

Parish:	Downham Market Wimbotsham	
Proposal:	Full planning approval for the erection of 114 dwellings with associated open space and infrastructure with vehicular access proposed from Lynn Road and an emergency vehicular access to Cinnamon Road	
Location:	Land S of 22 Bridle Lane Downham Market Norfolk	
Applicant:	Mrs Anne Dew	
Case No:	25/01801/FM (Full Application - Major Development)	
Case Officer:	Mr K Wilkinson	Date for Determination: 6 February 2026 Extension of Time Expiry Date: 20 August 2026

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

Neighbourhood Plan: No

Case Summary

The site is an irregular shaped parcel of land located to the north-east of Downham Market. It lies mostly within the parish of Downham Market, but the access road serving the site lies within the parish of Wimbotsham (boundary along bridleway BR13/Bridle Lane which runs generally east-west).

Excluding the access, the site comprises approx. 6.4ha of an allocation site of 16.2ha of residential development for Downham Market under Policy F1.3 of the Local Plan, with the policy requiring at least 250 dwellings and associated facilities.

Phase 1 of Allocation F1.3 already benefits from outline and reserved matters consent (21/00798/F and 21/01121/RMM) for 226 dwellings and the site is currently being built out and is known locally as 'The Willows'.

This is a full planning application for Phase 2 which proposes the construction of 114 dwellings with associated open space and infrastructure. Vehicular access is proposed from Lynn Road and an emergency vehicular access to Cinnamon Road.

Key Issues

Principle of development
Form and character
Highway safety
Impact on neighbour amenity

Impact upon Heritage Assets
Affordable housing
Landscaping and Public Open Space
Ecology/Biodiversity Net Gain
Impact on trees and wood
Drainage issues
Section 106 financial contributions
Other material considerations

Recommendation

A. APPROVE - Subject to completion of a Section 106 agreement within 4 months of a resolution to **APPROVE** to cover affordable housing provision, provision and maintenance of the open space and play equipment, off-site reptile mitigation and management, payment of the GIRAMS tariff and financial contributions required by Norfolk County Council and NHS Norfolk & Suffolk, permission be granted subject to certain conditions. If the agreement is not completed within 4 months of the committee resolution, but reasonable progress has been made, delegated authority is granted to the Assistant Director/Planning Control Manager to continue negotiation and complete the agreement and issue the decision.

B. If in the opinion of the Assistant Director/Planning Control Manager no reasonable progress is made to complete the legal agreement within 4 months of the date of the committee resolution, the application is **REFUSED** on the failure to secure affordable housing provision, maintenance of the open space and play equipment, off-site reptile mitigation and management, payment of the GIRAMS tariff and financial contributions required by Norfolk County Council and NHS Norfolk & Suffolk, contrary to Policies LP05, LP19, LP21, LP22, LP27, LP28 & F1.3 of the Local Plan.

THE APPLICATION

The application site forms part of Housing Allocation F1.3: Downham Market North-East which is allocated for a minimum of 250 dwellings in the King's Lynn and West Norfolk Local Plan 2025.

Phase 1 of Allocation F1.3 already benefits from outline and reserved matters consent (21/00798/F and 21/01121/RMM) for 226 dwellings and the site is currently being built out and is known locally as 'The Willows'.

It was a requirement of Policy F1.3 that a Masterplan be produced for the whole allocated site which needs to demonstrate an integrated approach to delivery. A Development Framework Plan and a suite of Parameter Plans (Place Making Strategy, Green Strategy, Access and Movement Plan and Character Area Plan) were submitted for the whole allocation as part of the Phase 1 planning application.

This is a full planning application for Phase 2 which proposes the construction of 114 dwellings with associated open space and infrastructure. Vehicular access is proposed from Lynn Road and an emergency vehicular access to Cinnamon Road.

APPLICANT/AGENT SUPPORTING CASE

The following statement has been submitted by the applicants in support of this application:

“Stakeholder Engagement and Scheme Evolution

Persimmon Homes has undertaken an extensive programme of engagement throughout the evolution of this proposal. Pre-application discussions were held with officers at King's Lynn and West Norfolk Borough Council, Norfolk County Council Highways, and Downham Market Town Council. A formal pre-application submission was made to both the Borough Council and Norfolk County Council in October 2024, with comments carefully considered and incorporated into subsequent revisions to the scheme. In April 2025, Persimmon Homes attended a meeting of Downham Market Town Council to discuss the proposals in further detail.

A public consultation event was held in April 2025, with strong attendance from local residents and stakeholders. Feedback received during the event was fully considered as part of the design process. One of the principal concerns raised related to the proposed use of Cinnamon Road as a secondary vehicular access to the development. In response, Persimmon Homes worked closely with Norfolk County Council Highways to identify an alternative solution. As a result, the route has been amended to provide emergency access together with pedestrian and cycle connectivity only, directly addressing the concerns expressed by the local community.

Collaborative Planning Process

Since submission, Persimmon Homes has continued to work proactively and collaboratively with the case officer and statutory consultees throughout the planning application process. Comments and recommendations received have been actively considered and incorporated into the proposals, resulting in several iterations of the layout and design. This collaborative approach has included a reduction in the total number of dwellings from 116 to 114 homes.

The positive engagement undertaken has resulted in support from all key technical consultees. Norfolk County Council Highways, Housing, Ecology, Arboriculture, Environmental Health and Minerals officers are all satisfied with the proposals. Downham Market Town Council has also confirmed its support for the scheme.

Response to Outstanding Concerns

Wimbotsham Parish Council has raised concerns regarding the potential impact of the development on highway safety and traffic movements. These matters have been comprehensively assessed within the Transport Assessment prepared by The Transport Consultancy.

The assessment concludes that the site occupies a sustainable location, with convenient access to local facilities and services via attractive pedestrian and cycle routes. It further confirms that there are no existing highway safety issues that would be exacerbated by the proposed development. Norfolk County Council Highways has reviewed the evidence presented and concurs with these findings, confirming that the local highway network can safely accommodate the development and formally supporting the application.

Comments have also been received from the County Public Rights of Way Officer regarding Wimbotsham Bridleway 13 and the associated crossing point. Persimmon Homes has confirmed that these matters were addressed through the planning permission granted for Phase 1 of the wider development. The crossing point has since been delivered and is operational in accordance with details approved by Norfolk County Council Highways.

Planning Balance and Conclusion

The proposed development represents a policy-compliant and sustainable form of growth which accords with both local planning policy and the updated National Planning Policy Framework. The scheme has evolved through extensive consultation with officers, consultees, elected members and local residents, demonstrating a commitment to collaborative working and positive community engagement.

The development will deliver 114 high-quality new homes, including 23 affordable homes, helping to address identified housing needs within the borough. The proposals have been designed to complement the character of the surrounding area, safeguard environmental interests and create a well-connected and sustainable extension to the existing community.

On this basis, the application represents sustainable development and should be afforded significant weight in the planning balance.”

PLANNING HISTORY (relevant)

21/01121/RMM: Application Permitted: 05/12/22 - Reserved Matters Application for layout, scale, appearance and landscaping for the erection of 226 dwellings and associated works and infrastructure (Committee decision)

16/00610/OM: Application Permitted: 06/09/18 - Outline Major Application: To include up to 240 dwellings (use class C3), access onto Lynn Road, open space, sustainable drainage systems and associated ancillary works (Committee decision)

RESPONSE TO CONSULTATION

Downham Market Town Council: SUPPORT as the proposed alterations to the development plan would enhance the existing plans however, the committee still seek reassurance over the regulation of emergency vehicular access on Cinnamon Road.

