



Planning Committee
Monday, 5th December, 2022 at 9.30 am
in the Assembly Room, Town Hall, Saturday Market
Place, King's Lynn PE30 5DQ

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **Receipt of Late Correspondence on Applications (Pages 2 - 6)**

To receive the Schedule of Late Correspondence received since the publication of the agenda.

Contact

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PLANNING COMMITTEE

05 December 2022

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

Item 8/1(a) Page No. 8

Agent: Updated Landscape Masterplan submitted – Drawing No. JBA 20 110-SK01 Rev D.

Correction: Conditions 1 and 9 amended to include most recent plan as follows:

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

BL/DM/PPL/100 Rev O: Layout

DM/CP/01 Rev G: Charter Plan

JBA 20 110-SK01 **Rev D:** Landscape Masterplan

GTC-E-SS-0021_R1-0: Substation Plans

Al_Sem_R21-410: Alnmouth

Ad_Sem_R21-410: Ashridge

Rh_Det_R21-410: Redhill

Dp_MA_End_R21-201: Deepdale/Danbury

Ga_Sem_R21-410: Galloway

Sh_Det_R21-410: Sherwood

Sh_Cr_MA-Det_R21-901: Sherwood Cr

Bw_Det_R21-410: Barnwood

Sa_End_R21-410: Saunton

Ri_Det_R21-410: Rivington

Gz_End_R21-410: Grizedale

Wh_Sem_R21-410: Whinfell

Bw_Det_R21-410: Barnwood DT

GwDet_R21-410: Greenwood

Bt_Det_R21-401: Brampton

Bs_Det_R21-410: Brightstone

Bar_Ma_Det_R21: Barmouth

AS-WD-01: Daster/Aster x6a

Wa_MA_End_R21-901: Wentwood

Hd_Sem_R21-410: Haldon

Wa_End_R21_410: Wareham

Re_End_R21-410: Rendlesham

Dg_End_R21-410: Dallington

A8-PD-01: A88C2

SW/GW2/100: Greenwood 2

Sa_MA_End_R21-901: Saunton Plot 26, 53, 188

Al_MA_End_R21-901: Alnmouth Plot 55

Ga_MA_End_R21-901: Galloway Plot 156, 169

Sh_MA_Det_R21-901: Sherwood Plot 178, 179, 147

Bt_MA_Det_R21-901: Brampton Plot 212

Dg_MA_End_R21-901: Dallington Plot 93

Hd_MA_End_trad_R21-901: Haldon Plot 88, 89

Wh_MA_End_R21-901: Whinfell Plot 185, 186

Bt_MA_Det_R21-901: Brampton Plot 60, 177

Ga2.2-105: Double Garage
Ga1.1-001 Rev A: Single Garage

9. Condition: Notwithstanding the plans/details already submitted as part of this application, prior to the commencement of development detailed plans and specifications for soft landscaping to accord with the principles of the Landscape Masterplan (Drawing No. JBA 20 110-SK01 **Rev D**), shall be submitted to and agreed in writing by the Local Planning Authority. 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.

Lead Local Flood Authority: NO OBJECTION - We have reviewed the updated Planning Condition & FRA Compliance Report (prepared by Infrastructure Design Limited, dated 08 November 2022), the updated planning layout (drawing BL/DM/PPL/100 O, dated 11 May 2022) and the Charter Plan (drawing DM/CP/01 F, dated 08 July 2022). We are pleased to see hydraulic calculations and a drainage plan which indicate the use of two storage areas in addition to the swales and infiltration basin. The drainage plan and Charter Plan also provide clarification on the surfacing, with a key provided to identify the permeable paving.

Following review of the submitted updated maintenance plan we have no objection if this application is approved.

The LLFA will wait for the full information to discharge Condition 18 of 16/00610/OM at a later date.

Anglian Water: NO OBJECTION – subject to the following understanding:

The summary below is based on the understanding that Persimmon Homes have accurately located the 15â€™™ and 24â€™™ water mains on the ground and that these have been shown accurately on drawing No 1037-00-03 Rev E along with the easement widths of 6m and 9m respectively.

