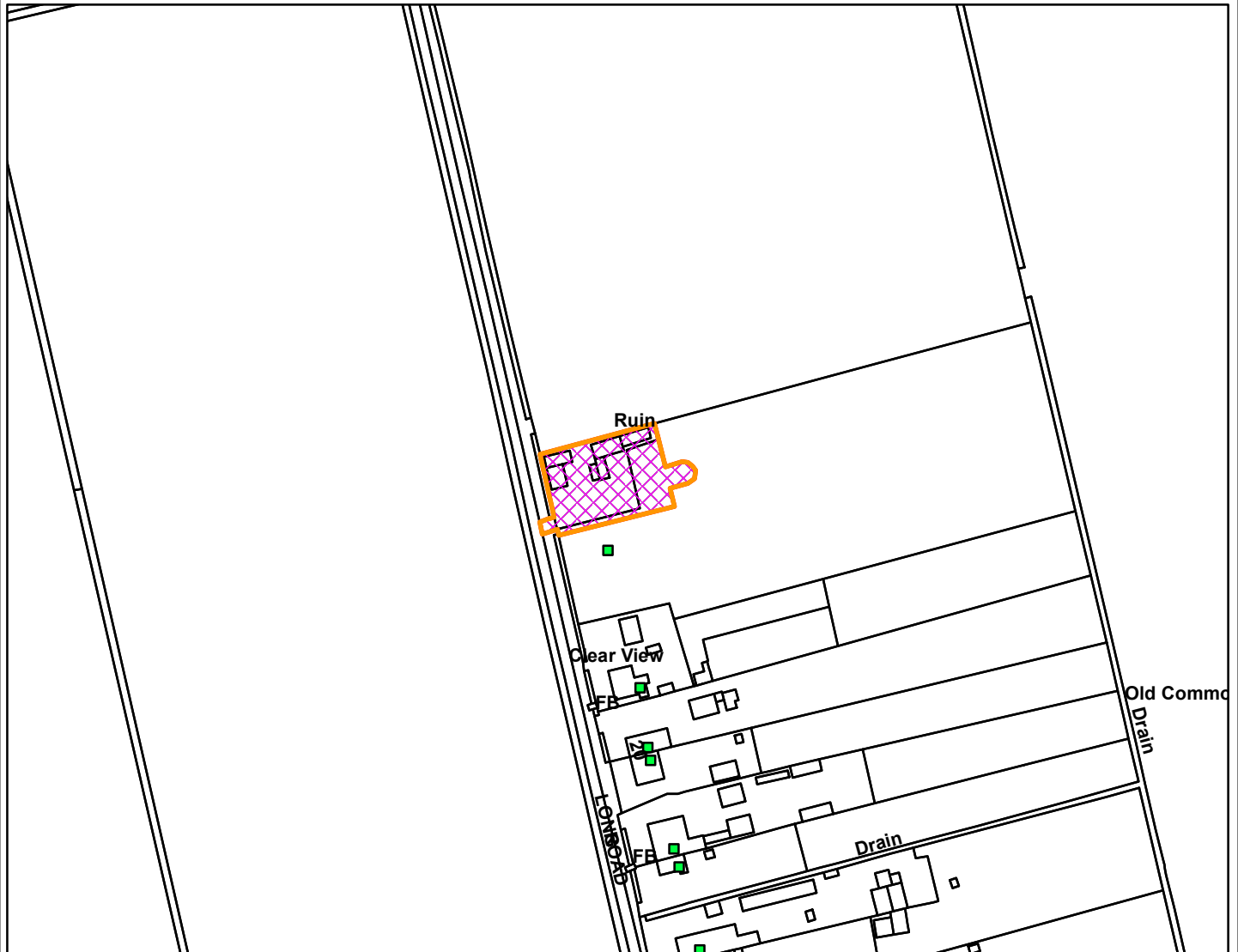
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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	20/05/2024
MSA Number	0100024314



Land & Buildings N of Clear View Long Road Terrington St Clement PE34 4JL



**Legend**

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	20/05/2024
MSA Number	0100024314

<b>Parish:</b>	<b>Terrington St Clement</b>	
<b>Proposal:</b>	<b>Proposed tractor store and concrete pad to replace existing buildings, new access, hardcore area and earth bund and screen planting.</b>	
<b>Location:</b>	<b>Land And Buildings At N of Clear View Long Road Terrington St Clement Norfolk PE34 4JL</b>	
<b>Applicant:</b>	<b>Client of Holt Architectural Ltd</b>	
<b>Case No:</b>	<b>24/00148/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 5 April 2024 Extension of Time Expiry Date: 7 June 2024</b>

**Reason for Referral to Planning Committee** – Called in for determination by the Planning Committee by Cllr Sandra Squire.

**Neighbourhood Plan:** No

**Case Summary**

The application site is located in the countryside on the eastern side of Long Road approx. 70m north of the dwelling known as 'Clear View' – last of a row of dwellings – and is detached from the defined village by some 900m as the crow flies. The site currently contains some agricultural buildings in a poor state of repair, 2 no. containers and an overgrown mound/bund of rubble on the southern side of the application site.

The site is bounded to the north and west by existing established vegetation/hedgerow; the remainder of the associated land is open field enclosed by lines of poplars. The site is surrounded on three sides (west, north and east) by agricultural land and residential to the south.

Vehicular access is gained directly off Long Road.

The application is for full planning permission for a proposed tractor store and concrete pad to replace existing buildings, new access, hardcore area and earth bund and screen planting.

This is a partially retrospective application as the access has already been culverted and the roadside dyke cleared in accordance with IDB requirements. All works implemented are at the risk of the applicant in the absence of formal planning permission.

**Key Issues**

- Background
- Principle of development
- Impact upon character and appearance of the countryside
- Impact upon neighbouring property
- Access and highway implications
- Other material considerations

## **Recommendation**

**APPROVE**

### **THE APPLICATION**

The application is for full planning permission for a proposed tractor store and concrete pad to replace existing buildings, new access, hardcore area and earth bund and screen planting.

The application site is located in the countryside on the eastern side of Long Road approx. 70m north of the dwelling known as 'Clear View' – last of a row of dwellings – and is detached from the defined village by some 900m as the crow flies. The site currently contains some agricultural buildings in a poor state of repair, 2 no. containers and an overgrown mound/bund of rubble on the southern side of the application site.

The site is bounded to the north and west by existing established vegetation/hedgerow; the remainder of the associated land is open field enclosed by lines of poplars. The site is surrounded on three sides (west, north and east) by agricultural land and residential to the south beyond the remainder of the holding.

The proposed new building is a low-pitched (7 degree) steel framed structure, 4.65m to eaves and 5.5m to ridge, with dark green profiled sheet metal walls and roof plus rainwater goods, and a footprint of 19m x 13m. Both the south and east elevations have a personnel and a roller shutter door; the north and west elevations have no openings.

The building is to be located in the NW corner of the application site with a retained cart shed in the NE corner. There is a concrete yard in front of the cart shed and rear of the proposed new store. The yard is proposed to be effectively enclosed by a 1.8m high bund (to be landscaped) and a 2.4m high slatted timber screen fence parallel to the road.

