

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



# Planning Committee

## Agenda

Monday, 9th May, 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, 9th May, 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 4 April 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 - 170)**

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

**9. DELEGATED DECISIONS (Pages 171 - 205)**

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 12 May 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, 6 May 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)

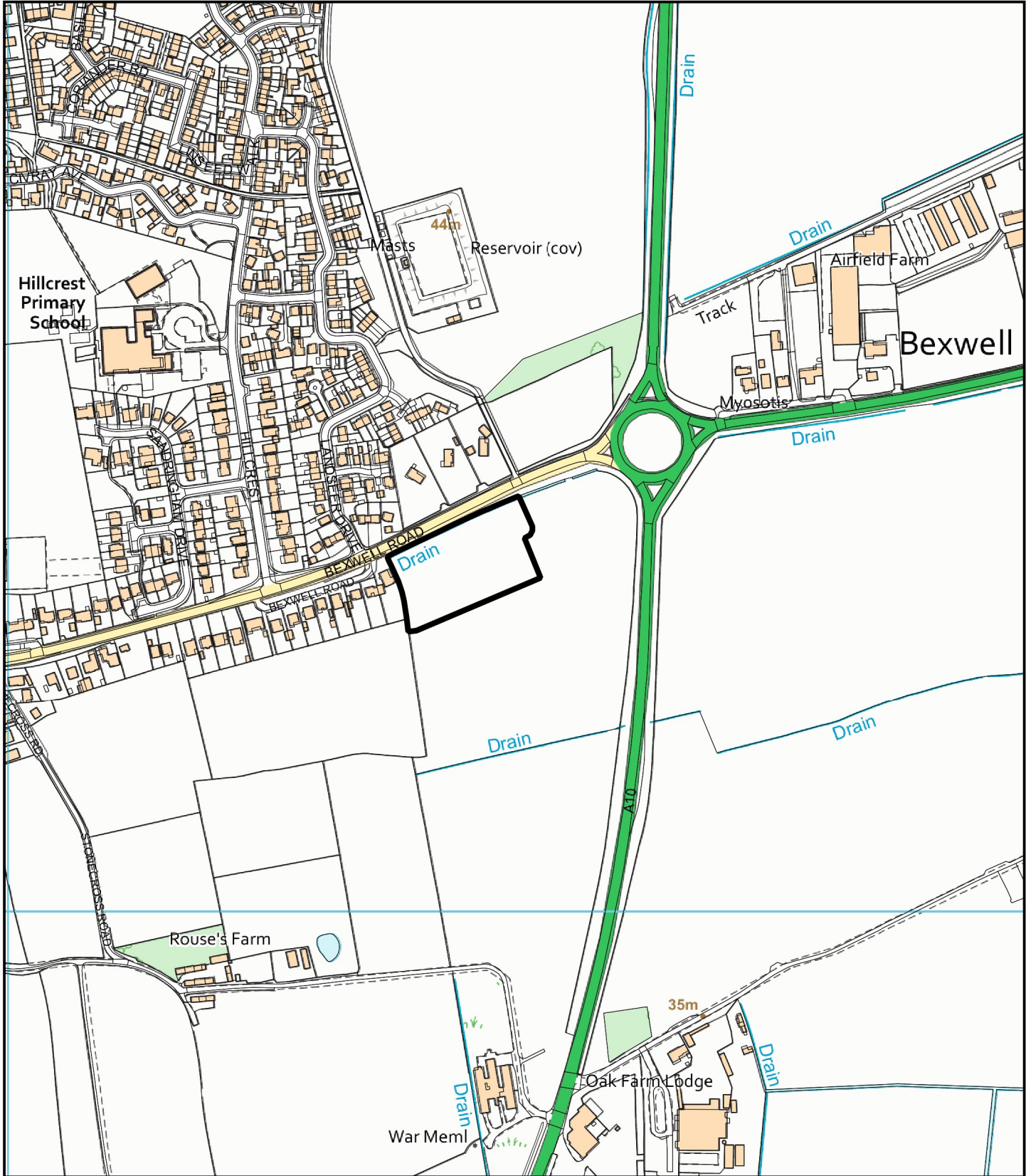
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE  
PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 9 MAY 2022**

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>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>8</b>
<b>8/1(b)</b>	<b>21/02103/FM</b> Jensons Way, Whittington, Northwold, PE33 9FT Phased development of 10 dwellings built to Passivhaus standards, using existing entrance from Jensons Way	<b>NORTHWOLD</b>	<b>REFUSE</b>	<b>30</b>
<b>8/2</b>	<b>MAJOR DEVELOPMENTS</b>			
<b>8/2(a)</b>	<b>21/01877/FM</b> Meadows Caravan Park Lamsey Lane Heacham PE31 7LA Proposed extension to an existing established static caravan site	<b>HEACHAM</b>	<b>APPROVE</b>	<b>46</b>
<b>8/2(b)</b>	<b>21/00855/FM</b> Front Way, King's Lynn, PE30 2LU The construction of 96 dwellings associated access roads, footways and new areas of public open space and associated external works	<b>KINGS LYNN</b>	<b>APPROVE</b>	<b>60</b>
<b>8/2(c)</b>	<b>20/01954/RMM</b> Land NW of South Wootton School Off Edward Benefer Way, King's Lynn Reserved Matters Application following outline planning permission 17/01151/OM for the construction of 450 dwellings with associated infrastructure, to include access, landscaping, appearance, layout and scale	<b>SOUTH WOOTTON</b>	<b>APPROVE</b>	<b>85</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</b>	<b>OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE</b>			
<b>8/3(a)</b>	<b>22/00344/F</b> Talltrees, 7 Centre Vale, Dersingham, PE31 6JR Conservatory Extension	<b>DERSINGHAM</b>	<b>APPROVE</b>	<b>115</b>
<b>8/3(b)</b>	<b>22/00289/F</b> Springwood High School, Queensway, King's Lynn, PE30 4AW To install 2 Portakabin classroom buildings for a temporary period of 260 weeks	<b>KINGS LYNN</b>	<b>APPROVE</b>	<b>121</b>
<b>8/3(c)</b>	<b>22/00461/F</b> Land S of 22 E of 12 Thornham Road And N of 40, Holme Brink Farm, 22 Thornham Road, Methwold, IP26 4PH Proposed dwelling	<b>METHWOLD</b>	<b>REFUSE</b>	<b>129</b>
<b>8/3(d)</b>	<b>22/00255/F</b> 1 Abbey Lakes Close, Pentney, PE32 1FN VARIATION OF CONDITIONS 2 AND 3 OF PLANNING PERMISSION 19/01495/F: Proposed garage and boat store	<b>PENTNEY</b>	<b>APPROVE</b>	<b>140</b>
<b>8/3(e)</b>	<b>21/01569/F</b> Elme Hall Hotel, 69 Elm High Road, Emneth, PE14 0DQ Proposed Change of Use from a Hotel to a Large HMO (Sui Generis)	<b>WALSOKEN</b>	<b>APPROVE</b>	<b>148</b>
<b>8/3(f)</b>	<b>21/02397/F</b> Rosalie Farm, Lynn Road, Walsoken, PE14 7DA Proposed conversion and extension of silos to form dwelling	<b>WALSOKEN</b>	<b>REFUSE</b>	<b>161</b>

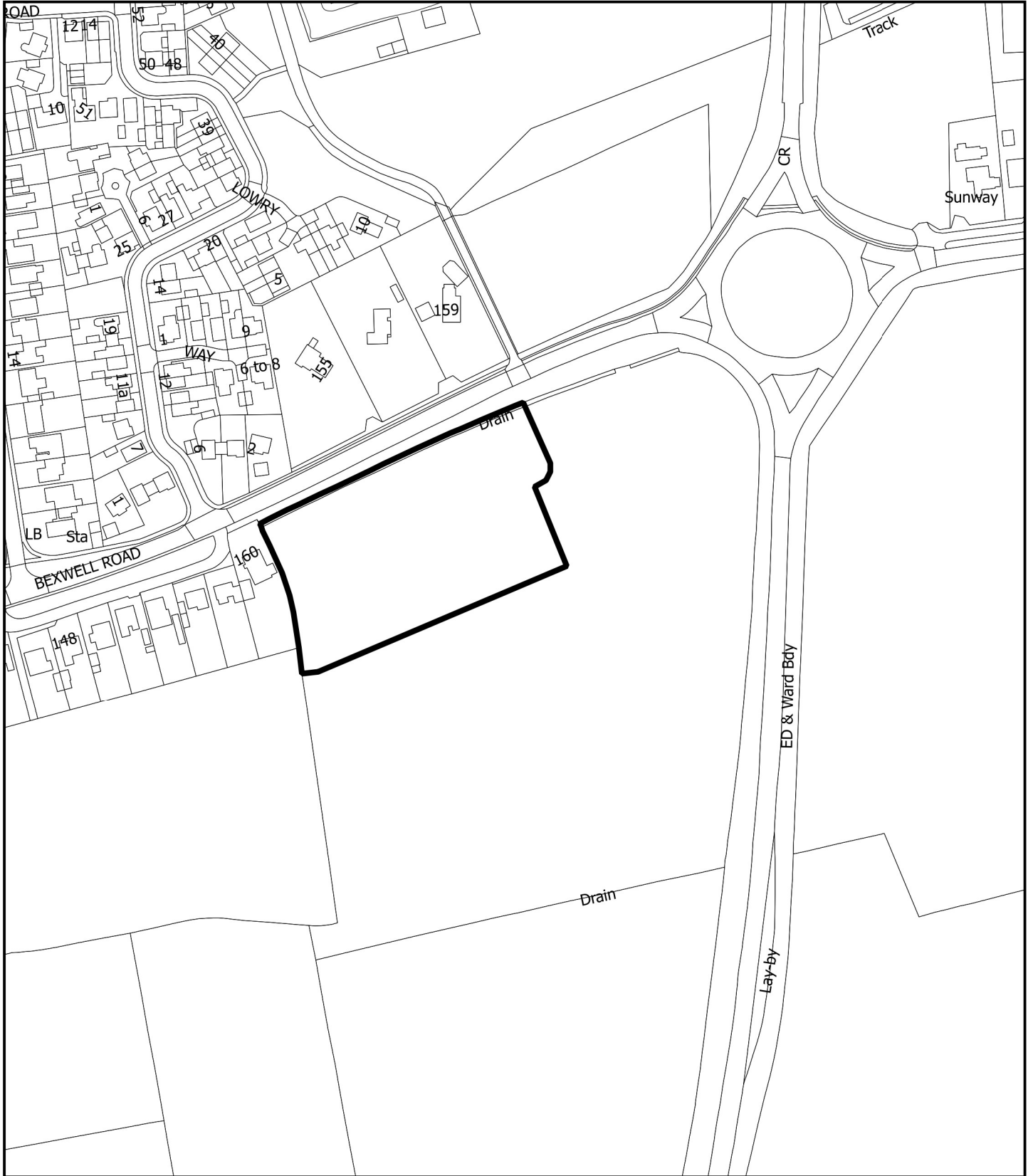
# 20/02103/FM

## Land E of 160 and W of Roundabout, Bexwell Road Downham Market PE38 9JL



**20/02103/FM**

**Land E of 160 and W of Roundabout, Bexwell Road  
Downham Market PE38 9JL**



<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</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>Claire Dorgan</b>	<b>Date for Determination: 15 February 2021 Extension of Time Expiry Date: 20 May 2022</b>

**Reason for Referral to Planning Committee – At the April 2022 Planning Committee, Members were minded to approve the application, subject to discussions taking place about the financial contribution. It was requested that a package would come back to Committee.**

**Neighbourhood Plan: No**

**Members Update**

**Members will recall that this application went to Planning Committee on 4<sup>th</sup> April 2022. The Committee was minded to approve the application, subject to discussions taking place to identify both the scale of the financial contribution and what it would be used for. That package would come back to Planning Committee for ratification and formal confirmation of the Committee’s decision to approve. Any mitigation measures would need to be subject to a Section 106 and appropriate conditions imposed.**

**Discussions have taken place with the Town Council and applicant with respect to the scale of the financial contribution and for what it could be used for.**

**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**

**Town 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.

### **Latest comments:**

**We had a meeting of our Full Council last night and the Lidl development was discussed. The Town Councillors agreed that the 50k offer was not enough cover the impact on the Town Centre that the Lidl development will cause.**



### **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.

**Latest comments:**

**I note that following consultation with the applicant, the LLFA is satisfied with the proposed drainage arrangements for this development. The LLFA are the appropriate body in this application to determine suitability of the drainage proposals and as such the CSNN team have no further objection or comment to make in respect to this matter.**

**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 disposal would be a SuDs with connection to sewer as the last option.

**Environment Agency: NO OBJECTION**

No issues with the drainage as submitted.

**Cllr Ryves:**

**Has there been any discussion with Lidl perhaps funding a local bus service so that the town centre gets additional shoppers, especially on market days and also that the issue of sustainability is addressed as it seems that is incumbent to encourage non car based customers to be able to access a new Lidl? In Swaffham, there is a frequent service to and from Tesco which is of great assistance to those without cars. It is not obvious that a £50,000 payment by the applicant towards public realm improvements is really going to assist footfall in Downham Market. Please provide details of the projected increase in traffic on the A1122 with existing levels, extra traffic created as a result of McDonalds/Starbucks and then extra traffic likely to be generated by Lidl.**

Cllr Howland:

The Planning Committee should consider the volume of traffic accessing both McDonalds and Lidl because the Lidl car park is nowhere large enough to accommodate the vehicle movements. I can envisage a gridlock situation and an accident hot spot and don't forget the lorry movements.

On average shoppers take 36 minutes to park and shop and shoppers who want a coffee or burger will leave their cars in the Lidl car park and simply walk across the road taking up space for incoming shoppers. Feel a bigger site with more car parking would be more acceptable.

**REPRESENTATIONS 310 SUPPORT, 22 OBJECTION and 5 NETURAL.** Comments summarised as follows (new comments in **bold**):

**SUPPORT:**

- Will provide much needed jobs to the town and boost the economy.
- Lidl will be a huge asset to the community. Greatly needed for Downham Market.
- Will bring more people into the town from surrounding areas.
- Lidl offer value for money and choice.
- 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.
- More convenient – less travelling for 'discount' stores being within walking distance.
- Ideal location for this part of the town – parking in the town centre is stretched to capacity at busy times.
- Welcome competition to the existing supermarkets in town.
- Better for the environment so people do not have to travel further for this kind of shop.
- Lidl would offer greater variety of shops and give consumers more choice.
- Will entice other businesses to come to Downham Market.
- Opportunity to revise the bus service in/around town, which would alleviate congestion on Bexwell Road.
- Will provide close amenity within walking distance to new housing developments happening in town.
- **Disagree there's an impact on town and countryside as opposite Starbucks and McDonalds. These were given permission.**
- **Doesn't detract from the High Street as it is open after most people finish work whereas the High Street isn't.**
- **Needed as fuel, energy and food prices are going up.**
- **There has to be a place like Lidl offering food choices from a European source as there is a mixed European representation in Downham Market and the villages.**
- **Retail Assessment by Alder King seems to be based on the Council's recommendation on refusing the application. The assessment fails to provide independent reference data to back up their conclusions and ignore the wider implications to BCKLWN's climate strategy.**
- **Aging population needs local stores.**
- **Would not impact wildlife, as the land was used for farming.**
- **Hope that a safe pedestrian crossing will be provided.**
- **Convenient parking.**
- **People will still visit town centre for other shops and facilities**
- **Lidl prepared to pay money into the town centre upkeep is a good thing**
- **Increase footfall in town as people visiting Lidl from surrounding villages may also visit town centre.**

- **Councillor's focus on impact on town centre must stop. A supermarket on the edge of town is much better for people in the surrounding area.**
- **Seems the hold up is a question of £50k. Would be appalling if development was rejected if Lidl didn't pay enough to the Council.**

#### **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.
- Car park serving Lidl runs up the boundary of surrounding neighbours. As the store is open until 11pm, it will impact the standard of living of surrounding properties. Higher exhaust emissions, noise at night and light pollution impact from car park to surrounding neighbours.
- Impact on visual amenity and character – loss of green which does not enhance the Town.
- Site is not suitable.
- Plans suggest further retail development which will result in loss of trade to the centre of town.
- 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.
- 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 endangered hedgehogs and development on this site will cause their destruction.
- Use of agricultural land as opposed to brownfield.
- 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.
- **Another supermarket isn't needed**
- **Large multinational outlets reduce individuality from our lovely town centre.**
- **Morrisons is vulnerable to the impact of this development.**
- **Lidl refers to 2008 competition commission report and 2017 health check data. This is out of date information.**
- **Insufficient information has been given to shopping patterns and how these might change.**
- **Lidl have extended their product range since 2008 and should not be considered a 'limited assortment discounter'.**

- Lidl refer to a case in Leeds which is not relevant given the Downham Market proposal is much further from the town centre.
- There are no other retail outlets out of centre.
- Development is car dependant, contrary to CS11.
- Development would ruin gateway to the town.
- Carrstone cladding and a tiled roof could be insisted with little extra cost.
- Situated on land earmarked for new homes.
- Negative impact on historic market and open countryside.
- 2008 Competition Commission report which the applicant relies on is 14 years out of date. Lidl are increasing their market share and have extended their product range since 2008. No longer seen as a limited assortment discounter.
- Planning and Retail Settlement Statement (Jan 2022) claims that other discount retailers (King's Lynn, Chatteris, Ely) have a higher proportion of linked shopping to other retailers when compared eg. To Tesco/Morrisons. This is misleading because there are no other retail outlets with the exception of fast food provider multinationals.

#### **NETURAL:**

- It will be good for the town and job opportunities
- More choice for weekly shop.
- Highway:
- Drivers 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.
- **Lovely to have a choice**
- **Do not think the local roads of Downham Market will be suitable to sustain additional traffic.**
- **Natural beauty of the area is already spoiled by the approval of McDonalds.**
- **Will impact the town centre; people shop for convenience, out of town people will stay out of town.**
- **Design of the site may be detrimental to the aesthetics of the entrance to the town. Therefore could any money paid by Lidl be used to improve entrances to the 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

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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 policies 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

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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. **Furthermore, the 4<sup>th</sup> April Planning Committee considered the impacts and benefits of the proposal. Committee were minded to approve the planning application subject to receipt of an acceptable financial mitigation package.**

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.

**Although the proposal would not be fully consistent with Policies CS04, CS06 of the CS and DM15 of the SADMPP, it is noted that at the 4<sup>th</sup> April 2022 Planning Committee, Members considered that the benefits of the scheme could outweigh the harm, subject to an acceptable financial mitigation package.**

### **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.

**In response to the Councillor queries relating to projected traffic numbers, details are provided within the Transport Assessment and the Travel Plan submitted by the applicant and the responses from the Local Highway Authority which are available online.**

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.

## **Financial contribution**

**Following on from the April 2022 Planning Committee, the Local Authority had discussions with the Town Council and applicant with respect to the scale of the financial contribution and for what it could be used for.**

**The Town Council considers that £50,000 is insufficient to mitigate the impacts of the proposal on the town centre. However, Lidl have confirmed that £50,000 is the maximum amount they would offer.**

## **Potential projects could include:**

- **Environment – including street furniture, maintenance, cleaning, landscape improvements (hard and soft), flowers and other similar ideas.**
- **Access – including signage, public transport, parking, road/cycleway infrastructure and other similar ideas.**
- **Safety/Security – including CCTV cameras, improved lighting, improvements to policing and other similar ideas.**
- **Marketing/Promotion – including new events, publicity, community events, local business website and other similar ideas.**

**If the Committee are satisfied with the sum of £50,000 and the potential projects it could be used towards, and that it is still considered to be suitable and adequate mitigation to offset any harm identified, then this can be secured through a S106 legal agreement.**

## **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.

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.

**The Committee was minded to approve the application at the 4 April 2022 Planning Committee meeting, subject to further discussions taking place with the applicant to identify both the scale of the financial contribution and what it would be used for. That package needs to come back to Planning Committee for ratification and formal confirmation of the Committee's previous resolution to approve in principle. Any mitigation measures would need to be subject to a Section 106 and appropriate conditions imposed.**

**Lidl have reiterated that they will offer up to £50,000 financial contribution for Downham Market Town Centre improvements. The Town Council considers that this amount is insufficient to mitigate the impacts of the proposal on the town centre. As stated above, this money could be used towards Environmental, Access, Safety/Security and Marketing/Promotion mitigation projects in Downham Market and can be secured through a S106 agreement. However at this stage we have no firm decision on which precise projects the £50,000 can be spent on. The Committee therefore need to weigh up the further information presented, and decide whether or not to confirm their initial resolution of 4 April 2022.**

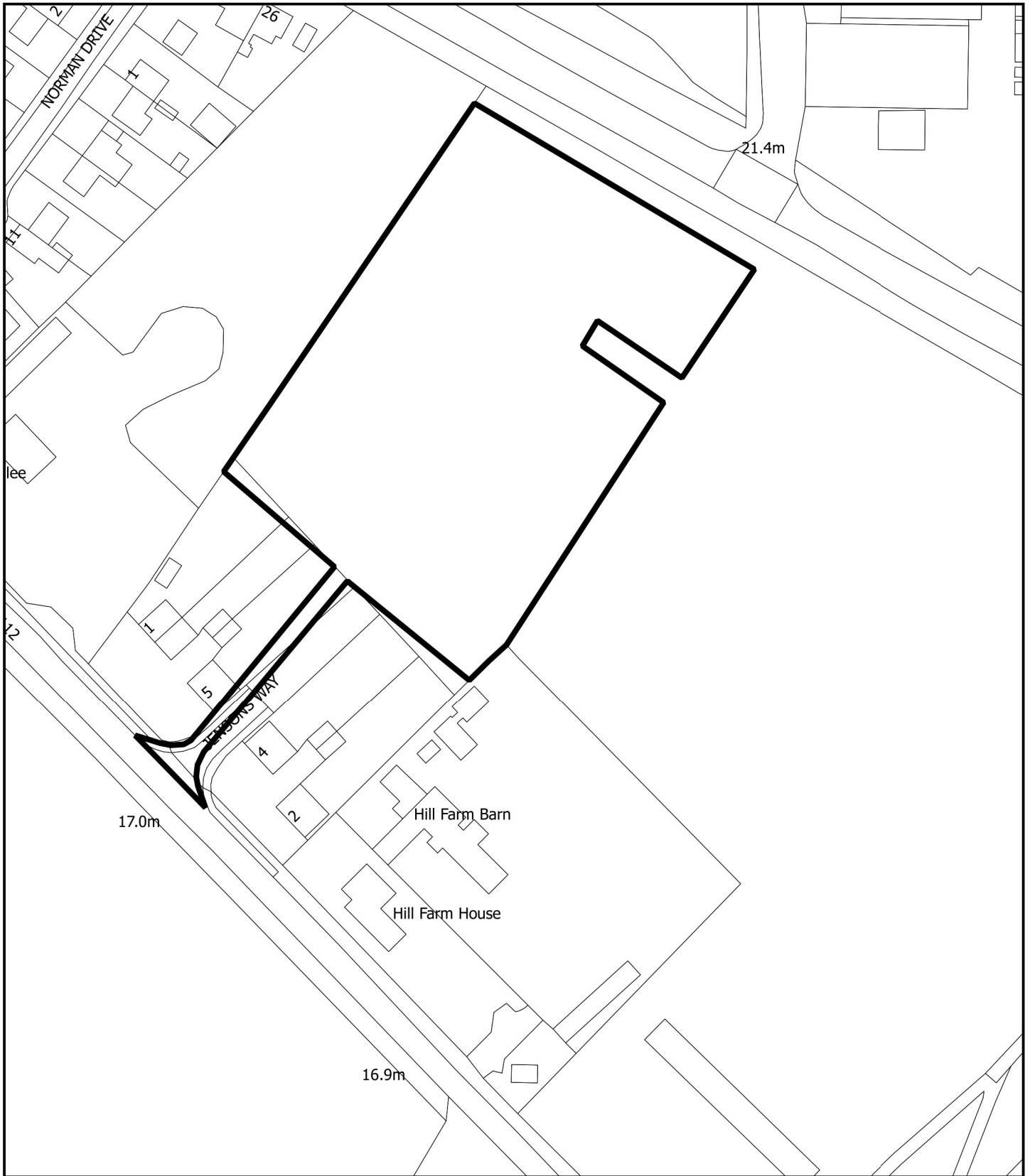
#### **RECOMMENDATION:**

**In light of the resolution by the Committee at the meeting on 4 April, and the further negotiation and information outlined above, Members instructions are sought on whether or not to confirm their initial resolution of 4 April 2022.**



**21/02103/FM**

**Jensons Way Whittington Northwold PE33 9FT**



<b>Parish:</b>	<b>Northwold</b>	
<b>Proposal:</b>	<b>Phased development of 10 dwellings built to Passivhaus standards, using existing entrance from Jensons Way</b>	
<b>Location:</b>	<b>Jensons Way Whittington Norfolk</b>	
<b>Applicant:</b>	<b>Councillor Tony White</b>	
<b>Case No:</b>	<b>21/02103/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 4 February 2022 Extension of Time Expiry Date: 13 May 2022</b>

**Reason for Referral to Planning Committee** – Called in by Cllr Ryves and deferred at 7<sup>th</sup> March Planning Committee

**Neighbourhood Plan:** No

**Members Update**

This application was deferred on 7th March to allow consideration of an amended site plan provided prior to the meeting. An updated response from the Local Highway Authority has been received and is discussed within the text below (updates shown in bold). Additional information has also been provided in regards to the noise survey and comments received from CSNN.

**Case Summary**

The application seeks full planning permission for the construction of 10 new dwellings to the rear of dwellings fronting Jensons Way, Whittington.

**Key Issues**

- Principle of Development
- Planning History
- Highway Safety and Access
- Design and Impact on Form and Character
- Impact on Neighbours and Residential Amenity
- Affordable Housing
- Other Material Considerations

**Recommendation**

**REFUSE**

## THE APPLICATION

The application seeks full planning permission for the construction of 10 new dwellings to the rear of dwellings fronting Jenson's Way, Whittington.

The site comprises approximately 0.85ha of agricultural land and stretches from the rear of houses fronting Jenson's Way to the south to the A134 to the North.

An application for a similar scheme was refused under application 21/00460/FM in June 2021.

**This application was deferred at March Planning Committee to allow consideration of amended highways plans. The Agent has also provided a noise assessment in line with CSNN's objections. Updates are set out in bold throughout the Officer's Report**

## SUPPORTING CASE

**An in depth statement was received from the Agent as part of Late Correspondence for Planning Committee on 7th March. The points raised are summarised as follows:**

**\*Concern over lack of response on Highway Plans** –*Note: this plan has now been consulted on and is discussed on response below.*

- **The Applicant is willing to assist in the provision of speed mitigation measures on Methwold Road if deemed necessary**
- **Response to CSNN objection** - *Note: a Noise Survey has since been submitted and is discussed below*
- **Our central argument is that Passivhaus buildings perform in the top 0.03% of all dwellings, outperforming 99.97% of all other dwellings in England, and is thus an objective display of building quality.**
- **This is not subjective, or an opinion, the proposed houses are demonstrably of exceptional quality, and require expert craftsmanship, materials, and quality control. The officer does not engage with the Passivhaus aspect of the design, or acknowledge the benefits that such a design and quality provides.**
- **The policy argument goes further, drawing on the collective benefit to the borough in terms of energy-use in the housing-stock, and the pursuit of Net Zero by 2035.**
- **These homes, including the 2 affordable units, will allow people to save significant sums on their heating bills, eradicating fuel-poverty in a time of escalating fuel prices and scarcity.**
- **The officer's comments re DM3 suggest a building that consumes only 10% of the energy of a modern, building regulations compliant house is not of exceptional quality.**
- **The officer's comments also suggest increasing the number of super-insulated, fuel-efficient dwellings in the borough's housing stock, is not of benefit to the wider community**
- **The Planning Committee may disagree with these two statements, and consider these dwellings, and their ability to eradicate fuel-poverty, as demonstrating exceptional quality, and providing a benefit to the borough's housing stock, as per DM3**

## **RELEVANT PLANNING HISTORY:**

21/00460/FM: Application Refused: 28/06/21 - Phased development of 10 dwellings on land on Whittington Hill, using existing entrance and adopted entrance from Methwold Road - Jensons Way - Appeal Withdrawn 03/08/21; DELEGATED DECISION

20/00081/PREAPP: INFORMAL - Likely to refuse: 24/09/20 - PRE-APPLICATION ADVICE (OUTLINE WITH CONSULTATIONS AND A MEETING WITH A PLANNING OFFICER): 10 dwellings - Land Off Methwold Road

16/01159/RM: Application Permitted: 05/10/16 - RESERVED MATTERS: Construction of 5 dwellings including a site access road and all associated site works - Land South of Ashlee Methwold Road - COMMITTEE DECISION

16/00413/O: Application Permitted: 13/06/16 - OUTLINE APPLICATION SOME MATTERS RESERVED: Construction of 5 dwellings including a site access road and all associated siteworks - Land South East of Ashlee - COMMITTEE DECISION

## **RESPONSE TO CONSULTATION:**

**Parish Council: NO OBJECTION** – stating the following comments:

‘This application was discussed at our meeting last week and the Parish Council wish to say that they do not object but have made the following comments to be considered:-  
The developer to pay for speed reduction on the A134 from the roundabout to the entrance to the estate and there are concerns over what “Social Housing” on the application means – are these to be available for rent or are they classed as affordable housing therefore privately owned.’

**Local Highway Authority: NO OBJECTION** to amended plans, subject to conditions, stating the following comments:

**With reference to previous correspondence and the revised layout shown on drawing 201 Rev D (now Revision E showing noise mitigation measures), in relation to highway matters, I can confirm that the County Council would have no objection subject to imposing appropriate conditions.**

**However, the applicant should be aware that I would seek to have further discussions in due course regarding the positions of the proposed pinch points and inclusion of the 20mph gateway signage. The pinch point currently located adjacent to the turning head should be moved south in front of plot 5, the centreline radius of the bends through the chicane should be 20m and the pinch point at this location removed. The southern most pinch point should be located mid-way between the 20mph gateway and the first bend. You should also be aware that the kerbing across the junction will need to be removed and give way lines / tactile paving will need to be shown on future engineering drawings for the proposed estate road.**

**With regard the visibility splays / footway widening, I note condition 5 of permission 16/00413/NMA\_1 states the access shall be constructed in accordance with drawing 1318/ENG/021 rev E. This drawing clearly states the frontage footway shall be widened to the full extent of the required visibility splays, which are dimensioned on the drawing. Unfortunately the approved planning drawing is different in this respect to the subsequent Highways plan included in the Small Highway Works Agreement and the junction was not constructed in accordance with the drawing referenced in**

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the NMA planning permission. Nonetheless, I would expect the footway to be a minimum of 1.8m and widened to the full extent of the required visibility splays as previously required.

**Recommended conditions relating to the following:**

- **detailed plans and setting out of roads, footways and foul and surface water drainage**
- **on site parking for contractors during construction**
- **details of offsite highway improvement works to widen footpath to be agreed and implemented prior to occupation**

**CSNN: NO OBJECTION** to amended scheme including submission of noise report. Stating the following comments:

**The report has demonstrated that providing the recommendations over glazing and fencing are followed that the development will be sufficiently protected from road noise from the A134 and other environmental noise.**

**Recommended conditions relating to the imposition of mitigation measures as recommended within the report.**

**Environmental Quality: NO OBJECTION** with regard to Air Quality or Contaminated Land. Conditions are recommended to control additional details of proposed Electrical Vehicle charging provisions, Construction Environmental Management Plan (CEMP) in relation to Construction Dust, and Unexpected Contamination.

**Environment Agency NO COMMENT**

**Housing Officer – NO OBJECTION** - A Section 106 agreement would be required to ensure onsite provision of Affordable Housing.

**Historic Environment Service: NO OBJECTION** in principle, recommended archaeological investigation conditions with the following comments:

‘Although little is known about the archaeological remains in the area of the proposed development site, it does lie close to the edge of the fen, an area rich in resources and densely settled from the prehistoric to the medieval periods. There are a few finds of Prehistoric and especially Roman material in the locality. 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 affected by the proposed development.

Consequently we request that the results of an archaeological evaluation are submitted in support of any planning application in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 194. In this instance that is primarily because the development will be phased and the archaeological investigations really need to be completed for the whole development area at the same time. That would also reduce the mitigation costs for the developer.

In this case the archaeological evaluation should commence with trial trenching. A brief for this is available from Norfolk County Council Historic Environment Service. Please note that we now charge for our services. Subject to the results of this evaluation, archaeological conditions may be required.’

*Note: Following re-consultation as a result of lack of archaeological investigation, the Historic Environment Service stated the following:*

‘Archaeological mitigation can be secured by condition, it just reduces the applicant’s options if significant remains are encountered.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205.’

**NORFOLK FIRE & RESCUE SERVICE** NO OBJECTION, the proposal should meet the necessary Building Regs requirements and a condition is recommended to ensure the provision of at least one fire hydrant.

**CPRE Norfolk** OBJECTION - based on the principle of development, sustainable development and the impact on the countryside

## **REPRESENTATIONS:**

**TWENTY ONE** letters of **OBJECTION**, the comments summarised as follows:

- No change from previous application
- Overlooking and loss of privacy as a result of position of windows
- Highway safety and impact of increasing traffic from Jenson's Way
- No need for additional houses in the village
- Access to services - schools and doctors surgeries at full capacity
- Loss of outlook and loss of agricultural fields
- Inconsistent details on existing access point compared to width shown on plan and impact on highway safety
- Impact on wildlife
- Jenson's Way is unadopted and owned by the residents, the access and roadway could therefore lead to a loss of property values
- Maintenance of Jenson's Way is currently controlled by existing occupants and future occupants would change liability
- Loss of light to houses in Jenson's Way
- Noise and disturbance (including light pollution) of houses in Jenson's Way as a result of increased use of proposed access
- Query over leisure area stated to be previously approved and not built out
- Impact of lack of main sewerage and impact of access of larger vehicles to empty septic tanks etc.
- Proximity of housing to pig farm and charcoal factory and the potential impact on these existing businesses
- Potential for future development as a result of spur road into blue land
- **SAM data provided by third party representation which indicates the proportion of vehicles speeding along the B1112, raising concern over highway safety associated with the development. The table provides a breakdown of 42 speeding offences along the B1112 since January 2021.**
- **No agreement or modelling of highway layout shown in relation to proposed traffic calming measures.**
- **No further development should take place in blue land**



- **Lack of green space and open land for recreation, this could be provided in blue land for benefit of community**
- **Loss of privacy and overlooking from windows on side elevations and cost of implanting privacy measures to overcome this impact**

**THREE** letters of **SUPPORT**, the comments summarised as follows:

- In keeping with houses in the wider vicinity
- Houses will support local businesses

**Cllr Ryves: Comments received summarised as follows:**

**Cllr Ryves provided comments raising concern over the incidence of excess road speeds along the B1112 and the potential impact of additional dwellings along this route.**

**Figures from 2021 show 43% of vehicles travelled at the legal limit, 56.5% from 40-70mph. 2 vehicles were travelling at 90-95mph. This is indicative of the ineffectiveness of the speed controls introduced in 2020.**

**Cllr Ryves disagrees with the statement from the agent relating to the ‘demonstrable benefit’ and speed reduction at the entrance of the site as a result of the tightening of the entrance point.**

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

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

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

**DM2** – Development Boundaries

**DM3** - Development in the Smaller Villages and Hamlets

**DM9** - Community Facilities

**DM15** – Environment, Design and Amenity

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

The key issues in this case are:

Planning History  
Principle of Development  
Highway Safety and Access  
Design and Impact on Form and Character  
Impact on Neighbours and Residential Amenity  
Affordable Housing  
Other Material Considerations

### **Planning History**

Application 21/00460/FM was refused under delegated powers in June 2021. The application proposed a similar scheme of 10 new dwellings in a similar layout on site. The reasons for refusal were as follows:

- 1 - The application site is located on the outskirts of Whittington which is categorised as a Smaller Village and Hamlet in CS02 of the Core Strategy (2011) and the entire settlement is therefore subject to countryside protection policies. By reason of the site's location, to the rear of frontage dwellings and therefore not meeting the definition of a small gap in an otherwise continuously built up frontage, the proposal fails to comply with Policy DM3 of the SADMPP (2016). No additional justification has been provided and the application therefore comprises urban encroachment into an area of land defined as countryside and would be considered contrary to Paragraph 78 of the NPPF (2019), Policies CS06 and CS08 of the Core Strategy (2011) and Policies DM2 and DM3 of the Site Allocations and Development Management Policies Plan (2016) which seek to protect areas in the open countryside from unjustified development.
- 2 - Plots 9 & 10 are positioned with side elevations facing the A134 and with acoustic fencing spanning the length of the boundary with this principal route. This lack of active frontage, combined with the visual impact of substantial fencing along a key route, is considered to be contrary to the form and character of the street scene and will have an adverse urbanising impact on the countryside which would be harmful to character and appearance of the area and is considered contrary to the NPPF (2019), Core Strategy Policies CS01, CS02, CS06 and CS08 and SADMPP Policies DM1, DM2 and DM3 which support sustainable patterns of development and protect the character of an area
- 3 - Insufficient detail has been provided to demonstrate that the site complies with the standards required by the Local Highway Authority and the site therefore cannot demonstrate a safe access or turning area for service or emergency vehicles. The application is therefore considered contrary to Paragraphs 108 & 110 of the NPPF (2019), Policies CS08 and CS11 of the Core Strategy (2011) and Policy DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016)

The current scheme seeks to address those reasons for refusal.

### **Principle of Development**

The proposal is for the construction of 10 No. dwellings on a site in Whittington. The application site is proposed to be accessed via the B112 to the south, with the rear of the site (north) directly adjacent to the A134.

Whittington is categorised as a Smaller Village and Hamlet in the settlement hierarchy of Policy CS02 of the Core Strategy (2011) and as a result the entire settlement is considered to be within the wider countryside for the purposes of planning policy.

Policy DM3 of the Site Allocations and Development Management Policies Plan (2016) supports the construction of new dwellings in Smaller Villages and Hamlets where the development comprises the sensitive infilling of small gaps in an otherwise continuously built-up frontage, where the development is appropriate in scale and character of the group of buildings and its surroundings, and where it does not fill a gap which provides a positive contribution to the street scene.

The application site comprises part of a wider agricultural field located to the rear of a row of 5 new dwellings fronting the B1112. Whilst there is residential development further to the west of the site and an industrial unit further to the east, the application site would not be considered to comprise either a small gap or a continuously built up frontage for the purposes of Policy DM3. The principle of residential development on site is therefore not acceptable.

In the interests of sustainability, the SADMPP and specifically Policy DM3 restricts development in Smaller Villages and Hamlets to very modest housing growth in the form of infill development discussed above. This is in the interests of sustainability and to ensure that the majority of growth in rural areas is located where it can benefit from and support rural services and facilities. In this instance, Whittington has very limited services and facilities and the proposed dwellings are therefore not considered to be in a sustainable location for the purposes of planning policy or paragraph 79 of the NPPF (2021). Whilst the Agent has put forward 'PassivHaus' principles and innovative design as additional justification for the dwellings, the development is not considered to be innovative or of exceptional quality and therefore the conflict with the Local Plan and the National Planning Policy Framework remains. The sustainability credentials of 'passivHaus' are not sufficient to justify the development of a greenfield site in this location which is fundamentally contrary to the Local Plan.

The applicant suggests that as the proposal site is within the parish of Northwold and Whittington, that the subject site should be considered as 'adjacent to' Northwold for the purposes of Para 79 of the NPPF (2021) in regards to the future occupants being able to make use of the facilities in Northwold. The application site, which is its own settlement as per the settlement hierarchy in CS02, is in excess of 3km from the outskirts of Northwold (A Joint KRSC) and cannot reasonably be considered adjacent to this settlement or the services it provides.

No additional justification has been provided to overcome the principle policy objections above. No information suggests that the dwellings would meet an identified local need for the purposes of para 78 of the NPPF (2021).

The Borough Council can currently demonstrate a housing land supply of 7.96 years and proposals should therefore be considered against the policies of the current local plan. The construction of 10 dwellings in this position comprises an un-sustainable form of development in the countryside which is contrary to both the NPPF (2021) and policies Cs01, Cs02, Cs06, Cs08 of the Core Strategy (2011) and Policies DM2 and DM3 of the SADMPP (2016).

## Highway Safety and Access

The Local Highway Authority previously submitted a holding objection due to a lack of detail and concerns of the drawing of the proposed site access and layout plans. Discussions between the Agent and the Local Highway Authority since the deferral of the application have resulted in an amended plan being submitted, to which the Local Highway Authority raise no objection in principle, subject to further discussions relating to details works relating to the location of the pinch points. Kerbing across the junction will need to be removed and give way lines / tactile paving will need to be shown on future engineering drawings for the proposed estate road. This allows the removal of Reason 3 for the previous application and also Reason 3 noted within the report for March Planning Committee.

With reference to proposed visibility splays, the footways at the front of the site are required to be extended and widened to the full extent of the visibility splays, as previously required under ref 16/00413/NMA\_1. This allows easier control of visibility splays in perpetuity. The Local Highway Authority recommended that conditions relating to the submission of detailed plans and construction timings are appended to any approval.

Third party representations provided traffic and speed data along the B1112, stating concern over the average speed of vehicles and the impact of the development on overall highway safety. These comments are noted and have been passed to the Local Highway Authority for comment. However, the amendments to the proposed access points are considered to meet the required standards for visibility splays based on the methodology outlined in the Design Manual for Roads and Bridges and Manual for Streets that are both produced by the Department of Transport.

Overall, subject to the conditions requested by the Local Highway Authority, the application can demonstrate highway layouts in accordance with the relevant standards. Members should consider the concerns raised by neighbouring dwellings in relation to the speed of traffic along this road and the potential impact of the increased use of the junction. However, the Local Highway Authority does not object on highway safety grounds as the application provides a safe access and is therefore considered to comply with the NPPF (2021) and Policies CS08, CS11 and DM15 of the development plan.

## Design and Impact on Form and Character

The proposed dwellings are set around a central access road with an existing access between two dwellings to the south of the site.

The proposed dwellings are large two storey units with a mix of both 3 bedroom semi-detached pairs and detached four bedroom dwellings, each with single garages to the side of the plots. Each dwelling has soldier course detailing and a central porch projection.

The application site is on the outskirts of Whittington which has an overall rural character and comprises a range of houses of various scales and types. An existing cul-de-sac to the west of the site comprises a large group of semi-detached dwellings which are equally spaced around a central access road. The remainder of Whittington is mixed frontage development, with the majority of dwellings in the vicinity fronting main roads and with limited instances of any development in depth.

As a housing development on the outskirts of a smaller village and hamlet, the proposal site is visible on approach from the east/south east and the extent of development in depth will be apparent across fields as viewed from the A134.

In regards to the visual appearance from the A134, whilst there is residential development further to the west and to the north of the site, the existing residential development around Normans Drive is the last in a row of frontage dwellings on this side of the A134. The open character of the application site and the land either side provide a clear change in character when travelling away from the village and provide a gap between the village and the nearby industrial charcoal unit.

**Alongside amended plans submitted to address the highway concerns, amendments were also made to site boundaries in line with the comments from CSNN to add fencing to the north portion of the site. A band of trees has also been added to proposed plans between the site and the A134 (on the outside of the acoustic fence) to address concerns around the visual impact of the proposal. Full details of the landscape area would need to be provided via condition.**

**Whilst the band of trees/planting proposed along the north edge of the site would soften the appearance from the immediate north of the site, the extent of planting provided is not considered likely to provide such a significant benefit to the visual appearance of the site to negate the remaining concerns and the urbanising impact discussed above.**

**Whilst boundary treatments could be partially screened by trees and/or hedgerows, the close boarded fencing around the full extent of the site required by the noise report would be highly visible on approach along the A134 from either direction. When combined with the extent and scale of housing proposed in this rural location, the proposal would have an adverse impact on the intrinsic character of the countryside which would ultimately be harmful to the character and appearance of the area. The application is therefore considered contrary to the NPPF (2021), Core Strategy Policies CS01, CS02, CS06 and CS08 and SADMPP Policies DM1, DM2 and DM3 which support sustainable patterns of development and protect the character of an area.**

### **Impact on Neighbours and Residential Amenity**

In regards to overlooking and loss of privacy, windows on the first floor side elevations of the semi-detached units serve bedrooms. The position of Plot 1 will therefore allow a viewpoint from the first-floor bedroom towards the rear elevations and private amenity space of the existing dwellings to the south of the site. Whilst this is noted, the proposed dwelling is in excess of 35m north of the rear elevation of the dwellings fronting the B1112. The proposed bedroom window is therefore considered unlikely to lead to such a significant adverse impact as to warrant refusal of the application on this basis.

Remaining bedroom windows in the side elevations of plots 2, 7 & 8 will look towards the blank gable ends of the adjoining plots and are considered unlikely to lead to any significant loss of privacy for the proposed dwellings.

However, if unmitigated, the layout of the proposed development is considered likely to lead to adverse impacts in relation to noise and disturbance from the A134, specifically on Plots 9&10 but potentially also on the outdoor amenity space of the remaining plots.

Plots 9 & 10 are located with rear elevations and therefore rear private amenity space adjacent to the A134m, **screened by supplemental planting and acoustic fencing. Plot**

**10 is** approximately 150m from the change in speed limit from 60 to 40mph. The distance from Plot 9 to the edge of this key strategic route measures less than 10m.

