



Planning Committee

Agenda

Monday, 2nd June, 2025
at 9.30 am

in the

**Assembly Room
Town Hall
King's Lynn**

Also available to view at:

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



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

PLANNING COMMITTEE AGENDA

Please note that the Committee may 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, 2nd June, 2025

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 (Pages 5 - 10)

To confirm as a correct record the Minutes of the Meeting held on 6 May 2025 (previously circulated).

3. DECLARATIONS OF INTEREST (Page 11)

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 Chair 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. INDEX OF APPLICATIONS (Page 12)

The Committee is asked to note the Index of Applications.

9. DECISION ON APPLICATIONS (Pages 13 - 82)

The Committee is asked to consider and determine the attached Schedules of Planning Applications submitted by the Assistant Director.

10. DELEGATED DECISIONS (Page 83)

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

11. TREE UPDATE REPORT (Pages 84 - 86)

12. EXCLUSION OF PRESS AND PUBLIC

To consider passing the following resolution:

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

13. **PLANNING ENFORCEMENT REPORT** (Pages 87 - 96)

To consider the attached report.

To: Members of the Planning Committee

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

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 5 June 2025** (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 5.00 pm on the Wednesday before the meeting will be emailed. 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 before 5.00 pm two working days before the meeting. Please contact borough.planning@west-norfolk.gov.uk or call (01553) 616818 or 616234 to register. Please note that you need to have made representations on an application to be able to register to speak.

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

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**PLANNING COMMITTEE**

Minutes from the Meeting of the Planning Committee held on Tuesday, 6th May, 2025 at 9.30 am in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor Lintern (Chair)
Councillors B Anota, T Barclay, A Bubb, M de Whalley, T de Winton, S Everett,
S Lintern, C Rose, J Rust (sub), A Ryves (sub), S Sandell (sub),
Mrs V Spikings and D Tyler

PC137: **APOLOGIES**

Apologies for absence had been received from Councillors Blunt (Councillor Sandell (sub), Devulapalli (Councillor Rust sub), Parish (Councillor Ryves sub) and Storey.

PC138: **APPOINTMENT OF VICE-CHAIR**

RESOLVED: That Councillor Mrs V M Spikings be appointed as Vice-Chair for the meeting.

PC139: **MINUTES OF PREVIOUS MEETINGS**

The minutes of the meetings held on 3rd April, 7th April and 11th April 2025 were agreed as a correct record and signed by the Chair.

PC140: **DECLARATIONS OF INTEREST**

There were no declarations of interest.

PC141: **URGENT BUSINESS UNDER STANDING ORDER 7**

The Vice-Chair asked for an update in relation to West Winch. The Planning Control Manager advised that the documents to finalise were on track ready for the decision to be issued by 19 May 2025.

PC142: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

Councillor T de Winton 9/1(a) Brancaster

PC143: **CHAIR'S CORRESPONDENCE**

The Chair reported that any correspondence received had been read and passed to the appropriate officer.

PC144: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of the late correspondence received after the publication of the agenda, which had previously been previously circulated, was received. A copy of the agenda would be held for public inspection with a list of background papers.

PC145: **DECISION ON APPLICATIONS**

The Committee considered schedules of applications for planning permission submitted by the Assistant Director for Planning and Environment (copies of the schedules were published with the agenda). Any changes to the schedules will be recorded in the minutes.

RESOLVED: That the application be determined, as set out at (i) – (v) below, where appropriate to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chair.

(i) 25/00404/F

**Brancaster: Redshanks, Whiteway Road, Burnham
Deepdale: Householder – Alterations to garage: Cuthbert**

[Click here to view a recording of this item on You Tube](#)

Councillor de Winton left the meeting and addressed the Committee under Standing Order 34.

The case officer introduced the report and explained that planning permission was sought for alterations to an existing garage which included adding an additional storey.

The application had been referred to the Committee for determination at the request of Councillor de Winton

The Committee noted the key issues for consideration when determining the application, as set out in the report.

In accordance with the adopted public speaking protocol, Jordon Cribb (supporting) addressed the Committee in relation to the application.

Councillor de Winton (Ward Member) addressed the Committee in relation to the application.

The Democratic Services Officer then carried out a roll call on the recommendation to refuse the application and, having been put to the vote, was carried (7 votes for refusal and 5 votes against).

RESOLVED: That the application be refused as recommended.

(ii) **24/01957/F**

Burnham Market: Over Norton, Herrings Lane: Demolition of existing dwelling and construction of replacement dwelling: Goosebec Developments Ltd

[Click here to view a recording of this item on You Tube](#)

The case officer introduced the report and explained that the application was for the demolition of an existing dormer bungalow along Herrings Lane in Burnham Market and construction of a replacement two storey dwelling.

The application site was approximately 0.14 ha in size, located to the east side of Herrings Lane. To the west of the site, there was a protected tree (reference 2/TPO/00688). The site was approximately 150 m from Burnham Market's Conservation Area and within the National Landscape.

Burnham Market was a tier 4 settlement under LP02 of the Local Plan 2021-2040. As a replacement dwelling, the principle of development was considered acceptable.

The application had been referred to the Committee for determination at the request of the Planning Sifting Panel as the Parish Council objected to the application.

The Committee noted the key issues for consideration when determining the application, as set out in the report.

In accordance with the adopted public speaking protocol, Tim Wright (objecting) and Frazer Hickling (supporting) addressed the Committee in relation to the application.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application subject to a correction to condition 2 as outlined in late correspondence and, after having been put to the vote, was carried (12 votes for and 1 against).

RESOLVED: That the application be approved as recommended subject to a correction to condition 2 as outlined in late correspondence

The Committee adjourned at 10.20 am for a comfort break and reconvened at 10.35 am.

(iii) 24/01369/F

Burnham Thorpe: Church Farm Barn, Walsingham Road: Conversion of existing clunch and flint barn to residential dwelling (building A), demolition of existing modern shed structure (building B) conversion and extension of existing brick barn to garages and annexe accommodation (building C), and associated landscaping: Dunstone

[Click here to view a recording of this item on You Tube](#)

The case officer introduced the report and explained that the application sought full planning permission for the conversion of two barns to use as a residential dwelling. A modern metal framed barn in the centre of the site was proposed to be demolished, with the courtyard area proposed to be utilised as residential garden land and parking area. Building works were proposed to facilitate the residential use.

To the north of the application site was farmland and the large Grade II Listed House known as 'The Manor' and its extensive grounds. To the east was the Grade I Listed All Saints Church and its churchyard. Within the churchyard was the Grade II Listed War Memorial. To the south was open land extending to the village. To the west was land associated with The Manor and agricultural land.

The application site was within the Burnham Thorpe Conservation Area and the Norfolk Coast National Landscape.

The application had been referred to the Committee for determination at the request of Councillor Sandell and the officer recommendation was contrary to the views of the Parish Council.

The case officer advised that there was a typo in Condition 7 which should refer to Condition 6 and a correction on page 61 - to read paragraph 189 of the NPPF (2024).

The Committee noted the key issues for consideration when determining the application, as set out in the report.

In accordance with the adopted public speaking protocol, Greg Garland (objecting), Chris Yardley (objecting on behalf of the Parish Council) and Charles Dunstone (supporting) addressed the Committee in relation to the application.

The Democratic Services Officer then carried out a roll call on the recommendation to approve subject to the correction in Condition 7 which should refer to Condition 6 (as detailed in late correspondence) and, after having been put to the vote, was carried (12 votes for approval and 1 vote against).

RESOLVED: That the application be:

- A. **APPROVED** - subject to completion of a s106 to secure off-site Biodiversity Net Gain and the associated monitoring fee subject to the correction in Condition 7 which should refer to Condition 6 (as detailed in late correspondence). If the agreement is not completed within 4 months of the committee resolution, but reasonable progress has been made, delegated authority is granted to the Assistant Director/Planning Control Manager to continue negotiation and complete the agreement and issue the decision.
 - B. If in the opinion of the Assistant Director/Planning Control Manager no reasonable progress is made to complete the legal agreement within 4 months of the date of the committee resolution, the application is **REFUSED** on the failure to secure Biodiversity Net Gain in line with the requirements of the Environment Act.
- (iv) **24/02124/F**
Holme next the Sea: Erics Pizzas in the Yurt, 7 Drove Orchards, Thornham Road: To cover and enclose existing seating area to permit use during inclement weather and allowing the same to use the toilet facilities and connection between the restaurant areas: Eric's Pizza Ltd

[Click here to view a recording of this item on You Tube](#)

The case officer introduced the report and explained that the application site related to Erics Pizza (restaurant) located within the grounds of Drove Orchards, Holme-next-the-Sea.

Full planning permission was sought to cover and enclose an existing outdoor seating area to the south of the restaurant in between the existing wcs and the farm shop.

Drove Orchards was located within the countryside and national landscape.

The application had been referred to the Committee for determination as Councillor Jamieson had an interest in the land at Drove Orchards.

The Committee noted the key issues for consideration when determining the application, as set out in the report.

In accordance with the adopted public speaking protocol, Eric Snaith (supporting) addressed the Committee in relation to the application.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application and, after having been put to the vote, was carried unanimously.

RESOLVED: That the application be approved as recommended.

- (v) **25/00417/F**
Old Hunstanton: 7 Kelsey Close: Householder: Single
storey side and rear extension, new porch and alterations:
Mr & Mrs Barnett

[Click here to view a recording of this item on You Tube](#)

The case officer introduced the report and explained that planning permission was sought for a single storey side and rear extension, new porch and alterations.

The application had been referred to the Committee for determination at the request of Councillor de Winton.

The Committee noted the key issues for consideration when determining the application, as set out in the report.

In accordance with the adopted public speaking protocol, Mr D Barnett (supporting) addressed the Committee in relation to the application.

Councillor de Winton advised that the Parish Council had now removed their objection to the application.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application and, after having been put to the vote, was carried unanimously.

RESOLVED: That the application be approved as recommended.

PC146: **QUALITY OF DECISIONS**

AGREED: That the Committee noted the report.

PC147: **DELEGATED DECISIONS**

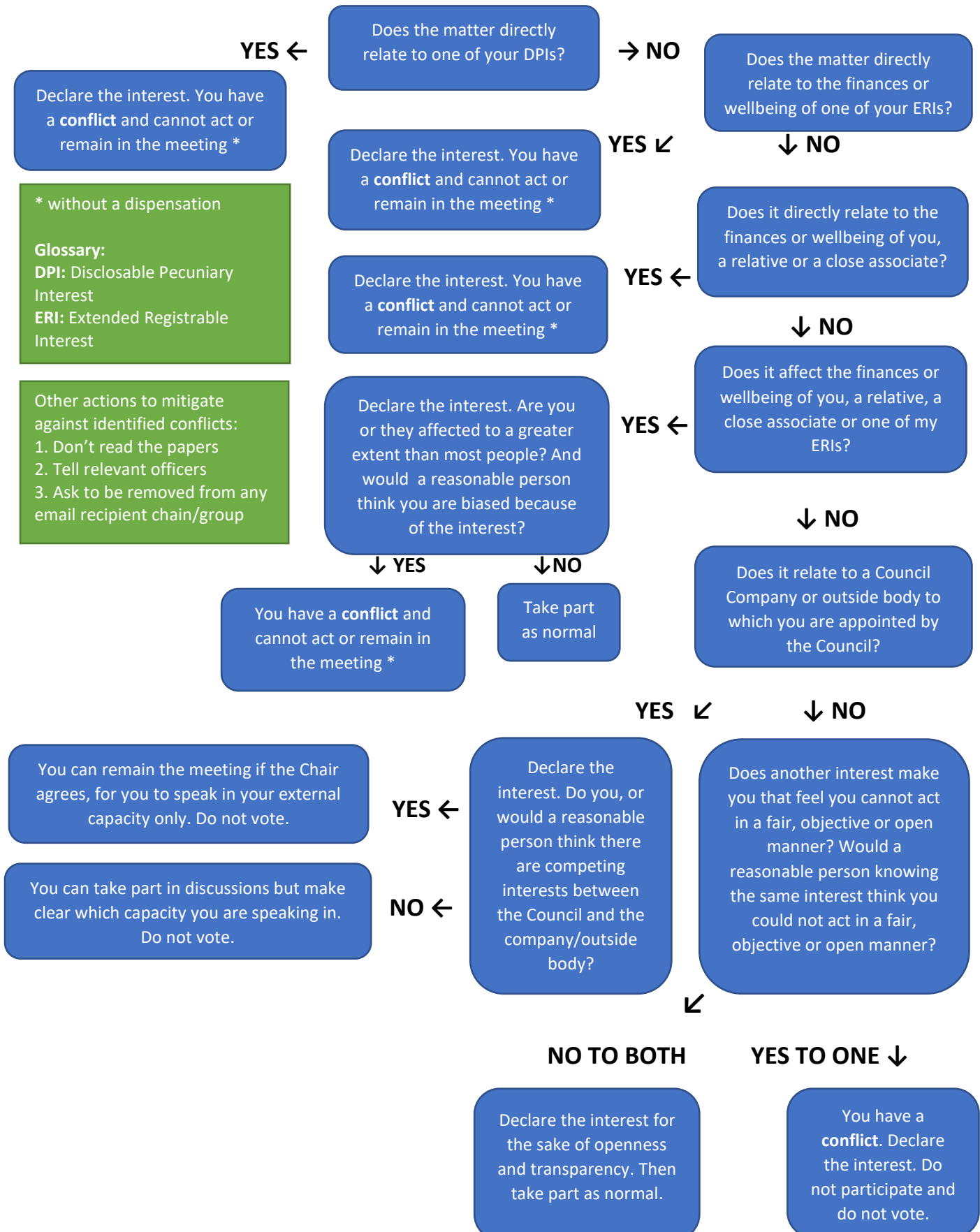
AGREED: That the Committee noted the report.

The meeting closed at 11.20 am

DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



START



**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 2nd June 2025**

| Item No. | Application No. Location and Description of Site Development | PARISH | Recommendation | Page No. |
|---|---|-------------------------------|-----------------------|-----------------|
| OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE | | | | |
| 9/1 (a) | 25/00184/F Land W of Oaklands Little Lane Docking Norfolk PE31 8NT Proposed construction of 1 no. residential dwelling following sub-division of site. | DOCKING | APPROVE | 14 |
| 9/1 (b) | 25/00280/F Old Railway Yard Gayton Road East Winch Norfolk PE32 1LG Retrospective application for 3 storage yards separated with palisade fencing and lockable gates. | EAST WINCH | APPROVE | 29 |
| 9/1 (c) | 24/02233/F 10F Drove Orchards Thornham Road Holme next The Sea HUNSTANTON Norfolk PE36 6LS RETROSPECTIVE -Erection of a 4 x 8 metre heavy duty tent. Main construction is based on connected steel poles covered with a heavy duty made to measure tarpaulin and positioned on a concrete pad. There is access at each end of the tent. | HOLME NEXT THE SEA | APPROVE | 40 |
| 9/1 (d) | 25/00264/O Land at E569785 N323575 And SW of 31 Church Lane, Roydon PE32 1AR OUTLINE PLANNING PERMISSION WITH SOME MATTERS RESERVED FOR: Sub-division of plot to create new dwelling following removal of tennis court. | ROYDON | APPROVAL | 49 |
| 9/1 (e) | 25/00270/F Land And Buildings At E550219 N300679 Back Drove Upwell Norfolk PE14 9EX Demolition of barn and construction of new self-build 3 bedroom dwelling, and formation of new access. | UPWELL | APPROVE | 70 |

Land W of Oaklands Little Lane Docking Norfolk PE31 8NT



Legend

Scale:

0

0.0075

0.015

0.03

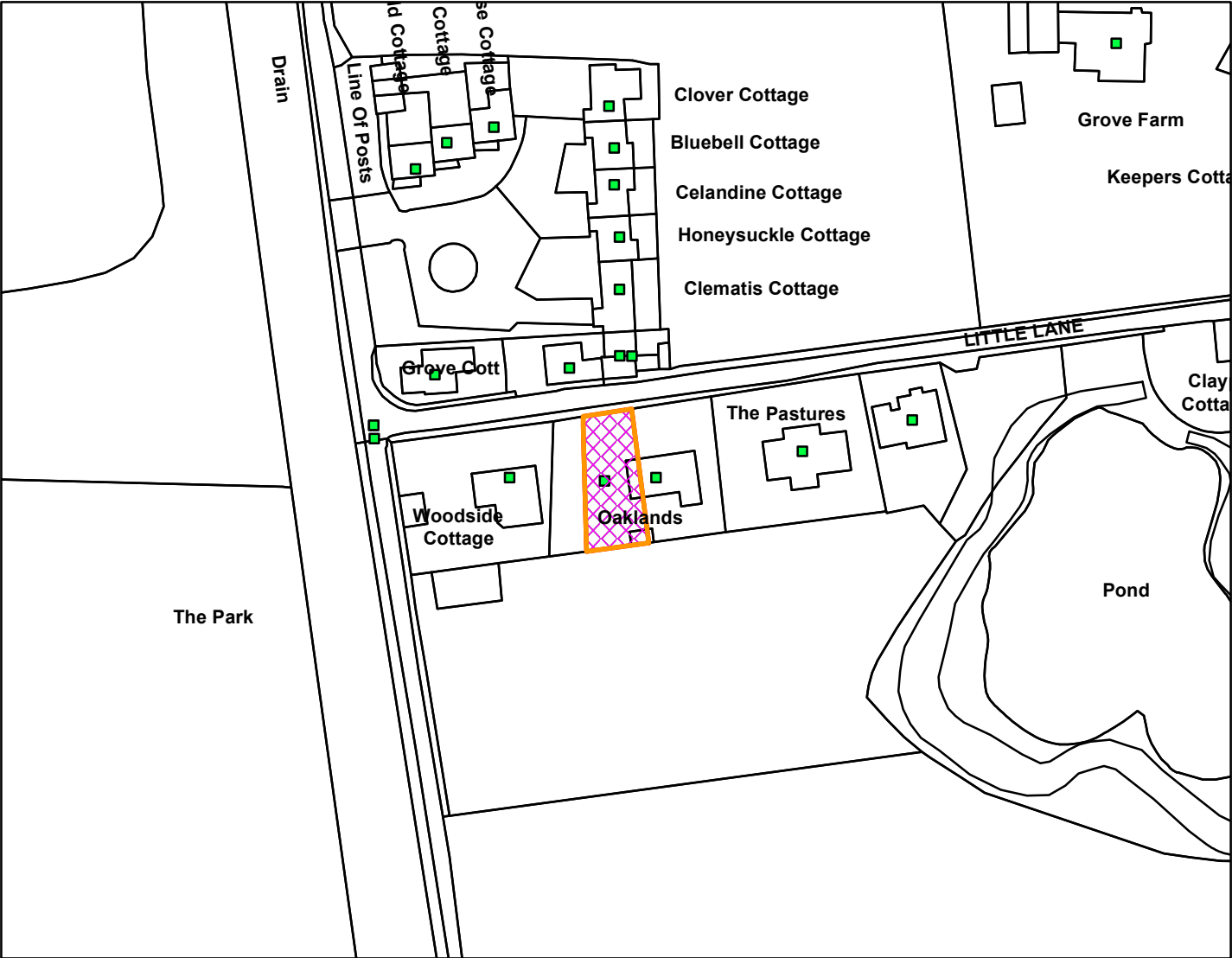
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|--------------|------------|
| Organisation | BCKLWN |
| Department | Department |
| Comments | Not Set |
| Date | 20/05/2025 |
| MSA Number | 0100024314 |

Land W of Oaklands Little Lane Docking Norfolk PE31 8NT



Legend

Scale: 0 0.0125 0.025 0.05 KM

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| Organisation | BCKLWN |
| Department | Department |
| Comments | Not Set |
| Date | 20/05/2025 |
| MSA Number | 0100024314 |

| | | |
|----------------------|--|--|
| Parish: | Docking | |
| Proposal: | Proposed construction of 1 no. residential dwelling following sub-division of site. | |
| Location: | Land W of Oaklands Little Lane Docking Norfolk PE31 8NT | |
| Applicant: | Norfolk Signature Homes Ltd. | |
| Case No: | 25/00184/F (Full Application) | |
| Case Officer: | Lucy Smith | Date for Determination: 29 April 2025 |

Reason for Referral to Planning Committee — Referred by Sifting Panel as the officer recommendation is contrary to the views of the Parish Council.

Neighbourhood Plan: No

Case Summary

The proposal seeks full planning permission for the construction of a new dwelling on land west of Oaklands, Little Lane Docking.

The application site comprises an area of residential curtilage to the west of the donor dwelling known as Oaklands. The site consists of a gravel parking/turning area and various ancillary buildings and structures.

An application to extend/alter the donor dwelling to create a larger two storey dwelling was approved under application reference 24/00520/F and those works are currently taking place on site.

