

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



# **Planning Committee**

## **Agenda**

**Monday, 3rd October, 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>





King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX  
Telephone: 01553 616200  
Fax: 01553 691663

**PLANNING COMMITTEE AGENDA**

**Please ensure that all mobile phones are switched to silent**

**DATE: Monday, 3rd October, 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 5 September 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 (Page 6)**

The Committee is asked to note the Index of Applications.

**a) Decisions on Applications (Pages 7 - 84)**

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

**9. DELEGATED DECISIONS (Pages 85 - 112)**

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

**To: Members of the Planning Committee**

Councillors F Bone, C Bower (Vice-Chair), A Bubb, C J Crofts, M de Whalley, A Holmes, C Hudson, B Lawton, C Manning, E Nockolds, T Parish, S Patel, 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 6 October 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, 30 September 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:

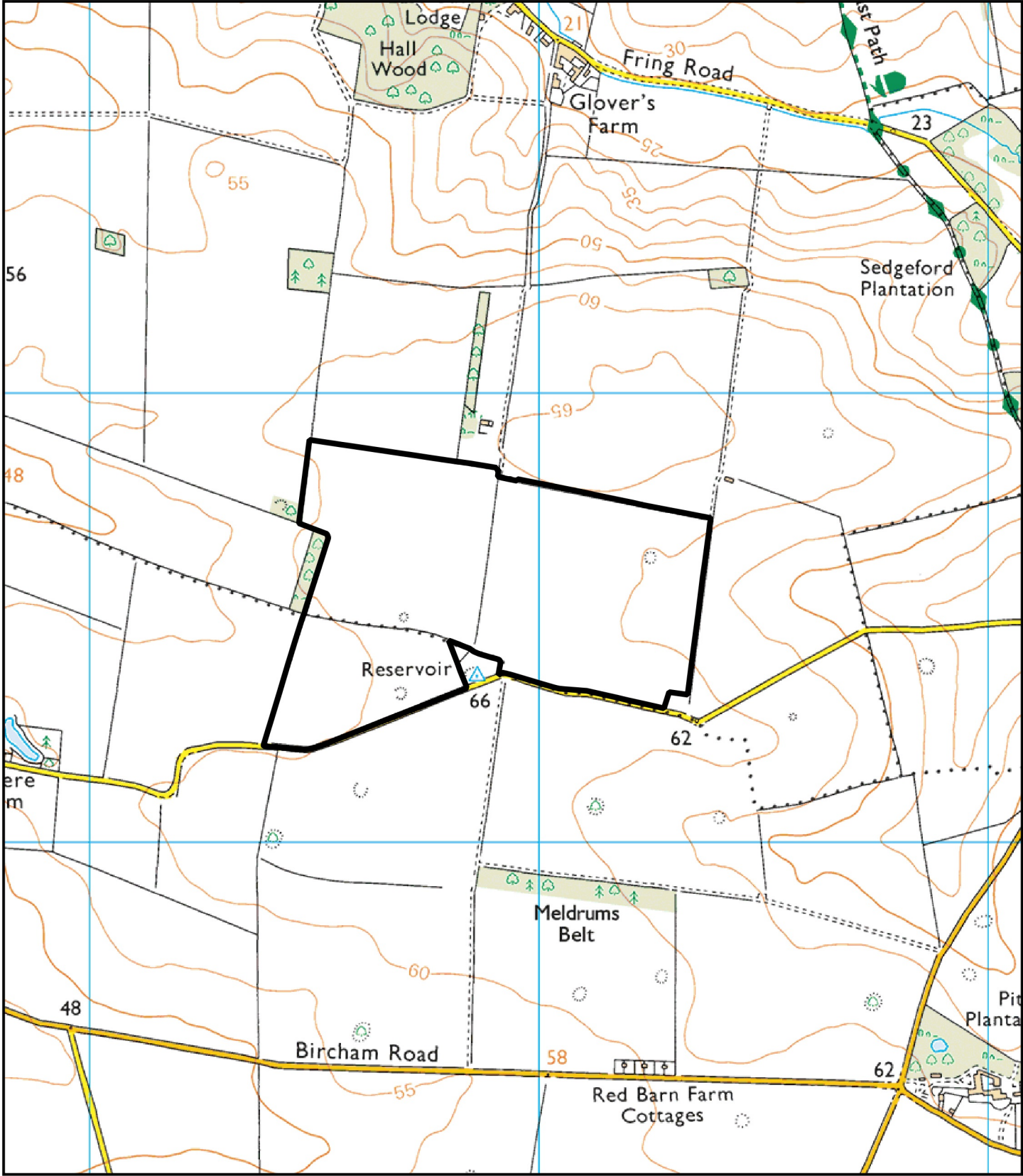
Kathy Wagg on 01553 616276  
[kathy.wagg@west-norfolk.gov.uk](mailto:kathy.wagg@west-norfolk.gov.uk)

**INDEX OF APPLICATIONS  
TO BE DETERMINED BY THE PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY  
Insert Date  
3 October 2022**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
<b>8/1</b>	<b>MAJOR DEVELOPEMNTS</b>			
<b>8/1(a)</b>	<b>22/00704/FM</b> Land At Sedgeford Hall Estate Fring Road Construction and operation of a solar farm comprising an array of ground-mounted solar photovoltaic ("PV") panels and containerised batteries and associated infrastructure	<b>SEDFORD SNETTISHAM</b>	<b>APPROVE</b>	<b>7</b>
<b>8/2</b>	<b>OTHER APPLICATIONS/APPLICATIONS REQUIRIN REFERENCE TO THE COMMITTEE</b>			
<b>8/2(a)</b>	<b>22/00495/O</b> Pal-Mar Chapel Lane OUTLINE APPLICATION: Residential development ( including access)	<b>EMNETH</b>	<b>APPROVE</b>	<b>34</b>
<b>8/2(b)</b>	<b>21/01610/F</b> 6 Kenwood Road Proposed dwelling followign sub-division.	<b>HEACHAM</b>	<b>APPROVE</b>	<b>50</b>
<b>8/2(c)</b>	<b>21/01750/F</b> Land Rear of Waterworks House The Street Development of 2 dwellings	<b>MARHAM</b>	<b>APPROVE</b>	<b>60</b>
<b>8/2(d)</b>	<b>22/01044/F</b> Westfield Gardens 81 Market Lane Retrospective replacement of a front fence with 6ft 6 high of wooden boarding with concrete posts and proposed replacement of front driveway entrance with fence.	<b>TERRINGTON ST CLEMENT</b>	<b>REFUSE</b>	<b>77</b>

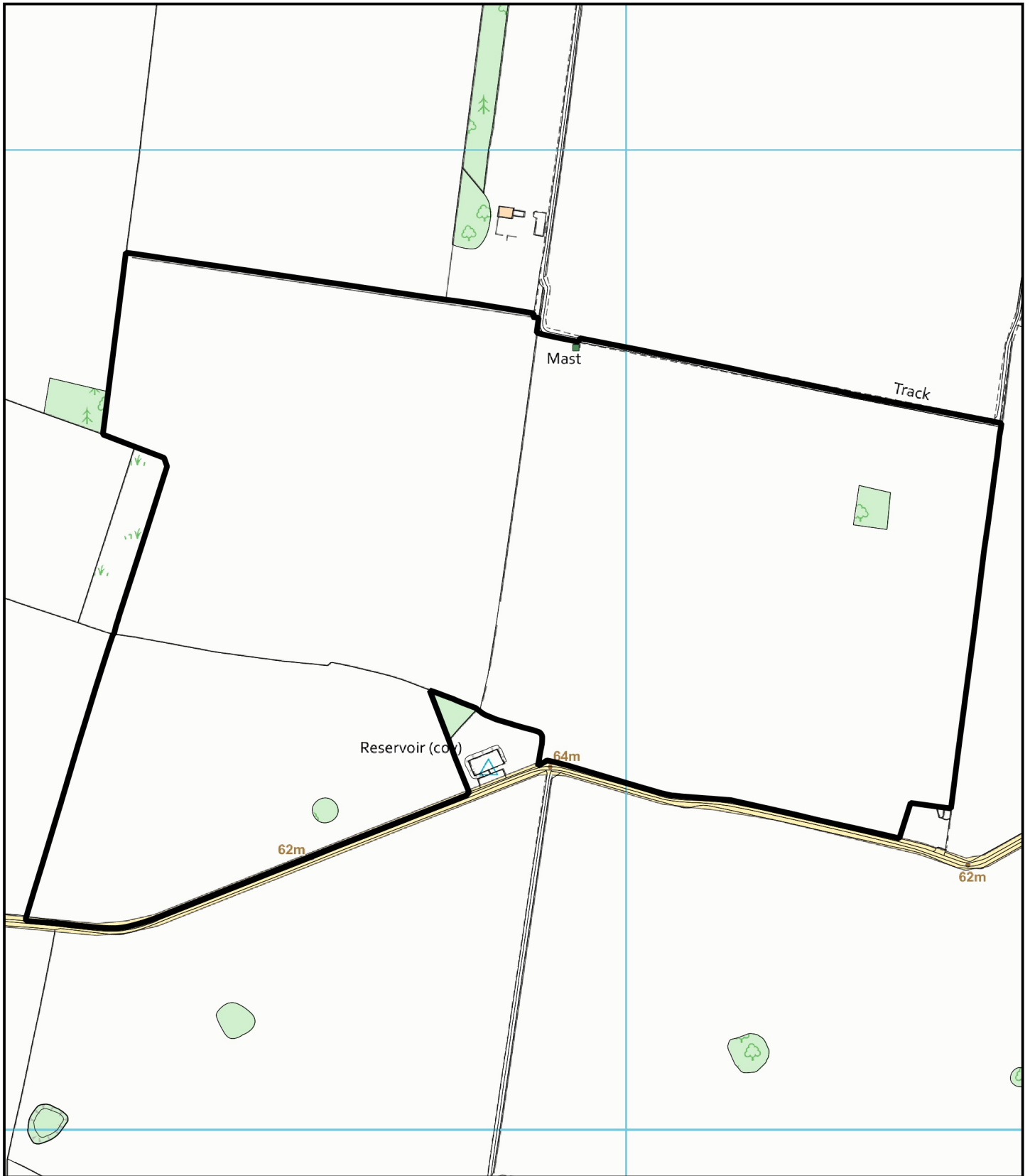
# 22/00704/FM

## Land at Sedgeford Hall Estate Fring Road Sedgeford



# 22/00704/FM

Land at Sedgeford Hall Estate Fring Road Sedgeford





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

<b>Parish:</b>	<b>Sedgeford Snettisham</b>	
<b>Proposal:</b>	<b>Construction and operation of a solar farm comprising an array of ground-mounted solar photovoltaic ("PV") panels and containerised batteries and associated infrastructure</b>	
<b>Location:</b>	<b>Land At Sedgeford Hall Estate Fring Road Sedgeford</b>	
<b>Applicant:</b>	<b>Regener8 Power Ltd</b>	
<b>Case No:</b>	<b>22/00704/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 18 August 2022 Extension of Time Expiry Date: 7 October 2022</b>

**Reason for Referral to Planning Committee** – Operational Area of Site Exceeds 1ha and Called in by Cllr Parish.

**Neighbourhood Plan:** YES

**Case Summary**

Full planning permission is sought for a 21 Megawatt (MW) solar farm with battery storage capacity of 10MWh hours (MWh) comprising approximately 31,800 ground-mounted solar photovoltaic panels and associated infrastructure.

The site comprises approximately 44.6ha of Grade 3b agricultural land north of Fring Road within the Parishes of Sedgeford and Snettisham. The site lies approximately 1.2km west of Fring, 1.65km south of Sedgeford and 2.6km to the east of Snettisham.

The current land use is mainly crop cultivation while the southwestern field contains free range pigs.

A separate parcel of land within the applicant's ownership to the west of the northern field is proposed to be a field managed for farmland birds.

Access to the site would be taken via a new junction off Fring Road which forms the southern boundary of the site. Vehicles would approach the site from the southeast from the A148 via Great Bircham.

The site falls within both the parishes of Sedgeford and Snettisham, both of which have Neighbourhood Plans, and incorporates three medium sized fields which are predominantly enclosed by hedges with occasional hedgerow trees. Agricultural fields surround the site on all sides with very few buildings outside of the nearby settlements of Sedgeford, Snettisham, Sherbourne and Fring.

The construction phase of the development would be approximately 6 months, with the lifetime of the development expected to be 40 years from the first export of electricity.

The site is not subject to any landscape designations. However, the site is located 215m southeast of the Norfolk Coast Area of Outstanding Natural Beauty (AONB) at its nearest points and 1.1km northwest of a schedule monument (Romano-British villa 400m west of White House.)

The development is EIA development. The development was screened and scoped under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in September / November 2000 as it falls under Section 3 'Energy Industry' of Schedule 2 as an 'industrial installation used for the production of electricity' where the site size exceeds 0.5ha.

The application has therefore been accompanied by an Environmental Statement (ES) in line with the Scoping Opinion that concluded the scope of the ES is limited to landscape, visual and traffic impacts.

These impacts are therefore considered in the ES with other issues such as ecology, glint and glare, archaeology and heritage and flood risk addressed in separate technical reports that accompanied the application.

