



Planning Committee

Agenda

Monday, 30th 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>



Kings Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200
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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, 30th 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

To confirm as a correct record the Minutes of the Meeting held on 2 June 2025 (to follow).

3. DECLARATIONS OF INTEREST (Page 6)

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

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

Councillor appointed representatives on the Internal Drainage Boards are

noted.

4. URGENT BUSINESS UNDER STANDING ORDER 7

To consider any business, which by reason of special circumstances, the Chair proposes to accept, under Section 100(b)(4)(b) of the Local Government Act, 1972.

5. MEMBERS ATTENDING UNDER STANDING ORDER 34

Members wishing to speak pursuant to Standing Order 34 should inform the 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 (Pages 7 - 8)

The Committee is asked to note the Index of Applications.

9. DECISION ON APPLICATIONS (Pages 9 - 110)

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

10. DELEGATED DECISIONS (Page 111)

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

To: Members of the Planning Committee

Councillors B Aota, T Barclay, R Blunt, F Bone (Chair), A Bubb, M de Whalley, T de Winton, P Devulapalli, S Everett, J Fry, 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 3 July 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 Chair, 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.

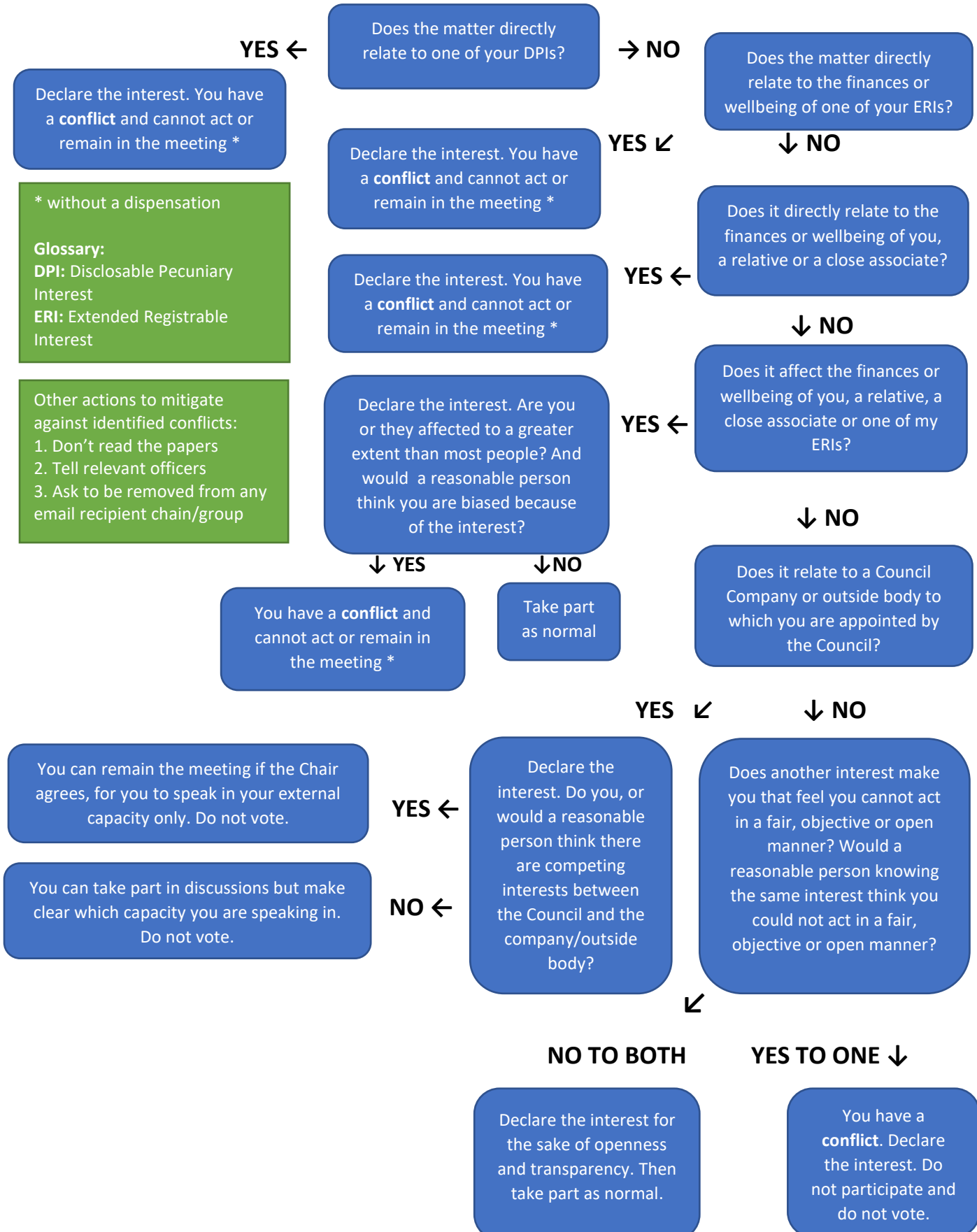
For Further information, please contact:

Kathy Wagg on 01553 616276: Kathy.Wagg@West-Norfolk.gov.uk

DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



START



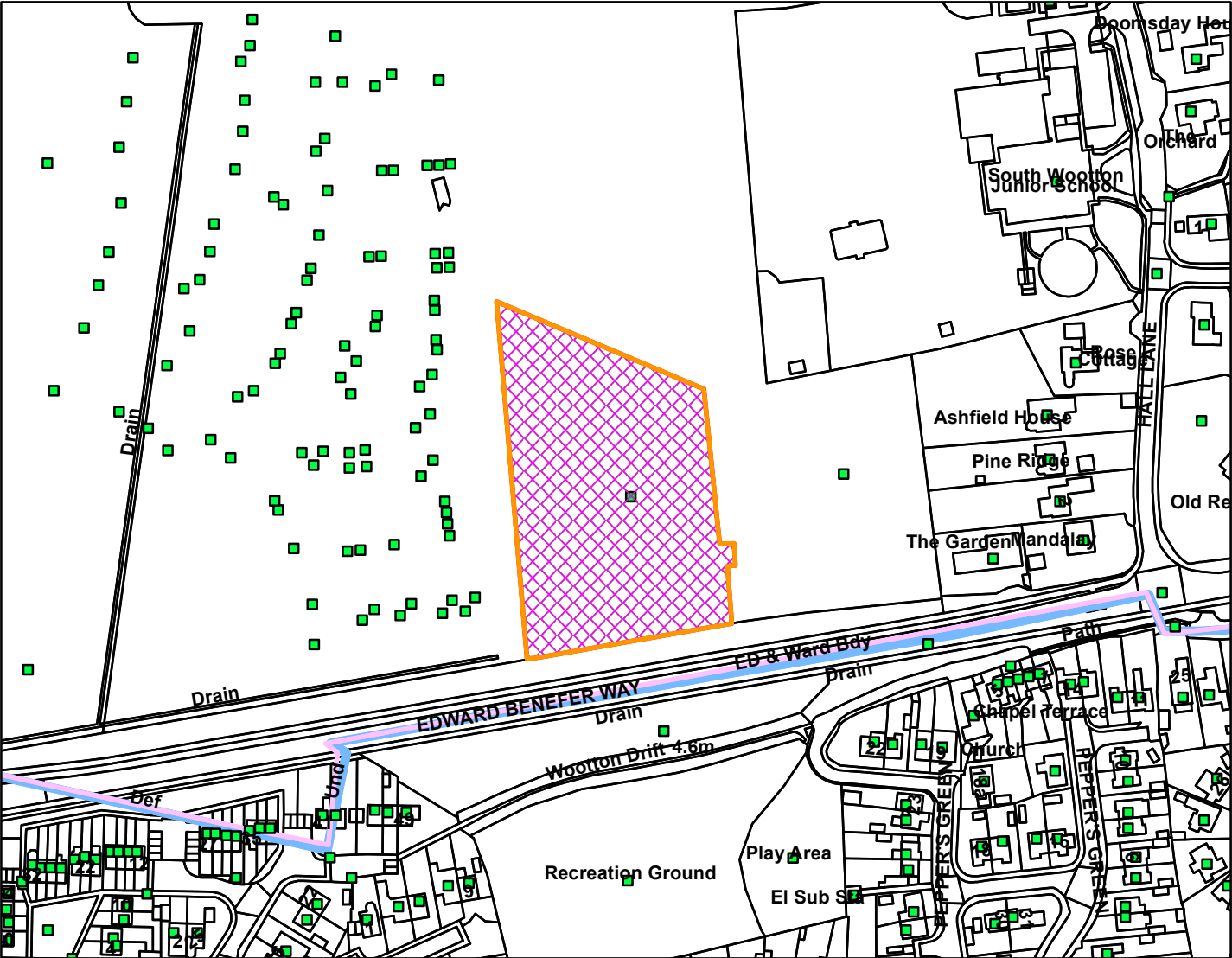
**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 30th June 2025**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
MAJOR DEVELOPMENTS				
9/1 (a)	24/01996/FM Land At E563781 N322363 And W of St James Medical Centre Edward Benefer Way King's Lynn Norfolk PE30 2FQ Extra care development of 77 independent one and two bedroom flats, with secured landscaped communal gardens, associated visitor and staff car and cycle parking and external stores.	SOUTH WOOTTON	APPROVE	9
OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE				
9/2 (a)	25/00451/F The Barn Station Road Clenchwarton KINGS LYNN Norfolk PE34 4DH Proposed Condenser Unit.	CLENCHWARTON	APPROVE	29
9/2 (b)	22/00678/O Dunroming Bircham Road Stanhoe King's Lynn Norfolk PE31 8PU SELF BUILD: Outline application with all matters reserved for the erection of proposed single storey dwelling and associated works.	DOCKING	REFUSE	38
9/2 (c)	25/00611/CU Rowan House Back Street Harpley King's Lynn Norfolk PE31 6TU Change of use of an existing dwellinghouse (Use Class C3) to a residential care home for up to four children aged 8-18 (Use Class C2).	HARPLEY	APPROVE	50
9/2 (d)	25/00720/F 12 The Avenue Brookville Thetford Norfolk IP26 4RF SELF BUILD - Demolition of No 12's garage for the erection of a self-build bungalow.	METHWOLD	APPROVE	62
9/2 (e)	25/00561/F Barn At E568308 N301300 Stoke Road Wereham Norfolk PE33 9AT Proposed residential development involving the demolition of existing barn complex.	WEREHAM	APPROVE	74

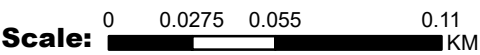
9/2 (f)	25/00664/F Clark's Paddock 154 Salts Road West Walton Wisbech Norfolk PE14 7ED Proposed replacement dwelling and part change of use of land.	WEST WALTON	APPROVE	98



Land At E563781 N322363 And W of St James Medical Centre Edward Benefer Way King's Lynn Norfolk PE30 2FQ



Legend



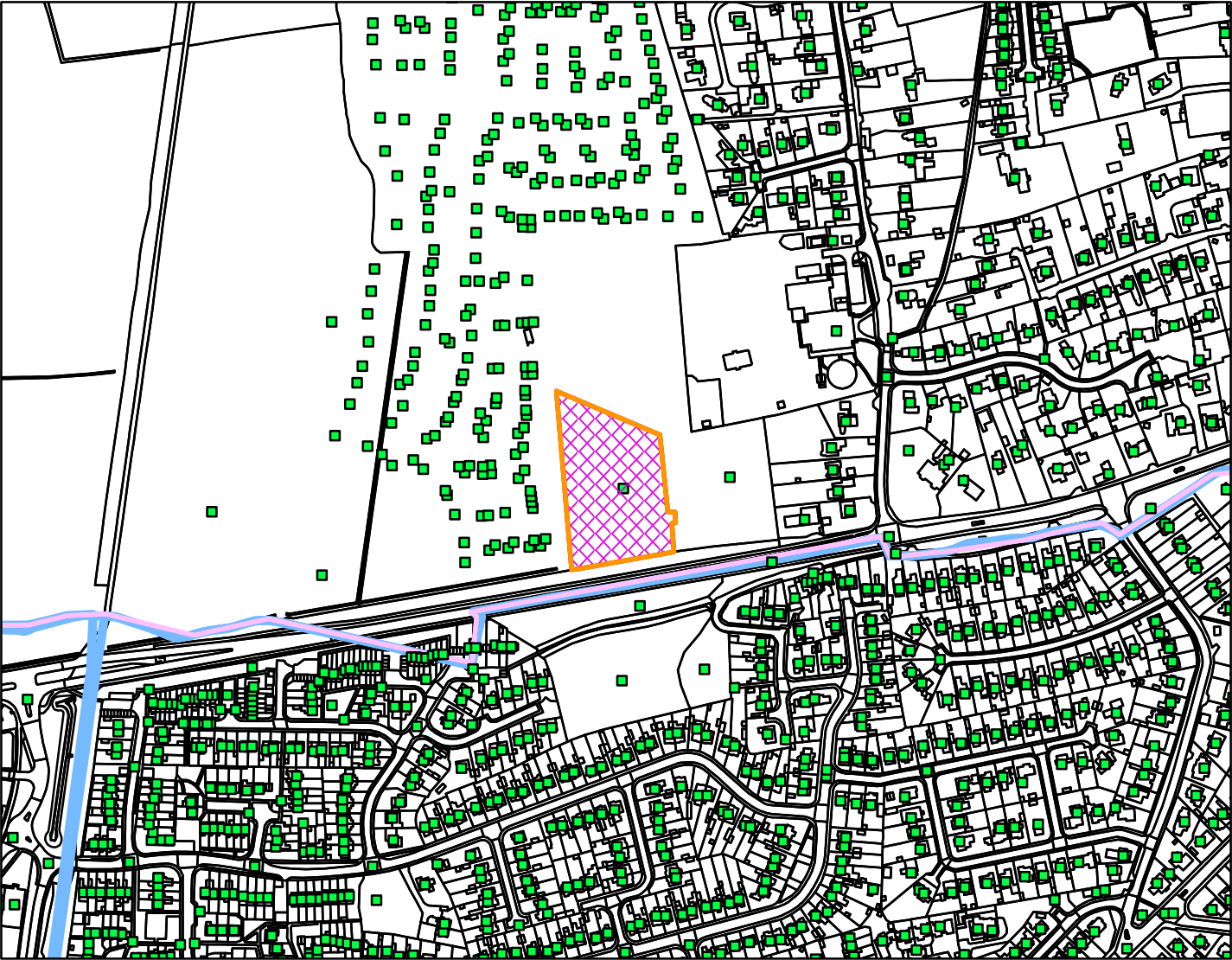
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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314



Land At E563781 N322363 And W of St James Medical Centre Edward Benefer Way King's Lynn Norfolk PE30 2FQ



Legend

Scale: 0 0.05 0.1 0.2 KM

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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

Parish:	South Wootton	
Proposal:	Extra care development of 77 independent one and two bedroom flats, with secured landscaped communal gardens, associated visitor and staff car and cycle parking and external stores.	
Location:	Land At E563781 N322363 And W of St James Medical Centre Edward Benefer Way King's Lynn Norfolk PE30 2FQ	
Applicant:	Medcentres PLC	
Case No:	24/01996/FM (Full Application - Major Development)	
Case Officer:	Lucy Smith	Date for Determination: 12 February 2025 Extension of Time Expiry Date: 7 November 2025

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

Neighbourhood Plan: Yes

Case Summary

Full planning permission is sought for the construction of 77 Independent Living (Extra Care) apartments on land north of Edward Benefer Way, South Wootton. The site is positioned on land between extant consents 21/00995/FM and 20/01954/RMM for a medical centre (St James Medical Practice) and housing respectively, and within the site area for housing allocation E3.1 within the Local Plan.

The proposal would provide 56 one-bedroom and 21 two-bedroom apartments for over 55s.

Access is proposed via the shared access point constructed alongside the medical centre consent to the east.

The application site is partially within Flood Zones 2 & 3 and within the South Wootton Neighbourhood Plan Area. A tree, protected by virtue of a Tree Preservation Order (TPO, T20 of 2/TPO/00514), is immediately adjacent to the site's North East corner.

Plans were amended during the course of this application to set the proposed building away from the TPO Tree, as well as to resolve previous drainage concerns raised by the LLFA.

Key Issues

Principle of Development
Highway Safety
Design and Form and Character
Flood Risk and Drainage
Impact on Neighbours
Ecology and Biodiversity Net Gain
Affordable Housing

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Other material considerations

Recommendation

A. APPROVE - subject to completion of a s106 to secure Affordable Housing and the associated monitoring fee. 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 Affordable Housing in line with LP29.

THE APPLICATION

Full planning permission is sought for the construction of 77 Independent Living (Extra Care) apartments on land north of Edward Benefer Way, South Wootton. The site is positioned on land between extant consents 21/00995/FM and 20/01954/RMM for a medical centre (St James Medical Practice) and a major housing scheme respectively, and is within the site area for housing allocation E3.1 within the Local Plan.

The proposal would provide 56 one-bedroom and 21 two-bedroom apartments for over 55s.

Access is proposed via the shared access point constructed alongside the medical centre consent to the east.

The application site is partially within Flood Zones 2 & 3 and within the South Wootton Neighbourhood Plan Area. A veteran tree, protected by virtue of a Tree Preservation Order (TPO, T20 of 2/TPO/00514), is immediately adjacent to the site's Northeast corner.

Plans were amended during the course of this application to set the proposed building away from the TPO Tree, as well as to resolve previous drainage concerns raised by the LLFA.

The application proposes the construction of a three-storey building of contemporary proportions and detailing, with a total height of between approximately 12.6m and 12.9m from ground level, depending on raised ground levels etc. for access and flood risk purposes. Eaves height is proposed at around 9.3m-9.7m. Proposed materials are indicated to be a mix of red and buff brick, with aluminium infill panels and feature areas of cladding. Slate effect roof tiles are proposed on the pitched roof.

The building would be sited with landscaping and garden spaces along boundaries. Surface water drainage features are proposed to the front of the site, surrounded by fencing. 46 parking spaces are provided to the east of the site adjoining the site access.

SUPPORTING CASE

This statement has been written in support of this application, which proposes an Extra Care Development comprising 77 independent one and two-bedroom flats with secure, landscaped communal gardens, associated visitor and staff car and cycle parking, and

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external stores.

The applicant took advantage of the KLWN pre-app service, which was highly beneficial, as it improved the proposal and helped shape the development into its current form, now under consideration by committee members.

A community engagement event held at South Wootton Village Hall, before the application submission, also greatly benefited the scheme and provided the applicant with invaluable feedback. As you can see from the lack of objections, the scheme is well-supported, which aligns with the responses we received at the community engagement event.

This proposal represents sustainable development and responds to the aims of local policy, LP06. It achieves this by being situated in a highly accessible location with excellent public transport links. Furthermore, although the use of private vehicles at this type of development is low, electric vehicle charging points will be provided. The local environment is being enhanced due to a Biodiversity Net Gain increase exceeding the required 10%, and local jobs will be created during the construction phase and on a more permanent basis to meet the care and management needs. High-quality design, a restriction on daily water usage, rainwater harvesting in the form of water butts, and air source heat pumps all contribute to the sustainability credentials of the proposal.

The development will represent the latest 100% Affordable Scheme in Norfolk, specifically for older people, for which there is currently an unmet need. Statistics provided to the applicant by Norfolk County Council highlight the unprecedented demand for affordable housing of the proposed type.

There are presently two Housing with Care sites in the whole of King's Lynn and West Norfolk Boroughs. This development represents a unique opportunity to add a third and support an application that will be developed on land allocated for residential development, which has received a no-objection response from all consultees. Norfolk County Council's Specialist Housing Position Statement (April 2025) identifies a need for 159 affordable rental units of independent living in KLWN by 2028. This scheme directly contributes to satisfying this demand.

These are fantastic schemes that afford residents independence with support, fostering community integration and reducing social isolation. They also represent cost effective care, as independent living is a more sustainable alternative to traditional residential care.

PLANNING HISTORY

No relevant planning history.

RESPONSE TO CONSULTATION

Parish Council: SUPPORT with the following comments:

'The Parish Council were very grateful that in July we were given a very extensive presentation of the proposed plans by Mr Paul Brand, Associate Development Director of Medcentres. This proved to be very helpful, and he was able to answer our questions and concerns.

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Our only comment would be that it would have been preferable if both this and the Medical Centre were accessed from the spur road off the roundabout.

The Parish Council are very happy to support this application in line with our Neighbourhood Plan.'

Highways Authority: NO OBJECTION

Internal Drainage Board: NO OBJECTION subject to the Board's byelaws being complied with

LLFA: NO OBJECTION To summarise, the LLFA has no objection to this application for full planning permission, subject to conditions being attached to any consent if this planning application is permitted

Environment Agency: NO OBJECTION subject to FRA condition

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Contaminated Land - The report sufficiently characterised the site and no recommendations are made relating to further works and risks posed to the site from contamination are determined to be very low. We have no objection regarding contaminated land.

Air Quality – No objection following revised details

Norfolk Constabulary: Provided detailed advice on Secured By Design principles, recommended external lighting consideration via condition.

Historic Environment Service: NO OBJECTION subject to archaeology conditions

Natural England: NO OBJECTION subject to GIRAMS being secured

Norfolk Fire and Rescue: NO OBJECTION, provided advice on sprinkler systems and EV chargers away from buildings

Norfolk Community and Environmental Services: Requested Library funding through CIL

CSNN: NO OBJECTION in principle: Provided advice on construction access, existing access gates to the medical centre prohibiting access, impacts from noise during construction and request of a Construction Management Plan, provided comments on lighting and request for detail of any plant and machinery.

Housing Strategy: A S.106 Agreement will be required to secure the affordable housing contribution of 20% (15 affordable units).

East of England Ambulance Service: Requested developer contributions of £20,349 to support the development and expansion of ambulance hub and /or support additional rapid response vehicles to cater to the increased population.

REPRESENTATIONS

KLWNBUG comments summarised as follows: Provided advice on the NPPF sustainable transport policies, raising concern over use of current access point, and requested secure cycle storage is provided. Furthermore, noting they await the revised travel plan.

ONE letter of SUPPORT with the following comment:

‘An excellent plan. I am sure the accommodation will be much in demand.’

ONE Neutral Letter summarised as follows:

St James Medical Practice is concerned that the roadway and construction traffic will cause disruption for users of the medical centre and pose a risk. Would like the LPA to consider construction impacts and impacts of visitors parking at the medical centre instead of on site.

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

Policy E3.1 - Hall Lane, South Wootton

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)

LP25 - Sites in Areas of Flood Risk (Strategic Policy)

LP28 - Affordable Housing Policy (Strategic Policy)

LP29 - Housing for the elderly & Specialist Care (Strategic Policy)

LP30 - Adaptable & Accessible Homes (Strategic Policy)

NEIGHBOURHOOD PLAN POLICIES

Policy E2 - Sustainable Drainage

Policy E4 - Strategic Landscape Framework

Policy H1 - Growth Areas

Policy H2 - Encouraging High Quality Design

Policy H4 - Local Character

Policy H6 - Affordable Housing

Policy B4 - Employment and Access

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations are:

Principle of development
Highway Safety
Design and form and character
Flood Risk and Drainage
Impact on Neighbours
Ecology and Biodiversity Net Gain
Affordable Housing
Other material considerations

Principle of Development:

The application site forms part of allocation Policy E3.1 as shown on the policies map of the Local Plan. The allocation policy supports the provision of residential development of a variety of house types and tenures subject to various criteria which are considered, given the scale and nature of this application, to be met by this proposal.

The application site is well located to make use of existing public transport and footpath links to the nearest facilities. Land to the north of the application site has not been included in either this application or the adjoining residential application and is therefore retained as available for school expansion in line with Para 4.a of the Allocation Policy. A revised Surface Water Drainage Strategy provides for SUDs principles within the scheme and has been agreed by the LLFA. The GIRAMS fee is proposed be paid as part of the s106 legal agreement which is currently underway and nearing completion.

The principle of Housing for the Elderly and Specialist Care is further supported by Policy LP29, and the proposed design incorporates elements which would be suitable for a wide range of occupants with reduced mobility, in line with Policy LP30 and Part M4(2) of the Building Regulations.

Norfolk County Council has recognised a need for more Independent Living housing in the King's Lynn and West Norfolk district to build an additional 552 Independent Living units, of which 220 are to be at affordable rent levels by 2028, rising to 906 units across all tenures by 2041.

The South Wootton Neighbourhood Plan does not provide independent policies for the allocated site, Policy H1 sets out that these detailed proposals for the strategic housing areas will be masterplan led. 17/01151/OM (the original Outline application to the east) approved a Master Plan for the land to the west however the red line area did not include this application site. Notwithstanding this, it is evident that the principle of this nature of development has been planned for within the allocation policy itself, and was also further

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considered at least from a highway perspective alongside the granting of the medical centre consent. South Wootton Parish Council supported the application.

Overall, the principle of the construction of independent extra care apartments for over 55s is considered acceptable, and complies with the overarching aims of the NPPF (2024) in regard to housing need and sustainable locations, alongside Policies E3.1, LP01, LP29 and LP30 of the Local Plan.

Highway Safety

The application has been accompanied by a Transport Assessment and Travel Plan which has not drawn objection from the Local Highway Authority. The existing access was created as part of application 21/00995/FM for the proposal medical centre. As part of the Transport Statement submitted and agreed under that previous application, the principle of a 70-bed care home was assessed from a highways perspective and ultimately deemed acceptable.

The highway improvements completed as part of the medical centre consent (right hand turn lanes, speed limit changes etc) were completed with the understanding that the current application site would come forwards for a care home use of a similar scale to that proposed as part of this application. Whilst comments regarding the use of the roundabout and access via the residential estate are noted, there is no identified highway safety concern or other planning policy reason to prohibit this application site from achieving access directly to Edward Benefer Way.

No further improvements are suggested or required in order to make the development site safe for the proposed use in regard to highway safety and access. The allocation policy does not specifically restrict new accesses onto Edward Benefer Way and the proposal has not drawn an objection from the Local Highway Authority.

46 parking spaces are proposed, plus a cycle store and internal room for mobility scooters/buggy storage. This level of parking has not drawn objection from the Local Highway Authority considering the proposed use and likely car-ownership of residents. As noted above, the site is well located for occupants to make use of local bus routes and footpaths to nearby facilities.

Since the LHA's original comment, an additional EV charger has been shown serving a disabled parking bay. A travel plan condition is recommended alongside detail to be provided within a construction management plan.

Subject to conditions, the proposal would be in accordance with the NPPF (2024) and Policies LP13 and LP14 of the Local Plan in regard to highway safety and parking.

