



# **Planning Committee**

## **Agenda**

**Monday, 12th January, 2026**  
at 9.30 am

in the

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

Also available to view at:

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





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

**PLANNING COMMITTEE AGENDA**

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

Please ensure that all mobile phones are switched to silent

**DATE:** Monday, 12th January, 2026

**VENUE:** Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

**TIME:** 9.30 am

**1. APOLOGIES**

To receive any apologies for absence and to note any substitutions.

**2. MINUTES** (Pages 6 - 12)

To confirm as a correct record the Minutes of the Meeting held on 1 December 2025 (previously circulated).

**3. DECLARATIONS OF INTEREST** (Page 13)

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

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

Councillor appointed representatives on the Internal Drainage Boards are noted.

**4. URGENT BUSINESS UNDER STANDING ORDER 7**

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

**5. MEMBERS ATTENDING UNDER STANDING ORDER 34**

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

**6. CHAIR'S CORRESPONDENCE**

To receive any Chair's correspondence.

**7. RECEIPT OF CORRESPONDENCE RECEIVED AFTER THE PUBLICATION OF THE AGENDA**

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

**8. INDEX OF APPLICATIONS (Pages 14 - 15)**

The Committee is asked to note the Index of Applications.

**9. DECISION ON APPLICATIONS (Pages 16 - 122)**

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

**10. DELEGATED DECISIONS (Page 123)**

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

**To: Members of the Planning Committee**

Councillors B Anota, T Barclay, R Blunt, F Bone (Chair), A Bubb, M de Whalley, T de Winton, P Devulapalli, S Everett, J 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 15 January 2026** (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 Correspondence Received After the Publication of the Agenda 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](mailto: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:

[democratic.services@west-norfolk.gov.uk](mailto:democratic.services@west-norfolk.gov.uk)

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

**Minutes from the Meeting of the Planning Committee held on Monday, 1st December, 2025 at 9.30 am in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ**

**PRESENT:** Councillor F Bone (Chair)

Councillors T Barclay, R Blunt, A Bubb, M de Whalley, T de Winton, J Fry, S Lintern, C Rose, A Ryves, Mrs V Spikings and M Storey

**PC67: APOLOGIES**

Apologies for absence had been received from Councillors Anota and Everett.

**PC68: MINUTES FROM THE PREVIOUS MEETING**

The minutes from the meeting held on 3 November were agreed as a correct record and signed by the Chair.

**PC69: DECLARATIONS OF INTEREST**

There were no declarations of interest.

**PC70: URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

**PC71: MEMBERS ATTENDING UNDER STANDING ORDER 34**

The follows Members attended under Standing Order 34:

**PC72: CHAIR'S CORRESPONDENCE**

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

**PC73: RECEIPT OF CORRESPONDENCE RECEIVED AFTER THE PUBLICATION OF THE AGENDA**

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

PC74: **DECISION ON APPLICATIONS**

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

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

- (i) **25/01520/F**  
**Burnham Market: 11 Walkers Close, Creak Road: Self-Build: Demolition of existing semi-detached dwelling. Erection of new four-bedroom two storey dwellinghouse (use class C3) attached to neighbouring property. Erection of a single storey ancillary garage with associated landscaping and boundary treatment:**

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

The case officer introduced the report and advised that the application sought full planning permission for the demolition and subsequent replacement of a semi-detached dwellinghouse at 11 Walkers Close, Creak Road, Burnham Market. The proposed dwelling would be a self-build and custom dwelling.

The proposal would see the replacement being constructed on an extended footprint with a wider two storey element with front, side and rear single storey extensions.

The proposal had been amended to remove a proposed garage to the front of the dwelling.

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

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

In accordance with the adopted public speaking protocol, Amy Nelligan (objecting) and Thomas Faire (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Sandell addressed the Committee and outlined her concerns to the application.

The Chair made reference to the emails sent by Councillor Ryves over the weekend, and asked Councillor Ryves if he considered that he had predetermined the application.

Councillor Ryves explained that in his first email, he had asked for a legal opinion on human rights and in the second email he advised that he had not formed any opinion yet. He suggested that the application should be deferred until legal advice had been received in relation to human rights from the Council's Legal Advisor.

The Council's Legal Advisor explained the Council's duties under the Human Rights Act and public sector equality duty, confirming that the age and vulnerability of the neighbours were relevant protected characteristics. Members were advised to consider whether the interference with neighbours' rights was proportionate and whether conditions could adequately mitigate impacts.

Councillor Mrs Spikings expressed concern relating to the removal of the semi-detached dwelling leaving an internal wall of 9 inches thick with no damp proofing with the winter months approaching, which would be to the detriment to the neighbours, and having a 3-year time period to carry out the works. She asked whether permitted development rights could be removed.

Councillor Ryves stated that he was pleased to hear the response from the Council's Legal Advisor, and what was clear to him was that it was not clear cut and up to Councillors to make a decision. He referred to the Human Rights legislation.

The Council's Legal Advisor explained that whilst human rights and the public sector equality duty were relevant considerations, and if the Committee felt that the interference was not proportionate it was a basis for refusal. The bar was high, and the Committee needed to bear in mind the officers report and the fact that the works would be temporary, officers had come to the view that conditions were suitable to make this a proportionate interference. She added that the Committee needed to take into account the advice from officers and the conditions proposed to come to a properly reasoned decision to limit any potential for costs on appeal.

The Assistant Director advised that he had not seen an appeal that had been dismissed given the temporary and short-term nature of construction works and disturbance that could be dealt with by conditions. He referred to the costs advice, and the fact that the proposed conditions were tight and if the Committee considered necessary, could be made tighter. He concluded that if a consent could be conditioned, then permission should be granted.

In response to a comment from the Chair, the Assistant Director advised that he considered that the conditions were enforceable and in relation to hours of operation, the Planning Department would soon be

made aware if these had been breached. In relation to the conditions, reference had been made to the party wall, and he suggested that the Committee might want to consider adding an extra condition requiring details of how the party wall was going to be protected during construction.

The Planning Control Manager advised that the proposal was within the National Landscape and had very limited permitted development rights.

In response to a query from Councillor Ryves the Legal Advisor clarified that Human Rights and Public Sector Equality Duty were material considerations but to ensure that the Committee was making reasonable decisions that were defensible on appeal, they needed to be considered in the context as a whole and take into account conditions and whether it was therefore possible to mitigate any impact and bring it into a legitimate aim with a proportionate interference

The Committee then discussed the scale and design of the proposed dwelling, the adequacy of conditions, the potential for disproportionate harm to elderly neighbours, and the weight to be given to human rights and neighbourhood character.

Councillor Mrs Spikings proposed that the application be refused on the grounds that the proposal caused significant and disproportionate interference with Article 8 rights, unacceptable risks to health and well-being, and over-dominance in the street scene. This was seconded by Councillor Storey.

The Democratic Services Officer then carried out a roll call on the proposal to refuse the application for the reasons above and, after having been put to the vote, was carried (11 votes for and 1 abstention).

**RESOLVED:** That the application be refused, contrary to recommendation, for the following reasons:

1. *The proposed demolition of the semi-detached dwelling would result in a significant and disproportionate interference with the article 8 rights of the adjoining elderly residents, namely their right to respect for their home and private life. The works would give rise to unacceptable risks to their health, safety and wellbeing, due to structural, noise, dust and vibration impacts directly arising from the demolition and would materially impair their ability to safely and comfortably occupy their home. The Local Planning Authority is not satisfied that these impacts could be adequately mitigated or controlled through planning conditions, nor that the interference is necessary or proportionate in relation to any public benefit of the proposal. Consequently, the development would constitute an unjustified and unlawful*

*interference with article 8 rights of the affected residents as protected under the Human Rights Act 1998.*

2. *The proposed design, as a result of its over dominance, is out of keeping with the form and character of the street scene and therefore is contrary to LP18 and LP21 of the King's Lynn and West Norfolk Local Plan (2021 - 2040), Policy 6 of the Burnham Market Neighbourhood Development Plan (2022 - 2036) and the National Planning Policy Framework.*

*The Committee adjourned for a comfort break at 11.10 am and reconvened at 11.22 am.*

*Councillor de Winton left the meeting.*

- (ii) **25/00060/O**  
**Marshland St James: Land north of 4 Walton Road: Outline application: 9 Self-Build dwellings: Mr Nick Barker**

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

The case officer introduced the report and explained that the application sought outline planning permission for 9 no. self-build dwellings, on a parcel of land on the north-east side of Walton Road with access proposed of Walton Road (via a vacant building plot in a row of recently built houses) and to the rear of dwellings facing Smeeth Road just northeast of the Hickathrift crossroads junction. The layout and access were for consideration at this stage and plans demonstrated 9 plots served off a private drive; all other matters were reserved for later consideration.

The current use of the land was agriculture (Grade 2). The application site was located mostly outside of the development boundary of Marshland St James (access drive plus a strip of approximately 12 m to the rear of Walton Road properties was inside) and abutted it on the southeastern boundary. The site was located within Flood zones 2 and 3A).

The case officer advised that this application was proceeding towards an approval subject to a Section 106 Agreement (to secure affordable housing contribution, GIRAMS payment and Custom & Self-Build tenure) following referral to the Planning Sifting Panel on 4<sup>th</sup> June 2025 due to the objection of the Parish Council.

However, in the interim prior to completion of the legal agreement, the Marshland St James Neighbourhood Plan had been adopted (on 8<sup>th</sup> October 2025) which had raised some conflict and was now the most up to date planning policy consideration and had full weight, so the application had been referred to the Planning Committee for determination at the discretion of the Assistant Director.

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

In accordance with the adopted public speaking protocol, Kurt Morgan (objecting on behalf of the Parish Council) and Shanna Penney (supporting) addressed the Committee in relation to the application.

Councillors debated the weight to be given to the neighbourhood plan versus the need for self-build and affordable housing, noting the finely balanced nature of the case. Some members questioned the rigidity of the neighbourhood plan, while others highlighted the borough-wide need for affordable and self-build homes. The committee considered whether the proposal's benefits outweighed the minor policy conflict.

Councillor Ryves proposed that the application be approved on the grounds that significant weight has been placed on the need for self-build and affordable housing as there was a Borough-wide need, that outweighed the minor conflict with the neighbourhood plan. As it was considered that the proposal was acceptable, the exceptions test had been met.

This was seconded by Councillor Bone.

The Democratic Services Officer then carried out a roll call on the proposal to approve the application, subject to appropriate conditions to be agreed following consultation with the Chair and Vice-Chair and, after having been put to the vote was carried (8 vote for, 3 against).

**RESOLVED:** That the application be agreed, subject to appropriate conditions to be agreed following consultation with the Chair and Vice-Chair, contrary to recommendation, for the following reasons:

*The application should be approved on the grounds that significant weight has been placed on the need for self-build and affordable housing as there was a Borough-wide need, that outweighed the minor conflict with the neighbourhood plan. As it was considered that the proposal was acceptable, the flood risk exceptions test had also been met.*

PC75: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

**RESOLVED:** That the reports be noted.

PC76: **UPDATE ON TREE MATTERS**

The Arboricultural Officer presented a six-month monitoring report on tree work applications and demonstrated improvements to the Council's public-facing website for tree protection. The Committee also

discussed notification processes, replacement duties, and recent incidents involving dangerous trees.

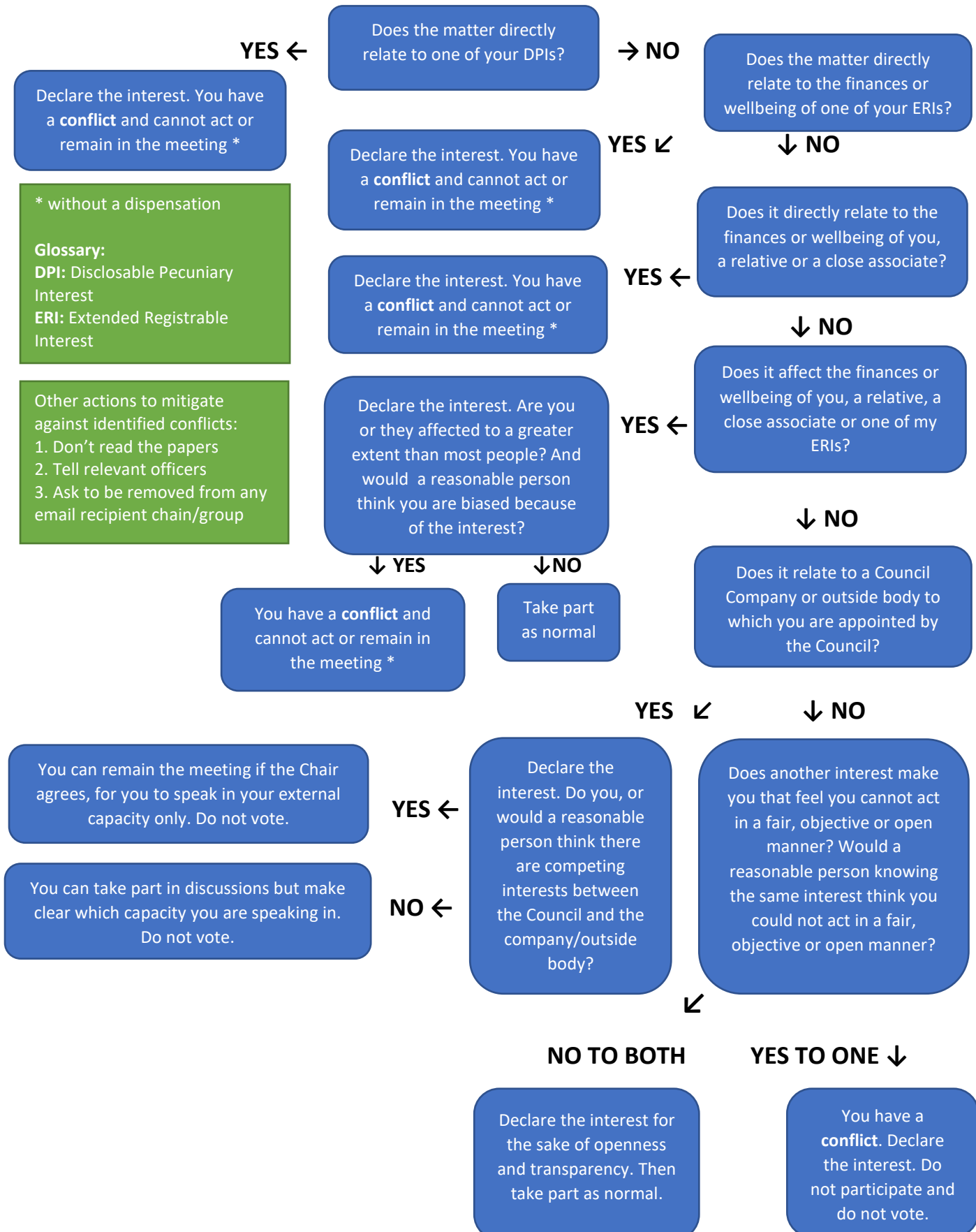
**RESOLVED:** That the report be noted.

**The meeting closed at 12.15 pm**

# DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



## START



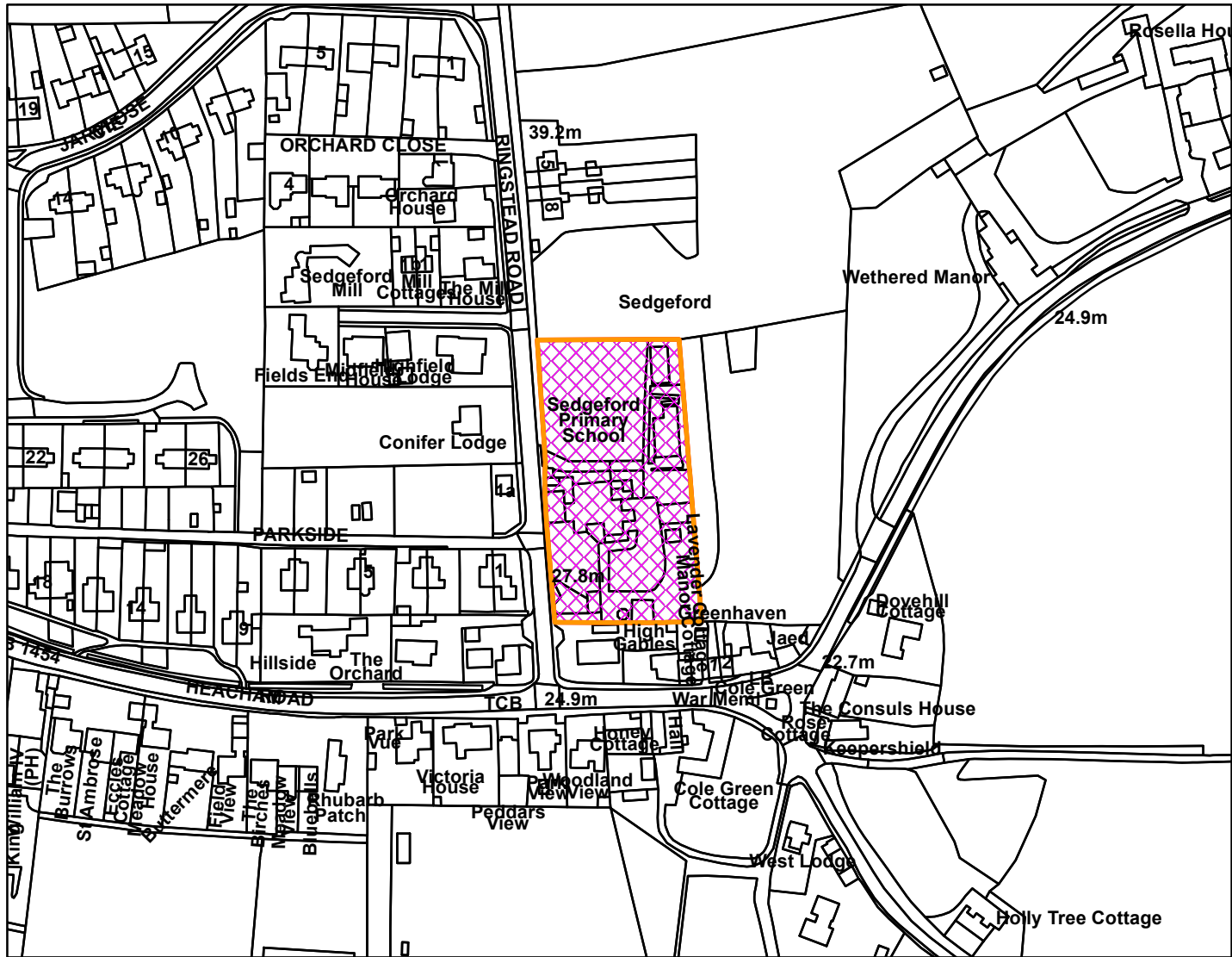
**INDEX OF APPLICATIONS TO BE DETERMINED  
BY THE PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 12 JANUARY 2026**

<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
<b>MAJOR DEVELOPMENTS</b>				
9/1 (a)	<b>25/00641/FM</b> Sedgeford First School Ringstead Road Sedgeford Hunstanton Norfolk PE36 5NQ Change of use of Former Sedgeford Primary School from education (Class F1a) to residential use (Class C3), subdivision of headteachers cottage, alongside demolition of ancillary structures, erection of new dwellings, creation of new access, cycle parking, car parking, hard and soft landscaping, plant, and associated works.	<b>SEDFORD</b>	<b>APPROVE</b>	<b>16</b>
<b>OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE</b>				
9/2 (a)	<b>25/00118/F</b> Land East of 1 Saxon Field Main Road Brancaster Norfolk PE31 8DZ Change of Use from agricultural land to commercial with installation of 5no. Holiday Lodges and 3no. Camping pods.	<b>BRANCASTER</b>	<b>APPROVE</b>	<b>44</b>
9/2 (b)	<b>25/01595/LB</b> Middleton Castle Station Road Tower End Middleton King's Lynn Norfolk PE32 1EE Listed Building consent application for installation of 2.025m timber fencing.	<b>MIDDLETON</b>	<b>REFUSE</b>	<b>67</b>
9/2 (c)	<b>25/01728/F</b> Tower Farm Station Road Tower End Middleton King's Lynn Norfolk PE32 1EE Retrospective construction of timber boundary fence 2.770m high.	<b>MIDDLETON</b>	<b>REFUSE</b>	<b>73</b>
9/2 (d)	<b>25/01495/F</b> Linnymead Manor Road North Wootton King's Lynn Norfolk PE30 3PZ Change of use of domestic garden building to Pilates Studio with the sale of refreshments (Class E).	<b>NORTH WOOTTON</b>	<b>APPROVE</b>	<b>81</b>

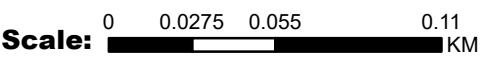
9/2 (e)	<b>25/01697/F</b> Barns At Old Farm Horsehead Drove Lott's Bridge Three Holes Norfolk PE38 0BY SELF BUILD: Proposed barn conversion and extensions.	<b>UPWELL</b>	<b>REFUSE</b>	<b>97</b>
9/2 (f)	<b>25/01675/O</b> Land Rear of 1 To 3 Griffin Close Griffin Close Walsoken Norfolk PE14 7BW OUTLINE APPLICATION SELF BUILD: Proposed Custom/Self-Build Dwelling.	<b>WALSOKEN</b>	<b>REFUSE</b>	<b>111</b>



Sedgeford First School Ringstead Road Sedgeford Hunstanton Norfolk PE36 5NQ



Legend

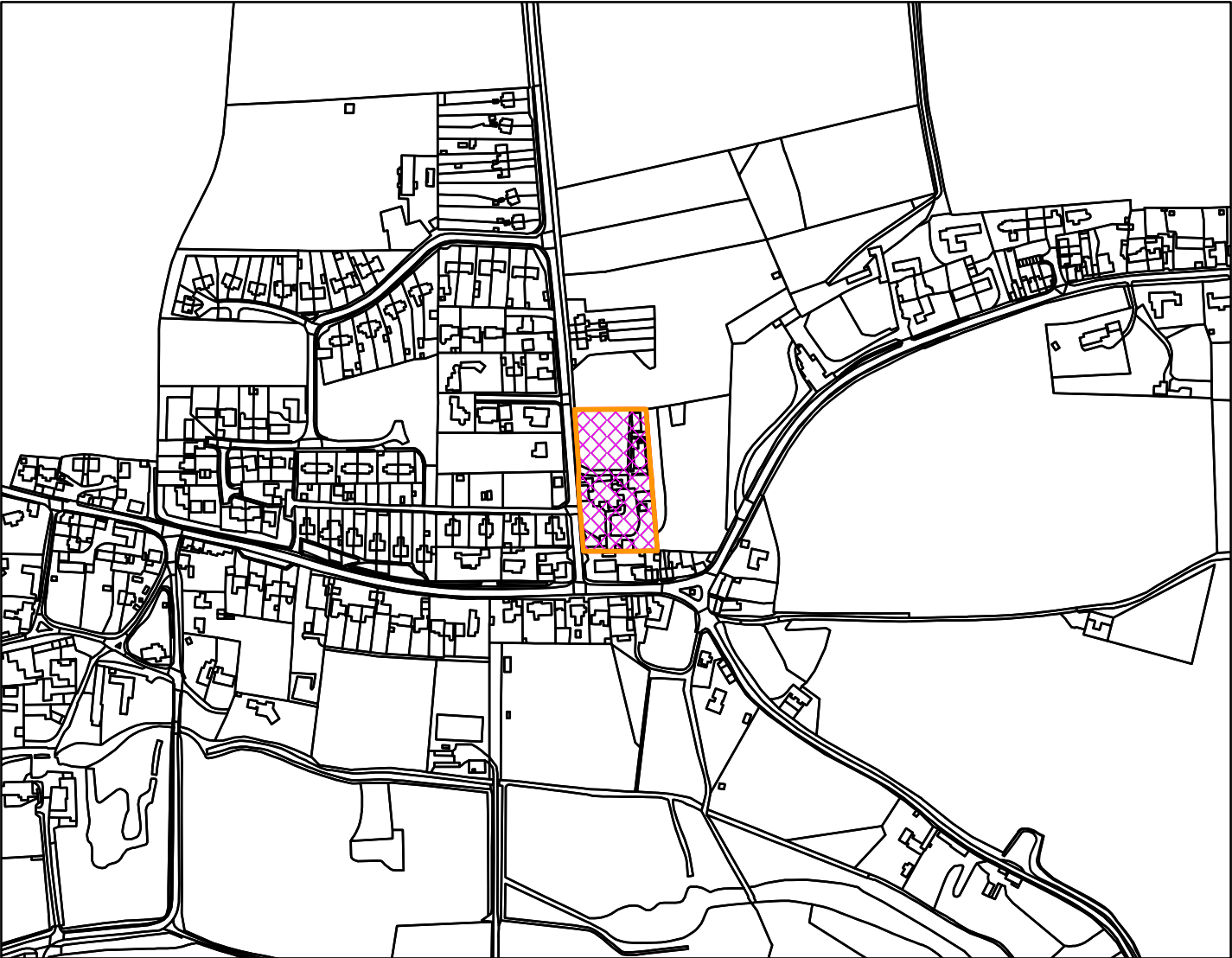


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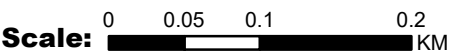
Organisation	BCKLWN
Department	Department
Comments	
Date	17/12/2025
MSA Number	0100024314



Sedgeford First School Ringstead Road Sedgeford Hunstanton Norfolk PE36 5NQ



Legend



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Ordnance Survey AC0000819234

Organisation	BCKLWN
Department	Department
Comments	
Date	17/12/2025
MSA Number	0100024314

<b>Parish:</b>	<b>Sedgeford</b>	
<b>Proposal:</b>	<b>Change of use of Former Sedgeford Primary School from education (Class F1a) to residential use (Class C3), subdivision of headteachers cottage, alongside demolition of ancillary structures, erection of new dwellings, creation of new access, cycle parking, car parking, hard and soft landscaping, plant, and associated works.</b>	
<b>Location:</b>	<b>Sedgeford First School Ringstead Road Sedgeford Hunstanton Norfolk PE36 5NQ</b>	
<b>Applicant:</b>	<b>c/o Agent</b>	
<b>Case No:</b>	<b>25/00641/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination:</b> <b>27 August 2025</b> <b>Extension of Time Expiry Date:</b> <b>16 January 2026</b>

**Reason for Referral to Planning Committee** – Called in by Cllr Parish and the officer recommendation is at odds with the views of the Parish Council.

**Neighbourhood Plan:** Yes

### **Case Summary**

The application seeks full planning permission for the conversion of the Sedgeford First School (and associated Headmasters house) to 8 flats and the construction of 12 new build houses within the surrounding site. Two on site affordable units are proposed.

The site is wholly within the development boundary within the Policies Plan and in a position where residential development is supported by Policy LP02. The site is also within the Sedgeford Conservation Area which there is a duty to preserve or enhance.

The existing school building, which has been unused since 2020, is designated as a community facility under Policy C1 of the Sedgeford Neighbourhood Plan.

The Sedgeford Neighbourhood Plan has a principal residency requirement which applies to this application.

### **Key Issues**

Principle of development  
Design and Impact on Heritage Assets  
Trees  
Impact on neighbour amenity  
Highway safety  
Affordable Housing  
Drainage  
Other material considerations

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## Recommendation

**A. APPROVE** - subject to completion of a s106 to secure Affordable Housing, GIRAMS tariff, Principal Residency and any 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 Affordable Housing in line with LP29.

## THE APPLICATION

The application seeks full planning permission for the conversion of the Sedgeford First School (and associated Headmasters house) to 8 flats and the construction of 12 new build houses within the surrounding site. Two on site affordable units are proposed.

The site is wholly within the development boundary within the Policies Plan and in a position where residential development is supported by Policy LP02. The site is also within the Sedgeford Conservation Area which there is a duty to preserve or enhance.

The existing school building, which has been unused since 2020, is designated as a community facility under Policy C1 of the Sedgeford Neighbourhood Plan.

The Sedgeford Neighbourhood Plan has a principal residency requirement which applies to this application.

The building on site comprises the single storey 19th Century Carstone and brick school building with an attached two storey residential property to the western side which was originally in use as the headmaster's house. An area of land to the rear of the headmaster's house, which has previously gained planning permission for a single dwelling under application ref 22/01329/F is also incorporated into the site area.

The existing school building and headmaster's house would be converted to form eight flats (6 one bedroom and 2 two bedroom units).

The twelve new build units (3 two bedrooms, 6 three bedroom and 3 four bedroom) are proposed to be constructed within the school grounds which extend to the south, east and north of the main building. Two prefab buildings in the northeast corner would be demolished.

A new vehicle access is proposed from Ringstead Road towards the south of the school as the existing vehicle access to the north of the school does not provide suitable visibility splays. The existing vehicle access would be retained for pedestrian and cycle access only.

The site is surrounded by a combination of mature hedging to parts of the western boundary. Other hedging is existing along eastern boundary and parts of the southern boundary (conifer type), with mature trees located on and around the north, south and eastern

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boundaries, both on and off site. The verdant nature of the site contributes towards its character.

The hedge to the western side of the site is around 1.6m high but sits on a grass bank of around 0.7m. This hedge contributes significantly to the character of the Conservation Area and is proposed to be retained as part of this application.

