

<b>Parish:</b>	<b>Castle Acre</b>	
<b>Proposal:</b>	<b>SELF- BUILD AND PART RETROSPECTIVE- Erection of replacement dwelling (part retrospective) and detached garage.</b>	
<b>Location:</b>	<b>Ran Revir Bailey Street Castle Acre King's Lynn PE32 2AG</b>	
<b>Applicant:</b>	<b>Mr M Green</b>	
<b>Case No:</b>	<b>25/01297/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Helena Su</b>	<b>Date for Determination:</b> <b>7 October 2025</b> <b>Extension of Time Expiry Date:</b> <b>7 November 2025</b>

**Reason for Referral to Planning Committee** – Application was referred by Planning Committee Sifting Panel on 8<sup>th</sup> October 2025

**Neighbourhood Plan:** Yes

### Case Summary

The proposal is a part-retrospective application for a self-build dwellinghouse and detached garage at Ran Revir, Baily Street, Castle Acre, PE32 2AG.

The site is approximately 0.11ha in size comprising residential garden land with the remains of a recently demolished detached bungalow and foundations of the replacement dwelling to the north of the plot.

The site is within Castle Acre's Neighbourhood Plan area (adopted in February 2022), development boundary identified within the Local Plan 2021-2040, and Conservation Area. The site is last dwelling of the southern edge of Castle Acre along Bailey Street. The vehicular access to the site is opposite the junction of Blind Lane with Bailey Street.

Planning permission under reference 24/00256/F was refused in December 2024 for the same development due to an inadequate flood risk assessment which did not comply with the requirements for a site-specific flood risk assessment set out in paragraph 20 and 21 of the PPG and impact of the proposal to the loss of the flood plain storage. This application seeks to address the reason for refusal for a new dwelling on this site.

### Key Issues

Planning History  
 Principle of Development  
 Flood Risk and Drainage  
 Ecology  
 Impact on Form, Character and Conservation Area  
 Impact on Neighbour Amenity  
 Highway Safety

Planning Committee  
3<sup>rd</sup> November 2025

Historic Environment and Archaeology

Any other matters requiring consideration prior to determination of the application

**Recommendation: APPROVE**

## THE APPLICATION

The application seeks partially retrospective planning consent for the construction of a replacement dwelling at Ran Revir, Bailey Street, Castle Acre.

The application site comprises residential garden land with the remains of a recently demolished detached bungalow and foundations of the replacement dwelling to the north of the plot. The application site is positioned to the East of Bailey Street and is the last of the row of houses on the southern edge of the village of Castle Acre. The vehicular access to the site is opposite the junction of Blind Lane with Bailey Street.

The current application follows a recently refused planning application, reference 24/00256/F, which was refused due to an inadequate flood risk assessment that did not comply with the requirements for a site-specific flood risk assessment set out in paragraph 20 and 21 of the PPG and impact of the proposal to the loss of the flood plain storage. This application seeks permission to regularise the development on the site, which is for a replacement dwelling.

Previous to this, a Section 73 application to amend the approved plans granted under planning reference 17/00341/F, was considered by the Planning Committee in 2023, under reference 23/01006/F. This application was approved by Planning Committee on 16 November 2023.

The proposed plans indicate the construction of a 3-bedroom single storey replacement dwelling on the footprint of the previous bungalow. A detached garage is also proposed adjacent to the access alongside a low 1m front boundary wall.

The proposed bungalow mimics the design of the approved 23/01006/F extensions and is of a contemporary appearance with elements of traditional detailing, including flintwork along the front elevation. A rear projection proposed is more contemporary in character with a large flat sedum roof which overhangs the rear elevation. Materials to the front elevation would consist of cobbled flintwork infill panels set within red brick quoins. An external wall by the front entrance door, an area recessed between two flint bays, would be completed in vertical boarding, hardwood square edge cladding with shadow gaps. Roof slopes would be of clay pantiles, natural clay, with solar panels proposed on part of the east facing roof slope.

The detached garage is proposed to be clad in vertical hardwood and set on a brick plinth.

The footprint of the bungalow is within the development boundary of Castle Acre within the Local Plan 2021-2040, the Neighbourhood Plan area of Castle Acre (adopted in February 2022), and the Conservation Area.