Design and Form and Character:

The application site is positioned between the modern residential development to the west and the medical centre to the east. The immediate street scene is therefore fairly contemporary in character and the proposed design would generally accord with this. Whilst the building is large by nature, its position within the site has been carefully considered in order to allow the site to blend in with its surroundings, with the building shaped with a footprint that allows an important set back from the residential uses to the west, and additional landscaping and gardens to the west to provide a further buffer. The building has a low ridge height and proposed balconies, inset areas and changes in materials would break up built form.

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The north elevation of the site faces towards open land which has not been included in the residential scheme and which is understood to be set aside for future school expansion. The proposed building would have limited impact on the school and given the existing density of development surrounding this land, would not be at odds with the residential character of the surrounding land when viewed from this direction.

Existing trees to the front of the site are outside of the site boundary and would be retained, allowing further softening of the site as viewed from Edward Benefer Way.

The proposal is considered to be suitably designed and complies with the South Wootton Neighbourhood plan Policy H2 in regard to layout, landscaping, use of materials etc.

No detail has been provided of specific brick or cladding types. Given the colour and finish of bricks on the residential development to the west and the medical centre to the east, it is considered that the proposed materials are generally acceptable for the locality. Conditions are however recommended to ensure that full details of the proposed external finish are available prior to their construction on site.

Conditions are recommended to ensure landscaping details are complied with and to provide details of proposed cycle and bin storage etc prior to occupation of any unit. Subject to conditions, the proposal would comply with Policies LP18 and LP21 of the Local Plan.

Flood Risk and Drainage:

Significant discussion has taken place during the course of this application in order to resolve drainage concerns raised by the LLFA. The application proposes a vulnerable use in an area of flood risk and where high groundwater levels will impact drainage design.

The Sequential Test is not required for allocated sites, as this sequential process took place during allocation and as part of adoption of the Local Plan (Policy LP25). The Exceptions Test consists of two parts – the first part (demonstration of wider community benefits) is considered to be met by this development and by the allocation, providing additional housing in line with an identified need. The second part of the Exceptions Test requires development to be safe for its lifetime taking into account climate change and with regard to vulnerability of users, without increasing flood risk elsewhere.

The Environment Agency raised no objection in principle to the siting of the building, albeit noting that a corner of the building (southwest) has been positioned within flood zones 2 & 3 whilst the rest of the site is within flood zone 1. The surface water drainage strategy also relies upon connection to IDB drains in the vicinity, and the IDB have not objected to this proposal – the Agents are aware that IDB consent will be required and is a separate process.

Following submission of amended details in the form of a revised drainage strategy and associated engineering details, the LLFA is generally satisfied that sufficient information has been submitted to address flood risk and surface water drainage aspects of the planning application. Conditions can be used to secure the submitted information as final and secure the provision of any outstanding or additional information at a later stage of the planning process.

The LLFA recommended A Construction Water Management Plan (CWMP) is conditioned, clearly demonstrating sufficient flood risk and surface water management from start of construction to handover of the development. It is considered that this Plan can be

incorporated into the standard Construction Management Plan condition, and this would adequately address the issue during construction of the development.

The proposal is therefore considered to be safe for its lifetime in line with Paragraph 178 of the NPPF (2024) and the exceptions test is passed; subject to conditions controlling development being constructed in accordance with the agreed details. The development complies with Policy E3.1 and LP25 of the Local Plan and Policy H2 of the South Wootton Neighbourhood Plan in relation to flood risk.

Impact on Neighbours

In regard to overshadowing, overbearing and privacy impacts, whilst the building proposed is three storeys in height, the distances to boundaries are such that any significant adverse impacts are unlikely. The south most element of the building is in excess of 20m from the side elevation of the dwelling proposed in this direction; and the north most element is some 30m from the nearest property.

Balconies are proposed a suitable distance away from shared boundaries to limit adverse impacts both internally and to the nearest dwellings outside of the site. The closest balcony to the residential development to the west is approximately 20.8m from the site boundary, approx. 27m from the side elevation of the nearest approved dwelling.

Windows on side elevations closest to the new dwellings to the west serve hallways and ensuite bathrooms. It is considered that conditions controlling the obscure glazing of these windows would be reasonable to prevent a perception of overlooking in this direction. Windows facing towards St James Medical Practice would not lead to adverse privacy impacts. Windows serving rooms in the central bulk of the floor plan are well distanced from boundaries and would not lead to adverse impacts on the closest properties.

On the north elevation, proposed windows overlook open land between the rear of the school and the remainder of the residential permission to the north. Given the angles involved, no adverse impacts are likely.

No external plant and machinery are shown on the proposed elevational drawings, however air handling units shown on the block plan adjoining the kitchen – approximately 32m from the west boundary of the site. Given the scale of kitchens proposed, conditions are recommended to ensure details of any external plant and machinery, included any flues, are provided prior to their installation.

The proposed landscaping plan and associated details indicate the planting of various trees along the west boundary of the site (primarily select standard 3-3.5m high specimens) which would further reduce any impacts or the perception of overlooking of adjoining plots.

The proposal would therefore comply with Policies LP18 and LP21 of the Local Plan and Policy H2 of the South Wootton Neighbourhood Plan.

Ecology and Biodiversity Net Gain

A preliminary ecological appraisal was submitted in support of this application and outlines that the site's potential for protected species is overall limited, with no further surveys being recommended. The landscaping scheme put forward includes various elements of enhancements which could provide an overall benefit to local wildlife post-development.

The veteran tree to the northeast of the site has the potential to be a resource for roosting and the land behind the northern boundary is likely to currently have low light levels which should be maintained. An active barn owl roost has previously been recorded using the veteran tree and a barn owl box is located approx. 200m east. Hence, lighting around this feature must be particularly sensitive to nocturnal species using it and the adjacent land.

Bollard lighting is shown proposed on the lighting plan however the use of bollard lighting has the potential to cause impacts on bats – the Ecologist has recommended changes or alterations to the lighting in this area of the site, and it is considered necessary to impose further conditions on lighting prior to any installation on site, in the interests of protected species.

The site proposals will deliver biodiversity net gain on-site. The creation of habitats on site would result in a net change in Habitats Units of 0.35 and a 0.49 net change in Hedgerow Units. This will result in an overall 11.86% Biodiversity Net Gain in Habitat Units. A net gain in Hedgerow Units is not calculated by the metric as no Hedgerow Units were present within the baseline, but certainly there will be a significant gain. No net gain in Watercourse Units will be achieved and none is required as no Water course Units were recorded within the site baseline.

The Biodiversity Net Gain proposed meets the definition of on-site significant and will need to be secured via the deemed Biodiversity Net Gain condition and supported by a Habitat Management and Monitoring Plan which outlines how habitats will be managed across a 30-year period.

The developments impact on ecology and compliance with Biodiversity Net Gain is in line with Policy LP19 of the Local Plan and the overarching aims of the Environment Act.

Affordable Housing

The site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per Policy LP28 of the Council's Local Plan. At present a 20% provision is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in South Wootton.

The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and 30% for low-cost home ownership including Shared Ownership, First Homes or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council. In this instance 15 affordable units would be required, 11 for affordable rent and 4 for low-cost home ownership.

The applicant intends to deliver the scheme as 100% affordable which is in excess of the policy requirements. The Council's legal advisors are in discussions with the Applicants and the Strategic Housing Team to ensure that the S106 agreement, which is currently underway, allows sufficient flexibility for the Applicants and meets their requirements for funding, whilst also ensuring that the requirements of the legal agreement are founded in planning policy.

Subject to the S106 being finalised, the proposal would comply with Policy LP29 of the Local Plan in regard to affordable housing.

Other material considerations:

Archaeology – The proposed development lies adjacent to an area previously subjected to archaeological surveys, identifying earthworks of post-medieval water-meadows as well as remains of the medieval salt industry and of potential Anglo-Saxon to medieval settlement. Within the proposed development area were low earthworks of possible water-meadows.

Also, as the area of settlement identified adjacent was on its east side, settlement of Anglo-Saxon or medieval date may be present here too.

In order to prevent harm to buried archaeological remains, conditions are recommended to control archaeological trial trenching and further investigations. Subject to conditions, the proposal complies with Paragraph 211 of the NPPF (2024) and Policies LP20 and LP21 of the Local Plan.

Policy LP06 - The proposal will incorporate a variety of environmental and sustainable measures to comply with the requirements of this policy.

There will be electric vehicle charging points (EVCPs) within the main car park and a 'Fabric First' approach is proposed, allowing U-Values and an air tightness above and beyond the current and very stringent, modern building regulations. Non-fossil fuel heating and hot water systems will be utilised. These measures are considered to comply with the requirements of LP06 in regard to measures to mitigation and respond to climate change.

Ambulance Services and Funding – The East of England Ambulance Service NHS trust provided comments requesting a financial contribution of £20,349 to support ambulance services to support the population arising from the development. As outlined in Policy LP05, the Borough Council operates a Community Infrastructure Levy (CIL). CIL contributions (in accordance with the CIL Charging Schedule) support borough wide facilities to accommodate increasing population. It is not considered that the proposal would necessitate a specific contribution towards ambulance services in excess of that potentially available through CIL.

CSNN – The Council's CSNN officer raised concern over the principle of utilising the shared access track with the medical centre. It should be noted that this is not a matter within the CSNN team's remit; and as noted above the principle of utilising this shared access point has been planned for since the approval of the medical centre, and subsequently agreed by the Local Highway Authority as part of this application. There are no access gates which would preclude an independent access from being achieved as proposed. The proposed plans indicate the site will be accessed from the existing left spur, which then adjoins Edward Benefer Way, with the medical centre and it's fencing unaffected. Further boundary treatments are shown to be provided on the proposed landscaping plan. There is no other reasonable alternative that would allow construction traffic to/from the site. Impacts on the adjoining medical centre and residential uses can be fully controlled via the recommended construction management plan.

Air Quality and Contamination – the Environmental Quality Team raised no objection on air quality or contamination grounds. The Travel Plan required by the Local Highway Authority will include an assessment of sustainable transport options which should provide motor vehicles modes in regard to air quality, in line with Policy LP21 of the Local Plan.

Trees - The Arboricultural Method Statement confirms that a 15 m buffer will be put in place around the veteran oak to the northeast of the site and the Arboriculture Officer has confirmed this is appropriate to protect the tree from damage. Subject to compliance with the

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submitted information, no other implications for existing trees along site boundaries are likely.

Crime and Disorder – There are no known crime and disorder implications of the proposal. Comments from the designing out crime officer have previously been provided to the applicant. In regard to comments on lighting, wayfinding and security lighting would need to be considered alongside ecological implications as discussed above.

Specific comments and issues:

The Kings Lynn Bicycle Users Group recommended conditions are utilised to ensure secure cycle stands are provided. Whilst a condition is recommended to control details of cycle storage, it is not considered necessary given the position of the cycle storage unit and the tenure of accommodation provided within the building to control specific details of the scheme. The Travel Plan required by the Local Highway Authority would typically require the business to monitor sustainable transport modes, and if additional or improved cycle stands are required, the operators could provide additional stands without the requirement of involvement from planning.

A representative of the St James Medical Practice provided comments in regard to concern of the impact of construction traffic of vehicle movements in to and out of the Medical Practice. These issues would be controlled by the Construction Management Plan.

In regard to comments on visitors parking in the medical centre rather than the care home there is no reason to suspect, given the parking is provided to meet the agreement of the Local Highway Authority, that this would occur. Should such matters cause inconvenience for the neighbouring use, it would be a civil matter for consideration separate from planning.

CONCLUSION:

All applications must be determined in accordance with the Development Plan unless material considerations suggest otherwise.

The application has demonstrated compliance with allocation policy E3.1 of the Local Plan and the principle of housing for the elderly is further supported by Policy LP29 of the Local Plan.

Norfolk County Council has recognised a need for more Independent Living housing in the King's Lynn and West Norfolk district. The proposal provides 77 independent living apartments proposed for over 55s and would meet this recognised need.

The existing access point is proposed to be utilised, shared with St James Medical Practice and this has not drawn highway safety objections from the Local Highway Authority. A Travel Information Plan is recommended to be conditioned to ensure that sustainable transport modes are considered by the operators.

Other conditions are capable of controlling impacts on trees, ecology, archaeology etc. as well as impacts arising during construction via a detailed construction management plan.

Subject to conditions, the proposal is considered to comply with the aims of the NPPF (2024) and Policies LP06, LP13, LP14, LP18, LP19, LP21, LP25, LP28, LP29, LP30 and E3.1 of the Local Plan.

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RECOMMENDATION:

(A) APPROVE - subject to the following conditions and completion of a s106 to secure Affordable Housing and the associated monitoring fee. 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 Manger to continue negotiation and complete the agreement and issue the decision.

- 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:
 - 83P.002 Rev E - Site Plan
 - 83P.003 Rev G - Site Plan Landscape Plan
 - 83P.011 Rev E - First Floor
 - 83P.012 Rev E - Second Floor
 - 83P.013 Rev C - Roof Plan
 - 83P.014 Rev D - Floor Plans, Ground, First and Second
 - 83P.015 Rev D - General Arrangement Elevations
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No development or other operations shall take place on site until a detailed Construction Management Statement, including a Construction Water Management Plan and Construction Traffic Management Plan, 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 timing of proposed construction activities and deliveries
 - (b) the location of any temporary buildings and compound areas;
 - (c) the location of parking areas for construction and other vehicles;
 - (d) A Construction Water Management Plan (CWMP) clearly demonstrating sufficient flood risk and surface water management from start of construction to handover of the development, in accordance with the agreed flood risk assessment and surface water drainage strategy.
 - (e) A Construction Traffic Management Plan which shall incorporate: a scheme for the management and signage of construction traffic, adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities, and the measures to be used to prevent the deposit of mud and other deleterious material on the public highway.

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

- 3 Reason: In the interests of the amenities of the locality in accordance with Policies LP18 and LP21, in the interests of highway safety in accordance with Policies LP13 and LP21, and to prevent flooding during the construction period in accordance with

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National Planning Policy Framework paragraph 181, 182 and 187 and Policy LP25 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events.

- 4 Condition: The development shall be built in accordance with the flood risk assessment and surface water drainage strategy demonstrated in the documents:

- Flood Risk Assessment | Prepared By: Evans Rivers and Coastal Ltd | Ref: 3135/RE/01-23/01 Rev B | Rev: Revision B | Dated: April 2025
- Drainage Management and Maintenance Plan | Prepared By: Barter Hill Partnership Ltd | Ref: 9408 | Rev: V.03 | Dated: 25 April 2025
- Drainage Statement | Prepared By: Barter Hill Partnership Ltd | Ref: 9408 | Rev: V.11 | Dated: 30 April 2025
- Drainage Strategy | Prepared By: Barter Hill Partnership Ltd | Drawing No: 9408-BHP-XX-XX-DR-C-0102 | Rev: P04 | Dated: 30 April 2025

and as supported and/or updated by the documents:

- LLFA Signposting Summary Document | Prepared By: Medcentres Plc | Ref: 83P.031.V03 | Rev: V03 | Dated: April 2025
- Supporting Document - LLFA Response & Flood Risk | Prepared By: Medcentres Plc | Ref: 83P.034 | Rev: N/A | Dated: April 2025
- Existing Ground Level Survey | Prepared By: BB Surveys Ltd | Drawing No: BBS-CP- EGL- SU- 00 | Rev: A | Dated: 25 February 2025
- Existing Ground Level Survey Aerial Overlay | Prepared By: BB Surveys Ltd | Drawing No: BBS- CP- EGL- SU- 01 | Rev: A | Dated: 25 February 2025
- Follow-up to Post-response Meeting (Email Correspondence) | Edward Benefer Way | Planning Application Ref: 24/01996/FM | Dated: 29 April 2025

The approved resistance and resilience measures within the Flood Risk Assessment and the agreed Surface Water Drainage scheme shall be implemented prior to the first use of the development and retained as such thereafter.

- 4 Reason: To prevent an adverse risk of flooding in accordance with National Planning Policy Framework paragraph 181, 182 and 187 and Policy LP25 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage, and disposal of surface water from the site in a range of rainfall events.

- 5 Condition: Prior to commencement of the development hereby permitted, all tree protection measures, works to existing trees, and arboricultural supervision shall be implemented in strict accordance with the approved Tree Protection Plan and Method Statement by James Blake Associates dated 3rd January 2025, Arboricultural Method Statement reference JBA 24/010 A R02 Revision B, and Tree Protection Plan drawing number JBA24010 TPP TRP-01 Revision B. The tree protection measures shall be retained and maintained in accordance with the approved documents throughout the duration of development works on site.

No other trees than those shown to be removed on the approved plans and detailed in the method statement shall be felled without the prior agreement of the Local Planning Authority.

- 5 Reason: To avoid damage to existing trees that represent important landscape and visual amenity to the surrounding area, in line with Paragraph 187 of the NPPF (2024), Policies LP18 and LP19 of the Local Plan and Policy H2 of the South Wootton Neighbourhood Plan.

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- 6 Condition: The hard and soft landscaping works shall be carried out in complete accordance with the approved Landscaping Plan, drawing number 83P.003, Revision G and the associated Landscape and Planting Schedule dated September 2024. The works shall be carried out prior to occupation or use of any part of the development. Any new trees or plants that, within a period of five years from the completion of the development, die, are removed, become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species as those originally planted, unless agreed in writing with the Local Planning Authority.
- 6 Reason: In the interests of the street scene and surrounding landscape and visual amenity, in line with the NPPF (2024), Policies LP18 and LP19 of the Local Plan, and Policy H2 of the South Wootton Neighbourhood Plan.
- 7 Condition: The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Metric [Revision D] dated 09/01/2025 and prepared by (Alex Ward [James Blake Associates]).
- 7 Reason: For the avoidance of doubt and in line with the requirements of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Policy LP19 of the Local Plan.
- 8 Condition: The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
 - a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

No occupation shall take place until:

- (a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
 - (b) a completion report, evidencing the completed habitat enhancements, has been submitted to and approved in writing by the Local Planning Authority.
- 8 Reason: For the avoidance of doubt and in line with the requirements of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Policy LP19 of the Local Plan.

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- 9 Condition: The development hereby approved shall be carried out in strict accordance with the mitigation and enhancement measures outlined in Sections 6 of the Preliminary Ecological Appraisal (Revision C) prepared by James Blake Associates dated (14 January 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.
- 9 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 LP19.
- 10 Condition: Notwithstanding the lighting details submitted as part of this application, prior to the installation of any external lighting, full details of an outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation / angle of the luminaries, the spacing and height of the lighting columns, the extent / levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 10 Reason: In the interests of the amenities of the locality, to ensure that the need for wayfinding and security lighting is balanced against the potential implications on protected species, in line with Policies LP19 and LP21 of the Local Plan.
- 11 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.
- 11 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in line with the NPPF (2024) and Policies LP13, LP14 and LP21 of the Local Plan.
- 12 Condition: Prior to first occupation a Travel Information Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Information Plan shall include information to ensure sustainable travel options are identified as relevant to the development, it shall be updated as necessary and implemented as long as any part of the development is occupied.
- 12 Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment, in line with the aims of Section 9 of the NPPF (2024) and Policies LP13, LP14 and LP21 of the Local Plan.
- 13 Condition: Prior to the installation of any external plant, fixed machinery, mechanical extract or ventilation systems, flues or discharge points for fumes/cooking odours etc, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s)/plant, the siting of the unit(s)/plant and the distances from the proposed unit(s)/plant to the boundaries with neighbouring dwellings, details of anti-vibration mounts and noise attenuation measures, heights and locations of flues and vents, sound power levels of any fans/motors and odour control measures. The scheme shall be implemented as approved and thereafter maintained as such.

- 13 Reason: To ensure that residential amenity of future occupiers, both within the site and in close proximity, is properly accounted for in line with LP21 of the Local Plan.
- 14 Condition: Notwithstanding the details which accompanied this application, prior to the first use of the development hereby permitted, the proposed bin and cycle storage areas shall be constructed in accordance with details to be agreed in writing by the Local Planning Authority. The details shall include elevational plans of any fencing or other means of enclosure, layouts and types of cycle storage to be utilised.
- 14 Reason: For the avoidance of doubt and to ensure an adequate assessment of the visual impact of the structures and to ensure the provision of adequate bin storage and cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with the NPPF (2024), Policy LP14 and LP21 of the Local Plan and Policy H2 of the South Wootton Neighbourhood Plan.
- 15 Condition: Notwithstanding the details which accompanied this application. 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.
- 15 Reason: For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF and Policy LP21 of the Local Plan and H2 of the Neighbourhood Plan.
- 16 Condition: Prior to the first occupation of the development hereby permitted, the shower room windows on the west and north west elevations on dwg No. 83P.015 Rev D shall be fitted with obscure glazing. The windows shall be retained in that condition thereafter.
- 16 Reason: In the interests of the amenities and privacy of future and existing residents, in accordance with Policy LP21 of the Local Plan.
- 17 Condition: No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
- 1) The programme and methodology of site investigation and recording,
 - 2) The programme for post investigation assessment,
 - 3) Provision to be made for analysis of the site investigation and recording,
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation,
 - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and
 - 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.
- 17 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and Policy LP20 of the Local Plan. This needs to be a pre-commencement

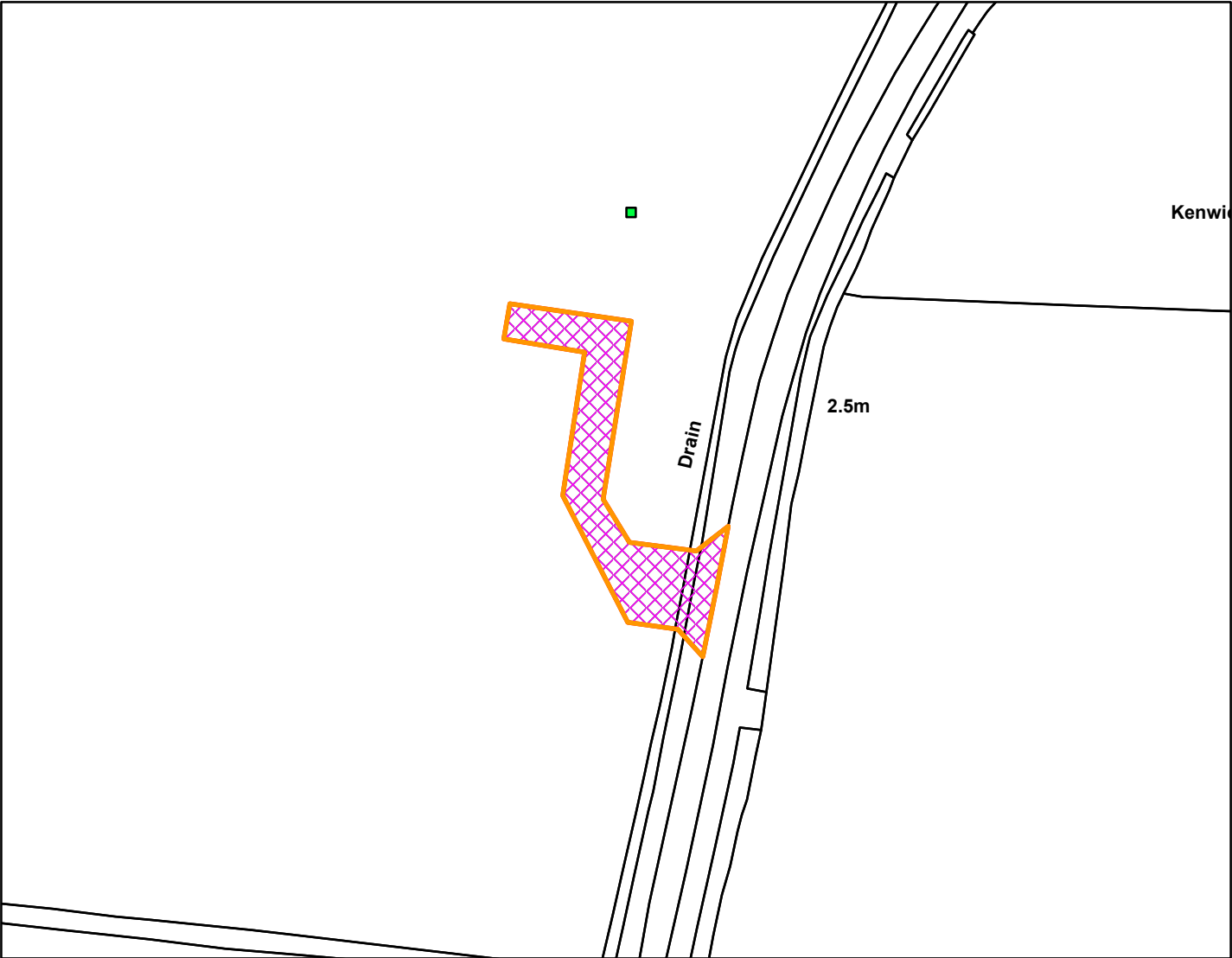
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condition given the potential impact upon archaeological assets during groundworks/construction.

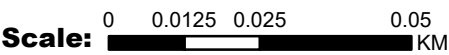
- 18 Condition: No development shall take place other than in accordance with the written scheme of investigation approved under condition 17 and any addenda to that WSI covering subsequent phases of mitigation.
- 18 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and Policy LP20 of the Local Plan.
- 19 Condition: The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 17 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 19 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and Policy LP20 of the Local Plan.

(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 Affordable Housing in line with LP29.

