

**AGENDA ITEM NO: 9/3(b)**

<b>Parish:</b>	<b>Burnham Market</b>	
<b>Proposal:</b>	<b>Proposed Self-Build Replacement Dwelling Following Demolition of Existing Chalet.</b>	
<b>Location:</b>	<b>Lowood Herrings Lane Burnham Market King's Lynn PE31 8DW</b>	
<b>Applicant:</b>	<b>Mr T Roberts</b>	
<b>Case No:</b>	<b>25/01058/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs Jade Calton</b>	<b>Date for Determination:</b> <b>18 August 2025</b> <b>Extension of Time Expiry Date:</b> <b>14 October 2025</b>

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

**Neighbourhood Plan:** Yes

### **Case Summary**

This application is for the demolition of an existing two storey house along Herrings Lane in Burnham Market and construction of a replacement self-build two storey dwelling.

The application site is approximately 0.1ha in size, located on the east side of Herrings Lane. The site is approximately 130m from Burnham Market's Conservation Area and within the National Landscape.

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

### **Key Issues**

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

### **Recommendation**

**APPROVE**

## THE APPLICATION

This application is for the demolition of an existing two storey dwelling along Herrings Lane in Burnham Market and its replacement with a more substantial two storey self-build dwelling with additional accommodation in the roof space. The proposed dwelling also incorporates a basement area incorporating a swimming pool, gym, changing room and cinema room.

A proposed single storey double garage would project beyond the front of the two storey element, linked by a single storey element to be used as a study.

The proposed dwelling would be of a more contemporary style than the existing dwelling, incorporating dark grey/black powder coated aluminium doors and windows, but would be finished in more traditional materials, specifically Norfolk Red facing brickwork with flint infill and a natural clay pantiled roof.

The application site is approximately 0.1ha in size, located to the east side of Herrings Lane. The site is approximately 130m from Burnham Market's Conservation Area and within the National Landscape.

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

The site lies within Flood Risk Zone 1: Low risk from flooding.

There are no trees on or adjacent to the site protected by a Tree Preservation Order.

## PLANNING HISTORY

2/93/1413/F Permission refused for construction of detached garage

2/93/0742/F Permission granted for construction of detached garage in association with proposed replacement dwelling

## RESPONSE TO CONSULTATION

Parish Council: **NO OBJECTION** - On re-consultation following the submission of revised plans to reduce the depth, bulk and massing of the proposed development, the Parish Council have removed their objection to this application but would like the following comments to be noted:

"The Parish Council (PC) requires all applicable policies in the Burnham Market Neighbourhood Plan and Design Guidance to be strictly enforced, in particular those relating to Policy 6 (Design and materials), Policy 8 (BNG), and Policy 11 (Dark Skies). In addition, the Parish Council requests a condition to be stipulated that all traders vehicles must be parked on site or on other public car parking spaces. Herring Lane is very narrow and must not be blocked"

Anglian Water – **OBJECTION**: Anglian water do not object to the principle of development but has stated it objects to the replacement dwelling being connected to the network until the applicant can demonstrate there is sufficient capacity to accommodate additional flows. At present, Anglian Water anticipates this to be 2030. Their comments are as follows:

"This site is within the catchment of Burnham Market Water Recycling Centre (WRC), which currently lacks the capacity to accommodate the additional flows generated by the proposed development. However, Burnham Market WRC is included within our Business Plan as a

named growth scheme with investment delivery planned between 2025-2030. To ensure there is no pollution or deterioration in the receiving watercourse due to the additional foul flows that would arise from the development, we recommend a planning condition is applied if permission is granted.

Condition: Prior to occupation written confirmation from Anglian Water must be submitted confirming there is sufficient headroom at the water recycling centre to accommodate the foul flows from the development site. This condition shall cease to have effect if the development is first occupied after April 2030.

Reason: to protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 187 of the National Planning Policy Framework.

The sewerage system at present has available capacity for these flows. However as advised above, any connection into our foul network from the proposed development will contribute to pollution and deterioration of the watercourse via the WRC. As stated in the objection above, the receiving WRC cannot accommodate additional flows. If LPA is minded to grant approval despite of our WRC objection, the developer will need to serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.”