The application site is within the Docking Conservation Area and within the Nutrient Neutrality Catchment.

Key Issues

Principle of Development
 Design and Impact on the Conservation Area
 Impacts on Neighbours
 Highway Safety
 Nutrient Neutrality
 Any other matters requiring consideration prior to the determination of the application

Recommendation

APPROVE

THE APPLICATION

The proposal seeks full planning permission for the construction of a new dwelling on land west of Oaklands, Little Lane Docking.

The application site comprises an area of residential curtilage to the west of the donor dwelling known as Oaklands. The site as existing consists of a gravel parking/turning area and various ancillary buildings and structures. An application to extend/alter the donor dwelling to create a larger two storey dwelling was approved under application reference 24/00520/F and those works are currently taking place on site.

To the west is a strip of land which is understood, through third party submissions, to be utilised as garden land and parking area for a terraced dwelling on the opposite side of Little Lane. This land adjoins a neighbouring two storey dwelling known as Woodside Cottage. Woodside Cottage is contemporary however has elements of traditional detailing including flint infill panels and catslide dormer windows.

The houses immediately opposite the site are more traditional in character and of some age, including Carstone infill panels and more traditional proportions than the development on the south side of Little Lane.

The proposed plans indicate the construction of a two-storey dwelling with a ridge height of approx. 7.15m, eaves at approx. 4.3m and with an overall character similar to that of the approved application on the donor dwelling, with the front and rear elevations proposed to include areas of traditional flintwork. Dormer windows and feature gable ends are proposed both on the front and rear elevations of the dwelling.

SUPPORTING CASE

This application seeks to attain planning approval for a new-build dwelling following the subdivision of the existing site at Oaklands, Little Lane, Docking. The existing dwelling is currently undergoing extensions and refurbishments as per planning approval 24/00520/F. The proposed dwelling is to match the aesthetic of the refurbished dwelling in the form of two-storey family dwelling of a traditional design and appearance befitting for the vernacular of the conservation area.

Pre-application Advice (ref. 24/00044/PREAPP) was sought prior to this formal application with a similar previous design and limited supporting documents. The advice was 'LIKELY TO REFUSE' but upon addressing the concerns raised by both the Local Planning Authority and the Local Highways Authority, the formal application is recommended for APPROVAL. This is intrinsic of the value of the Pre-application service and the evident change in stance should not be taken lightly nor should the applicant's resource to provide solutions appeasing the guidance set out.

The scale of the proposed dwelling, as a two-storey structure, featuring 'wall dormers' is considered to be in-keeping with the surrounding properties of which there is a mixture of two-storey dwellings, chalets and bungalows. Due to distances from neighbouring structures the proposals will not cause undue overbearing or overshadowing upon other properties. The notable gap (3.1m) between the donor dwelling and the proposed dwelling doesn't detract from the rural setting, or cause meaningful harm to the conservation street scene.

The Conservation Officer concluded that the scheme “would have very little impact on the character and setting of the conservation area, or the street scene, as this has already been altered in the past.”

Precedent for the development of a single dwelling of very similar mass, scale, density and layout was set opposite on the prominent corner of Little Lane (16/00960/F), (18/02028/F) & at Land W of Grove Cottage. Whilst policy has changed very little in this context, there was no objection from the Docking Parish – although assurance on highways safety was requested. There was a single public objection and 4 supporting public comments.

In contrast, as of writing, this application has received 9 public comments of objection and an objection from the Parish. In response to the Parish objections;

Points 1 & 3.

There is no discernible impact on neighbouring amenities. The ‘garden land’ between Oaklands and neighbouring property, is understood, not to be private amenity. It is open to the road and is primarily used as car parking by 1-2 Smallboro Row. This is verified on Google Maps. It is appreciated the owners use the grassed area beyond this for their enjoyment. However, the recognised private amenity is attached to 1-2 Smallboro Row as a hard-surfaced courtyard. Therefore, this parcel cannot be considered to have the same householder rights affecting actual private amenity.

Points 2 & 4.

Given the precedents of previous developments and approvals, this proposal offers nothing of significant difference or concern surrounding parking or highways safety. A traffic survey and report were commissioned in support of the application and concluded “an additional dwelling would not dramatically increase traffic, and any minor increase would go unnoticed.”

The similarity of the another sub-division permission adjacent at the Pastures (18/00254/O) is remarked by the Local Authority Highways officer; “...whilst I note the narrow nature of Little Lane, with consideration of the neighbouring approval 18/00254/O, I could find not suitable reason to resist the addition of an additional dwelling within the site.”

Point 5

The character and conservation of the area is paramount in the objective of this proposal. The improvement offered in the street scene and rural character by such a high-quality development (including the re-development of the existing dwelling) should be welcomed. This is not a multiple unit estate of which Docking has seen more than its fair share. A single ‘infill’ dwelling preserving and enhancing the important rural character, as well as maintaining highways safety will have no significant impact on the quality of life in the area.

PLANNING HISTORY

24/00520/F: Application Permitted: 17/09/24 - Proposed extensions and alterations accumulating to a remodel of existing chalet incorporating proposed garage and demolition of flat roof garage conversion, conservatory and bay window - Oaklands - DELEGATED DECISION

RESPONSE TO CONSULTATION

Parish Council: OBJECT on the following grounds:

1. Impact on Neighbouring Residential Amenity: The proposed new dwelling will result in significant overshadowing of a small garden located between Oakland's and the neighbouring property. This garden serves as the only outdoor recreational space for the residents of a terrace cottage directly opposite, who do not have any private garden space attached to their property. The overshadowing caused by this development will severely affect their access to natural light and their quality of life.

2. Overcrowding and Parking Concerns: The plot appears to be overcrowded, particularly in light of the proposed dwelling. The area is located on a narrow lane, and there is already an excessive number of vehicles using this space. The previous plans proposed a shingle area for turning vehicles, but with the current congestion in the area and the narrowness of the lane, this will likely result in hazardous conditions. In particular, the blind bend near the site exacerbates the risk for vehicles attempting to reverse out of the development.

3. Loss of Garden/Recreational Space: The small garden area located adjacent to the proposed dwelling is a vital recreational space for the residents of the terrace cottage opposite. This is their only outdoor space, as they do not have access to a private garden at their property. The development will significantly affect their ability to use and enjoy this space, which will be overbearing and overshadowed by the new dwelling.

4. Impact on Little Lane: Little Lane is a single-track road with no pavement and is widely used by pedestrians, including walkers and dog walkers. With the proposed second dwelling on this plot, there will be an increased risk of congestion and safety hazards. The narrowness of the lane, coupled with the increased vehicular movement, will make the area even more hazardous for pedestrians, especially given the lack of a safe pedestrian walkway.

5. Non-Compliance with Neighbourhood Plan: This amendment does not appear to comply with the provisions outlined in the proposed Neighbourhood Plan. The development contradicts the objectives of the Plan, which aims to maintain the character and quality of life in the area by avoiding overdevelopment and protecting residential amenities.

6. Public Notice: It is noted that the planning application amendment involves the introduction of a completely new dwelling. As such, a new public notice should be posted to reflect the changes in accordance with planning regulations. The current notice displayed on a telegraph pole by the construction site still reflects the old plan and has not been updated to include details of the new proposed dwelling. This raises concerns about the adequacy of public consultation for such a significant change.'

Highways Authority: NO OBJECTION subject to standard conditions relating to access provision, with the following comments:

'Whilst I note the narrow nature of Little Lane, with consideration of the neighbouring approval 18/00254/O, I could find not suitable reason to resist the addition of an additional dwelling within the site.

I am able to comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to resist the grant of consent'

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Environmental Health & Housing - Environmental Quality: NO OBJECTION recommended informative relating to burning of fuel given presence of chimney/fireplace on the plans.

Conservation Officer: NO OBJECTION subject to conditions relating to materials and a sample panel. With the following comments:

'The land south of Little Lane would have originally been open to the landscape beyond, allowing views from the range of historic cottages, end on to the road. However, in recent years, several properties have been built along this part of Little Lane which have created an end stop to the conservation area and the views beyond. The only remaining view is between the dwelling and the garage of Woodside Cottage when approaching northwards from High Street. All other main views have already been erased.

Therefore, in conservation terms, this proposal will have very little impact on the character and setting of the conservation area, or the street scene, as this has already been changed and altered in the past." If this application is approved, please condition materials and a sample panel.'

Ecologist: NO OBJECTION: subject to standard BNG metric condition, and BNG informative.

Anglian Water: No comment the proposal does not meet the threshold for AW advice.

Natural England: NO OBJECTION - subject to GIRAMS mitigation being secured

REPRESENTATIONS

TEN Letters of **OBJECTION**, summarised as follows:

- Contrary to views of locals and the Neighbourhood Plan
- Impact on Little Lane
- Impacts on neighbours
- Overdevelopment, density and lack of garden space for proposed and existing dwellings
- Disruption and disturbance during construction period
- Proximity to boundary of land used as garden and impact on residential amenity
- Driveways do not allow cars to turn and enter Little Lane in forward gear
- Impact of additional traffic on Little Lane, including pedestrian safety considering lack of footpath provision
- Safety of blind bend with Mill Lane
- No space for visitor parking
- Covenants restricting use of the site *Note - Covenants are a civil matter and not a planning consideration*
- Loss of openness
- Impact on Conservation Area setting

KING'S LYNN AND WEST NORFOLK LOCAL PLAN 2021-2040

LP01 - Spatial Strategy and Settlement Hierarchy Policy (Strategic Policy)

LP02 - Residential Development on Windfall Sites (Strategic Policy)

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LP06 - Climate Change (Strategic Policy)

LP13 - Transportation (Strategic Policy)

LP14 - Parking Provision in New Development

LP18 - Design & Sustainable Development (Strategic Policy)

LP19 - Environmental Assets - Green Infrastructure, Landscape Character, Biodiversity and Geodiversity (Strategic Policy)

LP20 - Environmental Assets- Historic Environment (Strategic Policy)

LP21 - Environment, Design and Amenity (Strategic Policy)

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 and Impact on the Conservation Area

Impact on neighbour amenity

Highway safety

Nutrient Neutrality

Any other matters requiring consideration prior to determination of the application

Principle of Development:

Docking is a Tier 4 settlement (a Key Rural Service Centre) for the purposes of the Local Plan 2021-2040. The application site is within the development boundary shown on the Policies Plan and in a position where residential development is supported in principle by Policy LP02 of the Local Plan, subject to assessment of detailed design impacts which takes place throughout this report. The additional single dwelling proposed would be capable of being supported by the infrastructure and services within Docking, and the site's position would allow access to the most local services on foot.

Overall, the principle of development is considered to comply with the aims of the NPPF (2024) and LP02 in regards to the location of new housing.

Design and Impact on Conservation Area:

Policies LP02, LP18, LP20 and LP21 when read as a whole require development to demonstrate good design which respects local character and contributes to place making. Policy LP20 specifically controls development in Conservation Areas and sets out how development proposals should, amongst other things, secure the significance of the heritage

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asset through the use of building materials and finishes, by protecting important landscape features, important gaps, or views into and out of the Conservation Area.

Little Lane benefits from a mixed rural character, with a range of different ages of dwellings set within a range of plot sizes. Terraced properties to the north typically have smaller courtyard garden spaces, whereas elsewhere along Little Lane, some detached dwellings have larger more verdant garden areas.

The proposed design is considered to reflect the existing character of the street scene through the use of materials and proportions that respect the general character of dwellings in the wider vicinity, in particular, the proposed dwelling would reinforce the more contemporary character of the dwellings between which it sits. Whilst the dwelling is larger in terms of eaves and ridge height than the traditionally proportioned cottages opposite, the proposed dwelling would assimilate well within its position considering the scale and more modern proportions of the approved Oaklands extension/alteration scheme, and the existing dwelling to the west. From a street scene perspective, the construction of a dwelling in this space is not considered harmful to form and character.

The Conservation Team raised no objection to the scheme, subject to standard conditions controlling the use of appropriate materials; stating that *'the land south of Little Lane would have originally been open to the landscape beyond, allowing views from the range of historic cottages, end on to the road. However, in recent years, several properties have been built along this part of Little Lane which have created an end stop to the conservation area and the views beyond. The only remaining view is between the dwelling and the garage of Woodside Cottage when approaching northwards from High Street. All other main views have already been erased.'*

Therefore, in conservation terms, this proposal will have very little impact on the character and setting of the conservation area, or the street scene, as this has already been changed and altered in the past.'

Comments regarding the loss of a current gap in the street scene are noted. However, considering the lack of objection from the Conservation Team, as well as the existing character of Little Lane, with sporadic housing and varied gaps between dwellings, it is not considered that the infilling of this space would lead to harm to the street scene. The scale and proportions of the proposed dwelling is such that the resultant dwelling would accord with the overarching character of this part of Little Lane without detriment to the rural character of the surroundings.

Various neighbour comments relate to overdevelopment and lack of garden space. It is considered that given the mix of plot sizes in the vicinity, the resulting garden spaces for both the donor dwelling and the proposed dwelling would be acceptable and would provide the dwellings with private amenity spaces commensurate to the scale of accommodation provided within each unit.

Conditions are recommended in relation to details of proposed materials alongside a sample panel of the proposed flintwork, as well as to control proposed landscaping details. Subject to those conditions, the design of the proposal is considered acceptable and would comply with Policies LP18, LP20 and LP21 of the Local Plan.

Impact on Neighbour Amenity:

Whilst not curtilage, it is understood as a result of third party submissions that the area immediately west of the application site is used as garden land/amenity land by the occupants of a nearby dwelling. The proposed dwelling is proposed to be positioned in close proximity to the shared boundary with this land and therefore the proposed development would result in a degree of overshadowing of part of this adjoining land for a certain amount of the day (in the mornings). Whilst comments regarding impact on residential amenity are noted, the dwelling would not be considered to lead to overshadowing of this land to an extent that would warrant refusal and would not significantly overshadow any habitable rooms or result in any adverse privacy impacts on other dwellings in the vicinity. Any overshadowing that does occur would be most likely to impact an area of land to the north of the adjoining plot which as of the date of the site visit appeared to be utilised for car parking, and the remainder of the plot to the south would not be impacted.

Windows on the front elevation of the proposed dwelling will face towards cottages on the opposite side of Little Lane. Given the distances involved (15m front to front), with the proposed dwelling set back from the adjoining highway, would not lead to privacy impacts to an extent that would warrant refusal of this application.

In response to comments on construction impacts, given the location of development and constraints with the width of the highway, a Construction Management Plan condition could control details of working hours and parking of construction vehicles, ensuring that disruption to the nearest properties is minimised as far as is practicable.

Overall, whilst comments from the Parish Council and neighbouring residents are noted, the proposed dwelling is not considered likely to give rise to any significant impacts on adjoining properties or their private amenity spaces and the proposed design is considered to provide a suitable standard of amenity for the future occupiers. The proposal therefore complies with the NPPF (2024) and Policies LP18 and LP21 of the Local Plan.

Highway Safety:

Access is proposed via an improved access (shared with the donor dwelling) directly to Little Lane.

A traffic survey was carried out in support of this application and concludes that the additional vehicle movements associated with a single additional dwelling would not lead to a discernible impact on the local network.

In so far as the proximity to the blind bend in Little Lane, to the west of the site, the highway layout has not drawn objection from the Local Highway Authority. Whilst in proximity to the blind bend, the transport technical note provided in support of this application states that while Little Lane has a legal (maximum) speed limit of 30mph the collected ATC traffic survey data details that vehicular traffic at the 85th percentile is travelling at a much slower speed than the legal speed limit.

Visibility splays have been demonstrated in excess of the requirement for the road network, and it is not considered that the existing layout of Little Lane would justify a refusal of this application.

In regard to pedestrian movements, the traffic study notes an average of 38 vehicles pass the site each day. The scale of traffic along Little Lane is such that pedestrian safety is

unlikely to be compromised as a result of one additional dwelling served by the existing highway.

Whilst Little Lane is of limited width, and has no formal pedestrian footpath provision, the suitability of Little Lane to cater for additional traffic was considered by the Local Highway Authority who raise no objection to the application given the scale of development, the additional dwelling proposed as part of this application would not lead to an unacceptable impact on highway safety to an extent that would warrant refusal under Paragraph 116 of the NPPF (2024).

Neighbour comments regarding lack of visitor parking and no formal on site turning areas are noted. Whilst additional hardstanding space is provided in excess of the two parking spaces required by policy, given the scale of this application, it is not considered necessary to require formal visitor parking spaces and despite the lack of formal turning provision, no highway safety concerns have been raised by the Local Highway Authority in relation to vehicles manoeuvring to/from the adjoining highway from the private driveway proposed.

Overall, subject to conditions controlling the laying out of the access and future retention, the proposal would comply with the aims of the NPPF (2024) and Policies LP13, LP14 and LP21 in regard to highway safety.

Nutrient Neutrality and Protected Sites:

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects from nutrient impacts on the Wensum SAC, Broads SAC and Broadland Ramsar.

The site is located within the Wensum hydrological catchment scoped into the Nutrient Neutrality Zone however drains to a Wastewater Treatment Works outside of the catchment and therefore no further assessment or mitigation is not required. Impacts arising from foul or surface water flows would not lead to adverse impacts on protected sites. This approach has been confirmed by Natural England and the GIRAMS strategy and agreed approach by Natural England is sufficient to rule out adverse effects on any nearby protected sites.

The GIRAMS tariff was paid upon submission of this application. The proposal therefore complies with Policy LP19 and LP27 of the Local Plan.

Any other matters requiring consideration prior to the determination of the application:

Biodiversity Net Gain - The reduction in hardstanding and increase in area of vegetated garden within the development results in a 67.62% net gain in area habitats. The 10% net gain has therefore been demonstrated for area habitats. The 10% net gain has not been achieved on site for hedgerow units and therefore the Agent seeks to secure BNG through off-site units via a Habitat Bank. This accords with the relevant legislation.

The Habitat Bank provider would control legal agreements and therefore, no legal agreement is required between the LPA and the applicant in order to secure the Biodiversity Net Gain. A condition is recommended for the avoidance of doubt to ensure the final BNG plan comes forward in line with the metric agreed.

Climate Change - Policy LP06 of the Local Plan sets out that development proposals should recognise and contribute to the mitigation of climate change. Alongside the principle of development resulting in the new development in areas to minimise the need to travel in line

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with Para 1 of this Policy, the development's onsite BNG (through reduction in hardstanding and replacement with vegetated garden) would contribute positively towards green infrastructure on site. Soft landscaping could further contribute to green infrastructure and can be controlled by condition. The proposal therefore complies with the aims of Policy LP06.

Contamination/Air Quality – the Environmental Quality team recommend an informative is added to the consent relating to impacts from smoke from the proposed chimney. Whilst a log-burner or similar is shown on the proposed plan and an informative can be added to draw attention to emissions rate standards, this is covered by other legislation and would not be material consideration for this scale of application.

Response to Parish Council and Third Party Objections

The majority of the viewpoints from the Parish Council and third party representations are addressed within the report above. For clarity, the remaining points are discussed as follows.

In relation to references to the Docking Neighbourhood Plan, the Parish Council are currently preparing an initial draft document, however this is not at a stage where any policies would have weight in planning decisions.

The Parish Council raised concern with the Site Notice for this application. This application is entirely separate to the previous application for alterations to the existing dwelling and such, a site notice was displayed on site, on HERAS fencing surrounding the ongoing construction works, throughout the required period. Neighbour consultation letters were also sent out in line with the legislative requirements.

CONCLUSION:

The application seeks full planning permission for the construction of a two storey detached dwelling on garden land to the west of an existing dwelling known as Oaklands. The site is within the development boundary for Docking where the principle of development is supported by Policy LP02 of the Local Plan and the proposed detailed design is considered to accord with the requirements of Policies LP02, LP13, LP14, LP18, LP19, LP20 and LP21.

The Conservation Team do not consider that the proposal would cause harm to the Docking Conservation Area and the requirement to balance harm against public benefits is therefore not engaged. The proposal would preserve the character of the Conservation Area in line with the requirements of LP20.

Whilst the comments from the Parish Council and third parties are noted, it is considered that the scheme would not result in adverse impacts on highway safety and that the proposal pays appropriate regard to the street scene character and the sensitivity of Docking Conservation Area. The proposal also results in the addition of a dwelling in support of the council's supply of housing.