Wimbotsham Parish Council: OBJECTS on the following grounds: -

- Highway safety.
- Lynn Road (B1507) is unable to safely accommodate the additional traffic generated by the development without significant highway improvements.
- Concerns that existing vehicle speeds and traffic levels already create safety issues for pedestrians, cyclists, residents, and other vulnerable road users.
- Cumulative traffic impact.
- The proposal would add to traffic pressures arising from existing and approved developments in Wimbotsham and the wider Downham Market area.
- The application has not demonstrated compliance with NPPF paragraphs 115 and 116 regarding highway safety and safe access for all users.
- Lack of secured mitigation measures.
- The cumulative impact of developments along the Lynn Road corridor should be assessed collectively.
- Requests that the application be refused unless robust and enforceable highway mitigation measures are secured and operational prior to occupation.

NCC Highways Authority: NO OBJECTION subject to conditions.

NCC PRoW: HOLDING OBJECTION - The Public Right of Way, known as Wimbotsham Bridleway 13 is aligned coincident with Bridle Lane which is proposed to be crossed by the access road. PRoW request the Applicant obtain a Highway Boundary plan for that section of Wimbotsham Bridleway 13 to ensure that the full legal alignment and extent (width) remains open and available.

PRoW needs to determine whether or not the Public Bridleway will remain unaffected. Furthermore, they request details of the proposed crossing point of the access road with Bridle Lane, including proposed surfacing and infrastructure. This must be compatible with the legal users of the Public Right of Way including walkers, cyclists and horse riders. The full legal extent of this bridleway must remain open and accessible for the duration of the development and subsequent occupation.

Environment Agency: NO COMMENTS

Internal Drainage Board: NO OBJECTION - Phase 2 of the residential development is located on the northern outskirts of Downham Market. The site is located outside the Stoke Ferry IDB district but within its catchment.

The surface water runoff from the site is proposed to be disposed of using infiltration techniques and therefore will have no impact on the operation of the IDB providing this principle is followed.

Lead Local Flood Authority: NO OBJECTION subject to conditions relating to: -

- Being in accordance with the FRA / Drainage Strategy plus
- Construction Water Management Plan.

Anglian Water: NO OBJECTION subject to informative and condition.

The Downham Market Water Recycling Centre is within the acceptance parameters and can accommodate the flows from the proposed growth.

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions relating to contaminated land plus a Construction Environmental Management Plan.

Environmental Health & Housing – CSNN: NO OBJECTION subject to conditions relating to: -

- Outdoor lighting
- Construction Management Scheme
- Site hours
- Air Source Heat Pump details.

Historic Environment Service: NO OBJECTION subject to conditions relating to an Archaeological Written Scheme of Investigation.

Norfolk Constabulary: NO OBJECTION - Advice offered regarding pursuit of Secured by Design Accreditation.

Senior Ecologist: NO OBJECTION subject to conditions and S106 to secure mitigation and monitoring.

Arboricultural Officer: NO OBJECTION subject to conditions relating to landscape implementation and tree protection.

Strategic Housing: NO OBJECTION

Conservation Officer: NO OBJECTION (verbally)

Active Travel England: NO OBJECTION subject to Standing Advice.

NCC Minerals and Waste: NO OBJECTION subject to condition relating to the submitted Materials Management Plan to reuse on-site minerals, reduce the need for imported aggregates, lower transport emissions and avoid unnecessary sterilisation of mineral resources.

NCC Community and Environmental Services: Makes the following comments: -

The County Council would have concerns if funding for the infrastructure detailed below could not adequately be addressed/delivered through S106 and/or condition.

Education –

- Early Education £0.00
- Primary School £0.00
- High School £521,344.00
- Sixth Form £0.00
- Mainstream School Special Education Needs and Disabilities (SEND) (4-16) £63,078.00
- Specialist School SEND (4-16) £96,806.00

Passenger Transport –

- Home to School Transport £88,578.00
- Fire Hydrant required through condition - 1 fire hydrant per 50 dwellings

Library –

- Increasing the capacity of the library £21,090.00

Monitoring Fee –

- County Council Monitoring Fee £500 per trigger

NHS Norfolk and Suffolk: Makes the following comments: -

- The development is expected to generate 249 additional registered patients, increasing demand on local healthcare services.
- Healthcare infrastructure in Downham Market is already under pressure, and this development would further worsen existing capacity constraints.
- Combined with other proposed growth, including the Nightingale Lane development (25/00961/OM), there are concerns regarding the long-term sustainability of local healthcare provision.
- To mitigate the impact, the NHS requests developer contributions through a Section 106 agreement.
- The required healthcare contribution totals £161,640, comprising:
 - * £124,641 for General Practice provision.
 - * £36,999 for East of England Ambulance Service (EEAST) infrastructure.
- Further contributions will be sought from other developments to support future healthcare capacity across the town.

- As NHS organisations cannot access Community Infrastructure Levy (CIL) funding under local policy, the ICB considers S106 contributions essential to deliver the necessary infrastructure improvements.
- Without appropriate contributions and expansion of healthcare facilities, the development's impact on local healthcare services would be unsustainable.

REPRESENTATIONS

KLWNBUG - Norfolk & Fens Cycling Campaign: SUPPORTS – making the following comments as summarised: -

- Supports the inclusion of the all-weather paved link to Cinnamon Road.
- Questions the technical details of the means of restriction – dimensions and number of bollards
- Verify sought on the status and lighting of Bridle Road and the proposed usage.

A total of **TWENTY-SIX** Third Party representations received under two rounds of consultations, **TWENTY** of which **OBJECT**; and **SIX** are **NEUTRAL**.

The following comments have been made and summarised: -

OBJECTIONS: -

- Impact on local amenities, facilities and services
- No contribution towards CIL
- Highway safety
- Concerns about proposed access for emergency services via Cinnamon Road.
- Increased traffic
- Conflict between car users and cyclists
- Contrary to active Travel Standing Advice and Norfolk LTS Policy
- Bridle Lane is a bridleway and as such safe foot, cycle and horse access must be maintained.
- Overdevelopment of the area
- Lack of green spaces
- Impact on wildlife
- Overlooking
- Overbearing impact
- Overshadowing
- Noise and disturbance during construction
- Reduce value of existing properties
- Existing local residents have recently experienced ongoing water issues

NEUTRAL: -

- Queries a need for bollards or pedestrian gates to prevent unauthorised vehicular access from Bridle Lane to the Phase 2 development.
- Revised plans address Third Party concerns regarding overlooking.
- No boundary is shown adjacent to Third Party's garden.
- More trees and mature green spaces should be provided for wildlife.
- Play areas for children are very basic
- Should include a small shop.

