

<b>Parish:</b>	<b>Burnham Market</b>	
<b>Proposal:</b>	<b>Construction of new GP Surgery with dementia suite, access road, car parking and area of land to facilitate the clinical needs as set down by the CCG</b>	
<b>Location:</b>	<b>Land SE At Junction S of Joan Shorts Lane And E of Creake Road Burnham Market Norfolk</b>	
<b>Applicant:</b>	<b>Medcentres PLC</b>	
<b>Case No:</b>	<b>19/01239/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 12 September 2019</b>

**Reason for Referral to Planning Committee** – Raises issues of wider concern and the recommendation is contrary to Norfolk Coastal Partnership comments

**Neighbourhood Plan:** No

**Case Summary**

The site is located on the edge of Burnham Market, adjacent to the Conservation Area and within an Area of Outstanding Natural Beauty (AONB). Burnham Market is designated a 'Key Rural Service Centre'.

This 0.44 hectare site is a corner part of a larger arable field with road frontages to the west (Creake Road) and to the north (Joan Shorts Lane). A hedge runs along the entire road frontage, apart from a gap at the north west corner to allow access for farm vehicles.

There is a slight downward slope across the site running towards both Creake Road and Joan Short's Lane. Open agricultural land is to the east, south east and south.

To the north of the site are a series of agricultural brick and flint faced barns with pantile roof. These are sited immediately on the northern side of Joan Shorts Lane. Further south, beyond the open field, is a pair of cottages on the road and a series of barns set back from Creake Road.

To the west of the site, on the opposite side of Creake Road, are residential properties which are mainly two storeys in height, set hard up to the back of the footpath.

Full planning permission is sought for the construction of new GP Surgery with dementia suite, access road, car parking and area of land to facilitate the clinical needs as set down by the Clinical Commissioning Group.

## **Key Issues**

The main planning considerations in regards to the application are:-

- Principle of Development
- Impact upon the Area of Outstanding Natural Beauty
- Design and Landscaping
- Impact upon Heritage Assets
- Impact upon Neighbour Amenity
- Highway Safety
- Protected Species
- Flood Risk and Drainage
- Other material considerations
- Planning balance and conclusion

## **Recommendation**

**APPROVE**

## **THE APPLICATION**

Full planning permission is sought from King's Lynn and West Norfolk Borough Council for the construction of a new medical centre, The Burnham's Surgery, to provide a fit for purpose GP Surgery on Creake Road, Burnham Market.

The development proposes the construction of new GP Surgery with dementia suite, access road, car parking and area of land to facilitate the clinical needs as set down by the Clinical Commissioning Group.

The proposal is based on an NHS assessment of need and a sequential site test to establish the best available location in the context of patient need, demographics, affordability to the NHS and the ability of the proposed building to provide the clinical accommodation required.

The scale of the proposed Medical Centre has been selected to provide the necessary accommodation for serving the community, alongside an allowance for a future increase in patient numbers. The proposed new building will have a gross internal area of 660m<sup>2</sup> on 2 levels with an external footprint of around 387.5m<sup>2</sup>.

The two storey building is proposed to be constructed of brick and render with a brown clay pantile roof. Parking and turning facilities are proposed to the front and rear of the site with a dementia/wellness garden proposed to the north east corner of the site.

The site is part of a larger arable field located on the edge of Burnham Market, within the Conservation Area and within an Area of Outstanding Natural Beauty (AONB). Burnham Market is designated a 'Key Rural Service Centre'.

## **SUPPORTING CASE**

The application has been supported by a Design and Access Statement, a Flood Risk Assessment and a Ground Investigation Report.

The applicant has submitted the following supporting case:

'Medcentres PLC has made the application on behalf of the Burnham Surgery, who have been pursuing plans to relocate to a new medical centre for over 10 years. This application is the culmination of a long search for a suitable site and a comprehensive approvals process undertaken by the NHS.

The scheme presented by the application is supported by the NHS and is vital to ensuring the sustainability of the Practice going forward. The existing building does not provide sufficient space of both the quality or layout required by the NHS to meet the needs of modern healthcare including infection control requirements and minimum room sizes. Several different alternatives (including modifying and extending the existing building) were explored with and rejected by the NHS because they did not provide value for money or long term, sustainable solutions.

We remained assured that the site is the best available in terms of meeting NHS and patient needs and criteria. The NHS encourages Practices to seek policy exception land which is more affordable whilst ensuring that new locations will serve the needs of existing patients.

The new surgery will provide a much larger building built to modern NHS standards. It is designed with future flexibility in mind and the site is sufficient to allow future expansion if needed. It will also incorporate specialist space for a dementia clinic, which is unique to a surgery in this area. A special feature of this project is that the new surgery will be owned by a Charitable Organisation set up specifically to own the medical centre and lease it to the Practice. All income paid into the Charity to be redistributed for the benefit of patients helping to safeguard the use of the building and healthcare services for many generations to come.

We understand that concerns have been raised in respect of development in the Norfolk Coast AONB, materials and the scale and massing of the building. The project has necessarily had to strike a balance between securing land which is available, acceptable to the NHS and most importantly affordable. This includes the choice and selection of materials. Unfortunately, flint for example is simply unaffordable. However, we recognise the architectural quality of Burnham Market and have done all possible within the constraints of affordability to ensure the design reflects the adjoining conservation area. In particular we have sought to reduce the scale and massing of the building by adopting a double pitch roof design and improved the quality of materials by introducing additional brick to the elevations and clay pantiles to the roof.

Flexibility over the internal layouts and scale of the building is constrained by NHS design requirements, including those set out in guidance documents such as HBN 11 which sets room sizes and relationships. Natural ventilation is fundamental to ensuring a cost-effective ventilation strategy which dictates window location and scale. Full ceiling heights throughout are also critical to ensuring that design requirements are met, and future flexibility is not constrained.

Finally, we can confirm that the NHS support for the project and this planning application stands on its own merits and has no link to any wider development plans or indeed the current surgery site.'