Subject to conditions the proposal is considered to comply with the overarching aims of the NPPF (2024) and Policies LP02, LP06, LP13, LP14, LP18, LP20 and LP21 of the New Local 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:

*835/24/00 - Location Plan
*835/24/01 B - Proposed Plans, Elevations and Sections
*835/24/02 C - Proposed Site Plan
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The Biodiversity Net Gain Plan shall be prepared fully in accordance with Metric completed by Vicky Rusby, Dated 20th March 2025, Version 2, submitted by the Agent via email dated 25th March 2025.
- 3 Reason: For the avoidance of doubt and in the interests of proper planning, to ensure measureable net gain in line with the Environment Act (2021), NPPF (2024) and Policy LP19 of the Local Plan.
- 4 Condition: The development hereby permitted shall be completed and retained in accordance with the drainage details provided within the Nutrient Neutrality Assessment and Mitigation Strategy, Document Ref: NNAMS-ENV24311, Rev 00, Issue Date: 09/09/2024. In particular, the strategy includes:
*The dwelling shall be connected to the Docking waste water treatment works
- 4 Reason: To prevent any connectivity or pathway between the proposed development's drainage infrastructure and the sensitive designated site interest features (the River Wensum SAC Nutrient Neutrality Catchment), and therefore the nutrients cannot impact the site interest features, in accordance with the NPPF (2024) and Policy LP19 and Policy LP27 of the Local Plan.
- 5 Condition: Prior to the first occupation/use of the development hereby permitted the vehicular/pedestrian/cyclist access/crossing over the verge/ditch/watercourse/footway shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority 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.
- 5 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with the NPPF (2024) and Policies LP13, LP14 and LP21 of the Local Plan.
- 6 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-

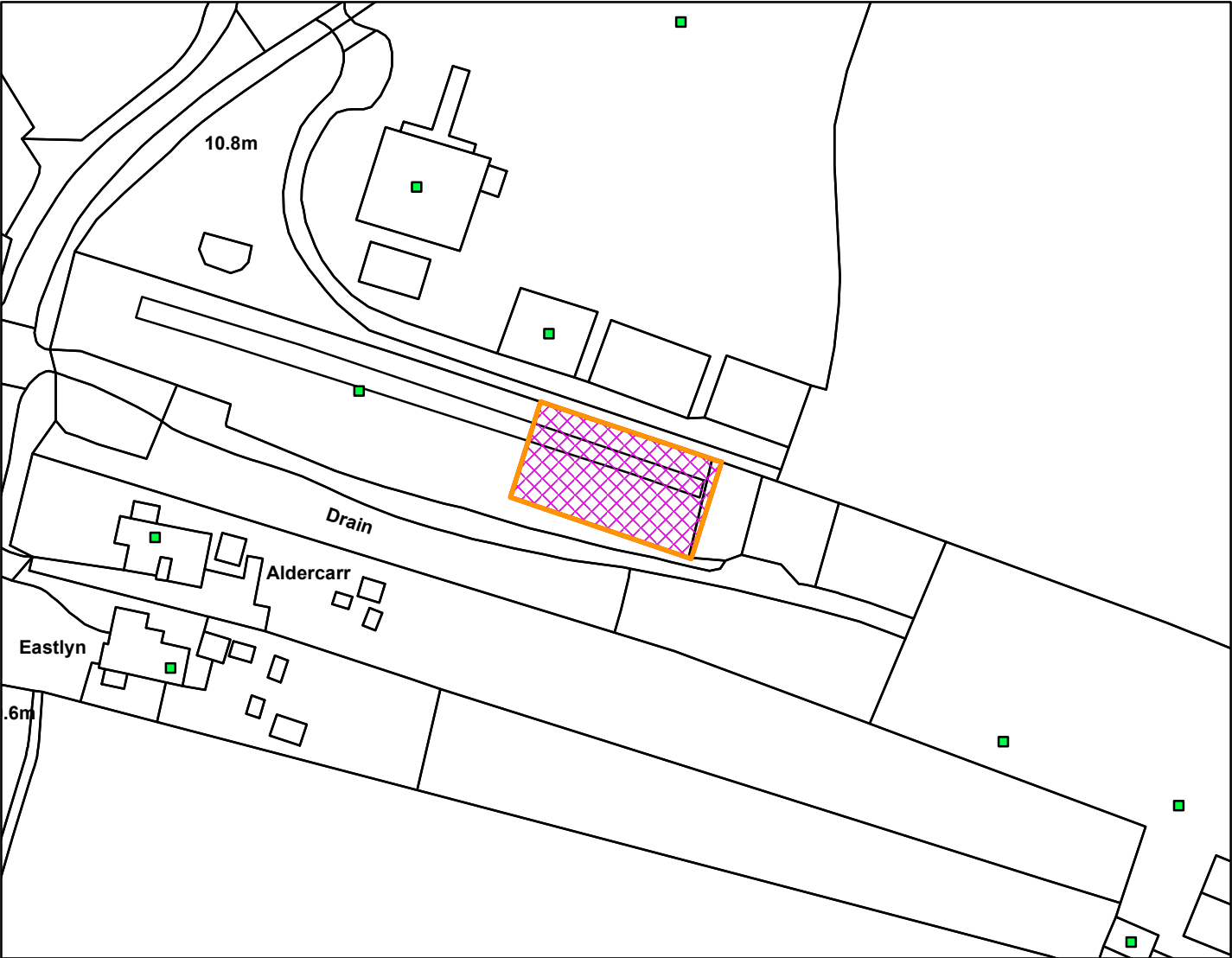
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enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority

- 6 Reason: In the interests of highway safety in accordance with the NPPF (2024) and Policies LP13, LP14 and LP21 of the Local Plan.
- 7 Condition: Prior to the first occupation/use of the development hereby permitted the proposed access/on-site car and cycle parking/servicing/loading/unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 7 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 (2024) and Policies LP13, LP14 and LP21 of the Local Plan.
- 8 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, including the hours of proposed construction works
 - (b) the location of any temporary buildings and compound areas;
 - (c) the location of parking areas for construction and other vehicles;The development shall be carried out in accordance with the approved construction management statement throughout the construction period.
- 8 Reason: In the interests of the amenities of the locality and to ensure consideration is given to the parking and impacts of construction vehicles for the duration of the construction works, in accordance with Policy LP21 of the Local Plan.
- 9 Condition: No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 9 Reason: To ensure a satisfactory final external appearance in the interests of the character of the street scene and Conservation Area in line with the NPPF (2024) and Policies LP18, LP20 and LP21 of the Local Plan.
- 10 Condition: No development shall commence on any external surface of the development until a sample panel of the stonework to be used for the external surfaces of the building hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 10 Reason: To ensure a satisfactory final external appearance in the interests of the character of the street scene and Conservation Area in line with the NPPF (2024) and Policies LP18, LP20 and LP21 of the Local Plan.

- 11 Condition: Notwithstanding the details shown on the approved plans, prior to the first use/occupation of the development hereby permitted, full details of soft landscape works and proposed frontage boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate. The details shall include measures to provide for compliance with Policy LP06 of the Local Plan in regards to Climate Change and carbon sequestration
- 11 Reason: In the interests of providing for a satisfactory final external appearance of the site, and to provide for green infrastructure or other mechanisms to recognise and mitigate against the impact of Climate Change, in accordance with the NPPF (2024) and Policies LP06, LP18, LP20 and LP21 of the Local Plan.
- 12 Condition: The soft landscape works agreed under Condition 11 shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 12 Reason: In the interests of providing for a satisfactory final external appearance of the site, and to provide for green infrastructure or other mechanisms to recognise and mitigate against the impact of Climate Change, in accordance with the NPPF (2024) and Policies LP06, LP18, LP20 and LP21 of the Local Plan.

Old Railway Yard Gayton Road East Winch Norfolk PE32 1LG



Legend

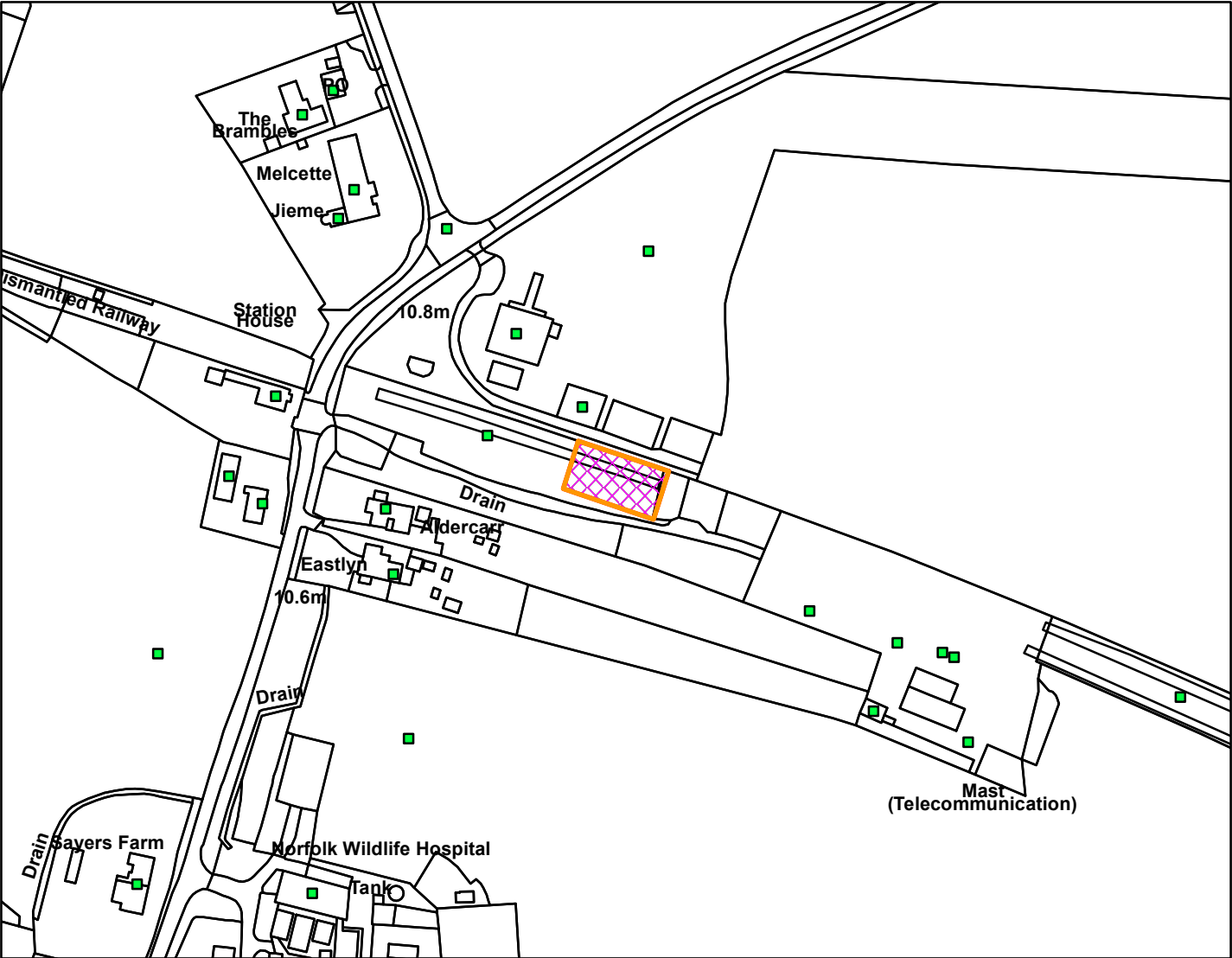
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| Organisation | BCKLWN |
| Department | Department |
| Comments | Not Set |
| Date | 21/05/2025 |
| MSA Number | 0100024314 |

Old Railway Yard Gayton Road East Winch Norfolk PE32 1LG



Legend

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| Organisation | BCKLWN |
| Department | Department |
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| Date | 21/05/2025 |
| MSA Number | 0100024314 |

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|----------------------|---|--|
| Parish: | East Winch | |
| Proposal: | Retrospective application for 3 storage yards separated with palisade fencing and lockable gates | |
| Location: | Old Railway Yard Gayton Road East Winch Norfolk PE32 1LG | |
| Applicant: | JN Crane Hire | |
| Case No: | 25/00280/F (Full Application) | |
| Case Officer: | Mrs C Dorgan | Date for Determination: 17 April 2025 Extension of Time Expiry Date: 8 May 2025 |

Reason for Referral to Planning Committee – Called in by Councillor De Whalley.

Neighbourhood Plan: No

Case Summary

Retrospective planning permission is sought for the construction of three storage yards separated with palisade fencing and lockable gates. The application site is within a larger commercial/ employment area, which has primarily been used as a storage yard for a considerable period of time. The site is accessed via Gayton Road, East Winch.

The application site is located in the countryside, outside of the development boundary for East Winch and to the north west of the village. East Winch is categorised as a Rural Village (tier 5) in the adopted Local Plan 2021-2040. The site also includes the protected route of a disused railway trackbed (From Middleton Towers to the borough boundary at Pentney) as identified in Policy LP12 of the Local Plan.

Key Issues

Principle of Development
 Highways/ Access
 Form and Character
 Impact on Neighbour Amenity
 Drainage/ Flood Risk
 Disused Railway Trackbed
 Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Retrospective planning consent is sought for the construction of three storage yards separated with palisade fencing and lockable gates. The application site is within a larger commercial / employment area, which has primarily been used as a storage yard for a considerable period of time. The site is accessed via Gayton Road.

The application site is located in the countryside, outside of the development boundary for East Winch and to the north west of the village. East Winch is categorised as a Rural Village (tier 5) in the adopted Local Plan. The site also includes the protected route of a disused railway trackbed (From Middleton Towers to the borough boundary at Pentney) as identified in Policy LP12 of the Local Plan.

The storage yards are 19m by 12m, with a hard standing area of 12m x 12m. Each storage area includes a storage container with a footprint of 2.5m by 6m, and 3m in height. The green palisade fencing around each storage area is 2m in height and green in colour.

SUPPORTING CASE

This application is for new separated storage areas within an existing storage site. No development is to take place in terms of permanent buildings.

Responses to objections received:

East Winch Parish Council Objection

1. Highways have addressed this objection and have no objection to the current application. The site offers the full required visibility splay for the recently surveyed speeds of the road in this location.
2. There is no evidence of any dykes being filled in, the council are more than welcome to attend a site visit if required. The dykes that border the property have brambles growing along their banks, but there are no restrictions to potential water flow. The concrete pads are surrounded by permeable materials that would intercept any possible run-off prior to reaching the nearby dyke.
3. I do not believe any boundaries have been moved. I would be happy to address this point if this can be clarified in more detail.

Third party Objections

- There is no evidence that the concrete bases have increased the potential flooding to neighbouring properties. No ditches have been filled in.
- The works that have been described were carried out by Highways and not the applicant. The works were part of the improvements by highways for the newly installed footpath for the public to gain access to the post office.
- Whilst I understand there was an historic railway track bed in this location, there is no evidence of any of the actual track or bed remaining. I do not have access to the conditions of sale of this land originally, so cannot comment on the ownership or access rights or covenants. However, in response to LP12, should restoration of the previous track bed be required, the applicant is more than happy to discuss options and work with the council regarding access and if required, alter the current use of the land. As there are no proposed permanent buildings, restoration of the ground works would be minimal.

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PLANNING HISTORY

24/00628/F: Application Withdrawn: 05/07/24 - Retrospective application for 3 storage yards separated with palisade fencing and lockable gates - Old Railway Yard

2/94/0967/F: Application Permitted (Delegated decision): 20/07/94 - Retention of 2 No portable buildings for storage - Charringtons Station Yard

08/01620/F: Application Permitted (Delegated decision): 19/08/08 - Construction of 3 No light industrial / warehouse units - Old Railway Yard

08/00560/F: Application Refused (Committee decision): 06/05/08 - Construction of 3 light industrial/warehouse units - Old Railway Yard

2/96/1212/F: Application Permitted (Delegated decision): 29/11/96 - Retention of one portable building for storage - Station Yard

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

OBJECT to this application for the following reasons -

1 The site enters and exits on to a blind corner. The applicant has cut back some of the bramble and hedge growth but it is unlikely to overcome the problem. The recently built TROD has to also be crossed at this point making it a dangerous crossing area.

2 The site is a flood risk area not helped by the filling in of dykes on the property and the construction of the concrete pads. This has led to serious flooding of the neighbouring properties.

3 The site boundary line has been moved meaning the site is encroaching onto neighbouring properties.

Highway Authority: NO OBJECTION SUBJECT TO CONDITION

Having visited the site and reviewed the submitted information, we observe that visibility splays are proposed which accord with the adopted guidance and the yards are sufficiently far back in the site were parking and servicing would be contained off highway.

As a result and on the basis of the condition recommended we would not seek to further restrict the grant of permission. A condition should be attached to secure the required visibility splays.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Contaminated Land - The land is part of the former Great Eastern Railway, sidings, and yard. There is a possibility of some residual contamination from the former use, and from historical working practices or waste disposal. However, the retrospective proposal is for secure storage yards which are not a more sensitive end use than the current permitted use and are predominantly hard surfaced. Therefore, there is unlikely to be any significantly increased risk from land contamination. We have no objection to the retrospective application. The applicant should note that any future applications on this site should take

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account of the former land use in line with NPPF (para 196 and 197) and the Environment Agency's Land contamination risk management guidance.

Air Quality - We have no objection in terms of air quality for this retrospective application for 3 storage yards.

Arboricultural Officer: NO COMMENT

No comment to make on this application, the proposals should not impact on the existing landscape.

Ecologist: NO OBJECTION

The proposal is retrospective. Had the application come forward in the usual way it would not have warranted an objection as the site biodiversity baseline is unlikely to have been high value. If you are minded to grant consent please attached a BNG informative.

REPRESENTATIONS: ONE OBJECTION received

This planning application, if approved, will damage/prevent/the prospects of the Middletown Towers Restoration Group (MTRG) from restoring the former railway between Kings Lynn - Narborough. The adverse effect the application will have on the larger project to restore the railway, that will creating jobs, preserving heritage and bring communities together cannot be understated.

KING'S LYNN AND WEST NORFOLK LOCAL PLAN 2021-2040

LP06 - Climate Change (Strategic Policy)

LP13 - Transportation (Strategic Policy)

LP18 - Design & Sustainable Development (Strategic Policy)

LP19 - Environmental Assets - Green Infrastructure, Landscape Character, Biodiversity and Geodiversity (Strategic Policy)

LP21 - Environment, Design and Amenity (Strategic Policy)

LP12 - Disused Railway Trackways (Strategic Policy)

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations are:

Principle of Development
Highways/ Access
Form and Character
Impact on Neighbour Amenity
Drainage/ Flood Risk
Disused Railway Trackbed
Other Material Considerations

Principle of Development:

The application seeks retrospective consent for the construction of three secure storage areas, fenced with lockable gates. The application site is within a wider area of land with a well-established use as commercial storage with various existing large containers/ equipment on site.

The National Planning Policy Framework (NPPF Dec 2024) states in paragraph 88 'Planning ...decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;' Paragraph 89 goes on to state that 'Planning ... decisions should 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, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.' Policy LP07 of the Local Plan reiterates this support for the rural economy.

While the site is clearly separated from the development boundary for the village, the development intensifies the use of an existing commercial site. As such while the use of the site is already established, the intensification of this use is in accordance with the NPPF and Local Plan Policy LP07.

Highways / Access:

The access to the application site is shared with the existing access to the wider area of land and is via a single point of access off Gayton Road. The applicant has demonstrated they are able to provide the required visibility splays as specified by the Local Highway Authority. The Local Highway Authority has no objection to the proposed development subject to these splays being in accordance with the plans submitted and to be retained as such.

Recently, a TROD has been constructed across the front of the site, across the existing access, to provide a pedestrian route from the village to the Post Office. The Parish Council states that this has created a dangerous crossing point. However, a right of vehicular access is already well established in this location. It is not considered that the scale of development would give rise to highway safety issues as a result.

The development is in accordance with the NPPF and Local Plan Policies LP13 and LP21.

Form and Character:

As stated above the use of the site is well established, and the site has long included the storage of storage containers, heavy vehicles etc. The development of the three storage compounds with storage containers, hard standing and green palisade fencing at 2m in height, is not incongruous with the wider site. The development is set against the backdrop of the other structures/ vehicles/ fencing on site and as such is not contrary to the form and character of the locality. The development is considered unacceptable in terms of visual appearance and is in accordance with Policy LP21.

Impact on Neighbour Amenity:

The storage areas are positioned as such that the closest dwelling is 55m to the southwest, and then opposite on Gayton Road a dwelling is approximately 100m in distance. To the north is agricultural land with three hangar buildings and a barn which is in agricultural use. The application site has recently changed ownership and as a result differing levels of traffic and use may be evident to that historically. The creation of the three modest sized compounds does potentially generate additional traffic to the site, and therefore there may be additional vehicle movements. For this reason it is appropriate to condition the use of the land to storage only, to retain controls over the use of the site (Use Class B8 Storage or distribution - Use for storage or as a distribution centre as detailed in The Town and Country Planning (Use Classes) Order 1987 (as amended)).

The site is in a rural location with nearby residents, and it is necessary that the development does not result in an unacceptable level of disamenity as a result of this. With the inclusion of this condition, the development is in accordance with Policy LP21 of the Local Plan.