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

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

LP03 - Neighbourhood Plans (Strategic Policy)

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

LP05 - Implementation (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)

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)

LP23 - Green Infrastructure (Strategic Policy)

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

LP28 - Affordable Housing Policy (Strategic Policy)

LP30 - Adaptable & Accessible Homes (Strategic Policy)

LP41 - Downham Market (Strategic Policy)

Policy F1.3 - Land North East of Downham Market

NEIGHBOURHOOD PLAN POLICIES

Neighbourhood Plan: Not Applicable

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

S4 - Principle of development within settlements

CC2 - Mitigation of Climate Change

CC3 - Adaptation to Climate Change

HO8 - Providing Affordable Homes

H09 - Specialist Forms of Accommodation

M6 - Safeguarding mineral resources and infrastructure through decision-making

L3 - Achieving Appropriate Densities

DP3 - Key Principles for Well-Designed Places

TR3 - Locating development in sustainable locations

TR4 - Street Design, access and parking

TR6 - Assessing Transport Impacts

TR8 - Public Rights of Way

HC3 - Community facilities and public service infrastructure serving new development

HC4 - Proposals for new and improved community facilities, public service infrastructure and development providing public health benefits

P2 - Ground conditions

P3 - Living conditions and pollution

F4 - Assessing flood risk for decision-making

F7 - Ensuring development is safe from flooding

F8 - Sustainable drainage systems and watercourses

N2 - Improving the natural environment

N3 - Trees in new development

N6 - Areas of particular importance for biodiversity and geodiversity

HE5 - Assessing effects on heritage assets

HE6 - Proposals affecting designated heritage assets

HE9 - Conservation areas

NATIONAL GUIDANCE

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations in determining this application are as follows:

- Principle of development

- Form and character
- Highway safety
- Impact on neighbour amenity
- Impact upon Heritage Assets
- Affordable housing
- Landscaping and Public Open Space
- Ecology/Biodiversity Net Gain
- Impact on trees and wood
- Drainage issues
- Section 106 financial contributions
- Other material considerations

Principle of Development:

The application site comprises the second phase of development affecting the allocated site under Policy F1.3 of the Local Plan (carried over from the SADMPP) which states as follows:

“Policy F1.3 - Land north-east of Downham Market of around 16.2ha, as shown on the Policies Map, is allocated for a high quality, well landscaped development of at least 296 dwellings and associated facilities.

Development is subject to the following:

1. Inclusion with any planning application of:

- a. a masterplan for the whole allocated area showing how the various considerations and requirements (including those below) can be integrated and delivered.
- b. a transport assessment to demonstrate how adequate road access and improved walking and cycling facilities and connections would be satisfactorily achieved.
- c. an ecological study that establishes that either:
 - i. there would be no negative impact on flora and fauna;
 - ii. or, if any negative impacts are identified, establishes that these could be suitably mitigated.
- d. a heritage assets assessment to identify such assets (including archaeology) and measures to conserve these as appropriate.
- e. an assessment of any contamination of land on the site, and how this will be remediated if necessary.
- f. an assessment of the potential for extracting, either in advance of development or in the course of its development, any viable reserve of carrstone or silica sand on the site.

2. Incorporation in the development of:

- a. design, layout and landscape planting to form an attractive and firm northern boundary, incorporating a landscape buffer;
- b. a road access to Lynn Road;
- c. roads and layout to facilitate potential future development to the south and east of the site;
- d. local highway improvements to fully integrate the development in to the surrounding network;
- e. pedestrian and cycle ways within and beyond the site, including links to Downham Market town centre;
- f. a network of roads, and cycle and pedestrian routes, which would facilitate potential future development beyond the eastern boundary of the site;

- g. a landscape planting scheme to integrate the development within the local landscape, and provide visual amenity and biodiversity within the development;
- h. land for allotments, and path improvements, in line with the Borough's Green Infrastructure Strategy as it relates to Downham Market;
- i. a proportion of affordable housing provision in accordance with the Council's current standards;
- j. upgrading of the water supply and sewerage infrastructure to service the site by agreement with Anglian Water;
- k. financial contributions towards the provision of infrastructure including;
 - i. additional primary and secondary school places;
 - ii. strategic infrastructure for Downham Market, as set out in the Council's Infrastructure Study;
- l. outdoor play space of at least 1.4 hectares of (based on a population of 582, assuming 2.33 persons per dwelling, and a requirement of 2.4 ha per 1,000 population);
- m. protection and enhancement of public rights of way within or adjacent to the site;
- n. retention of wooded area in the south-west corner of the site for its nature conservation and amenity value;
- o. sustainable drainage systems to address surface-water run-off (including attenuation), flood risk, biodiversity and the avoidance of groundwater pollution;

3. Inclusion within the development of neighbourhood shops and/or community facilities would be welcomed.

Criteria 1. a. and b. were addressed at the outline/reserved matters stage of Phase 1. Ecology, archaeology, contamination and mineral management are dealt with later in this report.

Criteria 2. a. to h. were also dealt with at the Phase 1 approval stage. Consideration of criteria i. to o. takes place throughout the following report.

There are no shops or community facilities proposed as part of this scheme, however, this was a desirable request rather than an essential requirement.

Policy LP41 – Downham Market also applies which states inter alia:

“The growth of Downham Market will be supported through the provision of land for housing and employment and through the development of services and facilities. This growth will be carefully balanced to meet the needs of the existing and future population...

5. The growth of Downham Market will be supported through the provision of land for housing for at least 600 new homes across two allocations...”

This allocated site is one of those mentioned at Point 5 above.

Downham Market is a Tier 1 settlement. The site is well-positioned for access to facilities available within the town, being approx. 2km from the railway station and approx. 1.3km from the town centre. Whilst Downham Market is not a ‘well-connected’ station in terms of the NPPF definition (within a top 80 Travel to Work Area located partially or fully within England by Gross Value Added), it generally supports development of housing close to railway stations.

So, the principle of the development of this remaining parcel of land has already been effectively established by the allocation and accords with Policies LP01, LP04, LP41 & F1.3 of the Local Plan.

Form and Character:

As stated above, the site lies to the immediate south of the properties on Bridle Lane, east of those fronting Lynn Road, north of houses on Saffron Close, Cinnamon Road and Parsley Way to the south and adjoining the development site of Phase 1 to the east. The site is therefore effectively surrounded by existing and proposed new residential development.

The new dwellings comprise: 3 x 1 bedroomed units, 16 x 2 bedroomed units, 47 x 3 bedroomed units, 46 x 4 bedroomed units and 2 x 5 bedroomed units; mostly 2 storeys in height with some single storey, 1½ and 2½ storey. There are approx. 30 differing dwelling types/designs.

The proposal is considered to be in accordance with the Development Framework Plan submitted as part of the development agreed under Phase 1. The road layout joins that already implemented on the adjoining site which links up to the existing new roundabout on Lynn Road. There is a main spine road loop with a further loop to the west towards the wood and cul-de-sacs creating the road hierarchy. There is a link from the spine road onto Cinnamon Road to the south which is proposed to be an access for emergency purposes only and primarily a cycle and footpath route connecting to the existing network.

The wood is proposed to be retained and there is a surface water balancing pond in the NW corner of the site. A line of public open space and equipped play areas diagonally bisects the eastern side of the site between proposed and committed housing. This alignment corresponds to that within Phase 1 and follows the Anglian Water main (hence exclusion from developing dwellings) and continues the green and blue infrastructure of the overall estate.

The dwellings are mostly fronting onto the road with associated parking en-curtilage or allocated. Road frontages are broken up with structured tree planting. The introduction of trees on active road frontages is positively encouraged in the National Design Guide.

There is good cycling and footpath connectivity provided within the site layout.

The appearances of the dwellings are similar to those on Phase 1, comprising mainly simple gable roof structures, cottage style windows, pitched and lean-to bracketed porches, brick detailing to windows and coursing and the 2½ storey dwellings include a combination of flat and gabled roofed dormer windows in the front roof planes serving the second-floor bedrooms.

The choice of facing materials is defined as: Lindum Cottage Red Multi, Oakthorpe Red Multi and Belgravia Gault Blend facing bricks under Anthracite plus Terracotta Seawave rooftiles, which match those on Phase 1 and the existing palette in this part of the town.

There is a significant amount of landscaping included in the scheme for public open space, but also importantly within the built extent. This improves the quality of the environment as well as demarcating private space and also screens some of the parking to reduce the visual impact. The hard landscaping materials will also assist in establishing the character and hierarchy of streets/areas throughout the development.