## **PLANNING HISTORY**

19/01240/A: not yet determined: Advertisement application: 1x non-illuminated fascia sign - Land S of E of Creake Road Burnham Market King's Lynn Norfolk PE31 8EN;

17/00065/PREAPP: Likely to Refuse: 12/07/17 - Construction of new GP surgery with access road and car parking and an area of land to facilitate the clinical needs set down by CCG - Land S of E of Creake Road Burnham Market King's Lynn Norfolk PE31 8EN;

2/97/0910/O: Application Permitted: 01/09/97 - Site for construction of village hall - Site corner Joan Short's Lane & Creake Road Burnham Market;

2/90/2313/O: Application Withdrawn: 17/06/97 - Site for residential development including access roads - Land North Of Te Aroha Creake Road Burnham Market King's Lynn Norfolk PE31 8EN;

## **RESPONSE TO CONSULTATION**

**Burnham Market Parish Council: SUPPORT**

**Burnham Thorpe Parish Council: SUPPORT**

**Highways Authority: NO OBJECTION** – conditionally (conditions to secure access, position of access road, visibility splays, parking spaces, width of access road, gradient of access road, construction traffic parking, off-site improvement works and extension of 20mph speed limit)

**Historic England: NO COMMENT**

**Historic Environment Service: NO OBJECTION** – conditionally (programme of archaeological work in accordance with National Planning Policy Framework 2019 paragraphs 199 and 189)

**Conservation Areas Advisory Panel: NO OBJECTION** - The Panel considered that the principle of the development was acceptable. They preferred the design of (pre-application) Option 1 of the original proposal, with the design being slightly tweaked to mirror the agricultural barns next to the site. The Panel would like to see a simpler roof line. Landscaping was key and consideration should be given to a wildlife corridor, native trees and the use of natural hedging instead of fencing.

**Conservation Officer: NO OBJECTION** - I think the amended plans represent a marked improvement in that they now show a traditional roof and a double pile form which allows for a reduction in ridge height bringing the proposal more in line with the barn complex to the north of the site on the other side of Joan Shorts Lane.

It remains a very large building and the fenestration will always mark it out as something other than a barn so it will still have an adverse impact on the setting of the conservation area, especially when approaching the village from the south and east. However, its impact but could be mitigated to a certain extent if the materials were improved. The grey is a good choice for the windows but I would suggest that the roof should be antique/weathered clay pantiles rather than concrete and that render should be omitted. It's not common on great barns which this building broadly seeks to emulate and it will ultimately need maintenance which at high level is not likely to happen very often. A carefully chosen brick, laid in something other than stretcher bond, or the introduction of some chalk or flint would be better options.

Substantial planting with some quite tall growth particularly on the south and east boundaries would also reduce the visual impact of the building as a whole and screen the blacktop parking areas.

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I think that subject to these changes the harm caused to the setting of the Conservation Area (a designated heritage asset) would be less than substantial, and that harm would be outweighed by the clear public benefits of a new surgery in accordance with the NPPF para. 195.

If the application is to be approved I would suggest conditions requiring a sample panels to be built on site, samples of the tiles and window detail

**Natural England: NO OBJECTION** - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

**LLFA: NO COMMENT** - classed as minor development

**Anglian Water: NO COMMENT** - classed as minor development

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** – conditionally (unexpected contamination condition and informative relating to good practice measures for air quality)

**Norfolk Coast Partnership: OBJECTION** - The development will not 'conserve or enhance the AONB' as in accordance with NPPF para 172.

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues'. As this is outside of the development boundary and in the countryside of the AONB we believe this would set a concerning precedent.

There appears to be some conflict with Policy CS06. Although it may be beneficial to social needs it isn't consistent in scale with its rural location and would detract from the amenity of the surrounding area due to the scale and materials used.

The scale and massing of the building will act as a visual detractor and impact the setting of the Conservation Area as it sits on the boundary.

The scale and materials are a concern. We note the roof has been lowered which is an improvement. We would also prefer to see more traditional materials like flint used to mirror the farm buildings at Crabb Hill Farm. This would help to soften the building and embed it more sympathetically into the surroundings.

External lighting is another concern due to our dark skies that are a special feature of the AONB although this could be mitigated through condition. We recommend that any outdoor lights associated with this proposed development should be: 1) fully shielded (enclosed in full cut-off flat glass fitments) 2) directed downwards (mounted horizontally to the ground and not tilted upwards) 3) switched on only when needed (no dusk to dawn lamps) 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources.

No mention has been made of biodiversity improvements. Developers should be looking to deliver net gain of biodiversity. There is the opportunity to incorporate environmental improvements through sensitive native planting and nesting boxes for birds/bats for example.

**Planning Policy Section** - The Borough Council recognises the importance of community facilities and services/infrastructure to improving people's quality of life (CS13). The

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application relates to provision of a new GP Surgery with dementia suite. This will most likely meet the current and future needs of the local population, and projected changing demographic, in terms of health requirements.

The proposed site is located outside of the development boundary for Burnham Market. However, Policy DM2 – Development Boundaries identifies community facilities as particular type of development which will be permitted outside of development boundaries. This concurs with Policy CS13 Community & Culture which supports the provision of new health facilities to serve the local population. It is also consistent with Policy DM 9 Community Facilities, which states that the Borough Council will encourage the provision of new community facilities.

Whilst the site is located within the Norfolk Coast Area of Outstanding Natural Beauty (AONB), so is all of Burnham Market. This represents a rather unique opportunity to provide a beneficial community health facility, and therefore is one the Policy Team would on balance and after careful consideration support.

## REPRESENTATIONS

**12 objections** and **1 neutral comment** referring to the following:-

- Will result in extra traffic through the village and cause congestion
- Will lose on-street parking which we rely on as we have no off-street provision
- Will set a precedent for infill development in countryside
- Look of the building is out of scale with the vernacular buildings of the area, it is too urban looking for this rural situation
- The external lighting will impact on dark skies
- Should be more tree planting to integrate the proposed buildings into what is both an AONB and a conservation area
- The turning head located to the front of the building, in what appears to be a Type 3 format, can be used to facilitate future development, which is not appropriate
- Not responding to the scale, massing and context of the vernacular buildings of the area
- This proposed building looks like a very poor addition to our fine collection of buildings in the village
- A Landscape and Visual Impact Assessment is needed prior to determination of this application
- Environmental Impacts: Solar and other sustainable heating solutions, lighting, air conditioning, foul water and "grey" water disposal measures? Electric charging points for staff cars?
- Tree planting, along all boundaries for privacy and to absorb carbon-dioxide. The site is beside a busy road and farmyard
- Needs to have adequate parking and turning facilities, for public bus, cars (all, these days, larger than they were) delivery vans (many times daily for a busy pharmacy) staff (intended to be numerous to serve all 21st century diversified health prevention and treatment innovations expected to occur) and visitors in specially adapted buses for the Learning disabled and those using the Dementia Suite.
- Impact on local road network
- Some mitigation, within the NHS budget constraints, of the rather stark external and standardised appearance of the buildings, in an AONB
- The design is uninspiring but no doubt the building will do the job intended, which is the most important thing.
- Concerned about possible lack of sufficient parking and possible light pollution but am happy to leave these issues to the planners to consider with a view to imposing conditions if thought necessary or appropriate.