Information on the Environment Agency website shows that the property has a high risk of flooding being within Flood Zone 3b, which is an area for flood storage during an event of flooding. As a result, floor levels are proposed to be raised by approximately 30cm above the

Planning Committee  
3<sup>rd</sup> November 2025

existing finished floor levels of the demolished bungalow. This results in an approximately 30cm increase in total height of the structure versus the previous consent.

Lastly, the River Nar adjoins the site to the east is a Site of Special Scientific Interest (SSSI).

## **SUPPORTING CASE**

None submitted.

## **PLANNING HISTORY**

24/00256/F: Application Refused: 13/03/25 - Erection of replacement dwelling (part retrospective).

23/01006/F: Application Permitted: 16/11/23 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION 17/00341/F: Proposed rear extension, various internal and external alterations, including garage conversion to bedroom, reconfiguration of existing fenestration and replacement roof covering. Erection of new detached double open fronted carport. (COMMITTEE)

17/00341/F: Application Permitted: 23/05/17 - Proposed rear extension, various internal and external alterations, including garage conversion to bedroom, reconfiguration of existing fenestration and replacement roof covering. Erection of new detached double open fronted carport

15/00552/F: Application Refused: 08/06/15 - Demolition of existing garage, proposed first floor extension over existing bungalow, proposed 2-storey side extension including glazed link, proposed balcony extensions, proposed basement and various internal alterations (APPEAL DISMISSED)

14/01702/F: Application Refused: 23/01/15 - Demolition of existing garage, proposed first floor extension over existing bungalow, proposed 2-storey side extension including glazed link, proposed balcony extensions to rear, proposed basement and various internal alterations

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECT**

CAPC considers this to be effectively a new application, considering the 'part retrospective' aspects with reference to the previous property which was located at this site. The Council noted that the previous property has been demolished without the appropriate permissions.

This is a particularly sensitive site. It sits on the south-western approach to the historic conservation village (alongside the Peddars way) and is in the foreground of the conservation area and views of the Castle SM. Being adjacent to the entrance of the village, this location has both historic and archaeological significance. The River Nar with its SSSI habitats and designated protected species are to the eastern boundary of the development site.

The Council notes the proposed eastern extension to the former building's footprint extends to within approx. 4.5 metres of the riverbank which is in the heart of the sensitive riparian zone. The proposed extension is located within the 10 metres development boundary which is in place to protect the River Nar SSSI. The Council believes that appropriate permission from all those responsible for the maintenance of the river Nar riparian zone adjacent to the property should be obtained.

CAPC hopes that all Consultees including the IDB, EA, Norfolk Rivers, Norfolk Historic Environment, Natural England, Historic England consider the riparian rights, and impact on the SSSI. CAPC believes such a development, with its significant increase in footprint, conflicts with the recent Biodiversity Net Gains laws and will have an adverse impact on nature conservation.

**Highways Authority: NO OBJECTION** in principle, subject to conditions.

**Environment Agency: NO OBJECTION** subject to conditions.

EA have reviewed the submitted Flood Risk Assessment (FRA) (Ellingham Consulting Ltd, December 2024) and the Flood Risk Review (BLI Consultant Engineers, July 2025) which provides additional information concerning the flood risk compensation scheme. EA consider these documents to be acceptable for the scale and nature of the proposed development.

EA have no objection to the proposed development but request that conditions are appended to any permission granted.

**Internal Drainage Board:** Consent has been granted under Byelaw 10 (works within 9 meters of a Board maintained watercourse) and Byelaw 3 (Discharge of water to a water course - surface water). Other consents may be required.

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

- Should sign up to the Environment Agency flood warning system if available (0345 988 1188 or [www.gov.uk/flood](http://www.gov.uk/flood) )
- A flood evacuation plan should be prepared (more details at [www.gov.uk/flood](http://www.gov.uk/flood) ):

- This will include actions to take on receipt of the different warning levels.
- Evacuation procedures eg isolating services and taking valuables etc
- Evacuation routes

**Conservation Officer: NO OBJECTION**

As previously, there are no objections as the building is single storey and limits light spill. While it is a modern design, the previous building was also a strikingly different design to the historic buildings around it, there will therefore be no additional harm caused to the conservation area or the scheduled monument from this proposal. Please consider conditions relating to; Sample panels of the flint to be completed on site: Samples of the pantile and the wooden cladding to be available on site.