The larger of the 3 basins to the north of the site is situated outside of the 6m easement for the 15â€™™ water main.

The 3 basins will consist simply of a shallow depression in the ground with 1 in 3 side slopes. There will be no physical structures that would impede access to the water mains in the future and the basins will remain the same size as indicated on the above-mentioned drawing.

The basin situated immediately to the south of the large basin will store water to a maximum depth of 600mm. The maximum drain down time for this basin is 24 hours. The base level of this basin will be the same as the existing ground level. This basin will be designed to store flood water that runs on to the site from neighbouring land to replicate the existing greenfield situation. This basin will not receive surface water run-off from the development.

The basin situated immediately to the north of the proposed allotments will not be designed to hold water. This basin is for conveyance purposes only. The base level of this basin will be the same as the existing ground level. This basin will be designed to convey flood water that runs on to the site from neighbouring land to replicate the existing greenfield situation. This basin will not receive surface water run-off from the development.

Environmental Health & Housing CSNN: NO OBJECTION – Based on the drainage of foul and surface water identified within documents 1037-00-03 E, 1037-00-04 E, 1037-00-05 E and the PLANNING CONDITION & FRA COMPLIANCE REPORT, I have no objection regarding drainage, provided that the concerns over easements of the AW assets raised by them have been addressed to their satisfaction along with the areas of concern raised by the LLFA. I do concur with the BC Greenspace Officer regarding the proximity of a basin to the LEAP (and allotments) and share concerns that none of the water attenuation basins/ponds appear to have security fencing around them to prevent access. This could be addressed by a planning condition – prior to first occupation of any dwelling. Furthermore, it is not confirmed who will be responsible for the future maintenance of the surface water drainage infrastructure (where it is not contained within specific plots), therefore I consider this aspect should be required via a suitably worded planning condition i.e. no plots occupied until a scheme to confirm who is responsible and for a maintenance scheme to be in place.

I note construction management has been covered under the outline planning consent (16/00610/OM), condition 13, and lighting under condition 22.

Layout and design of dwellings and gardens appear to be suitable, and they include measures to protect the residential amenity of future occupiers such as walled gardens (where these are close to vehicle routes) and mirrored internal layouts.

Unless I have missed something within the approx. 440 documents, there is nothing to indicate how homes will be heated. I therefore assume ASHPS could be utilised. Please condition these.

Local Highway Authority – Public Rights of Way officer: NO OBJECTION - previous comments remain valid

Downham Market Town Council: APPROVAL - provided it meets the requirements of the Environment Agency and other professional bodies concerned with land drainage.

Housing Development Officer: No further comments

Assistant Director's Comments: As predicted in the main report, it will be noted that the outstanding surface water drainage issue has now been resolved to the satisfaction of both the LLFA and Anglian Water.

CSNN request for boundary treatments to attenuation features and Air Source Heat Pumps are already covered by Conditions 8 & 14 in the main report. Maintenance of SuDS is covered by the Section 106 agreement.

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Third Party: ONE letter of OBJECTION concerning both 22/01203/F & 22/01216/F regarding the following:

The applications are for change of use of agricultural barns and extension of an existing holiday business; set within an ongoing farming site and family homes (that are marked residential use only) and a Conservation Area.

Fring has about 48 dwellings. 20 - 25 or so are households. The rest are second homes and holiday business. No shops, pubs, or public transport, no pathways. Character is of working farming, the church and space.

Existing holiday business has 5 cottages - 34 guests (plus dogs), 17 cars, swimming

pool, tennis, and events. Proposed additional 5 units - will bring that to 60 guests and 30 cars (75% growth), more events space, and Welcome (retail) barn. Farming may have stopped in some barns but this application will not see it stop at the site.

Principle of development

Policy supports small-scale tourism developments in countryside locations. However, this site is not a uniquely countryside location - it is a mixed agricultural and residential site within a small village. The proposals will consume these agricultural and residential uses, embedding them within a significant complex of holiday accommodation, events, leisure and potentially retail facilities. That the site is part of the village means that this in turn encroaches onto and impacts on the village, its inhabitants and the local character.

