

PLANNING COMMITTEE

Date: 2nd February 2026

SUMMARY OF ADDITIONAL CORRESPONDENCE RECEIVED SINCE THE PUBLICATION OF THE AGENDA AND ERRATA

Item No. 9/1(a) 25/01552/FM	Page No. 20
CORRECTION	
There is a typographical error in condition 2 with regard to the revision number of one of the approved plans.	
AMENDED CONDITION	
2 Condition: The development hereby permitted shall be carried out using only the following approved plans:	
Dwg no. 100 Rev C. Location Plan.	
Dwg no. 101 Rev C. Proposed Block Plan.	
Dwg no. 102 Rev E. Proposed Site Plan.	
Dwg no. 103 Rev C. Detailed Plan.	
2 <u>Reason</u> : For the avoidance of doubt in the interests of proper planning.	
Item No. 9/1(b) 25/01391/FM	Page No. 39
Parish Council: Reiterate strong objections to the development as previously set out in the committee report.	
• The council is against further development in Docking as it has had lots of developments recently. • The roads and services are at capacity. • Green spaces are disappearing. • Neighbours object and feel pressured. • The Neighbourhood Plan isn't made yet so limited funds are available to even plan to provide.	
CSNN: Position statement from CSNN with respect to the consultation of the above application.	
Whilst noting that there are potential issues with increasing demand on the sewage network by this small development of 6 [5] houses it is confirmed that any comments from CSNN are overridden by the requirement for the duty on sewerage undertakers to prepare and implement a comprehensive Drainage and Wastewater Management Plan and the local arrangements in place between the LPA and Anglian Water.	
Therefore, although we may have concerns about additional loading, it is confirmed that the detailed information regarding resilience and capacity of the sewage system is outside of our remit and that we cannot make informed calculations regarding the impact of this new development. On this matter CSNN are not able, and neither should we, provide any further information during the determination process regarding foul drainage for this development.	

CORRECTION

At page 52 of the agenda document the section under the heading 'Access and Highway Safety:' is incorrect. The corrected report can be found as a supplementary revised report. The corrected section can be found at page 13 of this supplementary revised report and comprises the following:

Access and Highway Safety:

Highway safety and access, as well as the limited width and capacity of Sandy Lane have been raised as objections by the Parish Council and within letters of objection.

The application has been amended to reduce the number of dwellings included in this development to five dwellings. When combined with the four dwellings that already use the application site's proposed access, there would be a total of nine dwellings using the existing access.

In regard to safety both in terms of the existing road network and layout of the proposed private drive, the scheme is considered to be acceptable by the Local Highways Authority.

Norfolk County Council's guidance document sets out the position of the Local Highways Authority in relation to the number of dwellings using a private driveway where a maximum of nine dwellings can use an access. NCC as Local Highways Authority have confirmed that private driveways do not need to be subject to a management agreement where the number of dwellings is nine or fewer.

NCC Highways has set out that the development would not lead to any adverse implications upon the adjacent highway or highway users subject to conditions to secure the access, access visibility, on-site parking & turning arrangements proposed.

The proposed layout is acceptable given the reduced total number of dwellings and the site having adequate turning space, parking space and garaging.

Therefore, whilst acknowledging the objections raised in response to the amended application, taking into account the response of the Local Highway Authority the proposal is considered to be acceptable in highways terms and complies with relevant planning policy, specifically the provisions of the NPPF, Policy LP13 of the Local Plan, County Council Guidance and the emerging Neighbourhood Plan Policy 6 (Design) and relevant design code (DC.05).

CORRECTION

Following legal review Condition 12, 13 and 15 have been amended to ensure that the turning head is constructed and retained unobstructed.

Condition 12 - The wording 'approved access' is replaced with 'approved private drive and turning head'.

Condition 13 – The wording 'proposed private drive' is replaced with 'approved private drive and turning head'.

Condition 15 – The wording 'proposed access / on-site car parking / turning' is replaced with 'approved private drive / on-site car parking / turning head'.

AMENDED CONDITIONS

12 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved private drive and turning head unless details have first been submitted to and approved in writing by the Local Planning Authority.

12 Reason: In the interests of highway safety and traffic movement in accordance with Policy LP13 of the Local Plan and the NPPF.

