

Borough Council of  
**King's Lynn &  
West Norfolk**



# **Planning Committee**

## **Agenda**

Monday, 4th April, 2022  
at 9.30 am

in the

**Assembly Room  
Town Hall  
King's Lynn**

Also available to view at:

<https://www.youtube.com/user/WestNorfolkBC>





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**PLANNING COMMITTEE AGENDA**

Please note that due to the number of applications to be considered it is proposed that the Committee will adjourn for lunch at approximately 12.30 pm and reconvene at 1.10 pm.

Please ensure that all mobile phones are switched to silent

**DATE:** Monday, 4th April, 2022

**VENUE:** Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

**TIME:** 9.30 am

**1. APOLOGIES**

To receive any apologies for absence and to note any substitutions.

**2. MINUTES**

To confirm as a correct record the Minutes of the Meeting held on 7 March 2022.

**3. DECLARATIONS OF INTEREST**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

Councillor appointed representatives on the Internal Drainage Boards are noted.

**4. URGENT BUSINESS UNDER STANDING ORDER 7**

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act, 1972.

**5. MEMBERS ATTENDING UNDER STANDING ORDER 34**

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

**6. CHAIRMAN'S CORRESPONDENCE**

To receive any Chairman's correspondence.

**7. RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

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

**8. INDEX OF APPLICATIONS (Pages 6 - 7)**

The Committee is asked to note the Index of Applications.

**a) Decisions on Applications (Pages 8 - 168)**

To consider and determine the attached Schedule of Planning Applications submitted by the Executive Director.

**9. DELEGATED DECISIONS (Pages 169 - 194)**

To receive the Schedule of Planning Applications determined by the Executive Director.

**To: Members of the Planning Committee**

Councillors F Bone, C Bower, A Bubb, G Hipperson (Vice-Chair), A Holmes, C Hudson, B Lawton, C Manning, E Nockolds, T Parish, S Patel, C Rose, J Rust, Mrs V Spikings (Chair), S Squire, M Storey, D Tyler and D Whitby

## Site Visit Arrangements

When a decision for a site inspection is made, consideration of the application will be adjourned, the site visited, and the meeting reconvened on the same day for a decision to be made. Timings for the site inspections will be announced at the meeting.

If there are any site inspections arising from this meeting, these will be held on **Thursday, 7 April 2022** (time to be confirmed) and the meeting reconvened on the same day (time to be agreed).

### Please note:

- (1) At the discretion of the Chairman, items may not necessarily be taken in the order in which they appear in the agenda.
- (2) An agenda summarising late correspondence received by 5.15 pm on the Thursday before the meeting will be emailed (usually the Friday) and tabled one hour before the meeting commences. Correspondence received after that time will not be specifically reported during the Meeting.
- (3) **Public Speaking**

Please note that the deadline for registering to speak on the application is 12 noon the working day before the meeting, **Friday 1 April 2022**. Please contact [borough.planning@west-norfolk.gov.uk](mailto:borough.planning@west-norfolk.gov.uk) or call (01553) 616818 or 616234 to register.

### For Major Applications

Two speakers may register under each category: to object to and in support of the application. A Parish or Town Council representative may also register to speak. Each speaker will be permitted to speak for five minutes

### For Minor Applications

One Speaker may register under category: to object to and in support of the application. A Parish or Town Council representative may also register to speak. Each speaker will be permitted to speak for three minutes.

For Further information, please contact:

Kathy Wagg on 01553 616276  
[kathy.wagg@west-norfolk.gov.uk](mailto:kathy.wagg@west-norfolk.gov.uk)

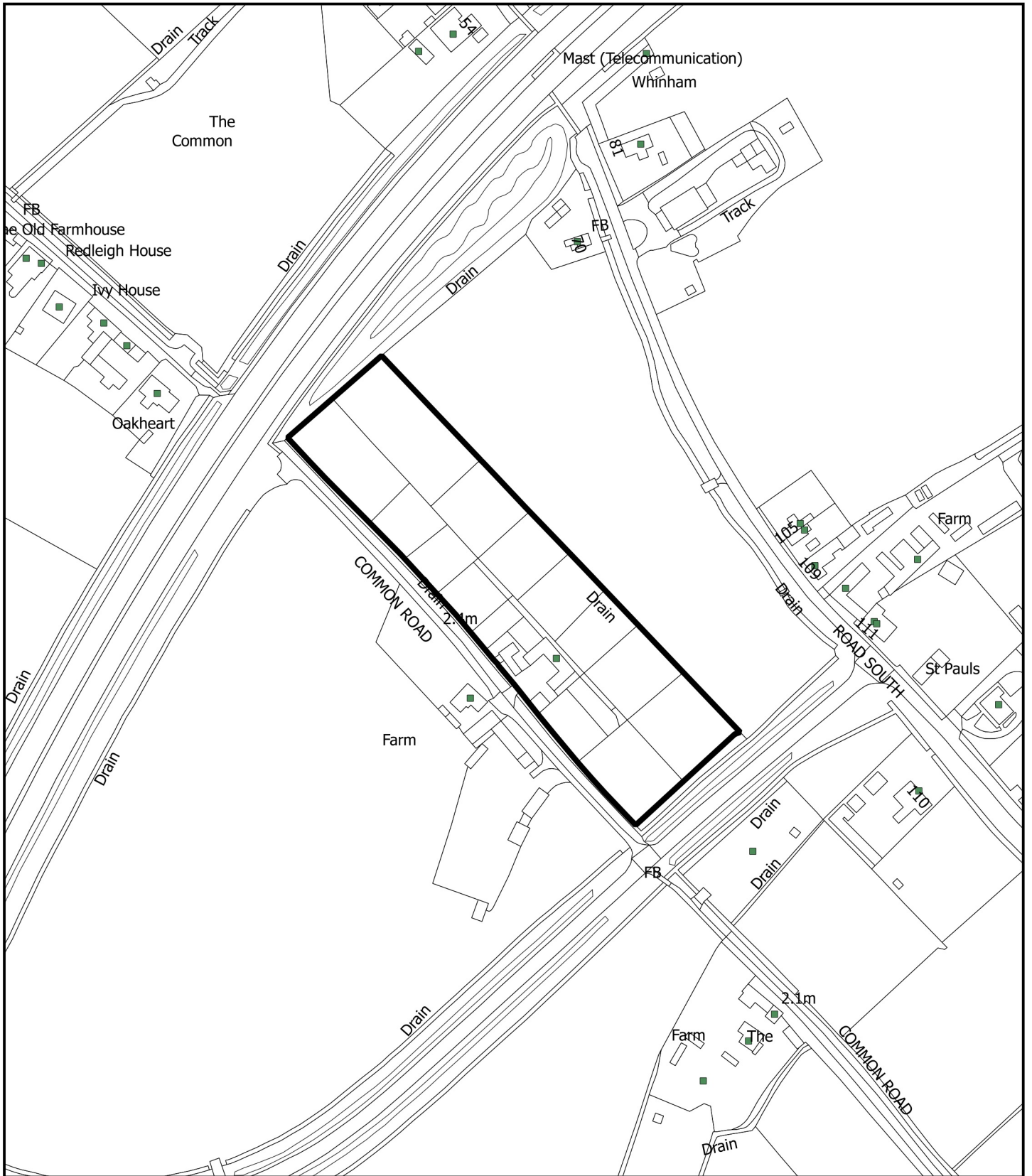
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE  
PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 4 APRIL 2022**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
<b>8/1</b>	<b>DEFERRED ITEMS</b>			
<b>8/1(a)</b>	<b>21/01781/F</b> Land North-East of Thurston Farm, Common Road, Walton Highway, PE14 7ER Change of use of land and stables to commercial livery yard and erection of dwelling in connection to commercial livery	<b>WEST WALTON</b>	<b>REFUSE</b>	<b>8</b>
<b>8/2</b>	<b>MAJOR DEVELOPEMNTS</b>			
<b>8/2(a)</b>	<b>20/01893/FM</b> Land E of 160 And W of Roundabout Bexwell Road Downham Market PE38 9LJ Erection of a new Lidl food store (Use Class E) with associated car parking and landscaping	<b>DOWNHAM MARKET</b>	<b>REFUSE</b>	<b>19</b>
<b>8/2(b)</b>	<b>21/00152/RMM</b> Land S of Denver Hill N of Southern Bypass E of Nightingale Lane Downham Market PE38 9BE RESERVED MATTERS: Up to 300 dwellings and associated infrastructure and access	<b>DOWNHAM MARKET</b>	<b>APPROVE</b>	<b>39</b>
<b>8/3</b>	<b>OTHER APPLICATIONS/APPLICATIONS REQUIRIN REFERENCE TO THE COMMITTEE</b>			
<b>8/3(a)</b>	<b>21/01148/F</b> Castle Hotel High Street Downham Market Norfolk PE38 9HF Conversion of hotel to 7 flats and HMO, amenity and parking area	<b>DOWNHAM MARKET</b>	<b>APPROVE</b>	<b>68</b>
<b>8/3(b)</b>	<b>21/01150/LB</b> Castle Hotel High Street Downham Market Norfolk PE38 9HF Conversion of hotel to 7 flats and HMO, amenity and parking area.	<b>DOWNHAM MARKET</b>	<b>APPROVE</b>	<b>81</b>

<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
<b>8/3(c)</b>	<b>21/00943/F</b> Church Farm Church Farm Road Heacham PE31 7JB Conversion of 1No. existing building and erection of 6No. replacement buildings (following demolition of existing derelict buildings) for use as Holiday Accommodation.	<b>HEACHAM</b>	<b>APPROVE</b>	<b>92</b>
<b>8/3(d)</b>	<b>21/02371/O</b> Land S of 14 And 15 Pasture Close PE31 6BL Outline Application: Site for construction of residential properties	<b>HILLINGTON</b>	<b>APPROVE</b>	<b>112</b>
<b>8/3(e)</b>	<b>21/01004/F</b> Land Accessed W of 90 Grimston Road And W of 4 & 6 Green Lane Grimston Road South Wootton Norfolk PE30 3NS 2No. New Dwellings	<b>SOUTH WOOTTON</b>	<b>APPROVE</b>	<b>129</b>
<b>8/3(f)</b>	<b>21/01411/F</b> Land North of Ifields 46 High Road Tilney cum Islington Norfolk PE34 3BN Proposed residential bungalow	<b>TILNEY ST LAWRENCE</b>	<b>APPROVE</b>	<b>142</b>
<b>8/3(g)</b>	<b>21/02490/O</b> Land Adjacent Roseville Chalk Road Walpole St Peter PE14 7PN Outline application for a new residential development	<b>WALPOLE</b>	<b>REFUSE</b>	<b>154</b>

# 21/01781/F

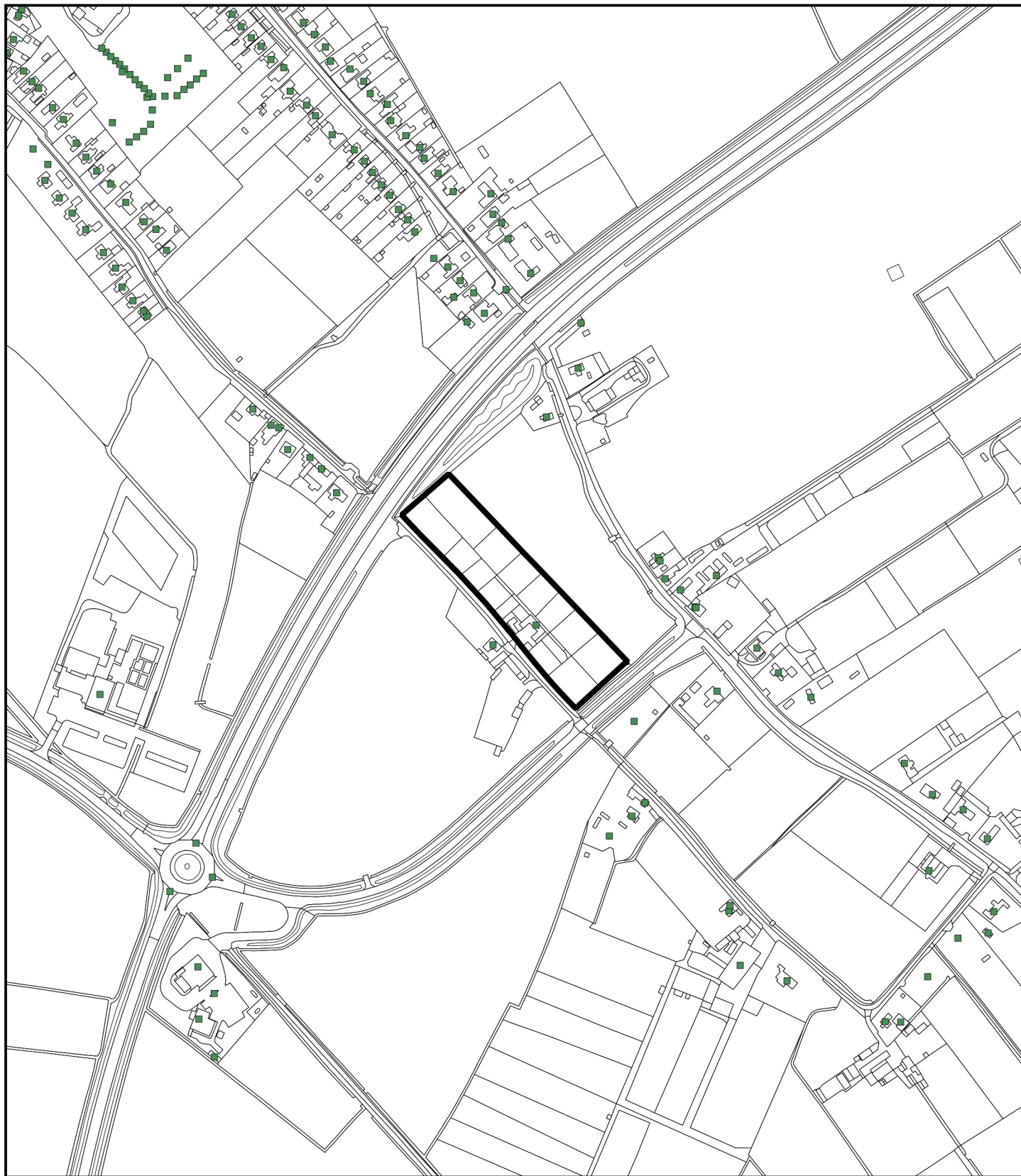
Land North-East of Thurston Farm Common Road Walton Highway  
PE14 7ER





# 21/01781/F

Land North-East of Thurston Farm Common Road Walton Highway  
PE14 7ER



**AGENDA ITEM NO: 8/1(a)**

<b>Parish:</b>	<b>West Walton</b>	
<b>Proposal:</b>	<b>Change of use of land and stables to commercial livery yard (retrospective) and siting of a temporary dwelling in connection with commercial livery</b>	
<b>Location:</b>	<b>Land North-East of Thurston Farm Common Road Walton Highway Norfolk PE14 7ER</b>	
<b>Applicant:</b>	<b>Mrs D Glover</b>	
<b>Case No:</b>	<b>21/01781/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 9 November 2021 Extension of Time Expiry Date: 11 April 2022</b>

**Reason for Referral to Planning Committee** – – Deferred at March 7<sup>th</sup> Planning Committee

**Neighbourhood Plan:** No

**Members Update**

**Members will recall that this application was deferred at Planning Committee on March 7th to allow discussions relating to temporary consent.**

**The description of development has been agreed with the agent, referring to the siting of a temporary dwelling in connection with the livery business. Updated comments relating to the impact in relation to Policy DM6 of the SADMPP (2016) are discussed in bold below.**

**Case Summary**

Full planning permission is sought for a new business tied dwelling in association with a proposed change of use of existing stables to use as a commercial livery. The site is accessed via Common Road, Walton Highway.

The site is located outside of the development boundary on land which is considered to be within the wider countryside for the purposes of planning policy.

**Key Issues**

- Principle of development
- Form and Character
- Impact on Highway Safety
- Flood Risk
- Other material considerations

## Recommendation

**REFUSE**

### THE APPLICATION

Full planning permission is sought for a new business tied dwelling in association with a proposed change of use of existing stables to use as a commercial livery. The site is accessed via Common Road, Walton Highway.

The site is located outside of the development boundary on land which is considered to be within the wider countryside for the purposes of planning policy.

**The application has been amended to refer to a temporary dwelling within the description of the development.**

**The Agent has confirmed that the temporary dwelling does not meet the technical definition of caravan however it is fully transportable once built. The dwelling would be built off-site and transported via trailer onto a concrete slab foundation. The dwelling would be able to be removed once any temporary period expires.**

### SUPPORTING CASE

The following sets out my business plan for the future. I confirm that I have been trading profitably for the past three years, as set out in the HMRC Tax returns forwarded to you during August/September.

The current business provides:

- \*DIY Livery
- \*Part Livery
- \*Full Livery (also providing external Full Livery at other yards, providing holiday cover, etc)

I am proposing to provide Full Livery on site for the following:

- \*When owners are on holiday
- \*When owners are unwell
- \*When owners have family/work commitments
- \*Tending to horses or ponies after-care, working with the Vets from the Equine Hospital

Reasons why I require Change of Use and siting of Residential Accommodation are:

All of the proposed Full Livery services require 24 hour attendance on site, particularly after-care of horses and ponies. CCTV cameras are on site covering the whole of the yard.

With regard to Insurance for the business, one of the stipulations is that I am required to be on site for 24 hours, 7 days a week as the value of the equines may be anywhere between £4,000 and £12,000 per animal. Owners will trust me to provide 100% care for their animals.

My current residence is now sold, subject to contract, so I will need to arrange the residence at the yard as soon as I can.

I am confident that despite the setbacks of the past 2 years due to Covid I can provide a valuable service to the equine community in expanding my business and providing the services outlined above and I would greatly appreciate the Council expediting my application.

## **PLANNING HISTORY**

08/01851/F: Application Permitted: 22/09/08 - Erection of sectional timber framed and clad stables - Land On The North East Side Of Common Road – Delegated Decision

## **RESPONSE TO CONSULTATION**

**Parish Council: NO OBJECTION** – subject to occupancy restriction

**Highways Authority: NO OBJECTION** in principle – subject to standard access/turning area condition.

**Environment Agency: NO OBJECTION** – The Flood Risk Assessment submitted with this application is acceptably, the EA recommend that the IDB are consulted with regard to flood risk associated with watercourses under their jurisdiction.

**Internal Drainage Board: NO OBJECTION** – The Board's Byelaws must be complied with.

**Environmental Health & Housing - Environmental Quality: NO OBJECTION**

## **REPRESENTATIONS**

None received

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM6** - Housing Needs of Rural Workers

## NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Design Guide 2019

## PLANNING CONSIDERATIONS

The key issues are:

- Principle of Development
- Form and Character
- Impact on Neighbours
- Highway Safety
- Other Material Considerations

### Principle of Development:

Full planning permission is sought for a business tied dwelling associated with a change of use of existing stables to a commercial livery yard. The business has been operating contrary to the original planning consent (08/01851/F) for approximately 3 years and the new **temporary** dwelling is proposed in association with the commercial livery to allow a constant on-site presence.

In relation to the change of use to commercial livery, the creation of rural enterprises is widely supported by policies at both a local and national level and the principle of development is therefore considered acceptable in accordance with Policies CS06 and CS10 of the Core Strategy (2011).

In relation to the creation of a new dwelling on site, Policy DM6 applies in this instance as the proposed dwelling is in excess of 300m outside of the development boundary for Walton Highway outlined on inset map G120 of the SADMPP (2016) and is therefore located within the wider countryside where countryside protection policies apply.

**Since the submission of this application, the Agent has confirmed agreement to a change in description to propose a temporary dwelling in connection with the business use, which has been operating unlawfully since 2018.**

**The Agent has confirmed that the temporary dwelling does not meet the technical definition of caravan however it is fully transportable once built. The dwelling would be built off-site and transported via trailer onto a concrete slab foundation. The dwelling would be able to be removed once any temporary period expires.**

**With regards to the creation of new dwellings in association with an existing business, Policy DM6 sets out the following criteria:**

### New Occupational Dwellings

1. Development proposals for occupational dwellings must demonstrate the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are

reasonably likely to materialise and are capable of being sustained. Proposals should show that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.

2. Agricultural or rural based occupancy conditions will be placed on any new permanent or temporary occupational dwellings specifying the terms of occupation.

3. New permanent dwellings should only be allowed to support existing rural based activities on well-established rural based enterprises, providing:

- a. there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night,
- b. The need could not be met by existing dwellings within the locality,
- c. The application meets the requirements of a financial test demonstrating that:
- d. the enterprise(s) and the rural based activity concerned have been established for at least three years, have been profitable for at least one of them and;
  - i. are currently financially sound, and have a clear prospect of remaining so and;
  - ii. the rural based enterprise can sustain the size of the proposed dwelling;
  - iii. acceptable in all other respects

4. If a new dwelling is essential to support a new rural based activity, it should normally, for the first three years, be provided by a caravan, or other temporary accommodation.

5. New temporary dwellings should only be allowed to support rural based activities providing:

- a. The proposal satisfies criteria 3a and 3b above
- b. The application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions);
- c. The application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis.'

#### *Need For A New Dwelling*

**Irrespective of whether the proposed dwelling is temporary or permanent in nature**, in order to comply with Policy DM6, applications must demonstrate a clearly established functional need for an on-site presence in connection with a rural enterprise.

The site is located down a part of Common Road with only 1 permanent dwelling (a farmhouse to the immediate west of the application site). Vehicular access is to the south with the A47 to the west and St Pauls Road South to the east. A footpath (not a Public Right of Way) is available north across the A47. The Agent states the site's positioning leads to a lack of natural surveillance and therefore, to opportunities for crime if the site is not occupied. CCTV is available on site however this is not considered adequate to protect the site due to the care requirements for some of the animals. The agent states that whilst other methods of security are existing on site, including security cameras and flood lighting, these are not fit for their intended purposes due to false alarms and causing distress to animals.

Information from the applicant states the business provides three types of care: DIY Livery, Part Livery and Full Livery (including the provision of livery care at other yards). The site can cater for ten/eleven animals at any one time however five of the Applicant's own animals are on site which reduces the total capacity in connection with the business to a maximum of six. Of these six, a maximum of two animals could be on site for medical reasons/recovery – it is primarily these animals that would require on-site attendance for 24 hours a day.

### *Financial Information and Business Viability*

In order to comply with Policy DM6, applications for permanent dwellings must demonstrate the business is currently financially sound and has a clear prospect of remaining so and that the business can support the occupation of the dwelling in perpetuity. **For temporary dwellings, the criteria is less stringent, however DM6 states that applications must be supported by evidence demonstrating a clear intention to develop the enterprise and evidence that such enterprise has been planned on a sound financial basis.**

Tax records submitted with this application suggest that the applicant has made a very limited amount of profit from self-income for the three years it has been established for (2018-2021) although no full financial reports have been provided to outline the precise source of the income or costs/outgoings of the business. Whilst it is stated that the applicant has full ownership of the land and therefore limited outgoing costs associated with the day to day operations of the business, the LPA consider that there is lack of justification to support a new dwelling in association with a business of this scale.

There is also a lack of evidence that such a business could support a new dwelling. No detailed business plan has been provided to demonstrate any significant investment in the business on site and no evidence of an intent to expand or grow the business above its current scale, other than an intent to advertise livery services once the livery use is deemed lawful.

### *Existing Dwellings in The Locality*

At the time of the application, the Applicant's address is listed as St Pauls Road South - less than five minutes drive from the business premises. Whilst the Agent has put forward potential unreliability of vehicles as a reason why this existing address is not suitable, the LPA do not consider that 3b above has been met.

### **Temporary Dwelling**

**This application was deferred at Planning Committee on the 7th March to allow consideration of the potential for temporary consent to be granted. The Agent has confirmed his agreement to this in principle and the description of development has been changed accordingly.**

**The Agent has confirmed that whilst the dwelling does not meet the definition of a caravan, it is brought to site in one or two pieces and is capable of being removed once any temporary period has ceased.**

**In relation to the Principle of Development, Policy DM6 requires proposals for temporary dwellings to demonstrate that there is a clearly identifiable need for a new dwelling in association with the business and that this cannot be met through existing dwellings. As discussed above, the LPA does not consider that these criteria have been met.**

**Policy DM6 also states that proposals for temporary dwellings should be supported by clear evidence of a firm intention and ability to develop the enterprise concerned as well as being supported by clear evidence that the proposed enterprise has been planned on a sound financial basis. The LPA does not consider that these criteria have been met. The scale of the business is limited and the Applicant has put forward limited evidence of any intention to significantly expand the existing business or make any significant investment into new buildings or infrastructure on the site.**

**Overall, whilst the Applicant states the site has been at maximum capacity for the past 3 years, from the information available it is evident that the business is currently operating at a limited scale.**

**Notwithstanding the change of description to propose a temporary dwelling, on balance, the LPA do not consider that the Applicant has provided sufficient evidence to demonstrate that criteria 1, 3a, 3b and 5b above have been met.**

**With no detailed financial reports provided and no clear plans for the business to develop further and continue to grow and with limited justification provided to ascertain why the Applicant's current address is not suitable, the LPA consider that insufficient evidence has been provided to demonstrate that the business is of a scale to justify a new dwelling in this position**

**The application is therefore considered to represent the construction of a new dwelling in the countryside, contrary to Policies CS06 and CS08 of the Core Strategy (2011) and Policies DM2 and dM6 of the SADMPP (2016).**

#### **Form and Character:**

No external changes are proposed to the existing stable building and therefore the impact of the change of use to commercial livery on the surrounding area is limited. The proposed dwelling has the appearance of a static caravan and will be visible from the wider street scene. The dwellings appearance and the appearance of any associated domestic paraphernalia and the extent of hardstanding proposed will lead to some impact on the countryside. However, on balance with regard to the existing use of the site and surrounding hedgerows proposed to be retained, the visual impact of the new **temporary** dwelling is not considered to warrant refusal of the application, although members will need to consider the potential impact on the countryside in line with Policies CS06 and CS08 of the Core Strategy (2011) and Policy DM2 of the SADMPP (2016).

#### **Impact on Neighbours**

The closest dwelling to the site is located to the south-west of the site's access point on Common Road. This existing dwelling is remote from other neighbours and there will be some existing impact as a result of vehicle movements to/from the application. The use as a commercial livery is considered unlikely to lead to significant increased impacts on this adjoining dwelling and the use could be suitably conditioned to protect dis-amenity to this residential unit.

The proposed dwelling is sited to the east of this adjoining dwelling and is considered to be sufficiently distanced to limit any opportunity for overlooking, overbearing or overshadowing impacts.

The application is therefore considered to comply with policies CS08 and DM15 of the Local Plan.

#### **Highway Safety**

The commercial use of the land and the creation of a new dwelling has raised no objections from the Local Highway Authority. The application site has an existing level of traffic which can be balanced against the proposal and the application is not considered likely to lead to conditions to the detriment of highway safety.



The application therefore accords with Para. 110 of the NPPF (2021), Policy CS08, CS10 and CS11 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

## **Other Material Considerations**

### *Crime and Disorder*

The Applicant suggests that the existing site is not secure and there are existing crime and disorder impacts. An instance of theft from site has been referred to within supporting information however this has not been evidenced and other methods of security such as CCTV, silent alarms, secure fencing and lighting or other sensors have not been fully considered or ruled out. Therefore, whilst the security of the site is noted and it is a requirement to take these impacts into account, the security issues associated with the extant use of the site are not considered sufficient to justify the creation of a new dwelling in the countryside in a location which is fundamentally contrary to the Local Plan.

### *Flood Risk and Drainage*

The application has drawn no objections from the Environment Agency in regards to Flood Risk. As a result of comments from the IDB, conditions would be required to ensure the proposed foul and surface water drainage strategies are viable and will not lead to adverse impacts elsewhere.

In relation to flood risk, the site is within Flood Zone 3 of the Borough Council's SFRA (2018). The sequential test is passed in this instance as the dwelling is stated to be required on site in association with the business and therefore cannot reasonably be relocated elsewhere in an area of less flood risk, although it should also be noted that the vast majority of the built extent of Walton Highway is also at the same level of flood risk which would also satisfy this element.

In regards to the exceptions test, the submitted Flood Risk Assessment states that flood levels should be no lower than 500mm above adjacent ground level to ensure mitigation against extreme events. The second part of the exceptions test (Para 164a) requires development to provide sustainability benefits to the wider community to outweigh flood risk. As discussed above, in light of the conflicts with Policy DM6, the proposal represents the creation of a new dwelling on land which is contrary to the local plan and the very limited benefits of a single new dwelling in this position is not considered to outweigh the impact of flood risk. **The proposal therefore fails the exception test.**

The proposal therefore fails to comply with Paragraph 164 of the NPPF (2021) and Policies CS08 and DM15 of the Local Plan.

### *Contamination*

The application has drawn no objections from the Environmental Quality team with regard to contamination. A screening assessment was provided as part of this application and suggests there is no likely impact on the proposed residential use. The application therefore complies with the NPPF (2021) and CS08 of the Core Strategy (2011).

## CONCLUSION

The application seeks consent for the retrospective change of use of an existing stables and paddock land to use as a commercial livery and the subsequent creation of an associated business-tied dwelling, **for a temporary period.**

The principle of the livery business in a countryside location such as this is considered acceptable, and is supported by both national and local policy.

**Whilst the application has been amended to propose a temporary dwelling, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise.**

**Notwithstanding the change of description to propose a temporary dwelling, on balance, the LPA do not consider that the Applicant has provided sufficient evidence to demonstrate that criteria 1, 3a, 3b and 5b above have been met.**

**With no detailed financial reports provided and no clear plans for the business to develop further and continue to grow and with limited justification provided to ascertain why the Applicant's current address is not suitable, the LPA consider that insufficient evidence has been provided to demonstrate that the business is of a scale to justify a new dwelling in this position and does not meet the criteria set out in Policy DM6 of the SADMPP (2016).**

**The application is therefore considered to represent the construction of a new dwelling in the countryside, contrary to Policies CS06 and CS08 of the Core Strategy (2011) and Policies DM2 and DM6 of the SADMPP (2016).**

The application is recommended refusal for the following reason.

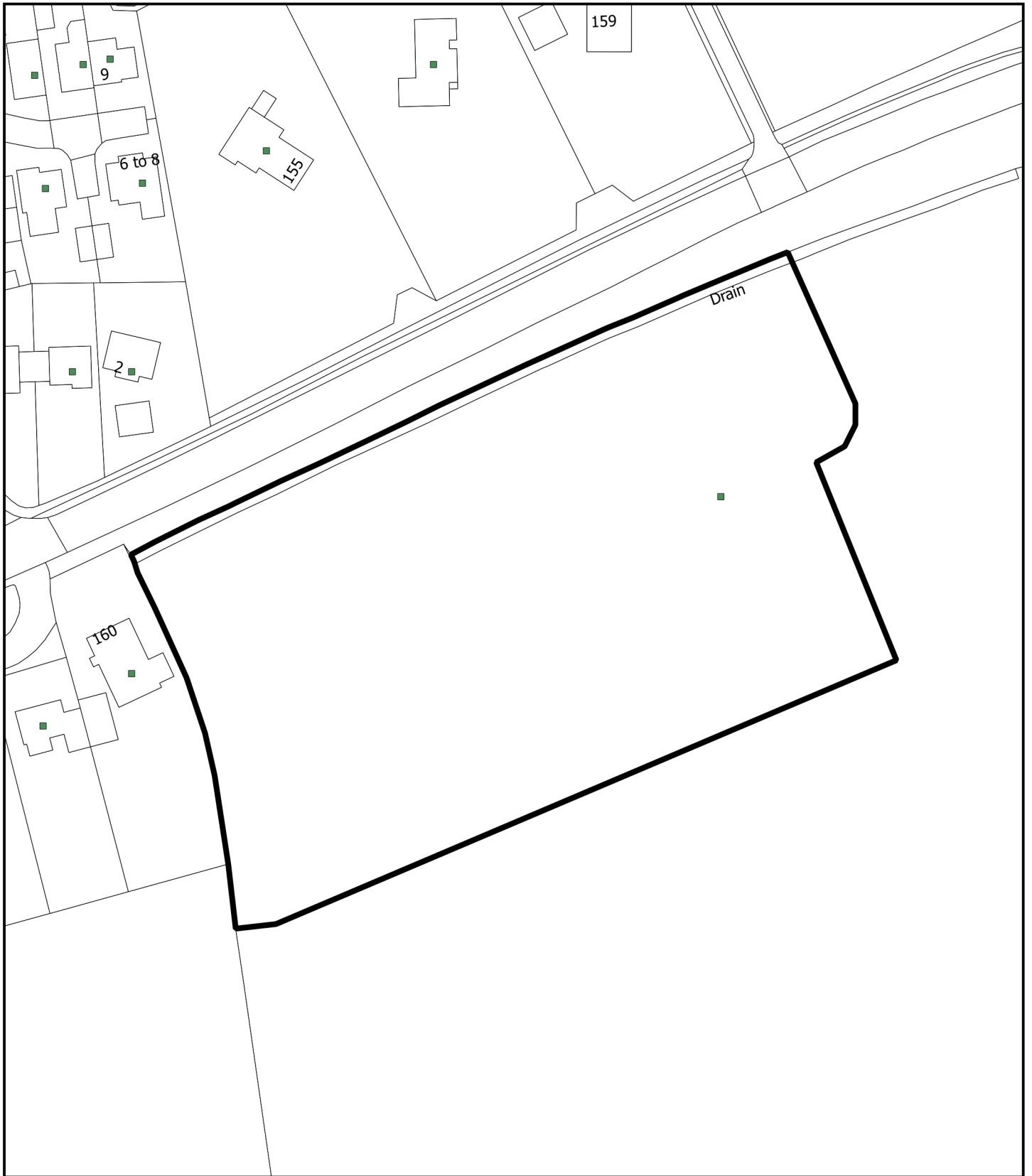
## RECOMMENDATION:

**REFUSE** for the following reason(s):

- 1 Insufficient justification has been put forward to demonstrate a clearly identifiable need for a new temporary dwelling in association with the proposed business use. It is considered the proposal fails criteria 1, 3a, 3b, 5b and 5c of Policy DM6 of the SADMPP (2016), in so far as only very limited evidence has been provided to demonstrate that the business is of a suitable scale to justify and sustain a new dwelling in this position and that the applicant's existing address is not a viable alternative. The application is therefore considered to represent the construction of a new dwelling on land which is outside of any development boundary and in the wider countryside for the purposes of planning policy. The proposal is therefore contrary to Paragraph 79 of the NPPF (2021), Policies CS01, CS02 and CS08 of the Core Strategy (2011) and Policy DM2 and DM6 of the SADMPP (2016).
- 2 The application site is located within Flood Zone 3 of the Borough Council's SFRA (2018). Paragraph 164 of the NPPF (2021) requires development to pass both parts of the exceptions test. In light of the lack of justification put forward for a new dwelling in this position, the proposal is considered to constitute the construction of a new dwelling in an unsustainable location for the purposes of planning policy. The benefits of a single dwelling in this location are not considered sufficient to outweigh the risk of flooding and the application is therefore considered contrary to Paragraphs 163-165 of the NPPF (2021) and Policy CS08 of the Core Strategy (2011).

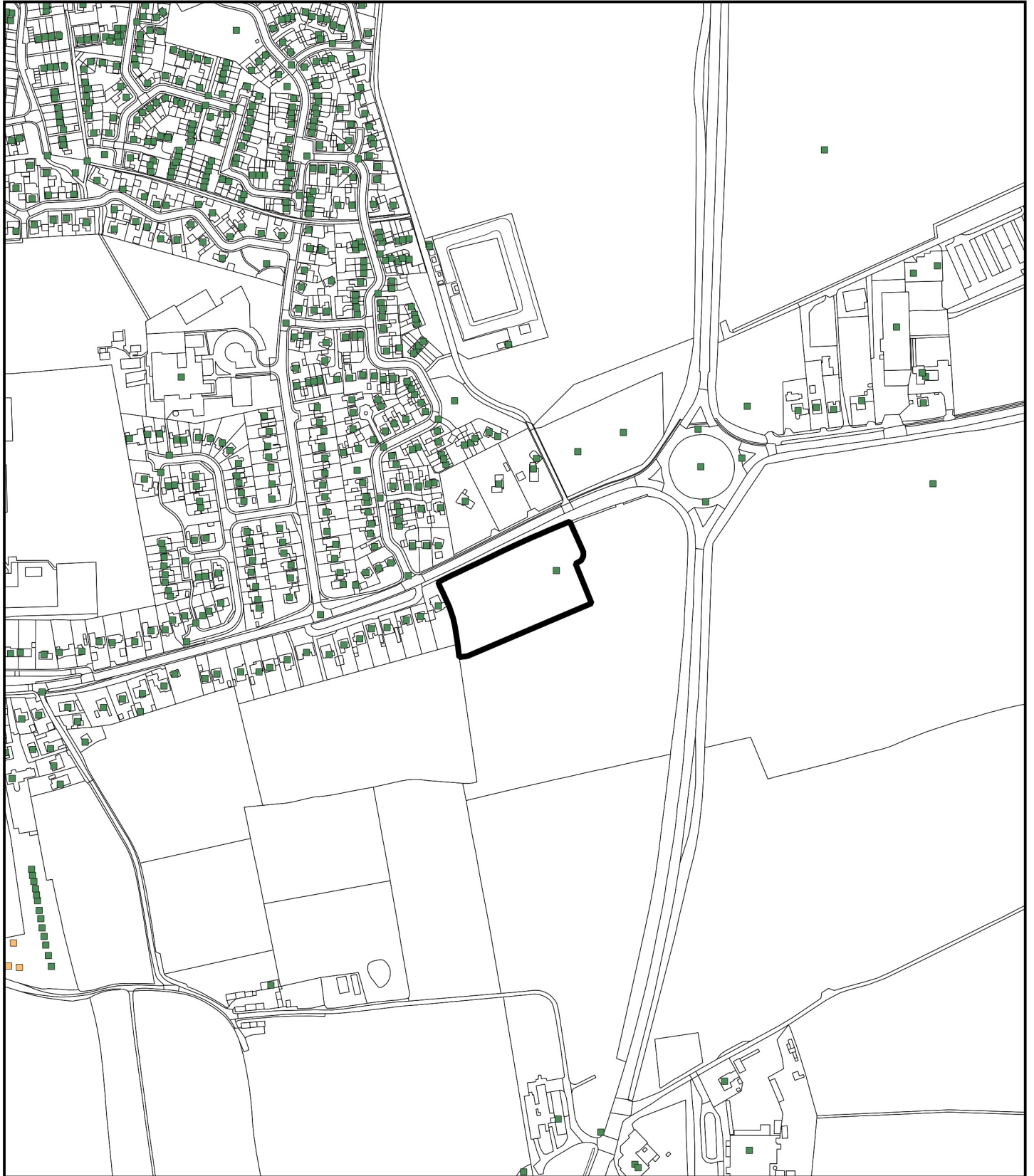
# 20/01893/FM

Land E of 160 and W of roundabout Bexwell Road Downham Market  
PE38 9LJ



# 20/01893/FM

Land E of 160 and W of roundabout Bexwell Road Downham Market  
PE38 9LJ



## AGENDA ITEM No: 8/2(a)

<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>Erection of a new Lidl food store (Use Class E) with associated car parking and landscaping</b>	
<b>Location:</b>	<b>Land E of 160 And W of Roundabout Bexwell Road Downham Market Norfolk PE38 9LJ</b>	
<b>Applicant:</b>	<b>Lidl Great Britain Limited</b>	
<b>Case No:</b>	<b>20/01893/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Lorna Gilbert</b>	<b>Date for Determination: 15 February 2021 Extension of Time Expiry Date: 7 April 2022</b>

**Reason for Referral to Planning Committee** – – Town Council view is contrary to officer recommendation, and also referred by the Assistant Director.

**Neighbourhood Plan:** No

### Case Summary

Full planning permission is sought for the construction of a Lidl food store with associated car parking and landscaping. The store would have a gross internal floorspace of 2175 square metres with a net sales area of 1414 square metres.

The site comprises of 0.93 hectares of land on the southern side of Bexwell Road and to the south-west of the roundabout junction with the A10. The site is in agricultural use. To the west and north of the site lies residential development and to the south and east agricultural fields.

Access is proposed off Bexwell Road via a new priority junction that links to the eastern side of the site. The scheme would provide 136 car parking spaces and space for 22 customer bicycles.

The site lies outside the development boundary for Downham Market and is classed as 'countryside' with respect to Local Plan policies. The western boundary of the site abuts the development boundary of Downham Market.

### Key Issues

Principle of development;  
Impact upon the Town centre;  
Economic Benefits;  
Form and character;  
Neighbours living conditions;  
Access and Highway Safety;  
Air quality and contaminated land;  
Drainage;  
Ecology;

Trees;  
Crime and disorder; and  
Any other material considerations.

### **Recommendation**

**REFUSAL**

## **THE APPLICATION**

Full planning permission is sought for the construction of a Lidl food store with associated car parking and landscaping. The proposed store would have a floorspace of 2175 square metres (gross internal area) with a net sales area of 1414 square metres.

The site comprises of 0.93 hectares of land on the southern side of Bexwell Road and to the east of Downham Market. It is located to the south-west of the roundabout junction of the A10 and B1512 (Bexwell Road). The site is presently in agricultural use. To the west and north of the site lies residential development and to the south and east agricultural fields.

The building would measure up to 70m in length, 33m in width and between 5m and 7m in height. The building would be of contemporary design and features a single height glazed entrance and shopfront in blue. The windows would have powder coated aluminium frames and the doors powder coated steel. Both window frames and doors would be blue in colour. The majority of the roof incorporates a slope of 3 degree angle made of profiled composite metal in aluminium colour. 592 solar panels would be installed on the roof each has a maximum capacity of 340W and the total size of the proposed system would be 201.6kW. The delivery bay contains a mini dock leveller with steel steps and balustrade painted in grey leading up to the dock.

It would provide 136 car parking spaces (6 DDA compliant spaces, 8 parent and child spaces and 2 dedicated EV charging points). A loading bay is proposed to the eastern side of the site. Eleven Sheffield bicycle stands will be provided to the east of the building which would accommodate 22 bicycles.

Access is proposed off Bexwell Road via a new priority junction that links to the eastern side of the site. Footways would be provided on both sides of the new access. An additional pedestrian access would be provided from the main road linking to the store entrance.

Landscaping buffers are proposed along parts of the site boundaries. The landscape plan shows the existing trees and vegetation to be retained as well as the proposed planting of shrubberies.

A 45cm high timber rail would be installed along the perimeter of the site and a 2m Euroguard fence installed along the footpath that surrounds the store. An acoustic fence is also proposed along the south-west boundary.

The proposal would generate employment for the equivalent of 40 full time employees.

The site lies outside the development boundary for Downham Market and is classed as 'countryside' with respect to Local Plan policies. The western boundary of the site abuts the development boundary of Downham Market.

The site is within flood zone 1.

The application was accompanied by a Design and Access Statement, Travel Plan, Transport Assessment, Statement of Community Involvement, Preliminary Ecological Appraisal, Planning and Retail Statement, Phase 1 Investigation Report, Noise Assessment, Landscape and Visual Appraisal, Flood Risk Assessment, Air Quality Assessment, Covering Letter and Plans.

## **SUPPORTING CASE**

A supporting statement has been requested.

## **PLANNING HISTORY**

20/00074/PREAPP: Possibility of Approval: 02/09/2020 - Pre-application enquiry (Full with consultations and meeting): Construction of foodstore with associated car parking, servicing and landscaping arrangements

## **RESPONSE TO CONSULTATION**

**Parish Council: SUPPORT** Application, with the following observations:

- The traffic management plan needs adjusting and they feel that the entrance to the new store should come off the roundabout and not off the road.
- They would like to see landscaping around the building and ensure that the building is sympathetic and in keeping with the town, as was achieved in Heacham
- They feel there is land more appropriate for this development This side of the road was set aside for housing so the other side of the road would be preferable.
- Concerned about the light pollution particularly to a neighbouring property which will have a bright light in close proximity

## **Highways Authority: NO OBJECTION**

The indicative scheme of off site highways improvements and access are acceptable. We maintain that a more suitable access arrangement can be achieved however on balance accept that we can no longer substantiate an objection.

The off site works will be delivered by a Section 278 Agreement and the precise delivery mechanism will be determined as the works are brought forward. The applicant should be aware that there may be additional costs relating to the of-site works which will include a commuted maintenance amount as well as various fees including administration and supervision. The completed works will be subject to a Safety Audit and additional works may be required.

Recommends conditions.

## **NCC LLFA: NO OBJECTION**

Subject to conditions being attached to any consent.

The FRA and DS is generally compliant with relevant national and local policy, frameworks, guidance and statutory/non-statutory standards.

Where limitations may have occurred due to site constraints, these have generally been satisfactorily justified.

**Environmental Quality: NO OBJECTION**

Recommends a condition.

**Planning Policy:**

Planning Policy Team are broadly supportive. We understand from our development management colleagues there is currently an outstanding technical issue regarding the sequential test.