Drainage/ Flood Risk:

Concerns have been raised by the Parish Council that the applicant has filled in some drains on the site, which has resulted in surface water flooding issues for land to the north and west of the application site. The applicant states that no drains have been filled in to facilitate the development. Having visited the site there is no evidence of very recent works such as those suggested, the land along both sides of the site, the areas specified by the Parish Council, has a lot of established vegetation. Historic aerial photographs are not sufficiently clear on this matter. The hard surfacing areas of the storage compounds are likely to result in an increase to surface water runoff, however this area is a small part of a much larger site which includes unsurfaced areas of land particularly to the west. The applicant has not submitted a surface water drainage strategy for the scheme. The NPPF and Local Plan are clear in that new development should not give rise to off-site flooding as a result. However, based on the scale of development in the context of the wider site, alongside the physical appearance of the site, the drainage concerns are not considered sufficient to warrant the refusal of the application on this basis. While there is no evidence that this has directly resulted in surface water drainage issues in the locality it is suggested that a condition is attached to the consent to secure a surface water drainage scheme for the application site within a specified period of time. With the condition in place, the development is in accordance with the NPPF and Local Plan Policy LP21.

Disused Railway Trackbed:

Policy LP12 of the Local Plan seeks to safeguard the Disused Railway Trackways 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:

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g. From Middleton Towers to the borough boundary at Pentney;

The Local Plan identifies that this route runs through the application site.

An objection has been received raising concerns that the development would damage/prevent the prospects of the Middletown Towers Restoration Group (MTRG) from restoring the former railway between Kings Lynn - Narborough.

In response the applicant has stated that in the event that this was to be re-used in future, the storage areas would of course require altering, however, there is no plan to develop these areas with buildings, so disruption would be minimal. There is already existing hardstanding and storage containers to the east of the application site as well as residential dwellings to the south and west within very close proximity to this route.

The development includes three modest concrete pads, fencing and three small storage containers (which could easily be relocated). There is sufficient space within the ownership of the applicant (to the south of the concrete pads) to potentially provide a route through the site for a path/ cycleway. If a larger scheme were to come forward for new rail facilities for example, the nature of the modest development is such that it would not prevent/ prejudice such a potential future use. As such the development is in accordance with Local Plan Policy LP12.

Other Material Considerations:

Land Ownership – The Parish Council has stated that the applicant has moved the site boundary, thereby encroaching onto neighbouring properties. The deeds for the land have been received and the application site falls within the ownership of the applicant. Any land ownership disputes relating to shared boundary fences or trees on the wider site are outside of the planning process and should be pursued as a civil matter.

Ecology – The application seeks retrospective consent and as such there is no requirement for Bio Diversity Net Gain. However, the Ecologist has confirmed that had the application come forward in the usual way they would not have objected to it as the site biodiversity baseline is unlikely to have been high value.

Arboriculture/ Landscaping – The creation of the TROD and the establishment of the access with the required visibility splays have resulted in the removal of vegetation along the frontage of the site. Objections have been raised with regard to this loss. However, these were not protected and the applicant as a land owner and the Local Highway Authority are able to clear overgrown vegetation as ongoing maintenance of their land.

A neighbour has stated that a tree has been removed from the locality (but outside of the red line). This tree was not protected. The Arboricultural Officer has no objections to the scheme.

Climate Change – The application site is approximately 0.1ha and therefore the applicant is not required to submit a Sustainability and Climate Change Statement under Local Plan Policy LP06. This policy states that 'development shall recognise and contribute to the importance of, and future proofing against, the challenges of climate change and to support the transition towards meeting the Government target of becoming a net zero economy by 2050.' Given the nature of the development there are minimal opportunities the applicant could take to seek to address this policy and to date there are no specific measures incorporated within the scheme.

CONCLUSION:

The principle of development in terms of the commercial storage use is already existing and well established. The development is not contrary to the form and character of the locality, and would be seen in the context of the wider commercial site. In terms of access, there are no objections from the Local Highway Authority and while a TROD runs across the front of the site it is not considered the traffic levels would be of a scale to cause safety concerns. There are no objections with regard to ecological impacts or landscaping.

The Parish Council has raised concerns regarding drainage on the site, and that the development has resulted in off-site flooding. However, it cannot be determined what alterations have been made to the existing drains on site and if the development of the application site has directly resulted in the off-site flooding. That said a condition is attached to secure surface water drainage details for the application site.

Finally, it is considered that the scale and nature of the development would not prejudice the potential future use of the disused railway trackbed for paths, cycleways, bridleways, new rail facilities, etc.

The retrospective application is recommended for approval subject to the conditions detailed below. The development is in accordance with the NPPF and Local Plan policies LP12, LP13 and LP21.

RECOMMENDATION:

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

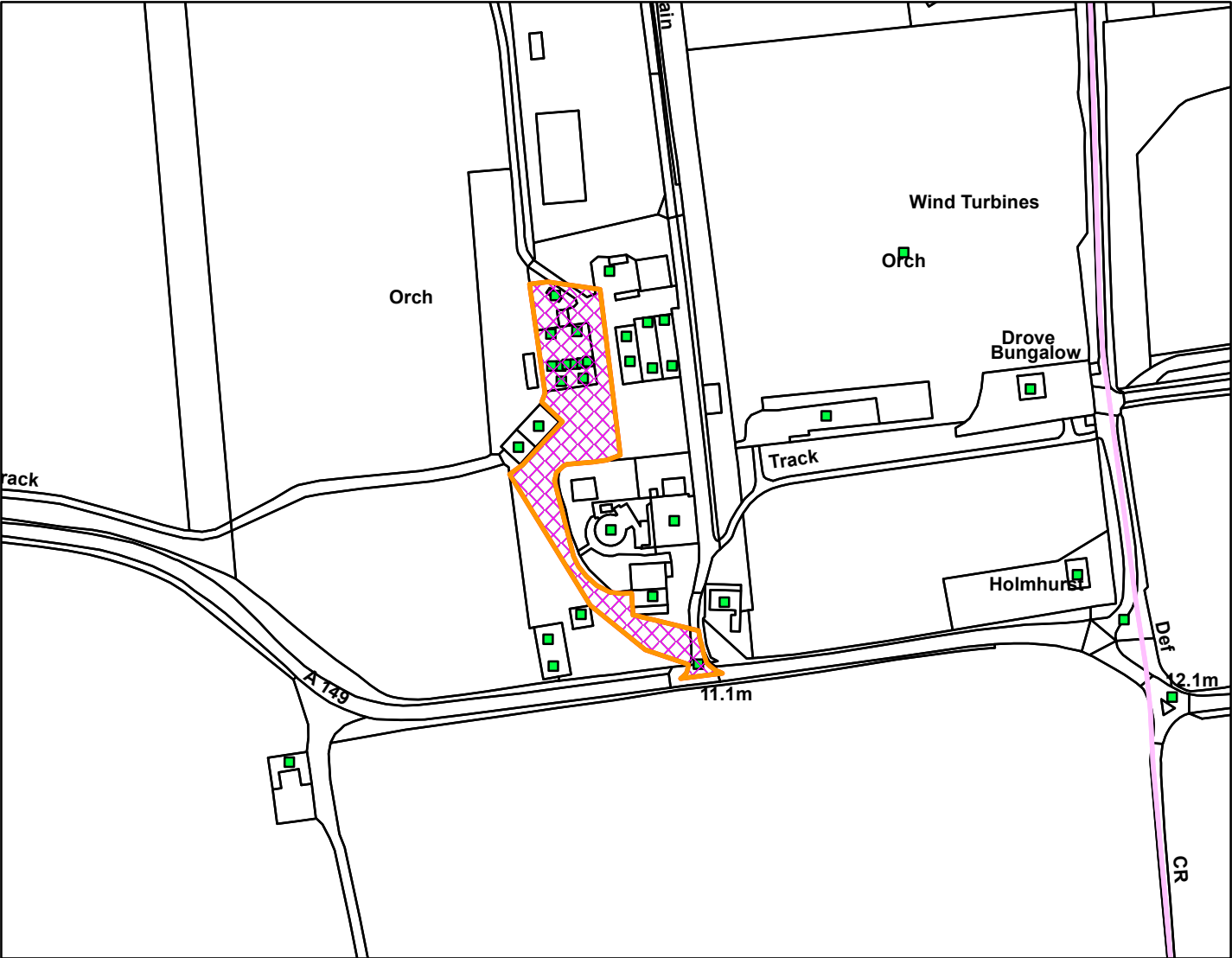
- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans Drawing Nos-

17418-PL1 D SITE AND LOCATION PLANS received 20 Feb 2025
17418-PL2 A FLOOR PLAN AND ELEVATIONS received 20 Feb 2025
17418-PL3 B VISIBILITY SPLAYS received 20 Feb 2025.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: Prior to the continued use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 2 Reason: In the interests of highway safety in accordance with the principles of the NPPF and Local Plan Policies LP13 and LP21.
- 3 Condition: The development hereby approved shall be used for the purposes of Class B8 (Storage or distribution) only, (as defined within the Town and Country Planning (Use Classes)(Amendment)Order 2020)), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and shall not be used for any other purpose, including any use permitted under Schedule 2, Part 3 'Changes of Use' of the Town and Country Planning (General Permitted Development) Order 2015, as amended, or any order revoking and re-enacting that Order with or without modification.

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- 3 Reason: In order that the Local Planning Authority may retain control over the use of the premises where an alternative use otherwise permitted by the above mentioned Order would be detrimental to the amenities of the locality and would be contrary to the NPPF and Local Plan Policy LP21.
- 4 Condition: Within three months of the date of this decision full details of the surface water drainage arrangements for the site shall have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved within six months of the date of this decision.
- 4 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF and Local Plan Policy LP21.

10F Drove Orchards Thornham Road Holme next The Sea Hunstanton Norfolk PE36 6LS



Legend

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| Organisation | BCKLWN |
| Department | Department |
| Comments | Not Set |
| Date | 20/05/2025 |
| MSA Number | 0100024314 |

10F Drove Orchards Thornham Road Holme next The Sea Hunstanton Norfolk PE36 6LS



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| Organisation | BCKLWN |
| Department | Department |
| Comments | Not Set |
| Date | 20/05/2025 |
| MSA Number | 0100024314 |

| | | |
|----------------------|---|--|
| Parish: | Holme next the Sea | |
| Proposal: | RETROSPECTIVE -Erection of a 4 x 8 metre heavy duty tent. Main construction is based on connected steel poles covered with a heavy duty made to measure tarpaulin and positioned on a concrete pad. There is access at each end of the tent. | |
| Location: | 10F Drove Orchards Thornham Road Holme next The Sea Hunstanton Norfolk PE36 6LS | |
| Applicant: | Mr Stephen Harrison | |
| Case No: | 24/02233/F (Full Application) | |
| Case Officer: | Mrs Jade Calton | Date for Determination: 6 March 2025 Extension of Time Expiry Date: 9 June 2025 |

Reason for Referral to Planning Committee — Cllr Jamieson has an interest in the land at Drove Orchards.

Neighbourhood Plan: Yes

Case Summary

The application site relates to a 'juicing tent' to the north of the old Grain Store at Drove Orchards, Holme-Next-The-Sea.

Retrospective planning permission is sought for the siting of the tent for pressing apples from the farm to make apple juice and cider which is then sold at the Drove Orchards Farm shop on site.

The tent measures 4 x 8 metres and is sited on a concrete pad.

Holme is classified as a Smaller Village and Hamlet within Tier 6 of the Settlement Hierarchy under the Local Plan. However, the application site lies outside of the development boundary and within the countryside.

Key Issues

Principle of Development
Visual Impact
Highway Safety
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site relates to a 'juicing tent' to the north of the old Grain Store at Drove Orchards, Holme-Next-The-Sea.

Retrospective planning permission is sought for the siting of the tent for pressing apples from the farm to make apple juice and cider which is then sold at the Drove Orchards Farm shop on site.

This activity takes place throughout the harvest season, from mid-August until the end of December each year. It used to take place inside the Drove Orchards production unit within the Grain Store but due to space restrictions, it was necessary to move it outside of the main building with the tent required for shelter.

The tent measures 4 x 8 metres (32 square metres total footprint) x 3.15m in height and is sited on a concrete pad. The materials include steel poles covered with a grey and white heavy duty uPVC tarpaulin.

SUPPORTING CASE

There is no accompanying supporting statement.

PLANNING HISTORY

There is extensive planning history across the wider site but the most relevant is as follows: -

24/02124/F: Application Permitted (COMMITTEE): 06/05/25 - To cover and enclose existing seating area to permit use during inclement weather and allowing the same to use the toilet facilities and connection between the restaurant areas - Erics Pizzas In The Yurt 7 Drove Orchards

24/00264/F: Application Permitted (COMMITTEE APPROVAL): 07/08/24 - The addition of five holiday lodges to the existing glamping provision plus associated car parking. - Wild Luxury - The Wild Glamping Company, Drove Orchards

14/00193/NMA_1: Application Permitted: 19/12/14 - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 14/00193/F: New retail unit, change of use of the land for siting of tea room and extension to existing farm shop - Drove Orchards

22/00202/F: Application Permitted: 06/05/22 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION 21/00173/F: Extension on to retail unit (Use Class A1) for restaurant area (Use Class A3), storage and WCs including parking and drainage - Gurneys Fish Box

21/00173/F: Application Permitted: 03/09/21 - Extension on to retail unit (Use Class A1) for restaurant area (Use Class A3), storage and WCs including parking and drainage. - Gurneys Fish Box

20/00857/F: Application Permitted: 20/11/20 - Change of Use of part of a mixed-use former Grain Store from agriculture / mixed-use to uses that relate to agriculture and / or tourism only and comprise: retail, financial services, professional services (other than health or

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medical services), estate agents, employment agencies, and research and development of products that relate specifically to agricultural or tourism. - Drove Orchards

20/00566/PACU6: Prior Approval - Refused: 09/06/20 - Notification for Prior Approval for change of use of agricultural building to a flexible use (Schedule 2, Part 3, Class R) - Drove Orchards

19/00285/NMA_1: Application Refused: 06/07/20 - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 19/00285/F: Conversion of Dutch Barn to mixed use comprising Micro-brewery, retail and light industrial; change of use of grain barn to mixed use comprising agriculture, light industrial and retail; change of use of Polytunnel to dog training; erection of Café in lieu of that approved pursuant to 14/00193/F; new WCs and amended vehicular access - Drove Orchards

14/00193/F; new WCs and amended vehicular access. - Drove Orchards

19/00285/F: Application Permitted: 24/01/20 - Conversion of Dutch Barn to mixed use comprising Micro-brewery, retail and light industrial; change of use of grain barn to mixed use comprising agriculture, light industrial and retail; change of use of Polytunnel to dog training; erection of Café in lieu of that approved pursuant to 14/00193/F; new WCs and amended vehicular access. - Drove Orchards

14/00193/F: Application Permitted: 15/04/14 - New retail unit, change of use of the land for siting of tea room and extension to existing farm shop - Drove Orchards

07/01280/CU: Application Permitted: 21/08/07 - Change of use of barn to farm shop, tea room and store, plus small extension for WC - Farm Buildings At Drove Cottage

RESPONSE TO CONSULTATION

Parish Council: RAISED CONCERNS - The Parish Council understands that the tent is currently used for pressing apples from the farm to make apple juice and cider, which is then sold at the Drove Orchards Farm shop on site. Support for existing farm activities (i.e. pressing apples as part of apple juice production) is supported by NDP Policy HNTS6.

However, it is noted that this production activity used to take place inside the Grain Store. Given the 5 year Plan presented for Drove last year it is disappointing therefore to see a retrospective application following the displacement of this basic activity due to a shortage of space and the Parish Council is concerned that there could be further unplanned sprawl on the site (we understand that there are a number of containers on site with an unclear function). In the circumstances it would be helpful to have a clear spatial plan linked to the business plan indicating the planned growth of buildings on the site.

REPRESENTATIONS

ONE letter of **OBJECTION** received from a Third Party, raising the following concerns: -

- Not enough cycle parking.
- Condition adequate secure and covered cycle parking.
- Needs to accord with adopted standards.
- CS11 and CS13 – Promote sustainable transport.

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KING'S LYNN AND WEST NORFOLK LOCAL PLAN 2021-2040

LP06 - Climate Change (Strategic Policy)

LP07 - The Economy (Strategic Policy)

LP13 - Transportation (Strategic Policy)

LP14 - Parking Provision in New Development

LP16 - Norfolk Coast National Landscape (Strategic Policy)

LP18 - Design & Sustainable Development (Strategic Policy)

LP21 - Environment, Design and Amenity (Strategic Policy)

NEIGHBOURHOOD PLAN POLICIES

HNTS 1: Principle of Sustainable Development

Policy HNTS5: Countryside Zone

Policy HHNTS6: Drove Orchards

Policy HNTS8: Sustainable Travel and Tourism

Policy HNTS20: AONB Landscape Quality

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 in the determination of this application are: -

Principle of development

Visual Impact

Highway safety

Other Material Considerations

Principle of Development:

The application site lies within the countryside and National Landscape where protection policies apply.

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Local Authorities now have a strengthened statutory duty to conserve protected landscapes through The Levelling-up and Regeneration Act 2023. The appropriate level of weight should be applied to 'the duty to have regard to and seek to further the statutory purposes' of National Landscapes, that is to conserve and enhance the natural beauty.

The proposed development has been assessed against the statutory duty and due to its scale, nature and position within the site surrounded by existing buildings, it is not considered to adversely affect the natural beauty, special qualities, or key characteristics of the Protected Landscape, in accordance with the NPPG.

Nationally, the overarching NPPF supports a prosperous rural economy through sustainable growth and expansion of all types of businesses in rural areas; the development and diversification of agricultural and other land-based rural businesses; sustainable rural tourism and leisure developments which respect the character of the countryside; and the retention and development of accessible local services and community facilities (para. 88).

Local Plan Policy LP07 (The Economy) also promotes opportunities to improve and enhance the visitor economy, including tourism opportunities in rural areas.

Neighbourhood Plan Policy HNTS 6 relates specifically to Drove Orchards, which states that 'new development will be permitted where it is directly related to the agricultural use of the site or is for tourism related uses which are compatible with and related to the special characteristics of the AONB and the important habitats of the North Norfolk Coast'.

The Policy sets out criteria for development at Drove Orchards, which will be covered in detail in the relevant sections of the report.

It is considered that the tent structure is acceptable in principle in accordance with the Development Plan as it relates to an existing business on the site, subject to other relevant planning policy and material considerations.

Visual Impact:

The tent is relatively modest in comparison to other buildings and structures on the wider site and is not overly visible from the public domain by virtue of its siting to the rear of the large Grain Store.

Whilst the tent comprises uPVC tarpaulin, it does not appear out of keeping or visually prominent due to the mixed nature of buildings and the range of materials on the site.

As such, it is considered that the scale and appearance of the development 'would not be visually intrusive and the materials would respect the character of the area', as set out in criteria (ii) of Neighbourhood Plan Policy HNTS 6 (Drove Orchards).

Furthermore, the immediate area around the tent is bounded by fencing to the west and trees to the north and east, with mature trees to the wider perimeter, therefore it is not considered that the development causes any harm to the wider landscape character of the area, and in particular would cause no adverse impact upon the National Landscape designation, in accordance with criteria (i) of Neighbourhood Plan Policy HNTS 6.

Although this is a temporary structure, it is required to be in situ on a permanent basis (to store the equipment out of season). Therefore, in the interests of visual impact, a maintenance condition is recommended in order to maintain the condition of the tent and to secure its removal if the use is ceased. The Applicant intends to submit a Maintenance Plan

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which will inform the wording of the condition, and this will be reported in Late Representations.

Accordingly, the development complies with Neighbourhood Plan Policies HNTS 6 and HNTS 20; Local Plan Policies LP16, LP18 and LP21; and the general provisions of the NPPF.

Highway Safety:

There are no highway safety concerns associated with the development due to its scale and the nature of its use. The tent serves an existing business activity on the site and as such creates no increase in vehicular movements.

The Third Party concerns regarding cycle parking at the site are noted, however, it would be unreasonable and onerous to request cycle parking at this level given the small scale of the development and the nature of its use.

It is considered therefore that the development accords with para. 116 of the NPPF, Neighbourhood Plan Policies HNTS 6 and HNTS 25; and Local Plan Policies LP13, LP14 and LP18.

Other Material Considerations:

Parish Council Concerns:

The Parish Council concerns are noted; however, it would not be reasonable in this case to request a spatial plan linked to the business plan showing future growth for the site given the nature and scale of the development.

BNG:

This application is exempt from having to provide the mandatory net gain as it is below the development threshold.

Climate Change:

LP06 (Climate Change) requires development, where relevant, to recognise and contribute to the importance of future proofing against the challenges of climate change to support the transition towards meeting the Government target of becoming a net zero economy by 2050.