### **Key Issues**

Principle of Development including EIA  
Landscape / Visual Amenity  
Access, Transport and Traffic  
Ecology  
Historic Environment  
Hydrology and Flood Risk  
Noise and Vibration  
Glint and Glare  
Crime and Disorder  
Other Material Considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

Full planning permission is sought for a 21 Megawatt (MW) solar farm with battery storage capacity of 10MW hours (MWh) comprising approximately 31,800 ground-mounted solar photovoltaic panels and associated infrastructure comprising:

- Seven Transformers / Central Inverters – Base on which both are to be placed measures 6.9m long x 3.8m wide. The structures on the base measure 3m long x 2.3m wide x 2.3m high (including plinth) and 3.7m long x 2.1m wide 2.3m high (including plinth) and 2m long x 1.5m wide x 2.1m high (including plinth)
- Customer Cabin measuring 12m long x 4.5m wide x 2.6m high (including plinth)
- DNO building (to house equipment owned by the electrical grid operator) measuring 7.5m long x 2.8m wide x 3.3m high
- DC /DC Converter measuring 6.1m long x 2.5m wide x 2.6m high (including plinth)
- Battery storage containers – up to 12.2m long x 2.5m wide x 3m high
- 2m high perimeter (deer) security fence with c.13 mammal gates
- Gate height 2m with a width of 5m

- CCTV cameras located on 2.5m high poles
- Access tracks with a typical width of 4m comprising 0.3m deep clean limestone base (0.15m below ground; 0.15m above ground) and 0.10m crushed limestone atop. 1% fall either side of centre point for drainage
- Construction compound comprising security booth, fuel station, site office, generators, owner office, toilet, contractor office, 4 x waste skips, canteen, 2 x day rooms, HGV turning area, 51.m2 unloading area, 3.705m2 storage area and 15 parking spaces.

The panels would be dark in hue with each string (row) of panels being mounted on a rack comprising metal poles anchored to the ground via concrete footings or shallow piles. Panels will be tilted between 10 to 25 degrees from the horizontal facing south. There will be a distance of between 2 to 6 metres between strings of panels in order to avoid inter-panel shading with the distance being influenced by slope and aspect.

The panels would be mounted approximately 0.8m from the ground at the lowest point (the southern edge) rising to approximately 2.6m at the highest point (the northern edge.) No panel would exceed 3m above ground.

The export capacity of the development would not exceed 21 Megawatts (MW) whilst the battery storage capacity would be 10MW hours (MWh.) It is suggested that the solar farm would generate approximately 18,000MWh per year (MWh/yr) which would meet the annual electricity demand of approximately 3,500 homes in the Borough of King's Lynn & West Norfolk (based on household mean annual electricity consumption in the Borough.)

Once operational there will be minimal activity, with the site predominately being monitored remotely.

## **SUPPORTING CASE**

None received.

## **PLANNING HISTORY**

There is no relevant planning history.

## **RESPONSE TO CONSULTATION**

**Snettisham Parish Council:** None received at time of writing report.

**Sedgeford Parish Council:** **NO OBJECTION** After a full discussion, Councillors thought there was a fine balance of arguments for and against this application. Like CPRE Norfolk, we support solar generation of electricity, but we also maintain that provision of basic foods, including grains and potatoes has become increasingly important

However, while we would generally like to see solar panels fitted on commercial roof-spaces rather than on fields which could be used to grow crops, we acknowledge that this particular site is fairly well screened and that the electricity produced could be fed into the National Grid relatively easily.

We do have some concerns about the infrastructure associated with the site and about any visual impact this might have and also about the disruption to local traffic during the construction phase.

We trust that the next review of the Borough Council's Local Plan will give greater priority to food production and to the conservation of the countryside for wildlife and limit the areas where large-scale solar arrays can be sited.

**Highways Authority: NO OBJECTION** Thank you for the consultation received recently relating to the above development proposal which seeks to erect a solar farm on land served by a new access from the narrow unclassified U22125 Fring Road.

Having reviewed the revised Transport Management Plan (TMP), which addresses the left-hand turn onto Fring Road, from Sherbourne road and revises the routing to use St Thomas's Lane for part of the return leg, I am now able to comment as follows:-

The storage battery element of this application is to be installed at a later stage. Whilst I concur that the same routing would function, it would be likely that a new Temporary Traffic Regulation Order (TTRO) will be required if the batteries are to be installed post construction, dependent upon the number of deliveries to be made at that time.

The solar farm would only generate increased levels of traffic during its construction phase with the movements taken over the agreed route for the duration of construction period. Once completed, is unlikely to affect the free flow of traffic or generate additional vehicular movements, and accordingly I am able to comment that Norfolk County Council does not wish to raise any objection. However, I would seek conditions relating to access provision, access gates and construction parking and construction traffic management be appended to any permission granted.

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

**Norfolk Coast Partnership: NO OBJECTION** The site lies outside the AONB but in the setting of the designation. Therefore, policy NPPF 176 still applies in this case: 'development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'.

We would agree with the observations of the Parish Council and CPRE that renewable schemes need to be carefully considered in the Local Plan so as not to cause adverse landscape impact or unnecessary loss of agricultural land.

In this instance, whilst there may be some localised visual disturbance to the AONB, my opinion is that it is not enough for the special qualities to be compromised. We would fully support conditioning of the landscape strategy which through tree and hedge planting, the wildflower planting and ecological improvements for birds, mammals and invertebrates will create more opportunities for ecological networks in this farmed landscape.

It has been stated that there will be no lighting on site other than during construction. We would like this agreed in a condition to protect the AONB dark skies.

**PROW: NO OBJECTION** We have no objections on Public Rights of Way grounds as there are none in the vicinity. The Peddars Way long-distance trail is situated to the east of the proposed development site however, the existing terrain and vegetation will provide screening so will not be affected by the proposals.

**Historic England: NO OBJECTION** Based on the available information we consider that the proposed development would not have any significant adverse impact on the settings of the designated heritage assets in the surrounding landscape (including the 'Romano- British villa 400m west of White House' scheduled monument, the Fring Conservation Area and the Grade II\* listed Church of All Saints which are located approximately 1.1km to its east.

We suggest that you seek the views of your specialist conservation and archaeological advisers.

**Conservation Officer: NO OBJECTION** It cannot be seen clearly from any direction, but excellent landscaping and boundary treatments will be essential.

**Historic Environment Service: NO OBJECTION** We note that an archaeological desk-based assessment and geophysical survey report has been submitted with this application. In broad terms we concur with the conclusion of the desk-based assessment. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would 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 (2021), Section 16: Conserving and enhancing the historic environment, para. 205 to be secured by condition.

**CSNN: NO OBJECTION** Given the rural location of the proposal we have no concerns in relation to the operational phase of the proposal.

For the construction phase, anticipated to last up to six months, there will be noise associated with construction, delivery and contractor vehicle movements. I am therefore keen to limit, via planning conditions, the site hours and delivery hours. Page 12, section 2.4.2.2 'Working Hours' of the Environmental Statement advises hours are likely to be between 07:30am and 6:00pm Monday to Friday, and 07:30am until 4:00pm on Saturdays. Page 6 of the Outline CTMP, section 5.5 'Delivery Times' states these "will typically be between 8:00am and 6:00pm Monday to Friday...if work and deliveries do need to be carried out at the weekend, this will be limited only between 9:00am and 1:00pm, with no deliveries on Sundays or public holidays." We request Saturday site hours to be in line with the Saturday delivery times.

Page 12, section 2.4.2.2 'Working Hours' of the Environmental Statement states, in paragraph two, that some work lighting may be required to facilitate construction. Noting the completed site will have around 35 CCTV points, and as access will be required for inspection of the site during the operational phase, it reasonable to expect external lighting will be required. I strongly recommend that all lighting is angled downwards and not mounted higher than 3m, and that this is conditioned to enable the NCP and other relevant bodies to assess the impact on the wider setting.

I note that the underground grid connection cable will be the subject of a separate application at which time I would wish to comment on mitigation to protect residents from noise, dust and lighting during excavation / installation.

**Internal Drainage Board: NO OBJECTION** Our original comments (ref: 22\_06522\_P, 18/05/2022) recommend that any proposal wishing to use infiltration for the discharge of surface water is supported by testing in line with BRE365 standards, in order to promote sustainable development within the watershed of the Board's Internal Drainage District

(IDD), therefore ensuring that flood risk is not increased (required as per paragraph 167 of the National Planning Policy Framework).

However, while the IDB take an interest in planning applications near to the Internal Drainage District (IDD), we would defer to the LLFA, and support their position.

### **LLFA: NO OBJECTION**

**Environment Agency: NO OBJECTION** We have reviewed the information submitted and have no comment to make on this application.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** The applicant has provided a design and access statement and site layout detailing the locations of structures and providing information on the site. We have reviewed our files and the site is on land that has been undeveloped for the duration of our records. The surrounding landscape is largely agricultural. No potential sources of contamination are identified in our records, or in the information provided by the applicant. Therefore, we have no objection regarding contaminated land.

**Norfolk Fire and Rescue Service (NFRS): NO OBJECTION** Although I do not propose to raise any objections at this stage, providing the proposal meets the necessary requirements of the current Building Regulations 2010 – Approved Document B (volume 2 – 2019 edition) as administered by the Building Control Authority, I would like to ensure Planning are aware of the following:

Whilst Norfolk Fire and Rescue Service (NFRS) are not a statutory consultee in relation to this project we will work and engage with the developer as this project develops to ensure it complies with the statutory responsibilities that we enforce.

The developer should produce a risk reduction strategy as the responsible person for the scheme as stated in the Regulatory Reform (Fire Safety) Order 2005. We would also expect that safety measures and risk mitigation is developed in collaboration with the Service.

The strategy should cover the construction, operational and decommissioning phases of the project.

NFRS recognises the use of batteries (including lithium-ion) as Energy Storage Systems (ESS) is a new and emerging practice in the global renewable energy sector. As with all new and emerging practices within UK industry the Service would like to work with the developers to better understand any risks that may be posed and develop strategies and procedures to mitigate these risks.

The developer must ensure the risk of fire is minimised by:

- Procuring components and using construction techniques which comply with all relevant legislation
- Including automatic fire detection systems in the development design
- Including automatic fire suppression systems in the development design. Various types of suppression systems are available, but the Service's preferred system would be a water drenching system as fires involving Lithium-ion batteries have the potential for thermal runaway. Other systems would be less effective in preventing reignition
- Including redundancy in the design to provide multiple layers of protection
- Designing the development to contain and restrict the spread of fire through the use of fire-resistant materials, and adequate separation between elements of the BESS

- Developing an emergency response plan with NFRS to minimise the impact of an incident during construction, operation and decommissioning of the facility, and
- Ensuring the BESS is located away from residential areas. Prevailing wind directions should be factored into the location of the BESS to minimise the impact of a fire involving lithium-ion batteries due to the toxic fumes produced.

The emergency response plan should include details of the hazards associated with lithium-ion batteries, isolation of electrical sources to enable firefighting activities, measures to extinguish or cool batteries involved in fire, management of toxic or flammable gases, minimise the environmental impact of an incident, containment of fire water run-off, handling and responsibility for disposal of damaged batteries, establishment of regular onsite training exercises.

The emergency response plan should be maintained and regularly reviewed by the occupier and any material changes notified to NFRS.

The BESS facilities should be designed to provide:

- Adequate separation between containers
- Provide adequate thermal barriers between switch gear and batteries
- Install adequate ventilation or an air conditioning system to control the temperature
- Ventilation is important since batteries will continue to generate flammable gas as long as they are hot. Also, carbon monoxide will be generated until the batteries are completely cooled through to their core
- Install a very early warning fire detection system, such as aspirating smoke detection
- Install carbon monoxide (CO) detection within the BESS containers
- Install sprinkler protection within BESS containers. The sprinkler system should be designed to adequately contain and extinguish a fire
- Ensure that sufficient water is available for manual firefighting. An external fire hydrant should be located in close proximity of the BESS containers. The water supply should be able to provide a minimum of 1,900 l/min for at least 2 hours. Further hydrants should be strategically located across the development. These should be tested and regularly serviced by the operator, and
- The site design should include a safe access route for fire appliances to manoeuvre within the site (including turning circles). An alternative access point and approach route should be provided and maintained to enable appliances to approach from an up-wind direction.

These concerns should be dealt with by condition.

**Arboricultural Officer: NO OBJECTION** I have looked at the above and I can confirm that I have no objections. Please condition the Landscape Strategy, drawing number: edp6676\_d020f.

**National Air Traffic Services (NATS): NO OBJECTION** The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En-Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en-route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

**Norwich Airport: NO OBJECTION** The planning application has been considered, and we find that provided it is in accordance with the plans attached to the application, Norwich Airport would offer no aerodrome safeguarding objections to the application.