**A Noise Survey has been submitted which outlines measures to be put in place to limit the impact of the adjacent highway on the amenity of the closest units.**

**Both plots 9 & 10 have two bedroom windows at first floor and open plan Kitchen/Dining rooms facing directly towards this adjacent highway which carries significant levels of traffic and therefore has the potential to lead to adverse impacts and noise and disturbance on these habitable rooms and the outdoor private amenity space. Whilst the sound insulation and triple glazing associated with the proposed 'passiveHaus' credentials are noted, this will have no impact on the outdoor private amenity space which also needs to be considered.**

**In line with the submitted noise report, the Agent has submitted amended plans proposing acoustic fencing along the north boundary of the site to screen some of the impact from the adjacent road on Plots 9 and 10. The Noise report also proposes standard close boarding fencing to the remaining site boundaries, although this is not shown on the proposed plans and full details would therefore need to be controlled via planning condition.**

**The CSNN Team removed their objections following receipt of the noise report, subject to conditions relating to implementation in line with mitigation measures outlined within the document. With mitigation measures proposed, including sound insulated glazing, acoustic fencing along the boundaries of plots 9 and 10 and close boarded fencing on all other plot boundaries, both internal and external areas across the site are considered likely to meet the relevant British Standards.**

**Paragraph 130 of the NPPF (2021) makes it clear that both design and the amenity of existing future users should be considered as part of planning decisions. Whilst the acoustic fencing reduces the sound levels to what is an acceptable level, the impact on the countryside will be increased as a result of the expanses of close boarded fencing. This can only be partially mitigated through new planting. The fourth reason for refusal included on the previously deferred report can therefore be withdrawn. However, the visual impact of the close boarded fencing proposed should be considered.**

### **Affordable Housing**

The site area and number of dwellings proposed triggers 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 Whittington. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and the other 30% 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. In this instance 2 units would be required, 1 for rent and 1 for First Homes.

The applicant has provided plans to demonstrate the onsite provision of two 3 bedroom semi-detached units. A s106 agreement would be required to ensure on site provision in accordance with Policy CS09.

### **Other material impacts:**

With 10 dwellings proposed, the application falls below the threshold to provide public open space. DM16 states that whilst there is no definitive figure for sites of this size, proposals should contain enough space to ensure a high standard layout and amenity and integrate houses into the surrounding landscape.

The application site is within the Impact Risk Zone for Boughton Fen SSSI. Natural England have stated no comments, with the proposal unlikely to lead to significant impacts on designated sites or landscapes. No evidence has been provided to suggest that there are protected species on or around the site and the proposal is considered unlikely to lead to any significant impact on protected species.

No drainage details have been included as part of this application. It is considered that these details could be conditioned.

### **Specific comments or issues:**

The agent notes extant consent for other residential development across Whittington in their supporting statement. The applications referred to each were considered to represent infilling of a continuously built-up frontage which, as outlined above, does not apply in this instance.

The supporting statement also notes that home working is increasingly common and therefore that the development could be sustainable despite the lack of services in the immediate vicinity. Whilst this is noted, the ability for residents to work from home is not considered to pose such significant benefits to warrant the approval of an application which is fundamentally contrary to the Borough Council's Local Plan.

An existing charcoal factory is located approximately 200m to the east of the application site and has been granted consent to extend under application ref 21/00794/FM. Consideration of the impact on neighbours took place in association as part of that decision and acoustic fencing on this nearby site will sufficiently limit any impact of this adjacent use on the properties proposed under this application.

Comments were received from the Historic Environment Service (HES) relating to the potential for archaeological remains to be present on site and a request for trial trenching was requested prior to the determination of this application. Whilst no such details have been provided, it is considered that pre-commencement conditions will suitably control the submission of additional details and the undertaking of archaeological investigations prior to the commencement of development on site. Subject to conditions, the application is therefore considered unlikely to lead to adverse impacts to heritage assets with archaeological significant and complies with Para 194 of the NPPF (2021) and Policies CS12 and DM15 of the Local Plan.

## **CONCLUSION**

**The National Planning Policy Framework sets out that all planning decisions should be made in accordance with the Development Plan unless material considerations suggest otherwise.**

Policies CS01 and CS02 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011 (CS) set out the overarching approach to the location of

development in the Borough. Together they seek to direct development to the most accessible locations while preventing the encroachment of development into the countryside.

Policy DM3 of the SADMPP (2016) supports the construction of new dwellings in Smaller Villages and Hamlets where the proposal meets the definition of infill development. As development in depth, to the rear of existing frontage dwellings and with open land to both the east and west, the proposal is not considered to comprise the infilling of a small gap in an otherwise continuously built-up frontage.

The principle of development on site is contrary to Policies DM2 and DM3 of the Local Plan and no justification has been provided which outweighs this conflict.

**Amended plans received throughout the course of this application have resolved the highway safety concerns raised by the Local Highway Authority who raise no objection subject to conditions relating to the laying out of roads/footways and the provision of off site highway improvement works. Safe access can therefore be provided in accordance with Policies CS08, CS11 and DM15 of the development plan. This overcomes the third reason for refusal on the previous application.**

Noise mitigation measures in the form of acoustic fencing around Plots 9 and 10 have been put forward to limit the noise and disturbance impacts of the adjacent traffic on the future occupiers of these units, in line with the recommendations of the noise survey provided. The sound insulation and triple glazing associated with the proposed 'passiveHaus' construction will reduce the internal noise impact. However, members should consider the overall impact of the siting and design of the dwellings proposed and the associated urbanising impact on the countryside as well as whether the overall scheme represents a good standard of design and provides a good standard of amenity for future occupiers in line with Paragraph 130(f) of the NPPF (2021) and Policy DM15 of the SADMPP (2016).

Overall, the proposal constitutes the construction of 10 new dwellings, as part of an open market estate development, on land which is considered to be within the wider countryside without justification and therefore contrary to both the NPPF and the Development Plan. Whilst the small section of planting proposed along the north boundary is noted and could be controlled via condition, the visual impact of the development in depth is considered likely to give rise to adverse urbanising impacts on the intrinsic character and beauty of the countryside and is considered contrary to Policies CS02, CS06 and CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

The application is therefore recommended for refusal for the following reasons.

#### **RECOMMENDATION:**

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

- 1 The application site is located on the outskirts of Whittington which is categorised as a Smaller Village and Hamlet in CS02 of the Core Strategy (2011) and the entire settlement is therefore subject to countryside protection policies. By reason of the site's location, to the rear of frontage dwellings and therefore not meeting the definition of a small gap in an otherwise continuously built up frontage, the proposal fails to comply with Policy DM3 of the SADMPP (2016). No additional justification has been provided and the application therefore comprises urban encroachment into an area of land defined as countryside and would be considered contrary to Paragraph 79 of the NPPF

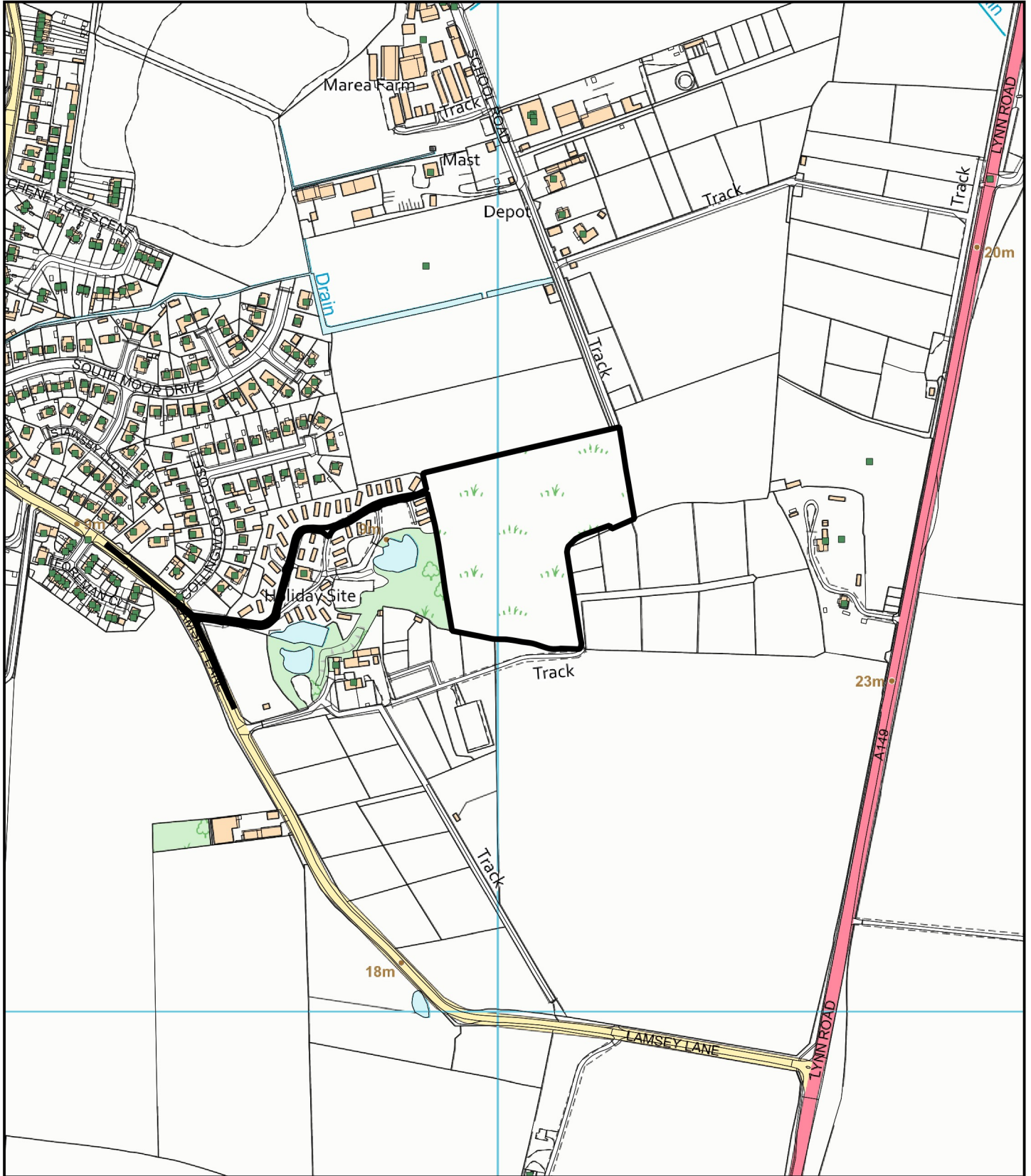


(2021), Policies CS06 and CS08 of the Core Strategy (2011) and Policies DM2 and DM3 of the Site Allocations and Development Management Policies Plan (2016) which seek to protect areas in the open countryside from unjustified development.

- 2 The proposal constitutes the construction of 10 no. new dwellings, as part of an open market estate development which extends into open agricultural land to the rear of existing dwellings. The extent of development in depth, when combined with the necessary expanses of boundary treatments and overall layout of the site is considered to be contrary to the form and character of the street scene and the development is considered likely to give rise to an adverse and overly urbanising impact on the countryside which would be harmful to character and appearance of the area and is considered contrary to the NPPF (2021), Core Strategy Policies CS01, CS02, CS06 and CS08 and SADMPP Policies DM1, DM2 and DM3 which support sustainable patterns of development and protect the character of an area

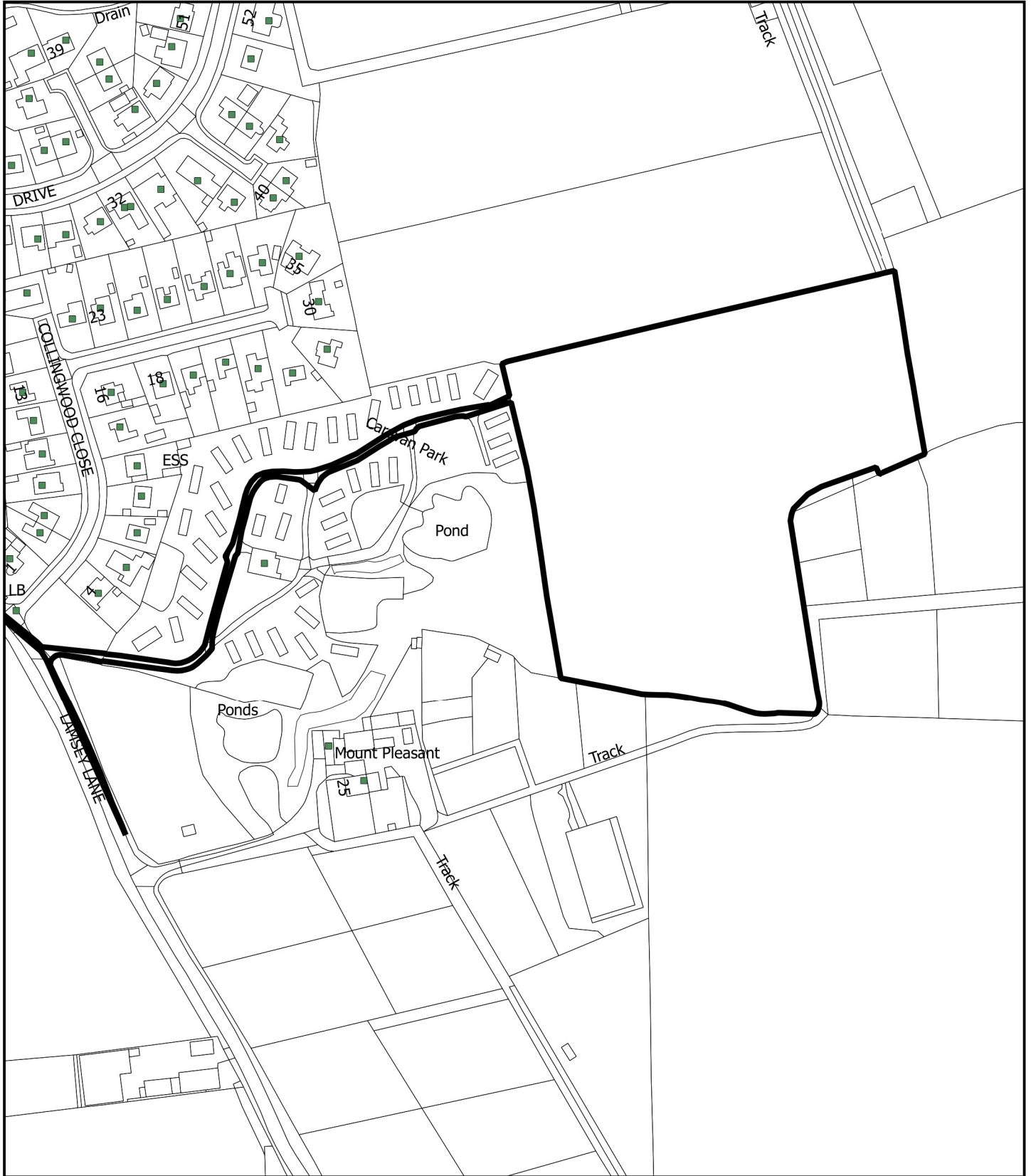
21/01877/FM

Meadows Caravan Park Lamsey Lane Heacham PE31 7LA



**21/01877/FM**

**Meadows Caravan Park Lamsey Lane Heacham PE31  
7LA**



<b>Parish:</b>	Heacham	
<b>Proposal:</b>	Proposed extension to an existing established static caravan site	
<b>Location:</b>	Meadows Caravan Park Lamsey Lane Heacham King's Lynn Norfolk PE31 7LA	
<b>Applicant:</b>	McDonnell Caravans	
<b>Case No:</b>	21/01877/FM	
<b>Case Officer:</b>	Brian McParland	<b>Date for Determination:</b> <b>24<sup>th</sup> January 2022</b> <b>Extension of Time Expiry Date:</b> <b>13<sup>th</sup> May 2022</b>
<b>Reason for Referral to Planning Committee</b> – Objection from Heacham Parish Council		
<b>Neighbourhood Plan:</b> Draft Heacham Neighbourhood Plan 2017 - 2036		

**Case Summary**

The application is for an extension to an existing caravan site located to the west which benefits from 10 approved static caravans (ref: 19/02115/F). This application is for the proposal of an additional 36 static caravans with an associated access route, individual parking provision and landscaping. The application site measures 2.4 hectares (approx.).

The site lies outside of the development boundary for Heacham and therefore within land designated as countryside. The site is within 280m of the boundary of the North Norfolk AONB to the east. The AONB also comes within 650m of the site to the south.

**Key Issues**

- Principle of Development
- Form and Character and Impact on the Countryside
- Neighbour Amenity
- Highway Safety
- Protected Sites and Species
- Other Material Considerations

**Recommendation:**

**APPROVE**

**THE APPLICATION**

The application is for an extension to an existing caravan site located to the west which benefits from 10 approved static caravans (ref: 19/02115/F). This application is for the proposal of an additional 36 static caravans with an associated access route, individual parking provision and landscaping. The application site measures 2.4 hectares (approx.).

21/01877/FM

The site lies outside of the development boundary for Heacham and therefore within land designated as countryside. The site is within 280m of the boundary of the North Norfolk AONB to the east. The AONB also comes within 650m of the site to the south.

The site lies within Flood Zone 1 (the lowest risk of flooding).

## **SUPPORTING CASE**

None submitted at the time of writing report.

## **PLANNING HISTORY**

19/02115/F - Proposed Extension to an existing established static caravan site – Approved 3.3.20 – COMMITTEE DECISION

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECT:** *Heacham Parish Council uphold their previous objections to this planning application: This application is an extension to a new extension not just an established site. It is adjacent to AONB and SSSI and against the planning inspectorate from the refused appeal of Marea Farm Estate plans. The Parish Council also supports the CPRE comments and suggestions. The Parish Council also supports the letter from Gemma Clarke which sets out the situation very clearly. It is also against the emerging Heacham Neighbourhood plan as it is outside the village boundary`.*

**Highways Authority: NO OBJECTION** and recommended a compliance condition relating to car parking and turning areas etc.

**Environment Agency: NO OBJECTION.**

**Historic Environment Officer: NO OBJECTION** and recommended archaeological conditions.

**PROW: NO OBJECTION** received and would like access to be from Lamsey Lane and not School Road.

**Natural England: NO OBJECTION.**

**CPRE: OBJECTS:** CPRE Norfolk objects to the above planning application as approval would go against various policies within the adopted Local Plan and the National Planning Policy Framework (NPPF).

**Internal Drainage Board:** *Review of the documents provided on the planning portal, the Board have several queries regarding the proposed drainage strategy. The applicant implies there is a direct drainage route (referred to as point 11 on drawing MCD02-02-09 D) from the impermeable areas to the water course, Heacham Main. The Board's understanding is that the proposed drainage strategy relies on surface water from the impervious surfaces and downpipes informally infiltrating into the field to enter the land drains beneath the site, to be ultimately discharged into Heacham Main. The Board recommends that the LPA satisfy themselves that this informal strategy is appropriate in line with National Planning Policy and the Non-statutory technical standards for SuDS`.*

## **REPRESENTATIONS**

**ONE** letter of **OBJECTION** has been received in regard to the absence of a business management plan and the use of screening would only create more visual disturbance in the landscape.

## **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

## **NEIGHBOURHOOD PLAN POLICIES**

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 are:

Principle of Development  
Form and Character and Impact on the Countryside  
Neighbour Amenity  
Highway Safety  
Protected Sites and Species  
Other Material Considerations

### Principle of Development

The site lies within countryside where development is generally restricted. However, both the NPPF and Local Plan acknowledge the importance of supporting the rural economy and the importance of tourism.

The Draft Heacham Neighbourhood Plan is proceeding to Referendum on 16<sup>th</sup> June 2022. Various policies are relevant in the determination of this application including Policies, 11, 15 and 17 of the NP.

The NPPF states, at paragraph 83, that: *'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.'*

It adds at paragraph 84: *'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.'*

Core Strategy Policy CS06 generally restricts development in the countryside unless it is essential for a rural enterprise. Core Strategy Policy CS10 likewise seeks to direct employment uses to within development boundaries whilst recognising that some tourism uses are appropriate outside of these boundaries where:

- They are located in or adjacent to the boundaries
- Are of a high standard of design
- Will not be of detriment to the landscape and
- Mechanisms are in place to permanently retain the tourism related use.

Site Allocations Plan Policy DM11 expands on the above strategic policies and is particularly relevant to the proposed development as it relates specifically to holiday accommodation. It states: *'(NOTE - For the purposes of this policy the term 'holiday accommodation' is used to*



*describe caravan-based accommodation, including touring and permanent sites / units, as well as permanent buildings constructed for the purpose of letting etc.)*

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

- 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;
- 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;
- The site can be safely accessed;
- It is in accordance with national policies on flood risk;
- 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.'

In relation to the above:

The extension is an extension of the existing Caravan Park known as, McDonnell Caravans and will be run in association with it; an appropriate and proportionate business plan has been submitted demonstrating how the existing site and proposed extension will be managed. The caravans are for holiday use only and not for a person(s) sole or main residence and no sub-letting is permitted on the park. The site is centrally managed with specific terms and conditions relating to standards and maintenance of the park. The existing Park is well operated and maintained with no recorded complaints. Clearly the proposal supports tourism with the benefit of being at low risk of flooding. The layout, screening and landscaping is of an appropriate standard and there are no long public views suggesting any impact on the visual amenity of the locality. This issue is expanded upon below. There are no nearby designated or non-designated heritage assets that would be affected. The site can be safely accessed.

It is therefore considered these objectives are met.

Policy DM11 goes on to state that '*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.*'

The Norfolk Coast Area of Outstanding Natural Beauty ("AONB") lies 280m to the east of the site on rising ground and 650m to the south of the site at Ken Hill Wood. The topography within the site is on a rise from the northwest to the southeast. The landscape is strongly influenced by the proximity to the coast and land rises from the coast in the west to a plateau landscape to the east. The design process has sought to reduce any visual connection between the AONB and the site by moving the caravans down the slope, so no ridgelines are visible from the east; the site is likely to be viewed within the context of the built form of the village or within the scattered buildings between the A149 and the coast and not as part of the setting of the AONB. Additionally, the proposal includes a landscape scheme that will incorporate native species trees into a landscape buffer along the southern edge to screen the proposals from the elevated parts of the Norfolk Coast AONB. The applicant has provided a Landscape and Visual Impact Assessment (report and figure volume) which has been reviewed and accepted. The impact on SSSIs and other European Sites is covered later in this report.



Policy DM11 requires conditions to be applied to new holiday accommodation to ensure they are genuine and will be operated and maintained as tourist facilities in the future. To achieve this aim occupancy conditions will be placed on future planning permissions requiring that:

- The accommodation is occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets;
- The accommodation shall be for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence; and
- The owners / operators shall maintain an up-to-date register of lettings / occupation and shall make these available at all reasonable times to the Local Planning Authority.

It is considered that the proposal complies with Policy DM11 of the SADMPP

Draft Heacham NP Policy 11 requires:

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.

The proposal maintains the distinction between the Heacham and Hunstanton. Heacham, being a Key Rural Service Centre, has many services and facilities and the development in combination with the rest of the park would not have an unacceptable impact on local infrastructure. Given existing landscaping and that proposed, the development not adversely affect the AONB, and surrounding countryside as demonstrated by the LVIA. The site is not directly adjacent to a residential area and does not need to be accessed through the village centre. The site is an extension of an existing well established caravan site with existing site management procedures promoting tourism with this holiday centre locality.

Whilst the comments of the Parish Council, CPRE and NCP are noted, given that the site is an extension of an existing caravan park promoting tourism uses, is well screened and it has been demonstrated by the submission of and LVIA that there would be limited visual harm to the AONB and wider countryside, the proposal would comply with the NPPF, Policies CS06, CS10 and CS12 of the Core Strategy 2011 and Policies DM11 and DM15 of the SADMPP 2016. The proposal would also comply with Policy 11 and 17 of the Draft Heacham Neighbourhood Plan.

## **Impact on the Countryside**

The existing Caravan Park is very well maintained and there is no reason to consider the extension would not be kept to the same high standard. The layout is low density which enables landscaping between caravans as well as on the outer boundaries. The immediate landscape condition is relatively good however, hedgerows have been lost. The proposals will restore hedge lines on the site boundary. The recommending planning officer is satisfied that the proposed planting is appropriate for the site and its wider setting in terms of landscape impact subject to additional hedgerow planting to be secured by condition.

In relation to the impact on the intrinsic character and beauty of the countryside, there are no long public views from the A149 to the east or the AONB beyond, from the east the views would be primarily of existing caravans; and from the north the views are private rather than public and still not significant. The character of the countryside would be maintained.

Policy 17 of the NP identifies settlement breaks in the neighbourhood area to safeguard the countryside. The plan outlines 'Gaps separating settlements are important in maintaining the separate identities of smaller settlements, providing their setting and preventing coalescence. Land immediately outside settlement boundaries may be important to the form and character of a settlement, providing both the foreground and the background views of the settlement from a distance and opportunities for views from the settlement'. The application site lies outside the south-east settlement edge of Heacham however, it is isolated in nature and well screened therefore, it is considered it would not prejudice visual or physical local gaps.

Policy 15 of the NP seeks to safeguard the dark skies environment in the parish. It comments that development proposals will be supported that include sensitive external lighting that will minimise the extent of any light pollution subject to conformity with other development plan policies. The applicant has provided a sensitive lighting scheme which outlines areas of minimum light spill and would be confined within the plot which would be conditioned accordingly.

The proposal therefore complies with the NPPF, Policy CS06 and DM15 of the Local Plan and Policies 15 and 17 of the Draft Heacham Neighbourhood Plan.

## **Neighbour Amenity**

There would be no overlooking, overbearing or overshadowing impacts to any non-associated residential uses.

The main impact on neighbour amenity would be via vehicular activity; given the distance from the site to the nearest non-associated residential property it is considered any impact from the use of the site itself would be negligible. However, this is via the existing access and through the existing caravan park and as such would not be material.

The proposal complies with Policy CS08 of the Core Strategy and Policy DM15 of the SADMPP.

## **Highway Safety**

The Local Highway Authority raises no objection on the grounds of highway safety with the existing access being satisfactory and parking provision is in line with current standards subject to condition.

The proposal therefore complies with Policy CS11 of the Core Strategy and Policy DM15 and DM17 of the SADMPP

## Protected Sites and Species

In relation to Protected Sites, consideration has been given to the impact from increased recreational disturbance from occupiers of the caravans to the following protected sites:

The Wash and North Norfolk Coast Special Area of Conservation  
The Wash Special Area of Conservation  
The Wash Ramsar  
The Wash Site of Special Scientific Interest and  
Heacham Brick Pit Site of Special Scientific Interest.

Natural England has no objection to the proposal. The applicant has also provided an ecological assessment and a lighting scheme. Insofar as any potential for recreation disturbance on the SSSI to the west, the SSSI would be protected from dog walkers via proposed fencing as shown on the submitted plan.

### *Bats*

The loss of a small area of improved grassland within the footprint of the development will not impact important foraging and commuting habitat. Impacts to roosting

### *Badgers*

Impacts on badgers associated with loss or damage of setts or loss of foraging habitat are not anticipated.

### *Hazel dormouse*

The proposal will not result in the loss of habitat which is considered to be suitable for dormice. Therefore, no impacts on dormice are anticipated.

### *Hedgehog*

No evidence of hedgehog was recorded, but the site supports suitable habitat. Impacts on hedgehog will be associated with the loss of foraging and potentially cover habitats. In addition during the construction phase, particularly if deep excavations are left uncovered or filled with water these could prove hazardous to hedgehogs.

### *Reptiles*

Typically, reptiles do not persist well in agricultural environments due to the continually changing ground conditions.

### *Great crested newts*

The proposed development will take place on habitat which supports negligible suitability for great crested newt resting places and will not extend into any suitable GCN habitat. As such, the proposal will not result in the loss of any GCN resting places.

### *Breeding birds*

The proposal will not result in the loss of suitable breeding bird habitat. Therefore, impacts on breeding birds are not anticipated.

The Ecology Report concludes that no further surveys or European Protected Species licenses are required.

Enhancements are proposed and these could be suitably conditioned if permission is granted.

The proposal therefore complies with the NPPF and Policy CS12 of the Core Strategy 2011.

## **Other matters**

The PRoW Officer states `We understand that a previous site development used Heacham Restricted Byway 13 as access to the site. There is no public right to use the route in motorised vehicles. Consequently, the developer will need to prove private rights of access to the site via the RB if it were to be used again for access. It has been suggested that the prior smaller scale development significantly damaged the Restricted Byway surface. We would therefore suggest that if consent is granted for the proposal that a condition is imposed requiring access is via the existing site off Lamsey Lane and not via school road and the Restricted Byway`.

However, the caravan site is proposed to be accessed via Lamsey Lane as outlined in the submitted plans therefore, the recommended condition is not required.

The Historic Environment Service states: `The proposed development lies in an area rich in cropmarks. To the northeast lie cropmarks of enclosures and Iron Age or Roman settlement. To the south lie cropmarks again of Iron Age or Roman settlement and of probable prehistoric pit alignments (one of these alignments may continue into the proposed development area) while to the southeast are the cropmarks of a possible ploughed-out Bronze Age burial mound. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205`.

Archaeological investigation and remediation will therefore be conditioned accordingly in accordance with the NPPF and Policy CS12 of the Core Strategy.

The site is located in the lowest flood zone 1.

The existing caravan park is served by an existing drain. The proposed caravan area would be served via surface water drainage as illustrated on the proposed plan. No other details have been provided. In the absence of further drainage details coupled with the concerns raised by the IDB's, more information would be required. This can be controlled via a condition.

## **Crime and Disorder**

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

## **CONCLUSION**

The application is for the expansion of an existing tourism / business use within the countryside. The proposal is considered to accord with the overarching policy considerations relating to such development. The development would not result in any material impact on visual or neighbour amenity or highway safety. Neither would the development result in conditions detrimental to the setting of the AONB. As a result, the proposal complies with the NPPF, Policies 6, 8, 10, 11 & 12 of the Core Strategy, Policies DM11, 15 and 17 of the SADMPP and is in accordance with Draft Heacham Neighbourhood Plan Policies 11, 15 and 17 and is therefore recommended that the 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.
  1. Caravan Drawings MCD02.02.02 C
  2. Proposed Lighting Scheme MCD02.02.10
  3. Site Layout Plan MCD02.02.09 D
  4. Extended Phases 1 Ecological Assessment
  5. Sauro E27 technical details
  6. Landscape and Visual Impact Assessment January 2022
  7. Landscape and Visual Impact Assessment A3 Figure 2 Volume January 2022
2. Reason: For the avoidance of doubt and in the interests of proper planning.
3. 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 and surfaced in accordance with the approved plan and retained thereafter available for that specific use.
3. Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
4. Condition: The caravans hereby permitted shall only be used for short stay holiday accommodation (no more than 28 days per single visit) and shall not be occupied as a person's sole or main place of residence. The owners / operators shall maintain an up-to-date register of visits / occupation and shall make these available at all reasonable times to the Local Planning Authority.
4. Reason: The site lies within in an area in which the Local Planning Authority would not normally permit residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF and Local Plan Policy DM11.
5. Condition: All hard and soft landscape works shall be carried out in accordance with approved plan drawing no: MCD02.02.09 Rev.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.
5. Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

6. Condition: Notwithstanding the details approved under Condition 5, prior to the first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority detailing a green perimeter boundary using native planting. The boundary treatment shall be completed before the first occupation/use hereby permitted or before any caravan is 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.
6. Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
7. Condition: 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
  - a. The programme and methodology of site investigation and recording,
  - b. The programme for post investigation assessment,
  - c. Provision to be made for analysis of the site investigation and recording,
  - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation,
  - e. Provision to be made for archive deposition of the analysis and records of the site investigation and
  - f. Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
7. Reason: In the interest of proper planning and in accordance with the NPPF Ministry of Housing, Communities and Local Government (2021). para. 205.
8. Condition: No development shall take place other than in accordance with the written scheme of Investigation approved under condition (6).
8. In the interest of proper planning and in accordance with the NPPF Ministry of Housing, Communities and Local Government (2021). para. 205.
9. 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 (6) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured. In this instance the programme of archaeological mitigatory work will comprise the monitoring of groundworks for the development under archaeological supervision and control.
9. Reason: In the interest of proper planning and in accordance with the NPPF Ministry of Housing, Communities and Local Government (2021). para. 205.
10. Condition: The development hereby permitted shall be carried out in full accordance with the Mitigation and Enhancements proposed under sections 14 & 15 of the Ecological Report that accompanied the application (undertaken by Phillips Ecology `Final Report` dated August 2021).
10. Reason: To reduce the impacts on Protected Species in accordance with the NPPF and Development Plan.
11. Condition: No development shall commence on site until full details of the surface water drainage arrangements have been submitted to and approved in writing by the Local

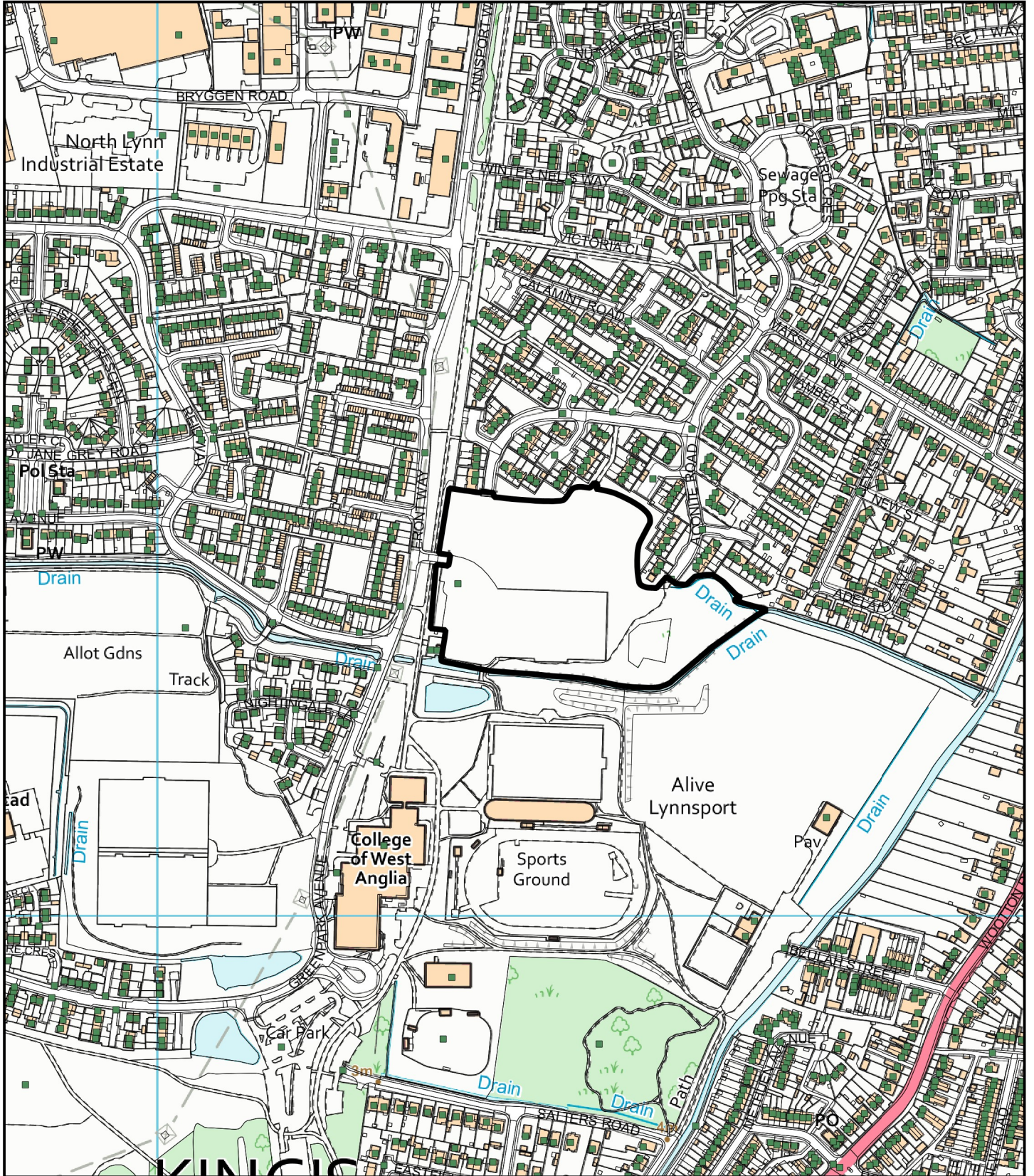
Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

11. Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.



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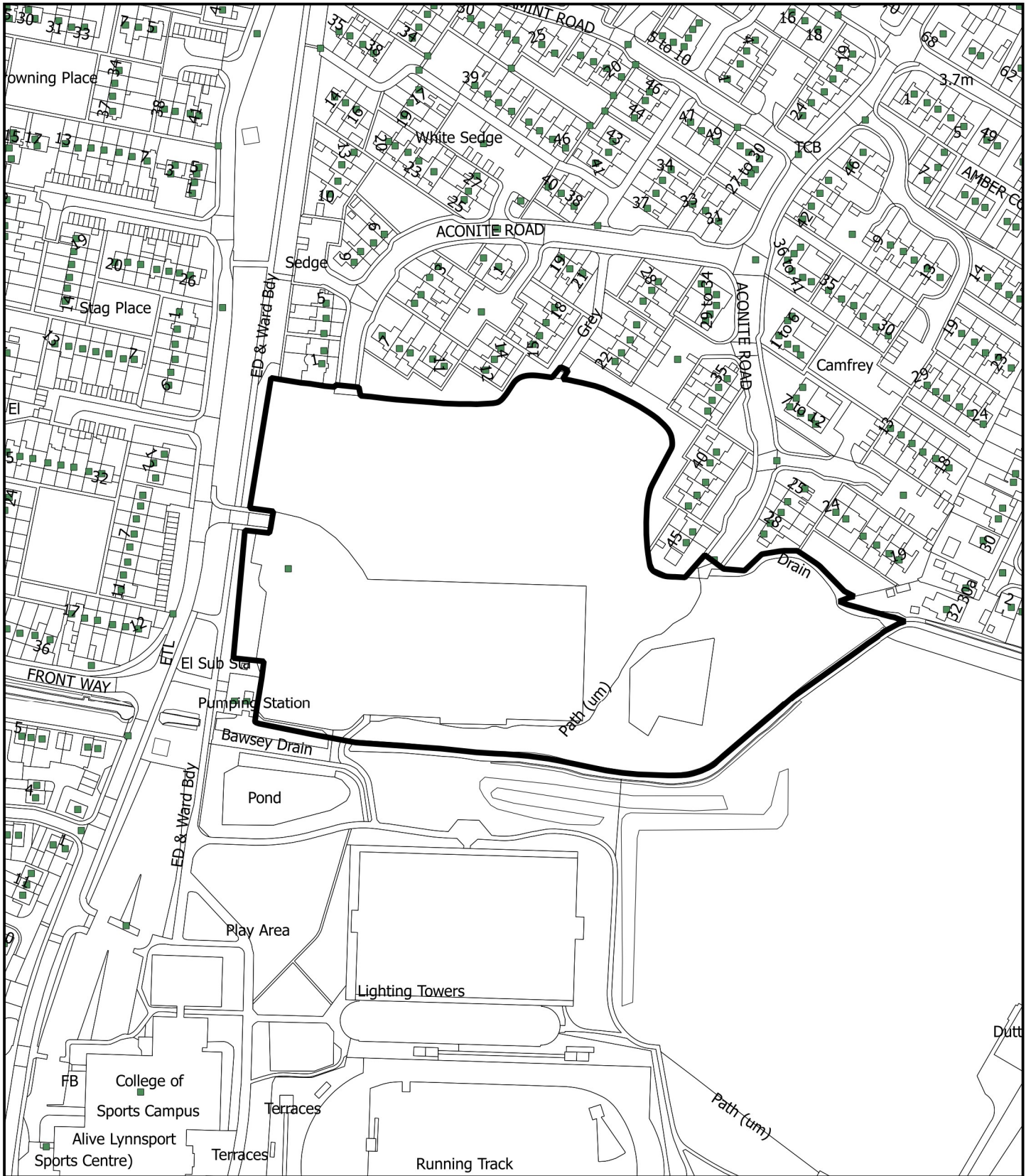
## Front Way Kings Lynn PE30 2LU





# 21/00855/FM

## Front Way Kings Lynn PE30 2LU



<b>Parish:</b>	<b>King's Lynn</b>	
<b>Proposal:</b>	<b>The construction of 96 dwellings associated access roads, footways and new areas of public open space and associated external works</b>	
<b>Location:</b>	<b>Lovells Aconite Rd Site Office Front Way King's Lynn Norfolk PE30 2LU</b>	
<b>Applicant:</b>	<b>BCKLWN</b>	
<b>Case No:</b>	<b>21/00855/FM</b>	
<b>Case Officer:</b>	<b>Mr C Fry</b>	<b>Date for Determination:</b> <b>9<sup>th</sup> August 2021</b>  <b>Extension of Time Expiry Date:</b> <b>9<sup>th</sup> September 2022</b>
<b>Reason for Referral to Planning Committee</b> – The applicant is the Borough Council and there have been objections to the proposal.		
<b>Neighbourhood Plan:</b> No		

**Case Summary**

The application seeks full planning permission for the construction of 96 no. dwellings, associated access roads, footways and new areas of public open space. Access would be gained from the east via Aconite Road and from the west via Front Way. Fourteen of the proposed units would be affordable homes in accordance with the 15% policy requirement specified by Policy CS09 of the Core Strategy.

The site covers an area of approximately 3.4 hectares and forms part of a wider housing allocation for King's Lynn – Land at Lynnsport under Policy E1.7 of the Site Allocations and Development Management Policies Plan 2016 (SADMPP). It also lies within the development boundary of the town as depicted on Inset E1 of the SADMPP.

The site previously benefited from planning permission for construction of 82 no. dwellings, associated access roads, footways, new areas of public open space and associated external works under planning permission 16/02227/FM. However, this development was never commenced and has since lapsed.

The current application seeks to amend the previously approved scheme, largely retaining the previously approved green spaces and key routes through the site, but making changes to the design of the houses and the approved site layout to allow a slight increase in the overall number of units and affordable homes. This revised scheme also now incorporates green technologies into all of the proposed homes.

The site currently comprises informal open space and a disused hockey pitch. To the north and east lie existing residential areas accessed from Aconite Road and to the south the site abuts the Bawsey Drain with the Lynnsport complex situated beyond. Immediately to the west lies an existing pedestrian and cycle path that links up with Edward Benefer Way to the north and connects to Gaywood to the south. Beyond the pedestrian and cycle route lies Front Way, which is part of the main Lynnsport access road with residential properties situated along its western side.

The site lies within Flood Zone 3 as identified on the Council's Strategic Flood Risk Assessment (SFRA) maps.

**Key Issues**

Principle of Development  
Form and Character  
Residential Amenity  
Flood Risk and Drainage  
Highways Impact  
Ecology  
Trees, Landscaping and Open Space  
Affordable Housing and Other Contributions  
Crime and Disorder  
Other Material Considerations

**Recommendation:**

**(A) APPROVE** subject to conditions and completion of a Section 106 Agreement to secure affordable housing provision, library contribution, open space and habitat mitigation payment within 4 months of the date of resolution to approve.

**(B) REFUSE** in the event that a Section 106 Agreement to secure affordable housing provision, library contribution, open space and habitat mitigation payment is not completed within 4 months of the resolution to approve.

**THE APPLICATION**

The application seeks full planning permission for the construction of 96 no. dwellings, associated access roads, footways and new areas of public open space. Access would be gained from the east via Aconite Road and from the west via Front Way. Fourteen of the proposed units would be affordable homes.

The site covers an area of approximately 3.4 hectares and forms part of a wider housing allocation for King's Lynn – Land at Lynnsport under Policy E1.7 of the Site Allocations and Development Management Policies Plan 2016 (SADMPP). It also lies within the development boundary for the town as depicted on Inset E1 of the SADMPP.

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The site currently comprises informal open space and a disused hockey pitch. To the north and east lie existing residential areas accessed from Aconite Road and to the south the site abuts the Bawsey Drain with the Lynnsport complex situated beyond. Immediately to the west lies an existing pedestrian and cycle path that links up with Edward Benefer Way to the north and connects to Gaywood to the south. Beyond the pedestrian and cycle route lies Front Way, which is part of the main Lynnsport access road with residential properties situated along its western side.

The current application seeks to amend the previously approved scheme, largely retaining the previously approved green spaces and key routes through the site, but making changes to the design of the houses and the approved site layout to allow a slight increase in the overall

## **AGENDA ITEM NO: 8/2(b)**

number of units and affordable homes. This revised scheme also now incorporates green technologies into all of the proposed homes which include air source heat pumps, EV charging points or ducting for future EV installation and solar panels on just less than one third of the proposed units.

The proposal, should permission be granted, would be constructed in 6 phases in accordance with the submitted Phasing Plan. Phase 1 would comprise development of the access road and houses in the south east portion of the site, phases 2 and 3 would develop the largest areas to the south and north of the access road respectively and the remaining phases 4-6 cover the residential dwellings on the western side.

The dwellings comprise two-storey detached, semi-detached and terraced units with 1, 2, 3 or 4-bedrooms. The proposed pallet of materials comprises red and yellow brick with some grey brick detailing and dark grey tiles. Boundary treatments will comprise 0.9m and 1.8m high close boarded timber fencing, 1.5m close board fencing with trellis top (overall height 1.8m) and small areas of brick screen wall 1.8m in height.

The scheme proposes on plot parking in line with current adopted standards with 26 no. units being provided with private garages.

Vehicular and pedestrian access to the site will be via the new Lynnsport access road to the west and via Aconite Road (East) to the east. Additional pedestrian access will be via Aconite Road (West) and Grey Sedge as well as via an existing access from Lynnsport to the south over the Bawsey Drain.

The site lies adjacent to existing open space and recreational facilities at Lynnsport but the scheme also includes provision of on-site areas of informal and formal open space.

### **SUPPORTING CASE**

This application represents the last of the Lynnsport Housing sites, allocated for residential development under Local Plan policy E1.7.