The provision of the juicing tent allows for sustainable apple pressing to continue on site, where the apples are grown, and the juice is sold at the existing Drove Orchards farm shop. This avoids the need for additional transport to and from the site.

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 development is very modest in scale and provides a covered outside space for seasonal activities associated with the pressing of apples related to the existing use of the site. This activity already existed on the site but has relocated outside of the Grain Store due to space restrictions.

By virtue of its modest scale and siting to the rear of larger buildings on the site, it is not considered that the development would have a detrimental visual impact, neither would it adversely affect the wider landscape setting of the National Landscape.

An appropriately worded condition relating to the maintenance of the tent will ensure that it does not have a negative impact upon visual amenities of the site or the National Landscape over time.

The development does not result in increased patronage or additional vehicular movements to and from the site and as such there are no highway safety concerns.

The provision of additional space to carry out the proposed activities in connection with the existing business at Drove Orchards provides an economic benefit that contributes towards a thriving rural business and local community, as encouraged by the NPPF and Local Plan.

Overall, it is considered that the proposed development accords with Neighbourhood Plan Policies HNTS 1, HNTS 5, HNTS 6, HNTS 8, HNTS 20 and HNTS 25; Local Plan Policies LP06, LP07, LP13, LP14, LP16, LP18 and LP21; and the general provisions of the NPPF.

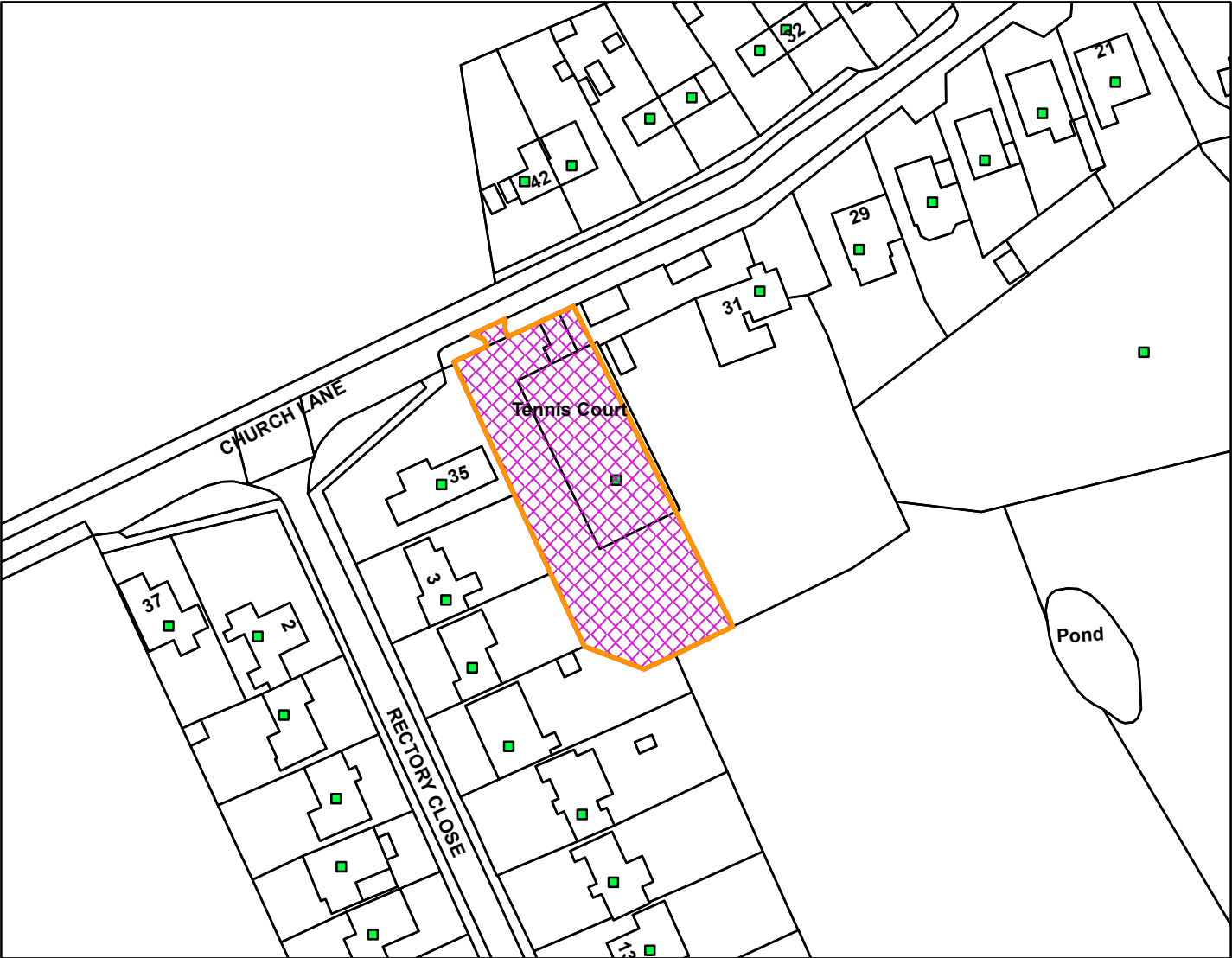
RECOMMENDATION:

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

- 1 Condition: The development hereby permitted has been determined in accordance with the following approved plans:

*764-01 – Site and Location Plan.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The development (tent) hereby approved shall be used for the purposes of 'pressing fruit' only, in association with the existing business at Drove Orchards (outlined in red on Dwg. 764-01) and shall not be used for any other business or commercial purpose without the prior written approval of the Local Planning Authority.
- 2 Reason: For the avoidance of doubt and in order for the Local Planning Authority to retain control over the development in the interests of the amenity of the locality, in accordance with Neighbourhood Plan Policy HNTS6; Local Plan Policies LP18 and LP21 (2021-2040); and the general provisions of the NPPF.

Land At E569785 N323575 And SW of 31 Church Lane Roydon Norfolk PE32 1AR



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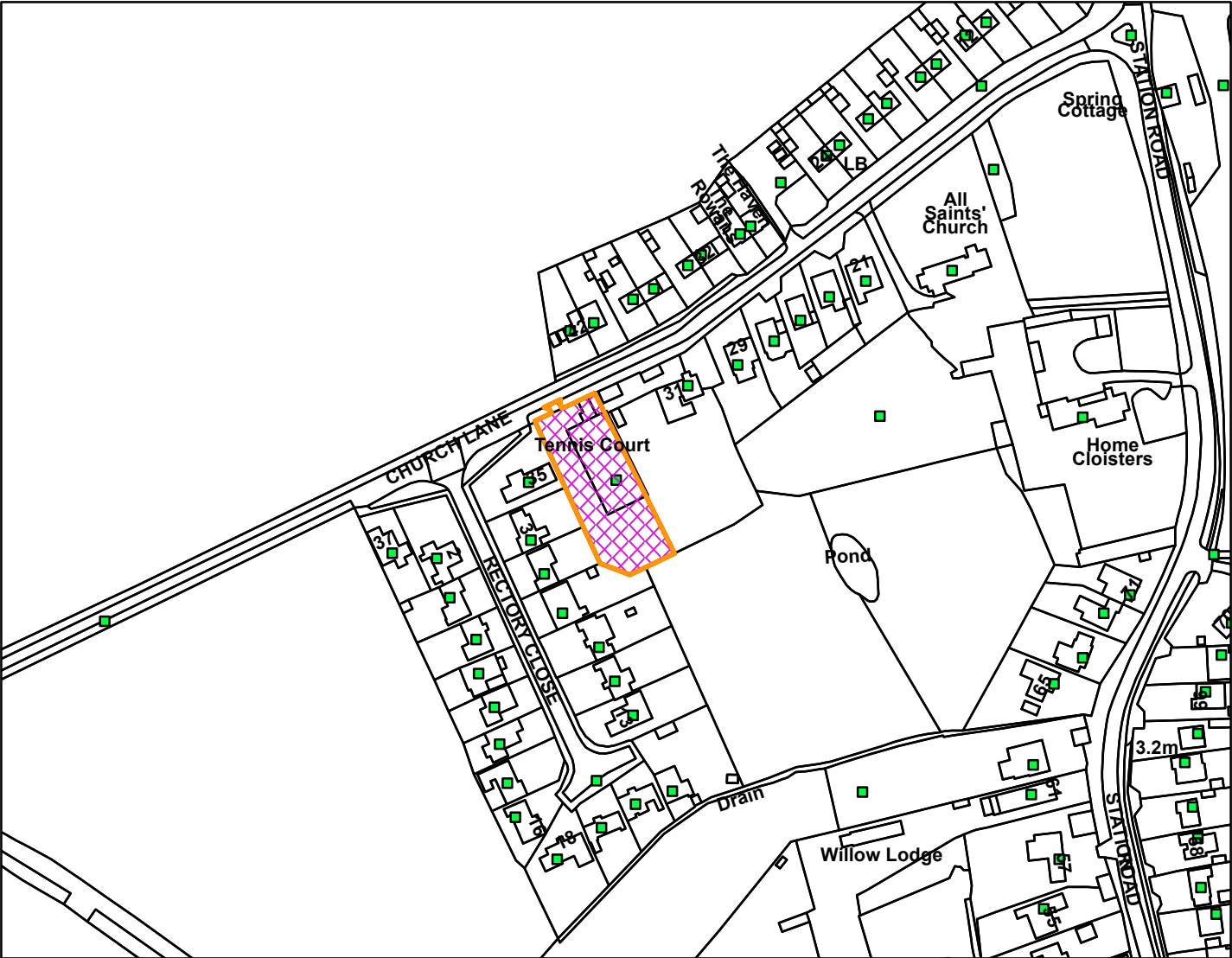
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| Organisation | BCKLWN |
| Department | Department |
| Comments | Not Set |
| Date | 21/05/2025 |
| MSA Number | 0100024314 |

Land At E569785 N323575 And SW of 31 Church Lane Roydon Norfolk PE32 1AR



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| Department | Department |
| Comments | Not Set |
| Date | 21/05/2025 |
| MSA Number | 0100024314 |

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| Parish: | Roydon | |
| Proposal: | OUTLINE PLANNING PERMISSION WITH SOME MATTERS RESERVED FOR: Sub-division of plot to create new dwelling, garage, access and boundary wall following removal of tennis court. | |
| Location: | Land At E569785 N323575 And SW of 31 Church Lane Roydon Norfolk PE32 1AR | |
| Applicant: | Professor David Viner | |
| Case No: | 25/00264/O (Outline Application) | |
| Case Officer: | Jody Haines | Date for Determination: 11 April 2025 Extension of Time Expiry Date: 9 June 2025 |

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

Neighbourhood Plan: Yes

Case Summary

The application seeks outline planning consent with access only for the sub-division of the garden of The Old Parsonage to create a new dwelling following removal of a private tennis court. The scale, layout, appearance, and landscaping will be determined as part of a later reserved matters application.

The application site is located within the development boundary as seen within the policies map as defined by the Local Plan 2021-2040 and Figure 3 of the Grimston, Pott Row, Roydon and Congham Neighbourhood Plan 2017-2036.

The site comprises approx. 0.18ha of residential garden land with existing trees and outbuildings, with most of the site covered by a private tennis court. Residential dwellings are located to the east, north and west of the site.

Key Issues

Principle of Development
Impact on a Non-Designated Heritage Asset
Form and character
Highways/Access
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks outline planning consent with access only for the sub-division of the garden of The Old Parsonage to create a new dwelling following removal of a private tennis court. The scale, layout, appearance, and landscaping will be determined as part of a later reserved matters application. As this is an outline application with access only, only the access is being considered at this stage. The indicative plan shows the construction of the access, parking and turning, and a one and a half storey dwelling with single storey extension.

The application site is located within the development boundary as seen within the policies map as given by the Local Plan 2021-2040 and Figure 3 of the Neighbourhood Plan.

The site comprises approx. 0.18ha of residential garden land with existing trees and outbuildings, with most of the site covered by a private tennis court. Residential dwellings are located to the east, north and west of the site.

The proposed access will be located within the section of the existing boundary to the north which is currently defined as a closeboarded fence. The access would create a gap within the existing grass verge and replace the closeboarded fence with a brick wall.

The existing access to the detached donor dwelling would remain in-situ.

SUPPORTING CASE

My sincerest thanks for your time and effort in reviewing my application for Outline Planning Permission for the sub-division of the existing plot and construction of a new dwelling.

Prior to this application we submitted a pre-application enquiry (pre-app) to gather information on how best to proceed and the nature of any development that would be suitable prior to submitting a formal application. We have used the report from the Planning Officer to guide our current submission.

I am somewhat surprised in the comments received from the Parish Council, as existing, the plot is hidden from public view. I would have very much welcomed the opportunity to discuss matters with them on site.

In summary, the proposed development will result in the replacement of a visually unattractive hard standing tennis court with a more attractive visual development with an increase in the area of garden and potential for further enhancements in biodiversity which will be further detailed at the Reserved Matters Stage.

1 – Location.

One of the key responses regards the nature of the Old Parsonage and its position within Roydon. Following responses from the Pre-Application enquiry, it was decided that the best location for the proposed property, based on conversations with the planning officer, was where it would have the least impact upon the surroundings and fully utilise the existing hard standing (de-commissioned) tennis court. The location of the proposed property will enable a large proportion of what is currently a 'bio-diverse desert' to be converted into a garden and nature to complement and enhance what is already in place on site.

Furthermore, the Parish Council raised the issue of the potential impact on the visual aspects of the Old Parsonage and supplied a map from the 19th Century. As time has

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evolved, the most significant negative impact has been the development of Rectory Close. The proposed design of the new building will be further developed at the Reserved Matters stage, which will deal with matters such as appearance. However, the pre-app has guided that this will be a 1 ½ Storey dwelling to avoid having a negative impact on the surrounding dwelling. The proposal also involves retaining the existing outbuildings associated with the Old Parsonage. We believe the hard-standing tennis court was built within the garden in the 1960s by a former property owner.

The Parish Council also raised concerns relating to the street scene. As existing there is currently a grass embankment and a wooden fence, which as the owner of the Old Parsonage I attempt to keep in order, but not to much avail. The grass verge is steep and is not very suitable for use as a footpath. There is currently a large, tall and unsightly wooden fence that would be replaced by a boundary wall that will appear as a continuation of the existing boundary wall fronting Church Lane, which in our opinion will be far more aesthetically pleasing and attractive to the community.

2 - Ecology

Members of the public and the Parish Council have also raised concerns about the impact on local wildlife and habitat. The proposed development will replace what is essentially a 'biodiverse dead zone' and much of this area with garden land, improving the current situation. Furthermore, landscaping is not included as part of this application; however, at the Reserved Matters stage, landscaping can be appropriately dealt with to further enhance the existing and proposed habitat.

Whilst it is unfortunate that trees will have to be removed as part of this proposal, there is ample space for those trees to be replaced as part of a landscaping scheme that would be submitted as part of a Reserved Matters application and supported by the submitted Arboricultural Impact Assessment.

This proposed scheme has been developed with the help of an Arboricultural and Ecological Consultant to ensure that it does not have an unacceptable impact on the existing wildlife and habitats. It has specified suitable mitigation measures to enhance the area once the development is completed.

3- Flooding Risk

The issue of flooding across our communities is real. I have spent my entire professional career working in this area, and I am fully aware of the negative impacts. The recent flooding that impacted six properties to the North of the Old Parsonage was caused by poor land management practices and blocked mains drains by soil eroded from the fields.

Whilst the Parish Council raises concerns about flood water reaching the proposed dwelling, this would be suitably dealt with via a detailed drainage design put together by a suitably qualified civil engineer, informed by necessary investigations and could be secured by a suitably worded condition, as would be the case with any modern development. The application, if approved, will also be subject to a condition that the proposed access is suitably drained in accordance with the highways standards.

4- Lighting and Dark Skies

Any external lighting on the proposed development will be highly sympathetic to the surroundings. In the case of approval, a development such as this would likely be subject to a suitably worded lighting condition to ensure that the development does not have a negative impact on the dark skies or wildlife on site.

5- Conclusion

In conclusion, whilst we acknowledge the concerns of the Parish Council and members of the public, however we respectfully disagree with their reasons for objection. This proposal is supported by the relevant professional reports and has been carefully designed with input from planning officer feedback as part of the pre-app and input from third-party consultants and is presented to you today with the officers recommendation to approve. This application aims to create a thoughtfully designed, sustainable dwelling that enhances both the character of the site and local biodiversity, which will be further developed at the Reserved Matters stage.

PLANNING HISTORY

2/95/0565/CU: Application Permitted: 08/09/95 (Delegated Decision) - Change of use from dental surgery to residential in connection with existing dwelling and alterations to building - The Old Parsonage

RESPONSE TO CONSULTATION

Parish Council: OBJECTION on the following grounds:

Roydon Parish Council object to this proposal, as it is considered it does not comply with/the application goes against Policies 4 and 14 (in part), and Policy 7, 2. b. of the Grimston, Pott Row, Roydon & Congham Neighbourhood Plan 2017-2036 specifically (and other areas of the plan), Policies DM 3 and DM 15 of the Site Allocations and Development Management Policies (SADMP) Plan (2016), and the National Planning Policy Framework (NPPF), Chapter 16, paragraph 216.

Reasons as summarised below:

Non-designated heritage asset – The Old Parsonage, 31 Church Lane, is a non-designate heritage asset. The site has been a significant and prominent large plot for considerable time. To sub-divide the parsonage plot to develop a new dwelling will not only impact on the non-designated parsonage building but will erode and permanently damage the substantial grounds/gardens of the parsonage, which are an integral part of the historical setting of the plot and the surrounding area. (Policy 4 and 14 of the NP).

Size and scale – In terms of the footprint of the proposed house and triple garage, it is at least the same as the host dwelling. It is significantly larger than the houses across the road or bungalows to the side/rear.

Rural character and street scene – The proposal will cause destruction of the 'green' corner of this section of the road. Five mature trees will be removed. The verge side frontage, beyond the parsonage wall, extends right along the front of the grounds - this makes a positive contribution to the setting and street scene, outlining the rural character of the site. Removal of the trees within the site and changes to the frontage, plus the creation of the new access, will alter the street scene. The proposal will detract from this visual grass embankment. (Policy DM15 and 7). (Rectory Close is deliberately 'set back' from this plot and Church Lane to lessen the impact on that section of the lane. Likewise, the council houses opposite the site, and along the entire northern side of Church Lane were deliberately set back behind a hedged 'footpath' to ensure they did not impact on The Old Parsonage and the Grade II* All Saints Church.)

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Ecology – Impact on bats by impeding on the commute route and external lighting, great crested newts by reducing the habitat space, woodpeckers, breeding birds by disturbance of activities on the site, and hedgehogs by the addition of built form.

Lighting and Dark Skies – Whilst this is an outline application and no information is yet available in respect of external lighting, it is highly unlikely that any new dwelling will avoid the installation of external lighting in some form. This goes against Policy 12 and external lighting would be at detriment to commuting protected bats and other fauna.

Surface Water Flooding – Properties opposite the Old Parsonage and the proposed site suffered significant flooding to gardens, garages, outbuildings and sheds. We are particularly concerned that a new access in that location could result in the water flooding into the site, as this would be the natural flow path, and causing damage etc to any dwelling located there.

Highways Authority: NO OBJECTION subject to condition:

It was evident that the proposed point of access could accord with the adopted guidance and as a result with access to be considered at this stage.

A condition is recommended that the access over the verge shall be constructed in accordance with the highways specification TRAD5, and arrangements for surface water drainage so that it does not discharge from or onto the highway shall be made. A Condition is recommended that any access gates/ bollards/ chains shall be hung to open inwards and set back (minimum of 5 metres from the neat channel edge of the adjacent highway). An informative is recommended for ensuring that permission is sought from highways.

Internal Drainage Board: NO COMMENT

Environmental Quality: NO OBJECTION:

No significant potential sources of contamination are identified in our records, or in the information provided by the applicant.

We have no objection regarding contaminated land.

Conservation Officer: NO COMMENT:

We have no comments to make on the application. The success of the proposal will lie in the details of the dwelling which is proposed. This will come at reserved matters stage, and we would like to be consulted on the proposals at this point.

Arboricultural Officer: NO OBJECTION:

The accompanying Arboricultural Assessment by Golden Tree Surgeons provides a satisfactory evaluation of the existing trees, their quality, and the potential impacts of the development.

The proposed removal of five moderate-quality trees is considered acceptable, given their limited retention value. However, I would expect a revised Arboricultural report, including a detailed Method Statement and Tree Protection Plan, to be submitted as part of the reserved matters application.

Proposals will also be required for replacement tree planting to mitigate the loss of the removed trees at the Reserved matters stage, as part of or separate to the landscape proposals.

In principle, I have no objection to this proposal at this outline stage.