- The impact on the immediate surrounds
- The ease of access to the site from mobility impaired patients
- Future proofing the facility
- The visual appearance of the building
- Design does not appear part of the local vernacular; an architectural competition might be a good way forward and there are several well respected resident architects, who have done such work, who are already living in the Burnhams.
- Concerned about bus routes
- The development should utilise flint and timber with pan tile roof a traditional vernacular.
- It is important that this stand-alone application does not give rise to any presumptions about further development. In this context, it is very disconcerting to note that Page 13 of the Design and Access Statement says that the surrounding area is planned for residential development.
- The new surgery should try to fit in with the traditional farm buildings on that side of the road, as far as possible.
- The design is poor and the building may well be around for many years.
- It is being rushed through with little care for its looks or its surroundings
- This will look stark and of poor quality with the rest of the village. No flints, trees and soft landscaping. It could be so much better. Time is not everything and it would cost no more but have some pleasurable physical presence.
- Object to the closure of the old doctors; Burnham Market needs a doctor's surgery
- The application also makes reference to a 'sequential test' having been applied in relation to patient need, demographics and affordability to the NHS.
- From an access perspective, there is no significant advantage of siting the building to the eastern side of the village.
- The part of the village that is proposed for the new Practice would not be served by an existing bus route and would therefore make it difficult for those without cars to access the site whereas at present, there is a bus stop outside the surgery.
- The existing site can easily be extended to provide the same amount of parking as indicated on the new application and has the potential to use the roadway (which is often used) for parking.
- The existing Local Plan clearly indicates that the site is outside the development boundary of the village and as such the application is NOT compliant with policy.
- A more subtle way of approaching the development of additional housing in this part of the village is to establish the principle of development on the site and then use it either to provide the opportunity for 'additional funding' for the surgery via the new housing, and / or to establish the principle of developing beyond the current development boundary of the village.
- The D and A statement has used the emerging local plan and pre application advice as a means of justifying the policy compliance of the surgery development and linked these to new housing development in the village
- Visual impact of the development on the wider countryside of the Area of Outstanding Natural Beauty, the impact of the development on the Conservation Area setting of Burnham Market as seen from the rising land to the south and east and the impact on the listed buildings of Burnham Westgate Church and Crabbe Hall Farmhouse
- The design of the building as proposed is clearly a generic standard design which the architects (from Kent) presumably use more or less universally for similar mainly suburban and urban clinical buildings.
- The design is modern, bland and unattractive, pays no regard to the scale, form, materials or design of local vernacular buildings and would fit in well in any suburban context but is completely out of place in an edge of settlement location within an AONB adjacent to a Conservation Area and listed farm complex.
- A buffer landscaping plan needs to be provided to the south and eastern boundaries of the site with the open countryside which will provide for a tree planting belt to be

installed to soften and set the buildings, car parking etc. within the landscape and try to screen and ameliorate the harm to the AONB.

- It requires to be screened for statutory Environmental Impact Assessment (EIA); the outcome of the screening should require statutory EIA.
- The proposal creates a development precedent, helping to enable further development on the adjacent land.
- It may have a negative impact on the viability of the farm business currently managing the land.
- The choice of site will increase social exclusion – the current surgery is on a bus route, this site is not.
- Joan Shorts corner currently marks the end of the “developed” area of BM, & the start of open countryside. Highways & building development here would destroy not just that discreet area, but significantly extend the developed “feel” into the wider AONB

**54 supporting** comments received referring to the following:

- It is essential that this excellent project goes ahead without delay.
- Highest incidence of dementia in the country; oldest age group.
- Without this new surgery we will no longer have medical support or attract new GPs
- A very good case is made on the need for this development, as the best and only way to secure future primary care facilities in the area
- The Lead Partner in the present surgery, who has been negotiating with the NHS and Medcentres for many months, explained clearly the unarguable case for embarking on this project, subject to Planning Permission, and to transfer of the legal interest relevant land from Holkham Estate to a dedicated Charitable company/Trust
- If the Borough is minded to grant permission for this Application, (which I support), I hope that appropriate conditions will be imposed, to ensure the promised Future Proofing.
- The case for this is made in the application and was further well explained and justified in the presentations made at the recent public meeting.
- Despite being two of the residents living closest to the proposed site, on the corner of Creake Road and Joan Shorts Lane, we believe that the proposed Surgery is greatly needed.
- The need to replace the current surgery is both urgent and manifest.
- We are lucky to enjoy an excellent health care team doing the best they can with the current inadequate premises. If we wish to retain them and attract the next generation of professionals we need new premises such as this proposal.
- The location is excellent. The facilities are consistent with their location and the character and appearance of the area. There appears to be no good reason to object to the proposal and it should be granted planning permission without delay.
- The proposal has good potential to support valuable enhanced, flexible facilities and services for the expanding patient population of Burnham Market and surrounding area.
- Given the nature of the facility, it should be stressed that appropriate, generous car parking space should be included in the design. Since the patient population is increasingly elderly/ disabled particular care should be taken to ensure parking layout is sufficiently generous in size and facilitates movement of both vehicles and patients.
- Whilst I cannot see what is wrong with the present surgery site which provides an excellent service to the community, if the Doctors and Staff are keen for this to happen then as owners of a house close to the proposed site we are fully in favour. It is vital that a good NHS practice is thriving here.
- Recruitment for future GP's is essential and the proposals give this the best opportunity.
- We have all contributed and require easy access to top facilities.
- It is a well thought out and innovative proposal to enable a new fit for purpose medical centre to be built, without being tied to any new housing development.
- A new Surgery is essential to provide medical care for the future in this Community

- Recruitment of new GP partners is a present problem; it will prove a grave deterrent to replacing existing partners, and the practice may close.
- Rural practices are closing nationwide; hence my strong support for this proposal. It should be owned and managed by a Trust, for us, the resident patients the Burnhams, to maintain our local health care facility within easy reach.
- Other considerations, such as planning restrictions in an AONB, and the landscape value of the undeveloped land to the setting of the village, must have lesser weight in this particular instance.
- As well as providing the "state of the art" surgery facilities, it is also to be hoped that the building will meet the highest possible environmental standards
- I am a former member of the Burnham Market medical practice, having moved to a West Yorkshire practice in 1974. Here I oversaw the re- development of a medical practice building in 1976. The scheme involved developing an unused upper floor for the provision of 4 consulting and examination suites and suites on lower floors for Health Visitors, Nursing and other facilities. A lift was installed to facilitate these changes. This is all similar to the Burnham Market proposal. It all worked very well.
- An outstanding plan which we totally support.
- I think the plans are a great, we are a community that really need this the quicker it's built the better
- The Wells Hospital experience shows that care at home, rather than inpatient units, is the only viable and preferred option. We must support this plan unless you prefer to go to Fakenham.
- I think it's a good idea, as the old one is getting a bit of a nightmare for parking and now the pharmacy is closed. It's going to get worst.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