The Barn Station Road Clenchwarton KINGS LYNN PE34 4DH



Legend

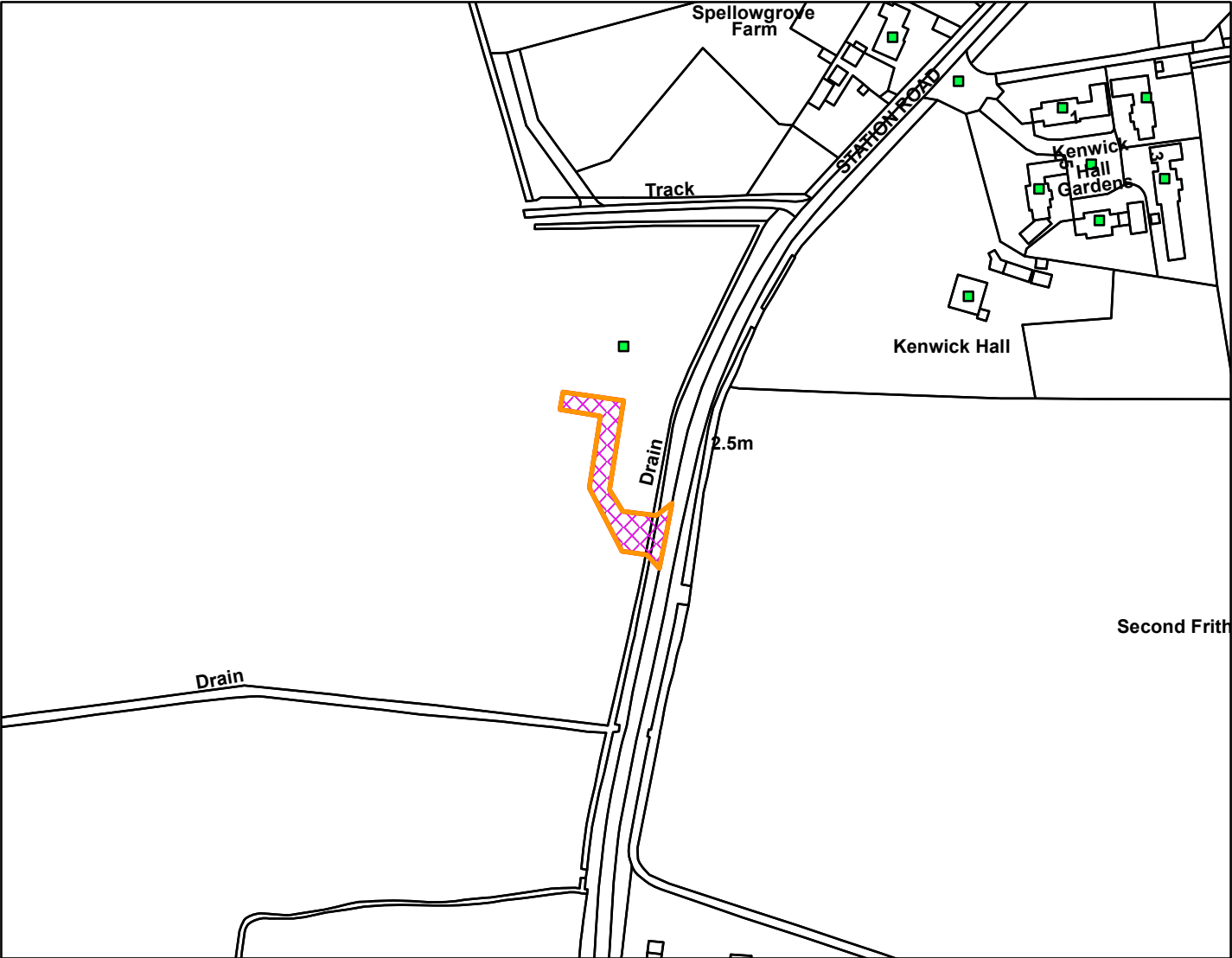


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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

The Barn Station Road Clenchwarton KINGS LYNN PE34 4DH



Legend

Scale: 0 0.0275 0.055 0.11 KM

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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

Parish:	Clenchwarton	
Proposal:	Proposed Condenser Unit	
Location:	The Barn Station Road Clenchwarton King's Lynn PE34 4DH	
Applicant:	Mr M Means	
Case No:	25/00451/F (Full Application)	
Case Officer:	Kirsten Jeavons	Date for Determination: 13 May 2025 Extension of Time Expiry Date: 7 July 2025

Reason for Referral to Planning Committee – Called in by Cllr Bearshaw.

Neighbourhood Plan: No

Case Summary

Planning permission is sought for a proposed condenser unit at The Barn, Station Road, Clenchwarton.

Clenchwarton is classified as a Tier 4 Settlement (Key Rural Service Centres) under Policy LP01 of the Local Plan 2021-2040. The application site is located to the west of Station Road and approximately 307m from the A17.

Key Issues

Principle of development
 Form and character
 Impact on neighbour amenity
 Highway Safety
 Climate Change
 Biodiversity Net Gain
 Other matters requiring consideration prior to the determination of this application

Recommendation:

APPROVE

THE APPLICATION

The application is for a proposed condenser unit at The Barn, Station Road, Clenchwarton.

The red line is located around the area of the condenser unit only and not the adjacent agricultural building. The proposed condenser unit would serve the agricultural building which was approved in June 2023 by Planning Committee under planning reference 22/02214/F, to providing cooling to facilitate the use of the building as a potato store.

The application site is located to the west of Station Road and to the southwest of Clenchwarton. The wider site comprises a detached, agricultural storage building, with associated hardstanding and is surrounded by countryside.

SUPPORTING CASE - Provided by the Agent

This report supports the planning application for installing a condenser unit adjacent to an existing agricultural building. The unit (5.9m x 1.2m x 2m) will be positioned on existing hardstanding to support ongoing farm operations, with minimal visual or environmental impact.

Planning Policy Context

The proposal is assessed against the *King's Lynn and West Norfolk Local Plan 2021–2040 and national policy frameworks*, which supports sustainable development in rural areas and economic resilience of agricultural enterprises. Relevant policies include:

- **Policy LP04 (Development in Rural Areas):** Supports appropriately scaled proposals that contribute to the sustainability and diversification of the rural economy.
- **Policy LP14 (Design and Local Distinctiveness):** Encourages high-quality, context-sensitive design that integrates well into its surroundings.
- **Policy LP17 (Environmental Assets) and LP18 (Amenity and Local Environmental Quality):** Require that development avoids adverse impacts on local character, amenity, and the environment.
- **Paragraph 90:** Encourages sustainable growth and expansion of all types of businesses in rural areas, including agriculture.
- **Paragraph 94:** Recognises the essential need for modern agricultural infrastructure and support facilities.
- **Paragraphs 173–175:** Relate to planning and flood risk, supporting development that is safe and flood-resilient without increasing flood risk elsewhere.

Flood Risk and Drainage

Located in Flood Zone 3, a detailed Flood Risk Assessment (April 2025) confirms:

- No increased runoff or offsite flood risk;
- Use of resilient materials and raised electrical elements;
- Existing flood defences ensure safe access and egress;

Design and Visual Impact

The unit is small in scale, screened by the main building, and will not rise above its roofline. Its siting ensures no adverse effect on the landscape character or views from Station Road.

Amenity Considerations

The site is remote from sensitive receptors. The unit meets acoustic standards and poses no significant noise issues.

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Conclusion

This modest proposal:

- Enhances a viable rural enterprise;
- Avoids harm to local character, flood safety, or amenity;
- Aligns with local and national planning policy.

We respectfully request approval of this application in line with the Development Plan and NPPF.

PLANNING HISTORY

25/00645/LDP: Application Withdrawn: 10/06/25 - LAWFUL DEVELOPMENT CERTIFICATE-Installation of solar panels onto existing south facing roof - The Barn

22/02214/DISC_A: Discharge of Condition final letter: 24/10/24 - DISCHARGE OF CONDITIONS 4 AND 6 ATTACHED TO PLANNING PERMISSION 22/02214/F - Part retrospective agricultural store - The Barn

22/02214/F: Application Permitted: 05/06/23 - Part retrospective agricultural store - Land W of Kenwick Hall And S of Track

21/01725/F: Application Permitted: 08/12/21 - Construction of new agricultural field access - Land Off Station Road

21/01732/AG: Consent Not Required: 13/12/21 - Agricultural Prior Notification: Steel framed and clad building in modern style of farm buildings - Land Off Station Road

RESPONSE TO CONSULTATION

Parish Council: OBJECTS - comment is summarised as:

Concerns are raised regarding this application on the grounds of noise, dust, highway, access and traffic impact on the neighbouring properties. The applicant previously stated that a dryer would not be erected in this area.

CSNN: NO OBJECTIONS - comment is summarised as:

Following confirmation from the agent regarding the site and noise report, I have no objections, however, recommends conditions regarding internal fans being removed from the building, no additional plants or fans and a revised noise management plan approved under 22/02214/DISC_A.

REPRESENTATIONS FOURTEEN OBJECTION comments received. Comments are summarised as:

- Grain dryers are noisy, dusty and not suitable near residential areas,
- A grain store/dryer was refused two years ago and this application should be too,
- Increase in traffic movement from HGVs, this will cause highway safety impacts and the road is not suitable for the increase in traffic,
- The site is located in Flood Zone 3,

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- The application form states that the site area is 74m2, why is the applicant claiming BNG exemption, over 25m2,
- The site plan does not match the noise assessment report,
- The cumulative noise levels from the grain dryer and associated plant could be considerable and cause nuisance to the local residents,
- The current application does not include the existing air vents,
- The application has been changed from a grain dryer to considers unit, this make no changes the detrimental impacts of the development and does this mean there is an existing grain dryer, which this is to be used with,
- Industrialisation is eroding the rural character of the village,
- Bulk of the dryer and height would overpower the area,
- Applicant has previously stated that there would be no grain dryer,
- Impact the air quality and the lights create unacceptable light pollution throughout the night,
- The noise report does not take into account the A17 between midnight and 5am, and
- Health concerns from dust created by the dryer.

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

LP18 - Design & Sustainable Development (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

Form and character

Impact on neighbour amenity

Highway safety

Climate change

Biodiversity Net Gain

Any other matters requiring consideration prior to determination of the application

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.

Clenchwarton is classified as a Tier 4 Settlement (Key Rural Service Centres) under Policy LP01 of the Local Plan 2021-2040 and the relevant policies of the Local Plan to this development are LP18 - Design and Sustainable Development and Policy LP21 - Environment, Design and Amenity.

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Form and Character:

The application is for a proposed condenser unit at The Barn, Station Road, Clenchwarton. The condenser unit would be approximately 1.2m deep, 5.9m wide and 2.1m high sited on the north elevation of the agricultural building. The condenser unit would be used in connection with the existing agricultural storage building on site, to cool the facility.

Policies LP18 and LP21 of the Local Plan states that development should respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout, materials and access will enhance the quality of the environment and should respond sensitively and sympathetically to the local settings and pattern of adjacent streets.

The proposed condenser unit would be small in scale and be set approximately 43.6m back from Station Road, well screened by the existing building and earth bund surrounding the site. The proposed unit is therefore considered to be in keeping with the character and form of the existing site and would not cause harm to the visual amenity of Station Road and surrounding countryside.

Overall, the form and character of the proposed condenser unit is considered to be acceptable and would be in accordance with Policies LP18 and LP21 of the Local Plan 2021-2040.

Impact on Neighbour Amenity:

The closest neighbouring dwellings to site are Kenwick Hall, situated approx. 145m to the northeast and Lyndhurst, situated approx. 203m to the south. A line of dwellings is located further along Station Road. Due to the small scale of the proposed condenser unit, the proposal would not cause any detrimental impacts from overlooking, overbearing and overshadowing to the surrounding neighbouring dwellings.

The Planning Agent submitted a Noise Impact Assessment (NIA) to understand the noise impact of the proposed condenser unit on the local area. Two assessments for the NIA were carried out on different two dates: March 6th and 7th 2025. The Assessment found that the background noise levels were around 45dBL during the daytime and 33dBL in the nighttime. The compressor within the proposed condenser unit would generate around 86dBL, however, reduced to 71dBL as it would be within the steel enclosure of the unit.

Whilst the NIA demonstrated there would be a degree of noise generated, the noise generated is considered low and the cumulative noise of the building and proposed unit to residential neighbours is considered acceptable. The noise impact assessment submitted with this application will be conditioned and will limit the noise level generated by the proposed condenser unit to 71 dB Lwa.

Whilst the Community Safety and Neighbourhood Nuisance team initially objected to the proposal on noise impacts, following discussions with the consultants who provided the NIA, CSNN removed their objections subject to a condition for the NIA, removal of an existing fan and permission to be sought from the Local Planning Authority before the installation of any equipment. However, as the agricultural building is not included in the red line of this application and the internal fans benefit from permitted development rights, the conditions requested by CSNN would not meet the test of conditions. Condition 3 of previous application 22/02214/F has already removed permitted development rights for fans, vents or any other mechanical plant for the purpose of drying, ventilation or extraction to be installed on the building without planning permission. The noise management plan approved under

application 22/02214/DISC_A relates to the previous development on site and a condition to amended this would also not be enforceable.

Overall, the impact on neighbours is considered acceptable and would be in accordance with Policy LP21 of the Local Plan 2021-2040.

Highway Safety:

The proposal would not result in additional traffic movement to the agricultural building, the proposed condenser unit is to be used in connection with the existing use of the building and to provide cooling to the facility.

In terms of highway safety, the proposal would meet LP13 and LP21 of the Local Plan 2021-2040.

Climate Change:

In relation to LP06 of the Local Plan 2021-2040, it is not considered to be reasonable or appropriate to require climate change mitigation measures for a development of this scale given that it is for the installation of a small standalone condenser unit. Furthermore, the proposed condenser unit would not generate dust or affect the air quality.

Biodiversity Net Gain:

The applicants have claimed a de minimis exemption from Biodiversity Net Gain (BNG). The proposed condenser unit would cover approx. 12.6m² of land and therefore the development would impact less than 25 square metres of non-priority onsite habitat.

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

During the application process the description of development was changed from a "proposed grain dryer" to a "proposed condenser unit". The application form was incorrectly filled out and an incorrect noise report was submitted, however, the original plans submitted were for the correct proposal (condenser unit). A revised application form and noise report was submitted, and re-consultation was undertaken. Many of the third-party comments and comment from the Parish Council relate to a grain dryer. Whilst they have been included and considered as part of this application, the proposal is for a condenser unit only and the impact of the development has been assessed against this proposal only.

The existing agricultural building is also not included in the red line and therefore the existing vents and lights are not considered as part of this application.

The site is located in Flood Zone 3 and due to the nature of the development, is considered compatible development in this area.

CONCLUSION:

Overall, the proposed condenser unit would be a small-scale structure, which would be in keeping with the character of the existing agricultural building and being set back from Station Road, screened by the existing landscaping and building, the proposal is considered to not cause detrimental harm to the visual amenity of the street scene and the countryside. The proposal would also not cause detrimental impact to the surrounding neighbours or highway safety concerns.

Planning Committee
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The proposal is therefore considered to be acceptable and in accordance with LP18 and LP21 of the Local Plan 2021-2040 and the NPPF 2024.

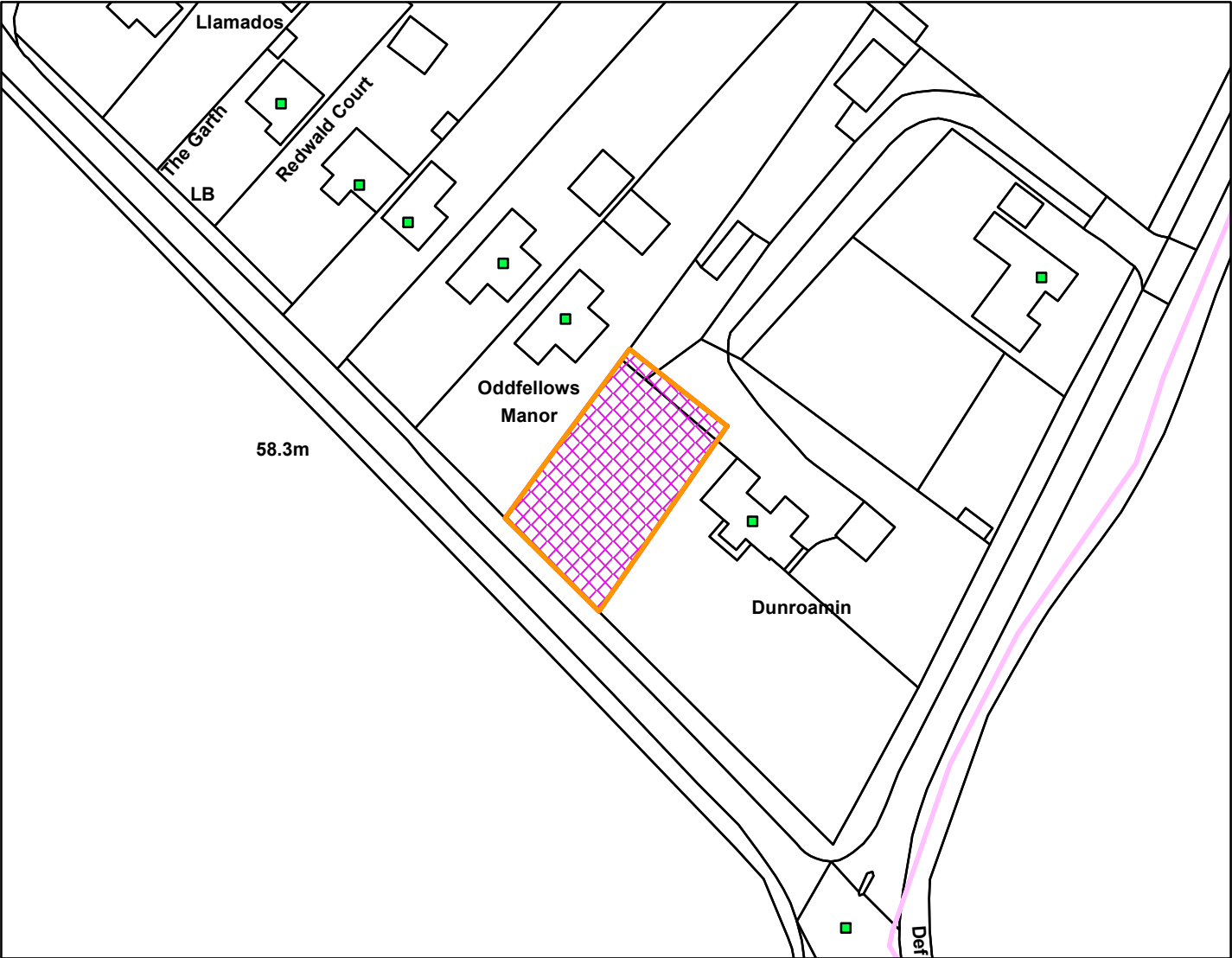
RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans, Drawing numbers:

22-P19-PL200A - EXISTING AND PROPOSED PLANS AND ELEVATIONS
(Received 16/05/25)
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The noise level generated by the condenser unit hereby permitted shall not exceed 71 dB Lwa and the development shall be constructed in full accordance with the Noise Impact Assessment written by S.Jefferson MSC, MIOA, dated 10th April 2025.
- 3 Reason: In the interests of the amenities of the locality in accordance with Policy LP21 of the Local Plan 2021-2040 and the principles of the NPPF.

Dunroming Bircham Road Stanhoe King's Lynn PE31 8PU



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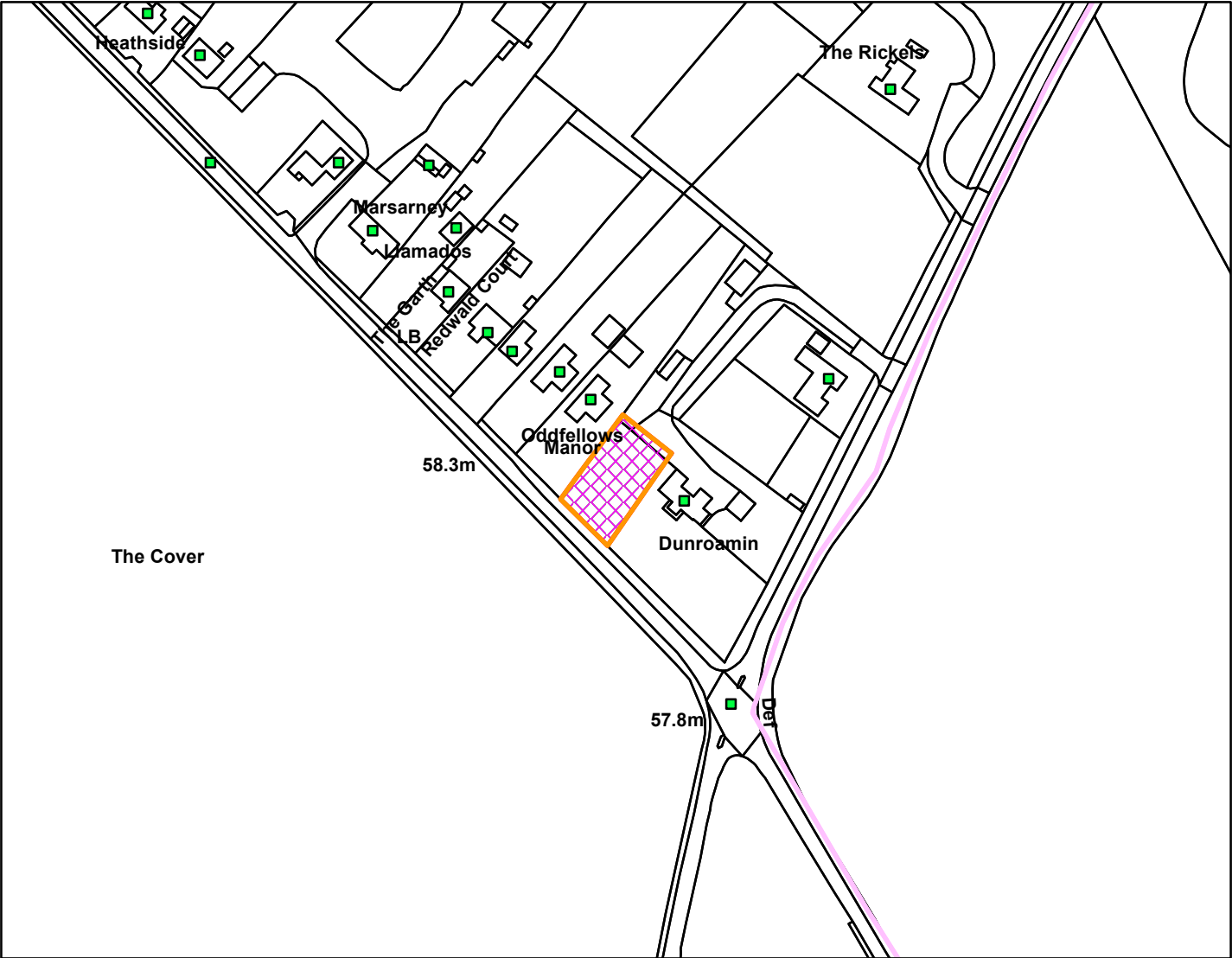
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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

Dunroming Bircham Road Stanhoe King's Lynn PE31 8PU



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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

Parish:	Docking	
Proposal:	SELF BUILD: Outline application with all matters reserved for the erection of proposed single storey dwelling and associated works	
Location:	Dunroming Bircham Road Stanhoe King's Lynn PE31 8PU	
Applicant:	Mr Mark Dunn	
Case No:	22/00678/O (Outline Application)	
Case Officer:	Lucy Smith	Date for Determination: 14 July 2022 Extension of Time Expiry Date: 8 December 2023

Reason for Referral to Planning Committee – Originally called in by Cllr Sandell, and at the request of the Assistant Director.

Neighbourhood Plan: No

Case Summary

The application seeks outline planning permission with all matters reserved for the construction of a single storey self-build dwelling on land associated with a dwelling known as Dunroming, Bircham Road, Stanhoe.

The application site is some 1.7km outside of the development boundary for Stanhoe as per the policies plan under Policy LP02 of the Local Plan 2021-2040 and is within the Nutrient Neutrality Catchment Zone outlined by Natural England.

Key Issues

Principle of Development
Design and Impacts on Neighbours
Nutrient Neutrality
Highway Safety
Other material considerations

Recommendation

REFUSE

THE APPLICATION

The application seeks outline planning permission with all matters reserved for the construction of a single storey self-build dwelling on land associated with a dwelling known as Unrobing, Bircham Road, Stanhoe.

The application site is some 1.7km outside of the development boundary for Stanhoe as per the policies plan under Policy LP02 of the Local Plan 2021-2040 and is within the Nutrient Neutrality Catchment Zone outlined by Natural England.

The donor dwelling to the east of the site is a single storey bungalow which has recently been constructed on site following permission being granted originally under 15/01753/F (since varied). To the west of the site lies existing dwellings recently constructed at The Scrap Yard under application 13/01203/F (since varied).

In so far as the timeline for this application, Members should be aware that the application was submitted in 2022 immediately prior to Natural England adopting their Nutrient Neutrality Catchment Zone which directly impacted on assessment of this application whilst potential mitigation options were considered. Ultimately, no Nutrient Neutrality Mitigation Strategy was provided until November 2024, and this document then subsequently required updates and amendments following consultation.

An acceptable version of the document was not received until 6th March 2025, and considering the objection from the Parish Council, as Sifting Panel was necessary to comply with the Scheme of Delegation, no decision was capable of being made prior to the adoption of the Local Plan on 27th March 2025. This changed the overarching policies which apply to the application, as the infill policy (Previous DM3) no longer applies, and Stanhoe is now categorised as a Tier 5 settlement and has a development boundary which this application is outside of.

Members should be aware that all planning decisions must be made on the basis of the planning policies in place at the time of the decision. In this case, the relevant policies are within the new Local Plan 2021-2040.

As outline permission is sought, no details are to be determined at this stage. Access is proposed via the B1454.

SUPPORTING CASE

As has already been stated in this committee report this application is for outline planning consent for a single storey self building dwelling for all matters reserved.

The site is located in a small cluster of approximately 15 residential dwellings on Fakenham Road Stanhoe, and the current use of the land is part of the large residential garden to the donor property Dunroming and therefore there will be no change in the current designated use of the land that forms this application if consent is given.

Also I believe the application to be very unique in the borough as it is I believe the only application that has crossed over in the change of local plans. As you can see from the email I have attached below from the planning officer following the removal of the highways objection to the scheme the planning department were looking to recommend the scheme for approval, as it fell in line with infill policy of the then current local plan.

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Unfortunately, due to a later objection from Docking parish council the application could not in the end be determined at officer level before the change of local plan was adopted in the borough.

The application you see before you today is still for as described above an infill property, which due to its single property nature is best suited to a self build dwelling as the application now checks consent for. This would be supported by the current local plan policy LP 31 which states:

“Custom and Self-Build Housing

- 1. Proposals for self-build and custom housebuilding will be supported where they respect local character and comply with other relevant policies in the plan.*
- 2. On multi-plot sites, proposals will be encouraged to make a proportion of serviced dwelling plots available to self and custom housebuilders, for which consideration should be given to the sizes of plots identified as required on the Self Build Register.*
- 3. The delivery of plots for custom and self-build housing will be secured by a planning condition or S106 agreement.”*

The application site respects the local character due to the proposed nature of the application is for a single storey self build dwelling, which the site is self is currently surrounded by. This scheme will also provide a property to meet the needs of the borough current self build register and go some way to assisting with facilitating much needed self build plot. The application can be secured by a planning condition or S106 agreement.

We therefore respectfully ask that this application is given consent, when considering the above brief statement and including the unique nature that this application has been brought to planning committee having previously been under to old local plan being supported for approval.

PLANNING HISTORY

No relevant planning history.