In terms of form and character, the proposal respects and enhances the locality and rates highly when judged against the criteria of the National Design Guide plus Building for Healthy Life assessment.

Overall, the proposed design is considered acceptable in line with Policies LP18 and LP21 of the Local Plan, Policies DP3 & DP4 of the NPPF plus the National Design Guide.

Highway Safety:

Access to this site is served via the existing Phase 1 development from the roundabout on Lynn Road.

Wimbotsham Parish Council has raised concerns regarding the potential impact of the development on highway safety and traffic movements along Lynn Road. The application is accompanied by a Transport Assessment (TA) which comprehensively assesses these matters.

The assessment concludes that the site lies in a sustainable location, with convenient access to local facilities and services via existing roads, pedestrian and cycle routes. It further confirms that there are no existing highway safety issues that would be exacerbated by the proposed development.

The Local Highway Authority (LHA) has reviewed the TA and raises no concerns regarding this aspect of the proposal. The roundabout junction and off-site improvement works to footpath linkages were designed to accommodate the additional development of Phase 2 plus further development to the SE and have been implemented accordingly.

Within the layout parking provision for each residence meets current standards and there are 26no. visitor spaces spread across the site.

Plans submitted illustrate both fire appliance and refuse vehicle tracking throughout the road layout.

There is a circuitous footpath proposed around the balancing pond in the NW corner of the site and linkage up to Bridle Lane via an existing field access. Footpath linkage to the SE corner of the overall estate allows connection onto Wimbotsham BR14 to the east.

Access for emergency vehicles is proposed via Cinnamon Road which will be used primarily as a cycle/pedestrian route connecting to the existing network. This 'gateway' would be restricted by bollards etc. to the specification of the LHA and controlled by NCC under Section 38 adoption.

Comments have been received from the County Public Rights of Way Officer regarding Bridle Lane/Wimbotsham Bridleway 13 and the associated crossing point at the eastern end. These matters were addressed through the planning permission granted for Phase 1 of the wider development. The crossing point has since been delivered and is operational in accordance with details approved by the Local Highway Authority.

Whilst the concerns of Wimbotsham Parish Council are noted, the development would not result in an unacceptable impact on highway safety, or residual, cumulative impacts on the road network which would be 'severe' or 'unacceptable impact upon highway safety' in accordance with transport Policy LP13 and Policy TR6 of the NPPF.

The proposed development could therefore be considered acceptable and would comply with Policies LP13, LP14 and LP21 plus criterion 2 e) of Policy LP02 of the Local Plan.

Residential Amenity:

Initial concerns regarding inter-relationships between existing dwellings on Bridle Lane and Parsley Way and proposed houses, have been addressed by re-designing the layout and house types. There are now single and 1½ storey dwellings to the rear/south of the set-back dwellings on Bridle Lane, and houses have rear gardens north of Parsley Way opposed to

being side-on. Indeed, the revisions resulted in a reduction in numbers by two units/dwellings. However, the density is maintained at a level which makes the most effective use of the land (approx. 36 dph net) similar to that on Phase 1.

With regards to the common boundary between the dwellings on Bridle Lane and Plots 333 to 340 inclusive, this is shown as 1.8m close-boarded fencing on the Boundaries plan. Whilst the separation distances are acceptable, given that the finished floor levels of the new dwellings would be up to approx. 1m higher than the neighbouring gardens, a higher treatment may be required (perhaps including trellis). This can be best assessed nearer completion, agreed prior to occupation and implementation secured via condition.

Internal relationships between proposed dwellings are now sufficient to allow each dwelling a reasonable degree of privacy, with no direct overlooking. Close boarded fencing mostly provides privacy at ground floor level and between plots, with boundary walls and metal estate railings used to create improved street scenes to the public realm.

Spaces for sheds and bin storage are afforded to every dwelling. Bin collection points to serve the properties off private drives have been provided and the layout is satisfactory in this respect.

A Construction Management Plan plus external lighting scheme details may be secured via condition.

With the proviso of the issues/details referred to above, the proposed impacts on residential amenity and neighbour amenity are considered acceptable in line with Policies LP18 and LP21 of the Local Plan.

Affordable Housing:

The site area and number of dwellings proposed obviously trigger the thresholds of Policy LP28 of the Council's adopted Local Plan.

At present a 20% provision is required on sites capable of accommodating 10 or more dwellings and/or 0.33ha in Downham Market. The affordable housing provision is split into 70% of the affordable homes being made available for rent (2 x 1 bedroomed unit, 6 x 2 bedroomed units, 6 x 3 bedroomed units and 2 x 4 bedroomed units = 16 no. in total) and 30% meeting the intermediate definition within NPPF (4 x 2 bedroomed units and 3 x 3 bedroomed units = 7no. in total), which meets an identified need in the Borough and is agreed by the Council.

As indicated above, in this instance 23 units are required/proposed to meet the 20% required by Policy LP28.

These are shown to be spread across the site with the high demand for bungalows and chalets resulting in the six units to the rear of the Bridle Lane properties mentioned above being allocated. Housing policy indicates clusters of up to 10 units whereas the groupings shown range between 2 and 7 units. This formation has the agreement of our Housing colleagues.

Subject to this provision being secured via S.106 agreement, the proposal effectively complies with Policy LP28 and Policy 1.3 2i of the Local Plan, plus Policy HO8 of the NPPF.

Impact upon Heritage Assets

The Council has a duty under the provisions of the Planning (Listed Buildings & Conservation Areas) Act 1990 to assess such impact. The application is accompanied by a Heritage Assessment.

In approving Phase 1 it was concluded that the impact of the new estate development upon the nearby heritage assets consisting of Wimbotsham Conservation Area, Grade 2* St Mary's Church and Grade 2 listed Hill House was 'less than substantial' and in the planning balance the public benefits of fulfilling the housing allocation would vastly outweigh any impact.

Given the position of the current site for housing and topography of the land, it is low-set and further away (0.57km) from the aforementioned heritage assets with intervening development along Bridle Lane and established landscaping. There is therefore no impact created by this current scheme.

There are thought to be no adverse implications relating to the former WW2 airfield. A scheme of archaeological investigation may be secured via a suite of conditions as recommended by Historic Environment Services.

The proposal can therefore accord with the provisions of Policies HE4 & HE9 of the NPPF and Policy LP20 of the Local Plan.

Landscaping and Public Open Space

The following landscape design principles have informed the landscape proposals for the site:

- Using the open space to link Phases 1 and 2 of the allocation together to provide for a comprehensive development

- To promote an identifiable and legible green space network which provide for a range of functions and characters

- Providing for the retention and enhancement of existing landscape features within the site, most notably the woodland and existing edge conditions with this established character informing landscape design for different parts of the site

- Creation of over 10% biodiversity net gain within Phase 2.

Restricted Open Space Access with Biodiversity Focus (including the SuDs Pond) - This area is located in the north-western corner of the site and borders the existing retained woodland to the south.

This area will be planted with a woodland focus with public access restricted to a fence-lined footpath and also includes the SuDS pond which will be fenced off from public access.

Central space - A central multi-functional green space with recreational focus is proposed, including a Local Equipped Area of Play (LEAP) and swale with planting chosen to maximise nature conservation and biodiversity. Careful consideration has been given in the design of the planting to avoid inappropriate invasive planting, other than wildflower grassland, in the Anglian Water easement which runs diagonally across the site. Landscaping to this area has been carefully designed to avoid the easement to the Anglian Water apparatus.