**Historic Environment Team: NO OBJECTION** subject to pre-commencement conditions.

The proposed development site is located in an area of high archaeological interest, c. 60 m south of the southern ramparts of Castle Acre castle. Remains of medieval and post medieval road surfaces have been identified during sewage works here and it is possible that goods were transported to the castle from the river in this area. The remains of a

Planning Committee  
3<sup>rd</sup> November 2025

medieval building have been investigated to the north and numerous artefacts of this date have been discovered in the vicinity. 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'.

**Natural England:** No comment made at the time of writing.

## **Ecology Officer: NO OBJECTION**

### Initial comment:

Primarily, the CEMP is still written in the future tense in which protective measure will be put in place prior to commencement. One such measure set out within the CEMP is that a pre-inspection for protected species will be undertaken within 48 hours of commencement. The development has commenced so it would be more appropriate to report that an inspection has taken place and report the result rather than that one will take place, if that is actually the case.

Usually, a CEMP can be conditioned but given that works are already commenced and impacts to protected species and sites may already be happening it is not appropriate to do so in this case.

I could not support this application until the CEMP is agreed. Once this is agreed it would be appropriate to condition that a statement of compliance is provided by the Ecologist once the works are complete. If the application is refused, the continuing impact that this unconsented development is having on the River Nar SSSI should be cited as a reason.

I also note that no information as to how the development will deliver a measurable net gain under the NPPF has been provided. There will almost certainly be a net loss in biodiversity under the current plans which is contrary to the NPPF.

### Latest comment:

The Ecologist confirms that the documents is as requested (stating works already carried out and works to be carried out, accounting for the retrospective nature of the application). In this case can removed the Ecologist's objection and request the works to be conditioned in accordance with the document.

The CEMP has some bat and bird boxes specified on the plan included within it.

## **REPRESENTATIONS**

**ONE** Letter of **OBJECTION** received comments summarised as follows:

- IBD are responsible for rivers and their banks and not flooding elsewhere. Consent was given in IDB which is irresponsible.
- The original building was demolished without permission and therefore illegally. The application should be for a new building.
- May have contributed to flooding of my property and could lead to flooding and erosion in the future
- May lead to flooding of highway at Jubilee Bridge
- New application is larger than original, single storey dwelling with a sizable double garage

- Could harm protected species such as otters, swans, grass snakes, rats, weasels, stoats, water voles.

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

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

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

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

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

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

**LP14** - Parking Provision in New Development

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

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

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

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

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

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

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

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy HD.3** Design

**Policy HE.2** Conservation Area

**Policy HE.3** Castle Acre's Local Character and Vernacular Architecture

**Policy NE.2** Habitats and Natural Features

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **OTHER GUIDANCE**

Castle Acre Conservation Area Statement

## **PLANNING CONSIDERATIONS**

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

Planning History  
Principle of Development  
Flood Risk and Drainage  
Ecology  
Impact on Form, Character and Conservation Area  
Impact on Neighbour Amenity  
Highway Safety  
Historic Environment and Archaeology  
Any other matters requiring consideration prior to determination of the application

### **Planning History:**

There is previous planning history on this site which is material to the application.

In 2015, an application for a two-storey extension to the original 1960's bungalow was submitted, refused and dismissed on appeal for its impact on the Conservation Area.

To address the 2015 refusal and dismissed appeal a householder application was submitted and approved in 2017 for a rear extension and alteration to the bungalow at Ran Revir, and the construction of a detached double open fronted carport (planning reference 17/00341/F).

A subsequent Section 73 application was made in 2023 (planning reference 23/01006/F) to vary the approved plans of the 2017 application. These changes included the changes to fenestration and materials and the addition of solar panels. This application was presented and approved by Planning Committee.

Following enforcement investigations, a recent full planning application was submitted to rectify the demolition of the existing bungalow by seeking consent for the part-retrospective erection of a bungalow (planning reference 24/00256/F). According to the application form of planning reference 24/00256/F, works begun on 07 December 2023. The application was refused due to the absence of an adequate flood risk assessment and impact of the flood plain.

This application is an identical submission to the 2024 application, addressing the previous reason for refusal.

### **Principle of Development:**

The footprint of the dwellinghouse would fall within the development boundary of Castle Acre.

Castle Acre is classified as a Tier 4 (Key Rural Service Centre) settlement under Policy LP01 of the Local Plan 2021-2040.

Policy LP02 of the Local Plan 2021-2040 supports residential development within the development boundaries of settlements in Tier 1 - 6 settlements where it complies with part 1 of LP02.