A hardcore yard area is also proposed to the south of the new store linked to the upgraded access off Long Road.

The application is accompanied by a site-specific Flood Risk Assessment plus a Contamination Screening Assessment Form.

The size of the building originally submitted was larger than that currently proposed – i.e., 4.8 eaves, 6m ridge, and footprint of 21.8m x 16m.

### **SUPPORTING CASE**

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

“This application relates to the ownership of the land by private individuals, namely Mr Tim Browne & Mrs Julie Browne and is to enable them to farm the piece of land. It has nothing to do with the operations of TM Browne Ltd. The land has historic access which has been recently upgraded at the request of the IDB to assist with drainage along Long Road. The proposed buildings will replace existing dilapidated and untidy storage buildings and will

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provide an increase in screen planting to the neighbouring property and has support from the Parish Council and no objection from the Community Safety & Neighbourhood Nuisance officer and no public objections are listed. The scheme has been amended during the process to reduce the size of the buildings as was an initial concern from the Ward Councillor and planning officers alike. The proposal has now been reduced sufficiently to gain planning officer's support."

## **PLANNING HISTORY**

16/00507/O: Application Withdrawn: 04/05/16 - Outline Application: residential development.

18/01218/F: Application Refused: 02/11/18 - Change of use of land and building to commercial storage and construction of new shed (Delegated decision) - Appeal Dismissed 09/07/19.

19/00164/F: Application Refused: 22/03/19 - Change of use of land and building to commercial storage and construction of a new shed (Delegated decision).

## **RESPONSE TO CONSULTATION**

**Parish Council: SUPPORT** without observations.

**Local Highway Authority (NCC): NO OBJECTION** - observe that the applicant's agent has confirmed that the storage facility is to house equipment that is associated with the use of the blue edged land to its rear and would not be used for any off-site services. Also observe the motion to gain IDB agreement for the access. On such a basis recommend conditions relating to access details, gates set back 5m and parking/turning space provision prior to use.

**Water Management Alliance Internal Drainage Board: NO OBJECTION** - confirm that the applicant has contacted the Board to regularise their works under Section 23 of the Land Drainage Act 1991 through a consent application, therefore the Board removes its objection to this planning application.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION.**

**Environmental Health & Housing - CSNN: NO OBJECTION** and no further comments.

**REPRESENTATIONS** None received in writing at the time of compiling this report, however verbal objections received from the nearest neighbour at Clear View.

**Cllr Sandra Squire:** Requests that this application is determined by the Planning Committee.

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

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**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 in determining this application are as follows:

Background  
Principle of development  
Impact upon character and appearance of the countryside  
Impact upon neighbouring property  
Access and highway implications  
Other material considerations

### **Background:**

The history section above indicates that this site has been the subject of previous applications and an appeal dismissed. It is clear that the applicant has had aspirations to develop this site for commercial purposes, however this has been negated by previous refusals and an appeal dismissed (Our ref: 18/01218/F; PINS ref: APP/V2635/W/19/3220293) a copy of the Inspector's decision is attached to this report for ease of reference.

### **Principle of Development:**

Policy CS06 of the Core Strategy indicates that beyond defined villages, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs.

This is also endorsed in the NPPF at Paragraph 180 b) which recognises the intrinsic character and beauty of the countryside.

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The appeal decision at Paragraph 8 clearly identifies this site/land/buildings as agricultural, and therefore is not 'previously developed land' judged against the definition in Annex A of the NPPF.

Policy DM2 - Development Boundaries: Under this policy, it is clear that the development of greenfield sites will be resisted unless essential for agricultural or forestry needs. It is acknowledged that the submission states the purpose of the development is for general storage to store plant and implements involved in the maintenance and management of the land. The agent has supplied the following statement:

*"In relation to equipment stored within the space, but not limited to: Tractor, sprayer, trailer, loader, and ploughs along with associated smaller equipment to maintain the land and principal equipment."*

To effectively use this overall site (approx. 1.5ha) for agricultural purposes, it is not unreasonable to have secure accommodation for equipment used to maintain this holding. Indeed, the new store replaces that type of facility which is not now fit for purpose. Having the equipment and machinery on site would arguably be more sustainable opposed to having to bring it there from a different site and subsequently remove it, thus creating multiple journeys.

Given concerns about future use it could however be restricted via condition to be used for agricultural purposes only and in conjunction with the holding.

The principle of the proposed development is therefore considered to accord with the NPPF, Policy CS06 of the Core Strategy (2011) and Policy DM2 of the SADMPP (2016). So agricultural buildings and uses in the countryside are acceptable in principle subject to satisfying other policies. These will be addressed later in this report.

### **Impact upon character and appearance of the countryside**

The site is effectively screened by existing mature landscaping. It presently contains a collection of dilapidated storage buildings in a state of disrepair, plus two containers and a welfare unit, which can be seen in the immediate vicinity but do not make a positive contribution to the character and appearance of the countryside.

This proposal seeks to remove the existing buildings save for an open cart shed to the rear.

Policy CS08 - Sustainable Development: states that all new development in the borough should be of high-quality design. All new development is expected to protect and enhance the historic environment, optimise site potential and enhance community wellbeing.

Policy DM15 of the SADMPP requires that development must protect and enhance the amenity of the wider environment.

As stated above, the proposed new building is a low-pitched (7 degree) steel framed structure, 4.65m to eaves and 5.5m to ridge, with dark green profiled sheet metal walls and roof plus rainwater goods, and a footprint of 19m x 13m.

This is similar in appearance as that dismissed on appeal, but larger – in comparison; the appeal building was 2.85m eaves, 3.3m ridge and 12.7m x 10.7m footprint. However, the Inspector stated at Paragraph 9 that the design of the building would not be out of character with agricultural buildings. There was no issue with the design and appearance of such a building on this site.

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Whilst a large structure, given its siting and appearance, it is considered to be compatible to this countryside setting and accords with Policies CS08 and Policy DM15 of the SADMPP.

### **Impact upon neighbouring property**

The nearest residential property is the bungalow to the south of the site approx. 70m away from the proposed building. There is a 1.8m high bund proposed towards the rear of the site and parallel to the open fronted cart shed, effectively enclosing a concrete yard together with a 2.4m high slatted timber screen fence parallel to the road.

The use of the land and buildings is presently agricultural and would remain so, subject to a restrictive condition as stated above. To impose operational restrictions (hours of use etc.) would be unreasonable and fail the tests applied to use of conditions. A lighting scheme can however be justified in the interests of local amenity and also wildlife interests.

The application has been assessed by CSNN who raise no concerns regarding amenity. The proposal therefore can accord with Policy DM15 of the SADMPP.

### **Access and highway implications**

There is an existing vehicular access serving the site off Long Road. This has been recently culverted and improved to correspond with the planning application. These works have been undertaken in accordance with the requirements of the IDB, with concrete bagged headwalls and appropriately sized pipework. The IDB have confirmed that the applicants have sought to regularise the works under section 23 of the Land Drainage Act 1991. Their initial objection has now been withdrawn.

