

Parish:	Walpole	
Proposal:	Erection of 2No. self build dwellings including demolition of existing agricultural building with class Q approval	
Location:	Holme Farm King John Bank Walpole St Andrew Wisbech PE14 7JS	
Applicant:	Mr Wayne Codona	
Case No:	26/00780/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 16 July 2026 Extension of Time Expiry Date: 11 September 2026

Reason for Referral to Planning Committee – At the instruction of the Planning Committee Sifting Panel.

Neighbourhood Plan: Yes

Case Summary

The application site is located to the south-east of King John Bank approx. 100m from its junction with Goose's Lane and 1.4km from the A17, in the Parish of Walpole St Andrew. The site is currently redundant agricultural land and contains two detached agricultural buildings. The surrounding area is predominately countryside with sporadic detached dwellings some with associated agricultural buildings.

Walpole St Andrew, combined with Walpole St Peter and Walpole Marsh is designated as a Key Rural Service Centre (Tier 4) within the Local Plan Settlement Hierarchy. However, the application site is located well outside of the development boundary and within the countryside.

Full planning permission is sought for the erection of 2No. self-build dwellings, including demolition of the larger existing agricultural building which has the benefit of a current Class Q approval for conversion into 3 no. dwellings.

Key Issues

Planning History
 Principle of Development
 Character and Appearance / Impact on the Countryside
 Highway Safety
 Flood Risk
 Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The application site is located to the south-east of King John Bank, Walpole St Andrew. The site is currently agricultural land with detached agricultural buildings. The surrounding area is predominately countryside with a few sporadic detached dwellings and agricultural buildings.

Full planning permission is sought for the erection of 2No. self-build dwellings, including demolition of an existing large agricultural building currently benefitting from Class Q approval for conversion into 3 no. dwellings – one cottage style and one barn conversion style.

The application is accompanied by a Flood Risk Assessment, Contamination Screening Assessment Form, Planning Obligations Statement, Preliminary Ecological Appraisal, Reptile Survey Report, Shadow Habitat Regulations Assessment and a Refurbishment & Demolition Asbestos Survey Report.

APPLICANT/AGENT SUPPORTING CASE

A Planning Statement has been submitted, offering the following supporting case: -

1.1 The following full application is seeking erection of 2no. detached self-build dwellinghouses in replacement of 1no. barn with Class Q approval.

1.2 The aforementioned Class Q approval is under LPA reference 23/01301/PACU3 as allowed on the 11th of April 2024 for conversion of a barn to 2 dwellinghouses. Therefore, the Class Q permission is within date and the site has a material 'fallback' position (Mansell v Tonbridge and Malling Borough Council 2017) for up to 2no. dwellings on the land due to the real prospect the development has the possibility to be carried out.

Pre Application Advice –

1.3 Pre-application discussions have confirmed that the proposed development at Holme Farm is viewed positively in principle. The officer acknowledges that the site benefits from a strong Class Q fall-back position, which allows for three dwellings. This establishes a clear residential potential and provides significant weight in favour of the proposed scheme.

1.4 The replacement of the existing large agricultural building with two high-quality new dwellings is considered an improvement in terms of design, appearance, and overall site character. The officer notes that the new-build approach will deliver a far better standard of accommodation than the Class Q conversion and will enhance the visual quality of the site.

1.5 The proposed courtyard layout, scale, and massing are regarded as appropriate, with the design offering opportunities to create a more attractive and coherent built form within the rural setting. The officer's comments indicate that the scheme can be refined through minor adjustments to fenestration and boundary treatments, but the overall concept is supported.

1.6 The proposal is likely to receive officer support. The development is seen as a positive enhancement over the existing situation, delivering improved design quality, better living environments, and ecological and environmental gains.

Footprint –

1.7 Under the approval, the barn has an internal footprint of 421.25m².

1.8 The proposed development of the 2no. dwellings have a combined total of 432m² meaning the development is only 11m² above the current barn area.

Location –

1.9 Regarding location, plot 1 and 2 proposes to site the dwelling broadly in the orientation of the existing barn and on the footprint of the demolished barn.