The proposal is considered to meet part 1a and d: it would result in a sustainable design of development which would respect and enhance local character, contribute to placemaking

Planning Committee  
3<sup>rd</sup> November 2025

and reinforce local distinctiveness, and readily assimilate into the settlement in accordance with LP18, LP21 and LP22. Furthermore, the proposal is considered to comply with the general environment and landscape setting policies set out in LP06, LP15, LP16, LP19, LP23 and LP26. This will be discussed further under the 'Impact on Form, Character and Conservation Area' section of the report. The proposal is for a single dwelling and therefore part 1b is not relevant.

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

Furthermore, the application is for a self-build and custom dwellinghouse.

The self-build and custom nature of the proposal also weighs in favour of the proposal as Footnote 28 of the NPPF explains that the Self Build and Custom Housebuilding Act 2015, (as amended recently by the LURA), places a legal duty "to give enough suitable development permissions to meet the identified demand". The Council currently have not met this legal need. Furthermore, LP31 of the Local Plan 2021-2040 supports applications for self-build and custom dwellings where the proposal complies with other local plan policies. The addition of one dwelling, although limited, would be a positive contribution and therefore is afforded weight in the determination of the application.

#### *Test of Abandonment:*

In addition to the above planning policies, it is important to establish whether the use of the site as residential has been forfeited due to the demolition of the building on the site. The Parish Council and third party commented that the application should be considered as a new dwellinghouse rather than a replacement.

The courts have established "Abandonment" in Planning should be assessed against four criteria. These are: the physical condition of the building, the period of non-use, whether there has been any other use, and the owner's intention.

Whilst the bungalow was demolished in late 2023, the Local Planning Authority is of the opinion that the residential use has not been abandoned. It is evident that it was the owner's intention to continue with the approved development granted under 17/00341/F and 23/01006/F. As such, the residential use of the site is not considered to be abandoned, and the proposal is for a replacement dwelling.

A replacement dwelling within the development boundary of Castle Acre is therefore considered to be acceptable in accordance with LP02 and LP31 of the Local Plan 2021-2040.

#### **Flood Risk:**

Policy LP25 of the Local Plan 2021-2040 states that where sites are at risk of flooding, a site-specific flood risk assessment that considers flood risk from all sources and demonstrates that the proposed development will be safe for its lifetime and satisfactory demonstration that any design or development features necessary to address flood risk issues are compatible with heritage assets in the vicinity is required. All new dwellings should incorporate flood resilient/ resistant construction and design measures and mitigation measures must minimise the risk of flooding on the development site and within the surrounding area.



The application site is within Flood Zone 3b. Flood Zone 3b is functional flood plain. Therefore, the site is land which stores water from the adjoining River Nar during a flood event. A neighbour has raised concerns with flooding on and around the site.

The previous planning application (reference 24/00256/F) was refused due to an inadequate flood risk assessment which did not comply with the requirements for a site-specific flood risk assessment set out in paragraph 20 and 21 of the PPG and impact of the proposal to the loss of the flood plain storage.

To address the reason for refusal, the applicant has submitted a Flood Risk Review (FRR), which was reviewed by the Environment Agency (EA) prior to submission of the planning application, and a Flood Risk Assessment (FRA).

The FRR supports the information within the FRA. Appendix G of the FRR details the provision of a compensatory flood storage. Approximately 46.5 square metre of compensatory flood storage would be provided to the southern portion of the site, away from the adjoining neighbour. The EA has considered that whilst this proposed strategy would not provide level-for-level compensation, the proposed strategy would be preferable compared to the alternative, which was for the creation and maintenance of a channel north of property which could lead to flooding to the adjacent property. This compensatory flood storage would address the neighbours concern for flooding on the site and elsewhere.

Furthermore, the FRA indicates that finished floor levels will be set at 28.02m AOD, 0.3m above the estimated flood level and between 0.4 and 0.6m above surrounding ground level. This would provide a flood risk benefit, with the proposed floor levels around 0.32m above the previous finished floor level of the demolished bungalow. Flood resilient measures are also proposed to the dwellinghouse.

Considering the FRR and FRA, the EA has requested a condition for the development to be carried out in accordance with the FRA and FRR. These conditions are considered necessary for the development. The EA has also asked for a condition to withdraw permitted development rights for the erection of structures and landscaping within areas of flood zone 3 to ensure there is no additional risk to flooding and alteration of the functional flood plain. Whilst the Council could remove permitted development rights for the erection of structures on the site, landscaping is not development. As such, this condition will be modified.