The Local Highway Authority has no objection to the proposed development subject to certain conditions. These include details of the access, no barrier/gate within 5m of the carriageway and parking/turning space provision.

The gates are already set back from the carriageway and there is ample parking/manoeuvring space to serve the proposal within the site.

The proposal accords with the provisions of the NPPF, Policy CS11 of the Core Strategy and Policies DM15 & DM17 of the SADMPP.

### **Other material considerations**

*Flood Risk* - The application site lies within Flood Zone 3 of the Council-adopted Strategic Flood Risk Assessment, as is much of the Parish of Terrington St Clement. The building is a compatible form of development in such zone and there are no objections to the proposal on this basis from the Environment Agency and District Emergency Planning Officer.

The site would pass the sequential test as the proposal is site specific and there are no other available sites within the Parish which are at a lower flood risk. The exception test is not required given the nature of the proposal which is classed as a 'less vulnerable' form of development and therefore compatible to this zone as identified within Table 2 'Flood Risk Vulnerability Classification' of the Planning Practice Guidance.

*Biodiversity* – the development does not affect any designated conservation sites or any known protected species. However, as mentioned above, a lighting scheme condition may be applied which would have wildlife benefits as well as amenity implications.

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*Byelaw issues* – the clearing and culverting (under the access point) of the land drain adjoining Long Road appears to have been undertaken in accordance with the requirements of the IDB. Any other byelaw issues would be covered under separate legislation (Land Drainage Act 1991).

*Surface water disposal* – the plans show a crated arrangement under the proposed yard area south of the building. Any excess/overflow would be connected by outfall into the adjoining drain parallel to the road. Once again this would fall within the remit of the IDB.

*Contamination* – there are no known contamination issues relating to this proposal.

## CONCLUSION

In light of the considerations outlined above, and subject to the use being restricted via condition for agricultural purposes only (no commercial), the proposed development would accord with the provisions of the NPPF, Policies CS06, CS08, CS11 & CS12 of the Core Strategy (2011) and Policies DM2, DM15 & DM17 of the SADMPP (2016).

The application is therefore duly recommended for approval subject to certain conditions stated below.

## 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: HAL23-LR-100 Rev. B, HAL23-LR-200 Rev. A and HAL23-LR-300 Rev. A.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The building hereby permitted shall be used in connection with the agricultural holding for the storage of crops produced, vehicles and equipment used for maintenance of the land for agricultural purposes, and shall be held in association with the land identified in blue on Drawing No. HAL23-LR-100 Rev. B. It shall at no time be used for any other business or commercial purpose.
- 2 Reason: To define the terms of this permission as the use for commercial purposes would be inappropriate and unsustainable given its remote rural location and contrary to Policies CS01 & CS06 of the Core Strategy (2011) and Policies DM1 & DM15 of the SADMPP (2016).
- 3 Condition: Prior to the first use of the development hereby permitted the vehicular / pedestrian crossing over the verge / ditch shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- 3 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of

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highway safety and to accord with Policy CS11 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

- 4 Condition: Any access gates / bollard / chain / other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway.
- 4 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened and to accord with the provisions of the NPPF and Policy DM15 of the SADMPP (2016).
- 5 Condition: Prior to the first use of the development hereby permitted the proposed access / on-site parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety and to accord with the NPPF and Policies DM15 & DM17 of the SADMPP (2016).
- 6 Condition: Prior to installation of any lighting scheme, full details shall have been submitted to, and agreed 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 any 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.
- 6 Reason: To allow the Local Planning Authority to consider such details in the interests of the amenity of this rural area and impact upon wildlife; in accordance with the provisions of the NPPF, Policy CS12 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).



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## Appeal Decision

Site visit made on 11 June 2019

**by Terrence Kemmann-Lane JP DipTP FRTPI MCMi**

an Inspector appointed by the Secretary of State

Decision date: 9 July 2019

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**Appeal Ref: APP/V2635/W/19/3220293**

**Land to north of Clear View, Long Road, Terrington St. Clement, PE34 4JL.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by T M Browne Ltd against the decision of King's Lynn and West Norfolk Borough Council.
  - The application Ref 18/01218/F, dated 3 July 2018, was refused by notice dated 2 November 2018.
  - The development proposed is change of use of land and buildings to commercial storage and construction of new shed.
- 

### Decision

1. The appeal is dismissed.

### Preliminary matters

2. The Council has noted that the final sentence of the refusal reason should read 'Policies DM1, DM2 and DM15 of the Site Allocations and Development Management Policies Plan 2016.'

### Main Issue

3. The main issue is the suitability of the appeal site and buildings for commercial storage and construction of a shed in a countryside location.

### Reasons

4. The starting point must be the development plan policies for the area. From my consideration of the material placed before me, it appears that the most relevant policies of the development plan in this case are Policies CS01, CS06 and CS10 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016. In addition the National Planning Policy Framework (the Framework) is of relevance as I mention in paragraph 6 below. In connection with the Framework, whilst the Core Strategy was adopted in July 2011, before the Framework was first published, it should not be regarded as out of date for that reason. Its policies should be accorded weight according to the extent of their degree of consistency with the Framework.
5. I briefly set out the gist of the relevant parts of these policies. Policy CS01 sets the strategy that seeks to balance protecting and enhancing the built and natural environment, whilst facilitating sustainable growth, including



encouraging economic growth in the most appropriate locations. Policy CS06 deals with development in rural areas, seeking to maintain local character and a high quality environment, focusing most new development in key rural service centres, ensuring that employment, housing, and services/facilities are in close proximity. Under Policy CS10 – Rural Employment Exception Sites – permission may be granted for an employment generating use that meets a local business need, subject to criteria that include that it should be adjacent to the settlement. Policy DM15 requires that development must protect and enhance the amenity of the wider environment.

6. As to the policies of the Framework, paragraph 170 requires that planning decisions should contribute to and enhance the natural and local environment by among other things, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services. Paragraph 80 places significant weight on the need to support economic growth, and the relevant part of paragraph 83 states that decisions should enable the sustainable growth and expansion of all types of business in rural areas. Paragraph 84 encourages planning decisions that recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings; the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist. The appeal site is not 'isolated' in the sense used in paragraph 79.
7. The appellant company, T M Browne Ltd, explains that they are based near to the site. They have seen a considerable expansion in recent years and are probably the largest employer in the local community. This is very important, as rural areas are notoriously difficult to attract employment. They offer a construction business and a full spectrum of repairs and maintenance: commercial, domestic and industrial. As part of this service they offer a garden maintenance and landscaping business. This involves the storage of equipment to cut grass, and some materials would be stored at the site. This is sizable equipment and is in seasonal use. The application seeks to build a storage building to keep this equipment secure. Some of the existing buildings would be renovated as part of this. The equipment would be taken out at the beginning of the day and returned at the end of the day. The buildings would be used only for storage. No maintenance is planned to be carried out from the building.
8. The appeal site is agricultural land (no other lawful use having been established), and therefore is not previously developed land. It is some distance from the development boundary of Terrington St Clement and is situated at the end of a ribbon of development which is otherwise in open countryside. According to the Council it is 3.4km as the crow flies from the company's base on the southern side of the A17.
9. The design of the building would not be out of character with agricultural buildings, but a full scale B8 storage use of the proposed building and site would entail considerable mileage for the commercial vehicles that would be involved, which would be out of place with the countryside location and likely to be harmful the living conditions of the neighbouring residential occupiers.