13 Condition: Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the approved private drive and turning head shall be maintained in perpetuity at a minimum width of 4.2 metres for its complete length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.

13 Reason: In the interests of highway safety and traffic movement in accordance with Policy LP13 of the Local Plan and the NPPF.

15 Condition: Prior to the first occupation of the development hereby permitted the approved private drive / on-site car parking / turning head / 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.

15 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policy LP13 of the Local Plan 2021 - 2040

Assistant Director's Comments: The position statement from the Council's CSNN team is noted. The issues regarding foul water drainage are dealt with on p. 53 and 54 of the Agenda.

The additional comments from Docking Parish Council reiterate those made previously by the Parish Council and in third party objections to the proposal. Whilst Docking has seen development, there is no upper limit on new development subject to it being considered sustainable development when assessed against relevant planning policy. The report sets out this consideration and due to the site's location adjoining the settlement boundary is considered to accord with the windfall policy in the Local Plan (LP02) and other relevant policy.

In relation to highway safety, access and traffic, the scheme has been assessed by the Local Highway Authority. Following the reduction to five dwellings the scheme is considered by the Local Highway Authority as being acceptable both in terms of access and highway safety. The site is considered to be in a location which is not isolated and within walking or cycling distance of services within the village.

In regard to local services, the addition of five dwellings is noted to result in an increase in demand, however, it is not considered sufficient to overwhelm existing services, and may result in additional support for some services through additional users and/or customers.

The area is not an allocated greenspace, nor is it proposed to be allocated as such in the emerging local plan. Therefore, no additional weight can be given to this area as a green space.

The committee report has considered all neighbour representations both objections and supporting responses and considered the material planning matters raised in concluding that the scheme is an acceptable form of development.

Consideration of the emerging Neighbourhood Plan has been set out within the committee report.

Item No. 9/2(a) 25/01684/F

Page No. 62

Agent: Provided a Planning Statement, giving a description of the proposal and stating the following:

This application seeks to attain planning approval for a new dwelling via the conversion of an existing outbuilding with associated extensions following the sub-division of the application site at Little Congham House. A cart shed structure is also to be erected on site.

Proposal Attributes

- Re-use & Preserve A Non-Designated Heritage Asset in a prominent location.
- The site is within the defined Development Boundary. The provision of a new dwelling via conversion and extensions is determined to be sustainable.
- The outbuilding is single-storey in the built environment. The proposed single-storey extensions are appropriate with minimal impact.
- The extensions "contained within site" behind the existing outbuilding having minimal impact on established street scene and retain the visual feeling of openness.
- Contemporary, simplistic form teamed with materials and colours of the local vernacular are appropriate and non-intrusive.
- The Sub-division ensures ample private amenity and parking facilities are retained for the donor dwelling and the conversion.
- The proposed built form (including existing outbuilding) accommodates only **23.7%** of the plot area.
- The proposals accord with *Dark Skies* policies by limited glazing at high-level and utilising overhangs and louvres responding to the "more rural" location.
- The scale of the proposal and distances to boundaries ensure no detrimental impact on neighbouring amenity.
- No objections from standard consultees aside from Parish Council and members of the public.

Responses to Parish & Public Concerns

"Size and scale of extension in relation to existing outbuilding and plot"

- The proposed built form (including existing outbuilding) accommodates only **23.7%** of the plot area.
- The extensions are single storey are of an appropriate scale that is sympathetic to the outbuilding.
- The proposed structures are adequate distances from all boundaries providing excellent amenity spaces to the proposal and retained by the donor dwelling.

"Flooding related to an intermittent spring (in current location of the proposed cart shed)."

- The applicants have stated that there is no natural spring on the land and there is no evidence to suggest any different from **approved sources** of National and Local Authority Flood Maps.
- A risk of surface-water and ground-water has been identified upon National and Local Authority Flood Maps. If approved, the agreed **Pre-commencement Condition (11)** relating to surface water drainage will involve necessary ground/drainage investigations and percolation tests amounting to a suitable drainage design requiring further approval from the Local Authority.

“Rurality and sustainability issues given Congham's classification as a Smaller Village or Hamlet (Tier 6) in the settlement hierarchy.”