A review of the Local Plan is well underway but has not yet reached the pre-submission consultation stage. Downham Market Town Council and local community are in the process of preparing a Neighbourhood Plan for Downham Market.

The proposed site is located outside of the development boundary, however it is reasonably related to it and in fact is adjacent to it.

**Internal Drainage Board: NO OBJECTION**

FRA would appear appropriate and reasonable. The proposed discharge rate would appear reasonable. The site is outside the Stoke Ferry IDB district, however it outfalls into the district, therefore an application for discharge consent should be made to the IDB. The developer should obtain all necessary agreements with riparian owners of the receiving watercourse.

**CSNN: Make the following comments:**

Welcome the additional details and revised scheme regarding the surface water drainage. Unclear if a ditch will remain, be piped or removed. If retained how will it be accessed and maintained.

Welcome that waste will be stored internally and the installation of light shields.

Request conditions with respect to lighting and noise – opening and delivery hours.

**Arboricultural Officer: NO OBJECTION**

Requests landscaping scheme and replacement plant conditions.

**Natural England: NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes

**Norfolk Fire and Rescue Service: NO OBJECTION**

Providing the proposal meets the necessary requirements of the current Building Regulation 2010 – Approval Document B (V2, 2019).

**Norfolk Constabulary: NO OBJECTION.** Provides guidance of Secured by Design.

**Anglian Water: NO OBJECTION**

No assets owned by Anglian Water or subject to an adoption agreement within the development site boundary. The foul drainage is in the catchment of Downham Market Water Recycling Centre that will have available capacity. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry



Act 1991. Informatives are requested. The preferred method of surface water disposable would be a SuDs with connection to sewer as the last option.

### **Environment Agency: NO OBJECTION**

No issues with the drainage as submitted.

**REPRESENTATIONS 97 SUPPORT, 12 OBJECTION and 2 NETURAL.** Comments summarised as follows:

### **SUPPORT**

- Will provide much needed jobs to the town and boost the economy. 24
- Lidl will be a huge asset to the community. Greatly needed for Downham Market. 15
- Will bring more people into the town from surrounding areas. 8
- Lidl offer value for money and choice. 8
- Living outside of the town and currently have no reason to go to Downham as the current stores (Tesco and Morrisons) are worse compared to the store in King's Lynn due to their size and lack of investment in the store due to lack of competition.
- Town is in need of modernisation. 8
- More convenient – less travelling for 'discount' stores being within walking distance. 6
- Ideal location for this part of the town – parking in the town centre is stretched to capacity at busy times. 3 Welcome competition to the existing supermarkets in town. 6
- Better for the environment so people do not have to travel further for this kind of shop. 4
- Lidl would offer greater variety of shops and give consumers more choice. 3
- Will entice other businesses to come to Downham Market. 2
- Opportunity to revise the bus service in/around town, which would alleviate congestion on Bexwell Road. 2
- Will provide close amenity within walking distance to new housing developments happening in town.

### **OBJECTION**

- Increase traffic – proposed traffic management plan is poor. There is already planning permission for McDonalds/[Starbucks] on the opposite of the road and amount of traffic at peak times will lead to road incidents. 7
- Car park serving Lidl runs up the boundary of surrounding neighbours, resulting in light pollution from the car park lighting as the store is open until 11pm and will impact the standard of living of surrounding properties. Increased traffic, higher exhaust emissions, noise at night and light pollution impact to surrounding neighbours. 6
- Impact on visual amenity and character – loss of green which does not enhance the Town. 5
- Site is not suitable. 5
- Loss of green areas being used for development, which is not taken into account by Planners. 3
- Lidl could result in the closure of stores in town. 3
- Plans suggest further retail development which will result in loss of trade to the centre of town. 2
- Submission documents do not provide an evaluation of the net jobs effected. Public consultation report submitted is incomplete – applicants have cut off the responses.

- Object to the plan and how it impacts the future of Downham Market as a historic town, the hazards it creates and the negative effects on sustainability (not to having a Lidl in Downham Market)
- Could impact town centre, leading to loss of shops and jobs. 2
- Location would increase accident risk. The risk needs to be assessed with the addition of other outside units.
- Concern with the ecological disturbance this development will bring. There is currently a large habitat suitable for endangering hedgehogs and development on this site will cause their destruction. 2
- Use of agricultural land as opposed to brownfield. 2
- Lidl is not convenient for people in town with no transport.
- As it is in an out of town location, it will not bring more people into the town.
- With McDonalds and Starbucks in that area, it is not a great place to have another business where there will be traffic in and out of the town.
- Downham Market already has supermarkets in the town which brings people in and helps those who do not have access to transport.
- Proposal would be contrary to policies DM2 and DM110 and policy CS11. DM2 as it is located in the open countryside; DM10 for adversely impacting town centre by diverting from stores in the centre; and CS11 as the proposal would be car dependent.
- Fails to comply with paragraph 110 of the NPPF which requires development to give priority to pedestrians and cycle movements, both within the scheme and with neighbouring areas and create places that are safe, secure and attractive – minimising the scope for conflict between pedestrians, cyclists and vehicles. The development gives no priority to cycle movement, mixing them with motor vehicle movements.

## **NETURAL**

- It will be good for the town and job opportunities
- More choice for weekly shop.
- Highway:
  - Divers will not be able to come from the roundabout at 50mph like they do now.
  - Will increase traffic on Bexwell Road and will make the roundabout very congested.
  - Would like to see cycle path along Bexwell Road continuing along the Howdale so traffic free cycle route from and to the town centre and adjacent housing estates established.
  - Would like NCC to establish 20mph speed limit along Bexwell Road.
- Would like Lidl to provide proper cycle parking areas near the entrance to the store than at the back of the car park.
- Welcome Lidl in Downham but the site is too far away from the town centre to be of benefit to other trades in town.

## **LDF CORE STRATEGY POLICIES**

### **Policy F1.1 - Downham Market Town Centre Area and Retailing**

#### **CS01 - Spatial Strategy**

#### **CS02 - The Settlement Hierarchy**

**CS04** - Downham Market

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS06** - Development in Rural Areas

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM9** - Community Facilities

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM10** – Retail Development

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

### **Principle of development**

Although the site borders Downham Market's development to the west, it lies outside the development boundary and is therefore classed as 'countryside' for the purposes of the Local Plan. The site is currently in agricultural use.

Paragraph 81 of the NPPF states that 'significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'.

Policy CS10 of the Core Strategy 2011 (CS) also supports economic growth and it states that:

'The local economy will be developed sustainably: to facilitate job growth in the local economy, ... Job growth will be achieved through the provision of employment land as well as policies for tourism, leisure, retail and the rural economy;' This policy also refers to rural employment sites and development in the countryside. It explains 'permission may be granted on land which would not otherwise be appropriate for development for an employment generating use which meets a local business need. Any development must satisfy the following criteria:

- It should be appropriate in size and scale to the local area;
- It should be adjacent to the settlement;
- The proposed development and use will not be detrimental to the local environment or local residents.'

Policy CS02 of the CS makes it clear that decisions on new development will be taken based on the settlement hierarchy. Policy CS04 relates to development in Downham Market and explains how 'the role of Downham Market will continue as a main town providing and supporting employment and essential services for the southern part of the borough.'

However, both national and local polices also seek to protect the viability and vitality of town centres by ensuring that careful consideration is given to retail development outside of town centres. Furthermore, the impact of development within the countryside also needs to be considered.

Policy DM2 of the SADMPP explains how areas outside development boundaries will be more restricted and limited to that identified as suitable in rural areas. Policy CS06 of the CS explains how in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. Development of greenfield sites will be resisted unless essential for agricultural or forestry needs.

The proposal would not comply with Policies DM2 and CS06 as the site is within the countryside. However, the site is adjacent to the settlement boundary of a town in a sustainable location. Furthermore, the applicant has undertaken a sequential test. It focused on suitable sites or vacant units in Downham Market Town Centre and in edge of centre locations within 300m of the Primary Shopping Area/Frontage. They also considered relevant criteria such as site size, access and space for vehicle manoeuvring for instance. Tetra Tech Planning reviewed the information on behalf of the Council. They considered that the sequential approach to site selection has been met; there is no site available or suitable to accommodate the development proposed. Consequently, the principle of the development in terms of passing the sequential test is considered acceptable.

Section 7 of the NPPF relates to ensuring the vitality of town centres. Paragraph 86 explains how 'planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation'.

Policy CS04 of the CS relates to Downham Market. It explains how the focus in the town centre will be on:

- Maintaining and enhancing a strong local convenience and service offer;
- Accommodating a balanced diversity of uses to strengthen the evening economy;
- Improving the local arts and culture offer;
- Promoting the town's role as a wider visitor centre

Policy DM10 of the Site Allocations and Development Management Policies Plan 2016 (SADMPP) refers to King's Lynn, Downham Market and Hunstanton as major retail centres. New retail uses will be expected to be located in these town centres unless an alternative location is demonstrated to be necessary. If there are no suitable sites in the town centre, an edge of centre location will be expected. It goes on to say 'the Council will strongly resist proposals for out of town retail uses that either individually or cumulatively would undermine the attractiveness and viability of the town centres.' Retail impact assessments are required for schemes with a floorspace of greater than 2500 square metres. Although the scheme would have a floorspace of 2175 square metres which is just below the threshold, a Retail

Impact Assessment has been provided to identify whether there would be an adverse impact on the town centre. Clearly impact on the town centre is a significant material consideration in this case.

### **Impact upon the Town Centre**

The latest Market Retail Assessment to accompany the application is titled 'Updated Retail Statement' dated January 2022 by Rapleys. In response the council has employed Alder King planning consultants to scrutinise and assess the information submitted, and has considered the impact upon the town centre. Alder King's conclusion to this latest document is detailed below:

- Overall, on the balance of evidence, we remain of the opinion that the applicant has failed to demonstrate that the proposal would not result in significant adverse impact on Downham Market Town Centre.
- This is a more finely balanced conclusion, but on the balance of the evidence presented, is concluded that the proposed Lidl store is likely to give rise to a direct impact on the town centre at 9.6% (13% on the convenience sector) and when coupled with the indirect effects, given the role of the existing supermarket in Downham Market, it will give rise to significant adverse impact on the town centre.
- Therefore, on the basis of the evidence available, it would be reasonable for the Council to conclude the applicant has failed to demonstrate the proposal will not give rise to significant adverse impact in the absence of any mitigation.
- The failure will need to be weighed in the planning balance in determining the subject application; it is a material consideration given the floorspace being brought forward is below the local development plan threshold.
- Should the Council wish to grant planning permission, the three conditions suggested by Rapleys should be attached, as amended with the limitation on product lines as outlined above to ensure the store trades as assessed.

The applicant responded and does not agree with Alder King Planning Consultant's conclusion. However, they state that if the Council reaches the conclusion it would give rise to significant adverse impacts on Downham Market Town Centre and the application would be recommended for refusal on that basis, they propose a financial contribution which in their view meets CIL Regulation 122, specifically that it is necessary to make the scheme acceptable, directly related to the development and fairly and reasonably related in scale and kind. They would be willing to offer up to £50,000 financial contribution to deliver improvements to the public realm and town centre environment in Downham Market Town Centre, with a view of mitigating impacts from the new Lidl store on the town centre. The applicant suggested the money could go towards street furniture which was discussed at a Town Council meeting on 15th March.

The street furniture mentioned at the Town Council meeting is a small initiative for chairs and tables for use on market days.

Alder King Planning Consultants responded to the applicant's offer of financial mitigation. Their response is summarised below:

- On the balance of the evidence available, we have concluded that the new Lidl store will give rise to significant adverse impact on the town centre owing to the direct and indirect effects, the health of the centre, the role and performance of the existing supermarkets in the centre. This is a material consideration to be weighed in the planning balance, rather than a direct development plan policy conflict.
- In the light of this conclusion, it is appropriate for the council to consider whether planning obligations might assist in mitigating this impact in order to reduce the

identified impacts to below significant adverse levels. A financial contribution towards furthering town centre strategies, programmes or initiatives could fit this objective.

- I note that the applicant makes reference to improving the town centre environment, specifically the purchase of street furniture. This is a low key initiative to purchase some chairs and tables to put outside the Town Hall on market days. This alone is unlikely to make a sufficient difference to the public realm and town centre environment to bring about the benefits identified by the applicant to off-set impacts identified in terms of improving the perception of the centre and dwelling time to the benefit of retailers.
- Should the Council be minded to approve the application, it would be worthwhile allowing time for a suitable financial contribution to be negotiated to deliver benefits to the town centre through specific initiatives or programmes in order to appropriately mitigate the identified impacts to below significant adverse levels. These will need to be defined and the benefits arising identified to ensure that the obligations are necessary to make the scheme acceptable, directly related to the development and fairly and reasonably related in scale and kind. At present, this information is not available.

At present there is a lack of information about what potential initiatives and public realm improvements are required, which the £50,000 offered by the applicants would mitigate against, given the identified significant adverse impact of the proposal on Downham Market Town Centre. Without this, on balance, it has not been satisfactorily demonstrated that the proposal would not have a significant adverse impact on the town centre. The proposal would therefore conflict with Policy DM10 of the SADMPP which states 'the Council will strongly resist proposals for out of town retail uses that either individually or cumulatively would undermine the attractiveness and viability of the town centres'. It is also at odds with the overarching principles of Section 7 of the NPPF as the proposal would have a significant adverse impact on the town centre and Policy CS04 of the Core Strategy.

### **Economic benefits**

The scheme would offer the equivalent of 40 full time jobs and provide a CIL contribution of £252,474. A sum of up to £50,000 has also been offered for public realm and town centre improvements. However, given that insufficient town centre improvement projects have been identified, it has not been demonstrated that the proposal would not have a significant adverse impact on the town centre. On balance, it is considered that this harm would negatively impact trade and economic viability of Downham Market Town Centre and this harm is unlikely to outweigh the economic benefits of the proposal.

### **Form and character**

The NPPF, National Design Guide, National Model Design Code and the Local Plan refer to design. This includes reference to layout, form, scale, appearance, landscape, materials and detailing.

Policy CS04 of the CS 'Seeks to respect and enhance the built, historic and natural environment in the town. Maintain the landscape and the quality of open space in Downham Market.' Policy DM15 of the SADMPP explains how 'the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.'

As the site is considered countryside then Policy CS06 of the CS protects the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all.

Policy CS12 states that development proposals should demonstrate their location, scale, design and materials will protect and enhance the special qualities and distinctiveness of the area.

The site is an open agricultural field with sporadic trees and vegetation by the north-western and south-western boundaries. The surrounding area contains a mix of residential uses and agricultural fields with the A10 to the east. The site borders the built up area of Downham Market to the west.

Consequently, the proposal would clearly alter the current open, rural character of the site through the introduction of a large food store and associated car parking. It would be visible from both Bexwell Road and the nearby A10.

The Council's Landscape Character Assessment includes landscape planning guidelines for H1, which covers the site. It seeks to conserve the mostly rural character of the area; ensure that any new appropriate development responds to historic settlement pattern and is well integrated into the surrounding landscape; conserve and enhance the landscape setting of Downham Market and Bexwell and seek to screen (where possible) harsh urban edges; seek to conserve the largely undisturbed and tranquil nature of the area.

A Landscape and Visual Appraisal (LVA) was submitted as part of the planning application. It states that:

- Very limited local landscape and visual effects would occur with the development. Construction effects would be at most moderate adverse short-term and would be experienced at the scale of the Site and local area.
- Operational landscape effects have been assessed as moderate adverse at the scale of the Site and immediate local area through to negligible in the wider LCT H1 as the changes resulting from the proposed development would be barely perceptible in the wider landscape.
- Operational visual effects have been assessed as a most moderate adverse for seven properties along Bexwell Road to the north of the Site and these predominantly in the winter months following autumn leaf fall.
- No other effects would be greater than slight adverse for occupiers of residential properties and users of the local PRow and highway network within 500m of the Site.
- It is therefore considered that the proposed development will result in only prominent adverse effects within the Site and immediate local landscape and for a small number of properties within the immediate vicinity of the site.

The site is located near to modern residential development to the west and north and A10 further to the east. The site is not in or adjacent to the historic part of Downham Market or heritage assets. Furthermore, planning permission has recently been granted for development on the north side of Bexwell Road, opposite the site; at 157 and 159 Bexwell Road, outline permission was granted for a 72 bedroom care home with associated parking and development (reference 21/01069/OM). The site is also close to where a Starbucks coffee shop and drive thru and McDonald's restaurant with drive-thru (ref 19/02216/F) was approved by the A10 roundabout junction. These schemes have yet to be built but are under construction. However, the proposal would change the open verdant character of the site through the introduction of a large supermarket with car parking. Together with the loss of street trees this would harm the intrinsic character and beauty of the countryside which also provides an attractive entrance to Downham Market. It is acknowledged that Policy

CS10 of the CS does support economic development within the countryside, however, there is not the justification available to outweigh the harm to the countryside by siting the facility in this countryside location.

The proposal involves the loss of 7 trees and vegetation, however replacement tree planting would be provided. The proposal includes a mixture of ground cover ornamental shrub, wetland wildflower grass and tree planting towards the borders of the site. This would help to soften the proposed car parking and development from Bexwell Road and parts of the A10. The Town Council has asked for landscaping to be provided around the building. Landscaping is not proposed along the rear of the building given the proximity of the building to the site boundary. Although additional landscaping would help the building blend into the landscaping it is noted that there is existing landscaping along the A10 which would soften views of the rear of the building. Therefore, additional landscaping is not being sought.

Lighting is proposed to illuminate roads and pedestrian routes, designed to reduce upward light to minimise sky glow. Although there is currently no lighting immediately outside the site, lighting is present at the Bexwell Road/A10 junction and past the site soon after entering Downham Market and given the site's proximity to the built up area of Downham Market it would be acceptable providing it is suitably conditioned.

It is considered that the development proposed, would be detrimental to the form and character of the locality and would not be in accordance with the relevant planning policies and guidance including Policies CS04, CS06 of the CS and DM15 of the SADMPP.

### **Neighbours living conditions**

The site is bordered to the south-west by 160 Bexwell Road (No.160) which is a one and a half storey property. This neighbouring property is between 1.7m and 5m from the site boundary. At its closest it would be 5m away from a car parking space within the site. This property would be 40m from the retail store and over 69m from the delivery area. Given the position of this neighbour in relation to the store, the proposal would not cause harm with respect to loss of light or be overbearing. No.160 has windows that overlook the application site at ground and roof level. The Landscape Plan indicates a 1.8m high timber acoustic fence would be located along the shared boundary by this neighbour, this would assist with providing both privacy and noise mitigation to the ground floor windows and garden area. Given it would replace existing vegetation and trees and due to its scale and position it would not adversely harm ground floor windows or outlook from the garden. This vegetation would be replaced by an acoustic fence and car parking. New ground cover ornamental shrubs would be located by this fence within the application site. No.160 would have views into the site from their upper floor flank windows. Therefore, there is potential overlooking and perceived overlooking from people within the car park. However, given the distance and height of the window it is not considered to be so significant to warrant refusal of the application. The delivery area is located to the north-east side of the building away from this neighbour.

Opposite the site on the northern side of the street is 2 Landseer Drive. This property is 29m away from the site. Houses 155, 157 and 159 Bexwell Road are set back on their plots and are at least 48m away from the site boundaries. Given the orientation, layout and distance the proposal would not harm these nearby residents with respect to loss of light, outlook or privacy.

Planning permission has been granted for a care home opposite the site. However, this has not yet been built. However, this is set back in its plot with car parking located at the front. It is not envisaged that the proposal would harm the amenities of the local care home residents given its scale and position.



A noise report was provided. External plant would be installed in a compound to the south-east of the store. The noise report assessed this to have a low impact both day and night time. It also considers deliveries which would have a low impact during daytime and a significant adverse impact during the night time. The unloading operations would be low levels at the closest residential properties. It recommends restricting delivery times and a 1.8m high acoustic barrier is recommended along the west site boundary in response to car park noise, which would result in low noise impact from car movements.

The Travel Plan anticipates there would be one to two dedicated deliveries per average day and up to three deliveries during seasonal peak periods, such as Easter and Christmas. Recycling and waste will be taken away by the same delivery vehicles, reducing the number of vehicles visiting the store per day. Deliveries typically take place during store opening hours but outside usual highway peak hours.

CSNN has considered the information submitted and has requested the site layout and swept path drawings be conditioned. They also request that deliveries be conditioned to: Monday to Saturday (including Bank/Public Holidays, and 10:00-16:00 and Sundays. Furthermore, they request opening hours be conditioned to 07:00-23:00 Monday to Saturday (including Bank/Public Holidays) and 10:00-16:00 on Sundays. They also highlight that measures would need to be in place to control noise disturbance from audible reversing warning alarms from delivery vehicles. White noise alarms are preferred where reversing manoeuvres are required, automatic voice warnings or other alarm types can impact on residential amenity.

Given the proximity of nearby properties a construction management plan is recommended by way of condition.

CSNN have asked that lighting shields be conditioned on the three western lighting comments and the remaining lighting to be provided as per the Lighting Plan. This would avoid the proposal from harming nearby residents with respect to light pollution.

Consequently, the proposal is not found to adversely harm nearby residents living conditions.

### **Access and Highway Safety;**

Policy DM15 of the SADMPP notes development proposals should demonstrate that safe access can be provided and adequate parking facilities are available. Policy DM17 highlights parking provision will be negotiated having regard to the NCC standards. Policy CS11 of the CS also relates to transportation and promotion of sustainable forms of transport and use of contributions for necessary transport improvements.

Paragraph 113 of the NPPF requires development that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

The Travel Plan identifies opportunities for the promotion and delivery of sustainable transport initiatives such as walking, cycling and public transport.

The site would be accessed via a ghost island junction from Bexwell Road. Located approximately 90m west of the A10 roundabout. The Travel Plan has considered the improvements associated with application 19/02216/F which includes the widening of Bexwell Road and pedestrian provision to the bus stop located off the A10 roundabout on the southern side of Bexwell Road.

Bexwell Road has a 30mph speed limit outside the site. Around 500m west of the site it reduces to 20mph and there is a zebra crossing around this location. Bexwell Road is served by public transport and has street lighting, there is a footway along the northern side. A bus stop is around 50m from the site. The application proposes linking the site to the existing footway on the southern side of Bexwell Road and providing a pedestrian refuge near to the site to allow pedestrians crossing. A bus stop is around 50m from the site, however services are infrequent through the day, more frequent services are a further walk from the site (approximately 20 minute walk time away). Downham Market is also served by a train station that runs between King's Lynn and London.

22 cycle parking spaces would be provided on site for customers. Additional secure cycle parking for staff would be provided within the building. National Cycle Route 11 runs through the centre of Downham Market, which provides links through to King's Lynn and Ely. Although there is no cycle route along Bexwell Road, given the speed limit of the road it is a potential option to reach the site.

The applicant would cover the costs of the Travel Plan to allow its operation for a minimum of 5 years. Measures to promote sustainable transport options are covered within the Travel Plan.

A total of 136 car parking spaces would be provided (6 DDA compliant spaces, 8 parent and child spaces and 2 dedicated EV charging points).

The Transport Assessment noted three slight incidents had occurred over a 5 year period but did not consider this to lead to any significant concerns or demonstrate any discernible pattern along the highway network/junctions that could affect the proposed development. It also noted that additional traffic generated by Lidl has a negligible effect on network operation and the level of service currently provided. It concludes no residual impact arising from the proposals that could be considered severe in the context of the NPPF, such that it would lead to planning permission being refused on highways grounds.

NCC Highway Authority find the indicative scheme of off-site highway improvements and access to be acceptable. They do note that a more suitable access arrangement can be achieved but accept that they cannot substantiate an objection. The off-site works would be delivered through a Section 278 Agreement. They request relevant conditions if the scheme is minded for approval.

The Town Council feel that the entrance of the store should come off the roundabout. However, as the Highway Authority has not objected to the proposed access arrangement, it is considered acceptable with respect to highway safety.

Accordingly, the proposal is considered acceptable on highway safety grounds.

**Air quality and contaminated land;**

Environmental Quality considers it is highly unlikely, that the proposal would result in an exceedance of the air quality standards at nearby receptors. However, a Construction Environmental Management Plan is recommended to be conditioned to mitigate residents from construction dust.

The information does not indicate the presence of significant land contamination. However, land quality request a contaminated land condition given the former use of the adjacent land as Downham Market Airfield.

## **Drainage;**

The site is within Flood Zone 1. The Flood Risk Assessment (FRA) concludes that the site to be at low overall risk of flooding provided that surface water flooding risks are appropriately managed. It recommends finished floor levels are at least 150mm above external ground levels to protect against localised pooling of surface water during heavy prolonged rainfall. It states that the risk of flooding elsewhere should not be increased as a result of the development. The nearest surface watercourse is proposed to discharge surface water flows from the site at an attenuated rate. Permeable paving is proposed for the car parking spaces. The Drainage Strategy indicates the location of proposed surface water and foul water sewers piping and water collection areas such as the rainwater harvesting tank and surface water storage tank at the rear of the site.

The Lead Local Flood Authority (LLFA) does not object, subject to the Flood Risk Assessment, revised drainage area plan drawing (February 2022), and relevant drainage drawings be conditioned. They also request an informative.

The Environment Agency finds the drainage to be acceptable. They provide advice on Sustainable Drainage Systems which can be included as an informative if the application were approved.

According to Anglian Water there is capacity for the foul drainage in the catchment of Downham Market Water Recycling Centre. They recommend informatives with respect to sewerage. They do not object to the proposal.

Additionally, the IDB does not object to the proposal but highlights the need for a discharge consent to be made to the IDB and highlights all necessary agreements with riparian owners of the receiving watercourse are obtained.

CSNN has raised queries about a ditch. Further information is being sought and will be reported in Late Correspondence.

The scheme is therefore considered likely to be acceptable with respect to flooding and drainage.

## **Ecology;**

No impacts on Statutory Designated Sites were recorded within the Preliminary Ecological Appraisal. As the ecological impact is considered restricted to a site level, it concludes no impacts on non-Statutory Designated Sites. Three non-Statutory Designated Sites were located within the search radius with the nearest around 1.2km away.

Natural England has no objection to the proposal and considers that the development would not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Changes have been made to the Conservation of Habitats and Species Regulations 2017 (as amended) (2017 Regulations). The changes are made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (2019 Regulations).

The 2017 Regulations are one of the pieces of domestic law that transposed the land and marine aspects of the Habitats Directive (Council Directive 92/43/EEC) and certain elements of the Wild Birds Directive (Directive 2009/147/EC) (known as the Nature Directives).

Protected Species (PS) have full protection 2017 Regulations. It's an offence to deliberately capture, injure or kill, or deliberately disturb PS. These requirements are enforced in the 2017 Regulations and any derogation is regulated and overseen by a system of licensing administered by Natural England (NE).

A Preliminary Ecological Appraisal was submitted as part of the application. No protected or notable species were recorded during the survey. There was no evidence of badgers. The site would be suitable for breeding birds within scattered trees and hedgerows along the site boundaries. Therefore, site clearance should be undertaken outside the bird breeding season. No impacts on bat roosts or foraging grounds/commuting lines or flora or invertebrate assemblages are predicted. No evidence of western European hedgehogs was apparent although the site is suitable. Therefore precautionary measures in respect to site clearance is recommended.

In the Preliminary Ecological Appraisal it recorded sub-optimal habitat for amphibians and no impacts are predicted. The site is suitable for reptile species and the report recommends further surveys to ascertain presence/likely absence are taken. However, an email update on 24th March 2022 says the site has recently been revisited and that due to the presence of development near to the site and the A10 providing a barrier to dispersal, it is recommended that the site is stripped under a working method statement to include a finger tip search of the ditch and habitat manipulation of the site. This can be conditioned.

UK Priority Habitats within the site consist of hedgerows forming part of the site boundaries. The applicant's Ecologist however has confirmed the defunct nature and lack of connectivity does not meet the initial criteria for important hedgerows in relation to bats and that no further bat surveys are needed.

The Preliminary Ecological Appraisal and email update (received 24.3.22) should be conditioned to ensure appropriate mitigation measures are incorporated. This also includes planting native species.

### **Trees**

The landscape plan illustrates the planting scheme for the site. There will be some loss of trees and vegetation by the south-western boundary and By Bexwell Road. Three trees would be removed from inside the site and four further trees to accommodate the footpath. However replacement planting of 9 trees is included within the site.

It would involve the loss of some street trees which are of aesthetic value when entering Downham Market.

The Council's Arboricultural Officer has no objections but requests a landscaping scheme and replacement planting conditions.

Given the proposed planting scheme and replacement tree planting (9 trees) proposed, it is considered the planting would assist with softening the edges of the development and would be acceptable.

### **Crime and disorder;**

The Designing Out Crime Officer has not objected but has offered advice to the applicant. They highlight clearly signposting the site including areas not open to the public. Lockable waste containers located in a secure position. Co-ordinating lighting and CCTV systems. To use certified roller shutters if needed. It also recommends an intruder alarm system. This advice can be included within an informative if the application were to be approved.

## **Any other material considerations**

Norfolk Fire and Rescue Service do not object to the proposal. However, they highlight the need to meet necessary Building Regulations such as arrangements for emergency vehicles and the use of sprinklers. It is recommended their advice be included as an informative if the application is approved.

The Town Council considers the opposite side of the road would be a preferable location for the store. However, the application has to be assessed as submitted. Therefore, the location of the building cannot be amended as part of this application.

Downham Market Neighbourhood Plan and the emerging Local Plan are yet to be adopted so are given very limited weight at this stage.

If planning permission were to be granted then the development would be liable for a CIL payment. This would amount to approximately £252,474. This is a material consideration. Section 70(2) of the Town and Country Planning Act 1990 provides that a LPA must have regard to a local finance consideration as far as it is material. This includes any Community Infrastructure Levy (CIL). Members will need to consider the weight to be attached to the provision of a CIL payment of £252,474.

Separate advertisement consent would be required for signage including on the store.

## **Conclusion/Planning balance**

This is an application for a new retail store in an out of town location. As such its impact upon Downham Market town centre will need to be carefully considered. A thorough assessment of the impact has been undertaken by consultants acting on behalf of the council. The assessment is that, on balance, there will be a significant adverse impact upon the town centre.

In response to this assessment, and to mitigate the impact, the applicant has very recently offered a payment of £50,000 towards improvements to the centre of Downham. However, your officers view is that notwithstanding any argument over whether that is a suitable sum, at present there is no project identified for this sum to be spent on. Members will need to consider this aspect in their deliberations on the application.

The scheme would offer the equivalent of 40 full time jobs and provide a CIL contribution of £252,474. However, there are concerns over the impact of the proposal on the economic viability of Downham Market Town Centre.

Whilst the site is outside of the development boundary and therefore in an area of countryside, it is adjacent to it, and there are new facilities being provided on the opposite side of the road (care home, take-away and restaurant facilities), which are also outside of the development boundary.

Although the site is on the edge of the Downham Market development boundary and developments have recently been approved on the northern side of Bexwell Road, the proposal would change the open verdant character of the site through the introduction of a large supermarket with car parking. Together with the loss of street trees this would harm the intrinsic character and beauty of the countryside which also provides an attractive entrance to Downham Market.

**RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 There is insufficient information about potential initiatives and public realm improvements needed within Downham Market where mitigation can be used to compensate for the significant adverse impact of the proposal on Downham Market Town Centre. Without this it has not been satisfactory demonstrated that the proposal would not have a significant adverse impact on the town centre. The proposal would therefore conflict with Policy DM10 of the SADMPP which states 'the Council will strongly resist proposals for out of town retail uses that either individually or cumulatively would undermine the attractiveness and viability of the town centres'. It is also at odds with the overarching principles of Section 7 of the NPPF as the proposal would have a significant adverse impact on the town centre and Policy CS04 of the CS.
  
- 2 Due to the harm identified to Downham Market town centre, there is not the justification available to outweigh the harm to the countryside by siting the scheme in this countryside location. The proposal would change the open verdant character of the site through the introduction of a large supermarket with car parking and together with the loss of street trees, the scale and position of the proposal would harm the intrinsic character and beauty of the countryside which also provides an attractive entrance to Downham Market. It would therefore be contrary to Policies CS04, CS06 of the CS and DM15 of the SADMPP.

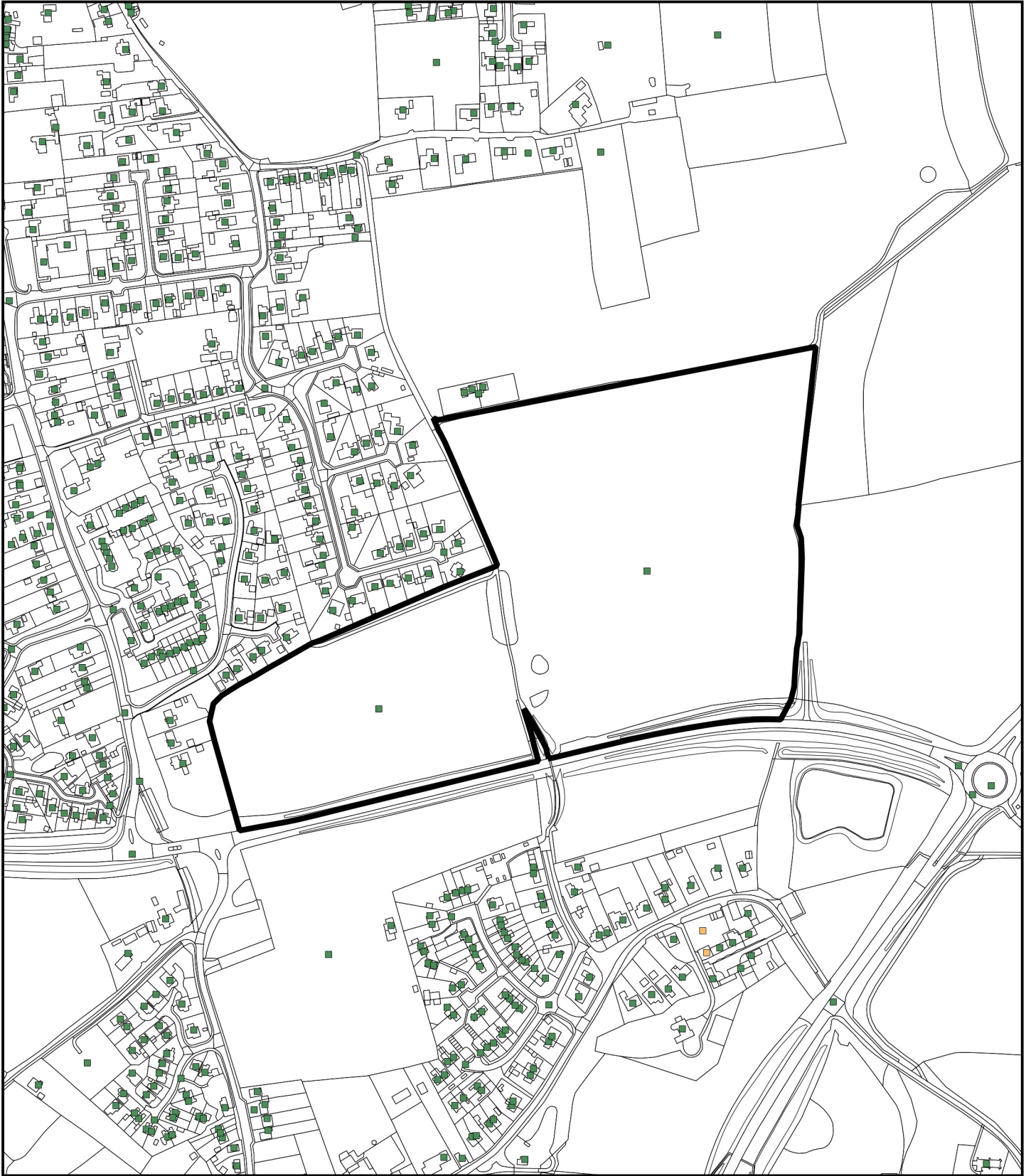
# 21/00152/RMM

Land S of Denver Hill N of Southern Bypass E of Nighingale Lane  
Downham Parket PE38 9BE



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Land S of Denver Hill N of Southern Bypass E of Nighingale Lane  
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## AGENDA ITEM NO: 8/2(b)

<b>Parish:</b>	<b>Downham Market Denver</b>	
<b>Proposal:</b>	<b>RESERVED MATTERS: Up to 300 dwellings and associated infrastructure and access</b>	
<b>Location:</b>	<b>Land S of Denver Hill N of Southern Bypass E of Nightingale Lane Downham Market Norfolk PE38 9BE</b>	
<b>Applicant:</b>	<b>Prosperity Homes Broadoaks Limited And Koto Limited</b>	
<b>Case No:</b>	<b>21/00152/RMM (Reserved Matters - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs C Dorgan</b>	<b>Date for Determination: 5 May 2021 Extension of Time Expiry Date: 8 April 2022</b>

**Reason for Referral to Planning Committee** – Called in by Cllr Tyler

**Neighbourhood Plan:** No

### **Case Summary**

The site is located to the south east of Downham Market, bounded by the A1122 on the south boundary, Ravensway and Denver Hill to the north east boundaries, Nightingale Lane and Crow Hall Cottages to the north and open farmland to the east boundary. Nightingale Lane is a Restricted Byway (PROW RB23) and runs from the north boundary south through the site to the footbridge crossing over the A1122 and south towards Denver.

The site is an allocation for Downham Market under Policy F1.4 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 140 dwellings.

The outline application for up to 300 dwellings was considered by Members at Committee in April 2017 and subsequently refused but then consent was granted on appeal by the Planning Inspectorate in May 2018. The outline consent was for up to 300 dwellings and associated infrastructure and access, with the red line in accordance with Policy F1.4.

This application seeks reserved matters consent for 300 dwellings plus associated infrastructure and access. The matters for consideration are appearance, landscaping, layout and scale.

### **Key Issues**

Principle of Development and Planning History  
Form and character  
Residential Amenity  
Highways issues  
Open space provision  
Affordable housing requirements  
Other material considerations

## **THE APPLICATION**

The site is located to the south east of Downham Market, bounded by the A1122 on the south boundary, Ravensway and Denver Hill to the north east boundaries, Nightingale Lane and Crow Hall Cottages to the north and open farmland to the east boundary. Nightingale Lane is a Restricted Byway (PROW RB23) and runs from the north boundary south through the site to the footbridge crossing over the A1122 and south towards Denver.

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This application seeks reserved matters consent for 300 dwellings plus associated infrastructure and access. The matters for consideration are appearance, landscaping, layout and scale.

The development proposed consists of a mix of housing types; bungalows, two and three storey dwellings and flats with between 1 to 4 bedrooms. All residential units have dedicated off-road parking (and in some cases garages) and amenity space, with outside access to their rear gardens. The affordable housing provision is policy compliant, with the provision of 60 built units. In addition to the dwellings the scheme includes a vehicular access (already agreed as part of the outline consent) in the form of a priority controlled roundabout from the A1122 to the south east corner of the site. Improved pedestrian/cycle links to London Road, Nightingale Lane (PROW) and Ryston End are also shown improving north/south and east/west linkages. The open space provision is well in excess of the policy requirement and includes formal play areas and allotments, and a large area of informal green space which stretches along the eastern and southern boundary of the site forming a buffer and incorporating SuDS features. TPO trees are incorporated into the development which run parallel on an east/west axis to the A1122 to the south of the site.

## **SUPPORTING CASE**

The applicants have worked constructively with the LPA since the approval of outline planning permission granted in May 2018 (16/01322/OM) to bring forward much needed, high-quality housing to the area.

Since we submitted the initial Reserved Matters application for up to 300 dwellings in January 2021, the scheme has undergone an extensive process of reviewing design considerations with amendments undertaken to reflect comments from various consultees. As such, the majority of consultees do not object to the proposals, and where consultees have objected, we have sought to alter the proposals in line with their comments, leading to this recommendation of approval from your officers.

The proposal is considered to achieve an outstanding standard of design and will result in an attractive neighbourhood environment which will be a positive addition to the local area and

will create a desirable place to live. This is recognised by the independent Urban Design Practitioner who carried out a BHL assessment for the proposal on behalf of the Council. The outcome of the assessment, based on a traffic light scoring system was 11 green and 1 amber. This confirms a suitable development which would meet the overarching aims of BHL and therefore the NPPF and NDG.

The proposals will not result in a negative impact on the amenity of the area, with the scale, height, massing, materials, and layout of the proposal responding sensitively and sympathetically to the local setting. In response to landscaping of the site, the Council's Public Open Space's team were encouraged by efforts to simplify the POS design and replace areas with an amenity grass mix to aid a possible maintenance regime. To further satisfy the POS team, additional trees have been added to the site, picnic areas amended, and a railing will enclose the pond. Significant drainage details have been provided and demonstrate that the proposed development can satisfactorily manage foul and surface waters.

Of importance, the development will provide much needed new housing to the area, 60 units of which will be affordable (20% of site). This additional housing in Downham Market will allow both new residents to move to the area and join a community, as well as allowing existing residents to own their own home and stay within their community.

It should be considered that the scheme is; compliant with the existing Outline consent, represents a sustainable form of development, represents a high quality design that meets the provision of BHL guidance, is compliant with the Development Plan and other material considerations and there are no consultation responses that should prevent the approval of Reserved Matters being granted.

## **PLANNING HISTORY**

17/01050/OM: Application Refused- Planning Committee: 08/01/18 - Outline planning application for up to 250 dwellings and associated infrastructure and access. - Land At Nightingale Lane

16/01322/OM: Application Refused- Planning Committee: 03/04/17 - Outline Application: up to 300 dwellings and associated infrastructure and access - Land At Nightingale Lane

15/00135/OM: Application Permitted- Planning Committee: 19/10/16 - Outline application for up to 170 dwellings, all matters reserved apart from access - Land East And South of Denver Hill

## **RESPONSE TO CONSULTATION**

### **Town Council: OBJECTION**

The Council feel that the new layout and proposal bears no resemblance to the original concept and that this should be a new application, not an amendment. The designs are not in keeping with the heritage of Downham Market especially the Sycamore design which in their opinion is not a detached property, should be no higher than 2 storeys in totality and should have a greater floor plan.

### **Highways Authority: NO OBJECTION**

With reference to the revised layout shown on drawing P20-1803-001 rev W, in relation highway matters, I can confirm that the County Council would have no objection to Borough Council granting permission, subject to including standard conditions requiring detailed plans of the roads, footways, cycleways, drainage to be submitted and agreed by the LPA; that all works shall be completed prior to the occupation of the final dwelling; and prior to occupation of any dwelling the road/ cycleway/ footway is constructed to binder course surfacing from the dwelling to the adjoining county road.

### **Public Rights of Way: NO OBJECTION subject to conditions**

Given the S106 agreement to upgrade the PROW, I would agree that the exact details, alignment and extent, could be subject to a condition. The Highway Boundary mapping must be obtained and the upgrade specification agreed with NCC before any of the proposed upgrading commences, in order to ensure that the full legal extent remain open and available for use. It may be necessary for the applicant to apply for a Temporary Closure Order to allow the proposed upgrading works to be carried out. No works within the PROW can take place until the order is confirmed.

### **Environmental Health & Housing – Environmental Quality: NO OBJECTION**

Contaminated Land - Having reviewed the information and our files, we have no objection with regard contaminated land.

Air Quality - The Environmental Quality team provided comments on the outline application (16/01322/OM), in which a screening level Air Quality Assessment (AQA) was submitted. The AQA considered that the proposed development was unlikely to increase exposure of future receptors to nitrogen dioxide, or particulate concentrations that exceed air quality objectives, particularly as background concentrations in the area were low. The AQA concluded that the proposed development was unlikely to be adversely affected by or have a significant impact on local air quality. The information provided supported this conclusion. We also recommended a Construction Environmental Management Plan should be required. Condition 15 of the outline permission reflects this. Therefore, based on the information submitted within this application, we have no objection regarding air quality. We would however welcome the addition of EV charging points/infrastructure within the development in line with Measure 19 of the Borough Council's Air Quality Action Plan and NPPF para. 110 (e).

### **Lead Local Flood Authority (NCC): NO OBJECTION**

No objection subject to conditions being attached to the consent. Would request specific information prior to determination and suggest a condition to secure this.

### **Anglian Water: NO OBJECTION**

Assets Affected - There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

Used Water Network – Based on the applicant's submitted foul drainage strategy and flood risk documentation, the impacts on the public foul sewerage network are acceptable at this stage.

Surface Water Disposal - The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. The

applicant has indicated on their application form that their method of surface water drainage is via SuDS.

### **Norfolk Constabulary: NO OBJECTION**

Many of our technical observations for this application are still valid from the initial report and many original concerns have been considered and addressed. The extract below details some of the considerations addressed by the applicant:

- Adjacent footpath to northeast of site outside of applicants control.
- Amendments to some house types and additional planting against blank walling to prevent kick wall/ graffiti.
- Side windows included for plots 224 and 266 for better surveillance and also have added side windows to the Living Room for house types PD5, PD11 and PD12 which will allow overlooking to the driveways
- Gates will be provided to prevent unwanted use of paths to mi-terraces.
- Support the fact that parking is mostly shown as being adjacent to each home. It is also noted that some of the homes have the provision of a secure garage.
- However, there seems to be some confusion over the “active” phrase (a landing window is not considered “active”). There are 21 homes which includes landing windows overlooking parking. The surveillance element has been provided for all homes that have parking to the front of the properties or with appropriate active elevations but will need incorporating for these unobserved side/rear parking positions as well. This vulnerability is easily rectified by the inclusion of additional active windows to these private driveways.