Development of these sites has delivered substantial infrastructure and leisure benefits for the local area, including the new access road connecting the Lynnsport site to the A1078 Edward Benefer Way; a new pumping station and rising main; construction of new sports pitches; the relocation and improvement of a model railway facility on the Lynnsport site; contributions toward the dedication of new wildlife and amenity areas within the Lynnsport site; and the provision of land for the new Greenpark Academy Nursery and Primary School.

In addition to these benefits, the developments have created a significant number of new market and affordable homes in highly sustainable locations, with excellent sustainable transport links into the town centre and nearby facilities and amenities.

This application would complete this work, making good use of the now redundant sports pitches and delivering 96 new homes – including 14 affordable/First Homes, new areas of public open space and, where possible, incorporating 'green' technologies such as Air Source Heat Pumps, Solar panels and EV charging points.

In terms of form and layout, the application is very similar to the consent granted on this site in 2017 (consent reference 16/02227/FM). As before, the proposal 'ties in' with the existing roads and footways on the neighbouring residential development, and offers improved cycle connections through the site.

Retention of existing boundary trees and the three small woodland copses within the site, together with the provision of an area of linear open space alongside the Bawsey Drain and high quality design and layout throughout the scheme, creates a development which respects the key natural features of the site, and works with and around these features to deliver a development which will have a distinct sense of place.

As with all the Lynnsport sites, the affordable homes will be tenure blind and pepper-potted in parcels across the site, and the development would be first within the Borough to secure the delivery of First Homes within the affordable mix.

The proposal has been subject of extensive discussions with relevant technical consultees and, consequently, there are no objections from these parties in respect of flood risk, highways, ecology, impact on tree or environmental health.

In summary, the application would deliver good quality, and much needed, new market and affordable housing in a highly sustainable location, and has already contributed towards significant infrastructure improvements which confer real benefits for existing and proposed new residents. The development is in accordance with relevant policies of the adopted Local Plan and national policies and guidance and should be permitted.

## **PLANNING HISTORY**

16/02227/FM - Construction of 82 dwellings, associated access roads, footways and new areas of public open space and associated external works. Approved, 10<sup>th</sup> August 2017 (Committee decision).

## **RESPONSE TO CONSULTATION**

**Kings Lynn Area Consultative Committee (KLACC) Planning Sub-Group: NO OBJECTION** subject to further clarification on the safety of the cyclepath.

**Highways Authority (NCC): NO OBJECTION** subject to standard highway conditions relating to detailed plans for roads etc, construction workers parking and construction traffic management plan.

**NCC Public Rights of Way (PROW): NO OBJECTION.** We have no objection in principle to the application but would highlight that a Public Right of Way, known as King's Lynn Bridleway 5 is adjacent to the Western boundary of the site. The full legal extent of this bridleway must remain open and accessible for the duration of the development and subsequent occupation.

**Norfolk Historic Environment Service: NO OBJECTION.** Parts of the application area have previously been subject to a programme of archaeological mitigation which has now been completed. Therefore, based on currently available information, the proposal does not have any significant implications for the historic environment and we would not make any recommendations for further archaeological work.

**NCC Planning Obligations: NO OBJECTION** subject to a condition securing the provision of fire hydrants and a financial contribution of £7,200 towards library services, to be funded through either CIL or S106.

Education - Land for a purpose-built primary school has been secured to serve the Alive Lynnsport development, therefore, Norfolk County Council will not be seeking Education contributions on this occasion.

Fire - This development will require at least 1 fire hydrant per 50 dwellings (or part thereof to provide adequate fire-fighting water supply) at a cost of £921 per hydrant, which should be dealt with through condition.

Library - Mitigation required at the library serving the development to develop self-service system for local area.

A development of 96 dwellings would place increased pressure on the library and mitigation is required to increase the capacity of the library.

Contribution sought:

- 96 x £75 (cost per dwelling) = £7,200

**Environment Agency: NO OBJECTION** subject to the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) being adhered to. In particular, the FRA states that:

- Flood resilient construction techniques will be employed up to a level of 4.19m AOD.
- There will be no ground floor sleeping accommodation.
- Safe refuge shall be provided above 3.89m AOD.

**Lead Local Flood Authority (LLFA): NO OBJECTION** subject to condition. The previous application received an objection on the grounds of:

1. lacking evidence of consent from the King's Lynn (KL) IDB for the uncontrolled discharge from the site to the adjacent Bawsey Drain via two outfalls
2. lacking evidence of consent from the King's Lynn IDB for the uncontrolled discharge from the site to the adjacent Bawsey Drain via two outfalls
3. providing insufficient treatment of water to satisfy the simple index approach as required for all new developments.

The applicant has since provided additional information to satisfy the objections outlined above:

- Notice of Intention to Grant Consent – a letter from KLIDB providing notice of intention to grant consent to discharge surface water run-off into the Bawsey Drain. Final consent will be granted upon payment of a one-off Surface Water Development Contribution to the Board. This document is deemed sufficient to demonstrate that Point 1 described above has now been satisfied.
- 21\_05804\_C Final Consent – a letter from KLIDB granting consent for the Partial infilling of 2no. existing shallow depressions along the western boundary of the site. This document is deemed sufficient to demonstrate that Point 2 described above has now been satisfied.

With regards to Point 3, it is understood that several constraints on the site have restricted the use of SuDS as part of the Surface Water Drainage Strategy. Notwithstanding this, it is a requirement of the LLFA that an improvement to water quality must be provided with consideration given to the final discharge location, in this case the Bawsey Drain. As such, for this particular application we have no objection subject to conditions being attached to any consent if this application is approved and the Applicant is in agreement with pre-commencement conditions.

**Water Management Alliance (IDB): NO OBJECTION.** I can confirm that the Board have received three applications for land drainage consent relating to this development, two to relax Byelaw 10 for works within 9 metres of the Board adopted watercourses Bawsey Drain and

Seabank Rising Main respectively, and another to discharge surface water to a watercourse under Byelaw 3. Each of these applications are being considered by the Board and are nearing the final stages of the process.

**Anglian Water: NO OBJECTION.**

**Natural England : NO COMMENT.** The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

**Norfolk Constabulary: NO OBJECTION** but recommendations provided in order to achieve the Secured by Design Gold award.

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

**BCKLWN Housing Enabling Officer: NO OBJECTION** subject to completion of a S106 agreement to secure the proposed affordable housing.

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 15% provision is required on sites capable of accommodating 10 or more dwellings and/or 0.165ha in King's Lynn. 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. In this instance 14 units would be required, 10 for rent, 3 for First Homes and 1 for Shared Ownership.

First Homes is a new form of affordable housing, First Homes are to be sold by developers to eligible households at a discount of at least 30%. The council have published a guidance note for developers on First Homes.

It is important for the applicant to note that we operate a dynamic approach to viability whereby the affordable housing thresholds and percentages are reviewed on an annual basis and informed by the following factors;

- Market Land Values
- House Prices
- Level of contribution sought overall
- Index of Build Costs

However any S.106 agreement signed before the review will provide the prevailing affordable housing percentage at the time of determining the application.

The affordable housing should be fully be integrated with the general market housing in order to achieve mixed and sustainable communities in which the accommodation is tenure blind. An objection from us is likely if this is not met.

The affordable units must be transferred to a Registered Provider of Affordable Housing agreed by the Council at a price that requires no form of public subsidy.

A S.106 Agreement will be required to secure the affordable housing contribution.

**BCKLWN Environmental Quality: NO OBJECTION** subject to unexpected contamination condition and a condition requiring all traffic associated with the development for the duration of the construction period to comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' that goes northwards to the A1078 unless approved in writing with the Local Planning Authority.

The Council's Environmental Quality team have also requested clarification from the applicant whether the recommended gas protection will be included in design or if further monitoring and gas risk assessment will be carried out.

**BCKLWN Community Safety & Neighbourhood Nuisance (CSNN): NO OBJECTION** subject to condition.

The acoustic report deals with two main aspects of noise and vibration namely from the construction phase of the development and from traffic noise from existing and proposed roads during the occupation of the residential development.

The construction noise assessment has been made on the basic assumption that general construction hours would be from 07:00-19:00 Monday-Friday and 07:00-13:00 Saturday. This is incorrect and should be 07:00-18:00 and 08:00-13:00 with no times on Sundays and Bank Holidays. As such I do not think this would make a great deal of difference to the assessment as much of the noise, vibration and dust control can be addressed through a Construction Environmental Management Plan (CEMP) and through BS5228. This and other mitigation measures proposed should be put together in the CEMP along with dust control measures. I have reviewed the construction traffic management plan which is satisfactory again, these measures should be integrated into a CEMP. The traffic management plan has the correct construction hours detailed.

I am in agreement with the noise assessment for the functional/occupational phase of the development which proposes trickle acoustic vents to windows on 11 plots located on the western boundary of the development. The mitigation measures should be installed as per the approved document.

I would recommend that the developer/applicant create a CEMP as suggested above and incorporate the noise and vibration controls proposed along with construction traffic proposals with an addition of dust control measures. This document is a dynamic document and should be updated with each phase of works and should certainly include any changes to the construction methods.

**BCKLWN Greenspace Officer: NO OBJECTION** to latest revised drawings.

Previous comments received 26<sup>th</sup> Jan 2022:

- Can we confirm if 'Type 6 Mews' roadways will be adopted as public highway, as it seems we (and the IDB) will need to access the open space areas and no development zone via these roadways;
- A level of integration between the pre-existing open space and new open space areas on the development boundary is needed (to the north of the development) – whilst buffer/boundary landscaping should be maintained, areas of access between the adjoining open spaces with ride on equipment would aid maintenance; new tree planting should be appropriate for planting in an urban setting, with careful consideration to final height and spread (with no fruiting varieties in/around areas of hard landscaping);
- Responsibility for alleyways should be clearly defined (vested in respective owners/occupiers), preferably gated to prevent unauthorised access; driving over pathway to access the no-development zone is not ideal – an alternative suggestion might



be to bring the 'Type 6 Mews roadway down to meet the no development zone, with the footpath coming in to meet at a right angle (with dropped bollards to stay where they are to prevent vehicles parking in the way); and

- Knee rail fencing adjacent to parking bays serving plot 24 needs to follow around the parking bays (rather than cutting across and blocking access to the no development zone!).

**BCKLWN Tree Officer: NO OBJECTION** subject to a condition requiring the development to be carried out in accordance with the submitted arboricultural report and plans authored by C J Yardley, Landscape Survey, Design and Management.

**BCKLWN Emergency Planner: NO OBJECTION.**

**BCKLWN Waste & Recycling: NO OBJECTION.**

## **REPRESENTATIONS**

**8** letters of **OBJECTION** and **2 NEUTRAL** representations have been received from local residents. The expressed concerns can be summarised as follows:

- Huge concerns over the opening up of Aconite Road linking it to North Lynn. Aconite Road and Marsh Lane are in no way suitable for the extra volume of traffic that will come with all the new housing. Both Aconite Road and Marsh Lane have a lot of cars parked in daily and this will cause problems with high traffic levels. Marsh Lane already struggles daily with the amount of cars during peak times.
- Currently Aconite Road is a quiet cul-de-sac with very minimal traffic, this part of the road is frequently used by children playing and will make this very unsafe for them to do anymore. There are a large amount of deer and other wildlife who cross over this part of the road, currently very safely, but again this will no longer be safe for them.
- The proposed building of 96 dwellings and joining Aconite Rd to North Lynn will vastly increase the traffic and noise (could be in the region of 200 extra cars from the houses plus the traffic cutting through as a short cut) to unacceptable levels, particularly around peak work, school times and in unsociable hours.
- There is likelihood of over parking in the current resident parking spots or indeed blocking of driveways. Surely the road could just run from the North Lynn end without the need to connect to Aconite as the Marsh Lane to Aconite already receives a high traffic load and the extension will just make it a lot worse.
- The green land at the end of Grey Sedge, formerly a walk through orchard, is a thriving habitat of deer, birds, small grass snakes, frogs and newts and lots of other wild-life and this should be respected and preserved.
- Increased strain on the surrounding support infrastructure, particularly doctor surgeries, which are already under great pressure.
- Connecting Aconite Road to North Lynn will only increase the rat-running on Marsh Lane. The drawings downgrade the cycling link from Lynnsport and Leisure Park to a "pedestrian access" and show the northern footway alongside the rat run abruptly changing width at the site boundary, rather than connecting to nearby cycleways.
- Page 13 of the Design and Access statement shows that they are deliberately connecting a "proposed primary spine vehicular road" to a "secondary vehicular road" and despite the claim of "inclusion of cycleways" in that document, this development includes none.
- This plan does not comply with the Borough Core Strategy Policy on Transport because it does not encourage cycling and walking.
- This is criminal activity trying to get permission for more than the original planning that showed 86 not 96. I am not very happy with the application because you are taking away more green space and destroying it again.

## AGENDA ITEM NO: 8/2(b)

- I have heard that when building works commence the piles are going to be hammered in the ground which will have major impact on the surrounding houses and the noise from hammering them in.
- My property backs onto the main through road, Front Way, which will be opposite the proposed new builds. With the current new estates opening at Lynnsport, and at the bottom of Marsh Lane, the level of traffic has increased significantly, the stretch of road is a rat run for many at all hours, and drivers already have little respect for our vehicles which are parked, squeezing past each other in their impatience.
- Road flooding is continually increasing, which has never been an issue in the years I have lived here.
- The road layouts do not allow for the potential 100+ cars which will undoubtedly come with the new dwellings.
- Are there enough jobs locally for these houses? How are we maintaining our income as a town? Will the roads out of town be further inundated during rush hour increasing the working day for all?
- What is being actioned to help ease the pressure on the hospital, doctors, schools etc
- The green space here has diminished significantly, with only Lynnsport fields on either side "protected", but this will no longer be enjoyed as it once was, if further overcrowded.
- I can see from the proposed plan that there will be a public pathway coming out right outside my house. This will not only lower the price of my house, but change the peacefulness that me and my neighbours have had for so many years.
- There are many houses already here that have been underpinned and since the site was cleared we have had flooding of heavy rainfall outside our front gate.
- Marsh Lane is too small to take any more traffic. It is already dangerous with the excessive amount of traffic now the road has been linked to the other new houses recently built. The road is now used as a short cut to North Lynn. The condition of the road surface is also very poor due to the excessive traffic and more houses will make it worse.
- I am concerned that Aconite Road is now going to be the main access to this development which will mean a significant increase in traffic through the existing estate and Marsh Lane to gain access to Wootton Road for schools and Gaywood etc. At present the road surface of Marsh Lane is in a terrible state - uneaten surfaces and many potholes.
- My property is not showing correctly on the site roof map. 5 years I purchased land adjacent to my property 38 Greysedge. My new boundary isn't showing on your map.
- I have concerns regarding the fact that my property will be overlooked by the new properties. The land on the proposed development site is at least 3 feet above my property and I believe that I will lose all privacy within my own home as residents of the proposed properties backing onto my home will be able to see into windows on both floors as well as my rear garden.
- I currently benefit from sunlight to the rear of my property from sunrise until mid to late afternoon, I believe that if the proposed development goes ahead then I would lose this natural sunlight for the majority of the day. This would have a severe impact on my mental wellbeing and have financial implications too. If I lose the sunlight into my lounge and rear bedroom then I would have to rely on central heating more than I currently do.
- I also have safety concerns regarding the fact that the quiet dead end I currently enjoy will be completely spoilt. Having seen the limited parking and narrow roads on other parts of the development I have real concerns about the level of traffic passing past the front of my property and the amount of vehicles parked on the main thoroughfare.

### LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

**CS13** - Community and Culture

**CS14** - Infrastructure Provision

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

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

**DM15** - Environment, Design and Amenity

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

**DM17** - Parking Provision in New Development

**DM21** - Sites in Areas of Flood Risk

**E1.7** - King's Lynn – Land at Lynnsport

**NEIGHBOURHOOD PLAN POLICIES**

**Neighbourhood Plan: N/A**

**NATIONAL GUIDANCE**

Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

**PLANNING CONSIDERATIONS**

The main issues for consideration in this application are:

- Principle of development;
- Form and character;
- Residential amenity;
- Flood risk and drainage;
- Highways impact;
- Ecology;
- Trees, landscaping and open space;
- Affordable housing and other contributions;
- Crime and disorder; and
- Other material considerations.

## **Principle of Development**

The application site lies within the development boundary of King's Lynn and covers an area of approximately 3.4 hectares.

The site forms part of a wider housing allocation in the adopted SADMP. Policy E1.7 – Land at Lynnsport relates specifically to these sites and states: 'Land amounting to 9.1 hectares is allocated for residential development of at least 297 dwellings. Development will be subject to compliance with the following:

1. Provision of a new road linking the site to the A1078 Edward Benefer Way, minimising negative impacts on the existing cycleway;
2. Submission of a site specific Flood Risk Assessment;
3. 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;
4. Informal recreation provision on, or in the vicinity of, the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to the exercising of dogs) on Roydon Common Special Area of Conservation. This provision may consist of some combination of:
  - Informal open space (new and/or existing);
  - Pedestrian and cycle routes (new and/or existing) which provide a variety of terrains, routes and links to greenspace and/or the wider footpath and cycle network;
  - A contribution to greenspace provision or management in the wider area within which the site is located;
5. In judging the amount of on-site open space appropriate under Policy DM16 (Provision of Recreational Open Space) regard will be given to the proximity of the development to existing safeguarded facilities (such as those at Lynnsport adjacent to the site). The Borough Council will consider flexibility of open space provision requirements where this would result in qualitative and quantitative benefits to the community and where the preceding habitats requirements are met;
6. Submission of an Ecological Study that establishes that either:
  - i) there would be no negative impact on flora and fauna;
  - ii) or, if any negative impacts are identified, establishes that these could be suitably mitigated;
7. Financial contributions towards the provision of infrastructure including additional primary and secondary school places;
8. Provision of affordable housing in line with the current standards.

The site previously benefited from planning permission for construction of 82 no. dwellings, associated access roads, footways, new areas of public open space and associated external works under planning permission 16/02227/FM. However, this development was never commenced and has since lapsed. Notwithstanding this, it is an allocation of the development plan, thoroughly tested through the development plan process in terms of siting and impact on local infrastructure including traffic and benefits from a previous planning permission; the comments of Third Parties cannot therefore be supported.

In light of the above policy and planning history background, the principle of residential development on the site is considered to be acceptable provided the scheme complies with the requirements of Policy E1.7 of the SADMP, all other relevant policies of the Development Plan and national planning policy and guidance.

## **Form and Character**

Existing residential development in the surrounding area is relatively generic comprising red and buff brick two-storey semi-detached and terraced dwellings situated off both Front Way / Reid Way to the west and Aconite to the north and east. Further to the north off Lynnsport Way lies the more recent development of Winter Nelis Way which comprises more varied house types in a blend of buff and red brick and render.

According to the National Design Guide Statement submitted in support of the application, the proposed development builds on the principles established at Marsh Lane, Lynnsport 3 and the more contemporary approach at Lynnsport 4 and 5. The proposal aims to respect the existing grain of development creating new avenues that connect with the established roads improving both access and permeability. The new access / spine road through the site will link Front Way with Aconite Road enabling the creation of mews type development off it, interspersed with existing and new tree planting as well as areas of open space.

The density of the proposed development is approximately 27dph. Whilst this is lower density than the housing to the north and west it is more in line with the other recent Lynnsport developments.

The proposed dwellings comprise a mix of two-storey detached, semi-detached and terraced properties with the following breakdown:

- 6 x 1-bed semi-detached houses;
- 14 x 2-bed terrace houses;
- 12 x 2-bed semi-detached houses;
- 12 x 3-bed semi-detached houses;
- 30 x 3-bed detached houses; and
- 22 x 4-bed detached houses.

Overall it can be said a relatively simple, contemporary approach has been taken for the design of all the proposed dwellings that would provide consistency across the site and integrate well with existing development. However, it also allows for variety and interest through the use of different materials, variation in roofscapes and a wide selection of house types.

Each house will have direct access to its rear garden with provision of adequate space for the storage of 3 no. 240 litre wheelie bins to accommodate general waste, recycling and garden waste if required in accordance with the Council's recycling policy. All houses will also have bike storage within their rear gardens and additionally 26 no. units will have their own garage.

In terms of green technologies, 30 no. units are to be provided with solar PV panels, 26 no. units will be provided with an EV charging point and 52 no. units are proposed to be ducted for future EV installation. All residential units will have an air source heat pump that will provide a sustainable and cost effective system for all users.

Overall it is considered that the proposed scheme will function well and result in a development that integrates with and enhances the existing residential development in the locality. As a result, the proposals are considered appropriate for the site and its surroundings and would not result in any significant harm to the established form and character of the area. The proposal therefore complies with the NPPF, NDG, Policies CS08 and DM15 of the Local Plan.

### **Residential Amenity**

In terms of the relationship between the proposed development and existing residential properties on Front Way and Aconite Road, the new dwellings would be sufficiently separated to prevent any overbearing impact or loss of privacy / overlooking. The wider impact of the proposal on these properties and the area generally in terms of any noise and air quality impacts has been considered separately by the Council's Environmental Health & Housing teams who have raised no objection to the proposed development.

In addition to the relationship with existing residential properties surrounding the site, the relationships between units within the proposed development itself has been considered. All dwellings are to be provided with sufficient private amenity space and where properties have a direct back-to-back relationship with each other there would be a separation distance of approximately 21 metres which is considered to be acceptable and would provide a good quality living environment for future occupiers.

It is therefore concluded that the development would not result in any significant detrimental impact on residential amenity and Third party comments cannot therefore be supported. The proposal therefore complies with the NPPF and Policies CS08 and DM15 of the Development Plan.

### **Flood Risk and Drainage**

The site lies within Flood Zone 3 as identified on the Council's Strategic Flood Risk Assessment (SFRA) maps and is therefore in an area at potential risk of flooding. Both national and local planning policies and guidance seek to steer new development away from areas at risk of flooding by virtue of applying the sequential test. However it is not necessary to undertake the sequential test on allocated sites (as it is considered that this occurred during the allocation process (NPPF paragraph 162). Further, and in line with Development Plan Policy DM21, only the second element of the exception test is required (as it is likewise considered that the first element (wider sustainability benefits) is deemed to be met by the allocation process).

The second part of the exception test requires that a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall. Neither the Environment Agency (EA) nor Lead Local Flood Authority (LLFA) object to the proposed development subject to conditions relating to flood resilient construction techniques up to a level of 4.19m AOD, no ground floor sleeping accommodation and safe refuge to be provided above 3.89m AOD.

### **Drainage:**

The main proposed foul water sewers to serve the housing development will be adopted by Anglian Water.

In line with the other Lynnsport residential developments and the previous planning consent for this site, the application proposes a targeted scheme of surface water treatment which sees all water falling on private drives filtered through permeable paving before storage in a tanked system (below the drives) and discharge into the IDB Bawsey Drain (which has been agreed in principle by the Water Management Alliance). Water butts are also proposed on all properties. The details of the proposed system, and an assessment of the suitability of other SUDS methods to the site, are included within the submitted FRA.

The LLFA originally raised an objection to the application as they considered there were points of clarification required regarding the proposed surface water drainage strategy. However, following the submission of additional information the LLFA have now confirmed they have no objection to the proposed development, subject to a condition requiring submission and approval of detailed designs of the surface water drainage scheme. This will need to provide evidence that an assessment has been undertaken of the inclusion of filter strips and filter drains in the drainage design to treat water runoff from highways prior to discharge. In addition to any filter strips and filter drains proposed, the LLFA have advised the design should include proprietary treatment systems prior to outfall to ensure that mitigation for all runoff based on the Simple Index Approach has been achieved for each outfall.

The proposal adequately addresses flood risk and drainage matters and the statutory consultees are satisfied with the scheme. The proposal therefore complies with the NPPF and Policies CS08 and DM21 of the Development Plan.

### **Highways Impact**

The site would be accessed via Aconite Road to the east and Front Way to the west. The site layout demonstrates that safe access can be achieved from the existing public highway network, with the required visibility splays achieved.

There are no existing public rights of way crossing the site, however there are a number of permissive routes which cross the site and, by way of a footbridge over the Bawsey Drain, provide a north/south link between the estates to the north and the Lynnsport site to the south. This north/south link would be retained within the development along with additional pedestrian access points provided via Aconite Road (West) and Grey Sedge.

On plot parking is to be provided in accordance with current parking standards with 26 no. units having private garages. The majority of these would be single garages, although 3 no. 4-bed units would have double garages.

Overall it is considered that the site can be accessed safely and that development of the scale proposed could be accommodated by the existing and recently approved highway network. Whilst Third Parties object in principle to the additional traffic in this location, the proposal would not result in any unacceptable impacts on traffic flows or highway safety, therefore NCC Highways have raised no objection to the proposed development subject to conditions.

The proposal therefore complies with the NPF and Policies CS11, DM15 and DM17 of the Development Plan.

### **Ecology**

The submitted application was accompanied by a Phase 1 Habitat Survey (2015), Ecological Survey Update (dated 6<sup>th</sup> October 2021 by James Blake Associates), Updated Water Vole Survey (dated July 2021 by James Blake Associates), Reptile Survey (dated May 2021 by James Blake Associates), Great Crested Newt eDNA Survey (dated 24<sup>th</sup> May 2021 by James Blake Associates) and Bat Emergence/Return to Roost and Bat Activity Survey Report (dated December 2021 by James Blake Associates).

In summary the results are as follows:

Water Vole — A number of water vole latrines, and burrows potentially used by water voles, were recorded south of the site on the banks of Bawsey Drain. A single juvenile water vole was also seen in Bawsey Drain during the survey. As a result, it has been concluded by the ecologist that low numbers of water voles are likely to be present in the immediate area.

A wide easement along the north of the Bawsey Drain is proposed to be retained as part of the proposed development, which will act as a buffer between the drain and the construction zone. Therefore, it is unlikely that water voles will be negatively impacted by the proposed development.

Recommendations are made regarding the reduction of potential impacts and enhancements for water voles. It is recommended that precautionary measures before and during construction are implemented, as well as an appropriate management plan.

Reptiles — No reptile species were recorded using the site during the survey period. Therefore, no mitigation or constraints to the development apply to the site, with respect to reptiles. However, the site has the potential to be enhanced for reptiles post-development.

Great Crested Newts (GCN) — Updated GCN eDNA testing was conducted on 3 ponds within 500m of the site. No evidence of GCN eDNA was found within any of the samples. However, the results from Pond 2 were 'indeterminate' due to evidence of degradation or residual inhibition. Pond 2 is located between Pond 1 and 4, within 20m of Pond 1; it is therefore considered unlikely that GCN are currently using the waterbodies on or within 500m of the site boundary.

Badgers — No setts or evidence of badger activity with regard to hair, latrines or snuffle holes were recorded on the site itself or within 30m of the boundaries during the survey.

Bats — Overall bat activity throughout the site was considered as 'moderate' with the majority of foraging and commuting activity focused on the watercourse adjacent to the southern boundary, and the eastern boundary. Bat activity was dominated by common and soprano pipistrelle; other species recorded included noctule and brown long-ear bats. Recommendations for mitigation are therefore proposed that include retention of existing boundary hedgerows and trees where possible, provision of lighting minimisation precautions and installation of bat boxes on suitable retained trees at the boundaries of the site and proposed new buildings.

In addition to the above survey reports and in accordance with their recommendations, a Landscape and Ecology Plan has been submitted that identifies suitable locations for bat, sparrow and general bird boxes to be installed or integrated in certain buildings or on retained trees. The Plan also shows hedgehog links between residential gardens.

In order to ensure the proposed development would not have any detrimental impact on protected species, should planning permission be granted, a suitable condition has been recommended in order to ensure the development is carried out in accordance with the proposed mitigation / enhancement recommendations of all submitted protected species survey reports and the Landscape and Ecology Plans, Part 1 and Part 2 (dwg nos. 016 rev P12 and 017 rev P05). The proposal therefore complies with the NPPF and Policy CS12 of the Development Plan.

### **Trees, Landscaping and Open Space**

Trees and Landscaping: The works to trees required as part of the proposed development can be summarised as follows:

- Removal of T7, all of G21, part of G22 (5 trees), part of G23 (9 trees), T45, G52 and part of G59 (approx. 9 trees). A landscaping scheme is proposed which will provide some replacement planting.



- The canopies of T20 and T50 (high amenity value Oak and Ash) will need to be reduced on their southern sides. The amount of reduction will not adversely impact significantly upon the forms of the trees.

A significant number of existing trees are proposed to be retained as part of the development which has naturally resulted in the provision of green spaces around them and allowed the opportunity for new dwellings to face onto them. Additionally, in order to balance the necessary hard landscaping, additional tree planting is proposed in order to help create a high quality verdant environment for future residents. The green no development zone / buffer in the south of the site adjacent to the Bawsey Drain will also help assimilate the proposal into its surroundings and will provide attractive views for both existing and future residents.

The Council's Arboricultural Officer has no objection to the proposed development on condition that it is carried out in accordance with the submitted Arboricultural Impact Assessment, Tree Protection Plan & Method Statement prepared by C J Yardley Landscape Survey and Design (updated August 2021).

Open Space: Policy DM16 of the SADMPP requires that schemes of 100+ homes must make provision for 2.4ha of open space per 1000 population and that this open space must comprise approximately 70% amenity, outdoor sport or allotments, and 30% suitably equipped play space; schemes of between 20 and 99 homes need only provide the 30% suitably equipped play element.

Whilst this scheme is by itself for 96 houses, it forms part of a wider allocation (in combination with Lynnsport 3 and Lynnsport 4 and 5) for the delivery of 100+ houses. There is no specific guidance as to how the 70% provision should be divided between amenity, outdoor sport and allotment, though the supporting text to policy DM16 suggests that half of this space should be made available for pitch sports (1.2 ha of the 2.4ha total provision, per 1000 population). Notwithstanding this, it is the case that both the site allocation policy E1.7 and policy DM16 make provision for some flexibility when applying this standard.

Policy DM16 enables the Council to adopt a flexible approach to the types of public open space required within a particular scheme where it can be demonstrated:

- 1) That there is an excess of provision available in the locality; or
- 2) Where opportunities exist to enhance existing local schemes; or
- 3) The townscape or other context of the development is such that the provision of open space is not desirable.

This flexibility is mirrored in site specific policy E1.7 (Lynnsport sites), which states: 'In judging the amount of on-site open space appropriate under Policy DM16 regard will be given to the proximity of the development to existing safeguarded facilities (such as those at Lynnsport adjacent to the site). The Borough Council will consider flexibility of open space requirements where this would result in qualitative and quantitative benefits to the community and where preceding habitats requirements are met.'

In summary, based on all the Lynnsport sites Policy DM16 requires allocation E1.7 to deliver 0.85 ha of amenity, outdoor sports or allotment space. The approach proposed by the applicant would deliver a minimum of 2.82ha of such space.

It has previously been agreed with the Council's Greenspaces team that the approach for the Lynnsport sites would be to deliver the majority of the equipped areas for play outside the individual development sites but within the wider Lynnsport site. It was considered that the combination of providing small areas for play within each site and the consolidation of the equipped play facilities in one single area, providing one large facility at a location already

used for play and which is readily accessible by a series of foot and cycles ways from the development sites (and neighbouring residential developments), represents the best approach to open space provision for both existing and future residents and the users of Lynnsport.

Offsite, the previously approved scheme for this site, along with development at the other Lynnsport (policy E1.7) sites, has already enabled the Lynnsport Neighbourhood Area of Play (NEAP) to be provided. This facility has been delivered alongside the provision of new sports pitches, wildlife areas and areas of public open space situated within the wider Lynnsport site.

On site, 3,787 square metres of open space is provided which includes retention of existing wooded copses in addition to the provision of the green 'no development zone' to the north of the Bawsey Drain.

The footpath network is designed specifically to connect existing links and open space safely and efficiently across the site. The proposal also includes a dedicated 3m wide cycleway along the proposed spine road linking Front Way and Aconite Road, connecting in to the existing cycle path network.

Taking into account the onsite provision proposed coupled with the fact the application site and other Lynnsport developments have already enabled the delivery of the NEAP and the improvement and opening up of substantial areas of public open space that far exceeds normal requirements (contrary to Third Party assertion), it is considered that the application proposal meets the requirements of both DM16 and the open space requirements of site allocation policy E1.7 of the Development Plan.

### **Affordable Housing and Other Contributions**

**Affordable housing:** The site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy CS09 of the Council's adopted Core Strategy. At present a 15% provision is required on sites capable of accommodating 10 or more dwellings and/or 0.33ha in King's Lynn. 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.

In this instance 14 units are to be provided which meets the 15% policy requirement: 10 units for affordable rent, 3 units for First Homes and 1 unit for Shared Ownership. First Homes is a new form of affordable housing that are to be sold to eligible households at a discount of at least 30%.

The affordable housing units proposed are fully integrated and suitably pepper-potted with the proposed general market housing in order to achieve a mixed and sustainable community that is tenure blind. Cluster sizes are also considered to be acceptable and accord with Council policy. As a result the Council's housing team raise no objection to the proposal.

A S.106 agreement will be required to secure the affordable housing provision.

**Other Contributions:** In addition to the provision of affordable housing, Norfolk County Council have advised a financial contribution of £7,200 towards library services is required and this is proposed to be secured via the S106 agreement. This is because a development of 96 no. residential units would place increased pressure on the library and mitigation is required to increase capacity through provision of a self-service system. The required contribution of £7,200 has been calculated on the basis of 96 no units x £75 (cost per dwelling).

In terms of education requirements, land for a purpose-built primary school has already been secured to serve the overall Alive Lynnsport development and surrounding area, therefore, Norfolk County Council have confirmed they will not be seeking Education contributions on this occasion.

As the application was already in the system before 1<sup>st</sup> April 2022 (when increased charging came into effect), the Habitat Monitoring and Mitigation Payment of £55 per house (index linked) will also need to be secured via the S106 agreement. This amounts to a total of £5280.

Whilst the scheme is CIL liable, the unparished area of King's Lynn is zero rated for CIL.

### **Crime and Disorder**

Norfolk Constabulary has raised no objection to the proposed development. They have made some recommendations to further improve security on site and consider the development would easily achieve the Secured by Design Gold award if these are incorporated into the scheme.

### **Other Material Considerations**

KLACC comments: KLACC Planning Sub-Group raised no objection to the proposed development subject to further clarification on the safety of the cyclepath. During the meeting it was clarified that NCC would carry out a safety audit at the detailed design stage for the spine road that crosses the existing cycle path that runs north south along Front Way, adjacent to the western boundary of the site.

Contamination: A Site Investigation prepared by Norfolk Partnership Laboratory (LOVE0048 dated Oct 2019) was submitted with the application which refers to earlier reports: King's Lynn, Lynnsport 1, Desk Study and Risk Assessment; Report No LOVE0032; Norfolk Partnership Laboratory; July 2016, (previously submitted report as part of 16/02227/FM) King's Lynn, Lynnsport 1, Stage II QRA report; Report LOVE0048; Norfolk Partnership Laboratory, November 2018.

The 2016 Desk Study report identifies potential sources of contamination and recommends further investigation and risk assessment. The 2019 report refers to some ground investigation and soil sampling which was carried out primarily for geotechnical purposes.

A Site Investigation & QRA Report ref LOVE0048, October 2018 has also been submitted which reviews the earlier desk study and presents an initial conceptual site model. It is reported that 14 window sample holes were drilled to a maximum depth of 6.00 metres and samples recovered for laboratory analysis. The report also contains details of ground gas monitoring. Methane is not reported to have been detected and some commentary is provided regarding the presence of CO<sub>2</sub>. The report concludes that the site represents a potential low risk to human health and controlled waters, and that If ground gas protection measures in accordance with NHBC Amber 1 are included within the proposed properties the site will pose a low risk to buildings and services. The report also recommends further ground gas monitoring and includes recommendations on the re-use of site-won topsoil.

Based on the information provided, the Council's Environmental Quality team (EQ) have recommended the imposition of an 'unexpected contamination' condition, which can also address the requirement to inspect site-won topsoil to ensure it is as encountered during the site investigation.

However, EQ have also requested clarification from the applicant whether the recommended gas protection will be included in design or if further monitoring and gas risk assessment will

be carried out. It is possible that any gas protection measures could be agreed and validated under building regulations if required. Further clarification has therefore been sought and will be reported in late correspondence.

The comments of Third Parties have been addressed in the main body of the report.

## **CONCLUSION**

This application is for development of part of a wider housing allocation in the adopted Local Plan and would provide 96 dwellings (including 15% policy requirement of 14 no. affordable units) on a site that is extremely well located within Kings Lynn. The site has also previously benefitted from planning permission for a scheme for 82 no. dwellings that has only recently lapsed.

The application would deliver good quality, and much needed, new market and affordable housing in a highly sustainable location, which would offer real benefits for existing and proposed new residents.

The supporting technical reports demonstrate that impacts relating to noise, air quality, flood risk, drainage and ecology have been fully considered and can be satisfactorily mitigated where necessary. The proposal would also not result in any significant harm to highway safety or residential amenity.

The development of the wider allocation has already resulted in overprovision of open space (as required by policy) in the locality of the site which benefits the wider neighbourhood and will also benefit the proposed development. On site open space provision is also included within the current proposal that would integrate well with existing areas to the south of the Bawsey Drain.

The proposal therefore accords with the provisions of the NPPF, NPPG and National Design Guide, and Local Policies contained in the Core Strategy 2011 and SADMPP 2016. As a result it is recommended that planning approval be granted subject to conditions set out below and the completion of a S106 legal agreement to secure the necessary planning obligations.

## **RECOMMENDATION:**

**(A) APPROVE** subject to conditions and completion of a Section 106 Agreement to secure affordable housing, library contribution, open space provision and habitats mitigation payment within 4 months of the date of resolution to approve:

- 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 No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 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 therefore 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/street lighting/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 For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic & Management Plan dated February 2021 that accompanied the application, unless otherwise approved in writing with the Local Planning Authority.
- 4 Reason In the interests of maintaining highway efficiency and safety in accordance with the NPPF and Development Plan.
- 5 Condition Before any dwelling is first occupied the roads, footways and cycleways shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 5 Reason To ensure satisfactory development of the site in accordance with the NPPF and Development Plan.
- 6 Condition Prior to the commencement of development, in accordance with the submitted Flood Risk Assessment (Richard Jackson Engineering Consultants, March 2021), detailed designs of a surface water drainage scheme incorporating the surface water quality mitigation 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:  
  
Evidence must be provided that an assessment has been undertaken of the inclusion of filter strips and filter drains in the drainage design to treat water runoff from highways prior to discharge. In addition to any filter strips and filter drains proposed the design should include proprietary treatment systems prior to outfall to ensure that mitigation for all runoff based on the Simple Index Approach has been achieved for each outfall. The Drainage Strategy, drawings and maintenance and management plan must be updated to reflect the changes, including the necessary information in accordance with the LLFA Guidance.
- 6 Reason This needs to be a pre-commencement condition 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.
- 7 Condition The development hereby permitted shall be carried out in accordance with the mitigation measures detailed in the Flood Risk Assessment (Richard Jackson Engineering Consultants, March 2021) that accompanied the application. In particular, the FRA states that:
  - Flood resilient construction techniques will be employed up to a level of 4.19m AOD.
  - There will be no ground floor sleeping accommodation.
  - Safe refuge shall be provided above 3.89m AOD.

- 7 Reason To reduce the risks associated with flooding in accordance with the NPPF and Development Plan.
- 8 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.
- 8 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.
- 9 Condition No development shall commence on site until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority that provides for mitigation of environmental and amenity impacts during the period of construction. This must include, but is not limited to, the proposed timescales and hours of the construction phase(s) and must specify the sound power levels of any equipment and its location. The proposed mitigation methods must include protection of residents from noise and dust. The scheme shall be implemented as approved during the period of construction unless otherwise agreed in writing by the Local Planning Authority.
- 9 Reason In the interests of the amenities of the locality and to ensure that the amenities of future occupants are safeguarded in accordance with the NPPF. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 10 Condition Prior to the occupation of the development hereby permitted, 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.
- 10 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 11 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. 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.

## AGENDA ITEM NO: 8/2(b)

- 11 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF and Development Plan.
- 12 Condition The development hereby permitted shall be carried out in strict accordance with the Arboricultural Impact Assessment, Tree Protection Plan and Method Statement that accompanied the application (dated August 2021, by C.J.Yardley) and drawing no. 4649/01 dated 30<sup>th</sup> August 2021.
- 12 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF and Development Plan.
- 13 Condition The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 13 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 14 Condition The development hereby permitted shall include the proposed mitigation / enhancement recommendations listed in the Updated Water Vole Survey (dated July 2021 by James Blake Associates), the Reptile Survey (dated May 2021 by James Blake Associates), the Great Crested Newt eDNA Survey (dated 24<sup>th</sup> May 2021 by James Blake Associates) and the Bat Emergence/Return to Roost and Bat Activity Survey Report (dated December 2021 by James Blake Associates); and as shown on the Landscape and Ecology Plan – Part 1 and Part 2 (dwg nos. 016 rev P13 and 017 rev P05).
- 14 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 15 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 buildings 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.
- 15 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 16 Condition Boundary treatments shall be completed in accordance with the approved details (dwg no. 013 rev P10) before the building(s) to which they relate are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority.
- 16 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 17 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos:  
  
003 rev P19 Site Plan – Proposed Roof Plan  
004 rev P11 Site Plan – Ground Floor Plan  
005 rev P10 Material Schedule Plan  
006 rev P12 Accommodation Mix  
007 rev P10 Building Heights Plan  
008 rev P10 Phasing Plan  
010 rev P10 Refuse Strategy Plan

011 rev P10 Affordable Plan  
012 rev P10 Parking Matrix Plan  
013 rev P10 Boundary Treatment Plan  
014 rev P08 Open Space Plan  
016 rev P13 Landscape and Ecology Plan – Part 1  
017 rev P05 Landscape and Ecology Plan – Part 2  
018 rev P10 Photovoltaic and Electric Charging Plan

House Types:

0050 rev P01 H1437(D) – Plans and Elevations  
0055 rev P01 H1295(D) – Plans and Elevations  
0060 rev P01 H1282(D) – Plans and Elevations (garage attached)  
0061 rev P01 H1282(D) – Plans and Elevations  
0065 rev P01 H1015(D) – Plans and Elevations  
0068 rev P01 H1015W(D) – Plans and Elevations  
0070 rev P01 H912(D) – Plans and Elevations  
0075 rev P01 H897(D) – Plans and Elevations  
0076 rev P01 H897(S) – Plans and Elevations  
0077 rev P02 H897(D-SO) – Plans and Elevations  
0080 rev P01 H789(S) – Plans and Elevations  
0085 rev P02 H663(S) – Plans and Elevations  
0086 rev P01 H663(T3) – Plans and Elevations  
0087 rev P01 H663(T4) – Plans and Elevations  
0088 rev P01 H663+A2B – Plans and Elevations  
0090 rev P02 A2B(S) – Plans and Elevations  
0095 rev P01 A1B+A1B+A2B(T3) – Plans and Elevations  
0100 rev P02 A1B(S) – Plans and Elevations

Garage Types:

0150 rev P01 Type 1 – Single 6m (private)  
0151 rev P01 Type 2 – Single 7m (private)  
0152 rev P01 Type 3 – Double 6m – 2 door (shared)  
0153 rev P01 Type 4 – Double 7m – 2 door (shared)  
0154 rev P01 Type 5 – Double 7m – 1 door (private)  
0156 rev P00 Type 7 – 3 no. Singles 7m (shared)

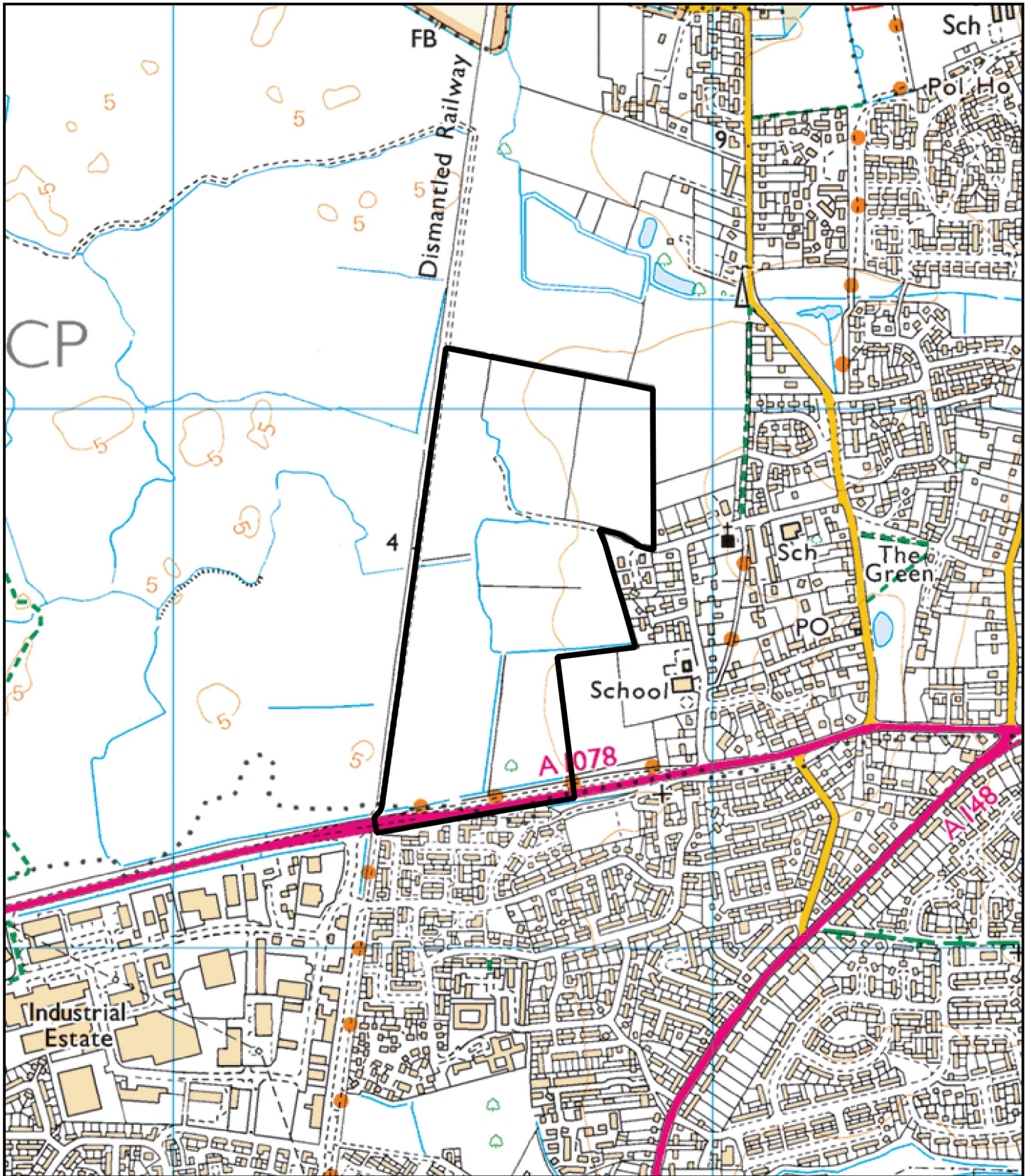
17 Reason For the avoidance of doubt and in the interests of proper planning.