- The Neighbourhood Plan's Policy 7 concerns the Location of New Housing;

Policy 7 Location of New Housing

2. Roydon and Congham

"The sensitive infilling of small gaps in the development boundary within an otherwise continuously built-up frontage will be permitted in Roydon and Congham where: a. It does not harm the purpose of the strategic gap (Policy 1); b. It does not fill a gap which makes a positive contribution to the street scene or the distinctiveness of the rural character of the settlement; and c. It will not unduly erode the sense of openness."

- The proposal sits well and accords with Policy 7 of the Neighbourhood Plan and policy LP02 of the Local Plan concerning *windfall development*.
- The defined development boundary was proposed and adopted within the Neighbourhood Plan – encapsulating the application site.
- The development boundary adopted within the Neighbourhood Plan was subsequently adopted by the Local Authority in the latest Local Plan.
- The development boundary identifies the site to be within a sustainable location.

“Loss of amenity on neighbouring properties.”

“The neighbouring Owl Barn will lose their view and have a building just 15 metres from their property”

- There is no physical loss of amenity on neighbouring properties.
- The size, scale and positioning of the proposed cart shed will not cause overbearing or overshadowing.
- The 'loss of a view' - especially into another property's residential curtilage - is immaterial.
- The impact of a gable-side facing, PD guideline designed, single storey structure (ridge 3.9m eaves 2.5m) with a hipped roof being placed 15.0m from Owl Barn is very low.
- Due to the opposing angles, it is actually between 16.3m and 15.3m.
- The cart shed is also positioned 7.1m and 6.3m from the boundary respectively

“More vehicles will use St Andrew's Lane”

- The Local Highways Authority have no objections to the proposal. The additional traffic flow caused by a single dwelling is not an impact considered to have a material consideration on Highways safety.

“The zinc panelling on a section of the roof is not in keeping with the area”

- The proposed red colouring of the zinc would be of a similar pallet to natural pantiles.
- The contemporary material teamed with the other traditional material vernacular proposed is considered sympathetic and appropriate.
- The material is present in the locality upon the cabins in the grounds of Congham Hall.

Conclusion

- The proposals are demonstrated to comply with all policies and notably those in question surrounding the Principle of the Development, Sustainability, Form & Character, Neighbouring Amenity and Highways Safety.
- The re-use and Preservation of the Non-Designated Heritage Asset in a prominent location is a positive, whilst the extensions are deemed to be sympathetic and of no detrimental impact to the asset.

Assistant Director's Comments: The Agent's supporting statement is noted.

Third Party: ONE additional OBJECTION from a neighbour raising issues covered within the report, disputing points of the reports, screenshots of NTS (gov.uk) website, photo of handwritten notes of site movements, and copies of public comments previously made on Public Access. Further comments summarised below:

- Statements from the Applicant have been acknowledged and not challenged, despite evidence being given to the Planning Officer.
- At least 6 people have complained to Environmental Health about noise. Emails were sent to confirm receipt of complaints.
- PSED should also observe the duty to protect the protected characteristics of the elderly.
- Neighbours are exposed to the fear of crime. Noise, disruption and as a consequence fear of crime is a reality.
- The children's home has been placing children from Lincolnshire.
- Behaviour is not expected from a normal residential of the home.
- Human Rights Act 1998 - "The right to a private and family life and a home. These rights must be considered in decisions that significantly impact a persons living situation".
- Care Act 2014 - "Therefore the classification of and adult as vulnerable triggers a mandatory duty for all local authorities. Authority functions including planning to take appropriate steps to protect them and promote their well being within the existing legal frame work".

Summary of screenshots and attachments (submitted to the LPA prior to the Agenda being published and available on Public Access):

- GOV.UK NTS 2024: Household car availability and trends in car trips.
- Comments on public access made regarding the application from neighbours regarding movement on the site with figures.
- Resubmitted details of third party objectors already on public access.
- 7 pages of handwritten notes (some pages blurred) recording the movements of the site(s) from dates 5th December, 16th November, 18th November, 6th November, 10th November, 5th November, 1st November, 4th November, 29th October. Available for view on Public Access.
- Letter from Neighbour, originally made on 24 October 2025. Available for view on Public Access.

ONE letter of OBJECTION received from a third party which is a duplication of correspondence already submitted in October 2025 and taken account of within the main body of the report.

Assistant Director's comments:

The comments made by the third party are noted and have been largely covered in the report.