**CPRE: OBJECT** Whilst CPRE Norfolk generally supports solar generation of electricity, this needs to be weighed against any harms, so that the benefits can be justified. CPRE Norfolk fully acknowledges and supports the need for solar energy generation, but this should not be sited on food-producing, attractive countryside. In this case we feel that this is not the case due to the following reasons:

- The application includes construction of an amount of infrastructure as well as the solar arrays. This amounts to new development which is outside any settlement boundary. We contend this is contrary to policy CS06, Development in Rural Areas (Core Strategy, 2011) as the application would not “protect the countryside for its intrinsic character and beauty”. Moreover, it would adversely affect the surrounding area and would not be in accordance with Policy CS10 regarding farm diversification schemes. This is because the development would not be “appropriate in size and scale to the local area” and it would be “detrimental to the local environment”.
- National Planning Policy Framework (NPPF, July 2021) paragraph 120b) states that ‘planning policies and decisions should recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production’. CPRE Norfolk is concerned that through providing solar energy this land is then largely lost to food production commensurate with the area and quality of land involved. The cumulative effect of increasing numbers of solar farms in the area should be recognised, as increasing amounts of land used for food production is being lost.
- It is disappointing that the adopted Local Plan does not identify suitable areas for renewable and low carbon energy sources, in line with the recommendation in NPPF para. 155b, as this could avoid the increasing number of unregulated applications for solar farms across rural landscapes in the plan area. Hopefully this will be rectified during a Local Plan Review.
- In particular, research shows there are 250,000 hectares of existing south-facing commercial roof-space in the UK, sufficient to provide approximately 50% of our energy needs. In addition, other suitable brownfield and domestic sites are much more appropriate locations for solar energy generation than productive and attractive agricultural land.
- The proposal does not recognise ‘the intrinsic character and beauty of the countryside’ as required by NPPF para. 174b. The proposal would alter the intrinsic character of the countryside through the imposition of solar arrays and several alien structures.
- The proposed site would have a harmful impact on the setting of the Norfolk Coast AONB, which lies approximately 215 m to the northwest of the site.

## REPRESENTATIONS

None received at time of writing report.



## **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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM20** - Renewable Energy

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy NP05** – Materials and Design

**Policy NP08** - Heritage

**Policy NP09** – Natural Environment

**Policy E5:** Conservation Area and buildings of historical interest

**Policy E6:** Dark Skies

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

The main issues for consideration in the determination of this application are:

- Principle of Development and EIA
- Landscape / Visual Amenity
- Access, Transport and Traffic
- Ecology
- Historic Environment

- Hydrology and Flood Risk
- Noise and Vibration
- Glint and Glare
- Crime and Disorder
- Other Material Considerations

### **Principle of Development and EIA**

Renewable Energy is supported at both national and local level with Planning Practice Guidance (PPG) stating that planning has an important role in the delivery of new renewable and low carbon energy infrastructure.

The PPG makes it clear that in relation to ground-mounted solar photovoltaic farms the main issues for consideration are visual impact (the effect of the development on the landscape) and impacts from potential glint and glare.

The applicant has stated that the site was picked, after a feasibility exercise to assess site suitability, on the findings of:

- Solar irradiation levels
- Proximity to an existing grid connection with capacity to accept the development
- Separation from local population
- Topography
- Field size / shape
- Access to the site for construction
- Agricultural Land Classification
- Absence of nature conservation designations
- Located within flood zone 1
- Potential for a commercial / land agreement with the landowner

Both National and local planning policy and guidance seek to retain the countryside for its amenity value, intrinsic character and beauty and agricultural provision.

Paragraph 174 of the NPPF, 2021 states *Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland...*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans, and ...*

Core Strategy policy CS01 seeks to *protect the countryside beyond the villages for its intrinsic character and beauty, the diversity of its historic environment; landscapes; geodiversity and biodiversity...*

Core Strategy policy CS06 expanding upon this by stating that *Beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs.*

However, national and local planning policy and guidance also places significant importance on renewable energy and the need to cut greenhouse gas emissions.

Paragraph 155 of the NPPF states *To help increase the use and supply of renewable and low carbon energy and heat, plans should:*

- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts)*
- b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development, and*
- c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.*

Paragraph 158 states *When determining planning applications for renewable and low carbon development, local planning authorities should:*

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
- b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.*

Core Strategy policy CS08 states that *The Council and its partners will support and encourage the generation of energy from renewable sources. These will be permitted unless there are unacceptable locational or other impacts that could not be outweighed by wider environmental, social, economic and other benefits.*

*Renewable projects should be assessed accordingly (where necessary by project level Habitat Regulation Assessment) to ensure minimal ecological impact and should undergo a detailed cumulative impact assessment.*

The Site Allocations and Development Management Policies Plan (SADMPP) policy DM02 acknowledges that some development may be required outside of the development boundaries within countryside stating *The areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan, including...*

- *renewable energy generation (under Policy DM20 of the rural economy or to this Plan)*

SADMPP policy DM20 states *Proposals for renewable energy (other than proposals for wind energy development) and associated infrastructure, including the landward infrastructure for offshore renewable schemes, will be assessed to determine whether or not the benefits they*

*bring in terms of the energy generated are outweighed by the impacts, either individually or cumulatively, upon:*

- *Sites of international, national or local nature or landscape conservation importance, whether directly or indirectly, such as the Norfolk Coast Area of Outstanding Natural Beauty (AONB), Sites of Special Scientific Interest (SSSIs) and Ramsar Sites*
- *The surrounding landscape and townscape*
- *Designated and non-designated heritage assets, including the setting of assets; ecological interests (species and habitats)*
- *Amenity (in terms of noise, overbearing relationship, air quality and light pollution)*
- *Contaminated land*
- *Water courses (in terms of pollution)*
- *Public safety (including footpaths, bridleways and other non-vehicular rights of way in addition to vehicular highways as well as local, informal pathway networks), and*
- *Tourism and other economic activity.*

*In addition to the consideration of the above factors, the Borough Council will seek to resist proposals where:*

- a) There is a significant loss of agricultural land; or*
- b) Where land in the best and most versatile grades of agricultural land (grades 1, 2 and 3a) are proposed to be used.*

*Development may be permitted where any adverse impacts can be satisfactorily mitigated against and such mitigation can be secured either by planning condition or by legal agreement.*

As such there is conflict between these two overarching aims (protection of the countryside / AONB and provision of renewable energy), and a balance is required, but the principle of the development can be supported.

The application was accompanied by an Environmental Statement (ES). The ES is the documented outcome of the Environmental Impact Assessment (EIA) process which is undertaken to identify and assess the likely significant effects of a proposed development on the environment and to identify measures to mitigate or manage significant adverse effects.

The ES has been prepared following provision of a Screening Opinion from the Local Planning Authority (LPA). The Screening Opinion concluded that the development had the potential to have a significant impact on the landscape character of the Norfolk Coast Area of Outstanding Natural Beauty (AONB) which lies approximately 650m north / northwest of the site. In addition, it was also noted that the amount of equipment to be delivered to the site could have the potential for there to be short-term significant impacts on the local road network and wider population.

Consequently, the ES covers landscape / visual amenity and traffic / transport effects arising from the development.

### **Landscape / Visual Amenity**

A Landscape and Visual Impact Assessment (LVIA) was undertaken as part of the ES. The LVIA contained ten photo-viewpoints and photomontages were created for six of the ten viewpoints.

The site is not within any nationally or locally designated protected landscape areas, although the Norfolk Coast Area of Outstanding Natural Beauty (AONB) is located to the

north / northwest of the site. There are also heritage designations including Conservation Areas, one Scheduled Monument and Listed Buildings within 2km of the Site.

No part of the site is located within ecological designations, and the land within the site is used for agriculture which has minimal biodiversity value, with the greatest biodiversity value around the boundaries. There are only occasional trees within the field boundary hedges of the site and within small copses within or adjacent to the site.

There are no Public Rights of Way (PRoWs) across or adjacent to the site, although there is a network within 2km of the site including the Norfolk Coast Path National Trail and Peddars Way.

The site is classified as National Character Area 76: North West Norfolk, which broadly comprises an open, rolling, plateau arable area accentuated by the large geometric field pattern of the 18th Century, and offering frequent long views. On a more localised level, the King's Lynn and West Norfolk Borough Landscape Character Assessment classifies the site within Landscape Character Type (LCA) J2: Bircham and I5: Sedgeford. LCA J2 is dominated by a mixture of gently undulating arable farmland (relatively large fields with hedgerows and trees marking field boundaries) and parkland, interspersed with small settlements, and generally having open views across the arable farmland. LCA I5 is characterised by steep valley sides surrounding the Heacham River, leading up to a flat plateaux with large arable fields with low flailed or trimmed gappy hedgerows (with the site located in the latter), and having open and panoramic views framed by the topography of the land.

The site itself comprises fields which are predominantly enclosed by hedges, which are gappy and thin in places, and occasionally contain hedgerow trees.

The rural character of the land is interrupted by a covered reservoir and security fencing between the two southern fields and a mast located in the centre of the northern boundary.

The visibility of the site to the wider area is limited by topography and vegetation.

During construction a significant change of land use will occur, from agricultural fields to a solar farm which will result in a change to its visual character and introduce noise, movement and light associated with construction activities. These effects will however be tempered by the existing vegetation, topography and detractors in the environment as mentioned above.

During operation, beyond retaining and enhancing existing vegetation features on site, the ES states that the development will be designed to reinstate and create new planting that will integrate with, and make a positive contribution to, the characteristic landscape fabric and biodiversity of the site. This effect will increase as the vegetation matures, and therefore the impact of the development will lesson over time.

The ES concluded that the impact of the development on the Landscape Character Areas (LCAs) will be limited both during the construction and operational phases, as the site represents only a small proportion of the LCAs and there will be no impacts beyond the site. The ES concludes that the impact of the development on the LCAs will not be significant.

The ES also suggests that there are no noticeable effects on the setting of the AONB due primarily to the visual containment of the site, and therefore the impact of the development on the setting of the AONB is not significant. This has been confirmed by both Natural England and the Norfolk Coast Partnership neither of whom object to the proposed development on the basis of its impact on the AONB (or any other designated area) although

it is acknowledged that CPRE, a non-statutory consultee, do object on the basis of the impact of the development on the AONB.

Likewise, due to intervening vegetation and localised topography there is only limited intervisibility between the site and publicly accessible routes (PRoWs, public roads, etc.) The ES individually assessed these receptors and concluded that for all of them the development was deemed not to have a not significant visual impact at any point during the development's lifetime. This is confirmed by the PROW officer's comments in relation to the limited impact on Peddars Way.

The magnitude of the effect is likely to be higher during construction and year 1 of operation, when mitigation planting is new and relatively ineffectual, but as these effects are indirect, temporary, and short-term in the case of the construction, these ES concludes these effects are not significant.

Mitigation will primarily comprise the planting of vegetation to compensate loss and enhance screening, landscape fabric, and biodiversity, such as enhancing existing hedgerows through gapping up and thickening and planting new areas of woodland at the site boundaries.

Following mitigation, the ES suggests that the only significant residual effects will be on the landscape character of the site itself, due to the land use change from agricultural fields to a solar farm. This is inevitable and unavoidable, as clearly any change of use of any greenfield site to a solar development will result in a significant change to its character. However, the ES concludes that this level of effect should not be at the detriment to the enjoyment and appreciation of the wide landscape.

It is your officers view that the development would ensure the retention, enhancement, and long-term management of a substantial majority of existing characteristic landscape elements that contribute to the landscape character e.g. hedgerows and trees. Enhancement and addition of elements such as wildflower and grass mix planting and a small area of field to the west to be managed for farmland birds will contribute positively to the character and biodiversity of the area into the long term.

Therefore, while the solar farm is reversible and will be decommissioned after c.40 years, the proposed mitigation could predominantly remain and hence those beneficial effects could continue long into the future even when the development is no longer present.

The visual containment of the site and existing vegetation that will be retained and reinforced as detailed on the Landscape Strategy Plan, that will be conditioned if permission is granted, together with its temporary nature, suggests that the visual impact of the proposed development would be localised and not sufficient enough to warrant refusal especially when balanced against the benefits of the development itself in terms of renewal energy.

It is therefore considered that the proposal complies with the NPPF in general and specifically to paragraphs 174 and 176 of the NPPF, Development Plan Policies CS06, CS07, CS08, CS12 and DM15, Snettisham Neighbourhood Plan Policy NP09 and King's Lynn & West Norfolk Borough Landscape Character Assessment, 2007.

## **Access, Transport and Traffic**

In relation to access, transport and traffic, the ES was informed by assessments relating to:

- Traffic generation
- Accidents and safety

- Driver delay
- Pedestrian and cyclist amenity
- Severance (the perceived division that can occur within a community when it becomes separated by a major traffic artery)
- Noise and vibration
- Hazardous loads
- Pedestrian delay
- Visual effects and
- Air quality.

Access to the site will be via a new access off Fring Road which forms the southern boundary of the site.

Fring Road is a single-track road which passes from the C88 Road to the east to the C89 Sedgeford Road to the west. The road is less than 5m in width along most of its length. The ES states that swept path analysis was undertaken for this road which indicated that it is not possible for two opposing HGVs to pass each other, or for a car to pass an HGV. Therefore, this route is not suitable for two-way construction traffic.

In order to prevent the risk of obstruction of these routes due to construction traffic, it is proposed to implement a temporary one-way system on Fring Road between the C88 Road and the C89 Sedgeford Road as follows:

- Construction vehicles will approach the site access junction from the east via the C88 Road and travel westbound on Fring Road towards the site entrance
- Construction vehicles will egress the site onto Fring Road and turn right and travel westbound towards the C86 Bircham Road via the C89 Sedgeford Road and St Thomas's Lane
- A temporary overrun area will have to be constructed on the C88 Road to facilitate the left turn movement onto Fring Road.