National Planning Policy Framework (NPPF) gives significant weight to promoting safe communities (in section 8 of the NPPF). The application represents a proposal that will increase pressure on police resources. This development, alongside other development proposals in this area, will place additional pressure on existing resources. Therefore, to address this, further investment will be required to enhance the capacity of the police linked to additional developments in the area. If this is not funded and delivered through the planning system, the consequence is that additional demands will be placed on existing police resources.

### **Norfolk Fire & Rescue: NO OBJECTION**

Do not propose to raise any objections providing the proposal meets the necessary requirements of the current Building Regulations 2010 – Approved Document B (volume 1 – 2019 edition) including any requirements in relation to B5 access, facilities and arrangements for emergency service vehicles, as administered by the Building Control Authority. There is clear evidence that sprinklers can be effective in rapidly controlling and stopping fires and fire spread.

### **Greenspace Officer: NO OBJECTION**

Following on from comments made in previous responses, efforts have been made to simplify the POS design and replace areas with an amenity grass mix to aid a possible maintenance regime. Additional comments from the POS team to those submitted on 26/02/2021 and 26/05/2021:

\* Open space to the west of the development now consists of a cycle path link from London Road and lining this route with trees would reflect the incorporation of tree avenues further throughout this development.

- The picnic area could be moved slightly further west into the middle of the Open Space.
- All picnic benches/bins require a concrete base/wear pad. Bins should be of crescent type/with lids. Also litter bins need to be sited in locations accessible by vehicles.
- How will retained hedge between existing dwellings and plots 234–246 be maintained? Presumably by residents as it is only accessible from private garden.
- Existing pond location is close to LEAP so suitable fencing required\* Type of fencing around SUD's should be with consideration to final detailed design.
- Details of the low maintenance/ground covering shrubs lining driveways have not been specified.
- The existing trees/vegetation along the southern boundary appear to consist mostly of mature/established trees. Confirmation would be appreciated as to which trees/vegetation will fall under Norfolk County Council's responsibility as part of maintaining the adopted highway adjacent.
- With reference to Fields in Trust Guidance, the recommendation is for a LEAP, LAP and MUGA.
- Following an assessment of allotment demand in Downham Market it may be appropriate to consider replacing the allotment gardens with a MUGA. BCKLWN would not take on allotments, instead they should be managed by the Town Council or an association.
- It would be advisable not to have any services running underneath any of the equipped play areas, as this can be costly for any repairs.

**Arboricultural Officer: NO OBJECTION**

No objections. Along with the conditioned Arboricultural report, please condition the landscaping scheme.

**Waste & Recycling: NO OBJECTION subject to condition**

Confirm satisfied with the access and egress routes along with associated turning points for waste collection vehicles. The developer should provide bin collection points for properties accessed from private drives. A collection point should be created for each of these groups of properties immediately adjacent to the public highway. The construction should be smooth impervious and level with the finished level of the adjacent highway. The position and construction of these may be dealt with by condition or the scheme could be amended. The size should be sufficient to provide the penetration of a 240 ltr wheeled bin and a 23 ltr food caddy for each household served by the collection point.

**REPRESENTATIONS**

**SIXTY-TWO OBJECTIONS** received, summarised below (by officers)-

Residential amenity-

New development will overlook existing neighbouring dwellings and gardens along Denver Hill. Should be 26m between the dwellings.

Two storey dwellings proposed will overshadow neighbouring dwellings/ gardens on Denver Hill.

Development will create noise and light pollution in locality.

PD rights should be removed for proposed dwellings which neighbour existing dwellings.

Design/ House types-

Appearance of proposed dwellings - not Downham Market specific. Query detail of materials proposed - quality of the materials and should reflect local vernacular eg. carrstone. Lack of

variation in house types. Lack of architectural detail. Gas and electrical service points should not be on front elevations.

Density is too high

Housing types proposed are not suitable for the town. Concern these will be rental dwellings. Should be higher numbers of affordable units

Drainage/ flooding-

Existing surface water drainage issues - run off from site is evident and this will increase when the site is developed. The change in levels across the site and the development will increase the risk of flooding for dwellings on London Road (if pond overflows). No account taken of spring in western field which drains towards the pond with GCN (to rear of London Rd).

Drainage ponds could be a feature for residents.

Access/ Highways / Parking -

Access road and roundabout is in a dangerous location on A1122. Poor access route. Can emergency vehicles/ refuse trucks access the site? Poor road network will lead to speeding and accidents.

Only planned pedestrian access is north along Nightingale Lane and Ryston End. The route is narrow, tree lined and the path in poor condition and cannot cope with the additional pedestrians. Improvements are needed.

Will generate additional traffic in Denver and Downham Market, creating noise, increased accidents, risk to pedestrians. Lack of parking in town and at railway station.

Insufficient parking within the site.

Should improve pedestrian route from site to Bexwell Road.

Should close off vehicular access from site to Ryston End so it does not become a rat run.

The outline permitted a footpath link to junction of A1122 and London Rd and a new one on eastern side of London Rd - these are not included here?

Detrimental impact on public transport.

The proposed cycleways don't adhere to required standards. A full cycle route should be provided at NCN11 Nightingale Lane as this is a dirt track.

Ecology/ Green space -

Site rich in wildlife - barn owls, bats, birds, grass snakes and hedgehogs as well as GCN. Need to protect hedgerows and trees.

Should retain and protect green spaces/ countryside for landscape/ value and well being of residents. This is a well used area.

Further consideration should be given to impact of development on GCN. They are spread further than the pond area, into existing gardens.

Scheme will damage protected trees.

Native plants should be provided as part of scheme.

The Common land and trees should be protected.

Other considerations-

There not enough local services - doctors, dentists, school to support this level of growth.

Merging Downham Market and Denver

Where are the EV points to be provided?

How will sewerage systems cope?

Water main runs to rear of dwellings on Denver Hill.

Concerned that development could extend north from site.

Grade A agricultural land left as scrub land to get planning consent.

More effort should be put into the town for existing residents.

Covenant on land restricting development to 2065+. Site cannot be built upon.

How has climate change been considered? - Sustainability is key. This is not a sustainable scheme eg, green roofing, grey water systems, renewable energy etc.

Archaeological value of site - should not be developed upon.

**FIVE** representations of **SUPPORT** summarised as below-

Will provide affordable housing/ starter homes for local young people in Denver/ Downham Market

Recognise need for additional housing

Agree access should be carefully considered

Affordability is an issue in the town.

Support GCN buffer zone.

**SEVEN NEUTRAL** comments received and summarised-

Lack of local services

Request to upgrade existing cycle track

Concerns that development will cause harm to the Great Crested Newts and their habitats

Some trees have already been removed

Concerns raised re development company - sale of plots prior to approval of planning consent.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS04** - Downham Market

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

**CS14** - Infrastructure Provision

**Policy F1.4** - Land South East of Downham Market

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM12** - Strategic Road Network

**DM15** – Environment, Design and Amenity

**DM16** – Provision of Recreational Open Space for Residential Developments

**DM17** - Parking Provision in New Development



## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

The main considerations are-

- Principle of Development and Planning History
- Form and character
- Residential Amenity
- Highways issues
- Open space provision
- Affordable housing requirements
- Other material considerations

### **Principle of development**

Downham Market is a main town of the Borough as identified by Policy CS02 of the Core Strategy 2011. The site is allocated for housing under Policy F1.4 of the Site Allocations and Development Management Policies Plan 2016 which requires “a high quality , well designed development of “at least” 140 dwellings and associated facilities” (including local highway improvements, landscaping, protection of TPO trees, affordable housing, allotments and path improvements, improved infrastructure, education and strategic infrastructure contributions, outdoor amenity and play space, protection of public rights of way and SuDS).

The Planning Inspectorate approved the outline planning permission for 300 dwellings on the site, with the decision notice being issued in May 2018. A copy of the appeal decision is attached in Appendix 1. The Inspectors decision addressed the issues of character and appearance of the development, highway safety, and the impact on local infrastructure. The Inspector concluded that the development need not have a significant impact on the character and appearance of the area, including in respect to density. Based on the information there was no evidence presented to support the potential alleged harm to highway safety, and the Inspector was satisfied that the CIL charging schedule and the Sec106 agreement would secure the necessary infrastructure and affordable housing requirements. There was no evidence that there would be any other significant infrastructure impacts arising from the proposed development.

The outline consent included conditions re-

- Highways arrangements and management/ maintenance of these;
- Construction Management Plan including parking and wheel cleaning;
- Off-site highway improvements;
- Fire hydrants;
- Foul and surface water drainage;
- Pollution control;
- Lighting;
- Archaeological works;
- Tree protection;
- Ecology (including Great Crested Newts);
- Provision of allotments.

The Section 106 agreement secured-  
Affordable housing contribution;  
Open space provision;  
SUDs;  
Habitats Monitoring and Mitigation Strategy contribution; and  
Rural Byway contribution.

The current application for reserved matters was submitted in Feb 2021 and complies with the time limit conditions attached to the outline consent; the permission therefore remains extant.

The principle of development for the proposed scheme, by virtue of the extant planning consent and compliance with this consent and the Section 106 agreement, in addition to being national and local policy compliant, is acceptable.

### **Form and character**

In terms of the setting of the site, to the west of the site is residential development and the north and east part of the site is bounded by Crow Hall Cottages and farmland. The southern boundary abuts the A1122. The land slopes from east to west with a difference of 2m, and north to south with a difference of 3m at the furthest boundaries of the site.

The proposed site layout includes access via a roundabout to the south of the site leading onto three main residential streets. Land levels are to remain the same. There is an extensive area of open space/ landscaping to the west of the site which stretches along the southern boundary and then along the eastern boundary of the site. There are pedestrian and cycle routes throughout the site which connect into the existing town and to Denver to the south. All dwellings have dedicated off road parking/ garages and amenity space.

The NPPF states in para 130 planning policies and decisions should ensure that developments: function well and add to the quality of the area; are visually attractive; are sympathetic to local character and history; establish/ maintain a sense of place; optimise development on the site; and create places that are safe, inclusive and accessible and which promote well-being. The National Design Guide and the National Model Design Code provide detailed advice and guidance to inform high quality new developments.

The Building for a Healthy Life (BHL) is a design standard and a 'tool for assessing and improving design quality' (NPPF) in new development which reflects current policy guidance. An independent urban design consultant has been employed by the Borough Council to assess the proposed development and work towards a high quality scheme. The BHL assessment considers integrated neighbourhoods (connections through the site, open space, pedestrian/ cycle provision), distinctive places (design and character, street scape, identity and landscaping), and streets for all (healthy streets, parking, green and blue infrastructure, amenity space).

Throughout the application process the layout, design and landscaping of the scheme has evolved to secure a quality scheme. The current proposal has been scored against the BHL criteria and in all categories aside from one has scored positively, it is a high quality design. The one area which could be improved was that boundary treatments at some points across the site could be further enhanced.

The outline consent granted permission for up to 300 homes, and this scheme seeks consent for the 300 dwellings. In density terms this means that on average across the whole site the density is 22 dwellings per hectare, but in considering the net developable area only is 38 dwellings per hectare. The proposal is at a higher density than dwellings on Denver Hill

and Ravensway, the houses immediately to the north and west of the site however this has been found fundamentally acceptable by the Planning Inspectorate in granting outline consent.

The dwellings proposed are single, two and two and a half storey. The appearance are mainly simple hipped and gable roof structures, cottage style windows, timber/ lean to porches and specific dwellings include forward projections, others include brick slip dummy chimneys and the 2.5 storey dwellings include dormer windows in the roof for the second floor bedrooms/ ensuites. The materials proposed are a mix of two buff brick types and two red brick types with some dwellings proposed to be rendered. Roof tiles are grey or a red pantile. The types/ colours are yet to be confirmed and are conditioned accordingly. There are also four dwellings proposed with a carrstone elevation at key points throughout the site. A sample panel will be required and is conditioned.

Objections have been raised that the dwellings are a generic design, and do not reflect the local vernacular. In response to this the applicant has sought to include details into the development including brick dentils/ detailing, brick quoins, window headers and cills, arched fanlight detailing above traditional front doors. This is in addition to the materials proposed including the carrstone dwellings and boundary walls, and the landscaping proposed.

The boundary treatments proposed include 1.2m and 1.8m close board fencing, to the rear of the dwellings to secure private rear gardens. All dwellings have external access to their rear gardens. Hedging, planting and timber kneerails are proposed for front boundaries. There is also walling proposed to protect amenity space, where the boundary treatment would have a significant impact upon the street scene.

The Architectural Liaison Officer has assessed the scheme against the principles of Secured by Design, and through the application process the applicant has sought to address any queries/ concerns raised to ensure the scheme is where possible in accordance. The outstanding point made was that 7% of dwellings are without an active surveillance to their parking spaces (to the side / rear of the dwellings). In these cases, the applicant proposes security lighting and in other cases the windows overlooking the parking include landing windows which are not classed as 'active'. The scheme is considered acceptable in terms of designing out crime.

There is a significant amount of landscaping included in the scheme both around the edge of the site for public open space, but also importantly within the built extent. Ornamental hedging is proposed alongside the planting of trees and shrubs along the frontages. 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.

A TPO tree belt lines Nightingale Lane running north-south through the site and a further tree belt, also a TPO designation, runs parallel to the A1122 in the southern part of the site. The existing trees and hedgerows on site are largely to be retained and the Arboricultural Officer has no objections to the tree survey or landscape scheme for the site. In addition to the ornamental hedging, native hedging is also proposed around the areas of open space, in addition to further tree planting. Collectively the landscaping and this area of open space will provide a buffer, creating a green edge to the town and reducing the visual impact of the development proposed.

From a form and character perspective, given the existing setting and the layout and design proposed, the development is fully acceptable and in accordance with Policy CS08 of the CS (2011) and Policy DM15 of the SADMPP (2016).

## Residential amenity

Objections were received from existing neighbouring residents to the western boundary of the site, raising concerns that the dwellings proposed will give rise to overshadowing and loss of privacy. Proposed plots 208 to 211 and 217-218 and 249-250 are all single storey bungalows, and therefore these would not cause harm to the residential amenity of nos 34-38 Denver Hill and 3-4 Ravensway. Plots 234 to 248 are two storey dwellings which will back on to Denver Hill and Ravensway. However these gardens are at least 11m in depth, and 25m in distance to the closest existing neighbouring dwelling. The boundary treatments proposed include close board fencing but there are also existing trees and hedgerows along this boundary. A neighbour has requested that permitted development rights are removed for the bungalows adjacent to the boundary, however given the fact that the dwellings are single storey and the distances between dwellings, this is not considered necessary.

Along the north western boundary the adjacent residential development along Denver Hill is again sufficiently well-spaced either side of a PROW and private drive/ shared surface from the dwellings proposed that the development would not give rise to a loss of privacy or a loss of light (in excess of 30m in distance from proposed dwelling to neighbouring dwelling at the closest point, and 17m from shared boundary to proposed dwelling). To the north of the site are Crow Hall Cottages which are 22m at the closest point from the proposed dwellings facing onto each other, with a private drive and existing PROW separating these. In neighbour amenity terms the relationships between the proposed dwellings, and the existing neighbouring dwellings is considered acceptable. Vehicular access for the proposed dwellings is via a new separate access and so there would not be additional traffic noise/ disturbance affecting the existing neighbouring dwellings.

Within the site itself the dwellings proposed have rear gardens of a minimum of 11m where the dwellings are back-to-back to create adequate separation and prevent overlooking. It is also conditioned that all bathroom/ ensuite windows will be obscure glazed to retain privacy. The window relationships between dwellings are considered acceptable. There is sufficient amenity space and parking for each dwelling. The site layout, road hierarchy and surfacing/ traffic calming measures are such that the development will not result in speeding/ excessive traffic causing disturbance to residents.

While there are no air source heat pumps indicated on the submitted plans a condition has been attached requesting that prior to the installation of these, full details should be submitted to and agreed by the Local Planning Authority to ensure these would not create noise levels detrimental to residential amenity.

The outline consent included a number of conditions including the submission of a Construction Management Plan, construction parking and wheel cleaning and the requirement for a lighting scheme to be submitted to and agreed by the LPA to protect residential amenity. These should not be repeated as part of this application.

The Waste and Recycling Officer has no objections to the scheme subject to a condition identifying a bin collection point for properties with access via private drives.

The Environmental Quality team are satisfied that the development would not adversely impact upon air quality in the locality. Therefore, there is no objection to the development. The EQ officer has stated support for the addition of EV charging points/ infrastructure within the development and a condition has been included requesting this information is submitted and agreed.

The proposal would accord with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

## Highways Issues

The outline planning consent included access, with the development accessed via a four-arm roundabout to the south east of the site off the A1122. This access is agreed and conditioned (condition 11 of the outline consent). In addition the outline consent included condition 12 which specified off-site highway improvements works to the footway on London Road, pedestrian infrastructure improvements along the existing rural byways around and through the site (RB19, RB20 and RB23) and a shared use strategy for Ryston End including a 20 mph speed limit, shared surfacing and improved footways. Given these measures are conditioned as part of the outline consent they do not need to be repeated as part of this reserved matters application. Furthermore, the Section 106 agreement for the outline consent specifies a sum of £10,000 towards the creation/ improvement of a Rural Byway between RB17 and RB23.

From the singular access/ roundabout to the site, there are three main residential streets to serve the north and west. Secondary streets would be located off the main street with shared surfaces/private drives serving the outer edges of the built development to the rural edge.

In terms of parking provision there is a mix of dedicated off-street parking for residents in the form of parking to the front/ side of the individual dwellings (with landscaping to reduce the visual impact of car parking on the street scene), and garages. In total there are 564 resident car spaces and 51 visitor spaces (not including garages). The parking provisions are in accordance with the Local Highway Authority (LHA) Parking Standards.

In addition to the existing byways/ footpaths to be enhanced (via the outline consent) the proposed development includes additional pedestrian/ cycle routes through the site via footpaths through areas of open space/ public realm, on shared surfaces and on footpaths alongside the streets. These provide linkages east to west and north to south throughout the site.

The Building for a Healthy Life (BHL) Assessment included a 'streets for all' element which considered healthy streets, and cycle and car parking. Both scored positively with a quality design solution.

The Local Highway Authority raises no objection to the development subject to conditions; requiring detailed plans of the roads, footways, cycleways, drainage to be submitted and agreed by the LPA; that all works shall be completed prior to the occupation of the final dwelling; and prior to occupation of any dwelling the road/ cycleway/ footway is constructed to binder course surfacing from the dwelling to the adjoining county road.

The Public Rights of Way Officer raises no objection to the scheme subject to condition. Given the S106 agreement to upgrade the PROW known as RB20, the exact details, alignment and extent, could be agreed via a condition. This must be agreed with NCC before any of the proposed upgrading commences, in order to ensure that the full legal extent remain open and available for use. There are no tall fences proposed adjacent to these PROWs and that they retain an open aspect as required.

Contrary to Third Party assertion, no vehicular access from the site is proposed to Nightingale Lane or Ryston End. Comments have also been received stating that the existing route known as RB23 should be to required standards as this forms part of the National Cycle Network (NCN11) but is currently a dirt track. Improvements to this route in the form of a 3m shared footway/ cycle way were secured as part of the improvements required by the outline consent. The details of which are to be submitted and agreed by the Local Highway Authority.

The development proposed is in accordance with the NPPF, Policy CS11 of the CS (2011) and Policy DM15 of the SADMPP (2016).

### **Open space provision**

The outline planning consent required the provision of 3 allotments, which was controlled by condition, and these are shown on the submitted plans. The Section 106 agreement for the outline consent also requires that not less than 56 square metres of open space per dwelling is to be provided within the site. Alongside securing a financial sum for maintenance of the open space for 15 years.

The development proposed shows a total of over 3.7ha of open space (of which 770 square metres is formal). This far exceeds the policy (Policy DM16 of the SADMPP 2016) and Section 106 requirement of 1.68ha.

A full landscaping scheme has been submitted as part of the reserved matters scheme. The open space provision includes the 50m great crested newt buffer zone to the southwest of the site which will be amenity grass with tree planting, picnic benches and shrubs. The amenity grass then stretches along the southern boundary of the site interspersed with planting and includes a footpath network. Existing trees are to be retained (many are protected by TPOs) with a formal area of play to the south and retention of the existing pond, and to the east of these the allotments. The other side of the roundabout is an area dedicated to SUDS with wetland mix planting stretching the full extent of the eastern boundary. This will include the drainage basins details of which will be agreed in accordance with the outline consent. There is also a small formal play area with surrounding amenity grass proposed centrally within the site. The public open space is bordered by planting/hedging/ low timber knee rails to demarcate this space and prevent vehicular parking.

Green and blue infrastructure was included within the BHL assessment and the proposed development scored positively/ high quality.

The Greenspace Officer has commented on plans throughout the process, and the applicant has worked with the officer to meet the design requirements of a quality landscaped street scene and public open space, which also meets the maintenance standards/ requirements of the Council. The applicant has taken into account the latest comments received and made further amendments to the plan where appropriate. This application seeks to approve a landscaping scheme in the form submitted to us, which in our view is policy compliant and has taken into account comments made by the Greenspace Officer to date. The Section 106 agreement attached to the outline consent states that a scheme including plans, drawings and specifications showing but not limited to the layout and design of the open space including children's play areas and equipment, landscaping, paths, street furniture, fencing etc. has to be submitted to and approved in writing by the LPA. If the detailed discussions around open space/ play equipment do require any further amendments to the landscaping scheme hereby approved an application will be required to secure planning consent for these amendments.

The open space provision is in accordance with Policies CS08 and CS12 of the CS (2011) and Policy DM16 of the SADMPP (2016).

### **Affordable housing requirement**

Policy CS09 of the Core Strategy and the Section106 agreement tied to the outline consent, required affordable housing provision in line with policy requirements. In this case the applicant has proposed 60 affordable units with a mix of housing types including bungalows, and 1 to 4 bedroom two-storey dwellings. The tenure mix is yet to be agreed but this will be

agreed via the Section 106 agreement and will reflect the needs required at the time development commences. The affordable units are pepper potted across the application site, grouped in clusters of between a single unit and up to one group of 8 units. This is fully in accordance with policy requirements. Strategic housing has no objections to the proposed development, and the scheme is in line with Policy CS09 of the CS (2011).

### **Other material considerations**

#### **Flood Risk and Sustainable drainage-**

The application site lies within Flood Zone 1 of the SFRA 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 policy.

The outline planning consent included detailed drainage conditions, requiring the foul and surface water drainage strategy to be submitted and agreed by the LPA. Furthermore, the Section 106 agreement requires that the surface water drainage scheme incorporates Sustainable Drainage Strategies (SuDS) which is in accordance with national guidance and addresses the maintenance and management of this. While the drainage arrangements are controlled by the outline conditions, the layout cannot be agreed until the LLFA is satisfied that the development can accommodate a sufficient SuDS scheme. The applicant has worked with the LLFA throughout the application process to provide sufficient detail to demonstrate that this layout can accommodate the required drainage scheme, which lies along the eastern boundary of the site with drainage basins stretching north to south. The basins were designed for a water depth of 0.9m for a 1 in 100 year event. The applicant has confirmed that the basins will, for the majority of time, hold no water at all. Also, that in a 1 in 1 year event the potential water depth may be up to 200-300mm in depth.

The LLFA has confirmed that they have no objections to the application based on the information submitted to them. Therefore the development proposed is in accordance with the outline consent, the Section 106 agreement and is policy compliant (NPPF and Policy CS08 of the CS 2011).

#### **Archaeology-**

Archaeology was addressed as part of the outline planning consent, and archaeological investigative works secured by condition 18.

#### **Ecology-**

The outline planning consent considered the impact of the proposed development on ecology, and in particular protected species. It was considered that there would be no impact on the Ouse Washes SAC, SPA or Ramsar Sites. However, ecology assessments were submitted that identified the presence of Great Crested Newts within the site as well as potential for bats, birds and amphibians. Conditions were attached to the outline consent requiring that the scheme was implemented in strict accordance with the recommendations and mitigation measures set out in the ecology reports (conditions 20 and 21). The proposed development includes the buffer zone required to the south west of the site (as specified in condition 21).

Alongside the reserved matters application a further ecology report was submitted (Cotswold Wildlife Surveys Nov 2020). This took into account the fact that the previously agricultural land had been left to become overgrown over the last few years. The results of the updated ecology report were not dissimilar to those previously submitted. The recommendations are in accordance with and complement the existing conditions/ reports specified at the outline

stage, and this updated report will be conditioned accordingly. Subject to conditions the application is in accordance with the NPPF and Policy CS12 (CS 2011).

#### 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. This includes any Community Infrastructure Levy (CIL). The Council's adopted CIL charging schedule will cover infrastructure costs including education and libraries. The development is also subject to S106 contributions and the requirements have already been secured as part of the outline planning consent.

There are no outstanding objections from statutory consultees.

#### Emerging Downham Market Neighbourhood Plan-

The draft (Regulation 14) Downham Market Neighbourhood Plan was consulted upon in Autumn 2021. It is anticipated the plan will be submitted for examination in Spring/ Summer 2022. 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; either in the outline consent and Section 106 agreement, and/or the reserved matters application and proposed conditions. Given the stage of the Plan however the scheme has been assessed against current policy requirements and standards (for example with regard to parking provision, affordable housing allocation and the provision of EV points).

The comments of Third Parties and the Town Council have been addressed in the main body of the report aside from-

- Housing types – Objections received to the scheme state that the house types proposed are not suitable/ desirable for Downham Market. In contrast comments of support have referenced the need for new build small starter homes for local residents. The applicant is providing for a range of housing types and tenures. While the affordable housing requirements have been met, consideration has also been given to the Housing Needs Assessment for the borough. The housing types proposed broadly reflect the range of housing types stated in the HNA, however they do propose a higher number of three bedroom dwellings, at the expense of four bedroom and to a lesser extent two bedroom homes. However a broad mix is proposed and this is considered acceptable.

- Renewable energy – While the NPPF and Policy CS08 refer to the need to promote and encourage high standards of sustainability and energy efficiency, there is not a policy requirement for the development to provide for sources of renewable energy or for the dwellings to include environmentally friendly services/ construction techniques. However, the development is considered to be a sustainable scheme, given its central location, the provision of green space including SUDs, good pedestrian and cycle links, and high quality design and layout. A condition has also been attached requesting details of EV charging points within the development.

- Lack of local services – The principle of development and potential scale has already been agreed at outline. In addition to the provision of affordable housing, open space, highway improvements, habitat monitoring and mitigation strategy fees secured via the Section 106



agreement, the scheme is CIL liable. This means that any necessary library or school contributions, for example, can be secured through the CIL bidding process. Financial contributions for doctors/ dentists practices cannot be secured via the planning process.

· Covenant – Objections to the scheme include reference to a covenant on the land restricting development. This is a civil matter and is outside of the planning process.

## CONCLUSION

The site benefits from an existing outline consent and the reserved matters application has been submitted in accordance with that planning permission, as well as Local Plan Policy F1.4 (SADMPP 2016).

The proposed form and layout of the scheme respects the characteristics of the locality, both in terms of the existing built form but also the landscape and ecology requirements. The principle of development and the scale of development has been approved at outline (up to 300 dwellings), as has the vehicular access and cannot be revisited as part of this reserved matters application.

The application has evolved through the planning application process, with detailed work undertaken with regard to the site layout, the design of dwellings, character of the streets and the landscaping provision as well as the connectivity throughout the site and to the existing development beyond. The scheme has been assessed by an independent urban design consultant against the Building for a Healthy Life criteria and has scored positively as a high-quality development.

On the basis of the above, the scheme is fully acceptable in planning terms and complies with the NPPF, National Design Guide and National Model Design Code, Policies CS01, CS02, CS04, CS08, CS09, CS11, CS12 of the Core Strategy (2011) and Policies DM1, DM2, DM15, DM16, DM17 and F1.4 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

## RECOMMENDATION:

**APPROVE** subject to the imposition of the following condition(s):

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

P20-1803- 001 W Planning Layout  
P20-1803- 010 D Landscape Masterplan  
P20-1803- 013 D Boundary Treatments  
P20-1803- 015 E Planning Layout Houses Colour Coded  
P20-1803- 017 B Storey Heights  
P20-1803- 018 E Materials Plan  
P20-1822-001 B The Croft  
P20-1822-002\_1 B The Croft  
P20-1822-002\_2 B The Croft  
P20-1822-003 A The Acorn  
P20-1822-07 C The Acorn  
P20-1822-09 D The Ash  
P20-1822-011 B The Beech  
P20-1822-013 B The Willow

P20-1822-015 C The Sycamore  
P20-1822-016 E The Royal Oak  
P20-1822-017 A The Royal Oak  
P20-1822-018 Double garage  
P20-1822-019 Single garage  
P20-1822-020 B 2 Bed Bungalow  
P20-1822-021 B 3 Bed Bungalow

- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, 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.
- 2 Reason 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 will not lead to expensive remedial action and adversely impact on the viability of the development.
- 3 Condition Prior to the occupation of the final dwelling all works shall be carried out on roads, footways, cycleways, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 3 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 4 Condition Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) 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.
- 4 Reason To ensure satisfactory development of the site in accordance with the NPPF.
- 5 Condition All bathroom/ en suite/ wc windows shall be obscure glazed and shall be retained as such thereafter.
- 5 Reason For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.
- 6 Condition Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of bricks, roof tiles and render to be used for the external surfaces of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 7 Condition No development shall commence on any external surface of the relevant plots and boundary walls until a sample panel of the carrstone to be used for the external surfaces of the dwellings and walls hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials,

mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.

- 7 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 8 Condition Prior to the installation of any air source heat pumps a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighboring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 8 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 9 Condition The development hereby permitted shall be carried out in strict accordance with the Landscape Masterplan (DWG P20-1803.010 D). 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.
- 9 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 10 Condition The boundary treatments shall be installed as approved prior to the occupation of the 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 retained in perpetuity.
- 10 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 11 Condition No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 11 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 12 Condition The development hereby approved shall be carried out in strict accordance with the recommendations of the Trees and Construction Tree Survey Assessment dated Dec 2020 and carried out by Cotswold Wildlife Surveys.
- 12 Reason To ensure that the existing trees are properly surveyed and full consideration is made of the need to retain trees in the development of the site in accordance with

the NPPF. This needs to be a pre-commencement condition given the potential for trees to be lost during development.

- 13 Condition Prior to the commencement of the development hereby permitted the full alignment and extent (width) of the existing Public Rights of Way that cross/ border the site shall be accurately plotted and be agreed in writing by the Local Planning Authority.

Notwithstanding the approved Landscape Masterplan, no planting shall be planted along the confirmed route(s) of the PROW(s) without being approved in writing by the Local Planning Authority. Planting adjacent to the existing PROW(s) shall be carried out in accordance with the approved details prior to the first use of the development hereby permitted.

- 13 Reason To ensure correct identification of the existing PROW(s) and ensure that planting adjacent to them is appropriate in accordance with the NPPF and Development Plan.

- 14 Condition The development shall be implemented in strict accordance with the Conclusions and Recommendations of the 2020 Updated Ecological Survey carried out by Cotswold Wildlife Surveys and dated Nov 2020.

- 14 Reason In the interests of protected species and sites in accordance with the NPPF.

- 15 Condition Notwithstanding the details hereby approved, prior to occupation of the dwellings, a suitable EV charging scheme shall be submitted to and approved in writing by the LPA. The locations of the charging points are to be shown on the approved plans. The EV charging points shall be implemented as approved prior to occupation of the dwellings.

- 15 Reason To enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations (NPPF section 112(e)).

- 16 Condition Prior to commencement of development, in accordance with the submitted Site Layout (7982 Site layout plus infiltration basin location) and all other documents found in the Appendix, detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

I. Additional infiltration testing in accordance with BRE Digest 365 (or equivalent), shall be carried out where appropriate, along with the dimensions of the proposed infiltration basin in addition to details of the site catchment being drained to it to be submitted. All supporting details, including Microdrainage calculations and any other relevant information to prove feasibility, to also be submitted.

II. The design of the infiltration basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event. Where/if applicable, this should include surface water which may enter the site from elsewhere. OR If infiltration is proven to be unfavourable, then Greenfield runoff rates for the site shall be agreed with the Lead Local Flood Authority. These post development runoff rates will be attenuated to the equivalent Greenfield rate for all rainfall events up to and including

the 1% annual probability. The discharge location for surface water runoff will be confirmed to connect with the wider watercourse network.

III. Finished ground floor levels of properties shall be a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

IV. Details shall be provided of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

V. A maintenance and management plan shall be provided, detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

- 16 Reason To prevent flooding in accordance with National Planning Policy Framework paragraph 167, 169 and 174 by ensuring the satisfactory management of local sources of flooding 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.
- 17 Condition Notwithstanding the details shown on the approved plans, prior to the occupation of any dwellings a scheme indicating bin collection points for properties accessed via private drives shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 17 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.



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# Appeal Decision

Site visit made on 19 March 2018

by **G D Jones BSc(Hons) DipTP DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2<sup>nd</sup> May 2018

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**Appeal Ref: APP/V2635/W/17/3179838**

**Land at Nightingale Lane, Downham Market, Norfolk PE38 9FD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by The Grosvenor Partnership 3 LP against the decision of King's Lynn and West Norfolk Borough Council.
  - The application Ref 16/01322/OM, dated 13 July 2016, was refused by notice dated 3 April 2017.
  - The development proposed is for up to 300 dwellings and associated infrastructure and access.
- 

## Decision

1. The appeal is allowed and outline planning permission is granted for up to 300 dwellings and associated infrastructure and access at land at Nightingale Lane, Downham Market, Norfolk PE38 9FD in accordance with the terms of the application, Ref 16/01322/OM, dated 13 July 2016, subject to the conditions contained within the Schedule at the end of this decision.

## Preliminary Matters

2. The proposal is for outline planning permission with all matters reserved for future approval except for access. The details submitted with the application include documents and plans which make reference to layout, appearance, landscaping and scale. Whilst not formally part of the scheme, I have nevertheless treated these details as a useful guide as to how the site might be developed.
3. I have also adjusted the description of the development proposed from as it appears on the planning application form in order to reflect the amendments made to the scheme prior to the determination of the planning application.
4. A legal agreement dated 22 March 2018, made under S106 of the Town and Country Planning Act 1990 (the S106 Agreement), was submitted toward the latter stages of the appeal process. I have had regard to it in my consideration and determination of the appeal.

## Main Issues

5. The main issues are:
  - The effect of the appeal development on the character and appearance of the area;
  - Its effect on highway safety; and
  - Whether or not any impact of the development on infrastructure would be adequately offset.

## Reasons

### *Character & Appearance*

6. The Council's concerns in this regard relate primarily to the potential density of development on the site. Reference is made to the 300 dwellings cited in the appeal application relative to the figures of 140 and 170 dwellings from the Site Allocations and Development Management Policies Plan 2016 (the SADMPP) and an extant planning permission respectively. Nonetheless, the development plan figure is not a cap on development; rather it is a minimum quantity of homes that are planned to be delivered at the site.
7. I note the submissions made regarding existing density of development in the area, including those made by local residents. Nonetheless, the appellant's application submissions, particularly its Density/Urban Grain & Overview March 2017 document, illustrate how development of the quantity and type proposed might be reasonably accommodated at the appeal site without appearing at odds with its context, notwithstanding the contrasting densities of homes per hectare. Subject to the careful consideration of matters of detail that would be controlled at the reserved matters stage, I see no reason why the proposed development would necessarily affect the character and appearance of the area in a significant manner beyond taking the site from being predominately farmland to a developed, residential area.
8. Therefore, the appeal development need not have a significant effect on the character and appearance of the area, including in respect to density. Consequently, in that regard, it would not conflict with Policy CS08 (Sustainable Development) of the King's Lynn & West Norfolk Borough Council - Local Development Framework - Core Strategy July 2011 (the Core Strategy) and Policy DM15 (Environment, Design and Amenity) of the SADMPP, or with the National Planning Policy Framework (the Framework) and the Planning Practice Guidance.

### *Highway Safety*

9. The Council's appeal submissions make reference to 'local knowledge' having informed the reason for refusal in respect to highway safety and that there have been six reported accidents over the last six years. However, notwithstanding any potential existing highway issues, there is no substantiated evidence before me to support the alleged harm to highway safety that is said would result from the appeal development. Indeed the wider evidence indicates otherwise and I note that the Local Highway Authority has raised no objection to the scheme. Accordingly, I see no good reason to justify resisting the appeal development on the basis of its effect on highway safety and find no conflict, in that regard, with Core Strategy Policy CS11 (Transport) or with the Framework.

### *Local Infrastructure*

10. At the time the appeal planning application was determined by the Council and when the appeal was made no mechanism appears to have been in place to secure delivery of much of the infrastructure and affordable housing requirements identified in the evidence. Nonetheless, a S106 Agreement has now been submitted. It is intended to secure or provide funding for the provision of open space / play equipment and its maintenance, 20% affordable housing, sustainable drainage (SuDS) and its maintenance, the delivery / funding of a habitats monitoring and mitigation strategy, and the creation of a new section of bridleway. The wider evidence indicates that the Council's adopted CIL charging schedule would cover other infrastructure costs, including education and libraries.

11. The affordable housing obligation appears to be in line with the Council's adopted policy, notably Core Strategy Policy CS09. The proposed open space provisions would also be necessary to ensure that residents of the proposed development would have access to well-maintained public open space and play equipment in accordance with Policy DM16 (Provision of Recreational Open Space for Residential Developments) of the SADMPP and with para 73 of the Framework. The SuDS obligations would be required to ensure that the development is adequately drained and the area protected from flooding in the long term in accordance with Policies CS01 (Spatial Strategy) and CS08 of the Core Strategy and with paras 103 and 104 of the Framework.
12. There appears to be development plan support for the proposed creation of a new section of bridleway. However, the evidence, including the Council's appeal submissions and its officer's Committee report, indicate that this matter would be addressed via the Council's CIL charging regime such that this planning obligation appears to be unnecessary.
13. I have considered the S106 Agreement in light of Regulation 122 of The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and government policy and guidance on the use of planning obligations. Having done so I am satisfied that, with the exception of the new section of bridleway, all of the obligations of the S106 Agreement are directly related to the proposed development, fairly and reasonably related to it and necessary to make it acceptable in planning terms.
14. Beyond the matters addressed via the Council's CIL charging schedule and the S106 Agreement or potentially by planning condition, notwithstanding the submissions made including from interested parties, there is no substantiated evidence before me that demonstrates that there would be any other significant infrastructure impacts arising from the proposed development, including in terms of the adequacy of existing facilities.
15. On this basis, I have found no good reason to believe that the proposed development's effect on infrastructure would not be adequately offset as part of the appeal scheme, such that, in this regard, it would accord with Policies DM1 (Sustainable Development) and DM16 of the SADMPP and Policies CS01, CS04 (Downham Market), CS08 and CS14 (Infrastructure Provision) of the Core Strategy, and with the Framework.

### **Other Matters**

16. In coming to my decision I have also taken into consideration the other concerns raised locally, including by Town and Parish Councils, in respect to the proposed scheme's potential effect, including its cumulative effect with other planned development, on the character and appearance of the area, on the living conditions of neighbours including in respect to privacy, noise and disruption, on biodiversity, on the historic environment and on flood risk.
17. Other concerns raised include the adequacy of facilities, infrastructure and investment in the area currently and relative to the appeal scheme and other planned development; the deliverability of some aspects of the proposals; connections between the proposed development and the existing settlement; ground conditions; whether additional development is needed and that the Council can demonstrate a five year supply of housing land; the local employment market; potential commuting-out to other areas; the proposed housing mix and house types; part of the land has been identified for cemetery use; the appellant's motives for the development; the adequacy of parking and its potential effect on



pedestrians; alternative forms of development; and alleged conflict with development plan policy.

18. These matters are largely identified and considered within the Council officer's report on the appeal development. They were also before the Council when it prepared its appeal case. Other than as set out above, the Council did not conclude that they would amount to reasons to justify withholding planning permission. Subject to the identified obligations of the S106 Agreement and the imposition of planning conditions, I have found nothing that prompts me to disagree with the Council's conclusions in these respects.
19. I also note the evidence regarding housing land supply. However, whether or not the Council can demonstrate a Framework compliant supply of housing land does not alter my overall decision, particularly bearing in mind that I have found no conflict with the development plan.

### **Conditions and Conclusion**

20. The Council has prepared a list of suggested conditions, which include the standard time limit / implementation conditions. I have considered these in the light of government guidance on the use of conditions in planning permissions and made amendments accordingly, including combining conditions.
21. In order to provide certainty, conditions specifying the approved drawings, the maximum number of dwellings permitted and some of the details required to be submitted as part of any pursuant reserved matters applications would be necessary. A condition to secure the future management and maintenance of the streets within the development would be necessary to protect the character and appearance of the area and in the interests of highway safety. For this latter reason and to protect the living conditions of neighbours, conditions would be necessary to control matters during the construction period.
22. In the interests of highway safety, to ensure that the development is served by adequate transport links and to prevent light pollution, conditions would be necessary to secure the timely implementation of the proposed access and highway works. The approval and implementation of a scheme for the provision of fire hydrants would also be necessary in the interests of occupants' safety. Conditions to control surface and foul water management / drainage would be necessary to safeguard against flood risk, in the interests of highway safety and to protect the environment. A condition would be necessary to ensure that features of archaeological interest are properly examined / recorded.
23. A condition would be necessary to protect and retain trees in the interests of the character and appearance of the area and of biodiversity. For this latter reason, conditions to protect great crested newts and other identified habitat / species would also be necessary. A condition to secure allotments at the appeal site would be necessary in accordance with the requirements of development plan policy.
24. I conclude, for the reasons outlined above, that the appeal should be allowed subject to the identified conditions.

*G D Jones*

INSPECTOR

SCHEDULE OF CONDITIONS FOR APPEAL REF APP/V2635/W/17/3179838:

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.
- 2) Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4) The development shall comprise of no more than 300 residential units.
- 5) The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg. YOR.2742\_003A & Dwg. 70005080/SK/001 A.
- 6) The details submitted in accordance with Condition 1 shall include full details (in the form of scaled plans and / or written specifications) to illustrate the following:
  - i) Roads, footways, cycleways;
  - ii) Visibility splays;
  - iii) Access arrangements;
  - iv) Parking provision;
  - v) Turning areas;
  - vi) Driveway length; and
  - vii) Garage size.
- 7) No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed highways within the development have been submitted to and approved in writing by the Local Planning Authority. Those highways shall thereafter be maintained in accordance with the approved management and maintenance details.
- 8) Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 9) Prior to the commencement of any works a Construction Traffic Management Plan (the CTMP) and Access Route (the CTAR), which shall incorporate adequate provision for addressing wear and tear to the highway, shall be submitted to and approved in writing by the Local Planning Authority (LPA) together with proposals to control and manage construction traffic using the CTAR. For the duration of the construction period all traffic associated with the construction of the development shall comply with the CTMP and use only the CTAR and no other local roads unless approved in writing by the LPA.
- 10) No works shall commence on site until the details of Wheel Cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority. For the duration of the construction period all traffic associated with the construction of the development permitted shall use the approved wheel cleaning facilities immediately before leaving the site.
- 11) Notwithstanding the details indicated on the submitted/approved drawings no works shall commence on site until a detailed scheme for off-site highway

- improvement works (access roundabout to A1122) as indicated on Dwg. 70005080/SK/001 A, along with a detailed timetable for their implementation, have been submitted to and approved in writing by the Local Planning Authority. Those approved access details shall be fully completed in accordance with the approved timetable.
- 12) Notwithstanding the details indicated on the submitted drawings, no works above floor slab level shall commence on site until a detailed scheme for the off-site highway improvement works as listed below:
- i) Improvements to footway in London Road (Dwg. 5080-SK-004 Rev D);
  - ii) Pedestrian Infrastructure Improvements (Dwg. 5080-SK-005 Rev C); and
  - iii) Shared Use Strategy (Dwg. 5080-SK-006 Rev E),
- along with a detailed timetable for their implementation, have been submitted to and approved in writing by the Local Planning Authority. Those approved off-site highway improvement works shall be fully completed in accordance with the approved timetable.
- 13) The development shall not be brought into use until a scheme for the provision of six fire hydrants (on a minimum 90mm main) has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 14) No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before any part of the development is brought into use.
- 15) Prior to the commencement of development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include timescales and hours of construction and shall also specify the sound levels of equipment, their location and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented in accordance / compliance with the approved details.
- 16) Prior to the commencement of any development, a scheme for the provision and implementation of pollution control for the water environment, during both the construction phase and the post-construction phase, which shall include foul/trade effluent and surface water drainage and a timetable for its implementation, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with the approved timetable and shall be retained thereafter.
- 17) Prior to the first occupation of the development hereby approved, details of the method of lighting and extent of illumination to the access roads, footpaths, parking, and circulation areas shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented as approved prior to the occupation of the development or any phase of the development to which it relates and thereafter maintained and retained as approved.
- 18) No development shall take place until a Written Scheme of Investigation (WSI) for a programme of archaeological works has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include:
- i) An assessment of the significance of heritage assets present;
  - ii) The programme and methodology of site investigation and recording;
  - iii) The programme for post investigation assessment of recovered material;
  - iv) Provision to be made for analysis of the site investigation and recording;

- v) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- vi) Provision to be made for archive deposition of the analysis and records of the site investigation; and
- vii) Nomination of a competent person or persons / organization to undertake the works set out within the WSI.