Open agricultural land is positioned immediately north, providing separation to the dwellings further along Ringstead Road as well as to the east.

## **SUPPORTING CASE**

None received at time of writing.

## **PLANNING HISTORY**

22/01329/F: Application Permitted: 05/04/23 - Erection of Detached Cottage, following Demolition of Existing Garage - School House Ringstead Road - COMMITTEE

## **RESPONSE TO CONSULTATION**

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

- lack of affordable housing *Officer Note- Now resolved*
- Policy H6 of the Neighbourhood Plan relates to the quality of the built environment, the proposal is cramped and risks undermining the character of the village
- Policy H7 of the Neighbourhood Plan clearly states that for refurbished or extended properties – such as the school buildings – sufficient space must be retained for off-street parking in line with Norfolk County Council standards *Officer Note – The proposal complies with the NCC parking standards and Policy LP14*
- Highway safety impacts on Ringstead Road, on-street parking will impact this *Officer Note – Traffic Regulation Orders seek to prevent vehicles from waiting on Ringstead Road*
- Request for specialised glazing on skylights to preserve dark skies
- Policy H8 of the Neighbourhood Plan, new open market housing should be conditioned that the homes are occupied only as the primary/principal reside
- Concern over maintenance of landscaped areas
- Concern over loss of trees/failure to retain trees.

**Highways Authority: NO OBJECTION** following receipt of amended plans. Recommended conditions, including off-site highway improvement works and the promotion of Traffic Regulation Orders.

**Housing Enabling:** S106 is required to secure Affordable Housing, 2 on site units (1 for rent and 1 for low-cost home ownership)

## **Environmental Health & Housing - Environmental Quality Team:**

Contaminated Land – Conditions are recommended due to the recommendation for further investigation in the Ground Investigation Report.

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Air Quality - Whilst the predicted additional traffic flow is relatively high, it is less than IAQM screening criteria (500vpd) for air quality assessment and therefore shows pollutant levels as likely to be less than the objectives, and therefore reason not to object for air quality purposes. Provided advice as to solar panels and shadowing by chimney stacks which may affect sustainable design.

**Conservation Officer: NO OBJECTION**

The Conservation Team consider that the proposal is much improved for the change in materials which better reflect the traditional construction of the school. We therefore have no further comments to make.

**Ecologist: NO OBJECTION** following receipt of amended documents.

**Arboricultural Officer:** Raised Concern over loss of trees and hedgerows and potential future pressure for removal, recommending conditions if the application is to be approved.

**Anglian Water: OBJECTION** The proposal connects to Heacham WWTW which does not currently have capacity. Full comments are available on the online file.

## **REPRESENTATIONS**

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

- Loss of trees, position of trees in RPAs of retained trees
- Concern of density
- Small gardens and lack of green space
- Design out of keeping with Conservation Area (particular reference to proposed terraced properties, materials, windows etc)
- Need for housing in Sedgeford
- The lack of affordable house contravenes the Sedgeford Neighbourhood Development Plan
- Increased use of Ringstead Road by vehicles
- Water infrastructure inadequate
- The village has far too many second homes and holiday lets.

**CIlr Parish** comments summarised as follows:

- Parish Council is concerned about the lack of affordable homes, which was unexpected following pre-app discussions
- Requested controls of works during construction to prevent adverse impacts on neighbours
- Raised concerns over impacts on neighbouring property which are considered to be civil matters (impacts on footings of property, garden planting damaged during construction etc)

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

**LP02** - Residential Development on Windfall Sites (Strategic Policy)

**LP06** - Climate Change (Strategic Policy)

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**LP13** - Transportation (Strategic Policy)

**LP14** - Parking Provision in New Development

**LP18** - Design & Sustainable Development (Strategic Policy)

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

**LP20** - Environmental Assets- Historic Environment (Strategic Policy)

**LP21** - Environment, Design and Amenity (Strategic Policy)

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

**LP30** - Adaptable & Accessible Homes (Strategic Policy)

**LP38** - Community and Culture (Strategic Policy)

**LP39** - Community Facilities

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy C1:** Community Facilities

**Policy E1:** The River Valley Setting

**Policy E2:** The Heacham River

**Policy E5:** Conservation Area and buildings of historical interest

**Policy E6:** Dark Skies

**Policy H2:** The location of new residential development

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

**Policy H5:** Housing Mix

**Policy H6:** Replacement Dwellings

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

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **OTHER GUIDANCE**

Sedgeford Conservation Area Character Statement

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12 January 2026

## **PLANNING CONSIDERATIONS**

### **The main considerations are:**

Principle of development  
Design and Impact on Heritage Assets  
Trees  
Impact on neighbour amenity  
Highway safety  
Affordable Housing  
Drainage  
Other material considerations

### **Principle of Development:**

The site is wholly within the development boundary as shown within the Local Plan (2025) and the Sedgeford Neighbourhood Plan. The principle of development is therefore acceptable, subject to compliance with Policy LP02 of the Local Plan and Policy H3 of the Sedgeford Neighbourhood Plan.

The application site is within the Sedgeford Conservation Area which there is a duty to preserve or enhance.

The application site is immediately outside of the Norfolk Coast National Landscape, the boundary to which aligns with the eastern side of Ringstead Road. There is a statutory duty for Local Authorities to have regard to the statutory purposes of the National Landscape as part of decision making. Full consideration of design takes place below, however given retention of the frontage hedgerow and the site's position enclosed by existing boundaries and built form on three sides, it is not considered that any harm would occur to the special qualities of the National Landscape.

The school is no longer functioning as a school and this scheme is for the development of the site into residential use. Both the Neighbourhood Plan (Policy C1) and Policy LP38 of the Local Plan require the loss of community facilities to be fully justified.

Policy C1 states:

'Development proposals that would result in a change of use or the redevelopment for non-community use of the School, the Village Hall, the Recreation Ground or the King William IV public house will only be supported where it can be demonstrated that:

- There is insufficient demand to justify the retention of the facility or
- Equivalent or better provision has been made in a location where it can be easily accessed by the village.

Development which would increase the sustainability of these facilities and would be consistent with other policies in the development plan will be supported. '

Given that the school has been vacant since 2020, it is not considered that continued use of the site for education purposes would be viable or needed. The school does not currently serve the local community and the reuse of the building for housing for local people is considered to be of wider benefit.

In terms of amenities, Sedgeford has a village hall, recreation ground and the King William IV pub.

It is understood that two bus routes pass through Sedgeford, with bus stops located adjacent to the access point to the site on Ringstead Road, as well as two stops on Heacham Road. These routes provide links to larger settlements including Heacham, Hunstanton, King's Lynn and Wells-next-the-sea. Heacham which lies around 2 miles to the west of Sedgeford offers a GP surgery, dentist, nursery, junior school, post office and grocery stores.

The application proposes improvements to footpath links and bus stops via off-site highway works conditions. This has been agreed by the Local Highway Authority.

The application site is therefore considered to be a sustainable location where the provision of additional housing towards the Council's land supply is acceptable in principle.

#### *Other Policies of the Neighbourhood Plan*

Policy H5 of the Sedgeford Neighbourhood Plan mandates that new residential developments of two or more houses reflect the identified need for two and three bedroom homes, based on the latest housing need data and site characteristics. The proposed development will deliver a mixture of detached, semi-detached, terraces and flats over a range of sizes. The proposed housing mix comprises approximately 30% as 1-bedroom dwellings, 25% as 2-bedroom dwellings, 30% as 3-bedroom dwellings and 15% as 4-bedroom dwellings, meeting the requirements of Policy H5.

Policy H6 of the Sedgeford Neighbourhood Plan supports the replacement of dwellings within the development boundary, provided they comply with Policy H3

Policy H3 of the Neighbourhood Plan sets out additional requirements for infill development within the Neighbourhood Plan area which states:

'Within the development boundary of Sedgeford infill development, of individual, or small groups of dwellings will be supported where:

- they would relate well to the neighbouring development in terms of height, scale and impact on the street scene, and, where applicable, would preserve or enhance the character or appearance of the Conservation Area, and
- they would not have an unacceptable detrimental impact on the living conditions of the occupants of neighbouring property, and
- The provision of a vehicular access would not have an unacceptable detrimental impact on to highway safety and on-site parking can be provided in accordance with NCC standards.
- Dwellings should maintain adequate spacing and not appear cramped on the plot or in relation to neighbouring dwellings and their footprint should not normally exceed 40% of the plot area;
- The development does not conflict with other development plan policies'

As discussed in more detail below, the proposal is considered to relate well to the historic character of this part of Sedgeford and in particular the Conservation Area. No significant neighbour impacts are identified, and the highway safety implications have all been deemed acceptable.

Density and spacing is discussed in more detail below, however it is not considered that the density of the new build properties is so substantially at odds with the locality to be at odds with criteria four of Policy H3.

No other conflicts with development plan policies have been identified.

The proposal therefore complies with Policy H3.

The Sedgeford Neighbourhood Plan has a principal residency requirement (Policy H8). A planning obligation is recommended to secure compliance with this policy.

The proposal would not impact on any green spaces identified in Policy E3 of the Neighbourhood Plan, and no impacts would be likely on the Heacham River nor the Heacham River Valley, in line with Policies E1 and E2 of the plan.

### **Design and Impact on Heritage Assets:**

The application proposes the conversion of the existing school building/headmasters house to 8 flats, and the construction of 12 dwellings within the grounds. The school building is identified as an Important Unlisted Building in the Sedgeford Conservation Area Map and is a non-designated heritage asset in its own right.

The entire site is located within the Sedgeford Conservation Area boundary. There are no listed buildings on site, however, the Primary School is identified as an important unlisted building in the Sedgeford Conservation Area Character Area Statement. The Primary School is also identified as a building of local historic interest within the Sedgeford Neighbourhood Plan.

Policy E5 of the Sedgeford Neighbourhood Plan requires regard to be given to the school's character and heritage interest. This reiterates the aims set out by Policies LP18, LP20 and LP21 of the Local Plan.

Paragraph 216 of the NPPF states that *'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*

A heritage statement was provided in support of this application.

Plans were amended during the course of this application, in particular for the new build dwellings, to replace timber boarding with Carstone and to alter the proportions/eaves height of the roof of Plots 10-12. These amendments, alongside justification for the new layout of the school building, were sufficient to overcome the initial concern raised by the Conservation Officer. Boundary treatments were also amended (Plots 1-3, 9-12) to ensure that car parking areas and the pedestrian cycle link were appropriately overlooked.

### ***Sedgeford First School – Conversion and Alteration***

Sedgeford First School is an interesting building set within a typical school environment. It has a playing field to the north and yards and smaller play areas to the south. A possible Boulton and Paul temporary classroom has been placed to the northeast of the school site. The school building is not listed but is considered a non-designated heritage asset and the whole site is within the Sedgeford Conservation Area. The north boundary of the playing field is the northern edge of the Conservation Area boundary.

The school has always been towards the edge of the village settlement and surrounded by open space. The large trees to the west of the site are testament to the former agricultural and rural setting of the building. The 1885 map shows the school itself set within a verdant plot and the construction of houses within the playing field will impact on this relationship. Whilst this impact is noted, the site and proposed dwellings have been designed to allow a

contrast in design ethos between the school and the new build houses which would allow a continued understanding of the site's past.

The conversion of the existing school building on site would result in limited impacts on the street scene and has been appropriately designed to minimise direct harm or loss of historic fabric whilst allowing the building to comply with relevant building regulations and safety standards. The proposed works to create new openings would not lead to harm to the Conservation Area and the negligible harm to the non-designated heritage asset would be overcome through the provision of 8 units towards the Housing land supply.

### *New Build Units*

The new dwellings are proposed with generally traditional proportions but with contrasting modern detailing. The terraced properties (plots 10-12) to the south of the site are proposed to 'step up' the hill which is considered to be an appropriate approach for this part of the street scene and also aides the scale of the scheme by breaking up ridge and eaves heights. The eaves of these properties are low and reflect the proportions of traditional cottages, whilst the detailing around dormer windows and porches, as well as areas of striped inset brick detailing add architectural interest.

Each dwelling proposed has a garden commensurate to the scale of accommodation within, and there are various green spaces and an area of public open space within the site which contribute overall to a verdant character suitable for this part of Sedgford.

Access is provided largely from the internal road to allow an overall courtyard approach to layout. The houses adjacent to Ringstead road are positioned well to allow architectural features to tie in with the settlement's historic character whilst also allowing the school building itself to retain a sense of setting. Green space is provided around the school which would allow landscaping etc. to provide privacy. A shared open space is proposed in the southeast corner.

The dwellings have a mix of car ports and integral garages, depending on detailed design. Each plot has parking spaces in line with the parking requirements in LP14 and the flats have external cycle (and bin) stores to similarly provided for the development.

Plots 2 and 3, a semi-detached pair, have a similar design to Plots 10-12.

Plots 6-9 are detached properties with front asymmetric gable end projections with larger expanses of glazing than the simpler terraced or semi-detached properties. The front gables are proposed to be clad in traditional stonework with contemporary brick quoin detailing.

Plots 1, 4 and 5 are individually designed detached four bedroom properties. Each unit has been designed specifically for its position within the site and this results in plots 1 and 4 having detailed side elevations which front Ringstead Road and provided a level of interaction with the wider street scene. Plot 5 in the northeast corner of the site has feature dormer windows above the integral garage.

### *Summary*

Concerns have been raised in regard to layout and density, with the Parish Council noting it to be out of character with the general density of Sedgford. Whilst these comments are noted, the building arrangement is considered suitable for the mixed character of the settlement. Whilst dwellings fronting Ringstead Road are typically set in larger plots, the overall density (excluding the school conversion) is approximately 24 dwelling per hectare,

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and this is not so significantly at odds with the overarching density of more contemporary development sites across Sedgeford to warrant refusal.

No external lighting has been proposed. The Parish Council requested conditions restricting light spill from proposed roof lights. Whilst roof lights and windows would emit light in times of darkness, given the extent of glazing proposed, combined with the position of the site surrounded by built form on three sides, it is not considered that the proposal would conflict with the Dark Skies aims set out in Policy E6 of the Neighbourhood Plan.

The Conservation Officer has not identified harm to the Conservation Area and paragraph 215 of the NPPF is therefore not engaged.

Overall, the modern design of the dwellings combined with the use of traditional materials and features is considered to be an appropriate design for this part of Sedgeford. A key part of the success of the scheme will be the use of appropriate materials, and conditions are therefore recommended to control sample panels, brick and roof tile materials prior to their installation on site.

Subject to conditions, the proposal would comply with the NPPF, in particular paragraphs 135 and 216, Policies LP18, LP19, LP20 and LP21 of the Local Plan and Policies H3, H5 and E5 in regards to detailed design and impacts on heritage assets.

## **Trees**

The amended landscaping schedule states the following in regard to the retention of the frontage hedgerow along Ringstead Road:

‘The hedge to the northern section would remain but some part of it may need to be removed and replaced where the new gable of Plot 1 is present. Allowing the hedge to be retained at min 2m high would retain the feature and its screening element.’

The proposal will result in the loss of 21 trees (including small groups of trees), as follows (as per the submitted Arboricultural Impact Assessment):

- T31 – Cherry – Category C – Positioned adjacent a proposed retaining wall to the rear of Plot 6
- T30 – Hazel – Category C, positioned to the north of Plot 5
- T24 – Cherry – Category C - Positioned in the parking area of Plot 4
- T23 – Norway Maple - Category C – Small tree part of a linear group along the front boundary of the site
- T22 – Lime – Category B – Previously heavily reduced, part of the same linear group as above, to the front of Plot 1
- T21 – Lime – Category C – As above, within the footprint of Plot 1
- T20 – Cherry – Category C – Overlapping the footprint of Plot 1 and its rear garden
- T18 – Cherry – Category C – Small tree part of a linear group within the proposed garden of Plot 2
- T17 – Cherry – Category C – Small tree part of a linear group within the proposed garden of Plot 3
- T16 – Cherry – Category C – Part of linear group above, shallow roots exposed, within the rear garden of Plot 3
- T15 – Cherry - Category C – shallow roots currently exposed, within the proposed access road

- T14 - Cherry - Category C – shallow roots currently exposed, within the proposed access road
- T13 – Ash – Category C – effected by Ash Dieback in crown, in proximity to utility line and within the proposed footprint of Plot 9
- T12 – Willow – Category C – to the north of the proposed parking court
- T9 – Ash – Category U - effected by Ash Dieback in crown with areas of dead wood, to the south of the parking court
- T4 – Cherry – Category C – between the boundaries of Plots 11 and 12
- T3 – Leyland Cypress – Category C – overlapping the footprint of Plot 11
- T2 – Sycamore – Category C – Self set, within the footprint of Plots 11-12
- T1 – Spruce – Category U – Thin crown in decline, within the footprint of the proposed bin store
- G1 – A group of Cherry Plum – Category C – to the rear of Plots 11-12
- G4 – A group of Cherry Plum – Category C – to the rear of Plot 5's car port and along the north boundary.

The Arboricultural officer has raised concern in relation to the loss of trees to provide for the development. These comments are material planning considerations which must be weighed in the planning balance. It should be noted that biodiversity net gain is a separate requirement for a planning application and so no net loss of biodiversity would be expected overall. Retention of street scene features such as hedgerows as well as mature trees to the north of the site boundary would allow retention of some of the rural characteristics of the current plot.

Specific concern was raised in regard to the proximity of the hedge to the side elevation of Plot 1 – the chimney stack is in very close proximity, and the main side wall is approx. 1m from the hedge as drawn.

Whilst the concern from the Arboricultural officer is noted, given the relatively short extent of hedge that would be affected, it is considered that planning conditions controlling loss of trees/hedgerows other than those marked, as well as method statement conditions could suitably control the impacts on this hedgerow. In the event the hedgerow is damaged, it will be controlled to be replaced with a suitable size and species.

The loss of trees will have some impact both in terms of biodiversity and in regard to character of the site, this must however be balanced against the provision of 20 new homes towards the Housing Land Supply and with consideration given to the opportunity for mitigatory planting with the provision of a new landscaping scheme which can provide for compensatory planting. The Arboricultural Officer has recommended conditions that are considered appropriate to minimise harm to retain trees and compensate for those trees lost as a result of the development. The key trees and hedgerows on site which provide a key part of the site's setting would be retained. The frontage hedgerow would continue to soften the site and allow for the rural character of the site to be retained post development.

On balance, it is therefore considered that the impact on trees is considered acceptable subject to conditions, and the proposal would therefore comply with the NPPF Paragraph 136 and Policies LP18, LP19 and LP21 in regard to impacts on trees.

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

Given the courtyard layout of the majority of the site, internal relationships between proposed dwellings provide a suitable degree of privacy which also providing adequate outdoor amenity spaces for the accommodation within each dwelling.

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Whilst less outdoor space is available for the flats within the converted school, the proximity of the public open space in the south east corner and the small areas of green space immediately surrounding the building are considered appropriate given the 1 or 2 bedroom flats within the building.

To the south, the dwellings fronting Heacham Road have rear elevations facing the side elevation of the terraced Plot 10. A first floor window on the side elevation of Plot 10 serves the staircase. Whilst this is non-habitable room and faces primarily towards an existing parking area, given the proximity to the dwelling to the south (3m to boundary, approx. 11 to north elevation), combined with the level differences increasing prominence, a condition is recommended to ensure that the window is retained as obscure glazed.

Relationships to existing dwellings to the north and west are acceptable by virtue of the distances involved.

The Arboricultural Officer raised amenity concerns associated with the overshadowing of the back gardens of Plots 4 and 5 (and associated pressure on these off-site trees for removal). Whilst these comments are noted, these trees are positioned to the north of the garden areas of these plots and thus, it is not considered that the trees would impact so significantly on light to the rear garden to warrant refusal on that basis.

A kitchen window on the north elevation of Plot 5, and Kitchen and Dining windows on Plot 4 face towards the trees on this boundary, however these window each serve an open plan space and act as secondary windows to the spaces. The lighting impact from the trees along this boundary is therefore not considered likely to result in any disamenity.

Subject to conditions, the amenity impacts of the scheme would be appropriate and would comply with the NPPF, Policy LP21 of the Local Plan and the aims of the Neighbourhood Plan in regard to residential amenity.

### **Highway Safety:**

Various amendments and additional detail, including clarification of visibility splays and turning arrangements, has been provided as part of this application to resolve concerns raised by the Local Highway Authority, who have since confirmed they have no objection to the scheme.

Part of the concern related to on-street parking, as the courtyard relationship leaves properties facing onto Ringstead Road but with parking to the rear. On-street parking could result in highway safety concerns of the movement of traffic and visibility along Ringstead Road. Conditions are therefore recommended to control off-site highway improvement works and the promotion of a traffic regulation Order to implement waiting restrictions of Ringstead Road.

Subject to other standard conditions relating to detailed highway plans, retention of visibility splays and construction management plans preventing off-site parking of construction workers, the proposed development would therefore be considered acceptable and would comply with Policies LP13, LP14 and LP21 of the Local Plan and Part 3 of Policy H3 of the Neighbourhood Plan.

### **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%

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provision is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in Sedgford. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent, 25% for First Homes and 5% for Shared Ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council. The LPA does not seek affordable housing on conversions therefore based on 12 new build units, current guidance suggests an affordable housing provision of 2 units would be required. 1 for rent and 1 for First Homes.

The applicant submitted a viability report to demonstrate that the provision of the 2 units was not viable. The report was subsequently independently assessed which demonstrated that the site was viable, with the Applicants now confirming agreement to affordable housing provision in accordance with the policy requirements (2 on site units).

A S.106 Agreement is required to secure the affordable housing contribution. Heads of Terms have been received, and the legal agreement is currently being drafted.

The affordable units must be transferred to a Registered Provider of Affordable Housing agreed by the Council at a price that requires no form of public subsidy.

Subject to completion of the S106, the proposal would comply with the NPPF (2024) and Policy LP28 of the Local Plan.

## **Drainage**

The Flood Risk Assessment and Drainage Strategy demonstrates that a suitable scheme for the discharge of surface water can be achieved against the requirements of the planning guidelines.

In regard to foul water, comments from Anglian Water are noted. However, given the Right to Connect and considering the existing drainage infrastructure in place to provide for the school and the lack of any detailed evidence from Anglian Water to back up or otherwise demonstrate a specific impact from this scheme in particular, the principle of foul drainage connection to mains sewer is acceptable. Standard drainage conditions can be applied to control specific detail. Despite a request, Anglian Water were not able to provide a timeframe for upgrades to the Heacham WTC and so no 'pre-occupation' condition or similar could be justified as necessary.

It should be noted that Anglian Water are not a statutory consultee.

The proposed surface water drainage strategy is to discharge all private and adopted surface water via infiltration locally on site. The strategy is routing all dwelling roofs and adopted road to one soakaway located in the southeast of the site, beneath the public open space and parking bays. The parking bays within this location shall also be drained to the soakaway as its presence beneath them limits their ability to self-infiltrate.

The application site slopes upwards towards the north and as a result retaining walls, stepped gardens and land works will be required as shown on the proposed site plans. Full details of proposed levels and drainage impacts will be controlled via condition.

The proposed foul water drainage strategy is to drain all dwellings (minus plots 10,11, and 12) via an adopted foul network beneath the access road. The proposal is to provide a new manhole located within Ringstead Road. The new manhole shall act as the connection between the existing network located within Ringstead Road and the proposed development.

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Foul water from plots 10,11, and 12 is proposed to drain southwards and utilise the existing connection that previously was used as the combined foul and surface sewer that drained into the foul sewer within Ringstead Road for the primary school.

The foul and surface water implications of the development are therefore considered acceptable, subject to detailed conditions ensuring the details of installed infrastructure is acceptable and the proposal would comply with the NPPF and Policies LP18 and LP21 of the Local Plan.

### **Other Material Considerations:**

#### **Flood Risk**

This location is in Flood Zone 1 which means that the site has a low probability of flooding from rivers and the sea. Areas within Flood Zone 1 are deemed to have less than a 1 in 1000 (0.1%) annual probability of flooding in any given year. The site is not at risk of surface water flooding, with low risk areas along the adjoining Ringstead Road.

#### **Policy LP06 – Climate Change**

The planning statement confirms the following in regard to climate change mitigation and sustainable systems.

The Building Envelope will be designed to a high specification, adopting a 'Fabric First' approach and targeting low air permeability, thereby maximising energy efficiency through high performance and reducing the need for the energy input.

Mechanical and electrical systems will be designed to achieve improved efficiency and low energy operation. Strategies would include:

- Providing Air Source Heat Pump (ASHP) serving underfloor heating throughout the development
- Providing Domestic Hot Water (DHW) storage cylinders in each dwelling
- Roof mounted PV on all plots to maximise the benefit and minimise the primary energy input
- Providing low energy LED lighting throughout. low energy LED lighting, Air Source Heat Pumps and roof mounted PV systems.
- Electric Vehicle car charging for each unit.

The above is considered to comply with the overarching aims of Policy LP06 in regard to sustainable design.

#### **Policy LP30 – Adaptable and Accessible Homes**

The Agent has confirmed that where possible the houses meet the M4(2) requirements, for example the minimum corridor widths and the size of upstairs bathrooms. However, a large proportion of the development is the conversion of the school building and it has not been possible to incorporate the Part M4(2) requirements into that part of the scheme given the heritage and structural constraints.

The change in levels across the entire site with also limits the ability to provide level thresholds to all doors. Given these constraints, it would be difficult to incorporate all of the spatial requirements of meeting Category M4(2). Therefore, whilst the requirements of Policy

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LP30 have not been entirely met, given the constraints of the site and the nature of the scheme, it is not considered that this would warrant refusal on those grounds in this instance.

### **Waste and Recycling**

The Waste and Recycling Officer has not responded to consultation since original comments were received regarding waste collection via the private road. The application site proposes a road which would be completed to adoptable standards, and which meets the requirements of the Local Highway Authority in that regard. A size three turning head has been provided to allow vehicles to turn within the site and a refuge strategy plan has been provided which details the provision of bin storage points and bin collection points.

Swept path analysis has been undertaken and submitted, demonstrating that refuse vehicles can safely access and egress the site. The comments from the waste and recycling officer have therefore been overcome through amended/additional details and no policy contradictions have been identified.

### **Public Open Space:**

As the scheme proposes a total of 20 dwellings (when including the existing headmaster's house) it meets the threshold for providing on site open space as per Policy LP22 of the Local Plan. Policy LP22 does not distinguish between net new dwellings and the total number of dwellings.

Fields in Trust (The National Playing Fields Association) guidance recommend that a development of up to 20 dwellings provides informal play space.

Policy LP22 states that developments of 20 – 99 dwellings are expected to meet the requirement for 'suitably equipped' children's play space only. The standard of 17 sqm of open space per dwelling equates to a minimum of 340 square metres of open space. The proposed open space in the southeast corner of the site measures 515m<sup>2</sup> which is in excess of the space requirements for a scheme of this size.

The nearest formal open space to the application site is the Sedgeford playground at Jarvie Close, adjoining the village hall. There is an existing footpath link on the west side of Ringstead Road which provides safe access to this playspace for future residents.

Paragraph 4 of Policy LP22 sets out that the Council will adopt a flexible approach to public open space where it can be demonstrated that there is excess provision within the locality, where opportunities exist to enhance existing local schemes; and the townscape or other context of the development is such that the provision of open space is not desirable.

Whilst no evidence has been supplied to demonstrate that there is excess provision of open space in the locality, given the scale of the scheme, proposing 19 net new dwellings, combined with the proximity to a larger formal open space at Jarvie Close, it is considered that the provision of an unequipped area of open space as proposed on the plan is sufficient to cater for the proposed development.

Conditions are recommended to ensure that the open space is appropriately landscaped and maintained as available for that use. The proposal would therefore comply with the aims of Policy LP22 of the Local Plan.

## **Other developer contributions**

### **GIRAMS -**

The Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) is a strategic partnership between the Borough of Kings Lynn and West Norfolk, Breckland Council, Broadland and South Norfolk District Council, Great Yarmouth Borough Council, North Norfolk District Council and Norwich County Council. The aim of GIRAMS is to ensure no adverse effects are caused to Habitats Sites (also called European sites) across Norfolk, either alone or in-combination from qualifying developments. 9.4 Payment of £221.17 per dwelling is required. This payment would address recreational pressures from growth and the resultant impact on designated habitat sites within Norfolk.

A s106 agreement will seek to control provision of the GIRAMS tariff for each new dwelling. The current tariff is set at £221.17.

### **CIL –**

As a residential scheme, the proposal will be CIL liable. This is secured through separate legislation.

## **Specific comments and issues:**

Policy C2 of the Neighbourhood Plan sets out that any new development will be required to include access to high speed broadband or where this is not possible to include ducting and cabling to facilitate such access when it is available. There is no reason to indicate that broadband or internet access would not be possible for the dwellings proposed.

Contamination – Due to the recommendation for further investigation in the Ground Investigation Report, contaminated land conditions are recommended to ensure the site is safe for the proposed future use, in line with the NPPF (2024). Asbestos is controlled via other legislation and an informative is recommended to ensure appropriate care is taken when refurbishing the school building.

Air Quality – Comments from the Air Quality officer are noted. Compliance with Building Regulations is a separate requirement and whilst the comments RE shadowing of PV Panels are noted, it would not warrant refusal of this application. The comments have been provided to the Applicant for their review.