1.10 Both plots 1 and 2 utilise the existing access into the site, upgraded to highways spec.

Appearance –

1.11 Both new-build dwellings have been designed to reflect a rural and agricultural appearance barn as based on the footprint mimicking the existing barns. Plot 2 adopts a large inset glazed entrance and rear section to mimic a barn door void, with a simplified rectangular base and pitched roof as similar to existing barns.

1.12 Both new-build barns are to use typical rural materials, the main 2-storey elements are to be finished externally with red brickwork, with timber cladding sections to both dwellings. Roof tiles will be clay or concrete, likely to be interlocking red. Window and door colours will be cream UPVC.

BNG –

1.13 Exempt as both plots are self-build.

2. CONCLUSION

2.1 The site benefits from a material fall-back position, the new-build dwellings scale, form and appearance are based on the existing building they are replacing and are of rural characteristic. The 2 dwellings development would blend with the rural setting. Therefore, the development is considered appropriate to the location.”

PLANNING HISTORY (Relevant)

25/00057/PREAPP: INFORMAL - Likely to approve: 26/06/25 - PRE-APPLICATION ENQUIRY: NO CONSULTATIONS: Full: Proposed new build barns to form dwellings to replace Part Q barn conversion 23/01301/PACU3.

24/00187/PREAPP: INFORMAL - Likely to refuse: 24/01/25 - PRE-APPLICATION FULL ADVICE (NO CONSULTATIONS): Proposed new build barns to form dwellings to replace Part Q barn conversion (23/01301/PACU3)

24/00109/PREAPP: INFORMAL - Likely to refuse: 05/09/24 - PREAPP FULL APPLICATION WITH NO CONSULTATION FOR: Proposed new build barns to form dwellings to replace Part Q barn conversion (23/01301/PACU3)

23/01790/CHSR17: Application Permitted: 11/04/24 - Application under the Habitats Regulations 2017: Regarding application 23/01301/PACU3 (Change of use of Agricultural Buildings to three dwellings (Schedule 2, Part 3, Class Q)) – (Delegated decision)

23/01301/PACU3: Prior Approval - Approved: 11/04/24 - Notification for Prior Approval for change of use of agricultural building to three dwellings (Schedule 2, Part 3, Class Q) – (Delegated decision)

21/01694/F: Application Permitted: 26/10/21 - Change of use of existing agricultural land, including the existing yard, to a residential use. Change of use of the existing brick barn to a domestic/ancillary use in connection with the approved barn conversion (Ref: 21/00823/PACU3), plus an extension of this barn to create a domestic car port – (Delegated decision)

21/00823/PACU3: Prior Approval - Approved: 10/06/21 - Application to determine if prior approval is required for proposed change of use from agricultural store to 3 dwellings (Schedule 2, Part 3, Class Q) – (Delegated decision)

18/01696/PACU3: Prior Approval - Approved: 15/11/18 - Change of use from agricultural building to 1 x 3 bed dwelling and 2 x 2 bed residential units – (Delegated decision)

RESPONSE TO CONSULTATION

Parish Council: SUPPORT - build and materials are in keeping with the other local buildings and it is a huge improvement on the current derelict barn.

Local Highway Authority (Norfolk CC): NO OBJECTION

Local Highway Authority (Lincolnshire CC): COMMENTS – Require amended plan annotating existing access to be upgraded to LCC specification. [Officer note: amended plans received accordingly.]

Internal Drainage Board: NO OBJECTION – Byelaw consent may be required.

Environmental Health & Housing – Environmental Quality: NO OBJECTION – Subject to contaminated land condition.

Historic Environment Service: NO OBJECTION

Senior Ecologist: NO OBJECTION subject to BNG condition for custom and self-build.

Norfolk Constabulary: NO OBJECTION - advice offered regarding the pursuit of Secure by Design accreditation.

Emergency Planner: NO OBJECTION subject to preparation of an Evacuation Plan.