Historic Environment: **NO OBJECTION:** The proposed development is located a short distance to the northwest of a highly significant Early to Mid Anglo-Saxon cemetery, now a Scheduled Monument. In addition a short distance to the northeast lies the medieval church of St Margaret, with cropmarks of a possible associated settlement. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development. If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework, Ministry of Housing, Communities & Local Government (2024) para. 218.

Council - Arboricultural Officer: **NO OBJECTION:** Following the submission of an amended arboricultural report and plans to re-position the proposed driveway and parking area further from a mature Silver Birch in the front garden of Polstead to the north, the Arboricultural Officer is satisfied that there would be no adverse impacts upon trees. This is subject to a condition to cover the protection and retention of the Silver Birch tree on site during demolition and construction work.

Council - Ecologist: **NO OBJECTION** comments summarised as follows:

In relation to the Preliminary Bat Roost Assessment (Iceni Ecology Ltd, October 2024) and Bat Survey Report (Iceni Ecology Ltd, June 2024): The PRA assessed the building on site to have moderate potential to support roosting bats. Two further surveys were recommended to understand the buildings potential use by bats. These surveys were subsequently undertaken between 12th May 2025 17th June 2025 and reported within the Bat Survey Report. No bats were observed emerging from the building and relatively little activity was recorded generally though passes from noctule, common and soprano pipistrelle were recorded during the first survey and an additional single pass by Daubenton's on the second survey.

## REPRESENTATIONS

**THREE** neighbours have written in **SUPPORT** of the application citing:

- high quality design;
- the use of appropriate materials;
- design features that complement neighbouring properties.

**TWO** letters of **OBJECTION** have been received from the co-owners of Polstead, the bungalow directly to the north of the proposed development. In summary, the objections are on the following grounds:

- overbearing impact
- loss of light and sunlight to Polstead, it's garden and, in particular, to a lounge at the rear of the property.
- Loss of privacy grounds due to overlooking from windows to the proposed dwelling. In particular, concern has been raised about high level windows on the northern elevation and rear facing windows to a balcony.
- light spill from the proposed development upon local wildlife.
- Proximity of footings associated with the basement and their proximity to Polstead.

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

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

**LP03** - Neighbourhood Plans (Strategic Policy)

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

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

**LP16** - Norfolk Coast National Landscape (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)

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

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

## NEIGHBOURHOOD PLAN POLICIES

**Policy 11:** Dark Skies

**Policy 12:** Surface Water Management

**Policy 4:** Replacement Dwellings

**Policy 6:** Design

**Policy 7:** Residential Parking Standards

**Policy 8:** Biodiversity and Green Corrido

**Policy 11:** Dark Skies

## **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 CONSIDERATIONS**

**The main considerations are:**

- Principle of development
- Form and character
- Impact on neighbour amenity
- Impact on Protected Tree
- Highway safety
- Flood risk and drainage
- Ecology
- Any other matters requiring consideration prior to determination of the application

### **Principle of Development:**

In line with Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023, Policy LP16 of the Local Plan 2021-2040 states that planning permission for any proposal within the National Landscape or affecting the setting of the National Landscape will only be granted when it:

- a) Conserves and enhances the Norfolk Coast National Landscape Area’s special qualities, distinctive character, tranquility and remoteness in accordance with national planning policy and the overall purpose of the National Landscape designation; and avoids adverse impacts from individual proposals (including their cumulative effects), unless these can be satisfactorily mitigated; and
- b) Is appropriate to the economic, social and environmental wellbeing of the area or is desirable for its understanding and enjoyment.

Burnham Market is a Tier 4 settlement under the Local Plan 2021-2040. The application site is within the development boundary of Burnham Market. The application is for a replacement dwelling and the principle of development is considered acceptable, subject to other local plan policies.