SE corner area – Additional open space is proposed to be added to incorporate additional parcels of land omitted from the earlier outline and reserved matters approval on Phase 1. This completes this corner of the site and allows for a Local Area of Play to be accommodated.

Policy F1.3 2.I states that outdoor play space of at least 1.4 hectares of (based on a population of 582, assuming 2.33 persons per dwelling, and a requirement of 2.4 ha per 1,000 population) is required for this site.

Policy LP22 also requires developments of over 100 dwellings to provide both 'suitably equipped' children's play space and open amenity space. Applying the standard of 17m² of open space per dwelling results in a minimum requirement of approx. 2000m².

The Phase 2 area has approx. 1.6ha of open space provision, however, the Phase 1 development had an over-provision of some 0.5ha which means that the overall requirement for the estate is met.

Estate development of between 200-500 dwellings should normally accommodate a Local Area of Play (LAP), Local Equipped Area of Play (LEAP) and Multi-Use Games Area (MUGA) in accordance with the Fields in Trust guidance. Phase 1 already has a LEAP and a LAP. A further LEAP is proposed on the central area and a LAP in the SE corner of Phase 2. Given the physical constraints of the site (AW infrastructure and woods) and emphasis on retention and embellishment of the woodland for ecological purposes, a MUGA (with its associated illumination and activity) would conflict with this design and biodiversity concept. Plus, there is an existing MUGA (Memorial Playing field, Mill Lane) within reasonable walking distance of the site (approx. 600m away). Two LEAPs and two LAPs are considered to be acceptable in this instance to serve the overall estate/allocation.

Hard and soft landscaping details have been submitted as part of this application. Our Arboricultural Officer is content with these details, and the scheme may be implemented via condition.

The provision, future management and maintenance of these areas of POS will once again be covered by S106 Agreement. These are expected to be dealt with via a Management Company as per the arrangements for Phase 1.

The proposal is therefore considered to comply with the NPPF, National Design Guide and Local Plan Policies LP18, LP21, LP22 and F1.3 2.I.

Ecology/Biodiversity Net Gain:

An extensive ecological assessment has been undertaken in connection with this site comprising: Preliminary Ecological Appraisal, Breeding Bird Survey, Reptile Survey to Inform Preliminary Habitat Regulation Assessment Screening and Appropriate Assessment, BNG Statement, Statutory Biodiversity Metric Condition Assessment, Biodiversity Plan, Biodiversity Net Gain and Landscape and Ecology Management and Maintenance Plan.

Impacts upon certain protected species are identified including badgers, birds and reptiles.

A Reptile Mitigation Strategy has been produced to address the existence of Slow worms on site and allow for relocation off-site and enable reintroduction post-development in the extended woodland area and overall site. This may be secured via condition.

The relocation site needs to be managed in accordance with the agreed scheme but given that this is off-site, it is required to be covered via Section 106 agreement.

The commencement of development is to be undertaken outside the bird nesting season and may be secured via condition.

A pre-construction check and walkover survey for badgers is required and may once again be secured via condition.

If the precautionary measures recommended for birds, badgers and hedgehogs are followed, it is considered that the development is able to proceed with minimal impact on the local conservation status of any protected, principally important or rare species within the area.

It is also considered that with a sensitive landscape scheme, and by including the additional enhancements, the site could be improved for local wildlife post development.

A Construction Environmental Management Plan, Landscape & Ecological Management Plan, Ecological Design Strategy can all be secured via conditions and be compliant with Policy LP19 of the Local Plan.

Likewise, Biodiversity Net Gain (BNG) mitigation may also be secured via condition to accord with the BNG Metric.

Impact on trees and wood:

There is a wood (subject of a TPO) in the SW corner of the site which is to be retained (as per Policy F1.3 2n) and fenced off (using post and rail fencing) to secure and protect its ecological/biodiversity value. It also contains several veteran trees which require special consideration and protection.

There are also some TPO oak trees (2/TPO/00529: 2015) alongside Bridle Lane adjoining the site.

The application is accompanied by an Arboricultural Impact Assessment and Tree Protection Plan.

These measures are now considered to be acceptable and can be secured by condition. The proposal complies with Policies LP18, LP19 & LP21 of the Local Plan plus Policy F1.3 2g&n and Policies N2 & N6 of the NPPF.

Drainage issues:

Surface water drainage is an issue in this area due to the topography with the land falling from SE to NW towards Lynn Road.

This has been the subject of detailed assessment in liaison with the Lead Local Flood Authority (LLFA).

The drainage scheme now demonstrates how surface water can be accommodated within the confines of the application site, stored in a balancing pond in the NE corner of the site.

This drainage strategy now has the backing of the LLFA and no adverse comments from the IDB.

With regards to foul water drainage, it is proposed to link the development to the existing mains drainage. Anglian Water raise no objection to this proposal as there is capacity in the Downham Market Water Recycling Centre.

Overall, the drainage implications of the development are considered acceptable and comply with the requirements of the NPPF and Policies LP06, LP18, LP21 and LP25 of the Local Plan.

Section 106 financial contributions

Section 70(2) of the Town and Country Planning Act 1990 provides that an LPA must have regard to a local finance consideration as far as it is material. The site does not attract Community Infrastructure Levy - The position on CIL was agreed by the Planning Inspector when the allocated site was dealt with as part of the adoption of the SADMPP (2016). The actual development to be delivered on the site is however substantially more than predicted in the allocation.

Policy F1.3 2k covers contributions towards education and library books which amounts to £727,818 and, given that there is no CIL in this instance, NHS requirement for expansion of healthcare facilities of £161,640 (outlined in the consultation section above) may be secured via Section 106 agreement as agreed by the applicants.

This meets the requirements of Policies LP05 & F1.3 2k.

Other Material Considerations

Safety – Members have previously raised concerns regarding the safety implications of having surface water attenuation ponds within residential estate developments. In this instance the main pond is proposed to be enclosed by 1.8m high deer fencing to prevent unauthorised access. The use of fencing also negates any potential overlooking implications for properties to the north on Bridle Lane from the top of the bunding.

The smaller swales/depressions on the western side of the eastern area of Public Open Space are overlooked by dwellings but are not expected to hold water only in very extreme circumstances (draining very quickly) as excess water is directed into the main pond.

These measures have been used within Phase 1, are considered to be appropriate in this instance and would satisfy Policy LP21 of the Local Plan.

Lighting scheme – Details of a lighting scheme for the development including roads, footpaths, parking and circulation spaces may be dealt with via condition as recommended by both CSNN and our Senior Ecologist.

Materials Management – A Materials Management Plan has been submitted at the request of NCC Minerals and Waste due to the site lying over silica deposits. This is considered to be acceptable and its implementation may be secured via condition. This complies with Policy M6 of the NPPF.

Crime and Disorder – The Architectural Liaison Officer (ALO) has assessed the scheme against the principles of Secured by Design, and through the application process the applicants have sought to address any queries/concerns raised to ensure the scheme is where possible in accordance. The applicants have introduced windows in side/flank elevations (previously blank) plus 1.5m high fencing with 300mm of trellis used to create surveillance of parking areas in strategic locations as stated above. Whilst private parking courts are not preferred by the ALO, the scheme is now considered to be acceptable in terms of designing out crime.

Flood risk - The application site lies within Flood Zone 1 of the SFRA plus EA mapping and is therefore in an area with the lowest probability of flooding. The NPPF directs development towards areas of lower risk and thus the site is in accordance with national guidance.