Whilst a condition could restrict outside storage, this would not be sufficient in its self to overcome possible problems.

10. I accept that the appellant company's present intentions are much more low key, involving perhaps morning and evening visits to collect and return gardening/landscaping machinery and equipment. However the sizable storage shed and the renovation of existing buildings provides much scope for a future change of business plan, or change of ownership, either of the company or the site. The circumstances of this case are not such that a permission, personal to the company, could be given, and I do not see how a B8 use of the land and building could be conditioned to ensure that the use did not go beyond the intensity and nature of the use intended at present by the company. I do not accept the appellant's suggestion that the difficulties of control should not influence a planning decision, and that the application should be judged on its merits and not the possible future use. The judgement that I make is based on the description of the development that would be permitted and its ramifications.
11. The site is in an inappropriate and unsustainable location for a commercial storage unit. That, together with the difficulties of applying suitable planning control that I have outlined, means that the main elements of Policies CS06, CS10 and DM15, together with Framework paragraph 170 outweigh the policy encouragement for economic growth in Core Strategy policy CS01 and Framework paragraphs 80, 83 and 84.

### **Conclusion**

12. I have taken account of all other matters raised, but none contradict the balancing that I have carried out of the policies with the needs of the appellant company. The appeal is dismissed.

*Terrence Kemmann-Lane*

INSPECTOR

**PLANNING COMMITTEE -**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

**PURPOSE OF REPORT**

- (1) To inform Members of the number of decisions issued between the production of the May Planning Committee Agenda and the June agenda. 108 decisions issued 104 decisions issued under delegated powers with 4 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 20<sup>th</sup> April 2024 – 15<sup>th</sup> May 2024

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
<b>Major</b>	3	3	0		2	68%	60%	0	0
<b>Minor</b>	55	44	11	45		82%	80%	3	0
<b>Other</b>	50	46	4	43		86%	80%	0	1
<b>Total</b>	<b>108</b>	<b>93</b>	<b>15</b>						

Planning Committee made 4 of the 108 decisions, 4%

**PLANNING COMMITTEE - 3<sup>rd</sup> June 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**

<b>DATE RECEIVED</b>	<b>DATE DETERMINED/ DECISION</b>	<b>REF NUMBER</b>	<b>APPLICANT PROPOSED DEV</b>	<b>PARISH/AREA</b>
12.07.2023	07.05.2024 <b>Application Withdrawn</b>	23/01277/F	Upgate Lynn Road Great Bircham Norfolk Detached Garage	Bircham
04.03.2024	24.04.2024 <b>Application Permitted</b>	24/00399/F	59 Lynn Road Great Bircham King's Lynn Norfolk Proposed porch replacement	Bircham
20.12.2023	08.05.2024 <b>Application Permitted</b>	23/02267/F	Dormy Cottage London Street Brancaster King's Lynn VARIATION OF CONDITION 2 AND 4 OF PLANNING CONSENT 23/00665/F: Proposed annexe replacement. Revised design to planning consent 21/02317/F.	Brancaster

12.02.2024	25.04.2024 <b>Application Permitted</b>	24/00239/F	Redshanks Whiteway Road Burnham Deepdale King's Lynn Extension and alterations to existing dwelling	Brancaster
04.03.2024	13.05.2024 <b>Application Refused</b>	24/00396/F	2 Harbour View Terrace Main Road Brancaster Staithe King's Lynn Rear extension and alterations to dwelling	Brancaster
05.03.2024	30.04.2024 <b>Application Permitted</b>	21/02438/NMA_1	4 Harbour View Terrace Main Road Brancaster Staithe King's Lynn NON-MATERIAL AMENDMENT to Planning Permission 21/02438/F: Approval to demolish and rebuild Annex and Approved Extension (obtained under 21/00308/F)	Brancaster
20.02.2023	03.05.2024 <b>Application Permitted</b>	23/00326/F	4 Mill Yard Overy Road Burnham Market King's Lynn Single storey extensions to the rear of Numbers 4 and 5 Mill Yard. To be built to meet current insulation standards and finished as traditional brick and flint, with matching pantile roof and timber joinery	Burnham Market
06.03.2024	09.05.2024 <b>Application Permitted</b>	24/00426/F	The White House 62 Market Place Burnham Market King's Lynn VARIATION OF CONDITIONS 2 AND 6 OF PLANNING PERMISSION 23/01186/F: Demolition of existing double garage and construction of detached annex for elderly relative	Burnham Market

11.03.2024	08.05.2024 <b>Application Permitted</b>	24/00447/F	Beaconview 27 Kestrel Close Burnham Market King's Lynn Erection of single-storey rear and side extensions to dwelling.	Burnham Market
04.03.2024	14.05.2024 <b>Application Permitted</b>	24/00402/F	The Hollies Wells Road Burnham Overy Staithe King's Lynn VARIATION OF CONDITION 2 OF PLANNING PERMISSION 23/00390/F: For a replacement dwelling on the site of a 1970s semi-detached dwelling	Burnham Overy
05.03.2024	09.05.2024 <b>Application Permitted</b>	24/00394/F	Compass Cottage Gong Lane Burnham Overy Staithe King's Lynn Two storey extension to existing house.	Burnham Overy
15.01.2024	01.05.2024 <b>Application Refused</b>	24/00077/F	LEITH HOUSE ORCHARDS Caravan Club Leith House Mill Lane Burnham Thorpe Proposed siting of 3 Shepherds Huts (part-retrospective) to be used for short term holiday accommodation	Burnham Thorpe
05.03.2024	25.04.2024 <b>Would be Lawful</b>	24/00414/LDP	Laurenden 4 North Street Castle Acre KINGS LYNN Lawful Development Certificate: Installation of Air Source Heat Pump	Castle Acre
04.03.2024	24.04.2024 <b>Application Permitted</b>	24/00387/F	21 Coronation Road Clenchwarton King's Lynn Norfolk Replacement of existing conservatory with single storey kitchen extension.	Clenchwarton

08.04.2024	25.04.2024 <b>Application Permitted</b>	23/00776/NMA_1	38 Jubilee Bank Road Clenchwarton King's Lynn Norfolk NON-MATERIAL AMENDMENT to Planning Permission 23/00776/F: Proposed single storey side extension to form new utility area c/w new front porch.	Clenchwarton
29.02.2024	22.04.2024 <b>Application Permitted</b>	24/00376/F	Lavana 50 Low Road Congham King's Lynn Variation of Condition 2 of Planning Permission 23/01557/F: Extensions and Alterations to bungalow, replacement garage, new carport and dropped kerb.	Congham
14.03.2024	09.05.2024 <b>Application Permitted</b>	24/00476/F	SJC Trailers Ltd 6 New Road Crimplesham KINGS LYNN Proposed industrial unit to provide covered storage for existing trailers incorporating new landscaping and enlargement of existing vehicular access.	Crimplesham
28.02.2024	23.04.2024 <b>Application Permitted</b>	24/00369/A	Thornalley Funeral Services Ashdene House 60 Hunstanton Road Dersingham Wall Mounted Lettering.	Dersingham
20.03.2024	14.05.2024 <b>Application Permitted</b>	24/00521/F	3 Sugar Lane Dersingham King's Lynn Norfolk Erection of Two Storey Garage following removal of existing garage for a guest bedroom and additional storage.	Dersingham