RESPONSE TO CONSULTATION

Docking Parish Council: OBJECTION (17/03/25) 'on the grounds that we have limited green space, and this would remove some of it. The area is becoming overcrowded, and it's overdeveloped.'

OBJECTION (20/05/22) 'Docking Parish council discussed these plans at their meeting 19th May, they object to this application. They feel that the entrance is on to a 60MPH road close to a cross-road on a bend so will be dangerous, also the site is becoming more crowded and feel that the area should be left as garden/green space.'

Please Note - two responses were received from Docking Parish Council on 17th March. An earlier response provided in depth comments relating to 50 lodges and were quickly superseded by the above comments.

Highways Authority: NO OBJECTION ON HIGHWAY SAFETY GROUNDS 'It is the view of the Highway Authority that the proposed development is likely to conflict with the aims of

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sustainable development and you may wish to consider this point within your overall assessment of the site.

Whilst the proposed access is a short distance from the B1155 Crossroads, the width of the highway verge and visibility splays available would not support a recommendation of refusal for highway safety reasons, accordingly I withdraw my holding objection...'

Recommended conditions relating to the provision of safe access including visibility splays etc.

Environmental Health & Housing - Environmental Quality: Recommended conditions

'The Desk Study and Risk Assessment by Norfolk Partnership Laboratory dated March 2016 recommended general contamination suite testing on topsoil to ensure their suitability for use in garden areas. With this in mind we recommend the following conditions around verification reporting and reporting of unexpected contamination to ensure the recommendations in the Desk study report are adhered to and the site is suitable for use.

- 10011 - implementation of approved remediation scheme
- 10012 - reporting of unexpected contamination'

Ecologist: NO OBJECTION - 'The HRA has now been finalised and I have no objection to the proposal subject to conditions require to enforce compliance with the HRA/Nutrient Mitigation Strategy.'

Natural England: - NO OBJECTION, subject to mitigation being secured.

REPRESENTATIONS

THREE letters of **OBJECTION**, summarised as follows:

- Impact on highway safety on this stretch of road
- Overdevelopment, cramped form of development
- Existing planning breach as landscape not completed as per plan
- Non-compliance with building line
- Impacts on trees and hedges along boundary

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

LP02 - Residential Development on Windfall Sites (Strategic Policy)

LP06 - Climate Change (Strategic Policy)

LP13 - Transportation (Strategic Policy)

LP14 - Parking Provision in New Development

LP18 - Design & Sustainable Development (Strategic Policy)

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

LP21 - Environment, Design and Amenity (Strategic Policy)

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

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

LP02 - Residential Development on Windfall Sites (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)

LP27 - Habitats Regulations Assessment (HRA) (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 Impacts on Neighbours

Nutrient Neutrality

Highway Safety

Other material considerations

Principle of Development

Outline planning permission is sought with all matters reserved for the construction of one self-build dwelling on land facing Fakenham Road, Stanhoe.

The application site is positioned within Stanhoe, within a small group of frontage dwellings, divorced from the main extent of the rural settlement, facing the B1454 (Fakenham Road), and turning the corner at the crossroads along the B1155. The application site would be positioned to the west of an existing bungalow known as 'Dunroming' which is positioned within a large plot. Dwellings have, in more recent years, been approved on either side of

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22/00678/O

Dunroming (west and north) and provide a street scene setting amongst this very small group of houses. The applications for these houses were supported by the Parish Council and ultimately by Planning Committee due to the positive benefits of removing untidy land.

Since submission of this application, whilst determination was delayed due to a lack of information to resolve Nutrient Neutrality issues, the New Local Plan has been adopted. To be sound, the decision must be determined in accordance with the Local Plan which is in force at the time of the decision. Whilst the infill policy (previously DM3 of the SADMPP 2016) applied upon submission, this policy is no longer a material planning consideration and the principle of development is controlled via Policy LP02 of the Local Plan which has passed examination and has full weight in decisions, being considered to comply with the overarching aims of the NPPF (2024).

The application site is outside of the development boundary for Stanhoe which is a Tier 5 settlement in the current Local Plan, positioned around 1.7km from the development boundary of Stanhoe, and around 1.8km from the development boundary of Docking.

Policy LP02 states that residential development will not normally be supported outside development boundaries of Tier 5 settlements, unless allocated through the Local Plan or a Neighbourhood Plan.

Whilst the second part of Part 5 of this policy could apply given Appendix I of the Policy sets out a need for one additional dwelling within the plan period, it should be noted that this is only where there are no opportunities within the development boundary and consideration would be subject to complying with criteria under Parts 1 and 2, which, amongst other things, require development to maximise opportunities to reduce the need to travel and to encourage sustainable and active travel modes of transport.

Paragraph 83 of the NPPF (2024) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

The overarching aim of the NPPF (2024) is to provide for sustainable development. The application site, at in excess of 1.7km from the nearest edge of settlement boundary, with no footpath provision to provide safe suitable or convenient access to the nearest facilities other than via private motor vehicle, the application site is not considered to be well-related to a settlement and would not provide for sustainable development.

The application site is not isolated and the provisions of Paragraph 84 of the NPPF (2024) would not apply.

Some positive weight can be given to the benefit of self-build housing, particularly at a time where there is a shortfall in overall supply; however it should be noted that the contribution towards supply made by this application would be limited, and the NPPF (2024) sets out clearly in footnote 28 that the duties in regard to sections 2 and 2A of the Self Build and Custom Housing Act 2015 requires the Local Planning Authority to give enough **suitable** development permissions to meet the identified need. The proposal site, given distance to settlements and facilities would not be considered suitable for additional housing as per Policy LP02 of the Local Plan and therefore the benefits towards supply of self-build housing would not outweigh the overall policy requirements which seek to provide for sustainable development across the Borough.

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Overall, the proposal is considered at odds with the overarching aims of the NPPF, in particular Paragraph 83, and Policy LP02 of the Local Plan in regard to the location of new residential development.

Design and Impacts on Neighbours

All matters are reserved and therefore no detailed consideration of design takes place at this stage. Considering the street scene, it is likely that a single storey dwelling would be most appropriate for the site and conditions could be utilised to control the terms of this consent.

It is therefore likely that a design brought forward at reserved matters stage would be able to suitably relate to the wider street scene and protect the amenity of neighbours to the extent that would comply with Policies LP18 and LP21 of the Local Plan.

Nutrient Neutrality:

The proposed development would lead to a net increase in nutrient loads which requires offsetting for the development to be considered nutrient neutral and to rule out impacts on the River Wensum SAC. An appropriate assessment has taken place which demonstrates that permission can be granted, subject to mitigation being secured via condition. Natural England no longer provide detailed advice on Nutrient Neutrality issues; however, it is evident that the previous clarity issues raised by their consultation response have been resolved through additional information. The appropriate assessment has been completed, as requested within Natural England's comments, and is available on the online file.

The proposed mitigation strategy is to offset the net increase in nutrients through the upgrade of the septic tank which currently serves the donor dwelling, located in blue land adjacent to the east of the site as shown on the proposed site plan. The upgrade of septic tanks to modern package treatment plants (PTP) is an established and acceptable form of nutrient mitigation

The upgrade calculations have been provided in Appendix B of the Nutrient Neutrality Assessment and Mitigation Strategy. The mitigation proposed is therefore sufficient to offset the Nitrogen budget of the proposed development.

The Council are therefore satisfied the submitted information provides sufficient certainty the principle of upgrading the existing Septic Tank would significantly reduce the subsequent nutrient loads discharged from the property. Installation and maintenance of the new PTP would be carried out in accordance with current British Standards (BS EN 12566) and building regulations, and Environment Agency's 'General Binding Rules'. The occupiers of the existing dwelling, which is within the Applicant's control would be responsible for ongoing maintenance and management of the upgraded PTP.

Prior to the commencement of the use, a monitoring and maintenance plan for the PTP must be secured via planning condition. This will include:

- PTP performance testing three times in the first year following installation (i.e. once every 4 months) then every year thereafter. Where results are above 1.6mg TP/litre and 7.9mg TN/litre, tests will be repeated within 2 weeks. Should this result also be above the acceptable threshold, the Council will be informed, and remedial action undertaken in line with recommendations of a qualified service engineer. After the first year and where discharge rates are below those listed on the performance certificate, testing will take place annually.

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- Desludging of PTP will be carried out every two years in line with manufacturer instructions, unless this is determined to be inadequate in which case frequency will be increased to every year.
- All monitoring and maintenance will be recorded and held by the operator (homeowner) of each plant with a copy supplied to the Council by the 'Monitoring Company'.
- Occupancy of the new dwelling will only be allowed once performance of installed PTP is established and satisfactory to ensure the proposed development would be nutrient neutral.

The measures set out above will ensure mitigation is provided in advance of development impacts occurring, is effective and reliable, and can be enforced in the event of noncompliance or poor performance.

Subject to the monitoring and maintenance plan being secured, it is considered the proposed development will not have an adverse effect on the integrity of the Habitats Sites identified above from nutrient pollution when considered 'alone'. This has been agreed by the Council's Ecologist and Natural England in their most recent response.

In regard to in-combination recreational impacts scoped into the GIRAMS study, the GIRAMS fee will be collected at Reserved Matters stage. This is sufficient to rule out effects on protected sites through increased recreation.

Subject to the aforementioned condition, the proposal therefore complies with the Conservation of Habitats and Species Regulations (2017) and planning permission could be granted. The application complies with Policies LP19 and LP27 of the Local Plan.

Sustainable Transport and Highway Safety

The Local Highway Authority, whilst not seeking to objection on highway safety grounds, has raised concern over the principle of the development in this location where this goes against the core principles of the NPPF (2024) in regard to provide for sustainable transport for all modes. The common theme of Section 9 of the NPPF (2024) is the contribution that suitable transport provision and accessibility and how this relates to sustainable development as a whole.

Paragraph 116 of the NPPF (2024) states that decisions should take account of whether safe and suitable access to the site can be achieved for all. The location of the application site does not comply with this aim, with no formal footpath provision available to either Stanhoe or Docking; thereby requiring any future occupants to walk along an unlit, high traffic road with no safe pedestrian provision, for significant periods to reach the edge of either nearby settlement. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport.

Whilst the Local Highway Authority do not raise highway safety concerns and the principle of a single new access point serving one dwelling in this position would be acceptable, the sustainable transport issues raised by the Local Highway Authority provide further justification against the principle of development - whilst visibility splays may allow the access to be technically safe, the provision of an additional dwelling in this position would not comply with the overarching aims of the NPPF (2024), and in particular Section 9 in regards to sustainability, accessibility, safety, and ensuring that development is focused on areas which are or can be made sustainable, through limiting the need to travel or providing genuine options for sustainable transport modes. The need for development to reduce the

Planning Committee
30 June 2025

need for travel is outlined in Policy LP02 (Paragraph 1.f), Policy LP06 (Paragraph 1) and Policy LP13 (Paragraph 4.a) and the principle of development of an additional dwelling in this position would fail to comply with these policies when read as a whole.

Other material considerations

Contamination - The Environmental Quality Teams comments referred to conditions on the previous application on site not being discharged, in relation to contamination impacts from the previous scrap yard use next door. Whilst the adjoining scrap yard site has since been developed and remediated there is still a risk of contamination due to proximity to the site. This was noted in a previous application that included the proposed site as a residential garden for the development that was permitted under 15/01753/F. These conditions were not discharged, and a copy of the report was submitted with this application. Conditions are recommended to ensure a suitably detailed verification report is submitted and agreed to ensure the site is suitable for future residential use, in line with Policy LP21.

Biodiversity Net Gain - The application was submitted prior to Biodiversity Net Gain becoming a mandatory requirement.

Specific comments or issues:

A neighbour objection received in 2022 referred to incomplete landscaping details for the donor dwelling which were controlled via condition. An enforcement investigation has since been concluded, and 22/01113/F approved to regularise the site. There are no known ongoing planning breaches associated with the site.

In so far as issues such as the building line and landscaping, these are matters of detail which would be considered at reserved matters stage were this application to be approved.

CONCLUSION

All planning applications must be determined in accordance with the Local Plan unless material considerations suggest otherwise.

Paragraph 83 of the NPPF (2024) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Stanhoe is a Tier 5 settlement in the settlement hierarchy outlined under Policy LP01 of the Local Plan (2021-2040). Under Policy LP02 (Residential Development on Windfall Sites), proposals for new residential development will not normally be supported outside development boundaries of Tier 5 settlements, unless allocated through the Local Plan or a Neighbourhood Plan. The site is not allocated, and no neighbourhood plan is in place. The proposed development, by virtue of its location within a very small group of houses and positioned some 1.7km from the main built extent of Stanhoe, and with no formal pedestrian links available in any direction would not accord with the enabling criteria of Part 5 of Policy LP02.

The proposal would fail to provide for sustainable development in a suitable position, would not maximise opportunities to reduce the need to travel and would not encourage sustainable or active travel modes, with future occupants instead highly reliant on private motor vehicles for all journeys and for access to all services and facilities.

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30 June 2025

Whilst the contribution to self-build provision is noted, the application would not provide a suitable plot given the overall contradictions with the aims of the NPPF (2024) and Local Plan and is therefore considered to be at odds with Paragraphs 83 and 115 the NPPF (2024) and Policies LP01, LP02, LP06, LP13 of the Local Plan.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Paragraph 83 of the NPPF (2024) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Stanhoe is a Tier 5 settlement in the settlement hierarchy outlined under Policy LP01 of the Local Plan (2021-2040). Under Policy LP02 (Residential Development on Windfall Sites), proposals for new residential development will not normally be supported outside development boundaries of Tier 5 settlements, unless allocated through the Local Plan or a Neighbourhood Plan. The site is not allocated, and no Neighbourhood Plan is in place. The proposed development, by virtue of its location within a very small group of houses and positioned some 1.7km from the main built extent of Stanhoe, and with no formal pedestrian links available in any direction would not provide for sustainable development in a suitable position, would not maximise opportunities to reduce the need to travel and would not encourage sustainable or active travel modes. The location of the development ultimately would not accord with the enabling criteria of Part 5 of Policy LP02.

Whilst the contribution to self-build provision is noted, the application would not provide a suitable plot given the overall contradictions with the aims of the NPPF (2024) and Local Plan and is considered to be at odds with Paragraphs 83 and 115 the NPPF (2024) and Policies LP01, LP02, LP06, LP13 of the Local Plan.

Rowan House Back Street Harpley King's Lynn PE31 6TU



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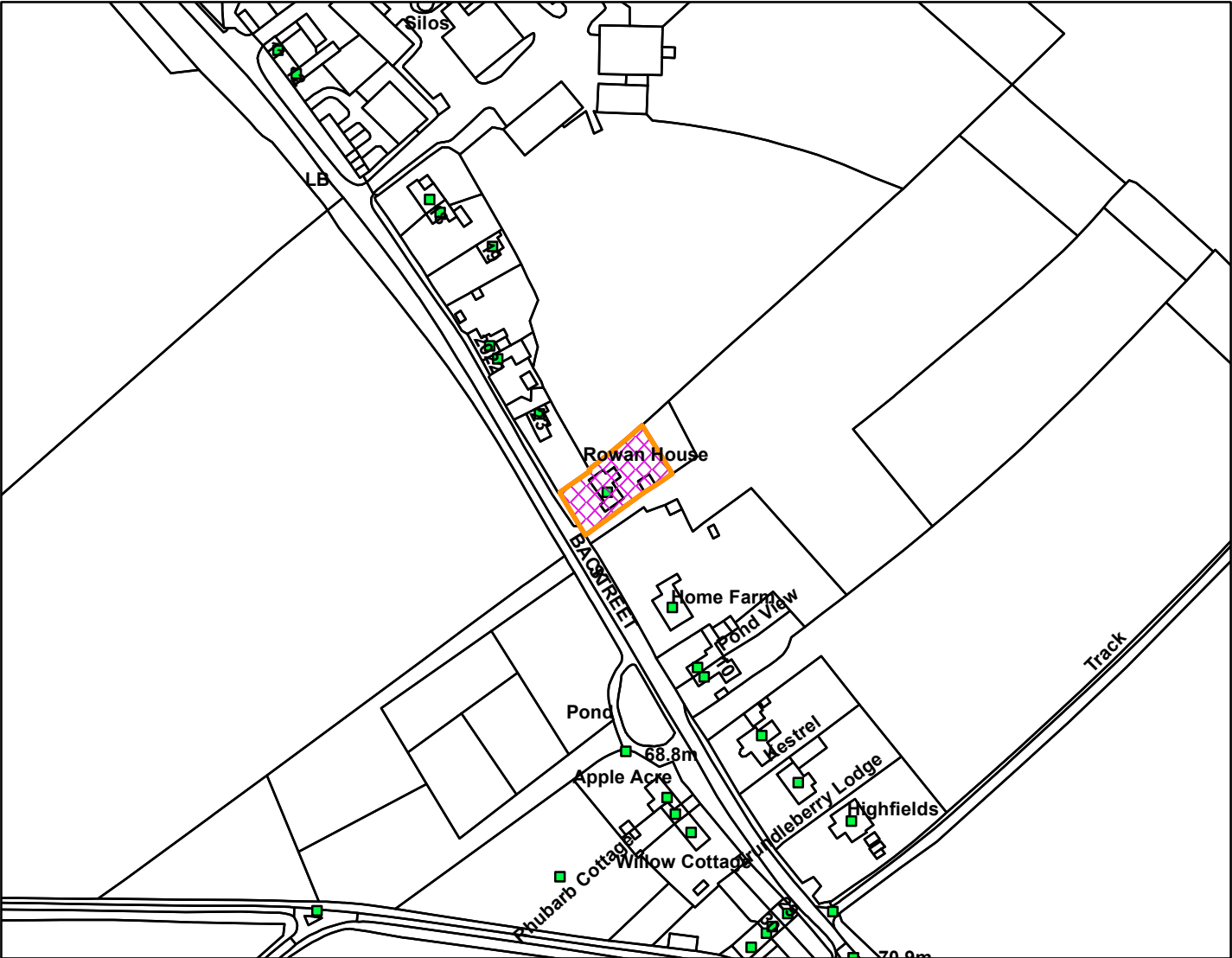
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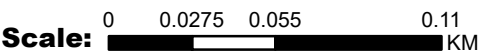
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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	16/06/2025
MSA Number	0100024314

Rowan House Back Street Harpley King's Lynn PE31 6TU



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Organisation	BCKLWN
Department	Department
Comments	
Date	16/06/2025
MSA Number	0100024314

Parish:	Harpley	
Proposal:	Change of use of an existing dwellinghouse (Use Class C3) to a residential care home for up to four children aged 8-18 (Use Class C2).	
Location:	Rowan House Back Street Harpley King's Lynn PE31 6TU	
Applicant:	Juventus Services	
Case No:	25/00611/CU (Change of Use Application)	
Case Officer:	Helena Su	Date for Determination: 28 May 2025 Extension of Time Expiry Date: 4 July 2025

Reason for Referral to Planning Committee – Called in by Cllr Beales.

Neighbourhood Plan: No

Case Summary

This application is for the change of use a dwellinghouse (Use Class C3) to a residential care home (Use Class C2) to care for up to four children between the age of 8 - 18 at Rowan House, Back Stret Harpley, a five-bedroom property.

The application site is approximately 0.08ha in size, located on the northeast side of Back Street, which is approximately 760m from the centre of Harpley village.

Key Issues

Principle of development
Form and character
Impact on neighbour amenity
Highway safety
Any other matters requiring consideration prior to determination of the application

Recommendation:

APPROVE

THE APPLICATION

This application is for the change of use a dwellinghouse (Use Class C3) to a residential care home (Use Class C2) to care for up to four children between the age of 8 - 18 at Rowan House, Back Street Harpley, a five-bedroom property. No external alterations or material operations are proposed to facilitate this change of use.

Harpley is classified as a Tier 5 (Rural Village) settlement under LP01 of the Local Plan 2021-2040. The application site is approximately 0.08ha in size, located on the northeast side of Back Street, which is approximately 760m from the centre of Harpley village.

The application is made on behalf of Juventus Services Limited, a care service that supports children and young people in Norfolk.

SUPPORTING CASE

Submitted on behalf of the Applicant - Summarised due to length. Full comment on Public Access dated 30/05/2025.

On 23 May 2023, the Housing Minister issued a written ministerial statement on planning for accommodation for looked after children. This statement sets out that the planning system should not be a barrier to providing homes for the most vulnerable children in society. NPPF sets out that local planning authorities should assess the size, type and tenure of housing needed for different groups in the community and reflect this in their planning policies and decisions by giving due weight to and be supportive of applications for all types of accommodation for looked after children in their area that reflect local needs and all parties in the development process.

Juventus brings decades of experience in setting up and running children's homes within a highly regulated sector. We take our legal and ethical responsibilities toward children and young people extremely seriously and are committed to providing high-quality care in environments that are safe, nurturing, and respectful of the communities in which we operate. It is of no benefit to Juventus, nor in line with our values, to establish a home that is not fit for purpose, unable to integrate with the local community, or poses any form of risk.

1. Parking Concerns

Causing minimal disruption and integrating respectfully into the local community are core priorities for Juventus. We are fully aware that on-street parking is not a viable option in this location. For this reason, we intend to utilise the front garden area to create suitable parking and turning space for vehicles, thereby avoiding any need for reversing onto the main road—an action we acknowledge carries safety concerns due to blind spots. We do not anticipate that the proposed change of use will significantly alter existing traffic patterns or parking demand.

2. Increased Traffic and Highway Impact

Juventus does not foresee any noticeable increase in traffic levels that would disrupt neighbouring properties. Homes of this size routinely see multiple vehicles entering and leaving during waking hours, and the proposed use will reflect that of a typical family household.

Planning Committee
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Our organisation takes environmental impact seriously and operates with a Net Zero policy across all departments, supported by active working groups. We are committed to reducing our carbon footprint wherever possible.

We are fully aware of local road conditions including the absence of pavements, limited street lighting, narrow carriageways, and agricultural traffic. Risk assessments are standard practice when selecting properties. We believe that these characteristics do not present insurmountable issues, and instead offer learning opportunities for children. Road safety is a core part of our care and education approach, and children are taught to navigate various environments safely - urban, rural, or otherwise.

With regard to waste management, the property will function like any family home. Wheelie bins will be stored discreetly and only presented on collection days.

3. Lack of Amenities.

Juventus operates children's homes across both urban and rural areas, in Norfolk, Cambridgeshire, and Suffolk. Our experience shows that children and young people benefit from a variety of environments. Our staff team is largely based in Norfolk and has an excellent understanding of local resources, geography, and services. We also actively encourage children to engage with the countryside as a form of recreation, education, and well-being.

4. Village Life

It is unclear why Harpley would be viewed as unsuitable for children. Child abuse occurs across all socio-economic groups and geographic areas—urban or rural, affluent or deprived.

We believe every child deserves the opportunity to experience different ways of life and to feel a sense of belonging wherever they live. Living in a village should be seen as a positive experience, not an anomaly.

Children benefit enormously from exposure to diverse communities. The UK is home to an ageing population, and learning to live alongside individuals of different ages, backgrounds, and beliefs is a vital part of growing up. Far from being a disruption, we believe the presence of our home and children will add richness and diversity to the local area. Juventus also places a high value on maintaining respectful and supportive relationships with local residents.

5. Occupation and Shift Patterns

Rowan House will operate as a registered children's home for UK-based children aged 8 to 18. It will not accommodate unaccompanied asylum-seeking children.

Regarding staffing, the home will operate on a 24-hour shift basis. Staff will arrive in the morning, stay overnight, and leave the following morning—mirroring the routines of a typical household. This modern shift model has been adopted to reduce disruption and improve continuity of care.

All children have individual care and safety plans, tailored to their specific needs. Our experienced and highly trained staff act as corporate parents and just like in any family home, will support children in accessing education, participating in community activities, maintaining friendships, and attending appointments.

PLANNING HISTORY

07/01224/F: Application Permitted: 06/08/07 - Single storey extension to dwelling (Delegated)

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RESPONSE TO CONSULTATION

Parish Council: OBJECT with the following comments:

The Parish Council felt there was not sufficient information available for this application, leaving many unanswered questions that Councillors raised between themselves

The application states local amenities available but it was felt that these are limited in the Parish.

The red outline of the site does not seem to be accurate

There would not be enough space for 4 cars, 2 cars with a turning space would be tight on space.

The Planning Statement states Policy LP29 - Housing for the Elderly and Specialist Care as a relevant policy of the Adopted Development Plan however the application is for Children 8-18 not the Elderly

Discrepancy between consultation dates.

Highways Authority: NO OBJECTION with comments:

From the information supplied, it would appear that in the main parking requirements would be primarily for staff use and whilst clearly there are likely to be visitors attending these may well be pre-arranged which can ensure management of the parking provision. The current available (and retained parking provision) would marginally exceed current guidance whilst still enabling vehicles to park and manoeuvre on site. Likewise, there would appear scope to increase parking provision should the need arise.

However, notwithstanding the above, the Local Highway Authority (LHA) is of the opinion that the proposed use is likely to operate akin to the present permitted use of the site and it is unlikely there would be a material increase in vehicular movements or that visitor parking demand would significantly alter. The present parking arrangements serve a five-bedroomed property, which under current parking guidance requires three parking spaces (excluding any garage provision). Service vehicles, home deliveries and visitors are likely to occur under the current permitted use on an ad hoc nature, for which parking guidance does not require additional parking provision, and that is clearly a material consideration

REPRESENTATIONS: 13 OBJECTION comments and **7 SUPPORT** comments.

OBJECTION comments summarised as follows:

- Highway concerns with parking and turning on site, visibility to Back Street, number of cars on site.
- No facilities for young people, children or asylum seekers. Harpley is a small village with no shop, the pub is currently closed and there is limited bus services and no pavement or street lighting.
- Nearby agricultural operations operate in this area.
- Would not comply with LP21 (traffic increase), LP29 (proposal is not for elderly or specialist care and site is not near facilities).
- How will waste be collected on the site - will commercial bins be provided?
- Citizens of Back Street are predominately senior citizens.
- Lack of police presence in the village and recalls break-in at this address.

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- Concern that if the application is approved, there would be little control for the future use of the house if this enterprise fails.
- Concern regarding consultation date and date on the site notice.
- Query need for an extraordinary Parish Council meeting for the planning application.

SUPPORT comments summarised as follows:

- Communities have responsibility for welfare of young disadvantage people and rural environment could work for them.
- Village currently supports many young people. Harpley is a lovely village and should be shared. Current owners of the property - have had no issues raising four children at this property and village; sending them to local schools and activities locally. Site can accommodate up to six parking spaces. Harpley is a circular village so village hall and school are not too far.
- No asylum seekers will be placed in the proposed children's home.
- Village may be short of amenities, but there are plenty of children in the village of all ages who find something to do, whether its walking, cycling, visting the park etc
- Impact on the village would be negligible.