A replacement dwelling is deemed to pass the sequential test set out in paragraph 171-177 of the NPPF. However, paragraphs 178 - 179 of the NPPF states that the exception test is still required. In order to pass the exception test, the development should demonstrate that the development would provide wider sustainable benefits to the community that outweigh the flood risk, and the development would be safe for its lifetime taking account of the vulnerability of users, without increasing flood risk elsewhere and where possible, reducing flood risk overall.

Based on the information provided within the FRA and FRR, support comment from the EA, and nature of the development (for a self-build and custom dwelling), the proposal would pass the exception test by providing wider sustainability benefits, would be safe for its lifetime, and would not result in flooding elsewhere by providing a compensatory flood storage away from adjoining neighbours.

Regarding drainage, the Applicant has indicated that surface water would be dealt with via sustainable drainage means. The Water Management Board (IDB) have granted consent under Byelaw 3 for the disposal of surface water. Foul water drainage is proposed to

connect to the existing system on the site. As a replacement dwelling, it is reasonable to expect there would be connection for foul drainage.

In terms of flood risk and drainage, the proposal would comply with paragraph 178 - 182 of the NPPF and Policies LP06, LP18 and LP25 of the Local Plan 2021-2040.

### **Ecology:**

Policy LP19 of the Local Plan 2021-2040 seeks to protect environmental assets. Proposal should incorporate nature-based solutions, protect landscape character, biodiversity and geodiversity will be encouraged and supported. This is reiterated in large within Chapter 15 of the NPPF.

Policy N.2 of the Neighbourhood Plan seeks to protect natural features, including River Nar SSSI, from development which would have a significant adverse impact upon their character, appearance and wildlife value.

The south boundary of the application site coincides with the River Nar SSSI boundary and therefore impacts upon the protected site must be taken into account as part of this decision. The Parish Council has commented on the sensitivity of the site, being in close proximity to River Nar SSSI boundary.

The application was supported by a Construction Ecology Management Plan (CEMP). A third-party comment raised concern regarding the potential impact to protected species. The CEMP identified there was a potential for common species of amphibian and reptiles, although due to the limited habitat on the site it is unlikely that any significant population is present. Furthermore, no holts or burrows were observed during the survey of the site, which indicated no otters and water voles were present in the adjacent watercourse.

The Council's Senior Ecologist considered that the CEMP needed to be updated as works had commenced on site. An updated CEMP was submitted which outlined works which had already taken place (such as site storage area sited 10m from the watercourse and erection of temporary Heras fencing within 3m of the watercourse) and works which were to be carried out should consent be granted (inspection by the project ecologist 48 hours prior to works commencing, site induction to all contractors prior to works commencing, and other general precautional measures within a certain distance from the watercourse). The Council's Ecologist considers the updated CEMP to be acceptable, subject to condition.

Whilst Natural England has yet to comment on the application, it should be noted that they had no objections to the previous application.

The Parish Council also commented on the lack of biodiversity net gain provision. Whilst the application is retrospective and for a custom and self-build dwelling, and as such BNG does not apply, the NPPF supports development which provides biodiversity improvements. As part of the CEMP, BNG measures such as bat and bird boxes are recommended and shown on the plans within the CEMP, which would contribute towards biodiversity gain.

Subject to the aforementioned conditions, the proposal would comply with Chapter 15 of the NPPF, LP19 of the Local Plan 2021-2040 and Policy NE.2 of the Neighbourhood Plan.

## **Impact on Form, Character and Conservation Area:**

Policies LP18, LP20 and LP21 of the Local Plan 2021-2040 seeks to ensure that all development in the borough is of a high-quality design and conserves and enhances the amenity of the wider environment, reinforcing the distinctive character areas of Conservation Areas. This involves assessing the scale, height, massing, materials and layout of a development to ensure it responds sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.

This is reiterated in paragraph 135 of the NPPF which states that planning decisions should ensure development will function well and add to the overall quality of the area for its lifetime, are visually attractive, sympathetic to local character and history, maintain a strong sense of place, optimise the potential of the site, and create safe, inclusive and accessible places.

The application site is the eastern-end site along Bailey Street, located at the edge of Castle Acre settlement and within the Conservation Area. Bailey Street is characterised by established frontage development to the north by the historic Bailey Gate and becomes less intense heading south where the character becomes more verdant and rural travelling out of the village, with hedge lined roads and parcels of open undeveloped countryside.