Full details of the construction traffic route from the A148 are as follows:

- Exit the A148 onto the B1153 towards Great Bircham Village
- Continue on the B1153 northbound for 8km until reaching Gt Bircham
- Turn left onto C86 Bircham Road (Snettisham Rd) towards Snettisham Village
- Continue westbound for approximately 5km until its junction with the C88 Road
- Turn right onto the C88 Road and continue northbound for approximately 1.4km
- Turn left onto Fring Road
- Continue westbound for approximately 1.25km to site entrance.

All construction vehicles departing the site will travel westbound on Fring Road, turn left onto the C89 Sedgeford Road, turn left onto St Thomas Land and then left on the C86 Bircham Road before continuing eastbound towards Gt Bircham.

The Local Highway Authority has confirmed it is happy with the proposed route in terms of highway safety. Construction Management, including construction routes, will be conditioned if permission is granted.

Construction materials and equipment will be delivered to site using standard Heavy Goods Vehicles (HGVs) and Large Goods Vehicles (LGVs). The ES states that abnormal loads are not required for the construction of the development but that it is anticipated that, to assist in the unloading of the larger delivery vehicles and on-site assembly, a mobile crane will be required on site.

At the peak of construction, it is stated that 40 personnel will be on site each day. In order to minimise their impact on the local road network, the majority of staff will travel to and from the site in minibuses. It is expected that during the peak of construction that 4 minibuses will access the site each day. A further three or four vehicles for managerial staff and visitors can be expected each day.

It is estimated that a total of up to 5,956 two-way vehicle movements are expected to occur during construction, associated with the arrival and departure of staff and the delivery of construction materials.

The peak week of construction is expected to occur in month four or five where there are expected to be up to 1,491 two-way movements consisting of 1,296 car movements and 195 HGV movements.

The increase in overall traffic flow was identified to have one potentially significant effect on pedestrian amenity at several sensitive receptors along the route. In order to mitigate the potentially significant effect on pedestrian amenity, mitigation measures are recommended as follows:

- As far as reasonably possible deliveries would be scheduled outside of school opening and closing times; and
- Drivers of all delivery vehicles to be made aware during induction of the presence of schools, hospitals and other amenities within the settlements that construction traffic passes through.

The above measures are recommended along with a number of other traffic management procedures and mitigation measures including:

- Drivers of site and construction traffic vehicles will be aware of the approved route and contingency measures as explained during the induction period
- Drivers of HGVs will also be inducted, and good road practice will be made clear prior to any traffic movements
- Drivers of HGVs and other vehicles will be made aware that only the approved route is to be used and that access from non-approved routes is prohibited
- The contractor will be required to implement induction procedures and promote road safety and awareness and
- Where possible, arrangements will be made for site workers to share transport and minimise unnecessary traffic movements locally
- Temporary warning signage
- Banksmen will be present at the site access junction off Fring Road to ensure the road is not blocked with delivery vehicles and ensure vehicles associated with the development do not park on the public road
- Contingency Plan will be designed to provide additional safety in the event of unplanned circumstances such as transport delay or impedance of traffic through vehicle breakdown
- Delivery Times
- Wheel Washing
- Cleansing of public roads

The ES concludes that with the above mitigation measures being implemented for the duration of the construction period, the effect of increased traffic would be considered minor and not significant in terms of the EIA Regulations.

Traffic generated during the operation and maintenance of the development would be negligible in terms of existing traffic flows on the routes.



It is anticipated that a number of Temporary Traffic Regulation Orders (TTROs) will be required in order to implement the proposed measures. These will be developed by the Principal Contractor or their appointed traffic management sub-contractor and would be agreed in consultation with Norfolk County Council Highways department prior to the start of construction. However, these orders take place outside of the planning system.

The Local Highway Authority raise no objection to the development on the grounds of highway safety, subject to conditions.

It is therefore considered that the proposal complies with the NPPF in general and specifically to Paragraphs 104, 107, 111 and 113 and Development Plan Policy CS11.

## **Ecology**

An Ecological Appraisal (EA) accompanied the application. It incorporates the results of a desk study, an Extended Phase 1 Habitat Survey as well as roosting bat and badger surveys.

Five statutory designations within 10km of the site were identified, the closest of which is Snettisham Carstone Quarry Site of Special Scientific Interest (SSSI) located approximately 3.1km from the Site. Owing to the nature of the development proposals, the designation features of the SSSI, and geographical separation, there is not considered to be a risk of direct or indirect effects arising. Natural England has confirmed this in their consultation response.

The EA concludes that the habitats on-site are predominantly habitats of only limited nature conservation value, comprising mainly of large intensively managed arable fields.

In terms of protected species, the site has potential to support locally important farmland breeding bird. The boundary habitats have the potential to support other notable and protected species including commuting and foraging bats, badgers, brown hare, reptiles, amphibians and invertebrates.

The EA concludes that no further surveys or licenses are required and suggests general best practice measures in terms of developing the site. These measures, along with the Landscape Strategy that includes:

- retention of the vast majority of hedgerows, mature trees and woodland habitat
- gapping up of existing hedgerows
- new woodland and hedgerow planting
- wildflower and grass mix planting around the panels
- 2ha field to the west of the site set aside for managed farmland birds and
- Barn Owl Box
- 4x Bird Boxes
- 4x Bat Boxes
- 4x invertebrate features and
- mammal gates throughout the perimeter fencing, suggests that the development would not have a significant impact on protected species.

The EA also concludes that the enhancement of existing habitats, combined with new habitat creation, will deliver a variety of ecosystem services and deliver a biodiversity net gain which has been demonstrated by biodiversity impact assessment calculation.

It is proposed that such habitat creation, enhancement, and management measures as shown on the Landscape Strategy Plan are conditioned if permission is granted.

It is therefore considered that the development accords with the NPPF in general and specifically to paragraphs 179 and 180 of the NPPF, Development Plan Policies CS08, CS12, DM19 and DM20 and Snettisham Neighbourhood Plan Policy NP09.

## **Historic Environment**

An Archaeological and Heritage Assessment (AHA) was undertaken to evaluate the effects of the development on the archaeological and heritage assets within and adjacent to the site.

The AHA notes that the site does not contain any designated heritage assets and there are no Registered Battlefields, Registered Parks and Gardens, World Heritage Sites, scheduled monuments or conservation areas located within 1km of the Site.

The main designated heritage assets within 2km of the site are as follows:

- Sedgeford Hall and adjacent barn (Grade II) – 1.1km north
- Romano-British villa (Scheduled Monument) – 1.1km east
- Church of All Saints, Fring (Grade II\*) – 1.2km east within Fring Conservation Area
- Fring Conservation Area – 1.1km west
- Sedgeford Conservation Area – 1.2km north
- Snettisham Conservation Area – 2.3km west.

The AHA confirms that none of the identified heritage assets would experience changes to their setting that would affect their significance. This is confirmed by Historic England and the LPA's Conservation Officer's lack of objection.

With regard to archaeology, a geophysical survey was undertaken within the site to inform the assessment. In summary, the survey detected anomalies which enabled identification for the potential for large enclosures which, based on their morphology, suggested later prehistoric / Romano-British agricultural activity. Little evidence for more extensive settlement activity was identified.

The AHA states that whilst there is archaeological potential at the site, the evidence would not suggest this to be of more than local/regional value.

In terms of direct impacts from the proposed works, below-ground impact would be limited and localised, and highly likely to result in minimal intrusions rather than wholesale loss of archaeological features or deposits. Any impacts would also be tempered by the fact that any features or deposits present would have already experienced a degree of truncation through ploughing. This is supported by the comments from the Historic Environment Services and their requirement for archaeological investigations to be secured by condition.

It is therefore considered that the development complies with the NPPF in general and specifically to paragraphs 199-208 of the NPPF and Development Plan Policies CS06, CS08, CS12, DM15 and DM20, Snettisham Neighbourhood Plan Policies NP08 and Sedgeford Neighbourhood Plan Policy E5.

## **Hydrology and Flood Risk**

Whilst the site lies within Flood Zone 1, because it is greater than 1ha in size, a Flood Risk Assessment is required as per the requirements of the NPPF.

The FRA submitted with the application confirms that the site is located within Flood Zone 1 and that the risk of flooding from all potential sources is negligible.

Surface water and run-off at the site will be managed through the implementation of a surface water drainage regime. Given the limited amount of hardstanding proposed at ground level, superficial cover, runoff rates and infiltration potential will remain largely the same as the baseline. Permeable surfaces will be used for new access tracks and the proposed impermeable areas amount to 395m<sup>2</sup>, which makes up 0.09% of the total site area. Any increase in runoff rates associated with the impermeable areas will be therefore be negligible.

The solar PV arrays will have regular rainwater gaps to prevent water concentrating, and rainfall landing on the solar panels will drain through rainwater gaps and infiltrate into the ground beneath and between each row of panels. As mentioned above, the ground surrounding and between PV arrays will be planted with native species grassland and wildflower mix which will limit the potential of surface water to run across the surface and into the surrounding hydrological network in concentrated volumes.

Neither the IDB, LLFA or Environment Agency raise any objections to the findings of the FRA or surface water drainage regime as outlined.

It is therefore considered that the development will be safe for its lifetime and will not increase flood risk elsewhere and therefore complies with the NPPF in general and specifically to paragraphs 163 and 168 of the NPPF and Development Plan Policies CS01, CS08, CS12 and DM20.

### **Noise and Vibration**

Solar development does not typically generate a significant amount of noise or vibration outside of the construction period. The only component of the development which has the potential to give rise to noise impacts at receptors during the operational period is the substation.

The battery storage container will be located well over 0.5 of a mile from the nearest dwelling. Given the distance from residential properties, any noise impact from the substation would be negligible and it is not anticipated that the development would give rise to noise of a volume that would be audible from residential properties. This is supported by the lack of objection from the LPA's Community Safety and Neighbourhood Nuisance Team.

It is therefore considered that the development complies with the NPPF in general and specifically with paragraph 185 of the NPPF and Development Plan Policies CS08, DM15 and DM20.

### **Glint and Glare**

The Design and Access Statement states that a Glint and Glare Study (GGS) was undertaken to assess the potential impact of the development on surrounding road users and dwellings, as well as aviation.

'Glint' is defined as a momentary flash of bright light, while 'Glare' is defined as a continuous source of bright light.

The GGS states that previous studies have measured the intensity of reflections from solar panels with respect to other naturally occurring and manmade surfaces. The results show that the reflections produced are of intensity similar to or less than those produced from still water and significantly less than reflections from glass and steel.

The GSS also suggests that glint and glare effects can only occur when the weather is clear and sunny. When a solar reflection towards a road user or resident is possible, the individual will also be looking in the direction of the sun. This means the sun and solar reflection will be visible simultaneously. The sun is a significantly brighter source of light than a reflection from a solar panel.

The GGS concluded that no significant impacts upon any of the assessed ground-based receptors have been identified.

The National Air Traffic Services (NARS) and Norwich Airport have confirmed they have no objection in relation to air safety.

It is therefore considered that the development complies with the NPPF and NPPG in general.

### **Crime and Disorder**

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

### **Other Material Considerations**

In relation to the only objection to the proposed development, by CPRE, your officers respond as follows:

- The proposed development is contrary to policy CS06 as it is outside of the development and contrary to policy CS10 as it is not farm diversification or appropriate in size and scale to the local area and would be detrimental to the local environment – this is covered in the main body of the report under Principle of Development and Landscape / Visual Amenity
- Loss of agricultural land – whilst the development will result in the loss of agricultural land it is Grade 3b land and the policy proposal in the SADMPP allows for this type of development outside of agricultural grades 1-3a
- The Local Plan Review should identify suitable areas for renewable and low carbon energy sources – this is not a material planning consideration in the determination of this application
- Such development would be better located on commercial roof-space and brownfield land – the application has to be determined as submitted
- The proposal does not recognise ‘the intrinsic character and beauty of the countryside’ – covered in main body of report under Landscape / Visual Amenity
- The proposed site would have a harmful impact on the setting of the Norfolk Coast AONB - covered in main body of report under Landscape / Visual Amenity.

### **CONCLUSION**

The main considerations in the determination of this application are visual and landscape impacts, traffic and transportation impacts, loss of agricultural land, ecology and biodiversity, impacts on the historic environment, flood risk / hydrology, noise and vibration and glint and glare.

Such applications, that result in the loss of agricultural land and have the potential to have significant landscape and visual amenity and traffic and transportation impacts, require a balance to be made against the benefit of providing renewable energy.

It is noted that the agricultural land lost is grade 3b, and the policy on renewable energy proposals in the SADMPP allows for this type of development outside of agricultural grades 1-3a.

The Environmental Statement and other supporting information, together with comments from statutory consultees, suggests that the impacts of the development are limited and not significant and can be made acceptable by condition. Indeed, no objections have been received from statutory consultees, although the CPRE do object to the development.

It is of note that neither Natural England nor the Norfolk Coast Partnership raise objections in relation to the impact on the AONB, protected sites or other landscape designations. In relation to glint and glare, neither NATS nor Norwich Airport Safeguarding raises concerns or objections.

It is therefore considered, given the limited impacts of the proposed development, that are lessened by the fact that the development is reversible, and the short-term highway impacts that will be associated with the construction and decommissioning phases only, that the benefits of providing renewable energy outweigh any harm.