**CS12** - Environmental Assets

**CS13** - Community and Culture

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

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

## **OTHER GUIDANCE**

The main planning considerations in regards to the application are:-

Principle of Development  
Impact upon the Area of Outstanding Natural Beauty  
Design and Landscaping  
Impact upon Heritage Assets  
Impact upon Neighbour Amenity  
Highway Safety  
Protected Species  
Flood Risk and Drainage  
Other material considerations  
Planning balance and conclusion

### **Principle of Development**

The application site is located on the edge of the village. It is adjacent to the Conservation Area and the whole of the village is within the AONB.

Burnham Market is a Key Rural Service Centres where limited growth of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the Development Limits of the Key Rural Service Centres in accordance with Policy CS06 Development in rural areas.

That said, the application site lies outside of the village settlement boundary of Burnham Market. Beyond the development boundaries, Policy DM2 states that new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies in the local plan. With regard to community facilities, Policy DM2 states that these could be considered outside development boundaries in line with Policy CS13.

Policy CS13 – Community and Culture states that:-

“The form, design, location and layout of development should enhance community wellbeing by:-

1. Being accessible and inclusive, ensuring that people of any age, gender, ethnicity and ability can use and access the development,
2. Being adaptable – creating high quality development which is capable of being modified either for different uses or to suit people with different needs;
3. Being locally distinctive – contributing to a sense of place and identity;
4. Reducing opportunity for crime – considering factors such as natural surveillance, boundaries and security features, lighting and the management of public space to promote safe living environments;

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5. Being within walking distance of open space, to increase people's quality of life and enable active and healthy lifestyles.

The borough council will work with the NHS to ensure that new health facilities are provided to serve an expanded population.

Development will not be permitted in cases where it would result in a loss of existing cultural facilities, where need justifies, can be provided within the same settlement boundary or in close proximity of the existing facility.”

Policy DM9 also encourages new community facilities:

“Policy DM 9 – Community Facilities

The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth.

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

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

The Planning Policy Team raises no objection to the proposal recognising that Policy DM2 – Development Boundaries identifies community facilities as a particular type of development which will be permitted outside of development boundaries. This concurs with Policy CS13 Community & Culture which supports the provision of new health facilities to serve the local population. It is also consistent with Policy DM 9 Community Facilities, which states that the Borough Council will encourage the provision of new community facilities.

The Policy Team acknowledges that whilst the site is located within the Norfolk Coast Area of Outstanding Natural Beauty (AONB), so is all of Burnham Market. And this represents a rather unique opportunity to provide a beneficial community health facility. On balance and after careful consideration, the Policy Team supports the proposal.

In principle, therefore, a new doctor's surgery could be supported where the relevant policy criteria is met.

### **Impact upon the AONB**

The site lies within an Area of Outstanding Natural Beauty (AONB). In fact the village of Burnham Market is one which is located wholly within the Norfolk Coast AONB, so that any site for a new GP's surgery in or around the village would be within this protected area.

The NPPF states in paragraph 172 of the NPPF that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The same paragraph states that the scale and extent of development within these designated areas should be limited.

Para 172 states that 'planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'

At a local level Policy CS12 requires proposals for development to seek opportunities to reinforce the distinctive character areas and demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area, gaps between settlements, landscape setting, distinctive settlement character landscape features and ecological networks.

The landscape designation for this area is I1 according to Chris Blandford Associates Landscape Character Assessment 2007 on behalf of the Local Authority. Some of the key inherent landscape sensitivities of I1 are—

Mature Landscape structures including belts and copses, woodland, mature trees and patches of intact hedgerow, distinctive combinations of traditional building materials within small village settlements, modest to strong sense of tranquillity throughout area, rural character.

The landscape planning guidelines seek to conserve the generally undeveloped, rural character of the area and related strong sense of tranquillity; ensures that any new appropriate development responds to historic settlement patterns and is well integrated into the landscape; conserve the landscape setting of Burnham Market, conserve the panoramic views across the area and use of local materials.

From Joan Shorts Lane, views into Burnham Market are dominated by the rooftops of the buildings that are contained within the valley. None of these rooftops puncture the corresponding incline in the topography of the land to the west of Burnham Market and the wider panoramic is only interrupted by the wooded copses.

From Creake Road, the site enables views of the rolling topography in an easterly direction.

It is clear therefore that the introduction of any built form on this open site would have an impact upon the character of this part of the village and that of the protected AONB landscape.

The Norfolk Coastal Partnership (NCP) object to the proposal which they consider will not 'conserve or enhance the AONB' as required by NPPF para 172. They believe this would set a concerning precedent.

They identify some conflict with Policy CS06, although the references quoted by NCP relate to 'development being consistent in scale with its rural location and detracting from the amenity of the surrounding area due to the scale and materials used'. However, this part of the policy refers specifically to farm diversification schemes and conversions of existing buildings rather than new community uses.

External lighting is another concern of NCP due to the dark skies that are a special feature of the AONB. They note, however, that this could be mitigated through an appropriately worded condition.

For the purposes of para 172 of the NPPF footnote 55 states that whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

Therefore whether the development is major development [to be defined by the impact it would have on the AONB] has a significant bearing on whether the application should be refused other than in exceptional circumstances. In this regard the outcome of Judicial Review, JH & FW Green Ltd v Southdown National Park Authority (SNPA) has been used to guide your officers in correctly applying the 'test' for major development within an AONB.

The outcome of this challenge was that SNPA had conducted 'a reasoned and reasonable assessment of the potential for harm and to conclude that, although some harm would eventuate, the criteria for categorising the proposal as a 'major development' within the meaning of the NPPF were not satisfied.'

It should be noted that in relation to the above-mentioned judgement, concerns and objections were raised in relation to the proposed development from statutory consultees including the Local Authority's own Landscape Officer, Historic England and the Dark Skies Ranger (equivalent to the views of the Norfolk Coast Partnership Officer). However, even with such concerns, the judge agreed with the Local Authority that 'although some harm would eventuate, the criteria for categorising the proposal as 'major development' within the meaning of the NPPF were not satisfied'.