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

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

LP06 - Climate Change (Strategic Policy)

LP14 - Parking Provision in New Development

LP18 - Design & Sustainable Development (Strategic Policy)

LP20 - Environmental Assets- Historic Environment (Strategic Policy)

LP21 - Environment, Design and Amenity (Strategic Policy)

LP29 - Housing for the elderly & Specialist Care (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

Form and character

Impact on neighbour amenity

Highway safety

Any other matters requiring consideration prior to determination of the application

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Principle of Development:

The application site is located within the development boundary of Harpley, as identified by the Local Plan 2021-2040, and considered to be in a sustainable location within the village for development.

The case of North Devon DC v FSS and Southern Childcare Ltd (2003) confirmed the view that carers who provide 24-hour care, but who are not resident, could not be regarded as living together in a household (which would be required in the context of Use Class C3(b)). Therefore, in the case of this application, where the applicant has confirmed there will be staff present on site, working in shifts, the use is considered to fall within Use Class C2.

Paragraph 63 of the NPPF is supportive of diverse housing needs for different groups in the community, this includes looked after children.

LP29 (Housing for the Elderly and Specialised Care) of the Local Plan 2021-2040 supports specialised housing for those who need support where is it location within the Spatial Strategy and Settlement Hierarchy (LP01) and i. close to town or village shops, public transport, community facilities and medical services; and ii. these are easily reached by those without access to a car, as appropriate to the needs and level of mobility of potential residents.

Harpley is a settlement within the Settlement Hierarchy of LP01 of the Local Plan 2021-2040. With regard to criteria i. of LP29 - Whilst Harpley does not have a local village shop or medical services, it does have community facilities such as a village hall and a primary school, which would be considered appropriate facilities for the intended residents of the residential care home. Moreover, whilst bus services are infrequent, a bus service to King's Lynn and Fakenham does operate on a daily basis and during peak hours in the morning and evening. Considering criteria ii. of LP29, the residents would be children aged 8 - 18 and unlikely to have access to a car and therefore would be reliant on the staff and carers to travel more widely if necessary.

The proposed residential care home in the development boundary of Harpley, as per LP01 and LP29 of the Local Plan 2021-2040 and provisions of the NPPF would therefore be acceptable in principle.

Form and Character:

The application site comprises a detached two-storey five-bedroom dwelling, situated within a modest plot, with a generous rear garden area. The site lies between No 23 to the north-west, and Home Farm, a Grade II Listed Building, to the south-east. No alterations to the external appearance of the dwellinghouse, or the site, is proposed.

Third party comments have speculated on the removal of landscaping to the front of the site to create additional parking and turning area on the site to accommodate the proposed development. However, as a Change of Use application, this is not currently being proposed. Should works, including the removal of landscaping and laying of hard surfacing to the front of the site be considered, planning permission might be required - however, this would be dependent on the level of changes being proposed. A planning application for this will then be determined on its own merit.

Regarding form and character, the proposal would have a neutral impact and would accord with LP18 and LP21 of the Local Plan 2021-2040.

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Impact on Neighbour Amenity:

The proposal has received numerous comments from neighbours in support and in objection to the application. Comments in objection covered matters such as noise and disturbance, highway safety (parking on site, parking off site, and visibility from the site), suitability and sustainability of the site location and waste collection. On the other hand, comments in support relate to welcoming the use into Harpley village and impact to the village would be negligible.

Given the nature of the proposed development, which is for a change of use only, there would be no overshadowing, overlooking and overbearing impacts.

Third parties have raised concerns regarding traffic movement, noise and disturbance. Given the level of staff proposed, it is not considered that the number of trips generated would be hugely different from a single dwelling of this scale, and while there may be times when staff are changing shifts and there are more cars on site, there is adequate room on site for parking and manoeuvring. This is considered to be acceptable and would not cause an unacceptable noise and disturbance impact.

Some third-party comments have expressed concern about the use of this site and the nearby agricultural businesses. Paragraph 200 of the NPPF state "Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs)." This is repeated in LP21 of the Local Plan 2021-2040. It is considered that the use of this site for a C2 use would remain largely similar to that of use class C3 (residential dwellinghouse), albeit not occupied by a single household, and would therefore be unlikely to be detrimental to surrounding agricultural businesses and vice versa.

Finally, a third party commented on the lack of police presence and historic police involvement at this address. This is not a material planning consideration and certainly not related to the proposed use.

Regarding impact on neighbour amenity, the scheme is considered to comply with LP21 of the Local Plan 2021-2040.

Highway Safety and Parking Provision:

The Parish Council and neighbours have made comments related to the parking and turning area on the site, visibility to and from the site, and level of traffic on Back Street.

The Local Highway Authority has raised no objection to the principle of development. For a five-bedroom dwelling, 3 parking spaces are required as per LP14 of the Local Plan 2021-2040. The main parking requirements would be primarily for staff and whilst visitors might visit occasionally by a pre-arranged visit to ensure management of the parking provision on site. The Local Highway Authority consider that the current available parking provision would marginally exceed current guidance and there is scope for increased parking provision. Notwithstanding this, the proposed use would be akin to the existing use and unlikely to materially increase vehicular movements.

A gravelled parking and turning point are provided at the front of the site, south side and rear of the dwellinghouse, where there is a detached garage. The planning agent has demonstrated that up to 7 vehicles could fit on site. It is considered that there is sufficient parking on-site for the proposed use, in accordance with LP14 and LP21 of the Local Plan 2021-2040 and Norfolk's Parking Standards.

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Concerns have been raised that the intensification of the site would put pressures on the local road network. Again, considering the potential maximum number of cars visiting the site, impacts would be similar to those expected if the building was occupied as a five-bedroom residential dwelling. Maintenance of the road would be the responsibility of the Local Highway Authority and is not a material consideration within the scope of this application.

In regard to highway safety, the proposal would comply with LP06, LP13, LP14 and LP21 of the Local Plan 2021-2040.

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

Biodiversity Net Gain:

As a change of use application, the site would meet the de minimis exemption for Biodiversity Net Gain set out in Schedule 7A of the Town and Country Planning Act 1990.

Drainage:

The site is located in flood zone 1 and not in an area of known drainage issues or nutrient neutrality catchment area. Paragraph 181 and 182 of the NPPF ensures that development would not result in drainage issues elsewhere. It is expected that at any one time, the maximum number of people on site would be around 7: 4 residents and 3 members of staff (2 members of staff to stay overnight). The proposed change of use would not increase use and pressure on the local drainage network as it would operate the same as a residential dwellinghouse with one household.

Sustainability of the site:

A number of third-party comments expressed concern regarding staff getting to and from the site.

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 application seeks to utilise an existing dwelling whilst not introducing additional traffic movements, beyond that expected of a normal household.

The Applicant has provided an example of a rota for the proposed development which shows three members of staff on the site, with two members of staff staying overnight most nights. The Applicant has confirmed that staff would arrive in the morning, stay overnight, and leave the following morning - just like a typical household.

Waste Collection:

The proposal is not for a commercial unit, where waste would exceed the domestic use of the site. Waste from the site would be akin to the residential use of the site. The Applicant has confirmed that waste bins would be stored discreetly on site and only presented on collection days.

Specific comments and issues:

On receipt of comments from the Parish Council, clarification was sought regarding the issues that were raised in order that the Agent may address the points. However, the Parish Council did not provide additional comments.

The Parish Council and neighbours have commented on the consultation period and site notice date. In accordance with The Town and Country Planning (Development Management Procedure) (DMPO) (England) Order 2015, Part 3, Article 15(5), letters were sent out to adjoining neighbours and a site notice was put up near the site. The date on the site notice was changed to comply with the legislation - allowing for the full 21 days for the site notice to be displayed. It is considered the application has been appropriately advertised as set out in the DMPO 2015.

Furthermore, a neighbour raised concerns with the Parish Council holding an extraordinary meeting for this planning application. The Parish Council meeting is separate from the functions of the Borough Council and up to their discretion to hold extra meetings for planning applications.

Lastly, some third-party comments mentioned asylum seekers being accommodated on the site. The Applicants have clarified that the proposal is intended for children in care between the ages of 8 - 18, not for asylum seekers. Whilst the Applicant's do work with asylum seekers in some capacity, it is a strand of their organisation which does not relate to this planning application.

Public Sector Equality Duty (PSED):

In making this decision the Authority must have regard to the public sector equality duty (PSED) under Section 149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in Section 149. It is only one factor that needs to be considered, and may be balanced against other relevant factors. It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

CONCLUSION

The application seeks to change the use of a residential dwelling (Use Class C3) to a residential care home for up to four children aged 8 - 18 (Use Class C2). The application site is an existing five-bedroom dwelling in Harpley, a Rural Village, where the sustainability of the site is considered acceptable being within the development boundary of Harpley.

Although concerns were raised by third parties and the Parish Council, regarding impact on neighbour impact, highways and the sustainability of the proposed development, it is considered that the proposed scale of operations of the proposed use would be similar to the residential use a large dwelling of this size and would not have any unacceptably detrimental impacts on neighbours or the locality as a whole.

On the basis of the above, the scheme is considered acceptable and in accordance with LP01, LP06, LP18, LP21, LP29, of the Local Plan 2021-2040, and the NPPF. It is therefore recommended that Members approved this application, subject to the imposition of conditions.

RECOMMENDATION:

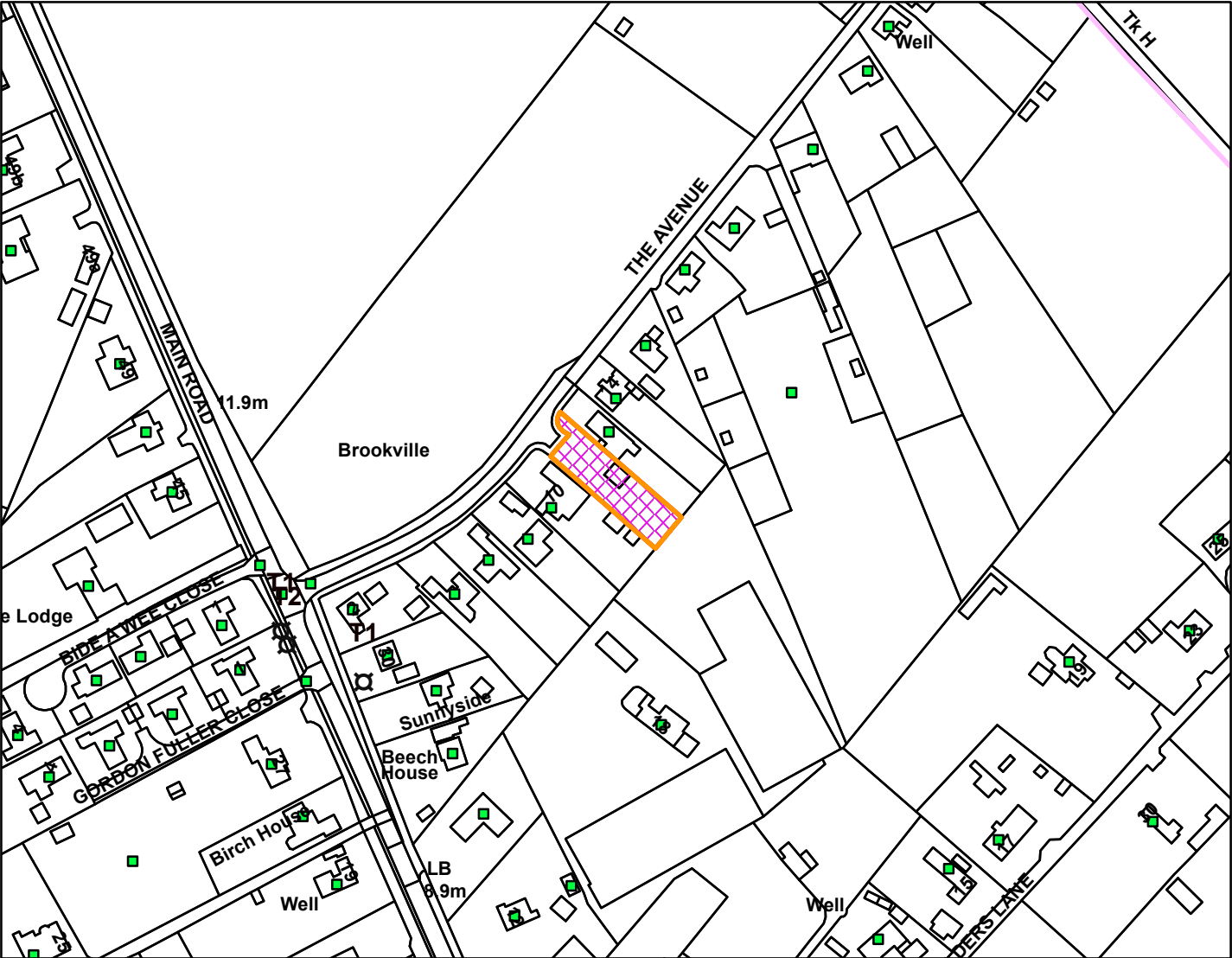
APPROVE subject to the imposition of the following condition(s):

- 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 92 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:

Location Plan 02/04/2025

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

12 The Avenue Brookville Thetford Norfolk IP26 4RF



Legend

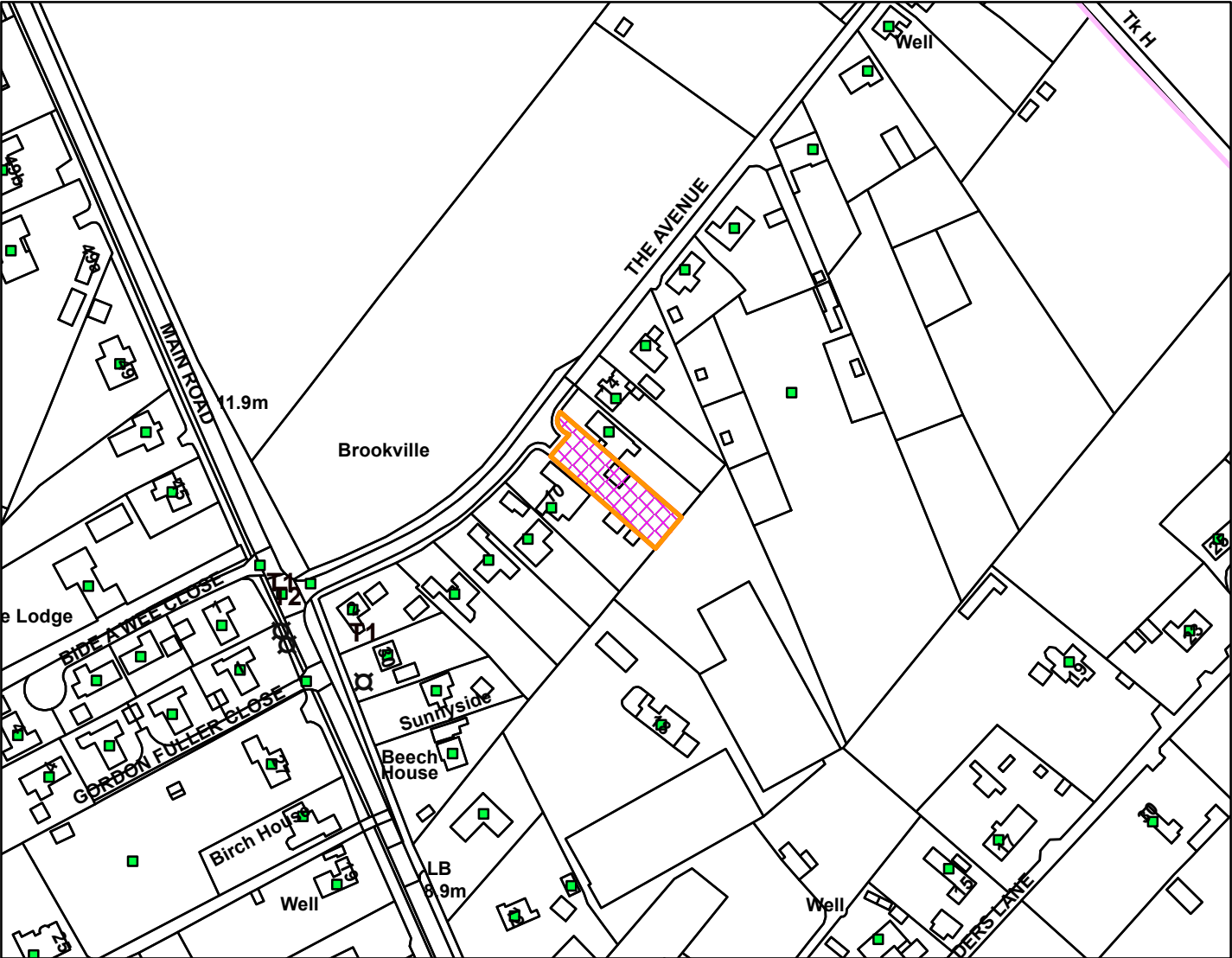
Scale: 0 0.0275 0.055 0.11 KM

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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

12 The Avenue Brookville Thetford Norfolk IP26 4RF



Legend

Scale: 0 0.0275 0.055 0.11 KM

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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

Parish:	Methwold	
Proposal:	SELF BUILD - Demolition of No 12's garage for the erection of a self-build bungalow.	
Location:	12 The Avenue Brookville Thetford Norfolk IP26 4RF	
Applicant:	Made Purple Ltd	
Case No:	25/00720/F (Full Application)	
Case Officer:	Helena Su	Date for Determination: 23 June 2025 Extension of Time Expiry Date: 4 July 2025

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

Neighbourhood Plan: No

Case Summary

This application is for a self-build bungalow, following the demolition No 12's detached garage at 12 The Avenue, Brookville, IP26 4RF.

Brookville is classified as a Tier 6 settlement (Smaller Village and Hamlet) in LP01 of the Local Plan 2021-2040. The application site is approximately 0.09ha in size, located within the development boundary of Brookville.

Key Issues

Principle of development
Form and character
Impact on neighbour amenity
Highway safety
Any other matters requiring consideration prior to determination of the application

Recommendation: APPROVE

THE APPLICATION

This application is for a self-build bungalow, following the demolition No 12's detached garage at 12 The Avenue, Brookville, IP26 4RF.

The proposed dwelling would be a deep bungalow with a hipped roof with a maximum height of 5.1m high. The proposed dwelling would measure 24.3m deep, 7.6m wide, with a north-

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eastern projecting part, which measures 14.1m deep and 3.9m wide. The proposed bungalow would be similar in appearance as donor dwelling, finished in light red multi brick, red pantiles, and light grey uPvc window and door.

Brookville is classified as a Tier 6 settlement (Smaller Village and Hamlet) in LP01 of the Local Plan 2021-2040. The application site is approximately 0.09ha in size, located within the development boundary of Brookville.

SUPPORTING CASE Submitted on behalf of the Applicant:

We write in response to the objection raised by the Parish Council in relation to the above application, specifically concerning the concern that the proposal represents overdevelopment of the site.

We would like to take this opportunity to respectfully clarify the design approach, context, and planning rationale behind the proposal:

1. Application Background and Intent

This application has been submitted in good faith and through the appropriate process. It does not seek to regularise unauthorised works or alter the planning history of the site. Rather, it proposes the modest redevelopment of land currently occupied by a detached garage, through the subdivision of the existing residential plot at No. 12 The Avenue.

The removal of the existing garage provides a reasonable planning basis for the siting of the new dwelling. It ensures the development replaces an existing built form, helping to anchor the proposal in the established built context and supporting the efficient reuse of underutilised space.

2. Scale and Massing

The proposed dwelling is a single residential unit with a lower roofline that sits comfortably within its plot and remains in proportion to neighbouring buildings. It does not represent an overly large or visually intrusive addition to the street scene.

3. Setback and Logical Site Planning

The new dwelling is positioned at the end of an existing access drive and turning head, creating a natural and logical stop-end to the built form. Its setback from the main street frontage significantly limits its visual impact, ensuring that it is discreetly sited and preserves the established character of The Avenue.

4. Amenity and Plot Size

The proposal allows for a generous rear garden and a substantial front garden, both of which are comparable with, if not larger than, many other dwellings in the area. The scheme therefore comfortably avoids any perception of cramming and offers high standards of private amenity space.

5. Character of Development

The Avenue features a varied pattern of development and plot sizes. This proposal continues that pattern in a coherent and respectful manner. The architectural form is restrained, and the dwelling is set within a well-considered layout that avoids disruption to the rhythm of the street or harm to the surrounding character.

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6. Efficient and Sustainable Land Use

The development seeks to make sustainable and efficient use of land, aligning with both local policy and national objectives set out in the NPPF. With homelessness and housing pressures increasing across the UK, sites such as this i.e., deliverable, small-scale and sensitive to their context, offer a meaningful contribution to housing need without creating harmful impacts on landscape or infrastructure.

In summary, the proposed development reflects a careful balance between delivering much-needed housing and maintaining the residential character of the area. The proposal is well-sited, appropriately scaled, and in line with the aims of sustainable growth and design-led development.

We would welcome the opportunity to engage further to support the progression of this application.

PLANNING HISTORY: None

RESPONSE TO CONSULTATION

Parish Council: OBJECT The Parish Council believe this is overdevelopment of the site and could lead to more overdevelopment, given the planning history of the developer.

Their last retrospective application was as a result of them completely ignoring their original planning permission, this was brought to the attention of planning enforcement, but it would appear no action was taken.

Comments about the other planning application made from the same applicant/developer.

Local Highways Authority: NO OBJECTION Having visited the site and examined the submitted information, in terms of highway considerations for the adopted road network, the LHA have no objection to the principle of the application and recommend a condition for the laying out of the parking and turning area.

Public Rights of Way: NO OBJECTION PROW have no objection in principle to the application but would highlight that a Public Right of Way, known as Northwold Restricted Byway 11 is aligned coincident with The Avenue. The full legal extent of this Restricted Byway must remain open and accessible for the duration of the development and subsequent occupation.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Internal Drainage Board: NO OBJECTION subject to the Board's byelaws being complied with.

Arboricultural Officer: NO OBJECTION to the principle of development, but seeks a pre-commencement condition to protect the remaining trees to the rear of the site.

REPRESENTATIONS Three **OBJECTION** comments, summarised as follows:

- Narrow plot, over development, insensitive and detrimental infilling
- Not in keeping with the locality
- Too close to No 10 and No 12

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- Trees have been felled to make way for the development
- Overshadowing, overlooking.
- Shadowing impact will result in more artificial light which will increase carbon footprint and bills.
- Existing facilities in Methwold are oversubscribed.
- Increased traffic would impact use of bridleway and PROW

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)

LP05 - Implementation (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)

LP21 - Environment, Design and Amenity (Strategic Policy)

LP22 - Provision of Recreational Open Space for Residential Developments (Strategic Policy)

LP23 - Green Infrastructure (Strategic Policy)

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

LP31 - Custom and Self-Build Housing (Strategic Policy)

LP30 - Adaptable & Accessible Homes (Strategic Policy)

LP29 - Housing for the elderly & Specialist Care (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
Form and character

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Impact on neighbour amenity
Highway safety
Flood risk
Any other matters requiring consideration prior to determination of the application

Principle of Development:

Brookville is classified as a Tier 6 (Smaller Village and Hamlet) under the settlement hierarchy of LP01 of the Local Plan 2021-2040. Under LP02, residential development within development boundaries of Tier 1 - 6 settlements would be supported provided it complies with other relevant policies in the development plan, and meets the criteria set out within part 1 of LP02.

The proposal is considered to meet part 1a and d: it would result in a sustainable design of development which would respect and enhance local character, contribute to placemaking and reinforce local distinctiveness, and readily assimilate into the settlement in accordance with LP18, LP21 and LP22. Furthermore, the proposal is considered to comply with the general environment and landscape setting policies set out in LP06, LP15, LP16, LP19, LP23 and LP26. This will be discussed further under the 'Form and Character' section of the report. The proposal is for a single dwelling and therefore not relevant to part 1b.

Regarding part 1 c, e and f, the proposal is considered to be in a sustainable location within the development boundary of Brookville and would not result in an unacceptable impact on highway safety and local services and infrastructure, given that the proposal is for a single dwellinghouse.

The self-build and custom nature of the proposal also weighs in favour of the proposal as 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". The Council currently have not met this legal need. Furthermore, LP31 of the Local Plan 2021-2040 supports applications for self-build and custom dwellings where the proposal complies with other local plan policies. The addition of one dwelling, although limited, would be a positive contribution and therefore is afforded weight in the determination of the application.

The principle of development is considered acceptable, in accordance with LP02 and LP31 of the Local Plan 2021-2040.

Form and Character:

Brookville is largely developed linear to Main Road, which runs through the centre of the village. Dwellings in Brookville have no typical architectural style. Recent residential developments in Brookville are of contemporary farmhouse appearance: with large glazing panels and a mix of brick and cladding material palette.

The Avenue is located to the east side of Main Road and comprises linear development to the south and open, undeveloped countryside to the north. Dwellings to the west of The Avenue are more consistent in form, being two-storey modern dwellings with an attached garage to the front (north), with approximately 4.5m - 1m gaps between the buildings. Heading east into The Avenue, dwellings are a mix of bungalow and two-storey dwellings, with more spacing (between 9m - 14m) between dwellings and finished in various different materials, including brick and render.

The proposed dwelling would be a traditional bungalow design of a similar size and appearance to the donor dwelling (No 12), also a bungalow. The proposed bungalow would measure 24.3m deep, 7.6m wide, with a north-eastern projecting part, which measures 14.1m deep and 3.9m wide. The overall height of the dwelling would be 5.1m tall. The dwelling is proposed to be finished in light red multi brick, red pantiles, and light grey uPvc window and door, which would be consistent with the material palette of The Avenue and therefore considered acceptable.

The proposed dwelling would be placed somewhat centrally on the site, set behind the building line along The Avenue, with parking area to the front of the site and garden land to the rear. Along the front boundary, a 1.2m tall three-rail timber fence is proposed, a 1.2m three rail timber fence and 1.8m closed boarder fence along the shared boundary with the donor dwelling, and 1.8m closed boarded fence at the south-west elevation and north-east elevation to enclose the private amenity space. The proposed boundary treatment is considered acceptable in the street scene where low timber fence and hedges are evident to the front boundary of dwellings along The Avenue.

The proposed dwelling would be of a similar height to the adjoining neighbours, No 12 and No 10, and would not appear prominent or dominating in the street scene. Furthermore, the hipped roof design would be in keeping with the adjoining neighbours and general character along The Avenue.