**(B) REFUSE** in the event that a Section 106 Agreement to secure affordable housing, library contribution, open space provision and habitats mitigation is not completed within 4 months of the resolution to approve.



# 20/01954/RMM

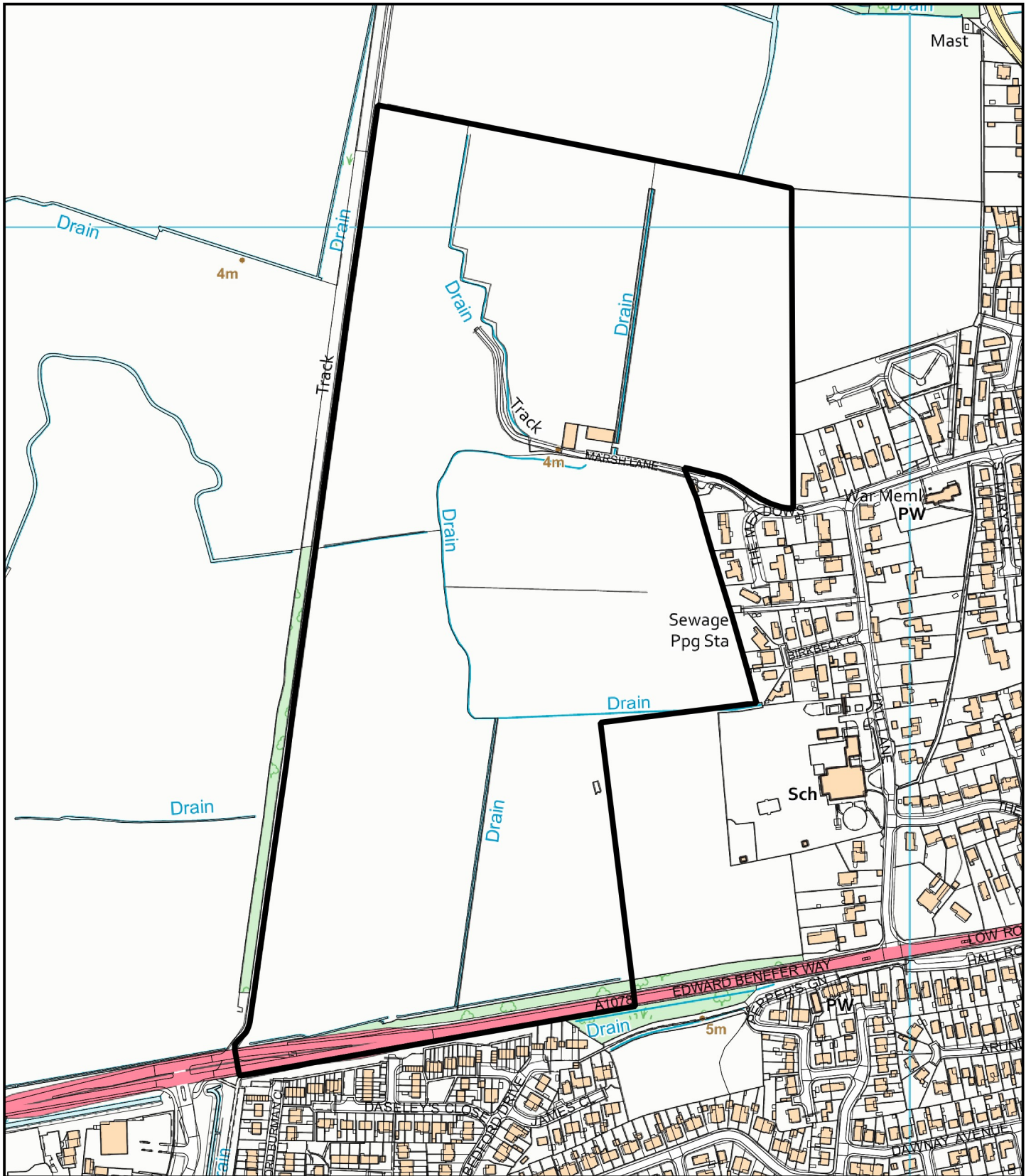
Land NW of South Wootton School Off Edward Benefer Way, Kings Lynn





# 20/01954/RMM

Land NW of South Wooton School Off Edward Benefer Way, Kings Lynn



<b>Parish:</b>	<b>South Wootton</b>	
<b>Proposal:</b>	<b>Reserved Matters Application following outline planning permission 17/01151/OM for the construction of 450 dwellings with associated infrastructure, to include access, landscaping, appearance, layout and scale</b>	
<b>Location:</b>	<b>Land NW of South Wootton School Off Edward Benefer Way King's Lynn Norfolk</b>	
<b>Applicant:</b>	<b>Larkfleet Homes Norfolk And Suffolk</b>	
<b>Case No:</b>	<b>20/01954/RMM (Reserved Matters - Major Development)</b>	
<b>Case Officer:</b>	<b>Richard Byrne</b>	<b>Date for Determination: 22 February 2021 Extension of Time Expiry Date: 13 May 2022</b>

**Reason for Referral to Planning Committee** – Due to the adverse comments from the Parish Council and in the public interest given the outline application was determined by planning committee.

**Neighbourhood Plan:** Yes

### Case Summary

The site is located on the northern side of Edward Benefer Way and to the northwest of South Wootton Junior School on Hall Lane, to the north of King's Lynn.

The site is currently arable agricultural land and extends to just over 31 hectares. The site is part of a wider housing allocation for South Wootton under Policy E3.1 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 300 dwellings on 40ha.

This application is for the approval of the reserved matters for the construction of 450 dwellings with associated infrastructure. The matters to be considered under this application are landscaping, appearance, layout and scale. This application follows the decision for outline consent with access considered that was issued on 15 April 2019 under reference 17/01151/OM.

The proposal maintains the central spine road which runs from a north to south alignment which mirrors the outline consent. The spine road to the north connects to the adjacent development currently under consideration by the Authority (21/01944/RMM) to eventually continue and connect to Nursery Lane Hall Lane to the northeast. The spine road to the south connects to a new roundabout on Edward Benefer Way. An additional access has been shown between plots 64 and 65 to facilitate future access to the rear of South Wootton Junior School via this proposal. A further access up to the boundary with the land to the southeast between plots 31 and 32 is also provided to facilitate access to the recently permitted Primary Care Facility (Ref: 21/00995/FM).

The proposed residential development naturally feeds into the grass verge tree lined spine road which is the principal vehicular traffic route through the development. The surrounding street pattern is laid out with a combination of large perimeter blocks with infill and short cul-de-sacs. The dwellings range between 1 – 5 bedroomed and are mainly two storey with two and a half storey (roof space occupied as a room) at focal points. The individual design and layout has been characterised into four styles across the site but share a standard palette of materials comprising mainly of brick, render and brown tiles roofs.

The westerly side has been extensively landscaped with drainage ponds shaped to reflect the linear nature of the open space. The westerly area comprises areas of formal and informal open space and recreation with a new wildlife area on the west of the site segregated from the residential and commercial areas, as well as other areas of publicly accessible open space. The proposal seeks to retain areas of important hedgerows and trees, incorporating them into the overall design. In the north westerly corner is an allotment and in the southwest corner an area allocated to a local centre which is served by a spur from the proposed roundabout on Edward Benefer Way.

The proposed local centre does not fall under this application and instead would be considered under a separate submission. The outline consent indicated the local centre would comprise retail facilities, offices and a public house (now under Class E) and further uses such as a crèche, day centre and community centre) (now under Class E and Class F1/F2).

The application is submitted for the approval of the reserved matters relating to the residential, infrastructure and open space accompanied by a full suite of drawings and supporting documents.

### **Key Issues**

Matters of principle  
Design and Form  
Highway matters  
Effect on amenity  
Open space provision  
Affordable housing requirements  
Other material considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

Members will recall that the outline application with access for residential development and a mixed-use local centre was considered by planning committee on 17th December 2018 where the resolution was minded for approval subject to the completion of a Section 106 Agreement to secure:

- the provision and transfer of open space;
- the provision and transfer of affordable housing;
- a habitat monitoring and mitigation strategy contribution; and,
- highway contribution for the improvement to the junction of Low Road, Wootton Road, Grimston Road and Castle Rising Road.

The Section 106 Agreement was completed and sealed on 12th April 2019 with the subsequent outline consent issued on 15th April 2019.

This application is for the approval of the reserved matters for the construction of 450 dwellings with associated infrastructure. The matters to be considered under this application for the dwellings, associated infrastructure and the open spaces relate to the landscaping, appearance, layout and scale of the proposal. For clarification purposes, this application does not include access as this was a matter which was considered under the outline consent. Furthermore, the mixed-use local centre included under the outline consent does not form part of this application.

The approved spine road to the north connects to the adjacent development currently under consideration by the Authority (21/01944/RMM) to eventually continue and connect to Nursery Lane Hall Lane to the northeast. The spine road to the south connects to a new roundabout on Edward Benefer Way. An additional access has been shown between plots 64 and 65 to facilitate future access to the rear of South Wootton Junior School via this proposal. A further access up to the boundary with the land to the southeast between plots 31 and 32 is also provided to facilitate access to the recently permitted Primary Care Facility (Ref: 21/00995/FM).

The proposed development can be divided into three distinct areas. The residential areas are grouped to generally follow the spine road which leads from the northeast to the south of the site and occupy the easterly side of the site. The westerly side comprises open landscaped spaces, linear shaped ponds and wildlife area, which wraps around part of the southern area. The south-westerly corner is allocated as the local centre, however, the plans show the area as open and nevertheless will be subject to a separate application.

The spine road, being the principal route through the site, is tree lined with a width to accommodate a footway and cycleway. The road is grassed verged with front facing dwellings. The street pattern on both sides of the spine road is laid out with a combination of large perimeter blocks with infill and short cul-de-sacs using a combination of secondary, tertiary and shared surface roads.

There are pedestrian green routes and amenity spaces interspersed through the development providing connectivity between shared surface roads, the spine road and secondary roads.

The proposed dwellings have been grouped into four developer typologies to provide a variation in density, relationship between houses, design deviations which are largely two and two and half storey using a standard palette of materials comprising render, brickwork and tiled roofs. The proposed 450 dwellings comprise the following:

### **Open Market dwellings**

2 Bedroomed – 21 no.  
3 Bedroomed – 183 no.  
4 Bedroomed – 132 no.  
5 Bedroomed – 24 no.  
Sub-Total – 360 no.

### **Affordable dwellings**

1 bedroomed – 12 no.  
2 bedroomed – 25 no.

**20/01954/RMM**

3 bedroomed – 20 no.  
4 bedroomed – 6 no.  
Sub-Total – 63 no.

### **Shared Ownership dwellings**

2 bedroomed – 12 no.  
3 bedroomed – 15 no.  
Sub-Total – 27 no.  
Total dwellings – 450 no.

Turning to the open areas, the northwest corner is occupied by an allotment covering an area of circa 1,840 square metres with a dedicated parking area off a secondary road (opposite plot 418). Then, meandering between the westerly boundary of the site and the edge of the proposed built form, is an area of open space with footpaths linking the north and south areas where at intervals leading across eastwards to connect with the footpaths into the housing areas. The green spaces comprise a mixture of meadow grasslands, wet meadow planting (for the drainage areas) hedgerow and tree planting with amenity grasses near to the proposed children's play areas. More formal planting is arranged around the proposed roundabout to the south forming the gateway into the site.

Dense planting is proposed along the western boundary of the site which is separated from footpaths by the wet meadows, creating an area for wildlife. The western boundary planting is linked with the swathes of open space which cross the site forming wildlife corridors across the site.

This proposal also seeks to address the requirements of condition 23 (landscaping) and 29 (showing any changes in finished floor levels and / or site levels) on the outline consent and the s106 requirements.

### **PLANNING HISTORY**

17/01151/OM - Outline Major Application: Sustainable mixed-use urban extension comprising: up to 450 dwellings, a mixed-use local centre comprising Class A uses (including retail facilities and public house) and Class D1 (such as creche/day centre/community centre) and B1 uses (such as offices), open space and landscaping, wildlife area, children's play areas, sustainable urban drainage infrastructure, access and link road and associated infrastructure. Granted 15 April 2019.

### **RESPONSE TO CONSULTATION**

**South Wootton Parish Council: SUPPORT the application, subject to the following points being addressed, otherwise the application should be refused or deferred**

- The Parish Council can see that amendments have been made to the application, specifically referencing Bus Stops, upgrade to cycle paths, pedestrian crossings, raised tables, parking bays etc
- The Parish Council note the amendments to the Plan showing the extension of the 'secondary route' right up to the boundary of the adjacent site, presumably where the 70-bed care home will be sited. It is good to see that some action has taken place following the meeting with Borough and County Planners and Parish Councils, when this became an action point. We do understand that the main access into the site will remain off Edward Benefer Way. This is disappointing as this would have prevented

the felling of several mature trees in a line of trees alongside Edward Benefer Way and the National Cycle Route No 1, which would act as a screen to the Medical Centre site. Importantly it would also remove an uncontrolled T junction with a right-hand turn lane for traffic from the East. The Parish Council hopes that the entrance off Edward Benefer Way will be a temporary measure and the new 'secondary route' could be used at a later date. The Parish Council still is concerned that no provision has been made for pedestrians and cyclists using the cycle route in both directions which we feel is potentially an accident blackspot waiting to happen. The cost of providing the 'T' junction and turning lane could instead be a contribution to the link road and may even be cost neutral to both parties. In any case, it would be a sensible solution to joined-up thinking for the two/three developments rather than individual applications being dealt with in isolation.

- The access is, however, of concern. Edward Benefer Way is the ONLY route from all directions into and from the town and the docks for heavy goods vehicles, and the offset roundabout does not seem to be large enough to accommodate these vehicles alongside smaller vehicles on the two lanes around the roundabout. There appears to be sufficient land available to make the roundabout much larger to alleviate the problem. Alternatively, the road markings could be removed to allow single lane traffic, both ways as on both sides of the roundabout.
- The Parking Plan schedule as deposited and the letters from NCC indicate considerable parking is being provided for private cars, with NCC now interpreting the parking space to bedroom ratio now not including cars parked in garages, which simply increases the number of cars that can actually be parked. The National Planning Policy Framework (NPPF) is very clear at paragraph 7 that new developments have to be sustainable and this includes making sure that the way they are constructed does not interfere with future generations' ability to live the way they wish. There is growing evidence that younger people, much more environmentally aware, are buying cars less and using a mix of transport modes more intelligently, in effect, denying public transport access, the application does not meet NPPF Paragraph 7 requirements. It also fails to meet the definition of sustainable transport in annexe 2 of the same document, clause 63.8 of the 1985 Transport Act (as amended) in relation to travel and access by elderly and disabled people, and therefore possibly also the provisions of the 2010 Equalities Act.
- The Civic Society has raised the matter of the cumulative traffic impact of all the developments in the South Wootton area. Paras 108 and 109 of the NPPF stipulate that, amongst other criteria to be met, traffic growth as a result of developments must be assessed cumulatively and mitigated accordingly. In the case of South Wootton, it is well known to both the Borough and County Councils that the impact has been under-calculated, not least, but not only, because traffic from only 300 homes on the larger site off Edward Benefer Way has been accounted for, instead of the 575 actually approved (this development and the one accessed through it but closer to Hall Lane). The mitigation measures are therefore wholly inadequate and this development, and the suite of developments in South Wootton therefore fail to meet NPPF para 108 and 109 and maybe 110b criteria.
- As an alternative to the issues and foreseen problems with a roundabout, consideration could be given to a simple, light controlled T junction instead, as others all along Edward Benefer Way in various locations. If a T junction was considered satisfactory for the Medical Centre, then it should be considered appropriate for the Allison/Persimmon developments. The junction could incorporate controls for cyclists and pedestrians using the No 1 Cycle Route thus eliminating the potential for serious or even fatal collisions at either a roundabout or uncontrolled T junction. It would be important that the lane markings are limited to one direction only – that is, straight ahead or left/right ONLY. This to alleviate the annoyance and frustration which motorists feel at the 'race start lines' at the junction of Edward Benefer Way and

Bergen Way where the layout does nothing to assist traffic flow but increases competition for convergence into an upcoming single lane, in both directions.

- The Parish Council would like to draw attention to the proposed housing types as listed in the documents provided within the application. As stated in all correspondence so far to developers that have submitted applications, South Wootton consists of a largely elderly demographic, many of these residents live in large 4-bedroom properties and would like to move into a single storey dwelling (bungalow). South Wootton Parish Council has submitted a revision of our Neighbourhood Plan to the Borough Council of Kings Lynn & West Norfolk which is currently receiving attention. Although we understand that the Revised Plan has not been adopted by the Borough Council yet, the Parish Council would respectfully ask that our views are actioned, and the plans are adjusted to accommodate more Bungalows on the development site which would be For Sale on the open market.
- Similarly, Planning proposals in growth areas that include external lighting must utilise types of lighting such as light emitting diode down lighting or other measures such as low-level lighting to avoid light spillage beyond the application site. To reduce carbon emissions, introduce where possible, solar panels, wastewater heat recovery or low carbon heating and accommodate the necessary wiring for electric car charging points.
- The Parish Council note that Anglian Water have raised an issue relating to surface water drainage which needs to be looked at by the Internal Drainage Board and resolved.
- Unless these points are addressed, the application should be REFUSED or deferred.

*Further comments have been provided on 25 April 2022 which notes and supports the comments submitted by Mr Ben Coulson.*

*Comments reiterate adjacent Parish Councils (see below), in addition to the comments above:*

*Note: Planning Applications should conform to the Policies laid out in the South Wootton Neighbourhood Plan*

### **North Wootton Parish Council and Castle Rising Parish Council: OBJECTION**

- The three parish councils of South Wootton, North Wootton and Castle Rising are bitterly opposed to the over development of South Wootton with approvals now granted for 1250 homes, the Larkfleet development accounting for 450. We have been consistent in our ongoing challenge that over development has been granted without sufficient highways provision.
- Junctions on part of this local road network are already at times over capacity before this extra 450 homes are delivered. Namely not fit for purpose to cater for this level of development.
- With poor highway provision we will witness more traffic congestion on the A148 Grimston Road leading to The Edward Benefer Way and onto Kings Lynn town centre. This is the only HGV route serving the town and with even more congestion our poor emission levels will be impacted.
- concerned at the number of vehicles exiting the A149 to divert through Castle Rising and onto North Wootton as a rat run to town. We fear with more traffic and longer delays additional vehicles we will use this route through our villages and onto Nursery Lane using the access road to travel through the Larkfleet development to access Kings Lynn.
- Requires confirmation the proposed highways improvements of a new roundabout serving the Larkfleet estate, the upgrading of the Wootton Gap lights and the



installation of new lights on the Asda junction will all be implemented before development takes place;

- concerned whether all vehicles can be accommodated at the dwellings with sufficient turning space to avoid reversing out into the highway;
- questions if the proposal has been fully considered and if the attenuation areas are sufficient to cope with heavy rain and flash storms given the existing ground conditions;
- developers have missed the opportunity to create well designed individual dwellings rather than cramming homes into another ordinary looking housing estate - the area deserves better design.
- The Woottons and Castle Rising have a large population of elderly residents this estate fails to offer sufficient ground floor retirement homes to meet the demand for those wishing to downsize.
- The developer should be encouraged to build passive housing.
- Bus stop and travel arrangements require to be fully considered. Introduce bus route across the site restricting access through bus gates. This would encourage the use of public transport.

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

- Reviewed the applicant's submitted foul drainage strategy and flood risk documentation and consider that the impacts on the public foul sewerage network are acceptable. The applicant's submitted surface water drainage information (Flood Risk Assessment/Drainage Strategy) and the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction, and we are unable to provide comments on the suitability of the surface water discharge.

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

- The information submitted has been assessed and the EA has no objection to the reserved matters application. Mitigation measures should be implemented as detailed in the Flood Risk Assessment Ref MA10263-FRA-R02.

#### **Designing Out Crime Officer (Norfolk Police): NO OBJECTION**

- The application is considered to be well laid out, which doesn't have any alleyways, is predominantly back-to-back garden design, is not permeable and predominantly on plot parking within view of active rooms from the dwellings they serve. Although not the preferred cul-de-sac design it is accepted by Norfolk Constabulary on a development of this size that an additional vehicle access point is required to prevent congestion. It is recommended that garages be fitted with vehicle access doorsets. However, the location of the allotments does not allow them to benefit from surveillance from nearby dwellings or natural surveillance. The vehicular parking for this facility should be able to be locked with gates. Consideration should also be given to securing the allotments with palisade fencing – especially if it is to remain secluded without surveillance. It is advocated it is key to secure the right security features. Provision should also be made so that the play areas within the development can be secured at night.
- Further boundary treatment such as raising the height with 300mm trellis for vulnerable exposed rear boundaries for example onto the few parking areas (parking for plots 290-295) should be considered to bolster security. Finally, extra security should be added to the gates that serve multiple dwellings bin access.
- Should a new direct link be considered for the adjacent South Wootton Junior School it would be essential to consider Secured by Design's "Schools Guide" which provides excellent advice for the security of a modern school environment.

### **Greenspace Officer – NO OBJECTION**

- Provides general commentary on KLWN green space requirements.

### **Environmental Quality – NO OBJECTION**

- In terms of air quality and the additional emissions generated, comments have already been provided during the pre-application and outline application stage. A transport assessment, air quality screening assessment and framework travel plan were considered. Conditions 14 and 15 secured the implementation of the travel plan.
- Comments provided on the layout in respect of the emerging local cycling and walking plan developed by Norfolk County Council in partnership with KLWN Council.
- In accordance with best practice, it was advised for the inclusion of EV charging points into the development. In the intervening period before EV charging scheme are delivered under Building control it is recommended a condition is attached to require EV charging points into the scheme as the detail is absent in the submission.

### **Housing Development Officer: NO OBJECTION**

- The affordable mix provides 63 units for rent (15 x 3 bed houses, 20 x 2 bed houses, 6 x 4 bed houses, 12 x 1 bed houses, 5 x 3 bed bungalows and 5 x 2 bed bungalows) and 27 units for shared ownership (15 x 3 bed houses and 12 x 2 bed houses). The proposed mix is acceptable, and the units are adequately dispersed throughout the site.
- The proposed affordable dwellings meet the space standards and are policy compliant.

### **King's Lynn Civic Society – NO OBJECTION IN PRINCIPLE**

- The society acknowledges and is pleased to see that more information has been submitted on phasing, materials and finished character, allowing for a greater understanding of the scheme.
- It is still felt the housing is rather bland and 'anywhere'. It is noted the inclusion of carrstone as a vernacular material in the 'Village Green' dwellings, but it is suggested that traditionally, carrstone around King's Lynn is used in dressed courses rather than a random rubble style. There are already some very poor examples of random rubble finishes on new housing estates around the town.
- As with the Persimmon application, it is found alarming that at this stage there are comments from statutory consultees regarding housing mix, drainage and highways design that suggest that the current scheme will not comply. This could require fundamental changes to the layout of the scheme. The scheme must not be granted consent until these issues are resolved and all documentation marries together.
- Having been through the documents it is concluded that, like the Persimmon scheme, it is proposed to heat the dwellings with gas boilers. As we approach the quarter-way mark in the 21st century, and post-COP26, this simply cannot be right. The heating systems will be obsolete before new residents have settled in cannot yet see a detailed planting plan. The strategic proposals necessarily merge a lot of the planting into groups and much more variety and interest could be provided with detailed plans. We particularly appreciate the commitment to street trees – but as with the Persimmon scheme, would ask that trees proposed in lawn areas are provided with a 1–2m diameter mulch circle.
- There should be a Construction Management Plan, a Landscape/Ecology Management Plan and a Soil Management Plan (at least preliminary for the whole site and detailed for Phase 1). We have not found any details on ecological enhancement – e.g. hibernacula, bird, bat and insect boxes, ongoing landscape management proposals. These would be a key component of successful landscape/biodiversity outcomes.

- We note that the Highways Authority have asked for considerably more commitment to multi-modal transport planning – including bus stops and cycle paths. This is essential. We feel that this will inevitably be a very car-dependent development and every possible opportunity should be explored to reduce the need for local car journeys

### **King's Lynn Internal Drainage Board – NO OBJECTION IN PRINCIPLE**

- In the letter dated 28/07/2017, Ref KL-KL17-0115, we acknowledge that ground conditions in this geographic area can limit options for infiltration, however we are still yet to see any evidence of percolation testing to establish whether this is the case for this site. We would recommend further evidence to identify if infiltration could be utilised to dispose of surface water in all if not some areas of the site, as per the Drainage Hierarchy.
- If (following testing) a strategy wholly reliant on infiltration is not viable then as discussed in the Flood Risk Assessment (FRA) (MA10263-FRA-R02, April 2017) a discharge to a watercourse would be proposed.
- While our view has not changed since submitting these aforementioned letters, I would like to remind you that where a surface water discharge is proposed to a watercourse then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy.
- As per our previous comments on 04/04/2018 we are highly interested in how the development will ensure its connection to the wider watercourse network and how a maximum discharge rate will be ensured for the whole of the site once it has been 'parcelled' for development, as we note it is due to be built in 5 phases. Ideally the Board would be looking for a drainage strategy for the entire site, instead of one 'phase' at a time.
- I note the presence of watercourses which have not been adopted by the Board (riparian watercourses) within the site boundary and that works are proposed to alter these watercourses. Following a telephone call with the agent on 15/10/2020 they confirmed that multiple riparian watercourses will be culverted or infilled. The applicant should confirm specifically their proposals for all the riparian watercourses within the site boundary or any watercourses adjacent to the site boundary that will be affected by these works. Any works to these riparian watercourses will require consent under Section 23 of the Land Drainage Act 1991 (and byelaw 4).
- I note that works are proposed to alter the road Edward Benefer Way at the entrance to the proposed development. Clarification will be required regarding drainage of the road and new roundabout on Edward Benefer Way as the existing drainage system will be altered. • Following a telephone call with the agent on 15/10/2020, the agent confirmed that some land raising will be carried out as part of the development. The Board would seek further information regarding these works and how it could affect the drainage.

### **Local Lead Flood Authority (LLFA): To be reported**

- Previous comments: Following on from our comments on application FW2021\_1076, we remain unable to recommend approval of this Reserved Matters application at this time. The LLFA notes that since our review of 20/01954/RMM on the 24 January 2022, no further supporting documents pertaining to surface water management have been submitted. Our stance on this application therefore remains unchanged. As previously stated, we will review any additional documents relating to surface water management that are intended to address our concerns when they are uploaded to the planning portal.

*The LLFA have been consulted regarding the revised plans and the response is currently outstanding and will be reported as a late item.*

**Waste and Recycling Manager: NO OBJECTION**

- The revised proposal has been considered and the changes made in the Refuse Plan 12 F have been noted. Confirmation is provided that no objection is raised.

**Highway Authority: NO OBJECTION**

- With reference to the application relating to the above development (as shown on drawing A973-02 rev G), in relation to highways issues only, notice is hereby given that Norfolk County Council does not wish to restrict the grant of permission and would not require any additional conditions.

**Community Safety & Neighbourhood Nuisance Team: NO OBJECTION**

- Requests a clear phasing plan showing in what order the development will be brought forward, and how temporary works (e.g. contractor compounds, soil and materials storage etc) are going to be accommodated to ensure that these move throughout the overall site in the interests of not impacting existing dwellings or newly built/occupied dwellings in terms of noise, lighting and dust.
- To ensure that there will be no light disturbance issues from the development on existing dwellings (or future occupiers), it is requested that external lighting is conditioned now to ensure that the lighting types and locations are appropriate/suitable.
- Specific details of boundary treatments to all plots are required, to identify the type and height, particularly as the Noise Assessment accompanying the outline planning application identified 3m high fencing to the plots alongside Edward Benefer Way as being a form of mitigation to protect residential amenity. If this cannot be shown on revised drawings at this stage, please condition plot boundary treatments, so that the recommendations in the noise assessment can be included and this team can ensure that vehicle noise from roads, including those within the site, will not adversely impact on existing or future residents.
- Adherence to the noise protection measures identified in the Noise Assessment dated April 2017, reference 296694-01(02) should be required by a planning condition.

**Natural England: NO OBJECTION**

Without appropriate mitigation the application would have significant effects on:

- Roydon Common Ramsar site
- Dersingham Bog Ramsar site
- Roydon Common and Dersingham Bog Special Area of Conservation (SAC)
- The Wash Ramsar site
- The Wash Special Protection Area (SPA)
- The Wash and North Norfolk Coast SAC
- Roydon Common Site of Special Scientific Interest (SSSI)
- Dersingham Bog SSSI
- The Wash SSSI

In order to mitigate these adverse effects and make the development acceptable, mitigation measures are required / or mitigation options should be secured for recreational impacts to Roydon Common and Dersingham Bog and possible mitigation.

## Norfolk Fire & Rescue Service – NO OBJECTION

- 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.

## REPRESENTATIONS

The application has been advertised by notifying letters to the adjacent properties to the application site. A Site Notice has been erected and press notice published to accord with the procedures set out in the DMPO and the Council's Statement of Community Involvement. As a result, **OBJECTIONS from EIGHTEEN individuals** have been received and summarised below (by officers) -

### Local services and facilities

- Construction of 450 dwellings is very high Number for south Wootton, it will cause significant strain on limited resources available in South Wootton such as Schools, Hospital and also will cause significant traffic jams.
- Please limit the construction to not more than 100 dwellings.
- Residents were told the entrance to South Wootton Junior School would be relocated to the back of the school site as part of the development, and adequate provision would be made for a drop off and collection area for the children. Looking at the plans it appears this is not the case, so Hall Lane and the surrounding area will still be clogged with vehicles at school start and finishing times.
- Lack of contributory proposals on schooling and other essential facilities, also suggests a shortfall of strategic planning. No mention of the impact on Hall Lane.

### Housing demand

- The house types fail to take account of a large local need for bungalows with plans for just 2 bungalows on an estate of 450 homes is in appropriate. Many elderly or retiring couples in the village wish to downsize to a bungalow and release their larger homes on to the market.

### Effect on character of area

- Overdevelopment and will visually be bricks and concrete. 200 dwellings would be realistic on larger plots.
- The development of 450 homes on this estate is high density at 12.82 homes per acre which is out of keeping with the remainder of the village and the neighbourhood plan. It is felt the developers will be creating another Deas Road with vehicles spilling out onto the highways.
- Totally unsustainable to build yet more housing in this area;
- Design is repetitive in appearance, advocates that more designs are incorporated to lose large housing estate and retain the integrity of the village.

### Highway matters and safety

- The amount of traffic that already use the A149, Edward Benefer Way and A148 Grimston Road is much too heavy, and traffic is queued back along these routes into N/Lynn;

- Increase in traffic which would inevitably make Edward Benefer Way, Low Road and Grimston Road gridlocked, especially during rush hour. Combined with the effect of the Knights Hill development the roads will become unbearable;
- Dozens of HGV lorries 24 hours a day that shakes neighbouring housing;
- The approach from NCC Highways to this and other applications amounting to 1250 homes in South Wootton is completely flawed and has totally failed to adequately cater for the increase in vehicle numbers;
- This application will produce another rat run through a residential estate unacceptable for the safety and quiet enjoyment of residents;
- Issues in the way that the proposed development will impact traffic flow and road safety on Edward Benefer Way;
- Access to the proposed Local Centre is off the same roundabout as the main development, but the two are not linked internally, meaning that all traffic from the housing to its local centre or vice versa will require to interrupt the flow of the increasing volume of through traffic;
- Road 1 has 5 raised tables and 3 raised junction plateaux to act as traffic calming measures. This means that car-dependency has been designed into the development, contrary to the NPPF paras 7 and Annexe 2 definitions of sustainability, and para 110b and probably the Equalities Act in respect of access for those with disabilities or reduced mobility;
- Would have expected to see consideration given to the location and access arrangements to the replacement bus stop on Edward Benefer Way;
- Impact on local roads, services will be appalling;
- Insufficient data is provided to assure highway safety; and that insufficient facilities are provided for wheeled users;
- Site layout as drawn does not conform to examples in Local Transport Note 1/20 and contains multiple dangerously badly-designed junctions with and crossings of cycleways;
- This Road & All Saints Drive already have issue with vehicles cutting through and speeding and it will become even more of a rat run;
- Notes that NCC Major and Estate team has written twice to the Borough, in February and then December 2021. The second lists points from the first which have not been incorporated to their satisfaction, and the first and second on both lists concerns making the development accessible to bus services;
- The specific siting of the roundabout entrance to the development, being heavily offset to the North of Edward Benefer Way will be difficult for HGVs to negotiate (it is the only authorised route to and from King's Lynn for such vehicles) and will slow traffic more than is necessary for the junction to work effectively or safely;
- On the commercial land, parking and a transport hub should be incorporated;
- Whilst there is provision for a road from the edge of the Larkfleet site to an adjoining site which has a proposed 70 bed care home and adjoining this will be a proposed health clinic it should become a condition of the Larkfleet planning that this will eventually be the only access to these 2 care facilities;
- Growing evidence that younger people, much more environmentally aware, are buying cars less and using a mix of transport modes more intelligently and by, in effect, denying public transport access, the application does not meet NPPF Paragraph 7 requirements;
- Fails to meet the definition of sustainable transport in annexe 2 of the NPPF, clause 63.8 of the 1985 Transport Act (as amended) in relation to travel and access by elderly and disabled people, and therefore possibly also the provisions of the 2010 Equalities Act;
- Paras 108 and 109 of the NPPF stipulate that, amongst other criteria to be met, traffic growth as a result of developments must be assessed cumulatively and

mitigated accordingly. In the case of South Wootton, it is well known to both the Borough and County Councils that the impact has been under-calculated;

- The mitigation measures are therefore wholly inadequate and this development, and the suite of developments in South Wootton therefore fail to meet NPPF para 108 and 109 and maybe 110b criteria.
- Under calculation in traffic numbers which affects anticipated impact.
- Poor provision of public transport, developer must go further in promoting active travel.
- No forward thinking on the implications on the A148 due to the number of different junctions and roundabouts;
- Spine Road should be put in first, appears to be in part ownership;
- All pupils should be from the spine road to the school;
- More pupils to the school will exacerbate problems on Hall Lane.
- Recommends following conditions:
  1. In preparation Larkfleet should provide additional bus stops on their development to limit the walking distance for residents to access this service.
  2. To reduce pressure on the A148 Larkfleet and the neighbouring developers for the Medical Centre and Care Home should have time sensitive conditions placed to open up the service road from the Medical Centre and Care Home to both be accessed via the Larkfleet roundabout. This should be a condition not an option. The condition also needs to show the requirement to close off the initial planned T junction and replace this by the link road from the roundabout.
  3. Larkfleet should have a condition placed to make sure the existing design of the proposed roundabout and road leading to is fit for purpose to serve this link for medical centre and care home.

#### Parking

- All 2 bed homes should have sufficient off road parking space for 2 cars and a visitor car with sufficient space to turn avoiding the need to reverse onto the highway. Likewise 3 bed at least 3 car spaces, 4 bed 4 cars and 5 bed 5 cars (this includes an allowance of one car for a visitor);
- The Parking Plan schedule as deposited and the letters from NCC indicate considerable parking is being provided for private cars, with NCC now interpreting the parking space to bedroom ratio now not including cars parked in garages, which simply increases the number of cars that can actually be parked;
- Poor provision for parking within the site, advocates a transport parking hub possibly a park and ride to incorporate.

#### Effect on the local environment

- The air quality and environmental damage cannot continue to be ignored by the Borough and urgently has to be addressed;
- The land is a wetland margin, which provides a habitat for fauna and flora. It is also prone to rising waters as the water seems to collect rather than drain away. With the further building of dwellings and roads, the surface water is going to increase substantially and will quite possibly cause flooding further down the line;
- Many details that lack thought, lack of off-road parking/access to charging points, minimal affordable housing;
- The addition of this estate and the 'local centre' shown in documents will create an area of high traffic and increased air pollution;

#### Impact on amenity

- If there is to be a roundabout or access road for this estate, it will mean all the traffic screeching to slow down and stopping outside the back of the house.

#### Drainage and other matters

- Damage to property dues to impact on outflow from underground stream
- Compound problems to drainage in the area
- Who owns land to the rear of the school?

### **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**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

**DM9** - Community Facilities

**DM10** – Retail Development

**DM12** - Strategic Road Network

**DM15** – Environment, Design and Amenity

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

**DM17** - Parking Provision in New Development

**Policy E3.1** - Hall Lane, South Wootton

### **NEIGHBOURHOOD PLAN POLICIES**

**Policy E2** - Sustainable Drainage



**Policy E3** - Open Spaces

**Policy E4** - Strategic Landscape Framework

**Policy E5** - New Growth Areas

**Policy H1** - Growth Areas

**Policy H2** - Encouraging High Quality Design

**Policy H4** - Local Character

**Policy H5** - Residential Garages

**Policy H6** - Affordable Housing

**Policy S2** - Community Infrastructure

**Policy S3** - Play Areas

**Policy S4** - Cemetery and Allotments

**Policy T1** - Walking and Cycling Facilities

**Policy T2** - On-Street Parking

## **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**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The principle of residential development on this site has been established by the extant outline approval. As such, the issues to be considered with regard to this application are set out below.

- Matters of principle
- Design and Form
- Highway matters
- Effect on amenity
- Open space provision

- Affordable housing requirements
- Other material considerations

### **Matters of principle**

The principle of development and the access arrangements to serve this site have already been established through the approval of 17/01151/OM which was determined by committee on 17th December 2018.

At this juncture Members' attention is drawn to the site which forms part of a larger site allocated for future housing development within the Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016). Policy E3.1 refers to the allocation and to this site.

Policy E3.1 includes a list of requirements to be provided on this site and requires development of at least 300 dwellings across the allocation to which the outline planning permission secured up to 450 dwellings. Any proposed development on the application site still needs to comply with the criteria of this policy that was not determined at outline stage and are covered under this reserved matters application, namely layout, appearance, scale and landscaping.

Policy E3.1 required and was satisfied at outline stage in the submission of a Site-Specific FRA, Landscape and Arboricultural Assessment, an ecological assessment of the fauna and flora, a project level HRA, Transport assessment, heritage assets assessment, a masterplan and a construction management plan.

At a size of 31.06 hectares this application site forms the majority of the allocated housing site, which covers a total of 40 hectares. However, it is considered this application is part of a comprehensive development of the overall site. There are aspects of the overall development that have come forward on this site, and other aspects that need to be provided on the neighbouring sites to satisfy the full terms of Policy E3.1. It must be noted that the remaining part of the site has now come forward under 17/01106/OM which was approved on 3rd April 2019 with the Reserved Matters application recently submitted 21/01944/RMM which is currently being considered the Authority.

It is noted the Section 106 Agreement was signed and sealed within 4 months of the resolution to grant outline consent and the reserved matters application has been submitted within five years of the decision date. This reserved matters application complies with the time limit conditions attached to the outline consent; the permission therefore remains extant.

The outline consent included conditions which covered:

- Management and maintenance of the proposed streets
- Details and timescale of infrastructure serving residential units in each phase (e.g. roads, footways, cycleways, street lighting, foul and surface water drainage);
- Roads, footways and cycleways brought up to binder course prior to occupation;
- Submission of a Construction Traffic Management Plan;
- Detailed drawings of the offsite highway improvement works;
- Submission of an interim Travel Plan, then a full travel plan;
- Foul water drainage arrangements;
- Surface water arrangements;
- Land contamination investigation, followed any required remediation;
- Landscaping to be submitted as part of a reserved matters application;
- Tree protection scheme;

**20/01954/RMM**

- Provision of fire hydrants;
- Limitation to no more than 450 residential units;
- Detailed phasing plan;
- Full details of existing and proposed levels as part of a reserved matters application;
- Construction management plan;
- Recommendations, mitigation and enhancement measures to be undertaken in accordance with ecological reports submitted;
- Updated survey for badgers;
- Restriction of clearance works to wildlife habitats to be outside of March to August;
- Information relating to informing residents of dog walking routes;
- Details of connections with existing rights of way and open spaces;
- Provision of on-site open spaces and circular routes;
- Availability of spine road and link to school by commencement of 75th dwelling;
- Restriction of retail space to not exceed 2,500 square metres;
- Submission and accordance with a written scheme of investigation.

A Section 106 Agreement secured the following:

- the provision and transfer of open space;
- the provision and transfer of affordable housing;
- a habitat monitoring and mitigation strategy contribution (£50 per dwelling); and,
- highway contribution (50% of the Highways Scheme final costs) for the improvement to the junction of Low Road, Wootton Road, Grimston Road and Castle Rising Road.

Taking into account the above and with the site being an allocated site within the SADMP, it is considered that support for the principle remains. As such, this application for the reserved matters can be considered against the development plan, including Policy E3.1 where relevant pursuant to this application and the South Wootton Neighbourhood Plan 2015 – 2026.

### **Design and Form**

The application site has a gentle fall in topography towards the west and southwest and located adjacent to the westerly edge of South Wootton. The site is bound on the east side by South Wootton Junior School and short cul-de-sacs occupied by detached properties, mainly of bungalows. Beyond the westerly boundary is open countryside characterised by hedgerow field boundaries and perimeter trees. The southern boundary is marked by Edward Benefer Way.

The proposed site layout is laid out in three distinct areas. A swarth of open space occupies the westerly side of the site where it provides informal open areas for recreation and for wildlife habitats based around naturally drained wet meadows, bolstered with native tree and vegetation planting. Towards the southern section an informal amenity space with planting forms a soft edge between the proposed housing and the approved roundabout (also open space allocated a local centre) on Edward Benefer Way.

The housing leads from the southern open space and closely follows the spine road towards the northeast area of the site. Green corridors are created from the west of the site through the body of housing serving multiple purposes by breaking up of the built form, recreational routes and for the passage of wildlife. There are pedestrian and cycle routes throughout the site which provides connectivity within the site and beyond. All dwellings have dedicated off road parking/ garages and amenity space.

The NPPF states in paragraph 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. Paragraph 134 of the NPPF states that where a development is not well designed it should be refused, especially where it fails to reflect local design policies and guidance on design.

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 high quality scheme. The current proposal has been scored against the BHL criteria and significant improvements have been made, addressing the majority of issues raised in the initial BHL design assessment report which as a result quantifies improvements and design quality of the scheme to a final BHL score indicating a majority GREEN scheme (Q9. AMBER score due to time constraints/limitations to deliver Manual for Streets). The scheme is considered to meet national planning policy/guidance.

The proposed development results in the erection of 450 homes which is broadly in line with the outline consent. Taken across the whole of the site the density is 15 dwellings per hectare, however, taking out the open space areas, area of a future local centre and infrastructure the density increases to 38 dwellings per hectare. Indeed, whilst this may be higher than existing developments close to the site as well as reiterating the comments of the representations, when considering the proposal as a whole, it can be seen the heights of building are modest and would harmonise with the context of the wider area. There are visual breaks within the built form addressing the overdevelopment comments made by the representations, afforded by the green corridors and a high degree of open space, which feathers into the open countryside with landscaping to the front and between dwellings. Furthermore, the layout of the development allows a mixture of curtilage parking striking a balance between front of house and side parking which promotes a variety of property position and how it responds to the street edge. The use of the traditional palette of materials and architectural detailing further adds to the development and advocates the principles of good design.

The development through negotiation with officers has incorporated four area typologies for housing to introduce a subtle mixture of design using a conventional number of house types. In the southern area the dwellings have a very much tighter relationship with the street using architectural features to uplift the appearance and Carrstone frontages. The central areas are characterised by dwellings which are more set back from the street edge and incorporate more cross window designs and a gradual use of render. The northerly area, where it nears the open countryside takes a more rural stance with a greater use of buff brick, render, brick quoins and corbelling.

Objections have been raised by the Parish Council, Civic Society and the representations that the dwellings are a generic design, and do not reflect the local vernacular. The

proposed development is considered to be an acceptable mix of two storey housing, bungalows and one bedroomed properties resulting in a well-balanced scheme incorporating a number of architectural features and vernacular materials which uplift their appearance and improve the relationship in the streetscene. As such, it is considered the scheme delivers a development that would accord with Policy DM15 (SADMPP) and Policy H2 (SWNP).

The proposed boundary treatments comprise a mixture of 1.8 metre high brick walls and close boarded fences. The brick walls face onto the public realm and in focal points feature carrstone sections, which the materials can be secured by planning condition to address the Civic Society concerns on being dressed courses rather than rubble sections. To the rear of the dwellings fencing is used to secure private rear gardens and 1.2 metre high knee rails to the front of the one bedroomed properties.