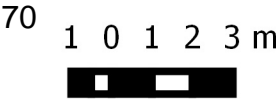
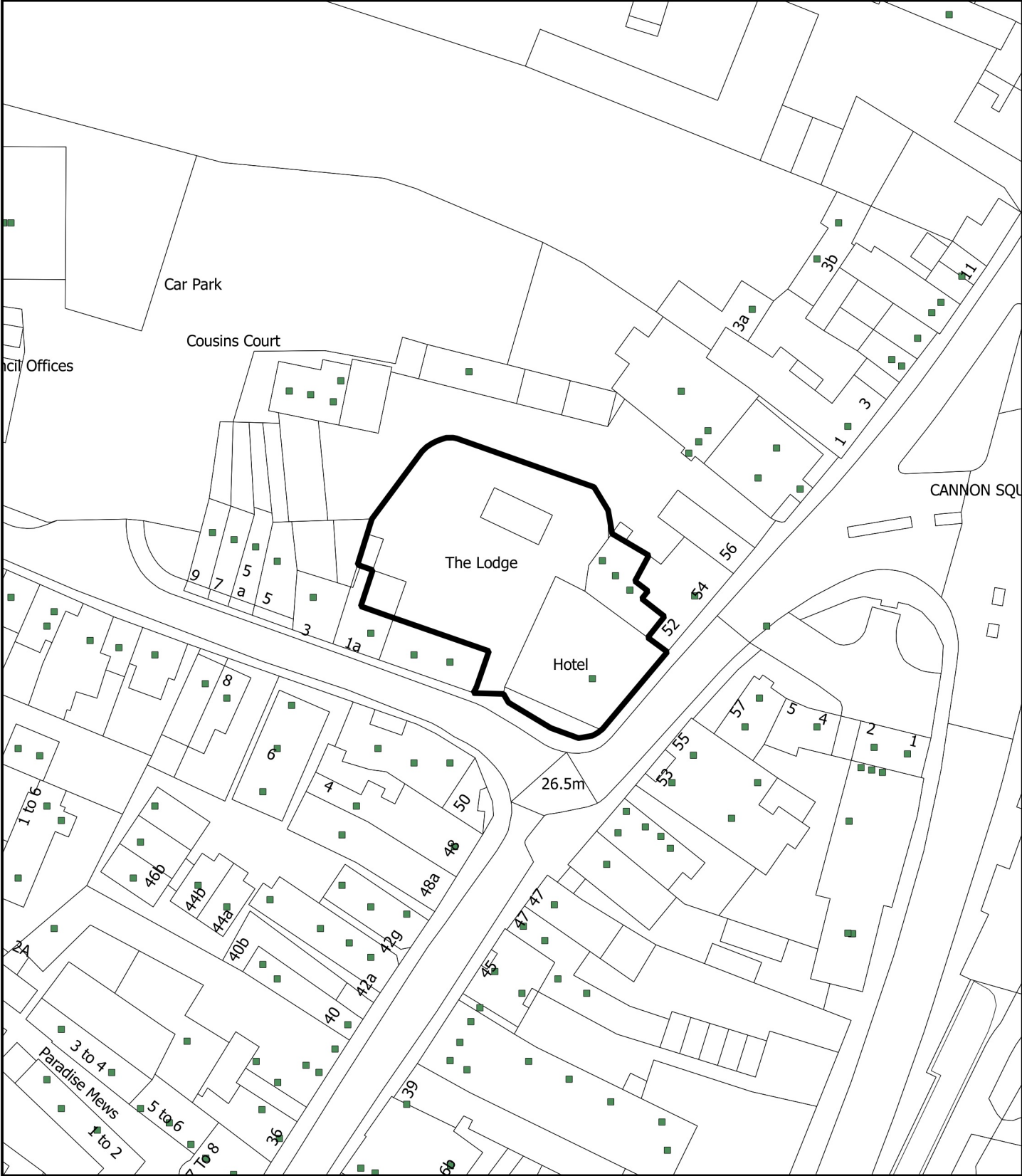
No demolition / development shall take place other than in accordance with the approved WSI. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved WSI and provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 19) Notwithstanding the details submitted with the application, the details submitted in accordance with Condition 1 shall include an updated tree survey and Arboricultural Implications Assessment and Method Statement showing:
  - i) A plan indicating the location of and allocating a reference number to each existing tree on the adjacent site (to the west) which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm; and
  - ii) Details of the species, diameter, approximate height and condition of each tree on the adjacent site in accordance with the current version of BS:5837, where the crown spread of that tree falls over the application site and where any tree is located within 15m in distance from the application site.
- 20) The development shall be implemented in strict accordance with the recommendations of the Cotswold Wildlife Surveys Extended Phase 1 Habitat Survey of Land off Nightingale Lane, Downham Market Ref 1306-CWS-05 dated 13 May 2013 and 7 May 2014.
- 21) Notwithstanding details submitted as part of the 2016 Great Crested Newt Report for land of Nightingale Lane, Downham Market (Ref 1306-CWS-08), prior to commencement of any development (including site clearance), full details of the proposed mitigation and enhancement measures (including a permanent 50m buffer between the development site and Pond 7) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include mitigation / enhancement measures to minimise the impact of the development on the Great Crested Newt population both during construction and upon completion and a timetable for the implementation / completion / maintenance of the mitigation / enhancement works. The mitigation/enhancement works shall be completed and maintained in accordance with the approved details and timetable, other than with the prior written approval of the Local Planning Authority.
- 22) The details required in accordance with Condition 1 shall include the provision of three allotments on site.
- 23) Prior to commencement of development, in accordance with the submitted Flood Risk Assessment & Surface Water Drainage Strategy (RSK, June 2016, Rev. 890126-R1(01)-FRA) and the amended drawing as submitted via email drawing (RSK, 22 March 2017, 'Land at Nightingale Lane - Revised SuDS Basins Mark Up 300 units), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development. The scheme shall address the following matters:
  - i) All attenuation features shall be located outside of areas of medium to high flood risk (as indicated on the Environment Agency's Risk of Flooding from Surface Water maps). Alternatively, if it can be demonstrated through a site

- specific flood risk assessment that there would be no additional flood risk to the attenuation areas, a revised layout would be required reflecting the assessment of flood free areas;
- ii) Longer term groundwater monitoring shall be undertaken, unless otherwise approved in writing by the Local Planning Authority, to capture seasonal variations in levels associated with the site in relation to the location of surface water management features and structures;
  - iii) Detailed infiltration testing in accordance with BRE Digest 365 at the exact depth and location of the proposed attenuation basin along with any requisite mitigation to limit the discharge of surface water to the adjacent watercourse to a Greenfield runoff rate for the 1 in 1 year event of 29.3 l/s in line with the Flood Risk Assessment & Surface Water Drainage Strategy (RSK, June 2016, Rev. 890126-R1(01)-FRA);
  - iv) Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 12,000m<sup>3</sup> shall be provided in line with section 9.4.3 of the submitted FRA and in line with the submitted calculations '890126 - Downham Market QSE screenshots' (Matt Cheeseman, 23 February 2017, RE: KLWNBC Ref 16/01322/OM NCC Ref: FWP/16/2/3050 : Land At Nightingale Lane, Downham Market, Norfolk PE38 9FD);
  - v) Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
    - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site; and
    - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development;
  - vi) The design of the attenuation basin shall incorporate an emergency spillway and any drainage structures shall include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period;
  - vii) Finished ground floor levels of properties shall be a minimum of 300mm above expected flood levels of all sources of flooding from the proposed drainage scheme;
  - viii) Details of how all surface water management features shall be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge;
  - ix) A maintenance and management plan detailing the activities required and details of who shall adopt and maintain all of the surface water drainage features for the lifetime of the development, including the ordinary watercourse and any structures such as culverts within the development boundary; and
  - x) A plan to show how, in the future, for different phases of development, the sustainable drainage relates to the surface water drainage strategy for the whole site. In particular, highlighting where different phases rely on each another for the disposal of surface water, how this shall be implemented during construction and operation of the development.

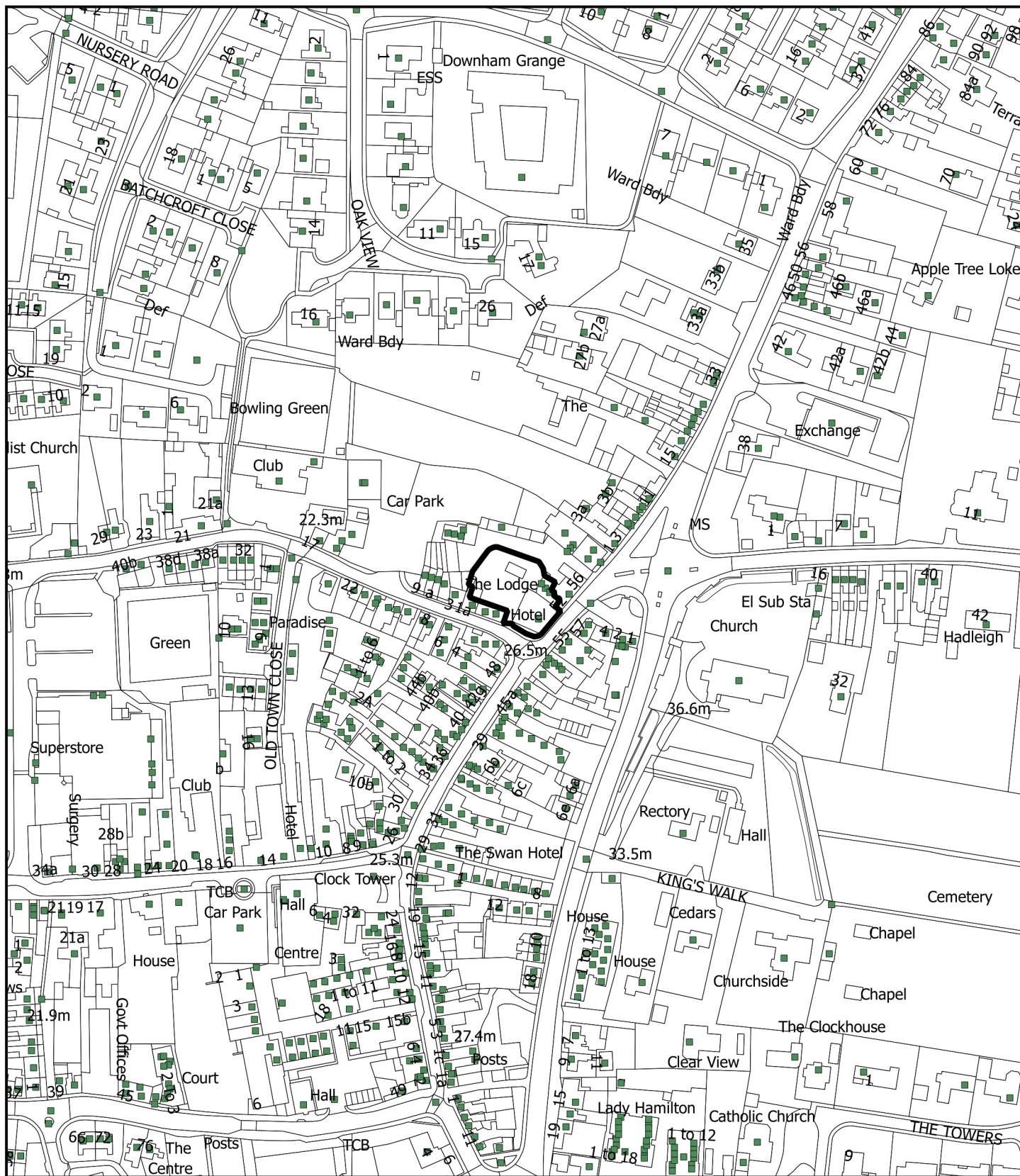
# 21/01148/F

Castle Hotel High Street Downham Market PE38 9HF



# 21/01148/F

## Castle Hotel High Street Downham Market PE38 9HF



**AGENDA ITEM NO: 8/3(a)**

<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>Conversion of hotel to 7 flats and HMO, amenity and parking area</b>	
<b>Location:</b>	<b>Castle Hotel High Street Downham Market Norfolk PE38 9HF</b>	
<b>Applicant:</b>	<b>C/O Agent</b>	
<b>Case No:</b>	<b>21/01148/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 24 August 2021 Extension of Time Expiry Date: 8 April 2022</b>

**Reason for Referral to Planning Committee** – The views of the Town Council are contrary to the officer recommendation and at the instruction of the Planning Committee Sifting Panel.

**Neighbourhood Plan:** No

**Case Summary**

The application site is that of The Castle Hotel, which is a Grade 2 listed building on the northern corner of the mini-roundabout junction of High Street, Paradise Road and Lynn Road at the centre of Downham Market. The property also lies within the Conservation Area of the town.

Members may recall a recent planning application and associated Listed Building application (refs: 19/02110/F & 19/02111/LB) were permitted to convert the existing 12 bedroomed hotel into 6 No. flats; convert the single storey brewhouse in the rear yard into a 1 bedroomed dwelling and extend it to create a further similar unit. This effectively created a total of 8 No. dwellings. In the interim a variation to the plans has been permitted to accommodate minor alterations to the internal layout of the flats (refs: 20/01580/F & 20/01579/LB).

The brewhouse and extension are to be implemented under the earlier permissions, however this is a new proposal to convert the main hotel building into 7 flats and a small House in Multiple Occupancy (HMO) containing 5 bedrooms, with associated parking and amenity area.

The application is accompanied by a Planning Statement & Design and Access Statement, Heritage Statement and Tree Survey.

There is an associated Listed Building application submitted under ref: 21/01150/LB which is reported separately in this agenda.

**Key Issues**

Principle of development  
Impact upon amenity



Impact upon character of the listed building and conservation area  
Impact upon neighbouring properties  
Parking  
Other material considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application site is that of The Castle Hotel, which is a Grade 2 listed building on the northern corner of the mini-roundabout junction of High Street, Paradise Road and Lynn Road at the centre of Downham Market. The property also lies within the Conservation Area of the town.

Members may recall a recent planning application and associated Listed Building application (refs: 19/02110/F & 19/02111/LB) were permitted to convert the existing 12 bedroomed hotel into 6 No. flats; convert the single storey brewhouse in the rear yard into a 1 bedroomed dwelling and extend it to create a further similar unit. This effectively created a total of 8 No. dwellings. In the interim a variation to the plans has been permitted to accommodate minor alterations to the internal layout of the flats (refs: 20/01580/F & 20/01579/LB).

The brewhouse and extension are to be implemented under the earlier permissions, however this is a new proposal to convert the main hotel building into 7 flats and a small House in Multiple Occupancy (HMO) containing 5 bedrooms, with associated parking and amenity area.

Initially the plans showed the creation of an en-suite bedroom within the SE corner room of the HMO at ground floor level, but this internal layout was amended (swapping the kitchen/lounge and bedroom around) in response to concerns raised by both the Town Council and our Conservation Officer.

The application is accompanied by a Planning Statement & Design and Access Statement, Heritage Statement and Tree Survey.

There is an associated Listed Building application submitted under ref: 21/01150/LB which is reported separately in this agenda.

**SUPPORTING CASE**

The following statement has been made in support of this proposal:

“HMO Additional Information

We note the comments made by the Env Health Officer, about noise related issues that can be associated with some HMO's. However, we are not aware there are any specific noise related issues in relation to the application site, or in fact within the locality of the application site. It is therefore assumed the Env Health Officer's concerns are based on her general experiences with poorly or indeed unmanaged HMO's, which no doubt do cause noise issues. We suspect most of these HMO's are situated within the King's Lynn area. In the absence of site specific evidence to support the Env Health Officers comments, we

respectfully invite the Planning Officer (or Members of the Planning Committee) to give little/no weight to these general and unfocused comments, as each planning application ought to be judged on its individual and specific planning merits.

Notwithstanding the above, we confirm the HMO accommodation will be managed by The Purfleet Trust (TPT). The HMO accommodation will provide what is commonly known as 'move on' accommodation. This is to meet a much needed quite specific local demand. We respectfully submit that providing such accommodation is an integral part of the local housing need and therefore an important planning consideration that ought to be given significant weight.

We can confirm that the people who will occupy the HMO accommodation will all meet a specific criterion and sign up to an agreement, which will contain clauses relating to nuisance, noise and unsociable behaviour. Those occupying the HMO accommodation will most likely be employed and in need of short-term affordable accommodation before they move onto more longer-term accommodation.

TPT has an excellent reputation so the application site will provide an example to other landlords in terms of the standard of accommodation and management of the overall site. It is also important to note that in the lease agreement, the landlord will reserve the right to request the removal of any individual causing nuisance or noise. Therefore, between TPT's high standards and the landlord's own desires for the site to be run in harmony with the locality, it is not expected that the HMO use will cause any concerns.

#### Parking Provision

The number of parking spaces proposed is considered to be more than adequate and takes into account the fact that the majority of residents will use public transport as their main mode of transport."

### **PLANNING HISTORY**

21/01150/LB: Pending decision: Conversion of hotel to 7 flats and HMO, amenity and parking area

21/00070/TREECA: Pending decision: T1 Yew - to remove within a Conservation Area

20/01580/F: Application Permitted: 14/12/20 - Variation of Condition 2 of Planning Permission 19/02110/F: Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area (Delegated decision)

20/01579/LB: Application Permitted: 14/12/20 - Listed Building Application: Additional works to previous approval 19/02111/LB (Delegated decision)

19/02110/F: Application Permitted: 02/03/20 - Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area (Committee decision)

19/02111/LB: Application Permitted: 02/03/20 - LISTED BUILDING APPLICATION: Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2

no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area (Committee decision)

## **RESPONSE TO CONSULTATION**

**Town Council: OBJECT** - (Initial submission) “Downham Market Town Council recommends refusal of this planning application referring to SADMPP Ch 5 DM4; NPPF 16 185/192/193-202.

The Council comments:

The previous proposals for flats seemed at least to offer a sustainable future for this landmark heritage building, even though the closure of its best preserved historic internal features to the public was regrettable as was the loss of a town centre employer and valued facility.

The new proposals envisage switching what would have been a delightful, spacious period flat, in the historic core of the building, with fantastic internal features, into a house of multiple occupation. This as the developer’s own expert admits will involve damage to the historic fabric due to the need to add en-suite bathrooms on the existing ground floor. With the HMO at its core, the remaining flats are unlikely to attract owner occupiers. We will have an iconic landmark building wholly owned by buy to let landlords, aimed at the budget end of the market, with potentially little interest in spending money to maintain the historic fabric of the building.

This is a very prominent town centre building and the consequences for the town’s character and street scene could be significant. We have an example above Peacocks of neglect by absentee landlords of one historic town centre building, we do not want to add the Castle Hotel to the list.

This is a key building in the conservation area in its design appearance and layout internally and externally, and the changes imperil the Grade 2 status. Removing non-visible listed assets is reason enough to refuse the application.

(Amended scheme) No further comments received in response to amended plans.

**Highways Authority: NO OBJECTION** – subject to conditions relating to parking and turning provision, plus cycle parking details and provision.

**Environmental Health & Housing - Environmental Quality: NO OBJECTION**

**Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION** subject to conditions relating to hours of construction, noise protection and lighting.

I have some reservations regarding the proposed HMO located to the front of the property, however. Houses of multiple occupation, or HMOs, have been the subject of numerous public complaints to the CSNN Team. The main issues are all noise related, such as door slamming, heavy footsteps on stairs, kitchen cupboard doors banging shut, shouting and loud voices, plus loud music. If this team is required to take formal legal action, this is taken on the perpetrators and also the responsible person (owner) of the premises. Depending on the occupancy/tenants and level of involvement from the landlord, such premises can pose a detrimental impact on the residential amenity of others and involve a significant amount of officer time in investigating and taking action against tenants. I note the plans include an ‘Estate Office’. Is this to enable on-site monitoring of the HMO? I would welcome further

information as to how the HMO will operate and how tenant activity/use will be monitored/controlled, as this could not only impact on surrounding residents, but also those ultimately occupying the 7 flats. Without adequate means of control of tenant behaviour, I would recommend that this aspect of the scheme is removed from the proposal.

If you are minded to approve the presented scheme, I strongly recommend that the applicant has robust tenancy agreements drawn up, clearly outlining how tenants, their families and their visitors should behave and the consequences of breaches of these, to reduce the likelihood of such occurrences. It would also be our recommendation to have door closure hinges installed on all internal doors to flats and communal areas to aid a controlled/soft closure, and soft-close hinges/rollers on kitchen units to prevent door/drawer slamming/banging and limit internal noise impacts.

**Historic Environmental Services: NO OBJECTION** - There are no known archaeological implications.

**Historic England: NO COMMENTS** - Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

**Housing Standards Officer: NO OBJECTION** - The HMO part of the building must comply with the government's minimum HMO bedroom sizes i.e.:

06.51m<sup>2</sup> for a single person

10.22m<sup>2</sup> for 2 persons

04.64m<sup>2</sup> for a person under 10 yrs.

The kitchen facilities provided should comply with the version of the Borough Council's Amenity Standards in HMOs available on our website, current at the time of construction.

When 5 or more people are occupying the HMO, it will be a licensable HMO and must be licensed with Housing Standards immediately.

**Conservation Areas Advisory Panel:** The Panel expressed concern about the impact of the intensity of the proposals on the historic features of the property.

**Conservation Officer: NO OBJECTION** - In accordance with paragraph 199 of the NPPF, great weight should be given to a heritage asset's conservation. In this case, the proposed alterations will lead to 'less than substantial harm' to the significance of this heritage asset - mainly by virtue of one aspect of the proposed design, namely the removal of a small staircase to the north wing. However, the long-term public benefits of securing a sustainable use for this building, without impacting upon its impressive interior, outweigh this less than substantial harm. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective (paragraphs 7 and 8); this application on balance complies with this aim.

## REPRESENTATIONS

None received

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS04** - Downham Market

**CS08** - Sustainable Development

**CS11** - Transport

**CS12** - Environmental Assets

**Policy F1.1** - Downham Market Town Centre Area and Retailing

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM4** - Houses in Multiple Occupation

**DM9** - Community Facilities

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

The key issues in considering this application are as follows:

### **Principle of development**

The site lies in the town centre of Downham Market as defined in Inset F1 of the Site Allocations & Development Management Policies Plan (SADMPP). Policy F1.1 applies which states inter alia:

“...2. The Borough Council will promote this area as the prime focus in the town for retail, community and professional services, leisure, culture and entertainment. The historic character, local distinctiveness, facilities, amenity and vibrancy of the area will be maintained and enhanced, both for their own sake and to strengthen the appeal of the town centre...”

...4. Other uses which contribute to the character and vibrancy of the town centre will be encouraged, including residential (C3), and offices/light industry (B1). The development of high-quality housing in the town centre would be particularly welcomed for its contribution to its architectural quality, social mix, and economic health...”

Policy DM9 – Community Facilities – of the SADMPP states:

“The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth. Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:

- a) the area currently served by it would remain suitably provided following the loss, or if not
- b) it is no longer viable or feasible to retain the premises in a community facility use.”

The principle for losing this community facility for the purposes of conversion into residential accommodation/flats was established by virtue of the earlier planning permission ref: 19/02110/F. The hotel had not been viable for some considerable time. The alternative use as residential flats appeared to be compatible with F1.1 (as reported above), and would still contribute to the vibrancy of the town centre. It was considered that more people living in the town centre would support the existing shops and facilities. This continues to be the case with 7 no. flats being created in the building.

This proposal now also involves a small 5 bedroomed House in Multiple Occupancy (HMO) within the principal, and oldest, part of the building facing the mini-roundabout. The main policy to be considered in relation to HMOs is Policy DM4 of the SADMPP which states:

“The conversion of existing dwellings to, and new development of, properties for multiple occupation may be permitted where:

- There is no adverse impact on the amenity of existing and new residents and the historic and natural environment; and
- The development and associated facilities, including bin storage, car and cycle parking, can be provided without significant detriment to the occupiers of adjoining or neighbouring properties; and
- The site is within reasonable distances to facilities, public open space, supporting services and local employment.”

These criteria are discussed in more detail below.

### **Impact upon amenity**

Whilst the Town Council, CSNN and CAAP have raised concerns regarding the impact of the proposed HMO, the agent has supplied additional information as to the operator - The Purfleet Trust - which is a Charitable Trust and reputable provider of accommodation for the homeless. The agent has also indicated the terms of the type of tenancy agreements to be used at these premises. There is an estate office proposed in the ground floor but this is understood to be used for administration and mentoring purposes; the facility is not intended to be permanently manned.

It is accepted that there is a stigma attached to HMOs which has been the result of historic mismanagement and absentee landlords, however this type of residential accommodation in a town centre location is compatible in land use planning terms.

The room sizes (ranging from 13.7 – 32.7m<sup>2</sup>) exceed the minimum standards quoted by our Housing Standards Officer and the accommodation would be comfortable for new residents. Given the number of potential residents it will require licensing.

Incidentally there are no other registered or licensed HMOs in this part of the town, so cumulative impact is not a concern.

### **Impact upon character of the listed building and conservation area**

This issue is covered in more detail by the associated application for listed building consent (ref: 21/01150/LB), which is also contained in this agenda.

There would be limited alterations to the appearance and character of this listed building. The changes would be mainly internal with the erection of new, and openings created in existing, stud walling, plus alterations to a staircase in the north wing. A former doorway and window at ground floor would be re-opened facing into the yard area plus a doorway re-opened in the shopfront element facing onto Cannon Square. A utilitarian flat roofed double garage in the south-western corner of the yard is once again proposed to be demolished to create more open parking. The garage has no historic or architectural merit and its loss/removal is welcomed and has already been agreed by the earlier consents.

The majority of these internal alterations were approved under the earlier planning and listed building consents.

As stated above, bin storage and cycle parking are now proposed to be created in the yard area (opposed to being contained within the building as previously approved) along with some communal amenity space for the residents. Whilst differing from the earlier approval, this would rationalise and tidy up the former hotel utility space and yard. So there would be little change physically.

The public views of the building are maintained and indeed there are less changes/alterations to the building than previously approved – beer cellar steps and balustrading removed due to basement no longer being used as part of the accommodation. The character and appearance of the building and its Conservation Area setting are preserved and indeed enhanced by the removal of the aforementioned garage building.

Historic England raise no objection to this proposal and defers to the views of our specialist conservation and archaeological advisors. Our Conservation Officer makes the following conclusion with regards to the listed building application:

“In accordance with paragraph 199 of the NPPF, great weight should be given to a heritage asset's conservation. In this case, the proposed alterations will lead to less than substantial harm to the significance of this heritage asset. However, the long-term public benefits of securing a sustainable use for this building, without impacting upon its impressive interior, outweigh this less than substantial harm. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective (paragraph 8); this application on balance complies with this aim.”

There are no implications relating to the natural environment.

The proposal therefore accords with the provisions of Paragraphs 199 & 200 of the NPPF and Policy CS12 of the LDF.

## **Impact upon neighbouring properties**

As stated above, the proposal maintains a communal garden area in the walled service yard of the hotel, which is now also proposed to accommodate a bin store and cycle store (previously located within the building). The inter-relationship between the proposed development and adjoining properties is not significantly different and once again is considered to be acceptable. Full details of the bin storage enclosure and cycle store may be secured via condition.

## **Parking**

The hotel had its own vehicular access off Paradise Road leading to an enclosed gravelled yard area to the west/rear containing the brewhouse and a mature Yew tree (which is now sought to be removed under application ref: 21/00070/TREECA). Discussion with our Arboricultural Officer indicates that this proposal to remove the tree is acceptable as it has very little public amenity value being surrounded by buildings and is undermining the brewhouse. NCC parking standards were historically met by having 12 spaces for a 12 bed roomed Class C1 use (hotel).

The previously approved flat scheme involved 13 bedrooms - 5 x 1 bed units, 1 x 2 bed unit, and 2 x 3 bed units. The NCC parking standard indicates that 11 parking spaces should be provided (5 spaces + 2 spaces + 4 spaces) and the approved layout showed 11 No. spaces. These standards are echoed in Policy DM17 of the SADMPP.

The current scheme involves 2 x 1 bedroom units (brewhouse conversion plus extension), 7 x 1 bedroom flats and a 5 bedroom HMO.

The amended layout now shows 13 No. spaces – 9 spaces dedicated for the nine residential units, plus 4 spaces for the HMO. In response to consultation the Local Highway Authority (LHA) state: “the 2007 parking standards do not include HMOs but typically we would recommend that one space per bedroom be provided. However, in this case we would not have a concern as the site is located in a very sustainable location in transport terms and the on-street parking in the area is controlled by traffic waiting restrictions. I would suggest that an objection to a reduction of one space could not be substantiated, as ultimately, an impact to the public highway itself would not be realised.”

The views of the technical consultee/LHA are noted (i.e. no objection) and shared by your officers. This is a highly sustainable location for residential units within easy walking distance from bus stops and the railway station. There are numerous examples of town centre residential/flat developments in Downham Market which have been approved without any associated parking facilities at all.

Overall the proposal accords with the provisions of Policy DM17 of the SADMPP.

This is a town centre location some 125m from the Market Place and the property lies very close to shops, restaurants, takeaways etc. It is situated approx. 700m from playing fields, 650m from the swimming pool, 950m from the railway station and 100m away from the church. Residents would therefore have access to all the services and employment facilities that Downham Market has to offer.

Taking the above planning matters collectively in assessing an HMO, it must be concluded that the proposal accords with the criteria of Policy DM4 of the SADMPP.



## Other material considerations

There are no significant crime and disorder concerns raised by this proposal. Should issues arise, any complaints may be dealt with under the provisions of the Environmental Protection Act 1990 (to be the subject of an informative note if the application is approved).

Details of how the communal garden area dedicated to the proposed flats and HMO is intended to be maintained, may be secured via condition.

CSNN have requested conditions with regards to construction hours, noise protection (from road traffic and shops plus internal sources) and a lighting scheme; this is however a town centre site and change from hotel to residential flats and small HMO would not be so significant as to warrant such conditions to be imposed. Insulation between flats/rooms is covered by separate legislation - Building Regulations. It is considered that the application of such would fail the tests to be applied to the use of conditions by virtue of not being 'necessary'.

## CONCLUSION

The proposed change of use, with very minor physical external and external alterations to the listed building, would constitute 7 No. additional housing units in the town centre plus a 5-bedroomed HMO, which would help to maintain its character. Its conversion into such residential units would create 'less than substantial harm' to the significance of this heritage asset/listed building and the long-term public benefits of securing a sustainable use for this building, without impacting upon its impressive interior, outweigh this less than substantial harm.

The proposed mix of residential accommodation in a town centre location is compatible in land use planning terms. There are adequate measures under separate legislation to negate any significant amenity problems should they arise.

The proposal therefore accords with the provisions of the NPPF, Core Strategy Policies CS01, CS02, CS04, CS08, CS11 & CS12 of the LDF and Policies DM1, DM2, DM4, DM9, DM15, DM17 & F1.1 of the SADMPP. The application is duly recommended for approval subject to certain conditions stated below.

## RECOMMENDATION:

**APPROVE** subject to the imposition of the following condition(s):

- 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: 21033 12-01, 21033 10-6 & 21033 11-4.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

- 3 Condition Prior to occupation of the development hereby approved, the associated on-site car parking and turning areas shall be laid out, demarcated, levelled, surfaced and drain in accordance with the approved plan and retained thereafter for that specific use.
- 3 Reason To ensure the permanent provision and availability of the parking and manoeuvring areas in the interests of residential amenity and highway safety; in accordance with the provisions of the NPPF, Policies DM15 & DM17 of the SADMP.
- 4 Condition Prior to occupation of the flats hereby approved, details of the maintenance of the associated communal garden area shown on the approved plan (Dwg No. 21033 10-6) shall have been submitted to, and agreed in writing by, the Local Planning Authority. The communal garden area shall be retained and maintained thereafter in accordance with those details agreed.
- 4 Reason In order to secure the provision and maintenance of the communal garden area in the interests of visual and residential amenity of future occupiers; and to accord with the provisions of the NPPF and Policies CS08 & CS12 of the LDF plus Policy DM15 of the SADMP.
- 5 Condition Prior to occupation of the development, the bin and cycle storage facilities shall be provided in accordance with details that have been submitted to, and approved in writing by, the Local Planning Authority. These facilities shall be maintained as approved thereafter.
- 5 Reason In order to secure adequate bin and cycle storage facilities to serve the development and that the Local Planning Authority may retain control of development and in the interests of the setting of the listed building and conservation area; in accordance with Policies CS08 & CS12 of the Core Strategy (2011) and Policies DM15 & DM17 of the SADMP (2016).

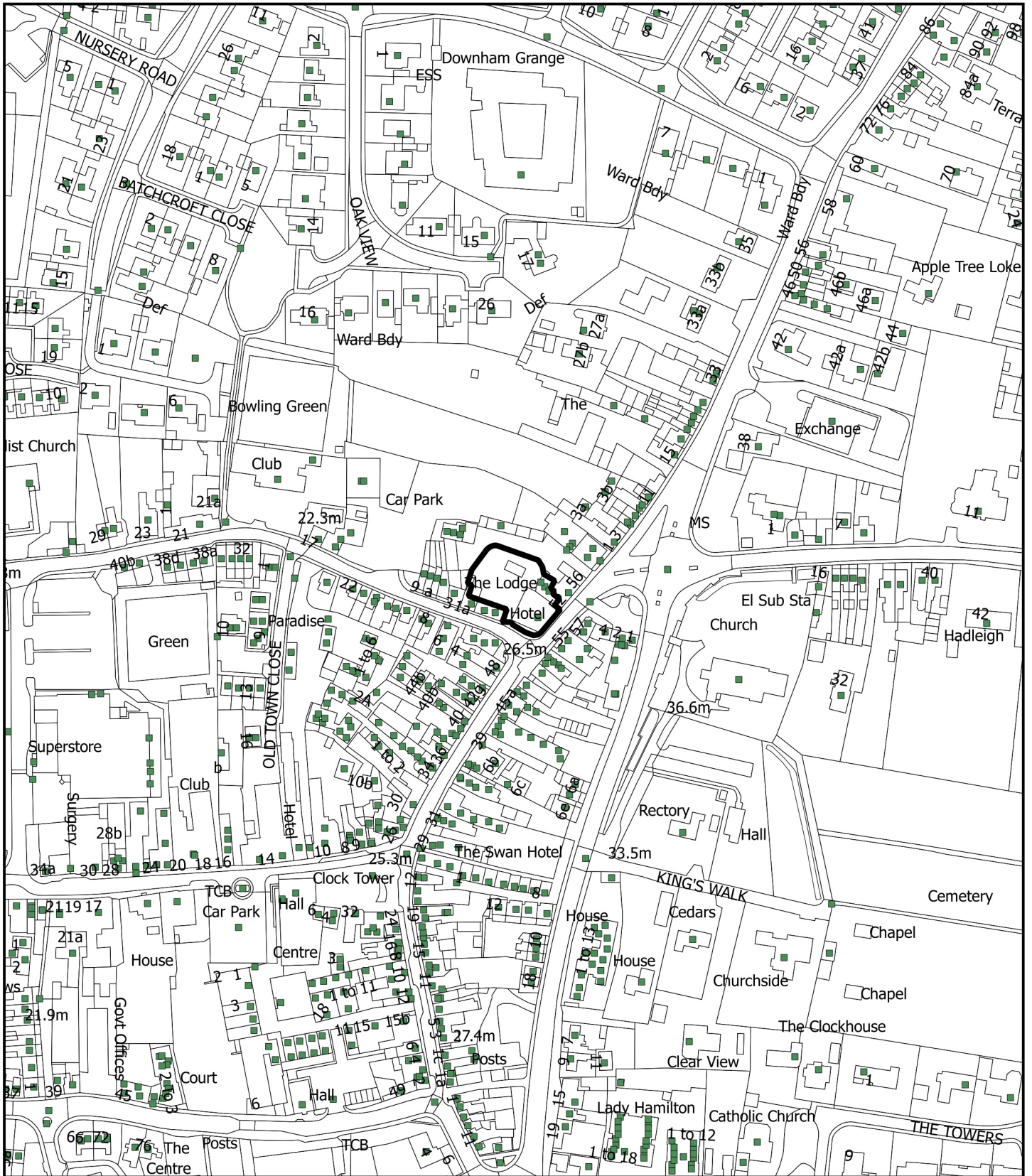
# 21/01150/LB

Castle Hotel High Street Downham Market PE38 9HF



# 21/01150/LB

Castle Hotel High Street Downham Market PE38 9HF



**AGENDA ITEM NO: 8/3(b)**

<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>Conversion of hotel to 7 flats and HMO, amenity and parking area.</b>	
<b>Location:</b>	<b>Castle Hotel High Street Downham Market Norfolk PE38 9HF</b>	
<b>Applicant:</b>	<b>C/O Agent</b>	
<b>Case No:</b>	<b>21/01150/LB (Listed Building Application)</b>	
<b>Case Officer:</b>	<b>Mr Steven King</b>	<b>Date for Determination: 24 August 2021 Extension of Time Expiry Date: 8 April 2022</b>

**Reason for Referral to Planning Committee – referred by the Assistant Director**

**Neighbourhood Plan: No**

**Case Summary**

The application site is that of The Castle Hotel, which is a Grade II listed building on the northern corner of the mini-roundabout junction of High Street, Paradise Road and Lynn Road at the centre of Downham Market.

In 2020 consent was granted to convert the existing 12 bedroomed hotel into 6 No. flats; convert the single storey outbuilding in the rear yard into a 1 bedroomed dwelling and extend it to create a further similar unit. This consent created a total of 8 dwellings. Later in 2020 a revised proposal was approved which brought the cellars into use, which required minor changes to the originally approved application. This current application seeks consent to convert the existing building into seven self contained flats and one five bedroomed House in Multiple Occupation. No further changes are proposed to the outbuilding and there are no proposals to alter the cellars.

As with the earlier application only minor external alterations are proposed to the main three storey building comprising of re-opening two doorways and a window. Further changes are proposed to the interior of the building. A utilitarian double garage in the south-western corner of the courtyard is to be demolished.

This application proposes the removal of a secondary staircase linking the first and second floors. The removal of this staircase, dating from the late Victorian period has already been approved under the consents granted in 2020.

The application is accompanied by a Heritage Statement and planning statement. The application is also accompanied by an additional application for planning permission 21/01148/F which is also on the agenda.

**Key Issues**

Impact upon the fabric and appearance of the listed building.

## Recommendation

**APPROVE**

### THE APPLICATION

This property was listed Grade II under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest in February 1949 with the statutory entry as follows:

Mainly C18, but core probably earlier, carrstone and brick. Front, stuccoed, centre with vermiculate rustications. 2 storey and attics, with windows at ends. Good main entrance with Venetian window above, and half-moon window at 2nd floor in pediment. 5 flush frame sash windows at 1st floor with glazing bars. Battlemented parapet, with ends swept up. Pantiled and tiled mansard. Castle Hotel and Nos 52 to 56 (even) form a group.

The proposed five bedroomed House in Multiple Occupation is formed within the front section of the building. Accommodation provided at ground floor for the HMO includes a kitchen/living room and ground floor bedroom with en-suite. This has ensured that the existing layout remains unchanged leaving the existing reception hall, staircase bar and managers sitting room in their current layout and appearance. The existing small office is converted into an en-suite bathroom to serve the ground floor bedroom. The application has been amended to remove the proposed en-suite bathroom from the existing managers sitting room, thereby retaining the original proportions of this important room. A condition has been added to ensure that any kitchen fittings are sympathetically installed.

The first floor of the HMO contains 4 bedrooms each with an en-suite bathroom, the current layout of the hotel. Only the landing area is changed with the removal of modern stud/glass walls and the installation of new stud walls to separate the HMO from the self-contained flats proposed to the rear of the building. Once again, the application has been amended to remove a proposed en-suite bathroom from the principle first floor bedroom, thereby retaining the original proportions of this important room. Further to these amendments, negligible harm is caused to the building's significance.

The conversion of the hotel has provided units, which in some cases span more than one floor. Unit 1 forms an apartment on two floors and retains the high quality rooms to the ground and first floors along with the sweeping and impressive staircase. Furthermore, the modern 20th century bar will be removed from the west ground floor room re-instating the rooms original proportions.

The seven flats are proposed for the rear of the existing hotel. At ground floor level two flats are proposed. Flat 2 is formed by the restaurant space facing onto the High Street providing a living room with the bedroom formed by space behind the existing bar. The hotel's existing kitchen forming the kitchen to Flat 2 and existing linen/storage room forming the bathroom. The creation of this apartment will reopen the blocked window to the historic lean-to section along with the re-instatement of the entrance to the High Street, forming part of the historic shop front, which will also be repaired.

Flat 1 to the ground floor is formed by the large 20th century flat roofed section to the rear, which will be sub-divided to form one bedroom, living room, kitchen and bathroom. Existing storage rooms and outbuildings to the rear will for a new estate office and toilet.

A further two flats will be accommodated to the first floor. Flat 3 is created on the first floor of the rear, nineteenth century extension with access from the rear service stairs. Modern

studwork will be removed to create an en-suite, and a former door will be reinstated. The ground floor of this wing floor currently contains the kitchen and storage area of the hotel with two doors leading outside, one of which is blocked. It is proposed to unblock this to provide access to estate office, whilst the second door allows access to the stairwell and stairs serving the flats above.

Flat 4 comprises of the remainder of the first floor to the north wing, with a bed sitting room housed in the existing hotel bedroom. The separate kitchen and en-suite bathroom are formed by the conversion of the existing linen store and storage rooms with only stud walls altered. Unit 3 sees the biggest alteration proposed, the removal of the small service staircase to the second floor. This is a late Victorian staircase and was inserted when the north wing was heightened at some point around 1897. Whilst this is regrettable and causes some harm, this staircase is of less significance than either the main front staircase or the elegant 19th century staircase to the rear wing. Consent was granted for the removal of this staircase in 2020.

Flat 5 mainly repeats the design of Flat 3 below. Flat 6 is formed from the remaining part of the north wing to the second floor and utilises three existing hotel bedrooms and en-suite bathrooms. This will involve the rationalisation of some doors and walls, but with one exception these are of modern stud construction and only negligible harm will be caused to any historic fabric. Flat 7 is formed from the second floor of the frontage building currently forming part of the flats for the previous hotel owner. Little alteration is proposed here other than a new stud wall and doorway to the existing landing. The second bedroom to Flat 7 utilises the existing staircase and attic bedroom.

Additional information has been submitted containing schedules of windows to the property, including details of window replacements with double glazed units. This additional information is not shown on proposed elevations or floor plans nor mentioned in either the Planning or Heritage Statements, both of which highlight the limited changes to the exterior, much of which was granted consent in 2020. Replacement of existing windows with double glazed would be contrary to the advice provided by Historic England in their guidance 'Traditional windows, their care, repair and upgrading' February 2017. On this basis conditions have been attached to the recommendation ensuring that all works to windows will comply with Historic England Guidance.

No work is proposed for either of the two cellars.

The former brewery building and dwelling extension are to be implemented in accordance with consents 20/01579/LB and 20/01580/F

## **SUPPORTING CASE**

A Heritage Impact Assessment has been submitted which concludes the following:  
"The level of harm is in terms of the NPPF, 'less than substantial'. Indeed, it is minimal and in such a case the public benefits which accrue should outweigh the level of harm caused (paragraph 202).

In this case the revised proposal provides an HMO, helping to address urgent housing needs in the Borough. This is an important public benefit. The revised proposal also results in the provision of seven flats adding the Borough's housing stock and the economic benefits the occupation of the flats will bring which is of further public benefit.

The proposal puts the heritage asset to a viable use consistent with its conservation. It ensures its long-term viability whilst providing a range of residential units. The proposed  
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residential conversion of the hotel has been accepted and this revised proposal is within the spirit of the earlier approvals. A further public benefit results from its enhanced setting.

Consequently, in this case the balance is in favour of the proposed development. It satisfies both national planning guidance and local planning policies"

The assessment highlights "the main change involves the creation of the HMO which requires two additional en suites in the ground floor room east of the hall and the room above it. These rooms are significant, and the subdivision harms their proportions

In terms of the NPPF, the level of harm is 'less than substantial' but nevertheless is still harmful. The cubicles to be inserted will not cause harm to the fabric and would be capable removal without causing harm, but the insertion does interfere with the decoration of the rooms particularly the ground floor east room. The level of less than substantial harm is moderate"

Since the Heritage Impact Assessment has been submitted, the application has been amended to omit the two en-suite bathrooms.

## **PLANNING HISTORY**

21/01148/F: Pending, also for consideration on this agenda – Conversion of hotel to 7 flats and HMO, amenity and parking area.