Material planning considerations for applications of this nature are land use, noise, parking/highway safety, impact on residential amenity, and impact on form and character. This differs from matters controlled by OFSTED which are: who the children are, their behaviour, their background, safeguarding issues, quality of care, and competence of management. The incidents raised by the neighbours largely relate to the operation of the care homes rather than material

planning considerations, which have been covered in the report. Furthermore, these matters cannot be regulated through the Planning system and therefore have been given the appropriate weight in the planning balance.

Children could be placed outside Norfolk for safeguarding or welfare reasons. Nevertheless, this relates to the operations and administration of the Children's Home rather than the use of the property. Whilst the current residents of the children's home may use services in Lincolnshire or other neighbouring authorities, the development would not preclude children in need in Norfolk to being accommodated in the future.

Planning law recognises that children in care may have additional needs, but this does not mean the use is incompatible with residential areas.

No statutory consultees have objected to the application. OFSTED are the regulating body who consider the care, conduct and safeguarding needs of the residents placed in care. These operational matters sit outside the scope of the planning decision.

Article 8 (right to respect for private/family life and home) of the Human Rights Act 1998 is a material consideration which is relevant to *all* parties – including the children who require safe accommodation. The recommended reflects a balanced assessment of these rights in the context of Planning policy.

Care Act 2014 relates to adult social care functions which is not Planning law. Planning applications are determined in accordance with the local development plans – in this instance, the Local Plan 2021-2040, the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). The Care Act does not override planning policy.

Item No. 9/2(d) 25/01661/CU

Page No. 118

Third Party: ONE additional OBJECTION from a neighbour raising issues covered within the objections already set out in the report, disputing points of the reports, screenshots of NTS (gov.uk) website, photo of handwritten notes of site movements, and copies of public comments previously made on Public Access. Further comments summarised below:

- Statements from the Applicant have been acknowledged and not challenged, despite evidence being given to the Planning Officer.
- At least 6 people have complained to Environmental Health about noise. Emails were sent to confirm receipt of complaints.
- PSED should also observe the duty to protect the protected characteristics of the elderly.
- Neighbours are exposed to the fear of crime. Noise, disruption and as a consequence fear of crime is a reality.
- The children's home has been placing children from Lincolnshire.
- Behaviour is not expected from a normal residential of the home.
- Human Rights Act 1998 - "The right to a private and family life and a home. These rights must be considered in decisions that significantly impact a persons living situation".
- Care Act 2014 - "Therefore the classification of and adult as vulnerable triggers a mandatory duty for all local authorities. Authority functions including planning to take appropriate steps to protect them and promote their well being within the existing legal frame work".

*Summary of attached screenshots and attachments
(submitted to the LPA prior to the Agenda being published and available on Public Access):*

- GOV.UK NTS 2024: Household car availability and trends in car trips.
- Comments on public access made regarding the application from neighbours regarding movement on the site with figures.
- Resubmitted details of third party objectors already on public access.
- 7 pages of handwritten notes (some pages blurred) recording the movements of the site(s) from dates 5th December, 16th November, 18th November, 6th November, 10th November, 5th November, 1st November, 4th November, 29th October. Available for view on Public Access.
- Letter from Neighbour, originally made on 24 October 2025. Available for view on Public Access.

ONE letter of OBJECTION received from a third party which is a duplication of correspondence already submitted in October 2025 and taken account of within the main body of the report.

Assistant Director's comments:

The comments made by the third party are noted and have been largely covered in the report.

Material planning considerations for applications of this nature are land use, noise, parking/highway safety, impact on residential amenity, and impact on form and character. This differs from matters controlled by OFSTED which are: who the children are, their behaviour, their background, safeguarding issues, quality of care, and competence of management. The incidents raised by the neighbours largely relate to the operation of the care homes rather than material planning considerations, which have been covered in the report. Furthermore, these matters cannot be regulated through the Planning system and therefore have been given the appropriate weight in the planning balance.

Children could be placed outside Norfolk for safeguarding or welfare reasons. Nevertheless, this relates to the operations and administration of the Children's Home rather than the use of the property. Whilst the current residents of the children's home may use services in Lincolnshire or other neighbouring authorities, the development would not preclude children in need in Norfolk to being accommodated in the future.

Planning law recognises that children in care may have additional needs, but this does not mean the use is incompatible with residential areas.