The Architectural Liaison Officer has assessed the scheme against the principles of Secured by Design and has raised no objection in principle to the development. However, it has been identified that the allotments to the northwest of the site do not benefit from an adequate amount of natural overlooking and natural surveillance. It is therefore considered appropriate that the allotments and the car park should be secured in the interest of safety and to deter any anti-social activity. It is considered expedient to attach a planning condition to require details of the means of enclosure which are appropriate to its setting to be submitted and erected prior to the first use of the allotments. Although it has been requested to for an increase in boundary fence along plots 290 – 295 in this instance it is considered to not harm the overall level of security across the site and is still acceptable in terms of designing out crime. The hard landscaping materials will also assist in establishing the character and hierarchy of streets/ areas throughout the development.

The proposed development would bring the westerly boundary of the built area into the open countryside. The existing trees within the site tend to follow the existing field boundary. The category A trees are retained. There is a significant amount of landscaping included in the scheme both around the edge of the site and within the built-up areas of the development. Views of the site from the west over open countryside would be complemented on the periphery by structured landscaping with a good degree of separation of the built form which would help assimilate the development into the wider area. The layout of the southern area of the site with the laid out formal amenity area assists with providing a visual break to the urban form from Edward Benefer Way. The development would be consistent with SADMPP Policy 15 and SWNP Policies E3, H2 and H4.

From a form and character perspective, given the existing setting and the layout and design proposed, the development is fully acceptable. It is noted that representations have drawn attention to the limited number of bungalows within the development. However contrary to the comments the revised layout shows that there are more than two bungalows within the site and are located on the easterly side of the site. It is therefore considered the scheme accords with Policy CS08 of the CS (2011), Policy DM15 of the SADMPP (2016) and Policy H2, H4 and H5 of the SWNP.

### **Highway matters**

The outline planning consent included access as a matter for consideration and over the course of this application the description has been amended to reflect this.

A transport assessment accompanied the outline application and considered vehicular generation of the proposed development and the impact that the traffic will have upon the local road network. The approved plan showed a four-arm roundabout formed on Edward Benefer Way with two points accessing the land allocated for a local centre and the second

serving the proposed development. The approved spine road lead from the roundabout to the north-eastern corner of the site where it continued through to the land outside of this application (outline for adjacent site) and ultimately to link with Nursery Road.

It is noted the Parish Councils and a number of the representations have raised objections relating to the impact of the increased amount of traffic on the local road network as well as the wider impact on the town and traffic flow. Furthermore, objections have been received from the Parish Council and the representations in regard to the roundabout on Edward Benefer Way and that the commercial area should be from the same arm of the roundabout as to the residential part. However, it should be noted that the TA assessed the traffic impact during the course of the outline consent concluding it was acceptable. Similarly, the introduction of the roundabout was carefully considered during the outline application and judged to be acceptable, taking into account existing traffic flows and from projected traffic flows from the proposed development. It was considered and in the absence of an objection from the Highway Authority, sufficient mitigation was secured through the Section 106 Agreement for a financial contribution highway improvement works and by planning conditions. This made the development acceptable and secured the details of the improvement works.

There have been representations and comments from the Parish Council regarding a link with primary care centre from within the site where access would then be shared from the approved roundabout. It is noted that planning permission has been granted for the Primary Care Centre and was considered taking into account funding constraints and that the Highway Authority raised no objection to the scheme. The application site does however provide links to the land to the east which is consistent with the outline consent and for future connections.

It is recognised that the street layout is consistent with the principles of the outline consent and provides secondary roads looping back onto the primary road (spine road) with intervening shared surface streets and private drives. 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. Responding to the representations and the Parish Council, bus stops are located on the spine road with sufficient travel distances from the dwellings, which when combined with the requirements of a Travel Plan secured under Condition Nos. 14 and 15 of the outline consent) encourages the use of public transport. 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, cycle and car parking. The development has made significant progress through the iterations of the scheme and generally scored positively with a quality design solution.

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 1,200 car parking spaces for the proposed dwellings (924 are on driveways with 281 as garaged spaces) with 32 visitor bays. The parking provisions are in accordance with the County Parking Standards revised 2020 and Policy H5 of the SWNP.

The Highway Authority have considered the revised scheme and consider the revisions and the subsequent proposal acceptable. As such it is considered the proposed development is in accordance with the NPPF, Policy CS11 of the CS (2011) and SADMPP Policy DM15 and Policy H5 and T2 of the SWNP.

## Effect on amenity

It is considered the proposed development would not significantly impact the open countryside to the west. The dwellings along the northern and easterly boundary provide a degree of separation from the site edge. Any future development would have to accommodate the proposed layout and can be designed to avoid an untoward relationship between properties. The relationship between the proposed dwellings and southern boundary is considered to not raise significant issues.

Given the proposed development is immediately to the west of the existing properties there could be an impact on Church Lane, The Meadows, Birkbeck Close and Hall Lane. The majority of properties are detached; however, they are mixed between two storey dwellings and bungalows.

It is considered, taking into account the proposed finished floor levels, there is a sufficient space and separation with The Meadow's and Birkbeck Close of Plots 160 – 164 and 169 – 176 to avoid a significant loss of privacy and alleviate a significant loss of daylight and sunlight. Similarly, plot nos. 285 – 296 present an acceptable relationship with the side and rear of Church Lane. Where the proposed dwellings draw close to the boundary edge it is either side facing or not directly facing an existing neighbouring property (in an offset position). The boundary treatments along the easterly boundary comprise 1.8-metre-high close boarded fences with timber posts.

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. It is noted that the Housing Officer has drawn attention to some of the bedrooms within the dwellings fall short of being considered a double. Clarification provided by the applicant is currently being considered by the Housing Officer and the findings will be reported as a late item.

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 outline consent included several conditions including the submission of a Construction Traffic Management Plan and construction parking to protect residential amenity. These should not be repeated as part of this application. The submitted enclosure plan, however, does not show a boundary height which reflects the mitigation measure proposed in the outline consent's noise assessment. It was proposed to increase the height of a close boarded fence to 3 metres to minimise noise from Edward Benefer way to the garden spaces of the new plots. Taking into account this part of the boundary along Edward Benefer Way has existing perimeter trees it is considered the starkness of a close boarded fence which would have a height of 3 metres would be visually mitigated by the intervening vegetation and existing planting. As such it is considered expedient to require a boundary enclosure plan to revise the southern part of the site (plots 22 to 31 (excluding plot 23)) where it was required to include the noise mitigation measures.

The Waste and Recycling Officer has noted the changes made in the revised Refuse Plan and has no objections to the scheme.

The proposal would accord with Policy CS08 of the Core Strategy 2011, SADMP Policy DM 15 and Policy H2 of the SWNP.

## **Open space provision**

Policy DM16 of the SADMPP 2016 states for schemes of 20 units or greater the development will provide 2.4 hectares of open space per 1000 population comprising approximately 70% for either amenity, outdoor sport and allotments with 30% for suitably equipped children's play space. All proposals involving the provision of publicly accessible areas of open space must include robust arrangements for the management and future maintenance of that open space.

In respect of allotments the Council will seek the provision of new allotments in locations for large-scale residential development (such as the strategic allocations) where there is an identified need. This will be balanced against the need for other types of recreational space and facilities and the financial viability of any development.

Policy E3.1 states that the 40 ha site should provide at least 300 dwellings which amongst criteria provide recreational open space of at least 1.7hectares (based on a population of 700 assuming 2.44 persons and a requirement of 2.4ha per 1,0000 population. Given the proposed development is higher than the allocation, based on the proposed 450 dwellings, the requirement is 2.56ha (circa 56m<sup>2</sup> per dwelling).

The Section 106 agreement for the outline consent requires that a design/specification for all open spaces were submitted prior to the first occupation of the development and completed prior to the final occupation of the construction stage. Then the unencumbered open spaces are transferred to a management company to be maintained in perpetuity. This partly satisfies SWNP Policies E4, E5 and S3.

Given the western side of the site is affected by flood risk (Zones 2 and 3) and is inappropriate for housing, this has been utilised in providing the majority of the open space. The open space cuts across the site creating green corridors and as a result totals 7.65 hectares.

The open space in the western area provides interlinked footpaths which bridge over to the easterly side where ether pockets of open spaces are enclosed and overlooked by housing. The larger areas of children playground (NEAP and LEAP) are in the swarths of open space with a LAP (local Area of Play) centred more at the younger children adjacent to Plots 285 and 286. This adds weight in favour of SWNP Policy S3.

Green and blue infrastructure was included within the BHL assessment. it has been identified that the revised scheme offered a variety of passive, formal and informal public open spaces contributing towards a key feature for future residents and for wider public benefits. As such the proposed development scored positively/ high quality.

It is considered the total area for open space satisfises DM16 and E3.1. In respect of the management and future maintenance, 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 any amendments.

It is noted that this application is also to discharge Condition No. 23 attached to the outline consent where full details of the landscaping were required to be submitted to and approved by the Borough Council. The applicant has submitted a greenspace implementation framework plan which sets out the board areas of planting and how the spaces are



arranged. Whilst in principle the arrangement of spaces and the broad planting proposal are considered acceptable, further detailed landscaping plans have been submitted by the applicant which sets out clearly the types of planting and how it is arranged and positioned across the site. It is considered the wet and dry meadow grass mixes in combination with street and amenity tree planting is considered acceptable. The overall landscaping scheme maintains and enhances the visual amenity across the site and provides pockets for wildlife habitats.

As such, the open space provision is in accordance with Policies CS08 and CS12 of the CS (2011) and Policy DM16 of the SADMPP (2016) and Policies E3, E4, E5, H2, S3 and T1.

### **Affordable housing requirements**

Core Strategy Policy CS09 and the outline consent Section 106 agreement, required affordable housing provision in line with policy requirements. In this case the applicant has proposed 63 affordable units with a mix of housing types including bungalows, and 1 to 4 bedroom two-storey dwellings comprising the following:

#### **Affordable rent**

- 1 bedroomed House – 12 no.
- 2 bedroomed Bungalow – 5 no.
- 2 bedroomed House – 20 no.
- 3 bedroomed Bungalow – 5 no.
- 3 bedroomed House – 15 no.
- 4 bedroomed House – 6 no.

#### **Shared ownership**

- 2 bedroomed House – 12 no.
- 3 bedroomed House – 15 no.

The proposed mix is considered acceptable, and the units are adequately dispersed throughout the site. A tenure plan submitted by the applicant shows small groups of units in the southern part of the site, adjacent to the indicative entrance for the school on the easterly side, evenly spread across the central area and within the body of housing in the northerly area. The spread across the site would broadly addresses SWNP Policy H6. In the absence of an objection from strategic housing it is considered the proposal is in accord with the Core Strategy and SW Neighbourhood Plan Policy H6.

### **Other material considerations**

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

The site has a gentle sloping gradient from the east to the west. The highest point is in the northeast with a level of 9.0 m AOD with the lowest 3m AOD at the central western site boundary. A drainage strategy has been submitted to accompany this reserved matters application.

In terms of flood risk the drainage strategy recommends mitigation measures which takes into the account the FRA that was submitted under the outline application. It is proposed that all dwellings have a finished floor level of no less than 5 metres AOD, constructed with concrete floors, electrical circuits and boilers above finished floor levels by 450mm and 600mm respectively and permeable paving to driveways and parking courts. In the absence

of an objection from the Environment Agency it is considered the development would be consistent with the outline application.

The development is proposed to be served by two pumping stations which will connect to the Anglian Water foul water system at the manhole located at the junction of Clifford Burman Close and Spenser Road. Although Anglian Water indicated a different connection could be made to the public sewer system planning condition 17 attached to the outline consent requires full details of a foul water drainage system to be submitted to and approved by the LPA. This will secure in conjunction with Anglian Water an appropriate and acceptable scheme for the development.

The applicant's drainage strategy includes surface water proposals which acknowledge the principles set at the outline stage. The proposed system is split into two networks and is based for surface water runoff leading to detention basins in the west of the site by a combination of filter drains and pipes from the spine road and secondary roads. Private driveways will be tanked permeable paving connecting to the drainage system that cumulatively connect to the IDB's maintained watercourse to the south of Edward Benefer Way.

Notwithstanding the comments from the IDB the LLFA are outstanding which would provide a detailed view on the drainage principles across the site and if they are to be supported with the proposed layout in mind. As such the outstanding comments from the LLFA will be reported as a late item to this agenda.

## **Ecology**

The outline planning consent considered the impact of the proposed development on ecology, and protected species. In response to the Civic Society, Condition 31 of the outline consent secured the ecological mitigations and enhancements measures across the site with the Section 106 ensuring the management of the landscaped areas. Natural England provided a consultee response on the outline application and have responded on this application. It should be noted that the comments have been repeated and those comments raised has been previously addressed over the course of the outline application.

The outline consent secured details to be submitted by planning condition for resident information informing of dog walking locations, installation of 'dog infrastructure' and how routes connect to existing rights of way and open spaces. Furthermore, the Section 106 Legal Agreement which accompanied the outline consent and remains enforceable, secured the commitment of £50 per dwelling to contribute to the measures of the Habitats Monitoring and Mitigation Strategy. This was considered appropriate and proportional to the development.

The proposed scheme follows the principles of the outline consent and provides areas of open space for recreational and conservation purposes which is in excess of the standards set out in Policy 16. Walking routes through the open spaces and the green corridors encourage use of the site by future residents and the spine road allows for connection to the National Cycle Network Route 1. The proposed landscaping scheme would enhance the green corridors and would add favourable weight when considered against SWNP Policy E3.

A condition (No. 31) was 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.

It is considered this application remains acceptable against CS12 of the CS (2011), Policy DM16 of the SADMPP (2016) and SWNP Policy E3, E4 and E5.

## **Archaeology**

Archaeology was addressed as part of the outline planning consent, and archaeological investigative works secured by condition 41 and 42.

## **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 relating to highway improvement works and habitat impact mitigation.

## **Other matters**

It is acknowledged that a number of representations have raised concerns relating to the impact on local services and facilities. Although this is a matter which was considered at the outline application, the proposed number of dwellings would inevitably have an effect on local services. However, it is noted that the Council's CIL charging schedule will, in financial terms mitigate the impact by providing future allocation of funds which can be distributed to the local services and facilities.

The impact of the development was considered acceptable up to 450 dwellings. The outline consent required by planning condition provision made within the development for access to the land to the east be made available for future links. The proposed development shows two roads leading to the land to the east that could serve a relocated entrance for South Wootton Junior School which falls outside of the application site (thus is not shown to form part of this proposal).

Damage occurred as a result of the proposed development is not a planning matter for consideration. This would be a civil matter between the interested parties. The ownership of the land to the rear of the school falls outside of this application site and is not a matter for consideration.

The impact of the roundabout was considered at the outline stage. However, it is considered any vehicle stop/starts will not be a significant harmful factor to amenity given the presence of passing traffic on Edward Benefer Way to withhold the reserved matters consent.

## **CONCLUSION**

It is noted that a number of matters such as detailed drainage, construction disturbance, development phasing, landscape management, biodiversity uplift and landscaping implementation and highway works including street lighting have all been secured by planning condition on the outline consent. They will require subsequent discharge under a separate application.

The principle of the development has been achieved through the approval of the outline application. Whilst the land is allocated by Policy E3.1 there were some matters which have now been addressed by this reserved matters application.

Through a combination of design and layout of the site it is considered the proposal would represent a satisfactory mix, density and tenure of dwellings. The subtle use of boundary treatments and placement results in a high-quality design which enhances the development

within the site. 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.

The provision of affordable housing has been secured by the Section 106 Agreement which accompanies the outline consent. The type of units and position within the site is considered acceptable under the reserved matters application.

In the southwest corner of the site there is sufficient space allocated to a local centre. Although no plans are forthcoming with this application there is still scope for the area to be utilised for shops a doctor surgery and community use spaces with small scale employment premises pursuant to Policy E3.1.

It is acknowledged that the proposal benefits from tree retention integrated into the layout with significant new planting facilitating a high degree of landscaping across the open spaces and punctuating the built form. The proposed development meets the recreational open space requirement of Policy E3.1.

A contribution (per dwelling) has been secured by the Section 106 Agreement to mitigate an impact on designated wildlife sites. Conditions 34 and 35 attached to the outline consent provides for a scheme to be submitted for recreational walk routes around the site to offer further mitigation to the wildlife sites. The landscaping of the site provides attractive pedestrian routes and car access to satisfy Policy E3.1.

The street layout and position of plots allow for the creation of a new access to South Wootton School. Conditions have been attached to the outline consent to integrate the development into the existing network for vehicles, pedestrian and cyclists.

In respect of condition number's 23 and 29 attached to the outline consent, it is considered the plans submitted for this application are acceptable. The proposed scheme is well landscaped, improving the visual amenity of the site and mitigates the loss of trees to facilitate the development. Plans have been submitted showing the level difference across the site with information showing the finished floor level. It is considered the information shows the proposal and is considered acceptable against the effect on the existing neighbouring properties to the site.

The comments from the LLFA are outstanding and will be reported as a late item to this report.

Notwithstanding the drainage matters, 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), Policies DM1, DM2, DM15, DM16, DM17 and E3.1 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016) and SWNP Policies Policy E 1, Policy E3, E4, E5, H1, H2, H4, H5, H6, S2, S3, S4, T1 and T2.

## **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:
  - A 973 02 Planning Layout Composite Sheet 3 (colour) – Rev G

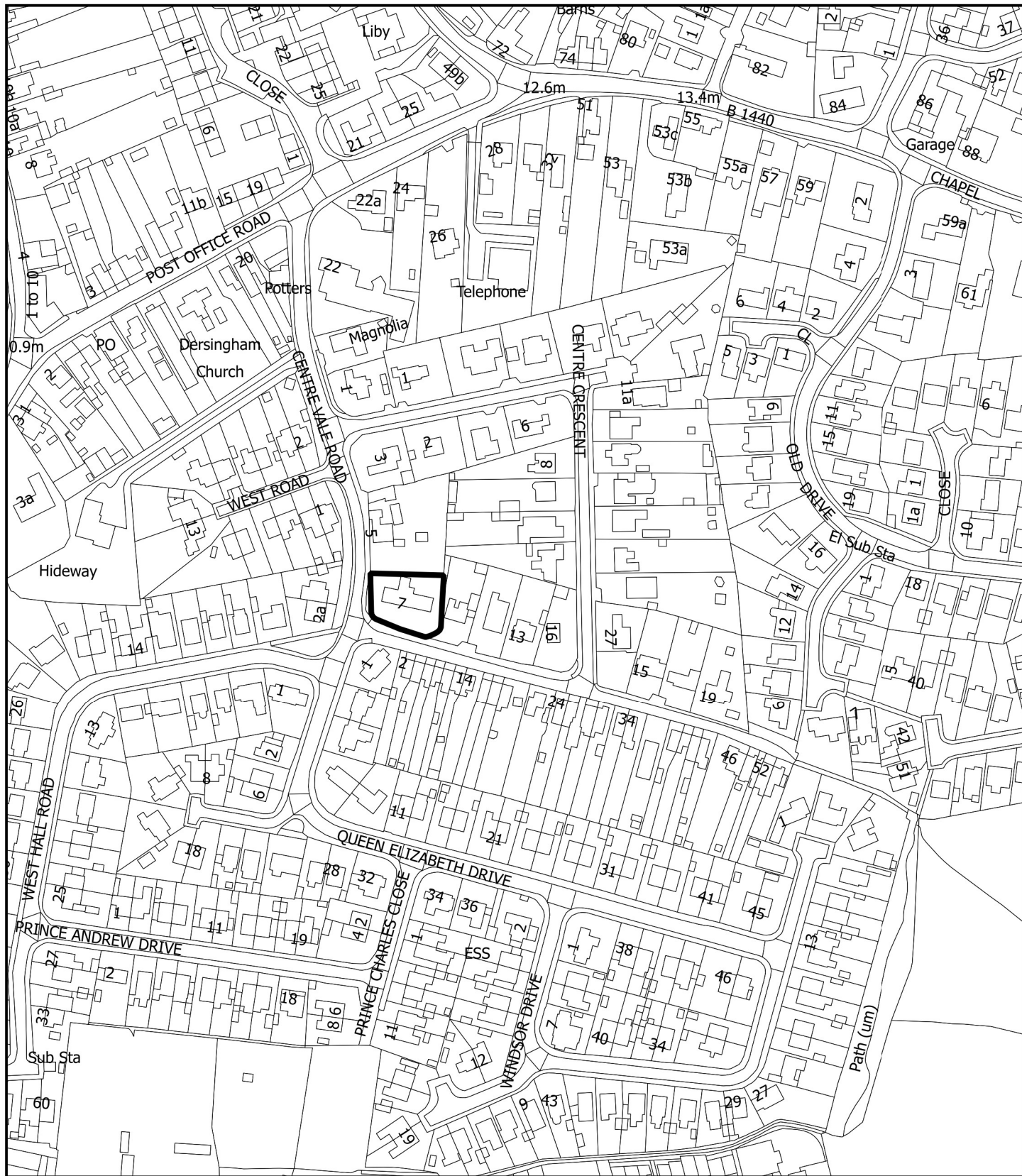
- A 973 02 Planning Layout Composite Sheet 3 – Rev G
- A 973 02 Planning Layout Sheet 1 – Rev G
- A 973 02 Planning Layout Sheet 2 – Rev G
- 60647/C/001 Preliminary Floor Levels Rev C
- 60647/C/002 Preliminary Floor Levels Rev C
- 60647/C/003 Preliminary Adoptable Highway Layout Rev B
- 60647/C/004 Preliminary Adoptable Highway Layout Rev B
- House Type Brochure Part 1
- House Type Brochure Part 2
- A973 07 Character Areas Plan – Rev G
- A 973 09 Materials Plan – Rev G
- A973 10 Enclosures Plan – Rev F
- A 973 12 Refuse Plan – Rev F
- A 973 13 Tenure Plan – Rev F
- A 973 130 Finished Floor Levels Plan – Rev F
- A 973 15 External Hard Surfaces Plan – Rev G
- LA4797 004 General Arrangement POS
- LA4797 005 Soft Landscape Proposals POS 1 of 3
- LA4797 006 Soft Landscape Proposals POS 2 of 3
- LA4797 007 Soft Landscape Proposals POS 3 of 3
- LA4797 010 General Arrangement Plots
- LA4797 011 Soft Landscape Proposals 1 of 5
- LA4797 012 Soft Landscape Proposals 2 of 5
- LA4797 013 Soft Landscape Proposals 3 of 5
- LA4797 014 Soft Landscape Proposals 4 of 5
- LA4797 015 Soft Landscape Proposals 5 of 5
- A973\_139 Rev B - Double Garage
- A973\_138 Rev B - Single Garage
- L000/TSG/02 - Triple Shared Garage Side Gable 2 of 2
- L000/TSG/01 - Triple Shared Garage - Side Gable 1 of 2
- L000/SG/01 Single Garage - Front Gable
- L000/DSG/01 Double Shared Garage - Side Gable
- L000/DG7/01 7m Double Garage

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 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.
- 2 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 3 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.

- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: Notwithstanding Condition No. 1 prior to the first occupation 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 enclosing plots 22 to 31 (excluding plot 23), the allotments and its associated parking area. The boundary treatments shall then be carried out in accordance with the approved details and completed before the first occupation of the dwellings and prior to the first use of the allotments or in accordance with a timetable to be approved in writing by the Local Planning Authority.
- 4 Reason: To ensure that the development is compatible with the amenities of the locality, to protect the plots adjacent to Edward Benefer Way from road noise and to maintain a high level of security within the site in accordance with the NPPF.
- 5 Condition: Prior to first occupation of the development hereby permitted, installation details and a specification of an EV charging scheme for the dwellings within the site shall be submitted to and approved in writing by the LPA. The development shall then be constructed in accordance with the approved measures with each EV charging system being made available to the dwelling prior to the first occupation.
- 5 Reason: To enable charging of plug in and other ultra-low emission vehicles in safe, accessible and convenient locations (NPPF section 112 (e)).
- 6 Condition: All bathroom/ en suite/ wc windows shall be obscure glazed and shall be retained as such thereafter.
- 6 Reason: To protect the residential amenities of the occupiers of nearby property.
- 7 Condition: The screen walls and fences shown on the approved plans shall be erected prior to the occupation of the dwelling to which they relate.
- 7 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

22/00344/F

Talltrees 7 Centre Vale Dersingham PE31 6JR



**22/00344/F**

**Talltrees 7 Centre Vale Dersingham PE31 6JR**





<b>Parish:</b>	<b>Dersingham</b>	
<b>Proposal:</b>	<b>Conservatory Extension</b>	
<b>Location:</b>	<b>Talltrees, 7 Centre Vale, Dersingham, PE31 6JR</b>	
<b>Applicant:</b>	<b>Mr &amp; Mrs Bubb</b>	
<b>Case No:</b>	<b>22/00344/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Olivia Luckhurst</b>	<b>Date for Determination: 26 April 2022 Extension of Time Expiry Date: 9 May 2022</b>

**Reason for Referral to Planning Committee** – Applicant is a Borough Councillor.

**Neighbourhood Plan:** No

**Case Summary**

The application seeks planning permission for a single storey extension positioned to the west side of the property and will create a new conservatory. The dwelling is positioned on a corner plot, fronting Centre Vale Road and is host to a detached bungalow constructed from facing brick work with white upvc windows and doors.

The site is located within the settlement boundary of Dersingham which in planning policy terms is identified as a Key Rural Service Centre within the Core Strategy and SADMPP and is considered to provide basic day to day facilities and can accommodate a small amount of growth.

**Key Issues**

The key issues to be determined in this case are:

- Principle of Development
- Impact on Amenity
- Design and Form
- Other Material Considerations

**Recommendation**

**APPROVE**

**PLANNING HISTORY**

2/02/0607/F - Permitted - Construction of pitched roof over existing flat roof

## **RESPONSE TO CONSULTATION**

**Parish Council: NO OBJECTIONS**

## **REPRESENTATIONS**

No representations received

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

## **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 key issues are:

Principal of Development and Policy Considerations

Form and Character

Impact on Amenity

Other material considerations

### **Principal of Development and Policy Considerations**

Policies CS08 and DM15 of the Development Plan state that development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against a number of factors including overlooking, overbearing, overshadowing, noise, contamination and visual impact. The principle of extending a dwelling is therefore acceptable in principle.

## Form and Character

In this case, the application seeks permission for a minor addition in the form of a single storey side extension forming a new conservatory. The extension will measure 3.4m in height, 2.5m in width and 4.1m in depth and will be positioned on the west elevation. The addition will not exceed the ridge height of the host property and will appear in keeping with the character and appearance of the area. The conservatory is considered to be of an acceptable scale, design and form that will not appear overbearing and will incorporate materials that match the existing dwelling and neighbouring properties. Therefore, it is considered that the proposal complies with Policies CS08 and DM15 of the Development Plan.

## Impact on Amenity

The application site is enclosed by trees and hedging that will screen the proposed addition. Given its positioning on the west elevation and a corner plot, the proposed extension will front Centre Vale Road and therefore, will not create any overlooking or loss of privacy. The main dwelling will also screen the addition from the east and the site allows for a sufficient separation distance to the north boundary of 9.4m and therefore, will not result in any overshadowing or loss of light. Overall, the proposed addition is not considered to have a detrimental impact on residential amenity given the scale of the extension, position within the site and screening provided. The proposal complies with policies DM1, DM2 and DM15.

## Other material considerations

The proposed extension will not increase the number of habitable rooms within the dwelling and the site is considered to provide a sufficient amount of parking, therefore, no additional spaces are required.

The existing access to the site will remain and will not be affected by the proposed development.

## CONCLUSION

The proposed conservatory is considered to be of an acceptable scale, design and form which respects the character and appearance of the host property and surrounding dwellings. The addition will not have a detrimental impact on residential amenity and therefore, complies with the overarching aims of the NPPF and Development Plan Policies CS1, CS2, CS08, DM1, DM2 and DM15.

## 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 using only the following approved plans:

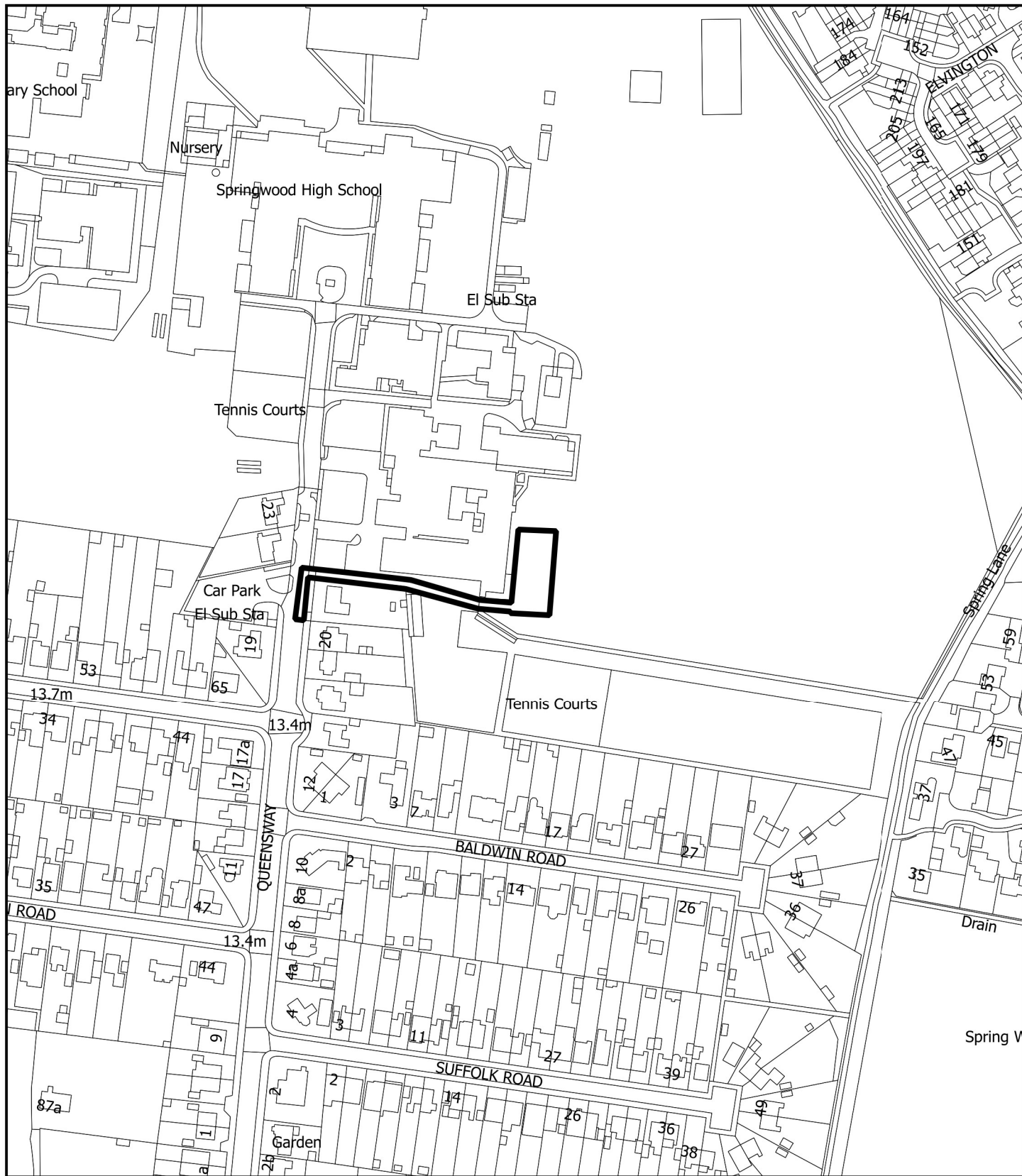
- 1538-01 EXISTING PLANS & ELEVATIONS Received 17.03.2022
- 1538-02A PROPOSED PLANS & ELEVATIONS Received 17.03.2022

2 Reason: For the avoidance of doubt and in the interests of proper planning.

# 22/00289/F

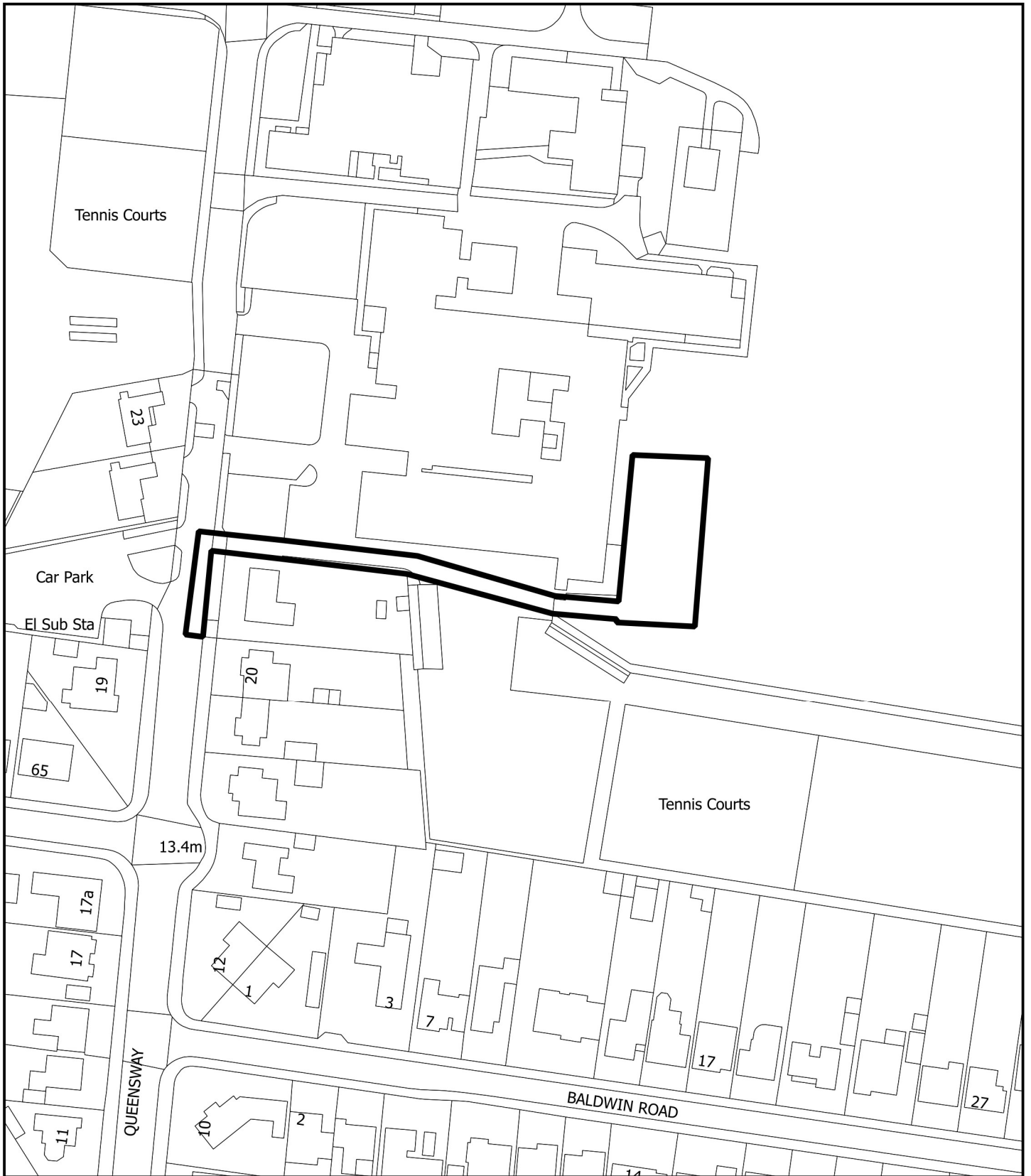
## Springwood High School Queensway Kings Lynn

### PE30 4AW



**22/00289/F**

**Springwood High School Queensway Kings Lynn  
PE30 4AW**



<b>Parish:</b>	<b>King's Lynn</b>	
<b>Proposal:</b>	<b>To install 2 Portakabin classroom buildings for a temporary period of 260 weeks (Retrospective)</b>	
<b>Location:</b>	<b>Springwood High School, Queensway, King's Lynn, Norfolk, PE30 4AW</b>	
<b>Applicant:</b>	<b>Steven Bowdery</b>	
<b>Case No:</b>	<b>22/00289/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs Jade Calton</b>	<b>Date for Determination: 5 May 2022</b>

**Reason for Referral to Planning Committee** – Called-in by Councillor Rust.

**Neighbourhood Plan:** No

**Case Summary**

The application relates to Springwood High School located at the northern end of Queensway, King's Lynn.

Permission is sought for the installation of two portacabin classrooms for a temporary period of 260 weeks (5 years).

King's Lynn is classified as the Sub-Regional Centre for the Borough within the Core Strategy's Settlement Hierarchy, which is the focus for major planned growth.

**Key Issues**

- Principle of Development;
- Impact on Character and Appearance of the Area;
- Impact on Neighbour Amenity; and
- Other Material Considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application relates to Springwood High School located at the northern end of Queensway, King's Lynn.

Permission is sought for the installation of two portacabin classrooms for a temporary period of 260 weeks (5 years). The modular classrooms will be removed after 260 weeks, after which a permanent solution is intended.

The proposed modular classrooms will sit on purpose made foundations and sited behind the south-eastern corner of the existing school building within the associated playing field.

The Portakabin buildings each measure 3.5m in height x 9.8m in width x 16.7m in length. Together they have a combined floorspace of 327 square metres and incorporate a total of 4 class-rooms, 2 x lobby areas, 4 x store rooms.

The buildings are pre-fabricated and the external walls are constructed of plastisol-coated galvanised steel cladding in 'honesty yellow'.

The modular classrooms are required to accommodate existing students on site and have already been installed on site.

## **SUPPORTING CASE**

A Design and Access Statement accompanies the application and offers the following supporting case: -

'Springwood High school is dedicated to ensuring that every student gains the best qualifications possible. We believe that excellent academic qualifications provide each student with the best life chances and opportunities to ensure a successful and fulfilled future. In the last two years the percentage of students gaining 5 higher grades including English and Maths has risen significantly.

We have a high expectation of both our teachers and our students. We set challenging targets for all and support each other to achieve them. We work hard to monitor accurately the progress of students, celebrate academic success and intervene where necessary.

A positive attitude to learning is an essential aspect of academic success. Our teachers regularly assess how engaged each learner is in their studies using an "attitude to learning" score. We celebrate students who have a good attitude to their studies and actively encourage those who need to improve in this area.

We offer a wide range of opportunities, both within and beyond the classroom - it is vital that every student participates in other areas of school life."

The buildings are required to free up congested classrooms. This will improve education levels in smaller classes and also free up classrooms to be used for extra curricular activities.

This is an interim solution until a permanent one is found.

There will be no loss of parking as a result of this application. And there will be no additional pupils or staff as a result—the classrooms will be occupied by reducing current class numbers. Therefore, there will be no impact on parking at the site.

Ramps will serve the main entrances, with steps to all fire escapes, all built to comply with the approved document Part M.



The Portakabin buildings have been chosen as a result of the flexible solution they can provide. The buildings can be installed quickly enabling pupils to begin using the specifically fitted out building much more quickly than a traditional build, and they can easily be removed from site with little impact when they are no longer required'.

## **PLANNING HISTORY**

There is extensive planning history associated with the site, none of which is directly relevant to the current application.

## **RESPONSE TO CONSULTATION**

**NCC Highways:** [Verbally] **NO OBJECTION**

## **REPRESENTATIONS**

Councillor Rust called-in the application to Planning Committee in the interests of local residents.

**ONE** representation received from a local resident **OBJECTING** on the following grounds: -

- Increase in local traffic, in particular at pick up and drop off times,
- More dangerous and inconsiderate parking on the roads surrounding the school; and
- Unsociable behaviour including littering and loud music.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

## **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)

## **PLANNING CONSIDERATIONS**

The main considerations in the determination of this application are as follows; -

- Principle of Development;
- Impact on Character and Appearance of the Area;
- Impact on Neighbour Amenity; and
- Other Material Considerations

### **Principle of Development:**

The application site lies within the development boundary of King's Lynn and as such, the proposal is acceptable in principle in accordance with the Development Plan.

### **Character and Appearance:**

The proposed temporary classrooms are located to the rear of the existing school building and as such are not visible from the main public domain.

Furthermore, the south-western corner of the school grounds is bounded by mature trees which offer some screening of this part of the site from the public highway.

Notwithstanding this, it is not considered that the siting of two mobile classrooms would be an incongruous feature within the grounds of a large school such as this. Modular classrooms are commonly used as a means of providing required classroom space within school grounds.

It is considered therefore, that the proposal would have no adverse impact on the local setting or character of the area, in accordance with Local Plan Policies CS08 and DM15 and the general provisions of the NPPF.

### **Neighbour Amenity:**

The proposed modular classrooms will be sited approximately 51m from the rear boundary of the closest neighbouring residents at Nos. 20 and 22 Queensway (located to the south-west) and approximately 60m from the rear boundaries of the neighbouring properties on the northern side of Baldwin Road (located to the south).

The proposed buildings are roughly in line with the southernmost part of the existing school building, with a playing field and tennis courts between the proposed buildings and adjacent residential boundaries.

As previously stated, the south-western boundary of the school site comprises mature trees which provides partial screening from neighbouring residents.

Taking into account the above, together with the fact that the proposed modular classrooms will be sited within an existing school complex and will accommodate existing students, it is not considered that the proposal would cause any harm to the amenities of neighbouring residents.

As such the proposal accords with Local Plan Policies CS08 and DM15 and the provisions of the NPPF, paragraph 130.

## **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.

### *Representations: -*

Third party representations have been taken into consideration in reaching the recommendation of this application and will be addressed accordingly: -

In regard to increased traffic, parking issues and unsociable behaviour, the proposed modular classroom buildings will not give rise to these matters given that they intend to accommodate existing students already attending the school.

Given the nature and scale of the application, it was not necessary to formally consult NCC Highways. However, given the concerns raised by local residents, the case officer discussed the proposal with Highways to seek clarification on the highway safety issues raised.

Verbally, the Highways Officer confirmed that they would raise no objection to the proposed modular classrooms. Notwithstanding the fact that they will accommodate existing students and staff, given their scale and nature they would be de minimis. Furthermore, taking into account the use of the site as a whole, the introduction of the modular classrooms would cause no material impact on highway safety.

It is noted that the proposed modular classrooms have been installed on the site since the submission of the application. A breach of Planning Control is not illegal and there is provision in law to enable the applicant to apply retrospectively. The retrospective nature of the application has been included in the description to make it clear.

## **CONCLUSION**

Modular classrooms are not out of character in a school setting and they are well screened in the locality by the existing boundary treatment and existing school buildings.

Given they are relatively small scale and are screened, together with distances involved, it is not considered that the temporary classrooms would adversely affect the amenities of neighbouring residents.

It is not anticipated that the siting of the classrooms would give rise to existing traffic, parking issues or antisocial behaviour given that it is intended to accommodate existing pupils and staff to free up capacity within the school as classrooms are currently overcrowded. There is no intention to increase the number of students or additional staff as a result of the proposal.

A condition will be applied to control the temporary siting of the modular classrooms and ensure their removal after the specified period.

Taking the above into consideration, it is your officer's opinion that the siting of two portacabin classrooms would be acceptable on this existing school site and there would be no adverse impact on visual or neighbour amenities or to highway safety. The proposal

therefore accords with Local Plan Policies CS02, CS08 and DM15 and the general provisions of the NPPF.

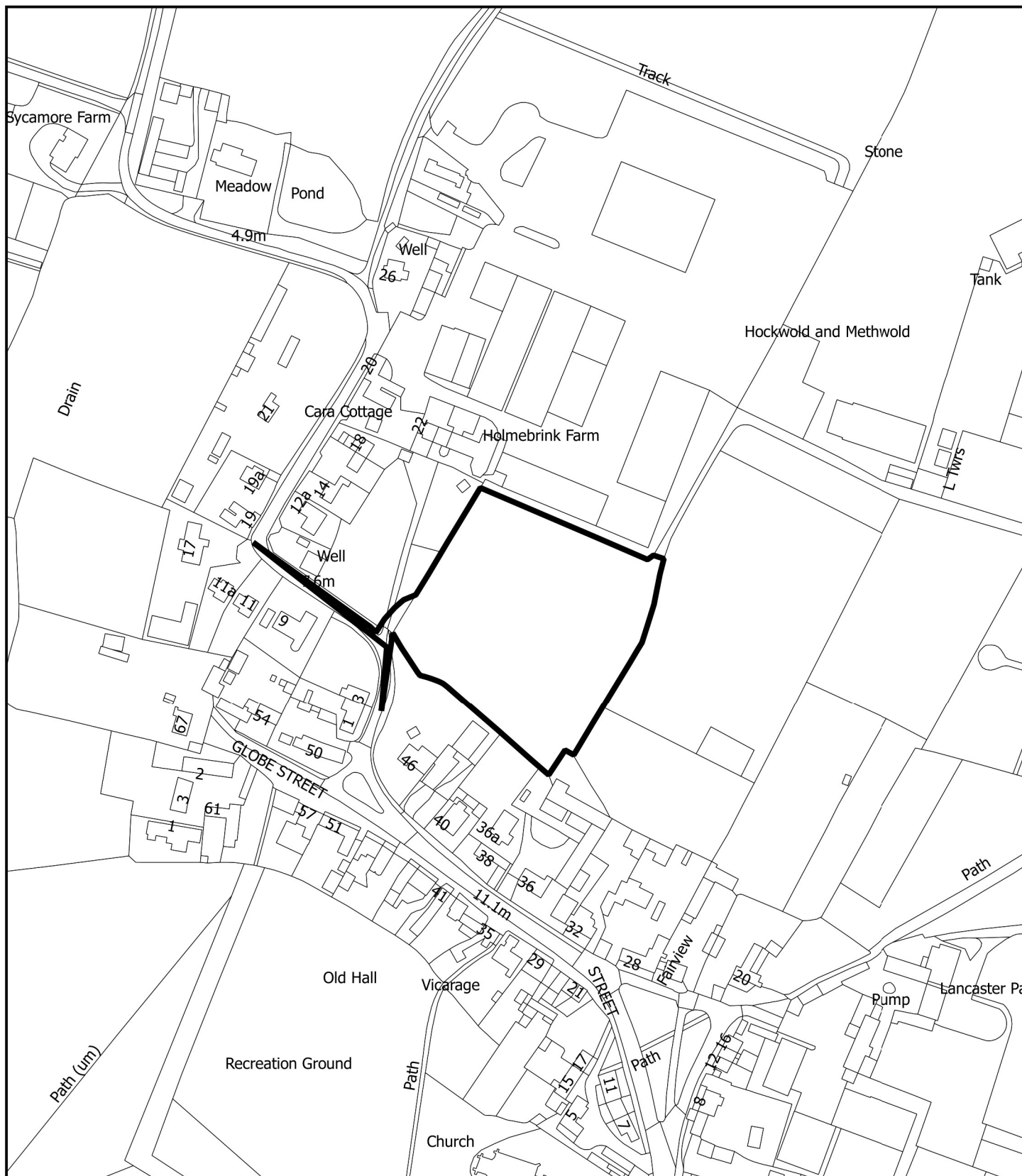
**RECOMMENDATION:**

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

- 1 Condition: The development hereby permitted has been determined in accordance with the following approved plans; DBLCLASSROOM and DLSHSPLBP.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning
- 2 Condition: This permission shall expire on or before 5 years from the date of this permission and unless on or before that date application is made for an extension of the period of permission and such application is approved:
  - (a) the modular buildings shall be removed from the application site;
  - (b) the use of the land shall be discontinued; and
  - (c) there shall be carried out any work necessary to reinstate the application site to its condition prior to the implementation of this temporary permission.
- 2 Reason: In order that the Local Planning Authority may retain control over the development, in accordance with the NPPF.