08.04.2024	03.05.2024 <b>Application Permitted</b>	22/01031/NMA_2	48 Doddshill Road Dersingham King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 22/01031/F: Proposed single storey rear extension, internal conversion of the attached garage to provide habitable accommodation, internal reconfiguration with amendments to foul and surface water drainage with associated walls and fences	Dersingham
15.12.2023	07.05.2024 <b>Application Refused</b>	23/02243/F	Former Limagrain UK Ltd Site Station Road Docking KINGS LYNN New hard and soft landscaping to site entrance	Docking
24.10.2023	24.04.2024 <b>Application Refused</b>	23/01896/F	Land West Side of Priory Terrace Downham Market Norfolk Construction of two new residential dwellings together with the relocation of the vehicular entrance through the west facing boundary wall.	Downham Market
06.11.2023	30.04.2024 <b>Application Permitted</b>	23/02008/F	34 Brickfields Lane Downham Market Norfolk PE38 9ED Retrospective change of use - Reinstatement of workshop business use for car repairs	Downham Market

14.12.2023	30.04.2024 <b>Application Permitted</b>	23/02236/A	Land E of 160 And W of Roundabout Bexwell Road Downham Market Norfolk 2x Canopy Mounted Illuminated LidL sign above canopy; 1x Lidl Flagpole Sign; 1x Column Mounted Poster Display Unit; 5x Wall Mounted Billboard; 2x Directional Signs.	Downham Market
07.03.2024	25.04.2024 <b>Application Permitted</b>	24/00467/F	Hillside 200 Broomhill Downham Market Norfolk Single storey rear extension to existing house.	Downham Market
11.03.2024	30.04.2024 <b>Application Permitted</b>	24/00444/F	120 Bennett Street Downham Market Norfolk PE38 9GH Retrospective permission for a timber decking structure over a watercourse to maintain unobstructed water flow	Downham Market
15.03.2024	01.05.2024 <b>Application Permitted</b>	16/01322/NMAM_2	Land S of Denver Hill N of Southern Bypass E of Nightingale Lane Downham Market Norfolk NON-MATERIAL AMENDMENT to Planning Permission 16/01322/OM: up to 300 dwellings and associated infrastructure and access	Downham Market
19.03.2024	30.04.2024 <b>Application Permitted</b>	24/00505/F	Cotswold 25 Crow Hall Estate Downham Market Norfolk Proposed Replacement Dwelling.	Downham Market
23.03.2024	13.05.2024 <b>Application Permitted</b>	24/00547/F	19 Denver Hill Downham Market Norfolk PE38 9BE Single storey extension on side of existing bungalow	Downham Market



22.04.2024	29.04.2024 <b>Application Permitted</b>	21/02172/NMA_1	24 Bagthorpe Road East Rudham Norfolk NON-MATERIAL AMENDMENT to Planning Permission 21/02172/F: Two detached houses including extended access	East Rudham
14.03.2023	03.04.2024 <b>Application Permitted</b>	23/00475/LB	Summerend Barn Buildings Narford Lane East Walton KINGS LYNN Listed Building Application: Conversion of barns 2 and 3 of Summerend Farm barn range. This requires the demolition of modern interventions, with some replacement structure to allow for the sensitive conversion of the agricultural buildings to residential use.	East Walton
02.11.2023	01.05.2024 <b>Application Permitted</b>	23/01950/F	Land East of 11 To 37 Elm High Road Emneth Norfolk VARIATION OF CONDITION 1 AND 9 OF PLANNING CONSENT 18/01464/RMM; RESERVED MATTERS: For construction of dwellings.	Emneth
05.12.2023	09.05.2024 <b>Application Refused</b>	23/02178/O	Land OppositeProspect House 107 Elm High Road Emneth Norfolk OUTLINE APPLICATION WITH SOME MATTERS RESERVED FOR: Residential development (outline planning permission with matters committed in respect of access only).	Emneth

29.01.2024	25.04.2024 <b>Application Permitted</b>	24/00160/F	Little Orchard 55 Elmside Emneth Wisbech VARIATION OF CONDITIONS 3, 4 AND 7 OF PLANNING PERMISSION 22/00256/F: Proposed dwelling	Emneth
23.02.2024	15.05.2024 <b>Application Permitted</b>	24/00347/RM	Towler Coaches Ltd 24 Church Road Emneth Wisbech RESERVED MATTERS APPLICATION FOR: 3 no. dwellings.	Emneth
19.03.2024	10.05.2024 <b>Application Permitted</b>	24/00507/F	47 Ladys Drove Emneth WISBECH Norfolk Erection of 2-storey side extension.	Emneth
19.03.2024	24.04.2024 <b>GPD HH extn - Approved</b>	24/00498/PAGPD	23 Addison Close Feltwell Thetford Norfolk Single storey rear extension which extends beyond the rear wall by 4m with a maximum height of 3.95m and a height of 2.5m to the eaves,	Feltwell
07.03.2024	09.05.2024 <b>Application Permitted</b>	24/00431/F	Land Between 60 And 64 Station Road Great Massingham Norfolk Proposed residential development of 2 dwellings with 2 detached garages and associated external works	Great Massingham
08.03.2024	13.05.2024 <b>Application Permitted</b>	24/00437/F	The Barns 9 School Road Great Massingham King's Lynn Change of use from Workshop to Annexe	Great Massingham

01.03.2024	24.04.2024 <b>Would be Lawful</b>	24/00379/LDP	Owls Roost 11 Back Lane Pott Row King's Lynn LAWFUL DEVELOPMENT CERTIFICATE APPLICATION FOR A PROPOSED - Proposed single storey rear extension measuring 2925mm off rear wall of original house and 2677mm height to eaves from ground level.	Grimston
26.02.2024	29.04.2024 <b>Application Permitted</b>	24/00428/F	6 The Broadway Heacham King's Lynn Norfolk Extension and Alterations	Heacham
01.03.2024	24.04.2024 <b>Application Permitted</b>	24/00384/F	7 Jubilee Road Heacham King's Lynn Norfolk Rear Extension and porch. Modifications to external materials. Re-building of garage.	Heacham
07.03.2024	26.04.2024 <b>Application Permitted</b>	24/00419/F	51 Marram Way Heacham King's Lynn Norfolk Create balcony area on existing flat roof. Installation of an external staircase, raising part of the wall and screening.	Heacham
12.03.2024	23.04.2024 <b>Application Permitted</b>	24/00451/F	4 Davy Place Heacham King's Lynn Norfolk Proposed single storey garage extension	Heacham
22.03.2024	08.05.2024 <b>Application Permitted</b>	24/00545/F	11 Dix Close Heacham King's Lynn Norfolk Single storey side extension following demolition of detached garage	Heacham