21/00070/TREECA; Pending decision: T1 Yew – to remove within a Conservation Area

20/01580/F: APPLICATION PERMITTED 15/12/2020 – Variation of Condition 2 of Planning Permission 19/02110/F

20/01579/LB: APPLICATION PERMITTED 14/12/2020 – Additional works to previous approval 19/02111/LB

19/02111/LB: APPLICATION PERMITTED 02/03/2020 - Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area

19/02110/F: APPLICATION PERMITTED 02/03/2020 - Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area

15/01487/LB: Application Permitted: 18/11/15 - Listed building application for proposed alteration (Delegated)

## **RESPONSE TO CONSULTATION**

### **Parish Council:**

Downham Market Town Council:

Downham Market Town Council recommends refusal of this planning application referring to SADMPP C 5 DM4; NPPF 16 185/192/193-202. The Council comments

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The previous proposals for flats seemed at least to offer a sustainable future for this landmark heritage building, even though the closure of its best preserved historic internal features to the public was regrettable as was the loss of a town centre employer and valued facility.

The new proposals envisage switching what would have been a delightful, spacious period flat, in the historic core of the building, with fantastic internal features, into a house of multiple occupation. This as the developer's own expert admits will involve damage to the historic fabric due to the need to add en suite bathrooms on the existing ground floor. With the HMO at its core, the remaining flats are unlikely to attract owner occupiers. We will have an iconic landmark building wholly owned by buy to let landlords, aimed at the budget end of the market, with potentially little interest in spending money to maintain the historic fabric of the building.

This is a very prominent town centre building and the consequences for the town's character and street scene could be significant. We have an example above Peacocks of neglect by absentee landlords of one historic town centre building, we do not want to add the Castle Hotel to the list. This is a key building in the conservation area in its design appearance and layout internally and externally, and the changes imperil the Grade 2 status. Removing non-visible listed assets is reason enough to refuse the application

#### Conservation Areas Advisory Panel:

The Conservation officer provided an overview of the changes in plans from the previous approval, the majority of which were inside the building to further subdivide the building. The Panel expressed concern about the loss of any period features which were currently in place such as fireplaces, ceiling roses and architrave.

#### Conclusion

The Panel expressed concern about the impact of the intensity of the proposals on the historic features of the property.

## REPRESENTATIONS

**ONE** item of correspondence received **OBJECTING** on the following grounds:

- Downham Market is a town in the process of upgrading its amenities and standing in
- West Norfolk. It is totally inappropriate to allow this historic building to be stripped of its assets in order to place potentially troubled citizens in a central town position on a very busy exit
- No objection to private flats but multiple occupancy dwellings suggests a transient population with associated issues

**ONE** item of correspondence (from The Lodge, Castle Yard) neither objecting nor supporting the application but seeking clarification about the address of the Old Brewery which has been labelled as 'The Lodge',

## LDF CORE STRATEGY POLICIES

### CS12 - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM15** – Environment, Design and Amenity

### **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

National Design Guide 2019

### **PLANNING CONSIDERATIONS**

The main considerations in the determination of this application is whether the development harms the significance of the designated heritage asset and if this harm is necessary to achieve public benefits that outweigh that harm.

This new application continues to make limited alterations to the appearance and character of this listed building. The changes would be mainly internal with the erection of new openings created in existing, stud walling. A former doorway and window at ground floor would be re-opened facing into the yard area plus a doorway re-opened in the shopfront element facing onto Cannon Square. The application has been amended to ensure that the two principle rooms to the east at ground and first floor level are retained in their current layout.

Paragraph 199 of the NPPF states "When considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harms amount to substantial harm, total loss or less than substantial harm to its significance"

Further to the amendments to retain the principle ground and first floor rooms to the east in their current layout , this proposal has been sympathetically developed, with a clear recognition of what elements of the listed building are significant, and clear weight given to the historic building's conservation. The removal of the 19th century small service staircase to the north wing was granted consent in 2020 , and this application proposes no additional harm, especially now the application has been amended, ensuring more of the building's remaining historic fabric will be conserved in line with paragraph 199 of the NPPF.

Any harm to a listed building requires clear and convincing justification as required by Paragraph 200. The degree of harm must be assessed in conjunction with Paragraphs 201 and 202. In the officer's view, the proposed alterations to the building's plans will lead to 'less than substantial harm to the significance of the heritage asset as opposed to substantial harm'. Therefore, Paragraph 202 of the NPPF rather than Paragraph 201 applies which states: "Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

In this case, the potential long-term use of the building as 7 apartments and a five-bedroom house in multiple occupation provides a sustainable use ensuring the future maintenance and longevity of the building. The important interiors would remain intact. This less than substantial harm to the Grade II listed building is considered to be justified and acceptable in the context of the guidance set out in the NPPF.

#### Officer Response to Representations

Both Downham Market Town Council and CAAP, along with one further representation objected to the further subdivision and the impact this may have upon existing features. This concern was also shared by officers and the application was amended to retain the ground and first floor rooms to the east in their current layout, therefore removing the harm these works will have caused.

## CONCLUSION

In accordance with paragraph 199 of the NPPF, great weight should be given to a heritage asset's conservation. In this case, the proposed alterations will lead to less than substantial harm to the significance of this heritage asset. However, the long-term public benefits of securing a sustainable use for this building, without impacting upon its impressive interior, outweigh this less than substantial harm. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective (paragraph 8); this application complies with this aim.

The application is therefore duly recommended for approval subject to certain conditions stated below.

## RECOMMENDATION:

**APPROVE** subject to the imposition of the following condition(s):

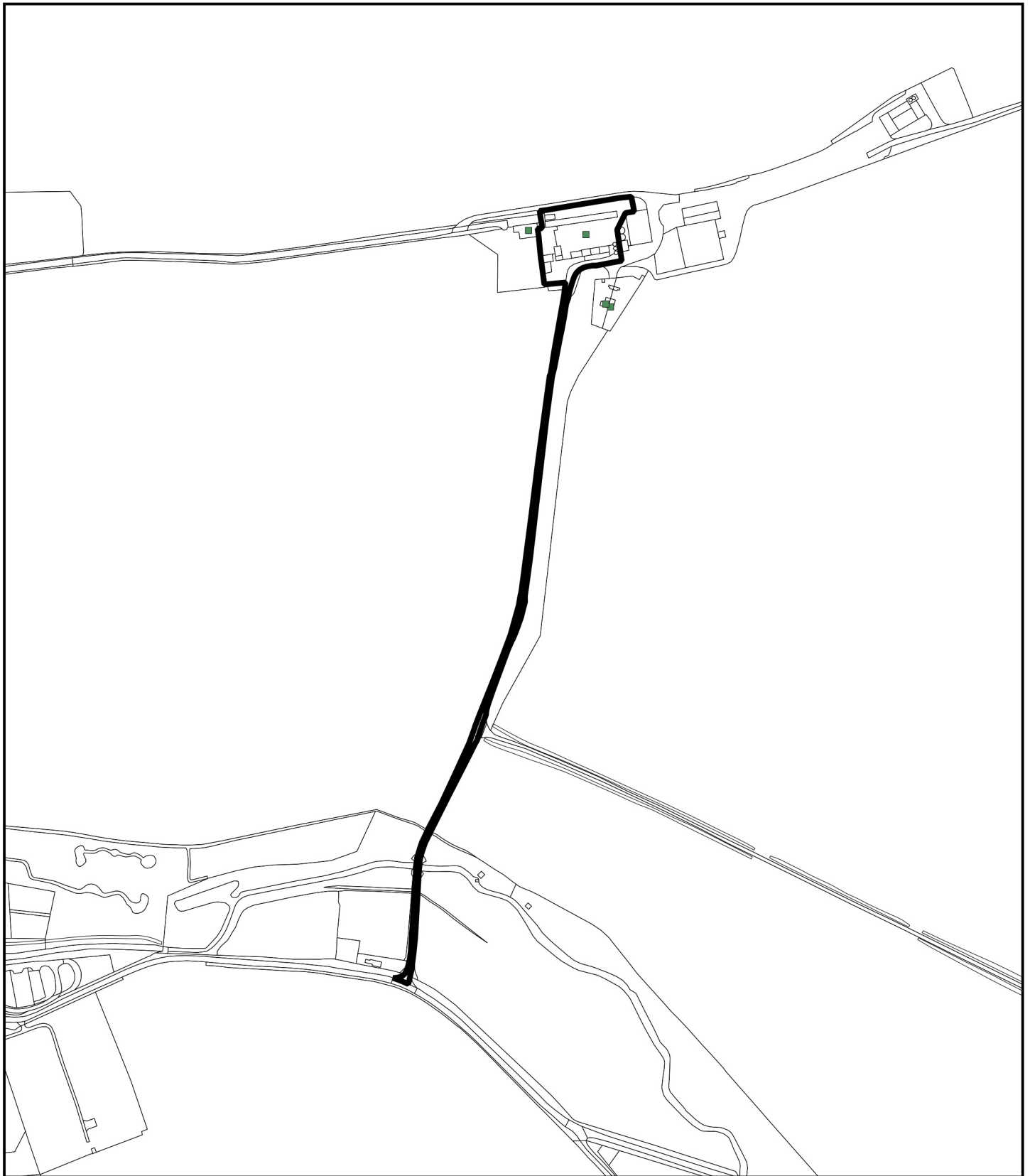
- 1 Condition This Listed Building Consent is granted subject to the condition that the works to which it relates shall be begun not later than the expiration of three years from the date of this consent.
- 1 Reason To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The proposed works shall be carried out strictly in accordance with the approved plans and specifications: 21033 12 01 Elevations as proposed (received 11/06/2021); 21033 11 04 First and second floor and attic plans as proposed (received 24/08/2021) & 21033 10 06 Ground and cellar plans as proposed (dated March 2022 and received 18/03/2022) except where modified by the conditions of this consent. Where, in these conditions, details of any materials, methods of work, colours, types of application, schemes of investigation or protection or any other matter are to be agreed or approved, no works shall be carried out other than in accordance with such agreed or approved details.
- 2 Reason To ensure that the works are properly controlled in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.

- 3 Condition The brick/stone to be used for the external surfaces of the proposed extension and repairs to the outbuilding hereby approved for the new build shall be constructed in accordance with a sample panel, prepared on site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond, and pointing technique to be used in the approved scheme.
- 3 Reason To ensure that the materials are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 4 Condition All mortar, plaster and render to be used in the works hereby approved shall be lime rich and cement free to a specification to be agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 4 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 5 Condition Notwithstanding details submitted no consent is hereby given to proposed window replacements. A detailed schedule of those windows to be repaired/replaced shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall detail the proposed method of repair and no windows shall be repaired/replaces unless in accordance with the approved schedule.
- 5 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 6 Condition Notwithstanding details submitted, no consent is hereby given to proposed window replacements. 1:20 drawings of all new and/or replacement windows shall be submitted to and approved in writing by the Local Planning Authority. The plans shall provide for the use of timber single glazed windows, puttied and not beaded and shall include joinery details, cross sections and the opening arrangements. The development shall be implemented in accordance with the approved details.
- 6 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 7 Condition All existing doors and windows shall be retained within the existing openings unless otherwise agreed in writing by the Local Planning Authority.
- 7 Reason To ensure that such details are retained in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 8 Condition Details of all new and replacement gutters and down pipes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 8 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 9 Condition Soil and vent pipes shall be internal and painted black where they project above the roof unless otherwise approved in writing by the Local Planning Authority.
- 9 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.

- 10 Condition Full details of all extractor vents, heater flues and meter boxes including their design and location shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Installation shall be carried out in accordance with the approved details.
- 10 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 11 Condition All existing historic internal decorative plasterwork and internal joinery (including skirtings, doors, architraves, dado and picture rails) shall be retained and carefully repaired in accordance with a schedule of works to be submitted to and approved in writing by the Local Planning Authority prior to work commencing.
- 11 Reason To ensure that such details are retained in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 12 Condition All original fireplaces and grates shall be retained in-situ unless otherwise approved in writing by the Local Planning Authority.
- 12 Reason To ensure that such details are retained in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 13 Condition All new internal partitions shall be scribed around existing ornamental plaster and timber mouldings.
- 13 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.

# 21/00943/F

Church Farm Church Farm Road Heacham PE31 7JB



**AGENDA ITEM NO: 8/3(c)**

<b>Parish:</b>	<b>Heacham</b>	
<b>Proposal:</b>	<b>Conversion of 1No. existing building and erection of 6No. replacement buildings (following demolition of existing derelict buildings) for use as Holiday Accommodation.</b>	
<b>Location:</b>	<b>Church Farm Church Farm Road Heacham Norfolk PE31 7JB</b>	
<b>Applicant:</b>	<b>Mel-Able Farming Ltd</b>	
<b>Case No:</b>	<b>21/00943/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 16 September 2021 Extension of Time Expiry Date: 8 April 2022</b>

**Reason for Referral to Planning Committee** – Officer recommendation is contrary to Parish Council recommendation and referred by Sifting Panel

**Neighbourhood Plan:** Very limited weight; scheduled to go to referendum in summer 2022

**Case Summary**

The application seeks the conversion and repair of 1No. two-storey, detached building and the construction of 6No. single storey, semi and terrace, replacement buildings, for use as 1 and 2-bed units of holiday accommodation.

The site lies outside of the development boundary for Heacham (countryside) within the North Norfolk Coast Area of Outstanding Natural Beauty (AONB.)

The site lies within the 2km buffer zone of a SSSI and is ranked as 'Medium' in terms of groundwater risk.

The land is agricultural and is therefore not classed as previously developed land in planning terms.

The existing highway access via the B1454 will provide access to both the existing and continued agricultural operations on Mel-Able Farm as well as the proposed development of holiday lets.

The application was accompanied by a Design and Access Statement, Business Plan and Structural Survey.

**Key Issues**

Principle of Development  
Impact on the Area of Outstanding Natural Beauty  
Highway Safety  
Residential Amenity

Crime and Disorder  
Other Material Considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application seeks the conversion and repair of 1No. two-storey, detached building and the construction of 6No. single storey, semi and terrace, replacement buildings, for use as 1 and 2-bed units of holiday accommodation.

The site lies outside of the development boundary for Heacham (countryside) within the North Norfolk Coast Area of Outstanding Natural Beauty (AONB.)

The site lies within the 2km buffer zone of a SSSI and is ranked as 'Medium' in terms of groundwater risk.

New materials will comprise brick, carrstone, natural timber cladding, pantiles and powder coated grey aluminium (the latter for the window and doorframes.) Existing materials will be reused where possible.

Foul drainage is to be via septic tank with surface water drainage via soakaways.

The land is agricultural and is therefore not classed as previously developed land in planning terms.

The application form suggests that the proposal would result in the creation of 2No. full-time equivalent jobs (e.g. cleaning, maintenance and gardening.)

Of the 7No. resultant holiday lets, 5 would be 2-bed units and 2 1-bed units. Each unit would have its own private patio, garden area, 1No. car park space and secure bike storage. Soft landscaping will be used throughout the rest of site.

Church Farm can currently be accessed by 2 entrance points, from the North via Church Farm Road and from the South via the B1454. However, the existing highway access via the B1454 will provide access to both the existing and continued agricultural operations on Mel-Able Farm as well as the proposed development of holiday lets. To cater to both types of traffic, the existing private driveway to the B1454 will be upgraded with passing places to reduce any potential conflict between agricultural vehicles and holidaymakers.

The application was accompanied by a Design and Access Statement, Business Plan and Structural Survey.

**SUPPORTING CASE**

This proposal will assist with sustaining Mel-able Farming Ltd. by providing additional supplemental income to the farm operation allowing it to diversify its income stream by making efficient use of under-utilised buildings on the farm and will support the local tourist economy.



We have worked with the Council in a proactive manner to modify and adapt the proposal into its current form to find the most acceptable form of development possible. A number of improvements to the original proposal have been made as a result of this positive engagement, including a reduction in the total number of units, the roof height and the amount of glazing.

The existing barns are an eyesore and are dilapidated. The proposal for holiday accommodation reflects the footprint and ridge heights of the existing farm buildings, with only small extensions to the interior of the site that will not be visible from the wider landscape. The proposal keeps the buildings subordinate to the surrounding farm buildings and does not seek to overdevelop or alter the existing layout of the site. Rather than detract from the AONB, the redevelopment of the barns into a viable tourism operation will conserve and enhance the landscape as well as bring about local economic benefits for generations to come.

There is concern from the Norfolk Coast Partnership that the proposal will affect the openness of the AONB through the introduction of suburban features, such as gardens, entrance driveways, and increased glazing and light pollution. However, the proposal does not introduce any suburbanising features: the small garden courtyards are internalised so not visible from outside the site, no new driveways are part of the scheme, and the outward-facing glazing has been reduced as much as possible whilst still allowing for natural light. The Norfolk Coast Partnership also felt that “New farm buildings or conversions require exceptionally high standards of siting and design due to the openness and quality of the landscape here”. However, the existing site is not open – it is currently a very built-up commercial farmyard complex and the proposed single-storey replacement buildings lie in the middle amongst a series of two-storey industrial farm buildings and farmhouses/cottages.

Except from the south along the B1454, the site is not visible from the wider landscape or any known public viewpoints within AONB. 650m to the north, Ringstead Road is bounded on both sides by mature hedgerows and thick copses of woodland which obstruct any views into the site. 700m to the west, views from Ringstead Road to the site are blocked by dense residential development and further copses. To the east, Ringstead Road and Peddars Way (1.6 and 2.5km respectively) are also blind to Church farm, as more mature hedgerows and copses hinder any views toward the site. The site is visible only some 900m to the south of the site from the B1454, a main road that is unlikely to cater to people walking or cycling for the quiet enjoyment of the AONB. Glimpses of the development would likely be by car in passing but in any event, would only be seen right before encountering the built edge of Heacham, where the openness of the landscape immediately ceases. Furthermore, the most prominent feature in the view from the south is the green two-storey chemical store, which will be removed as part of the proposal thereby improving the openness and visual aesthetic when viewed from the south on the B1454.

The proposal will help to relieve pressure on local housing to meet both residential and tourist needs. Overall, the development proposal will bring about a number of social, economic and environmental benefits through the redevelopment of these dilapidated and unsightly barns into a diversified farm operation offering tourist accommodation that will benefit the wider local economy, conserve the landscape and reduce pressure on local housing for holiday purposes.

## **PLANNING HISTORY**

12/02081/F: Application Permitted: 18/02/13 - Proposed agricultural general-purpose building to store farm implements etc.

07/01931/F: Application Permitted: 13/11/07 - Proposed agricultural general-purpose building to store grain.

## RESPONSE TO CONSULTATION

**Parish Council: OBJECT** Overdevelopment of the area, outside village not within proposed local neighbourhood plan.

**Highways Authority: NO OBJECTION** The application now removes the redirecting of farm traffic to the north of the site and would serve the proposal from the improved southern entrance, which has adequate width and visibility to cater for the likely increases (24 daily vehicle movements) associated with the development.

Should the Authority be minded to the grant of consent, the LHA would seek to append conditions relating to access (from B1454 only) and parking provision.

**Natural England: NO OBJECTION** Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

*Protected Landscapes – Norfolk Coast AONB:* The proposed development is for a site within or close to a nationally designated landscape namely Norfolk Coast AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the ‘landscape and scenic beauty’ of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB’s statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape’s sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area’s natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to ‘have regard’ for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

**Norfolk Coast Partnership: OBJECT** Whilst there has been a [further] reduction in scale, height and glazing the amendments have not been sufficient to address our concerns and the proposal is in our view contrary to policy.

The site lies in the AONB, countryside and outside of the Development Boundary. Although close to Heacham village the site is surrounded on all sides by agricultural fields and is relatively isolated. Any development here is going to have a high visual impact in the AONB due to the exposed location and any disturbance will be in conflict with NPPF 176 to conserve

and enhance. 'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues'. The Planning Statement stated that 'The Application Site does not contain, nor is it near to, any designated international, national or local nature conservation sites' The AONB was not identified and is an important national site which Local Authorities have a duty of regard for.

The application in no way serves to conserve or enhance the AONB.

The AONB Management Plan objectives relevant to this application also include:

- BE7. Ensure that any development conserves and enhances the natural beauty of the Area and provides net environmental gain.
- BE8. Ensure that changes to the built environment respect the landscape character and special qualities of the Area, and reinforce a sense of place and local distinctiveness

The site lies in the Rolling Open Farmland area indicated in our integrated Landscape Character Assessment. The majority of the landscape is characterised by large arable fields with low flailed or trimmed gappy hedgerows. Due to the low and fragmented hedgerows and openness of the landscape the views within the area are open and panoramic framed by the topography of the land.

Some of the key forces for change include:

- Potential farm diversification, resulting in conversion of agricultural buildings to houses and recreational facilities.
- Pressure for development of second or holiday homes.
- Small-scale development within villages, which may be out of character with existing settlement pattern.

Due to the open and expansive landscape here the introduction of suburban features, including gardens, fencing, lighting and entrance driveways, which can cumulatively alter the rural character of the landscape should be avoided. Increased glazing will create localised light pollution which impacts the Sense of remoteness, Tranquillity and Wildness, a special feature of the AONB currently in amber, cause for concern.

New farm buildings or conversions require exceptionally high standards of siting and design due to the openness and quality of the landscape here.

In relation to CS06 there is a conflict with the proposed scale and rural location, there is a wide provision in the area for tourists. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs. The development will cause adverse visual impact in the surrounding area. 'Ensure that any new development enhances the distinctive local character of coastal areas as well as helps to support and enhance services and facilities for local people and visitors alike.'

CS07 'ensure that any new development enhances the distinctive local character of coastal areas as well as helps to support and enhance services and facilities for local people and visitors alike'. Whilst there will be some new provision for visitors this will be at the detriment of the landscape here.

We understand the desire for diversification however this is a high-quality landscape in the AONB and therefore any development needs to conserve and enhance in line with national

policy. We are still of the opinion that the proposal does not 'conserve and enhance' the AONB and that there will be visual disturbance in the countryside.

Therefore, the amendments do not remove my concerns. This will not serve to 'conserve or enhance the AONB' in line with para 176 of the NPPF.

**CSNN: NO OBJECTION** If this was for residential dwellings I would have some potential concerns about the layout of the units where the bedrooms back onto the lounges of other units as there would be the potential for intrusion from TV/conversation noise etc. if people went to bed at different times to the neighbours, and I would be likely to ask if they could consider alternatives to these layouts.

However, as these are proposed as holiday lets, any issues would be short-term, and the nature of holiday lets means that most people might generally be staying up later than normal so are less likely to feel disturbed by noise from others. On the same theme, there could be potential for annoyance from the operational noise and late-night use of the hot tubs and if these were permanent residences I might ask for conditions in relation to this.

Therefore, please can I have confirmation that these properties cannot be changed to residential occupation without further planning consent as that will affect what my finalised consultation comments would be?

I also recommend a drainage condition given the lack of detail submitted.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** subject to condition(s) relating to potential contamination.

**Environment Agency: NO OBJECTION.** We have no comment to make on this application, but request informatives relating to risks to controlled waters and SUDS be appended to any permission granted.

**Historic Environment Service:** Thanks for consulting us about this application.

You are quite right, we looked at this case when we were checking the weekly planning lists and decided that archaeological mitigation was not required. Looking at this case again, we would stand by that decision.

The surrounding cropmarks are agricultural in nature; of ploughed-out field boundaries. There are some more interesting cropmarks to the southwest, but those are too far away to be of relevance here. There are records of artefacts being found in the surrounding fields, but not of the number or character to be considered significant. The standing farm buildings are not something we would normally comment upon.

In conclusion, we do not consider archaeological mitigation to be justified in this case.

## REPRESENTATIONS

**Two** letters of objection have been received. The issues raised can be summarised as:

- Impact on AONB and countryside as a whole
- Disturbance to local residents and road safety (this comment was received prior to confirmation that all traffic would use the B1454)
- Comments regarding the proximity of public transport are somewhat misleading as they state distances to the farm access rather than the proposed properties

- Whilst the Church Farm buildings date from the late 19th Century, the site has a long and interesting history. According to the Norfolk Historic Environment Record (NHER) the site adjoins two Archaeology Areas with Medieval cropmarks to the north and south (NHER 26823 & 26844) A Neolithic Axe Head was found on the exact site of the proposed development (NHER 14703 refers). The field bounded by the two access roads to the farm contains the remains of both a Medieval chapel and a Roman Villa. C.H. Lewton Brain (1967) The Archaeology of Heacham describes this as the "Golden Gates" field, as legend has it that such gates are buried in the field. A Roman ring was found in Church Farm Road (NHER 53103). I would suggest that the history of the site and proximity to so many heritage assets merit some sort of professional investigation before work commences on this site.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM11** – Touring and Permanent Holiday Sites

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM19** - Green Infrastructure/Habitats Monitoring & Mitigation

## **NEIGHBOURHOOD PLAN POLICIES**

Little weight can be given to the following Neighbourhood Plan Policies in advance of a referendum, although once passed full adopted development plan weighting should be given. Please note that Policy numbers may change between the submission and referendum versions of the Neighbourhood Plan.

**Policy 6** – Design Principles

**Policy 11** – Holiday Accommodation

## **Policy 15 – Dark Skies**

## **Policy 17 – Settlement Breaks**

### **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2019

### **PLANNING CONSIDERATIONS**

The main considerations in the determination of this application are:

- Principle of Development
- Form and Character and Impact on the Area of Outstanding Natural Beauty
- Highway Safety
- Residential Amenity
- Crime and Disorder
- Other Material Considerations

#### **Principle of Development**

The application falls under the ‘banner’ of both farm diversification and rural tourism. Both of which are supported at national and local level. Other relevant policy and guidance primarily revolves around protecting the natural environment (AONB and countryside), although other issues such as highway safety and residential amenity are obviously key material considerations too.

The NPPF covers the rural economy at paragraphs 84 and 85:

84. Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings
- b) the development and diversification of agricultural and other land-based rural businesses
- c) sustainable rural tourism and leisure developments which respect the character of the countryside and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

85. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Development Management Policy DM2 allows development within the countryside where it complies with Core Strategy Policies CS06 and CS10, and Development Management Policy DM11 the latter of which relates specifically to Holiday Accommodation.

Core Strategy Policy CS06 states: *The strategy will be supportive of farm diversification schemes and conversion of existing buildings for business purposes in accordance with Policy CS10 providing any proposal:*

- *meets sustainable development objectives and helps to sustain the agricultural enterprise*
- is consistent in its scale with its rural location
- is beneficial to local economic and social needs
- does not adversely affect the building and the surrounding area or detract from residential amenity.

Core Strategy Policy CS10, where it relates to tourism, states: *The Council will promote opportunities to improve and enhance the visitor economy:*

- Supporting tourism opportunities throughout the borough
- Promoting the expansion of the tourism (including leisure and culture) offer in Hunstanton to create a year-round economy
- Smaller scale tourism opportunities will also be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to our valuable natural environment.

*The Council will permit the development of new tourism accommodation in rural areas subject to the following criteria being met:*

- *It should be located in or adjacent to our villages and towns*
- *It should be of a high standard of design in line with national guidance*
- *Will not be detrimental to the landscape*
- *Mechanisms will be in place to permanently retain the tourism related use.*

The application falls under the 'banner' of both farm diversification and rural tourism and is considered to meet the criterion listed above.

Development Management Policy DM11 states: *Proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation will not normally be permitted unless:*

1. The proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area
2. The proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environmental qualities of the surrounding landscape and surroundings and
3. The site can be safely accessed
4. It is in accordance with national policies on flood risk
5. The site is not within the Coastal Hazard Zone indicated on the Policies Map, or within areas identified as tidal defence breach Hazard Zone in the Borough Council's Strategic Flood Risk Assessment and the Environment Agency's mapping.

*Small scale proposals for holiday accommodation will not normally be permitted within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) unless it can be demonstrated that the proposal will not negatively impact on the landscape setting and scenic beauty of the*

*AONB or on the landscape setting of the AONB if outside the designated area. Proposals for uses adversely affecting Sites of Special Scientific Interest (SSSIs) or European Sites will be refused permission.*

Policy DM11 also requires certain restrictive conditions relating to holiday use.

In relation to the points raised above the LPA responds as follows:

1. A suitable business plan, that suggests how the site will be managed, states the development will provide two full-time equivalent posts and suggests it will support tourism, accompanied the application
2. The layout has taken careful consideration of the impact of the development with the main areas of outside space and parking in a central position surrounded by the proposed replacement buildings. Landscaping will be suitably conditioned if permission is granted.
3. The local highway authority raises no objection subject to all traffic using the site (both agricultural and tourism) accessing the site from the B1454
- 4 and 5. The site does not lie in an area at risk of flooding or within the Coastal Hazard Zone.

It is therefore considered that the proposed development accords with Policy DM11 of the SADMP.

The Heacham Neighbourhood Plan (HNP) is also relevant and given its position in the adoption process (it has been to examination and modified policies have been accepted although Referendum is yet to take place) can be given limited weight in the planning balance.

Heacham Neighbourhood Plan Policies (as modified and accepted), relevant to this application are: Policies 6 (Design Principles), 11 (Holiday Accommodation), 15 (Dark Skies) and 17 (Settlement Breaks).

Taking each in turn:

### **Policy 6: Design Principles**

'Development proposals should deliver high quality design. As appropriate to their scale, nature and location development proposals should:

1. Preserves or enhances the village of Heacham, be sensitive to its surroundings, and demonstrate that it minimises adverse impacts on neighbouring residences
2. Recognise and reinforce the character of the local area in relation to height, scale, spacing, layout, orientation, design, and materials of neighbouring buildings
3. Homes and streets are designed to be tenure-blind
4. Streets are designed to provide sufficient resident and visitor parking that is well integrated and does not dominate the street. Street design should also encourage low vehicle speeds and allow them to function as social spaces
5. Incorporate measures which increase energy efficiency and which reduce energy and resource loss, e.g. installation of solar panels, use of grey water, use of alternatives to plastic
6. Provide sufficient external space for:
  1. refuse and recycling storage
  2. bicycle parking
  3. child and disabled facilities where appropriate
  4. the integration of meter boxes, lighting, flues and ventilation ducts, gutters and pipes, satellite dishes, aerials and telephone lines



7. New dwellings should have gardens commensurate with the intended occupancy
8. Ensure that car parking provision is large enough to fit a modern family sized car (for example a VW Golf or Ford Focus) and allow the driver to get out of the car easily, and is positioned and designed to have minimal impact on the streetscene
9. Where appropriate, respect and protect designated and non-designated local heritage assets and their settings
10. There is no unacceptable adverse impact (visual or otherwise) on the area's landscape, and proposals for development will be expected to demonstrate how they have minimised landscape impacts on the open countryside and coastline
11. Incorporate adequate landscaping to mitigate the visual impact of the development and to ensure that proposals are in keeping with the existing village context. Where possible, sites are screened through the use of landform, native trees and locally appropriate planting
12. For major residential developments applicants should produce a report to demonstrate that their scheme accords with national design standards (BFL 12 or equivalent)
13. Where practicable, provide adaptable homes through the lifetime homes standard in order to cater for a changing demographic
14. Where practicable, make better connections to other areas of the parish, including access to local services and public open spaces
15. Retain mature or important trees (NPPF 2019 Section 175 applies) 37
16. Ensure new boundary treatments reflect the distinct local character and incorporate semi-mature street planting and hedges to boundaries with open countryside
17. Access to the site is provided/improved to highway authority standards
18. Where appropriate, proposals make a positive contribution towards open spaces, whether respecting the amenity, recreational and wider environmental value of existing spaces or, especially for developments of more than 8 dwellings, provide additional public open space to meet the needs of new residents.

In relation to the policy criteria above the LPA comments as follows:

1. Covered later in this report; there are no neighbouring residencies
2. The parameters of the replacement buildings are very similar to those they replace and are of an appropriate height, scale, etc. Materials will be suitably conditioned if permission is granted
3. N/A
4. N/A
5. The current site benefits from three wind turbine and solar panels on the main barn. It has been confirmed that the proposed units will be connected to these
6. Appropriate for the type of development sought
7. Appropriate for the type of development sought
8. Appropriate for the type of development sought
9. N/A
10. Covered later in this report
11. Can be suitably conditioned if permission is granted
12. N/A
13. N/A
14. Not proportionate given the scale and type of development sought
15. N/A; no trees will be affected by the proposed development
16. Can be suitably conditioned if permission is granted
17. It is
18. Not appropriate given the scale and type of development sought.

Notwithstanding issues that are covered later in this report, it is considered that the proposed extension is in general compliance with Policy 6, as modified, of the HNP.

## **Policy 11: Holiday Accommodation**

In order to maintain and improve Heacham's attraction as a quiet uncommercialised holiday centre, applications for further holiday accommodation beyond existing defined holiday areas, will only be supported where the proposals:

- 1 Maintain the distinction between the contrasting holiday centres of Heacham and Hunstanton and do not diminish the physical separation between these centres; and
- 2 Do not have any unacceptable impact on local infrastructure, including green infrastructure; and
- 3 Minimise any visual and physical impact on the village by including, where appropriate, a landscaping plan incorporating the use of landform, native trees and locally appropriate planting ; and
- 4 Are not directly adjacent to any residential areas; and
- 5 Do not need to be accessed through the village centre of Heacham and
- 6 Incorporates high quality accommodation for which adequate parking and servicing arrangements are provided and
- 7 Can demonstrate a link to wider tourism or land use initiatives that provide demonstrable benefits to the local area.

In relation to the policy criteria above the LPA comments as follows:

1. The site does not diminish the physical separation between these centres
2. Heacham is a Key Rural Service Centre with many services and facilities. It is not considered that the scale of the proposed development would have an unacceptable impact on local infrastructure
3. A detailed landscaping plan can be suitably conditioned if permission is granted
4. The development is not directly adjacent to any residential areas
5. The site does not have to be accessed through the village centre
6. The proposed units are a scale, mass, design and utilise appropriate materials, and appropriate parking is proposed
7. The development would provide additional tourism accommodation and provide new employment opportunities.

It is therefore considered that the proposed extension is in general compliance with Policy 11, as modified, of the HNP.

## **Policy 15: Dark Skies**

External lighting associated with development proposals should be sensitively designed to safeguard the dark skies environment of the neighbourhood area and minimise the extent of any light pollution. In particular:

- external lighting should be designed to minimise the risk of light spillage beyond the development site boundary; and
- light-emitting diode down lighting, including lights at lower levels, should be used wherever practicable and be in keeping with the existing LED lighting stock.

Lighting can be suitably conditioned if permission is granted to ensure compliance with Policy 17, as modified, of the HNP.

## **Policy 17: Settlement Breaks**

*Development proposals outside the development boundaries of Heacham (and as shown in Inset G47 of the SADMP) will only be supported where they:*

- *do not cause unacceptable harm to the landscape setting and distinct identity of Heacham*
- *do not detract from the visual separation of Heacham from Hunstanton*
- *do not detract from the views or settings of the Norfolk Coast AONB*
- *New development must not result in the coalescence of Heacham with Hunstanton to the north.*

In relation to the policy criteria above the LPA comments as follows:

- Impact on the landscape (and AONB in particular) is covered in more detail later in this report
- The development would not detract from the visual separation between the settlements.

In summary it is considered that the principle of development is to be supported and that the development accords with the overarching policy criterion outlined above.

However, the site lies within an AONB and therefore careful consideration needs to be given to the impact of the development on this nationally designated area.

### **Form and Character and Impact on the Area of Outstanding Natural Beauty (AONB):**

Paragraph 176 of the NPPF states: *Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues...The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*

Paragraph 177 continues by stating: *When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development\* other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- a)the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy*
- b)the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c)any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

\*the NPPF states that 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

Your officers do not consider that the development is major development for the purposes of the NPPF. However, there is still a need for all development to either conserve or enhance the AONB.

The proposal will replace a series of dilapidated barns which unfortunately are not capable of conversion due to their poor state of repair. This is confirmed in the structural survey report that accompanied the application.

The footprint of the new development closely follows the existing and thus reducing the impact on the character of the surrounding area and landscape. The applicant considers that the design represents a modern interpretation of the traditional vernacular and uses a local materials palette of carrstone and red brick elevations and clay pantile roofing to further reflect the character of the area.

The final revision:

- Reduces the number of units from eight to seven
- Reduction in roof height from two-storey to single-storey for units 2 and 3
- Removal of extensions to the south elevation of units 2 and 3
- Reduction in the amount of glazing throughout all units
- Reusing existing walls and materials where possible; and
- Clarification of the proposed route for agricultural vehicles and an accompanying as shown on the Highways Plan.

The layout ensures that the outside areas, including parking, are in a central position surrounded by the buildings. This not only places these areas in the most direct sunlight, it also shields them from public view.

The proposed replacement buildings are now much lower than originally proposed and are single storey, the same as those they replace, and follow the same footprint as the buildings they are to replace. Additionally, it is the intention to use as many of the existing materials as possible. However, in this regard it is inherently difficult to do this when there is such little material of quality left. Notwithstanding this, a materials schedule can be conditioned if considered necessary.

Whilst it is considered that the replacement buildings are a scale, mass, design and appearance that relate adequately to the site and the surrounding farm complex and would not in their own right be of detriment to the AONB, the use of the buildings (holiday let rather than agricultural buildings) will have an impact on this protected locality.

This will be principally by activity associated with the use. There will be greater vehicular activity, general activity and light pollution. The latter is considered to be acceptable given the reduction in glazing elements and external lighting can be suitably conditioned.

In relation to the former issue, activity, Members will need to consider whether this would result in conservation of the AONB and if the benefits to the existing agricultural enterprise and wider economy outweigh the harm these activities will have on the character of the AONB.

Your officers believe, on balance, given the only long view of the site is from the B1454 to the south, that the development would conserve the AONB and that any harm is outweighed by the benefits.

The proposal therefore complies with the NPPF and Development Plan Policies CS01, CS08, CS12 and DM15.

## **Highway Safety**

The Local Highway Authority (LHA) has confirmed that the access of the site to the B1454 to the south is adequate in terms of width and visibility to cater for the proposed development as well as the existing agricultural activity.

The LHA request a condition ensuring all traffic using the site (existing and proposed) do so via this access which is preferable to utilising an existing access to the west of the site that enters the main highway network (the A149) via Chapel Farm Road and Ringstead Road through residential areas.

The proposal therefore complies with the NPPF and Development Plan Policy CS11.

## **Residential Amenity**

There are no non-associated residential properties in the immediate vicinity of the site and given the holiday nature of the accommodation the inter-development relationships are considered acceptable.

## **Crime and Disorder**

There are no specific crime and disorder issues arising from the proposed development.

## **Other Material Considerations**

The £55 per dwelling Habitat Mitigation Fee, as required by Policy DM19, accompanied the application.

## **CONCLUSION**

Applications for planning permission should be determined in accordance with the Development Plan and any other material considerations. The application falls under the 'banner' of both farm diversification and rural tourism. Both of which are supported at national and local level, subject to other relevant planning policy and guidance and for the reasons outlined in the report above it is considered that the development is in general accordance with these enabling policies.

The site lies within an AONB and the Norfolk Coast Partnership object to the proposed development on the grounds of its impact on this nationally designated area.

It is considered that the scale, mass, design and appearance of the proposed replacement buildings are acceptable in their farm complex setting. However, it is acknowledged that there would be some impact from the proposed use (holiday accommodation.) Notwithstanding this, it is considered, on balance, that this impact would not be significant and would not result in material harm to the AONB. Furthermore, the proposal comes with benefits both to the existing agricultural enterprise, but also to the tourism offer and economy although it is acknowledged that this benefit will be relatively small when considered against the borough as a whole.

The proposed development would not result in any highway safety or neighbour amenity issues.

It is therefore recommended that this application be approved subject to the following conditions.

## RECOMMENDATION:

**APPROVE** subject to the imposition of the following condition(s):

- 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:  
  
17.4018.264 EX-01  
17.4018.265 PLO1 Rev.K  
17.4018.265 PLO2 Rev.K  
17.4018.265 PLO3 Rev.K  
17.4018.265 PLO4 Rev.K  
17.4018.265 PLO5 Rev.K  
HIGHWAYS PLAN.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition **No development shall commence** until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use. Your attention is drawn to Informative 2 of this decision notice in relation to this condition.
- 3 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 4 Condition Means of vehicular access to and egress from the development hereby permitted shall be derived from and to the B1454 Heacham Road only
- 4 Reason In the interests of highway safety and traffic movement in accordance with the NPPF and Development Plan.
- 5 Condition Prior to the first use of the development hereby permitted the proposed on-site car parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the NPPF and Development Plan.
- 6 Condition **Prior to any demolition** a schedule of the materials to be salvaged for reuse in the redevelopment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 6 Reason To ensure that materials that are capable of re-use are retained in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given

the fundamental details linked to the conservation of materials which need to be planned for at the earliest stage in the development.

- 7 Condition No development shall take place on any external surface of the development hereby permitted until samples of all materials (not covered under condition 6 of this permission) to be used for the external surfaces of the building(s), including roof materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 7 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 8 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 8 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 9 Condition Prior to any works above ground floor finish floor level of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 9 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 10 Condition Prior to the first use of the development hereby permitted or within the first planting season all hard and soft landscape works shall be carried out in accordance with the details approved under Condition 9 of this permission. 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.
- 10 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 11 Condition Prior to the installation of any external lighting relating to the development hereby permitted a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation / angle of the luminaries, the spacing and height of the lighting columns, the extent / levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed. Your attention is drawn to Informative 3 of this decision in relation to the lighting within the AONB.

- 11 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 12 Condition The development hereby permitted shall only be occupied for holiday purposes and shall be made available for rent or as commercial holiday lets.
- 12 Reason The site lies within in an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.
- 13 Condition The development hereby permitted shall only be used for short-stay holiday accommodation (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence.
- 13 Reason The site lies within in an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.
- 14 Condition The owners / operators of the development hereby permitted shall maintain an up-to-date register of lettings/occupation and shall make this available at all reasonable times to the Local Planning Authority.
- 14 Reason The site lies within in an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.
- 15 Condition The holiday let hereby permitted shall at all times be held, owned and operated in association with Church Farm, Church Farm Road, Heacham and shall not be sold off separately.
- 15 Reason For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF and Policy DM11 of the SADMPP 2016.
- 16 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 current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
- 16 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.
- 17 Condition Prior to the first use of the development hereby permitted the parking area to the south shall be screened with a boundary the details of which shall be submitted to

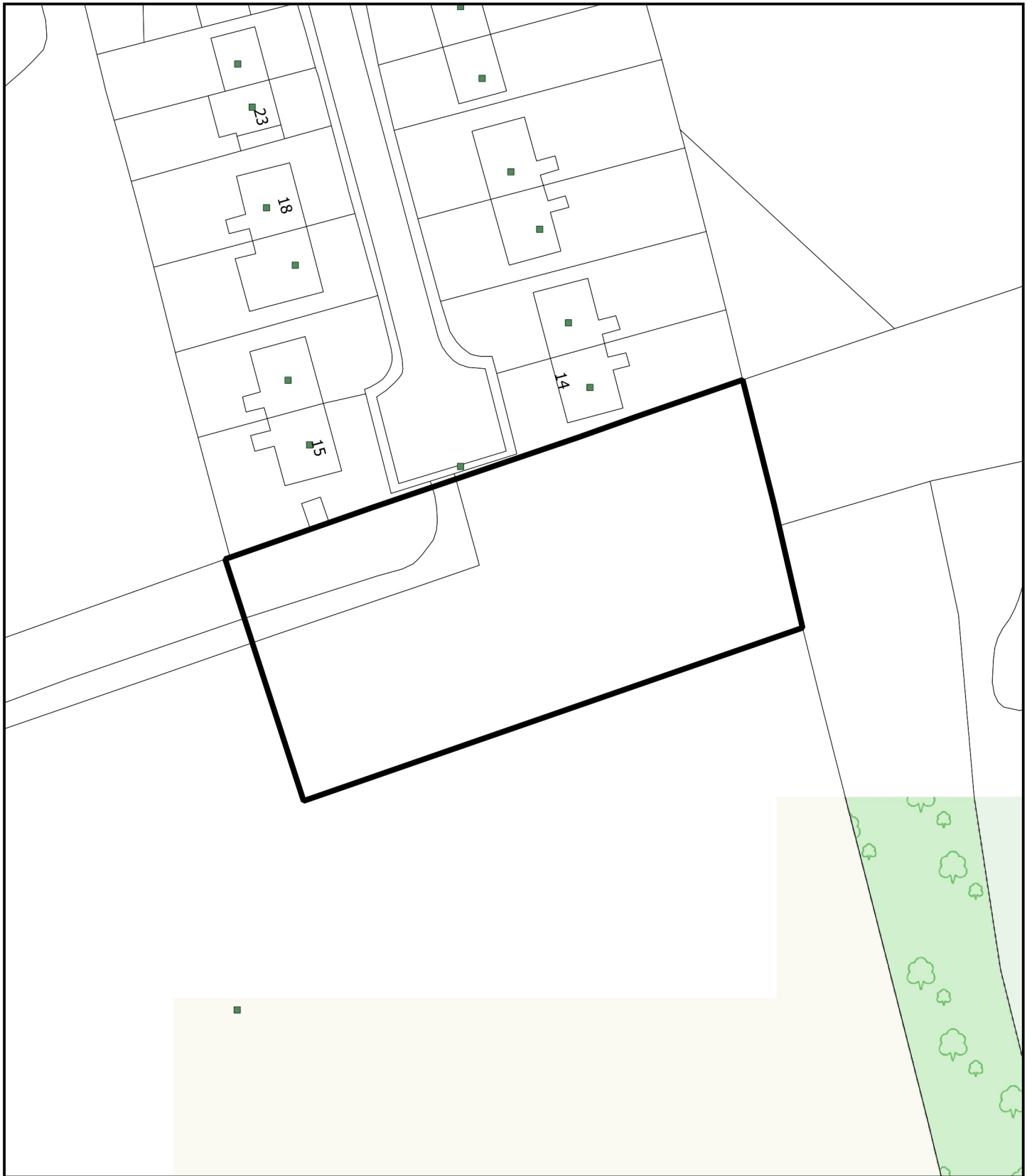


and approved in writing by the LPA. The boundary treatment shall thereafter be maintained and retained in perpetuity.