## **Form and Character and Impact on the National Landscape:**

Herrings Lane comprises a mix of large contemporary style and traditional bungalows and two-storey dwellings within generous plots. Policy 6 of the Burnham Markets' Neighbourhood Plan (BMNP) designates Herrings Lane as part of CA4 - Edge Development, where the design code and guidance (Appendix B) describes development as residential with linear development of detached and semi-detached houses. Houses range from 1-2 storey in height and typical roofline include pitched or hipped pantile roof. Materials include red brick, gault brick, plaster, red pantiles, weatherboarding, black glassed pantiles, course chalk and slate.

Lowood is a two storey chalet style dwelling, situated within a generous plot, bounded by soft landscaping. The existing dwelling measures approximately 7.5m tall, 13.5m wide, and 13.9 deep. The dwelling is finished in red facing brick, with timber detailing and a red pantiled roof.

The application proposes demolition of the existing two storey dwelling and its replacement with a more substantial two storey self-build dwelling with additional accommodation in the roof space. The proposed dwelling also incorporates a basement area incorporating a swimming pool, gym, changing room and cinema room.

Plans for the replacement dwelling have been amended through the course of the application to address the impact on neighbours, impact on a third party tree, and account for the neighbourhood plan policies. Specifically, the depth of the two storey rear element in proximity to Polstead has been reduced and the access and parking area has been re-positioned further from the Silver Birch tree in the neighbouring garden.

It is noted that the re-sited access would require the removal or repositioning of a BT telegraph pole. This lies outside the red line boundary and would require a consent from the relevant authority. It is not a planning consideration.

Policy 4 (replacement dwellings) of the Neighbourhood Plan (NP) states: "Proposals for replacement dwellings will be supported provided that:

- a) They are appropriate to their location with the new dwelling integrating into the surrounding;
- b) Do not unacceptably affect the amenity of neighbouring properties;
- c) They are on a one-for-one basis; and
- d) Redevelopment of farm buildings should follow the design guidance set out under BF08- Design of Agricultural Buildings of the Design Codes and Guidance Document (2022)."

The proposal is considered to meet a) and c) of the policy. The proposal is for a replacement dwelling, with no net increase in the number of dwellings on the site. Furthermore, the proposed dwelling is considered appropriate to its location along Herrings Lane, which predominantly comprises two-storey contemporary dwellings. Although approved prior to the adoption of Burnham Market's neighbourhood plan, these contemporary two-storey dwellings form part of the context and character of Herrings Lane.

Point d) of Policy 4 of the BMNP is not relevant to the application as the application does not involve the redevelopment of a farm building. Finally, point b) will be discussed below, in the 'Neighbour Amenity' section of the report.

When considering Policy 6 (Design) of the BMNP, the Policy does not explicitly state that dwellings cannot be taller than the existing building. Point b of Policy 6 states "New development should have due regard to the heights and rooflines of other buildings in the area and the generally low profile of buildings. Typically, 1 to 2 storey buildings with pitched or hipped roofs depending on the character area. Dormer windows in the roof will not be supported."

The proposal is a two-storey construction, with roof accommodation. The dwelling would range between 7.8m and 9.1m tall (depending on the surrounding ground level), approximately 1.6m max taller than the existing dwelling, and is consistent with dwellings along Herrings Lane. For instance, along the other side of Herrings Lane, to the west, Burnham Rise is 8.3m tall, Leewood Verona is 8.9 tall, Spinney House is 9.6m tall, Long Meadow is 8.4m tall and Wildwood Cottage is 10.3m tall ; to the north, Saltmarsh is 6.9m tall; and to the south, Polstead is 5.6m tall.

The verdant character of Herring's Lane would remain with the retention of an established hedge along the northern boundary and Silver Birch tree (not protected by a TPO) to the north of the site. The access to the proposed dwelling would be positioned further north along the front boundary than the existing access to Lowood and the frontage would include a low masonry wall and gates set back from the frontage. Hard surfacing would be installed to the front of the site for the parking and turning area, and to the south of the proposed dwelling, as a patio area. The rest of the site would be grass. The proposed driveway, frontage treatment and landscaping would generally comply with Policy 6, point d, e, f, g, h, i and j of BMNP regarding linear settlement pattern and building layout, natural surveillance from the layout of proposals, appropriate boundary treatments, front and back garden ratios, and appropriate landscaping to screen parking at the front of sites and landscaping within the site.