Emerging Downham Market Neighbourhood Plan - The draft (Regulation 14) Downham Market Neighbourhood Plan was consulted upon in Autumn 2021 but has not been submitted for examination. Little weight can be given to the draft policies in decision making at this stage, however it is important these are considered.

The Neighbourhood Plan policies cover a range of issues relevant to the proposed development, and consideration has been given to the requirements of these (many of which are already included within the NPPF and adopted Local Plan). It is considered that the scheme is broadly in accordance with the policy requirements. Given the stage of the Plan however the scheme has been assessed against current policy requirements and standards.

Contamination - The applicant has provided a Phase 1 report which generally characterises the site. Environmental Quality recommend a suite of conditions to ensure the site remains safe for its lifetime in regard to land contamination, in line with Local Plan Policy LP21.

Fire hydrants – these are sought at 1 per 50 dwellings; this may be secured via condition as suggested by Norfolk CC.

Air quality – Environmental Quality raise no objection subject to dust monitoring to be contained within a Construction Environmental Management Plan. The proposal is capable of complying with Policy LP21 of the Local Plan.

Climate change - All dwellings proposed are from the 'Eco Range' and provide for the following benefits to reduce carbon emissions:

- Solar PV
- Electrical vehicle charging
- Wastewater heat recovery
- More thermally-efficient walls
- Enhanced loft insulation
- Energy efficient boilers and controls
- More thermally-efficient floors
- Panelised offsite manufacturing.

As a whole, the proposal is considered to comply with the aims of Policy LP06 of the Local Plan.

Adaptable and accessible homes – As required by Local Plan Policy LP30 'Adaptable and Accessible Homes' and comments from the Council's Housing Development Officer, 8.7% (2 dwellings) of the proposed affordable houses meet the M4(3) standard with the inclusion of the two 2-bedroom Broxbourne bungalows. This level of provision significantly exceeds the requirements of policy LP30 which requires 5 % which would be the equivalent of one unit. 46 other dwellings (40%) are proposed to meet the M4(2) standard. The proposal therefore complies with Policy LP30 of the Local Plan plus Policy HO9 of the NPPF.

GIRAMS – The GIRAMS fee, mitigating against in-combination recreational disturbance impacts may be secured via S.106 legal agreement – currently £315.58 per dwelling. Impacts on the protected sites scoped into the strategy can therefore be ruled out in line with Policy LP27.

Third party correspondence - In relation to third party comments not covered above, the LPA comments as follows:

- Impact upon property values – implications either up or down on property values is not a planning consideration;

- Water pressure – will be dealt with by the appropriate bodies/authorities; it is unreasonable for the developers of this site to be expected to resolve these matters, and providing the site can cater for the drainage requirements of the new scheme without impacting upon existing development, this is acceptable.

PLANNING BALANCE/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.

The application seeks consent for the construction of 114 new dwellings in a highly sustainable location allocated for housing development in the Local Plan.

The site would provide dwellings with a housing mix ranging from one-bedroomed flats to five-bedroomed houses with 20% as affordable units to be secured via S.106 legal agreement. That legal agreement would also secure the provision and maintenance of the open space and play equipment, off-site reptile mitigation and management, payment of the GIRAMS tariff and financial contributions required by Norfolk County Council and NHS Norfolk & Suffolk.

This weighs heavily in favour of the proposed development.

All other technical matters of planning importance may be secured via condition and there is nothing to weigh against this proposal in the planning balance.

Overall, the proposal would comply with the National Design Guide, Policies LP01, LP03, LP04, LP05, LP06, LP13, LP14, LP18, LP19, LP20, LP21, LP22, LP27, LP28, LP30, LP41 & F1.3 of the Local Plan, plus guidance contained in Policies S4, CC2&3, HO8&9, M6, L3, DP3, TR3,4,6&8, HC3&4, P2&3, F4,7&8, N2,3&6 and HE5,6&9 of the NPPF (2026).

Given the clear guidance in the NPPF (2026), the application should therefore be approved without delay.

RECOMMENDATION

A. APPROVE - subject to completion of a Section 106 agreement within 4 months of a resolution to **APPROVE** to cover affordable housing provision, provision and maintenance of the open space and play equipment, off-site reptile mitigation and management, payment of the GIRAMS tariff and financial contributions required by Norfolk County Council and NHS Norfolk & Suffolk, permission be granted subject to certain conditions. If the agreement is not completed within 4 months of the committee resolution, but reasonable progress has been made, delegated authority is granted to the Assistant Director/Planning Control Manager to continue negotiation and complete the agreement and issue the decision.

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:

- Drainage Appraisal, 1261-00-03 Rev F
- Levels Appraisal, 1261-00-05 Rev E
- Ecological Enhancement Plan, JBA 24/174-ECO01A
- Ecological Enhancement Plan, JBA 24/174-O02A
- Detailed Landscape Proposals for Plots and POS, JBA 24/174 01 J
- Detailed Landscape Proposals for Plots and POS, JBA 24/174 02 J
- Detailed Landscape Proposals for Plots and POS, JBA 24/174 03 J
- Detailed Landscape Proposals for Plots and POS, JBA 24/174 04 J
- Detailed Landscape Proposals for Plots and POS, JBA 24/174 05 J
- Detailed Landscape Proposals for Plots and POS, JBA 24/174 06 J
- Detailed Landscape Proposals for Plots and POS, JBA 24/174 07 J
- Play Area Proposal LAP dated 11th March 2025
- Play Area Proposal LEAP dated 14th March 2025
- Boundary treatment Plan, DM/PH2/BT/01C
- Charter Plan, DM/PH2/CP/01C
- Planning Layout, DM/PH2/PL/001C
- Part M Compliant Plan, RY/ML/PMCP/001B
- Car Tracking, DM/PH2/CT/001B
- Fire Appliance Tracking, DM/PH2/FAT/001B
- Refuse Vehicle Tracking, DM/PH2/RVT/001B
- Van Tracking Plan, DM/PH2/VT/001B
- Location Plan, DM/PH2/LP001
- Close Coupled Substation, GTC-E-SS-0012-R1-8_1 of 1
- Pedestrian, Cycle and Emergency Access, 211100-01B
- South East Access via Phase 1, 211100-02
- South East Access via Phase 1, 211100-03

- North East Access Via Phase 1 Refuse Vehicle Tracking, 211100-05
- North East Access via Phase 1 General Arrangement
- Finished Levels Cross Sections, 1261-00-15 A
- Finished Levels Cross Sections Sheet 2, 1261-00-16
- Tree Protection Plan, JBA 24/174 TPP01D
- Tree Protection Plan, JBA 24/174 TPP02D
- Tree Protection Plan, JBA 24/174 TPP03D
- Tree Protection Plan, JBA 24/174 TPP04D
- Tree Removals Plan, JBA 24/174 TRP01C

House Types:

- Ashridge Floor Plans and Elevations, AD_End_R25-401
- Alnmouth Floor Plans and Elevations, Al_FG_End_R25-401
- Barndale Floor Plans Be_Det_R25 and Elevations, Be_Det_Det_R25-V009
- Burnham Floor Plans and Elevations, Bu_Det_R25-401
- Brightstone Floor Plans and Elevations, Bg_Det_R25-401
- Dallington Floor Plans and Elevations, Dg_End_R25-401
- Dallington Compliance Plan Dg_MA_Mid_R21E-902F
- Greenwood Floor Plans and Elevations, Gw_Det_R25-401
- Haldon Floor Plans and Elevations, Hd_End_R25-401
- Haldon Compliance Plan Hd_MA_Trad_R21E-092C
- Grizedale Floor Plans and Elevations, Gz_End_R25-401
- Grizedale Compliance Plan Gz_MA_Mid_R21E-902B
- Kingley Floor Plans and Elevations, Kg_End_R25-401
- Knebworth Floor Plans and Elevations, Kn_End_R25-401
- Kennet Floor Plans and Elevations, Ke_End_R25-401
- Marston Floor Plans and Elevations, Ma_Det_R25-401
- Redhill Floor Plans and Elevations, Rh_Det_R21-410