The business plan provides no evidence of the expected contribution to diversification of the agricultural business, contribution to the local economy and jobs - it stretches the intended interpretation of presumption of sustainability. The sole public benefit is the preservation of the heritage buildings. There is no evidence that other options have been considered and that this is the only economically viable option. The Planning Officers report states a residential development would "not normally be allowed" - this is not tested and there is precedent e.g. Bircham Road barns (Fring) and Sussex Barns (B.Mkt) (20/00904/F).

Fring is deteriorating as a community - the NPPF identifies that strong, vibrant and healthy communities can be supported by the provision of a sufficient range and number of homes to meet the needs of present and future generations.

Form and Character (Impact on Conservation Area)

The design is high density (some units would not be viable as residential) because the no. of beds has to be maximized. The density means more people, cars, infrastructure, events, leisure facilities. This development will have the effect of killing off the very character that attracts tourists to the village and, arguably, the existing holiday business.

Impact on Neighbour Amenity

Assessment must be made in the context that the Church Farm site is and will continue to be a working farm and an existing holiday site - the 5 holiday units and Welcome Barn are not in lieu of this - they are in addition to. Respectfully the Planning Officers assessment is incorrect. No 35 is a residential only property, owned by a member of the Coe family who have farmed in Fring for more than 100 years, her great-grandfather was born in the cottage, there is significant connection, it is her family home. No 35 is already impacted by the holiday business. It has never been the centre of estate operations. Under these proposals, it will become the centre of a holiday site, which is set to expand even further as other redundant barns will, through this development, only ever be viable as more holiday accommodation. This is in effect a constructive eviction.

Highway safety and parking

Whilst access to the site may be considered acceptable, within the site there are areas that do not create places that are safe, secure and attractive – minimising the scope for conflicts between pedestrians, cyclists and vehicles, avoiding unnecessary street clutter.... (NPPF 112).

Within the site is a grain drier barn and hard standing. Heavy wheeled and tracked farm machinery use the Docking Road entrance and access road. Use is particularly heavy during the summer - prime holiday occupancy - and can be near 24/7. This area is not and cannot be separated from the holiday guests. The Use and Access Plan omits pedestrians, cyclists and dogs - already there are a large number from the existing holiday business. There is no street lighting and traffic controls and no paths or verges to access local walking trails, meaning the (40 zone) narrow road and blind crossings.

Assistant Director's comments:

The Third Party comments are noted and for clarification, the applicants do not seek permission for events space or retail units (which require planning permission in their own right). In accordance with Policy CS06 of the Core Strategy, farm diversification schemes and the conversion of buildings for business uses, such as tourism uses are the preferred options in accordance with CS10.

All other matters raised are covered within the main body of the report.

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Agent: The agent has provided an additional supporting statement on behalf of the Applicant, outlining that the Fishery business was established 18 months ago, and that the lake has been poached a number of times since this date, however the loss of fish cannot be quantified with the only proof the discarded equipment (rods etc). The Applicant also states that his onsite presence in the daytime has allowed maintenance of water quality and site security however this needs to be increased to a 24-hour basis to secure future investment. Shipping containers have been provided on site to secure items however will not be sufficient to secure stock.

Third Party: THREE additional letters of OBJECTION received, with comments summarised as follows:

- Numerous planning applications, including residential uses, have been refused in the past and each time neighbours have objected. There has been no change in circumstances
- Referred to planning appeal and the use of 'green land'
- Continued attempt at expansion away from fishing use
- Technology could be used to control the site
- Storage containers added to land without consent
- Impact of use on highway safety and noise & disturbance

Assistant Director's comments: The Third Party comments refer to storage containers on site – these are also acknowledged within the Applicants most recent supporting statement. The containers were investigated by the Enforcement Team in 2021 and the case was closed with no further action.

The history of the site, appeal decision and highways impacts are discussed within the main body of the committee report.