No statutory consultees have objected to the application. OFSTED are the regulating body who consider the care, conduct and safeguarding needs of the residents placed in care. These operational matters sit outside the scope of the planning decision.

Article 8 (right to respect for private/family life and home) of the Human Rights Act 1998 is a material consideration which is relevant to *all* parties – including the children who require safe accommodation. The recommended reflects a balanced assessment of these rights in the context of Planning policy.

Care Act 2014 relates to adult social care functions which is not Planning law. Planning applications are determined in accordance with the local development plans – in this instance, the Local Plan 2021-2040, the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). The Care Act does not override planning policy.

Third Party: ONE additional OBJECTION comment from a neighbour regarding the following:

- Noise has intensified from kennelled dogs on the field
- Cannot enjoy garden in summer due to noise and smoke from burning waste.
- Verbal abuse from applicant

Parish Council: Additional objections received regarding the following:

- The proposal conflicts with Policy LP21 which seeks to protect residential amenity from unacceptable noise. There is no confidence the submitted Noise Management Plan will adequately mitigate the ongoing noise and disturbance to neighbours.
- Dog barking is unpredictable. How would the plan be enforced should it fail to produce ongoing disturbance.
- Applicants have used threatening language to neighbours.
- Applicants are operating the site without complying with recommendations.
- Experience of other sites demonstrates conditions do not always achieve their outcomes due to difficulties with monitoring and enforcement.
- Concern for parishioners' quality of life and the significant adverse impact of the proposal.

AMENDED CONDITION

3 Condition: Within six months of the date of this permission, the use of the unauthorised wooden kennels, currently located on the proposed exercise area, shall cease and all wooden kennels and associated paraphernalia shall be removed from the application site and the land reinstated to its former condition, other than where it is to be used as an outside exercise area.

3 Reason: For the avoidance of doubt and in the interests of the amenities of the locality in accordance with the principles of the NPPF and Local Plan policies LP18 and LP21.

Assistant Director's Comments:

The third-party comments are largely covered within the officer report.

As stated within the report, there has currently been only one registered noise complaint with CSNN (reported in November 2025). Since this time there has been no further information received from the complainant, i.e. no noise recordings and the case has been closed.

The granting of planning permission does not mean the applicant cannot be investigated under the Environmental Protection Act 1990 and action taken if a statutory nuisance occurs.

The dogs currently on site are kennelled in inappropriate buildings which offer no noise attenuation, this application seeks to resolve this.

Cllr Robert Colwell: Submits the following letter of **SUPPORT** (summarised):

The representation is submitted by the elected Norfolk County Councillor for the Gaywood South Division and Kings Lynn & West Norfolk Councillor for Gaywood North Bank Ward Councillor, Robert Colwell, and expresses support for the confirmation of the Tree Preservation Order without modification.

The author endorses the conclusions of the Arboricultural Officer's report and considers that the objections raised do not outweigh the clear public interest in retaining protection for the woodland, which was planted by the local community as part of the Queen's Jubilee.

It is stated that claims regarding tree decline, and safety are unsupported by arboricultural evidence. The representation notes that Tree Preservation Order legislation allows for necessary works on safety grounds and does not prevent responsible woodland management.

The representation highlights the woodland's visibility from busy public routes and a neighbouring school, emphasising that public access is not a requirement for a TPO, and that visual amenity alone is sufficient justification for protection. Reference is made to the woodland's strong community value, including volunteer involvement of its creation and wildlife enhancement initiatives and the high level of local concern following work carried out in September 2025.

In relation to Forestry Commission permissions, it is explained that forestry legislation operates alongside, the Town and Country Planning Act 1990. The Tree Preservation Order is described as providing an appropriate level of local oversight to protect individual trees and amenity interests. Comment is made that land use restrictions and liability transfer to the Council should be rejected as misunderstandings of the effect of a TPO.

The extent of the Order is supported on the basis that the woodland functions as a single ecological and visual unit, and that partial protection would undermine effective management. The representation also raises concern regarding any future planting of non-native species and expresses a preference for native planting consistent with the original design, noting the woodland's role in local flood resilience.

The representation concludes that the objections are repetitive, unsupported and based on misunderstandings of Tree Preservation Orders, and do not outweigh the amenity and public interest case for protection. The Planning Committee is urged to confirm the Tree Preservation Order without modification.