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

#### **RECOMMENDATION:**

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

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

4173-REP-012	Site Location Plan
4173_DR_P_0001 Rev.-	Site Entrance Junction
edp6676_d020f	Landscape Strategy
edp6676_d021b (x3)	Cross Sections
RNR1003-100 Rev.N	PV Layout
RNR1003-180 Rev.-	Construction Compound Layout
RNR1003-200 Rev.A	PV Array Details
RNR1003-202 Rev.-	Inverter Elevations
RNR1003-210 Rev.-	Customer Cabin Details
RNR1003-220 Rev.-	DNO Details
RNR1003-229 Rev.-	DC/DC Converter Details
RNR1003-230 Rev.-	Access Track Section Details
RNR1003-231 Rev.-	Fence & Gate Section Details
RNR1003-232 Rev.-	CCTV Pole Mounting Details
01SEDG-CDAMET-E1	Battery Container Details
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

- 3 Condition No development shall take place until an archaeological written scheme of investigation (WSI) 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.
- 3 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 4 Condition No development shall take place other than in accordance with the written scheme of investigation approved under condition 3 and any addenda to that WSI covering subsequent phases of mitigation.
- 4 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 5 Condition The development shall not be put into first use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 3 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 5 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 6 Condition Prior to the installation of any battery storage facility:
1. A Fire Safety Risk Reduction and Mitigation Strategy (FSRRMS) shall be submitted to and agreed in writing by the Local Planning Authority. The FSRRMS shall include the design, construction, installation, operation and decommissioning phases of the project. The agreed FSRRMS shall be complied with during all stages of the development.
  2. A Fire Safety Emergency Response Plan (FSERP) shall be submitted to and agreed in writing by the Local Planning Authority. The FSERP shall include site specific information regarding hazards, locations of hydrants and electronic isolators, measures to be taken during an incident and responses required post incident. The FSERP shall also include regular onsite training and familiarisation for operational fire service personnel. The site shall be construction, operated and decommissioned in accordance with the agreed plan.
  3. A Fire and Emergency Transport Strategy (FETS) shall be submitted to and agreed in writing by the Local Planning Authority. The FETS shall identify the construction and decommissioning road network and produce a strategy to mitigate conflict and prevent an increase in the potential number of traffic incidents along those routes. The construction and decommissioning phases of the development shall be carried out in accordance with the agreed strategy.

4. Details of automatic detection systems shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include an automatic fire, heat, smoke and gas detection system linked to an external alarm receiving centre and include redundancy in the design to provide multiple layers of protection. The systems must be capable of detecting off-gases in low concentrations, provide an early warning of an impending thermal runaway and trigger shutdown systems to electrically isolate the individual or bank / rack of battery cells and thus avoid thermal runaway occurring in a single cell. The development shall be constructed in accordance with the approved details and shall thereafter be maintained and retained as agreed.
5. Details of automatic fire suppression systems shall be submitted to and approved in writing by the LPA. The development shall be constructed in accordance with the approved details and shall thereafter be maintained and retained as agreed.
6. Details of ventilation and air conditioning systems to maintain the temperature of batteries and charging equipment within their recommended safe operating range shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and shall thereafter be maintained and retained as agreed.
7. Details shall be submitted to and agreed in writing by the Local Planning Authority of design features that will contain and restrict the spread of fire through the use of fire-resistant materials and adequate separation between elements of the BESS (battery storage.) The design must include a safe access route for fire appliances to manoeuvre within the site including turning circles. An alternative access point and approach route should be provided prior to any battery installation to enable appliances to approach from an up-wind direction if necessary. The development shall be constructed in accordance with the approved details and shall thereafter be retained and maintained as agreed.
- 6 Reason In order to minimise the impacts in the event of an emergency in accordance with the NPPF.
- 7 Condition Prior to the first use of the development hereby permitted a scheme for the provision and maintenance of fire hydrants shall be implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for an external fire hydrant in close proximity to the BESS (battery storage) containers with a water supply capable of providing a minimum of 1900 litres/min for at least 2 hours, and additional hydrants within the site. The development shall be constructed in accordance with the approved scheme and shall thereafter be maintained and retained as agreed.
- 7 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 8 Condition For the duration of the construction and decommissioning periods of the development hereby permitted all traffic associated with the construction / decommissioning of the development will comply with the Construction Traffic Management Plan, use only the 'Construction Traffic Access Route' as contained within the revised Outline Construction Traffic Management Plan dated July 2022 (Technical Appendix A5.1 to the ES), and park within the approved Construction Compound unless otherwise agreed in writing with the Local Planning Authority.
- 8 Reason In the interests of maintaining highway efficiency and safety in accordance with the NPPF and Development Plan.
- 9 Condition Prior to the first use of the development hereby permitted the vehicular access as shown on approved drawing no: 4173\_DR\_P\_0001 Rev.- shall be provided

with a minimum width of 4.5 metres and provided with kerb radii of 10 metres in accordance with the Norfolk County Council industrial access construction specification for the first 5 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

- 9 Reason To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement in accordance with the NPPF and Development Plan.
- 10 Condition Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 8 metres from the near channel edge of the adjacent carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.
- 10 Reason In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened.
- 11 Condition No deliveries shall be taken at or despatched from the site outside the hours of 08:00 and 18:00 on weekdays and 09:00 and 13:00 on Saturdays. There shall be no deliveries at any time on Sundays, Bank or Public Holidays.
- 11 Reason In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.
- 12 Condition Construction or development work on site shall only be carried out between the hours of 07:30 and 18:00 weekdays, and 09:00 - 13:00 on Saturdays, with no work allowed on Sundays and Bank/Public Holidays.
- 12 Reason In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.
- 13 Condition Prior to the installation of any external lighting associated with the operational development of the development hereby permitted, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation / angle of the luminaries, the spacing and height of the lighting columns, the extent/ levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 13 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and Development Plan.
- 14 Condition Prior to the first use of the development hereby permitted all landscape works shall be carried out in full accordance with the Landscape Strategy Plan (Figure 4.7), drawing no.edp6676\_d020f including ecological enhancements. 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

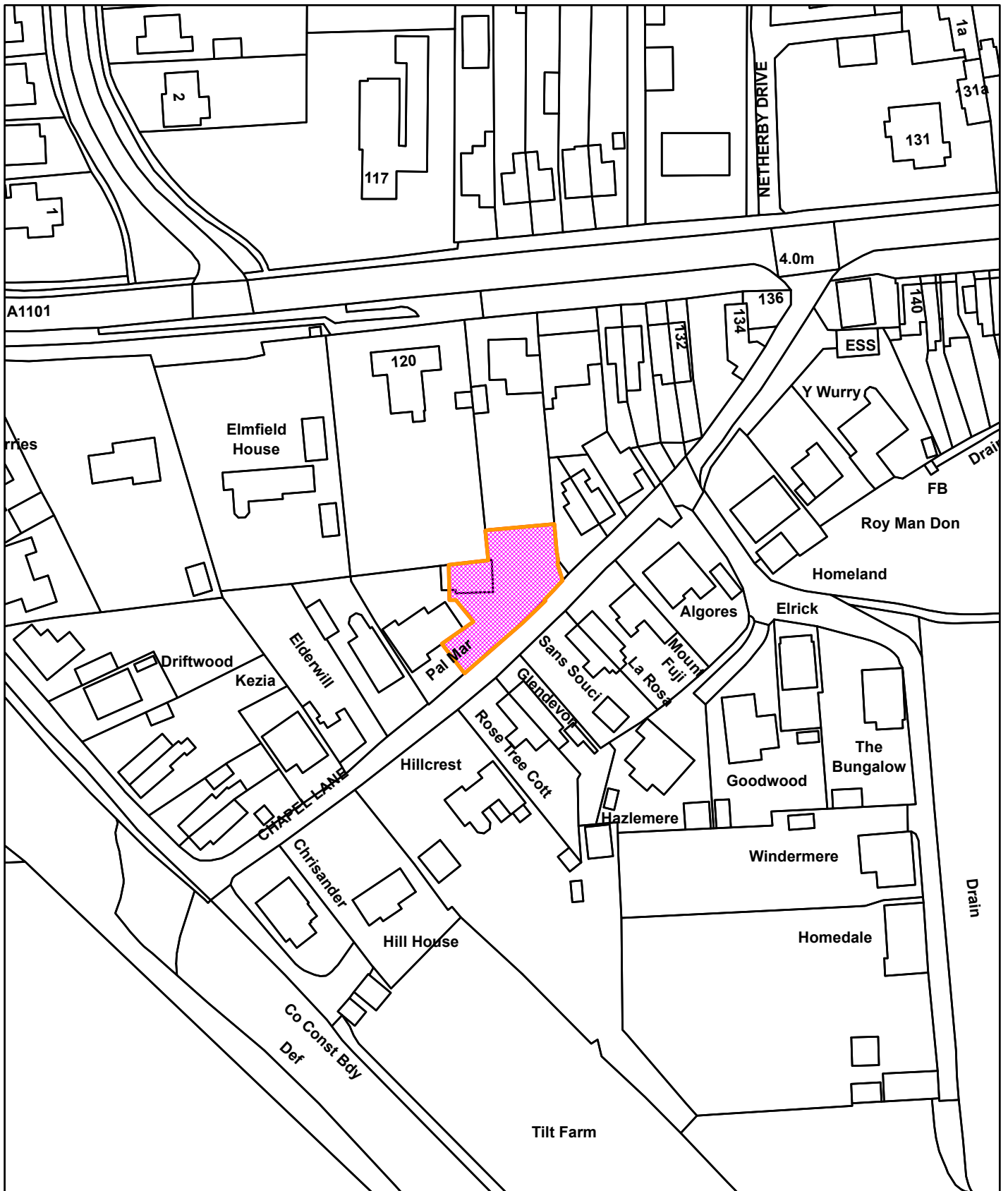


development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

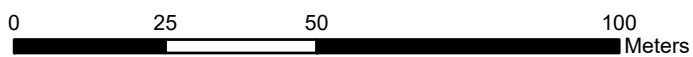
- 14 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 15 Condition No existing trees, shrubs or hedges that are shown on approved drawing no.edp6676\_d020f to be retained, other than those shown to be necessary to be removed to enable the access as approved on drawing no.4173\_DR\_P\_001 Rev.-, shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 15 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 16 Condition The development hereby permitted shall be carried out in full accordance with the Mitigation contained within Chapter 5 of the Ecological Appraisal that accompanied the application (Ref. edp6676\_r003f, dated Feb 2022 produced by The Environmental Dimension Partnership Ltd (EDP).)
- 16 Reason In the interests of ecology and biodiversity in accordance with the NPPF and Development Plan.
- 17 Condition The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement unless provided for in any other conditions attached to this planning permission.
- 17 Reason To ensure that the development takes place substantially in accordance with the principles and parameters contained with the Environmental Statement.
- 18 Condition Within six months of the cessation of electricity generation by the solar facility hereby permitted, all above ground infrastructure shall be dismantled and removed from the site. The site shall be restored to its condition prior to the implementation of the planning permission or in line with a scheme, the details of which shall be submitted to and be approved in writing by the Local Planning Authority no later than three months following the cessation of power production.
- 18 Reason To ensure satisfactory restoration of the site in accordance with the NPPF and Development Plan.

22/00495/O

Pal-Mar Chapel Lane Emneth



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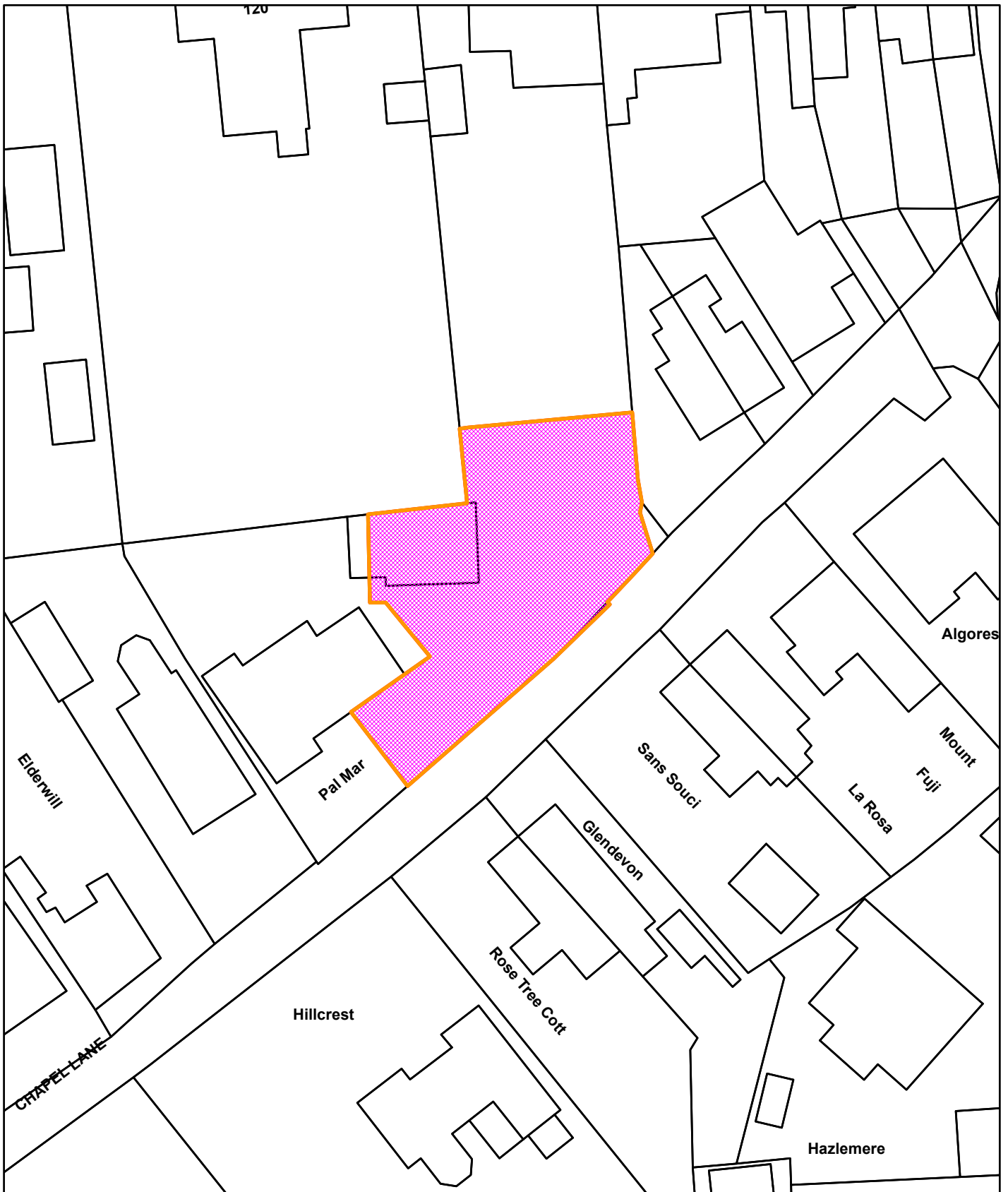
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34