28.11.2023	03.05.2024 <b>Application Permitted</b>	23/02182/F	Old Vicarage Ely Road Hilgay Downham Market Proposed change of use of existing stables to form two holiday lets	Hilgay
27.02.2024	26.04.2024 <b>Application Permitted</b>	24/00354/F	6 Bridge Street Hilgay DOWNHAM MARKET Norfolk Variation of Condition 2 attached to Planning Permission 20/01489/F: Construction of one dwelling	Hilgay
14.03.2024	10.05.2024 <b>Application Permitted</b>	24/00473/F	6 Wheatfields Hillington King's Lynn Norfolk Proposed rear extension and part garage conversion to provide annexe ancillary to existing dwelling.	Hillington
19.01.2024	09.05.2024 <b>Application Permitted</b>	24/00100/F	Annexe At Faulkners 132 Main Street Hockwold cum Wilton The proposals are for the removal and making good of two existing roof lights and addition of two new traditional style casement windows.	Hockwold cum Wilton
12.03.2024	02.05.2024 <b>Application Permitted</b>	24/00454/LB	Peartree Cottage 49 Kirkgate Holme next The Sea Hunstanton Application for listed building consent for alterations to fire proof three existing interior doors	Holme next the Sea

25.01.2024	22.04.2024 <b>Application Permitted</b>	24/00135/F	24 Belgrave Avenue Hunstanton Norfolk PE36 6DQ Extensions to dwelling, detached garden room with decking and amended boundary fence.	Hunstanton
06.02.2024	10.05.2024 <b>Application Permitted</b>	24/00204/F	26 Le Strange Terrace Hunstanton Norfolk Proposed change of use of part of building from a storage area to residential, to create a flat including additional windows.	Hunstanton
06.02.2024	03.05.2024 <b>Application Permitted</b>	24/00230/F	Land W of Aldorcar Coaly Lane Ingoldisthorpe Norfolk Proposed construction of 3 Bedroom chalet bungalow with detached car port.	Ingoldisthorpe
18.03.2024	01.05.2024 <b>Application Permitted</b>	24/00486/F	16 Ingoldsby Avenue Ingoldisthorpe King's Lynn Norfolk Demolition of conservatory. Single storey rear extension. Replacement windows and rendering existing bungalow	Ingoldisthorpe

12.12.2023	14.05.2024 <b>DM Prior Notification NOT Required</b>	23/02215/DM	Queen Elizabeth Hospital Gayton Road Queen Elizabeth Hospital Site King's Lynn Prior Notification: Demolition of the existing Discharge Lounge building, a flat roof single-storey structure made up of glazing and masonry elevations. The building is also made up of Reinforced Autoclaved Aerated Concrete (RAAC). The building has a corridor which links West Wing and Sandringham hospital to the existing hospital. This is to remain in-situ to provide a means of access to the main hospital building	King's Lynn
09.01.2024	08.05.2024 <b>Non-determined Invalid now returned</b>	24/00045/A	Tesco Campbells Meadow King's Lynn Norfolk Retrospective installation of 1x 42" LCD media screen size-860(W)x2160(H)mm Screen size-530(W)x930(H) mm 3nos x 1250mm x 700mm flag pole signs, overall 3350mm in height	King's Lynn
20.02.2024	10.05.2024 <b>Application Permitted</b>	24/00306/F	3 Kings Staithe Square King's Lynn Norfolk PE30 1JE Installation of 3 rooflights to workshop over garage within curtilage of listed building	King's Lynn

28.02.2024	23.04.2024 <b>Application Permitted</b>	24/00365/A	Wilkinson 30 - 36 New Conduit Street King's Lynn Norfolk New internally illuminated fascia signages to shopfront and facade of existing retail unit to replace existing.	King's Lynn
29.02.2024	24.04.2024 <b>Application Permitted</b>	24/00375/F	8A Jermyn Road King's Lynn Norfolk PE30 4AD First floor extensions to existing two storey dwelling.	King's Lynn
01.03.2024	24.04.2024 <b>Application Permitted</b>	24/00383/F	Tesco Hardwick Road King's Lynn Norfolk Proposal to install new bus stop shelter.	King's Lynn
04.03.2024	29.04.2024 <b>Application Permitted</b>	24/00389/LB	32-34 Bridge Street King's Lynn Norfolk Listed Building Application: Replacement / relocation of modern timber external staircase to rear of 32-34 Bridge Street	King's Lynn
07.03.2024	02.05.2024 <b>Application Refused</b>	24/00469/LB	65 London Road King's Lynn Norfolk PE30 5EU Listed Building Application: Alterations and single storey rear extension to existing dwelling to create 3 self contained flats.	King's Lynn
08.03.2024	30.04.2024 <b>Application Permitted</b>	24/00438/F	69 Temple Road King's Lynn Norfolk PE30 3SQ Side Extension.	King's Lynn

12.03.2024	14.05.2024 <b>Application Permitted</b>	24/00455/F	Queen Elizabeth Hospital Gayton Road Queen Elizabeth Hospital Site King's Lynn VARIATION OF CONDITION 1 OF PLANNING CONSENT 23/01237/FM : Proposed demolition of ancillary infrastructure buildings, construction of a 2-Storey (ground and first floor) discharge lounge building with link extension to the main hospital with additional connecting covered walkway link and construction of a 2-storey (ground and first floor) hospital office building, with associated access, infrastructure and landscaping works (use Class C2)	King's Lynn
14.03.2024	30.04.2024 <b>Application Permitted</b>	24/00462/F	Premier Inn Clenchwarton Road Freebridge Services West Lynn King's Lynn Installation of external plant and equipment	King's Lynn
14.03.2024	29.04.2024 <b>Application Permitted</b>	24/00470/F	138 Gayton Road King's Lynn Norfolk PE30 4ES Converting garage to Annexe	King's Lynn
20.03.2024	07.05.2024 <b>Application Permitted</b>	24/00517/F	9 Newby Road King's Lynn Norfolk PE30 4XR Single storey lean-to extension. Extension positioned adjacent a public footpath.	King's Lynn



21.03.2024	10.05.2024 <b>Application Permitted</b>	24/00526/F	14 Kitchener Street King's Lynn Norfolk PE30 5BJ Replace part pitched/ part flat roof with pitched roof.	King's Lynn
09.04.2024	14.05.2024 <b>Application Permitted</b>	19/00904/NMA_1	BCKLWN Car Park Centre Point King's Lynn Norfolk NON-MATERIAL AMENDMENT to Planning Permission 19/00904/F: Erection of 7 no. dwellings and associated car parking plus provision of 10 car parking spaces to the existing public car park.	King's Lynn
19.04.2024	25.04.2024 <b>Application Permitted</b>	23/00867/NMAM_3	Development Site E of Nar Ouse Way King's Lynn Norfolk Non-Material Amendment to 23/00867/NMAM: Part single and part two storey GP Surgery (Class E(e)) with Access, Parking and associated works	King's Lynn
23.02.2024	09.05.2024 <b>Application Refused</b>	24/00341/O	Land Between 135 And 143A Smeeth Road Marshland St James Norfolk Outline application for 4No. infill building plots	Marshland St James
22.01.2024	24.04.2024 <b>Application Permitted</b>	24/00113/F	Keepers Cottage Decoy Road Southery Downham Market Proposed replacement dwelling with garage.	Methwold