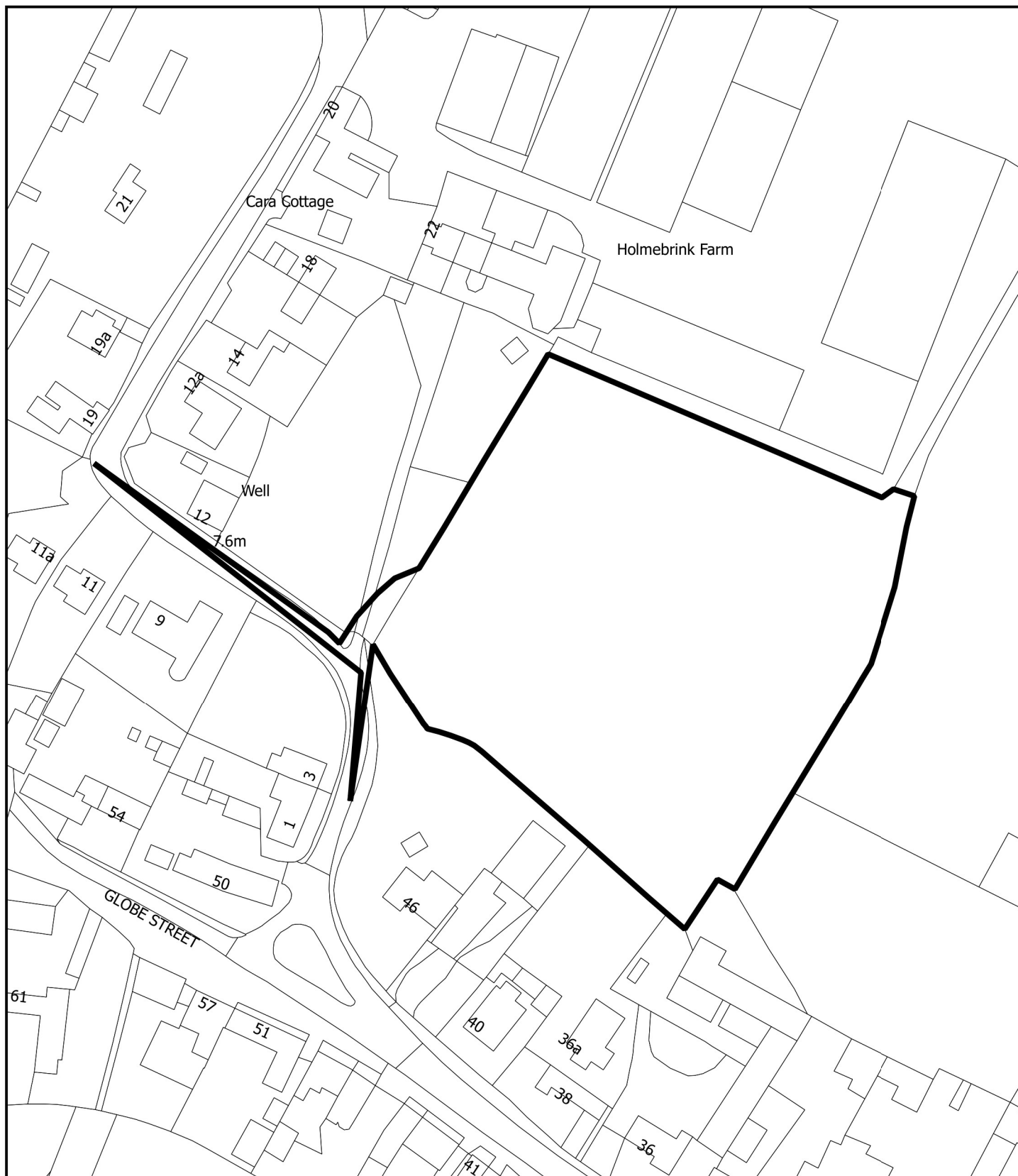
# 22/00461/F

## Land S of 22 E of 12 Thornham Road and N of 40 Holme Brink Farm, 22 Thornham Road Methwold



**22/00461/F**

**Land S of 22 E of 12 Thornham Road and N of 40  
Holme Brink Farm, 22 Thornham Road Methwold**



<b>Parish:</b>	<b>Methwold</b>	
<b>Proposal:</b>	<b>Proposed dwelling</b>	
<b>Location:</b>	<b>Land S of 22 E of 12 Thornham Road And N of 40 Holme Brink Farm 22 Thornham Road, Methwold, IP26 4PH</b>	
<b>Applicant:</b>	<b>Mr Andrew Wortley</b>	
<b>Case No:</b>	<b>22/00461/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs C Dorgan</b>	<b>Date for Determination: 27 April 2022 Extension of Time Expiry Date: 12 May 2022</b>

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

**Neighbourhood Plan:** No

**Case Summary**

The application seeks full planning consent for a site of 0.97ha currently in use as agricultural land for the construction of a substantial detached four bedroom two-storey dwelling with a large garage, a driveway with parking/turning and a large area of amenity space. Access is proposed via Thornham Road.

The application site is located to the north east of Thornham Road, Methwold to the north east of the village. The site is adjacent to but located outside the development boundary for the village as shown on Inset Map G59 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016). Methwold is designated as a joint Key Rural Service Centre (KRSC) in the adopted Local Plan.

The site also adjoins the boundary of Methwold Conservation Area.

**Key Issues**

- Principle of Development
- Highways/ Access
- Form and Character / Impact on Conservation Area
- Neighbour Amenity
- Other Material Considerations

**Recommendation**

**REFUSE**

## **THE APPLICATION**

The application seeks full planning consent for a site of 0.97ha currently in use as agricultural land for the construction of a substantial detached four bedroom two-storey dwelling with a large garage, a driveway with parking/turning and a large area of amenity space. Access is proposed via Thornham Road.

The application site is located to the north east of Thornham Road, Methwold to the north east of the village. The site is adjacent to but located outside the development boundary for the village as shown on Inset Map G59 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016). Methwold is designated as a joint Key Rural Service Centre (KRSC) in the adopted Local Plan. The site also adjoins the boundary of Methwold Conservation Area.

The site is currently agricultural land although the applicant states it is too small an area to farm. There are no notable features within the site itself. The site forms part of the larger Laurel Farm with buildings and agricultural land to the north of the application site. Current site access is via Laurel Farm although the application seeks to close off this access and utilise the existing access to Holmebrink Farmhouse.

The topography of the site is largely flat throughout although the land does drop away at the northern boundary, so the adjacent farmyard to the north is at a lower level. In terms of existing boundary treatments; the eastern boundary includes hawthorn hedging and a row of fir trees which runs to the southern corner with a 1.8m brick wall. The western boundary is a timber post and rail fence with some low level hedging.

## **SUPPORTING CASE**

### **Need for a New Dwelling**

- The proposed dwelling is a self-build home for the proprietors of the local farming business O.W.Wortley & Sons Ltd. The dwelling will be a lifetime home for the applicants - who wish to retire and pass over more of the running of the farm to younger generations of the family.
- The home has been designed with wheelchair use in mind, with features such as an accessible lift, open plan ground floor living, wide doorways and hallways, and adaptable bathrooms.
- The dwelling will allow the applicant's son to move into their existing farmhouse, becoming custodian of the farmyard and being proactive in the day-to-day running of the farm. Sadly, the farm has been a victim of rural crime and there is an ever increasing need to provide additional round the clock security.

### **Design**

- The design of the home has been carefully considered to be in keeping with the local charm and character of Methwold. The bespoke design is a Norfolk country farmhouse vernacular, with architectural features to include traditional oak framework, staggered rooflines, oversized eaves, feature glazing and eyebrow dormers. A high quality palette of materials will be used including multi-facing bricks and traditional Norfolk pantiles.



## **Ecology and Biodiversity**

- Extensive tree planting has already started across the farm, and this proposal looks to undertake considerably more. A nature pond is proposed as well as bird/owl boxes, bat boxes, sparrow terraces and hedgehog housing. A wildflower meadow will also significantly elevate the biodiversity of the existing grassed meadow.

## **Sustainability**

- The site is sustainably located as an infill site adjacent to the development boundary in a Key Rural Service Centre, and has previously been considered suitable for housing allocation.
- Renewable energies such as solar panels and air source heat pumps are proposed, as well as sustainable methods of construction to include 'thin joint construction' using recycled concrete blockwork and ultra-wide insulated cavity walls.

## **Supporting Self and Custom Build**

- The ongoing Local Plan Review identifies that suitable sites for housing may be found adjacent to the settlement boundaries. A new policy is being drafted as "Policy LP31 Residential Development Reasonably Related to Existing Settlements Policy". This draft policy looks to support custom and self-build housing by applying additional weight to sites such as this which are adjacent to existing settlements.
- There is also a national directive to support more custom and self-build housing. The LPA has a duty under the Self and Custom Build Housing Act 2015 and the Housing and Planning Act 2016 to keep a register of those wishing to commission or build their own homes, and to grant enough permissions to fulfil the identified need. This proposal would meet the needs of the applicants whom are on the LPA's register.

In conclusion, the proposal offers an attractive farmhouse in a Key Rural Service Centre. The development will be a self-build and entirely custom designed to suit the applicants as a lifetime home, as well as allowing them to be in sight and sound of their working farm.

## **PLANNING HISTORY**

None

## **RESPONSE TO CONSULTATION**

**Parish Council: NO COMMENTS RECEIVED**

**Highways Authority: NO OBJECTION subject to conditions**

While the road is narrow and the LHA would not therefore usually accept the principle of such a development, the length to travel on the narrowed section of road would be short as being principally from the village direction. Additionally, there are no recorded accidents on the section of Thornham Road in the past 5 years. On balance, it would be difficult to substantiate an objection to the application on highway grounds and recommend conditions are attached re the access.

### **Conservation Officer: Makes the following comments:**

The Conservation Area Advisory Panel had no objection to the development in principle as the site was large and set back from view. The Panel made comments on the proposed materials, in particular the amount of boarding, and felt that there may be a missed opportunity on what could be achieved on the site.

However, would not entirely agree with the comments of CAAP, although note the points made about the size of the site and the distance set back. Whilst some of the buildings directly in front of the site are modern, Globe Street as a whole contains many important unlisted buildings, many of which illustrate the rural history of the village and relate to the open countryside behind them. This characteristic contributes to the significance of the Methwold Conservation Area and is noted in the Character Statement. By constructing on land behind this established development and which is outside the village boundary, this link between rural countryside and the linear nature and appearance of Globe Street is broken. This will also reduce the sense of rural space and countryside around the village as whole, as has happened elsewhere in the Conservation Area (Crown Street). This will cause less than substantial harm to the significance of the conservation area.

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

The applicant has provided a screening assessment and predetermination questionnaire which state no known contamination. The Design and Access statement reports that the site is an open field formally part of Laurel Farm, but it has not been used for agricultural purposes for several years. The D&A Statement also includes reference to historical maps and it reports that they show little development near the site until the 1988 Aerial Map where some buildings further down Globe Street start to emerge. The site appears to have been agricultural land associated with the existing barn.

Historical mapping and aerial photography on our files confirm that the surrounding landscape is largely residential and agricultural. No significant sources of contamination are identified in our records, or in the information provided by the applicant. Therefore, no objection regarding contaminated land.

### **Natural England: NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

### **REPRESENTATIONS: NONE RECEIVED**

#### **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** – Transport

**CS12** - Environmental Assets

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

**DM2** – Development Boundaries

**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 following issues are matters for consideration in the determination of this application-

Principle of Development

Highways/ Access

Form and Character / Impact on Conservation Area

Neighbour Amenity

Other Material Considerations

#### **Principle of Development**

Methwold is categorised as a Joint Key Rural Service Centre in Policy CS02 of the Core Strategy (2011) (CS) and therefore benefits from a settlement boundary to guide development to the most sustainable positions. This application site is outside the development boundary for Methwold and therefore is considered to be within the wider countryside for the purposes of Policy DM2 of the Site Allocations and Development Management Policies Plan (2016)(SADMPP). Policy DM2 states that areas outside development boundaries 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 in the plan. This proposal does not meet any of the requirements of these other policies. This stance is reinforced by paragraph 174 of the NPPF (2021) which recognises the intrinsic character and beauty of the countryside and supports the protection of the countryside.

Within the Design and Access Statement the applicant has sought to put great weight on the fact that this would be a self build plot. Reference is made to Government guidance requiring LPAs to support and enable this form of development. The Council does have a custom/self build register and an action plan on how to assist with this form of development. The Housing and Planning Act (2016) requires Councils to grant sufficient consents to meet the demand on the register. This is monitored annually. The Borough Council has exceeded the demand every year aside from 2020-21, however the Council has a period of three years to meet the demand. The Local Plan Review includes policies to support this form of development, which will further seek to meet the likely demand. The fact that this is a self-build plot is not sufficient justification to outweigh the policy approach in the adopted Local Plan, as the Borough Council are broadly meeting the demand.

The applicant states that the dwelling is needed to enable the applicant's son to move into Holmebrink Farmhouse. However, the applicant owns a number of existing dwellings within close proximity to Laurel Farm and no evidence has been submitted as to why these cannot be used. The applicant has not submitted a case for the need for the dwelling in line with Policy DM6 of the SADMPP and it is not considered that this need is justification for the development.

Therefore, in terms of the principle of development, the proposal is contrary to the NPPF and the adopted development plan specifically policies CS02, and CS06 of the CS and policies DM2 and DM6 of the SADMPP.

### **Highways/ Access**

Access to the proposed dwelling is via the existing private access to Holmebrink Farmhouse, off Thornham Road. The applicant has proposed that the existing access (2.75m wide) is widened to 4.8m to allow two vehicles to pass. The Local Highway Authority does raise concerns about the access via Thornham Road due to the fact it is narrow in part. However, it is also accepted that it is only a short distance to travel along this narrow road from the village to gain access to the site. This, in addition to the fact that there have been no recorded accidents in this location over the last five years, means that the Local Highway Authority does not object to the scheme. This is subject to conditions securing improvements to the existing vehicular access, and that gates shall not be erected across the access until details have first been submitted to the LHA.

The proposal therefore complies with the NPPF, and policies CS11 of the CS and policy DM15 of the SADMPP insofar as highways matters.

### **Form and Character / Impact on Conservation Area**

The application site lies to the north of the built extent of the village, adjacent to the development boundary and the Conservation Area. In terms of form and character in this locality the edge of village location means that built form (largely residential) becomes less dense as you move east from Globe Street to Thornham Road. To the south of the application site is frontage development, with a large detached dwelling to the northwest and a farmyard with large scale agricultural buildings to the north. West of the site is residential development fronting onto Thornham Road.

The proposed dwelling itself is a substantial two storey four bedroom dwelling with large garages. The dwelling is 8m in height (at ridge) and with a footprint of 19m by 28m wide. The materials proposed include timber cladding with exposed oak post/ frame detailing with a dark Norfolk pantile roof, a red/ brown multi brick and neutral grey cladding with substantial glazing. The proposed design and form of the dwelling is considered acceptable.

The proposed scheme includes a large area of private amenity space and the applicant has indicated on the plans submitted and within the Design and Access Statement that a landscaping scheme would be used to enhance the site, and minimise the impact of the development on the countryside and Conservation Area. The landscaping scheme will also seek to include a range of ecological features to enhance biodiversity. The applicant does suggest however that the detailed landscaping scheme should be conditioned, and this is considered an acceptable approach.

The applicant has provided street scene images as part of their application which illustrate that the dwelling would largely be screened from the public highway by existing planting/ trees and the built form, although you will have intermittent views as you travel along Globe

Street and onto Thornham Road. This would be in the context of the existing built form however.

While there is existing residential development to the south and west; the development to the north is agricultural in nature and the development of this area of agricultural land will extend the domestic character further into the countryside with no justification.

Methwold Conservation Area Character Statement refers to the rural setting of the village reaching into the Conservation Area, and that the village retains its strong links with agriculture. The built up area of the conservation area has a fine rural setting to the west and east. Barns and agricultural buildings are very important to the character of the village streets, retaining this rural character. In addition one of the objectives for Methwold Conservation Area is 'protecting the setting of the Conservation Area from development which adversely affects views into or out of the area.'

The application was considered at the Conservation Area Advisory Panel and they did not object to the scheme, as the site is large and set back from view. They did comment on the proposed materials, in particular the amount of boarding, and felt that there may be a missed opportunity on what could be achieved on the site.

The Conservation Officer does not entirely agree with CAAP. His view is that while some of the buildings directly in front of the site are modern, Globe Street as a whole contains many important unlisted buildings, many of which illustrate the rural history of the village and relate to the open countryside behind them. This characteristic contributes to the significance of the Methwold Conservation Area and is noted in the Character Statement. By constructing on land behind this established development and which is outside the village boundary, this link between rural countryside and the linear nature and appearance of Globe Street is broken. This will also reduce the sense of rural space and countryside around the village as whole, as has happened elsewhere in the Conservation Area (Crown Street). This will cause less than substantial harm to the significance of the conservation area.

Paragraph 202 of the NPPF states that 'where a development 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, where appropriate, securing its optimum use.' There are no public benefits to the scheme, and from a conservation/ form and character point of view the optimum use of the site would be to retain this as agricultural land.

In summary, the development would have a detrimental impact on the form and character of the locality and the Conservation Area itself by extending residential development into countryside, thereby reducing the links between the historic core of the village and the agricultural land beyond. That said the harm to the Conservation Area is considered to be less than substantial. Paragraph 202 of the NPPF requires that this harm is weighed against public benefit of the scheme. It is our view there is no public benefit to the scheme. Therefore the development is contrary to the NPPF and policy CS12 of the CS (2011).

### **Neighbour Amenity**

The proposed dwelling is 48m to Holmebrink Farmhouse to the northwest, approximately 90m to the dwellings to the west and approximately 80m to the closest dwelling on Globe Street. It is considered that these distances are sufficient that there would not be a loss of privacy, or overshadowing as a result of the proposed development. The use of the existing access for an additional dwelling would also not give rise to neighbour amenity issues.

In terms of the residential amenity of the residents of the proposed dwelling, while the dwelling would be within 22m of the working farmyard these are in the same ownership. Furthermore, the applicant has stated that the design and layout of the dwelling is such that on the north elevation the number of windows has been minimised to limit any noise/disturbance from the farmyard.

The development would not give rise to residential/ neighbour amenity issues in accordance with the NPPF and DM15 of the SADMPP (2016).

### **Other Material Considerations**

Local Plan Review – The applicant’s Design and Access Statement refers to the emerging Local Plan Review and proposed policies within this document. The revised plan is still evolving and has not been examined as yet, it is therefore not yet a material consideration in the determination of planning applications. The current adopted Local Plan is the appropriate policy framework.

Flood Risk - The site is located within Flood Zone 1 of the Strategic Flood Risk Assessment 2018 and is therefore at lowest risk of flooding.

Drainage – Drainage arrangements have not been supplied as part of the application and would be conditioned.

There are no objections received or conditions required from Natural England or Environmental Quality.

### **CONCLUSION**

The application site is located outside of the development boundary as defined by Inset Map G59 of the SADMPP (2016). Policies CS06 of the CS and DM2 of the SADMPP seek to protect the countryside and restrict new development in the countryside. The proposal does not meet any of the exception criteria within policy DM2, and therefore the principle of development is contrary to the adopted Local Plan.

The development would represent an extension of domestic built form into countryside, changing the character of the land from agricultural to residential on an edge of village site. The Conservation Officer raises concerns that by allowing such development this will be interrupting and weakening the links between the historic core of the village and the views and associations with the countryside beyond. However, the harm is less than substantial and paragraph 202 of the NPPF requires that this harm is weighed against public benefit. Given there is not considered to be a public benefit from the development, the proposal is considered contrary to the NPPF in this regard.

It is thereby recommended that Members refuse the application due to the fact the scheme fails to accord with the provisions of the NPPF, and the adopted Local Plan policies CS01, CS02, CS06, CS08, CS12 of the CS and DM2 and DM6 of the SADMPP.

### **RECOMMENDATION:**

**REFUSE** for the following reasons:

- 1 The site lies outside of the development boundary for Methwold where development is restricted to that identified as sustainable in rural areas. The Borough Council can

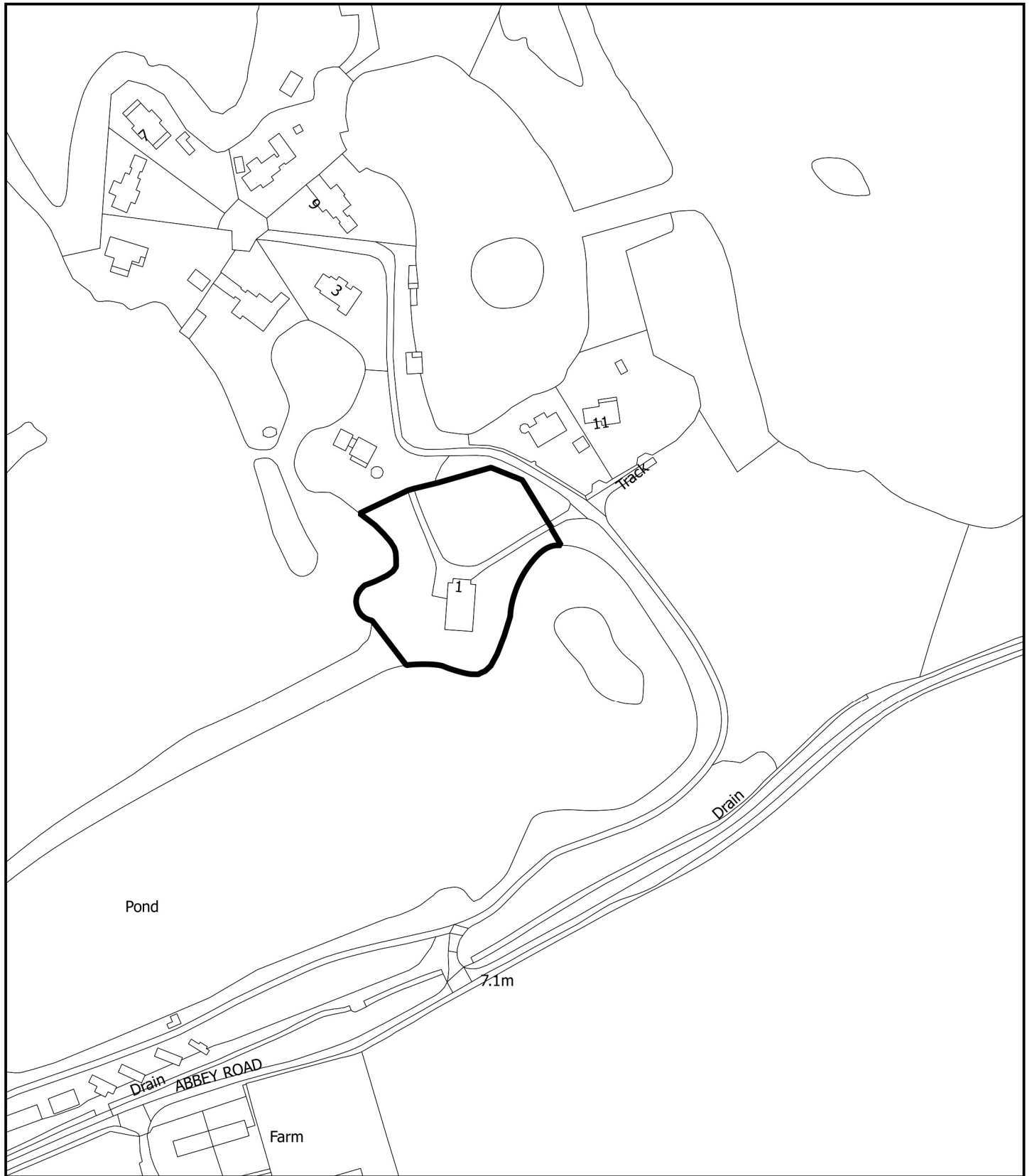
currently demonstrate a housing land supply of in excess of the required figure and no justification has been provided that outweighs the policies of the local plan. The proposal constitutes the inappropriate development of a greenfield site in the countryside for the purposes of Policy DM2 of the SADMPP (2016) and the provision of an additional dwelling in this location will not promote sustainable development or enhance or maintain the vitality of the rural community in accordance with Paragraph 79 of the NPPF (2021). The development is therefore considered contrary to the overarching aims of the NPPF (2021), Policies CS01, CS02, CS06 and CS08 of the Core Strategy (2011) and Policy DM2 of the Site Allocations and Development Management Policies Plan (2016).

- 2 The application site is located adjacent to Methwold Conservation Area and currently comprises an area of agricultural land to the rear of linear residential development along Globe Street. The agricultural land contributes to the rural setting which reaches into the Conservation Area, providing views into and out of, and reinforcing the village's strong links with agriculture.

The proposed construction of the dwelling would result in the loss of this agricultural land which currently characterises and contributes to the rural setting of the Conservation Area. It would, in the absence of public benefits, cause harm to the Conservation Area and would fail to preserve or enhance the character and appearance of the Conservation Area and is therefore contrary to paragraphs 200, 202 and 206 of the NPPF and Policies CS08 and CS12 of the Core Strategy (2011) and DM15 of the Site Allocations and Development Management Policies Plan (2016).

**22/00255/F**

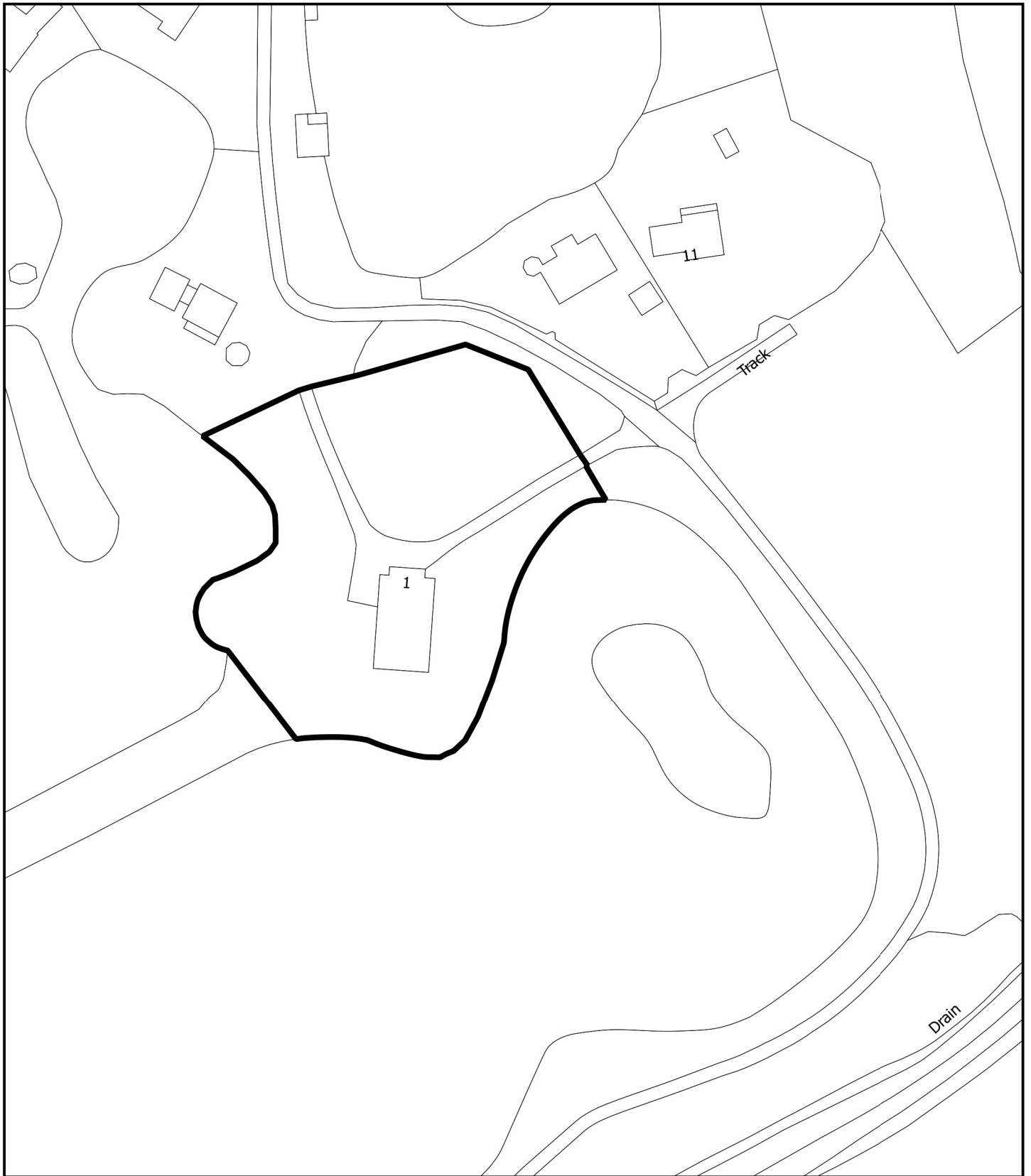
**1 Abbey Lakes Close Pentney PE32 1FN**





**22/00255/F**

**1 Abbey Lakes Close Pentney PE32 1FN**



<b>Parish:</b>	<b>Pentney</b>	
<b>Proposal:</b>	<b>VARIATION OF CONDITIONS 2 AND 3 OF PLANNING PERMISSION 19/01495/F: Proposed garage and boat store</b>	
<b>Location:</b>	<b>1 Abbey Lakes Close, Pentney, Norfolk, PE32 1FN</b>	
<b>Applicant:</b>	<b>Mr E McDonnell</b>	
<b>Case No:</b>	<b>22/00255/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Clare Harpham</b>	<b>Date for Determination: 4 May 2022</b>

**Reason for Referral to Planning Committee** – The Parish Council comments are at variance with officer recommendation and the application has been referred to Planning Committee by Sifting Panel.

**Neighbourhood Plan:** No

**Case Summary**

This application seeks to vary conditions 2 and 3 of planning permission 19/01495/F which gave consent in October 2019 for the construction of a garage/boat store at the application site. This application seeks to amend the approved plans in order to alter the design of the proposed garage/boat store.

**Key Issues**

- Principle of Development
- Planning History
- Design considerations
- Neighbour Amenity
- Crime and Disorder Act
- Other material considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application site is an irregular shaped plot which lies to the eastern end of the water-ski lake and it set within Pentney Lakes leisure park. On site currently stands a wooden cabin which was granted planning permission in September 2001 (2/01/1157/F) as residential accommodation for the site manager. The site boundaries are open to the lake and there is post and rail fencing on the other boundaries.

This application seeks to vary conditions which were previously applied to planning permission (19/01495/F) to construct a garage/boat-store. Varying these conditions will allow a change to the design of the approved building.

## **SUPPORTING CASE**

I'd like to start by just reiterating that the permission in question relates to number 1, Abbey Lakes Close, the only plot on Abbey Lakes Close to benefit from permission for full residential occupancy. Naturally therefore, this is where myself and my family live.

With this in mind I've proposed a garage that fits our requirements while also trying to be considerate to the design in relation to surrounding cabins, material choices and roof lines.

In order to best fit into the surroundings, this particular roof line has been mirrored by that of two neighbouring cabins. The materials proposed are of a high quality, also aiming to fit in to the surroundings and be aesthetically pleasing to onlookers or neighbours.

We are a family of water-skiers. Some family members represent the country in the British water-ski team. We travel to competitions on weekends with a touring caravan. Living on the lake we also have boats. All of which need a place to be stored. Ideally; that isn't in the front garden, exposed for all to see. Hence the scale and proportion of the garage. I'm sure you'll agree to look out the window and not see a touring caravan is better than seeing one.

The amended design with doors (rather than the carport style) is again based on function and security with insurers suggesting such assets should be securely stored, as to replace these now (like for like) would be close to impossible and grossly more expensive than originally purchased for.

I'd like to add that there is no commercial requirement for this garage. Just simply a nice looking building, designed to keep my plot tidy and my assets secure. The plot doesn't currently have any garage space so finding places to keep things like lawnmowers, caravan awnings (and any other items a large family may have) as well as the already mentioned items is a challenge.

## **PLANNING HISTORY**

19/01495/F: Application Permitted: 17/10/19 - Proposed garage and boat store - 1 Abbey Lakes Close Pentney

2/01/1157/F: Application Permitted: 12/09/01 - Construction of residential unit for occupation by site manager (renewal) - Pentney Lakes Leisure Park Common Lane

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECT** As previously stated the Parish Council has concerns regarding the number of applications and changes made to this application which appears to be changing its use to a holiday home for the future.

**Environment Agency:** No comment to make, as the EA did not recommend either condition which is to be varied.

**22/00255/F**

**Planning Committee  
09<sup>th</sup> May 2022**

## **REPRESENTATIONS**

No third party representations received.

## **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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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

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

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

The main issues to consider when determining this application are as follows:-

Principle of Development

Planning History

Design considerations

Neighbour Amenity

Crime and Disorder Act

Other material considerations

## **Principle of Development**

Section 73 of the Town and Country Planning Act 1990, as amended, allows for the determination of applications to develop land without compliance with conditions previously attached. Within such an application the LPA shall consider only the question of conditions subject to which planning permission should be granted. If planning permission can be granted subject to conditions differing from those subject to which the previous permission was granted then an application made under section 73 should be granted. If it is decided that permission should be granted under the same conditions as was previously applied then the application should be refused.

This application seeks to vary conditions 2 and 3 of planning permission 19/00255/F in order to amend the already approved design for a proposed garage and boat store. This application will determine whether it is acceptable to alter the design.

## **Planning History**

Planning permission was granted in October 2019 for the erection of a garage and boat store at the application site. The consent was granted subject to three conditions, the first of which related to the time by which the development should commence. When the site visit was undertaken it was clear that development had commenced as the foundations had commenced.

Condition 2 was a standard condition relating to the approved drawings and this application seeks to vary the approved drawings.

Condition 3 related to the use of the approved garage/boat store and that it should be used for incidental purposes in relation to 1 Abbey Lakes Close and that at no time should it be used for business or commercial purposes. Within this condition, an approved drawing was referred to and therefore it is sought to vary this condition to include the revised drawing reference number. It is not the intention of the application to remove or vary the conditioned use of the garage/boat store, simply to refer to any revised plans as required.

## **Design considerations**

Overall, the proposed design is similar to that approved under application 19/01495/F with horizontal timber boarding and red clay pan tiles being proposed, however there are some differences in scale and height which are set out below.

Dimensions of garage/boat store approved under 19/01495/F:-

Length - 14.15m  
Depth of central section – 8.42m  
Depth of side ‘wings’ – 6.10m  
Height of central gable – 5.70m  
Height of hipped roof – 4.90m

Dimensions of proposed garage/boat store:-

Length – 13.85m  
Depth of central section – 8.35m  
Depth of side ‘wings’ – 7.05m  
Height of central gable – 6.75m  
Height of roof – 6.40m

**22/00255/F**

**Planning Committee  
09<sup>th</sup> May 2022**

As is evident from the dimensions, the proposed building will be very slightly shorter than that already approved (-0.3m), and the depth of the central section will be very slightly shallower than already approved (0.07m). However the roof will be higher than approved in the central section by 1.00m and as the side 'wings' are nearly 1m deeper than the original, this has resulted in a taller roofline which is 1.5m taller than the originally approved hipped roof.

With regard to the design, as well as the roofline being taller and not hipped, the eaves of the central section would now match the two side 'wings', which previously had lower eaves than the central section. In addition, it is proposed to have doors on the central section rather than being left 'open' as they are on the original design. Notwithstanding this last feature, it would be possible to put doors on the existing structure without requiring planning permission.

Overall, the changes to the design of the garage/boat store are considered acceptable and would not be out of character with the locality which has a number of wood cabins, some of which have detached boat/stores. As such the proposal would comply with Section 12 of the NPPF 2021, and Policies CS06 and CS08 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016.

### **Neighbour Amenity**

Whilst neighbour amenity was considered during the original application, the impact of the changes to the design on the lodge to the north-west have been considered. Whilst the amended proposal has raised the roof by 1.5m and the building is to the south-east of the neighbouring lodge, the distance between the proposal and this lodge, at approx. 20m, is such that the proposal is not considered to cause any amenity issues with regard to overshadowing and that the proposal changes to the design would not adversely impact amenity. As such the proposal is in accordance with Section 12 of the NPPF 2021 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

### **Crime and Disorder Act**

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.

### **Other material considerations**

The Parish Council has objected to the proposal stating that 'as previously stated the Parish Council has concerns regarding the number of applications and changes made to this application which appears to be changing its use to a holiday home for the future.' The Parish Council did not object to the original application for a garage/boat store (19/01495/F) and this is the only application which has been submitted to vary the previously approved building so it is not clear exactly what the Parish Council comments refer to. With regard to the proposed building becoming a future holiday home, the same condition that was applied to the original planning application, limiting the use of the building to purposes incidental to the dwelling will be reapplied, and to change the use of the building would require planning permission.

This application is to vary conditions applied on a previous application and therefore material considerations such as highways impacts and flood risk etc was considered under the original application.

It was evident from the site visit that development had commenced as the foundations were under construction and therefore the time limit whereby development should commence should not be reapplied to the decision notice. Conditions 2 and 3 should be reapplied and amended to reflect the revised design.

## **CONCLUSION**

The amendments shown to the design of the previously approved garage/boat shed are considered in character with the locality and would not adversely impact upon amenity. It would be in accordance with Section 12 of the NPPF, Policies CS06 and CS08 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016 and therefore it is recommended that Members approve the application subject to amending the previously applied conditions as stated above.

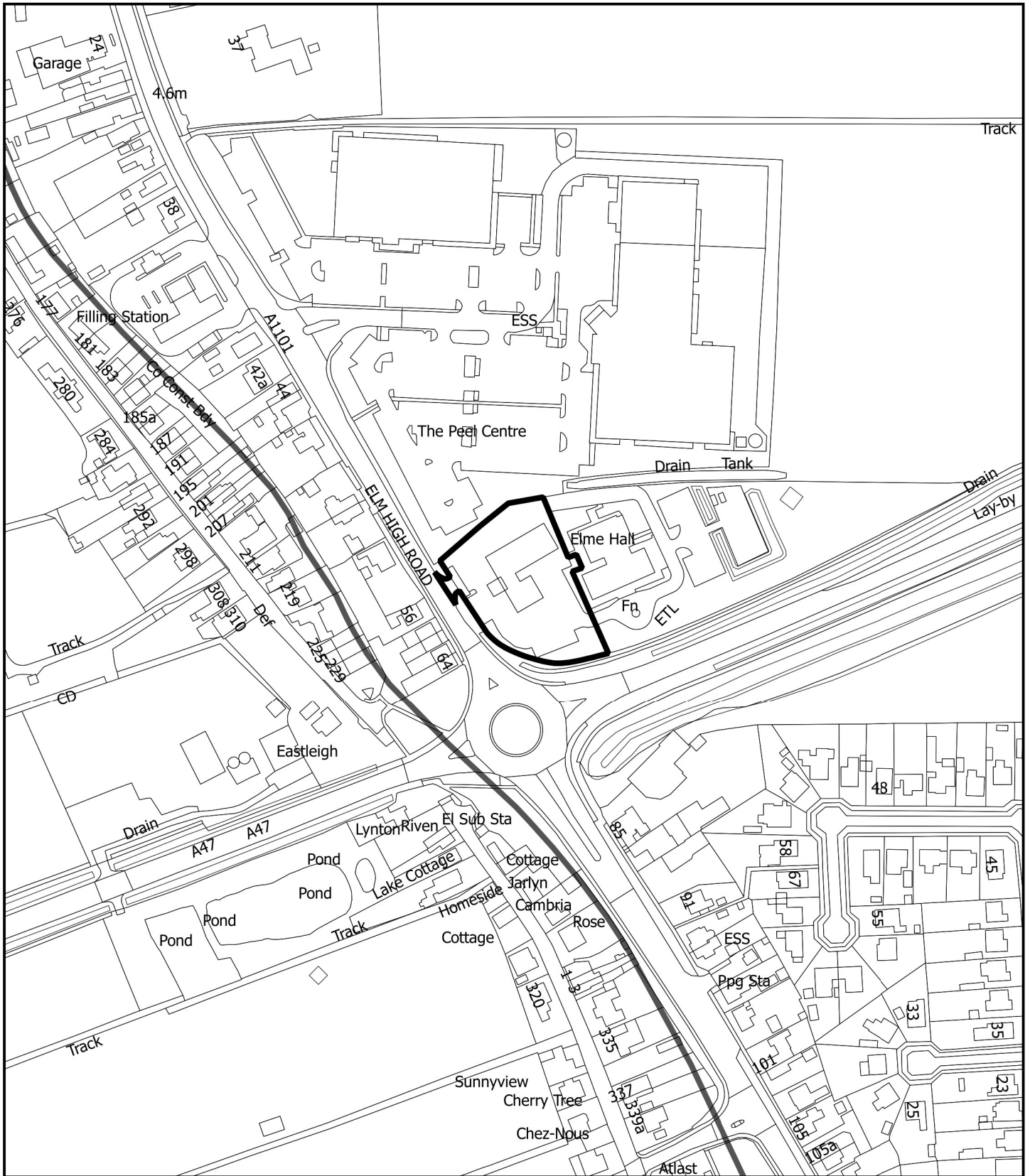
## **RECOMMENDATION:**

**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; MCD01.04.01 'Proposed Garage Details'.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The garage/boat store hereby approved shall be used for purposes incidental to the dwelling known as 1 Abbey Lakes Close, Pentney, shown in red on the approved location plan, Dwg. No. MCD01.04.01, only and shall at no time be used for business or commercial purposes.
- 2 Reason: For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.