The original dwelling on the site was a modern 1960's bungalow, finished in red brick and pantiles, with no notable characteristics, therefore, had a neutral impact on the Conservation Area. The site is bound by hedgerow along adjacent to Bailey Street, a flint and brick wall to the north boundary and open to the east.

The Parish Council has commented on the 'extension' to the original 1960's bungalow. The application is for a replacement dwelling and is assessed as such. The proposed dwelling and carport are identical to the approved scheme under 23/01006/F.

Policy HE.2 of the Neighbourhood Plan states that the established special character of the Conservation Area and its setting will be protected and reinforced by:

- a) Encouraging the retention and maintenance of buildings which contribute to the overall character of the Conservation Area.
- b) Ensuring that new development is sympathetic to the special qualities and character of the Conservation Area.
- c) Protecting the setting of the Conservation Area from development which adversely affects views into or out of the area.

Policy HE.3 of the Neighbourhood Plan states that "All new development irrespective of scale should reflect Castle Acre's local distinctiveness and seek to preserve or enhance the existing visual character of the village. New housing should respect the scale, materials and character of existing and surrounding buildings, reinforce local development patterns and be compatible with the form, scale, massing and character of adjacent properties where this provides a positive contribution. This can be achieved by new developments seeking to incorporate the following important characteristic details within the design of the scheme:

- a) the use of traditional materials such as flint, pantile, slate and render;
- b) the use of sustainable materials;
- c) the use of traditional detailing such as such as quoins, stone and brick lintels, brick bonds, roof lines, window and door types."

Lastly, Policy NE.1 of the Neighbourhood Plan seeks to protect the visual scenic value of the landscape and countryside in the neighbourhood area. Development which adversely

impacts the historic landscape setting of Castle Acre and River Nar Valley will not be supported.

The Planning Committee has already found the appearance of the development acceptable when the considered the application in November 2023 under planning reference 23/01006F.

The replacement dwelling would be more contemporary in appearance, whilst the garage would remain traditional. The replacement dwelling and proposed garage would be sited on the same footprint as the approved scheme under 23/01006/F. The dwelling would measure approximately 17m wide, 12.2m deep, with a front projecting gable which measures 6.1m deep and 5.6m wide. The maximum height of the dwelling would be 4.7m tall. The garage would measure 7.1m deep, 5.6m wide and 4.5m tall. The proposed dwelling and garage retain the low profile of the initial bungalow and would not be a conspicuous form of development when entering the village or in the street scene within Bailey Street. The proposed dwelling's design is considered acceptable for the rural and edge of settlement setting. Moreover, the choice of materials (brick, flint, vertical hardwood cladding and clay pantiles) would not lead to adverse impacts to the Conservation Area as a designated heritage asset.

The Conservation Team has no objections to the proposal subject to conditions for a sample panel of the flint work and sample of other materials to be available to be viewed on site.

In terms of form, character and the Conservation Area, the proposal would comply with LP18, LP20 and LP21 of the Local Plan 2021-2040, Policies HD.1, HE.2, HE.3 and NE.1 of the Neighbourhood Plan, and the NPPF.

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

Paragraph 135 of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

Policy LP21 of the Local Plan 2021-2040 seeks to protect neighbour amenity by assessing proposals against a number of factors including: overlooking, overbearing, overshadowing; noise; odour; air quality; light pollution, for example. Development that has a significant impact on the amenity of others will be refused.

The only immediate neighbour would be No 65 Bailey Street to the north.

Under 23/01006/F, the dwelling would have had a maximum height of 4.4m. The proposed dwelling of this application would increase approximately 30cm to incorporate mitigation for flooding. This minor increase would have limited impact on No 65 when considering loss of privacy, overbearing or overshadowing. The proposed dwelling would remain single storey and approximately 16.4m (at its closest point) from No 65's dwellinghouse.

The garage would be 17.3m from the north boundary and would not affect No 65's amenity.

The proposal therefore complies with Policies LP18 and LP21 of the Local Plan 2021-2040 and Policy HD.3 of the Neighbourhood Plan.

#### **Highway Safety:**

Parking and turning is proposed to the front of the dwelling, alongside a detached garage building. A 1m high brick wall is proposed along the frontage. The proposal has not drawn

Planning Committee  
3<sup>rd</sup> November 2025

objection from the Local Highway Authority and as a replacement dwelling, the principle of an access onto Bailey Street is acceptable.