Policy 11 of BMNP seeks to protect the dark skies environment. The policy states "where internal lighting would have an impact on residential amenity or wildlife, development proposals should incorporate suitable mitigation measures". Ten roof lights are proposed. Other glazing would be of contemporary design with large panels of glazing to the east and west elevations. The Agent has agreed to a 'smart glass' or visible light transmission (VLT) tint scheme, which will be secured via condition. Having regard to the fact that this is a replacement dwelling in a built up area, the condition for VLT is considered to satisfactorily comply with Policy 11 of BMNP.

For the reasons set out above, the proposal is considered to comply with Policies LP16, LP18, LP19 and LP21 of the Local Plan 2021-2040, Policy 4, 6, and 11 of the BMNP, and the NPPF.

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

As Sandy Toes is to the south of the site, there would be no material impact upon sunlight or day light to this property. The proposed new dwelling would also not project beyond the rear of Sandy Toes and there would be no windows overlooking Sandy Toes . This would be an acceptable relationship.

Polstead is a single storey dwelling to the north. There is a large side window serving a lounge/ dining area on the southern elevation and side/rear windows to a conservatory. These windows currently look out onto the existing 3m high Beech Hedge and the existing

house at Lowood. Although the proposed development would be 1.2m closer to Polstead than the existing dwelling and 1.4m higher, the change in outlook from these windows would not be so significant to warrant a refusal.

The two storey rear element of the proposed dwelling would project approximately 3.5m beyond the existing house at Lowood but would be off-set from the northern boundary by 2.7 and 5.5m from the southern wall of Polstead. Also, Polstead is set within a large mature garden. Having regard to both these factors, it is also considered that the scale and massing of the proposed rear projection would be acceptable.

The existing house at Lowood and the boundary hedge combined with the existing 3m high means there is already a degree of overshadowing to the rear lounge windows of the neighbouring property and garden immediately behind the house. This relationship would not be materially changed as a result of the proposed development. As noted above, while there would be some increase in overshadowing to the garden beyond this, Polstead has a large garden and any increase in overshadowing would not be so significant to warrant a refusal.

The only first floor windows proposed on the northern elevation of the proposed dwelling would serve a bathroom. There would be no first floor windows serving habitable rooms on the northern elevation. Outlook from the proposed ground floor windows would be to a fence and the established 3m high boundary hedge. Whilst the proposed development would comprise an increased area of rear windows than compared to the existing chalet at Lowood, these proposed windows would have a similar outlook onto Polstead's garden as the existing dwelling. The first floor windows within the rear projection nearest Polstead serve a master bedroom. They comprise a Juliette balcony not full balcony. Taking into account all these factors, it is not considered that there would be an undue loss of privacy.

For the reasons set out above, the proposal would comply with Policy LP21 of the Local Plan 2021-2040 and Policy 4 of BMNP regarding impact on neighbours.

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

There are no trees on or adjacent to the site that are the subject of a Tree Preservation Order.

The application includes an Arboricultural Impact Assessment to support the application. The only tree of significance is a mature Silver Birch in the front garden of Polstead and the mature Beach hedge along the boundary with Polstead. A condition is proposed to secure details for the protection of this tree and hedge in line with the Oakfield Arboricultural report dated 15 August 2025.

In terms of the impact on trees, the proposal would comply with Policy 6 of the BMNP, LP21 and LP23 of the Local Plan 2021-2040.

#### **Highway Safety:**

The proposed dwelling would be a five-bedroom dwelling. In accordance with Policy LP14 of the Local Plan 2021-2040, Policy 7 of the Neighbourhood Plan and Norfolk's Parking Standards, three parking spaces would be required. Given the size of the front garden and amount of hard surfacing proposed, three parking spaces could be provided on site, with additional parking within the proposed garage.

In terms of highway safety and parking provisions, the proposal would comply with Policy LP14 and LP21 of the Local Plan 2021-2040, Policy 7 of the Neighbourhood Plan and Norfolk Parking Standards.