REPRESENTATIONS

None received

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)

LP13 - Transportation (Strategic Policy)

LP14 - Parking Provision in New Development

LP18 - Design & Sustainable Development (Strategic Policy)

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

LP21 - Environment, Design and Amenity (Strategic Policy)

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

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

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

NEIGHBOURHOOD PLAN POLICIES

Policy 7: Dark Skies

Policy 8: Water Management (SUDS)

NATIONAL GUIDANCE

Planning Practice Guidance (PPG)
National Design Guide 2021

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)(2026)

DM3 - Determining development proposals

DP3 – Key principles for well-designed places

S3 - Presumption in favour of sustainable development

S5 - Principle of development outside settlements

HO11 – Isolated homes in the countryside

P3 - Living conditions and pollution

CC2 - Mitigation of climate change

CC3 - Adaptation to climate change

TR3 - Locating development in sustainable locations

TR4 – Street design, access and parking

F4 - Assessing flood risk for decision-making

F6 - Development in areas at risk of flooding from rivers or the sea

F7 - Ensuring development is safe from flooding

PLANNING CONSIDERATIONS

The key considerations in the determination of this application are: -

Planning History

Principle of Development

Character and Appearance / Impact on the Countryside

Highway Safety

Flood Risk

Other Material Considerations

Planning History:

The application site has previously benefitted from prior approval consent under 18/01696/PACU3 and 21/00823/PACU3, and currently 23/01301/PACU3 for the change of and modifications to the existing barn to create three dwellings. These approvals were granted under Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, as amended.

Currently the 'fall-back' position is that the Applicant has until April 2027 to carry out and complete the change of use and associated building operations as approved under application 23/01301/PACU3. Beyond that date, the potential residential use lapses.

Principle of Development:

Fall-back

The above statement of support submitted with this application mentions the 'fall-back' position based upon the current prior approval (23/01301/PACU3).

The status of a fall-back development as a material consideration is not a new concept and has been applied in court judgements such as 'Samuel Smith Old Brewery v The Secretary of State for Communities & Local Government, Selby District Council and UK Coal Mining Ltd'. This decision states that for a fall-back position to be a 'real prospect', it does not have to be probable or likely: a possibility will suffice.

The concept of 'fall-back' is also considered more recently in 'Michael Mansell v Tonbridge & Malling Borough Council' where approval was given for the redevelopment of the site of a large barn and a bungalow to provide four dwellings. The judgement covers more than one aspect of the decision but makes reference to Class Q of the GDPO as a 'fall-back' position. There is no doubt that the proposed application site has a 'fall-back' position, however in line with Gambone v SSCLG [2014] the weight attached to this 'fall-back' position must also be considered.

When considering the weight that a 'fall-back' position may have, a recent appeal decision at a barn on Stoke Road in Wereham (Our ref: 25/00561/F; PINS ref: APP/V2635/W/25/3372005) considered this issue (copy attached to this report for reference).

There are also similarities in that earlier Class Q approvals have been sought but not implemented. The Inspector stated at Paragraph 14 that given the site history of prior approvals followed by full planning applications there was *'very little to suggest the second approval was obtained with the intention that the barn be converted.'* In their assessment the Inspector stated that while there was some benefit in a more attractive scheme and better parking, these were very modest benefits and only a modest weight was given to the 'fall-back' position.

Consequently, while there is a 'fall-back' position in place, given the number of prior approval applications that have been submitted and none have been implemented, this is only given a very modest weight when considering the likelihood of the Class Q approval (23/01301/PACU3) actually being carried out.

So, notwithstanding the 'fall-back' position, recent Planning Inspectorate appeal decisions indicate that these are effectively new dwellings and would need to be considered against development plan policies.

Obviously this approach has been established prior to the introduction of the new NPPF.

Policy position

The application site lies within Walpole St Andrew which, combined with Walpole Marsh and Walpole St Peter, is designated as a Key Rural Service Centre (Tier 4) within the Local Plan Settlement Hierarchy. However, the application site is located well outside of the development boundary and within the countryside.

Local Plan Policy LP02 (Residential Development on Windfall Sites) states: Most windfall development will be on sites within development boundaries. However, in the interests of positive planning, this policy makes provision for some development outside, but adjoining, the development boundaries of the most sustainable settlements (Tiers 1-4), provided certain criteria are met.

The application site is approx. 1.7 km by road outside of the defined development boundary of Walpole St Andrew, and similarly 1km from Walpole Marsh (devoid of services). Hence the proposal does not 'adjoin the development boundary' as set out in Local Plan Policy LP02. As such, residential development is not considered appropriate in this location unless it meets the need for a rural worker as outlined within Local Plan Policy LP36 and any other relevant policies within the plan, as well as the provisions of the NPPF.