Archaeology – The proposed development site is adjacent to the historic core of the village. Artefacts of Anglo-Saxon, medieval and post-medieval date were recovered from within the application site in 2003. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would be affected by the proposed development. Conditions are therefore recommended to control archaeological mitigation, in this case informative trial trenching followed by any further mitigatory work required. Subject to conditions, archaeological implications comply with the NPPF and Policy LP20 of the Local Plan.

Ecology – Biodiversity Net Gain is proposed to be met through a combination of on-site provision and off-site habitat bank units, this approach has been agreed by the Council's Ecologist. On site provision can be controlled through the deemed condition and the submission of a Habitat Monitoring and Management Plan. The ecology survey rules out

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impacts on bats, with none found within the existing school building during the survey period. The proposal therefore complies with the NPPF and Policy LP19 in regard to ecology and biodiversity.

## **CONCLUSION:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that an application must be determined in accordance with the development plan unless material considerations indicate otherwise.

The application seeks consent for the construction of 12 new dwellings and 8 flats in a sustainable location within the Development Boundary for Sedgeford, in a position that is supported by Policy LP02 of the Local Plan and Policy H3 of the Sedgeford Neighbourhood Plan.

The site would provide houses and flats of a mix of sizes, with a housing mix ranging from one bedroom flats to four bedroom detached dwellings. Two on site affordable units would be provided and secured via S106 legal agreement.

Whilst the loss of trees on site is noted, it is considered that this loss has been justified due to site constraints such as topography, existing heritage assets, the number of trees in the developable area of the site and the and vehicle access / servicing requirements. In this instance, it is considered that the loss of trees is not so significant so as to warrant refusal of the application given the benefits to housing land supply, as well as the retention of key boundary features including the frontage hedgerow and mature trees along other boundaries which allow the verdant nature of the site to be retained.

Full details of proposed replacement planting are recommended to be controlled via condition, including long-term management of retained trees and hedgerows and other landscaped areas to ensure compliance with Policies LP18, LP19, LP21 and LP22.

Conditions can also control drainage, materials, joinery details etc and off-site highway improvement works.

A S106 legal agreement is required to control on-site affordable housing, the GIRAMS tariff and principal residency.

Overall, the proposal would comply with the NPPF (2024), Policies LP02, LP06, LP13, LP14, LP18, LP19, LP20, LP21, LP22, LP28 of the Local Plan and Policies H3, H5, H8 and C1 of the Sedgeford Neighbourhood Plan.

## **RECOMMENDATION**

**A. APPROVE** - subject to the following conditions AND completion of a s106 to secure Affordable Housing, GIRAMS tariff, Principal Residencies, and any 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.

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## 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:
  - \*SFPS-CF-ZZ-XX-DR-A-0501 Rev P5 - Proposed Site Plan
  - \*SFPS-CF-ZZ-XX-DR-A-0502 Rev P5 - Proposed Boundaries Plan
  - \*SFPS-CF-ZZ-XX-DR-A-0503 Rev P4 - Proposed Refuse Plan
  - \*SFPS-CF-ZZ-XX-DR-A-0504 Rev P3 - Proposed Street Scene
  - \*SFPS-CF-ZZ-XX-DR-A-0510 Rev P4 - Type A
  - \*SFPS-CF-ZZ-XX-DR-A-0511 Rev P3 - Type B
  - \*SFPS-CF-ZZ-XX-DR-A-0512 Rev P4 - Type C
  - \*SFPS-CF-ZZ-XX-DR-A-0513 Rev P6 - Type D
  - \*SFPS-CF-ZZ-XX-DR-A-0514 Rev P4 - Type E
  - \*SFPS-CF-ZZ-XX-DR-A-0515 Rev P5 - Type F
  - \*SFPS-CF-ZZ-XX-DR-A-0516 Rev P1 - Proposed Cart Sheds, Bin and Cycle Stores
  - \*SFPS-CF-ZZ-XX-DR-A-0520 Rev P3 - Main School Building Proposed Plans
  - \*SFPS-CF-ZZ-XX-DR-A-0521 Rev P3 - Main School Building Elevations
  - \*5004/01 Rev A - Proposed Landscaping Plan
  - \*Landscaping Schedule, by C J Yardley Landscape Survey and Design LLP dated June 2025 (Revised during this application)
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No works shall commence on the site until such time as detailed plans of the roads, footways, street lighting, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 3 Reason: For the avoidance of doubt and in the interests of highway safety in accordance with the NPPF (2024) and Policies LP13 and LP21 of the Local Plan.

This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development
- 4 Condition: Prior to the occupation of the final dwelling all works shall be carried out on roads/footways/street lighting/foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority
- 4 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a suitable standard, in the interests of highway safety and in line with the NPPF (2024) and Policies LP13 and LP21 of the Local Plan.

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- 5 Condition: Before any dwelling is first occupied the road(s)/footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 5 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a suitable standard within an appropriate timeframe, in the interests of highway safety and in line with the NPPF (2024) and Policies LP13 and LP21 of the Local Plan.
- 6 Condition: Prior to the first occupation/use of the development hereby permitted visibility splays measuring 2.4metres x 43metres shall be provided to each side of the access where it meets the near edge of the adjacent highway carriageway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway
- 6 Reason: In the interests of highway safety in accordance with the principles of the NPPF, Local Plan and Neighbourhood Plan.
- 7 Condition: Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing No 2732-03-002 have been submitted to and approved in writing by the Local Planning Authority.
- 7 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in line with the principles of the NPPF and Policies LP13 and LP21 of the Local Plan.
- 8 Condition: Prior to the first occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to Condition 7 shall be completed to the written satisfaction of the Local Planning Authority.
- 8 Reason: To ensure that the highway network is adequate to cater for the development proposed, in the interests of sustainable development and in line with the NPPF and Policies LP13, LP18 and LP21 of the Local Plan.
- 9 Condition: No works shall commence on the site until the Traffic Regulation Order for the revocation of the school keep clear has been promoted by the Local Highway Authority.
- 9 Reason: In the interests of highway safety in accordance with the NPPF and Local Plan. This needs to be a pre-commencement condition as the impact applies to traffic associated with both the construction phase and also daily running of the site.
- 10 Condition: No works shall commence on the site until the Traffic Regulation Order for waiting restrictions on Ringstead Road in front of the former school building and plots 10-12 has been promoted by the Local Highway Authority.
- 10 Reason: In the interests of highway safety in accordance with the NPPF and Local Plan. This needs to be a pre-commencement condition as the impact applies to traffic associated with both the construction phase and also daily running of the site.

- 11 Condition: No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:
- (a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used;
  - (b) the location of any temporary buildings and compound areas;
  - (c) the location of parking areas for construction and other vehicles, including access arrangements for delivery vehicles for the duration of the construction period;
  - (d) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway, including wheel washing arrangements; and,
  - (e) a scheme for the management and signage of all construction traffic.
  - (f) the proposed hours of construction and hours of delivery.

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

- 11 Reason: In the interests of the amenities of surrounding residents, and to ensure adequate off-street parking during construction in the interests of highway safety in line with the NPPF (2024) and Policies LP13, LP18, LP21 of the Local Plan. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 12 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.
- 12 Reason: To ensure the development delivers the on site Biodiversity Net Gain 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.

13 Condition: The Biodiversity Gain Plan shall be completed in accordance with the Metric, completed by Dr GW Hopkins FRES CEnv MCIEEM, amended 10/11/25.

13 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.

14 Condition: Notwithstanding the detail which accompanied this application, 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.

14 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.

15 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 a full arboricultural method statement that has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall detail all tree/hedge protection measures, construction methods and any site supervision and monitoring measures.

In particular, 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 development shall be carried out in full accordance with the agreed method statement for the duration of construction works.

15 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.

16 Condition: Notwithstanding the submitted landscaping proposals, prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

In regard to hard landscaping, finished levels or contours, hard surface materials, details of any retaining walls, refuse or other storage units, street furniture, structures and other minor artefacts.

In regard to soft landscaping, planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities, detail for tree planting specifications shall include adequate soil volumes and any cellular underground hard surface support systems where necessary.

16 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.

17 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

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

18 Condition: No development shall commence on any external surface of the development until sample panels of the materials to be used for:

1) the external surfaces of the new dwellings  
2) for the infilled openings on the school building,  
3) the proposed boundary walls (including coping details),  
hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panels shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.

18 Reason: To ensure a satisfactory external appearance and grouping of materials which respects the character of the Conservation Area and the non-designated heritage asset in accordance with the principles of the NPPF, Policies LP20 and LP21 of the Local Plan, and the Sedgeford Neighbourhood Plan.

19 Condition: No development shall take place on any external surface of the development hereby permitted until full 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.

19 Reason: To ensure a satisfactory external appearance and grouping of materials which respects the character of the Conservation Area and the non-designated heritage asset in accordance with the principles of the NPPF, Policies LP20 and LP21 of the Local Plan, and the Sedgeford Neighbourhood Plan.

20 Condition: No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

20 Reason: To ensure a satisfactory external appearance which respects the character of the Conservation Area and the non-designated heritage asset in accordance with the principles of the NPPF, Policies LP20 and LP21 of the Local Plan, and the Sedgeford Neighbourhood Plan.

- 21 Condition: Prior to first occupation of any unit, or in accordance with a timeframe to be agreed in writing, full details of any extractor vents, ducts, heater flues and meter boxes including their design and location shall be submitted to and approved in writing by the Local Planning Authority. Installation shall be carried out in accordance with the approved details.
- 21 Reason: To ensure a satisfactory external appearance and to ensure the siting of the flues/equipment respects the character of the Conservation Area and the non-designated heritage asset in accordance with the principles of the NPPF, Policies LP20 and LP21 of the Local Plan, and the Sedgeford Neighbourhood Plan.
- 22 Condition: Before the first occupation of the converted school hereby permitted the following windows shall be fitted with obscured glazing:
- the first floor hallway/staircase window, on the south elevation of Plot 10 as shown on SFPS-CF-ZZ-XX-DR-A-0510 Rev P4.
  - the ground floor kitchen windows as shown on Courtyard Elevation A on SFPS-CF-ZZ-XX-DR-A-0521 Rev P3.

The window(s) shall be permanently retained in that condition thereafter.

- 22 Reason: In the interests of the amenities of occupants of the proposed and existing neighbouring dwellings, in accordance with the NPPF and Policy LP21 of the Local Plan.
- 23 Condition: A landscape management plan including long-term design objectives, management responsibilities, management and maintenance schedules for all landscaped areas, other than privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of any part of the buildings. The landscape management plan shall be carried out as approved.
- 23 Reason: To ensure that the landscaping is properly maintained in accordance with the NPPF and Policy LP21 of the Local Plan.
- 24 Condition: Prior to the installation of any external lighting relating to the development hereby permitted a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation / angle of the luminaries, the spacing and height of the lighting 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.
- 24 Reason: To ensure a satisfactory external appearance which respects the character of the Conservation Area and the non-designated heritage asset in accordance with the principles of the NPPF, Policies LP20 and LP21 of the Local Plan, and to prevent adverse impacts on Dark Skies in line with Policy E6 of the Sedgeford Neighbourhood Plan.
- 25 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The

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investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets,
  - woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

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

- 27 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.

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- 28 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 25, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 26, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 27.

- 28 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.
- 29 Condition: The dwelling hereby permitted shall not be occupied other than as a Principal Dwelling and shall at no time be used, purchased or occupied as a holiday let, buy-to-let or second home.
- 29 Reason: To ensure the development accords with Policy H8 of the Neighbourhood Plan.
- 30 Condition: No demolition/development shall take place until an archaeological written scheme of investigation (WSI) 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.
- 30 Reason: The proposed development site is adjacent to the historic core of the village. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would be affected by the proposed development. The condition is required in line with Policy LP20 of the Local Plan and in line with the NPPF (2024).
- 31 Condition: No demolition/development shall take place other than in accordance with the written scheme of investigation approved under condition 30 and any addenda to that WSI covering subsequent phases of mitigation
- 31 Reason: The proposed development site is adjacent to the historic core of the village. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site

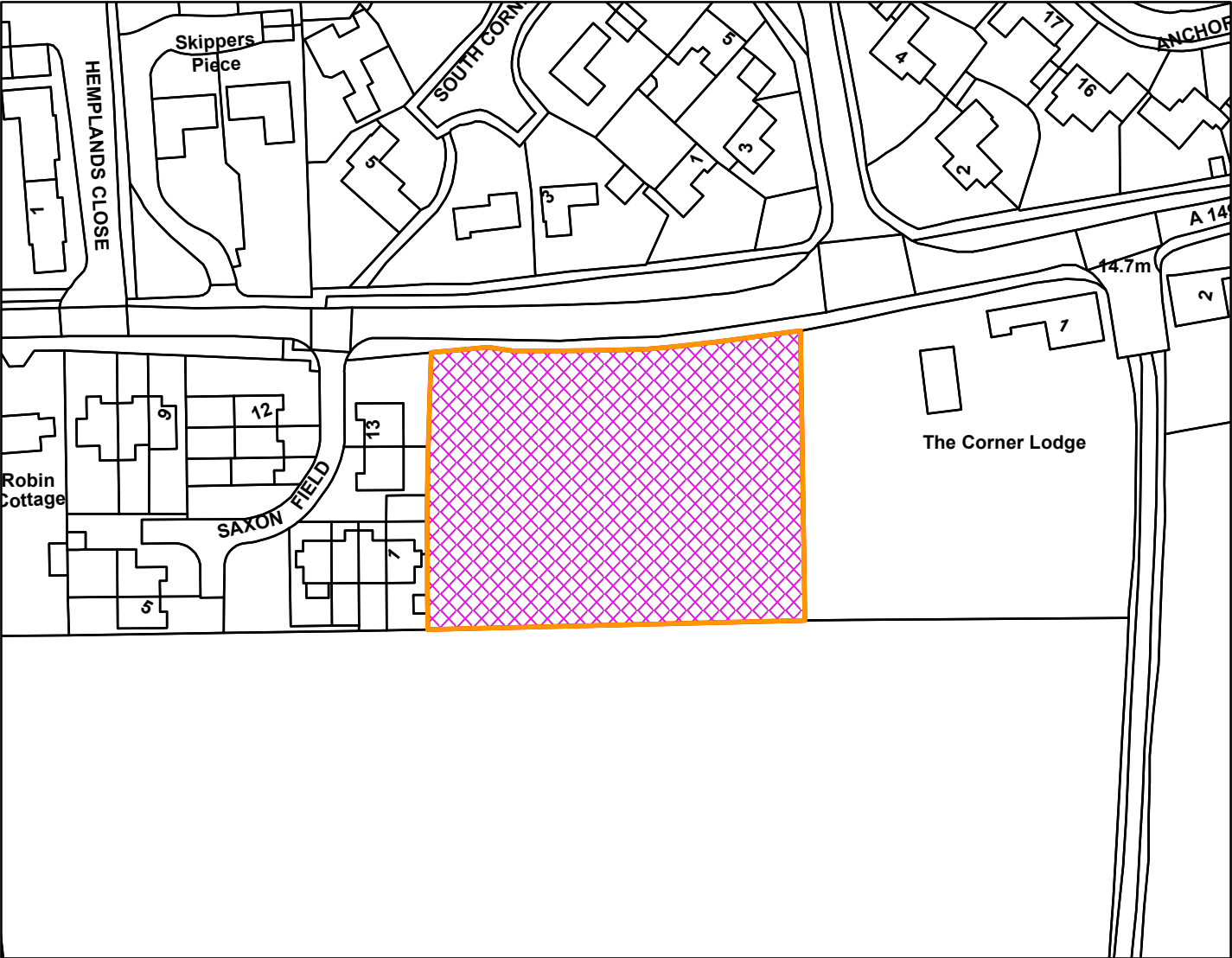
and that their significance would be affected by the proposed development. The condition is required in line with Policy LP20 of the Local Plan and in line with the NPPF (2024).

- 32 Condition: The development shall not be occupied or put into first use 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 30 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 32 Reason: The proposed development site is adjacent to the historic core of the village. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would be affected by the proposed development. The condition is required in line with Policy LP20 of the Local Plan and in line with the NPPF (2024).

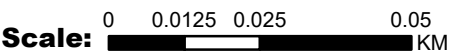
Or **B.** If in the opinion of the Assistant Director/Planning Control Manager no reasonable progress is made to complete the legal agreement within 4 months of the date of the committee resolution, the application is **REFUSED** on the failure to secure Affordable Housing in line with LP29.



Land East of 1 Saxon Field Main Road Brancaster Norfolk PE31 8DZ



Legend

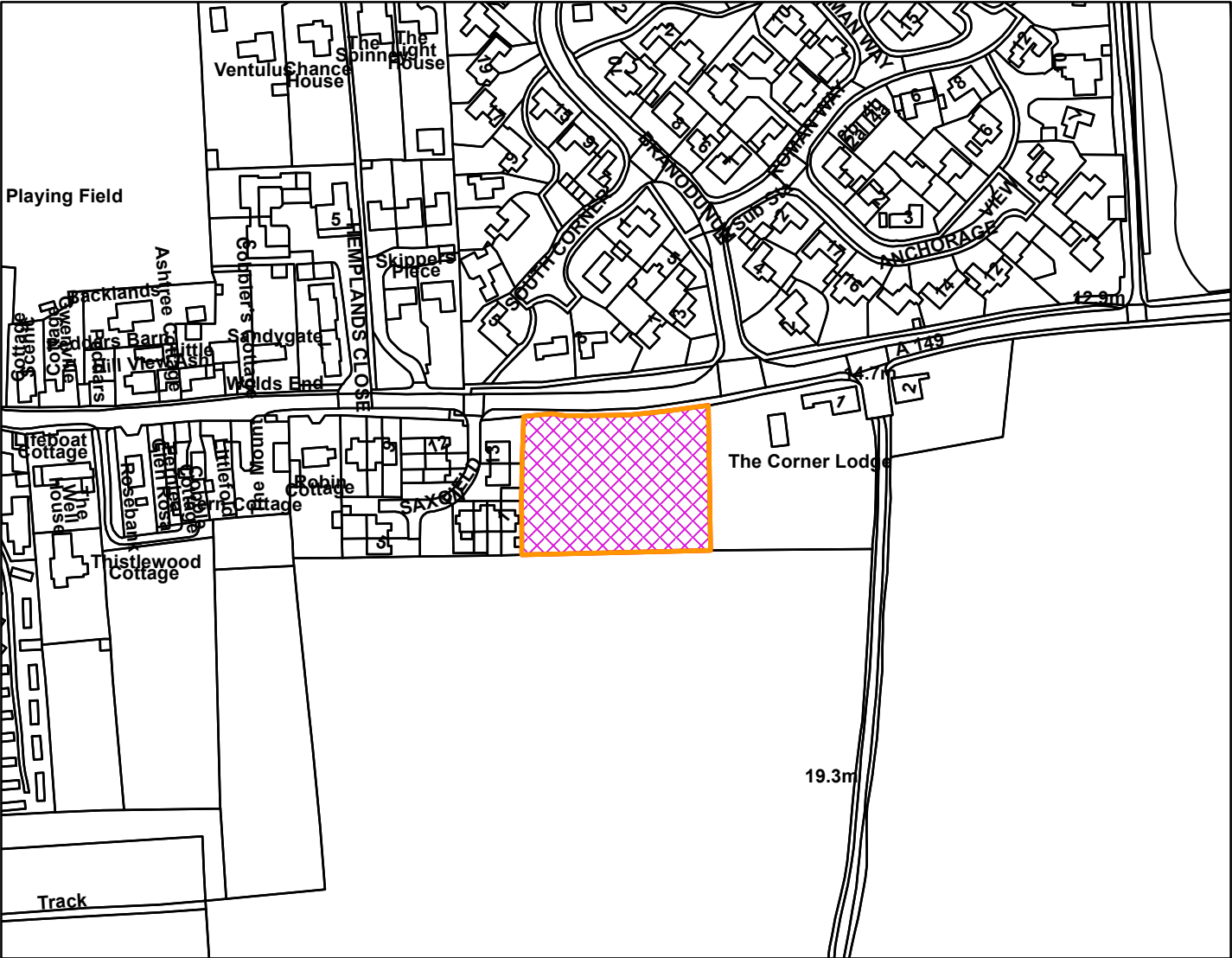


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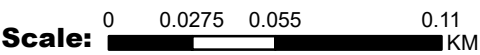
Organisation	BCKLWN
Department	Department
Comments	
Date	18/12/2025
MSA Number	0100024314



Land East of 1 Saxon Field Main Road Brancaster Norfolk PE31 8DZ



**Legend**



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Organisation	BCKLWN
Department	Department
Comments	
Date	18/12/2025
MSA Number	0100024314

<b>Parish:</b>	<b>Brancaster</b>	
<b>Proposal:</b>	<b>Change of Use from agricultural land to commercial with installation of 5no. Holiday Lodges and 3no. Camping pods.</b>	
<b>Location:</b>	<b>Land East of 1 Saxon Field Main Road Brancaster Norfolk PE31 8DZ</b>	
<b>Applicant:</b>	<b>Mr Tom de-Winton</b>	
<b>Case No:</b>	<b>25/00118/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination:</b> <b>16 April 2025</b> <b>Extension of Time Expiry Date:</b> <b>16 January 2026</b>

**Reason for Referral to Planning Committee** – the Applicant is Cllr de Winton.

**Neighbourhood Plan:** Yes

### **Case Summary**

The application seeks full planning permission for the change of use of land from agricultural land to a commercial tourism use and the installation of 5no. Holiday Lodges and 3no. Camping pods on land east of Saxon Field, Main Road, Brancaster.

Various works of operational development are proposed, including the construction of a relocated access, private driveway/parking spaces, and the construction of an acoustic bund/fence.

The site forms part of Scheduled Ancient Monument known as Branodunum.

The business plan was amended during the course of this application to set out that the holiday use would be for temporary/short stay purposes and the lodges/pods would not be owner-occupied second homes.

The site lies outside of the development boundary within the countryside. The site is within the Norfolk Coast National Landscape and within the Brancaster Neighbourhood Plan (Covering the villages of Brancaster, Brancaster Staithe and Burnham Deepdale).

### **Key Issues**

Principle of development  
 Impacts on Heritage Assets  
 Design and Form and Character  
 Impact on neighbour amenity  
 Highway safety  
 Trees  
 Other material considerations

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## **Recommendation**

**APPROVE**

### **THE APPLICATION**

The application seeks full planning permission for the Change of Use of land from agricultural land to a commercial tourism use and the installation of 5no. Holiday Lodges and 3no. Camping pods on land east of Saxon Field, Main Road, Brancaster.

The site forms part of Scheduled Ancient Monument known as Branodunum.

A new access is proposed to be created to the A149 to the north. Amendments to the plans during the application also resulted in the inclusion of a continuous footpath link to join the existing footpath which ends at the access to Saxon Field to the west. Crossing points are also proposed to allow access to bus stops on either side of the A149. The redundant site access would need to be closed up.

Various works of operational development are proposed, including the construction of the relocated access, private driveway/parking spaces, the construction of an acoustic bund/fence and the construction of smaller landscaping bunds between units.

The proposed plans were amended during the course of this application following concerns raised by CSNN in regard to noise and disturbance impacts of a holiday use and proximity to residential dwellings to the west. The plans now include the provision of a 2.2m high bund with integrated fence, which would be positioned in a curved line toward the West boundary of the site.

The five lodges proposed comprise three bedroom units measuring approximately 12m by 6m with raised decking areas to the side/rear. The pods are smaller one bedroom 'studios' measuring approximately 7.5m by 2.3m, comprising a sleeping area and amenity area and a shower room.

Materials are proposed as aluminium roof cladding and timber cladding/timber shingles.

The lodges and pods are proposed to be sited on Eco Pads to reduce the amount of groundwork required for traditional foundations to limit works to the Scheduled Monument.

The business plan was amended during the course of this application to set out that the holiday use would be for temporary/short stay purposes and the lodges/pods would not be owner-occupied second homes.

The site lies outside of the development boundary within the countryside. The site is within the Norfolk Coast National Landscape and around 90m from the boundary of the Conservation Area.

### **SUPPORTING CASE**

None received at time of writing.

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## PLANNING HISTORY

20/02132/F: Application Permitted: 10/08/22 - Change of use from agricultural land to commercial with construction of new building - Land East of 1 Saxon Field – COMMITTEE DECISION

## RESPONSE TO CONSULTATION

**Parish Council: NO OBJECTION** - no reasons provided

**Highways Authority: NO OBJECTION** subject to conditions controlling off-site highway improvement works (footpath links and crossing facilities), access provision, limiting gates over the access, construction parking details.

**Historic England: Raised concern over level of harm, as follows:**

'The proposed development is located within the boundaries of the scheduled monument - Roman fort (Branodunum) (List Entry Number 1003983). The principle of the proposed development has been originally discussed and agreed with Historic England. The agreed scheme was designed to be minimally intrusive, both in terms of direct impacts and visually. This was necessary to ensure that the significance of the scheduled monument is not significantly affected. On this basis the Scheduled Monument Consent for the original scheme, as shown on the drawing DEW02.01.02 Rev B, has been granted in November 2024 – application reference number S00246156.

The applicant has submitted amended drawing DEW02.01.04 which outlines several changes to the scheme. We understand that the changes are: 1) change to internal layout of the site; 2) change to location and size of the access point; 3) introduction of the linear bund in the western part of the site with 2m high acoustic fence. These changes have not been agreed with Historic England. We have previously indicated that while the changes to exact internal layout of the site are unlikely to change the level of impact, the existing entrance point to the site should be utilised in its current configuration to minimise necessary groundworks, and any acoustic fencing should be located on the western boundary of the site, behind existing hedge (in the area which has been previously disturbed).

We understand that there is some confusion regarding the location of the existing access point. The applicant indicated to us that the original plans contained an error, and the current access point is located as shown on the drawing DEW02.01.04. However, the council's Highways Department issued comments indicating that the current access point is located as shown on the drawing DEW02.01.02 Rev B, and that this access point will need to be permanently blocked. We recommend that the applicant clarifies to the Council where the current access point is located. To minimise impact of the development existing access should be used by the scheme.

Historic England considers that while changes to locations of the cabins would not cause detrimental impacts, other proposed changes will increase harmful impact of the project on the significance of the scheduled monument. Increased areas of the soil stripping within the site, additional works to either re-locate or widen access point, and effective sub-division of the site by erection of a tall fence and a soil bund will all be more harmful than previously agreed scheme. We have seen no justification, as to why the proposed noise mitigation measures cannot be located on the western boundary of the site without creation of a soil bund, and why existing access point cannot be used in its current configuration. We

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therefore believe that the level of harm to the significance of the designated heritage asset could be further reduced as recommended by the paragraph 208 of the NPPF.

Historic England does not object to the application in principle. However, we are concerned about the amendments to the scheme which increase level of negative impacts. We believe that the level of harm to significance of the scheduled monument could be further reduced.

We recognize that in the context of the planning application it is the matter for the Local Planning Authority to balance the level of harm to the heritage assets against the public benefits delivered by the scheme. If the Local Planning Authority decides to approve the application, we would request that the conditions securing archaeological investigation and limiting the depth of groundworks to 400mm be imposed to ensure that requirements of scheduled monument consent and planning consent are aligned.

Separately, the applicant will need to apply for variation of the Scheduled Monument Consent S00246156. The original consent does not cover the proposed changes, and it would be illegal to commence the development without securing SMC variation. SMC process is separate from the planning process.'

**Conservation Officer: NO OBJECTION**

'As Historic England have raised no concerns with the principle of this development and the impact upon the Scheduled Monument from the bund or the access proposed, I do not object to the proposal on heritage grounds.

The applicant would need to apply for a variation of Scheduled Monument Consent before the works can take place and this should be an informative on the application decision.

Conditions are required in order to control the standard of development and these should include;

Materials;

Vents Ducts and flues

Landscaping and

The depths of the foundations '

*Note – following verbal discussions with the Conservation Officer regarding the comments above, it is noted that HE have not specified that they have no concerns with the impact from the bund or access. Notwithstanding this, the Conservation Officer maintains the viewpoint given HE's comments allowing the Local Planning Authority to consider the matters raised within the planning balance*

**CSNN:** No response to amended plan. The proposed plans have been altered to the preferred option of CSNN, who recommended screening or similar is in place to prevent adverse impacts on the adjoining properties. Previous detailed comments are available in full on the online file.

**Arboricultural Officer: NO OBJECTION** subject to conditions relating to tree protection plans/method statements and soft landscaping details.

**Environmental Quality: NO OBJECTION** No objection regarding contaminated land

**Ecologist: NO OBJECTION** subject to revision of ecological mitigation, BNG Plan and confirmation of mechanism for delivery (*Officer Note – now resolved*).

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## REPRESENTATIONS

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

- Another attempt for planning permission on this site having failed previously
- Holiday lets would not benefit the community
- Absence of employment opportunities and social housing
- Alternative options for the site are available that would benefit the community
- Impacts of noise and lack of mitigation
- Lighting impacts
- Concern over suitability of surveys on other caravan sites given difference in conditions, timing of surveys outside of peak times etc.
- No information provided of ongoing management *Officer Note – this has been provided in a revised Noise Impact Assessment*
- Impact on National Landscape
- Proximity to existing facilities and query over need, lack of justification
- archaeological implications
- Impact on the environment – biodiversity and wildlife
- Traffic and highway safety, particularly in peak times.