The Parish Council has raised concerns that the development would be overdevelopment of the site. However, it is considered the provision of one dwelling on this site would be consistent with the pattern of the street scene. Moreover, the donor and proposed dwelling would have sufficient parking and external amenity space relevant to the size of the dwelling in accordance with LP21 and LP22 of the Local Plan 2021 - 2040.

In terms of form and character, the proposal is considered to comply with LP18, LP21 and LP22 of the Local Plan 2021-2040.

Impact on Neighbour Amenity:

The application site has two immediate neighbours, No 12 (donor dwelling) to the north-east and No 10 to the south-west. Three neighbour objections have been received. However, two of the comments were made by the same party. Neighbours have raised concerns regarding overlooking, overshadowing and being overbearing, siting of the dwelling and overdevelopment of the site.

The proposed dwelling would be 4.2m - 1.8m from the shared boundary and 8m - 3.6m from the south-west elevation of No 12, where there are windows serving bedrooms, bathroom, and a living room (north-west to south-east). No 12's living room has a set of French doors on the rear elevation. The proposed dwelling would be sited to the south-east of the living room windows of No 12. As a single storey dwelling, with hipped roofs and a flat roof to the north-western part of the dwelling, the proposed dwelling would not be overbearing to No 12.

Furthermore, considering the siting of the proposed dwelling and orientation, it would have a limited shadowing impact on No 12, namely to a secondary living room window, and rear amenity area in the later hours in the evening. This impact is not considered to be detrimental as it would affect a secondary window and garden only for a limited amount of time.

To the southwest, the proposed dwelling would be approximately 1.5m from the shared boundary and 3.6m from the north-east elevation of No 10, where there are windows serving

the utility room, kitchen, and dining room (north-west to south-east). The dining room has an additional window on the rear elevation of No 10. Due to the distance from No 10's north-east elevation, there would be a slight degree of an overbearing impact when looking out of No 10's kitchen and dining room windows. However, as a single storey dwelling, with eaves height of approximately 2.8m and a hipped roof which slopes away from No 10's northeast elevation, the proposed dwelling would not have a detrimental overbearing impact which would be considered significant to warrant a refusal.

In addition, No 10's kitchen and dining room windows on the north-east elevation currently experience shadowing from the existing 1.8m closed boarded fence along the boundary. In addition, due to the siting and orientation of No 10, these windows also experience shadowing in the later hours of the day. No 10's dining room would not experience complete shadowing as there is an additional window on their rear (south-east) elevation. The proposed dwelling, being sited to the north-east of No 10, would not exacerbate the existing shadowing impact to the neighbour's windows in the early hours of the day and would not affect No 10 in regard to shadowing in the later hours of the day.

As a single storey dwelling, any overlooking impact would be appropriately mitigated by the existing and proposed 1.8m closed boarded fence along the shared boundaries.

As the proposed dwelling would be sited further south-east into the site, it is considered that the addition of dormer windows would have an overlooking impact which could be detrimental to neighbour amenity due to the siting of the dwelling and proximity to the adjoining neighbours and their amenity spaces. For those reasons, a condition to remove this permitted development rights for alterations to the roof, including provision of dormer windows, will be included on the decision notice.

Considering the above, it is considered the proposed development would not be overdevelopment of the site which would be detrimental to adjacent neighbours' amenities and would comply with LP21 of the Local Plan 2021-2040.

Highway Safety:

The proposal would result in the loss of a detached garage to No 12. From the site visit, it appeared that a new access to No 12 was installed recently. This can be done under Schedule 2, Part 2, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) without planning permission as the access does not egress from a classified road. The Planning Agent has demonstrated that No 12 would remain suitable served by two parking spaces. The Planning Agent has demonstrated that the proposed dwelling would have two car parking spaces on site. The parking provision on site would accord with LP14 of the Local Plan 2021-2040.

The Local Highway Authority has no objection to the proposal subject to a condition for the laying out of the parking and turning area in accordance with the approved plans. Additionally, Public Rights of Way (PROW) team have no objections to the proposal and its impact on Northwold Restricted Byway 11, provided that the full extent of the byelaw is open and accessible for the duration of the development and subsequent occupation. This is considered to address third party concerns regarding the impact on PROW and highway safety.

In term of highway safety and impact on the PROW, the proposal would comply with LP13, LP14, LP21 and LP23 of the Local Plan 2021-2040.

Ecology and Biodiversity:

As a self-build and custom dwelling, the proposal would be exempt from providing Biodiversity Net Gain (BNG) under Schedule 7A of the Town and Country Planning Act 1990. This will be conditioned and included as an informative.

The application site is located within the zones of Influence (ZOI) of The Wash, Norfolk Valley Fens and Breckland. The development proposes a net of 1 dwellinghouse, following the demolition of an existing bungalow prior to the submission of this full planning application. An appropriate assessment was undertaken in this regard, and a mitigation fee of £304.17 has been paid by the applicant.

LP27 of the Local Plan 2021-2040 states that new built development will be restricted with 1.5km of the Breckland Special Protection Area (SPA). The application site lies approximately 1.7km from Breckland SPA. As the application site is within the built-up part of Brookville and the site is well screened from the arable land to the north by a row of mature trees, impacts to the designated features of the SPA are considered to be limited.

In regard to biodiversity and ecology, the proposal would comply with LP27 of the Local Plan 2021-2040.

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

The Arboricultural Officer has no objections to the proposal, however, has asked for a pre-commencement condition for a scheme to protect the trees to be retained at the rear of the site to be submitted and agreed in writing by the Local Planning Authority. This condition is considered reasonable and would be consistent with the proposed site plan.

There are no objections raised by Environmental Quality and the Internal Drainage Board.

Specific comments and issues:

The Parish Council made comments about the applicant and other planning applications they have in the village, which is not a material consideration of this planning application.

CONCLUSION:

This application is for the subdivision of No 12's curtilage including the demolition of the garage, and construction of a new self-build bungalow.

Concerns were raised by the Parish Council and third parties regarding overdevelopment of the site and impact on neighbour amenity. It is considered that the development of the site would be consistent with the form and pattern along The Avenue. As a bungalow within the established building line of The Avenue, the dwelling would not appear prominent on the street scene. Furthermore, the proposed dwelling would not have a detrimental impact to surrounding neighbours' amenity which would warrant a refusal.

No objections were raised by Environmental Quality, the Local Highway Authority, Public Rights of Way, Arboricultural Officer, and Internal Drainage Board.

On the basis of the above, the scheme is considered acceptable and in accordance with LP02, LP06, LP13, LP14, LP18, LP19, LP21, LP22, and LP23, and the NPPF. It is therefore

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recommended that Members approved this application, subject to the imposition of conditions

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:

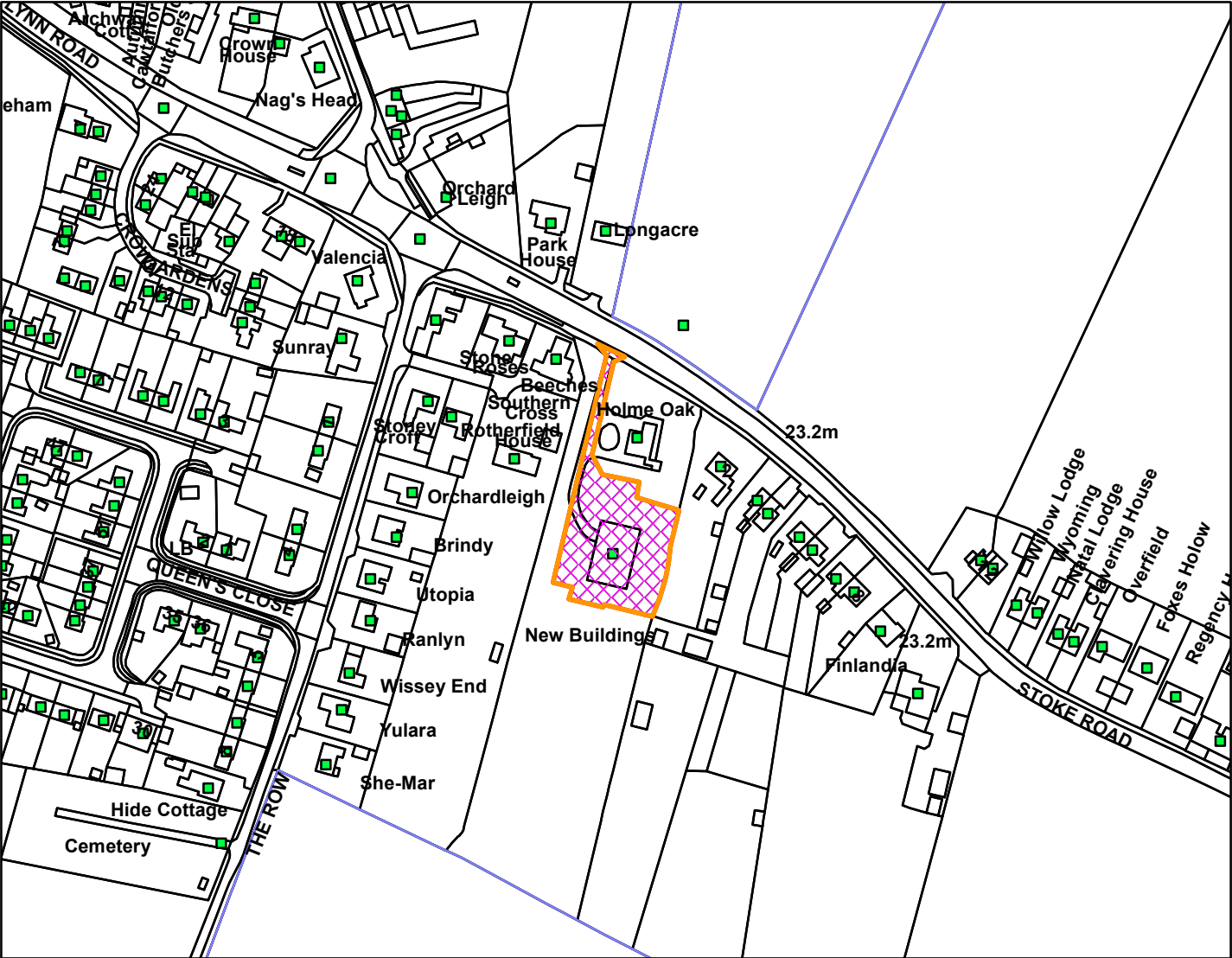
Dwg no. 001-DR. Revision P00. Location (OS) Site Block Plans
Dwg no. 002-DR. Revision P01. Proposed Site Layout Plan
Dwg no. 003.02. Revision P00. New Dwelling.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Self/custom build
 - (i) The dwelling hereby 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
 - (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
 - (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.
- 3 Reason: To ensure the development meets the criteria for self-build and custom build application Biodiversity Net Gain exemption in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990, to ensure that the development is genuinely self-build and custom in accordance with the Self-build and Custom Housebuilding Act 2015 and can be counted as such, and to accord with Policy LP31 Custom and Self-Build Housing of the Local Plan.
- 4 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details of dwg no 002-DR revision P01 (Proposed Site Layout Plan). 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.
- 4 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF and LP18 and LP21 of the Local Plan 2021-2040.

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- 5 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes AA and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement of the dwelling house by the construction of an additional story and consisting of an addition or alteration to its roof shall not be allowed without the granting of specific planning permission.
- 5 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 6 Condition: No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 6 Reason: To ensure that the existing trees are properly surveyed and full consideration is made of the need to retain trees in the development of the site in accordance with the NPPF and LP19 of the Local Plan 2021-2040.

This needs to be a pre-commencement condition given the potential for trees to be lost during development.

Barn At E568308 N301300 Stoke Road Wereham Norfolk PE33 9AT



Legend

Scale: 0 0.0275 0.055 0.11 KM

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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

Barn At E568308 N301300 Stoke Road Wereham Norfolk PE33 9AT



Legend

Scale: 0 0.05 0.1 0.2 KM

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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

Parish:	Wereham	
Proposal:	Proposed residential development involving the demolition of existing barn complex.	
Location:	Barn At E568308 N301300 Stoke Road Wereham Norfolk PE33 9AT	
Applicant:	Mr. G. Gott	
Case No:	25/00561/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 29 May 2025 Extension of Time Expiry Date: 3 July 2025

Reason for Referral to Planning Committee – Called in by Cllr Lintern.

Neighbourhood Plan: No

Case Summary

The application site is 0.20ha in size and lies to the southeast of the village of Wereham, to the south of Stoke Road/ A134. Wereham is categorised as a Rural Village in the adopted Local Plan. The site lies partially within the development boundary, but the footprint of the proposed building is outside of the boundary line as defined by the Planning Policies Map.

The application seeks full planning consent for the demolition of the existing barn and the construction of four new dwellings with associated parking and turning and amenity space, with the building on the footprint of the barn to be demolished. The dwellings proposed are single storey, two-bedroom homes, which is as the scheme approved under the Prior Approval application.

Members will re-call previous applications have been presented to Planning Committee in 2023 and 2024 for the residential development following the demolition of the existing barn complex (planning references 22/01893/F and 23/00848/F). In both cases the applications were refused by Planning Committee. This decision should be balanced against the extant fallback position established under planning permission 24/02033/PACU3, for the conversion of the building to four dwellings and the Inspectors decision to the appeal for 23/00848/F (Appeal reference: APP/V2635/W/23/3334048 attached).

Key Issues

Principle of Development and Site History
 Highways and Access
 Form and Character
 Impact on Neighbour Amenity
 Ecology
 Other Material Considerations

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Recommendation:

(A) APPROVE subject to the imposition of the following conditions and completion of a s106 legal agreement to cover the Biodiversity Net Gain requirement and the associated monitoring fees. 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 the Biodiversity Net Gain.

The application site is 0.20ha in size and lies to the southeast of the village of Wereham, to the south of Stoke Road/ A134. Wereham is categorised as a Rural Village in the adopted Local Plan. The site lies partially within the development boundary, but the footprint of the proposed building is outside of the boundary line as defined by the Planning Policies Map.

The site currently accommodates a bungalow, which sits to the front of the site, and a large barn to the rear which has been most recently used for the storage of agricultural machinery. The buildings are set back into the site with a concrete driveway to the front accessed directly from Stoke Road/ A134. The site is surrounded by agricultural land to the south, existing residential development to the east and west, and beyond Stoke Road/A134 to the north with agricultural land.

The site is located in Flood Zone 1 as indicated on the Council's adopted Strategic Flood Risk Assessment.

The application seeks full planning consent for the demolition of the existing barn constructed of brick and corrugated metal cladding/roofing, and the construction of four new dwellings with associated parking and amenity space with the building on the footprint of the barn to be demolished. The dwellings proposed are single storey, two-bedroom homes, which is as the scheme approved under the Prior Approval application.

The site layout proposes a shared access with the neighbouring bungalow to the north, along the west the application site. Parking provisions for the proposed units would be along the western elevation of the proposed building with a defined turning point to the north of the proposed building. All four plots have areas of private amenity space, screened by a 1.8m timber fence. The proposed building itself would be similar to the existing barn, having the same footprint and roof pitch height (although the eaves of the proposed building are lower than existing), and finished in materials of red brick and grey zinc roof sheeting.

The application is supported by plans indicating the retention of existing trees on site along the east and west boundary. These trees are protected under a Tree Preservation Order as a group of trees, the Tree Preservation Order includes the full width and depth of the plot of land.

SUPPORTING CASE

This application seeks full planning permission for the erection of 4 x dwellings involving the demolition of the existing agricultural building on site. The application site has a complex history including prior approvals and a planning appeal. Pertinent to this case is prior approval 24/02033/PACU.

24/02033/PACU is an extant prior approval application which allows for the change of use of the existing agricultural building to form 4 x dwellinghouses. 24/02033/PACU was approved on 10 January 2025, meaning that permission is extant until 10 January 2028. This is a considerable amount of time to commence and complete the development within the required timeframe. Accordingly, 24/02033/PACU comprises a realistic fallback position which is a material planning consideration.

The site was previously subject to a planning appeal, reference APP/V2635/W/23/3334048. The scheme subject of APP/V2635/W/23/3334048 sought to demolish the existing building and replace it with 4 x dwellinghouses. In their consideration of APP/V2635/W/23/3334048, the Inspector concluded that the design and general principles of the scheme would not be harmful to the character and appearance of the area. However, the prior approval which was previously granted on site had expired. Accordingly, it was considered that there was no fallback position on site and the appeal was dismissed as a result.

The current proposal seeks to replicate the scale, design and character of the scheme subject of APP/V2635/W/23/3334048. There have been no changes to the site, the surroundings or to key planning policy considerations since APP/V2635/W/23/3334048 was determined. On the basis that the design was previously considered acceptable by the Planning Inspector and that the design remains the same, it is only just and reasonable that the same considerations apply to this scheme ie that the design and character is acceptable. Most importantly, the site now benefits from prior approval to change the use of the building to 4 x dwellings. The prior approval is extant with nearly 3 years remaining on its lifespan. Therefore 24/02033/PACU comprises a realistic fallback position, establishing the principle of the proposed development. With this in mind, and given the Inspectors' findings on the previous scheme, it is submitted that the proposed development is acceptable and that planning permission can be granted.

PLANNING HISTORY

24/02033/PACU3: Prior Approval - Not Required (Delegated decision): 10/01/25 - Notification for Prior Approval for change of use of agricultural barn to 4no. dwellings (Schedule 2, Part 3, Class Q) - Barn At E568308 N301300 Stoke Road Wereham

23/00848/F: Application Refused (Planning Committee determination): 02/10/23 - Proposed construction of 4 residential units in existing footprint of agricultural barn benefiting with prior approval including the demolition of existing agricultural barn. - Holme Oak Stoke Road Wereham. Appeal Dismissed 21/10/24.

23/00033/TPO: TPO Work Approved (Delegated decision): 23/05/23 - 2/TPO/00538: T2 T4 T5 - Holly stumps - remove as eyesore. T11 Scots Pine - Remove as dead - Holme Oak

22/01893/F: Application Refused (Planning Committee determination): 03/04/23 - Residential development involving the demolition of existing barn complex. - Holme Oak

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21/00139/TPO: TPO Work Approved (Delegated decision): 10/12/21 - 2/TPO/00538: T1 Horse Chestnut Tree T2 T4 T5 Holly Trees - Take top out. T3 T6 T8 T9 Sycamore Trees - Cut back lower branches. T7 Pine Tree - Take top out. T10 Pine Tree - Cut back lower branches - Holme Oak

21/01872/PACU3: Prior Approval - Approved (Delegated decision): 15/11/21 - Notification for Prior Approval: Change of Use of Agricultural Building to four Dwellinghouses (Schedule 2, Part 3, Class Q) - Agricultural Barn To The Rear of Holme Oak

21/01574/F: Application Permitted (Delegated decision): 16/09/21 - Site access to be widened from site boundary and to utilise the existing drop kerb to allow for improved access - Holme Oak

21/01220/PACU3: Application Withdrawn: 22/07/21 - Application to determine if prior approval is required for proposed change of use from agricultural building to four dwellings (Schedule 2, Part 3, Class Q) - Holme Oak

16/00501/OM: Application Withdrawn: 17/06/16 - Outline Application: construction of 28 dwellings - Land At The Row, Wereham

RESPONSE TO CONSULTATION

Parish Council: OBJECT

NB: Comments summarised below by Officer

1) Demolishing the building places it outside the scope of Class Q and, consequently, beyond the designated development boundary. This raises serious concerns about permitting a development that is architecturally substandard, thereby establishing an undesirable precedent for future agricultural structures in the local area.

Wereham is within Tier 5 of the newly adopted plan and states additional houses could be considered windfall development. LP02 says it would not be supported in Tier 5 & 6 villages.

The development boundary was specifically drawn along the rear of all properties in this location to prevent expansion along the primary transport route of the A134 across the county. This boundary was historically implemented for sound reasons and disregarding it now could not only undermine its original intent but also establish a damaging precedent for the village.

2) Demolishing it is also at odds with Policy LP06 where councils need to address climate change through planning decisions.

3) As a full application the Parish Council strongly considers Highway and Highway Safety as a critical material objection. This concern arises from the unique nature of the village of Wereham, where a major trunk road runs through its centre and past the proposed site. This directly impacts the safety of residents, road users, and individuals whose homes are situated along this road. These households are undeniably affected by noise, pollution, etc.

A significant trunk road, the A134, passes through the village, raising safety concerns for all road users, including pedestrians and schoolchildren who frequently travel along or cross this route to reach school. Approximately three miles away lies the Wisington Sugar Beet Factory which generates a substantial number of large HGVs travel through the village.

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Visibility splays are a critical safety feature, this application fails to meet recommendations provided by the National Highways Design Manual for Roads and Bridges (DMRB). We have incorporated an image from Google Earth, and it is evident from the photographs that compliance with the conditions outlined by Highways is not feasible.

This non-compliance arises due to several factors, including the road's curve and upward gradient, which obstruct visibility. There are 2 trees on the land subject to a Tree Preservation Orders (TPO), as well as an electric pole. Furthermore, a hedge is located within the 59-meter span is situated on a neighbouring property and does not fall within the applicant's ownership. Sight lines are significantly impaired by the road's bend and the involvement of third-party ownership. These conditions are detrimental to highway safety.

The A134 was purposefully constructed as a bypass for Wereham village and any action that risks reverting it to the centre of the village's activities should be avoided to maintain safety and uphold the intent behind its original designation. This matter demands serious consideration and adherence to established planning principles.

The Parish Council has consistently conveyed its position to the Planning Officers regarding this site, informed by the historical applications that have raised significant concerns among Wereham residents. As the representative voice of this community, the Parish Council's views and insights must be given substantial weight in the consideration of this application.

Highways Authority: NO OBJECTION subject to conditions

Mindful of the current class use that the site presently enjoys in addition to the historic approved applications on the site for access improvements and redevelopment of the building to housing, we believe that it would be difficult to substantiate an objection to this application on highway grounds but suggest a condition is attached to secure the visibility splay.

Environmental Health & Housing - Environmental Quality: NO OBJECTION subject to conditions

An asbestos survey has been included which identifies 3 instances of Asbestos containing material recommending removal in all instances. We have reviewed our files and the site is on land that is seen developed for the duration of our records. The surrounding landscape is largely residential and agricultural. The information submitted does not indicate the presence of significant land contamination. However, the sites former agricultural use means that it's possible that some unexpected contamination could be present. Therefore, a condition should be included to secure the reporting of unexpected contamination. Due to the confirmed presence of asbestos containing materials requiring removal, a condition is required to control this.

Ecologist: NO OBJECTION subject to conditions

Protected Sites

A GIRAMS sHRA has been submitted which is welcomed. Other than recreation (when considered in combination), no other impacts to Habitats Sites are anticipated. Once the Planning Officer has reviewed and completed the sHRA form it can be saved as the LPA record of HRA

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Protected species

The building was assessed for its potential to support roosting bats and concluded that it had negative potential. No further surveys were recommended. The EIA did not record any habitats of high botanical value or any significant ecological limitations. However, enhancement and mitigation measures are proposed for protected species which must be secured via condition.

Protected Habitats

No irreplaceable or notable habitats were identified on the site.

Biodiversity Net Gain

The site proposes to deliver net gain off-site on blue line land. The offsite land is comprised entirely of modified grassland. The applicant proposes to plant 30 small trees and 0.01km of native hedgerow. This would result in a 10.47% Biodiversity Net Gain in Habitat Units and a 42.27% net gain in Hedgerow Units. No net gain in Watercourse Units will be achieved and none is required as no Water course Units were recorded within the site baseline.

The Biodiversity Net Gain proposed meets the definition of significant net gain and is off-site so will need to be secured via the deemed Biodiversity Net Gain condition and supported by a Habitat Management and Monitoring Plan which outlines how habitats will be managed across a 30 year period. All off-site net gain must be secured via a legal agreement before determination.

If you are minded to grant consent please ensure that the BNG is secured via a legal agreement.

Arboricultural Officer: NO OBJECTION subject to conditions

The following matters are of concern:

1, Access driveway, turning areas and car parking areas that appear to be within the root protection areas of retained trees. This could be addressed with the use of a no-dig driveway using a cellular confinement system. Details would need to be a pre-commencement condition.

2, The small garden areas for units 3 & 4 are of concern. Both garden will be to some extent dominated by the trees T12, - T16. Although this layout does not include direct access from living areas into this part of the garden areas, they will be gloomy and dominated by the trees

3, The need to construct a new foundation, could easily cause significant harm to the trees. Despite this being highlighted in previous applications this has not been addressed by the applicant. If the applicant is unable to demonstrate that a new foundation suitable for the proposal can be constructed without causing harm to the trees to be retained, this must be a pre-commencement requirement. A detailed design and construction method statement must be submitted and agreed, both of which need to provide for the longevity and retention of the trees.

4, The boundary fencing shown is within the root protection areas of trees, potentially very harmful to the trees. This could be addressed within an arboricultural method statement, detailing how the fence can be erected minimising damage to tree roots.

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If you are minded recommending consent, please consider attaching site-specific Tree Protection conditions to minimise the impact on the adjacent protected trees-

- Protection of existing trees
- Tree friendly foundation design details

Historic Environment Service: NO OBJECTION subject to conditions

The proposed development is located in an area where in 1959 a late Roman coin, pottery and loom weights were recovered. More Roman coins and other Roman items have been recovered in the immediate vicinity, suggesting the presence of buried remains of Roman settlement. In addition, cropmarks of ploughed-out Bronze Age burial mounds have been recorded a short distance to the north, suggesting this is the location of a Bronze Age cemetery. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. Archaeological trial trenching of a larger area, partially including the present development area in 2017 identified structural and other evidence of the former Wereham Hall within the proposed development area. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework, and conditions should be attached to secure this.

REPRESENTATIONS: THREE OBJECTIONS, comments summarised as follows:

- The visibility splay required by the LHA cannot be achieved due to a telegraph pole and third party hedging. Contrary to LP06, LP11 and LP13. CO2 emissions from traffic on A134.
- Site outside development boundary, and therefore contrary to LP02.
- Trees and landscaping are a material consideration. Concerns regarding type of foundations to be used.
- Proposed boundary treatments should be hedging not fencing. Panelled fencing on the south side should not be allowed in this area as all three boundaries are bordered with natural hedgerow in the rural setting.
- Hedgerows should run the complete width of the development to define the development and the agricultural land.
- Concerned that the planning application does not stipulate that it will be on the existing footprint and concerned that the many mature trees may be damaged.
- Biodiversity net gain should be achieved as this is now a full planning application, this has not been adequately considered. The large gardens extend land outside the development boundary which is difficult to understand when the borough should be protecting land outside its boundaries.
- Impact on heritage assets. Insufficient justification to demolish existing building and rebuilding.
- Attention drawn to Inspectors decision to recent appeal re – development outside of settlement boundary.
- The demolition and rebuilding will significantly impact climate change by increasing embodied carbon emissions and contributing to waste. Even Energy-efficient new buildings can take many years to offset the emissions generated in their construction and demolition. Contrary to Policy LP06.