19.02.2024	03.05.2024 <b>Application Permitted</b>	24/00302/F	Land Between 12 And 16 The Avenue Brookville Thetford Variation of Conditions 2, 4 and 5 of Planning Permission 23/00914/F: Replacement of existing bungalow with chalet dwelling and detached garage/annexe	Methwold
05.03.2024	25.04.2024 <b>Application Permitted</b>	24/00404/F	The Fallows 28A Old Feltwell Road Methwold Thetford Variation of Condition 2 of Planning Permission 22/00785/F: Conversion of existing garage and single storey rear extension to dwelling	Methwold
08.11.2023	26.04.2024 <b>Application Permitted</b>	23/02007/F	Middleton Hall Golf Club Hall Orchards Middleton King's Lynn RETROSPECTIVE APPLICATION FOR ; Retention of Marquee for use as clubhouse (including retention of fence and access adjustments)	Middleton
22.01.2024	22.04.2024 <b>Application Permitted</b>	24/00116/LB	Cobwebs Setch Road Blackborough End King's Lynn Application for listed building consent for proposed installation of solar panels to rear elevation (south elevation)	Middleton
21.02.2024	24.04.2024 <b>Application Permitted</b>	24/00320/F	4 Graham Drive Middleton King's Lynn Norfolk Single storey side and rear extension including garage conversion.	Middleton

14.03.2024	09.05.2024 <b>Application Permitted</b>	24/00477/F	Town Hill Farm School Road Middleton King's Lynn Single storey rear extension	Middleton
18.10.2023	13.05.2024 <b>Application Refused</b>	23/01851/F	Land Between Threeways And The Chequers Downham Road Nordelph Norfolk PROPOSED 2 DWELLINGS AND GARAGES	Nordelph
01.12.2023	01.05.2024 <b>Application Refused</b>	23/02148/F	Land At E583070 N338589 Beacon Hill Road Shammer North Creake The proposal is for the construction of a rural workers dwelling at Burn Valley Vineyard. Please see Planning Statement.	North Creake
27.02.2024	01.05.2024 <b>Application Permitted</b>	24/00355/F	11 Church Street North Creake Norfolk VARIATION OF CONDITION 2 OF PLANNING CONSENT 23/00075/F: VARIATION OF CONDITIONS 2,3 AND 4 OF PLANNING CONSENT 21/02461/F: Demolition of out building to the rear of the site and plant room attached to the school with the removal of the shipping containers found to the rear of the site. Change of use from F1 to C3. Extension to the rear of the property and construction of dormers	North Creake

04.02.2024	10.05.2024 <b>Application Permitted</b>	24/00191/F	Land Copse And Pond SE of Heathlands And W of A134A Thetford Road Northwold Norfolk Temporary erection of timber 'day room' and storage log cabin for the use of potting up, cutting and preparing flowers and storing tools, including a stand alone eco composting toilet and small gravelled area for parking.	Northwold
13.11.2023	10.05.2024 <b>Application Permitted</b>	23/02025/F	Industrial Buildings NE of 2 Wisbech Road Outwell Norfolk Proposed Demolision of Existing Industrial Unit and Construction of new 3 bed 2 storey dwelling	Outwell
08.01.2024	02.05.2024 <b>Application Refused</b>	24/00051/F	The Old Mushroom Farm The Common Upwell Wisbech Erection of general purpose storage building for maintenance of the land.	Outwell
15.01.2024	02.05.2024 <b>Application Permitted</b>	24/00076/FM	Oakley House Nurseries Hall Road Outwell Wisbech Proposed pumpkin storage shed with washing facility and reservoir	Outwell
06.02.2024	02.05.2024 <b>Application Permitted</b>	24/00201/F	Garibaldi Farm The Common Upwell Norfolk Retrospective: Wood shed to store gardening equipment for the installation of trees, flowers and shrubs. A secure area to store honey and it byproducts. A area to assemble and to repair/maintain beehives	Outwell

07.02.2024	07.05.2024 <b>Application Permitted</b>	24/00215/F	The Boathouse Docking Road Sedgeford Hunstanton Proposed widening of driveway and dropped kerb, extension of existing boundary retaining wall and regrading of existing driveway	Sedgeford
21.02.2024	29.04.2024 <b>Application Permitted</b>	24/00313/F	Arch Cotts 70 Back Street South Creake Fakenham Proposed first floor side extension	South Creake
06.02.2024	03.05.2024 <b>Application Permitted</b>	24/00244/O	13 Mill Lane Southery Downham Market Norfolk Outline Application: Proposed dwelling.	Southery
09.04.2024	09.05.2024 <b>GPD HH extn - Not Required</b>	24/00665/PAGPD	62 Lynn Road Southery Downham Market Norfolk Single storey rear extension which extends beyond the rear wall by 5.1m with a maximum height of 3.45m and a height of 2.95m to the eaves.	Southery
14.03.2024	10.05.2024 <b>Would be Lawful</b>	24/00475/LDP	Red House Station Road Stanhoe KINGS LYNN LAWFUL DEVELOPMENT CERTIFICATE APPLICATION FOR A PROPOSED ; Construction of a single-storey garden studio and decking, within the existing garden of the house.	Stanhoe

24.07.2023	08.05.2024 <b>Application Permitted</b>	23/01375/F	Land S of 4A To 7A Furlong Road Stoke Ferry Norfolk VARIATION OF CONDITIONS 7, 9, 11, 14, 15, 16, 18, 19 AND 21 OF PLANNING PERMISSION 21/01226/F: Proposed two-storey new dwelling with garage	Stoke Ferry
21.12.2023	24.04.2024 <b>Application Refused</b>	23/02284/F	51 Buckenham Drive Stoke Ferry King's Lynn Norfolk Conversion of a games room, above a garage into a self contained annex.	Stoke Ferry
20.01.2023	26.04.2024 <b>Application Refused</b>	23/00113/F	Funky Farm 20 the Drove Barroway Drove Downham Market Retrospective application: Erection of Kennels and change of use to dog breeding business	Stow Bardolph
07.02.2024	25.04.2024 <b>Prior Approval - Approved</b>	24/00218/PACU3	Barn N of 95 Hay Green Road South Terrington St Clement Norfolk (Schedule 2, Part 3, Class Q) Proposed 4no Bedroom dwelling.	Terrington St Clement
28.02.2024	24.04.2024 <b>Application Permitted</b>	24/00366/F	The Bungalow Farm Long Road Terrington St Clement King's Lynn Demolition of porch. Single storey rear extension to bungalow.	Terrington St Clement
05.02.2024	01.05.2024 <b>Application Permitted</b>	24/00198/F	3 Hunts Cottages Church Street Thornham Hunstanton Proposed refacing existing dwelling, proposed 2 storey rear extension, porch extension, garage conversion and internal remodeling.	Thornham