**ONE** Neutral Letter, summarised as follows:

- Archaeological implications for this site were not a consideration on nearby sites
- Query over lack of foul drainage details *Officer Note – foul drainage is proposed to main sewer.*

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

**LP15** - Coastal Areas (Strategic Policy)

**LP18** - Design & Sustainable Development (Strategic Policy)

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

**LP20** - Environmental Assets- Historic Environment (Strategic Policy)

**LP21** - Environment, Design and Amenity (Strategic Policy)

**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)

**LP07** - The Economy (Strategic Policy)

**LP09** - Touring and Permanent Holiday Sites

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**LP13 - Transportation (Strategic Policy)**

**LP14 - Parking Provision in New Development**

## **NEIGHBOURHOOD PLAN POLICIES**

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

**Policy 4 - Parking Provision**

**Policy 8 - Protection of Heritage Assets and Views**

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **PLANNING CONSIDERATIONS**

**The main considerations are:**

Principle of development

Impacts on Heritage Assets

Design, Form and Character and Impact on the National Landscape

Impact on neighbour amenity

Highway safety

Trees

Other material considerations

### **Principle of Development:**

The application seeks full planning permission for the change of use of agricultural land to 'commercial' – a business plan (revised during the course of this application) sets out that the proposed use is for touring/holiday accommodation.

Paragraph 88 of the NPPF states that:

'Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside;...

Policy LP09 applies, and states:

*'1. Proposals for new holiday sites or extensions to, or intensification of, existing holiday sites, will be supported where it can be demonstrated that these could deliver sustainable tourism, whereby:*

- a. the proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area;*
- b. the proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and conserves and enhances the historical and natural environment; and*

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*c. a suitable and proportionate transport assessment has been undertaken, to demonstrate that the site can be safely accessed.'*

in turn:

a – A Business Plan (Revision B) has been provided which outlines that the use would be marketed for holiday purposes, and each unit will be made available for rent as short stay commercial holiday lets.

b – design and landscape impacts are discussed in more detail, in particular the impacts on the Scheduled Monument as a historic asset.

C – the application was submitted with sufficient information for the Local Highway Authority to assess the transport implications of the scheme. This is discussed in additional detail below; however it is of note that subject to conditions, the transport implications of the development are acceptable.

Paragraph 2 of Policy LP09 relates to major development which is not relevant to this case.

Paragraph 3 applies where development proposals are noted to adversely affect Protected Sites. Other than those impacts scoped into the GIRAMS study, no adverse impacts have been identified.

The application site immediately adjoins the development boundary for Brancaster as defined on the Policies Plan. The site is therefore in a reasonably suitable location for the proposed use, where tourists could make use of local tourist destinations including the coast; and contribute to the local economy in line with Policy LP07.

The principle of development on site is therefore considered acceptable and would, subject to consideration below, comply with Paragraph 88 of the NPPF and with Policy LP09 of the Local Plan.

### **Impacts on Heritage Assets:**

#### *Policy Context*

Paragraph 212 of the NPPF states: *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

It continues at paragraph 213 by stating that: *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

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

Where the threshold of substantial harm is not met, paragraph 215 states: *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

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Policy 2 of the Brancaster Neighbourhood Plan sets out a general requirement for good design that reflects the character of the area and is sensitive to the National Landscape and Conservation Area. The use of traditional materials is encouraged.

Policy 8 of the Brancaster Neighbourhood Plan sets out that the siting of new buildings shall have due regard for and respect the setting of designated heritage assets.

### *The Proposal*

The application has undergone various amendments, seeking to balance Heritage, Noise Nuisance and Highways impacts. This has resulted in the proposed scheme being materially different to the November 2024 Scheduled Monument Consent granted by Historic England (the approved plans were those originally submitted under this application) and the Applicants are legally obligated to apply for a variation to that consent under separate legislation. The original consent does not cover the proposed changes, and it would be illegal to commence the development without securing SMC variation. This is wholly within the remit of Historic England.

It is evident that the nature of the scheme results in complicated interwoven impacts whereby altering the plans to improve on one element results in worsened impacts on another. It is evident through communications with the CSNN team, and as discussed below, that the scheme necessitates built measures to provide acoustic screening, as management plans are unlikely to resolve the impacts before they occur. This will lead to additional works to the Scheduled Monument and therefore a higher level of harm which must be weighed against public impacts.

The proposed plans were amended during the course of this application primarily for amenity and highway safety reasons and this has led to increases in the historic environment impacts. The changes and reasoning include:

- Alteration of site layout, ensuring access point is positioned so as to achieve appropriate visibility and to ensure a continuous footpath link to the nearest bus stops, to the west.
- Addition of an acoustic bund with integrated fence (2.2m total height) to allow construction of acoustic barrier without overly intrusive groundworks
- Clarification of drainage, access detail and belowground infrastructure proposals, demonstrating that these works can be achieved within the top 300mm of topsoil, avoiding impacts on previously undisturbed below-ground archaeology
- Alteration of site and lodge layout, allowing additional distance between lodges and existing dwellings and ensuring the larger lodges sitting out areas are screened by the structures themselves
- Alteration of the proposed business plan, to set out clear links to tourism as opposed to second homes and therefore to confirm economic benefits which align with the Council's corporate objectives as well as the rural economy policies of the NPPF, Local Plan and Neighbourhood Plan

Alongside general concern over the extent of works and variation from the approved scheduled monument consent, concern has been raised by Historic England as to the relocated access, which will require the closure of the existing access point. Whilst these comments are noted, the existing access is not surfaced to the relevant standard and so groundworks would be required irrespective of where the access is located. The loss of a section of the existing flint wall would allow the provision of safe vehicular and pedestrian access. Details of the replacement wall and the material used for the access can be controlled via condition.

The site would not harm the Conservation Area, the boundary to which is some 90m west and the Conservation Officer has raised no objection to the proposal on heritage grounds subject to conditions.

### *Level of Harm*

It is evident that less than substantial harm would be caused to Brancaster Roman Fort as a result of the ground-disturbance required to provide for the lodges, pods, access, parking areas and associated landscaping and infrastructure. There would also be an impact on the setting of the SAM that would occur through the physical loss of this part of the monument as open space (although the site is not open to the public) and through the introduction of buildings and infrastructure into what is currently a largely undeveloped landscape to the south of Main Road.

### *Public Benefits*

It is your officer's view that the harm, whilst increased since submission, has been mitigated as far as is practicable given the other harm identified to neighbour amenity and highway safety, which are also part of the planning balance. Irrespective of being minimised, this harm must, as per the NPPF extracts above, be balanced against public benefits of the proposal.

The business plan sets out an expected total annual income of £168,847, with an expenditure of £93,847.

Brancaster is a Key Rural Service Centre (Tier 4). The application site is immediately adjacent to existing built form, and the proposal would provide for safe pedestrian links both to nearby services and facilities as well as to bus stops which provide sustainable transport links to other nearby settlements. The occupation of the site for tourism purposes would contribute to the rural economy through increased visitors and customers to local facilities, ultimately contributing to the vibrancy of the settlement and surrounding area.

### *Summary*

Overall, whilst the concern of Historic England is noted, it is considered that the proposed impact on heritage assets is acceptable and the identified less than substantial harm to the scheduled monument would be outweighed by the public benefits provided to the local rural economy. The proposal therefore complies with Paragraph 215 of the NPPF, Policy LP20 of the Local Plan and Policy 8 of the Brancaster Neighbourhood Plan.

Conditions are recommended to control archaeological investigations and to ensure the depth of groundworks does not exceed 400mm, as per the suggestions of Historic England.

Details of materials (of the lodges, pods and hard surfacing), plus details of proposed landscaping are also recommended to be controlled via condition. The appropriate planting of the larger bund would further minimise its appearance from the street scene and limit harm to the setting of the Scheduled Monument. Again, details of the planting can be secured by condition.

### **Design and Form and Character:**

The site represents a relatively large field positioned between existing built form with Saxon Field to the west and The Corner Lodge to the east. The housing development known as Branodunum lies opposite the site.

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Whilst the frontage of the site is heavily treed, the provision of a new access and the requisite visibility splays would result in elements of the site being visible on approach, particularly during autumn/winter. The proposed acoustic bund in particular, if not appropriately landscaped, would be highly visible from the street scene given its position versus the access.

The site would be domesticated as a result of the siting of the lodges and pods and the provision of the access area, parking, bin storage, bunds and landscaping. This domestication of the currently open and verdant site would have an impact on the visual character of the street scene as it transitions to agricultural land; however it is recognised that the site is bound on three sides by existing residential development and benefits from existing defined boundaries and so the overall design would not be incongruous with this character.

The site would, for the same reasons, have no adverse impact on the National Landscape, which there is a duty to seek to further the purposes of. The proposal therefore complies with the duty as set out within LURA 2023 and with Paragraph 189 of the NPPF.

Landscaping details could be conditioned, including specific detail of the proposed acoustic bund/fence. This would largely take place within the proposed bunds due to limitations on works below ground. Conditions could also control the final external appearance of the lodges and pods (including any vents, ducts or flues) the provision of any site lighting and the replacement of the front boundary wall where changes are proposed for access.

Whilst some detail has been provided, conditions are also recommended to ensure foul and surface water, foundations and access detailing is acceptable given limitation to depth and groundworks.

Details of the proposed bin store are also required.

Subject to the aforementioned conditions, the proposal would comply with the NPPF (2024), Policies LP18 and LP21 of the Local Plan and Policy 2 of the Brancaster Neighbourhood Plan in regard to design.

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

Paragraph 135f of the NPPF states that, *amongst other things, planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...* This aligns with the requirements of Policies LP18 and LP21 in regard to high standards of design and noise nuisance.

Paragraph 6 of Policy LP21 states:

*'Proposals for development adjacent to, or in the vicinity of, existing uses will need to demonstrate that both the ongoing use of the neighbouring site is not compromised, and that the amenity of occupiers of the new development will be satisfactory with the ongoing normal use of the neighbouring site, taking account of the criteria above.'*

The field lies immediately beside the rear gardens of the detached houses at Saxon Field. Whilst the lodges would be sited behind the acoustic bund/fence, around 12m from the houses, there would be clear potential for both the people on site and car movements to cause noise and disturbance to nearby residents. To determine the potential impact, a Noise Impact Assessment has been submitted.

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The Noise Impact Assessment assumes that all outdoor seating areas are fully occupied (a total of up to 46 guests based on 6-8 persons per lodge and up to 2 persons per pod) but that no more than 50% of those guests would be speaking at any one time (i.e. typical conversation). This is suggested as providing a worst-case scenario in terms of the occupation of the outdoor areas. There will be times when the number of guests outside will be much lower.

The modelling raises particular concerns around loud voices and associated noises during the evening period, stating that in particular at night these impacts could result in moderate long term impacts. This indicates that mitigation measures are required to prevent disturbance of residents in the evening time.

It should be noted that whilst a management plan could be secured via condition, the measures within such a plan need to be enforceable. Restrictions such as arrival times, late night curfews, limits to noise after certain times or booking rules with deposit schemes are generally unenforceable, particularly in the absence of any on-site presence and would not prevent harm until it has already occurred.

A permanent acoustic fence or similar solution provides a more effective and enforceable way of limiting adverse impacts on neighbours.

Following discussions with the CSNN team amended plans were received during the course of this application which show a large 2.2m high bund and integrated acoustic fence stretching almost the full depth of the site towards the west boundary. This bund provides an acoustic barrier between the holiday uses and the existing residential properties which front Saxon Field to the west. These properties generally have very limited garden spaces and the lack of boundary treatments along the shared boundary means that the site as existing is open. Unmitigated, noise generated from the proposed use could travel towards the rear amenity spaces and nearest elevations of these properties.

The property to the east of the site is a greater distance from the site and is unlikely to be significantly impacted by the use of the site.

Amended plans are overall considered to have addressed concerns raised by the LPA and CSNN in relation to neighbour amenity.

The main amendments in this regard are:

- Submission of a Noise Impact Assessment
- The position of the proposed units and outdoor decking further towards the eastern boundary
- The western boundary to be retained as a fence (no new fence) with a new bund/fence provided wholly within the site and set back from the shared boundary to provide noise insulation and reduce any viewpoints between uses
- The parking spaces are provided set within the centre of the site to provide distance.

A Construction Management Scheme, Operational Management Plan and external lighting could be controlled via condition.

Whilst it is acknowledged that the proposal will have some impact on occupiers of adjacent dwellings, as demonstrated within the submitted Noise Impact Assessment, the proposal would not result in any unacceptable dis-amenity in the form of overlooking, overbearing, overshadowing, noise or nuisance. This is a residential use, and it is in the owners' best

interests to ensure that noise levels across the site do not cause amenity issues either for other residents or for neighbouring properties.

The bund would also prevent any overlooking or privacy impacts being lodged and the adjoining dwelling to the west. Distances to the east are such that proposed raised terraces, in combination with existing boundary treatments, will prevent significant impacts on the property in this direction.

Conditions are recommended to ensure that the land to the rear/west of the bund is set aside and not available for the general use of guests.

Subject to conditions controlling a Construction Management Plan, Operational Management Plan, External Lighting, and the construction of the acoustic bund/fence prior to first occupation, the proposed impacts on neighbours would be considered acceptable and would comply with the NPPF, Policies LP18 and LP21 of the Local Plan and Policy 2 of the Neighbourhood Plan.

### **Highway Safety:**

Policy LP13 requires development proposals to demonstrate safe and convenient access for all modes. Policy LP14 sets out parking requirements for new development as does Policy 4 of the Brancaster Neighbourhood Plan. Policy LP21 reiterates these policies stating that development proposals should demonstrate that safe access can be provided, and adequate parking facilities are available.

Paragraph 115 of the NPPF states:

*115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users...*

The applicant has demonstrated that the required visibility splay of 2.4metres x 43 metres in both directions is achievable. The site access will be improved as an asphalted bellmouth, which is acceptable in principle. Detailed drawings will be required to ensure that drainage has been considered, and that run off from the site mitigated, alongside details of access materials.

No site gate is proposed; this enables vehicles to leave the highway quickly and can be secured in perpetuity via condition. The site access route is of a suitable width to enable two cars to pass each other which limits opportunities for reversing/waiting on the adjoining highway which is a key strategic route as per Policy LP13.

No EV charging is currently proposed and no cycle parking. The LPA considers that a scheme for cycle parking and EV charging could be controlled via condition.

The redundant site access will need to be permanently closed, e.g. by blocking in the former gate with a new wall. Details of any replacement wall could be secured via condition.

A Construction Management Plan is recommended to control submission of contractor parking details prior to commencement (as well as ensuring the amenity of neighbouring dwellings is suitably protected).

The Local Highway Authority raise no objection to the proposal subject to conditions to control the above.

Policy 4 of the Neighbourhood Plan applies in regard to parking provision and highway safety. Whilst the proposal provides parking courts for 6 units which is in excess of the 5 supported by the Local Plan, given site specific considerations in regard to the proposed use of the site and the heritage concerns above, it is not considered that conflict with this policy warrants refusal. The Parish Council have not raised concern on parking layout, and the number of spaces provided accords with the requirements of the more recent Policy LP14 of the Local Plan.

Subject to conditions discussed above, the proposal would comply with the NPPF, with Local Plan Policies LP13, LP14, LP21 and Policy 4 of the Neighbourhood Plan in regard to highway safety.

### **Trees:**

Paragraph 136 of the NPPF, amongst other things, states that planning decisions should ensure that existing trees are retained wherever possible.

An arboricultural method statement was provided in support of this application following request by the Arboricultural Officer who confirms no objection to the scheme subject to conditions relating to compliance with the method statement and subject to detail of soft landscaping.

The proposal requires the removal of five trees classified as Category C, (Austrian Pine x 2, Norway Maple x 2, Sycamore x 1) in order to form the new access point. The Arboricultural Officer has no objection to the proposed removals.

Subject to conditions controlling harm to retained trees during construction, controlling soft landscaping details for replacement planting and prevent loss of trees not shown to be removed, the proposals impact on trees would be considered acceptable in line with Para 136 of the NPPF, Policies LP19 and LP21 of the Local Plan.

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

GIRAMS– As the proposal includes residential accommodation within the Zone of Influence for the protected sites scoped into the Green Infrastructure and Recreational Avoidance Mitigation Strategy, the scheme has potential to lead to adverse impacts on protected sites (For example the North Norfolk Coast SAC/SPA/RAMSAR) through in-combination recreational disturbance. The GIRAMS strategy is an agreed approach between the council and Natural England to mitigate these impacts. The GIRAMS tariff was paid upon submission of this application, and this is considered sufficient to rule out adverse effects on protected sites in line with the requirements of LP19 and LP27 of the Local Plan.

BNG – the site is BNG liable. A baseline habitat map has been provided and the baseline metric has been accepted by the council's ecologist. Whilst the post-development indicative values have not been updated alongside the amended plan, it is evident that the onsite gain would provide significant (in BNG terms) net gain and therefore a HMMP condition is required. The remaining off-site gain is expected to be provided through habitat bank units. The proposal therefore complies with the Environment Act and Local Plan in regard to BNG.

Ecology – The application was supported by a Preliminary Ecological Appraisal. The report recommends the following enhancement measures which can be secured via condition:

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- Three bird boxes installed within the woodland belt
- Two bat boxes will be installed within the woodland belt
- Two log piles will be created as enhancements for reptiles and hedgehogs

The Ecology Officer raised no objection to the scheme on ecological grounds, subject to the amendment of BNG information which has since been received.

Subject to conditions, the impact on ecology would be acceptable and complies with Policy LP19.

Contamination – There are no known sources of contamination on site. The proposal site is considered safe for a residential use. The Environmental Quality Team have not recommended any conditions in relation to contamination.

### **Specific comments and issues:**

A neighbour comment referred to alternative uses having greater community benefits. The Local Planning Authority are only able to consider the application as submitted.

Other neighbour comments are considered to have been addressed through the submission of amended plans, or otherwise are discussed in the above report.

### **CONCLUSION:**

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

The application proposes the change of use of agricultural land and the siting of 5 holiday lodges and 3 camping pods for tourism purposes.

The site is part of Brancaster Roman Fort Scheduled Monument which is a designated heritage asset.

Throughout this application, amended plans have been received which balance heritage impacts against the need for highway safety implications and noise and amenity concerns to be properly addressed. On balance, despite the views of Historic England on technical detail rather than the principle of development itself, it is considered that the historic environment impacts associated with the scheme have been adequately justified and the economic/tourism benefits for the local area are considered to outweigh the level of less than substantial harm identified, as required by Paragraph 215 of the NPPF.

Therefore, subject to conditions controlling, amongst other things, archaeological implications as well as landscaping, materials, off-site highway improvement works and occupation for tourism purposes only, the proposal is considered to comply with the requirements of the NPPF, Policies LP07, LP09, LP13, LP14, LP20 and LP21 of the Local Plan, and the aims of the Brancaster Neighbourhood Plan and the proposal is therefore recommended for approval.

## 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 plan:  
  
\*DEW02.01.04
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The depth of groundworks shall at no time exceed 400mm below ground level.
- 3 Reason: The proposed development is located within the boundaries of the scheduled monument - Roman fort (Branodunum) (List Entry Number 1003983). The condition is necessary to ensure that the below ground archaeological assets are not adversely impacted, in line with the NPPF and Policy LP20 of the Local Plan.
- 4 Condition: No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:
  1. An assessment of the significance of heritage assets present
  2. The programme and methodology of site investigation and recording
  3. The programme for post investigation assessment of recovered material
  4. Provision to be made for analysis of the site investigation and recording
  5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  6. Provision to be made for archive deposition of the analysis and records of the site investigation
  7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the Written Scheme of Investigation as approved.
- 4 Reason: The proposed development is located within the boundaries of the scheduled monument - Roman fort (Branodunum) (List Entry Number 1003983). The condition is necessary to ensure that the below ground archaeological assets are not adversely impacted, in line with the NPPF and Policy LP20 of the Local Plan.
- 5 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 Written Scheme of Investigation approved under condition 4 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

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5 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.

6 Condition: No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- (a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used;
- (b) the location of any temporary buildings and compound areas;
- (c) the location of parking areas for construction and other vehicles;
- (d) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway; and,
- (e) a scheme for the management and signage of all construction traffic.
- (f) details of how the lodges and pods will be brought on to site, in particular details of how damage to trees will be avoided.

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

6 Reason: To ensure that the amenities of adjoining occupants and the retained trees are safeguarded in accordance with the NPPF and Policies LP18 and LP21 of the NPPF.

7 Condition: Prior to the first occupation or use of the development hereby permitted, an Operational Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The management plan shall include:

- the measures to be put in place to protect the residential amenity of adjoining occupiers, including any proposed monitoring or CCTV positions
- an identified process to manage and address complaints about the site's operation, should they arise
- details of a process for review of the Operational Management Plan.

The development shall be operated in full accordance with the management plan as approved.

7 Reason: To ensure that the amenities of adjoining occupants are safeguarded in accordance with the NPPF and Policy LP21 of the Local Plan.

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

Hard landscaping details shall include:

- finished levels or contours,
- hard surface materials,
- details of the proposed bunds, including details of the fence within the acoustic bund
- details of refuse or other storage units

Soft landscape works shall include:

- planting plans, to provide for mitigatory tree planting and planting to screen and soften the proposed acoustic bund

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- written specifications (including cultivation and other operations associated with plant and grass establishment)
  - schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 8 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policy LP20 and LP21 of the Local Plan and Policy 2 of the Brancaster Neighbourhood Plan.
  - 9 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
  - 9 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policy LP20 and LP21 of the Local Plan and Policy 2 of the Brancaster Neighbourhood Plan.
  - 10 Condition: The proposed acoustic bund, shown on dwg No. DEW02.01.04 shall be constructed in accordance with the approved details prior to the first occupation of any unit and retained and maintained in that position thereafter.
  - 10 Reason: In the interests of the amenities of adjoining occupiers to prevent noise nuisance or disamenity, in line with Policy LP21 of the Local Plan.
  - 11 Condition: Prior to the first occupation of the development hereby permitted, full details of a scheme for cycle parking and EV charging shall be submitted to and approved in writing by the LPA.
  - 11 Reason: To ensure that the proposed development complies with the aims of sustainable transport in regard to facilities for all transport modes, and in line with Policies LP06, LP13 and LP14 of the Local Plan.
  - 12 Condition: Prior to the installation of any external lighting relating to the development hereby permitted a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation / angle of the luminaries, the spacing and height of the lighting columns, the extent / levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
  - 12 Reason: In the interests of the amenities of the locality where excessive lighting or light spill could be detrimental to the street scene or setting of the SAM, in line with Policies LP18, LP19, LP20 and LP21 of the Local Plan and Policies 2 and 8 of the Brancaster Neighbourhood Plan.
  - 13 Condition: The development shall be carried out in accordance with the Preliminary Ecology Appraisal by 360 Ecology Ltd submitted in support of this application (issue

dated April 2025, revised December 2025). In particular, the report recommends the following enhancement measures are implemented into the proposed scheme:

- Three bird boxes installed within the woodland belt
- Two bat boxes will be installed within the woodland belt
- Two log piles will be created as enhancements for reptiles and hedgehogs

- 13 Reason: To ensure that the proposed development does not adversely effect ecological assets, in line with Policy LP19 of the Local Plan.
- 14 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.

Notice in writing shall be given to the Council when the:

- (a) HMMP has been implemented; and
- (b) habitat creation and enhancement works as set out in the HMMP have been completed. "

- 14 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.
- 15 Condition: The Biodiversity Gain Plan shall be prepared in accordance with the baseline details included on the Statutory Metric dated 04 April 2025, revised 11/12/2025 and prepared by Vicky Rusby (Ecologist).
- 15 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.
- 16 Condition: The lodges and pods hereby approved shall be made available to rent as commercial holiday lets to be used for short stay accommodation (no more than 28 days per single let) only and shall at no time be occupied as a person's sole or main place of residence.

The owners shall maintain an up-to-date register of lettings/occupation and shall make the register available at all reasonable times to the Local Planning Authority.

- 16 Reason: The site lies within in an area in which the Local Planning Authority would not typically permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with Policy LP09 of the Local Plan and the NPPF as well as to ensure a wider economic benefit to outweigh heritage impacts on the Scheduled Monument in line with the NPPF and Policy LP20 of the Local Plan.
- 17 Condition: Prior to commencement of any works on site, tree protection measures, including pre-commencement site meeting and arboricultural site supervision shall be carried out and completed in complete accordance with the arboricultural method statement and tree protection plan (Golden Tree Surgeons, 3rd April 2025, Reference Brancaster Cabins AIA and AMS GTS)
- 17 Reason: To ensure that trees are properly protected during the proposed works, in line with the NPPF and Policies LP19, LP20 and LP21 of the Local Plan.
- 18 Condition: No trees, other than those shown to be removed on the tree protection plan and detailed in the method statement, shall be felled without the prior written agreement of the local planning authority
- 18 Reason: For the avoidance of doubt and in the interests of the amenities of the locality, in line with the NPPF and Policies LP19, LP20 and LP21 of the Local Plan.
- 19 Condition: Prior to the first use of the development hereby permitted the vehicular access/crossing over the verge shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highway's specification (TRAD 5) and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.
- 19 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with the NPPF and Policy LP13 of the Local Plan.
- 20 Condition: Vehicular/pedestrian/cyclist access to and egress from the adjoining highway shall be limited to the proposed access shown on Drawing No. DEW02.01.04 only. The existing access/egress gate to the A149 shall be permanently closed. The highway verge and any boundary wall shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority concurrently with the bringing into use of the new access.
- 20 Reason: In the interests of highway safety in accordance with the NPPF and Policy LP13 of the Local Plan.
- 21 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.

- 21 Reason: In the interests of highway safety in accordance with the NPPF and Policy LP13 of the Local Plan.
- 22 Condition: Prior to the first use of the development hereby permitted visibility splays measuring 2.4 metres x 43 metres shall be provided to each side of the access where it meets the near edge of the adjacent highway carriageway.
- 22 Reason: In the interests of highway safety in accordance with the NPPF and Policy LP13 of the Local Plan.
- 23 Condition: Prior to the first use of the development hereby permitted the proposed access/on-site car parking / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 23 Reason: In the interests of highway safety in accordance with the NPPF and Policy LP13 of the Local Plan.
- 24 Condition: Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing No. DEW02.01.04 and further pedestrian facilities to adjacent bus stops on either side of the A149 from the site have been submitted to and approved in writing by the Local Planning Authority. A Stage 2 safety audit to be submitted with construction drawings.
- 24 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in line with the NPPF and Policies LP13 and LP21 of the Local Plan.
- 25 Condition: Prior to the first use of the development hereby permitted the off-site highway improvement works referred to in Condition 24 shall be completed to the written satisfaction of the Local Planning Authority. A Stage 3 safety audit is to be carried out on completion of the s278 works.
- 25 Reason: To ensure that the highway network is adequate to cater for the development proposed in line with Policy LP13 of the Local Plan.
- 26 Condition: Notwithstanding the details shown on the approved plan, 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.
- 26 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF and Policies LP20 and LP21 of the Local Plan.
- 27 Condition: Notwithstanding the details shown on dwg No. DEW02.01.03, 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.

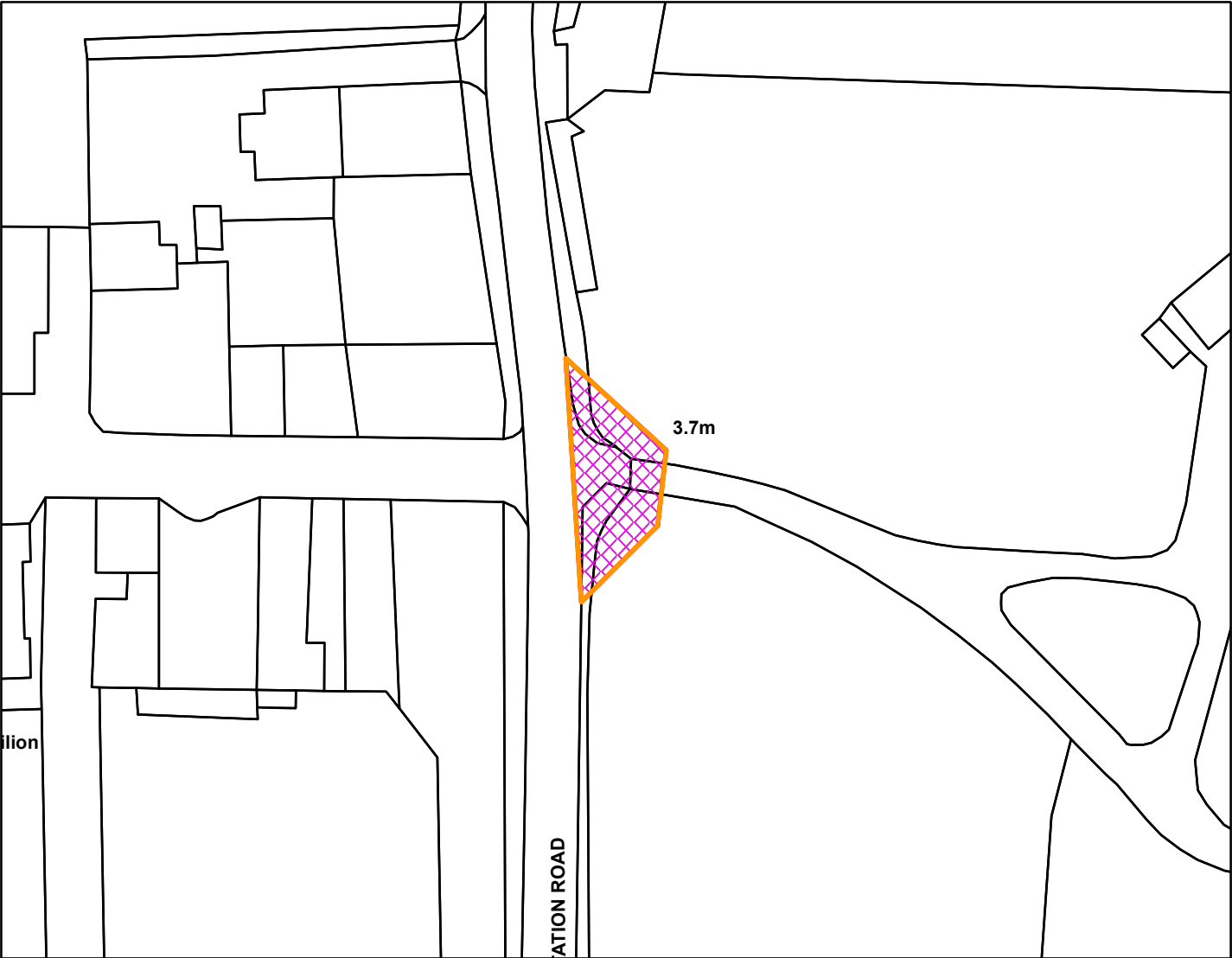
- 27 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

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.