**21/01569/F**

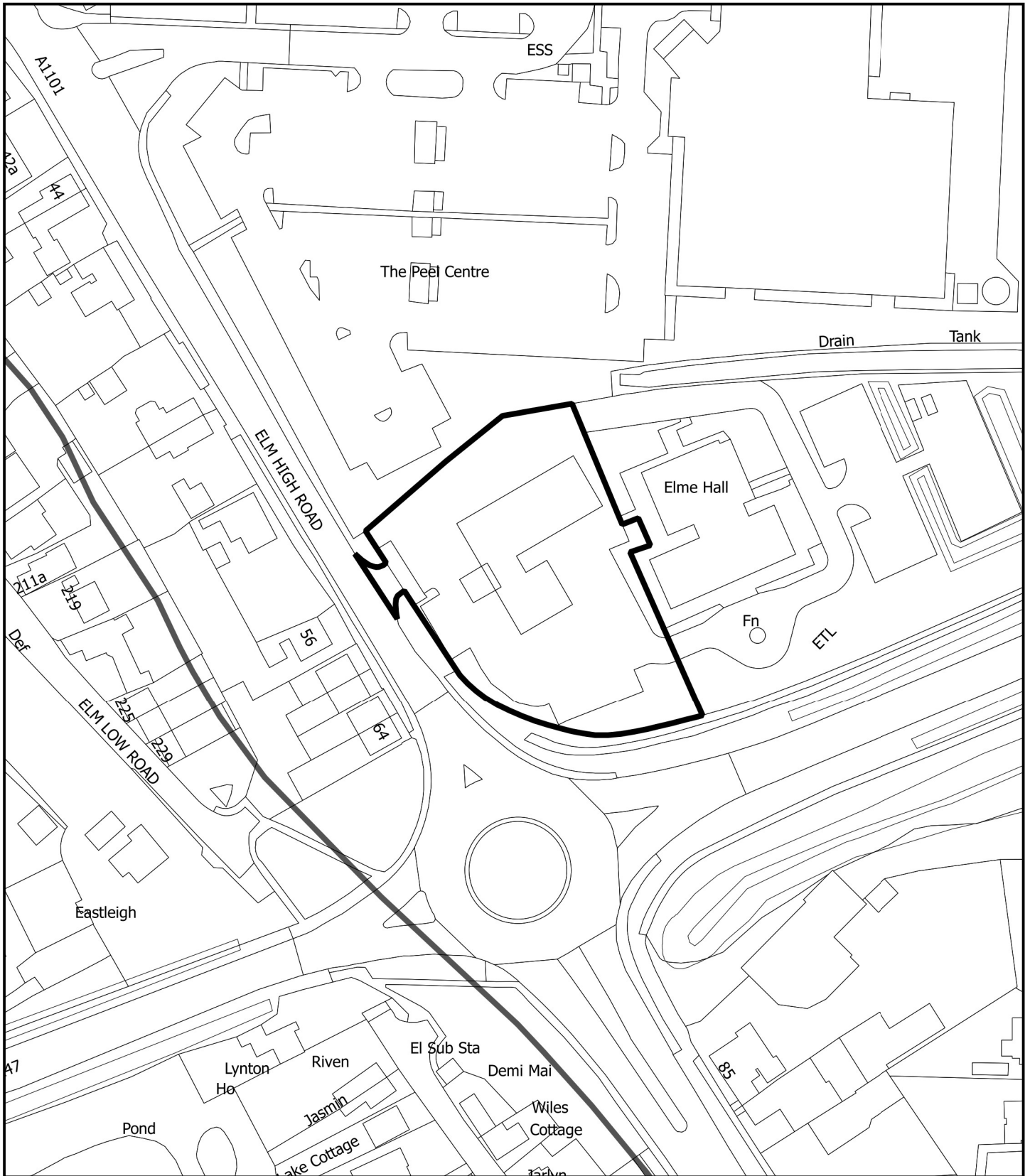
**Elme Hall Hotel 69 Elm High Road Emneth PE14 0DQ**





**21/01569/F**

**Elme Hall Hotel 69 Elm High Road Emneth PE14 0DQ**



<b>Parish:</b>	<b>Emneth</b>	
<b>Proposal:</b>	<b>Proposed Change of Use from a Hotel to a Large HMO (Sui Generis)</b>	
<b>Location:</b>	<b>Elme Hall Hotel, 69 Elm High Road, Emneth, PE14 0DQ</b>	
<b>Applicant:</b>	<b>Mr D Conetta</b>	
<b>Case No:</b>	<b>21/01569/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs C Dorgan</b>	<b>Date for Determination: 11 November 2021</b>

**Reason for Referral to Planning Committee** – Referred by Assistant Director.

**Neighbourhood Plan:** No

**Case Summary**

The application seeks full planning consent for the change of use of the application site from a hotel to a House of Multiple Occupation (HMO) consisting of 26 rooms (with a maximum occupancy of 39 people) with 4 communal rooms including a lounge and a kitchen/diner on each floor.

The application site is 0.35ha and is part of a larger hotel site (approximately 1.2ha in total), the remainder of which will be retained as a hotel. The external form of the building will remain unchanged, although there will be changes to the site to accommodate the parking and area of amenity space.

The application site is located to the northeast of the A47, with access via the existing entrance off Elm High Road. The site is 1.3 miles to Wisbech town centre, and abuts the built extent of the town. However, it is located within the parish of Emneth and the site is within the development boundary for the village of Emneth as detailed on Inset Map G34 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

**Key Issues**

- Principle of Development
- Highways / Access
- Form and Character
- Neighbour Amenity
- Residential Amenity and Site Management
- Loss of Employment Use
- Other Material Considerations

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The application seeks full planning consent for the change of use of the application site from a hotel to a House of Multiple Occupation (HMO) consisting of 26 rooms (with a maximum occupancy of 39 people) with 4 communal rooms consisting of a lounge and a kitchen/diner on each floor.

The application site is approximately 0.35ha and is part of a larger hotel site (approximately 1.2ha in total), the remainder of which will be retained as a hotel. The external form of the building will remain unchanged, although there will be changes to the site to accommodate the parking and area of amenity space.

The application site is located to the northeast of the A47, with access via the existing entrance off Elm High Road. The site is 1.3 miles to Wisbech town centre and abuts the built extent of the town. However, it is located within the parish of Emneth and the site is within the development boundary for the village of Emneth as detailed on Inset Map G34 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

The application site currently offers 34 hotel bedrooms, with the neighbouring hotel building offering 8 bedrooms currently. The proposal is to make necessary changes to the internal layout of the building to provide for 26 HMO bedrooms; 13 of which would be double occupancy and 13 single occupancy. The adjacent hotel building would be retained in this use and continue to offer hotel accommodation.

## **SUPPORTING CASE**

Following vast market research, our client identified this site as the best viable location for a HMO to house a employed persons and around Wisbech and its surrounding areas. There is a high number of establishments and businesses locally, including two high schools and a hospital, that relies upon a professional workforce- which has been transient, over a number of years. Property prices and availability of this type of accommodation is currently fuelling a gap in the market. Even the simplest web search brings nothing of this higher end multiple occupancy accommodation within miles.

The main building, Elme Hall, will remain as a hotel. However, as a whole, the site is no longer viable, primarily due to the loss of trade to the extensive expansion of the Premier Inn some 12 miles along the A47 , having claimed the 'contractor' business, which had originally given rise to the development of the annex, subject to this proposal. It is hoped that by removing the 34 room motel style rooms, the use of the hotel is enhanced. It is seen that, by taking away the motel style rooms, only a higher specification of room will be available for any visiting trade. It is envisaged that the occupancy will be split upon a 50/50 basis – thus meaning that 50% of the rooms will be single occupancy and the other 50% double occupancy. This will mean a total of 39 people when at 100% capacity. There are also a number of rooms that will be set aside as mobility friendly.

The management of the HMO will be carried out by a local ARLA licensed firm based within Wisbech. They are currently the leading independent agency based upon stock, Lets Agreed and void time frames, and pride themselves on bespoke and tailor-made services. They have over 60 years experience within the team and currently manage 5 HMO units within the area. Each tenancy will be a min of 6 months and relevant credit and identity checks will be carried out by the firm prior to occupancy.

Our client is fully committed to introducing a vast improvement to the whole site. This is evident in the 280m<sup>2</sup> amenity space that will be provided for the residents together with an overall clearing of the site. A third party landscaping firm will be employed to maintain grounds once works are complete and the management company will be responsible for carrying out regular inspections of these areas.

As well as the external areas, the management company will carry out weekly inspections of the internal areas. It is also proposed to furnish all communal areas with CCTV. This will reduce any anti social behaviour that may occur. A third party cleaning company will also be employed to carry out regular cleaning of these communal areas.

Whilst we are disappointed with the parish council's views, we have worked closely with the planning department to deliver a scheme that they are comfortable with and are pleased with their recommendation of approval. It is hoped that the board agree and we look forward to a positive outcome.

## **PLANNING HISTORY**

2/98/1336/CU: Application Permitted – Committee decision: 15/12/98 - Change of use from office to 8 bed hotel - De-Regle Hall Elm High Road

2/00/0490/F: Application Permitted – Delegated decision: 17/08/00 - Erection of marquee from 1st May to 31st August inclusive each year to be used for functions (revised proposal) - Elme Hall Hotel

2/01/0549/A: Application Refused – Delegated decision: 05/06/01 - Erection of flag pole and non-illuminated banner - Elme Hall Hotel

2/03/2501/F: Application Permitted – Delegated decision: 30/11/04 - Construction of two storey block of motel rooms - 69 Elm High Road

2/03/2501/NMA\_2: Application Permitted – Delegated decision: 11/10/10 - NON-MATERIAL AMENDMENT TO PLANNING CONSENT 2/03/2501/F: Construction of two storey block of motel rooms - Elme Hall Hotel

2/00/0079/A: Application Permitted – Delegated decision: 25/02/00 - Erection of flag pole and flag banner - Elme Hall Hotel

2/03/2501/NMA\_1: Application Permitted – Delegated decision: 06/08/10 - NON-MATERIAL AMENDMENT FOR PLANNING CONSENT 2/03/2501/F: Construction of two storey block of motel rooms - Elme Hall Hotel

2/01/0989/F: Application Permitted – Delegated decision: 12/09/01 - Construction of ballroom - Elme Hall Hotel

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECTION**

Emneth Parish Council objects to this application on the grounds of unacceptable and incompatible use and would like their concerns noted regarding the suggestion of being able to rent 26 rooms to 39 young professionals in a house of multiple occupancy within the market town of Wisbech where there are limited professional job opportunities available in

Planning Committee  
9 May 2022

the locality for this type of clientele; it is felt that this is not only unachievable but unrealistic in the current climate.

**Highways Authority: NO OBJECTION subject to condition**

The traffic situation is unlikely to significantly alter as a consequence of the application being approved, given that the number of rooms would not alter. The car parking and cycle store proposals are acceptable. The cycle store should be conditioned.

**Housing Standards: NO OBJECTION**

Space Standards - Further to our previous consultation response:

In consideration of the attached document ('Room Schedule' - supplied as part of the application and detailing the proposed occupation of the property) – we are able to state that the proposal meets or exceeds our minimum requirements for bedroom sizes. An Informative should be attached to any consent highlighting the requirement for an HMO licence prior to occupation.

**CSNN: NO OBJECTION subject to condition**

Foul Drainage - The application form does not specify which form of foul drainage is to be used. There is a mains sewer in Elm Hall Road and as such foul drainage should be to the sewer. If the applicant is proposing another method of drainage this will need to be conditioned as below and a case for non connection to the main sewer made.

Noise - The concerns of WM Morrisons are noted in respect of their business activity. The move from hotel to permanent residential property does increase the likelihood of noise complaints being received. Therefore, the agent of change principle applies here and to date a noise assessment in respect of this application has not been submitted. This should be conditioned.

**Norfolk Constabulary: NO OBJECTION**

The new proposed location for the cycle store will allow opportunities for natural surveillance from active windows of the Communal Lounge/Multi Function Space on both the ground and first floor. The cycle store should be in accordance with Secured by Design principles.

Smaller developments containing up to and including 25 flats, apartments, bedsits or bedrooms should have a visitor door entry system and access control system. Tradesperson or timed release mechanisms are not permitted under any category as they have been proved to be the cause of anti-social behaviour and unlawful access to communal developments.

Secure Mail Delivery – although there is no mention of accommodating mail delivery facilities. SBD strongly recommends mail delivery via a secure external letter box meeting the specified requirements.

**Norfolk Lead Local Flood Authority: NO COMMENTS**

The County Council as Lead Local Flood Authority has no comments to make.

**Wisbech Town Council: SUPPORT**

**Fenland District Council: OBJECTION**

*NB: Comments were received from FDC in Dec 2021, in response to original plans – the scheme has been amended and only the relevant remaining issues are detailed below. No further comments have been received to date.*

The loss of hotel bedrooms will be detrimental to the tourism and business travel offer of Wisbech and the wider area and will harm the operators of tourist and associated services. In addition, the proposal will be likely to impact on the attractiveness of the remaining part of the hotel to tourist and business travellers and reduce the viability of business. The location of the bin store and bike store are detrimental to the street scene and should be relocated.

## **REPRESENTATIONS**

**ONE OBJECTION** letter received stating that

- the scheme would cause additional congestion to the roundabout, where there are already existing capacity issues.
- Insufficient doctors, hospitals, schools.
- Changes to the road network were expected.
- This area was green belt, detrimental impact from the new development.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**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

**DM4** - Houses in Multiple Occupation

**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 issues for consideration of this application include-

Principle of Development  
Highways / Access  
Form and Character  
Neighbour Amenity  
Residential Amenity and Site Management  
Loss of Employment Use  
Other Material Considerations

### Principle of Development

The application site is within the development boundary for Emneth as detailed on Inset Map G34 of the SADMPP. While the village of Emneth is designated a Key Rural Service Centre, the site itself does also abut the built extent of the town of Wisbech. The application seeks a change of use of an existing building from hotel use to a House in Multiple Occupation (HMO) and therefore, the physical building and parking area are existing. Policy DM2 states that development will be permitted within the development boundaries providing this is in accordance with the other policies of the Local Plan. Broadly speaking the principle of development is acceptable.

The change of use of the site does mean the loss of 34 hotel rooms, which is classed as an employment use, to a residential use. Therefore, consideration should also be given to Policy CS10 of the Core Strategy which seeks to-

‘...retain land or premises currently or last used for employment purposes unless it can be demonstrated that:

- continued use of the site for employment purposes is no longer viable, taking into account the site’s characteristics, quality of buildings, and existing or potential market demand; or.....
- an alternative use or mix of uses offers greater potential benefits to the community in meeting local business and employment needs, or in delivering the Council’s regeneration agenda.’

The applicant has supplied the marketing information for the application site. This states that the hotel has been marketed for sale as a hotel since March 2020. The reason for sale is primarily due to a change in personal circumstances of the owner. In addition, the Covid pandemic has severely impacted the business and net turnover has decreased from £680,000 (year end April 2019) to £526,000 (year end April 202) to £135,000 (year end 2021).

The site has been marketed to a broad range of buyers; including those who acquire hotels for alternative employment uses such as care homes. However there has been no serious interest forthcoming on this basis. Colliers (the agent) has received multiple offers from a broad range of buyers. The highest offers (by some margin) have been submitted from those seeking to redevelop the property for an alternative use such as HMO (as per the current applicant). Bids which retain the hotel use have been much lower reflecting the market conditions, the costs, risk, and time of ‘rebooting’ the business and concerns about increased competition given that planning permission has been granted for a new, nearby budget hotel. The marketing information states that the owner wishes to optimise the sale price and sell before having to close the business and leave Elme Hall as an empty, unused building.

The applicant therefore states that the current use, with the current number of bedrooms is not viable. The intention of the applicant is to retain the main building as a hotel and convert the lodge building to an HMO. This change of use will then enable the applicant to then invest back into the hotel. Therefore, while there is a reduction in the amount of employment land, the planning application would not result in the complete loss of the employment use.

The applicant has also provided information that the business currently operates with skeleton staff only (four members of staff, one of which is the owner and two are part time). Elme Hall is currently operated as a B&B only following the impact of the pandemic.

It is proposed that the HMO will require the employment of staff for the cleaning, caretaking and management of the building, likely to be one full time caretaker and 2 part time cleaning roles. This is in addition to the staff required for the operation of the hotel building next door, once this is fully open again as the applicant intends.

Policy DM4 of the SADMPP (2016) states that the conversion of existing dwellings/ new development for HMOs 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 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.

Neighbour and residential amenity is discussed below, as is the impact of the development on the form and character of the locality. The applicant has shown on the submitted plans that the development and associated facilities can be sufficiently provided for within the site boundaries. The site is adjacent to Wisbech with a range of facilities, services and employment provision.

Therefore, the applicant has sought to provide evidence that the hotel in its current form is not viable, and states that by changing the use of one of these buildings to an HMO this would create minimal employment, but would also seek to support the reopening of the main hotel building to protect this employment use. Furthermore, based on the information submitted the application does meet the policy requirements for HMOs. On balance it is considered that the scheme is in accordance with Policy CS10 of the CS (2011), and is fully in accordance with Policy DM4 of the SADMPP (2016).

### **Highways / Access**

Concerns were raised by a neighbouring resident that the scheme would generate additional traffic which would exacerbate existing congestion on the Elm High Road and roundabout. The application seeks to continue to utilise the existing access to the site, via the Elm High Road. The 34 hotel bedrooms are proposed to be replaced by 26 residential bedrooms and the Local Highway Authority has no objections to this proposal, given the building already has as existing use as accommodation. The proposed parking area will remain as is, a gravel car parking area and the scheme will also provide a secure cycle storage building for residents. Access to the hotel is via the existing vehicular route to the north of the HMO building. The proposed development is in accordance with the NPPF, Policy CS11 of the CS (2011) and Policy DM15 of the SADMPP (2016).



## **Form and Character**

There will be minimal changes to the application site as a result of the development proposed. The physical appearance of the building will remain unchanged, as will the parking area, and the existing boundary treatments are to be retained. The scheme does include an area of amenity space for residents which is to be located to the south of the building and this will enhance the appearance of the site from the public highway.

The 280 square metres of managed garden space will include benches, picnic tables and a timber gazebo. Planting and ground finishes will also be provided to improve the outside spaces. The landscaping details proposed will be conditioned accordingly, alongside a condition requiring further information to be submitted and agreed to confirm the planting scheme. In addition, six of the ground floor rooms facing onto the north elevation will include a small area of private amenity space which will also provide some privacy from passing hotel guests using the adjacent access. It is proposed on the plans that a 900mm wall is constructed along the northern elevation of the building to demarcate the private space, and this walling is proposed to then follow round along much of the eastern boundary. Notwithstanding the details shown on the submitted plans details of the wall should be submitted and agreed by the LPA to ensure the appearance and suitability of this is acceptable for residential amenity.

Fenland District Council raise concerns that the location of the bin store and cycle store will be detrimental to the street scene. The cycle store is some way away from the existing access and will have a minimal impact on the street scene. The applicant is proposing additional planting alongside the western boundary to screen the bin store from the public highway. It is considered that the proposed site layout is acceptable.

The proposal is in accordance with Policy CS08 of the CS (2011) and CS15 of the SADMPP (2016).

## **Neighbour Amenity**

The development is neighboured by an existing retail development and car park to the north, the associated hotel to the east, and then the A47 to the south and Elm High Road to the west. There are no immediate residential neighbours, the closest being the dwellings approximately 35m away on the other side of Elm High Road, and it is not considered the change of use would have a detrimental impact on the neighbour amenity of these residents.

## **Residential Amenity and Site Management**

Concerns are raised by Emneth Parish Council to the proposal on the basis that the scheme would be an unacceptable and incompatible use. The Parish Council question the ability of the owner to rent this type of accommodation out. Furthermore, queries have been raised regarding the ongoing management and maintenance of the site.

The building is already used for holiday accommodation, and it is not considered that the change of use to an HMO is incompatible with the application site itself or in the wider context of the neighbouring hotel. The applicant has stated that it is their intention to run these two uses alongside each other.

In terms of the management of the site, the applicant has confirmed the property will be closely managed by a local ARLA qualified property Manager, and a local company will be used for regular cleaning and grounds maintenance. The waste will be stored in large wheeled bins (1100L) for general waste and recyclable waste and will be stored within a specific timber fenced area (identified on the plan). The applicant also makes the point that

the appearance and management of the HMO site would directly impact upon the success of the neighbouring hotel, and therefore they would maintain a quality environment.

As a large HMO, the applicant/ owner of the site will be required to secure an HMO licence from the Borough Council prior to the occupation of the building. As part of the licence application the Council considers whether the owner/ manager is fit and proper to manage the accommodation and requires management details, waste management, safety certificates (which are monitored) etc. The licence is then granted for a fixed period of time, and then the accommodation is monitored, likely on an annual basis. The Council has powers to take enforcement action if the accommodation is not maintained/ managed to an appropriate standard. Housing Standards has considered the accommodation proposed, alongside the proposed occupancy and these are considered acceptable.

In terms of the amenity of the proposed residents; a Morrisons store is located to the north of the application site, and the company has raised concerns about the change of use to residential accommodation given the fact that the neighbouring business does not have any restrictions on trading/ delivery times. Reference is made to paragraph 187 of the NPPF which states that 'existing businesses should not have unreasonable restrictions placed upon them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development (including change of use) in its vicinity, the applicant should be required to provide suitable mitigation before the development is completed.' CSNN has requested that prior to the occupation of the development a Noise Assessment is to be submitted to and agreed by the LPA. Also, that any mitigation measures recommended as part of the Noise Assessment are implemented/ constructed prior to occupation of the HMO.

CSNN also queried the foul drainage arrangements on the site, but the agent has confirmed that the foul drainage will continue to be discharged to the main foul sewer, as is currently the case. This is acceptable.

The development is considered acceptable in terms of residential amenity in line with policies CS08 of the CS (2011) and DM15 of the SADMPP (2016).

### **Other Material Considerations**

Tourism impact – Fenland District Council were consulted on the application given its close proximity to the town of Wisbech. FDC has stated that the loss of the bedroom accommodation will be detrimental to the tourism/ business offer of Wisbech and will harm other tourist and associated services in the town. While these concerns are noted the applicant has provided evidence of the fall in turnover in recent years. Furthermore, the applicant intends to retain the use of the adjacent hotel building for visitor accommodation and the HMO use adjacent will support/ work in conjunction with the tourist offer of the hotel. The applicant does not share the view of FDC that the use of the building as an HMO will detract from the attractiveness of the hotel, given the application site will be well managed.

Secured by Design – The comments received from Norfolk Constabulary have been addressed where possible with the secure cycle storage. The door entry systems and mail arrangements are not for consideration as part of this application.

Representations – Neighbouring residents raised the issue that there are insufficient local services in the town for additional homes eg; doctors, dentists etc. However, the application site is in a sustainable location on the edge of the town and is easily accessible to local services. The scale and nature of development proposed does not generate the requirement for a Community Infrastructure Levy payment.

A second comment made was about the fact that the site was a greenfield site and the ongoing development in this locality is having a detrimental impact. While the point is noted, this application is to change of the use of an existing building.

## **CONCLUSION**

The application seeks consent for the change of use of an existing hotel to a large HMO, which meets the policy requirements of Policy DM4 of the SADMPP. The applicant has clarified that the adjacent hotel building to the east of the application site would be retained in hotel use and remain in the same ownership as the HMO.

Concerns raised include that the proposed development is unacceptable and incompatible, with queries regarding the likely success of the development, as well as the ongoing management of the site. The applicant has provided information regarding the proposed management and maintenance of the application site. This is alongside the fact that the development would require an HMO licence and the site would be monitored accordingly by the Borough Council. The applicant has also supplied information showing recent turnover of the existing business, and the marketing history of the site, to illustrate the viability of the retaining the site as a whole for hotel accommodation.

Fenland District Council raise concerns that the loss of hotel accommodation would impact upon the tourism offer of the town of Wisbech and may impact on other local tourism businesses. While the proposal would mean the loss of 34 hotel bedrooms, the applicant has stated the development would support the retention of some hotel accommodation in the adjacent building. While the loss of the hotel rooms would equate to a loss of employment land, there are only small numbers of staff currently employed and the HMO will also require a small number of staff. In addition the scheme will help to financially support the re-opening of the hotel building adjacent which would also generate additional employment (and would be retained as an employment use).

There will be minimal changes to the physical appearance of the site aside from the area of open space which will enhance the site, and the entrance to the town.

In summary the development is in accordance with the NPPF, Policies CS08, CS10 and CS11 (of the CS 2011), and Policies DM4, DM15 and DM17 (of the SADMPP 2016) and as such the officer recommendation is that of approval.

## **RECOMMENDATION:**

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

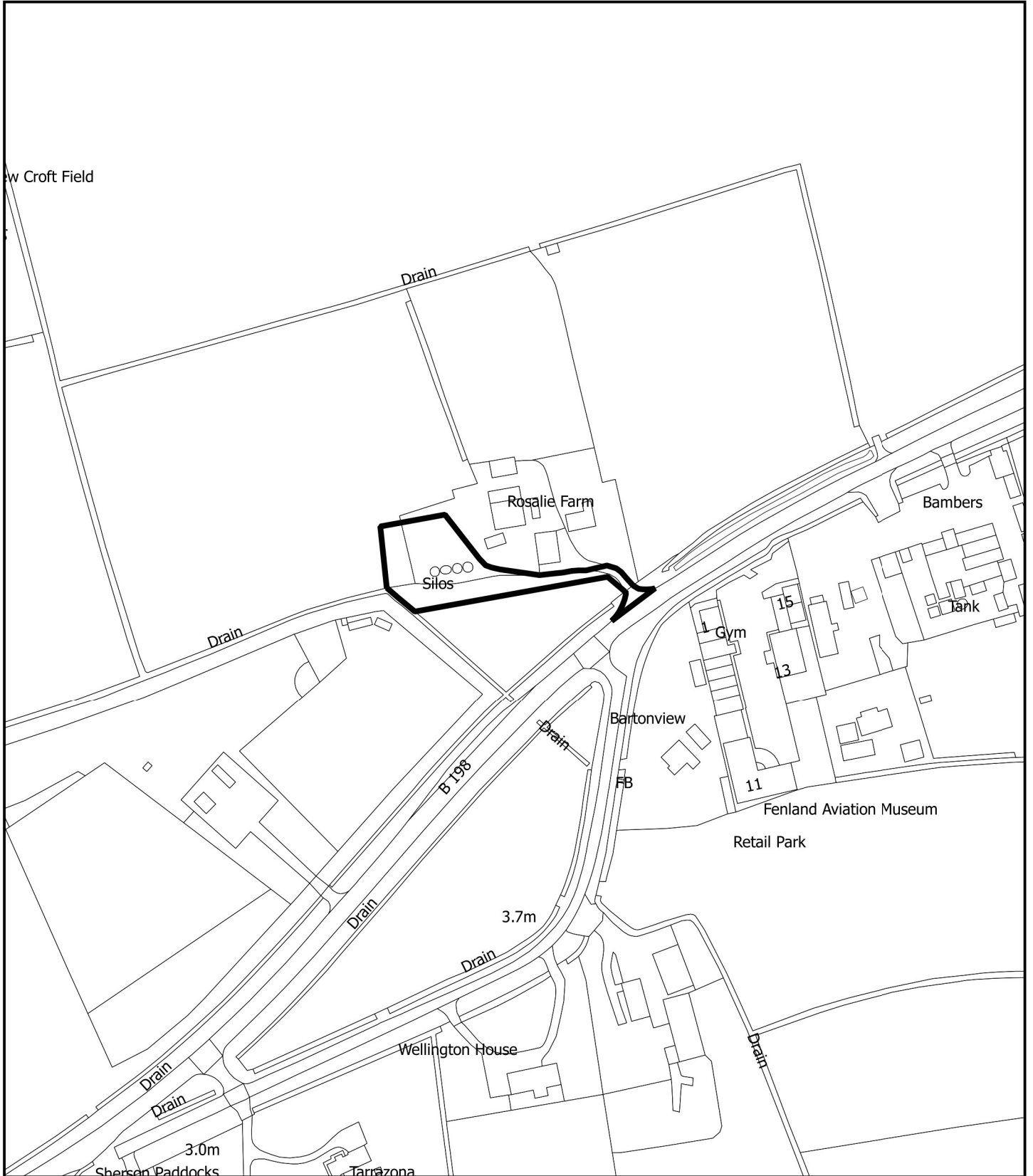
- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos- 224-01 Existing Floor Plans, Site Plan and Location Plan received 10 Aug 2021, 224-02B Proposed Floor Plans received 8 Dec 2021 and 224-03C Existing and Proposed Site Plans received 22 Apr 2022).
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.

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- 3 Condition: Prior to the first occupation of the development hereby permitted the on-site cycle parking shall be constructed in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason: To ensure the permanent availability of the parking areas, in the interests of satisfactory development and highway safety.
- 4 Condition: Prior to the first use or occupation of the development hereby approved, full details of the soft landscape works including 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 shall have been submitted to and approved in writing by the Local Planning Authority.
- 4 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 5 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. 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.
- 5 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 6 Condition: Notwithstanding the details shown on the approved plan, prior to occupation of the building, full details of the boundary wall proposed along the north elevation of the building and the eastern boundary of the site, shall be submitted to and agreed in writing by the Local Planning Authority. The boundary treatment shall be completed before the occupation of the building 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.
- 6 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 7 Condition: Prior to the occupation of the building a scheme to protect the development from noise associated with the trading estate to the north shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and retained in perpetuity.
- 7 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

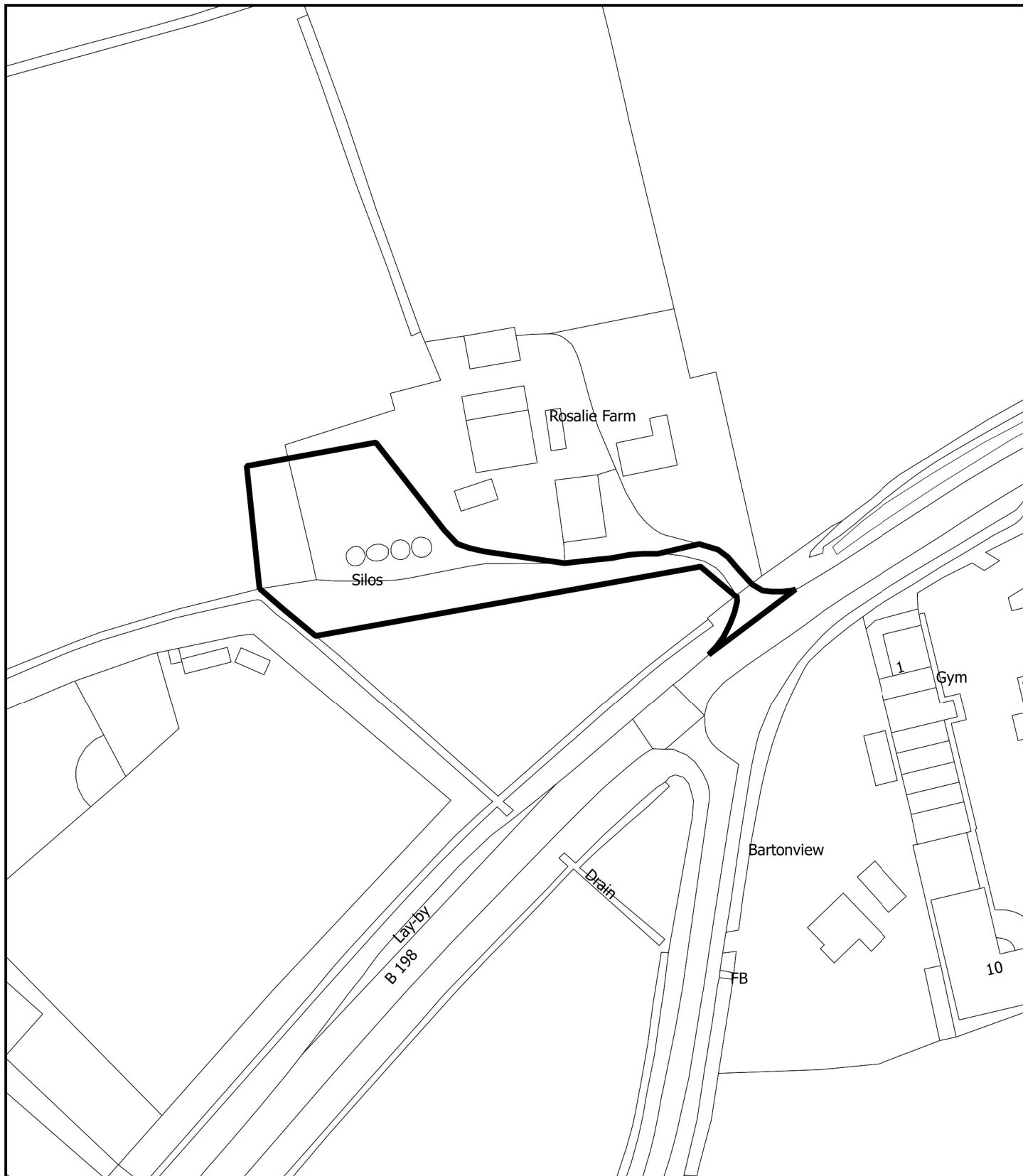
21/02397/F

Rosalie Farm Lynn Road Walsoken PE14 7DA



**21/02397/F**

**Rosalie Farm Lynn Road Walsoken PE14 7DA**



<b>Parish:</b>	<b>Walsoken</b>	
<b>Proposal:</b>	<b>Proposed conversion and extension of silos to form dwelling</b>	
<b>Location:</b>	<b>Rosalie Farm, Lynn Road, Walsoken, Norfolk, PE14 7DA</b>	
<b>Applicant:</b>	<b>Mr Clark</b>	
<b>Case No:</b>	<b>21/02397/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 9 February 2022 Extension of Time Expiry Date: 14 March 2022</b>

**Reason for Referral to Planning Committee** – at the request of the Assistant Director

**Neighbourhood Plan:** No

**Case Summary**

Full planning permission is sought for the conversion of 4 silos to a single dwelling at Rosalie Farm, Lynn Road, Walsoken. Plans show the conversion of 4 existing silos which are proposed to be linked via the construction of a rear extension measuring approximately 15 x 4.5m from the rear of the existing silos. This extension provides the majority of the residential floor space proposed.

The site is outside of any defined development boundary on land which is therefore considered to be within the wider countryside for the purposes of the Local Plan. The applicant quotes the use of policies allowing the conversion of redundant rural buildings as justification for the proposal.

An application was refused at planning committee in October 2021, Members ultimately agreed with the decision to refuse the application. The reasons for refusal were not amended during the debate, however Members' primary concern related to the extent of garden land proposed and included within the red line, as opposed to the principle of the extension/conversion of the silos. This application has been submitted with a significantly reduced red line area shown on dwg No. PLO5c (from 0.45ha to 0.2ha)

**Key Issues**

- Planning History
- Principle of Development
- Form and Character and Impact on the Countryside
- Other material considerations

**Recommendation**

**REFUSE**

## **THE APPLICATION**

Full planning permission is sought for the conversion of 4 silos to a single dwelling at Rosalie Farm, Lynn Road, Walsoken. Plans show the conversion of 4 existing silos which are proposed to be linked via the construction of a rear extension measuring approximately 15 x 4.5m from the rear of the existing silos. This extension provides the majority of the residential floor space proposed.

The site is outside of any defined development boundary on land which is therefore considered to be within the wider countryside for the purposes of the Local Plan although the applicant's case is that policies for re-using redundant rural buildings are relevant and therefore the application should be supported.

An application was refused at planning committee in October 2021, Members ultimately agreed with the decision to refuse the application. The reasons for refusal were not amended during the debate, however Members' primary concern related to the extent of garden land proposed and included within the red line, as opposed to the principle of the extension/conversion of the silos. This application has been submitted with a significantly reduced red line area shown on dwg No. PL05c (from 0.45ha to 0.2ha)

## **SUPPORTING CASE**

The application is made for the conversion and alteration to 4 existing silos to create a single bespoke dwelling on land at Rosalie Farm, Lynn Road, Wisbech. 2 similar applications were submitted last year but were refused; this submission seeks to clarify the policy position and provide the additional information sought by planning committee to address the reasons for refusal pursuant to 21/00377/F and 21/01536/F.

Within the planning committee debate, a number of matters were raised- at which point the applicant could not respond to answer them to assist committee.

A number of members commented on the interesting design of the proposal and requested further details as to appearance and construction. This submission addresses this matter and provides a CGI illustration of what the finished project would look like.

One member questioned if the silos were physically sound and could be converted. It is confirmed that the silos are structurally sound and capable of conversion.

A question was asked in relation to the extent of the red line on the application and why it included the paddock area in front. Whilst this was clarified in the presentation to committee –this matter is subject to an amendment in this application site with the red edge solely relating to the silos and immediate curtilage- with other land outside of the application site edged blue. The paddock is to be turned into a hay meadow in the interests of ecology and net biodiversity gain.

It is noted that at the same planning committee Oct 2021) – permission was granted for a new dwelling opposite the application site (also in open countryside)- on the basis that Committee considered that it was sustainable development. 21/00981/F - Walsoken: Land east of Tarrazona, 16 S-Bend, Lynn Road: 2-storey 4-bed dwelling with attached double garage.

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These silos were a common sight 50 years ago, but their purpose has been superseded by more efficient methods, and due to their simple structure are very easy to dismantle and scrap. Therefore, they are a part of agricultural history that should be retained. This proposal retains the character of the silos, while making good use of them as part of a dwelling, with the new modern link structure mostly hidden from general view.

Local policy states conversion to residential will only be considered where the existing building makes a positive contribution to the landscape, we believe these Silo buildings are becoming a rarity in the countryside and this simple conversion will sympathetically blend new with old.

We would ask that this unique conversion be supported.

## **PLANNING HISTORY**

21/01536/F: Application Refused: 19/10/21 - Proposed conversion and extension of silos to form dwelling - Rosalie Farm – COMMITTEE DECISION

21/00377/F: Application Refused: 12/05/21 - Proposed Conversion and extension of silos to form dwelling - Rosalie Farm – DELEGATED DECISION

20/00075/PREAPP: INFORMAL - Likely to refuse: 04/08/20 - PRE- APPLICATION FULL (NO CONSULTATIONS AND NO MEETING): Proposed conversion of 2 barns and 4 silos to create 3 dwellings - Rosalie Farm

11/00042/PREAPP: INFORMAL - Likely to approve: 16/03/11 - Demolition of existing dwelling and erection of new replacement dwelling - Rosalie Farm  
Formerly Dennis Farm

## **RESPONSE TO CONSULTATION**

**Parish Council: RECOMMENDED APPROVAL** as previous applications for the silos have been approved and the Council remains happy with the application submitted.

**Highways Authority: NO OBJECTION** recommended conditions relating to the laying out of turning/parking area, to be retained in perpetuity.

**Environment Agency: NO OBJECTION**, subject to accordance with mitigation measures outlined in the FRA

**Internal Drainage Board: NO OBJECTION** in principle, noting the potential requirement for byelaw/land drainage consent

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** in principle, additional contamination investigation is required and should be controlled via condition.

**Natural England: NO COMMENT**

**CSNN: RECOMMENDED FOUL AND SURFACE WATER DRAINIANGE CONDITION**  
Noting the following comments:

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'Environmental Quality have highlighted the potential for contamination to be present at the site and have requested further investigation to characterise the potential for contamination. Any SUDS and foul water scheme should have cognisance of the contaminated land investigation and any subsequent proposed remediation. The contaminated land investigation and risk assessment should be completed first before any SUDS or foul water scheme is approved or implemented.'

## **REPRESENTATIONS**

None received at time of writing

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**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 key issues are:

- Planning History
- Principle of Development
- Form and Character and Impact on the Countryside
- Other material considerations

## Planning History

This application is submitted following the refusal of a similar application on 11th October 2021 (ref 21/01536/F). The previous application was refused on the following grounds:

1. The application site is located outside of any designated development boundary and therefore in the wider countryside as outlined in Policy DM2 of the SADMPP (2016). No other justification has been provided which is considered to outweigh this conflict with the current Local Plan. Given the extent of new build-extension proposed, the application is not considered to comply with Policy CS06 in relation to the conversion of rural buildings and the construction of a new dwelling in this position, including the associated change of use of land is considered to pose an adverse impact on the intrinsic character and beauty of the countryside. The proposal is therefore considered contrary to the NPPF (2019), Policies CS06 and CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).
2. The application site is on land categorised as within flood zones 2 & 3 of the Borough Council's SFRA. The proposed dwelling would create a dwelling on land which is at risk of flooding and the sequential and exceptions tests are therefore required. The construction of a new dwelling in this location is not considered to pose any benefit to the wider community that would outweigh the flood risk and the proposal therefore fails the exceptions test outlined in Paragraph 160 of the NPPF (2019). Overall, the proposal is therefore considered contrary to paras 159-161 of the NPPF (2019), policy CS06 and CS08 of the Core Strategy (2011) and policies DM15 and DM21 of the SADMPP (2016).

Changes have been made to the red line area of the previously refused scheme to overcome concerns raised by members in relation to the extent of curtilage previously proposed as part of the development. The overall site area has been reduced to 0.2ha, which allows parking for three cars to the west of the site and private amenity space to the rear. The previous site area totalled 0.45ha.

Consent is sought for the extension to and conversion of existing grain silos on land to the north of Lynn Road, Walsoken, to the north east of S Bend and sharing a proposed access with an existing dwelling known as Rosalie Farm.

## Principle of Development

The proposal is for the conversion of a group of agricultural silos to residential use, including a significant single storey extension, which will form the majority of the accommodation

The farm unit is located some 1.5km from the edge of Wisbech and consists of the main house along with 4 barns and the 4 silos. The silos are located to the west of the rest of the farm buildings and are set back from Lynn Road behind existing agricultural fields which add to the rural setting of the buildings as a whole.

For the purposes of the Local Plan, the existing silos are located on the outskirts of Walsoken which is categorised as a Settlement Adjacent to a Main Town in CS02 of the Core Strategy (2011). The site is not within the development boundary for either Walsoken or Walton Highway which lies approximately 850m to the east of the site and the site is therefore on land which is considered to be within the wider countryside for the purposes of the Local Plan, where development is restricted to that identified as suitable in rural areas, in line with Policy DM2 of the SADMPP (2016).

Policy CS06 of the Core Strategy (2011) supports conversion to residential use where:

- the existing building makes a positive contribution to the landscape.
- a non-residential use is proven to be unviable.
- the accommodation to be provided is commensurate to the site's relationship to the settlement pattern; and
- the building is easily accessible to existing housing, employment and services.

Paragraph 174 of the NPPF (2021) recognises the intrinsic character and beauty of the countryside and supports the protection of the countryside. Paragraph 120d of the NPPF states that decisions should support the development of under-utilised buildings. Paragraph 79 of the NPPF supports development which will enhance or maintain the vitality of rural communities.

The silos, with a diameter of 4.45m, each provide around 15.5sqm of floor space (totalling 62sqm), whereas the proposed extension forms closer to 70sqm of 'new build' floor space. Therefore, the amount of new build involved in the proposed development is such that, it is the LPA's opinion that the proposal could not be considered a conversion and therefore Policy CS06 does not apply.

Irrespective of this, the currently unused utilitarian silo buildings have limited positive impact on the landscape of the area and therefore the proposal is not considered to comply with CS06.

No justification has been provided to meet any of the other criteria outlined in Policy DM2 of the SADMPP (2016).

The principle of development is therefore considered contrary to policies CS02, CS06 and CS08 of the Core Strategy (2011). Whilst the red line has been reduced, officers consider that the development therefore does not resolve refusal reason 1 of 21/01536/F.

### **Form and Character and Impact on the Countryside**

The proposed design includes the conversion of the existing silos, with windows inserted and walls proposed to be clad in timber to replace the existing zinc - full details of proposed materials could be controlled via condition. A single storey extension is proposed to the rear of the silos with a flat sedum roof and semi-circular porch overhang from the north elevation. This extension measures around 14m x 4.5m when measured from the rear of the existing silos. A small roof overhang which projects from each side and a covered patio area to the north lend itself to an overall modern design.

As a result of the positioning of this extension, the impact on the street scene is largely limited by the screening provided by the existing silos.

In regard to proposed curtilage, a driveway is proposed to extend from the existing track along the front of the property, providing parking spaces to the west of the silos. The paving is proposed as 'Cellpave HD Permeable Paving' which allows retention of some grass cover and limits the impact of hardstanding on the visual amenities of the street scene. Tree planting across the south elevation and conservation hedgerows will further soften the appearance of the dwelling within the countryside. Conditions could control planting details to ensure that the landscaping is completed as proposed.

Subject to suitable external materials and the planting scheme discussed above, which can be controlled via condition, the visual appearance of the proposal is considered unlikely to lead to significant harm to the form and character of the countryside. The design of the proposal is considered to comply with Policy DM15 of the SADMPP (2016).

### **Other Material Considerations**

The Local Highway Authority has no objection to the scheme on highway safety grounds. Parking is provided in accordance with the required standards.

The site is well distanced from surrounding properties. The existing dwelling, to the east of the proposal site is sufficiently distanced to mitigate the potential for overlooking, overshadowing or overbearing as a result of the proposed development.

An ecological report/letter was provided as part of this application which suggests there is little potential for the existing silos to form a habitat for any protected species. The proposal is therefore considered to comply with the standing advice for protected species in the PPG and Policy CS12 of the Core Strategy (2011).

The application site is within flood zone 3 of the Borough Council's SFRA (2018). As a partial conversion of an existing building, the proposal cannot reasonably be relocated in an area of lesser flood risk and the sequential test is therefore passed. However, in regards to the exceptions test, whilst the proposal can be demonstrated to be safe for its lifetime through raising floor levels by 0.3m, as the part conversion part new build is considered contrary to the overarching policies of the local plan, the creation of a new dwelling is not considered to pose any significant benefit to the wider community to the extent that the proposal passes this second part of the exceptions test. The previous reason for refusal (reason 2 of decision reference 21/01536/F) therefore still stands. The proposal is considered contrary to paragraph 164 of the NPPF (2019) and Policy CS08 of the Core Strategy (2011).

Contamination conditions would be required as part of any approval due to the existing use of the site, to ensure the safety of future occupants.

Full details of foul and surface water drainage would be required as conditions, with consideration given to potential contamination impacts as part of the drainage strategy as requested by the CSNN team.

**Crime and Disorder** There are no known crime and disorder impacts associated with this proposal.

### **CONCLUSION**

Members may recall the discussion at Planning Committee last year relating to the design of the dwelling and the extent of curtilage proposed. The application has been submitted with more compact red line area which will reduce the extent of land used for residential purposes, in line with members comments. Members will need to consider the weight attached to the reduction in site area.

It is the Officer's opinion that, whilst the reduction in site area reduces the impact on the countryside, the application, by reason of the extent of new build proposed, is still considered to represent the construction of a new dwelling rather than a true conversion as required under the provisions of Policy CS06. The site is outside of any defined development boundary on land which is therefore considered to be within the wider countryside. No other

justification has been provided to outweigh this conflict with the settlement strategy of the Local Plan and the principle of development on site is therefore not considered acceptable. Further, it is not considered that the design of the proposed dwelling is of sufficient quality to overcome the policy contradictions relating to the site's location.

The application is therefore recommended for refusal on the following grounds.