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- Insufficient consideration has been given to the safety of its residence or security to their homes or the homes of others that live in the vicinity by leaving access to land to the rear.
- Proposal fails to encompass secure by design principles.
- Does the accommodation meet fire regulations?

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

LP02 - Residential Development on Windfall Sites (Strategic Policy)

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)

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 planning considerations are:

Principle of Development and Site History

Highways and Access

Form and Character

Impact on Neighbour Amenity

Ecology

Other Material Considerations

Principle of Development and Site History:

Site History:

The application site has a substantive history of previous planning applications. Most recently a prior approval application was approved by the Council for the conversion of the existing agricultural building to four two-bedroom dwellings, under reference 24/02033/PACU3. The consent was for the building only and does not, by its nature, include any parking, amenity space etc.

Prior to this prior approval application, a full planning application was submitted to the Borough Council for the 'construction of four residential units within the existing footprint of

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agricultural barn..'(23/00848/F). The application was refused at Planning Committee for the following reasons –

1. The site lies outside of the development boundary for Wereham where development is restricted to that identified as sustainable in rural areas. The proposal constitutes the inappropriate development of land in the countryside without justification, and while there is a fall back position as a result of the extant consent 21/01872/PACU3, this does not outweigh the policy stance. As a result the scheme is contrary to the overarching aims of policies CS06 of the Core Strategy (2011) and DM2 of the Site Allocations and Development Management Policies Plan (2016).

2. The scheme as proposed seeks to replace but largely replicate the existing barn building on site for four dwellings with the inclusion of amenity space and parking to be provided. As a result, the development and specifically the dwellings themselves represent a poor form of design. While there is an extant consent on the site for the conversion of the existing barn under 21/01872/PACU3, this fall back position does not outweigh the fact that the scheme fails to meet planning policy requirements in terms of quality design and is therefore contrary to Policy CS08 of the Core Strategy (2011), and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016).

Appeal decision:

The applicant appealed this refusal. The Planning Inspector upheld the Council's refusal for planning consent; however attention is drawn to the detail of the Inspector's decision, extracts of which are included below.

In terms of the fallback position of the extant prior approval consent (21/01872/PACU3) the Inspector said *'Given that the appellant has until 15 November 2024 to complete this scheme, it is unlikely that they could complete the works before the consent lapses. As a result, I attribute very limited weight in favour of the scheme to the theoretical possibility of this fallback consent being implemented before this deadline.'*

The Inspector went on to consider the impact of the development on the character and appearance of the locality in paragraphs 12-17 and states:

'The four dwellings would be built within a single building that has been designed to appear similar to the existing brick-built barn that is on site. ... The proposed development would be very similar in scale, appearance, and location to the prior approval scheme with only minor differences to the fenestration and materials. Overall, by replicating the form of the barn and using similar materials, the development proposed would retain the overall character and appearance of the barn and the positive effect this building has upon the character and appearance of the area would be preserved....

The scheme before me also includes the parking, gardens and landscaping for each dwelling which creates a more comprehensive development, compared to the prior approval scheme. The proposed internal driveway, parking and gardens would urbanise the character around the site but because it is located in a semi-rural area just on the outskirts of a village, the residential appearance of the scheme would not appear out of character in this context.

The proposed landscaping would also soften the appearance of the site and it would create an attractive landscape around the dwellings and this more manicured appearance would be consistent with other dwellings next to the site. Additionally, the siting of dwellings to the rear of the existing bungalow would not be uncommon in the area given the prevalence of development at depth nearby.

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Therefore, the proposed development would not harm the character or appearance of the area, and it would accord with Policy DM15 of the SADMPP and Policy CS08 of the CS.'

The Inspector, in the Planning Balance and Conclusion, reached the following decision:

'Whilst the scheme would not harm the character or appearance of the area this would be expected of any development and weighs neither for nor against the scheme.'

The location of the proposed dwellings would conflict with the development plan regarding the distribution of housing outside of settlement boundaries. The conflict is with the development plan as a whole. In light of the very limited weight given to the fallback scheme as well as the stated benefits of the proposal, these material considerations do not outweigh the conflict with the development plan and thus do not indicate that the appeal should be determined other than in accordance with it.'

Policy Context:

The application site lies partially within the development boundary for Wereham, but the majority of the site and the proposed dwellings lay outside the development boundary on land designated as countryside in the Local Plan, as shown on the planning Policies Map. Certainly, the footprint of the dwellings proposed are outside of the development boundary and therefore in the countryside. Wereham is categorised as a Rural Village under Policy LP01, this is a Tier 5 settlement.

At the local level, development will be subject to Policy LP02 of the Local Plan which states that:

'5. In tiers 5 and 6 of the settlement hierarchy, residential development will not normally be supported outside development boundaries, unless allocated through the Local Plan or a Neighbourhood Plan. That is except at Tier 5 settlements that have a housing requirement identified in Appendix I to Policy LP03 – Neighbourhood Plans, for which there are no opportunities within the development boundaries and which the relevant Neighbourhood Plan does not address through allocations. In such circumstances, small scale development of up to 5 dwellings will be supported here this is necessary to meet that housing requirement, and subject to the criteria under Parts 1 and 2 of this policy.'

The windfall requirement for the village of Wereham, over the plan period for 2021-2040, is one dwelling (Appendix I).

While the new Local Plan has been adopted since the previous applications were determined, the policy stance for development outside the settlement boundary in this location remains broadly consistent.

In policy terms, the Local Plan provides a clear steer that development such as that proposed, in the countryside, is not required and as such is contrary to the development plan, specifically Policy LP02.

Fallback position:

However, there is an extant planning consent on the application site for prior approval for the change of use of the agricultural building to four dwellinghouses (planning reference 24/02033/PACU3. The conversion of the barn would subdivide the existing agricultural building into four two-bedroom single storey residential units of equal size. Minimal external

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changes were proposed to the barn including the insertion of doors and windows to facilitate the conversion.

In the Design and Access Statement, the planning agent has argued that this extant Prior Approval application, under planning reference 24/02033/PACU3, constitutes a fallback position which is a significant material consideration for this application.

The status of a fallback development as a material consideration is not a new concept and has been applied in court judgements such as *Samuel Smith Old Brewery v The Secretary of State for Communities & Local Government, Selby District Council and UK Coal Mining Ltd* [2018] EWCA Civ 489. This decision states that for a fall-back position to be a 'real prospect', it does not have to be probable or likely: a possibility will suffice. It is also noted that fallback cases tend to be very fact-specific and are a matter of planning judgement. Examples are given within the judgement where for instance there may be an old planning application which is still capable of implementation or where it could be argued that the impact of that which was permitted development would be much the same as the impact of the development for which planning permission was being sought.

The concept of fallback is also considered more recently in *Michael Mansell v Tonbridge & Malling Borough Council* [2017] EWCA Civ 1314 where approval was given for the redevelopment of the site of a large barn and a bungalow to provide four dwellings. The judgement covers more than one aspect of the decision but makes reference to Class Q of the GDPO as a fallback position and reiterates the comments made in the *Samuel Smith Old Brewery* case that the council should satisfy itself that there was a 'real prospect' of the fallback development being implemented, although it was again reiterated that the basic principle is that 'for a prospect to be a real prospect, it does not have to be probable or likely; a possibility will suffice'.

In this circumstance, it is considered there is a real prospect that the permission under planning reference 24/02033/PACU3, could be implemented as the permission does not expire until 18 December 2027.

As such this is a significant change to those circumstances considered in the recent Inspectors appeal decision referred to above. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The fallback position is a material consideration and should be given significant weight in the determination of this planning application.

Highways and Access:

The Local Highway Authority has stated that given the current (agricultural) use, in addition to the historic approved applications on the site for access improvements and redevelopment of the building to housing, they believe that it would be difficult to substantiate an objection to this application on highway grounds. This is subject to the inclusion of a condition to secure the visibility splay.

The Parish Council, and third-party comments, raise concerns that the visibility splay required by the LHA cannot be achieved due to a telegraph pole and third party hedging. However, the Local Highway Authority is of the view that the proposed scheme would give rise to a similar level of traffic to the prior approval, and as such are unable to substantiate an objection. While information has been submitted by the Third Parties to challenge the proposals, the Local Highway Authority as technical advisors and the statutory consultee on this matter, is satisfied with the visibility splays shown on the proposed plans.

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In terms of highway safety and access, the proposal is in accordance with the NPPF, and Policies LP13 and LP21 of the Local Plan.

Form and Character:

The existing application site consists of a large, detached bungalow in a wide plot with gardens and well-established trees to the east and west. The dwelling is set back 17.5m from the A134 and then 26m to the rear of the bungalow is a large agricultural barn approximately 5.5m in height to the ridge. The barn is visible in the street scene beyond the dwelling. To the north and south of the site is agricultural land and detached residential development to the east and west of the application site.

The character of the locality is varied but primarily ribbon development facing onto the highway heading southeast through the village along Stoke Road/ A134. The use of land is primarily residential although interspersed with settlement breaks for agricultural land and agricultural buildings which reinforce the rural nature of the locality.

The application seeks to demolish the barn and to redevelop the site for a single building with barn-like proportions and appearance that has detailing and materials compatible to this locality. The existing barn is approximately 23.1m deep, 15.3m wide, and 5.4m tall. The proposed building is on the exact same footprint but would have a pitch height of 5.46m and an eaves height of 2.6m tall. The proposed building would be finished in materials of red brick and grey zinc roof sheeting.

The development proposed in this application is in terms of the building itself equal in size to the proposal under the Prior Approval application, with amendments to the eaves height and roof pitch, fenestration and materials. Under the extant prior approval, the application did not include driveways, parking spaces, private amenity spaces and boundary treatments. Under this full planning application, consideration can be given to the layout and landscape associated with the residential development of the barn providing a more comprehensive and coherent redevelopment of the site, offering the ability to control substantive details on these matters. While the inclusion of amenity space extends the residential land use, the rear site boundary ties in with residential curtilage of the neighbouring site.

The proposed site plan shows each dwelling would have their own private amenity space bound by a 1.8m tall timber panel fencing. The private garden area serving each dwelling would be appropriate for the two bedrooms units proposed and the wider rural surroundings. The application site is not actively cultivated and would be contained by the existing extent of residential gardens along the south side of Stoke Road. Parking provisions would be along the west of the building, with 2 parking spaces for each proposed dwelling. The mature trees would be retained along the east and west boundary.

Third party comments state that the proposed boundary treatments should be hedging rather than fencing given the existing site boundaries are bordered with natural hedgerow. It is proposed that a condition is attached to the consent to state that notwithstanding the plans, full details of boundary treatments shall be submitted and agreed. This will enable the Council to secure additional planting along the boundaries, which would be beneficial to the street scene. The rear boundary is not clearly visible from any public vantage points.

In terms of the impact of form and character of the proposal it is important to refer back to the Inspectors decision to the appeal for 23/00848/F (Appeal reference: APP/V2635/W/23/3334048 attached) which was a very similar scheme to that currently proposed. The Inspector stated that *'by replicating the form of the barn and using similar materials, the development proposed would retain the overall character and appearance of*

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the barn and the positive effect this building has upon the character and appearance of the area would be preserved....' They go on to say that *'the residential appearance of the scheme would not appear out of character in this context'* and *'the siting of dwellings to the rear of the existing bungalow would not be uncommon in the area given the prevalence of development at depth nearby.'* The Inspector concludes that *'the proposed development would not harm the character or appearance of the area'*. This is a significant material planning consideration in the determination of this application.

Ultimately public views of the development would be very limited as it is set to the south of the existing bungalow on the wider site. In terms of form and character, the proposal would comply with Policies LP18 and LP21 of the Local Plan.

Impact on Neighbour Amenity:

Neighbouring dwellings are to the northeast and northwest of the proposed building. The closest neighbour would be the bungalow within the wider site. At its closest point, the proposed dwellings would be 21.5m to the southwest of the bungalow within the wider site. Considering the distances from neighbours, size and height of the building any impact such as shadowing or on outlook will not be unacceptable.

A 1.8m closed boarded fence is proposed around the external amenity space of the proposed dwellings and turning point to the north of the building. Impacts such as overlooking to existing neighbours would therefore be limited.

A third-party comment raised concerns about the layout and impact on future occupiers, regarding loss of privacy with parking proposed along the west side of the building and impacting windows serving bedrooms of the proposed dwellings. On the basis that the parking is private parking which serves the plots within the building, then impact from the parking layout is not considered to have a detrimental impact to the amenity of occupiers as to warrant a refusal.

In terms of impacts on neighbours, the proposal would comply with Policy LP21 of the Local Plan.

Ecology:

The application site lies within the Zone of Influence for European designated sites. The Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy (GIRAMS) has been put in place to ensure that additional recreational pressures, created by new development/ growth in the borough, does not lead to an adverse effect on European designated sites in Europe. The strategy allows contributions towards mitigation to be collected at a site-specific level which will then fund effective strategic mitigation measures to address this pressure and the impacts.

The application site is approximately 6.5km from the Breckland Special Areas of Conservation (SAC) and Special Protection Areas (SPA). The Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy fee is £304.17 per dwelling (a total of £1,216.68) to be paid by the applicant, alongside the authority carrying out an Appropriate Assessment. The results of the Appropriate Assessment were that subject to the mitigation measures being secured, the assessment was able to conclude no adverse effects of the development proposal on the integrity of internationally designated wildlife sites in relation to recreation. The proposed development is of a nature and scale that there are no additional recreation implications beyond those being mitigated by the Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy.

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The applicant has made a payment towards the relevant mitigation fee, the balance of which would be settled in full prior to a decision being issued. On this basis the application is in accordance with the NPPF, and Policy LP19 of the Local Plan.

The building was assessed for its potential to support roosting bats and concluded that it had negative potential. No further surveys were recommended. The EIA did not record any habitats of high botanical value or any significant ecological limitations. However, enhancement and mitigation measures are proposed for protected species which must be secured via condition. No irreplaceable or notable habitats were identified on the site.

Third party comments raise the need to secure biodiversity net gain on the site. The applicant proposes to deliver net gain off-site on blue line land. The offsite land is comprised entirely of modified grassland. The applicant proposes to plant 30 small trees and 0.01km of native hedgerow which would result in a 10.47% Biodiversity Net Gain in Habitat Units and a 42.27% net gain in Hedgerow Units.

The Biodiversity Net Gain proposed meets the definition of significant net gain and is off-site so will need to be secured via the deemed Biodiversity Net Gain condition and supported by a Habitat Management and Monitoring Plan which outlines how habitats will be managed across a 30-year period. All off-site net gain must be secured via a legal agreement before determination and therefore should the application be approved; this would be subject to the required legal agreement.

The application, as proposed is in accordance with the NPPF and Local Plan Policy LP19 subject to the inclusion of planning conditions and the signing of a legal agreement to secure biodiversity net gain.

Other Material Considerations:

Trees - Within the application site are a number of well-established trees running north to south throughout the plot. These are protected under a group Tree Preservation Order (reference 2/TPO/00538). The Tree Preservation Order includes the full width and depth of the plot of land. The development proposed shows the trees are to be retained. While the applicant has submitted an Arboricultural Impact Assessment, it is noted that the proposed fencing would be within the root protection area of trees within the site. If consent were granted additional detailed information should be submitted and agreed by the Local Planning Authority via appropriate conditions prior to the commencement of any works on site, in accordance with the NPPF and Policy LP19 of the Local Plan.

Climate Change – Third party objections to the scheme state that the demolition and rebuilding will significantly impact climate change by increasing embodied carbon emissions and contributing to waste. Even energy-efficient new buildings can take many years to offset the emissions generated in their construction and demolition.

Policy LP06 requires that new development should minimise and reduce carbon emissions by measures such as; locating new development in areas to minimise the need to travel, including green infrastructure, minimising and mitigating pollution (during both the construction and operational phases of development), exceeding present thermal energy and high efficiency systems set by Building Regulations, maximising opportunities from solar technologies and retrofitting of existing buildings with measures to reduce energy and heat consumption will be encouraged and supported. In addition, schemes should seek to adapt and mitigate the impacts of climate change by (for example) ensuring new development is designed and adapted to incorporate climate change and flood risk resilience, minimising

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and mitigating air pollution, and incorporating appropriate water efficiency and water recycling measures.

The applicant has stated that the site is located within flood zone 1, on land at the lowest risk of flooding. The change of use of the site would result in a reduction in carbon emissions due to the reduction in the number of vehicle movements and the type of vehicle movements (agricultural/ HGV vehicles). The existing agricultural use of the site is well established and generates agricultural traffic, whereas a residential use for the site is likely to result in a reduced level of vehicle emissions the applicant argues. The site is located on existing public transport routes.

The construction of a new building will enable the structural integrity and lifetime of the building to be increased. Building Control requirements will ensure the building is of a higher quality and more energy efficient than the conversion could realistically achieve. It also enables the developer to consider renewable technologies for heating, electricity, water etc.

The development requires the delivery of biodiversity net gain, including the planting of 30 small trees as additional green infrastructure.

Archaeology - There is potential that heritage assets with archaeological interest will be present at the site and that their significance will be adversely affected by the proposed development. Therefore, if permission was granted, the site should be subject to a programme of archaeological mitigatory work and conditions should be attached accordingly in accordance with NPPF and Policy LP20 of the Local Plan.

Contaminated land - The information submitted to date does not indicate the presence of significant land contamination, however given the agricultural use, a condition should be attached to any planning consent given unexpected contamination could be present. Furthermore, it is confirmed that asbestos is present in the building and as such a condition is attached to secure the safe disposal of this. Both are in accordance with the NPPF and Policy LP21 of the Local Plan.

Drainage - Drainage details have not been submitted as part of the planning application, and therefore it is necessary for a condition to be attached to the consent to secure and approve this information, should the application be permitted in accordance with Policy LP18 and LP21 of the Local Plan.

Other issues –

Third party comments have raised concerns about the increased traffic increasing CO2 levels on the A134. The proposal for 4 new dwellings is not considered of a scale that would impact on CO2 levels in the vicinity.

Queries are also raised as to whether the proposal would meet secured by design principles, or fire regulations. In terms of secured by design, the scale and nature of the scheme as well as the nature of the site, the scheme proposed is considered to be the most suitable in terms of layout. As such it is not considered contrary to SBD principles and many of the details (such as alarms, door locks etc) are not planning application considerations. In terms of fire regulations, the design of the dwellings will be considered with regard to fire risk via building regulations.

CONCLUSION:

The footprint of the development proposed lies outside of the development boundary for Wereham, and as such the development of four new dwellings is contrary to the adopted Local Plan.

However, an extant planning permission is in place for the conversion of the existing agricultural barn to four, single-storey, two-bedroom residential units, which is the same scale as the proposal of this planning application. The balance of probability is that the extant permission will be implemented if this current application were to be refused. As such the fallback position should carry weight as a material consideration in the determination of this application. The proposed scheme will add a sense of coherence and balance beyond that available to the extant permission, as such a marginal benefit would arise to the implementation of the proposed scheme.

The proposed development would rebuild the existing barn with a building of the same footprint but at a lesser height. Set to the south of a bungalow within the wider site and screened by groups of trees under a Tree Preservation Order, the building would have limited impact on the street scene and on neighbour amenities. This is confirmed by the Inspectors findings to the appeal for 23/00848/F (Appeal reference: APP/V2635/W/23/3334048 attached) which was a very similar scheme to that currently proposed and where the Inspector concluded that *'the proposed development would not harm the character or appearance of the area'*. This is also a significant material planning consideration.

Appropriate mitigation for The Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy (GIRAMS) has been secured and biodiversity net gain can be adequately delivered off-site.

Adequate protection to protected trees and historic artefacts on the site can be sought via planning conditions.

In conclusion, it is recommended that Members approve the application as there is a real prospect of the change of use under the Prior Approval application being implemented. Material considerations are considered to outweigh the development plan in this instance. The scheme is considered to be an appropriate departure from the Development Plan under the fall-back principles; as otherwise set against failure to comply with Policies LP01, LP02, LP06, LP13, LP18, LP19, LP20, LP21 and the NPPF.

RECOMMENDATION:

(A) APPROVE subject to the imposition of the following conditions and completion of a s106 legal agreement to cover the Biodiversity Net Gain requirement and the associated monitoring fees. 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.

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:

SE-2262 100 Rev A Survey Drawing received 10/06/2025
SE-2262 PP1000 Rev B Planning Drawing Rev B received 03/04/2025
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 metres x 59 metres shall be provided to the southeast side of the access where it meets the nearside carriageway edge. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 3 Reason: In the interests of highway safety in accordance with the principles of the NPPF and Local Plan Policy LP13.
- 4 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 4 Reason: In the interests of highway safety in accordance with the NPPF and Local Plan Policy LP13.
- 5 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.
- 5 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the NPPF and Local Plan Policy LP13.
- 6 Condition: No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation, 6) Nomination of a competent person or persons/organization to undertake the works set

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out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.

- 6 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and Policy LP20 of the Local Plan.

This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.

- 7 Condition: No development shall take place other than in accordance with the written scheme of investigation approved under condition 6 and any addenda to that WSI covering subsequent phases of mitigation.

- 7 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and Policy LP20 of the Local Plan.

This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.

- 8 Condition: The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 6 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 8 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and Policy LP20 of the Local Plan.

- 9 Condition: No development including any groundworks or demolition shall commence on site until the existing trees to be retained have been protected in accordance with a scheme (section 5.5, BS5837:2012, the Tree Protection Plan) to be submitted to, and approved in writing by the Local Planning Authority.

This scheme shall include:

a, a site layout plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (section 4.6 of BS5837:2012) of every retained tree on site and on neighbouring or nearby ground to the superimposed on the layout plan. The positions of all trees to be removed shall be indicated on this plan.

b, a schedule of tree works for all the retained trees in paragraphs (a) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Recommendations for tree work.

c, the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers, (section 6.2 of BS5837:2012), to form a construction exclusion zone, and the type and extent of ground protection (section 6.2.3 of BS5837:2012) or any other physical tree protection measures, such as tree boxes. These details are to be identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). Barrier and ground protection offsets must be dimensioned from existing fixed points on the site to enable accurate setting out. The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection.

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

d, a detailed Construction Specification/Method Statement for the design and installation of no-dig hard surfacing for access, turning and parking areas within minimum tree root protection areas.

There shall be no lowering of the ground within the minimum root protection areas of retained trees.

e, a detailed Construction Specification/Method Statement for the installation of the proposed garden boundary fence within the root protection area of retained trees T12-T16.

f, the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7 of BS5837:2012). the details of the working methods to be employed with regard to site logistics including, the proposed access and delivery of materials to the site; space for storing materials spoil and fuel, and the mixing of cement; contractor car parking; site huts, temporary latrines (including their drainage), and any other temporary structures.

9 Reason: To ensure the existing trees on site protected by Tree Preservation Order 2/TPO/00538 are suitably protected throughout the demolition and construction phases of this development.

10 Condition: No development including any groundworks or demolition shall commence on site until shall take place until full details of the replacement foundation design for the proposed residential units, along with a tree protection method statement, have been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall include:

1. A full specification of the proposed foundation system, demonstrating how it has been designed to avoid or minimise harm to the root protection areas (RPAs) of all trees identified for retention on or adjacent to the site;

2. A working method statement prepared by a suitably qualified arboricultural consultant, detailing:

Measures to protect the retained trees throughout the construction period;
Construction techniques and sequencing for any works within or near the RPAs;
Ground protection measures, fencing specifications, and buffer zones;
Arboricultural supervision and monitoring arrangements during relevant stages of the works.

The development shall thereafter be carried out in strict accordance with the approved foundation details and tree protection method statement. No excavation or construction activity shall take place within the RPAs of the retained trees except as specifically agreed in the approved documents.

10 Reason: To ensure the existing trees on site protected by Tree Preservation Order 2/TPO/00538 are suitably protected throughout the demolition and construction phases of this development and to avoid irreversible damage to their root systems.

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- 11 Condition: No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

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

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

- 12 Condition: Notwithstanding the approved plans, prior to first occupation of the dwellings hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatments to be erected. The boundary treatments shall be completed before the dwellings are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained in perpetuity.

- 12 Reason: For the avoidance of doubt, to safeguard the amenities of the locality and to enhance the street scene in accordance with the NPPF and Local Plan Policies LP18 and LP21.

- 13 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details (excluding boundary treatments which are addressed under condition 12). 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.

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

- 14 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

- 14 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with the NPPF and Local Plan Policy LP21.