Ecology: NO OBJECTION subject to conditions:

The following documents have been submitted in support of the application which are relevant to these comments:

- Condition Assessments (Vicky Rusby, 11/12/2024)
- Statutory Biodiversity Net Gain Metric (Vicky Rusby, 31/12/2024)
- Preliminary Ecological Appraisal and Baseline Biodiversity Net Gains Assessment (360 Ecology, January 2025)
- GIRAMS sHRA

I am broadly in agreement with the conclusions of the Preliminary Ecological Appraisal and Baseline Biodiversity Net Gains Assessment (PEA) but there are a few minor points which require clarification before a positive determination could be given. Mitigation and enhancement measures must be secured by condition should you be minded to grant consent.

Protected Species

Bats

The Ground Level Tree Assessment (GLTA) does not give the full details of the Potential Roosting Features (PRF) that have been identified on any trees but it should to be in accordance with professional guidance. Table 9 shows that T7 (a strawberry) and T8 (a beech) have PRF-I which does not necessarily trigger further surveys particularly when both trees are proposed for retention. It is unclear why T6 has not been recorded with PRF's even though the image below Table 2 states presence of PRF's. However, T6 (not recorded within the Arb report) will be retained based on the plans so that if a roost is present, it would not be lost to the new development. If any works are in fact proposed to these trees then further survey would be required.

A detached garage is assessed to be of low potential to support roosting bats. This garage is shown as retained within the proposed development and so no further surveys are recommended. If this is NOT the case or circumstances change, a bat survey would be required.

The site is assessed to have moderate potential for foraging bats. The most optimal areas of the site for foraging bats would likely be the group of mature trees and grassland to the south of the proposals which are being retained. Any external lighting in this area could disturb bats and cause avoidance. I note that impacts of lighting on bats is also a concern raised by Roydon Parish Council. Lighting will certainly need to be controlled under an approved bat sensitive lighting scheme to avoid disturbance to any bats using the area. This includes control of lighting during construction.

Great Crested Newts (GCN)

I note the concerns of the Parish Council regarding GCN and agree that habitat will be lost. However, the habitat being lost is suboptimal so I am satisfied that a licence is unlikely to be required in this instance. However, mitigation is required to avoid any residual risks to the

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species. The PEA recommends a non-licensed methods statement which I agree is necessary.

Hedgehogs

The report records the potential for hedgehogs as low. I note that the Parish Council represent on this species and state that hedgehogs are known to be present locally and supported by hedgehog warning signs to attempt to mitigate potential vehicles casualties. Most garden habitats have the potential to support the species so although there is nothing in the report which suggests the garden is unusually suitable for the species there is certainly the potential for individuals to be present during and after construction of the development. Precautionary Working Methods are recommended within the PEA. However, no enhancements have been provided.

Any boundary fencing erected as part of this development must install a signed hedgehog hole to avoid the fragmentation of habitat that is currently used by the species.

Mitigation and Enhancement

Several mitigation and avoidance measures are required to prevent impacts to protected species. This would be best submitted under a Construction and Ecology Management Plan which would include the required Precautionary Working Methods, protection of sensitive ecological features (the brash piles and trees) and lighting Scheme.

Section 6.2 of the PEA includes the recommendation for integrated bat and bird boxes which should be conditioned, a spatial plan of the location and product specs of these features to be submitted to discharge such a condition. This include the location of hedgehog holes.

Protected Sites

The proposals are for one Unit of additional accommodation which triggers the requirement for GIRAMS. The applicant has submitted a GIRAMS form which is welcome. The Planning Officer must complete the remaining sections as the LPA's record of HRA.

Protected Habitats

There are no protected or irreplaceable habitats recorded on the site. I note the concerns of the Parish Council regarding surveys outside of the optimal season. However, I am in agreement with the PEA that this is not a limiting factor given the common nature of the habitats present.

Biodiversity Net Gain

Trees

- Within the Metric x3 medium trees and x1 large tree are recorded (total x4 tree). However, Table 12 within the PEA records five trees which are comprised of x3 medium trees and x2 large trees (total five trees). T10 is recorded as a medium size ash though I believe this aligns with the arb ref T6 which is recorded as a large Dawyck beech (DBH 660 mm). The Metric should be updated to reflect this and clarify the number of trees.
 - A hedgerow has been recorded on the site but is not represented within the Metric.
- These two issues render the baseline inaccurate and would be a reason for refusal. They must therefore be resolved before determination.

Post development

The proposals currently achieve 3.09% net gain and do not meet 10% statutory requirement. There is a deficit of 0.08 Biodiversity Units. Section 5.6 of the PEA lists potential options for the applicant to meet the requirement which can be surmised as:

- Purchase Offsite Units from a Habitat Bank.
- Statutory Credits (which would not be accepted by the LPA as there are currently at least two Habitat Banks operating in the local area. See: Information for developers | Information for developers | Borough Council of King's Lynn & West Norfolk).
- Discussion with the LPA regrading plating seven trees on Council Owner land.

The feasibility of point three would need to be discussed with the Planning Case Officer and would require a legal agreement to be in place prior to determination. It would also require any tree creation to be included within a blue line boundary and the habitat directly beneath the trees to be included in the Metric. I suspect there may be conflicts with highways regarding visibility for such a proposal. The applicant must confirm how they will deliver the BNG before determination. This is because it will affect the way the LPA must secure it.

Comments following amendments/additional information

Updated Documents:

- Statutory Metric [Revised] dated 06/05/2025 and prepared by Metric Vicky Rusby [360 Ecology Ltd.]
- Preliminary Ecological Appraisal & Baseline Net Gains Assessment prepared by 360 Ecology Ltd. (06 May 2025).

I can confirm that all the issues raised in my consultation have now been resolved. If you are minded to grant consent please consider conditions for Biodiversity Net Gain, bat sensitive lighting scheme, precautionary working method statement for amphibians/reptiles/hedgehogs, and ecological enhancements and informatives for Biodiversity Net Gain plan and breeding birds.

REPRESENTATIONS

THREE comments received in **OBJECTION**:. The comments are summarised below:

- Light pollution,
- Disturb local wildlife (specific reference to: hedgehogs, muntjacs, deer, birds, bats, owls, frogs, newts),
- Noise pollution from the heat pump,
- Overlooking,
- There has been flooding previously and this development would increase the pressure on the drains,
- Trees are being removed/affected,
- The new entrance would make it difficult to come out of neighbouring dwellings and Rectory Close,
- Impact on the Old Parsonage which in the Roydon Character Assessment was described as having architectural merit, a building in the grounds would detract from this,
- The works could damage neighbouring gardens and plants,
- Parking from trade and workman during the construction will impact the lane,
- Affect the views to the Old Parsonage and Roydon Church,

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- The garden of the Old Parsonage has been a significant part of the local landscape, appearing on the OS map. Although not listed it is a non-designated heritage asset, which was restored sympathetically in the 1980s. The old Parsonage would not sit happily with a modern building, and
- Will the parking meet the need of the site?

KING'S LYNN AND WEST NORFOLK LOCAL PLAN 2021-2040

LP01 - Spatial Strategy and Settlement Hierarchy Policy (Strategic Policy)

LP02 - Residential Development on Windfall Sites (Strategic Policy)

LP06 - Climate Change (Strategic Policy)

LP14 - Parking Provision in New Development

LP18 - Design & Sustainable Development (Strategic Policy)

LP19 - Environmental Assets - Green Infrastructure, Landscape Character, Biodiversity and Geodiversity (Strategic Policy)

LP20 - Environmental Assets- Historic Environment (Strategic Policy)

LP21 - Environment, Design and Amenity (Strategic Policy)

LP23 - Green Infrastructure (Strategic Policy)

LP27 - Habitats Regulations Assessment (HRA) (Strategic Policy)

NEIGHBOURHOOD PLAN POLICIES

Policy 4 - Design and Landscaping

Policy 5 - Density of New Housing Dev

Policy 6 - Energy Efficiency

Policy 7 - Location of New Housing

Policy 8 - Roydon Common buffer zone

Policy 9 – Biodiversity

Policy 12 - Dark Skies

Policy 13 - Surface Water Management

Policy 14 - Heritage Assets

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations are:

Principle of development
Impact on a Non-Designated Heritage Asset
Form and character
Highways/Access
Other material considerations

Principle of Development:

Paragraph 2 of the National Planning Policy Framework (2024) reiterates the requirements of planning law which is that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

In this instance the Development Plan comprises of the King's Lynn and West Norfolk Local Plan 2021-2040, 2025 and the Grimston, Pott Row, Roydon and Congham Neighbourhood Plan 2017-2036, 2024.

Roydon falls within Tier 6: Smaller Villages and Hamlets under Policy LP01 - Spatial Strategy and Settlement Hierarchy of the Local Plan 2021-2040.

The application site lies within the development boundary of Roydon as seen on the policies map of the Local Plan and Figure 3 in the Neighbourhood Plan. The principle of development on the site is therefore considered acceptable, provided it complies with other relevant policies in the Development Plan.

Impact on a Non-Designated Heritage Asset:

Overall development should conserve and enhance the historic environment in accordance with LP18 and LP21 of the Local Plan 2021-2040, with Policy 14 of the Neighbourhood Plan striving for wherever possible enhancement of the historic character, appearance and setting of designated and non-designated heritage assets. Development needs to be of the highest design that will sustain and, where appropriate, enhance the interest and character of the heritage asset. In accordance with LP20 of the Local Plan 2021-2040 and Paragraph 216 of the NPPF, if there is harm, a balanced judgement must be had regarding the scale of the harm and the significance of the non-designated heritage asset.

The proposed site currently forms part of the grounds of The Old Parsonage, which can be seen on the OS First Edition mapping. The Old Parsonage is considered an interesting building in regards to design and materials however, overtime has been altered, with its setting also being altered by development within its wider setting. Whilst the Neighbourhood Plan does not list The Old Parsonage within para 129 of important heritage assets to the community, the Parish and the LPA would consider The Old Parsonage to be a non-designated heritage asset. Whilst the building itself is recognised as a non-designated heritage asset, the grounds in which it sits is not in itself recognised as a non-designated

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heritage asset. This is due to the lack of key historic design features within the grounds, with the grounds being significantly altered by the addition of the tennis court. Therefore, the impact, if any, would be in relation to the setting of The Old Parsonage.

Currently a Heritage Statement has not been received within the application therefore, to satisfy LP20 of the Local Plan 2021-2040 and Policy 14 of the Neighbourhood Plan, this would need to be provided at reserved matters stage.

Within the setting of The Old Parsonage there are a cluster of outbuildings to the southwest. The indicative plan shows the proposal being designed around these features to retain them.

The site of The Old Parsonage is approx. 0.45ha. The proposed site would be approx. 0.18ha. The Old Parsonage would therefore remain with substantial grounds.

To the southeast of The Old Parsonage there is a pathway linking the site to the Grade II* listed All Saint Church. Due to the location of the proposed site, the proposal would not impact upon this historic feature.

The indicative plans show the location of the proposed dwelling. This shows that there would be adequate distance for the proposed dwelling to be read separately from The Old Parsonage.

The design, scale, and materials are not assessed at this stage and will be a crucial matter to be assessed at the reserved matters stage. Notwithstanding this, the indicative plan indicates a one and a half storey dwelling with single storey extension. This height will allow the proposal to be read at a subservient scale to The Old Parsonage and limit the impact the proposal would have on The Old Parsonage. It is considered that the height is a fundamental matter for the success of an application and therefore would be conditioned accordingly.

In regards to the proposal affecting the views of neighbouring properties to the Old Parsonage and All Saints Church, the right to a view is not a material planning consideration.

Overall, given the area of the site and the location of the proposal, at this stage it is considered that there would be no harm to the non-designated heritage asset, and therefore section 15 of LP20 of the Local Plan 2021-2040 and Paragraph 216 is not engaged. The key for whether there would be harm to the non-designated heritage asset, would be at reserved matters when appearance, landscaping, layout and scale are considered.

In respect to the view of the Conservation Officer no concerns have been received at this stage, with the view that the success of the scheme will be determined at reserved matters. Notwithstanding this informal discussion has occurred which has formally led to the conclusion that at this stage there would be no harm to the non-designated heritage asset.

In light of the above considerations, it is likely a design can come forward at reserved matters stage which will comply with the NPPF, Policy LP20 of the Local Plan 2021-2040, and Policy 14 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan.

Form and Character:

LP02 of the Local Plan 2021-2040 will support development subject to it respecting and enhancing the local character, contributing to place making and reinforcement of local distinctiveness and can be readily assimilated into the settlement. It also ensures that the size, type and tenure of the development meet the needs of the community.

Policies LP18 and LP21 of the Local Plan 2021-2040 require all new development to be of a high-quality design which protects and enhances the amenity of the wider environment. This will be achieved by responding to the context and character of the places in West Norfolk by ensuring a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets. Development that is of a poor design will be refused.

Policies 4 and 5 of the Neighbourhood Plan emphasises the need for development to be of a high quality which reinforce and compliment the local distinctiveness and character. Development must be of an appropriate density, variety, scale, layout and materials. The density of new development must reflect the prevailing character of the area, with the building footprint being in keeping with the predominant pattern of development, whilst providing sufficient outdoor amenity.

Policy 7 of the Neighbourhood Plan requires that sensitive infilling of small gaps does not infill gaps which provide a positive contribution to the street scene or distinctiveness of rural character and not to erode the sense of openness.

LP06 of the Local Plan 2021-2040 and Policy 6 of the Neighbourhood Plan requires development to recognise and contribute to the importance of, and future proofing against climate change and to support the Government target of becoming a net zero economy by 2050, encouraging a reduction in energy demand and housing to be of a high energy efficiency standard. Due to being an outline application with appearance, landscaping, layout and scale reserved, Policy 6 of the Neighbourhood Plan and LP06 of the Local Plan 2021-2040 would be considered and assessed at reserved matters.

As outlined, details of appearance, landscaping, layout and scale are not assessed at this stage.

The application site is situated between existing built form. The cul-de-sac of Rectory Close and Church Lane comprise of linear development, which are set back from the roadside providing front gardens and/or off-road parking. Rectory Close is characterised predominantly by brick bungalows, whereas Church Lane is characterised by a variety of dwellings ranging from brick bungalows, one and a half storey dwellings and two-storey dwellings.

Indicative plans show the provision of a one and a half storey dwelling with single storey extension which is set back from Church Lane with dedicated parking and turning areas to the front of the dwelling. Considering the scale of the site to the built form of the proposed dwelling and garage, the proposal would not be considered cramped or overdevelopment of the site. At this stage due to the setback nature of the proposal, proportionate scale, and location allowing spacing to the southwest and northeast, it is recommended that the principle of one dwelling with dedicated parking and turning on the site is acceptable in terms of form and character of the locality.

In light of the above considerations, it is likely a design can come forward at reserved matters stage which will comply with the NPPF, Policies LP02, LP18, and LP21 of the Local Plan 2021-2040 and Policies 4, 5, and 6 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan.

Highways/Access:

LP02 of the Local Plan 2021-2040 ensures that development does not result in unacceptable impacts on highways safety or lead to residual impacts on the road network. LP21 of the Local Plan 2021-2040 demonstrate a safe access and adequate parking.

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Furthermore, Policy 7 of the Neighbourhood Plan requires development in rear gardens and infill to provide vehicular access and off-street parking.

Access to the site is indicated via a new access onto Church Lane. This access would see the removal of the closeboarded fence to the north of the site in favour for a new access and a proposed brick wall.

The Local Highway Authority raise no objection to this in principle stating that the proposed point of access could accord with the adopted guidance, subject to conditions relating to the access being constructed in accordance with highways specification TRAD5, and arrangements for surface water drainage so that it does not discharge from or onto the highway shall be made. A Condition is recommended that any access gates/ bollards/ chains shall be hung to open inwards and set back (minimum of 5 metres from the neat channel edge of the adjacent highway). An informative is recommended for ensuring that permission is sought from highways.

The proposal is for an increase of one dwelling and therefore it is considered there would be no residual impacts on the road network from the development.

Concern has been raised over the impact the trade and workman parking will have on the locality. Due to the scale of the proposal, this would occur for a limited period of time and therefore it would not be reasonable to condition this.

In light of the above considerations, it is considered the access would comply with the NPPF, and Policies LP02 and LP21 of the Local Plan 2021-2040 and Policy 7 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan.

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

Neighbour amenity –

Policy LP21 of the Local Plan 2021-2040 states that proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers. Development that has a significant adverse impact on the amenity of others will be refused. The NPPF also refers to these issues in para 135f by encouraging development to have a high standard of amenity for existing and future users. Policy 7 of the Neighbourhood Plan requires development to have no unacceptable impact on neighbour amenity.

Given the scale, orientation, and a separation distance of approx. 4.4 metres to the boundary and approx. 7 metres to the neighbouring dwelling to the southwest, where there are no immediate habitable windows, and approx. 4 metres to the boundary and approx. 23 metres to the neighbouring dwelling to the northeast, it is considered a suitable scheme could be designed which would not give rise to neighbour amenity issues. Any first-floor windows on the side elevation which are seen to cause an overlooking impact can be conditioned to be obscure glazed at reserved matters stage.

In light of the above considerations, it is considered a scheme could come forward which is in accordance with Policy LP21 of the Local Plan 2021-2040, Policy 7 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan and para 135f of the NPPF.

Parking –

The number of bedrooms the dwelling would provide has not been given, as this would be decided at reserved matters. Having said this the indicative plan shows ample parking, for potentially 6 vehicles, and turning space to the front of the dwelling. This would meet the provision of LP14 of the Local Plan and Policy 7 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan.

Drainage –

A concern was raised regarding surface water flooding. Policy LP18 of the Local Plan 2021-2040 and Policy 13 of the Neighbourhood Plan calls for new development to consider the risk of surface water flooding and incorporate Sustainable Drainage Systems wherever technically feasible. The site itself does not fall within an area of surface water flooding (or any area at risk of flooding) on the flood risk map. Whilst the site lies within the Internal Drainage Board of the King's Lynn Internal Drainage Board, the proposed application does not meet the threshold for comments from the IDB therefore they have no comments to make. The new access would be conditioned, so it provides arrangements for surface water drainage to be intercepted and disposed of appropriately to prevent run-off on the highway. The site would also see the removal of the tennis court for the placement of a more permeable surface in places.

Notwithstanding that the site itself does not fall within an area at risk of surface water flooding, the locality to the site suffers from surface water flooding. Therefore, considering the fundamental concern, details of drainage for the dwelling would be conditioned to come forward as part of the reserved matters application.

With the inclusion of this condition, it is considered that the application is acceptable and in accordance with Policy LP18 of the Local Plan 2021-2040 and Policy 13 of the Grimston, Pott Row, Roydon and Congham Neighbourhood Plan.

Ecology –

LP19 of the Local Plan 2021-2040 ensures development provides a 10% Biodiversity Net Gain. The Statutory Metric has been received as part of this application. Currently the proposals achieves 3.09% net gain and does not meet the 10% statutory requirement. However, there are ways to achieve this such as offsite units, statutory credits, or regrading planting of seven trees on Council Owner land. The agent has confirmed that this would be achieved through offsite units.

The site is located within the Zone of Influence of the Brecks, North Coast, Roydon and Dersingham, Valley Fens and the Wash. To mitigate against the potential implications of in-combination recreational impacts on the integrity of the Habitats Sites caused by new residential development a GIRAMS fee of £304.17 is required to be paid as part of any Reserved Matters application. With this payment it is considered that it would mitigate the impacts on the ZOI and would satisfy LP27 of the Local Plan 2021-2040 and Policy 8 of the Neighbourhood Plan.

LP18 of the Local Plan 2021-2040 gives the need to conserve and enhance the natural environment, with Policy 9 of the Neighbourhood Plan giving a need to safeguard, retain and enhance wildlife. Policy 12 specifically focuses on the need to minimise light spillage to protect dark skies.

Within the application the below were received:

- Condition Assessments (Vicky Rusby, 11/12/2024)
- Statutory Biodiversity Net Gain Metric (Vicky Rusby [360 Ecology Ltd.], 31/12/2024 revised 06/05/2025)
- Preliminary Ecological Appraisal and Baseline Biodiversity Net Gains Assessment (360 Ecology, January 2025 revised 06/05/2025)
- Statutory Metric [Revised] dated 06/05/2025 and prepared by Metric Vicky Rusby [360 Ecology Ltd.]
- Preliminary Ecological Appraisal & Baseline Net Gains Assessment prepared by 360 Ecology Ltd. (06 May 2025).

The Preliminary Ecological Appraisal recognises that the site does not contain priority habitats. The site did however flag the potential for all of the following protected species: roosting bats in the detached garage and trees (T7 and T8 to the south) on site, foraging bats in the local area, great crested newts and confirmed in the local area, nesting birds, and hedgehogs. However, with mitigation and design being considered, it is seen that there would be negligible impact on wildlife.

No further surveys are required however if there is the removal of the building/garage or trees (T7 and T8) further bat surveys would be required.