In this case the current application before members has received only one objection from a statutory consultee, which is NCP.

In making an assessment of whether or not the application is considered to be 'major' officers have firstly considered the application in terms of floor area. The application does not equate to a major application as defined by the Development Management Procedure Order 2015 and it has not been registered as such. However, for the purposes of footnote 55, consideration has to be given to the parameters of the proposed development and its setting in terms of the impact of the proposal upon the important qualities of the AONB.

The proposed building is of significant size (nearly 36m long by approximately 11.5m deep and 9.6m to parapet) and the associated car parking facilities of 42 spaces would cover a sizeable part of the site. The application site is at a junction of two roads with public views obtained from several directions. The site is open in character and rises in level across the site. It adjoins open land on two sides.

The site is adjacent to other built form to the north and west, which includes continuous frontage development in the form of barns and residential properties. There are also other large barns further to the south. The proposal would result in development on a corner of the existing larger field but would not spread eastwards beyond the existing built form of existing buildings on Joan Shorts Lane or Creake Road. The car parking areas would also retain a sense of openness around the building, albeit that this would be hard surfaced.

However, having regard to the nature, scale and setting of the proposal, along with its likely impact on the purposes of the designation, officers are of the opinion that the proposal represents major development in the AONB for the purposes of applying national policy. Therefore the tests as set out in para 172 need to be applied.

That said, in terms of part a) of para 172 the applicant has made a case to demonstrate there is a need for the development locally and that the existing surgery is severely

constrained through the physical constraints of the building and the site. This satisfies the criteria of part a) of para 172.

In terms of part b) developing outside the designated AONB area would not be a possibility if the surgery was to stay in or close to the village and serve the local population as Burnham Market is wholly within the AONB.

With regard to part c) the site can incorporate significant areas of landscaping with opportunity to mitigate any detrimental effect the building might have on the landscape character. Similarly lighting can be controlled to minimise impact and careful consideration of external materials can help the building to fit better into the landscape.

In summary, the proposed building and associated development is of significant scale and undoubtedly would bring a marked change to the character of this part of the village through the introduction of such a use on a site that is currently only used for agricultural purposes.

However, whilst there will be interruption of views to the east by virtue of the scale of the building, it is considered that the location of the building within the site, with built form surrounding it, would not cause significant harm to the wider landscape setting, especially views of Creak Road, from Joan Shorts Lane, where the building will sit in a valley in the landscape.

The re-siting of the building back into the site also responds better to the existing historic settlement patterns and overall it is considered that the wider landscape and scenic beauty of the AONB will largely be conserved. It is not considered the proposal will have a significant adverse impact on the purposes for which the area has been designated.

Mitigation measures such as the control of external lighting can be used to reduce the impact upon the open landscape and can be secured by condition. Planting can be controlled to enhance the site and ensure that the development is well integrated into the landscape to conserve the landscape character of this part of the village.

On balance, whilst the character of this part of the village will change it is considered there are exceptional circumstances and wider public benefits to be had from such a development which outweigh any harm to this part of the AONB and as a result the proposal complies with para 172 of the NPPF and Policy CS12 of the Core Strategy 2011.

### **Design and Landscaping**

The NPPF places emphasis on good design principles being a key aspect of sustainable development. Development should contribute positively to making places better for people and decisions will need to ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. New development should also respond to local character and history, and reflect the identity of local surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation (para 127).

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (para 130).

Policies CS06 and CS08 of the Local Development Framework Core Strategy state that the strategy for rural areas is to 'maintain local character and a high quality environment and new development will be required to demonstrate its ability to – respond to the context and

character of places in West Norfolk by ensuring that the scale, density, layout and access will enhance the quality of the environment.

Policy DM15 of the Site Allocation and Development Management Policies Plan refers to Environment Design and Amenity – particular in relation to design, the scale, height, massing and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between building through high quality design and use of materials.

The western side of Creake Road comprises of 2 storey cottages that are hard onto the pavement with their roof lines parallel to Creake Road. Heading south on Creake Road, still on the western side, there is a cluster of residential properties within the former railway yard/station that is set back in the street scene with their ridge line at 90 degrees to the road. Beyond this there is a retail complex comprising of a petrol station, car sales, car servicing garage and a chip shop.

On the eastern side of Creake Road, heading south, there is a low level flint and brick pillar wall with capping. This wall wraps around to Joan Shorts Lane and joins a barn that is 2 storey in scale with its gable end fronting the junction of Joan Shorts Lane and Creake Road. Beyond the two storey barn there are single storey farm buildings. The farm buildings are constructed from flint and have brick quoin detailing and Norfolk pantiles. The farmhouse is set behind established trees and hedging to the north of the barns and is hardly seen in the street scene. This farm complex is known as Crabbe Hill Farm.

Heading south and on the western side of Creake Road, beyond the junction of Joan Shorts Lane is the application site. The site increases in gradient heading in an easterly direction. The open site is contained behind an established hedgerow and is devoid of buildings or structures. In this street scene and seen in combination with this site are flint and red brick quoin detailing barns at Crabbe Hill Farm.

The character of development, heading south on Creake Road, has a green verdant rural feel to it provided by virtue of the hedge that runs along the frontage of the site and the agricultural buildings seen in context with the site.

Heading north and into the village, the site is screened by buildings associated with a farm to the south of the site.

The application has been submitted following pre-application advice which raised several concerns. The building has been located further back in the site to avoid dominating the streetscene; the roof design has been amended to attempt to reduce the overall appearance of scale by drawing on the length rather than the verticality of the building; the entrance road has been designed with Highways advice and the form of the building takes more reference from the existing neighbouring agricultural buildings.

The proposed medical centre has a gross internal area of 660m<sup>2</sup> on 2 levels which provides for significantly more medical, training and treatment rooms as well as being DDA compliant. The number of parking spaces is appropriate to the size of the building, unlike the existing doctor's surgery in the village where the number of parking spaces no longer meets the current parking standards.

During the course of the planning application, amended plans have been submitted in response to concerns and comments made. The originally submitted design of the building with the stepped, gabled roof has been removed and redesigned with a simpler, pitched roof. To span the depth of the building and to keep the overall height of the building as low as

possible, a twin pitched roof is now proposed with a valley gutter between the roof slopes. This brings the height of the ridge down by 2m and helps to reduce the mass.

Parapet walls are now shown to the gables, which shall be constructed of brick. Additionally changes have been made to amend the render colour to the front and rear elevations to a buff stone colour rather than a lighter cream. This should be more in keeping with surrounding development, help soften the elevations and help assimilate the development into the open countryside. However, the applicant has confirmed that the use of flint, a predominant local material, is not an option due to budget constraints.