- 15 Condition: Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 15 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF.
- 16 Condition: The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Metric [V3] dated 20/03/2025 and prepared by Metric Ben Livick (Glaven Ecology).
- 16 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.
- 17 Condition: The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority and including:
 - a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP and thereafter retained in the conditions specified to serve the intended purpose. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

No occupation shall take place until:

- (a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
 - (b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
- 17 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.
- 18 Condition: The development hereby approved shall be carried out in strict accordance with the mitigation and enhancement measures outlined in Sections 6 of the Ecological Impact Assessment prepared by Glaven Ecology (17/02/2025). Locations of these

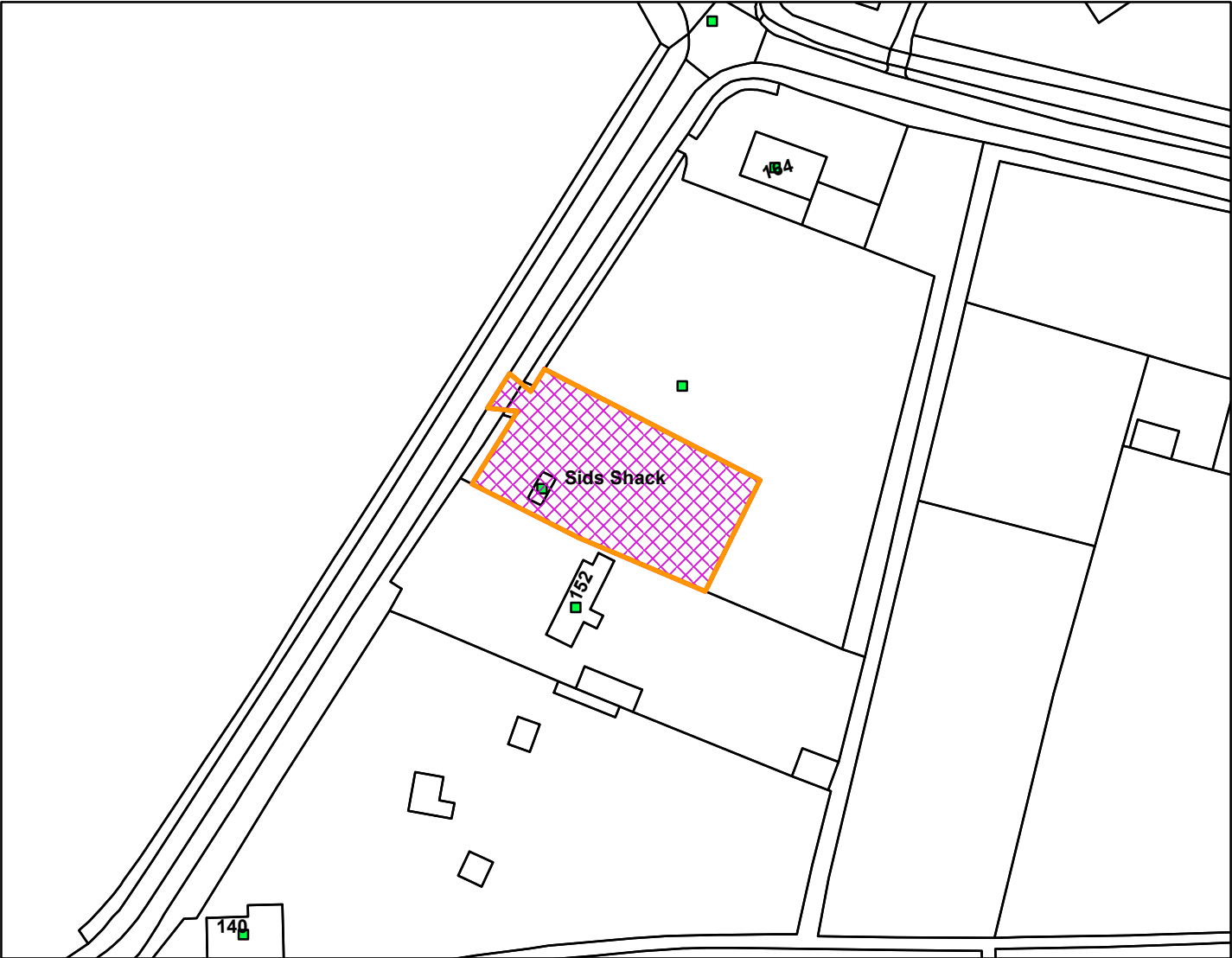
Planning Committee
30 June 2025

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 dwellings. Measures shall be implemented in full and the habitats maintained thereafter.

- 18 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 Plan Policy LP19.
- 19 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes A, AA, B, C, D and E of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwellinghouse by construction of additional storeys, the enlargement of a dwelling house consisting of an addition or alteration to its roof, other alterations to the roof of a dwellinghouse, the erection or construction of a porch outside any external door of a dwelling house, or the provision within the curtilage of the dwelling house of any building, enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.
- 19 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order in accordance with the NPPF and Local Plan Policies LP18 and LP21.

(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 the Biodiversity Net Gain.

Clark's Paddock 154 Salts Road West Walton Wisbech PE14 7ED



Legend

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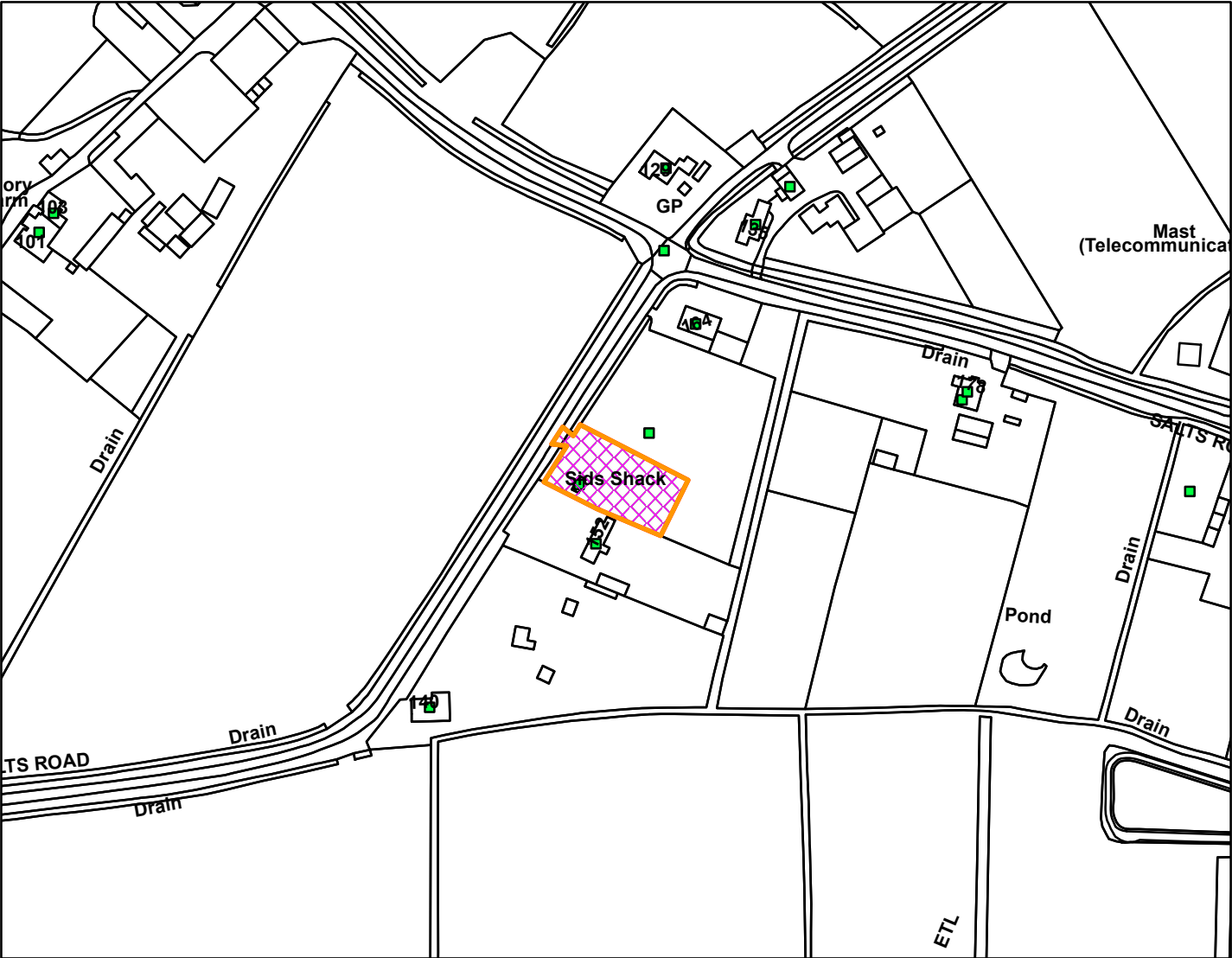
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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

Clark's Paddock 154 Salts Road West Walton Wisbech PE14 7ED



Legend

Scale: 0 0.0275 0.055 0.11 KM

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Organisation	BCKLWN
Department	Department
Comments	
Date	17/06/2025
MSA Number	0100024314

Parish:	West Walton	
Proposal:	Self-Build - Proposed replacement dwelling and part change of use of land	
Location:	Clark's Paddock 154 Salts Road West Walton WISBECH	
Applicant:	Mr And Mrs J Clark	
Case No:	25/00664/F (Full Application)	
Case Officer:	Kirsten Jeavons	Date for Determination: 18 June 2025 Extension of Time Expiry Date: 7 July 2025

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

Neighbourhood Plan: No

Case Summary

Planning permission is sought for a proposed self-build replacement dwelling and part change of use of the land to residential at Clark's Paddock, 154 Salts Road, West Walton.

West Walton is classified as a Tier 4 Settlement (Key Rural Service Centres) under Policy LP01 of the Local Plan 2021-2040. The application site is located outside of the development boundary of West Walton and is not an allocated site in the Local Plan.

Key Issues

Planning History
 Principle of development
 Form, character and design
 Impact on neighbour amenity
 Highway Safety
 Flood Risk
 Ecology and Biodiversity Net Gain
 Climate Change
 Other matters requiring consideration prior to the determination of this application

Recommendation

APPROVE

THE APPLICATION

The application is for a proposed self-build replacement dwelling and part change of use of the land to residential at Clark's Paddock, 154 Salts Road, West Walton.

The application site is located to the southeast of Salts Road and currently consists of a detached residential mobile home, with associated residential land and agricultural land. The use of the land and mobile home as residential was established by a lawful development certificate (reference 2/01/1570/LD).

Salts Road is characterised by a mix of detached two storey dwellings and bungalows, of all different sizes and styles.

West Walton is classified as a Tier 4 Settlement (Key Rural Service Centres) under Policy LP01 of the Local Plan 2021-2040. The site falls outside the development boundary of West Walton by approximately 582m.

SUPPORTING CASE

This application is a re submission of previously withdrawn application 25/00305/F, for a replacement dwelling. We withdrew the original application on the recommendation of the planning department, for the following reasons:

- Rear land was included within the red line and the land was not deemed residential.
- The dwelling was deemed over development of the site and too wide.
- One window on the South elevation would create overlooking issues.

We took on board all of the Planning Officers comments reduced the site size, reduced the width and height of the dwelling and removed the overlooking window, we have agreed the conditions and are happy this has come to committee with a recommendation to approve.

PLANNING HISTORY

25/00305/F: Application Withdrawn: 15/04/25 - Self-build: Proposed replacement dwelling and garage - Clark's Paddock, 154 Salts Road

21/02158/DISC_A: Discharge of Condition final letter: 01/09/23 - DISCHARGE OF CONDITION 2 OF PLANNING PERMISSION 21/02158/F: Retrospective application for regularisation of use of land to residential, associated with lawful use of residential mobile home, boundary walling and gates along site frontage, and erection of domestic store - Clark's Paddock, 154 Salts Road

21/02158/F: Application Permitted: 04/08/22 - Retrospective application for regularisation of use of land to residential, associated with lawful use of residential mobile home, boundary walling and gates along site frontage, and erection of domestic store - Clark's Paddock, 154 Salts Road

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RESPONSE TO CONSULTATION

Parish Council: OBJECTS, comment is summarised as:

- Has been multiple applications for housing development on this site 15/01313/F, 16/00629/F and 17/00975/O and all refused for reasoning of the rural development having adverse impact on the character and appearance of the countryside and in an area of flooding, contrary to the NPPF,
- Retrospective Planning Application 21/02158/F, the Parish Council specifically stated that residential development of this site should be refused on the same basis as the previous three applications,
- Salts Road is a narrow, rural road which is almost a single-track lane,
- The proposed development is still outside the planning envelope and in flood zone 3, and
- The proposed development is a large building and will have an adverse impact on the character and appearance of the countryside.

Highway Authority: No objections.

Recommends a condition relating to construction of the parking/ access area.

Emergency Planning:

Because of its location in an area at risk of flooding I would suggest that the occupiers:

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

Internal Drainage Board: OBJECTS

Byelaw 3 - Consent required

Section 23, Land Drainage Act 1991 - Consent not currently required

Byelaw 10 - Consent may be required

The board objects until either permission (Land Drainage Consent) is sought from the Board or written evidence is provided confirming there is no discharge of treated foul water from this site into the district. The applicant has been made aware of the comment and is their responsibility to obtain consent prior to any works commencing.

Environmental Quality: NO OBJECTION regarding contaminated land.

Environment Agency: No OBJECTIONS.

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (Peter Humphrey Associates) (ref ECL1507) are adhered to. In particular, the FRA recommends that:

- Finished floor levels will be set no lower than 2.4mAOD.
- Flood resistance / resilient measures will be incorporated up to 300mm above finished floor levels.

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- There will be no ground floor sleeping accommodation.

Ecology:

The applicant has claimed an exemption from Biodiversity Net Gain under the custom and self-build exemption. This must be secured via condition. An exemption from BNG does not preclude every developments duty to provide measurable net gain in biodiversity under the NPPF. There are no details of any enhancements provided. I therefore advise that as a minimum one bat box and one swift box is required, and landscape and ecology management plan conditioned to demonstrate how the development will fulfil this duty. A condition for a bat sensitive lighting scheme in accordance with the Bat Conservation Trust guidance would also be appropriate given the rural location and presence of records for roosting bats in the local vicinity (closest record approx. 1.5 km northeast).

REPRESENTATIONS ONE NEUTRAL comment received, comment is summarised as:

- The local council has already refused the above planning application on the reason of the site being outside the village envelope,
- Was planning every granted for the temporary building and if yes why, and
- I was advised that I would not be granted permission for 3 bungalows in the same location, would I get permission if this application is permitted.

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

LP01 - Spatial Strategy and Settlement Hierarchy Policy (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)

LP21 - Environment, Design and Amenity (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

NATIONAL GUIDANCE

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

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PLANNING CONSIDERATIONS

The main considerations are:

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

Planning History:

The lawful development certificate ref: 2/01/1570/LD was granted 27th May 2002 for "Use of land as a caravan site for no more than one caravan". Definition of Caravan Site is contained in the Caravan Sites and Control of Development Act 1960, Part 1, Section 1(4) which states a caravan site is "land on which a caravan is stationed for the purposes of human habitation and land which is used in conjunction with land on which a caravan is so stationed". Effectively this means the residential occupation of a mobile home on the site is lawful and the land within red on the lawful development certificate that surrounds the mobile home also has a lawful residential use in association with the caravan.

This was reaffirmed under planning reference 21/02158/F which sought planning permission for the retention of residential land associated with the lawful use of the residential mobile home, boundary wall and gate along the site frontage and erection of a domestic store, which was granted consent from Planning Committee in August 2022.

Principle of Development:

West Walton is classified as a Tier 4 Settlement (Key Rural Service Centres) under Policy LP01 of the Local Plan 2021-2040. The application site is located outside the development boundary of West Walton and therefore is treated as countryside. The application is for a proposed replacement dwelling and therefore is not considered windfall development and would be assessed against Policy LP35 - Enlargement or Replacement of Dwellings in the Countryside and other relevant planning policies. The principle of development is therefore considered acceptable.

The application is also identified as 'self-build' replacement dwelling and para 73(b) of the NPPF 2024 seeks opportunities to support small sites to come forward for self-build and custom build housing. Local Plan Policy LP31 supports self-build housebuilding where it respects local character and complies with other relevant policies of the plan.

The Borough Council also has a legal duty to give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in its area. 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.

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Form, Character and Design:

Policy LP35 of the Local Plan states that proposals for replacement dwellings will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits. The schemes should also reflect the scale and character of their setting and contribute to enhancing the local natural and built environment, recognising the intrinsic character and beauty of the surrounding countryside, and minimising potential adverse impacts of development.

The application site is a plot of residential and agricultural land, with an existing detached mobile home and shed, which are to be removed and replaced with the proposed dwelling. The residential use of the site has been established under planning ref 2/01/1570/LD for the siting and occupation of a residential caravan and associated curtilage in 2002. The land has therefore been considered residential for around 30 years.

The application proposes a detached, two storey brick dwelling and also proposes to change approx. 380m² of agricultural land to residential land. Examples of two storey dwellings can be found along Salts Road and therefore it is considered that the proposal responds sensitively and sympathetically to the local setting and character of the surrounding area. Whilst the application site is located within the countryside and the proposal would introduce a taller dwelling, with a larger residential garden, the application site already has an established residential use and on a planning balance it is considered that one two-storey dwelling would not cause detrimental harm to the natural environment (countryside).

Policies LP18 and LP21 of the Local Plan states that development should respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout, materials and access will enhance the quality of the environment and should respond sensitively and sympathetically to the local settings and pattern of adjacent streets.

The proposed dwelling would be approximately 18.8m wide, 11.5m deep and 8.2m high, lowering to 6.7m at the southwest gable. The proposed dwelling would be finished with Hoskins Old Farmhouse bricks, a pitched roof with a projecting gable, vintage red Redland Old Hollow pantiles, cream UPVC windows and doors, 5x dormer windows, 4x roof lights and a porch. The existing mobile home and shed would be removed as part of this application.

The proposed dwelling has been designed in a way which respects and reflects the surrounding area. Whilst this section of Salts Road is predominately countryside, there is a scattered pattern of dwellings along the southeast of Salts Road to the northeast of the site, all of different sizes and styles. Examples of the proposed materials can be found on these surrounding dwellings and with the dwelling being set approx. 22m back from the Salts Road, the proposal is considered to not cause harm to the character and visual amenity of the street scene and surrounding area.

As the site is located within flood zone 3, a replacement dwelling would be expected to be two-storey in order to provide habitable rooms within the first floor. A replacement single storey dwelling would not be considered acceptable in this location. This is discussed further below.

The proposed change of use proposes to change approx. 380m² of agricultural land to residential land. The agricultural land to the rear is divided by the existing 1.8m closed board fencing and would remain separate to the residential land following the construction of the proposal. With the proposed change of use increasing the existing residential land by a small scale, the increase in residential land is considered acceptable and would not cause harm to the character and visual amenity of the area and to the countryside.

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Overall, the form, character and design of the proposed dwelling and change of use is considered to be acceptable and in keeping with the design and appearance of the surrounding area. Furthermore, the proposal has been designed sympathetically to the local setting and would not cause detrimental harm to the character and form of Salts Road and the countryside. The proposal would therefore be in accordance with Policies LP18, LP21 and LP35 of the Local Plan 2021-2040.

Impact on Neighbour Amenity:

To the southwest, the proposed replacement dwelling would be approximately 3.8m to the neighbouring boundary and 5.1m to the neighbouring dwelling (152 Salts Road). Whilst the proposed dwelling would be within close proximity of the neighbouring dwelling, the height and depth of the dwelling has been reduced at the southwest end and therefore the dwelling is considered to not be overbearing and due to the orientation of No.152, the increase in height would not cause detrimental impact from overshadowing. No windows or doors have been proposed on the southwest elevation and therefore the proposal would not cause any increase in impact from overlooking. The proposed change of use of agricultural land to residential land would increase the scale of the site by approx. 380m² and this small increase would not result in detrimental impacts on neighbour amenity.

To the northeast of the site, the land is currently an undeveloped parcel of land. The application site does have planning permission for polytunnels and associated development (app 22/00586/F). Whilst the development has not yet been constructed, the access has been implemented and if the proposal is completed, the proposed development would not cause detrimental impacts from overlooking, overbearing and overshadowing to the site. There are no neighbouring dwellings to the northwest and southeast of the site.

Overall, the impact on neighbours is considered acceptable and would be in accordance with Policy LP21 of the Local Plan 2021-2040.

Highway Safety:

The site would be accessed via an existing access from Salt Road, approved under 21/02158/F.

No objections or concerns have been raised from the Local Highway Authority and a highways condition relating to the parking layout and access has been recommended.

The proposed dwelling is a 4-bedroom dwelling and Norfolk Parking Standards and Policy LP14 requires 4-bedroom dwellings to provide 3 parking spaces. The site plan proposes a driveway which would provide adequate space for 3 cars to park and manoeuvre.

The proposal accords with Policies LP02 and LP14 of the Local Plan.

Flood Risk:

The application site is located with Flood Zone 3, a Flood Risk Assessment was provided with this application and has been reviewed by the Environment Agency. The FRA proposes the finished floor levels to be set no lower than 2.4m AOD, flood resilient/ resistance measures will be incorporated up to 300mm above finished floor levels and there will be no ground floor sleeping. The Environment Agency has had no objections to the proposals for development, subject to compliance with these recommendations. However, the EA's response does not consider the sequential or exception tests, which is the responsibility of

Planning Committee
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the Local Planning Authority. With the application being for a replacement dwelling, an alternative site is not viable and there are no alternative sites at lower risk of flooding within the development boundary of West Walton, therefore the development passes the sequential test.

Following the sequential test, the proposal must also pass the exception test. Whilst the proposal would not provide benefits to the community, the proposal would replace the existing mobile home which currently only has ground floor sleeping accommodation, with a two-storey dwelling which would create a less vulnerable residential accommodation. The development can be made safe for its lifetime by virtue of the mitigation measures contained in the FRA and there would be no increased flood risk elsewhere. Furthermore, the dwelling would contribute towards the LPA's supply of custom and self-build dwellings, which the Borough Council currently has a short fall of. Therefore, on balance, the proposal is considered to accord with Policies LP18 & LP25 of the Local Plan.

Ecology and Biodiversity Net Gain:

In terms of biodiversity, the applicant has claimed an exemption for BNG on grounds that the development would be custom and self-build.

All development has a duty to provide a measurable net gain in biodiversity even where exempt from mandatory Biodiversity Net Gain. No ecological enhancements have been proposed on site and therefore a condition would be applied requiring the applicant to provide one bat box and one swift box is required, and a landscape and ecology management plan would also be conditioned to demonstrate how the development will fulfil this duty.

Due to the rural location of the site and presence of records for roosting bats in the local vicinity, a condition for a bat sensitive lighting scheme in accordance with the Bat Conservation Trust guidance would also be applied.

Subject to conditions, the proposal would comply with LP19 of the Local Plan 2021-2040 for ecology and BNG.

Climate Change:

LP06 of the Local Plan 2021-2040 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.

The application is for one replacement dwelling, which would replace an existing mobile home and be built in materials which are more resilient and sustainable, and the dwelling would be constructed in a traditional manner with minimal emissions. While the application site is located in an area at risk of flooding, flood resilient measures will be incorporated into the dwelling to make it safe durable for its lifetime. The proposal would therefore comply with Policy LP06 of the Local Plan.

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

- Drainage - The applicants have stated that the foul drainage would be disposed of using a package treatment plant and the proposed dwelling would be connected to the existing drainage system on site. The IDB have objected, with Byelaw 3 consent being required, it is the responsibility of the applicant to liaise with the IDB and obtain consent prior to commencing works.

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- The comments received from the Parish Council and the third-party representative have been taken into consideration and the previous applications (15/01313/F, 16/00629/F, 17/00957/O) were for new dwellings on the site to the northeast and not on the application site in this proposal. This application is for a replacement dwelling and this assessed on a separate merit to windfall development. New residential development outside of the development boundaries was not supported under the previous Local Plan and the New Local Plan only supports development adjoining the settlements or justified by other relevant planning policies. The third-party representative would need to undertake a pre-app application to seek advice on residential development on their land.
- The New Local Plan supports replacement dwellings in the countryside, subject to comply with Policy LP35 and other relevant policies and this is the merit this application has been assessed against. Whilst the proposal would create a larger dwelling on site, the site already has an established residential use, and the proposed dwelling has been designed to a high quality and in line with Policy LP35 it is considered that one dwelling in this location would not cause adverse impacts to the natural environment.
- Whilst the dwelling is located in an area of flooding and Salts Road is a narrow Road, a FRA has been provided with this application and mitigation measures will be put in place to make the dwelling safe for its lifetime and the proposal would result in no ground floor sleeping, which is safer for the occupants of the existing mobile home, and highways officer have raised no objections or concerns regarding highway safety.
- Previous application 25/00305/F for a Self-build: Proposed replacement dwelling and garage was withdrawn as the previous scheme had an unacceptable Flood Risk Assessment (FRA), did not include the proposed change of use, and the proposed scale of the dwelling and neighbour impact was considered unacceptable. This proposal has addressed the previous issues and is now considered acceptable and would comply with the relevant planning policies of the Local Plan.

CONCLUSION:

Overall, it is considered that the proposed dwelling and part change of use of land from agricultural to residential would be in keeping with the character and visual amenity of the surrounding area. Whilst the proposal would result in development in the countryside, the proposal has been designed to a high quality and being for only one replacement dwelling, on an existing residential land, the proposal would not cause detrimental harm to the natural environment (countryside). The proposal would not cause detrimental impact to the surrounding neighbours or highway safety concerns, and flooding mitigation is proposed to make the dwelling safe for its lifetime and this will be conditioned as part of this permission. Furthermore, the dwelling would contribute towards the LPA's legal requirement to provide self / custom build dwellings.

The proposal is therefore considered to be acceptable and in accordance with LP01, LP06, LP14, LP18, LP19, LP21, LP25, LP27, LP31 and LP35 of the Local Plan 2021-2040 and the NPPF 2024.

Planning Committee
30 June 2025

RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans, Drawing numbers:

7143 PL01c - PROPOSED DWELLING - SITE PLAN, LOCATION PLAN,
SECTION, ELEVATIONS AND FLOOR PLANS (Received 10/06/25)
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The development hereby permitted shall not be occupied until enhancement measures of one bird box and one swift box has been installed upon the dwelling hereby permitted and a landscape and ecology management plan, demonstrating how the development will fulfil the duty to provide measurable biodiversity net gain through ecological enhancements. These enhancement measures shall be retained in that condition thereafter.
- 3 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 179 of the NPPF and LP19 of King's Lynn and West Norfolk Local Plan 2021-2040.
- 4 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.
- 4 Reason: In order to safeguard the ecological interests of the site in accordance with LP19 of the Local Plan 2021-2040 and Section 15 of the NPPF.
- 5 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with Policies LP14, LP18 and LP21 of the Local Plan 2021-2040.

6 Condition: Self build and custom 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
- (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 [unit/dwelling] for at least 3 years
- (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 development meets the criteria for self-build and custom build application Biodiversity Net Gain exemption in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

7 Condition: The development hereby permitted shall be constructed in full accordance with the Flood Risk Assessment (FRA) written by Ellingham Consulting LTD, dated March 2025.

7 Reason: In order to prevent an increased risk of flooding in accordance with Policies LP18, LP21 and LP25 of the new Local Plan.

8 Condition: Prior to the first occupation of the dwelling hereby permitted, a 1.8m close boarded fence and gate along the southeast boundary of the application site, shown on drawing no. 7143 PL01c shall be erected and retained in that position thereafter.

8 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with Policy LP21 and the NPPF.

Previous Committee:	02/06/2025
Upcoming Committee:	30/06/2025

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the 2 June 2025 Planning Committee Agenda and the 30 June 2025 agenda. There were 92 total decisions issued with 87 issued under delegated powers and 5 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 20 May 2025 and 16 June 2025.

	Total	Approved	Refused	Under 8 Weeks	Under 13 Weeks	Performance %	National Target	Planning Committee Decision	
								Approved	Refused
Major	5	5	0		5	100.0%	60%	0	0
Minor	35	26	9	32		91.4%	80%	4	1
Other	52	49	3	48		92.3%	80%	0	0
Total	92	80	12	80	5			4	1

Planning Committee made 5 of the 92 decisions (5.4%)