Following additional/amended information following issues arising at the start of the application, the Ecologist is satisfied that all issues have been resolved and subject to conditions relating to BNG, bat sensitive lighting scheme, precautionary working method statement for amphibians/reptiles/hedgehogs, and ecological enhancements and informatives for Biodiversity Net Gain plan and breeding birds, approval can be granted.

With the inclusion of the conditions mentioned, the proposal is considered acceptable in accordance with Policy LP18, LP19, and LP27 of the Local Plan 2021-2040 and Policy 9 and 12 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan.

Trees and landscaping –

LP02 of the Local Plan 2021-2040 ensures development makes a positive contribution to the local environment and landscape setting, with LP18, LP19 and LP23 of the Local Plan 2021-2040 ensuring the provision of landscape feature conservation or enhancement. Policy 4 and 7 of the Neighbourhood Plan strive for development to complement local distinctiveness and character which overall keep the sense of rural character and openness of the area by enhancing the landscape and vegetation on site. Policy 4 and 7 also seeks for development to incorporate landscaping and natural features such as trees with this being those retained and introduced. Policy 9 of the Neighbourhood Plan requires that with any development affecting trees the application is to be accompanied with a survey and that any loss results in adequate replacement.

Due to the driveway, wall, and buildings there will be the removal of five trees as outlined on the site plan. This includes four category C (Prunus, Mountain Ash, Apple and Red Horse Chestnut) and one category B (Holly to the front). The trees are not in a conservation area and do not benefit from a TPO. The Arboricultural Officer regards the trees to have limited retention value and therefore their removal is considered acceptable. Whilst the proposal would alter the street scene in regards to a removal of a section of the verge and trees, it is considered that it would not be detrimental to the green character of the street scene. The Arboricultural Officer would expect a revised arboricultural report, including a detailed

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method statement, tree protection plan and the requirement for replacement of the trees at reserved matters stage.

Overall, it is considered that the proposal is acceptable in accordance with Policy LP02, LP18, LP19 and LP23 of the Local Plan 2021-2040 and Policy 4 and 7 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan.

Dark Skies:

Section f of Policy LP21 gives light to the need to take into consideration light pollution of a proposal. Policy 12 of the Neighbourhood Plan regards the protection of dark skies, with external lighting not normally being supported except where it is required for safety, security or community reasons or public footways.

Currently the proposal has not provided provision for external lighting, however, this issue has been captured by the need for a bat sensitive lighting scheme which is to be conditioned at outline stage. Therefore, the scheme is considered acceptable in regards to Policy LP21 of the Local Plan 2021-2040 and Policy 12 of Grimston, Pott Row, Roydon, and Congham Neighbourhood Plan.

Specific comments and issues:

The Environmental Quality Officer has no objection regarding contaminated land.

Within the indicative plans a heat pump has not been shown. However, if proposed at reserved matters consideration would be given to the impact this would have on neighbouring dwellings.

Given the location of the built form it seems that there would be no damage to neighbouring gardens or plants.

CONCLUSION:

The application seeks outline consent with access only for the indicative construction of a one and a half storey dwelling with single storey extension. The application site is located within the development boundary of Roydon and therefore in accordance with Policy LP02 of the Local Plan 2021-2040 and Policy 7 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan, the principle of development is considered acceptable.

The proposed access onto Church Lane would not give risk to any highway safety concerns, with adequate parking and turning being provided on site.

The proposal would be located within the setting of a non-designated heritage asset, known as The Old Parsonage. Given the separation distance, lack of historic design features within this section of the garden the site is proposed within, and adequate garden remaining for The Old Parsonage following the sub-division, there would be no impact on the significance of the non-designated heritage asset. Reserved matters stage regarding appearance, layout and scale will be key to ensure it remains that no impact is cause on the significance of The Old Parsonage. In regards to landscaping and ecology it is seen that with mitigation the scheme would cause minimal harm to the landscape setting and wildlife. In regards to neighbour amenity it is considered an acceptable scheme could come forward. There are no issues identified at this stage which would warrant refusal of the application.

For the reasons detailed above, it is recommended the application is in accordance with the NPPF, Policies LP02, LP18, LP19, LP20, LP21, LP23, and LP27 of the Local Plan 2021-2040, and Policies 4, 5, 7, 8, 9, 12, 13, 14 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan.

RECOMMENDATION:

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

- 1 Condition: Approval of the details of the means of layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition: Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition: The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition: Prior to the first occupation of the development hereby permitted the vehicular / pedestrian / cyclist access / crossing over the verge shall be constructed in accordance with the highways specification TRAD 5 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.
- 5 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.
- 6 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.
- 6 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened.

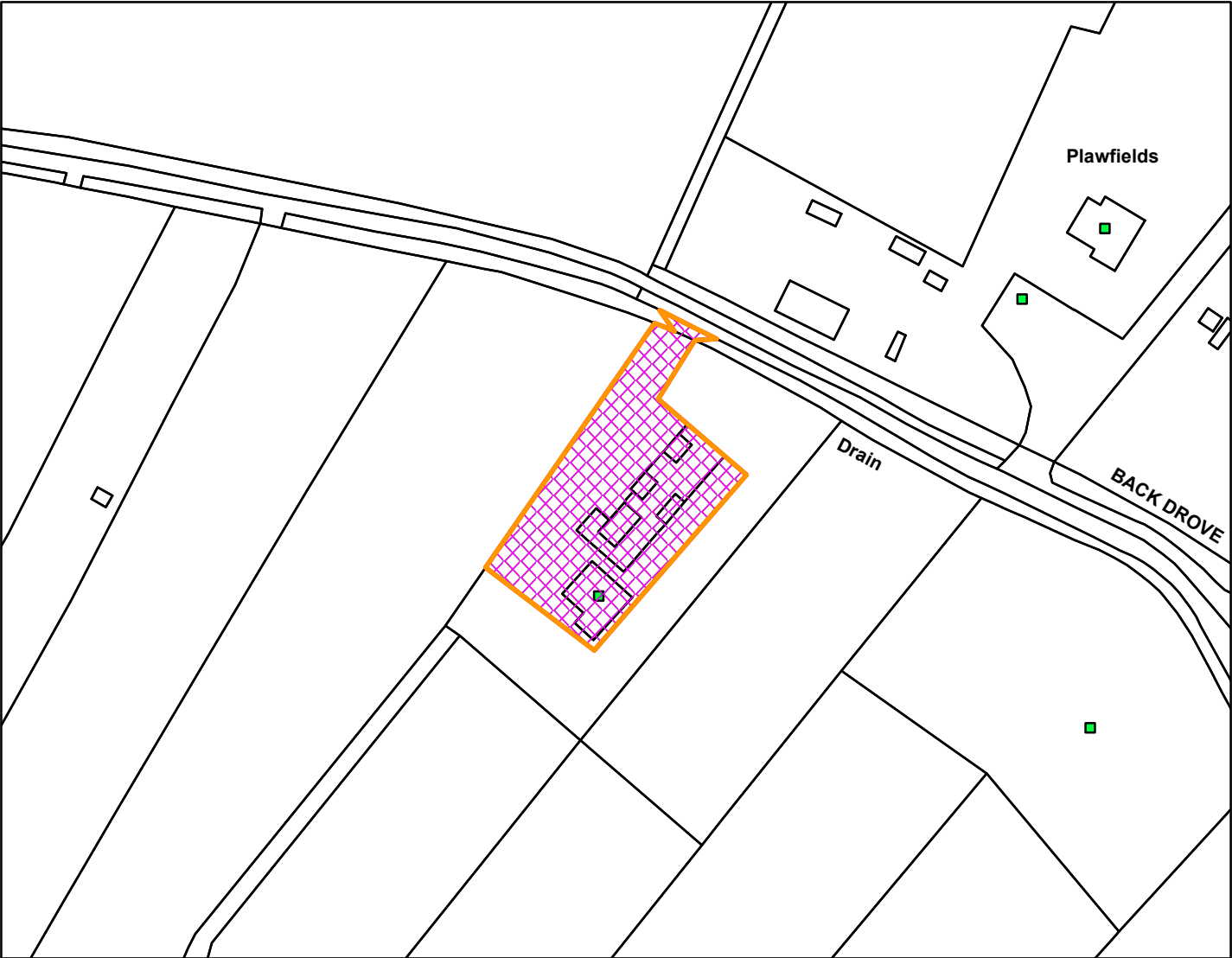
Planning Committee
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- 7 Condition: The dwelling hereby approved shall be no more than one and a half storeys.
- 7 Reason: In order to protect the setting, character and appearance of the Non-Designated Heritage Asset in accordance with the principles of the NPPF and Policy LP20 of the Local Plan 2021-2040 and Policy 14 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan.
- 8 Condition: The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Metric [Revised] dated 06/05/2025 and prepared by Metric Vicky Rusby [360 Ecology Ltd.] and Preliminary Ecological Appraisal & Baseline Net Gains Assessment prepared by 360 Ecology Ltd. (06 May 2025).
- 8 Reason: To ensure the development delivers a Biodiversity Net Gain on site in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 and policy LP19 of the Kings Lynn and west Norfolk Borough Council local Plan.
- 9 Condition: No development shall take place (including demolition, ground works, vegetation clearance) until a Precautionary Working Methods Statement (PWMS) for amphibian and hedgehog has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement should include:
 - i. Method of works
 - ii. Details of any works that will require supervision by a suitably qualified Ecologist.
 - iii. Any timing restrictions on these works to avoid impacts

A 'statement of good practice' shall be signed upon completion by the competent Ecologist, and be submitted to the LPA, confirming that the specified precautionary working measures have been implemented in accordance with the method outlined.
- 9 Reason: In order to safeguard the ecological interests of the site in accordance with policy LP19 of the Kings Lynn and west Norfolk Borough Council local Plan and Section 15 of the NPPF.
- 10 Condition: No external lighting shall be erected unless full details of its design, location, orientation and level of illuminance have first been submitted to and agreed in writing with the local planning authority. External lighting must be designed in accordance with Bat Conservation Trust (2018) guidelines. These include requirements such as: LED luminaires to be used where possible; luminaires to be mounted on the horizontal, i.e. no upward tilt; any external lighting should be set on motion-sensors and short (1min) timers, and no lighting of boundary features.
- 10 Reason: In order to safeguard the ecological interests of the site, light pollution, and dark skies in accordance with Policy LP19 of the Kings Lynn and west Norfolk Borough Council local Plan, Policy 12 of Grimston, Pott Row, Roydon and Congham Neighbourhood Plan, and Section 15 of the NPPF.
- 11 Condition: The development hereby approved shall be carried out in strict accordance with the mitigation and enhancement Strategy outlined in Sections 6.2 of the Preliminary Ecological Appraisal & Baseline Net Gains Assessment prepared by 360 Ecology Ltd. (06 May 2025). Locations of these enhancement measures must be mapped in relation to the proposed development and submitted to the LPA alongside photographic evidence of installation prior to occupation of the dwelling.

- 11 Reason: In order to ensure the development does not result in the loss of habitat for protected species and to enhance biodiversity on the site in accordance with Paragraph 174 of the NPPF and local planning policy.
- 12 Condition: The details required to be submitted in accordance with Condition 1 shall include full details of the surface water drainage arrangements.
- 12 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

Land and Buildings at E550219 N300679 Back Drove Upwell Norfolk PE14 9EX



Legend

Scale:

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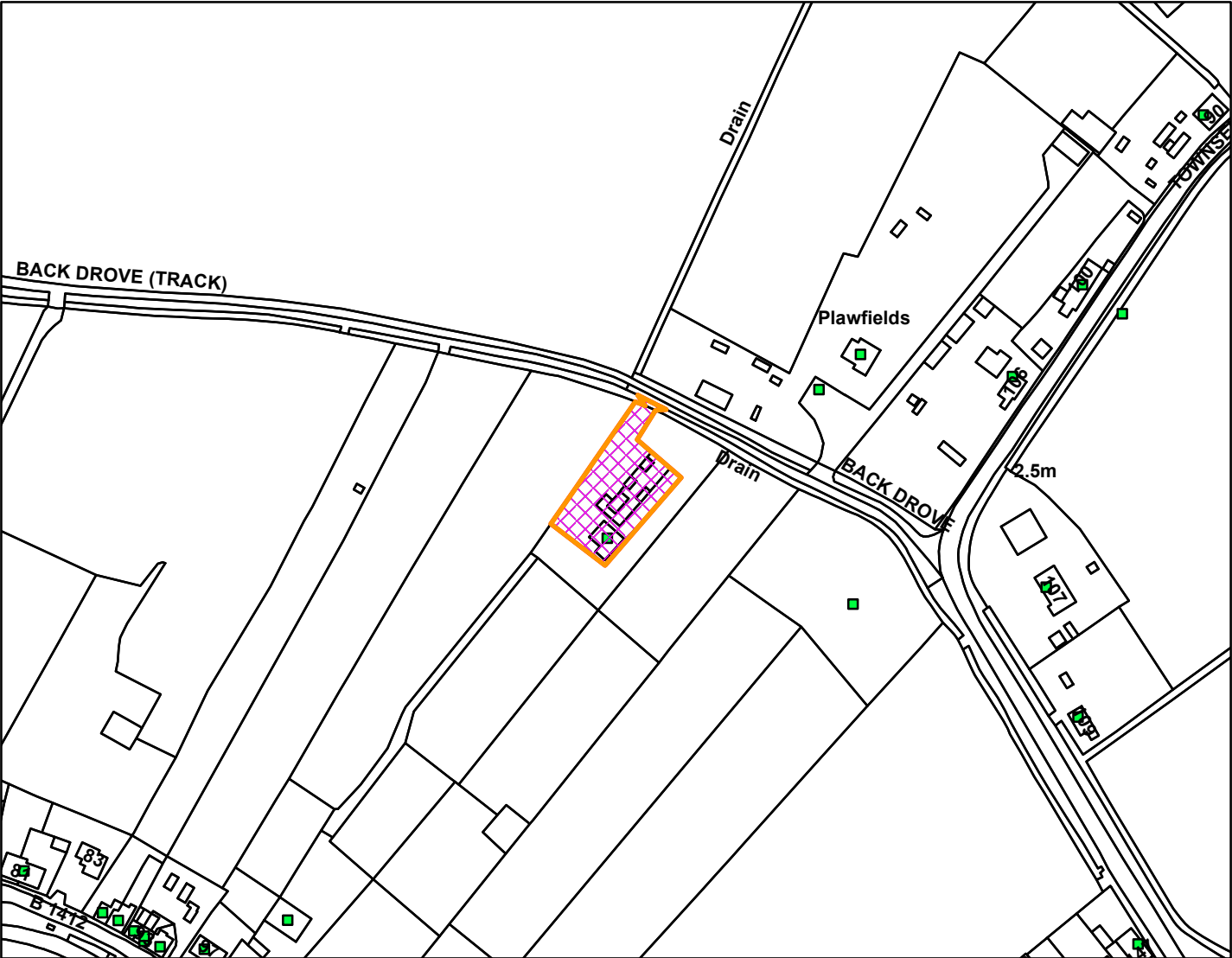
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| Organisation | BCKLWN |
| Department | Department |
| Comments | |
| Date | 15/05/2025 |
| MSA Number | 0100024314 |

Land and Buildings at E550219 N300679 Back Drove Upwell Norfolk PE14 9EX



Legend

Scale: 0 0.0275 0.055 0.11 KM

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| Organisation | BCKLWN |
| Department | Department |
| Comments | |
| Date | 15/05/2025 |
| MSA Number | 0100024314 |

| | | |
|----------------------|---|---|
| Parish: | Upwell | |
| Proposal: | SELF-BUILD - Demolition of barn and construction of new self build 3 bedroom dwelling, and formation of new access | |
| Location: | Land And Buildings At E550219 N300679 Back Drove Upwell Norfolk PE14 9EX | |
| Applicant: | Mrs C Leigh-Walker | |
| Case No: | 25/00270/F (Full Application) | |
| Case Officer: | Helena Su | Date for Determination: 17 April 2025 Extension of Time Expiry Date: 6 June 2025 |

Reason for Referral to Planning Committee – Referred to by Sifting Panel as the Parish Council object to the proposal.

Neighbourhood Plan: Yes

Case Summary

This application is for the demolition of a barn for the construction of a self-build three-bedroom dwellinghouse and formation of a new access along Back Drove in Upwell.

Upwell is classified as a Tier 4 settlement, alongside Outwell, under the settlement hierarchy of LP02 of the Local Plan 2021-2040. The site falls outside the development boundary of Upwell by approximately 156m.

This decision will be balanced against the extant fallback position established under planning permission 24/00500/PACU3, for conversion of the barn into one dwelling. This planning permission remains extant and all works are required to be commenced and completed by the expiry date of 16 May 2027.

Key Issues

Principle of development
Form and character
Impact on neighbour amenity
Highway safety
Flood risk
Ecology and Biodiversity Net Gain
Any other matters requiring consideration prior to determination of the application

Recommendation:

APPROVE

THE APPLICATION

The site is situated within a parcel of land which comprises brick-built pig styes and a barn finished in corrugated metal sheeting. The application site comprises the barn and land around it to form residential amenity space and an access to serve the proposed dwelling.

This application is for the demolition of a barn for the construction of a self-build three-bedroom dwellinghouse and formation of a new access along Back Drove in Upwell.

Upwell is classified as a Tier 4 settlement, alongside Outwell, under the settlement hierarchy of LP02 of the Local Plan 2021-2040. The site falls outside the development boundary of Upwell by approximately 156m.

This decision will be balanced against the extant fall-back position established under planning permission 24/00500/PACU3, for conversion of the barn into one dwelling. This permission remains extant and all works are required to be commenced and completed by the expiry date of 16 May 2027.

SUPPORTING CASE Submitted by the Planning Agent:

At the time of making this statement it is our understanding that the application has been recommended for approval by your planning officers but is in front of the planning committee due to an objection by the parish council.

The existing barn on the site was granted prior approval under class Q for the change of use from an agricultural building into a dwelling.

The Parish council has suggested that the existing barn is not fit for conversion, and therefore the original prior approval should not have been granted in the first place. However, the parish council has provided no evidence of why it is not fit for conversion, and actually supported the original prior notification application.

Prior to submission of the application that is now in front of the planning committee a pre-application planning enquiry was submitted, and following a number of meetings with planning officers the proposed design was finalised.

The proposal has been designed to reflect the size, and characteristics of the existing barn, and the client is not seeking drastically to alter its appearance, with the siting and footprint of the proposal being essentially the same as the existing barn, with just the eaves and ridge height of the proposal being raised slightly to enable the provision of a first floor.

Dwellings formed via a conversion have to meet less stringent building control regulations regarding energy efficiency than new built dwellings so the proposal to demolish and re-build would result in a much more energy efficient dwelling. The conversion would also require contractors with more specialist skills whereas a new build would be easier to construct. So, while the building could be converted to form a dwelling as approved under the prior notification, it is felt the construction of a new dwelling on the site will provide a much more attractive and long-term sustainable property, to that which could be achieved via conversion of the existing building.

I would therefore ask that the committee follow their own officer's recommendation and approve the application.

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PLANNING HISTORY

24/00500/PACU3: Prior Approval - Approved: 16/05/24 - Notification for Prior Approval for change of use of agricultural building to dwelling (Schedule 2, Part 3, Class Q)

23/00043/PREAPP: Application Withdrawn: 21/02/24 - Class Q permitted development for barn conversion and pig sty to dwelling

RESPONSE TO CONSULTATION

Parish Council: OBJECT with following comments.

The existing barn was granted a PACU3 notification for conversion into a dwelling, with no mention within that notification for its demolition. The demolition of the existing barn in favour of a new residential dwelling, whether on the same footprint or not, suggests that the existing barn was not fit for conversion, and therefore the PACU3 notification should not have been granted. The granting of a PACU3 notification relates only to the existing structure, not demolition and a completely new building. As such, this falls outside the development boundary for new build dwellings and is considered as a development in the rural countryside. Back Drove is unsuitable for regular vehicular usage. Refuse vehicles will need to reverse down to the site as there is no facility for turning. This could prove hazardous for such a vehicle in inclement weather given the overall condition of the Back Drove surface.

Highways Authority: NO OBJECTION subject to conditions, with following comments:

Having reviewed the submitted information and being aware of the site, it is evident that the site has gained planning permission historically for the principle of a single dwelling under 24/00500/PACU3. As such this application would have a very similar traffic generation and as a result we are not be against the principle of the application.

Ecologist: NO OBJECTION subject to conditions for self-build and custom dwellings and securing a water vole licence.

Emergency Planning Officer: Because of its location in an area that during an extreme flood event could become isolated from safe access and egress routes (i.e. become a dry island), I would suggest that the occupiers:

- Sign up to the Environment Agency flood warning system
- A flood evacuation plan should be prepared.

This will include actions to take on receipt of the different warning levels, evacuation procedures, e.g. isolating services and taking valuables etc. and evacuation routes.