Due to the ground level changes across the site, the building will be set at a higher level than other neighbouring buildings. A site section plan has been provided which shows that the amended ridge height will now be more in keeping with the ridge of the two storey element of the barns to the north of the site. However, as the building is set back within the site there is room to retain some of the roadside hedge to the boundary, where it is not required to be removed to accommodate safe access.

Appropriate landscaping is an important component of ensuring the successful assimilation of the large building into the open environment. The proposal shows 42 parking spaces as well as ambulance parking and a drop off point. Care would need to be taken to ensure this does not become just a bland, hard surfaced area.

The site plan shows that the roadside hedge will largely be retained, other than to create the vehicle access and visibility splays. This plan also shows the reinstatement of a hedge behind the visibility splay to the southern side of the access. It is recommended that this is secured through planning condition to retain the character of this part of the village.

The site layout includes areas of planting and a garden area to the front of the site and it is recommended that the details are controlled by way of planning condition if the application is successful.

To the north east part of the site a dementia/wellness garden is proposed. This abuts the northern boundary of the site along Joan Shorts Lane and will be visible from outside the site. It will be important to consider the details of any methods of enclosure around the garden prior to installation (to be secured by condition) should planning permission be forthcoming. Again, it is recommended that details of the planting and any boundary enclosure be submitted for consideration as part of any application.

The parking and public areas would be expected to have some form of lighting during dark opening times. As the Norfolk Coast Partnership have raised, this is an open site and external lighting will have an impact beyond the site boundary upon the landscape character of the area. A sensitive approach will therefore be required to ensure that light spillage does not create unnecessary harm to the surrounding area.

Accordingly it is recommended that the details of any external lighting scheme be submitted for consideration prior to its installation.

In terms of national and local policy it is considered that the proposed development takes sufficient reference from existing local built form to say that it maintains local character and responds sensitively and sympathetically to the local setting and pattern of adjacent streets and spaces between buildings through high quality design and use of materials. As a result, the proposal complies with paras 127 and 130 of the NPPF, Core Strategy Policies CS06 and CS08 and Development Management Policy DM15.

## Impact upon Heritage Assets

The site lies adjacent to the Conservation Area. The boundary of the Conservation Area wraps around the front of the site and incorporates the barns at Crabbe Hill Farm to the north and the two storey cottages opposite. Crabbe Hall Farmhouse, sited further north, is Grade II listed.

In terms of archaeology, the Historic Environment Service (HES) confirms that cropmarks of probable field boundary ditches of medieval or post medieval date lie directly within the footprint of the proposed development. The proposed development lies approximately 140m west of the cropmark of a ring-ditch representing the remains of a burial mound of Bronze Age date. A barrow cemetery consisting of another four ring ditches lies approximately 400m east of the proposed development site. The barrow cemetery is also the site of high status possible trading settlement of Middle Saxon date. The Middle Saxon settlement site is of regional and possibly national significance.

HES raise no objection to the proposal but if planning permission is granted, they request this is subject to a programme of archaeological work in accordance with National Planning Policy Framework 2019 paragraphs 199 and 189. This would be secured by way of planning condition.

The Conservation Area character statement for Burnham Market refers to this part of Conservation Area – Creake Road thus:

“This is the main southern approach from Fakenham. Beyond a mixture of a modern roadside housing and the garage is a group of cottages at the junction of Joan Short Lane but the most striking feature is Crabbe Hall Farm and the farm buildings arranged along the lane.”

The farm buildings are described as “a separate and memorable set piece on the edge of the village.”

S.72 of the Town and Country Planning Conservation and listed buildings Act 1990 requires the Local Planning Authority to have special regard to its inherent characteristics and to preserve and where possible enhance its characteristics.

The pre-application submission showed the proposed GP building hard up to the front of the site. However this current proposal sets the building more than 40m back in the site from Creake Road. This means that views of Crabbe Hall Farm would be better preserved when viewed from the south.

The scale of the amended scheme would be more in keeping with that of the surrounding agricultural buildings and now less likely to compete in terms of mass and scale.

The impact upon the setting of the grade II listed Crabbe Hall Farmhouse is not considered to be directly affected given that views of the property are currently limited through the siting of the barns which enclose the farmhouse. Now that the proposed building is set back within the site there is no direct view from one building to the other. The changes to the access arrangements and landscaping will change the character on the southern side of Joan Short Lane but again, this is beyond the enclosed courtyard of the listed building and the application site will retain the openness at this point so as not to detract from the barns to the north.

Historic England does not offer any comments regarding this application. They suggest that the views of the local specialist conservation and archaeological advisers be sought in this case.

The Conservation Area Advisory Panel (CAAP) acknowledges that the building needs to be large to serve its purpose. They noted that in addition to the re-siting of the building within the site, the amended proposal had also changed the orientation, which now mirrors the siting of the neighbouring agricultural barns.

CAAP comments on the original plans encouraged a simpler roofline, which has since been achieved through the amended plans. They also note that landscaping is key and that consideration should be given to a wildlife corridor, native trees and the use of natural hedging instead of fencing.

The Conservation Officer notes the marked improvement in the scheme since the pre-application submission, particularly with the introduction of the traditional roof and a double pile form which allows for a reduction in ridge height, bringing the proposal more in line with the barn complex to the north on the other side of Joan Shorts Lane.

The Conservation Officer comments that it remains a very large building and the fenestration will always mark it out as something other than a barn so it will still have an adverse impact on the setting of the conservation area, especially when approaching the village from the south and east. However, she recognises that the impact could be mitigated to a certain extent through the use of appropriate materials and landscaping.

The Conservation Officer suggests that the roof should be antique/weathered clay pantiles rather than concrete and that render should be omitted from the proposal as it is not common on great barns, which this building broadly seeks to emulate, and it will ultimately need maintenance which at high level is not likely to happen very often. Instead brick, chalk or flint would be encouraged as an alternative. NCP also raise this as an issue.

The Conservation Officer also refers to the need for substantial planting, with some quite tall growth particularly on the south and east boundaries which would also reduce the visual impact of the building as a whole and screen the blacktop parking areas.

In summary the Conservation Officer considers that subject to these changes the harm caused to the setting of the Conservation Area (a designated heritage asset) would be less than substantial, and that harm would be out-weighed by the clear public benefits of a new surgery in accordance with the NPPF para. 196.

It is of note that the applicant has confirmed the use of flint or chalk would not be an option for financial reasons. This is disappointing given that the surrounding barns are predominantly flint or chalk faced and the use of a matching material would assist in the successful assimilation into the landscape.