22.02.2024	29.04.2024 <b>Application Permitted</b>	24/00408/F	107 High Road Tilney cum Islington King's Lynn Norfolk Extension & alterations to dwelling.	Tilney St Lawrence
08.04.2024	23.04.2024 <b>Prior Approval - Approved</b>	24/00649/T3	Playing Field Magdalen Road Tilney St Lawrence King's Lynn APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED: Proposed Arqivq Smart Metering 1No. Omni at 13.83m Mean Mounted on proposed 12m street works pole. Proposed Arqiva Smart Metering 1No. GPS Antenna at 12.4m Mean Mounted on proposed street works pole. Proposed Arqiva Smart Metering 1No. 3G Omni Antenna at 3.8m Mean Mounted on proposed street works pole. Proposed Arqiva Smart Metering equipment enclosure to be installed on a root foundation	Tilney St Lawrence
30.06.2023	14.05.2024 <b>Application Permitted</b>	23/01361/F	The Grapery Main Road Lott's Bridge Three Holes VARIATION OF CONDITION 2 AND REMOVAL OF CONDITIONS 9 AND 10 OF PLANNING PERMISSION 21/00258/F: Demolition of existing dwelling and construction of detached dwelling with integral garage.	Upwell

12.09.2023	10.05.2024 <b>Application Permitted</b>	23/01650/F	Land And Buildings S of Burnsall Squires Drove Three Holes Norfolk Erection of a dwelling and car port involving demolition of existing agricultural buildings	Upwell
20.02.2024	01.05.2024 <b>Application Permitted</b>	24/00305/F	Beechwood Farm Ha Penny Toll Road Lott's Bridge Three Holes Erection of two agricultural lean-to building off an existing grain store	Upwell
21.02.2024	24.04.2024 <b>Prior Approval - Approved</b>	24/00315/PACU3	Commercial Buildings Northwest of 4 Millfield Town Street Upwell Norfolk Conversion of 2No. agricultural buildings to 2No. dwellings (Schedule 2, Part 3, Class Q)	Upwell
04.03.2024	10.05.2024 <b>Application Permitted</b>	24/00398/F	The Old Bank House 2 St Peters Road Upwell Wisbech External Alterations.	Upwell
03.05.2024	14.05.2024 <b>Application Permitted</b>	22/02226/NMA_1	Land And Buildings Immediately S of 5 Pinfold Road Upwell Wisbech NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 22/02226/F: Residential development - Four new dwellings, involving the demolition of three farm buildings	Upwell



19.05.2023	09.05.2024 <b>Application Permitted</b>	23/00899/F	Thornmoor Folgate Lane Walpole St Andrew Wisbech Retrospective application to remove timber fence (2140mm in height) and replace with brick wall 1060mm in height with x7 piers at a height of 1340mm. The brick wall is 200mm further back from the roadside than the existing fence.	Walpole
14.12.2023	30.04.2024 <b>Application Permitted</b>	23/02233/F	13 Market Lane Walpole St Andrew Wisbech Norfolk (Retrospective) Proposed extension to outbuilding to create a hay barn/feed store.	Walpole Cross Keys
12.03.2024	09.05.2024 <b>Application Permitted</b>	24/00452/F	Buildings SE of 21 Sutton Road Walpole Cross Keys Norfolk VARIATION OF CONDITION 1 OF PLANNING CONSENT 23/01127/RMM : Reserved matters application for 16 Dwellings	Walpole Cross Keys
25.03.2024	29.04.2024 <b>GPD HH extn - Not Required</b>	24/00560/PAGPD	15 Market Lane Walpole St Andrew Wisbech Norfolk Single storey rear extension which extends beyond the rear wall by 6m with a maximum height of 3m and a height of 3m to the eaves	Walpole Cross Keys
05.03.2024	26.04.2024 <b>Application Permitted</b>	24/00411/F	Coopers Mill Mill Road Walpole Highway Wisbech Proposed car park extension	Walpole Highway
12.10.2023	09.05.2024 <b>Application Refused</b>	23/01821/F	Station Farm Station Road Walsoken Wisbech Proposed replacement dwelling.	Walsoken

20.03.2024	07.05.2024 <b>Prior Approval - Not Required</b>	24/00515/PART14	Warehouse Lynn Road Walsoken Wisbech SCHEDULE 2, PART 14, CLASS J: The installation of 1150 PV panels to the pitched roof area of Princes Tuna's distribution centre.	Walsoken
16.08.2023	25.04.2024 <b>Application Permitted</b>	23/01510/RMM	Land Accessed Via 32 And W of 24 To 36 But E of Fairfield Lane Downham Road Watlington Norfolk Reserved Matters Application: Residential Development of 22 dwellings	Watlington
06.03.2024	24.04.2024 <b>Application Permitted</b>	24/00465/F	Clavering House Stoke Road Wereham King's Lynn Conversion of detached garage to additional accommodation comprising bedroom/living area and shower room.	Wereham
10.10.2023	24.04.2024 <b>Application Permitted</b>	23/01833/RM	5 Trafford Estate West Walton Wisbech Norfolk Reserved Matters Application for a proposed dwelling	West Walton
21.02.2024	29.04.2024 <b>Application Permitted</b>	24/00326/F	Silva Glade 219 Salts Road West Walton Wisbech Proposed Rear Extension	West Walton
05.04.2024	01.05.2024 <b>Application Permitted</b>	18/01421/NMAM_8	Land To South of The Poplars Lynn Road Walton Highway Norfolk NON-MATERIAL AMENDMENT to Planning Permission 18/01421/RMM: Construction of 25 dwellings. Plot 11 only.	West Walton

09.05.2024	13.05.2024 <b>Application Permitted</b>	18/01421/NMAM10	Land To South of The Poplars Lynn Road Walton Highway Norfolk NON -MATERIAL AMENDMENT to Planning Permission 18/01421/RMM: Reserved Matters Application: construction of 25 dwellings Plot 6 only: Change of Brick, Roof tile and addition of roof mounted PV	West Walton
26.02.2024	02.05.2024 <b>Application Permitted</b>	24/00418/F	Land West of 6 Birch Grove West Winch Norfolk Construction of four bay timber framed cart lodge with external stair and loft store above	West Winch
09.02.2024	09.05.2024 <b>Application Permitted</b>	24/00238/F	Land S of 85 Stow Road Wiggenhall St Mary Magdalen KINGS LYNN Norfolk VARIATION OF CONDITIONS 1 AND 6 OF PLANNING PERMISSION 23/00140/F: Previous variation of Reserved Matters application, construction of 9 dwellings	Wiggenhall St Mary Magdalen
04.01.2024	14.05.2024 <b>Was Lawful</b>	24/00018/LDE	Orchard Lodge Wretton Fruit Farm West Dereham Road Wretton LAWFUL DEVELOPMENT CERTIFICATE APPLICATION FOR AN EXISTING USE; Occupation of the dwelling and curtilage without complying with the agricultural occupancy condition No.5 attached to planning permission 2/81/1842/O	Wretton