REPRESENTATIONS None Received

KING'S LYNN AND WEST NORFOLK LOCAL PLAN 2021-2040

LP01 - Spatial Strategy and Settlement Hierarchy Policy (Strategic Policy)

LP02 - Residential Development on Windfall Sites (Strategic Policy)

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- LP04** - Presumption in Favour of Sustainable Development Policy (Strategic Policy)
- LP06** - Climate Change (Strategic Policy)
- LP13** - Transportation (Strategic Policy)
- LP14** - Parking Provision in New Development
- LP18** - Design & Sustainable Development (Strategic Policy)
- LP19** - Environmental Assets - Green Infrastructure, Landscape Character, Biodiversity and Geodiversity (Strategic Policy)
- LP21** - Environment, Design and Amenity (Strategic Policy)
- LP23** - Green Infrastructure (Strategic Policy)
- LP25** - Sites in Areas of Flood Risk (Strategic Policy)
- LP27** - Habitats Regulations Assessment (HRA) (Strategic Policy)
- LP31** - Custom and Self-Build Housing (Strategic Policy)
- LP35** - Enlargement or Replacement of Dwellings in the Countryside

NEIGHBOURHOOD PLAN POLICIES

Housing Policy H3: Design

Policy H4: Residential Car Parking Standards

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations are:

Principle of development
 Form and character
 Impact on neighbour amenity
 Highway safety
 Flood risk
 Ecology and Biodiversity Net Gain
 Any other matters requiring consideration prior to determination of the application

Principle of Development:

Upwell is classified as a tier 4 settlement, along with Outwell, under LP01 of the Local Plan 2021-2040. Under LP02 (Residential Developments on Windfall Sites), sites outside, but

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adjoining development boundaries, would be supported provided they meet the criteria set out within the policy, which seeks to respect or enhance the character, support existing and future services and infrastructure provisions, not located within the National Landscape, preserve or enhance the significance of heritage assets and their setting, and maintain physical separation between existing settlements and protect their identity.

The site does not adjoin the development boundary of Upwell, being 156m to the north-east of the development boundary.

Although the site lies outside the development boundary of Upwell, the site has a fall-back position by having a recent granted consent under Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), for the barn to the south of the pigsties to be converted into a dwellinghouse.

The status and concept of a fall-back development as a material consideration has been established through High Court Cases. Precedent judgements have referred to Class Q of the GDPO as a 'fall-back' position and state that Councils should satisfy themselves that there is a 'real prospect' of the 'fall-back' development being implemented. For a 'fall-back' position to be considered a 'real prospect', it does not have to be probable or likely: a possibility will suffice.

The prior approval application under Class Q was approved on 16 May 2024. All works are required to be commenced and completed by the expiry date of 16 May 2027. Given that there is two years left of the permission it is considered that there is a real prospect that a dwelling could be accommodated on this site.

As well as the fall-back position, the proposed dwelling would be a custom and self-build dwelling. Footnote 29 of the NPPF explains that the Self Build and Custom Housebuilding Act 2015, (as amended recently by the LURA), places a legal duty "to give enough suitable development permissions to meet the identified demand". At the current time the Council is experiencing some difficulty in demonstrating that it has met the need for Custom and Self-Build due to a change in legislation, however this does not mean that planning permission should automatically be granted - it is just one of a range of material considerations that we need to consider. The self-build nature of this proposal does attract weight in the determination of the application.

Considering the real prospect of the fall-back position and self-build and custom nature of the application, the principle of residential development of this site is considered acceptable. There is a real prospect that a dwelling could be accommodated on the site and the self-build and custom nature of the application, attracts significant weight. Nevertheless, the proposal remains subject to other considerations and planning policies.

Form and Character:

Back Drove comprises open agricultural field to the rear of residential plots along Croft Road, which is in the development boundary of Upwell.

The application site comprises a steel agricultural barn and small pig-stye building within a parcel of agricultural land of approx. 0.14ha in size. The wider parcel of land surrounding the application site is demarcated by rows of trees to the east and west of the parcel of land and low timber post and rail fence to the north and south of the parcel of land. The application site itself is not currently defined by any boundary treatment. The plans indicate that a post and rail fence along the north, east, south and west boundary, with indigenous native hedge planting to boundaries of Hawthorne, Blackthorn, Dog Rose and Field Maple, proposed

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along the east of the site. To ensure the site remains in keeping with the character of the area, it seems appropriate to remove permitted development rights for the erection of new fences around and within the site.

The proposed dwelling would be built on the same footprint of the existing barn, measuring approximately 8.1m wide, 10.6m deep and 6m tall (1m taller than the existing barn). The utilitarian appearance of the existing barn is retained through the use of materials such as vertical cladding to the dwelling and vertically emphasised fenestration on the side elevation and to the front elevation. However, to ensure the dwelling is finished in materials appropriate for its rural location, a condition for material details will be included on the decision notice.

To retain the 'barn' aesthetics, permitted development rights for extensions, roof alterations, and dormer windows would be removed via condition. This would also be the case if the existing Part Q permission was implemented.

Around the northern part of the proposed dwelling, a patio area is proposed, with a gravel turning and parking area along the north-western boundary of the site. The rest of the site would be grassed. Hard and soft landscaping would be conditioned as part of the consent, to be carried out in accordance with the approved plans, to ensure the development remains sympathetic to the location.

Policy H3 of Upwell's Neighbourhood Plan seeks to ensure "all development will be designed to a high quality, reinforcing and complementing local distinctiveness and character, as captured in Appendix A (and any conservation area character statement where relevant). Design which fails to have regard to local context and does not preserve, complement or enhance the character and quality of its immediate area and the wider Parish will not be acceptable. Proposals should therefore be of an appropriate density, height, variety, scale and layout. This is not intended to discourage innovation, which will be welcomed... New residential development plots should not be over-developed and should ensure that the building footprint, including any outbuildings, provides for sufficient amenity space."

The proposed dwelling would be of a similar size and scale as the existing barn, built on the footprint of the barn. Subject to details of the materials, and details such as boundary treatments, soft and hard landscaping as per the approved plans, the proposal is considered to comply with Policy H3 of the Upwell NP and LP18 and LP21 of the Local Plan 2021-2040.

Impact on Neighbour Amenity:

As the application site lies outside of the built-up area of Upwell and the closest neighbour is over 100m to the northeast, east and southwest. There would be no impact on neighbours and the proposal would therefore meet LP21 of the Local Plan 2021-2040.

Highway Safety:

The proposal includes the creation of a new access along Back Drove. The Local Highway Authority (LHA) have not objected to the proposal given the fall-back position the site benefits from. The LHA have recommended conditions related to the laying out of the access, and parking/turning area on the site.

The proposal is for a three-bedroom dwelling. In accordance with LP14 of the Local Plan 2021-2040 and Norfolk's Parking Standards, two parking spaces are required and the Agent has shown sufficient parking can be achieved on site. Additionally, considering Policy H4

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(Residential Car Parking Standards) of the Upwell Neighbourhood Plan, the site could reasonably accommodate 3 parking spaces on the site.

The Parish Council has raised concerns regarding refuse vehicles needing to reverse back on Back Drove as there are no suitable turning areas along the road. Waste collection on private drives is not standard practice in Norfolk. Waste collection points would be nearest to the adopted highway boundary. Therefore, it is not expected that refuse vehicles would have to reverse back onto the public highway, at the detriment to highway safety. The applicant would have to discuss the most appropriate collection point with the Borough Council once a dwelling has been constructed on the site.

In regard to highway safety, parking and refuse collection, the proposal complies with Policy H4 of the Upwell Neighbourhood Plan, LP13, LP14, LP18 and LP21 of the Local Plan 2021-2040.

Flood Risk:

The site is located in Flood Zone 1 and located in a Dry Island. The use of the site would change from less vulnerable to more vulnerable. In accordance with Environment Agency's standing advice, the residential development of this site would be considered acceptable. An informative may be placed on any decision regarding flood evacuation and signing up to the EA's flood warning system.

Regarding drainage, surface water drainage is proposed to soakaways, and foul water to a treatment tank within the front garden of the site. The proposal would comply with LP18 and LP25 of the Local Plan 2021-2040.

Ecology and Biodiversity Net Gain:

The application is for a self-build and custom dwellinghouse, which is exempt from BNG. A condition would be included related to this.

The Council's Ecologist has no objection to the scheme. The application was supported by an 'Ecological Appraisal with Full Water Vole Survey and Biodiversity Net Gain Assessment'. No irreplaceable or protected species were identified on the site, but water voles were present within the ditch along the north boundary of the site.

To mitigate impacts to the water voles found within the northern ditch, a European Protected Species Mitigation Licence (EPSML) would be required prior to the commencement of works which would be secured via condition.

THREE TESTS OF DEROGATION - LICENCE

The NPPG advises that the Local Planning Authorities (LPA) must be confident that Natural England (NE) will issue a licence before granting planning permission.

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

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

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

Taking each of the three tests in turn: -

1. Imperative Reasons of Overriding Public Interest (IROPI) - NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. In this case, the principle of a replacement dwelling accords with the provisions of the NPPF and the Local Development Plan, public benefit. Furthermore, the proposed development is considered to accord with all other relevant planning policies and would cause no adverse effects upon the local environment or amenities. It is considered to provide a public benefit of an additional self-build and custom dwelling within the local community which would contribute towards the LPA's housing supply.

The dwelling is also likely to provide for a more sustainable development when compared to the barn converted dwelling approved under 24/00500/PACU3.

2. As a replacement of an existing building, the proposal cannot reasonably be re-located elsewhere.
3. It appears unlikely that the development of the site, subject to the appropriate mitigation and compensation measures, would affect the conservation status of the protected species. The effect of a proposal would be less significant to the species' national population.

Taking the above into account, the LPA cannot see any reason why NE would not be likely to grant a derogation license under the Regulations in relation to this development.

Lastly, the application site falls into the scope of The Wash and Brecks zone of influence. An appropriate Assessment was undertaken in this regard. The development proposes a net of one dwellinghouse, as such a mitigation fee of £304.17 is required to be paid to offset recreational impacts to Zols. Mitigation is taken at the point of determination and has been paid by the Applicant.

In regard to protected species, subject to conditions, the proposal is considered to comply with the provisions of Chapter 15 of the NPPF and LP19 of the Local Plan 2021-2040.

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

Climate Change:

LP06 of the Local Plan 2021-2040 requires all development to recognise and contribute to the importance of future proofing against the challenges of climate change to support the transition towards meeting the Government target of becoming a net zero economy by 2050.

The proposal includes the provision of solar panels on the southern roof slope, maximising on solar gains from the layout and orientation of the proposed dwelling. Furthermore, as a new dwelling, building control regulation for energy efficiency is stricter, therefore the resultant dwellinghouse would be more energy efficient, compared to a barn converted dwellinghouse.

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CONCLUSION:

The application seeks the demolition of an existing barn, which has permission as a dwelling under planning ref 24/00500/PACU3, for a new three-bedroom dwelling along Back Drove in Upwell. The proposed dwelling would have the same footprint as the existing barn, albeit taller by approximately 1m.

Although the site lies outside the development boundary of Upwell, the proposal benefits from a fall-back position. There is a real prospect that the extant permission will be implemented if this current application were to be refused. As such the fall-back position should carry weight as a material consideration in the determination of this application.

Furthermore, the proposal is for a self-build and custom dwelling which holds significant weight in the determination of the application, where the Council it has met the need for Custom and Self-Build due to a change in legislation.

Whilst there is minor conflict with the development plan relating to the location of dwellings, there are material considerations advanced in the form of the part Q consent which is clearly capable of being implemented along with the provision of a custom and self-build dwelling that would outweigh that conflict.

As a result the proposal is considered to comply with the NPPF, Policies LP01, LP02 and LP03 of the Local Plan 2021-2040 and Policies H3 and H4 of the Upwell 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 using only the following approved plans:
 - Dwg no. P-23-2419-1.1-A. Location Plan
 - Dwg no. P-23-2419-3.1-B. Proposed Site Plan
 - Dwg no. P-23-2419.4.1-A. Proposed Floor Plan
 - Dwg no. P-23-2419-5.1-A. Proposed Dwelling Elevations, Roof Plan and Site Section
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

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- 3 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 4 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class A, AA, B, C and D, and Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or other alterations, enlargement of a dwellinghouse by construction of additional storeys, additions etc and other alterations to the roof of a dwellinghouse, porches and gates, fences and walls shall be allowed without the granting of specific planning permission.
- 4 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with LP18 and LP21 of the Local Plan 2021-2040, and the principles of the NPPF.
- 5 Condition: No works to ditches in any circumstance shall commence unless the Local Planning Authority has been provided with either:
 - a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or;
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.
- 5 Reason: The Habitats Directive requires a system of strict protection for certain protected species. It is a criminal offence to consciously harm European protected species without a licence, which would only be issued if the statutory licensing body is satisfied that the derogation criteria are met. However, the risk of criminal prosecution might not prevent harm from taking place. This condition therefore helps to ensure that a developer will apply for an EPS licence and, if they do not, can be prevented in advance from undertaking the activities that might jeopardise the protected species, before the species is harmed. This condition can be enforced by a temporary stop notice or by injunction. This condition ensures that the Local Planning Authority is complying with its statutory obligations with respect to the Habitats Regulations.
- 6 Condition: Self Build:
 - (i) The dwelling hereby permitted shall be constructed as a self-build dwelling within the definition of a self-build and custom build housing in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016), and
 - (ii) The first occupation of the dwelling hereby permitted shall be by a person or persons who had a primary input into the design and layout of the dwelling and who will live in the dwelling for at least 3 years, and
 - (iii) Prior to the first occupation of the dwelling the Council shall be notified of the person(s) who will take up first occupation of the dwelling.
- 6 Reason: To ensure the satisfactory development of the site as a genuine self-build and/or custom dwelling, in accordance with the NPPF (2024) and Schedule 7A of the Town and Country Planning Act 1990 for Biodiversity Net Gain.
- 7 Condition: Notwithstanding the details of the approved plans, no development shall take place on any external surface of the development hereby permitted until samples

of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 7 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with LP18 and LP21 of the Local Plan 2021-2040, and the principles of the NPPF.
- 8 Condition: Prior to the first occupation of the development hereby permitted the vehicular / pedestrian / cyclist access / crossing over the verge / ditch / watercourse shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority and in accordance with the highways specification TRAD 5 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.
- 8 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 LP06 and LP18 of the Local Plan 2021-2040 and the NPPF.
- 9 Condition: Prior to the first occupation of the development hereby permitted the proposed access / 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.
- 9 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety and in accordance with LP18 and LP21 of the Local Plan 2021-2040 and the NPPF.
- 10 Condition: The development hereby permitted shall not be occupied until details of agreed enhancement measures have been submitted and approved by the LPA. Enhancement measures will include:
 - a) The inclusion of a wildflower species rich grass mix and pollinator friendly and/or night scented plant species into any garden landscaping
 - b) Installation of minimum two signed hedgehog holes within impermeable boundary treatment
 - c) Installation of minimum one bird box
 - d) Installation of an integrated bat box into the new dwelling
 - e) New ditch as compensation for loss of water vole habitat
 - f) No night-time lighting of site during construction and only low-level, downward facing lighting on timers post-construction to limit disturbance to commuting and foraging bats. Any lighting should be in accordance with the Institute of Lighting Professionals guidance note on bats and artificial lighting.

The specific details of all of the required mitigation and enhancement measures aforementioned, including dimensions, location and construction methodology together with a scaled plan or drawing illustrating the requirements, shall be submitted to and approved in writing by the local planning authority prior to installation. The mitigation and enhancement measures shall be carried out in accordance with the approved details and thereafter retained in a suitable condition to serve the intended purpose.

- 10 Reason: In order to ensure the development does not result in the loss of habitat for protected species and to enhance biodiversity on the site in accordance with Paragraph 174 of the NPPF and LP19 and LP23 of the Local Plan 2021-2040.

Planning Committee - 2 June 2025

| | |
|---------------------|------------|
| Previous Committee: | 06/05/2025 |
| Upcoming Committee: | 02/06/2025 |

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

(1) To inform Members of the number of decisions issued between the production of the 6 May 2025 Planning Committee Agenda and the 2 June 2025 agenda. There were 136 total decisions issued with 132 issued under delegated powers and 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) Major applications are assessed against a national target of 60%. Failure to meet this target could result in applications being dealt with by Pins who will also receive any associated planning fee.

RECOMMENDATION

That the reports be noted

Number of decisions issued between 18 April 2025 and 19 May 2025.

| | Total | Approved | Refused | Under 8 Weeks | Under 13 Weeks | Performance % | National Target | Planning Committee Decision | |
|-------|-------|----------|---------|---------------|----------------|---------------|-----------------|-----------------------------|---------|
| | | | | | | | | Approved | Refused |
| Major | 3 | 3 | 0 | | 3 | 100.0% | 60% | 0 | 0 |
| Minor | 53 | 44 | 9 | 51 | | 96.2% | 80% | 2 | 0 |
| Other | 80 | 78 | 2 | 76 | | 95.0% | 80% | 1 | 1 |
| Total | 136 | 125 | 11 | 127 | 3 | | | 3 | 1 |

Planning Committee made 4 of the 136 decisions (2.9%)

PLANNING COMMITTEE

DATE 2nd June 2025

UPDATE ON TREE MATTERS

Prepared by Brian Ogden, Arboricultural Officer

1.0 Introduction

- 1.1 This report seeks to update Members on recent Tree Preservation Orders (TPO's) that have been served since November 2024, along with a summary on some of the other aspects of the work in relation to trees in the last 6 months.

2.0 Summary of Work

- 2.1 Set out in table 1 is a breakdown of the numbers of the various types of applications or work types carried out during the period.
- 2.2 Members will be aware that there are two types of tree work applications.
- 2.3 Notifications for work to trees in a Conservation Area have to be responded to within 6 weeks, if responses are not received within these timescales the work is deemed to be acceptable and can be carried out.
- 2.4 Works to trees protected by a Tree Preservation Order (TPO), when the target date is 8 weeks.
- 2.5 Five days written notice is required where protected trees that have died or need to be felled due to their very poor condition. These are also recorded as applications under the suffix TDD. Replacement trees can then be enforced if suitable.
- 2.6 Tree and Landscape related consultations to planning applications have a target date for response of between 8 or 13 weeks to ensure applications can be dealt with within the requisite time period.
- 2.7 There is also a requirement to respond to discharge of planning conditions with a specified time period, so as not to unnecessarily delay commencement of approved development.
- 2.8 Although not time specific, the serving of a new TPO is often a matter of urgency in order to prevent the trees being felled or inappropriate pruning taking place. Once served there are time limits for objections to be received, and responses to be sent and the matter placed before the Planning Committee. If this is not all completed within 6 months of the serving then the protection given to the trees by the TPO lapses, and the only way to protect the trees is to begin the process again.

- 2.9 Of equal importance are the pre-application appointments and meetings both for tree work applications and planning applications, as well as responses to the general day to day tree related enquiries by members of the public. Trees are very high profile and members of the public and many local organisations look to the Council to provide help and guidance on tree matters. Officers always seek to use these enquiries as an opportunity for the promotion of good tree care and support for internal and external stakeholders and interest groups.

Table 1 – Breakdown of tree related applications and work received between 1/11/2024 and 30/04/2025.

| Planning Applications | Numbers |
|--|----------------|
| Planning Applications considered | 119 |
| Pre-Applications considered | 23 |
| Applications to discharge tree and landscape conditions | 31 |
| New Tree Preservation Orders | |
| New TPO's - Date Served | 6 |
| TPO's confirmed without objection, or objections withdrawn | 1 |
| TPO's with objections received confirmed by Planning Committee | 1 |
| TPO's with objections yet to be confirmed or not confirmed | 1 |
| Tree Work Applications/Notifications | |
| Conservation Area Notifications approved | 109 |
| Conservation Area Notification Refused (TPO Served) | 0 |
| Conservation Area Notification Pending | 10 |

| Tree Work Applications | |
|---|----|
| Tree Preservation Order applications approved | 40 |
| Tree Preservation Order applications part refused | 0 |
| Tree Preservation Order applications refused | 1 |
| Tree Preservation Order applications appealed | 0 |
| Tree Preservation Order application pending | 7 |

3.0 Details of TPO's Served and Confirmed since November 1st 2024

- 3.1 6 TPO's have been served since 1st November 2024. Where no objections have been received, they have been confirmed under delegated powers. When objections have been received these will need to be considered by the Planning Committee, as to whether the TPO is confirmed.
- 3.2 Since 1st November 2024, 1 TPO has been confirmed under delegated powers with 1 confirmed at Planning Committee in March 2025.
- 3.3 There have been no appeals relating to decisions regarding works to protected trees, and we currently have no appeals in process.

4.0 Recommendation

- 4.1 That members of the Planning Committee note the contents of the report

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