Residential development in this location would not otherwise be supported due to its unsustainable location and that it is in an area at high risk of flooding. The modest weight apportioned to the fall-back position as a material consideration is not considered to outweigh the proposals conflict with the development plan and therefore is an unacceptable form of development.

Policy LP06 – Climate Change Policy also seeks to minimise and reduce carbon emissions by locating new development in areas to minimise the need to travel and maximise the ability to make journeys via sustainable modes of transport, such as through public transport (bus and rail). This approach is also endorsed in Policy DP3(2)(d) of the NPPF in providing 'good connections to the wider settlement (or those nearby), and prioritise walking, wheeling, cycling and public transport.'

The application is submitted as Self-Build dwellings. Currently the Council is experiencing some difficulty in demonstrating that it has met the need for Custom and Self-Build properties due to a change in legislation, however this does not mean that planning permission should

automatically be granted - it is just one of a range of material considerations that needs to be considered. Conversely it has been confirmed that the Council has a comfortable (6.2 years's worth) supply of housing land.

The matter of unmet need is addressed in Policy S5: Principle of development outside settlements [relevant parts emboldened by the author of this report] which states inter alia:

"1. Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:

a. Development for: agriculture, horticulture and forestry; outdoor sport and recreation; allotments; cemeteries and burial grounds; mineral extraction and processing; engineering operations and infrastructure (including for transport, energy, water and telecommunications); roadside facilities in accordance with policy TR5; national defence and security; or which is solely for nature conservation, restoration and/or enhancement...

e. **Limited infilling** within groups of houses...

j. The development of land allocated for that purpose in the development plan (where this lies outside settlements); and

Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), and where the development would:

i. **Be physically well-related to an existing settlement...**

3. Development proposals comprising **isolated homes**, which are those lying outside settlements or groups of houses, **should not be approved other than in accordance with policy HO11.**

4. Development proposals which do not fall within one of the categories set out in this policy should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement..."

Further, Policy HO11 of the NPPF states:

HO11: Isolated homes in the countryside

1. Development proposals for isolated homes in the countryside should only be supported where one or more of the following circumstances apply:

a. There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b. The development would be appropriate enabling development to secure the future of heritage assets in accordance with policy HE4;

c. The development would reuse a redundant or disused building and enhance its immediate setting, including proposals which would secure the long-term reuse of a vacant or underused listed building (subject to taking into account any harm to its significance, as set out in policy HE6);

d. The development would involve the subdivision of an existing residential building; or

e. The design is of exceptional quality, in that it:

i. Is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

ii. Would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

It is clear that the proposal fails to accord with the above criteria in Policy HO11 and S5 by virtue of it being isolated/remote from services, being approximately 1.7km from the village development boundary of Walpole St Andrew.

Whilst there are some dwellings in this locality, they are consolidated around the junction of King John Bank and Goose's Lane, with the donor property is set some 70m away and the application site beyond. It therefore would not constitute 'limited infill' within a group of houses in accordance with Policy S5(1)(e) of the NPPF.

The proposal conflicts directly with the spatial strategy in the Local Plan (Policy LP02), which itself has been through a process of public consultation and adoption only fairly recently. The new National Planning Policy Framework states that in achieving sustainable development the planning system has three overarching objectives, and that they should be delivered through the preparation and implementation of plans. An up-to-date spatial strategy is a key component of this, and the conflict between this proposal and the Local Plan is, therefore, significant.

To conclude, there are no material considerations advanced of such weight that would outweigh the primacy of the development plan and the decision-making policies contained in the NPPF. There is no real prospect of three dwellings occupying part of the application site and being constructed within the remaining prior notification consent period. As such, very modest weight is afforded to the fall-back position; plus the modest contribution of two self-build dwellings to the housing supply attracts limited weight and does not outweigh the harm caused by this proposal or the primacy of the Development Plan when considering the unsustainable location and flood risk (covered in more detail below).

The principle of development would be contrary to Policies LP02, LP06 and LP31 of the Local Plan 2021-2040 and Policies S5, DP3 and HO11 of the NPPF.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The national decision-making policies in the National Planning Policy Framework (NPPF) 2026 are a material consideration in making these decisions and should be read alongside the policies in the development plan (Local Plan 2021-2040). Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in the Framework should be given very limited weight. However, other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of the Framework.