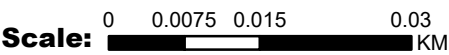
- 28 Condition: Notwithstanding the details shown on dwg No. DEW02.01.03, no development shall commence on site until large-scale plans showing the method of foundation, access road and parking area construction have been submitted to and approved in writing by the Local Planning Authority. The works shall be constructed in accordance with the approved details.
- 28 Reason: The proposed development is located within the boundaries of the scheduled monument - Roman fort (Branodunum) (List Entry Number 1003983). The condition needs to be a pre-commencement condition to ensure that the below ground archaeological assets are not adversely impacted from the outset of development, in line with the NPPF and Policy LP20 of the Local Plan.
- 29 Condition: Full details of all extractor vents, heater flues and meter boxes including their design and location shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Installation shall be carried out in accordance with the approved details.
- 29 Reason: To ensure a satisfactory external appearance which respects the setting of the Scheduled Monument in accordance with the principles of the NPPF and Policies LP20 and LP21 of the Local Plan.



Middleton Castle Station Road Tower End Middleton King's Lynn Norfolk PE32 1EE



Legend

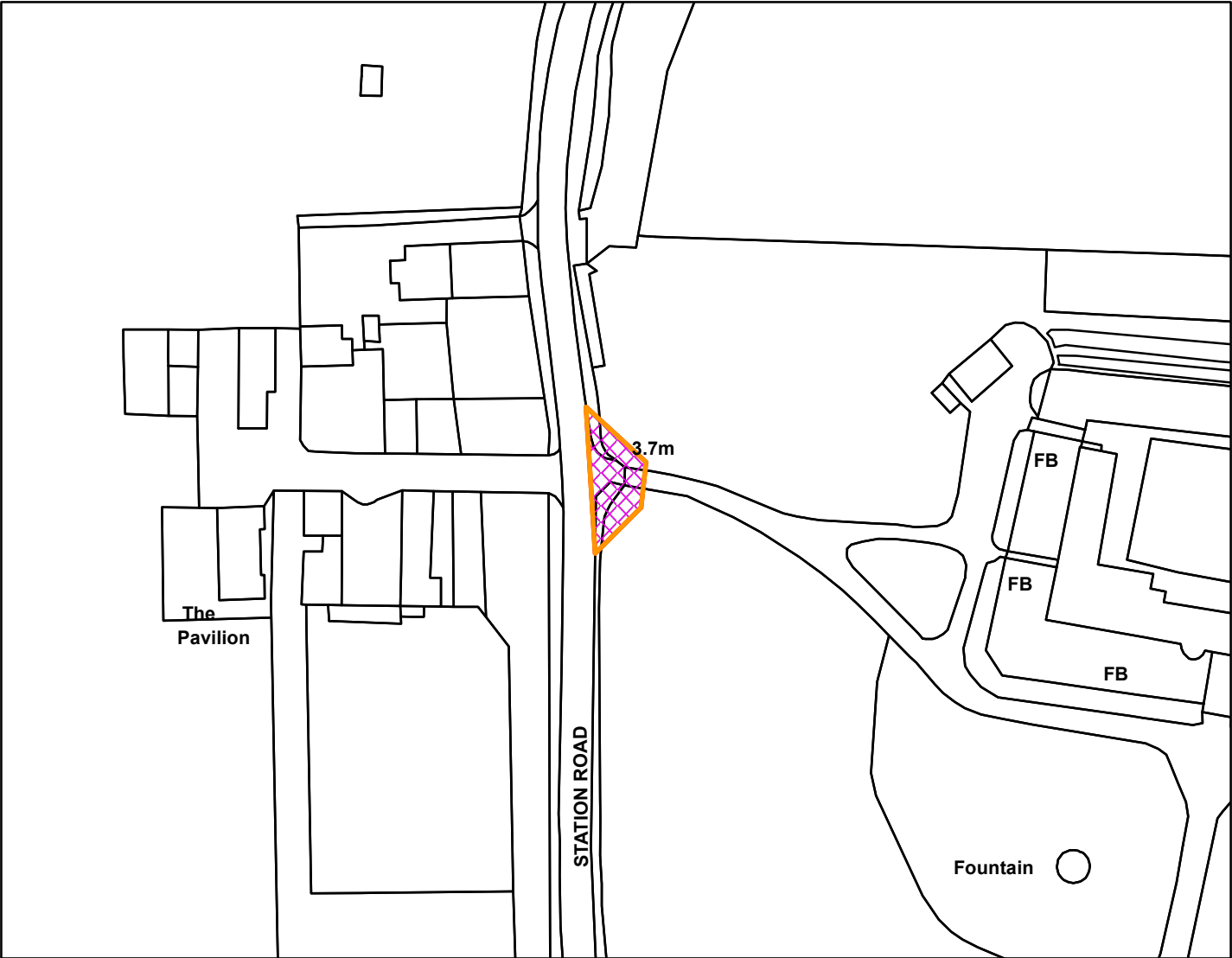


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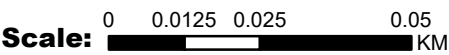
Organisation	BCKLWN
Department	Department
Comments	
Date	17/12/2025
MSA Number	0100024314



Middleton Castle Station Road Tower End Middleton King's Lynn Norfolk PE32 1EE



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Organisation	BCKLWN
Department	Department
Comments	
Date	17/12/2025
MSA Number	0100024314

<b>Parish:</b>	<b>Middleton</b>	
<b>Proposal:</b>	<b>Listed Building consent application for installation of 2.025m timber fencing</b>	
<b>Location:</b>	<b>Middleton Castle Station Road Tower End Middleton King's Lynn Norfolk PE32 1EE</b>	
<b>Applicant:</b>	<b>MT Heritage Enterprises Ltd</b>	
<b>Case No:</b>	<b>25/01595/LB (Listed Building Application)</b>	
<b>Case Officer:</b>	<b>Lynette Fawkes</b>	<b>Date for Determination: 24 November 2025</b>

**Reason for Referral to Planning Committee** – Councillor Barclay is the applicant.

**Neighbourhood Plan:** No

#### **Case Summary**

The applicant is seeking listed building consent to retain a close panel boarded fence attached to a curtilage listed wall, outside of a grade I listed building.

#### **Key Issues**

The visual impact upon the host grade I listed Building and the physical and visual impacts upon the curtilage listed wall.

#### **Recommendation**

**REFUSE**

### **THE APPLICATION**

This application is for Listed Building Consent to retain a recently erected close panel boarded fence within the curtilage of the grade I listed Middleton Castle. The fence has been attached to the wall surrounding the entrance to the property. While this wall is more recently constructed than Middleton Castle, it is considered to be curtilage listed by virtue of its architectural merit and its age.

### **SUPPORTING CASE**

No supporting case has been submitted by the applicant.

## **PLANNING HISTORY**

25/01729/LDE - Lawful Development Certificate: Retention of existing close boarded timber fencing panels to a height of 2.025m behind unused site entrance.

## **RESPONSE TO CONSULTATION**

**Parish Council:** None Received

**Ward Member:** None Received

**Historic England: NO COMMENT**

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

**Historic Environment Service: NO OBJECTION**

The applicant should contact Historic England if they have not done so already due to the proximity to a Scheduled Ancient Monument.

**Public Rights of Way: NO COMMENT**

**REPRESENTATIONS – ONE comment in SUPPORT;**

My father in law - who lived at the property - erected a fence having obtained planning permission in the late 1980's as a result of people stopping to take photographs of the property.

This was done for privacy and security.

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

**LP20 - Environmental Assets- Historic Environment (Strategic Policy)**

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF.

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

National Planning Policy Framework – sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

Planning Committee  
12 January 2026

## **PLANNING CONSIDERATIONS**

**The main considerations are:**

### **Impact upon the Listed Building and the Curtilage Listed Wall**

Local Plan Policy LP20 states that proposals that affect the significance of a Listed Building should conserve or enhance that significance. It also states that alterations to Listed buildings should not adversely affect its character as one of special architectural or historic interest, its significance or its wider setting.

Paragraph 202 of the NPPF states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

Paragraph 207 of the NPPF requires that enough information should be provided with an application to describe the significance of a heritage asset and any contribution made by its setting.

Paragraph 213 of the NPPF states that any harm to the significance of a designated heritage asset should require clear and convincing justification.

Paragraph 215 of the NPPF states that where less than substantial harm has been identified, this harm should be weighed against the public benefits of the proposal.

The scheme does not preserve and enhance the fabric and significance of the curtilage listed building nor does it protect and enhance the amenity of the wider environment including its heritage and cultural value.

Middleton Castle is a Grade I listed building and is therefore a designated heritage asset of national importance. The wall surrounding the building is curtilage listed and considered to be of importance to the understanding of the building and its development over time. The scheme does not therefore use appropriate materials or fixing methods to be considered appropriate to the significance of the highly graded heritage asset.

The fence has been fixed to the curved, crenellated wall to the front of the grade I listed building. The fence has been attached to the wall using standard fixings and have not been sensitively attached into the mortar joints, a permanent screw hole in the bricks has been made which is now irreparable. This has caused damage to the fabric of the wall that cannot be repaired.

The information provided with this application does not describe the significance of the building or offer an understanding of how the works proposed would impact upon the significance of the building.

The scheme is wholly discordant with the traditional materials required for use in the setting of a grade I listed building and has caused irreparable damage to a curtilage listed wall. The applicant has not demonstrated that there is a need for a fence that a more appropriately designed and detailed solution would not adequately address. As it stands, the proposal causes a low level of less than substantial harm to the significance of the grade I listed building and a medium level of less than substantial harm to the curtilage listed wall.

There are no public benefits identified as part of this listed building consent application that could outweigh the less than substantial harm caused to the listed structure. An alternative

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solution could be sought which would be less harmful both visually and to the fabric of the wall.

### **CONCLUSION:**

The new fence has been attached to the curtilage listed wall associated with the grade I listed Middleton Castle. The scheme is wholly discordant with the traditional materials required for use in the setting of a grade I listed building and has caused irreparable damage to a curtilage listed wall.

The development is therefore contrary to Policy LP20 of the Local Plan as well as Paragraphs 202, 207, 213 and 215 of the NPPF.

It is therefore recommended that the application is refused for the following reason;

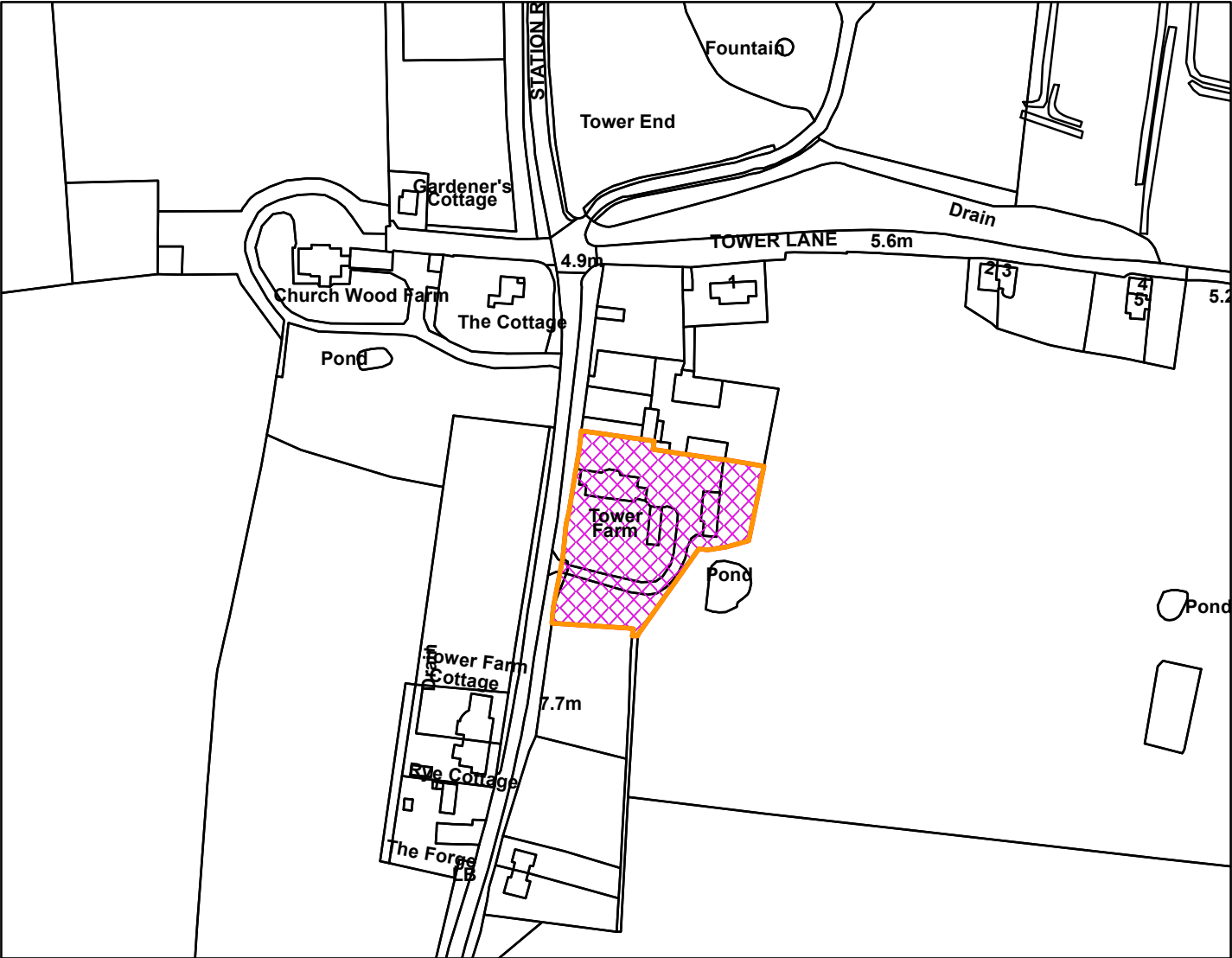
### **RECOMMENDATION:**

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

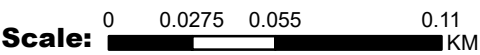
- 1 The attachment of a close panel boarded timber fence to a curtilage listed wall in the setting of the grade I listed Middleton Castle, would cause less than substantial harm to the significance of the curtilage listed wall and the setting of the grade I listed Middleton Castle. It is an inappropriate material for use within the historic setting and has caused permanent and non-reversible damage to the curtilage listed wall. The applicant has not sought advice as to what a suitable alternative may be and did not seek pre-application advice. It is therefore contrary to policies LP20 of the Kings Lynn and West Norfolk Local Plan 2021-2040. It would also be contrary to paragraphs 202, 207 and 213 and 215 of the National Planning Policy Framework.



Tower Farm Station Road Tower End Middleton King's Lynn Norfolk PE32 1EE



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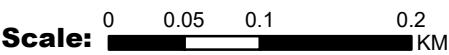
Organisation	BCKLWN
Department	Department
Comments	
Date	17/12/2025
MSA Number	0100024314



Tower Farm Station Road Tower End Middleton King's Lynn Norfolk PE32 1EE



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Organisation	BCKLWN
Department	Department
Comments	
Date	17/12/2025
MSA Number	0100024314

<b>Parish:</b>	<b>Middleton</b>	
<b>Proposal:</b>	<b>Retrospective construction of timber boundary fence 2.770m high.</b>	
<b>Location:</b>	<b>Tower Farm Station Road Tower End Middleton King's Lynn Norfolk PE32 1EE</b>	
<b>Applicant:</b>	<b>Mr &amp; Mrs T. Barclay</b>	
<b>Case No:</b>	<b>25/01728/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Tom Ellis-Daish</b>	<b>Date for Determination: 15 December 2025 Extension of Time Expiry Date: 9 January 2026</b>

**Reason for Referral to Planning Committee – Application made by Councillor Barclay.**

**Neighbourhood Plan: No**

### **Case Summary**

Retrospective planning permission is sought for a timber boundary fence, erected above an existing brick and carstone boundary wall. 0.90m over the height of the existing wall, bringing the total height to 2.77m at the highest point (some variation exists due to sloping land levels). Timber mountings are present on the rear of the wall and are affixed to the wall itself. The site is located along Station Road, Middleton, at Tower Farm. Tower farm itself is approx. 750m Northeast from the development boundary for Middleton and is considered to be within the countryside.

The boundary wall was originally permitted under application 16/00906/F at a height of 1.35m, then modified under application 17/0104/F to a height of 2.08m.

### **Key Issues**

Principle of development.  
Impact upon the setting of Listed Buildings and the character and appearance of the area.  
Any other matters requiring consideration prior to the determination of the application.

### **Recommendation:**

**REFUSE**

## **THE APPLICATION**

Retrospective permission is sought for the construction of a timber boundary fence affixed to an existing carstone and brick wall. The fence itself protrudes over the height of the existing wall by 0.90m, bringing the total height to 2.77m, and is comprised of unpainted horizontal timber boarding. The fence measures 40m in width.

The site is located along Station Road, Middleton, at Tower Farm. Tower farm itself is approx. 750m Northeast from the development boundary for Middleton and is considered to be within the countryside. This section of Station Road is largely verdant, with a small number of buildings adjacent to the highway. Opposite the site is a smaller boundary wall and a picket fence. To the north one of the entranceways to Middleton Castle can be seen, which is of brick construction.

## **SUPPORTING CASE**

No supporting case has been received at the time of writing this report.

## **PLANNING HISTORY**

Tower Farm has been the subject of a number of planning applications in the past. The most relevant recent history is:

25/01596/LB: Consent Not Required: 30/09/25 - Retrospective Listed Building consent for installation of 2.770m timber fencing.

24/00866/F and 24/00914/LB: Application Permitted: 01/07/24 - Relocation and Reinstatement of Vehicular Highways Access and Alterations to Boundary Wall.

17/01014/F and 17/01015/LB: Application Permitted: 19/07/17 - Formation of Drive access and wall feature to the front elevation to match the existing arrangements. Revised Design to application ref: 16/00906/F and 16/00907/LB

16/00906/F and 16/00907/LB: Application Permitted: 12/10/16 - New drive accesses to be formed and wall feature to the principal elevation to match the existing arrangements

## **RESPONSE TO CONSULTATION**

**Parish Council: NO OBJECTIONS.**

**Conservation Officer: OBJECTS.**

The wall which is the subject of this application does not meet the tests for curtilage listing as it was constructed after 1948. There is no wall present in 2009 google imagery, but is a wall present in 2021. Therefore, there is little historic interest in the wall.

The site falls within the setting of a listed building and therefore any works to the wall should be considered in this context;

Planning Committee  
12 January 2026

A wall here is appropriate given the farm building typology and use, however a close panel boarded fence is an inappropriate addition as it would be incongruous in the setting of traditional buildings and construction method;

The height of the fence and its position on top of the traditionally constructed wall adds to the prominence of the material and makes it more visible within the streetscene;

Understands the applicant's need for privacy and suggests raising the existing wall in Carstone and brick and removing the fence;

The fence would not respect the significance of the Listed Building and would represent a harmful addition to the building's setting,  
Therefore, consider that "less than substantial harm" should be weighted in the planning balance;

Would be happy to work with the applicant to resolve issues if necessary.

**REPRESENTATIONS** No third-party letters of representation have been received at the time of writing this report.

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

**LP06** - Climate Change (Strategic Policy)

**LP18** - Design & Sustainable Development (Strategic Policy)

**LP20** - Environmental Assets- Historic Environment (Strategic Policy)

**LP21** - Environment, Design and Amenity (Strategic Policy)

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

The main considerations are:

Principle of Development.

Impact upon the setting of Listed Buildings and the character and appearance of the area.  
Any other matters requiring consideration prior to the determination of this application.

### **Principle of Development:**

The site is located outside of the development boundary for Middleton and is therefore considered to be within the countryside.

Tower Farmhouse, as well as the Cattle Shelter and a barn to the north of Tower Farmhouse and The Cottage to the northwest are Grade II Listed Buildings. To the north of the site is Middleton Castle which is a Grade I Listed Building and Scheduled Monument.

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

In this instance, the Development Plan comprises the Local Plan (2021-2040).

The principle of a boundary treatment in this location is acceptable, subject to compliance with relevant plan policies and guidance.

### **Form, Character and Impact Upon Listed Buildings:**

Policy LP20 of the Local Plan states that the Historic Environment will be conserved and enhanced in a manner appropriate to its significance and that development which is of the highest quality design that will sustain and, where appropriate, enhance the special interest, character and significance of heritage assets and their settings will be supported. LP20 further states that protecting historic assets which contribute to the character and identity of the Borough is a priority. Policies LP18 and LP21 further re-enforce the requirements to conserve the historic environment, in addition to protecting the general visual amenity of the area.

Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the local environment by recognising the intrinsic character and beauty of the countryside.

Paragraph 213 of the NPPF states that any level of harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 215 further states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighted against the public benefits of the proposal.

This section of Station Road is largely verdant, with a small number of buildings adjacent to the highway. Opposite the site is a smaller boundary wall (of a traditional appearance) and a picket fence. To the north one of the entranceways to Middleton Castle can be seen, which is of brick construction.

The application site comprises what appears to have been a row of cottages, at two storey height, perpendicular to the highway and barn/stable buildings of carstone and red brick construction. The existing approved wall to the front (west) of the site is also of carstone and brick construction, at a height of 1.85m. Horizontal timber boarding has been added to this wall, affixed at the rear by supporting posts, raising the overall height of the wall to 2.77m high.

The height of the wall and fence combined results in an intrusive feature in the countryside, being at odds with the limited height of built boundary treatments in the area.

The impact of the height of the proposal is further exacerbated by the use of timber boarding, appearing as a vertical extension to the existing wall and eroding the wall's traditional design and unsettling its appearance, both in the streetscene and in relation to the Listed Building, causing harm categorised as "less than substantial".

In this instance, it is not apparent that the proposal would bring any public benefit against which the harm to the Listed Building would otherwise be balanced in accordance with Paragraph 215 of the NPPF.

The impact of the proposal on Middleton Castle is negligible due to the orientation of the proposal in relation to the castle and the distance between them.

The proposal's harm to the streetscene and Listed Buildings is therefore contrary to the requirements of Policies LP18, LP20 and LP21 of the Local Plan and Paragraphs 187, 213 and 215 of the NPPF.

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

The proposal would not pose adverse impacts on neighbour amenity, in accordance with the requirements of Policy LP21.

Whilst not formally consulted, the Highway Officer has confirmed that due to the height wall as approved, and the distance of the wall from the highway, the additional height of the fencing does not pose a highway safety concern.

In the absence of an acceptable scheme for returning the wall to its previous height or an application for an acceptable alternative, enforcement action may be instigated to secure the fencing's removal within an appropriate timescale.

**CONCLUSION:**

The development, located within a sensitive countryside location and in close proximity to Listed Buildings, is of an unacceptable scale and design. This causes harm to the setting of Listed Buildings and the character of the streetscene, principally by virtue of its height and use of closed board timber, contrasting with the traditional materials of the wall and the boundary treatment of other sites in the vicinity.

The development is therefore contrary to Policies LP18, LP20, LP21 of the Local Plan as well as Paragraphs 187, 213 and 215 of the NPPF.

It is therefore recommended that this application be refused for the following reason:

**RECOMMENDATION:**

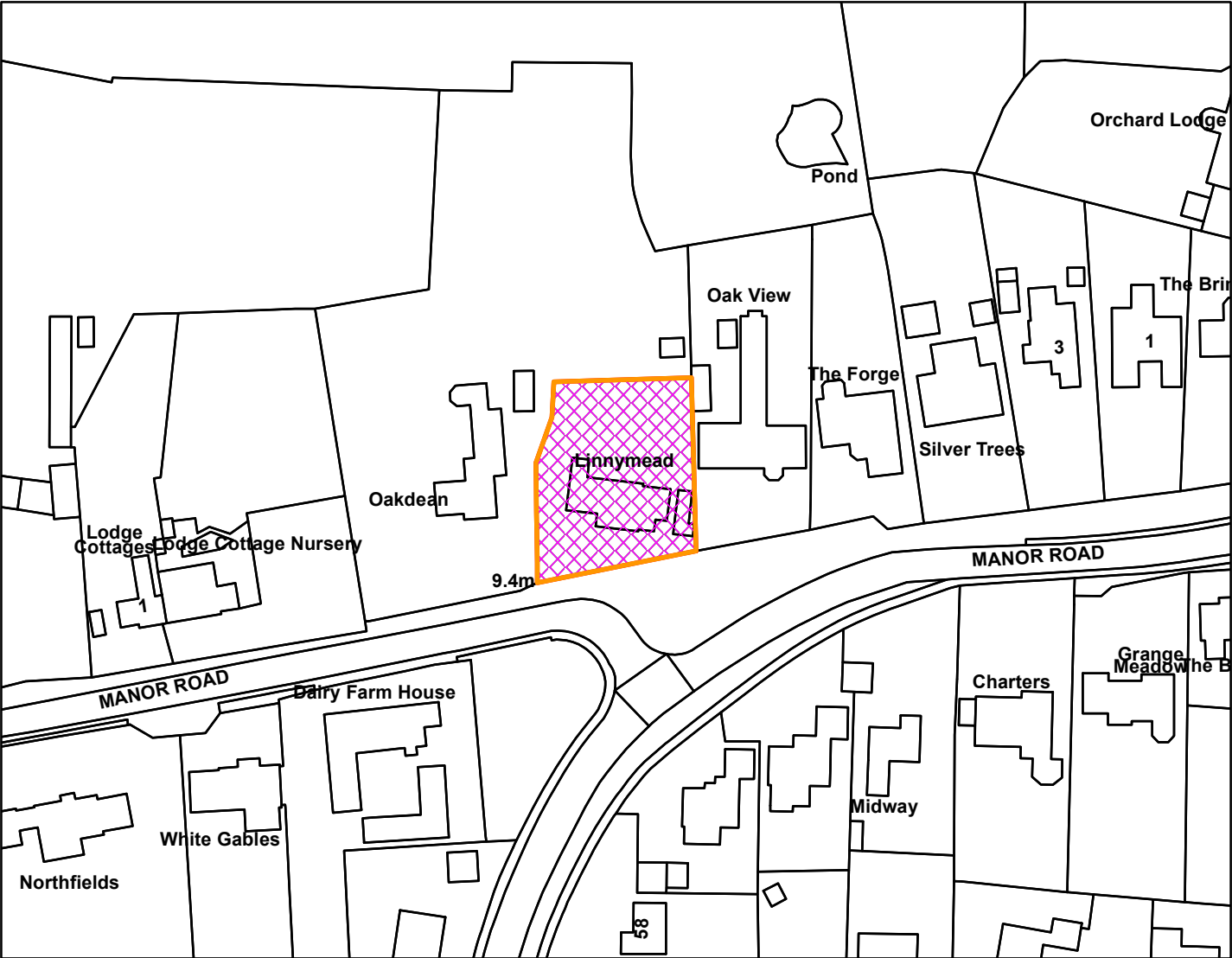
**REFUSE** for the following reason(s):

- 1 The fence, by reason of its height, siting and appearance, has a harmful impact upon the setting of a Listed Building and represents an incongruous and intrusive form of development. The proposal is therefore contrary to Local Plan Policies LP18, LP20 and LP21 of the Local Plan and Paragraphs 187, 213 and 215 of the NPPF.