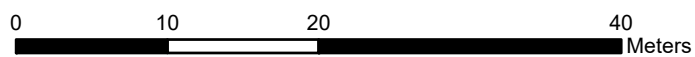


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35



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

<b>Parish:</b>	<b>Emneth</b>	
<b>Proposal:</b>	<b>OUTLINE APPLICATION: Residential development ( including access)</b>	
<b>Location:</b>	<b>Pal-Mar Chapel Lane Emneth Wisbech</b>	
<b>Applicant:</b>	<b>Mrs B Palmar</b>	
<b>Case No:</b>	<b>22/00495/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Clare Harpham</b>	<b>Date for Determination: 19 May 2022 Extension of Time Expiry Date: 10 October 2022</b>

**Reason for Referral to Planning Committee** – The Parish Council object to the proposal which is at variance with the officer recommendation. Sifting Panel require that the application be determined at planning committee.

**Neighbourhood Plan:** No

### **Case Summary**

Outline planning permission with access being considered at this stage, is sought for residential development at Chapel Lane, Emneth. The indicative plan shows one dwelling with a new point of access for both the proposal and the donor dwelling.

The site lies within the development boundary of Emneth where residential development is acceptable.

### **Key Issues**

Principle of Development  
Appeal History  
Form and Character  
Impact upon Amenity  
Highways Issues  
Flood Risk  
Other material considerations  
Crime and Disorder

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site is an irregular shaped plot which lies on the northern side of Chapel Lane and comprises a shingle/gravel yard for parking, garage/storage buildings and part of

the frontage garden to Pal-Mar which is a detached bungalow. The application site is bounded to the side (east) by a 1.8m (approx.) close board fence and to the rear (north) by wooden fencing with hedging above (from the neighbours' side of the boundary). The site is currently open to the western side which is adjacent to the donor dwelling which is a detached bungalow.

This application is for outline permission, with only access being considered at this stage, and seeks consent for the residential development of the site. It is also proposed to accommodate parking for the existing dwelling to its frontage within the western side of the application site, due to the existing parking area being utilised for the proposed residential development.

## **SUPPORTING CASE**

The site lies within the established settlement of Elm, and is within the development boundary for Emneth, which is identified as a Key Rural Service Centre within the Development Plan. Policy DM2 states that development will be permitted within the development boundaries of settlements shown on the Policies Map. On the basis that the site is within the defined development boundary, the principle of the development is acceptable in accordance with Policy DM2.

The site is located within Flood Zone 1 of the Environment Agency's flood maps for planning. Section 14 of the NPPF require proposals to adopt a sequential approach to flood risk by locating development within areas at lowest risk of flooding in the first instance. Given that the proposal is located on land at lowest risk of flooding it is within a sequentially preferable location. Therefore, the principle of the development is acceptable in terms of flood risk.

In addition, the Local Planning Authority raised no concern in respect of the principle of development or the subdivision of the site in their consideration of the previous application on site, reference 21/0140/O.

Application 21/0140/O was for outline planning permission for 2 dwellings and was the subject of a Planning Appeal reference APP/V2635/W/22/3294135. In their consideration of the application the Inspector focussed on the issues of the character and appearance of the area and the living conditions of future occupiers by way of privacy.

The Inspector considered that the area is characterised by a mix of properties, mainly detached houses and bungalows of varied design. However, felt that the development of the plot for 2 dwellings would represent overdevelopment given the need to fit access, car parking and private amenity space for each plot. Accordingly, it was considered that the proposal would be out of keeping with the character of the surrounding area. Noting the comments raised by the Inspector, the scheme has been reduced to a single dwelling which provides ample space for parking and private amenity space for the proposed dwelling. The concerns raised in the appeal decision with regard to character and appearance are therefore overcome.

The Inspector further considered that with two dwellings on site it would be likely that harm would be caused to the living conditions of the occupiers of at least one of them by reasons of lack of privacy due to the proximity to Violet Cottage. Given that the scheme has now been reduced to a single dwelling there is more space available on site, allowing for adequate screening to protect the proposed private amenity area without harming the living conditions of Violet House. The indicative site plan provides an example of how this can be achieved, with the specific details of the scheme to be secured at Reserved Matters stage.

Concerns with regards to the living conditions of future occupiers by way of privacy are therefore overcome.

The site has now been legally separated from the donor property at Pal-Mar and the unsafe buildings have been removed from the land. The site is an unattractive parcel of land which currently causes visual harm to the street scene. The redevelopment of the land represents an excellent opportunity to enhance the visual appearance of the site which will be to the significant benefit of the character and quality of the area.

## **PLANNING HISTORY**

21/01040/O: Application Refused: 27/01/22 - Outline application for erection of 2 dwellings (with matters committed in respect of access only) - Pal-Mar Chapel Lane Emneth

Appeal Dismissed 01/09/22

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECT**

The Parish Council object on the grounds of over-intensive development for the plot size and would question the amount of parking / access / egress space available in an already congested spot in the parish. Chapel Lane is a very narrow road already littered with on-street parking.

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

I observe that access only is to be considered at this stage. The revised position of the proposed access for the proposed new dwelling is acceptable.

To address the loss of parking for the existing donor property a new point of access has been proposed, which could be acceptable with conditions, but it would also require associated replacement parking. In this respect I can foresee the proposed plot of land being sold off to a third party and the parking for the donor property being left unresolved. I therefore recommend that the parking provision for the donor property be conditioned at this stage and I therefore recommend conditions relating to construction of the proposed access points, withdrawal of permitted development for gates etc, a parallel visibility splay and the parking provision for the donor dwelling (Pal-Mar).

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

The application is for the construction of a dwelling. The applicant has provided a screening assessment which states no known contamination. We have reviewed our files and the site is on land that is first seen occupied by the donor site in historic maps dated 1945-1970. The surrounding landscape is largely residential. The site is approximately 55m from the Wisbech Canal Landfill site. This site has been investigated by the Council due to obligations under Part 2A of the Environmental Protection Act 1990. There is no evidence to show significant risk of harm from the site and does not raise any concerns for this application. There are no concerns regarding contaminated land.

Due to the age of the outbuilding on site there is the potential for asbestos containing materials to be present in its construction. Therefore, an informative is recommended regarding asbestos.

## **REPRESENTATIONS**

### **ONE letter of COMMENT**

- The northern boundary of the development would be the responsibility of the developer / applicant as has been the case.
- The method of foul drainage is stated as unknown.
- States surface water will be dealt with by soakaway. The proposal will increase housing density, if there is increased frequently of extreme rainfall leading to standing water and surface water run-off, ascertaining levels and ensuring adjacent properties are not affected is important.
- There is a monkey puzzle on north-western boundary on neighbours land, it is 45 years old and should not be compromised by the development.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

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

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

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

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

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

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

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

- Principle of Development
- Appeal History
- Form and Character
- Impact upon Amenity
- Highways Issues
- Flood Risk
- Other material considerations
- Crime and Disorder

### **Principle of Development**

The application site is located within the development boundary of Emneth as identified within the Site Allocations and Development Management Policies Plan (SADMPP) 2016 and as such the principle of residential development is acceptable.

### **Appeal History**

Outline planning permission was refused in January 2022 (21/01040/O) for the erection of 2 dwellings (with matters committed in respect of access only) at the application site. It was considered that the introduction of two dwellings onto the irregular shaped plots of limited depth, would result in a cramped form of development which would be at odds with the form and character of the locality. In addition the first floor window in the south-western (side) elevation of the neighbouring dwelling to the east (Violet House) is in close proximity to the boundary and it was considered that there would be inadequate private amenity to the proposed plot 1 given the relationship between the plot and the first floor overlooking window. This refusal was considered at appeal and on 1st September 2022 the appeal was dismissed. The Inspector concluded that the proposed development (two dwellings) would be harmful to the general character and appearance of the area around Chapel Lane, by virtue of a cramped nature and appearance, and that it would have a harmful impact on the amenity of future occupiers of the proposed development by way of overlooking and outlook.

While the description of the proposal is 'residential development,' the application form does state that it would be for one market dwelling and this could be conditioned. It is considered that the current proposal, by virtue of reducing the number of proposed dwellings, would overcome the comments made by the Inspector in support of the dismissal. The Inspector's comments relating to overdevelopment and amenity will be considered in the sections on form and character and amenity below and a copy of the appeal decision can be found in Appendix 1.

### **Form and Character**

Chapel Lane runs south-west from its junction with Elm High Road, before running north-west towards High Road. The area is characterised by a mix of dwellings, with both single and two-storey dwellings as well as detached and semi-detached properties. There is also a mix of plot sizes with the plot to the immediate north-east being a semi-detached two storey dwelling in a limited size plot, with the donor dwelling on the other south-western side being a wide fronted bungalow, in a wide but shallow plot of irregular shape. The current plot belonging to this bungalow (Pal-Mar) is proposed to be roughly split in half, with one containing the existing bungalow with a new vehicular access to the front, and the other half being the application site where one dwelling and associated detached garage is indicated.



It is noted at this stage that the application is for outline planning permission (access only) and so the final layout of the new dwelling is unknown.

The Parish Council object to the proposal on the grounds of over-intensive development for the plot size and also question the amount of parking / access / egress space available in what they say is already a congested part of the Parish.

It is your officers' opinion that the siting of a single dwelling has removed the sense of overdevelopment that would have occurred with the previously refused application (21/01040/O) that was dismissed at appeal. The Inspector commented that 'In fact, the new replacement access is already in place and, in my opinion, the addition of this access into what would become a much reduced plot, increases the sense of overdevelopment that would result from the development of two further dwellings on the appeal site, with further accompanying access to serve each one. This would be particularly the case given the narrow and constrained nature of Chapel Lane itself.' Whilst the Inspector made comment regarding the new parking to the front of Pal-Mar increasing the sense of overdevelopment, this was in the context of two further dwellings and their associated access points being sited within the application site and it is considered that the reduction of the number of proposed dwellings to one and its associated access, has reduced this sense of overdevelopment.

The Indicative Site Plan (drawing SE-1626/PP2000RevB) indicates how a dwelling and garage 'could' be sited on the application site, however it is considered that given the limited depth of the site, the proximity of the dwellings on the opposite side of Chapel Lane which is of a limited width, and the windows on the south-western elevation of Violet House (neighbour to the north), it is considered that a single storey dwelling would be more appropriate in this location. Therefore, while layout, scale, and appearance are reserved matters, a condition will be placed on the decision notice to limit the development on site to a single dwelling and garage which are single storey (this has been agreed in writing by the agent).

Therefore, whilst the indicative drawing illustrates a 1 and ½ storey dwelling which is considered too large and too far forward in the plot given its scale, it is considered that a more modest single storey dwelling could be sited on the plot which would be acceptable given the mix of dwellings in the locality. The proposal therefore complies with paragraph 130 of the NPPF 2021, Policies CS06 and CS08 of the Core Strategy 2011 and Policies DM2 and DM15 of the SADMPP 2016.

### **Impact upon Amenity**

Whilst the application is for outline planning permission and therefore the layout, scale and appearance of the dwelling is currently unknown the impact of a potential development on the neighbouring dwellings has been considered.

The donor dwelling (Pal-Mar) would be to the south-west of a proposed dwelling and has a 'conservatory style' side porch located on its north-eastern elevation. There are also two side windows which look like they are secondary windows. It is considered that a single storey dwelling could be sited on the plot which would not have a material impact upon this elevation/neighbour with regard to overlooking overshadowing or being overbearing.

The neighbour to the north-east has been considered. This neighbour is a two-storey semi-detached dwelling which has a number of windows in its side elevation (south-west) which face the application site. There is a ground floor dining room window and a first-floor bedroom window, both of which are located just over 5 metres from the rear corner of the application site. There is also a further first floor bedroom window set back further behind the rear corner of the application site. This would have the potential to cause both overlooking of

the application site by these first-floor windows and also care must be taken when considering layout and scale to ensure that these windows are not adversely impacted with regard to outlook and any overbearing impact that the future development may have (it is noted that at the current time this neighbour has a shed placed in this location between the shared side boundary and the dining room window).