## **Flood Risk and Drainage:**

The application site is located in Flood Zone 1, which has the lowest risk of flooding. Furthermore, the site is not within the Coastal Hazard Zone identified under Policy LP17 of the Local Plan 2021-2040.

Anglian water do not object to the principle of development but has stated it objects to the replacement dwelling being connected to the network until the applicant can demonstrate there is sufficient capacity to accommodate additional flows. However, as the proposed development would be replacing a dwelling that is already connected to the network within the built-up settlement of Burnham Market, it is not considered that a condition restricting occupancy until 2030 would be reasonable. It is also worth noting that the applicant could build reasonably substantial extensions to the existing dwelling under permitted development rights. Notwithstanding this, with regards to the swimming pool element, the applicant has sought advice from a drainage consultant and agreed to install a holding tank with a control system that holds the water for 5 to 7 days until the chlorine dissipates, then slowly releases the water into soakaways using a control system. This would be secured through condition.

Due to the topography of the land, it is reasonable to impose a condition regarding surface water drainage to ensure there would not be a detrimental impact in terms of run-off on surrounding neighbours. This condition has been agreed by the Planning Agent.

In terms of drainage, the proposal would comply with Policy LP18 and LP21 of the Local Plan 2021-2040 and Policy 12 of the BMNP.

## **Ecology:**

Protected Species:

No bats were observed emerging from the building and relatively little activity was recorded generally. Therefore, there would be no significant adverse impacts upon protected species.

Biodiversity Net Gain:

The applicant has claimed an exemption from Biodiversity Net Gain under the self-build and custom build exemption within the NPPF. Therefore, Burnham Market Neighbourhood Plan Policy 14 (NPP 14) which outlines requirements for Biodiversity Net Gain for all development would not apply in this case.

## **Historic Environment:**

Due to the proximity of the site to a highly significant Early to Mid Anglo-Saxon cemetery, (Scheduled Monument), it is appropriate to impose a condition requiring a written scheme of investigation to be submitted for approval in accordance with Policy LP20 and the NPPF.

## **CONCLUSION:**

This application is for a replacement dwelling at Lowood, Herrings Lane in Burnham Market. The site is within the National Landscape but does not fall within Burnham Market's Conservation Area.

Although the replacement dwelling is larger than the existing dwelling, the proposal would remain consistent with Policy 4 and 6 of BMNP, being relative in height to surrounding

properties along Herrings Lane. It would have an acceptable relationship within the street scene and in terms of its impact on neighbouring property.

Other consultees such as Environmental Quality, Ecology, Arboriculture and Historic Environment have raised no objections, subject to conditions.

The reason for referral of the application to Committee relates to the objection raised by Anglian Water. However, as the proposed development would be replacing a dwelling that is already connected to the network within the built-up settlement of Burnham Market, it is not considered that imposing a condition restricting occupancy until 2030 would be reasonable in this case.

The development is therefore considered acceptable in accordance with Policy LP06, LP14, LP16, LP18, LP19, LP20, LP21, and LP23 of the Local Plan 2021-2040 and Policies 4, 6, 7, 11, and 12 of the Burnham Market Neighbourhood Plan, and the provisions of the NPPF. As a result, it is recommended for approval subject to the following conditions and reasons.

## **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:  
  
895/24/02 Rev D Proposed Site Plan & Existing & Proposed Street Scene  
895/24/03 Rev C Proposed Floorplans  
895/24/04 Rev B Proposed Elevations and Sections
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Notwithstanding the details of the approved plans, 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.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with LP18 and LP21 of the Local Plan 2021-2040, and the principles of the NPPF.
- 4 Condition Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no new windows on the northern elevation, enlargement of the dwelling consisting of the addition or alteration to its roof, and additional roof lights (other than those expressly authorised by this permission) shall be allowed without the granting of specific planning permission.