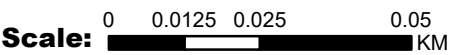




Linnymead Manor Road North Wootton King's Lynn Norfolk PE30 3PZ



**Legend**



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Organisation	BCKLWN
Department	Department
Comments	
Date	17/12/2025
MSA Number	0100024314

**Scale:** 0 0.0275 0.055 0.11 KM

Organisation	BCKLWN
Department	Department
Comments	
Date	17/12/2025
MSA Number	0100024314

<b>Parish:</b>	<b>North Wootton</b>	
<b>Proposal:</b>	<b>Change of use of domestic garden building to Pilates Studio.</b>	
<b>Location:</b>	<b>Linnymead Manor Road North Wootton King's Lynn Norfolk PE30 3PZ</b>	
<b>Applicant:</b>	<b>Mr B Smith</b>	
<b>Case No:</b>	<b>25/01495/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination:</b> <b>6 November 2025</b> <b>Extension of Time Expiry Date:</b> <b>6 February 2026</b>

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

**Neighbourhood Plan:** Yes

### **Case Summary**

Full planning permission is sought for the retrospective change of use of a domestic garden building to a Pilates Studio and the change of use of a small area at the rear of the existing domestic garage to a servery ancillary to and used in association with the Pilates Studio.

The site is located within the development boundary of North Wootton, which is designated as a 'Settlement adjacent to King's Lynn and the Main Towns' (Tier 3) by Development Plan Policy LP01.

If approved the permission would result in a mixed-use site comprising residential (Use Class C3) and Pilates Studio and ancillary Servery (Use Class E(d) indoor sport, recreation or fitness excluding motorised vehicles, firearms, swimming and skating).

### **Key Issues**

Points of Clarification  
Principle of Development  
Form and Character  
Impact on Neighbour Amenity  
Highway Safety  
Impact on Trees  
Other Material Planning Considerations.

### **Recommendation**

**APPROVE**

## THE SITE AND APPLICATION

The site accommodates a 4-bedroom, 1.5-storey, detached dwelling. The dwelling is set back from the highway and benefits from a large front driveway with two access points: one to the east and one to the west.

Full planning permission is sought for the retrospective change of use of a domestic garden building to a Pilates Studio and the change of use of a small area at the rear of the existing domestic garage to a 'servery' to be used in association with the Pilates Studio.

Linnymead is the first property to the north of Manor Road following the All Saints Drive / Manor Road intersection. Manor Road is residential in character and is bordered by neighbouring dwellings to the east and west.

If approved the permission would result in a mixed-use site comprising residential (Use Class C3) and Pilates Studio with ancillary Servery (Use Class E(d) indoor sport, recreation or fitness excluding motorised vehicles, firearms, swimming and skating).

Mixed-use sites do not benefit from permitted development rights. Therefore, neither the residential elements nor the Pilates elements would be able to make any changes usually permitted by the Town and Country (General Permitted Development) (England) Order 2015, as amended; hereon referred to as the GPDO if this application is approved.

## SUPPORTING CASE

1. Introduction: This statement is submitted in support of the above planning application, which seeks permission for the change of use of an existing domestic garden building to a small-scale Pilates studio. The proposal represents a modest and sustainable form of development that makes effective use of an existing building without physical alteration.

2. Nature and Scale of Use: The proposed Pilates studio will operate at a very low intensity, with a strict limit of no more than five customers at any one time. Classes will be run at set times, ensuring a controlled pattern of use and generating a one-way flow of visitors, with patrons arriving before a session and leaving together at its conclusion. This management approach prevents overlapping activity and limits disturbance.

The scale and nature of the use is comparable to other accepted home-based or ancillary uses and would not result in activity incompatible with the surrounding residential area.

3. Access and Parking: The site benefits from adequate on-site parking, capable of accommodating the limited number of patrons associated with each class. Safe and suitable access is already available. Norfolk County Council, as Local Highway Authority, has raised no objection, confirming that the proposal would not result in highway safety or parking concerns.

4. Residential Amenity and Noise: A noise impact assessment prepared by dB Consultation Limited confirms that the proposal would not result in unacceptable noise impacts on neighbouring properties. The assessment concludes that noise generated within the Pilates studio, including low-level music, voices, equipment, and the AC heating and cooling system (including the external condenser unit), would not be audible at neighbouring dwellings. The report further explains that the ethos of Reformer Pilates is to promote wellbeing and calm, with clients finishing sessions in a quiet state. Vehicle movements are therefore unlikely to be noticeable at neighbouring properties. Any slight potential impact is further reduced by spacing between classes and limiting the number of classes per day.

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5. Health, Well-being and Social Benefits: The proposal would deliver clear health and well-being benefits, providing opportunities for physical exercise, rehabilitation, and stress reduction within the local community. It supports wider public health objectives by encouraging active lifestyles and improving physical and mental well-being. The studio would also provide a local social benefit, enabling residents to access structured exercise close to home, reducing the need to travel to more distant facilities and supporting community cohesion.

6. Planning Policy Context: West Norfolk Borough Council Local Plan: The proposal aligns with the overarching objectives of the West Norfolk Borough Council Local Plan, which seeks to support sustainable development, protect residential amenity, and encourage appropriate small-scale economic activity. The use of an existing building for a low-intensity studio ensures efficient use of land and buildings while avoiding harm to neighbouring occupiers.

National Planning Policy Framework (NPPF) The NPPF supports a prosperous rural economy and encourages small-scale business development that is compatible with its surroundings. It also promotes development that supports healthy and safe communities and makes effective use of existing buildings. The proposal accords with these principles by facilitating local employment, promoting health and well-being, and avoiding unnecessary travel.

South Wootton Neighbourhood Plan: The proposal is strongly supported by the South Wootton Neighbourhood Plan, in particular Policy B3 – Home Working, which provides that new business development that combines living and small-scale employment will be encouraged, provided that it does not result in unacceptable impacts on residential amenity, traffic, parking, or the character of the area.

The proposed Pilates studio fully accords with Policy B3, as it:

- is small-scale and ancillary in nature;
- operates at low intensity with a limited number of clients;
- provides adequate on-site parking; and
- has been demonstrated to result in no unacceptable noise or disturbance.

7. Planning Conditions: Any potential impacts arising from the proposal can be effectively and proportionately controlled through planning conditions, for example relating to: hours of operation; maximum number of clients per session; number of classes per day; and restriction of the use solely to a Pilates studio.

When applied correctly, planning conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission. In this instance, appropriate conditions would ensure the proposal remains compatible with its residential setting.

8. Conclusion: The proposed change of use represents a modest, well-managed form of development that utilises an existing building, generates minimal traffic, and gives rise to no unacceptable noise or amenity impacts. The conclusions of the noise assessment by dB Consultation Limited, together with the absence of objection from the Highway Authority, demonstrate that the proposal is acceptable in planning terms.

The development delivers meaningful health, well-being, and social benefits and is fully consistent with national, local, and neighbourhood planning policy. Any residual concerns can be satisfactorily addressed through planning conditions. The application is therefore respectfully commended for approval.

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## PLANNING HISTORY

20/01997/F: Application Permitted: 17/02/21 - New roof structure providing three additional bedrooms to detached residential property, including changes to external facing materials.

2/00/0118/F: Application Permitted: 15/03/00 - Extension to dwelling.

2/97/0153/F: Application Permitted: 12/03/97 - Creation of new vehicular access.

## RESPONSE TO CONSULTATION

**Parish Council:** Comments were withdrawn.

### Highways Authority: NO OBJECTION

With regards to highway safety considerations only, the new parking guidelines recommend that vehicle parking should accord with the anticipated demand for the Pilates studio element. The dwelling would also need to maintain its independent allocation which would require a minimum of 3 spaces which can be accommodated in the locality of the area indicated.

The parking allocation across the site is tight with regards to its layout but we believe it to be workable because the studio [Pilates] element would be via a booking system and the parking and access would operate under a one-way system. We would not consider it unreasonable to work on the ratio of one to one in relation to the studio parking requirement and it is also notable from the supporting documentation that the applicants themselves are working on a one space per class member together with the booking system.

Therefore, on that basis of the above we believe it would be difficult to substantiate an objection on highway safety grounds subject to a booking system with a maximum of 5 attendees being allowed together with the following condition being applied: *Prior to the first use of the development hereby permitted the proposed access (one way in/out) / on-site car parking areas shall be laid/set out in accordance with the approved plan and retained thereafter available for that specific use.*

### CSNN: OBJECT

The application has been discussed within the team, and colleagues agree that, notwithstanding the noise technical letter, there is not sufficient detail to allow a full assessment of likely noise impacts. New development generating noise should ensure that noise levels do not exceed the existing background noise levels for the location by more than 5dB. These background noise levels have not been established so cannot be measured against. The report does not sufficiently address or consider people noise externally both in the parking area or the external areas around the refreshment area and studio. Given the early start times for classes, measuring should have included full assessment if this.

Moreover, whilst we have tried to consider whether the application could operate under planning conditions, or with amendment, we are not sufficiently confident that the use could be effectively monitored and controlled. For example, to ensure that the pool and hot tub were not used by the public, it would be best to have it separated from the commercial element, by moving the fence separating the garden. However, there is insufficient space to allow this (unless the studio doors were relocated to the end elevation (south)). Was this not

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retrospective, this could have been an option as a redesign. We consider that controlled use by planning condition preventing client use of the pool and hot tub would be difficult to monitor and enforce, as how could clients be differentiated from guests of the residents? Furthermore, there would be similar concerns for the sauna and ice bath. Had the Pilates studio been completely separated from these other facilities stated for private use only, it may have been easier to assess and potentially control via the planning regime, as it could have been fenced off as a stand-alone element.

We remain concerned about the number of parking spaces and the parking layout which would likely require manoeuvres by domestic and client cars on the gravel parking area at all times, at a greater level than expected for a residential site.

Classes are reported as starting as early as 6am. This is considered nighttime and an inappropriate activity for the location.

We do not feel that this could be controlled to ensure there are no adverse impacts on residential amenity and maintain an objection.

## REPRESENTATIONS

**TWENTY** letters of **OBJECTION** have been received. The issues raised can be summarised as:

- The development could lead to congestion, illegal parking, and safety risks for pedestrians and other road users, especially if there is no gap between classes,
- Noise and disturbance from people, music and cars,
- Change of use and character of the area; the development could set a precedent for other commercial uses in a residential area,
- Lack of Supporting Infrastructure such as waste disposal, soundproofing, management of parking area and one-way system,
- Social media suggests far more activities than the planning application suggests such as hen parties, brand content days, use of the swimming pool and sauna / ice baths, etc
- The business is already up and running without planning permission. How can the Council let that happen?
- The Luco Instagram page states that classes start at 6am on Mondays and Thursdays,
- The area is already saturated with buildings that lack sufficient parking,
- If permission is granted it must prevent parking on the road or verges,
- The enterprise would be better located in the empty local village shops that offer parking,
- Having a long-standing connection to the village shouldn't exempt any business, large or small, from scrutiny,
- Adhering to the planning process is not destroying a small business it is simply asking for fairness and transparency,
- The description of development is misleading and does not reflect the nature of the proposed events,
- The acoustic report is flawed because no baseline background monitoring survey was undertaken as a reference, and
- Manor Road is not a busy through road and it has not seen a significant increase in traffic since the 450 dwellings were approved at Wootton Grange.

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A letter was submitted on behalf of several local residents (numbers not specified) **OBJECTING** to the application. Issues, that are not covered above, include:

- The application has continually shifted making it difficult for people to consider the effects the development would have on them; the change in 'goalposts' this seems wholly unreasonable and does not allow for scrutiny of the proposal or a clear and transparent planning process,
- No business plan accompanied the application,
- Information on the Luco Wellness directly contradicts the application submission,
- Noise from the servery,
- Comparisons have been made to other small business in the local area. However, these businesses tend to cater to single customer visits, during normal working hours,
- The business caters for up to 125 visitors per week, potentially with 250 associated vehicle movements, plus any staff involved with the food/drink element,
- Management arrangements are required in relation to the parking arrangements,
- It is likely that some customers will choose to park off-site; examples of this have already occurred, and
- Some of the conditions suggested by the agent would not meet with the relevant tests set out in the NPPF.

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

- The servery will only be offering healthy drinks and acai bowls,
- Sufficient parking is being proposed,
- Previous planning approvals [for other structures on the site] have been obtained,
- [I'm] looking forward to giving support to a local small business and attending a class,
- New businesses that focus on health and wellbeing should be supported,
- The small nature of the development suggests there would be no significant noise impacts,
- The open day experience was quiet and tranquil, and there was plenty of parking,
- Given the location, many people will walk or cycle to their classes, and
- Pilates classes are not known for their loud or excessive music.

**TWO NEUTRAL** letters have been received. The issues raised can be summarised as:

- Concerns regarding the commercial use of the existing swimming pool and hot tub and the associated noise that would generate, and
- The number of individuals able to access the business at any one time needs to be limited.

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

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

**LP06** - Climate Change (Strategic Policy)

**LP07** - The Economy (Strategic Policy)

**LP13** - Transportation (Strategic Policy)

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**LP14** - Parking Provision in New Development

**LP18** - Design & Sustainable Development (Strategic Policy)

**LP21** - Environment, Design and Amenity (Strategic Policy)

**LP38** - Community and Culture (Strategic Policy)

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy 3:** Design

**Policy 4:** Residential Parking Standards

**Policy 7:** Biodiversity Improvements

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **PLANNING CONSIDERATIONS**

The main considerations in the consideration of this planning application are:

Points of Clarification

Principle of Development

Form and Character

Impact on Neighbour Amenity

Highway Safety

Impact on Trees

Other Material Planning Considerations.

### **Points of Clarification**

*The Proposal:* The Local Planning Authority (LPA) is aware of what is being advertised on social media as well as what has been occurring on site. However, the LPA must determine the application based on the information that has been submitted and must consider whether such a proposal is acceptable or could be made acceptable by condition.

When considering whether conditions are required the LPA must ensure that they meet the tests laid down in Planning Practice Guidance and that is that they must be: necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise, and reasonable in all other respects.

Notwithstanding this, what is being advertised and what has / is happening in terms of classes starting as early as 6am (for example) gives an insight into issues that could arise and confirms the need for tight controls to enable harmonious coexistence of the mixed-use and neighbouring residential uses.

For the avoidance of doubt what is being sought is a mixed-use development comprising Residential (which includes the following existing facilities on the site: hot tub, swimming

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pool, sauna and ice bath, garage / car port, rear garden store(s) and the shed at the front), and Pilates Facilities (which comprises the Pilates Studio and a small servery for drinks (e.g. matcha) and snacks (acai bowls)) accommodated in the rear element of the domestic garage / carport.

*Description of Development:* Whilst the LPA requested a change in description to include the servery, the agent considered this wasn't necessary considering it was a use incidental to the Pilates Studio. This is not the view held by the LPA.

Notwithstanding this, given that the red line goes around the entire site and, if permitted, the site would become a mixed-use site, all structures / uses / buildings within the red line can be controlled. Furthermore, permission would result in neither element of the mixed-use development benefitting from permitted development rights, meaning that alterations to either element, that may ordinarily be permitted through the GPDO, would require planning permission.

*Unauthorised Development:* It is clear when looking at the plans approved under application 20/01997/F that the small rear extension to the garage that accommodates the servery is unauthorised because it does not accord with what was permitted and does not fall within permitted development.

The extension is not immune from enforcement action by virtue of the passage of time; however, this doesn't mean that it would be expedient to enforce. In relation to this, if an application were to be made for its retention, given its limited scale and the minimal impact on the neighbouring property to the east, it would be difficult to see why permission would not be granted. However, the use of this element as a servery in connection with the Pilates Studio forms part of the consideration of the current application.

*Reconsultation:* The LPA did state that when further information was received, primarily in relation to the issues outlined above, there would be a further formal consultation. However, no further information was supplied and therefore no formal reconsultation took place.

### **Principle of Development:**

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

In this instance, the Development Plan comprises the Local Plan (2021-2040) and the North Wootton Neighbourhood Plan (2022-2036).

Linnymead is a residential dwelling in a predominantly residential location. As previously stated, if approved the site would become a mixed-use site comprising residential (Class C3) and indoor sport, recreation and fitness (Class E(d)). Given the residential character of the locality, a view must be taken as to whether such a mixed-use is suitable in this residential area.

Policy LP01 of the Local Plan designates North Wootton as a 'settlement adjacent to King's Lynn and the Main Towns' (Tier 3). The preamble to Policy LP01 outlines that the relationship shared between Tier 3 settlements and King's Lynn (Tier 1, 'Sub Regional Centre') allows for 'enhanced accessibility' and availability of services. Notwithstanding this, North Wootton itself has a good range of services and facilities and is accessible by a range of modes of transport including public transport and has good pedestrian and cycle links. The location is therefore considered to be sustainable.

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Local Plan Policy LP07 outlines support for developing the local economy. Paragraph 4 states the importance of leisure in contributing towards the 'economic and social vibrancy' of the borough whilst Local Plan Policy LP38 promotes community well-being with the preamble outlines the importance of health and encouraging more healthy and active lifestyles. This is reiterated in Local Plan Policy 18 and paragraph 96.c) of the NPPF which states that proposals should 'enable and support healthy lives'.

Given the sustainable location of the site, as well as the studio's role in providing opportunities for increased health and wellbeing, the proposal is considered to be acceptable in principle and in compliance with the NPPF in general and specifically paragraph 96.c) of the NPPF and Local Plan Policies 1, 7, 18, 38.

However, given the residential nature of the locality, the acceptability of the proposal will be dependent upon other factors such as neighbour amenity and highway safety.

### **Form and Character:**

No operational development is proposed as part of this application. As such there would be no impact on the form and character of the locality in terms of built form.

Notwithstanding this, the mixed-use of the site would result in a material increase in activity (comings and goings) as well as an increase in vehicular activity and on-site parking.

Local Plan Policies LP18 and LP21 seek to conserve and enhance the environment and require development to respond sensitively and sympathetically to the local setting. Appendix B 'Design Checklists' of the Neighbourhood Plan seeks to locate and arrange car parking spaces in a way that would not dominant or be detrimental to the sense of place, and where possible to use planting to soften the presence of cars.

The parking provision required for the mixed-use site is 8no. spaces (3no. for the dwelling and 5no. for the Pilates use). Whilst the car parking and access arrangements plan shows 9no. car parking spaces (1no. more than required) as well as a one-way in/out system, more cars can currently park on the driveway than this (the applicant suggests 12no which the LPA doesn't refute); although it is acknowledged that manoeuvring would not be possible with 12no. cars parked on the driveway and such an occurrence is unlikely to occur on a regular basis. Notwithstanding this, it would be difficult to suggest that the parking of vehicles on the driveway would have an unacceptable impact on the form and character of the locality.

It is therefore considered that the change of use to a mixed-use site would not result in development that would be unacceptable in terms of visual amenity and the development is therefore considered to accord with the NPPF in general as well as Local Plan Policies LP18 and LP21 and Appendix B of the Neighbourhood Plan.

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

Local Plan Policy LP21 seeks to prevent proposals affecting the amenity of others, this is reiterated at paragraph 135.f) of the NPPF and, specifically in relation to car parking, Appendix B of the Neighbourhood Plan.

The main sources of noise would be from cars (engines and car doors closing) and people talking on their way to and from the Pilates Studio. It is unlikely that there would be anything other than minimal noise arising from the Pilates classes themselves.

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Comments received by CSNN and letters received by neighbouring residents have raised concerns regarding potential noise impacts. The submitted noise assessment (dB Consultation Ltd, dated 03/11/25) confirms claims made in the Planning Statement (23/10/25) that noise generated by classes would be minimal due to the nature of the activity (low impact, use of reformer Pilates beds which operate on pulleys, etc). A class reading taken on 30/10/25 concluded that overall noise levels were acceptable for a residential area.

Conditioning the use to be confined to inside the Pilates Studio and the windows and doors of the Pilates Studio to be closed during classes is considered adequate to mitigate noise from the Pilates classes themselves given their scale. Restricting the hours of operation (as outlined below), the number of guests (5no.) and the interval between classes (least 30-minutes) is considered adequate to mitigate noise from guests arriving and leaving the site.

Additionally, the LPA considers that restricting the hours for the servery to be the same as the Pilates classes with no sale outside of these times (i.e. the sale of refreshments should not be a 'standalone' use; people should not be able to pop in anytime they like) and limiting sales to class attendees would be necessary to mitigate noise impacts. In addition, a 1no. year temporary permission would enable the LPA to assess the impacts over the coming year.

The latest hours proposed by the applicant are:

- Mondays and Thursdays 07:00am - 12:00pm and 17:00pm - 20:00pm;
- Tuesdays and Saturdays 09:00am - 12:00pm;
- Sundays (and Bank Holidays) 10:00am - 13:00pm.

The hours proposed in the Supporting Statement submitted in October 2025 were:

- Mondays and Thursdays 08:00am - 12:00pm and 17:00pm - 19:00pm;
- Tuesdays and Saturdays 09:00am - 12:00pm;
- Sundays (and Bank Holidays) 10:00am - 12:00pm.

The hours the LPA considers acceptable are slightly more restrictive than the applicant's latest proposal and more akin to the original hours sought. Given the ongoing objection of the CSNN team and the proximity of neighbours, the following hours are considered to meet all six tests.

However, the following hours are proposed to be conditioned:

- Monday and Thursdays 08.00am and 12.00pm and 17.00pm and 19.00pm
- Tuesdays and Saturdays 09.00am and 12.00pm
- Sundays and Bank / Public Holidays 10.00 and 13.00pm.

It is therefore considered, subject to a suite of conditions including a 1-year temporary permission, noise impacts can be suitably mitigated thus ensuring the development would be in accordance with the NPPF in general and specifically to para 135f) of the NPPF and Local Plan Policy LP21.

### **Parking and Highway Safety:**

Local Plan Policies LP14 and Appendix B of the Neighbourhood Plan require sufficient parking to be provided to meet the needs of the development. In this instance 8no. parking spaces would need to be available.

However, paragraph 112 of the NPPF makes it clear that parking standards should take into account:

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- a) the accessibility of the development;
- b) the type, mix and use of development;
- c) the availability of and opportunities for public transport;
- d) local car ownership levels; and
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

This is reiterated in NCC's Parking Standards.

The owner of the Pilates studio is a resident of Linnymead and is stated as being the sole employee. Therefore, additional employee parking would not be required, and a condition would be appended to any permission granted ensuring that the development is carried out only by this sole employee whilst resident at Linnymead.

The Access and Parking Plan shows 9no. parking spaces as well as a one way 'in/out' system that could be operated whilst those car parking spaces are occupied.

The Local Highways Authority are satisfied that the access and parking proposals are acceptable and would not result in highway safety impacts.

Paragraph 117.a) of the NPPF along with Local Plan Policies LP13 and LP14 and Appendix B of the Neighbourhood Plan seek to encourage walking and cycle. If a permanent consent was being considered, secure, covered, cycle storage for at least 2no. bicycles would be conditioned. However, as only a 1no. year temporary consent is being considered it is not reasonable to require this. Furthermore, cycles could be safely left in the area adjacent to the Pilates studio as an interim measure.

It is therefore considered that the development accords with the NPPF in general and specifically to paragraphs 112 and 117.a) of the NPPF Local Plan Policies LP13 and LP14 and Appendix B of the Neighbourhood Plan.

#### **Impact on Trees:**

Paragraphs 136 and 187.b) of the NPPF pay regard to the importance of trees and this is reiterated in Local Plan Policies LP06 and LP18 and Neighbourhood Plan Policies 3 and 7 as well as Appendix B of the Neighbourhood Plan.

No operational development is taking place within the root protection area of the protected trees (which are located just outside of the site boundary). Whilst car parking is shown in this location on the Access and Parking Plan, this area already forms part of the driveway and cars can park there now.

Following a verbal discussion with the LPA's Arboricultural Officer, he has raised no objection to the development.

Given the existing situation it is considered that the development would not have an unacceptable impact on protected trees, and, on balance, the development is considered to accord with Local Plan Policies LP06 and LP18, Neighbourhood Plan Policies 3 and 7 and paragraphs 136 and 187b) of the NPPF.

#### **Specific Comments:**

In relation to comments received that are not covered in the report, the LPA responds as follows:

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- Could set a precedent for other commercial uses in a residential area - *Every application must be assessed on its own merits and therefore a precedent would not be set if the application were approved,*
- Lack of Supporting Infrastructure such as waste disposal – *Waste is unlikely to require specific management,*
- The business is already up and running without planning permission. How can the Council let that happen? – *Retrospective applications are not uncommon, are not prevented by the planning system, and take place at the applicant's risk,*
- The enterprise would be better located in the empty local village shops that offer parking – *The application must be determined as submitted,*
- Having a long-standing connection to the village shouldn't exempt any business, large or small, from scrutiny – *Full scrutiny is being given to the application,*
- The application has continually shifted making it difficult for people to consider the effects the development would have on them; the change in 'goalposts' this seems wholly unreasonable and does not allow for scrutiny of the proposal or a clear and transparent planning process – *It is not uncommon for applications to evolve during the determination period and communications have been available on Public Access providing transparency,*
- No business plan accompanied the application – *There is no policy requirement for a business plan in this instance,*
- The business caters for up to 125 visitors per week, potentially with 250 associated vehicle movements, plus any staff involved with the food/drink element – *The restrictions proposed by condition would reduce this figure, and*
- Some of the conditions suggested by the agent would not meet with the relevant tests set out in the NPPF – *the conditions proposed are considered to meet the six tests.*

It should be noted that the agent's supporting statement is incorrect as far as it refers to South Wootton Neighbourhood Plan and not North Wootton Neighbourhood Plan.

## CONCLUSION:

The development is for the change of use of a residential site to a mixed-use site comprising a residential use (Class C3) and related uses / facilities / structures (hot tub, swimming pool, sauna and ice bath, domestic garage / car port, rear garden store(s) and a shed at the site's frontage); and an indoor sport, recreation or fitness use (Class E(d)) comprising of a Pilates Studio and a servery.

A lot of concern has understandably been expressed given what is advertised on social media and the actual occurrence of classes taking place at 6am. However, the LPA can only look at what forms the planning submission which is for a relatively small-scale mixed-use proposal.

Notwithstanding the number of objections, it is considered on balance, and subject to a strict suite of conditions including a 1no. year temporary consent, that the development would not result in unacceptable impacts in terms of form and character, neighbour amenity, highway safety and trees. The development is therefore considered to be in general accordance with the NPPF, Local Plan and Neighbourhood Plan.

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

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## RECOMMENDATION:

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

- 1 Condition: The mixed-use hereby permitted shall be discontinued on or within 12 months of the date of this permission unless a further application for planning permission is submitted prior to the expiry of this permission and is subsequently approved.
- 1 Reason: In order that the Local Planning Authority can monitor and control the development to ensure that the amenity of the occupiers of neighbouring dwellings is not unacceptably affected in accordance with the NPPF and Local Plan Policy LP21.
- 2 Condition: The one-way 'in/out' access and on-site parking areas provided on site shall be retained in accordance with drawing no. 1759-02 for the lifetime of the development.
- 2 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, Local Plan Policies LP13 and LP14 and Appendix B of the Neighbourhood Plan.
- 3 Condition: The following facilities (the Pilates Facilities), as shown hatched on drawing no: 1759-01a, shall only be used in relation to the Pilates business hereby approved:
  - Pilates Studio and
  - Servery (for drinks and cold snacks).
- 3 Reason: For the avoidance of doubt and in the interests of proper planning.
- 4 Condition: The following facilities, as shown on drawing no: 1759-01a, shall only be used for purposes incidental to the enjoyment of occupiers of the residential dwelling at shall at no time be used in association with the Pilates Facilities hereby permitted:
  - the hot tub,
  - swimming pool,
  - sauna and ice bath,
  - domestic garage / car port,
  - rear garden store(s),
  - shed at the front.
- 4 Reason: For the avoidance of doubt and in the interests of proper planning.
- 5 Condition: The Pilates Facilities hereby approved shall only be operated by Miss Megan Smith whilst resident at Linnymead, Manor Rd, North Wootton.

Pilates classes shall only take place between the following times:  
Monday and Thursdays 08.00am and 12.00pm and 17.00pm and 19.00pm  
Tuesdays and Saturdays 09.00am and 12.00pm  
Sundays and Bank / Public Holidays 10.00 and 13.00pm.

Classes shall only take place within the Pilates Studio and all windows and doors of the Pilates Studio shall be closed during classes.

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There shall be no more than 5no. people (excluding the 1no. instructor) in any Pilates class at any one time.