- Redhill Compliance Plan, Rh_MA_Det_R21E-902C
- Rendlesham Floor Plans and Elevations, Re_End_R25-401
- Rendlesham Compliance Plan, Re_MA_Mid_R21E-902C
- Wareham Floor Plans and Elevations. Wa_Sem_R21-410
- Warham Compliance Plan, Wa_MA_End_R21G-902C
- Broxbourne Floor Plans and Elevations, Brx_End_R25-401
- Broxbourne Compliance Plan, BxB_MA_End_R21G-902A
- Audley Floor Plans and Elevations, Au_MA_End_R21G
- Audley Compliance Plan, AU_MA_End_R21G-902 02
- Thrunton Floor Plans and Elevations, Thr_MA_End_R25
- Sherwood Plot 305 (Extra Side Window), Floor Plans and Elevations, Sh_MA_Det_R21G
- Galloway Plot 307 (Extra Side Window), Floor Plans and Elevations, Ga_MA_End_R21G
- Cambridge Floor Plans and Elevations, Cm_MA_Det_R21G
- Galloway Floor Plans and Elevations, Ga_Sem_R25-401
- Saunton Plot 259 (Extra Side Window), Sa_End_R25-401
- Saunton Floor Plans and Elevations, Sa_End_R25-401
- Sherwood, Floor Plans and Elevations, Sh_Dert_R25-401
- Silverdale Floor Plans and Elevations, Sv_MA_End_R21G
- Barndale Floor Plans and Elevations Plots 229, 270, 298, 331, Be_Det_R25
- Burnham Floor Plans and Elevations Plots 248, 249, Bu_Det_R25-401
- Hyde Floor Plans and Elevations, HyC_MA_Det_R21G
- Kennet Plots 237, 238, 265, 266, Floor Plans and Elevations, Ke_MA_End_R25
- Lambridge Plots 234, 235, 242, 254, 269, 292, 315, 321, 322, Floor Plans and Elevations LB_Det_R25_401.

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the

scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development. To comply with the provisions of Policy LP21 of the Local Plan (2021-2040) and Policy P3 of the NPPF (2026).
- 4 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development. To comply with the provisions of Policy LP21 of the Local Plan (2021-2040) and Policy P3 of the NPPF (2026).
- 5 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. To comply with the provisions of Policy LP21 of the Local Plan (2021-2040) and Policy P3 of the NPPF (2026).
- 6 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition number 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 4, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition number 5.

- 6 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. To comply with the provisions of Policy LP21 of the Local Plan (2021-2040) and Policy P3 of the NPPF (2026).
- 7 Condition: No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:
 1. An assessment of the significance of heritage assets present
 2. The programme and methodology of site investigation and recording
 3. The programme for post investigation assessment of recovered material
 4. Provision to be made for analysis of the site investigation and recording
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 6. Provision to be made for archive deposition of the analysis and records of the site investigation
 7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 7 Reason: To safeguard archaeological interests in accordance with Policy HE4 of the NPPF (2026) and Policy 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.
- 8 Condition: No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 7.
- 8 Reason: To safeguard archaeological interests in accordance with Policy HE4 of the NPPF (2026) and Policy LP20 of the Local Plan (2021-2040).

- 9 Condition: The development shall not be occupied or put into first use 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 7 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 9 Reason: To safeguard archaeological interests in accordance with Policy HE4 of the NPPF (2026) and Policy LP20 of the Local Plan (2021-2040).
- 10 Condition: The development shall be implemented in accordance with the Tree Protection Plans and Arboricultural Method Statement ref: JBA 24/174 AR02 dated 08.09.26 produced by James Blake Associates and submitted as part of this application.
- 10 Reason: In order to safeguard existing trees within and adjoining the site in accordance with Policy LP19 of the Local Plan (2021-2040) and Policies N2 & N6 of the NPPF (2026).
- 11 Condition: The soft landscaping shall be implemented in accordance with the Measured Works Schedule Rev. H produced by James Blake Associates and Detailed soft landscape proposal plans. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 11 Reason: In order to assimilate the development into its setting and to accord with the provisions of Policies LP18 & LP21 of the Local Plan (2021-2040) and Policies N2 & N3 of the NPPF (2026).
- 12 Condition: With the exception of the rear boundaries of Plots 333 – 340 inclusive, the boundary treatments shall be installed as per the approved plan (Dwg no. DM/PH2/BT/01 Revision C) prior to the occupation of the associated dwelling, or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained as such unless otherwise agreed in writing by the Local Planning Authority.
- 12 Reason: In the interests of achieving appropriate levels of residential amenity to both proposed and neighbouring dwellings and to accord with Policy LP21 of the Local Plan (2021-2040).
- 13 Condition: Prior to completion of Plots 333-340 inclusive, details of the rear boundary treatments shall have been submitted to, and agreed in writing by, the Local Planning Authority. Those boundary treatments shall be implemented as agreed prior to occupation of each relative dwelling and maintained as such thereafter.
- 13 Reason: In the interests of achieving appropriate levels of residential amenity to both proposed and neighbouring dwellings and to accord with Policy LP21 of the Local Plan (2021-2040).

- 14 Condition: The development shall be built in accordance with the submitted Flood Risk Assessment (Flood Risk Assessment | Bridle Lane, Downham Market – Phase 2 | Amazi Consulting Ltd | Ref: AMA974 | Rev: 0 | Dated: 30 April 2025) and Drainage Strategy (Drainage Strategy Report | Persimmon Homes East Midlands – Site at Downham Market Phase 2 | Infrastructure Design Ltd | Ref: 1261/00/01 | Rev: P01 | Dated: 03 April 2025), as supported and/or updated by the following additional documents:

- Drainage Strategy LLFA Response | Persimmon Homes East Midlands – Site at Downham Market Phase 2 | Infrastructure Design Ltd | Ref: 1261/00/02 | Rev: P01 | Dated: 10 April 2026; and
- Drainage Strategy LLFA Response | Persimmon Homes East Midlands – Site at Downham Market Phase 2 | Infrastructure Design Ltd | Ref: N/A | Rev: N/A | Dated: June 2026.

The schematic drainage layout adopted must be that demonstrated in the final submitted drainage strategy drawing (Drainage Appraisal | Downham Market Phase 2 | Infrastructure Design Ltd | Drawing No.: 1261-00-03 | Rev: E | Dated: March 2025). The approved scheme will be implemented prior to the first use of the development.

- 14 Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 181, 182 and 187 and Policy LP21 of the Local Plan, by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.
- 15 Condition: Prior to commencement of development, a Construction Water Management Plan (CWMP) detailing how surface water and other forms of flood risk will be managed on the site from start of construction (including demolition and site clearance operations) to handover of the development shall be submitted to and agreed in writing by the Local Planning Authority.
- 15 Reason: To prevent flooding in accordance with Policies F7 & F8 of the National Planning Policy Framework (2026) plus Policy LP21 of the Local Plan (2021-2040) by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.
- 16 Condition: The development hereby approved, shall be carried out in accordance with the approved Materials Management Plan - Minerals (26-2858-MMP_M) by Ergo Ltd, dated July 2026. A record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant shall be kept and an annual return of these amounts provided to the Local Planning Authority upon request.
- 16 Reason: To ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the NPPF and Policy MP11 of the Norfolk Minerals and Waste Local Plan 2023-2038.
- 17 Condition: Prior to commencement of demolition or development a detailed construction management scheme must be submitted to and approved by the Local Planning Authority. This must include the following information:
- proposed timescales of the demolition and construction phases, and any piling.
 - full details of the techniques, noise and vibration data, and location of any piling which is due to take place.
 - a description and location of any fixed machinery and the sound power levels.