The applicant has, however, increased the amount of brickwork to the scheme so that both gable ends are now brick as well as the long elevations at ground floor level. There are examples of properties to the west that are fully rendered or painted brick and so the use of render would not be wholly out of keeping. The applicant is also now agreeable to the use of clay pantiles as roofing material.

The use of high quality materials would, however, be imperative and it is recommended that should planning permission be forthcoming planning conditions be imposed relating to the external materials of the building including the need for a sample panel to be built on site, samples of the tiles and also detailed plans of the window detail.

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Subject to appropriate conditions it is considered that the proposal complies with para 196 of the NPPF, Core Strategy Policies CS12 and Development Management Policy DM15.

### **Impact upon Neighbour Amenity**

The surrounding properties incorporate a mix of residential and commercial premises. By its nature a doctor's surgery is considered a use that is appropriate in a residential area and the introduction of this use raises no significant neighbour amenity issues in principle.

The building itself is set back far enough within the site from any residential properties to avoid any overlooking, overshadowing or loss of light issues.

The proposed development is considered acceptable in terms of the impact upon neighbour amenity and complies with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the SADMP 2016.

### **Highway Safety**

The site is on the corner of the junction of Joan Shorts Lane and Creake Road. At present there is not a pedestrian footpath on the eastern side of Creake Road. The site plan shows the creation of a short section of public footpath along the eastern side of Creake Road opposite the existing footpath.

The proposed layout shows parking spaces for 42 cars, a space for ambulance parking/deliveries and provision for cycle parking (4 spaces).

The amended scheme now provides safe access with adequate visibility splays. The applicant has demonstrated that parking provision is in line with adopted standards.

The proposal will also require the 20mph speed limit to be extended further along Creake Road and this would need to be controlled by way of planning condition.

The Highways Authority raises no objection to the proposed development subject to several conditions. These include the provision of a footway as well as pedestrian crossing works on Creake Road to provide a link through for pedestrians travelling from the village centre. This would accord with the requirements of policy CS13.

Third party concern has been raised to the amount of traffic generated by the new surgery. However, the Highways Authority raises no objection to the amount of traffic generated, most of which would be displaced from the existing surgery.

Concern has been raised to the demand for on-street parking on roads around the site particularly by occupants of existing properties who have to park on the road as they do not have their own off-street parking provision. However, the proposed development caters for its own needs in terms of parking provision and is not reliant upon on-street parking.

Accordingly there are no outstanding highway safety issues, subject to conditions and the proposal complies with relevant policy including Policy DM15 of the SADMP 2016.

### **Protected Species**

The site is in arable use currently and there are no buildings on the site.

Accordingly it has not been considered necessary for a protected species survey in this case.

NCP comment that no mention has been made of biodiversity improvements. Developers should be looking to deliver net gain of biodiversity. There is the opportunity to incorporate environmental improvements through sensitive native planting and nesting boxes for birds/bats for example.

In this case significant areas within the site are proposed for landscaping, planting and garden use. As stated above, it is recommended that the details are controlled by way of planning condition if the application is successful and this can be extended to provide details of biodiversity improvements.

The proposal complies with relevant policy including the need to enhance wildlife through para 172 of the NPPF and Policy CS12 of the Core Strategy 2011.

### **Flood Risk and Drainage**

The proposal is not classed as major development and is within flood zone 1.

Although not required through the national or local checklist of documents, a flood risk assessment has been submitted with the application which finds that the proposed site is within a 'low risk' location.

The Kings Lynn and West Norfolk 'Strategic Flood Risk Assessment' clears the actual site from any flood risk, although the area highlights future surface water risk through climate change.

With Creake Road being the lowest point giving access to the proposed development, the building and car parking raise in level away from this area, alleviating any requirement to introduce any permanent flood defences.

The FRA indicates the site is suitable for SuDs drainage and that both foul and surface water drainage schemes are intended to be approved prior to construction.

The Lead Local Flood Authority and the Environment Agency has not made comment on the application given that it is not major development.

The proposal complies with relevant policy including para 164 of the NPPF and Policy CS08 of the Core Strategy 2011.

### **Other Material Considerations**

The site lies within 2km of the North Norfolk Coast SSSI. However, the proposed development would not have a significant adverse effect on the features on which the SSSI is designated.

Other third party issues raised:

Most third party concerns have been addressed in the report above, however, there are several additional points raised.

Third party comment has been made that there is no need for a new doctor's surgery. However, the applicant has provided information setting out how the existing surgery is limited in size and can only offer limited services. That said, the closure of the doctor's

surgery and any future use of that site are not afforded weight in terms of the consideration of the merits of this application.

Concern has been raised that this will set a precedent for further development. However, each case would be considered on its own merits against the policies in place at that time.

Third party concern has been raised to additional development that might be encouraged on adjoining land as a result of this proposal. It is of note that the site is part of a larger allocated site within the emerging Local Plan Review 2019. Draft Policy BM1 - Land south of Joan Short's Lane and east of Creake Road, Burnham Market relates to this site and this policy looks to support a new GP doctor's surgery as well as new homes on this site and adjoining land to the south and east. However, this is an emerging Local Plan and at this stage cannot be given any weight in terms of policy consideration.

Concern has been raised to the vehicle turning head within the layout that could eventually provide a vehicle link through to the adjoining undeveloped land. However, if an application for development was received on the adjoining land it would be considered on its own merits against the policies in place at that time.

Comment has been made that the application should be subject to a Landscape and Visual Impact Assessment (LVIA). However, applications of this nature do not generally require an LVIA and one has not been sought in this case. The impact upon the landscape has been assessed using the landscape character assessment as discussed earlier in this report.

Comment has been made that the application should be subject to EIA screening. However, the site does not meet the criteria for Schedule 1 or 2 developments under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposed project is not likely to have significant effects on the environment in terms of the regulations and the LPA considers there is no requirement for EIA screening in this case.

Comment has been made that the building should promote sustainable heating solutions, lighting, air conditioning etc. Sustainable development is supported through planning policy, but some of these elements are outside LPA control and covered by other legislation e.g. building regulations.

Concern has been raised that the site is not on a bus route. Information gathered shows that there are some buses that frequent Creake Road. However, the routes for buses are determined by private bus companies and this is not a matter within the control of the LPA.

Comment has been made that details of the sequential test for the site selection for a new surgery should be made publically available. However, this is the site chosen by the applicant and is the one for consideration under this current application. Accordingly this current proposal has to be considered on its merits in the usual manner.