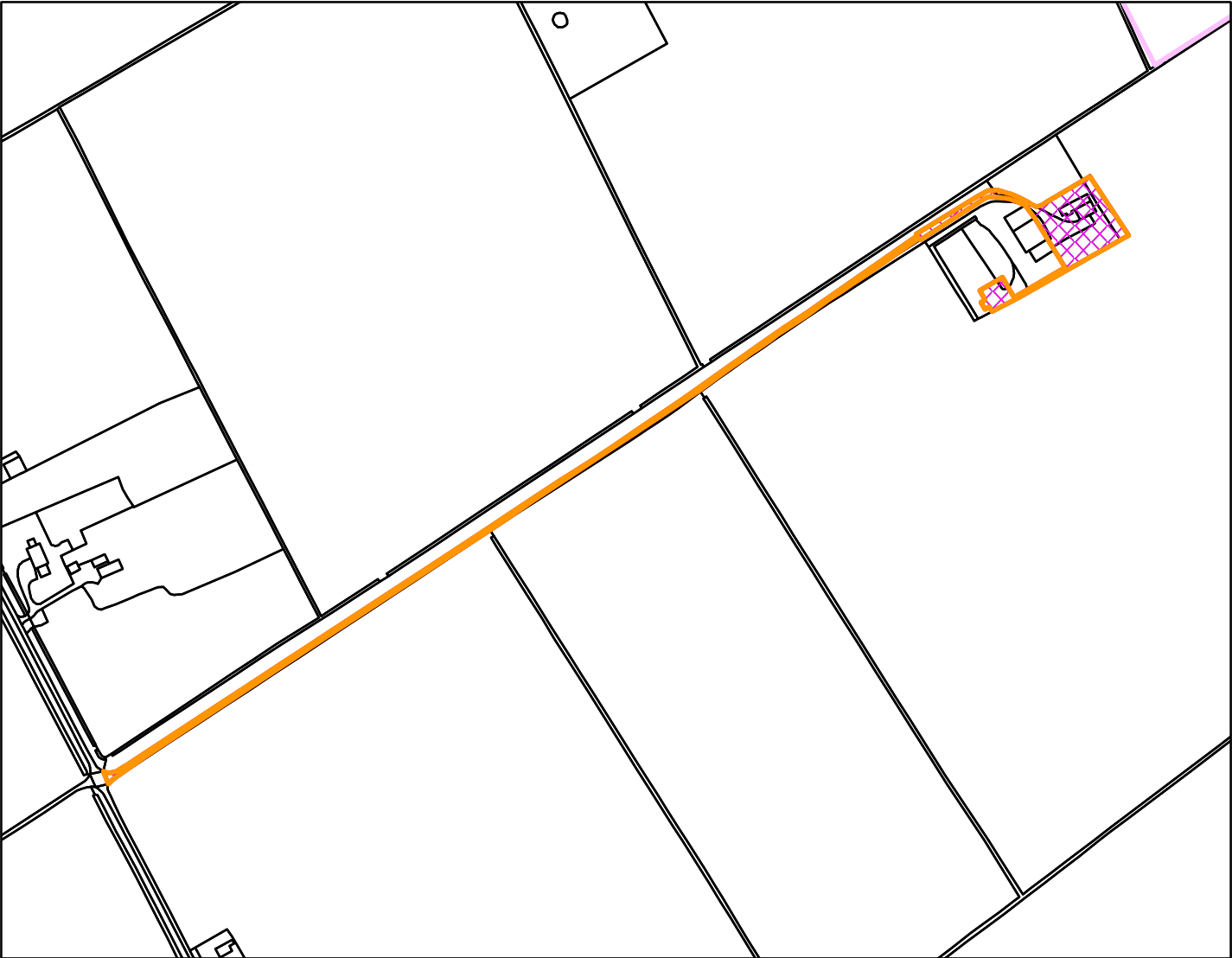
The servery shall only be open for business and available for use by those attending Pilates classes during times Pilates classes are taking place, and the sale of refreshments shall at no time take place outside of these times. Refreshments purchased from the servery shall only be consumed off-site.

There shall be at least a 30-minute interval between each Pilates class.

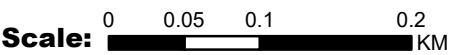
- 5 Reason: To ensure that the development remains compatible with the surrounding residential uses in accordance with the NPPF and Development Plan Policy LP21.



Barns at Old Farm Horsehead Drove Lott's Bridge Three Holes Norfolk PE38 0BY



Legend

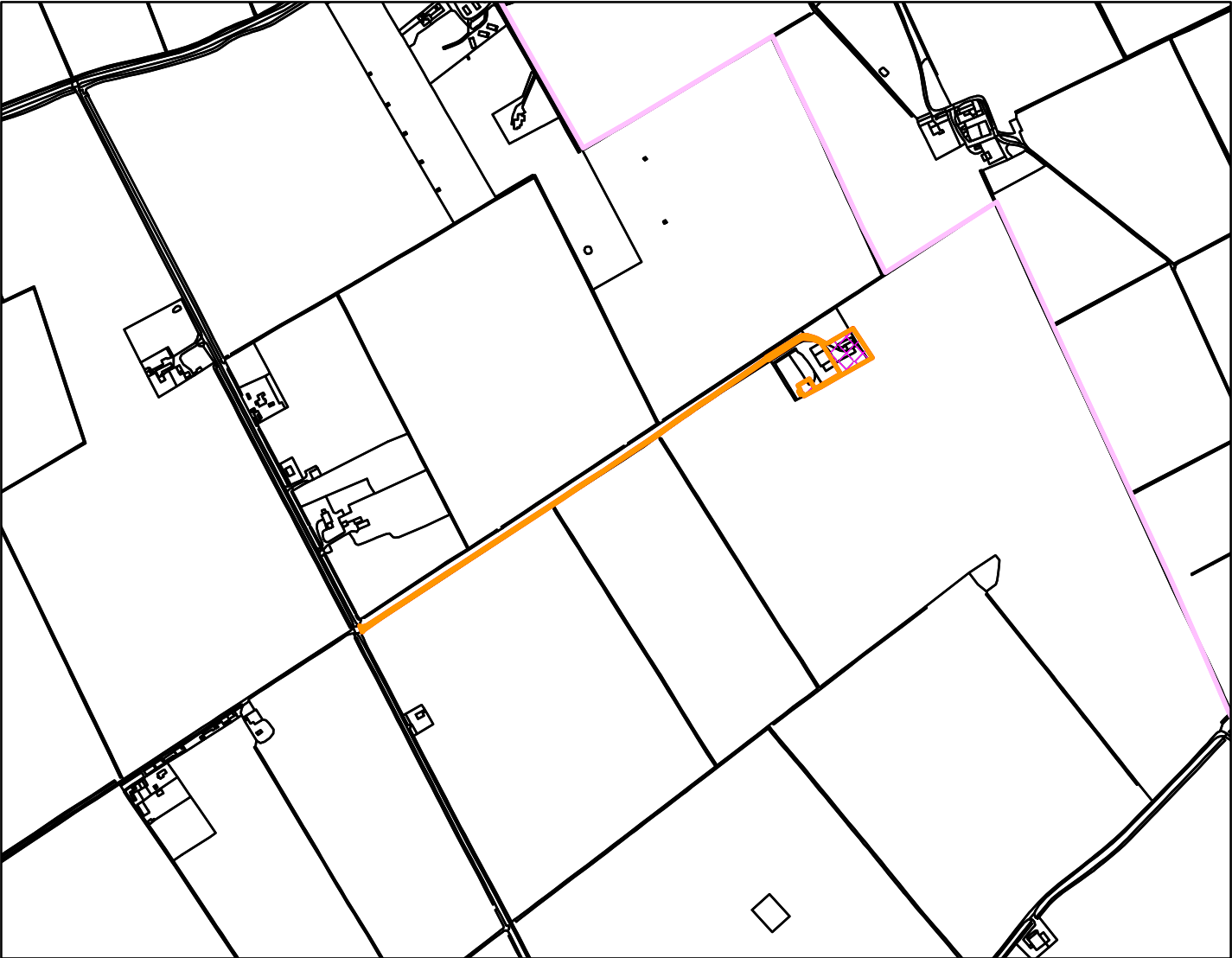


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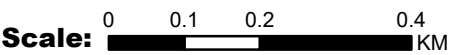
Organisation	BCKLWN
Department	Department
Comments	
Date	17/12/2025
MSA Number	0100024314



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Organisation	BCKLWN
Department	Department
Comments	
Date	17/12/2025
MSA Number	0100024314

<b>Parish:</b>	<b>Upwell</b>	
<b>Proposal:</b>	<b>SELF-BUILD: Proposed barn conversion and extensions and continued temporary occupation of a mobile home/caravan plus shed and decking.</b>	
<b>Location:</b>	<b>Barns At Old Farm Horsehead Drove Lott's Bridge Three Holes Norfolk PE38 0BY</b>	
<b>Applicant:</b>	<b>Mr Oliver Hartley</b>	
<b>Case No:</b>	<b>25/01697/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination:</b> <b>25 December 2025</b> <b>Extension of Time Expiry Date:</b> <b>16 January 2026</b>

**Reason for Referral to Planning Committee** – Referred to the Planning Committee at the request of Cllr Vivienne Spikings due to issues of wider concern.

**Neighbourhood Plan:** Yes

### Case Summary

The application site lies in open fenland approx. 3km from Three Holes, 2.4km from Lakes End and 3.6km from Nordelph. It is accessed via an agricultural track (approx. 800m long) leading off the junction of Horsehead Drove, Cock Fen Road and Flint House Drove – all single width carriageways, some considerable distance from classified roads.

It lies within an area classed as countryside and within Flood Zone 2 and mostly within Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment. It contains a traditional brick-built barn with some rustic character/merit, and a more contemporary corrugated sheet metal open fronted machinery building with a curved roofline.

The proposal seeks to demolish the open store, convert the existing traditional barn and construct additional accommodation in the form of mostly single storey extensions.

Retrospective permission is also sought for the continued temporary occupation of a 3 bedroomed caravan, plus shed and decking sited to the south of the pond.

### Key Issues

Principle of development  
 Appearance and character  
 Impact on amenity  
 Highway issues  
 Flood risk  
 Any other matters requiring consideration prior to determination of the application

### Recommendation:

**REFUSE**

## THE APPLICATION

The application site lies within an area classed as countryside and within Flood Zone 2 and mostly within Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment. It contains a traditional brick-built barn with some rustic character/merit, and a more contemporary corrugated sheet metal open fronted machinery building with a curved roofline.

The site is accessed via an agricultural track (approx. 800m long) leading off the junction of Horsehead Drove, Cock Fen Road and Flint House Drove – all single width carriageways, some considerable distance from classified roads.

The proposal seeks to demolish the open store, convert the existing traditional barn and construct additional accommodation in the form of mostly single storey extensions.

Retrospective permission is also sought for the continued temporary occupation of a 3 bedroomed caravan, plus shed and decking sited to the south of the pond. This has been occupied since August 2025.

## SUPPORTING CASE

The following statement is submitted by the agents in support of this proposal:

“This statement summarises the key matters relevant to the proposed full planning application for the proposed self-build barn conversion and extensions and continued temporary occupation of a mobile home/caravan plus shed and decking.

The site comprises of a redundant brick-built agricultural building of clear architectural merit, set in open countryside and surrounded on all sides by agricultural land. It has no formal planning history, though rounds of pre-application advice have previously confirmed that the structure possesses realistic potential for conversion under Class Q of the General Permitted Development Order. This represents a credible fall-back position, recognised in established case law as a material consideration of significant weight where its implementation constitutes a real prospect.

The proposal seeks to convert the existing building into a high-quality single dwelling, supplemented by a sensitively designed single-storey extension and a 1.5-storey attached garage. The design retains and repairs the original brickwork, introduces carefully proportioned new openings, and adopts a contemporary vernacular for the extension that respects the rural character of the barn.

The NPPF makes clear that local planning authorities should take proactive steps to meet the needs of those wishing to build or commission their own homes. Given the limited supply of plots across the borough, this proposal represents a valuable and deliverable opportunity to expand housing choice, promote self-reliance, and foster high-quality, individually designed homes tailored to local needs. These are clear social and economic benefits that weigh substantially in favour of the development

Access will be taken from the existing entrance onto Horsehead Drove, with sufficient on-site space for vehicles to enter and exit in forward gear. The Local Highway Authority has indicated that the surrounding road network is suitable for a single dwelling, and the site benefits from reasonable proximity to the services and facilities of Upwell, Downham Market and Wisbech.

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While the site lies within Flood Zones 2 and 3 according to the Environment Agency mapping, a detailed Flood Risk Assessment accompanies the application, and its recommendations will be fully adhered to.

The Local Planning Authority's position is to recommend refusal on the application due to the scale of the proposed extensions to the building however it is our belief that due to the isolated location of the site there would be negligible harm to any surrounding residents whilst providing the applicant with an appropriate home for their growing family. This contributes toward meeting the Council's statutory self-build duty to decisively outweigh any limited harm. The planning balance therefore lies firmly in favour of granting planning permission."

## **PLANNING HISTORY**

21/00164/PREAPP: Possibility of Approval: 15/06/22 - PRE-APPLICATION ADVICE WITH CONSULTATION AND A MEETING: Proposed Barn Conversion and Extensions

## **RESPONSES TO CONSULTATION**

**Parish Council: SUPPORT** - Whilst there is some concern over the scale of the development, and that the existing barn will be consumed within the extensions, the Planning Group is of the view that the proposal will not impact on anyone due to its remote location and predominantly single storey height. It is noted that the appropriate EPS Licence must be applied for (especially with regards to the owl roost) & granted before work commences.

**Local Highway Authority: NO OBJECTION** - The proposed development site is however remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport.

It is the view of the Highway Authority that the proposed development is likely to conflict with the aims of sustainable development and you may wish to consider this point within your overall assessment of the site.

**Norfolk Environment Services: NO OBJECTION** - There are no known archaeological implications.

**Environmental Quality: NO OBJECTION** subject to condition relating to unexpected contamination and an informative note regarding asbestos-containing materials added to any permission.

**Community Safety & Neighbourhood Nuisance:** No response to consultation at the time of writing this report.

**Senior Ecologist: NO OBJECTION** subject to conditions relating to mitigation measures and CSB Biodiversity Net Gain exemption/tenure.

**Environment Agency: NO OBJECTION** subject to flood risk mitigation measures being secured via condition.

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**Emergency Planner: NO OBJECTION** - Due to the location of the site being in an area at risk of flooding, it is suggested that the occupiers should sign up to the Environment Agency flood warning system and a flood evacuation plan should be prepared.

## **REPRESENTATIONS**

None received at the time of writing this report.

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

**LP04** - Presumption in Favour of Sustainable Development Policy (Strategic Policy)

**LP06** - Climate Change (Strategic Policy)

**LP13** - Transportation (Strategic Policy)

**LP14** - Parking Provision in New Development

**LP18** - Design & Sustainable Development (Strategic Policy)

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

**LP20** - Environmental Assets- Historic Environment (Strategic Policy)

**LP21** - Environment, Design and Amenity (Strategic Policy)

**LP23** - Green Infrastructure (Strategic Policy)

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

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

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

## **NEIGHBOURHOOD PLAN POLICIES**

**Housing Policy H1:** Scale and Location

**Housing Policy H3:** Design

**Policy H4:** Residential Car Parking Standards

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## PLANNING CONSIDERATIONS

The main issues for consideration in determining this proposal are as follows:

Principle of development  
Appearance and character  
Impact on amenity  
Highway issues  
Flood risk  
Any other matters requiring consideration prior to determination of the application

### Principle of development:

*Proposed conversion of the existing barn to be used as a separate dwelling:*

The recently adopted Local Plan is silent upon the matter of conversion of rural buildings into dwellings, therefore reference is made to the provisions of the NPPF (2024) which states:

84. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building;  
or
- e) the design is of exceptional quality, in that it:
  - i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
  - ii. would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

Taking these criteria in order:

- a) The applicant owns the farm on which the site lies, however the proposal is not for an agriculturally tied dwelling in conjunction with Policy LP36 of the Local Plan;
- b) The old barn is not a heritage asset but is of architectural and historic merit;
- c) The barn is a redundant agricultural building and its re-use and removal of the adjacent open storage barn would enhance its setting;
- d) N/A;
- e) To be addressed later in this report.

The principle of the development is therefore acceptable given compliance with criteria c).

There are however other considerations which will need to be addressed including Policy LP31, as this is a self-build proposal which states: "Proposals for self-build and custom housebuilding will be supported where they respect local character and comply with other relevant policies in the plan."

*Use of a mobile home/caravan for residential purposes:*

The residential use of this part of the site would in practicality be larger than shown on the plans especially with children residing there.

This site is in the countryside, remote from service provision and within a zone at high risk of flooding (Flood Zone 3A) – the latter issue will be addressed in more detail in this report. The principle of having a permanent dwelling of this type is not acceptable, but it may be suitable for a limited period to coincide with construction works.

### **Appearance and Character:**

The design of the proposal and its impact upon the character of its countryside setting is an important factor in determining this application. Relevant policies are as follows:

Policy LP18 of the Local Plan states inter alia:

#### *Policy LP18 – Design and Sustainable Development*

- 1. All new development in the borough must be of high-quality design.*
- 2. Where relevant new development will be required to demonstrate its ability to:*
  - a. conserve and enhance the historic and natural environment and reduce environmental risks;*
  - b. enrich the attraction of the borough as an exceptional place to live, work and visit;*
  - c. 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;*
  - d. where possible, enhance the special qualities and local distinctiveness of the area (including its historical, biodiversity and cultural character), gaps between settlements, landscape setting, distinctive settlement character, landscape features and ecological networks;*
  - e. optimise site potential, making the best use of land including the use of brownfield land;*
  - f. enhance community wellbeing by being accessible, inclusive, locally distinctive, safe and by promoting healthy lifestyles (see Policy LP38 Community & Culture);*
  - g. achieve high standards of sustainable design.*

Policy LP21 of the Local Plan applies which states:

#### *Policy LP21 – Environment, Design and Amenity*

- 1. Development must conserve and enhance the amenity of the wider environment including the historic environment.*
- 2. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupants of the proposed development. Proposals will be assessed against a number of factors including:*
  - a. impact on the historic environment;*
  - b. overlooking, overbearing, overshadowing;*
  - c. noise;*
  - d. odour;*
  - e. air quality;*
  - f. light pollution;*
  - g. contamination and soil quality;*
  - h. water quality;*
  - i. sustainable drainage; and*
  - j. visual impact.*

3. *The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.*
4. *Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.*
5. *Development proposals should demonstrate that safe access can be provided, and adequate parking facilities are available.*
6. *Proposals for development adjacent to, or in the vicinity of, existing uses will need to demonstrate that both the ongoing use of the neighbouring site is not compromised, and that the amenity of occupiers of the new development will be satisfactory with the ongoing normal use of the neighbouring site, taking account of the criteria above.*

Housing Policy H3: Design of the Upwell Parish Neighbourhood Plan also applies which states:

*All development will be designed to a high quality, reinforcing and complementing local distinctiveness and character, as captured in Appendix A (and any conservation area character statement where relevant). Design which fails to have regard to local context and does not preserve, complement or enhance the character and quality of its immediate area and the wider Parish will not be acceptable. Proposals should therefore be of an appropriate density, height, variety, scale and layout. This is not intended to discourage innovation, which will be welcomed.*

The site lies within a landscape character area identified as The Fens – Open Inland Marshes (E7 Welney River) in the Landscape Character Assessment produced by Chris Blandford Associates to inform the Local Plan.

Inherent Landscape Sensitivities are:

- Wide open skies and strong sense of openness throughout the area.
- Wetland habitat and other ecologically important features (including wind break trees and other tall vegetation).
- Scarce settlement pattern.
- Strong recognisable sense of place.
- Moderately strong sense of tranquillity throughout the area.

Planning guidelines inter alia:

- Seek to conserve the generally undisturbed, undeveloped character and related strong sense of remoteness and tranquillity.
- Seek to conserve open views across the area.
- Seek to ensure that potential new small-scale development within the area is consistent with existing settlement pattern, density and traditional built form.
- Seek to promote the use of local materials, including flint, chalk clunch, pebbles and pantiles.
- Seek to conserve and enhance strongly recognisable sense of place within the area.

Whilst not specifically related to conversion and extension schemes, the sentiment regarding design in the countryside is contained in Policy LP35 which states:

*Policy LP35 – Enlargement or Replacement of Dwellings in the Countryside*

1. *Proposals for replacement dwellings or extensions to existing dwellings will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits.*

*2. Schemes should 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.*

This proposal seeks to retain the historic barn which is a 4-bay traditional 2-storey building, with a projected full height SE-facing entrance feature, of multi-red brick construction under a profiled sheet roof. Whilst lacking maintenance for some time, a structural report accompanying the application concludes that the building is structurally sound and capable of conversion for residential use.

The alterations proposed are sensitive utilising existing openings and limited new ones. It would accommodate a living/dining room plus a store. This element is considered to be acceptable.

The extensions consist of a single storey flat-roofed asymmetric addition to the SE elevation providing a pantry, kitchen/living area plus seating area. There are two 26m long single storey wings to the rear/SE off either end of the aforementioned – one containing 3no. substantial double bedrooms all en-suite (one with a walk-in wardrobe), the other 2no. similar bedrooms with en-suites, plus two offices with a shared kitchen and wc. SW of the kitchen/living room is a boot/utility room and wc, gym, sauna and integral double garage with a store above within a pitched roof accessed by an external staircase.

Whilst not definitive, the materials indicated for the extensions are to be rendered walls above low brick plinths for the majority of the single storey flat-roofed additions with pitched elements at the end of the wings and above the garage in roof tiles and the garage walls in horizontal timber cladding.

Windows are full height arched openings along the sides of the wings and standard glazed openings plus almost fully glazed gables to the end pitched elements. There are sliding glazed panels to the kitchen/dining area into the central courtyard.

The existing barn has a footprint of 120m<sup>2</sup> and the proposed additions extend to some 855m<sup>2</sup> which equates to approx. a 700% increase of new-build.

Whilst the principle and design of the conversion of the current barn is acceptable, the extensions by virtue of their size, scale, appearance and fenestration style, fail to respect the rustic character and appearance of the existing barn and its countryside setting. The proposal is therefore contrary to the provisions of paragraph 84 of the NPPF, Policies LP18, LP21 & LP35 of the Local Plan and Policy H3 of the Upwell Parish Neighbourhood Plan.

It will be noted from the History section above, that this scheme was the subject of pre-application advice – initially submitted as a dwelling and annexe – advice given was that care would need to be taken in relation to the design, scale and appearance of the extensions proposed in order to maintain and respect the rustic character of the site and buildings.

### **Impact on Amenity:**

There are no immediate neighbours to the proposed development – the nearest (Neatmoor Hall off Silt Road) lying some 335m away to the NNE. Noise and disturbance emanating from the proposed dwelling would not be significant in comparison with the existing agricultural activity. Lighting details could be controlled via condition. So, the development would not adversely affect residential amenity of neighbours.

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The proposed dwelling does however lie adjacent to a substantial grain store/agricultural building. Caution was expressed at the pre-application stage regarding the proximity of the building in terms of amenity. This could be acceptable if the proposed residents farm the surrounding land. However, this would require an agricultural occupancy restriction to be imposed on the new dwelling, as unrelated occupiers may find this relationship untenable/problematic in terms of noise, odour, vermin etc.

The applicant has clarified that this is not a dwelling to be occupied in connection with, or tied to, the existing farm/rural enterprise. For an unrelated open market dwelling as proposed, this close to an operational agricultural building, it would create adverse implications on residential amenity, given its unrestricted use potentially at unsociable hours plus odour and vermin.

The development therefore fails to accord with paragraph 200 of the NPPF and Policy LP21 of the Local Plan.

### **Highway issues:**

The site is accessed via an agricultural track (approx. 800m long) leading NE off the junction of Horsehead Drove, Cock Fen Road and Flint House Drove – all single width carriageways. So, the site lies some 2km from the A1101 and 1.7km from the B1094/Silt Road respectively.

The Local Highway Authority have not raised an objection to the proposal but opine that the proposed development site is remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport.

There is ample parking and turning facilities contained within the site to meet current NCC and Neighbourhood Plan standards. Further the principle of a barn conversion in this location is acceptable and in accordance with the NPPF.

### **Flood risk:**

The application site lies with Flood Zones 2 & 3A of both the Council-adopted SFRA plus Environment Agency mapping.

The Environment Agency strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA), submitted as part of this application, are adhered to. In particular, the FRA recommends that:

- Finished floor levels will be set no lower than 0.3 m above surrounding ground levels.
- Flood resilient measures will be incorporated into the development up to 0.3 m above finished floor levels.

This could be secured via condition if the application was to be approved.

The caravan is in a 'highly vulnerable' category and Planning Policy Guidance indicates that this form of development should not be permitted in FZ3A for permanent occupancy. However, the proposal is for a temporary period of occupation during construction of the proposed dwelling. This could be secured via condition.

However, if planning permission is refused, then enforcement action must be considered for cessation of its occupation and removal within a reasonable timeframe.

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

*Contamination* – Given the former agricultural uses on this site a condition relating to unexpected contamination and an informative note regarding asbestos-containing materials are requested by Environmental Quality to be added to any permission.

*Foul and Surface Water Drainage* – Foul water is proposed to be disposed of via package treatment plant (already serving the caravan?). Surface water is proposed to be disposed of via soakaways.

*Ecology* – The application is accompanied by a shadow HRA and an Ecological Impact Assessment produced by Glaven Ecology which identifies implications for barn owls and bats in the old barn. Our Senior Ecologist has no objection to the proposed development. However, mitigation measures are required for those protected species and must be secured via condition. A bat licence is also required to facilitate the development.

Natural England (NE) will only grant a licence if satisfied that the three statutory tests have all been met.

The tests are:

1. The activity is for a certain purpose, for example it's in the public interest to build a new residential development;
2. There are no satisfactory alternatives that will cause less harm to the species; and
3. The development does not harm the long-term conservation status of the species.

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

In this case, The Ecological Impact Assessment accompanying the application concludes that protected species (bats and owls) are present on the site and that if development were to proceed there is the possibility of a breach of the Directive.

LPA consideration of the tests:

1. NE's guidance advises that a public interest can be to build new residential developments. In this case, the site would convert the existing barn into part of a new dwelling which would contribute to the Council's deliverable supply of CSB housing.
2. No satisfactory alternatives – this is a site-specific proposal which would provide a family home, on land associated with an agricultural enterprise. No other alternative buildings within the holding have been identified as being available/suitable for residential use.
3. Population maintenance - it appears to be unlikely that development of this barn, subject to mitigation measures specified will affect the conservation status of the protected species.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application, that NE would not be unlikely to grant a derogation licence under the Regulations in relation to this development.

The proposal will result in the increase in overnight accommodation which triggers GIRAMS payment of £304.17 and has been paid.

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This is a self-build proposal so it does not attract Biodiversity Net Gain provision.

*Archaeology* – There are no archaeological interests in this proposed development as confirmed by Historic Environment Services.

### **Specific comments and issues:**

In assessing this application, it appears that unauthorised works to re-profile, manicure and clear vegetation around the former pond has been undertaken. This has been brought to the attention of the applicant with the prospect of a further retrospective application being submitted to regularise the situation.

In the absence of an acceptable scheme for a new dwelling, then enforcement action may be instigated to secure cessation of the use and removal of the residential mobile home/caravan, shed and decking within an appropriate timescale.

### **CONCLUSION**

This is a self-build project to convert an existing traditional barn into part of a new dwelling and attracts considerable weight given the current shortfall for Custom & Self-Build (CSB) properties in the borough.

However, the size of the proposed extensions (over 700% larger footprint compared to the retained barn) and their appearance fail to respect the rustic character of the traditional barn and its rural/countryside setting.

The proposed dwelling also lies adjacent to a substantial grain store/agricultural building. The applicant has clarified that this is not a dwelling to be occupied in connection with, or tied to, the existing farm/rural enterprise. For an unrelated open market dwelling as proposed, this close to an operational agricultural building, it would create adverse implications on residential amenity, given its unrestricted use potentially at unsociable hours plus odour and vermin.

The harm identified above outweighs the benefit associated to a single CSB property; the proposal is therefore contrary to the provisions of paragraphs 84 & 200 of the NPPF, Policies LP18, LP21 & LP35 of the Local Plan (2021-2040) and Policy H3 of the Upwell Parish Neighbourhood Plan (2015-2036).