- 4 Reason To avoid any overlooking or perception of overlooking, to maintain the residential amenity of occupiers of neighbouring properties in accordance with LP21 of the Local Plan 2021-2040 and provisions of the NPPF.
- 5 Condition Before the first occupation of the dwelling hereby permitted the first floor ensuite and dressing room windows on the north elevation, shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- 5 Reason To avoid any overlooking or perception of overlooking, to maintain the residential amenity of occupiers of neighbouring properties in accordance with LP21 of the Local Plan 2021-2040 and provisions of the NPPF.
- 6 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. These details shall include finished levels or contours, hard surface materials and boundary treatment including the proposed front boundary wall and gates. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 6 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 7 Condition All hard and soft landscape works shall be carried out in accordance with the approved details of condition 6. 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.
- 7 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 8 Condition Prior to the occupation of the dwellinghouse hereby permitted, a scheme for Visible Light Transmission (VLT) of no more than 0.65 VLT, 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 and retained thereafter.
- 8 Reason To minimise light pollution and ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF and LP21 of the Local Plan 2021-2040 and Policy 12 of Burnham Market's Neighbourhood Plan and to limit the impact of the replacement dwelling in the wider National Landscape.
- 9 Condition Prior to commencement of the development hereby approved, all Tree Protection Measures, tree removals, and tree pruning coppicing, and Arboricultural site supervision, shall be implemented in accordance with the Oakfield Tree Protection Plan OAS 25-240-TSO3A dated August 2025. The Tree Protection Barriers/ground protection shall be erected in accordance with BS 5837:2012 (Section 7.4.2.3) and shall be retained intact for the full duration of the development work hereby approved until all equipment, materials and surplus materials have been removed from the site. If

the Tree Protection Barriers/ground protection is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

- 9 Reason To avoid damage to the existing trees on and off site to be retained including the Cedar tree protected by Tree Preservation Order 2/TPO/00688 in accordance with LP21 and LP23 of the Local Plan 2021-2040.
- 10 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 3 and 6) Nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation.
- 10 Reason To safeguard archaeological interests in accordance with the principles of the NPPF and LP20 of the Local Plan 2021-2040.
- 11 Condition No development shall take place other than in accordance with the written scheme of investigation approved under condition 10.
- 11 Reason To safeguard archaeological interests in accordance with the principles of the NPPF and LP20 of the Local Plan 2021-2040.
- 12 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 10 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 12 Reason To safeguard archaeological interests in accordance with the principles of the NPPF and LP20 of the Local Plan 2021-2040.
- 13 Condition The flat roof area to the rear (eastern) elevation of the dwelling hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the granting of a further specific planning permission.
- 13 Reason In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF and LP21 of the Local Plan 2021-2040.
- 14 Condition Notwithstanding the provisions of Schedule 2, Part 1, Class B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additions etc and other alterations to the roof of a dwellinghouse shall be allowed without the granting of specific planning permission.

- 14 Reason In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF and LP21 of the Local Plan 2021-2040.
- 15 Condition Prior to the commencement of development, details of the proposed holding tank and control system to manage water drainage from the swimming pool hereby approved shall be submitted to the Local Authority for approval. The development shall only be carried out in accordance with the approved details which shall be retained in perpetuity or until such time that it can be demonstrated that there is sufficient capacity to accommodate additional flows to the network.
- 15 Reason To protect water quality, prevent pollution and secure a sustainable development having regard to paragraphs 7/8 and 187 of the National Planning Policy Framework
- 16 Condition No development, other than the demolition of the existing dwelling, shall commence on site until full details of the surface water drainage arrangements 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.
- 16 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 17 Condition Self Build:
- i. The dwelling hereby permitted shall be constructed as a self-build dwelling within the definition of a self-build and custom build housing in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016), and
  - ii. The first occupation of the dwelling hereby permitted shall be by a person or persons who had a primary input into the design and layout of the dwelling and who will live in the dwelling for at least 3 years, and
  - iii. (iii) Prior to the first occupation of the dwelling the Council shall be notified of the person(s) who will take up first occupation of the dwelling.
- 17 Reason To ensure the satisfactory development of the site as a genuine self-build and/or custom dwelling, in accordance with the NPPF (2024) and Schedule 7A of the Town and Country Planning Act 1990 for Biodiversity Net Gain.