- 17 Reason In the interests of the visual amenity of the locality in accordance with the NPPF and Development Plan.

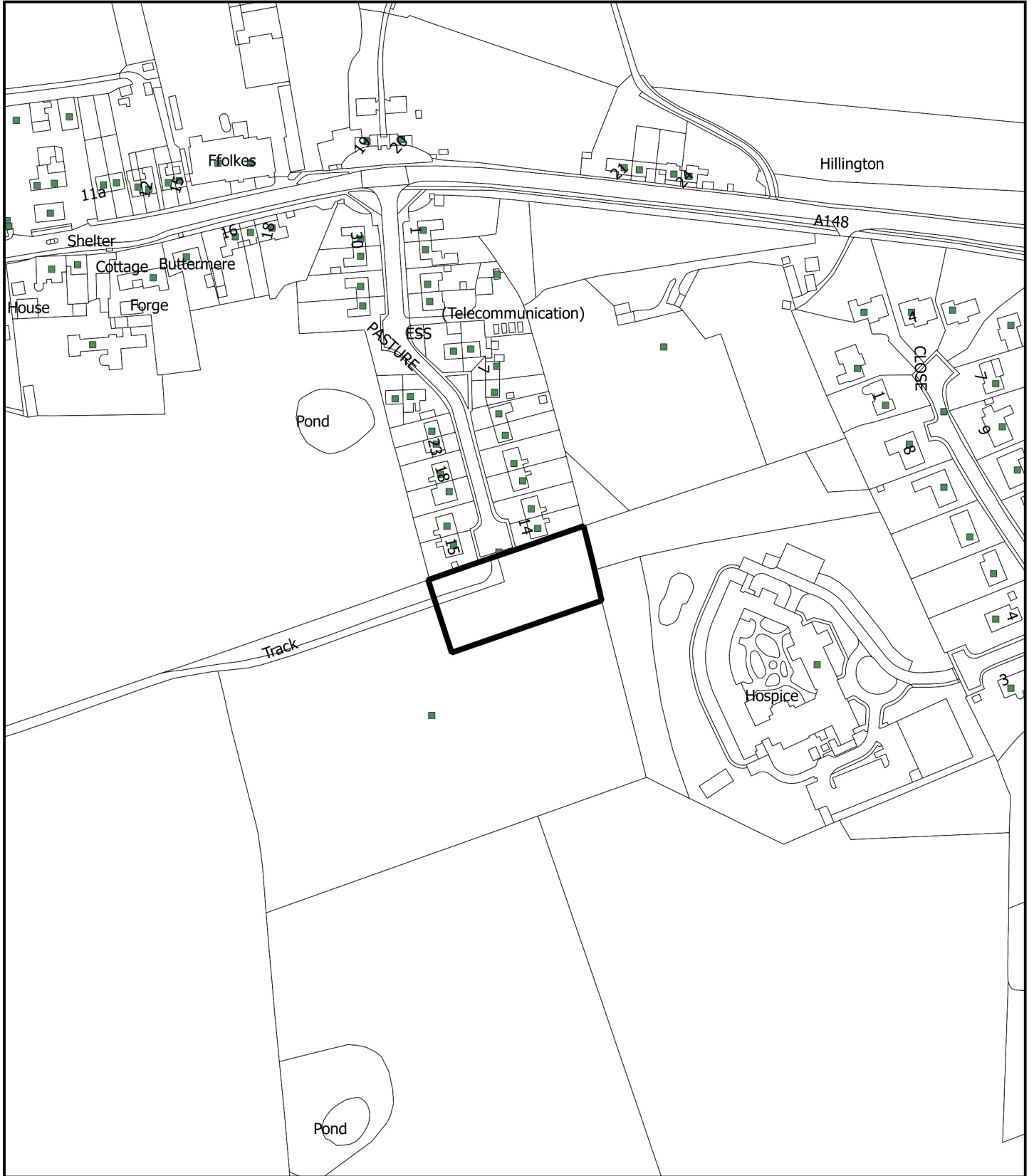
# 21/02371/O

Land S of 14 and 15 Pasture Close Hillington PE31 6BL



# O21/02371/F

Land S of 14 and 15 Pasture Close Hillington PE31 6BL



**AGENDA ITEM NO: 8/3(d)**

<b>Parish:</b>	<b>Hillington</b>	
<b>Proposal:</b>	<b>Outline Application: Site for construction of residential properties</b>	
<b>Location:</b>	<b>Land S of 14 And 15 Pasture Close Hillington Norfolk PE31 6BL</b>	
<b>Applicant:</b>	<b>Williams Farms Ltd</b>	
<b>Case No:</b>	<b>21/02371/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 15 February 2022 Extension of Time Expiry Date: 8 April 2022</b>

**Reason for Referral to Planning Committee** – Called in by Cllr Moriarty and Officer Recommendation is contrary to Parish Council recommendation

**Neighbourhood Plan:** No

**Case Summary**

The application seeks outline planning permission for residential development with all matters reserved for future consideration. The site lies to the south east of Pasture Close, Hillington and is located at the end of the existing cul-de-sac. An indicative layout plan has been submitted giving the quantum of development the applicant is seeking to achieve which indicates 4 pairs of semi-detached dwellings.

The site lies in open countryside but represents the housing allocation for Hillington in the Site Allocations and Development Management Policies Plan (SADMP.)

**Key Issues**

- Principle of Development
- Form and Character
- Residential Amenity
- Highway Safety
- Drainage
- Affordable Housing
- Crime and Disorder
- Other Material Considerations

**Recommendation**

**A) APPROVE** Subject to completion of a S106 Agreement securing affordable housing financial contribution within four months of the date of the resolution to approve

**B) REFUSE** If a S106 Agreement securing affordable housing financial contribution is not completed within four months of the date of the resolution to approve

## **THE APPLICATION**

The application seeks outline planning permission for residential development with all matters reserved for future consideration.

The site lies in open countryside but represents the housing allocation for Hillington in the Site Allocations and Development Management Policies Plan (SADMP.)

Indicative plans show access from Lynn Road via Pasture Close and shows 8No. dwellings (scale unknown) in four pairs of semi-detached properties.

Indicative parking shows two spaces per dwelling which indicates the dwellings will have no more than 3-beds (to be policy compliant.)

Indicative landscaping is also shown.

The site lies in Flood Zone 1.

## **SUPPORTING CASE**

The proposal before you is an Outline Planning Application which has been submitted following the sites successful inclusion during King's Lynn and West Norfolk's Local Plan site allocations process, as identified under Policy document G49.1 Hillington. The site is currently allocated for residential development of at least five dwellings subject to compliance with provisions of the development plan policies which have been identified within the submission design and access statement together with details of the measures undertaken to date. We seek to establish the principle of development at this stage and should the outline permission be successful all details will be further enhanced within a reserved matters application to show full compliance.

The site is currently listed as Grade 3 arable land with moderate limitations that affect the choice of crops, timing, and type of cultivation, harvesting or the level of yield. The potential loss of this small piece of land is unlikely to substantially affect output yields and by inclusion of natural buffers will help to create further natural Flora and Fauna eco-system habitats.

Whilst we note the objection raised by the Parish Council, there have been no objections raised by any of the other statutory consultees in respect of the proposal and we would clarify that of the twenty-six dwellings on Pasture Close, twelve of these are currently still held by Freebridge Housing Association showing good provision for social housing already exists. The Applicant is willing to comply with all recommended conditions to the satisfaction of the Local Authority prior to any works commencing and has also confirmed their willingness to enter into a Section 106 planning obligation agreement for a financial contribution of £96,000, with legal agreement secured within four months of the date of any planning approval. We believe the site is well suited to this form of small development given the local facilities that are available together with existing infrastructure that is in place and public transport links to the main town hubs.

### **Conclusion**

The Outline proposal before you, has been submitted based on the Borough's own site allocations approval within its Local Plan strategy and therefore we seek formal approval of the principle for development of the site prior to a further detailed design submission, and respectfully requested that planning permission be granted in line with the planning officer recommendations for approval.

## PLANNING HISTORY

No recent relevant history.

## RESPONSE TO CONSULTATION

### Parish Council: OBJECT

1. According to the West Norfolk SADMP Plan Adopted 2016 :-

G.49.3 Hillington is designated as a Rural Village, capable of accommodating modest growth to support essential rural services. The Council considers that the level of development in each rural village should generally be based on the population size as outlined in the distribution of development section. Based on this approach, Hillington would receive an allocation of four new houses. In order to trigger the threshold for delivering affordable housing, the Parish Council would prefer to allocate five houses including one affordable home.

Under Policy G49.1 Hillington - Land to the south of Pasture Close section 9. Provision of affordable housing in line with the current standards.

This application is in excess of this with 8 dwellings being proposed and no social or affordable housing.

2. This is a location which has already been identified as having flooding and drainage issues. The SADMP notes:-

G.49.10 The Surface Water Network has been identified as being at capacity meaning a sustainable drainage system (SUDS) would be sought to serve new development.

Residents of dwellings adjacent to the proposed development have already been reporting issues with flooding, drainage and subsidence which Freebridge have been unable to deal with. The Parish Council shares the residents concern that any further development could make the existing issues significantly worse.

3. The majority of dwellings at that end of Pasture Close are currently social housing with many occupied by elderly and frail residents. There is concern that this development at the end of the road will significantly increase traffic and present a risk to residents. This risk will also be very much increased during the construction process.

It is also likely to more than double the number of residents at that end of Pasture Close leading to an increase in noise and disturbance to the existing residents.

5. The junction between Pasture Close and the A148 has very limited visibility and any increase in traffic using the junction by the 8 dwellings would greatly increase the risks associated particularly with turning right from Pasture Close. This would obviously be even more of a risk with heavy traffic requiring access during the construction process.

6. The village facilities (Garage, Shop and Pub) and nearest school are all on the other side of the A148 and crossing this road has already been flagged by the Parish Council as high risk. In particular the journey to school in Flitcham for any children is particularly hazardous.

**Highways Authority: NO OBJECTION.** The development would not require the provision of an adoptable road within the site and can be served from a private road.

Given the adopted approach road, visibility at the site entrance and the A148 junction being acceptable, I am able to comment that in relation to highways issues only, that Norfolk County Council does not wish to resist the grant of consent.

Should your Authority be minded to the grant of consent, I would seek to append conditions relating to upgrading the existing field access between the site and Pasture Close and ensuring no gates or bollards can be erected across this access without permission.

**CSNN: NO OBJECTION** Community Protection would not raise any objections in principle to this development. However, there are some potential issues that need addressing but can be managed by the attachment of suitably worded conditions and informatives:

*Conditions:*

Drainage (land and surface water)  
Construction Management Plan  
Construction Hours  
Air Source Heat Pumps  
Lighting

*Informatives:*

Noise, Dust and Smoke from Clearing and Construction Work  
Soakaway Informative.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** The application is for the construction of 8 residential properties.

The applicant has provided a screening assessment which identifies the current use as agricultural and that the site contains a section that was previously part of the Midland & Gt Northern Joint Railway which was decommissioned in 1959. Other than this no contamination is known to the applicant. We have reviewed our files and the site is on land that has been used agriculturally for the duration of our records as well as the use as a railway up until 1959. After the decommissioning the railway is seen as a track. The surrounding landscape is largely residential and agricultural. Other than the railway no potential sources of contamination are identified in our records, or in the information provided by the applicant. The current plans provided show that the area occupied by the former railway, which is now a track will be covered by a new access road. As this use is less sensitive it is unlikely to require further investigation. If the layout were to change significantly further investigation of the site may be required to assess the potential risks from the previous land use.

Due to the presence of a decommissioned railway on site there is the potential for contamination to be present resulting from this use. Therefore, we recommend a condition relating to unexpected contamination be appended to any permission granted.

**Environment Agency: NO OBJECTION** Thank you for your email. We have reviewed the above application and it is considered that there are no Agency related issues in respect of this application and therefore we have no comment to make.

**Anglian Water: NO OBJECTION** I have checked the planning application for Site for construction of 8 residential properties. Anglian Water comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, 500sqm or greater.

However, we have reviewed the site location plan and can confirm there are assets owned by Anglian Water or those subject to an adoption agreement within or close to the

development boundary that may affect the layout of the site. Anglian Water would ask for an informative to be appended to any permission granted.

A verbal discussion also took place in relation to the proximity of the Pumping Station and Sewage Treatment Works to the west of the site in relation to noise and odour. AW stated that 15m easement is required around a pumping station and that usually 400m is sought around a sewage treatment works. However, in this instance, given the small size of the STW the distance (in excess of 250m) is sufficient to suggest there would be no impact and AW would not request an Odour Assessment.

**IDB: NO OBJECTION** Thank you for your consultation on planning application 21/02371/O. Having screened the application, the site in question lies outside the Internal Drainage District of the King's Lynn Internal Drainage Board and as per our Planning and Byelaw Strategy the proposed application is classed as a minor development and does not meet our threshold for commenting. Therefore, the Board has no comments to make.

**Norfolk Constabulary NO OBJECTION** Offered advice in relation to Design out Crime (DoC). Applicant / agent has confirmed they will work with the DoC Team.

**Norfolk Fire & Rescue Service: NO OBJECTION** I do not propose to raise any objections providing the proposal meets the necessary requirements of the Building Regulations 2010 – Approved Document B (volume 1 – current edition, or as revised) including any requirements in relation to B5 access, facilities and arrangements for emergency service vehicles, as administered by the Building Control Authority.

**Historic Environment Service: NO OBJECTION** The proposed development site lies within the historic core of the village of Hillington. Previous archaeological excavations to the east in 1997 recovered Late Saxon and medieval pottery and metal artefacts, while excavation to the southeast in 2011 recovered evidence of medieval settlement including a masonry well. In addition, a significant number of Roman coins and other artefacts (including rare Early Anglo-Saxon Objects) have been found both within the proposed development area and the fields to the south, suggesting Roman occupation in the area. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work, to be secured by condition, in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205.

**Housing Team: NO OBJECTION** I have looked at the above application and can confirm that the site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy.

At present a 20% provision is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in Hillington. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent, 25% for First Homes and 5% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council.

However, NPPF states that affordable housing should not be sought on developments of fewer than 10 dwellings and/or 0.5ha other than in designated rural areas. On sites on 6-9



dwellings and less than 0.5ha, a financial contribution based on £60,000 per equivalent whole affordable dwelling will be sought.

As this site is proposed for 8No units in a designated rural area and the site area is under 0.5ha, a financial contribution of £96,000 would be required.

**REPRESENTATIONS** Six letters of objection / concern have been received. The issues raised can be summarised as:

- Impact of development on amenity of occupiers of Pasture Close, who are mostly elderly, from increased traffic as most services and facilities have to be accessed via the car
- Highway safety in relation to the junction of Pasture Close with Lynn Road (the A148). Greater speed management would need to be put in place
- This is not the best location for this development
- Surface water flooding issues
- Plans are vague
- Impact on neighbouring Hospice during construction and from the development itself (noise from children / BBQs / etc.)

#### **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

**CS14** - Infrastructure Provision

#### **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM19** - Green Infrastructure/Habitats Monitoring & Mitigation

**G49.1** Hillington - Land to the south of Pasture Close

## NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Design Guide 2019

## PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this application are:

- Principle of Development
- Form and Character
- Residential Amenity
- Highway Safety
- Drainage
- Affordable Housing
- Crime and Disorder
- Other Material Considerations

### Principle of Development

Whilst in the countryside, the site represents the housing allocation in the adopted Development Plan.

The principle of development is therefore acceptable.

Policy G49.1 of the SADMP relates specifically to the development of this site and states: *Land amounting to 0.3 hectare, as shown on the Policies Map, is allocated for residential development of at least 5 dwellings. Development will be subject to compliance with development plan policies and all of the following:*

1. Provision of new hard and soft landscaping. The landscaping plan should show retention of trees wherever possible and clearly show those trees that are to be felled with a clear explanation as to why they cannot be retained
2. Incorporation of a landscaping scheme to the south, east and west boundaries to minimise the impact of the development on the wider countryside
3. Submission of an Archaeological Field Evaluation based on the potential for Early Medieval and Medieval occupation deposits which should be used to inform the planning application
4. Consultation with the Environment Agency and the Council to establish sewage treatment in the absence of a public facility and whether an Odour Assessment would be required
5. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission
6. Submission of details relating to the sewer that crosses the site together with mitigation (easement/ diversion) to the satisfaction of Anglian Water
7. Retention of the existing access to the sewage pumping station
8. Subject to the provision of appropriate site access and footways improvements, to the satisfaction of the local highway authority
9. Provision of affordable housing in line with the current standards.

In relation to these requirements the majority are reserved matters:

1. Landscaping is a Reserved Matter
2. as above
3. Outline Issue; to be conditioned
4. Outline Issue. However, it is confirmed the development would be connected to the main sewer, and Anglian Water has confirmed that an Odour Assessment is not required given the size of the sewage treatment plant and its distance from the site (in excess of 200m)
5. Outline Issue; to be conditioned
6. Layout is a Reserved Matter. The indicative layout does however take account of Anglian Water assets. Notwithstanding this if it did not it would be subject to Anglian Water Legislation.
7. Outline Issue; to be conditioned
8. Access is a Reserved Matter
9. Outline Issue; to be secured by S106 Agreement.

### **Form and Character**

The allocation process determined that the site could be developed with at least 5No. dwellings without being of detriment to the form and character of the locality (subject to an acceptable planning application.)

Full consideration cannot be given to this aspect given the outline nature of the application.

However, the indicative plan is quite detailed (although all aspects will need to be fully considered when reserved matters are received) and shows:

- four pairs of semi-detached dwellings, which is consistent with the character of Pasture Close, with adequate private amenity space (the minimum rear garden measurements are shown to be c. 8m x 10m) and parking provision
- all hardstanding to be constructed of permeable finishes
- new SUDS surface water swale with overflow link to existing ditch system to the south of the site, this is consistent with the drainage hierarchy and Development Plan Policy G49.1 (DPP G49.1)
- new planting to the south and west of the development to provide screening with 3m habitats verge to agricultural line, this is consistent with DPP G49.1
- all existing trees and screening to be retained to the north with additional natural screened added as agreed, this is consistent with DPP G49.1
- all existing trees and screening to be retained to the east, this is consistent with DPP G49.1
- existing public foul sewer retained in current position
- access to existing sewage treatment plan retained with new access gates, this is consistent with DPP G49.1
- new access 5.5m wide access road with footpath to highway standards, this is consistent with DPP G49.1

The scale (height) of the dwellings is not known, although given the separation distance and existing screening between the site and Pasture Close it is considered that either single or two-storey dwellings could be accommodated on the site without detriment to the character of the locality.

In summary the plans show that a suitable form of development can come forward in compliance with DPP G49.1.

The development is therefore considered to accord with the NPPF and Development Plan Policies CS01, CS08, CS09, CS11, CS12, DM1, DM15, DM17 and G49.1.

### **Residential Amenity**

The separation distance and existing screening between the site and Pasture Close to the north and the Hospice to the east suggests there would be no material overlooking, overbearing or overshadowing impacts regardless if the properties are single or two-storey.

The Hospice has raised an objection to the proposed development in relation to the impact it would have. However, whilst it is acknowledged that construction works would have an impact, this is for a limited period and is not a reason to preclude development. Construction hours could be suitably conditioned if permission were granted.

The end use (residential) is not considered to be a 'nuisance neighbour' and noise from children / BBQs are noises generally considered to occur in residential areas which the hospice is located in. This is likewise not a reason to prevent development of one of the LPA's housing allocations.

In relation to occupiers of the proposed development, the indicative layout shows acceptable amenity space for each dwelling and provision of two parking spaces.

The development is therefore considered to accord with the NPPF and Development Plan Policies CS01, CS08, DM1, DM15 and DM17.

### **Highway Safety**

Whilst it is acknowledged the Parish Council and third parties raise concerns regarding the suitability / safety of the junction of Pasture Close with the A148, the Local Highway Authority (LHA) considers this junction to be acceptable to accommodate the proposed development and raises no objection.

Whilst access is a reserved matter, the indicative plan shows the access to the site via Pasture Close. Realistically there is no acceptable alternative access. It is therefore considered reasonable to append the conditions recommended by the LHA to any permission granted, and as a result the development complies the NPPF and Development Plan Policy CS11.

### **Drainage**

The Parish and third parties raise concerns regarding drainage. This was also identified in the policy requirements for development of the site and will be suitably conditioned if permission is granted.

In this regard it is understood that foul water is to be connected to the current foul water sewer already present in the locale.

As is normal for outline applications, drainage details have not been submitted. However, the application states that foul drainage will be via the main sewer and that a surface water drainage scheme (SWD) will need to be submitted. It is indicated that SWD would be via SUDS which is in line with the drainage hierarchy.

No objections have been raised by statutory consultees (Anglian water, IDB or Environment Agency.)

The development is therefore considered to accord with the NPPF and Development Plan Policies CS01, DM1 and G49.1.

### **Affordable Housing**

The site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy.

At present a 20% provision is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in Hillington. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent, 25% for First Homes and 5% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council.

However, NPPF states that affordable housing should not be sought on developments of fewer than 10 dwellings and/or 0.5ha other than in designated rural areas. On sites on 6-9 dwellings and less than 0.5ha, a financial contribution based on £60,000 per equivalent whole affordable dwelling will be sought.

As this site is proposed for 8No units in a designated rural area and the site area is under 0.5ha, a financial contribution of £96,000 would be required.

This should be secured by S106 Agreement in accordance with the NPPF and Policies CS09 and CS14 of the CS.

### **Crime and Disorder**

There are no specific crime and disorder issues arising from the proposed development.

### **Other Material Considerations**

In relation to the Parish and third party comments your officers respond as follows:

- Development exceeds allocation and does not provide affordable housing – the development is in accordance with the allocation being in excess of 5 dwellings. Affordable housing is to be secured by S106 Agreement
- Flooding, drainage and subsidence – drainage can be suitably conditioned if permission is granted. No objections have been received from statutory drainage bodies
- Impact on neighbours – covered above
- Junction between Pasture Close and the A148 – covered above
- Highway Safety – the LHA raise no objection to the location of the site and its relationship with services and facilities, including the school, in terms of highway safety
- This is not the best location for this development – this is an allocated site in the current Development Plan
- Plans are vague – that is the nature of outline applications
- Impact on neighbouring Hospice during construction and from the development itself (noise from children / BBQs / etc.) – covered above.

## CONCLUSION

The site represents one of the Local Authority's housing allocations in the adopted Development Plan. Decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In this case, the provision of 8 dwellings would sit comfortably on the site without compromising the form and character of the locality.

The Parish Council and third parties have raised objections in relation to highway safety and neighbour amenity (primarily). However, the LPA considers, on the advice of the Local Highway Authority, that the development would not give rise to unacceptable highway safety issues and that the distance between existing uses and the site is sufficient to suggest that the development would not have a material impact on the amenity of neighbours.

The proposal is in accordance with, or can be conditioned accordingly, the policy requirements laid down in the Development Plan and the NPPF.

The application is therefore recommended for approval.

## RECOMMENDATION:

**APPROVE** Subject to completion of a S106 Agreement securing affordable housing financial contribution within four months of the date of the resolution to approve and the imposition of the following condition(s):

- 1 Condition Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition **No development shall commence** until full details of the land drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall incorporate surface water drainage

details including percolation test results, system designs and in perpetuity maintenance arrangements. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

- 5 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 6 Condition Notwithstanding the information that accompanied the application, no dwelling hereby permitted shall be occupied until surface water drainage (to include SuDS) details have been submitted to and approved in writing by the local planning authority. The submitted details shall:

- i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters
- ii. Include a timetable for its implementation; and
- iii. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.  
The development shall be carried out in accordance with the approved details prior to the first occupation of the development.

- 6 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

- 7 Condition **Prior to commencement of development** a detailed construction management scheme must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of the construction phase, deliveries/collections and any piling. The scheme shall also provide the location of any fixed machinery, their 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, proposed attenuation and mitigation methods to protect residents from noise, dust and litter and communication methods to the wider community regarding the construction phases and likely disruptions. The scheme shall be implemented as approved.

- 7 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

This needs to be a pre-commencement condition as the details need to be agreed before works begin on site.

- 8 Condition Construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between the hours of 0800 and 1800 weekdays, and 0900-1300 on Saturdays, with no work allowed on Sundays and Bank/Public Holidays. A section in the CEMP should be created to address any emergency operation outside of the hours above including first contact with the council and nearby residents.

- 8 Reason In the interests of the amenity of occupiers of neighbouring properties in accordance with the NPPF and Development Plan.
- 9 Condition A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
- 1) The programme and methodology of site investigation and recording
  - 2) The programme for post investigation assessment
  - 3) Provision to be made for analysis of the site investigation and recording
  - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - 5) Provision to be made for archive deposition of the analysis and records of the site investigation
  - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and
  - 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.
- 9 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 10 Condition No development shall take place other than in accordance with the written scheme of investigation approved under condition 9 and any addenda to that WSI covering subsequent phases of mitigation.
- 10 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 11 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 9 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 11 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 12 Condition Prior to the first occupation of any dwelling hereby permitted the existing field access between the site and Pasture Close shall be upgraded / widened to a minimum width of 4.5 metres in accordance with the Norfolk County Council residential access construction specification for the first 5 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 12 Reason To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.
- 13 Condition Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected



across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

- 13 Reason In the interests of highway safety in accordance with the NPPF and Development Plan.
- 14 Condition Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 14 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 15 Condition Prior to the installation of external lighting associated with the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.
- 15 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 16 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 current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

- 16 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.
- 17 Condition Any reserved matters application shall include the retention of the existing access to the sewage pumping station.
- 17 Reason To ensure access is retained in accordance with Policy G49.1 of the Development Plan.
- 18 Condition The development hereby permitted is for up to 8No. dwellings.

18 Reason For the avoidance of doubt and to ensure appropriate density of development and making effective use of land in accordance with the NPPF and Development Plan.

**B) REFUSE** If a S106 Agreement securing affordable housing financial contribution is not completed within four months of the date of the resolution to approve

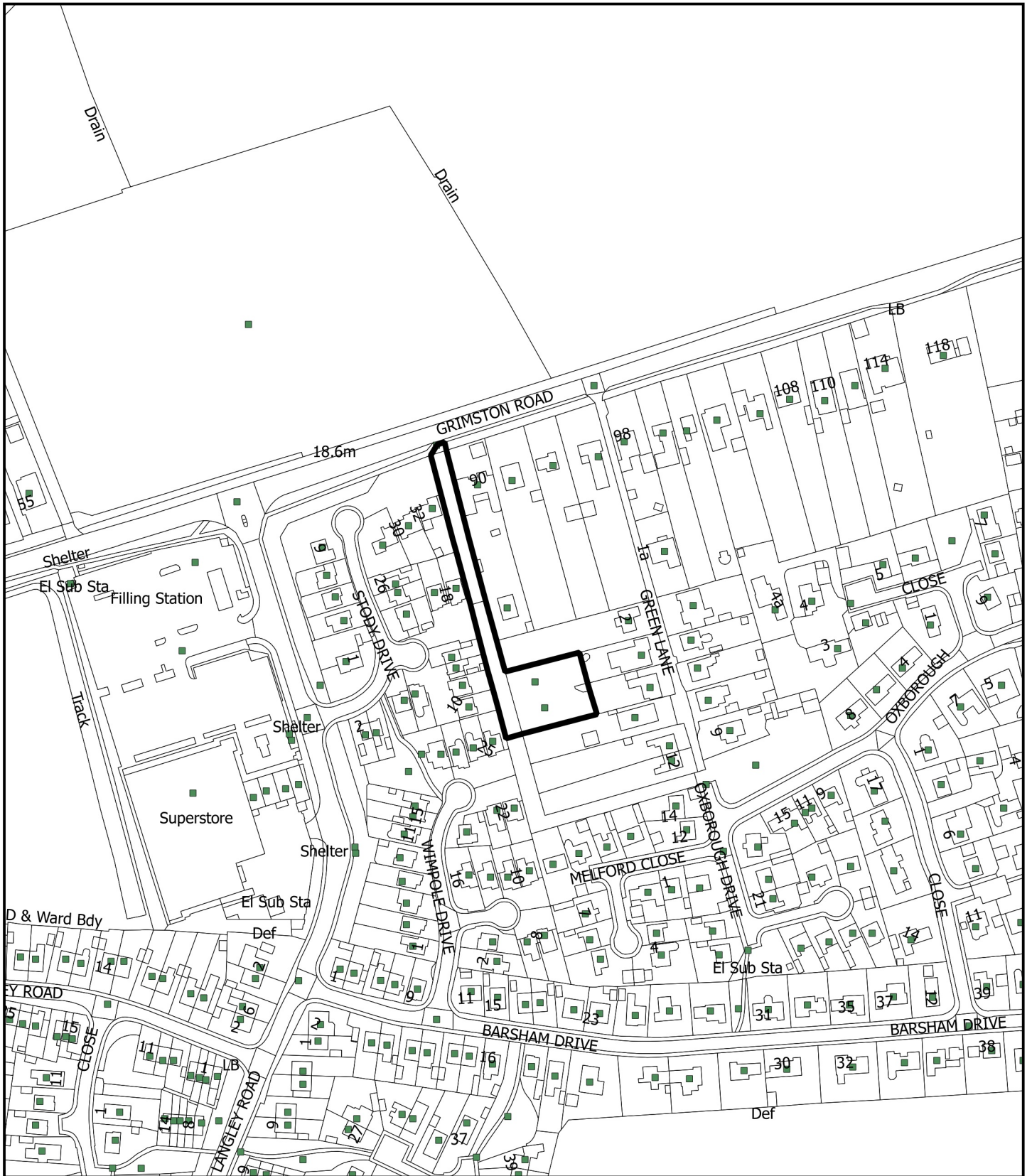
# 21/01004/F

Land accessed W of 90 Grimston Road and W of 4 & 6 Green Lane  
Grimston Road South Wootton PE30 3NS



# 21/01004/F

Land accessed W of 90 Grimston Road and W of 4 & 6 Green Lane  
Grimston Road South Wootton PE30 3NS



**AGENDA ITEM NO: 8/3(e)**

<b>Parish:</b>	<b>South Wootton</b>	
<b>Proposal:</b>	<b>2No. New Dwellings</b>	
<b>Location:</b>	<b>Land Accessed W of 90 Grimston Road And W of 4 &amp; 6 Green Lane Grimston Road South Wootton Norfolk PE30 3NS</b>	
<b>Applicant:</b>	<b>MBN Property Developments Ltd</b>	
<b>Case No:</b>	<b>21/01004/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs Jade Calton</b>	<b>Date for Determination: 10 August 2021 Extension of Time Expiry Date: 11 April 2022</b>

**Reason for Referral to Planning Committee** – Parish Council comments at variance with officer recommendation and the application has been referred to Planning Committee by Sifting Panel

**Neighbourhood Plan:** Yes

**Case Summary**

The application site comprises a parcel of semi-pasture land, measuring approximately 2140 square metres and is situated to the west of Green Lane, South Wootton. The land is currently unused and is accessed via an existing track located on the southern side of Grimston Road.

Full planning permission is sought for the construction of 2 no. two storey dwellings. The site benefits from an extant Outline consent (20/01124/O – all matters reserved) for the construction of 2 no. dwellings.

The application site is within the development boundary outlined in both the Local Plan and the South Wootton Neighbourhood Plan (SWNP).

**Key Issues**

Principle of development;  
Impact on Form and Character;  
Impact on Neighbour Amenity;  
Impact on Highway Safety;  
Other Material Considerations

**Recommendation**

**APPROVE**

## THE APPLICATION

The application site comprises a parcel of semi-pasture land, measuring approximately 2140 square metres and is situated to the west of Green Lane, South Wootton. The land is currently unused and is accessed via an existing track located on the southern side of Grimston Road.

Full planning permission is sought for the construction of 2 no. detached two storey dwellings.

The site benefits from an extant Outline consent (20/01124/O) for the construction of 2 no. dwellings. A condition was imposed on the outline consent limiting the height of the approved dwellings to no more than 1.5 storeys, in the interests of the amenities of the locality.

The proposed dwellings are identical in scale and design but will be handed within their respective plots. They both comprise 4 bedrooms and are shown to have adequate on-site parking and turning to their frontages.

They have been designed with a hipped roof and the overall height of both dwellings is approximately 7.3m to the ridge and approximately 4.8m to the eaves. They each have a forward projection which is lower in height, measuring approx. 6.4m to the ridge, but have a matching eaves height to the main bulk of the property.

The proposed dwellings are orientated with their principle elevations facing west and are sited approx. 21m from the western boundary, accommodating the access, parking and turning areas. The private rear gardens measure approx. 12.4m. Plot 1 is sited approx. 1.8m from the northern site boundary; Plot 2 is approx. 1.5m from the southern site boundary and they have a separation distance from one another of approx. 3.4m.

A 1.8m close boarded timber fence is proposed to all boundaries of the site and between the new dwellings.

It is proposed to use 'Traditional Red Blend Mix' facing brickwork, dark slate coloured Clay Pantiles and uPVC windows and doors.

## SUPPORTING CASE

No supporting case has been submitted with the application.

## PLANNING HISTORY

20/01124/O: Application Permitted: 05/11/20 – DELEGATED - OUTLINE APPLICATION  
ALL MATTERS RESERVED: Proposed 2No Dwellings - Land Accessed W of 90 Grimston Road And W of 4 & 6 Green Lane, Grimston Road, South Wootton

## RESPONSE TO CONSULTATION

### Parish Council: OBJECT -

The Parish Council still objects to this Planning Application as it does not adhere to the South Wootton Neighbourhood Plan under the following Policies:

### H 3 Infill Developments

Infill plots or the sub-division of existing large gardens within the village development boundary may be acceptable where the character, due to building densities in the surrounding neighbourhood, is not compromised. It is felt that two large properties in this area is not suitable, they would create overlooking and loss of privacy to surrounding properties. The Parish Council would like to see proposals for bungalows.

### H 2 Encouraging High Quality Design

Layouts for new development should be designed to the highest possible standard, taking account of the characteristic of the village, and dependant on site size.

- make sensitive use of natural landscape.
- provide for sustainable water management and run-off from rainfall recognising the current increased incidence of higher than average rainfall.
- incorporate Sustainable Drainage Systems where appropriate.

The Parish Council does not feel that 2, large two storey properties are appropriate for this area.

### Policy E1 – Landscape

Woodland and tree belts, the quality of existing residential areas amongst mature trees, and hedgerows shall be protected during the development period and retained as part of local distinctiveness, and, where appropriate, should be enhanced as part of any adjacent development.

The Parish Council would like to see hedgerows and mature trees protected.

**Highways Authority: NO OBJECTION** subject to conditions relating to upgrading the access to NCC standards; the removal of PD rights for gates etc across the access; and the laying out of the on-site parking and turning area.

**Environmental Health & Housing – Environmental Quality: NO COMMENT**

**Natural England: NO COMMENT.**

## REPRESENTATIONS

**EIGHT** representations received from local residents **OBJECTING** on the following grounds:

Highway safety: -

- Increase traffic;
- Potential accidents;
- Suitable turning circle for a fire engine;
- Passing place.

Impact on Amenity: -

- Bedrooms will now be within 2 metres of the new access road;
- This distance is not acceptable;
- Overlooking;
- Impacted view / outlook;
- Impact on the comfort of neighbouring homes and gardens;
- Why can't 2 bungalows be proposed

- Resulting in increased noise and disruption;
- New homes within this small field area would tower over my garden;
- Garden would feel very enclosed;
- Green Lane is a very quiet, private and peaceful road;
- Enjoying listening to the birds, watching the deer and other animals roam the land;
- Impact natural sunlight into home and garden;
- There is only 12.5 metres distance between the rear of the new builds and the fence to the rear of numbers 4 and 6 Green Lane, not 30m;
- A total of only 25.1 metres from the rear of the proposed dwellings to neighbouring dwelling;
- Construction noise;
- Construction workers entering site via Green Lane;
- Bonfire smoke;
- Radio on very loud disturbing both local residents as well as wildlife;
- Debris being piled up along the fence line and with heavy rain some has now slumped down inside my boundary line;
- machinery parked within a few metres of our house each night;
- Surely this is a fire hazard;
- Exhaust fumes fill our bathroom and bedroom;
- Condition 5 of 20/01124/O stated that the properties shall be no more than 1.5 storeys;
- In no way does the amended roof pitch soften the impact of being overlooked from upper storey windows;
- The new developments should be restricted to 1.5 storey
- Request a condition that all 2nd storey windows overlooking the 1 and 1.5 storey building to the east and south-east (Green Lane) be fitted with obscured glass.

Landscape: -

- Would like assurances that any new fencing would be installed on the actual line of the old wire fencing which has long been in non-existent state;
- The hedge should not be cut back to our newly installed fence line;
- The new access road will remove all of green field site and associated hedging;
- The site has only ever been used for agricultural purposes;
- Grazing by small numbers of livestock;
- Therefore this is currently a greenfield site and should thus remain so;
- Would be a change of use of 'green space amenity';
- The 1997 Hedgerow Protection Act would require an application for the removal of hedging that is well over 30 years old;
- The most valued in the British countryside by native species (Hawthorn), brambles;
- there is also an Ash tree which may be in danger of loss;
- The machinery being used is damaging trees and hedgerow;
- A mature apple tree located on the plot and hedging between the front of the new developments and the access lane has been removed over the past week.

Wildlife: -

- Substantial wild hedging with extensive wildlife;
- Detrimental effect of the local wildlife that currently use the area;
- Flora and fauna;
- Currently able to enjoy this space and the animals living within it;
- Refer to the South Wootton Neighbourhood Plan 2015-2026 Section 7.1 Policies For The Environment -Corridors for Wildlife etc;



- The area concerned has always maintained a healthy/thriving population of Hedgehogs;
- Hedgehogs have recently been classed as an endangered species;
- This proposal would only add to the likelihood of their extinction in this country;
- The destruction of this well-established habitat cannot be compensated for by the creation of new elsewhere;
- Appears to have displaced the wildlife normally seen this time of year;

Drainage: -;

- Where will the drainage from the new access road / paths go to?
- Already experience surface water flooding;
- Increase localised flood risk

Form and Character: -

- Green lane is small private road which consists of only bungalows;
- The village is fast losing identity;

Other: -

- New homes at knight's hill - why do we need more;
- Site plan & location map continue to be incorrect as does not show the correct extent of building works carried out to our property and adjacent properties;
- Suggest a less than professional planning application process;
- and lack of site assessment;
- Raises questions as how compliance to the proposed development will be enforced i.e. the proper construction of an entry/exit point at the junction with Grimston Road.

**ONE** representation received with **NEUTRAL** comments, as follows: -

- Enquires what has been proposed in relation to the existing boundaries either side of the access road to the new properties;
- In the past the previous owner kept the boundaries regularly cut back and down to an acceptable height;
- As of late this has not taken place and the boundaries are now in a bad state;
- The hedges are very very old and unruly and very quickly get out of control;
- Will the new owner be taking out these boundaries and replacing them with new strong fences?
- If not what are they proposing as regards their upkeep?

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS11** – Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM22** - Protection of Local Open Space

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy H1** - Growth Areas

**Policy H2** - Encouraging High Quality Design

**Policy H3** - Infill Developments

**Policy H4** - Local Character

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

The main considerations in the determination of this application are as follows: -

- Principle of development;
- Impact on Form and Character;
- Impact on Neighbour Amenity;
- Impact on Highway Safety;
- Other Material Considerations

### **Principle of Development:**

The site is located within the development boundary and the principle of development on the site was established through the granting of outline consent (20/01124/O) in November 2020.

However, the outline consent restricted the new dwellings to be no more than 1.5 storeys in height and the current application proposes two storey properties. As such, consideration is given as to whether two no. two storey dwellings would be acceptable on the site.

### **Form and Character:**

The application site is served by an existing access off Grimston Road, via a long narrow track to the west of No. 90. The site is located behind and to the south of the linear development of Grimston Road and directly to the west of Nos. 4 and 6 Green Lane.

The general character of the area is mixed. The immediate vicinity comprises two storey detached dwellings to the north on Grimston Road and to the west on Stody Drive, and bungalows and 1.5 storey dwellings on Green Lane.

In terms of the visual impact, the proposed dwellings, given their modest height 7.3m would not be overly visible from the main road given their siting behind 90 Grimston Road and the existing screening afforded from mature roadside trees.

Nonetheless, any glimpses of the new dwellings will be seen in context with the two storey properties fronting Grimston Road and those in the background on Stody Drive and beyond.

Policies H.2, H.3 and H.4 of the South Wootton Neighbourhood Plan (2015-2026) requires that new development takes into account the character of the existing village. Whilst the proposed dwellings will back onto Green Lane to the east which comprises smaller scale properties, the proposal is considered to accord with the prevailing context and local character of the wider area.

As such it is considered that the proposed development for 2 x two storey dwellings relates adequately to the building characteristics of the area, in terms of scale, density, layout and access, in accordance with Local Plan Policies CS08 and DM15 and the provisions of the NPPF, in particular section 12.

### **Neighbour Amenity:**

The principle of residential development on the site was deemed acceptable in the granting of outline consent. It was considered that given the orientation of surrounding dwellings, the proposal would be unlikely to lead to adverse impacts on neighbouring dwellings. However, given that the dwellings to the immediate east of the proposed plots comprise single storey or chalet bungalows, it was considered necessary to restrict the scale of future development to no more than 1.5 storeys, to limit the potential impact on those adjoining properties and in order to accord with the SWNP.

Policy H.3 of the SWNP states that 'the proposed development would not have significant harmful impacts on the amenities of surrounding residential properties and other activities.'

The condition restricting the development to 1.5 storeys on the outline consent, arose as scale and appearance was not considered as part of the original application. However, the current application is for full planning permission enabling a thorough assessment of the proposal on site. When considering the separation distances involved, together with the fact that the applicant has reduced the height of the new dwellings by 1m, it is not considered that the proposed dwellings would cause significant harmful impacts on the amenities of surrounding residential properties, in accordance with the abovementioned Neighbourhood Plan Policy.

The overall height of the proposed dwellings is 7.3m and 4.8m to the eaves. 1.5 storey dwellings can easily be of a similar height, and certainly upper floor windows within a chalet style bungalow are often at the same height as the first-floor windows of the proposed development. The proposed dwellings would be sited approx. 12.4m from their eastern boundaries. No.4 Green Lane is sited approx. 12.2m from the shared boundary and No.6

approx. 16.8m from its western boundary adjoining the application site. That equates to a total separation distance of between 24.6m and 29.2m between the rear elevation of the new dwellings and that of the adjoining neighbouring dwellings which is fully acceptable in planning terms.

The proposed dwellings would also be sited approx. 21m from the western boundary of the site and the properties adjacent on Stody Drive are a further 10m from that boundary.

The separation distances involved, combined with the height reduction and the roof configuration being hipped, would further reduce the mass of the development and any subsequent impact.

In terms of third party comments, it is acknowledged that the occupants of Green Lane, particularly Nos. 4 and 6 have become accustomed to uninterrupted sunlight and view over the parcel of land, and that the introduction of two new dwellings will result in a degree of impact. However, any impact would also be experienced from the development of 1.5 storey dwellings.

In respect of the view, there is no 'right to a private view' that the planning system should protect. The Planning System is in place to protect the public interest. Therefore the loss of a view is not a material planning consideration and thus does not warrant refusal of the application. Nonetheless, the level of impact on outlook from a neighbouring property is a material consideration.

The properties on Green Lane are sited to the east of the proposed development, meaning they will still benefit from sufficient natural light given the direction of the sun. Taking this into consideration, together with the separation distances involved, it is your officer's opinion that any resulting impact on the amenities of neighbouring residents, in terms of loss of light, overshadowing, overlooking or overbearing impact, would not be so detrimental as to warrant refusal.

The Agent has shown the BRE guidance IP 5/92 for over shadowing on the site section plan submitted, which demonstrates that there will be no material impact.

It is therefore considered that the proposal accords with the Local Plan Policies CS08 and DM15, the provisions of the NPPF, paragraph 130, and the SWNP Policies. The comments of third parties cannot therefore be supported.

### **Highway Safety:**

Whilst a reserved matter, in principle the use of the existing access off Grimston Road was considered to be acceptable at outline stage.