In terms of highway safety, the proposal would comply with LP14 and LP21 of the Local Plan 2021-2040 and the NPPF.

### **Historic Environment and Archaeology:**

Policy LP20 of the Local Plan 2021-2040 states that "Where development proposals will lead to harm to heritage assets they will be assessed against the relevant criteria in the National Planning Policy Framework, taking into account the scale of harm and the impact on the significance of the heritage asset. Where the loss of the whole or a material part of a heritage asset's significance is justified, planning conditions will ensure that an adequate record is made of the significance of the heritage asset, and this is published appropriately."

Whilst some works have begun on site, it is evident that parts of the scheme, including the proposed compensatory area, could impact on below ground historic assets. However, the Historic Environment Team have raised no objection to the proposal.

The Historic Environment Team has confirmed that the proposed development site is located in an area of high archaeological interest, around 60 m south of the southern ramparts of Castle Acre castle. Remains of medieval and post medieval road surfaces have been identified during sewage works here and it is possible that goods were transported to the castle from the river in this area. The remains of a medieval building have been investigated to the north and numerous artefacts of this date have been discovered in the vicinity. 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.

Therefore, pre-commencement conditions to control the submission of a programme of archaeological mitigatory work prior to commencement of additional works on site have been recommended by the Historic Environment team. The Planning Agent has agreed to the conditions.

In terms of historic environment and archaeology, subject to the conditions, the development complies with LP20 of the Local Plan 2021-2040 and the NPPF.

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

#### *Climate Change:*

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

The proposal includes the provision of solar panels on the eastern roof slope, maximising on solar gains from the layout and orientation of the proposed dwelling. Furthermore, as a new dwelling, building control regulation for energy efficiency is stricter, therefore the resultant dwellinghouse would be more energy efficient. Lastly, the development of this site would result in betterment in flood risk for future occupiers and adjoining properties due to upgrade to the compensatory flood storage and flood resilient and resistance incorporated to the construction of the dwellinghouse.

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

The proposed plans label the 3 total bedrooms as bedrooms 3, 4 & 5. As no other bedrooms are shown on the proposed plans, this application has been considered on the basis of a proposed 3-bedroom bungalow.

IDB consent is a separate process and their byelaws apply. It is noted that the Applicant has sought consent from IDB and consent has been granted. Whilst the neighbour considers the grant of permission from IDB reckless, this is separate from the Planning process and cannot be controlled via this planning application.

Lastly, no objection comments were raised by the Emergency Planning Officer.

### **CONCLUSION:**

The principle of development, for the retention of a replacement dwelling, is considered acceptable. The footprint of the dwelling would fall within the development boundary of Castle Acre. The design and impact of the dwellinghouse and garage to neighbours were considered acceptable by Planning Committee in 2023 under planning reference 23/01006/F. The minor increase to the height of the dwellinghouse are proposed to address the flood risk issues of the site and would not result in conditions detrimental to neighbour amenity.

The Applicant has addressed the previous reason of refusal under reference 24/00256/F, which related to an inadequate flood risk assessment and justification for the loss of a flood plain storage by providing approximately 46.5 square metre of compensatory flood storage to the southern portion of the site. The EA considers this proposal acceptable compared to the alternative of the creation and maintenance of a channel adjacent to the property which could lead to flooding to the adjacent property, namely No 65 Bailey Street.

Following receipt of the updated CEMP which outlines works already carried out and works to be carried out, the Senior Ecologist has removed their objection comment.

Comments raised by the Parish Council and third parties have been addressed in the report. No objections were raised by the Local Highway Authority, Conservation, IDB and Emergency Planning Officer.

Taking the above into consideration, the proposed development accords with Local Plan Policies LP02, LP06, LP14, LP18, LP19, LP20, LP21 and LP31, Policies HE.1, HE.2, NE.1, NE.2 and HD.3 of the Neighbourhood Plan, and the provisions of the NPPF.

It is therefore recommended that Members approve this application.

### **RECOMMENDATION:**

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Dwg no 04 Revision W (dated 30/07/2025). Proposed Plans, Elevations, Section, Site and Roof Plan.
  - Dwg no 05 Revision V (dated 11/08/2025). Proposed Plans, Elevations, Section, Site and Roof Plan.
  - Location Plan. Received 11 August 2025.