- the location and layout of the contractor compound, the location of contractor parking
- the location and layout of the materials storage area, machinery storage area and waste & recycling storage area.
- full details of the proposed attenuation and mitigation methods to protect residents from noise and vibration, dust and litter (including proactive monitoring to identify issues)
- details of how complaints from members of the public will be investigated and resolved
- communication methods to the wider community regarding the construction phases and likely disruptions.

The scheme shall be implemented as approved.

- 17 Reason: To safeguard the amenity of the locality in accordance with Policy LP21 of the Local Plan (2021-2040).
- 18 Condition: Demolition, construction or development work, along with collections and deliveries of waste products, material and equipment, shall only be carried out between 0800hrs and 1800hrs weekdays, and 0900hrs and 1300hrs on Saturdays, with no work allowed on Sundays and Bank/Public Holidays.
- 18 Reason: To safeguard the amenity of the locality in accordance with Policy LP21 of the Local Plan (2021-2040).
- 19 Condition: Prior to the occupation of any dwelling served off a private driveway, the associated bin collection point shall be provided in accordance with the approved plans and maintained thereafter for that use.
- 19 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with Policy LP21 of the Local Plan (2021-2040).
- 20 Condition: No external lighting shall be erected unless full details of its design, location, orientation and level of illuminance have first been submitted to, and agreed in writing with, the Local Planning Authority. External lighting must be designed in accordance with Bat Conservation Trust (2018) guidelines. These include requirements such as: LED luminaires to be used where possible; luminaires to be mounted on the horizontal, i.e. no upward tilt; any external lighting should be set on motion-sensors and short (1min) timers, and no lighting of boundary features. The development shall be carried out with the approved details and shall be retained as such thereafter.
- 20 Reason: In order to safeguard the ecological interests of the site in accordance with Policy LP19 of the Local Plan (2021-2040) and Policy P3 (b) of the NPPF (2026).
- 21 Condition: The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Metric [Rev E] dated 21/05/2026 and prepared by Metric Alex Ward/Elzbieta Zebrowska/Sam Wanner [JBA].
- 21 Reason: To ensure the development delivers a Biodiversity Net Gain on site in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 and Policy LP19 of the Local Plan (2021-2040).
- 22 Condition: The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity

Gain Plan has been submitted to, and approved in writing by, the local planning authority and including:

- a) non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP and thereafter retained in the conditions specified to serve the intended purpose. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

No occupation shall take place until:

- (a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- (b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by, the Local Planning Authority.

- 22 Reason: To ensure the development delivers a Biodiversity Net Gain on site in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 and Policy LP19 of the Local Plan (2021-2040).
- 23 Condition: The development hereby approved shall be carried out in strict accordance with the mitigation and enhancement strategy outlined in the Ecological Enhancement Plans [Drawing: JBA 24/174 - ECO02] prepared by JBA, April 2026 and Ecological Mitigation and Enhancement Strategy Rev C prepared by JBA, June 2026. Photographic evidence of installation prior to occupation of the associated dwelling must be provided to the Local Planning Authority prior to occupation. Measures shall be implemented in full and the habitats maintained thereafter.
- 23 Reason: In order to ensure the development does not result in the loss of habitat for protected species and to enhance biodiversity on the site in accordance with Policy LP19 of the Local Plan (2021-2040) and Policy N2 of the NPPF.
- 24 Condition: No removal of hedgerows, trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests no more than 48 hours prior to the commencement of vegetation clearance and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.

In the event that any bird nests or actively breeding pairs are encountered, works will not commence on site until a further survey has been submitted in writing and approved by the LPA confirming that any nesting attempts are concluded and any chicks in nests have fledged.

- 24 Reason: All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981. The potential presence

of breeding birds has been established by the ecological documents submitted in support of this application. In accordance with Policy LP19 of the Local Plan (2021-2040).

- 25 Condition: A preconstruction check for badgers will be undertaken 6 months and then 3 weeks prior works commencing. This will involve an update walkover survey of the site to determine any change as to the occupancy of the site by badger. A record of the survey must be submitted to the Local Planning Authority prior to commencement.
- 25 Reason: This condition must be a pre-commencement condition to safeguard badgers from the outset of the development, to comply with the Protection of Badgers Act 1992 and Policy LP19 of the Local Plan (2021-2040).
- 26 Condition: All ecological measures and/or construction works shall be carried out in accordance with the details of the Reptile Mitigation Strategy Rev C (JBA consulting, 06/2026) and undertaken under the supervision of a competent Ecologist. Any habitat enhancement required within the approved strategy must be in place and functional before clearance of any vegetation on site is undertaken.

A 'statement of good practice' shall be signed upon completion of the development by the competent Ecologist, and be submitted to the Local Planning Authority, confirming that the actions specified strategy have been implemented in accordance with the method outlined. The management must continue for the 30 year lifetime of the approved strategy.

- 26 Reason: All common reptile species in England i.e. grass snake *Natrix helvetica* are partially protected under Schedule 5 (Sections 9 (1) and 9 (5)) of the Wildlife and Countryside Act 1981 (as amended). This legislation protects these animals from intentional killing and/or injury.

Reptiles are also recognised as being of 'principle importance' for conservation of biodiversity under Section 41 of the Natural Environment and Rural Communities Act (NERC) 2006. It is therefore considered best practice to also employ suitable precautions to ensure that these species are protected. In accordance with Policy LP19 of the Local Plan (2021-2040).

- 27 Condition: The dwellings shown on the Part M Compliant Plan, RY/ML/PMCP/001B shall be built in full accordance with Requirements of M4(2) & M4(3) respectively of Part M of the Building Regulations: Category 2 Accessible and Adaptable Dwellings, or any equivalent replacement standard, in accordance with the approved plans. The dwellings shall thereafter be retained in accordance with that standard.
- 27 Reason: To define the terms of this permission in order to comply with Policy LP30 of the Local Plan (2021-2040).
- 28 Condition: No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have been submitted to, and approved in writing by, the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 28 Reason: To provide suitable infrastructure to serve the development in accordance with Policies LP13 & LP21 of the Local Plan (2021-2040). This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.

- 29 Condition: Prior to the construction of the final dwelling all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 29 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway. In accordance with Policies LP13 & LP21 of the Local Plan (2021-2040).
- 30 Condition: Before any dwelling is first occupied the roads, footways and cycleways shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 30 Reason: To ensure satisfactory development of the site in accordance with Policies LP13 & LP21 of the Local Plan (2021-2040).

Or B. If in the opinion of the Assistant Director/Planning Control Manager no reasonable progress is made to complete the legal agreement within 4 months of the date of the committee resolution, the application is **REFUSED** on the failure to secure affordable housing provision, maintenance of the open space and play equipment, off-site reptile mitigation and management, payment of the GIRAMS tariff and financial contributions required by Norfolk County Council and NHS Norfolk & Suffolk, contrary to Policies LP05, LP19, LP21, LP22, LP27, LP28 & F1.3 of the Local Plan.