As part of the current application, it is proposed to upgrade the existing track to NCC standards and provide a minimum distance 4.5m for the first 10m. This would be conditioned.

Following the submission of amended plans showing the access drive central to the existing track; the upgrade of the turning head to serve the new dwellings and to accord with fire appliance standards; and provision of adequate parking for up to three spaces per dwelling, the Local Highway Officer raises no objection to the current application on highway safety grounds.

The proposal therefore complies with Policies CS08 and CS11 of the Core Strategy and Policy DM15 of the SADMPP.

## **Other Material Considerations:**

### *Crime and Disorder: -*

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee will not have a material impact upon crime and disorder.

### *Landscape Character: -*

In regard to the loss of agricultural land and the impact on wildlife, the principle of the development of two dwellings was established by the outline consent. The application site is located within the development boundary and it was considered that the change of use to residential and subsequent loss of green space would be acceptable in principle. The loss of this small parcel of private agricultural land, bordered on all sides by residential development of a fairly significant nature, was not deemed to pose an impact that would warrant refusal of the application.

The application site is not identified as an important green space or site with landscape character in the proposals map within the SWNP which requires to be protected during development.

However, given the nature of the site, and the fact that it would have a degree of biodiversity value, any loss can be compensated for by replacement planting, and as such a landscaping condition is recommended, in accordance with Policy E1 of the SWNP and the provisions of the NPPF.

Furthermore, notwithstanding the fact that the submitted plans indicate a 1.8m close boarded timber fence to be erected to all boundaries of the application site, details of such will be conditioned in order to ensure that 'wildlife corridors' are included within the design.

It is therefore considered that the proposal complies with Local Plan Policies CS12, DM22, section 15 of the NPPF and the abovementioned SWNP Policy.

### *Third Party Comments: -*

All third party representations have been taken into full consideration in the recommendation of this application, majority of which have been addressed above in the report.

Some matters raised are principle issues which would have been addressed at outline stage and as such are not relevant in the determination of the current full application.

In regard to the noise during construction, given the scale of the proposed development, it is not considered necessary or reasonable to impose conditions restricting construction hours.

In relation to concerns regarding vehicle noise along the access track, it currently provides unrestricted agricultural use and it was not considered that its use to serve two dwellings would result in any material harm during the determination of the outline application.

However, it is acknowledged that the access track is in close proximity to the side and rear elevations of adjoining dwellings to the west, therefore a condition is recommended for details of the surfacing materials to be submitted to limit any noise and disturbance to neighbouring residents.

Drainage is a principle issue which would have been controlled at outline stage if it was considered to be a material issue. It is reasonable to expect a development of the scale proposed will adequately connect to the mains drains and dispose of surface water by soakaway, which is confirmed within the application form.

In response to concerns over incorrect measurements of neighbouring gardens and the separation distance involved; the initial 30m separation distance was quoted because measurements were taken from the location map submitted and shows No. 4 before it had been altered / extended. On reviewing an updated plan, the true measurements of 24.6 and 29.2 have been reflected above in the report.

In terms of the out of date location plan, it would have been taken from an old OS Map and the Agent is not obligated to show an updated plan of surrounding properties, only for the purposes of the application site.

## **CONCLUSION:**

Decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The main issue is whether the construction of 2 no. two storey dwellings would be appropriate on the site notwithstanding the restrictive height condition on the original outline consent.

It is your officer's opinion that the proposed two storey dwellings would cause no material impact to residential amenity to the extent that would have a significant harmful effect on their living conditions, due to the modest height of the proposed houses and satisfactory separation distances involved. Furthermore, it is considered that the proposed two storey dwellings are in keeping with the local context and prevailing character of the area.

It is therefore considered that the proposal accords with Local Plan Policies CS08, CS11, CS12, DM15, DM17 and DM22; the provisions of the NPPF and the SWNP Policies E1, H1, H2, H3 and H4.

## **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

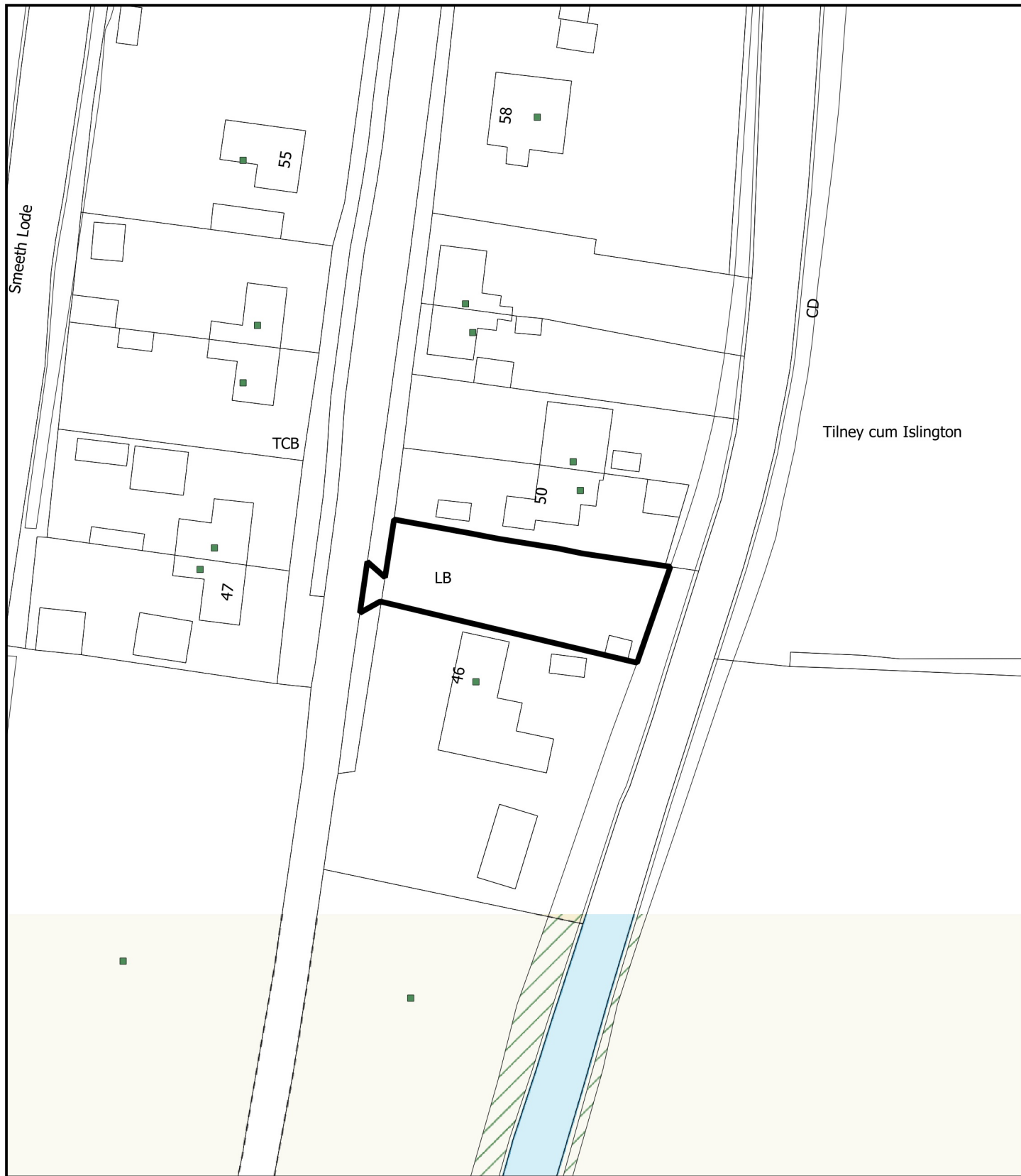
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: 1463-13B (Proposed site and Location Plan); 1463-11B (Proposed Plot 1); and 1463-12B (Proposed Plot 2).
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include

planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 3 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 4 Condition Notwithstanding the details on the submitted plans, prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied 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.
- 4 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 5 Condition Prior to the first occupation of the development hereby permitted the vehicular access indicated for improvement shall be upgraded ( widened ) to a minimum width of 4.5 metres in accordance with the Norfolk County Council residential access construction TRAD 2 specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 5 Reason To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.
- 6 Condition Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 6 Reason In the interests of highway safety.
- 7 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, levelled,demarcated,surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 7 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

# 21/01411/F

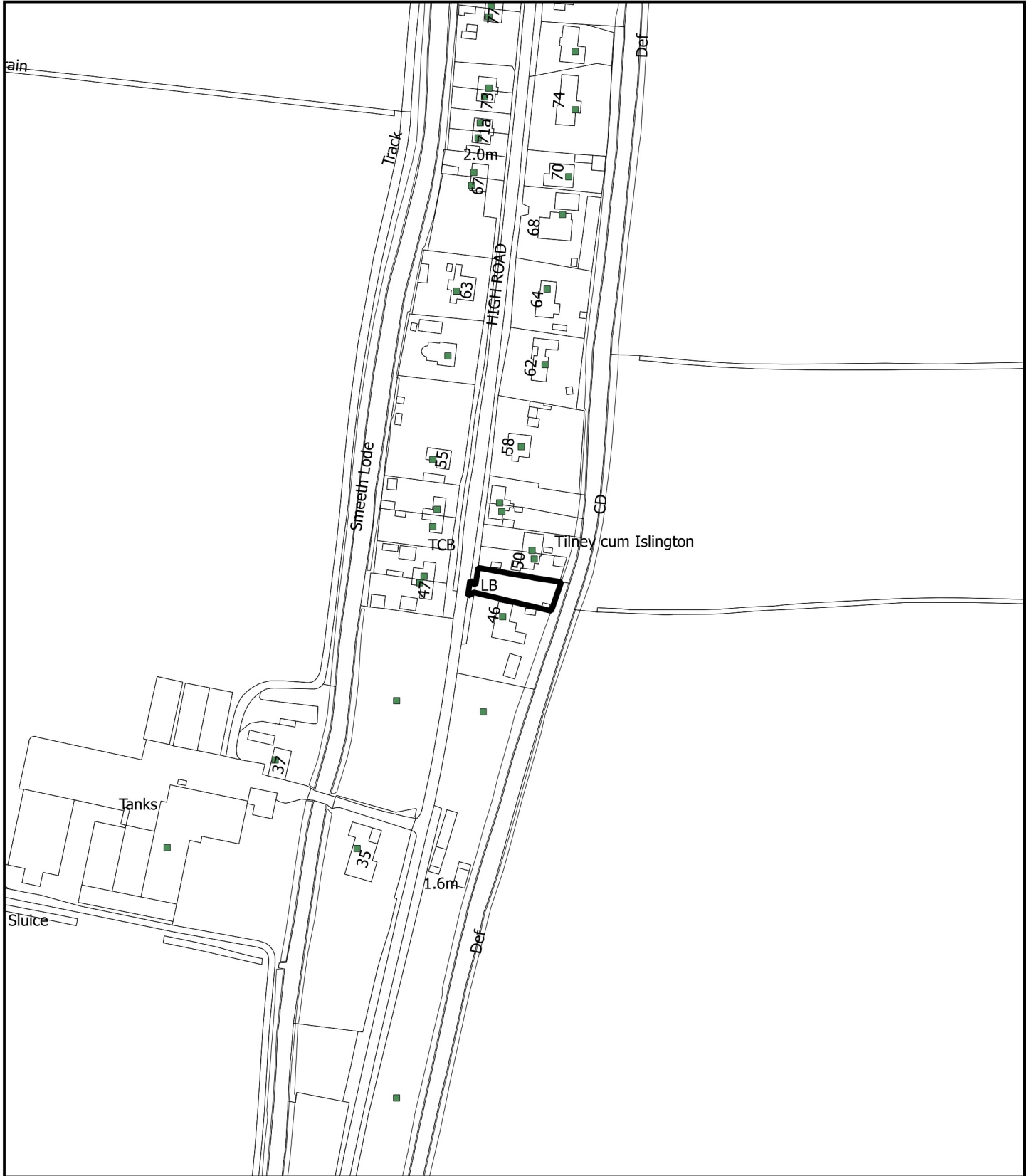
Land North of Ifields 46 High Road Tilney cum Islington PE34 3BN





# 21/01411/F

Land North of Ifields 46 High Road Tilney cum Islington PE34 3BN



## AGENDA ITEM : 8/3(f)

<b>Parish:</b>	<b>Tilney St Lawrence</b>	
<b>Proposal:</b>	<b>Proposed residential bungalow</b>	
<b>Location:</b>	<b>Land North of Ifields 46 High Road Tilney cum Islington Norfolk PE34 3BN</b>	
<b>Applicant:</b>	<b>Mr Vincent</b>	
<b>Case No:</b>	<b>21/01411/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Clare Harpham</b>	<b>Date for Determination: 30 September 2021 Extension of Time Expiry Date: 11 April 2022</b>

**Reason for Referral to Planning Committee** – The officer recommendation is at variance with the Parish Council who object to the proposal.

**Neighbourhood Plan:** No

### Case Summary

The application relates to a site on the eastern side of High Road, Tilney cum Islington. Tilney cum Islington is defined as a 'Smaller Village and Hamlet' within the settlement hierarchy of the Core Strategy.

Full planning permission is sought for the erection of a single storey detached dwelling.

### Key Issues

- Principle of development
- Design, form and character
- Neighbour amenity
- Highways Issues
- Flood Risk
- Other material considerations

### Recommendation

**APPROVE**

## THE APPLICATION

The application site is located at the southern end of Tilney Cum Islington and the regular shaped plot is sited on the eastern side of the High Road.

The site is currently utilised as garden land in association with the donor dwelling, and is laid to grass. The donor dwelling is located to the south of the application site and the site is

currently bounded to the northern boundary by a 1.8m (approx.) which drops down to approx. 1.2m to the front of the neighbouring dwelling. To the front boundary (west) is a domestic hedge and the site is open to the southern boundary and the donor dwelling. To the rear boundary (east) is a watercourse which has some low growing vegetation.

The area is predominantly residential in character with two storey semi-detached dwellings on the western side of the road; and the character along the eastern side is more varied, with terraced and semi-detached properties which are both single and two-storey.

The application is for full planning permission for a single storey dwelling.

## **SUPPORTING CASE**

I write in regard to application reference 21/01411/F. The planning application comprises of the erection of a three-bedroom bungalow within the residential garden curtilage of my clients dwelling.

I would firstly like to address the comments from the parish, one regarding the flood zone. The Environment Agency has confirmed that they have no objection to the proposal and has made 2no. recommendations which the design has included.

The Parish also mentions over development of the site, to which the scale of the property has been reduced in size and height previously and has been recommended for approval by the Planning Officer. We have worked extremely closely with the Planning Officer and taken all comments on board in amending the design to reduce overshadowing, overbearing and overdevelopment of the proposed site.

The design of the property has been duly thought out, especially in consideration of the neighbour and their south-facing ground floor windows, which is why we haven't proposed a chalet bungalow or a two-storey dwelling. The design is proportionate to the site; there is ample off-road parking that complies with NCC parking standards and still plenty of private garden to the rear overlooking the stunning views.

Natural England, NCC, Water Management Alliance and the Environment Agency have all either recommended approval or have no comments. The planning officer has also recommended approval.

Site sections have also been produced for comparison to be made between the proposed property and adjacent properties. The findings confirm that there will not be any opportunity to overlook the northern neighbour given that the dwelling is single storey, has a hip roof to keep the ridge as low as possible and there is a distance of approximately 4.7m between the properties.

I would like to express strongly that the proposal is very much in keeping with the surrounding area and what a positive impact we believe the proposal would have on the street scene.

## **PLANNING HISTORY**

17/01165/F: Application Permitted: 23/08/17 - Demolition of existing garages for proposed single storey extension and internal alterations – Ifields 46 High Road Tilney cum Islington

21/01411/F

Planning Committee  
4 April 2022

## RESPONSE TO CONSULTATION

**Parish Council: OBJECT** for the following reasons:

- A single storey property in a floodplain is inadvisable.
- Overdevelopment of the site.

**Highways Authority: NO OBJECTION** No highways related concerns, conditions are recommended relating to the access, visibility splay and parking / turning area.

**Environment Agency: NO OBJECTION** It is for the LPA to determine whether the Sequential Test needs to be applied and then if required the Exception Test. With regard to the Exception Test the LPA must be satisfied with the safety of people and their ability to reach safety including flood evacuation (we recommend your emergency planner is consulted).

**Emergency Planning: NO OBJECTION** due to the location in an area at risk of flooding the occupants are advised to prepare a flood evacuation plan and sign up to the EA Flood Warning system.

**Internal Drainage Board:** Comments received as follows:-

There is a Board Adopted watercourse, Mill Basin (DRN137P0101), adjacent to the (rear) eastern site boundary, and the applicant intends to erect a fence along the eastern, southern and northern site boundary within 9 metres of this watercourse. Consent is required to relax Byelaw 10 (no works within 9 metres of the edge of drainage or flood risk management infrastructure).

It is indicated that surface water drainage will be to soakaway, if this is not possible and water is then discharged to a watercourse then consent will be required under Byelaw 3 and consent is likely to be conditional on payment of a Surface Water Development Contribution fee.

We note that foul drainage is indicated to a package treatment plant. If the applicant wishes to discharge treated water to a watercourse this will require consent under Byelaw 3 and if the proposed outfall is to the Board maintained drain (along eastern boundary) then consent will also be required to relax Byelaw 10.

We are not aware of any riparian watercourses within or adjacent to the site boundaries. Should the proposal involve the alteration of an existing watercourse this will require consent under Byelaw 4 and the Land Drainage Act 1991.

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** with respect to the above planning application. Information from BCKLWN archives suggests no historic contamination. The site is currently used as a residential garden and has not been known to be contaminated or suspected of being, as highlighted on the application form. A screening assessment form submitted with this application described the site existing ground cover as grassy with concrete driveway, with the existing bungalow on site having a pantile roof. Surrounding boundaries are made up of hedgerows and close boarded fencing. Out-buildings are made up of timber clad façades and corrugated roofing sheets and concrete pantiles.

While the site may not be suspected of contamination according to the information provided, there is suspicion, however, over the corrugated roofing sheet possibly containing asbestos. If this is the case, then it is requested the Asbestos Informative may apply should the permission be granted

**Natural England:** No comment to make, please refer to Standing Advice.

## **REPRESENTATIONS**

Four letters of **OBJECTION** from the same neighbour to the immediate north:-

- Have a right to light and will overshadow main living area and bedroom.
- Will overshadow garden in the afternoon.
- The effect of a new build on the foundations of our property.
- The applicant owns land on the other side of their bungalow and so could build there.

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM3** - Development in the Smaller Villages and Hamlets

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

The main issues to consider when determining this application are as follows:

- Principle of development
- Design, form and character
- Neighbour amenity
- Highways Issues
- Flood Risk
- Other material considerations

### **Principle of Development**

The application is for full planning permission for a single storey detached dwelling with a hipped roof.

Tilney cum Islington is classed as a Small Village and Hamlet within Policy CS02 (Settlement Hierarchy) of the Core Strategy 2011 and as such does not have a development boundary. As such development is limited to that identified as suitable within Policy DM2 of the Site Allocations and Development Management Policies Plan (SADMPP) 2016. Within this policy it states that 'in Smaller Villages and Hamlets, infilling in accordance with Policy DM3 will also be permitted...'

Policy DM3 of the SADMPP states with regard to housing that 'the sensitive infilling of small gaps within an otherwise continuously built up frontage will be permitted in Smaller Villages and Hamlets where:

- The development is appropriate to the scale and character of the group of buildings and its surroundings; and
- It will not fill a gap which provides a positive contribution to the landscape.

The proposed development would comply with Policy DM3 in that it will result in the infilling of a small gap in a continuous linear form of development, and the proposed dwelling would be in character with the locality.

Therefore, the proposal is considered acceptable in principle and would comply with the principles of the NPPF, and Policies DM2 and DM3 of the SADMPP.

### **Design, Form and Character**

High Road is characterised by a variety of dwelling types, with two storey semi-detached dwellings immediately opposite the site on the western side of High Road. Immediately to the south of the proposed dwelling is a single storey dwelling which is within the ownership of the applicants, and to the immediate north are a pair of two-storey semi-detached dwellings.

Therefore, whilst the development along the high road is linear in form, there is a mix of two-storey and single storey dwellings, as well as a mix of detached and semi-detached properties with a small number of terraced properties further north.

The size of the application site is similar to the plots immediately to the north of the application site; albeit they have two-storey semi-detached dwellings sited upon them; and

there is an objection from the Parish Council that the proposal is overdevelopment of the site.

The proposed bungalow will take up the much of the width of the site, however this is not dissimilar to the dwelling immediately to the north, or some of the dwellings further north along the High Road. There is room for parking and turning to the front, which is a similar arrangement to the immediate neighbour to the north.

The bungalow itself is L-shaped with a hipped roof, with the shorter side adjacent to the dwelling to the north. The width of the front elevation would be 11.60m (width of plot 14.43m), with the side elevation (north) measuring 8.61m and the side elevation (south) measuring 12.77m. This is not considered overdevelopment of the plot, with off road parking and private amenity space provided (rear garden depth between 12.80m and 14.40m).

The proposal is considered to be acceptable in terms of design and scale with regard to the other dwellings in the locality and therefore would comply with para 130 of the NPPF and Policies CS06 and CS08 of the Core Strategy 2011.

### **Neighbour Amenity**

The impact upon the neighbour to the north and the donor dwelling to the south has been considered.

The neighbour to the north has three windows within its ground floor side (southern) elevation, two of which that serve its living room. It does have one window serving the same room to the northern elevation (within an existing single storey projection to the front), however the majority of this room is served by the two south facing side windows.

The proposed bungalow will sit directly to the south of these windows, however amended plans were received during the course of the application to mitigate against amenity issues to this neighbour. The neighbouring window closer to the front of the house would be 4.25m away from the side elevation of the proposed bungalow and the window nearer to the rear would be 4.50m at the closest point to the bungalow, however the majority of the proposal would be 8.0m from this side window. A section has also been submitted (drawing 21-P36-PL003B) that demonstrates that, even when the raised floor levels are accounted for, the proposed hipped roof will help mitigate against loss of light to these habitable rooms. Whilst there will undoubtedly be some impact when the sun is low in the sky and after midday, it is not considered that the impact would be to the degree that would warrant a refusal due to loss of light. Similarly the proposal is directly south of a first floor bedroom window, but there would be minimal impact upon this habitable room due to the distance of the roofline from this window due to the hipped roof. Permitted development rights will be removed to ensure that an additional storey is not added in future which could overshadow the neighbours windows.

Given the height to the eaves (2.65m) and the distance to the neighbours windows (4.25m at its closest) the proposal is not considered to be overbearing on this neighbour.

There would be one side window within the rear projection which would face north towards this neighbour, which would serve a kitchen (not a habitable room for planning purposes) and this would be 5.20m from the boundary and 8.0m from the side of the neighbours dwelling. This is not considered to cause material overlooking towards the neighbour.

The proposed dwelling is to have raised finished floor levels (500mm above existing ground levels), and will be accessed by a ramped access to the front of the dwelling and the rear

patio will be raised on the southern side (0.35m). This is considered at a sufficient distance and height that it would not require additional screening to reduce any potential overlooking towards the neighbour to the north.

This neighbour has objected to the proposal due to loss of light to their habitable rooms and garden. The impact upon the habitable rooms has been addressed above, but it is not considered there would be any material impact upon the rear garden due to the orientation and distance of the proposed bungalow to the boundary at the rear of the neighbour's house. The garden to the side of the neighbour's dwelling does not look like it is used as a sitting area, as it has a water-butt and oil tank in situ.

This neighbour has also objected on the grounds that building close to their dwelling may have an impact upon their foundations. There are engineering solutions to the construction of foundations, however this is a civil matter and not a reason to refuse the application.

There is also an objection as the donor dwelling owns land on the other side of their bungalow and the neighbour states it would be better built there. The application as submitted is in this location (between Ifields (no.46) and no.50 and needs to be considered as such.

The impact upon the donor dwelling (bungalow) to the south has also been considered. The bungalow has no windows in its side elevation. The proposal would be sited 1.8m to the north of this dwelling but there would be no material impact with regard to overlooking or overshadowing due to the orientation of the proposal with this dwelling. The raised patio behind the proposed bungalow would be adjacent to the proposed 1.8m boundary fence, however it will be screened by the outbuildings within the donor dwellings rear garden and therefore no further screening is proposed. Whilst the long side elevation (12.77m) of the bungalow is in relatively close proximity to the donor bungalow it is not considered to be overbearing given its mainly adjacent to a blank gable wall. The proposal would not have a detrimental impact with regard to amenity on the donor dwelling.

Overall, whilst there will be some impact upon the neighbour to the north with regard to overshadowing, the proposal is not considered to warrant a refusal on this basis given the distance from the habitable windows, and the hipped roof which helps mitigate against the impact. The proposal is therefore considered to comply with para 130 of the NPPF and Policy DM15 of the SADMPP 2016.

### **Highways Issues**

The proposal would incorporate new access into the application site and there are no objections to the proposal from the Highways Officer subject to conditions relating to the creation of the access and parking area and the provision of a visibility splay.

The proposal is therefore considered acceptable with regard to highways considerations.

### **Flood Risk**

The application site is located within flood zone 3 of the SFRA and a Tidal Hazard Mapping area where should there be a breach the site could flood up to depths of 0.25m. There are no objections from the Environment Agency to the proposal based upon the submitted FRA, provided conditions are in place to secure the finished floor levels and flood resilience measures.



Whilst the EA have no objection, the LPA still need to apply the sequential and exceptions test. The aim of the sequential test aims to steer new development to areas with the lowest probability of flooding. Within the village there are sites at a lesser risk of flooding.

The current proposal is for a single dwelling and therefore sites which could accommodate a single dwelling have been considered when applying the Sequential Test. There are no alternative sites available for a single dwelling within a lower flood zone within Tilney Cum Islington and therefore the sequential test is passed.

Whilst the sequential test is passed the site is also required to pass the exception test.

The Exception test requires development to:-

- provide wider sustainability benefits to the community that outweigh flood risk, and
- That the development will be safe in its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In terms of wider sustainability benefits to the community, the development will provide an additional dwelling within a part of the village where residential development is acceptable. The Environment Agency have confirmed that the site-specific Flood Risk Assessment is acceptable and that the dwelling can be made safe for its lifetime. The proposal is therefore considered to pass the Exception Test.

The proposal is therefore considered acceptable with regard to flood risk.

### **Other material considerations**

The proposal seeks to dispose of surface water via soakaway and foul drainage via a package treatment plant. Both of these is acceptable however consent may be required if treated water is required to be disposed of via a watercourse. This procedure is separate to planning and an informative will be placed on any decision notice to ensure the applicant is aware of all other consents required.

The IDB have also noted that the watercourse to the end of the rear garden (along the eastern boundary) is a Board maintained drain. Therefore to erect any fencing within 9 metres of this drain will also require a relaxation of Byelaw 10 for which the applicant will be made aware within the informative.

There are no objections to the proposal from Environmental Quality.

There are no comments from Natural England and no ecology details were requested in line with the Standing Advice given by Natural England.

### **Crime and Disorder**

There are no issues arising with regard to crime and disorder as a result of this planning application.

## CONCLUSION

The proposed single storey dwelling is considered to represent sustainable development in line with Local Plan Policies. It would be in character with the form and character of the area and would not cause amenity issues to the degree that would warrant a refusal. The proposal is in accordance with the principles of the NPPF, Policies CS06, CS08, CS09 and CS11 of the Core Strategy 2011 and Policies DM2, DM3, DM15 and DM17 of the SADMPP 2016 and as such it is recommended for approval.

## RECOMMENDATION:

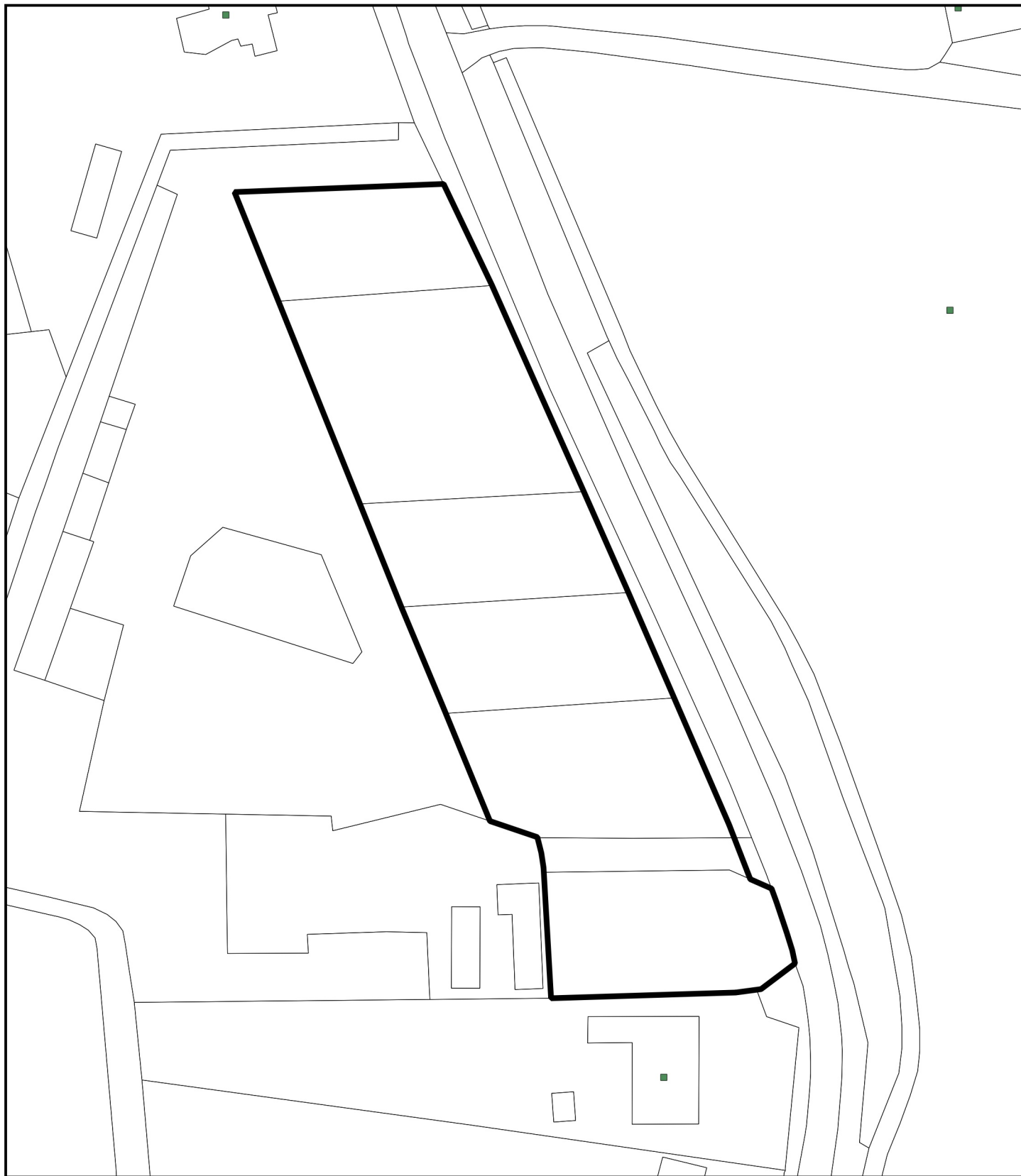
**APPROVE** subject to the imposition of the following condition(s):

- 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 21-P36-PL002H and 21-P36-PL003B received by the LPA on the 7th February 2022.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the vehicular access crossing over the verge/footway shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highways specification (TRAD 2) and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.
- 3 Reason To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.
- 4 Condition Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 4 Reason In the interests of highway safety in accordance with the principles of the NPPF.
- 5 Condition Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking /turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

- 5 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 6 Condition The development hereby approved shall be carried out in accordance with the Flood Risk Assessment (ECL0544/SWANN EDWARDS ARCHITECTURE) by Ellingham Consulting Ltd:-
- Finished floor levels will be set no lower than 0.5m above existing ground level; and
  - Flood resilient measures will be incorporated up to 300 mm above finished floor levels.
- 6 Reason In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 7 Condition Notwithstanding the provisions of Schedule 2, Part 1, Class AA and Class B of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement of a dwellinghouse by construction of additional storeys, and additions etc to the roof of a dwellinghouse, shall not be allowed without the granting of specific planning permission.
- 7 Reason In order that the Local Planning Authority may retain control of the development which might be detrimental to the amenities of the neighbour if otherwise allowed by the mentioned Order.

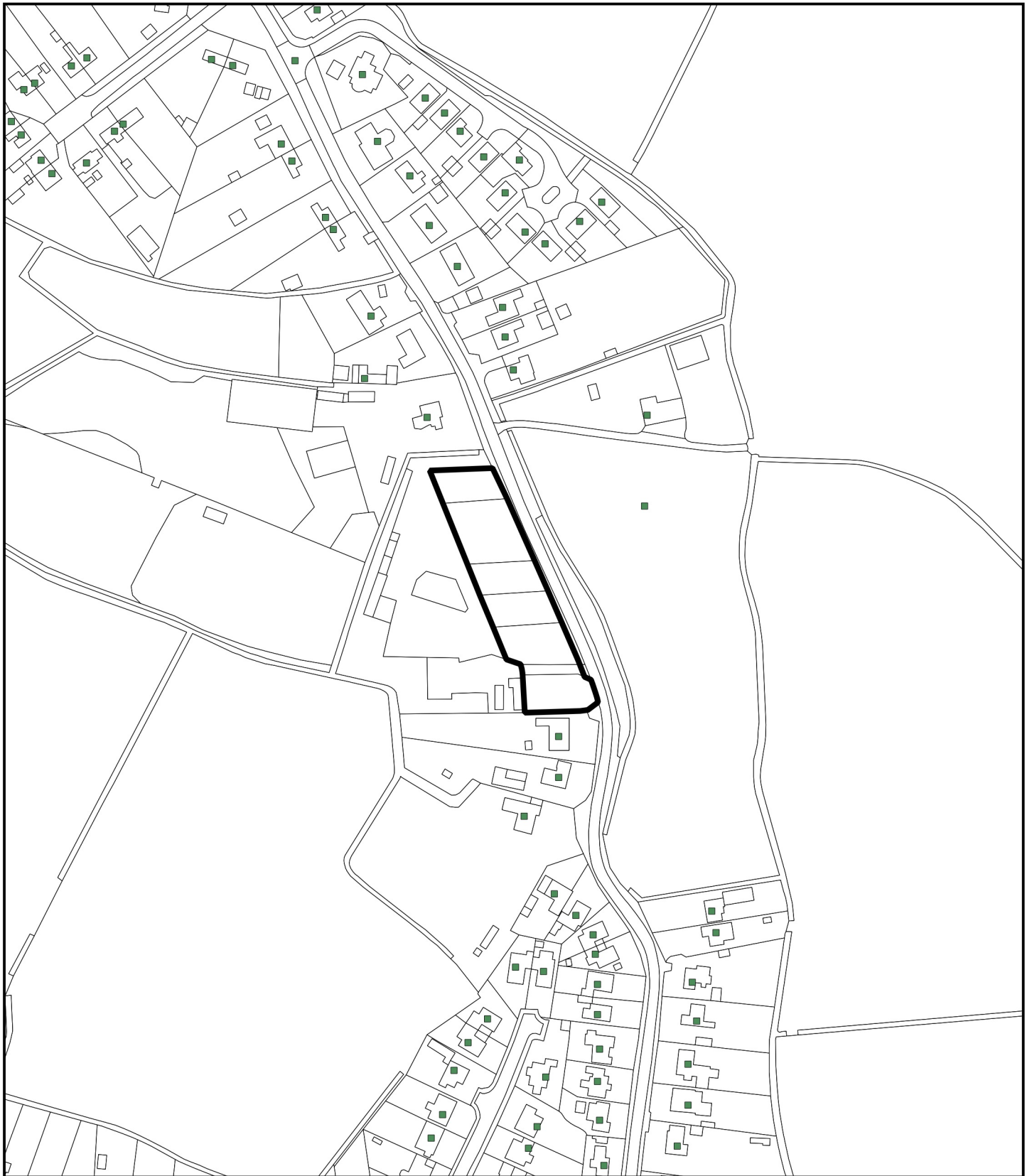
# 21/02490/O

Land adjacent Roseville Chalk Road Walpole St Peter PE14 7PN



# 21/02490/O

Land adjacent Roseville Chalk Road Walpole St Peter PE14 7PN



**AGENDA ITEM NO: 8/3(g)**

<b>Parish:</b>	<b>Walpole</b>	
<b>Proposal:</b>	<b>Outline application for a new residential development</b>	
<b>Location:</b>	<b>Land Adjacent Roseville Chalk Road Walpole St Peter Norfolk PE14 7PN</b>	
<b>Applicant:</b>	<b>Mr J Heavey</b>	
<b>Case No:</b>	<b>21/02490/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 7 March 2022 Extension of Time Expiry Date: 8 April 2022</b>

**Reason for Referral to Planning Committee** – Referred by virtue of being called in by Cllr Julian Kirk.

**Neighbourhood Plan:** No

**Case Summary**

The application site is a strip of land on the western side of Chalk Road comprising 0.35ha of mostly paddock land.

The application seeks outline permission with all matters reserved for future consideration, for new residential development. Indicative plans accompanying the application show 7 dwellings (pair of semis and 5 no. detached units).

The site lies outside the village development area for Walpole St Peter and in Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment.

**Key Issues**

Principle of development  
Impact upon the countryside  
Flood risk  
Highway implications  
Affordable housing  
Other material considerations

**Recommendation**

**REFUSE**

## **THE APPLICATION**

The application site is a strip of land on the western side of Chalk Road comprising 0.35ha of mostly paddock land. It is known locally for the donkeys kept there.

The site has an overall frontage of approx. 120m and depth ranging from 30.4m to 38.4m. It is bisected towards the southern end by an existing access driveway to land at the rear which is to be retained.

The application seeks outline permission with all matters reserved for future consideration, for new residential development. Indicative plans accompanying the application show 7 dwellings (a pair of 2 bedroomed semis on Plots 1 & 2 at the northern end and 5 no. detached 4 bedroomed units on the remaining land). This equates to a density of 20 dwellings per hectare. The indicative plot widths range between 8.8m (semis) and 17.7m to 21m for the detached units.

The site lies outside the village development area for Walpole St Peter and in Flood Zone 3a of the Council adopted Strategic Flood Risk Assessment.

The application is accompanied by a Flood Risk Assessment and Arboricultural Impact Assessment.

## **SUPPORTING CASE**

The agent has submitted the following statement in support of this proposal:

“Whilst we appreciate that the proposed site is just outside the village boundary, we would like to take this opportunity to highlight a few points.

Although development outside a village boundary is against current policy, this has not been the case in other village locations where application have been granted for the change of use of agricultural land to residential land, as this is the case, a clear precedent has been set and therefore this cannot be given as a reason for refusal for this project as all application should be treated fairly and equally. If it is good for one site, then it is good for all!

- This application has received the support of the parish council
- This application has also received the full support of Cllr Kirk
- Norfolk highways have no objection to the proposals
- The Environment Agency has no objections
- Natural England have no objections
- CSNN have no objections
- Environmental have no objections

Bearing in mind all the above and that the fact that the council have approved other application for the change of use of agricultural land to residential then this application should be supported by the planning department as it makes good use of land which otherwise will be left. It is not large enough for agricultural use and therefore makes good sense to be used for residential purposes.”

## **PLANNING HISTORY**

2/95/0419/O: Application Refused: 25/05/95 - Site for construction of bungalow and garage (Committee decision) [Relates to Plot 7]

2/88/5146/O: Application Refused: 10/01/89 – Site for construction of 4 dwellings and garages (Delegated decision) – Appeal dismissed 07/09/89

1/88/1337/O: Application refused: 06/07/88 – Site for construction of 3 dwellings (Delegated decision) – Appeal dismissed 07/09/89

## RESPONSE TO CONSULTATION

**Parish Council: SUPPORT** – The Parish Council do acknowledge that this application is outside the planning boundary but consider that it will enrich the village and area.

**Highways Authority: NO OBJECTION** but raises concerns regarding sustainability as the site is remote from service centre provision and precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport. If minded to approve, suggests conditions relating to off-site highway improvements comprising a frontage footway.

**King's Lynn Drainage Board: NO OBJECTION** raise byelaw issues regarding surface water disposal.

**Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION** subject to conditions relating to details of Foul & Surface Water disposal and construction hours plus informative notes on soakaways and pollution from construction work.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION**

**District Emergency Planning Officer:** Suggests that occupiers sign up to EA's flood warning system and a flood evacuation plan be prepared

**Environment Agency: NO OBJECTION** subject to sequential test being applied/passed and mitigation measures recommended in Flood Risk Assessment being secured via condition.

**Historic Environmental Services: NO OBJECTION** subject to conditions to secure archaeological investigation works.

**Natural England: NO COMMENTS** – standing advice applies.

**Housing Development Officer: NO OBJECTION** subject to commuted sum of £84,000 towards off-site affordable housing being secured via Section 106 agreement to comply with Policy CS09 of the Core Strategy.

## REPRESENTATIONS

**TWO** items of correspondence raising **SUPPORT** of the proposal for the following abbreviated reasons:

- Straight piece of road
- Visibility achievable
- Small developments minimises larger developments being 'imposed' on the outskirts to meet housing need



- Recently completed Church Road development has not caused any traffic problems so this proposal shouldn't either
- Prefer development in the middle of the village rather than on edge.

**SIX** items of correspondence raising **OBJECTION** on the following abbreviated grounds:

- Outside village development area – contrary to National and Local Plan policy
- Would result in coalescence of Walpole St Andrew and Walpole St Peter
- Erosion of valuable open space and filling of gap which provides a positive contribution to the rural character of the area
- Village already has allocated sites for housing to meet future needs
- Provision of two affordable units does not outweigh the departure from the development plan and harm to the rural character of the area
- Site on opposite side of the road (HELAA ref: H434) was assessed by the Housing and Economic Land Availability Assessment which informed the Local Plan Review 2016-2036 and was rejected due to transport and road constraints. Same should apply to the application site/proposal
- Highway safety concerns - narrow poorly surfaced road with no footpath or lighting
- Village has limited facilities
- Public transport is poor
- Roads can't take additional traffic
- No plans shown for EV power points
- Area is subject to historical flooding
- Increased noise levels from construction traffic
- Value of houses will be beyond villagers' means
- Impact on elderly donkeys and loss of popular attraction for local children
- Concerns raised regarding conduct at Parish Council meeting

Correspondence received from W. Brooks (Parish Councillor and applicant) in response to objection:

- 1) I declared an interest in planning at the start of the meeting and
- 2) I did not take part in any of the discussions when this item came up nor did I vote on the matter. The minutes of the meeting confirm this.

The Parish Council supported the application; they did acknowledge that it is just outside the planning boundary but considered that it would enrich the village and the area. Parish Councillors are not precluded from making planning applications.

**Cllr Julian Kirk:** Request that the application be referred to the Planning Committee for determination and opportunity to speak.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

The main issues in assessing this application are as follows:

### **Principle of development:**

Walpole St Peter combined with Walpole St Andrew and Walpole Marsh (The Walpoles) is designated as a Rural Village in the Core Strategy (CS) where limited minor development will be permitted which meets the needs of the settlement and helps to sustain existing services in accordance with Policy CS06 - Development in rural areas. The Walpoles are identified as having the potential to have some growth with two allocations for a combined total of over 20 homes under Policies G109.1 (Walnut Road) and G109.2 (Church Road) of the SADMPP.

However the application site lies within the countryside as defined by the CS and depicted in the SADMPP - Inset G109 Walpole St Peter/Walpole St Andrew/Walpole Marsh (September 2016). The site is situated outside the defined Development boundary which stops at 'Roseville' (bungalow) to the south and 'Kirkfield Farm' (house) to the north.

Policy CS06 of the Core Strategy 2011 (CS) states that 'beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs.'

Policy DM2 also applies which states inter alia:

"The areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan, including

- farm diversification (under Core Strategy Policy CS06);
- small scale employment (under Core Strategy Policy CS10);

- tourism facilities (under Core Strategy Policy CS10);
- community facilities, development in support (under Core Strategy Policy CS13);
- renewable energy generation (under Policy DM20 of the rural economy or to this Plan);
- rural workers' housing (under Policy DM6 of this Plan); and
- affordable housing (under Core Strategy Policy CS09)..."

The proposed development is not identified as being associated with agricultural or forestry needs, or for any other appropriate development as listed within Policy DM2 of the SADMPP or in accordance with other enabling criteria of the NPPF.

Furthermore, the Council has a supply of housing land, which is well above the 5 year requirement. Therefore, it is considered there is no justified reason for the proposal to not accord with the relevant policies within the development plan.

Given that the proposed site is defined as within the countryside by the Development Plan, the proposed development would fail to accord with the provisions of the NPPF, Policy CS06 of the CS, and Policy DM2 of the SADMPP.

It will be noted from the history section above that previous attempts have been made to develop this land for residential purposes. Two refusals covering the majority of the current application site were appealed and dismissed in 1989; a copy of the Inspector's decision is attached to this report for reference. With the passage of time and changes to planning policy in the interim, little weight can be applied but the principle issues remain pertinent.