Comment has been made that this development might have a negative impact on the viability of the farm business currently managing the land. However, the application site is only a small portion of the larger field and it is unlikely to have a significant impact. The impact would have been a consideration of the landowner prior to the submission of the application and is not a valid planning consideration.

Third party comment has referred to the impact upon Burnham Westgate Church. However, this is located at the western end of The Green and is not in proximity to the application site. It is not impacted by this proposed development.

## Planning balance and conclusion

The proposed doctor's surgery is a sizeable building in an undeveloped part of the village which is outside the settlement boundary. The site lies in a sensitive location within the AONB and adjoins the Conservation Area. The scale of the building, the associated car parking facilities and use of the site will change the character of this part of the village which is currently in agricultural use.

That said, the principle of a doctor's surgery on the edge of the village can be supported through Policies CS13, DM2 and DM9 given that it is a community facility which will provide new health facilities to serve the local population.

The pre-application scheme was not supported at officer level but changes to the layout and improvements to the design and scale of the building have since overcome the key concerns raised.

The site is within the AONB and NPPF paragraph 172 says that great weight should be given to conserving and enhancing landscape and scenic beauty in these areas. It is clear that the introduction of a large building onto this open site will have a negative impact on the landscape. This has led to the objection from the Norfolk Coastal Partnership.

The development is considered to represent 'major development' within the meaning of paragraph 172 of the NPPF. However, in terms of the tests to be applied in such a scenario, the applicant has demonstrated a need for the doctor's surgery that would require it to be positioned within the designated AONB area in order to serve the required clientele. The development could also be mitigated to a certain degree through the use of materials and control of external lighting, and landscape enhancements could be made through appropriate planting. It is considered to pass the tests applied in paragraph 172 of the NPPF.

The proposal will also have an impact upon the character of the adjoining Conservation Area. However, the amended plans have reduced the scale of the building and improved the relationship with existing buildings within the Conservation Area, including the Grade II listed Crabbe Hall Farm, and, with appropriate use of materials and planting, the harm identified would be less than substantial in the terms expressed at paragraph 196 of the NPPF.

The development would not result in any material residential amenity issues.

Matters of landscaping, highway safety, archaeology, foul and surface water drainage can all be controlled through planning conditions.

It is of note that the application has received a high level of local support (54 letters received) and much less objection (12 pieces of correspondence). Other than the Norfolk Coastal Partnership no objections have been received from statutory consultees and both Burnham Market and Burnham Thorpe Parish Councils support the proposal.

Whilst the proposed building, use and associated parking facilities would change the character of this part of the village, it is recognised that it would have significant public benefit through the provision of a fit-for-purpose doctor's surgery.

On balance, whilst the character of this part of the village will change it is considered there are exceptional circumstances and wider public benefits to be had from such a development which outweigh any harm to this part of the AONB and the less than substantial harm to the Conservation Area. The proposal therefore is considered to comply with paras 127, 130, 172, 189, 196 and 199 of the NPPF, Policies CS06, CS08, CS12, CS13 of the Core Strategy 2011 and Policies DM2, DM9 & DM15 of the SADMP.

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For the reasons given above, it is recommended that this application be approved subject to the following conditions.

## **RECOMMENDATION:**

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out using only the following approved plans:
  - Drawing No. 61 P01 Rev A, Location Plan
  - Drawing No. 61 P02 Rev C, Site/Block Plan
  - Drawing No. 61 P03 Rev B, Site Sections
  - Drawing No. 61 P04 Rev C, Floor Plans
  - Drawing No. 61 P05 Rev C, Elevations
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Notwithstanding the details shown on the approved plans, no development shall take place on any external surface of the development until details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 4 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 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.
- 5 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.

- 6 Condition: Prior to the first use of the development hereby permitted the vehicular & pedestrian access shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highways specification and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- 6 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.
- 7 Condition: Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 8 metres from the near channel edge of the adjacent carriageway.
- 7 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened.
- 8 Condition: Vehicular/pedestrian/cyclist access to and egress from the adjoining highway shall be limited to the access(s) shown on Drawing No. 61 P02 Rev C only. Any other access or egress shall be permanently closed, and the highway verge 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.
- 8 Reason: In the interests of highway safety.
- 9 Condition: The gradient of the vehicular access shall not exceed 1:12 for the first 8 metres into the site as measured from the near channel edge of the adjacent carriageway.
- 9 Reason: In the interests of the safety of persons using the access and users of the highway.
- 10 Condition: Prior to the first occupation/use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan (Drawing No. 61 P02 Rev C). 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.
- 10 Reason: In the interests of highway safety in accordance with the principles of the NPPF.
- 11 Condition: Prior to the first use of the development hereby permitted the proposed access / on-site car and cycle parking / servicing / loading / unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 11 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 12 Condition: Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

- 12 Reason: To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 13 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 (consisting of the footway & pedestrian crossing works on Creake Road) as indicated on Drawing No. 61 P02 Rev C have been submitted to and approved in writing by the Local Planning Authority
- 13 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.
- 14 Condition: Prior to the first occupation/use of the development hereby permitted the off-site highway improvement works referred to in condition 13 shall be completed to the written satisfaction of the Local Planning Authority.
- 14 Reason: To ensure that the highway network is adequate to cater for the development proposed.
- 15 Condition: No works shall commence on the site until the Traffic Regulation Order for an extension to the 20 mph speed limit on Creake Road has been promoted by the Local Highway Authority.
- 15 Reason: In the interests of highway safety. This needs to be a pre-commencement condition which needs to be resolved at an early stage in the process.
- 16 Condition: No development over or above foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, lighting, furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants and trees noting species, sizes and proposed numbers and densities where appropriate. Trees must be formatively pruned, with a well-balanced crown. Broadleaf trees should have a clean, straight single stem with a good taper, unless another trait is specified, i.e. multi-stemmed, fastigiated or feathered. This is in accordance with British Standard 5837 (2005).
- 16 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.
- 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 take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- 18 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 19 Condition: No development shall take place other than in accordance with the written scheme of investigation approved under condition 18.
- 19 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 20 Condition: The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 18 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 20 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 21 Condition: Prior to the first occupation of the development hereby approved, details of the method of lighting and extent of illumination to the access roads, footpaths, parking, and circulation areas shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented as approved prior to the occupation of the development or any phase of the development to which it relates and thereafter maintained and retained as agreed.
- 21 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 22 Condition: No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 22 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.
- 23 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must

be undertaken in accordance with current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

- 23 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 24 Condition: Prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 24 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 25 Condition: No existing hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 25 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.