Character and Appearance / impact on the Countryside:

The application site is currently agricultural land, with a substantial portal framed and composite sheet clad former agricultural building with pitched roof gable end facing the road and lean-to on either side. There is also a small single storey detached brick barn with a pantiled roof adjacent to the road. To the south-west of the site is the donor farmhouse of Holme Farm, which is a detached, two storey cream rendered dwelling with associated outbuildings.

The surrounding area is predominantly fen countryside with sporadic detached bungalows and two storey dwellings – some with associated agricultural buildings.

Whilst of little architectural value or merit, the current buildings are typical of this locality.

It could be argued that the replacement of the utilitarian agricultural building with a contemporary 3 bedroomed quasi-barn conversion (Plot 1) and a 3 bedroomed cottage style dwelling with low eaves, dormers and a lean-to side projection (Plot 2), would improve the

visual appearance of the site and locality in accordance with Policies LP18 & LP21 of the Local Plan and Policy DP3(2)(g) of the NPPF, but there are other issues that would significantly outweigh this consideration which are explained in this report.

Highway Safety:

The existing agricultural access off King John Bank is proposed to be used to serve the development.

The site is on the extremity of the borough and indeed King John Bank at this point is managed by Lincolnshire County Council. As requested by LCC the plans have been amended to include an annotation that the access would be upgraded to meet their specification for residential properties. The access arrangement and on-site parking space provision meets current standards and our Local Highway Authority raises no objection to the current proposal.

The development therefore can accord with Policies LP14 & LP21 of the Local Plan and Policy TR4 of the NPPF.

Flood Risk:

The application site lies within Flood Zone 3A and Tidal Hazard Mapping Zone of Environment Agency mapping.

Planning policy and government guidance seeks to steer new residential development to areas less likely to be at risk of flooding. The Sequential Test is passed as there are no sites at lower risk of flooding in this locality to accommodate this development, however the Exception Test must also be applied. The exception test involves demonstrating that the development would meet all the following criteria:

- i. Provide wider sustainability benefits to the community that outweigh the flood risk;
- ii. Be safe for its anticipated lifetime in accordance with policy F7; and
- iii. Not increase flood risk elsewhere and, where possible, reduce flood risk overall.

The information contained in the site-specific FRA indicates that the development could be safe for its anticipated lifetime in accordance with policy F7 of the NPPF using mitigation measures (FFL set 0.5m above existing ground level and 0.3m of flood resilient construction above) and not increase flood risk elsewhere. However, due to its countryside location remote from day-to-day service provision, the proposal would not provide wider sustainability benefits to the community that outweigh flood risk. Therefore, all three parts the Exception Test have not been met.

The proposed development therefore fails to accord with the provisions of the PPG, Policy F6 of the NPPF (2026) and Policy LP25 of the Local Plan (2021-2040).

Other Material Considerations:

Ecology: - The application site falls within a Zone of Influence of one or more of the European designated sites (The Wash) scoped into the Norfolk GIRAMS. It is anticipated that certain types of development in this area are likely to have a significant effect on the sensitive interest features of these European designated sites, through increased recreational pressure. The proposed development does not require a bespoke HRA due to its scale and location and therefore the mitigation provided by paying the GIRAMS fee is considered adequate mitigation. An appropriate assessment was undertaken in this regard, and a mitigation fee of £631.70 has been paid by the applicant in compliance with Policy LP27 of the Local Plan.

The proposal is for self-build dwellings and therefore exempt from providing BNG.

Had the application been recommended for approval, additional biodiversity enhancements would have been recommended via condition to comply with Policy LP19 of the Local Plan and Policies N2(1) & N6 (1) of the NPPF.

Foul & Surface Water Drainage – Foul water disposal is proposed via septic tank and surface water via soakaway. Both would be acceptable in this locality. The proposal could accord with Policy CC3(1)(c) of the NPPF.

Lighting – in accordance with Policy 7: Dark Skies of the Neighbourhood Plan and Policy LP18 of the Local Plan, details of external lighting may have been secured via condition had this proposal been supported. The proposal could accord with Policy P3(2)(b) of the NPPF.