### **Impact upon countryside**

The paddock is bounded at the rear for approx. 80m by 10m+ high leylandii hedging and there is post and wire stock fencing adjacent to the road. The remainder of the paddock land is segregated into smaller sections by similar planting and a line of semi-mature trees, but does not correspond with the indicative plots on the submitted plans. This shows the rear hedging retained and northern boundary plus frontage set with new hedging and replacement tree planting – covered by an Arboricultural Impact Assessment. The central area of the paddock is to be stripped out to allow the dwellings to be built.

Plots 6 & 7 at the southern end are open parcels of land presently and grassed adjoining 'Roseville'.

The application site therefore contains trees and hedges and, combined with hedge lined fields on the opposite side of Chalk Road, forms a verdant gap, between the built-up parts of Walpole St Peter and Walpole St Andrew. This area of land therefore contributes significantly to the character and appearance of the countryside.

Policy CS06 of the Core Strategy 2011 (CS) states that 'beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs.'

The proposal clearly fails to comply with Policy CS06 of the CS and has an unduly adverse impact upon the countryside.

This issue was identified by the Planning Inspector in the earlier appeal.

## **Flood risk**

The site lies in Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment and a flood risk assessment (FRA) was required to be submitted as part of this application to demonstrate that the site can pass both the sequential and exceptions tests as outlined in the NPPF (2019).

Paragraph 155 of the NPPF states that where development is necessary in areas of flood risk, the development shall be made safe for its lifetime without increasing flood risk elsewhere. It should be noted that the application site is outside of the development boundary and the principle of residential development on site is not acceptable. This, combined with the Borough Council's ability to demonstrate a housing supply in excess of the required figure limits the potential for the development to truly be considered as 'necessary' in this location.

In regards to the Sequential Test, the majority of the Walpoles lies within Flood Zone 3a and there are no sites available to take the development in lower risk. This test is therefore passed.

Whilst a site-specific FRA has been provided to demonstrate the site will be safe for its lifetime (finished floor levels raised 300mm above ground level and 300mm of flood resilient construction above), the second part of the exceptions test requires proposals to provide sustainability benefits to the wider community. As noted above, the application site is outside of the development boundary on land which is considered countryside for the purposes of the SADMPP (2016). The provision of seven open market dwellings in this location is not considered to provide sustainability benefits to the wider community which has limited facilities and residents would be dependent upon private means of transport; this element of the exception test is therefore failed.

The application is considered to be contrary to paragraphs 157-161 of the NPPF (2019) and Policy CS08 of the Core Strategy (2011).

## **Highway implications**

Third party concerns have been raised regarding the suitability of Chalk Road and the village network to take the additional traffic associated with this proposed development.

The Local Highway Authority whilst stating that it is not sustainable, indicates that appropriate access and visibility splays could be achieved along the road and parking/turning space made available within the plots. However this would be dealt with at the reserved matters stage. They have requested that should permission be granted, a footway be provided along the frontage of the site for pedestrian safety.

It is your officer's opinion that this would be a further urbanising feature and erode the rural character of this locality. It would not connect to any other existing footpath to the north or south of the site along Chalk Road.

## **Affordable housing**

Our Housing Development Officer confirms that the site area (0.35ha) and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy.

At present a 20% provision is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in Walpole St Peter. The affordable housing provision is then

further split into 70% of the affordable homes being made available for rent, 25% for First Homes and 5% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council.

However, NPPF states that affordable housing should not be sought on developments of fewer than 10 dwellings and/or 0.5ha other than in designated rural areas. On sites on 6-9 dwellings and less than 0.5ha, a financial contribution based on £60,000 per equivalent whole affordable dwelling will be sought.

As this site is proposed for 7no. units in a designated rural area and the site area is under 0.5ha, a financial contribution of £84,000 would be required (calculated as 7no. units x 20% affordable housing = 1.4 units; 1.4 x £60,000 = £84,000).

On the application forms reference is made to two social, affordable or intermediate rent houses being provided on the site (likely to be the semis on Plots 1 & 2). This would be over and above the requirements of Policy CS09 as stated above. However no indication has been made towards a legal agreement to provide those two dwellings and no mechanism has been produced to secure the aforementioned sum towards the provision of off-site affordable dwellings; this proposal therefore fails to comply with Policy CS09 of the CS.

### **Other material considerations**

Surface and foul water drainage details could be dealt with via condition as recommended by both CSNN and the IDB.

The impact upon adjoining properties would be assessed at the reserved matters stage but every indication is such that the inter-relationships could be acceptable.

CSNN suggest a condition restricting hours of construction, but this is not considered to be necessary on a development of this scale and therefore fail the tests applied to use of conditions.

There are no concerns regarding potential contamination given the former and current use of the land.

Archaeological investigations could once again be covered via conditions as suggested by Historic Environment Services.

The welfare of the donkeys is not a consideration as alternative grazing could be sourced.

A site on the opposite side of the road from 'Roseville' and north of 'Dunston' (HELAA ref: H434) was indeed assessed by the Housing and Economic Land Availability Assessment which informed the Local Plan Review 2016-2036 and was rejected at an early stage due to transport and road constraints.

Any issues regarding how the Parish Council conducted its business in considering this application is not a matter for the Local Planning Authority, and does not affect the consideration and determination of this application on its planning merits.

### **CONCLUSION:**

The site lies in the countryside outside of, but adjacent to, the designated development boundary of both Walpole St Peter and Walpole St Andrew. Therefore, in accordance with

Policy CS06 of the Core Strategy (2011), it is not considered to be a suitable location for new residential properties or constitute sustainable development. As such, the application would fail to meet the objectives of Policy DM2 of the SADMPP (2016).

The site comprises part of a verdant and visually important gap between the built-up parts of the villages. If developed it would conjoin the two and create continuous development along the western side of Chalk Road to the detriment of the character and appearance of the countryside and be contrary to Policy CS06 of the CS.

On the application forms reference is made to two social, affordable or intermediate rent houses being provided on the site (likely to be the semis on Plots 1 & 2). This would be over and above the requirements of Policy CS09. However no indication has been made towards a legal agreement to provide those two dwellings and no mechanism has been produced to secure the aforementioned sum towards the provision of off-site affordable dwellings; this proposal therefore fails to comply with Policy CS09 of the CS.

The site lies in Flood Zone 3a of the SFRA and the risk of flooding on the site would not outweigh the limited sustainability benefits of providing the development, thus failing the exception test and contrary to Policy CS08 of the CS and the NPPF.

The application is therefore duly recommended for refusal.

#### **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The site lies in the countryside outside of the designated development boundary of both Walpole St Peter and Walpole St Andrew. Therefore, in accordance with Policy CS06 of the Core Strategy (2011), it is not considered to be a suitable location for new residential properties or constitute sustainable development. As such, the proposed development would fail to accord with the provisions of the NPPF, Policy CS06 of the CS (2011), and Policy DM2 of the SADMPP (2016).
- 2 The site comprises part of a verdant and visually important gap between the built-up parts of Walpole St Peter and Walpole St Andrew. If developed it would conjoin the two and create continuous development along the western side of Chalk Road to the detriment of the character and appearance of the countryside and be contrary to Policy CS06 of the CS (2011).
- 3 Notwithstanding the 'in principle' objection to this scheme, no mechanism has been produced to secure affordable housing contribution and this proposal therefore fails to comply with Policy CS09 of the CS (2011).
- 4 The site lies in Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment and the risk of flooding on the site would not outweigh the limited sustainability benefits of providing the development, thus failing the exception test and contrary to Policy CS08 of the Core Strategy (2011) and paragraphs 157-161 of the NPPF (2019).



**Planning Inspectorate**  
 Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ  
 Telex 449321

Direct Line 0272-218 927  
 Switchboard 0272-218811  
 GTN 1374

RMP

DISMISSED

Mr and Mrs Brooks  
 Roseville  
 Chalk road  
 Walpole St Peter  
 WISBECH  
 Norfolk PE14 7PN

Your reference

Our reference

- A. T/APP/V2635/A/89/117412/P8
- B. T/APP/V2635/A/89/119164/P8

Date 7 SEP 89



Sir and Madam

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
 APPLICATION NOS: 2/88/3359 AND 5146/0

1. As you know I have been appointed by the Secretary of State for the Environment to determine your appeals against the decisions of the Borough Council of King's Lynn and West Norfolk to refuse outline planning permission for A - the erection of 8 dwellings and B - the erection of 4 dwellings on land adjoining Roseville on the west side of Chalk Road, Walpole St Peter, Norfolk. I have considered the written representations made by you and by the Council and also those made by interested persons. I inspected the site on Tuesday 15 August 1989.
2. From my inspection of the site and its surroundings and from the representations that have been made I consider that the principal issues in this case are the effect of the proposed development on the form and character of the village, on the countryside and on the adequacy of the intended access road.
3. Appeal site A has a frontage to the west side of Chalk Road of some 120 m. B, omits a 40 m section from the centre of this frontage. The land which is level is overgrown and has some sheds to the rear of the field behind the site where some hardcore is stockpiled. Open agricultural land lies to the west and on the opposite side of the road. A house adjoins the northern boundary beyond which there is continuous development along this side of the road. Plot 3 of the housing for which you have permission is next to the southern end and when this is developed together with plots 1 and 2 will form a continuous frontage to the south.
4. I note that administratively the Parishes of Walpole St Andrew and Walpole St Peter were joined in 1988. In land use terms they have also been joined physically by the Chase housing scheme. This is recognised by the boundary for the single village shown in the guidelines that have been adopted for development control purposes. Whilst modern in context the new development creates a strong link between the 2 churches both of which are of outstanding visual merit. To my mind it has removed the uncertainty about the form of the village by creating a centre which is recognisable. Prior to this taking place housing has straggled along a number of roads in an incoherent way. This has weakened the character of the previously separate villages by creating ribbons of development along minor roads. This is particularly noticeable along Chalk Road where the only significant gap is the subject land and the field on the opposite side of the road.
5. The very large quantity of new housing that has taken place in the 2 villages together with the bridging development between them (The Chase) in my opinion demonstrates no lack of housing to sustain the community by maintaining local



services without the necessity to close the gap along Chalk Road. To do so would create further ribbon development that would not enhance the form and character of the village and would certainly detract from the appearance of the countryside which at this point is flat and open in aspect with uninterrupted views across it.

6. Even though the land appears to be in poor condition and has an untidy appearance it is a condition that can be remedied. Perhaps not in isolation, but it adjoins extensive agricultural land to the west with which it could be amalgamated.
7. The closing of this frontage with dwellings would remove a significant gap which serves to contain the housing which straggles along the road towards it from both directions. I do not attach any weight to your argument that because it is the only gap along this road it should be built on. The village guidelines have been drawn so that the identity of the village is now established even though in places its form is loose and difficult to appreciate where the village has been extended by simply building along road frontages.
8. The reduction of the length of the frontage proposed to be developed in your second application, by leaving a gap of some 40 m in the middle, does not overcome my objection set out above since the space is too small to form a significant break.
9. As to road safety it is a fact that whilst the narrow winding roads in the locality, running between tall hedges in many places provide an attractive environment they are not capable of satisfactorily accommodating present day traffic levels and serving as development roads as well. The weight of traffic in the vicinity is moderately heavy and I noticed that speeds along this section of road are high enough that if more houses were to be permitted there would be danger to road safety caused by turning movements and inconvenience through interference with free traffic flow.
10. I have taken into account all other matters raised in the representations but I find that they are insufficient to outweigh the considerations that have led to my decision.
11. For the above reasons and in exercise of the powers transferred to me I hereby dismiss both appeals A and B.

I am Sir and Madam  
Your obedient Servant



P W RAWSON DiPTP FRTPI  
Inspector



**PLANNING COMMITTEE -**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

**PURPOSE OF REPORT**

- (1) To inform Members of the number of decisions issued between the production of the March Planning Committee Agenda and the April agenda. 119 decisions issued 113 decisions issued under delegated powers with 6 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority’s powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area
- (4) Majors are assessed against a national target of 60% determined in time. Failure to meet this target could result in the application being dealt with by Pins who will also receive any associated planning fee.

**RECOMMENDATION**

That the reports be noted.

Number of Decisions issued between 23/02/2022 -18/03/2022

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
<b>Major</b>	2	1	1		2	100%	60%	1	0
<b>Minor</b>	59	49	10	52		88%	80%	4	0
<b>Other</b>	58	54	4	54		93%	80%	1	0
<b>Total</b>	<b>119</b>	<b>104</b>	<b>15</b>						

Planning Committee made 6 of the 119 decisions, 5%

**PLANNING COMMITTEE -**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

---

**PURPOSE OF REPORT**

To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.

**RECOMMENDATION**

That the report be noted.

**DETAILS OF DECISIONS**

170

<b>DATE RECEIVED</b>	<b>DATE DETERMINED/ DECISION</b>	<b>REF NUMBER</b>	<b>APPLICANT PROPOSED DEV</b>	<b>PARISH/AREA</b>
04.01.2022	09.03.2022 <b>Application Permitted</b>	22/00001/LB	Bircham Windmill Mill Lane Great Bircham KINGS LYNN Listed Building Application: To remove the cap and sails and put a temporary cover on the tower. To assess condition of tower, repair if necessary, repair, rebuild and repaint the cap and sails and replace to existing condition	Bircham

07.02.2022	04.03.2022 <b>AG Notification NOT REQD</b>	22/00189/AG	Field Barn Farm Oxborough Road Boughton King's Lynn Agricultural Prior Notification: Steel portal framed building designed for agricultural use	Boughton
13.09.2021	25.02.2022 <b>Application Permitted</b>	21/01813/O	Land At Marsh Side Brancaster Norfolk Outline application with some matters reserved for the construction of a new dwelling	Brancaster
20.09.2021	18.03.2022 <b>Application Permitted</b>	21/01838/F	Inyanga 9 Boughey Close Brancaster King's Lynn Demolition of garage and garden room and erection of side and rear extensions	Brancaster
01.11.2021	03.03.2022 <b>Application Permitted</b>	21/02116/F	The Lodge Town Farm Main Road Brancaster Dwelling and garage following demolition of existing structures	Brancaster
13.12.2021	03.03.2022 <b>Application Permitted</b>	21/02438/F	4 Harbour View Terrace Main Road Brancaster Staithe Norfolk Approval to demolish and rebuild Annex and Approved Extension (obtained under 21/00308/F)	Brancaster
04.01.2022	01.03.2022 <b>Application Permitted</b>	22/00006/F	Fernlea Main Road Brancaster King's Lynn Single storey rear extension to dwelling	Brancaster
07.01.2022	10.03.2022 <b>Application Permitted</b>	22/00048/F	Backlands Main Road Brancaster King's Lynn Front porch and single storey side extension	Brancaster

10.01.2022	10.03.2022 <b>Application Permitted</b>	22/00022/F	1 Manor Farm Cottages Main Road Brancaster King's Lynn Alterations and side/rear extension to existing house.	Brancaster
10.01.2022	10.03.2022 <b>Application Permitted</b>	22/00024/F	12 Anchorage View Brancaster King's Lynn Norfolk Boat Storage and Garden Shed	Brancaster
04.05.2021	28.02.2022 <b>Application Permitted</b>	21/00861/F	Tern Cottage 46 - 48 North Street Burnham Market Norfolk Demolish and re-build single storey, detached, garden outbuilding as ancillary accommodation to main dwelling (revised scheme)	Burnham Market
02.09.2021	09.03.2022 <b>Application Refused</b>	21/01742/F	3 Church Walk Burnham Market King's Lynn Norfolk Proposed garage	Burnham Market
11.10.2021	07.03.2022 <b>Application Permitted</b>	21/01957/F	Doctors Surgery Church Walk Burnham Market King's Lynn Demolition of GP Surgery and erection of 4no. dwellings	Burnham Market
28.10.2021	24.02.2022 <b>Application Permitted</b>	21/02128/F	Muckleton Farm Office Stanhoe Road Muckleton Burnham Market Ground mounted Solar PV panels on the edge of farmyard. System being 56 x 450W panels giving 25.2kWp. Total length being 30.27m x 3.92m width. All cables to be laid 600mm deep into existing agricultural land. Panels to be installed on tilted posts at a 23.0 degree angle	Burnham Market

01.12.2021	18.03.2022 <b>Application Permitted</b>	21/02306/F	Sunnymead Whiteway Road Burnham Market King's Lynn Replacement dwelling	Burnham Market
30.12.2021	24.02.2022 <b>Application Permitted</b>	21/02502/F	No.TWENTY 9 29 Market Place Burnham Market Norfolk Proposed first floor extension to outbuilding store ancillary to bar and restaurant to provide management office	Burnham Market
10.01.2022	07.03.2022 <b>Not Lawful</b>	22/00018/LDP	Westgate Old Rectory Ringstead Road Burnham Market King's Lynn Construction of all weather tennis court	Burnham Market
02.02.2022	03.03.2022 <b>Tree Application - No objection</b>	22/00024/TREECA	Hamlet Cottage Station Road Burnham Market King's Lynn T1 - Remove the tree because it is not healthy and will be replaced with other trees to screen property	Burnham Market
09.12.2021	25.02.2022 <b>Application Permitted</b>	21/02422/F	Trowland Barn 3 Blacksmiths Lane Burnham Norton Norfolk Retention of flue to outbuilding	Burnham Norton
09.12.2021	25.02.2022 <b>Application Permitted</b>	21/02425/F	Trowland Barn 3 Blacksmiths Lane Burnham Norton Norfolk Insertion of three roof windows to rear elevation of dwelling (two ground floor, one attic floor)	Burnham Norton
25.10.2021	11.03.2022 <b>Application Permitted</b>	21/02071/F	Wildgoose Cottage Glebe Lane Burnham Overy Staithe King's Lynn Extensions and alterations to existing dwelling	Burnham Overy

17.11.2021	25.02.2022 <b>Application Refused</b>	21/02222/F	Peterstone Lodge Burnham Road Peterstone Burnham Overy Town Removal of Condition 3 of Planning Permission 16/01351/F: Change of use from garage store, sauna and art room to self contained holiday let including extension and alterations	Burnham Thorpe
22.12.2021	03.03.2022 <b>Application Permitted</b>	21/02472/F	Perthceri 3 Back Lane Castle Acre King's Lynn Removal of existing conservatory and bay window to North elevation and forming single storey Living room extension Alterations to existing garage forming bathroom	Castle Acre
24.12.2021	02.03.2022 <b>Application Permitted</b>	21/02485/F	Applegarth 30A Lynn Road Castle Rising Norfolk Detached cart shed and store	Castle Rising
12.01.2022	16.03.2022 <b>Application Permitted</b>	22/00053/F	Land West of The Grange 262 Main Road Clenchwarton KINGS LYNN PROPOSED CULVERT OF EXISTING DITCH AND INSTALLATION OF 1.2m HIGH POST AND RAIL FENCE	Clenchwarton
10.01.2022	14.03.2022 <b>Application Permitted</b>	22/00021/CU	Byshell Main Road Crimplasham Norfolk Change of use of former domestic garage to beauty salon	Crimplasham
9.09.2021	07.03.2022 <b>Application Refused</b>	21/01790/F	Land S of 12 Prince Charles Close Dersingham Norfolk Erection of 2 No. Dwellings with garages	Dersingham

04.01.2022	01.03.2022 <b>Application Permitted</b>	22/00027/F	33 Queen Elizabeth Drive Dersingham King's Lynn Norfolk Single storey side and rear extension with first floor rear dormer extension/conversion and alterations	Dersingham
10.02.2022	10.03.2022 <b>Tree Application - No objection</b>	22/00046/TREECA	6 Chapel Road Dersingham King's Lynn Norfolk TREE IN CONSERVATION AREA: Re-pollard Weeping Willow	Dersingham
11.01.2022	08.03.2022 <b>Would be Lawful</b>	22/00045/LDP	Rivendell Station Road Docking King's Lynn Application for a Lawful Development Certificate for the proposed conversion of attached garage to kitchen, retiling roof with pan tiles, fitting new windows, addition of store, plus internal alterations to room layout	Docking
17.03.2021	02.03.2022 <b>Application Permitted</b>	21/00532/F	Barclays Bank Plc 13 Bridge Street Downham Market Norfolk Internal and External alterations to 13 Bridge Street (Former Barclays bank) which includes vehicle storage for future use as a funeral directors	Downham Market
01.04.2021	15.03.2022 <b>Application Permitted</b>	21/00641/F	AX Building 3 Ryston End Downham Market Norfolk Conversion of Former Office Buildings into 8 x Flats and Single Cottage	Downham Market

12.05.2021	04.03.2022 <b>Application Permitted</b>	21/00930/F	Plot N of 1 St Johns Way St John's Business Estate Downham Market Construction of a Class B2, B8 and E(g) unit with ancillary trade counter sales, associated parking and refuse storage	Downham Market
28.05.2021	24.02.2022 <b>Application Permitted</b>	21/01105/RM	Vacant Unit 9 Fairfield Road Downham Market Norfolk Reserved Matters: Construction of 8 Dwellings with access	Downham Market
02.09.2021	16.03.2022 <b>Application Permitted</b>	21/01738/F	Plot 2 St Johns Way St John's Business Estate Downham Market Proposed single-storey trade counter (non-permanent structure)	Downham Market
23.11.2021	24.02.2022 <b>Application Permitted</b>	21/02264/F	6 Collingwood Road Downham Market Norfolk PE38 9SB Erection of a residential 2 storey side extension	Downham Market
16.12.2021	24.02.2022 <b>Application Permitted</b>	21/02507/F	48 Bexwell Road Downham Market Norfolk PE38 9LQ The Roof of a two storey double garage to be raised to increase the height of the first floor for use as a snooker room.	Downham Market
03.11.2021	25.02.2022 <b>Application Permitted</b>	21/02172/F	22 Bagthorpe Road East Rudham King's Lynn Norfolk Two detached houses including extended access	East Rudham



25.01.2022	16.03.2022 <b>Tree Application - No objection</b>	22/00015/TREECA	3 Broome Cottage Back Lane East Rudham King's Lynn T1 and T2 - Field maple, trees To be reduced in height by approximately one third, within a Conservation Area	East Rudham
21.01.2022	16.03.2022 <b>Application Refused</b>	22/00093/F	Land S of 37 To 39 And NE of 33 Gaultree Square Emneth Wisbech Proposed New Dwelling	Emneth
18.01.2022	15.03.2022 <b>Application Permitted</b>	22/00116/F	Long Lane Farm 30 Long Lane Feltwell Thetford Variation of condition 1 of planning permission 21/00066/RMM to amend drawings to add PV panels and air source heat pumps to all units	Feltwell
29.12.2021	24.02.2022 <b>Application Permitted</b>	21/02500/F	Talbot Manor Barn Lynn Road Fincham Norfolk The construction of a single storey timber garage to house two cars at the back of Talbor Manor Barn	Fincham
21.12.2021	16.03.2022 <b>Application Refused</b>	21/02463/O	Land Rear of 2 To 24 Vong Lane Pott Row Norfolk Proposed outline application for 1-3 dwellings	Grimston
11.01.2022	08.03.2022 <b>Application Permitted</b>	22/00080/F	Lodge Farm Barn 141 Lynn Road Grimston Norfolk VARIATION OF CONDITION 2 of Planning Permission 21/00500/F: To amend Drawings	Grimston

29.12.2021	23.02.2022 <b>Application Permitted</b>	21/02491/F	Hall Farm Yard Hall Farm Lane Harpley KINGS LYNN Extension to existing storage building to provide additional welfare facilities	Harpley
20.05.2020	25.02.2022 <b>Application Refused</b>	20/00721/F	Hous'em'ever 41A Station Road Heacham Norfolk Proposed dwelling following sub-division	Heacham
26.11.2021	09.03.2022 <b>Application Permitted</b>	21/02323/F	23 Hunstanton Road Heacham King's Lynn Norfolk Change of use of detached garage into a garden store room and garden sunroom, to include a glazed extension to the northern face of the garage.	Heacham
02.02.2022	03.03.2022 <b>TPO Approved</b> <b>Work</b>	22/00023/TPO	40 Hunstanton Road The Green Heacham Norfolk 2/TPO/00002: T1 Monterey Cypress - Reduce height by 3.5metres	Heacham
17.12.2021	14.03.2022 <b>Application Refused</b>	21/02432/F	40 Tower Road Hilgay Downham Market Norfolk Construction of new dwelling attached to an existing semi detached house, and form 4 no. parking spaces.	Hilgay
02.11.2021	01.03.2022 <b>Application Permitted</b>	21/02130/F	Driftwood Parlour 2 Marine Parade South Promenade Hunstanton Alteration of 5 windows to become 7 panel windows at Driftwood Parlour 2 Marine Parade South Promenade Hunstanton	Hunstanton

17.11.2021	10.03.2022 <b>Application Permitted</b>	21/02225/F	Hunstanton Sea Life Sanctuary Seagate Road Hunstanton Norfolk Relocation of otter enclosure	Hunstanton
25.11.2021	03.03.2022 <b>Application Permitted</b>	21/02276/F	107 Waveney Road Hunstanton Norfolk PE36 5DQ Construction of two 2 bed dwellings and associated works	Hunstanton
17.01.2022	14.03.2022 <b>Application Permitted</b>	22/00067/F	13 Peddars Close Hunstanton Norfolk PE36 6HG Extensions and alterations	Hunstanton
18.01.2022	09.03.2022 <b>Prior Approval - Not Required</b>	22/00075/T3	Oasis Way Hunstanton Norfolk APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED: Installation of telegraph pole, antenna, cabinet and associated ancillary development	Hunstanton
18.01.2022	09.03.2022 <b>Prior Approval - Not Required</b>	22/00076/T3	Opposite Tesco Petrol Station Roundabout Southend Road B1161 Bishops Road Oasis Way Hunstanton APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED: Installation of telegraph pole, antenna, cabinet and associated ancillary development	Hunstanton

18.01.2022	09.03.2022 <b>Prior Approval - Refused</b>	22/00077/T3	Junction Between Greevegate & Church Street Greevegate Hunstanton Norfolk APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED: Installation of telegraph pole, antennas, cabinet and associated ancillary development	Hunstanton
01.02.2022	03.03.2022 <b>TPO Work Approved</b>	22/00009/TPO	Skein House St Thomas Lane Ingoldisthorpe KINGS LYNN 2/TPO/00010: See tree report	Ingoldisthorpe
15.10.2021	02.03.2022 <b>Application Permitted</b>	21/02026/F	Chalom 44 Station Road Roydon King's Lynn Two Storey rear extension and front porch.	King's Lynn
01.09.2021	24.02.2022 <b>Application Permitted</b>	21/01769/F	Flat 5 Macmillan Court Telford Close King's Lynn Change of use of scrubland to small wellbeing garden.	King's Lynn
17.12.2021	09.03.2022 <b>Application Permitted</b>	21/02477/F	North Lynn Methodist Church St Edmundsbury Road King's Lynn Norfolk Single storey extension to front of existing church building	King's Lynn
20.12.2021	10.03.2022 <b>Application Permitted</b>	21/02449/F	Riverside Business Centre Cross Bank Road King's Lynn Norfolk Variation of Conditions 2, 14a and 25 of Planning Permission 21/00800/F: Variation of condition 25 of planning permission 20/00694/F to change allowance of daily movements	King's Lynn

21.12.2021	09.03.2022 <b>Application Permitted</b>	21/02460/F	Gurney Enviromental Ltd 48 Bergen Way North Lynn Industrial Estate King's Lynn Extension to existing company premises including office extension and external alterations	King's Lynn
10.01.2022	01.03.2022 <b>Application Permitted</b>	22/00023/LB	Field House 47 Gayton Road Gaywood King's Lynn LISTED BUILDING: Replacement of existing ceilings in two front bedrooms, which are currently heavily cracked.	King's Lynn
11.01.2022	17.03.2022 <b>Application Permitted</b>	22/00041/LB	Alms Houses Gaywood Road King's Lynn Norfolk Recovering a flat roof and installation of external emergency lighting and exit signs.	King's Lynn
11.01.2022	18.03.2022 <b>Application Permitted</b>	22/00044/F	40 Breydon Road Ranworth King's Lynn Norfolk Construction of single storey front extension	King's Lynn
14.01.2022	10.03.2022 <b>Application Permitted</b>	22/00062/F	Welbourn's of Wisbech Hamlin Way Hardwick Narrows King's Lynn Change of Use of Existing Vehicle Maintenance Workshop to include MOT Testing Services	King's Lynn
20.01.2022	15.03.2022 <b>Application Permitted</b>	22/00086/F	5 Hampton Court Nelson Street King's Lynn Norfolk Installation of canopy over dwelling entrance door	King's Lynn

20.01.2022	14.03.2022 <b>Application Permitted</b>	22/00087/LB	5 Hampton Court Nelson Street King's Lynn Norfolk Application for listed building consent for the installation of canopy over dwelling entrance door	King's Lynn
21.01.2022	16.03.2022 <b>Application Permitted</b>	22/00135/F	5 Grafton Road King's Lynn Norfolk PE30 3HA Proposed extension and associated alterations	King's Lynn
27.01.2022	04.03.2022 <b>Application Permitted</b>	06/01397/NMA_2	Land South of Winston Churchill Drive King's Lynn Norfolk NON-MATERIAL AMENDMENT to Planning Permission 06/01397/F: Variation of condition 1 attached to Planning Permission 2/99/1367/O to extend the time period for submission of reserved matters and implementation by 3 years	King's Lynn
31.01.2022	17.03.2022 <b>TPO Approved</b> <b>Work</b>	22/00013/TPO	3 Willow Park King's Lynn Norfolk PE30 3BP 2/TPO/00014: T1 Scots Pine - Remove tree due to its size, mess that it creates and light that it blocks	King's Lynn
01.02.2022	15.03.2022 <b>TPO Approved</b> <b>Work</b>	22/00011/TPO	The Grange Hotel Willow Park King's Lynn Norfolk 2/TPO/00014: Pine tree to front driveway of property. To remove the lower tier of (3) branches/crown raise and to remove selective branches in the crown canopy to allow some light to penetrate	King's Lynn

04.02.2022	17.03.2022 <b>Application Permitted</b>	21/00874/NMA_1	Tower Court Tower Place King's Lynn Norfolk NON-MATERIAL AMENDMENT to Planning Permisison 21/00874/F: Variation of conditions 1 -17 of planning permission 19/00756/F	King's Lynn
14.02.2022	14.03.2022 <b>Application Permitted</b>	21/01816/NMA_1	2B Hall View Road Gaywood King's Lynn Norfolk NON MATERIAL AMMENDMENT TO PLANNING CONSENT 21/01816/NMA_1: Demolish Existing side extension and erect new side extension.	King's Lynn
13.12.2021	15.03.2022 <b>Application Permitted</b>	21/02375/F	Foxburrow 73 East Winch Road Ashwicken King's Lynn Alterations and Extensions and Construction of Oubuildings to 73 East Winch Road, Ashwicken PE32 1NA	Leziate
08.02.2022	16.03.2022 <b>DM Notification NOT Required</b>	22/00199/DM	Sibelco Minerals & Chemicals Station Road Leziate King's Lynn Prior Notification: Demolition of Electricians Workshop and Boiler Room	Leziate
02.12.2021	28.02.2022 <b>Application Permitted</b>	21/02307/F	Donatos Takaway The Street Marham King's Lynn Variation of condition 2 of planning permission 2/99/1438/CU. Client wishes to change the hours of opening to Monday closed, Tuesday to Thursday 4.30 pm to 10.30pm, Friday to Saturday 4.30pm to 10.45pm, Sundays 12pm to 2pm and 4pm to 8.30pm.	Marham

02.12.2021	28.02.2022 <b>Application Permitted</b>	21/02318/F	Donatos Takaway The Street Marham King's Lynn Variation of Condition 4 of planning permission 18/02024/F - Client wishes to change the salon opening hours. Hours of opening to be Mondays 8:00am to 9:00pm and Tuesday to Saturday 08:00am to 4:30pm. Sundays closed all day.	Marham
12.08.2021	15.03.2022 <b>Application Permitted</b>	21/01632/F	Townsend Farm Black Drove Marshland St James Wisbech Single storey rear extension	Marshland St James
16.12.2021	24.02.2022 <b>Consent Required</b> is	21/02412/AG	Lancaster Park 33 Stoke Road Methwold Thetford Agricultural Prior Notification: Small scale, open fronted shed for storage of feed and housing of parkland sheep	Methwold
02.02.2022	28.02.2022 <b>AG Notification NOT REQD</b> Prior -	22/00152/AG	Old Agricultural Building S of String Drain And N of Potsford Cottage W Side of Rd Northwold Road Methwold Norfolk Agricultural Prior Notification: General purpose agricultural storage building	Methwold
16.07.2021	16.03.2022 <b>Application Refused</b>	21/01484/O	Land Opposite 1 To 3 Two Acres Two Acres Middleton King's Lynn Outline Application: Proposed 3 No dwellings	Middleton



21.10.2021	02.03.2022 <b>Application Permitted</b>	21/02050/F	Fendale Farm Silt Road Nordelph Downham Market To lay 200 square metres of concrete between other concrete bases as part of a farm yard. The concrete will be used only for agricultural purposes, with the run off going to a sediment pit already in situ. 30000 litres of above ground plastic water storage tanks are to be erected at Fendale Farm as water storage collected from agricultural shed roofs. The water will be used for cleaning agricultural machinery and as an emergency livestock water supply.	Nordelph
30.11.2021	02.03.2022 <b>Application Permitted</b>	21/02301/F	12 Silt Road Nordelph DOWNHAM MARKET Norfolk PROPOSED NEW DOUBLE GARAGE	Nordelph
14.10.2021	09.03.2022 <b>Application Permitted</b>	21/01999/F	Knyvetts 23 Church Street North Creake Fakenham Variation of Condition 2 of Planning Permission 20/00323/F: Single storey extension extension to dwelling	North Creake
30.11.2021	18.03.2022 <b>Application Permitted</b>	21/02342/F	Shooting Box Cottage 111 Church Street North Creake Fakenham Erecting a standard construction wooden shed in the garden.	North Creake

08.12.2021	03.03.2022 <b>Application Permitted</b>	21/02347/F	Scuderia Normans Lane North Creake Fakenham Conservatory to rear of main dwelling to be dismantled, base extended. Aluminium frames and Orangery style lantern roof as per drawings.	North Creake
08.12.2021	02.03.2022 <b>Application Permitted</b>	21/02348/LB	Scuderia Normans Lane North Creake Fakenham Listed Building Application: Conservatory to rear of main dwelling to be dismantled, base extended. Aluminium frames and Orangery style lantern roof as per drawings.	North Creake
01.02.2022	03.03.2022 <b>Tree Application - No objection</b>	22/00028/TREECA	Pond And Green Between 34 And 46 West Street North Creake Fakenham Trees in a Conservation Area: T1 Ash - Reduce to clear overhead services by 1-2m. T2 Ash - Remove growing low lim towards property. Serves Ivy at base. Remove all deadwood and reduce the outer branches growing towards the house by no more than 2m.	North Creake
29.12.2021	23.02.2022 <b>Application Permitted</b>	21/02494/F	Church Farm 21 The Green North Runcton King's Lynn Proposed agricultural livestock building for existing livestock enterprise	North Runcton

21.10.2021	04.03.2022 <b>Application Permitted</b>	21/02056/F	Nordean Ling Common Road North Wootton King's Lynn Extension	North Wootton
01.11.2021	10.03.2022 <b>Application Permitted</b>	21/02120/F	Village Hall 46 Priory Lane North Wootton King's Lynn Front Extension to the Village Hall	North Wootton
11.11.2021	01.03.2022 <b>Application Refused</b>	21/02183/F	Land SE East View 98 High Street Little London Road Northwold Norfolk Hay barn and tractor store	Northwold
25.11.2021	15.03.2022 <b>Application Permitted</b>	21/02302/FM	Hall Farm 90 West End Northwold Thetford Proposed development of a ground mounted solar farm and associated infrastructure, access and grid connection cable	Northwold
29.09.2021	24.02.2022 <b>Application Permitted</b>	21/01880/F	Barn Adj Woodhall Robbs Chase Outwell Norfolk Change of use, alterations and extension of barn to form a 4 bedroom dwelling, and the construction of a double garage with hobby room over	Outwell
30.09.2021	02.03.2022 <b>Application Permitted</b>	21/01881/LB	Barn Adj Woodhall Robbs Chase Outwell Norfolk Listed building application for change of use, alterations and extension of barn to form a 4 bedroom dwelling, and the construction of a double garage with hobby room over	Outwell

06.01.2022	14.03.2022 <b>Application Permitted</b>	22/00012/F	Ketlam View Low Road Pentney KINGS LYNN Demolish existing small rear extension and rebuild larger to connect buildings	Pentney
13.12.2021	18.03.2022 <b>Application Permitted</b>	21/02454/F	Westbury 20 Stoney Road Roydon King's Lynn Single storey side extension including solar panels	Roydon
29.12.2021	18.03.2022 <b>Application Permitted</b>	21/02498/F	The Whins 25 Low Road Roydon KINGS LYNN REMOVAL OR VARIATION OF CONDITIONS 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 (to regularise the planning permission to reflect what has been constructed on site) of planning permission 20/00660/F which sought REMOVAL OR VARIATION OF CONDITIONS 2 and 4 OF PLANNING PERMISSION 19/01866/F: To replace the existing farmhouse with a 2 storey detached property	Roydon
08.12.2021	28.02.2022 <b>Application Permitted</b>	21/02343/F	Woodlakes Leisure Ltd Woodlakes Caravan & Camping Park Holme Road Stow Bridge VARIATION OF CONDITION 3 of Planning Permission 19/01849/F : To continue the use of the building as currently is on site and to include the subletting of the of building by Jacks Restaurant at Woodlakes	Runcton Holme

15.12.2021	09.03.2022 <b>Application Permitted</b>	21/02399/F	The Round House 131 Lynn Road Snettisham Norfolk Refurbishment and internal alterations to layout. Single storey extension with new mono pitch roof. Create holiday-let annexe. Rebuild chimney and repair windows to Round House.	Snettisham
20.01.2022	16.03.2022 <b>Application Refused</b>	22/00088/F	Orangery Lodge Snettisham House St Thomas Lane Snettisham Bedroom extension	Snettisham
13.07.2021	01.03.2022 <b>Application Permitted</b>	21/01433/F	Old Butchers Shop 54 Back Street South Creake Fakenham Single storey and two storey extensions with associated alterations and erection of open cart shed	South Creake
09.08.2021	25.02.2022 <b>Application Permitted</b>	21/01592/F	Manor Farm Cottage Barn 48 Burnham Road South Creake Fakenham Single storey rear extension and single storey side extension	South Creake
22.07.2021	25.02.2022 <b>Application Permitted</b>	21/01466/F	The Swan Inn 21 Nursery Lane South Wootton Norfolk Retention of proposed extension to outbuilding to form bar and permanent siting of marquee	South Wootton
08.11.2021	16.03.2022 <b>Application Permitted</b>	21/02210/F	The Limes 8 Church Lane South Wootton Norfolk Construction of a single dwelling	South Wootton
11.01.2022	08.03.2022 <b>Application Permitted</b>	22/00042/F	Wolvesey 92 Nursery Lane South Wootton King's Lynn Proposed car port	South Wootton

14.01.2022	10.03.2022 <b>Application Permitted</b>	22/00063/F	11 Rosebay South Wootton King's Lynn Norfolk Erection of single-storey rear extension and front entrance porch	South Wootton
14.12.2021	03.03.2022 <b>Application Permitted</b>	21/02384/F	Land NE of Blackbank Farm Black Bank Drove Southery Norfolk Change of use from agriculture to keeping of horses and erection of stables including mobile changing facility/kitchen (retrospective)	Southery
23.12.2021	24.02.2022 <b>Application Permitted</b>	21/02511/F	Flint House Ferry Bank Brandon Creek Southery Two storey rear and single storey rear extensions and new detached double garage following demolition of two existing garages.	Southery
07.12.2021	15.03.2022 <b>Application Permitted</b>	21/02408/F	Brieryfield Lady Drove Barroway Drove Downham Market Garage and Replacement infill Extension	Stow Bardolph
15.12.2021	23.02.2022 <b>Prior Approval - Refused</b>	21/02465/PAGPD	Nursery Lodge Farm The Street Syderstone Norfolk Enlargement of dwelling house by construction of an additional storey creating an additional height of 2.9m	Syderstone
08.02.2022	16.03.2022 <b>AG Notification NOT REQD</b> <b>Prior -</b>	22/00206/AG	Nursery Lodge Farm The Street Syderstone Norfolk Agricultural Prior Notification: Construction of new Barn	Syderstone
09.03.2021	14.03.2022 <b>Application Permitted</b>	21/00450/F	Westfield House 191 Sutton Road Terrington St Clement King's Lynn Proposed two storey independent primary education building	Terrington St Clement

22.11.2021	23.02.2022 <b>Application Permitted</b>	21/02248/F	43 Churchgate Way Terrington St Clement Norfolk PE34 4LZ Single storey extension to rear of detached dwelling	Terrington St Clement
06.01.2022	02.03.2022 <b>Application Permitted</b>	22/00046/F	Burman Farm Fern Farm Lane Terrington St Clement Norfolk Proposed single storey extension to rear of detached dwelling	Terrington St Clement
16.12.2021	04.03.2022 <b>Application Permitted</b>	21/02468/F	York House High Street Thornham Hunstanton Variation of condition 2 of planning permission 18/00267/F to amend drawings	Thornham
13.12.2021	02.03.2022 <b>Application Refused</b>	21/02453/F	In Focus May Cottage Main Road Titchwell Variation of condition 2 of planning permission 20/00505/F to amend drawings for an addition of a first floor balcony and french doors	Titchwell
24.11.2021	24.02.2022 <b>Application Permitted</b>	21/02299/F	7 Pinfold Road Upwell Wisbech Norfolk Single Storey extension to dwelling, and construction of detached garage with home office.	Upwell
13.12.2021	16.03.2022 <b>Application Refused</b>	21/02370/CU	Land NE of 32 New Road Upwell Norfolk Proposed Change of Use from agricultural land to garden land	Upwell
17.12.2021	04.03.2022 <b>Application Permitted</b>	21/02436/F	31 St Peters Road Upwell Wisbech Norfolk Creation of vehicle access	Upwell

13.09.2021	02.03.2022 <b>Application Refused</b>	21/01809/F	8 Holt Court Walpole St Peter Norfolk PE14 7NY 2 side extensions, demolition of garage and new boundary wall with gate	Walpole
05.01.2022	02.03.2022 <b>Application Permitted</b>	22/00011/F	Townshend Farm Cottage Church Road Walpole St Peter WISBECH Proposed single-storey side and rear extensions to dwelling, including demolition of existing single-storey extension.	Walpole
13.01.2022	09.03.2022 <b>Application Permitted</b>	22/00096/F	Tarrangate 4 Folgate Lane Walpole St Andrew Wisbech Proposed detached garage in rear garden, involving removal of existing garage.	Walpole
10.01.2022	16.03.2022 <b>Application Permitted</b>	22/00015/F	Rixstead 23 Sutton Road Walpole Cross Keys King's Lynn Demolition of exiting timber garage. First floor extension over existing single storey side structure, & proposed timber garage in place of existing	Walpole Cross Keys
18.11.2021	24.02.2022 <b>Application Permitted</b>	21/02244/F	Land Opposite Entrance To Stockhill Square Hall Road Walpole Highway Norfolk Variation of Condition 1 attached to 19/00541/RM: Erection of four dwellings	Walpole Highway



07.06.2021	04.03.2022 <b>Application Permitted</b>	21/01242/F	Fenlands Farm College Road Wissington Wereham Erection of single storey extension to the side of existing bungalow, a new ground source heat pump and a new sewage treatment plant to replace cess pit	Wereham
12.01.2022	09.03.2022 <b>Application Permitted</b>	22/00054/F	Land South of Wretton Row The Row Wereham PE33 9AY Construction of stable building	Wereham
07.12.2021	16.03.2022 <b>Application Permitted</b>	21/02333/F	Red House Farm 155 St Pauls Road South Walton Highway Norfolk Proposed Single and Two Storey extensions and balcony to existing dwelling	West Walton
17.01.2022	14.03.2022 <b>Application Permitted</b>	22/00069/F	Bon Haven Mill Road West Walton Wisbech Variation of condition 2 of planning permission 21/00288/F: To enlarge rear of property by approximately 1m	West Walton
24.11.2020	08.03.2022 <b>Application Permitted</b>	20/01858/F	31 Westland Chase West Winch King's Lynn Norfolk Replacement of conifers with fencing and extension to existing drop kerb	West Winch
03.11.2021	01.03.2022 <b>Application Refused</b>	21/02171/F	28 St Peters Road Wiggshall St Germans Norfolk Demolition of an existing building and construction of a new detached 2 bedroom replacement dwelling	Wiggshall St Germans

19.05.2021	14.03.2022 <b>Application Permitted</b>	21/00997/F	Nessa's Plaice 15 Stow Road Wiggenhall St Mary Magdalen King's Lynn Demolition of fish & chip shop and construct new fish & chip shop with flat over	Wiggenhall St Mary Magdalen
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