### **RECOMMENDATION:**

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

- 1 Whilst the principle and design of the conversion of the current barn is acceptable, the extensions by virtue of their size, scale, appearance and fenestration style, fail to respect the rustic character and appearance of the existing barn and its countryside setting. The proposal is therefore contrary to the provisions of paragraph 84 of the NPPF, Policies LP18, LP21 & LP35 of the Local Plan (2021-2040) and Policy H3 of the Upwell Parish Neighbourhood Plan (2015-2036).
- 2 The proposed dwelling lies adjacent to a substantial grain store/agricultural building. The applicant has clarified that this is not a dwelling to be occupied in connection with, or tied to, the existing farm/rural enterprise. For an unrelated open market dwelling as

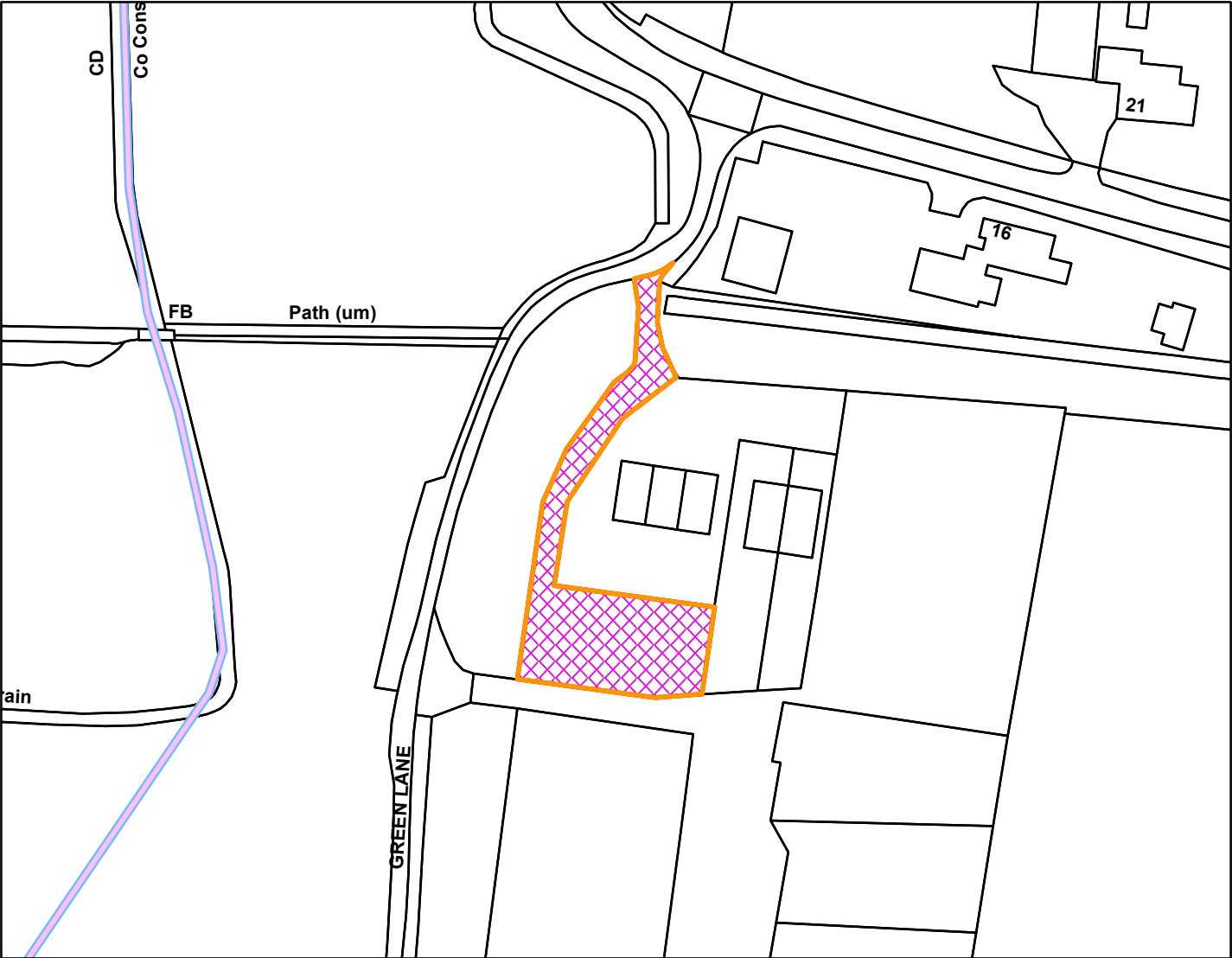
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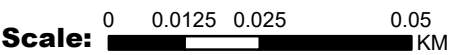
The development therefore fails to accord with paragraph 200 of the NPPF and Policy LP21 of the Local Plan.



Land Rear of 1 to 3 Griffin Close Griffin Close Walsoken Norfolk PE14 7BW



Legend

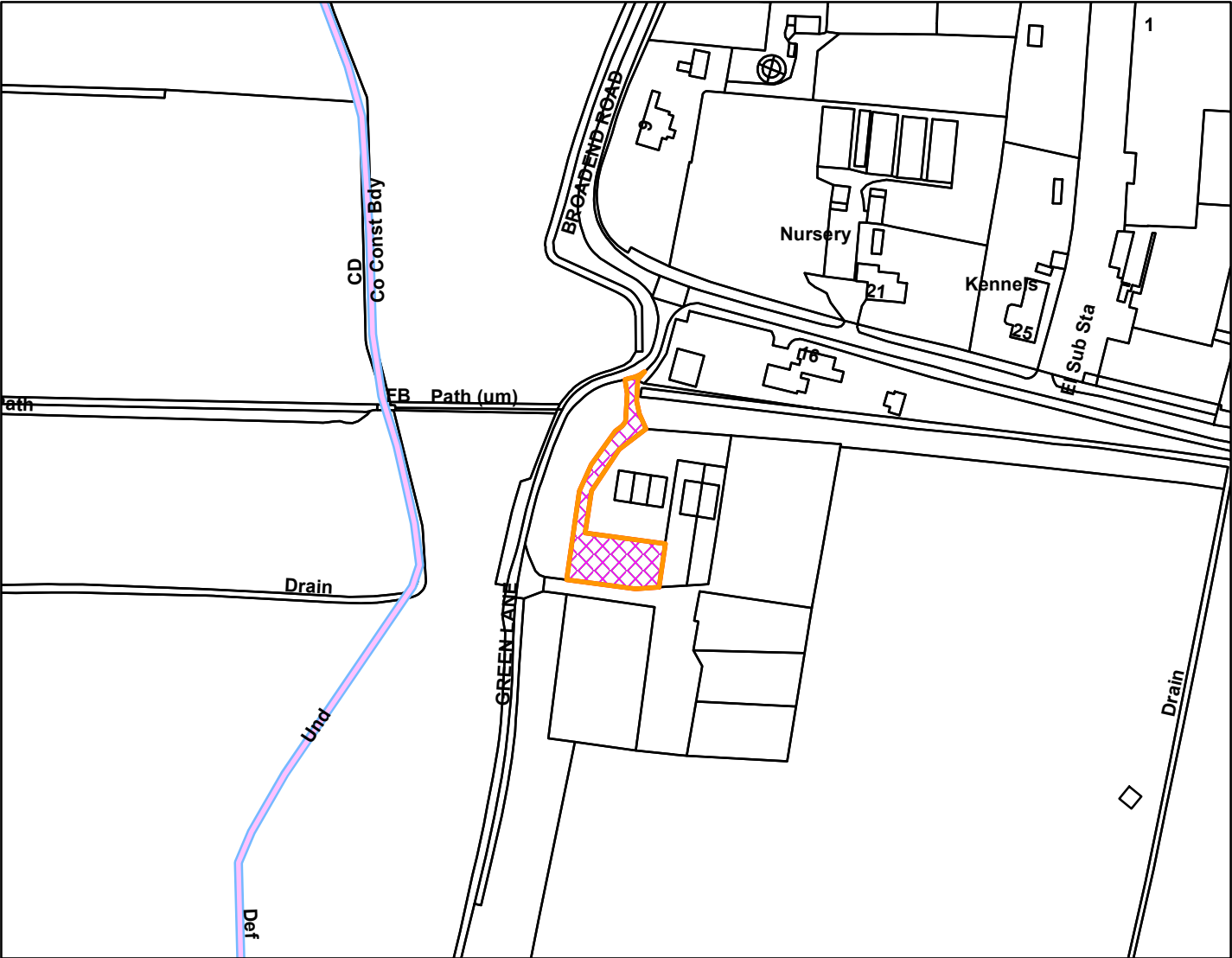


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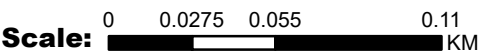
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Land Rear of 1 to 3 Griffin Close Griffin Close Walsoken Norfolk PE14 7BW



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<b>Parish:</b>	<b>Walsoken</b>	
<b>Proposal:</b>	<b>OUTLINE APPLICATION SELF-BUILD: Proposed Custom/Self-Build Dwelling</b>	
<b>Location:</b>	<b>Land Rear of 1 To 3 Griffin Close Griffin Close Walsoken Norfolk PE14 7BW</b>	
<b>Applicant:</b>	<b>Mr and Mrs P Griffin</b>	
<b>Case No:</b>	<b>25/01675/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination:</b> <b>12 December 2025</b> <b>Extension of Time Expiry Date:</b> <b>16 January 2026</b>

**Reason for Referral to Planning Committee** – Called in at the request of Cllr Julian Kirk.

**Neighbourhood Plan:** No

### Case Summary

The application site is located to the south of Griffin Close, a fairly newly established enclave of development east of Green Lane close to its junction with Broadend Road where it meets Burretgate Road in the parish of Walsoken.

The site lies within an area classed as countryside and within Flood Zone 1 of the Strategic Flood Risk Assessment.

Outline permission is sought for a proposed Custom/Self-Build dwelling with only access for consideration at this stage and all other matters reserved for future consideration.

### Key Issues

Recent history  
Principle of development  
Impact upon form and character  
Impact on neighbour amenity  
Highway/accessibility implications  
Flood risk issues  
Ecology issues  
Any other matters requiring consideration prior to determination of the application

### Recommendation

**REFUSE**

## THE APPLICATION

The application site is located to the south of Griffin Close, a fairly newly established enclave of development east of Green Lane close to its junction with Broadend Road where it meets Burrettgate Road in the parish of Walsoken.

The site lies within an area classed as countryside and within Flood Zone 1 of the Strategic Flood Risk Assessment.

Outline permission is sought for a proposed Custom/Self-Build dwelling with only access for consideration at this stage and all other matters reserved for future consideration. An indicative plan shows a dwelling sited towards the SW corner of the site accessed via the existing private driveway off Green Lane.

## SUPPORTING CASE

The following statement has been submitted by the agents in support of this proposal:

“This statement is submitted in support of a single self-build dwelling in Walsoken, a Tier 3 settlement under Policy LP01. The applicants have lived in this location for many years, deeply value their home and community, and wish to remain close to their two sons and their families who live within the adjoining terrace. The proposal would enable them to build a sustainable “forever home” while maintaining essential family support networks.

Under Policy LP02, residential development is acceptable in principle within or adjoining settlement boundaries. While the site is not directly adjacent to the Walsoken development boundary, it directly adjoins the strategic allocation F3.1: Wisbech Fringe and the land granted permission for 294 dwellings under F/YR22/1256/F. Given the allocation, outstanding housing requirements, and the status of that scheme (approved subject to S106), F3.1 effectively functions as a development boundary. Development here therefore accords with the spatial strategy and meets the intent of Policy LP02.

The proposal also satisfies the criteria of LP02(2). It would sit within an emerging residential context defined by F/YR22/1256/F and would not be isolated under the Braintree judgment, thereby meeting parts and existing infrastructure and future provision associated with the neighbouring allocation ensure compliance with part (b). With an identified need for 53 dwellings in Walsoken, the proposal would contribute appropriately to local housing delivery in accordance with the NPPF.

The scheme carries additional weight as a bona fide self-build proposal. The Council's 2025 Custom and Self-Build Position Statement identifies a shortfall of 162 self- and custom-build plots. National policy and recent legislative updates require LPAs to secure enough serviced self-build plots to meet demand accordingly the Council's current self-build deficit must be afforded significant weight.

The LPA has previously approved self-build proposals that do not strictly meet LP02 but carry positive planning balance, including 25/00276/O in Tilney St Lawrence, located 380m beyond the settlement boundary.

25/00276/O demonstrates that where policies are largely met and there is a clear self-build need, support is justified. The current proposal is in a Tier 3 settlement, within a more sustainable context, and therefore merits equal, if not greater, support.

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Although the site lies within Grade 1 agricultural classification, historical aerial imagery demonstrates long-term non-agricultural use, including use as a yard area. No active farming has taken place for many years, and the proposal would not result in the loss of productive high-value farmland.

The scheme also meets the sustainable transport objectives of the NPPF and Policy LP13. The approved layout of the neighbouring site for 294 dwellings provides an adopted road and footpath directly to the site access, ensuring safe pedestrian links to local services. Existing footpaths connect to Quaker Lane, the village shop (0.2 miles), the school (0.4 miles), Walsoken centre (0.7 miles), the local park (1 mile) and Wisbech town centre (slightly over 1 mile). The site can no longer be reasonably described as isolated.

The earlier refusal for tandem development is superseded by changing circumstances: the approval of F/YR22/1256/F introduces a clear pattern of development extending in depth. The proposal would relate logically to this emerging built form and integrate successfully without harm to local character.

In conclusion, the proposal complies with the overarching aims of Policies LP01, LP02, LP13, LP18 and LP21 and aligns with the NPPF's approach to sustainable, well-designed and community-supported housing. When the substantial weight for self-build delivery is added to the material change in context and the applicants' long-standing local ties, the planning balance clearly supports approval."

#### **RELEVANT PLANNING HISTORY:**

25/01060/F: Application Permitted: 26/08/25 - Retrospective change of use of land to residential and retention of existing garden room (Delegated decision)

25/00284/O: Application Refused: 11/04/25 - OUTLINE PLANNING PERMISSION WITH SOME MATTERS RESERVED FOR: Proposed Custom/Self-Build Dwelling (Delegated decision)

21/00205/F: Application Permitted: 15/06/21 - Proposed residential development, involving demolition of existing buildings benefitting from prior notification approval for 5 dwellings (Committee decision)

20/00709/F: Application Permitted: 02/09/20 - Proposed barn conversion to dwelling and garage block (Delegated decision)

18/00817/PACU3: Prior Approval - Approved: 17/08/18 - Prior notification for a change of use from an agricultural building to a dwelling house (Delegated decision)

18/00114/PACU3: Prior Approval - Approved: 09/03/18 - Prior Notification: Change of use of agricultural building to a dwelling house (Delegated decision)

16/01195/PACU3: Prior Approval - Not Required: 28/09/16 - Change of use of agricultural buildings to two dwellings (C3) (Delegated decision)

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## **CONSULTATIONS:**

### **Parish Council: SUPPORT**

“Having read the Notice of Decision for the previous application 25/00284/O on this site, the council would like to point out some inaccuracies in the refusal. The site is not on Grade 1 agricultural land but on the farmyard, mainly made of stone. Also, in regards to the isolation from service provision, a short distance from the entrance to Griffin Close, there is a footpath which runs to a local shop. The location is also not far from other local amenities. Lastly, the refusal mentions no footpath on Burrettgate Road, but Griffin Close actually adjoins Broadend Road. In summary, there are inaccuracies in the original refusal document and therefore, the council fully supports the application and supports the calling in of the application to committee.”

### **Local Highway Authority: NO OBJECTION**

**IDB: NO OBJECTION** – Advice offered relating to Byelaw matters.

**Environmental Quality: NO OBJECTION** subject to a suite of contamination conditions.

**District Emergency Planning Officer: NO OBJECTION** - Due to the location in an area at risk of becoming isolated from safe access/egress (dry island) during extreme flooding, it is advised that the occupants sign up to the Environment Agency's Flood Warning service and prepare a flood evacuation plan.

**REPRESENTATIONS TEN** items of **SUPPORT** received on the following summarised grounds:

- New dwelling would greatly improve the character and appearance which is just a piece of waste land
- Site is not prime agricultural land
- The site is sustainable – close to local amenities not far from a footpath that leads to local shop, school and park
- Site is close to an existing development of 5 dwellings and another 300 coming soon
- Shortage of housing in this area
- Sure that the applicants would ensure a sympathetic design of house to the existing area.

**Cllr Julian Kirk:** Requests that the application is called in for determination at the Planning Committee.

## **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)

**LP04** - Presumption in Favour of Sustainable Development Policy (Strategic Policy)

**LP06** - Climate Change (Strategic Policy)

**LP13** - Transportation (Strategic Policy)

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**LP18** - Design & Sustainable Development (Strategic Policy)

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

**LP21** - Environment, Design and Amenity (Strategic Policy)

**LP23** - Green Infrastructure (Strategic Policy)

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

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

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **PLANNING CONSIDERATIONS**

The main considerations in determining this application are as follows:

Recent history

Principle of development

Impact upon form and character

Impact on neighbour amenity

Highway/accessibility implications

Flood risk issues

Ecology issues

Any other matters requiring consideration prior to determination of the application

### **Recent history**

It will be noted from the History section above, that an identical application was refused on 10/04/25 under application ref: 25/00284/O under delegated powers for the following reason:

“1. Walsoken is within Tier 3 of Local Plan Policy LP01 and residential development outside of, but adjoining the development boundary, may be considered for residential development providing they meet strict criteria as set out within Local Plan Policy LP02.

The application site does not adjoin the development boundary and is located on Grade 1 Agricultural land, at some distance from the development boundary of Walsoken. This results in the site being relatively isolated from local service provision and is exacerbated by the fact that there is no footpath provision on the relatively busy road (Burrettgate Road) which joins the A47 to the west of the application site.

The proposal does not therefore meet all the criteria within Part 2 of Local Plan Policy LP02 and in addition would result in a form of development which does not enhance the local character, nor would it be readily assimilated into the existing settlement given its tandem form.

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The proposal is therefore contrary to the provisions of the NPPF 2024 and Local Plan Policies LP01, LP02, LP06, LP13, LP18, LP19 and LP21.”

The appeal deadline (6 months from decision) has lapsed, and this is effectively a repeat application.

### **Principle of Development:**

The application site is located to the south of Griffin Close, a fairly newly established enclave of development east of Green Lane close to its junction with Broadend Road where it meets Burrettgate Road.

Initially prior approval was established under Class Q, Part 3, Schedule 2 of the Town & Country Planning (General Permitted Development) Order (2015) to convert the former agricultural buildings into 5no. dwellings (ref: 20/01849/PACU3). Subsequently under the ‘fall-back’ position 5no. new dwellings were permitted (ref: 21/00205/F) in two blocks providing the same number and style of dwellings as the conversion scheme. This has been built out and occupied.

The site comprises land to the rear of the previously approved block of three dwellings and would have been part of the former nursery; for planning purposes it is therefore classed as agricultural land (Grade 1) within the countryside.

Contrary to the Parish Council’s claim, this is not a previously developed/brownfield site. The NPPF (2024) clearly states inter alia that: “Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings...” From previous site visits for planning applications it can be evidenced that part of this site was occupied by a building back in 2018 which was subsequently demolished.

The proposal is for outline planning permission with only access being considered at this stage, for the construction of a ‘proposed self-build dwelling’; the indicative plan and application form show one detached dwelling.

The application site lies outside the development boundary of Walsoken which is defined on Local Plan mapping on the western side of Burrettgate Road some 0.7km away from the site. It also lies to the east of the Local Plan allocation F3.1 (Wisbech Fringe) which is to the west of Green Lane.

Policy LP01 of the Local Plan (Spatial Strategy and Settlement Hierarchy) classes Walsoken (East of Wisbech) within Tier 3 of the Settlement Hierarchy and the Wisbech Fringe allocation as within Tier 2. Policy LP02 of the Local Plan (Residential Development on Windfall Sites) states that residential development in Tiers 2 and 3 of the settlement hierarchy which are outside of the development boundary will be supported if they adjoin the development boundary and meet the criteria within the first part of the policy (such as sustainable development, enhance local character etc.) as well as respecting the character of the adjoining settlement and countryside and being readily assimilated into the existing fabric of the adjoining built up area. In addition, it should be supported by existing and future service and infrastructure provision and maintain the physical separation between existing settlements to protect their identity.

With regards to Policy LP02, as stated above, the application site lies approximately 0.7km from the ‘development boundary’ of Walsoken and its associated service provision. Whilst it lies approx. 25m east of the Wisbech Fringe housing allocation (separated by Green Lane

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and a belt of trees), it is not the defined development boundary and even so does not adjoin it.

It is also clear that with no footpath provision to the highway network (Burrettgate Road and Broadend Road) and on a road which has direct access onto the A47, the site feels disconnected from any services and facilities and would be heavily reliant on the use of the private motor vehicle (the least sustainable form of transport). The adjacent site allocation (F3.1 Wisbech Fringe) has a cross-border hybrid proposal (Our application ref: 22/01756/F) which has been deferred for Fenland District Council (FDC) to determine. It has recently been referred to FDC Planning Committee and approved subject to a Section 106 agreement. It presently does not have planning permission and there is consequently no current assurance that the adjacent site will be developed in the near future. The proposal would therefore be disconnected from the existing built form and as stated above, is not adjoining the defined development boundary for Walsoken.

Consequently, the proposed development would be contrary to Local Plan Policies LP01, LP02 and LP06 and LP19.

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

Currently the Council cannot demonstrate that it has met the need for Custom and Self-Build plots due to a change in legislation, the 2023 LURA (Levelling Up and Regeneration Act) places statutory requirements on the Council with regard to granting permission for Custom and Self-Build Housing. This is of considerable weight when considering the planning balance and may mean that consent is granted where other types of housing would not be acceptable. However, it is one of several considerations in the decision-making process and does not automatically indicate approval.

Given the issues raised above the proposal fails to comply with other relevant policies of the plan – in that it fails to adjoin the defined development boundary and the impact on form and character will be addressed below.

#### **Impact upon Form and Character:**

As stated above, the existing dwellings gained permission on the back of a fall-back position following establishing change of use under Class Q. Class Q restricts the garden sizes to that of the footprint of the existing barns and this usually entails further applications to extend the garden areas to more commensurate sizes relative to the accommodation and locality. Indeed an earlier approval incorporated this land within the garden of a single dwelling replacing Plots 1-3 (application ref: 20/00709/F) but this was not implemented. The gardens to numbers 1-3 are small and in assessing the earlier refusal it was noticed that a garden room structure had been erected beyond the garden of No.2 and projecting into this current site. That has been regularised in the interim with a retrospective application ref:25/01060/F.

Indeed, it also appears that Nos.4 & 5 have extended their gardens southwards without permission to correspond with the southern boundary of this application site.

So, the principle of having this site as extended garden areas for the existing three dwellings would be acceptable, however it would have permitted development rights removed for additional outbuildings etc.

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This is not however what is being proposed in terms of developing this parcel of land.

Griffin Close is a very small development of 5 no. dwellings which replicated the format of the former agricultural buildings. The proposal would result in an unplanned, piecemeal form of backland/tandem development which would not respect or enhance the local character but would feel rather contrived. The proposal would increase the projection of the built form, out into the countryside and away from Broadend Road, which would not respond to the existing built form in the locality which is predominantly linear. While there are trees to the western boundary, these cannot be relied upon to screen the built form and its contrived appearance.

The proposal is considered to be contrary to Local Plan Policies LP02, LP18 and LP21 as well as paragraphs 135 and 187 of the NPPF (2024). By virtue of this appraisal, it would also fail to comply with Policy LP31 of the Local Plan.

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

The proposal is in outline form and therefore the final layout and design of the dwelling is not presently known, however, it would be possible to design a dwelling which would not adversely affect the existing neighbours (in terms of overlooking, overbearing and overshadowing impacts) and could potentially comply with Policy LP21 of the Local Plan.

### **Highway/accessibility implications:**

Whilst Griffin Lane is accessed off Green Lane, which is a narrow unclassified road, it is close to its junction with Broadend Road and Burrettgate Road; therefore, on balance, the Local Highway Authority (LHA) have not objected to the proposal. They have however drawn attention to the fact that they feel it does not represent sustainable development given its isolation from services and facilities and lack of footpath provision along the road network.

Notwithstanding the location, the LHA do not object on highway safety grounds and the proposal is considered to comply with paragraph 115 of the NPPF (2024) and Policy LP21 of the Local Plan. However, the proposal does not meet part 4 of Policy LP13 of the Local Plan, as it does not reduce the need to travel and promote more sustainable modes of transport.

With regards to accessibility to services, the previous decision referred to the recognised heart of Walsoken at the Chapnell Road/Kirkgate Street junction (Tesco Express, Post Office, Boots chemists etc.) which is some 1.8km away from the site by road. Supporters of the proposal identify that the site has links into the fringe of Wisbech via public footpath networks to the west off Green Lane – i.e. Walsoken FP1 and Green Drove. There is indeed a convenience store on the corner of Quaker Lane (0.8km away), a playingfield rear of Money Bank and Ramnoth Road (approx. 1km away) and a school (Meadowgate Academy approx. 1.1km away). The latter is a Special Educational Needs facility not a mainstream school and these are unmade and unlit routes which are not commodious for access to daily services. It is maintained that the residents would mainly rely on private transport.

### **Flood risk issues:**

The application site is located within Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment (2018) and Environment Agency's flood risk mapping and as such a flood risk assessment is not required. The point of access from Griffin Close and Green Lane would be affected by climate change (tidal breach 0.1% and 0.5% and surface water) due to the land drain network, however, the site itself is not affected and is designated as being within a 'dry island'.

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Our Emergency Planning Officer suggests that due to the location of the site in an area at risk of becoming isolated from safe access/egress (dry island) during extreme flooding, it is advised that the occupants sign up to the Environment Agency's Flood Warning service and prepare a flood evacuation plan. This matter would be covered by an informative note should the proposal be acceptable due to concerns regarding enforceability and the tests applied to the use of conditions.

The proposal is capable of complying with the provisions of the NPPF, PPG and Policy LP21 of the Local Plan.

### **Ecology issues:**

*Biodiversity Net Gain* – the proposal is exempt from BNG as it is for a self-build plot.

*GIRAMS* – A full appropriate assessment has not been carried out, however given the distance to the European protected sites (North Coast, The Wash) the shadow HRA is considered appropriate along with financial mitigation with regard to the Norfolk GIRAMS. At the time of this outline, no payment has been made and this would be required as mitigation prior to the granting of any reserved matters approval.

*Protected Species* – given the site characteristics a protected species survey was not considered necessary.

*Trees* – there are no trees within the application site, however there are some tall coniferous trees to the west of the plot and access. A tree survey was not requested at this time, however if the outline was approved, a tree survey would be required at reserved matters stage should there be any trees within 15m of any proposed building.

### **Other material considerations:**

*Climate change:* Policy LP06 of the Local Plan requires development to recognise and contribute to the importance of, and future proofing against, climate change and to support the Government target of becoming a net zero economy by 2050.

The site is at some distance outside the development boundary of a tier 3 settlement where there is no footpath provision along the highway network, and it would be necessary to rely upon private vehicles (the least sustainable mode of transport). Further information regarding climate change is unknown at this outline stage.

*Loss of high-quality agricultural land* - The proposal is on Grade 1 agricultural land and Policy LP19 states that the long-term capacity of the best and most versatile agricultural land (Grades 1, 2 and 3a) will be safeguarded as a resource for the future.

*Contamination:* Environmental Quality state that the site is first seen developed in aerial photography from 1999 and the surrounding landscape is largely agricultural.

The screening assessment provided indicates no known contamination, however site plans submitted mention a previous application permitted under 21/00205/F. This site was subject to contamination conditions due to confirmed contamination relating to the previous site use. Both sites look to be part of a former nursery, this gives reason to suspect contamination may also be present on the proposed development site and full contamination conditions (including pre-commencement conditions) would be required should the proposal be approved.

## CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that an application must be determined in accordance with the development plan unless material considerations indicate otherwise.

While the proposal is located outside of the development boundary and contrary to the Council's strategic strategy with regard to the provision of housing, it is of significant weight when considering the planning balance that the Council does not have an adequate supply of Custom and Self-Build housing.

Notwithstanding this, the adverse impact of the proposal with regard to the current sustainability of the location at some distance from the development boundary, and the contrived 'backland/tandem' form of development, is considered to outweigh the positive contribution that the granting of one dwelling may have on the supply of custom and self-build housing. The granting of the proposal is considered to cause significant and demonstrable harm at the current time and should therefore be refused in accordance with the development plan.

The proposal is contrary to the principles of the NPPF 2024 and Local Plan Policies LP01, LP02, LP06, LP13, LP18, LP19 and LP21 and should be refused.

## RECOMMENDATION:

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

- 1 Walsoken is within Tier 3 of Local Plan Policy LP01 and residential development outside of, but adjoining the development boundary, may be considered for residential development providing it meets strict criteria as set out within Local Plan Policy LP02.

The application site does not adjoin the development boundary and is located on Grade 1 Agricultural land, at some distance from the development boundary of Walsoken. This results in the site being relatively remote from local service provision and is exacerbated by the fact that there is no footpath provision on the relatively busy connecting road network (Burrettgate Road and Broadend Road) which also joins the A47 to the east of the application site.

The proposal does not therefore meet all the criteria within Part 2 of Local Plan Policy LP02 and in addition would result in a form of development which does not enhance the local character, nor would it be readily assimilated into the existing settlement given its tandem form.

The proposal is therefore contrary to the provisions of the NPPF 2024 and Policies LP01, LP02, LP06, LP13, LP18, LP19, LP21 and LP31 of the Local Plan (2021-2040).

## Planning Committee - 12 January 2025

### APPLICATIONS DETERMINED UNDER DELEGATED POWERS

Previous Committee:	01/12/2025
Upcoming Committee:	12/01/2025

### PURPOSE OF REPORT

(1) To inform Members of the number of decisions issued between the production of the 1 December 2025 Planning Committee Agenda and the 12 January 2025 agenda. There were 96 total decisions issued with 95 issued under delegated powers and 1 decided by the Planning Committee.

(2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.

(3) This report does not include the following applications - Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area.

(4) Major applications are assessed against a national target of 60%. Failure to meet this target could result in applications being dealt with by Pins who will also receive any associated planning fee.

### RECOMMENDATION

That the reports be noted

### Number of decisions issued between 18 November 2025 and 18 December 2025.

	Total	Approved	Refused	Under 8 Weeks	Under 13 Weeks	Performance %	National Target	Planning Committee Decision	
								Approved	Refused
Major	1	1	0		1	100.0%	60%	0	0
Minor	48	39	9	46		95.8%	80%	0	1
Other	47	42	5	46		97.9%	80%	0	0
Total	96	82	14	92	1			0	1

Planning Committee made 1 of the 96 decisions (1.%)