CONCLUSION:

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

In the proposal's favour there is a 'fall-back' position in that the existing barn has a Class Q consent for conversion into 3 dwellings. The proposal is also for two self-build dwellings for which there is currently a shortfall in supply. The design and appearance of the new dwellings are also compatible to this countryside location.

Notwithstanding the 'fall-back' position, recent Planning Inspectorate appeal decisions indicate that these are effectively new dwellings and would need to be considered against development plan policies and the NPPF decision-making policies as a whole. The residential use of the barn for three dwellings is only allowed by virtue of the Class Q consent; the 'fall-back' position is weakened in that there have been earlier consents that have not been pursued and there is no indication of intent to implement it. Completion by April 2027 would be unlikely.

In spatial policy terms, both the Local Plan and the new NPPF provide a clear steer that new housing development such as that proposed, in the countryside 1.7km remote from day-to-day service provision, is not required/sustainable. The proposal is indeed in a remote location and would fail to accord with Policy LP02 (Windfall development), it is not development identified as being acceptable in the countryside defined in Policies S5 and HO11 of the NPPF, neither is it 'infilling within a small group of dwellings' (Policy S5(1)(e)).

The spatial/locational matter also applies in relation to Policy LP31 – Custom & Self-Build Housing which states that proposals for self-build and custom housebuilding will be supported where they respect local character and comply with other relevant policies in the plan. Plus there is no legal mechanism to secure the tenure of the dwellings and the benefits of two additional self-build dwellings towards the overall supply of housing in minimal.

The application site also lies within Flood Zone 3A and Tidal Hazard Mapping Zone of Environment Agency mapping.

Planning policy and government guidance seeks to steer new residential development to areas less likely to be at risk of flooding. Whilst the Sequential Test is passed as there are no sites at lower risk of flooding in this locality to accommodate this development, the Exception Test must also be applied.

The information contained in the site-specific FRA indicates that the development could be safe for its anticipated lifetime in accordance with policy F7 of the NPPF and not increase flood risk elsewhere, the development would not however, provide wider sustainability benefits to the community that outweigh flood risk. Therefore, all three parts the Exception Test have not been met.

The proposed development therefore fails to accord with the provisions of the PPG, Policies S5, DP3, HO11 & F6 of the NPPF (2026) and Policies LP02, LP06, LP25 & LP31 of the Local Plan (2021-2040). It is duly recommended for refusal for those reasons.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Notwithstanding the 'fall-back' position, recent appeal decisions indicate that these are effectively new dwellings and would need to be considered against development plan policies and the NPPF decision-making policies as a whole.

With regards to Policy LP02 (Windfall) assessment and Policy LP31 (Self-build), the site lies some 1km by road from Walpole Marsh development area and 1.7km from that of Walpole St Andrew (the latter of which has service provision).

In policy terms, both the Local Plan and NPPF provide a clear steer that new housing development such as that proposed, in the countryside remote from day-to-day service provision, is not required/sustainable and as such is contrary to Policies LP02, LP06 & LP31 of the Local Plan (2021-2040) and Policies S5 & HO11 of the NPPF (2026).

- 2 The application site lies within Flood Zone 3A and Tidal Hazard Mapping Zone of Environment Agency mapping.

Planning policy and government guidance seeks to steer new residential development to areas less likely to be at risk of flooding. Whilst the Sequential Test is passed as there are no sites at lower risk of flooding in this locality to accommodate this development, the Exception Test must also be applied.

Whilst the information contained in the site-specific FRA indicates that the development could be safe for its anticipated lifetime in accordance with policy F7 of the NPPF and not increase flood risk elsewhere, the development would not however, provide wider sustainability benefits to the community that outweigh flood risk. Therefore, all three parts the Exception Test have not been met.

The proposed development therefore fails to accord with the provisions of the PPG, Policy F6 of the NPPF (2026) and Policy LP25 of the Local Plan (2021-2040).

- 3 Self-build dwellings are proposed, however there is no mechanism in place to secure the tenure of the units for that purpose by way of a Section 106 legal agreement. The proposal therefore fails to accord with Policy LP31 of the Local Plan (2021-2040).