**RECOMMENDATION:**

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

- 1 The application site is located outside of any designated development boundary and therefore in the wider countryside as outlined in Policy DM2 of the SADMPP (2016). Given the extent of new build-extension proposed, combined with the utilitarian and limited positive impact of the existing building, the application is not considered to comply with Policy CS06 in relation to the conversion of rural buildings and the construction of a new dwelling in this position is considered to lead to domestication of the landscape to the detriment of the rural character of the area as a whole. The proposal is therefore considered contrary to the NPPF (2021), Policies CS06 and CS08 of the Core Strategy (2011) and Policy DM2 of the SADMPP (2016).
- 2 The application site is within flood zone 3 of the Borough Council's SFRA (2018). As a partial conversion of an existing building, the proposal cannot reasonably be relocated in an area of lesser flood risk and the sequential test is therefore passed. In regards to the exceptions test, whilst the proposal can be demonstrated to be safe for its lifetime through raising floor levels by 0.3m, as the part conversion part new build is considered contrary to the overarching policies of the local plan, the creation of a new dwelling is not considered to pose any significant benefit to the wider community to the extent that the proposal passes this part of the exceptions test. The proposal is therefore considered contrary to paragraph 164 of the NPPF (2019) and Policy CS08 of the Core Strategy (2011).

## PLANNING COMMITTEE – 9 MAY 2022

### APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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#### PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the April Planning Committee Agenda and the May agenda. 152 decisions issued, 144 decisions issued under delegated powers with 8 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 19/03/2022 – 25/04/2022

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
<b>Major</b>	4	4	0		3	75%	60%	1	0
<b>Minor</b>	63	52	11	55		87%	80%	2	4
<b>Other</b>	85	85	0	75		88%	80%	1	0
<b>Total</b>	<b>152</b>	<b>141</b>	<b>11</b>						

Planning Committee made 8 of the 152 decisions, 5%

## PLANNING COMMITTEE - 9 MAY 2022

### APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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#### 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

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
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09.08.2021	22.03.2022 <b>Application Permitted</b>	21/01603/F	The White Horse Main Road Brancaster Staithe King's Lynn Retrospective application for the seasonal erection and use of temporary buildings including a marquee, mobile bar and kitchen to provide an outdoor & covered eating & drinking areas for customers	Brancaster
03.12.2021	20.04.2022 <b>Application Permitted</b>	21/02381/F	14 Roman Way Brancaster King's Lynn Norfolk Extensions, alterations and re-modelling of dwelling	Brancaster



20.12.2021	12.04.2022 <b>Application Permitted</b>	21/02442/F	4 South Corner Brancaster King's Lynn Norfolk Proposed Extensions and Alterations to existing dwelling house	Brancaster
11.02.2022	08.04.2022 <b>Application Permitted</b>	22/00314/F	9 Anchorage View Brancaster King's Lynn Norfolk Proposed Outbuilding	Brancaster
23.02.2022	07.04.2022 <b>TPO Work Approved</b>	22/00027/TPO	Marsh House Cross Lane Brancaster King's Lynn Trees in a Conservation Area and 2/TPO/00249: T1 - Monterey Cypress. Fell and replaced with 3 new, more suitable species at a location nearby. T2 and T3 - Scots pine. Fell. Replant with 3 new species nearby T4 - Lombardy poplar. Fell. Replant replacement. T5 - Monterey Cypress. Fell and replant replacement. G1 - group of young small, likely self sown species of sycamore saplings and prunus. Fell and replant suitable replacements.	Brancaster

28.02.2022	22.04.2022 <b>Application Permitted</b>	22/00339/F	The Nook 6 Common Lane Brancaster Staithe KINGS LYNN Single storey extension and alterations to dwelling and proposed cart shed with annexe above (superseeding detached open faced boat store approved under application 17/00256/F)  Application 17/00256/F implemented on July 2017	Brancaster
03.02.2022	12.04.2022 <b>Application Permitted</b>	22/00164/F	Point House Station Road Burnham Market King's Lynn External Store	Burnham Market
09.02.2022	22.04.2022 <b>Application Permitted</b>	22/00208/F	Beech House 1 St Ethelberts Close Burnham Market Norfolk Two storey extension and alterations to dwelling	Burnham Market

16.02.2022	29.03.2022 <b>Tree Application - No objection</b>	22/00038/TREECA	Cobham House 43 North Street Burnham Market Norfolk Trees in a Conservation Area: Fig tree- mature tree that's become oversized and weighted. Reduce the whole tree back to suitable growth points to reduce the weight on the tree to reduce the chances of failure. 4 x umbrella london plane trees - to pollard all trees back to the specified points of growth to maintain the visual effect of the canopy. Beech- to reduce the lower eastern branch back to where the tree has failed previously to reduce the strain on that area. Then reduce the west side of the canopy by 2M to re balance the crown .Yew- to reduce the east side of the tree by 1M and lift the lower eastern part of the crown to re balance	Burnham Market
22.12.2021	23.03.2022 <b>Application Permitted</b>	21/02474/F	The Old Bullock Box 1 Blacksmiths Lane Burnham Norton Norfolk Relocation of internal wood burner, with external relocation of associated flue.	Burnham Norton
22.12.2021	22.03.2022 <b>Application Permitted</b>	21/02475/LB	The Old Bullock Box 1 Blacksmiths Lane Burnham Norton Norfolk Relocation of internal wood burner, with external relocation of associated flue.	Burnham Norton

15.03.2022	13.04.2022 <b>Tree Application - No objection</b>	22/00079/TREECA	Land 170M SW Burnham Overy Mill N of Road Burnham Overy Mill Tower Road Burnham Overy Staithe Cut Willows down to land level removing timber to the west bank	Burnham Norton
01.02.2022	07.04.2022 <b>Application Permitted</b>	22/00216/F	Jesmond Tower Road Burnham Overy Staithe King's Lynn Single storey oak framed summer house with adjoining decking	Burnham Overy
16.12.2021	21.03.2022 <b>Application Permitted</b>	21/02427/F	The Old Post Office Walsingham Road Burnham Thorpe Norfolk Retrospective renovations and repairs to existing utilities building.	Burnham Thorpe
18.01.2022	23.03.2022 <b>NO OBJECTION TO NCC APP</b>	22/00117/CM	Sewage Treatment Works Joan Shorts Lane Burnham Market Norfolk COUNTY MATTERS: The construction of a Motor Control Centre(MCC) Kiosk inside Burnham Market Water Recycling Centre (WRC)	Burnham Thorpe
21.02.2022	01.04.2022 <b>Tree Application - No objection</b>	22/00042/TREECA	Burslem House North Street Castle Acre KINGS LYNN Trees in a Conservation Area: T1- Willow (Salix) repollard back to old points. Prevention of extended limb weight and failures. T2- Silver birch (betula pendula) reduction of crown for long term maintenance 2-2.5m.	Castle Acre

30.06.2021	31.03.2022 <b>Application Permitted</b>	21/01322/F	76 Ferry Road Clenchwarton King's Lynn Norfolk Replacement of existing bungalow and out buildings with new detached two storey dwelling and detached garage	Clenchwarton
25.01.2022	25.03.2022 <b>Application Permitted</b>	22/00111/F	Fosters Sports Ground Clenchwarton KINGS LYNN Norfolk Variation of Condition 1 attached to Planning Permission 17/01632/RMM: Residential development for 40 dwellings	Clenchwarton
12.01.2022	14.04.2022 <b>Application Permitted</b>	22/00049/F	Shingfield Corner Lynn Road Hillington King's Lynn Extension and Detached Garage Building.	Congham
24.02.2022	13.04.2022 <b>TPO Refused</b> work	22/00022/TPO	The Lodge Broadgate Lane Congham King's Lynn 2/TPO/00203: T1 Chestnut reduce by 40%. T2 Oak reduce by 40%. T3 Oak reduce by 40%	Congham
22.02.2022	19.04.2022 <b>Application Permitted</b>	22/00300/F	5 Adelphi Terrace Main Road Crimplesham King's Lynn Single storey side extension on existing dwelling	Crimplesham
10.01.2022	12.04.2022 <b>Application Permitted</b>	22/00017/F	17 St Johns Way St John's Business Estate Downham Market Norfolk Proposed commercial units	Denver

16.02.2022	28.03.2022 <b>GPD HH extn - Not Required</b>	22/00370/PAGPD	30 Nightingale Walk Denver Downham Market Norfolk Single storey rear extension which extends beyond the rear wall by 6m with a maximum height of 3.5m and a height of 2.47m to the eaves	Denver
03.02.2022	30.03.2022 <b>Application Permitted</b>	22/00172/F	6C Fern Hill Dersingham King's Lynn Norfolk Proposed Garage	Dersingham
04.02.2022	07.04.2022 <b>Application Permitted</b>	22/00175/F	30 Centre Vale Dersingham King's Lynn Norfolk The proposal seeks permission for a two storey rear extension, internal works and front porch to be erected to the existing property	Dersingham
20.12.2021	12.04.2022 <b>Application Permitted</b>	21/02441/F	The Gables Fakenham Road Docking King's Lynn Two storey side and single storey rear extension to dwelling	Docking
12.01.2022	14.04.2022 <b>Application Permitted</b>	22/00057/F	East End Cottage Stanhoe Road Docking King's Lynn Demolition of existing single storey side and rear extensions and detached garden store to be replaced with a two storey side and single storey rear extension	Docking
03.02.2022	05.04.2022 <b>Application Permitted</b>	22/00244/F	Holly House High Street Docking King's Lynn Refurbishment of existing building, demolition of existing rear extension to be replaced with a new single storey extension.	Docking

10.02.2022	29.03.2022 <b>Tree Application - No objection</b>	22/00048/TREECA	4 Winchmore Row Station Road Docking Norfolk Tree in a Conservation Area: Eucalyptus Tree - To be cut down	Docking
30.04.2021	12.04.2022 <b>Application Permitted</b>	21/01029/A	38 Bridge Street Downham Market Norfolk ADVERT APPLICATION: 1 x externally illuminated fascia sign, 1 x non-illuminated hanging sign and 1 externally illuminated hoarding sign	Downham Market
10.01.2022	07.04.2022 <b>Application Permitted</b>	22/00019/LB	38 Bridge Street Downham Market Norfolk PE38 9DH Retrospective listed building application for 1 x hanging sign, 1 x hoarding sign and 1 x fascia sign	Downham Market
03.02.2022	31.03.2022 <b>Application Permitted</b>	22/00166/F	25 Bexwell Road Downham Market Norfolk PE38 9LH Extension to and conversion of outbuildings to residential accommodation	Downham Market
18.02.2022	12.04.2022 <b>Application Permitted</b>	22/00371/F	The SWAN CENTRE Paradise Road Downham Market Norfolk New entrance door on the south elevation of an original Victorian school building facing onto Paradise Road. Creation of mezzanine floor in meeting room.	Downham Market
22.02.2022	13.04.2022 <b>Application Permitted</b>	22/00298/F	15 London Road Downham Market Norfolk PE38 9BX Erection of railings on top of existing boundary wall	Downham Market

09.03.2022	01.04.2022 <b>TPO Work Approved</b>	22/00025/TPO	18 Burnham Road Downham Market Norfolk PE38 9SF (2/TPO/00305) Crown reduce Oak by 1.5m and thin lightly.	Downham Market
17.03.2022	19.04.2022 <b>Tree Application - No objection</b>	22/00066/TREECA	85 Howdale Road Downham Market Norfolk PE38 9AH T1 - believed to be Ash, to remove for safety reasons, within a Conservation Area	Downham Market
29.04.2021	24.03.2022 <b>Application Refused</b>	21/01011/F	Land To Rear of Old White Horse Station Road East Rudham Norfolk Construction of four Dwellings	East Rudham
12.05.2021	29.03.2022 <b>Application Permitted</b>	21/01093/F	Home Farm Gayton Road East Winch King's Lynn Conversion of existing barn to form 2 new dwellings	East Winch
02.08.2021	31.03.2022 <b>Would be Lawful</b>	21/01545/LDP	The Rose Cottage Main Road West Bilney Norfolk Lawful Development Certificate: Occupation of annexe by Mr and Mrs Brown in compliance with condition 2 of planning permission reference 21/00201/F	East Winch



28.01.2022	30.03.2022 <b>Application Permitted</b>	22/00141/F	Fulwood House Church Lane East Winch KINGS LYNN Construction of Two Storey Side Extension to mirror existing footprint. Construction of Single Storey Rear Extension with Flat Roof. Construction of Detached Garage with Attic Storage, complete with hardstanding and drive. Demolition work to accommodate new structures and general upgrade of existing structure.	East Winch
24.02.2022	24.03.2022 <b>AG Prior Notification NOT REQD</b>	22/00312/AG	Common Farm Main Road West Bilney KINGS LYNN Agricultural Prior Approval: Grain store for on farm storage	East Winch
11.01.2022	29.03.2022 <b>Application Permitted</b>	22/00038/F	49A The Wroe Emneth Wisbech Norfolk First floor side extension and retrospective rear extension	Emneth
25.01.2022	31.03.2022 <b>Application Permitted</b>	22/00112/F	49 Fendyke Road Emneth Wisbech Norfolk Mobile home/static caravan in garden	Emneth
28.01.2022	06.04.2022 <b>Prior Approval - Approved</b>	22/00160/PACU3	Crickle Farm Meadowgate Lane Emneth WISBECH Notification for Prior Approval for Change of Use of existing barn to dwellinghouse (Schedule 2, Part 3, Class Q).	Emneth

21.06.2021	06.04.2022 <b>Application Permitted</b>	21/01238/F	Field Farm 50 Paynes Lane Feltwell Thetford 1 x 5 bedroom house with associated parking and 1 bedroom annexe for a family member to be looked after at home	Feltwell
02.02.2022	05.04.2022 <b>Application Permitted</b>	22/00226/F	Red Wing Cottage Mundford Road Feltwell Thetford First floor side extension over the utility room and kitchen.	Feltwell
25.02.2022	07.04.2022 <b>Tree Application - No objection</b>	22/00051/TREECA	Paston Cottage 28A Anmer Road Fritcham King's Lynn T1 Robinia - reduce crown by 2.5 metres	Fritcham with Appleton
14.04.2021	24.03.2022 <b>Application Permitted</b>	21/00895/F	Church Farm Ely Road Fordham Downham Market Proposed extension, alteration, and refurbishment of existing residential dwelling.	Fordham
22.02.2022	19.04.2022 <b>Application Permitted</b>	22/00292/F	6 Winch Road Gayton King's Lynn Norfolk Demolition of single storey extension and construction of new enlarged single storey extension	Gayton
28.10.2021	30.03.2022 <b>Application Permitted</b>	21/02102/F	South View 49 Gayton Road Grimston King's Lynn Construction of one dwelling	Grimston
21.01.2022	30.03.2022 <b>Application Permitted</b>	22/00094/LB	Lodge Farm Barn 141 Lynn Road Grimston Norfolk Application for listed building consent for alterations to approved extension to create inset balcony at first floor and with additional window to rear at ground floor level	Grimston

27.01.2022	31.03.2022 <b>Application Permitted</b>	22/00131/F	Lynhurst 81 Low Road Grimston King's Lynn Proposed single storey extension with flat roof and lantern to East elevation and pitched roof to North elevation	Grimston
21.12.2020	14.04.2022 <b>Application Permitted</b>	20/02074/F	Land And Building SW of Mount Pleasant Farm 25 Mount Pleasant Farm 25 Lamsey Lane Heacham Change of Use from farm building to Sui Generis (car workshop)	Heacham
10.05.2021	23.03.2022 <b>Application Permitted</b>	21/00904/F	Heacham Social Club 13 Station Road Heacham KINGS LYNN Installation of flood lighting to the football pitch.	Heacham
13.12.2021	30.03.2022 <b>Application Permitted</b>	21/02373/F	29 St Marys Close Heacham Norfolk PE31 7HL Proposed utility extension and store/covered area extension	Heacham
23.12.2021	11.04.2022 <b>Application Permitted</b>	21/02484/F	3 Williman Close Heacham King's Lynn Norfolk Two storey side extension	Heacham
28.01.2022	25.03.2022 <b>Application Permitted</b>	22/00138/F	1 Chilvers Place Lords Lane Heacham King's Lynn Garden room extension	Heacham
03.02.2022	22.04.2022 <b>Application Permitted</b>	22/00165/F	70 South Beach Road Heacham King's Lynn Norfolk Proposed Front and Side Extension to Existing Dwelling	Heacham
08.02.2022	05.04.2022 <b>Application Permitted</b>	22/00285/F	85 College Drive Heacham King's Lynn Norfolk Single storey extension to dwelling and relocation of boundary fence	Heacham

16.09.2021	08.04.2022 <b>Application Permitted</b>	21/01831/F	7 The Black Barns Feltwell Road Hockwold cum Wilton Norfolk Demolition of barn No 7 and replace with portal frame and clad barn in its place for light industrial use	Hockwold cum Wilton
17.02.2022	12.04.2022 <b>Not Lawful</b>	22/00381/LDP	Annexe At White Dyke Farm Black Dyke Road Hockwold cum Wilton Certificate of lawfulness: Single storey side extensions	Hockwold cum Wilton
17.02.2022	31.03.2022 <b>GPD HH extn - Refused</b>	22/00386/PAGPD	Annexe At White Dyke Farm Black Dyke Road Hockwold cum Wilton Single storey rear extension which extends beyond the rear wall by 8m with a maximum height of 4m and a height of 3.02m to the eaves.	Hockwold cum Wilton
08.11.2021	21.03.2022 <b>Prior Approval - Approved</b>	21/02208/PACU6	26 Le Strange Terrace Hunstanton Norfolk PE36 5AJ Prior Notification: Conversion of previous restaurant to flats.	Hunstanton
10.02.2022	07.04.2022 <b>Tree Application - No objection</b>	22/00047/TREECA	49 Greevegate Hunstanton Norfolk PE36 6AF Tree in conservation area: Re-pollarded	Hunstanton
18.02.2022	14.04.2022 <b>Application Permitted</b>	22/00269/F	23 Philips Chase Hunstanton Norfolk PE36 5NL Timber summer house	Hunstanton

22.02.2022	21.03.2022 <b>Application Permitted</b>	18/00418/NMAM_1	Land East of Cromer Road Hunstanton Norfolk PE36 6FF NON-MATERIAL AMENDMENT to Planning Permission 18/00418/RMM: Reserved Matters Application: construction of 120 dwellings with associated landscaping, open space, car parking	Hunstanton
18.01.2022	22.04.2022 <b>Application Permitted</b>	22/00115/F	8 Davy Field Lynn Road Ingoldisthorpe KINGS LYNN VARIATION OF CONDITIONS 1 OF 18/02200/RMM: Reserved Major application, residential development and new public amenity area	Ingoldisthorpe
13.10.2021	31.03.2022 <b>Application Permitted</b>	21/01988/F	Bishops Lynn House Apartments 16A And 16B 18 Tuesday Market Place King's Lynn Norfolk Change of use from 1 duplex apartment to 2 studio apartments	King's Lynn
28.10.2021	25.03.2022 <b>Application Permitted</b>	21/02100/CU	53 Tennyson Avenue King's Lynn Norfolk PE30 2QG Retrospective application - change of use from dwelling (C3) to a house of multiple occupation (HMO) 7 rooms	King's Lynn
19.11.2021	06.04.2022 <b>Application Permitted</b>	21/02239/F	9 Gayton Road Gaywood King's Lynn Norfolk Change of Use of the main dwelling to C2 and garage to NHS consultation space.	King's Lynn

02.12.2021	14.04.2022 <b>Application Permitted</b>	21/02368/F	Hunters Land Rover 15 Scania Way Hardwick Industrial Estate King's Lynn Alteration and refurbishment works including new MOT testing facilities, new facade to showroom and the construction of a new stand alone valeting and tyre bay building.	King's Lynn
04.01.2022	23.03.2022 <b>Application Permitted</b>	22/00004/F	17 Queen Street King's Lynn Norfolk PE30 1HT Reinstate three dormer windows in the south range of the house and subdivide the attic inside to form two bedrooms and a games room.	King's Lynn
04.01.2022	23.03.2022 <b>Application Permitted</b>	22/00005/LB	17 Queen Street King's Lynn Norfolk PE30 1HT Listed building application to reinstate three dormer windows in the south range of the house and subdivide the attic inside to form two bedrooms and a games room	King's Lynn
11.01.2022	21.03.2022 <b>Application Permitted</b>	22/00043/F	1 Avenue Road King's Lynn Norfolk PE30 5NN Rear extension	King's Lynn
13.01.2022	24.03.2022 <b>Application Permitted</b>	20/01685/NMAM_1	Land At Freebridge Farm Clenchwarton Road Freebridge Services West Lynn King's Lynn NON-MATERIAL AMENDMENT to Planning Permission 20/001685/FM: Highways depot comprising maintenance building, salt barn and ancillary offices plus parking and landscaping	King's Lynn

25.01.2022	21.03.2022 <b>Application Permitted</b>	22/00107/F	Optima Stainless Ltd Hamlin Way Hardwick Narrows King's Lynn Construction of drop kerb to access overflow car park	King's Lynn
25.01.2022	22.03.2022 <b>Application Permitted</b>	22/00146/F	145 Gaywood Road King's Lynn Norfolk PE30 2QA VARIATION OF CONDITION 2 of Planning Permission 21/01243/F: To amend drawings	King's Lynn
28.01.2022	24.03.2022 <b>Application Permitted</b>	22/00137/F	29 Suffolk Road King's Lynn Norfolk PE30 4AH Extension and alterations	King's Lynn
28.01.2022	22.03.2022 <b>Application Permitted</b>	22/00192/LB	Kings Lynn Railway Station Blackfriars Road King's Lynn Norfolk LISTED BUILDING CONSENT: New Tactile Paving to Platforms 1 and 2	King's Lynn
31.01.2022	30.03.2022 <b>Would be Lawful</b>	22/00200/LDP	1 Reffley Farm Cottages Reffley Lane King's Lynn Norfolk Lawful Development Certificate to site a mobile home/lodge	King's Lynn
03.02.2022	30.03.2022 <b>Application Permitted</b>	22/00168/F	Cruso & Wilkin Waterloo Street King's Lynn Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 21/00631/FM: To amend drawings.	King's Lynn
08.02.2022	07.04.2022 <b>Application Permitted</b>	22/00205/F	DVSA Theory Test Centre 26 High Street King's Lynn Norfolk Retention of the Use of Premises for the sitting and administration of computer-based driving theory test exams on behalf of the DVSA	King's Lynn

09.02.2022	05.04.2022 <b>Application Permitted</b>	22/00209/F	3 Seathwaite Road King's Lynn Norfolk PE30 3UW Extension to rear of dwelling	King's Lynn
11.02.2022	12.04.2022 <b>Application Permitted</b>	22/00233/F	8 Castle Close King's Lynn Norfolk PE30 3EP Construction of two storey side extension and front porch	King's Lynn
11.02.2022	06.04.2022 <b>Application Permitted</b>	22/00235/F	65 Park Avenue King's Lynn Norfolk PE30 5NL Rear Extension	King's Lynn
14.02.2022	11.04.2022 <b>Application Permitted</b>	22/00236/F	Kings Lynn Residential Home Kettlewell Lane King's Lynn Norfolk Extension to 2 bedrooms to create En suite facilities. Flat roof extension to provide new store	King's Lynn
18.02.2022	14.04.2022 <b>Prior Approval - Not Required</b>	22/00389/PART14	Sensient Colours UK Limited Oldmedow Road Hardwick Industrial Estate King's Lynn Prior Approval Notification Under Schedule 2, Part 14, Class J: To position a 199.8 kW solar PV installation on the roof of two buildings owned by Sensient Colors.	King's Lynn
22.02.2022	14.04.2022 <b>Application Permitted</b>	22/00290/F	68 Blackford King's Lynn Norfolk PE30 3UL Proposed rear extensions and new Front Porch incorporating internal and external alterations.	King's Lynn



23.02.2022	20.04.2022 <b>Prior Approval - Not Required</b>	22/00399/PART14	Wm Morrisons Supermarkets Plc Coburg Street King's Lynn Norfolk Prior-Approval Application Under Schedule 2, Part 14, Class J: Installation of photovoltaic system to the flat roof area of Morrisons supermarket Kings Lynn	King's Lynn
25.02.2022	22.04.2022 <b>Application Permitted</b>	22/00435/F	7 Golf Close King's Lynn Norfolk PE30 3SE Removal of conservatory and construction of two storey extension with store	King's Lynn
11.04.2022	12.04.2022 <b>Application Permitted</b>	22/00168/NMA_1	Cruso & Wilkin Waterloo Street King's Lynn Norfolk NON-MATERIAL AMENDMENT OF PLANNING PERMISSION 22/00168/F: VARIATION OF CONDITION 2 OF PLANNING PERMISSION 21/00631/FM: To amend drawings.	King's Lynn
27.07.2021	20.04.2022 <b>Application Permitted</b>	21/01498/F	Warren Lodge Gayton Road Ashwicken KINGS LYNN Proposed remodel of dwelling incorporating single storey front and rear extensions.	Leziate
02.11.2021	24.03.2022 <b>Application Permitted</b>	21/02133/CU	28 Smeeth Road Marshland St James Wisbech Norfolk Retrospective change of use from agricultural to residential garden	Marshland St James
26.01.2022	06.04.2022 <b>Application Permitted</b>	22/00128/F	Return 131 Smeeth Road Marshland St James Wisbech Erection of a first floor extension to form a new storey and re-building conservatory.	Marshland St James

10.03.2022	05.04.2022 <b>AG Prior Notification NOT REQD</b>	22/00417/AG	Agricultural Buildings Hythe Road Methwold Norfolk Agricultural Prior Notification: Proposed agricultural building to be used for the storage of corn and potatoes	Methwold
19.10.2021	30.03.2022 <b>Application Permitted</b>	21/02030/F	Louies Hand Car Wash Norwich Road Middleton Norfolk Mixed use of land for existing hand car wash with tyre sales to include new car sales area.	Middleton
23.12.2021	21.03.2022 <b>Application Refused</b>	21/02480/F	Land South of Home Farm Sandy Lane Blackborough End Norfolk Proposed erection of 2 detached houses & garages and associated site works including vehicular access.	Middleton
21.02.2022	22.04.2022 <b>Application Permitted</b>	22/00283/F	Lake View 9 Arlington Park Road Middleton KINGS LYNN Extensions, alterations and re-rendering of dwelling to form new kitchen, sunroom and porch	Middleton
23.02.2022	01.04.2022 <b>Tree Application - No objection</b>	22/00044/TREECA	Land Between The Old Well And The Moorings High Street Nordelph Downham Market T1 Apple Tree - Remove and replace tree which restricts access to a proposed dwelling within a conservation area	Nordelph

03.02.2022	08.04.2022 <b>Application Permitted</b>	22/00227/F	Uplands 80 West Street North Creake Fakenham Removal of existing conservatory. Construction of single storey rear extension and two storey side extension	North Creake
12.01.2022	07.04.2022 <b>Application Permitted</b>	22/00090/F	9 Pingles Road North Wootton King's Lynn Norfolk Front extension	North Wootton
17.03.2022	13.04.2022 <b>GPD HH extn - Approved</b>	22/00462/PAGPD	2 Julian Road North Wootton King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 4.95m with a maximum height of 3.99m and a height of 2.44m to the eaves	North Wootton
08.12.2021	14.04.2022 <b>Application Permitted</b>	21/02353/F	36 West End Northwold Thetford Norfolk Demolition of existing dwelling and construction of replacement dwelling	Northwold
27.01.2022	12.04.2022 <b>Application Permitted</b>	22/00133/F	Rear of 36 West End Northwold Thetford Norfolk Retrospective continued use of building as kennels for dog training and occasional dog breeding.	Northwold
03.02.2022	28.03.2022 <b>Prior Approval - Not Required</b>	22/00173/AG	Pooley Farm 16 Thetford Road Northwold THETFORD A balanced cut and fill earth moving operation to create an irrigation reservoir. No materials will be brought on to of leave the site.	Northwold

26.01.2022	14.04.2022 <b>Application Permitted</b>	22/00120/F	Keresfield 2A Hamilton Road Old Hunstanton Hunstanton VARIATION OF CONDITION 2 OF PLANNING PERMISSION 18/00163/F: Extension and alterations	Old Hunstanton
26.01.2022	25.03.2022 <b>Application Permitted</b>	22/00145/F	5 Ashdale Park Old Hunstanton Hunstanton Norfolk Completion of two storey side extension, single storey side extension and alterations including removal of conservatory	Old Hunstanton
28.01.2022	25.03.2022 <b>Application Permitted</b>	22/00136/F	Carris House 20 Golf Course Road Old Hunstanton HUNSTANTON Loft conversion with 2 Juliette balconies/dormers	Old Hunstanton
08.03.2022	05.04.2022 <b>Application Permitted</b>	21/01959/NMA_1	1 Wodehouse Road Old Hunstanton Hunstanton Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/01959/F: To amend drawings	Old Hunstanton
04.10.2021	23.03.2022 <b>Application Permitted</b>	21/01924/F	Plot S of Rugosa Lodge Outwell Road Outwell Norfolk VARIATION OF CONDITION 2 of Planning Permission 18/00200/F: To amend drawings	Outwell
12.11.2021	06.04.2022 <b>Application Refused</b>	21/02191/F	Land At Baldwins Drove Outwell Norfolk Erection of Agricultural Buildings	Outwell
01.11.2021	13.04.2022 <b>Application Permitted</b>	21/02143/LB	Narborough Stables Narborough House Main Road Narborough Listed Building: Add solar panel to part of slate roof on garden room	Pentney

10.01.2022	19.04.2022 <b>Application Permitted</b>	22/00020/F	2 Bailey Square Narborough Road Pentney Norfolk New front porch	Pentney
19.08.2021	21.03.2022 <b>Application Permitted</b>	21/01700/F	52 Shepherds Port Road Shepherds Port Snettisham Norfolk Retrospective: Re-positioning of the existing caravan, new decking with rails, new storage shed and new gates to access	Snettisham
22.10.2021	24.03.2022 <b>Application Permitted</b>	21/02095/F	30 Common Road Snettisham KINGS LYNN Norfolk VARIATION OF CONDITION 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13 and 14 OF PLANNING PERMISSION 20/00007/F: Removal of Condition 1 and Variation of Conditions, 2, 6 and 8 of Planning Permission 16/00263/F: Demolition of former lorry depot building including clearance of site (currently being used for motor maintenance, repairs and car sales) and redevelopment for 8 No chalet dwellings and garages	Snettisham
11.01.2022	11.04.2022 <b>Application Permitted</b>	22/00035/F	The Grange 42 Lynn Road Snettisham King's Lynn VARIATION OF CONDITION 2 OF PLANNING PERMISSION 20/02126/F: Conversion, extension and sub-division of coach house to dwelling	Snettisham

04.02.2022	31.03.2022 <b>Would be Lawful</b>	22/00179/LDP	5 The Cedars Snettisham Norfolk PE31 7XG LAWFUL DEVELOPMENT CERTIFICATE: Single Storey Hipped Roof Side Extension	Snettisham
19.01.2022	24.03.2022 <b>Not Lawful</b>	22/00083/LDE	Sutton House 33 Back Street South Creake Norfolk Application for a Lawful Development Certificate: Change of use of land to domestic use as part of the garden.	South Creake
12.01.2022	07.04.2022 <b>Application Permitted</b>	22/00058/F	The Gables 5 Priory Lane South Wootton KINGS LYNN Proposed alterations, conversion of garage to living accommodation. Front and rear extensions. First floor bedroom, en-suite, bathroom and playroom extension.	South Wootton
03.02.2022	31.03.2022 <b>Application Permitted</b>	22/00167/F	34 The Birches South Wootton King's Lynn Norfolk Proposed new carport and store and new vehicular access	South Wootton
16.02.2022	12.04.2022 <b>Application Permitted</b>	22/00259/F	73A Feltwell Road Southery Downham Market Norfolk Erection of single storey extension to the side and rear of the property	Southery
25.02.2022	19.04.2022 <b>Application Permitted</b>	22/00315/F	71B Feltwell Road Southery DOWNHAM MARKET Norfolk Solar panels to the South side of the Barn roof	Southery
23.08.2021	21.03.2022 <b>Application Permitted</b>	21/01683/RM	Land Off Little Lane Stoke Ferry Norfolk Reserved Matters: Three bedroom bungalow	Stoke Ferry

11.03.2022	19.04.2022 <b>Tree Application</b> <b>- No objection</b>	22/00056/TREECA	<p>Holly Cottage Oxborough Road Stoke Ferry Norfolk</p> <p>Trees in a Conservation Area: Cherry (T1) Fell because of excessive shading, overgrown and strangled by Ivy. Low amenity value. Replace with fruit tree in same vicinity. Yew (T2). Crown thinning and lifting, because overgrown and causing excessive shading. Tree will benefit from reshaping. Ash (T3). Fell. Self seeded and causing excessive shading and in very close proximity to Yew (T2) stunting growth. Mallow (T4). Fell. Self seeded and low amenity value, causing shading and damage to boundary fencing. Mallow (T5). Fell. Self seeded and low amenity value, causing shading and damage to boundary fencing. Apple (T6). Fell because totally overgrown, causing excessive shading and is leaning on fencing pushing panels outwards onto driveway. Replace with fruit tree in same vicinity. Conifer Trees (T7). Crown reduction and crown lifting towards barn because very overgrown and causing damage to rear of barn.</p>	Stoke Ferry
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11.11.2021	07.04.2022 <b>Application Permitted</b>	21/02184/O	Land Between 41 And 45 Low Road Low Road Stow Bridge KINGS LYNN OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Site for construction of one dwelling and garage	Stow Bardolph
12.11.2021	06.04.2022 <b>Application Permitted</b>	21/02195/RM	B W Mack Machinery Ltd Shrub House Farm 154 The Drove Barroway Drove Norfolk RESERVED MATTERS: Construction of new dwelling	Stow Bardolph
22.11.2021	23.03.2022 <b>Application Permitted</b>	21/02246/F	Willowcroft 72 The Drove Barroway Drove Downham Market Construction of replacement dwelling following demolition of existing dwelling	Stow Bardolph
27.01.2022	28.03.2022 <b>Application Permitted</b>	22/00130/F	The Birches Cuckoo Road Stow Bridge KINGS LYNN PROPOSED SINGLE STOREY REAR EXTENSION	Stow Bardolph
01.11.2021	07.04.2022 <b>Application Permitted</b>	21/02123/F	Wood Rising Docking Road Syderstone King's Lynn Form an additional domestic/ light duty vehicular access (verge crossing) to access paddock and outbuildings, and erect a post & wire fence.	Syderstone
08.02.2022	22.04.2022 <b>Application Permitted</b>	22/00286/F	Sunnyside 1 Rudham Road Syderstone King's Lynn Proposed single-storey rear extension and minor alterations	Syderstone



22.02.2022	19.04.2022 <b>Would be Lawful</b>	22/00299/LDP	15 Heath Rise Syderstone King's Lynn Norfolk Lawful Development Certificate: Conversion of loft with introduction of rear flat roof dormer	Syderstone
21.10.2021	24.03.2022 <b>Application Permitted</b>	21/02055/F	67 Churchgate Way Terrington St Clement King's Lynn Norfolk Replacement of extension to rear of end terrace cottage	Terrington St Clement
07.12.2021	12.04.2022 <b>Application Permitted</b>	21/02334/F	Heron House 42A Popes Lane Terrington St Clement King's Lynn Alterations to dwelling to form first floor above existing garage	Terrington St Clement
12.01.2022	29.03.2022 <b>Application Permitted</b>	22/00050/F	7 Popes Lane Terrington St Clement King's Lynn Norfolk Single storey extension	Terrington St Clement
24.01.2022	21.03.2022 <b>Application Permitted</b>	22/00100/F	Edale 50 Wanton Lane Terrington St Clement King's Lynn Erection of single-storey rear extension.	Terrington St Clement
02.02.2022	30.03.2022 <b>Prior Approval - Approved</b>	22/00201/PACU3	Antwerp House 66 Marsh Road Terrington St Clement King's Lynn Notification for Prior Approval for change of use of agricultural building to dwelling (Schedule 2, Part 3, Class Q)	Terrington St Clement
25.11.2021	23.03.2022 <b>Application Permitted</b>	21/02278/F	Lime Tree Cottage High Street Thornham KINGS LYNN Variation of condition 1 of planning permission 18/01396/F to amend site layout to provide central fence between property frontages.	Thornham

15.12.2021	11.04.2022 <b>Application Permitted</b>	21/02396/F	Thornham Village Hall And Sports Pavilion High Street Thornham KINGS LYNN Proposed new sports pavilion, including demolition of existing structure on site	Thornham
16.02.2022	22.04.2022 <b>Application Permitted</b>	22/00369/F	Quavers High Street Thornham Norfolk Variation of Condition 2 of Planning Permission 21/00579/F: Variation of Condition 2 of Planning Permission 20/00871/F: Demolition of existing dwelling and construction of 3 replacement dwellings	Thornham
22.03.2022	12.04.2022 <b>Application Permitted</b>	16/01766/NMA_2	West Hatch High Street Thornham HUNSTANTON NON MATERIAL AMMENDMENT TO PLANNING PERMISSION 16/01766/F: Construction of a dwelling following demolition of existing bungalow	Thornham
08.11.2021	11.04.2022 <b>Application Refused</b>	21/02167/O	White Gables Shepherds gate Road Tilney All Saints King's Lynn Outline Application: Proposed residential development adjacent White Gables	Tilney All Saints

09.07.2021	21.04.2022 <b>Application Permitted</b>	21/01409/F	North of Salgate Barn Islington Road Tilney All Saints KINGS LYNN DEMOLITION OF EXISTING AGRICULTURAL BARN AND STORAGE BUILDING, CONSTRUCTION OF TWO STOREY RESIDENTIAL DWELLING, RELOCATION OF EXISTING CARPORT, REPLACEMENT BOUNDARY WALLS AND GATES.	Tilney St Lawrence
31.12.2021	29.03.2022 <b>Application Permitted</b>	21/02501/F	Duncans Farm Bungalow Lynn Road Tilney All Saints King's Lynn Lowering of the pavement onto the road allowing vehicles to crossover the pavement onto drive.	Tilney St Lawrence
07.06.2021	30.03.2022 <b>Application Refused</b>	21/01258/O	Manor Lodge 40 Small Lode Upwell Norfolk OUTLINE SOME MATTERS RESERVED: Proposed Residential Development	Upwell
28.06.2021	30.03.2022 <b>Application Permitted</b>	21/01351/F	Land South of 31 School Road Upwell Wisbech Norfolk Re-submission of expired planning re: 17/01078/F to allow residential development of 4 dwellings to Land South of 31 School Road Upwell.	Upwell

07.10.2021	30.03.2022 <b>Application Permitted</b>	21/01945/F	The Barn At Willow Farm Cock Fen Road Lakes End WISBECH Change of use of agricultural land to residential garden, and conversion and extension of existing outbuilding for use as residential annexe and domestic shed	Upwell
26.10.2021	22.12.2021 <b>Application Permitted</b>	21/02083/F	Village Hall 6 New Road Upwell Wisbech Alterations to existing building including the erection of a porch to front and installation of air source heat pump and solar panels to rear	Upwell
29.12.2021	23.03.2022 <b>Application Permitted</b>	21/02493/F	Sunningdell 23 Town Street Upwell Norfolk Proposed single storey extension to the rear	Upwell
18.02.2022	01.04.2022 <b>Tree Application - No objection</b>	22/00041/TREECA	2 Hall Bridge Road Upwell Wisbech Norfolk T1 Cypress Species Tree - Fell to prevent damage to property or person within a conservation area	Upwell
28.03.2022	05.04.2022 <b>Application Permitted</b>	21/02083/NMA_1	Village Hall 6 New Road Upwell Wisbech NON-MATERIAL AMENDMNET OF PLANNING PERMISSION 21/02083/F: Alterations to existing building including the erection of a porch to front and installation of air source heat pump and solar panels to rear	Upwell

18.11.2021	30.03.2022 <b>Application Permitted</b>	21/02242/F	Fen Lodge Chalk Road Walpole St Peter Norfolk Alterations and extension to bungalow forming additional bedroom, garden room and attached garage	Walpole
26.11.2021	30.03.2022 <b>Application Permitted</b>	21/02287/F	4 Lucky Lane Walpole St Andrew Norfolk PE14 7NX Proposed dwelling on building plot	Walpole
08.02.2022	19.04.2022 <b>Application Permitted</b>	22/00195/F	Appleton Chalk Road Walpole St Peter Norfolk Proposed single storey side extension.	Walpole
09.02.2022	12.04.2022 <b>Application Permitted</b>	22/00211/F	2 Chalk Road Walpole St Peter Norfolk PE14 7PH PROPOSED SINGLE STOREY SIDE EXTENSION TO CREATE ADDITIONAL ACCESSIBLE BEDROOM AND SHOWER ROOM	Walpole
09.02.2022	05.04.2022 <b>Application Permitted</b>	22/00212/F	Rose Cottage Mill Road Walpole St Peter Wisbech Construction of single-storey rear extension.	Walpole
12.11.2019	23.03.2022 <b>Application Permitted</b>	19/01958/F	The Bungalow Market Lane Walpole St Andrew Wisbech Proposed extensions to bungalow	Walpole Cross Keys
11.11.2021	05.04.2022 <b>Application Permitted</b>	21/02185/F	Rose Bank 15 Hall Road Walpole Highway Wisbech Conversion of roof space and two storey extension to rear of dwelling	Walpole Highway

20.08.2021	20.04.2022 <b>Application Permitted</b>	21/01704/FM	Fountain House Walton Road Walsoken Norfolk Retrospective erection of a warehouse extension and loading facility, revision of site access and erection of storage building.	Walsoken
22.09.2021	21.03.2022 <b>Application Permitted</b>	21/01853/F	Salmar Wilkins Road Walsoken Wisbech Proposed holiday caravan site	Walsoken
17.01.2022	23.03.2022 <b>Application Permitted</b>	22/00113/CU	Brightwood Equestrian 31 Burrettgate Road Walsoken Wisbech Change of use of paddock to form all weather turn out and lunging ring.	Walsoken
19.01.2022	30.03.2022 <b>Application Permitted</b>	22/00126/F	Tarrazona 16 S-Bend Lynn Road Walsoken Two storey rear extension	Walsoken
08.10.2021	31.03.2022 <b>Application Permitted</b>	21/01951/F	7 & 8 Rowan Close Fen Lane Watlington Norfolk Variation of conditions 2 and 5 of planning permission 20/01165/F: For alterations to plot 7 including the addition of a free standing garage	Watlington
08.12.2021	28.03.2022 <b>Application Refused</b>	21/02350/F	7 And 8 Rowan Close Fen Road Watlington Norfolk VARIATION OF CONDITION 2 AND 5 of Planning Permission 20/01165/F: To amend drawing	Watlington
22.12.2021	22.03.2022 <b>Application Permitted</b>	21/02509/F	87 Downham Road Watlington Norfolk PE33 0HT Single storey extension to dwelling	Watlington

26.01.2022	07.04.2022 <b>Application Permitted</b>	22/00121/F	59 John Davis Way Watlington KINGS LYNN Norfolk Single-storey rear garden room extension to semi-detached house	Watlington
14.12.2021	21.03.2022 <b>Application Permitted</b>	21/02456/F	Wildfowl And Wetlands Trust Hundred Foot Bank Welney Norfolk Continued use of temporary enclosures for housing black-tailed godwits including 1 x portable cabin and 3 x pens	Welney
07.02.2022	30.03.2022 <b>Application Permitted</b>	22/00187/F	The Walnuts Wisbech Road Tipps End Welney First floor extension and rear single storey extension, with internal alterations.	Welney
04.02.2022	06.04.2022 <b>Application Permitted</b>	22/00176/F	Northfield The Row Wereham King's Lynn REMOVAL OF CONDITION 2 OF PLANNING PERMISSION 2/81/00189/F: (agricultural occupancy condition)	Wereham
04.10.2021	13.04.2022 <b>Application Permitted</b>	21/01923/F	Homefields Basil Road West Dereham King's Lynn APPLICATION FOR VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 12/01720/F: Demolition of existing bungalow and associated ancillary outbuildings and the construction of one detached dwelling and garage	West Dereham

26.01.2022	12.04.2022 <b>Application Permitted</b>	22/00124/F	Ashgrove Lynn Road West Rudham King's Lynn Proposed rear extension & loft conversion	West Rudham
08.09.2021	06.04.2022 <b>Application Refused</b>	21/01781/F	Land North-East of Thurston Farm Common Road Walton Highway Norfolk Change of use of land and stables to commercial livery yard (retrospective) and siting of a temporary dwelling in connection with commercial livery	West Walton
18.11.2021	28.03.2022 <b>Application Permitted</b>	21/02241/F	Fair View Blunts Drove Walton Highway Norfolk Conversion and extension to garage to form residential annex for elderly relatives	West Walton
28.01.2022	05.04.2022 <b>Application Permitted</b>	22/00158/F	Oakanash Lynn Road Setchey King's Lynn Proposed extensions and alterations including refurbishment (redesign). Proposed link and extension to outbuilding	West Winch
04.02.2022	29.03.2022 <b>Application Permitted</b>	22/00177/F	April Cottage Eau Brink Road Wiggshall St Germans Norfolk Erection of new single-storey rear & side extensions and replacing the roof over previously added extension.	Wiggshall St Germans



22.12.2021	20.04.2022 <b>Application Permitted</b>	21/02473/F	Polperro 75 Church Road Wimbotsham King's Lynn Replacement dwelling and detached garage following demolition of the existing dwelling and landscape works incidental to the development	Wimbotsham
26.01.2022	19.04.2022 <b>Application Refused</b>	22/00147/O	Land Between Myamber And Field Cottage Field Lane Wretton Norfolk Outline application with some matters reserved for up to 4no. proposed dwellings	Wretton
27.01.2022	24.03.2022 <b>Application Permitted</b>	22/00134/F	Yew Tree Lodge Low Road Wretton KINGS LYNN Extension to bungalow and construction of garage/garden store	Wretton
14.03.2022	06.04.2022 <b>AG Notification NOT REQD</b> Prior -	22/00490/AG	Chequers Chequers Road Wretton King's Lynn Agricultural Prior Notification: Building to keep and maintain a tractor and store fruit	Wretton