The indicative plan shows a substantial garage located in this rear corner location and it is considered that this would not be acceptable, as whilst it may help screen the rear of the proposed dwelling, it would have an adverse impact upon the amenity of the occupants of Violet house due to its indicative height and proximity to these windows. It is proposed to remove permitted development rights on any approval, to ensure that the proposed dwelling could not be raised in height at a future date, nor allow the erection of any outbuildings in close proximity to this neighbour's habitable rooms.

Chapel Lane is narrow, with the two storey dwellings on the opposite side of the road sitting in fairly close proximity to the road. There is a plot with extant outline planning permission directly opposite the application site (20/01857/O) and whilst the final layout is not known, the dwelling will be set further back within its plot than the existing dwellings in order to allow for parking. It is considered that while the road is narrow, it would be possible to site a single storey dwelling on the site that would not adversely impact upon the amenity of these dwellings opposite, including the plot which has extant outline consent.

The Inspector in his appeal decision stated 'The appellant contends that the privacy of occupiers of the dwelling on that plot could be protected by way of additional landscaping or the erection of an outbuilding. However, the constrained nature of the appeal site makes it unlikely that there would be room for sufficiently strong landscaping or an outbuilding to be placed on the plot, along with the provision for adequate private amenity space, car parking, and the dwelling itself.' However, it is noted that the appeal decision relates to a much smaller plot, as the application site was originally subdivided and proposed the erection of two dwellings. This application before you has reduced the proposed number of dwellings so that there is more room to provide sufficient screening.

Overall, whilst the final layout, scale and appearance is not known at this time, it is considered that it would be possible to site a modest single storey dwelling on the plot which would not adversely impact upon the neighbouring dwellings and which could be designed to have some private amenity space which would not be overlooked by the first floor windows in Violet House to the north-east, nor cause an adverse impact upon this neighbour. The proposal therefore complies with paragraph 130 of the NPPF 2021, Policy CS08 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016.

### **Highways Issues**

The application site is located on the existing parking area for the donor dwelling, known as Pal-Mar and therefore the construction of a dwelling on this plot would result in the loss of the existing parking / turning area. Therefore, the application also includes the provision of a new access with associated parking to the front of the existing bungalow and it is also proposed to move the existing point of access further east.

The Parish Council object to the proposal and question the amount of parking / access / egress space available in this congested spot. Chapel Lane being very narrow and already having on-street parking.

This outline application includes access to be considered at this stage and there are no objections to this proposal from the Highways Officer who requests that the access and

parking provision for the donor dwelling also be conditioned at this time to ensure that this work is carried out so that there is sufficient off-road parking.

The application therefore complies with paragraph 110 of the NPPF 2021, Policy CS11 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016.

### **Flood Risk**

The application site is located within Flood Zone 1 of the council's Strategic Flood Risk Assessment (SFRA) and therefore does not require a flood risk assessment. It is indicated that in the event of a flood event the area would become a dry island and therefore an informative will be placed on any approval indicating the applicant should prepare a flood evacuation plan.

The application indicates that surface water will be disposed of via soakaways. This has been queried by a neighbour and whether this would be sufficient in times of more severe weather. There is no reason to think that this would not be adequate, however soakaways will have to meet the standards laid out within building regulations.

The application does not confirm the method of foul water drainage and therefore the agent has agreed to a pre-commencement condition relating to this as the final method is not known at the present time.

The application complies with paragraph 159 of the NPPF 2021 and Policy CS08 of the Core Strategy 2011.

### **Other material considerations**

There is a comment from the neighbour to the north which relates to a monkey puzzle tree which is close to the rear boundary of the application site. This tree looks to be set back away from the boundary, however when reserved matters are submitted, should the proposed dwelling be sited in close proximity to the rear boundary and this tree, an Arboricultural Impact Assessment could be requested if necessary and a Method Statement if appropriate.

There are no objections to the proposal from Environmental Quality although an informative has been requested regarding the Control of Asbestos Regulations as the age of the outbuildings on site means there is the potential for asbestos containing materials to be present in its construction.

### **Crime and Disorder**

There are no issues relating to crime and disorder associated with this application.

### **CONCLUSION**

Notwithstanding the recently dismissed appeal (Appendix 1), where the Inspector concludes that the proposed development of two dwellings, with associated parking for both these dwellings and the donor dwelling, would be 'harmful to the general character and appearance of the area around Chapel Lane, by virtue of a cramped nature and appearance, and that it would have a harmful impact upon the amenity of future occupiers of the proposed development by way of overlooking and outlook.'

It is considered that, on balance, a single storey dwelling could be sited on the application site without having an adverse impact upon the character and appearance of the locality nor having a detrimental impact upon either the amenity of neighbours or the future occupants of the dwelling. The proposal would comply with the provisions of the NPPF, Policies CS02, CS06, CS08 and CS11 of the Core Strategy 2011 and Policies DM2, DM15 and DM17 of the SADMPP 2016 and as such is recommended for approval.

## **RECOMMENDATION:**

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

- 1 Condition Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition The development hereby permitted shall be carried out in accordance with the following approved plan SE-1626-PP2000RevB with regard to access only.
- 5 Reason For the avoidance of doubt and in the interests of proper planning.
- 6 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 6 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 7 Condition The one residential dwelling hereby approved shall be single storey only.
- 7 Reason For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.
- 8 Condition Notwithstanding the provisions of Schedule 2, Part 1, Class A, Class AA, Class B and Class E of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwellinghouse; the enlargement of a dwellinghouse by construction of additional storeys; additions etc to the roof of a dwellinghouse; and buildings etc incidental to the enjoyment of the dwellinghouse shall not be allowed without the granting of specific planning permission.
- 8 Reason In order that the Local Planning Authority may retain control of the development which might be detrimental to the amenities of the neighbour and locality if otherwise allowed by the mentioned Order.
- 9 Condition Prior to the first use of the development hereby permitted the vehicular / pedestrian / cyclist access for the dwelling, as well as the dwelling known as Pal-Mar, shall be constructed in accordance with the highways specification TRAD 5 and thereafter retained at the positions shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- 9 Reason To ensure construction of satisfactory access points and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.
- 10 Condition Prior to the first use of the development hereby permitted the proposed access / on-site car parking area for Pal-Mar shall be laid out, levelled, surfaced and drained in accordance with the approved plan SE-1626-P2000RevB and retained thereafter available for that specific use.
- 10 Reason To ensure the permanent availability of the parking / manoeuvring areas, in the interests of satisfactory development and highway safety.
- 11 Condition Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates / bollard / chain / other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 11 Reason In the interests of highway safety.
- 12 Condition Prior to the first occupation of the development hereby permitted 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage and additionally along the flank frontage of the adjacent property as outlined in blue on the submitted details. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway

- 12 Reason In the interests of highway safety in accordance with the principles of the NPPF.



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## Appeal Decision

Site visit made on 9 August 2022

**by J D Westbrook BSc(Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1 September 2022**

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**Appeal Ref: APP/V2635/W/22/3294135**

**Land at Pal-Mar, Chapel Lane, Emneth, Norfolk, PE14 0DJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mrs B Palmar against the decision of King's Lynn and West Norfolk Borough Council.
  - The application Ref 21/01040/O, dated 22 May 2021, was refused by notice dated 27 January 2022.
  - The development proposed is the erection of 2 dwellings.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. This appeal relates to an outline planning application in which all matters other than access are reserved for subsequent approval.

### Main Issues

3. The main issues in this case are the effects of the proposed dwellings on:
  - The character and appearance of the area around Chapel Lane, and
  - The living conditions of future occupiers of the dwellings by way of privacy.

### Reasons

4. Pal-Mar is a detached bungalow situated on the northern side of Chapel Lane. At the time of the planning application, it would appear that the property included a large detached garage and outbuilding which extended to the east onto what is now part of the appeal site. From the information before me, the rest of the appeal site comprised part of the front/side garden of the bungalow with a parking area further to the east. At the time of my visit, the garage and outbuilding had been demolished and a wooden fence erected close to the eastern elevation of the bungalow, presumably to demarcate a physical boundary between the bungalow and the appeal site. The bungalow now has a new open parking area to the front, and the rest of the property is vacant.
5. The development proposed is the erection of 2 dwellings on the site. The site has a straight boundary to the south, fronting the road, but a very irregular boundary to the north, where it backs onto the large rear gardens of properties on the southern side of Elm Hill Road. Access to the site is from Chapel Lane, which is a narrow residential road that has no footpaths.

6. Policy CS06 of the Council's Core Strategy (CS) indicates that new development should maintain local character and a high quality environment. Policy CS08 of the CS indicates that development should also respond to the context and character of places.
7. Policy DM15 of the Council's Site Allocations and Development Management Policies Plan (DMP) indicates that development must protect and enhance the amenity of the wider environment. Proposals will be assessed against a number of factors including a requirement that the scale and massing of a development should respond sensitively and sympathetically to the local setting, including spaces between buildings, through high quality design. In addition, it indicates that proposals will be assessed against their impact on neighbouring uses and their occupants, as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including overlooking, outlook and impact on light.
8. The Council contends that the introduction of two dwellings on the appeal site would result in a cramped form of development at odds with the form and character of this locality, and would fail to be sympathetic to the local character. Also, the Council considers that the proposed development has failed to demonstrate that it would provide adequate private amenity space, and that there would be overlooking into the site from a first-floor window in the adjacent 'Violet House', which is in close proximity.
9. The appellant contends that the shape and size of the plots are directly comparable with the surrounding development. The indicative drawings demonstrate that dwellings of an appropriate scale and with parking which meets the adopted standards can be achieved on site. With regard to the form and pattern of development in the area, it is submitted that the proposal will not appear cramped or out of keeping and that, in any case, the specific details of the scheme such as the scale and layout are reserved matters. Finally, the window serving Violet House can be screened by means of additional landscaping within the site or by the erection of an outbuilding, so protecting the rear aspect of Plot 1 from view of the window in question.

#### *Character and appearance*

10. Chapel Lane runs first south-east, and then north-east from High Road to its junction with Elm High Road. The three roads enclose something of a triangular area of residential properties. Apart from a small number of dwellings at the extreme eastern corner of the triangle, the area is characterised by a mix of properties, mainly detached houses and bungalows of varied design, in good-sized plots. Pal-Mar itself is a wide-fronted bungalow set in a large, wide but shallow plot. The proposed development would effectively result in the plot of the host property being split into two almost equal segments, one containing the existing dwelling and one containing two dwellings.
11. The appellant has provided some sketch drawings of possible layouts for two houses on the appeal site, and I acknowledge that it may well be possible to fit two dwellings into the available space. However, given the shallow nature of the site, its irregular northern boundary, and the need to fit car parking and adequate private amenity space into each plot, I have significant concerns that the resultant development would appear cramped and out of character with the surrounding area.



12. In addition to the above, whilst there already exists vehicular access into the overall property, the proposed development would require access to parking areas for two new dwellings, as well as a replacement access to serve the parking needs of the bungalow. In fact, the new replacement access is already in place and, in my opinion, the addition of this access into what would become a much reduced plot, increases the sense of overdevelopment that would result from the development of two further dwellings on the appeal site, with further accompanying access to serve each one. This would be particularly the case given the narrow and constrained nature of Chapel Lane itself.
13. In conclusion on this issue, I find that the scale and massing of the proposed development would not respond sensitively and sympathetically to the local setting, including spaces between buildings, and that it would be harmful to the general character and appearance of the area around Chapel Lane. On this basis it would conflict with Policies CS06 and CS08 of the CS and with Policy DM15 of the DMP.

#### *Living conditions*

14. To the east of the appeal site lies Violet Cottage. This two-storey dwelling has a front door and first-floor window facing west into the appeal site, in very close proximity to its boundary. With two dwellings on the appeal site, it would seem inevitable that the first-floor window in Violet Cottage would overlook the private amenity area to the easternmost of the proposed dwellings from close range. The appellant contends that the privacy of the occupiers of the dwelling on that plot could be protected by way of additional landscaping or the erection of an outbuilding. However, the constrained nature of the appeal site makes it unlikely that there would be room for sufficiently strong landscaping or an outbuilding to be placed on the plot, along with the provision for adequate private amenity space, car parking, and the dwelling itself.
15. On the basis of the above, I find that the proposal would be highly likely to result in harm to the living conditions of the occupiers of at least one of the proposed dwellings by way of lack of privacy. Furthermore, given the restricted space available, any attempt to adequately screen the overlooking from Violet Cottage would be likely to result in an oppressive outlook from both the proposed dwelling and Violet Cottage itself.
16. On this issue, therefore, I conclude that the proposed development would have a harmful impact on the amenity of future occupiers of the proposed development by way of overlooking and outlook. It would, therefore, conflict with Policy DM15 of the DMP.