Planning Committee  
3<sup>rd</sup> November 2025

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: No further 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.
- 2 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and LP20 of the Local Plan 2021-2040. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 3 Condition: No further development shall take place other than in accordance with the written scheme of investigation approved under condition 2
- 3 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and LP20 of the Local Plan 2021-2040.
- 4 Condition: The further 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 2 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 4 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and LP20 of the Local Plan 2021-2040.
- 5 Condition: The development hereby permitted shall be carried out and implemented throughout the construction period in strict accordance with the approved CEMP (reference BE-1789-01, Revision C, dated 10 October 2025) unless otherwise agreed in writing by the local planning authority.

A 'statement of good practice' shall be signed upon completion by the competent ecologist, and be submitted to the Local Planning Authority, confirming that the specified enhancement measures have been implemented in accordance with good practice upon which the planning consent was granted.

- 5 Reason: In order to safeguard the ecological interests of the site in accordance with Policy LP19 of the Local Plan 2021 - 2024 and Section 15 of the NPPF.
- 6 Condition: The development shall be carried out in accordance with the Flood Risk Review (FRR) prepared by BLI Consultant Engineers dated July 2025 (ref: BLI.2025.17 Rev 00) and the following mitigation measure(s) detailed within the FRR. In particular:
  1. The provision of compensatory flood storage as set out in Dwg no PL101. Revision P1 (FLOODPLAIN MITIGATION STRATEGY) in Appendix G of the FRR.

Planning Committee  
3<sup>rd</sup> November 2025

The mitigation measures shall be implemented in full prior to the first occupation of the dwelling hereby permitted. The measures detailed above shall be retained and maintained in perpetuity.

- 6 Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with Policies LP18 and LP25 of the Local Plan, and provisions of the NPPF and NPPG.
- 7 Condition: The development permitted shall be carried out in accordance with the approved Flood Risk Assessment carried out by Ellingham Consulting LTD dated December 2024 (ref: ELC1224c/VOID ARCHITECTURE) and the following mitigation measures detailed within Section 5 of the report. In particular:
  - Finished floor levels will be set no lower than 28.02 mAOD.
  - Flood resilient measures will be incorporated into the development up to 0.3m above finished floor levels.
- 7 Reason: To reduce the risk of flooding to the development and future occupants in extreme circumstances in accordance with LP06, LP18, and LP25 of the Local Plan 2021-2040.
- 8 Condition: Notwithstanding the provision of Class E and F of Schedule 2, Part 1, and Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no buildings, enclosures, swimming pools, pools etc, hard surfaces, and gates, fences and walls, incidental to the enjoyment of the dwellinghouse shall be erected on the site without the granting of a specific planning permission.
- 8 Reason: The majority of the site is located within the functional floodplain (Flood Zone 3b). This condition is to ensure that there is no additional risk of flooding or alteration of the functional flood plain, which may reduce the functional flood plain and increase the risk of flooding both on and off site in accordance with Policies LP18 and LP25 of the Local Plan 2021-2040, and the provision of the NPPG and NPPF.
- 9 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 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.
- 9 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF and Policies LP18, LP20 and LP21 of the Local Plan 2021-2040.
- 10 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the pantile and wooden cladding to be used in the construction of the external surfaces of the building(s) have been made available to be viewed on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.



- 10 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF and Policies LP18, LP20 and LP21 of the Local Plan 2021-2040.
- 11 Condition: Any access gates / bollard / chain / other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway.
- 11 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened in accordance with LP13 and LP21 of the Local Plan 2021-2040.
- 12 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 12 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with LP13 and LP21 of the Local Plan 2021-2040.
- 13 Condition: Self/custom build  
(i) The dwelling hereby permitted shall be constructed as a self-build dwelling within the definition of a self-build and custom build housing in the Self-build and Custom Housebuilding Act 2015  
(ii) The first occupation of the dwelling hereby permitted shall be by a person or persons who had a primary input into the design and layout of the dwelling and who will live in the dwelling for at least 3 years  
(iii) Prior to the first occupation of the dwelling the Council shall be notified of the person(s) who will take up first occupation of the dwelling.
- 13 Reason: To ensure the development meets the criteria for self-build and custom build application Biodiversity Net Gain exemption in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990, to ensure that the development is genuinely self-build and custom in accordance with the Self-build and Custom Housebuilding Act 2015 and can be counted as such, and to accord with Policy LP31 Custom and Self-Build Housing of the Local Plan.