#### **Conclusion**

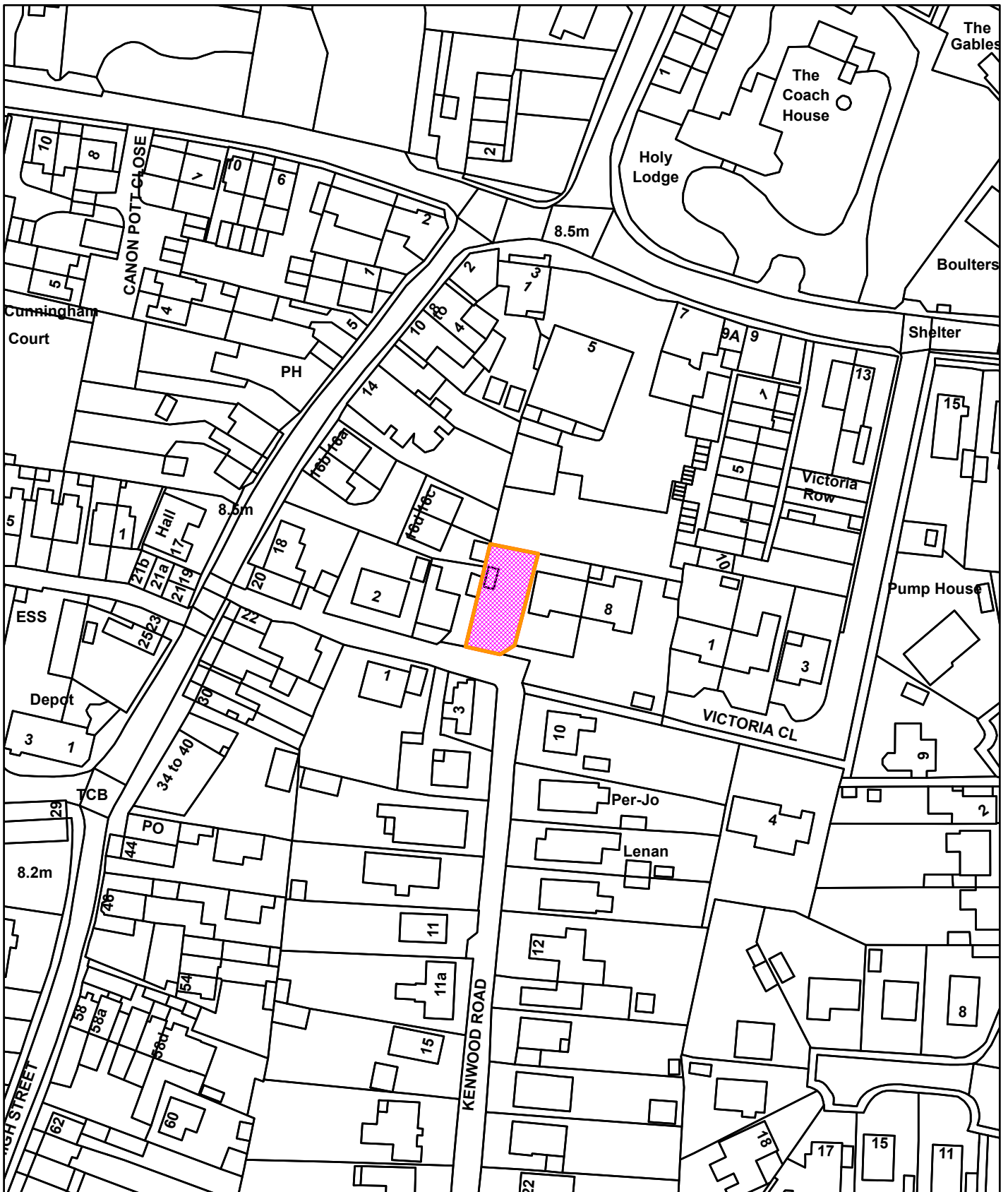
17. I find that the proposed development would be harmful to the general character and appearance of the area around Chapel Lane, by virtue of a cramped nature and appearance, and that it would have a harmful impact on the amenity of future occupiers of the proposed development by way of overlooking and outlook. Accordingly, I dismiss this appeal.

*J D Westbrook*

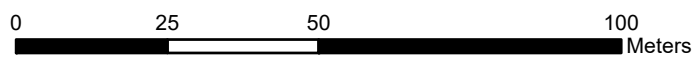
INSPECTOR

# 21/01610/F

## 6 Kenwood Road Heacham



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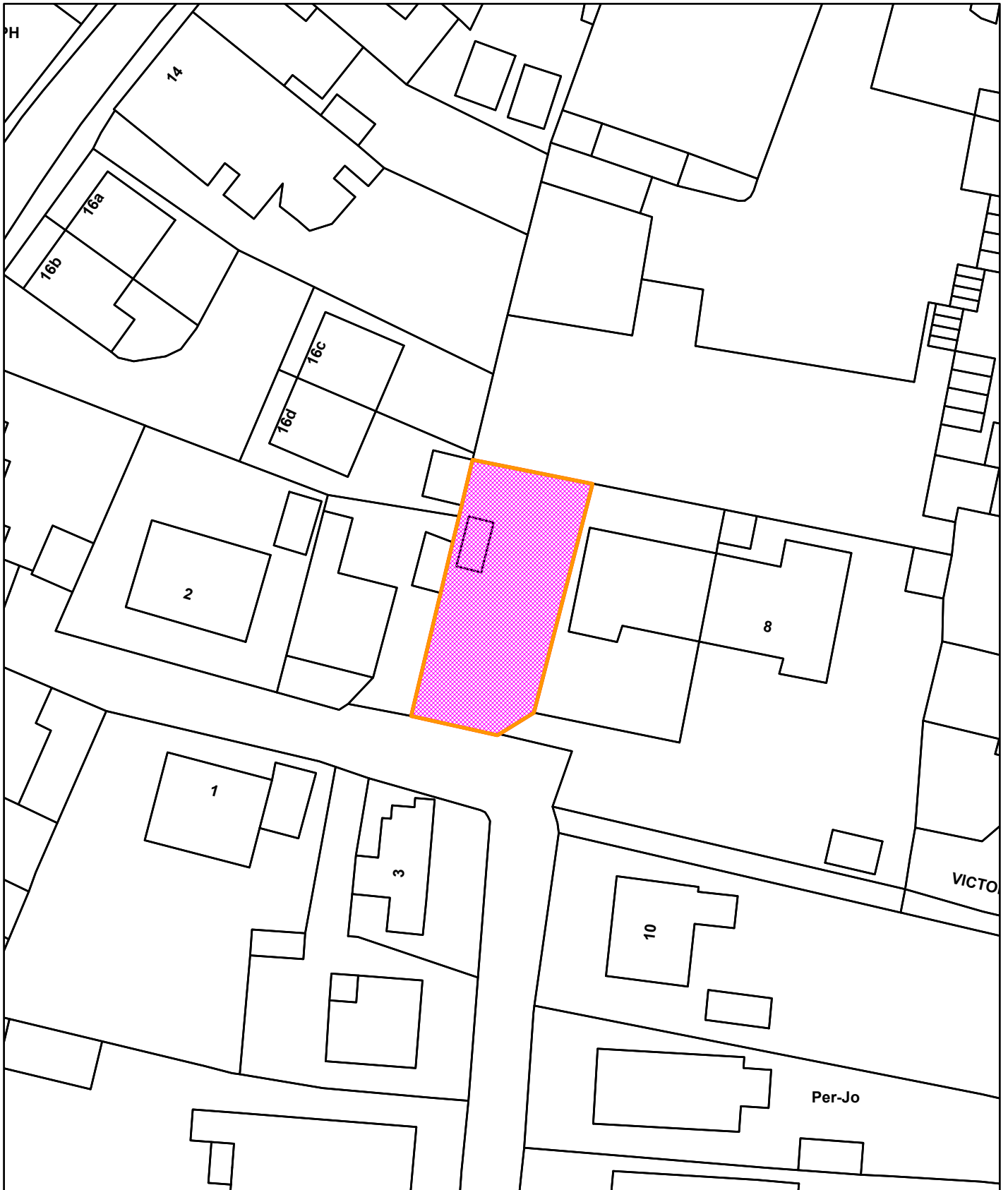
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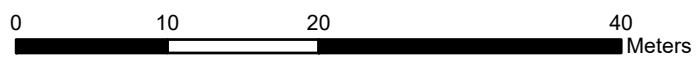


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51

21/09/2022



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

<b>Parish:</b>	<b>Heacham</b>	
<b>Proposal:</b>	<b>Proposed dwelling followign sub-division.</b>	
<b>Location:</b>	<b>6 Kenwood Road Heacham King's Lynn Norfolk</b>	
<b>Applicant:</b>	<b>Mr S Goldring</b>	
<b>Case No:</b>	<b>21/01610/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Olivia Luckhurst</b>	<b>Date for Determination: 28 January 2022</b>

**Reason for Referral to Planning Committee** – Parish Council object, contrary to the officers recommendation.

**Neighbourhood Plan: Yes**

**Case Summary**

The application site is located on Kenwood Road, Heacham and comprises garden land located to the west of the donor property, No 6 Kenwood Road. The site is located within the development boundary of Heacham which is a Key Rural Service Centre as a defined by Policy CS02 of the Core Strategy 2011.

The proposal seeks permission for a new single storey dwelling following the subdivision of the site.

Planning permission has previously been approved on the site on two occasions for a single storey dwelling (outline permission and a full application). Both were approved via delegated decisions however, neither of the permissions were implemented and therefore, cannot be considered as a fall back position.

The current proposal has been amended from that originally submitted. The original plans showed a one and a half storey property with dormer windows to the front and rear of the property. Parking was positioned to the front of the site with a smaller parcel of amenity space to the rear.

The revised drawings show a much smaller, modest, single storey property with sufficient amenity space and parking and dormer windows removed.

**Key Issues**

- Principle of Development
- Form and Character
- Impact on Neighbouring Amenity
- Highway Safety and Parking
- Other Material Considerations

## Recommendation

**APPROVE**

### THE APPLICATION

The application is located within the Key Rural Service Centre of Heacham. The proposal consists of a single storey dwelling following the subdivision of the western area of the donor dwellings garden land 6 Kenwood, Heacham. Access and parking would be positioned to the front and side of the proposed property (east and south) with the site accessed from Kenwood Road. Amenity space serving the new dwelling would be located to the north of the site.

The resultant plot is of rectangular shape, approximately 9.5m in width and 25.1m in depth.

The proposed dwelling would consist of a single storey property, constructed from red facing brickwork with upvc windows and doors. The property would be positioned in the middle of the plot with parking to the front and site.

### PLANNING HISTORY

15/00830/F - Permitted - Construction of a new dwelling - Delegated

13/00732/O - Permitted - Outline application with some matters reserved: Proposed building plot for single storey dwelling - Delegated

### RESPONSE TO CONSULTATION

#### Parish Council: OBJECT

Even though the site will be subdivided, it will still result in back yard development appearing inappropriate and out of context with surrounding dwellings.

#### Highways Authority: NO OBJECTION

The side space appears tight but given Kenwood Road is unadopted, it's not too much of a concern for us, I wouldn't have any concerns re highway safety.

#### Arboricultural Officer Makes the Following Comments:

It's a shame that this application calls for the removal of all of the existing trees/vegetation, unfortunately they do not meet the criteria for the serving of a TPO. If this is approved, replanting should be conditioned.

### REPRESENTATIONS

A total of **20 OBJECTIONS** from **9** individuals regarding the following:

- Concerns over drainage into neighbouring property
- Concerns over the condition of Kenwood Road resulting in potential damage to vehicles
- Increase in vehicular movements
- Insufficient parking spaces for the application site and neighbouring dwellings
- Land ownership disputes

- Noise pollution
- Overbearing and loss of light
- Overlooking and loss of privacy
- Drawing inconsistencies and errors
- Loss of privacy
- Loss of trees
- Out of keeping with surrounding properties

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**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

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy 3:** Residential Extensions

**Policy 4:** Principal Residence Requirement

**Policy 5:** Design Principles

**Policy 6:** Residential Car Parking

## **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 (including loss of trees)
- Impact on Neighbouring Amenity

- Highway Safety and Parking
- Other Material Considerations

### **Principle of Development**

The site lies within the development boundary of Heacham (a Key Rural Service Centre). The principle of residential development is therefore acceptable subject to compliance with other relevant national and local planning policy and guidance as well as the Heacham Neighbourhood Plan.

The site benefits from two previous approvals for a similar schemes (single storey dwelling) however, these permissions are now expired as they were not implemented. Clearly, a residential development in this location has been found acceptable.

### **Form and Character (including loss of trees)**

The application proposes a single storey, detached dwelling following the subdivision of the western area of the host property's plot which is currently utilised as amenity land. The scheme has been amended from that originally submitted due to appearance, impact on amenity and parking issues.

In order to avoid overdevelopment of the site, permitted development rights relating to extensions, roof alterations and incidental buildings have been removed.

The original proposal incorporated a one and a half storey, 3no. bedroom property with dormer windows positioned on the front and rear elevation. Two parking spaces were positioned to the front of the dwelling with a smaller rear garden. The revised proposal shows the dwelling reduced in height by 300mm.

The proposal now includes a single storey, gable ended dwelling orientated north and south and measuring 6.4m in width and 10.1m in depth. The dwelling would be constructed from red facing brickwork with upvc windows and doors. The property's front door would be located on the east elevation with a second set of doors and a window serving the kitchen, dining and living area on the north elevation. The front elevation (south) would incorporate two windows serving the bedrooms. A single window would be positioned on the west elevation serving the kitchen.

It is considered that the fenestration layout, materials and scale of the dwelling is acceptable. The dwelling would be positioned centrally within the plot and therefore, slightly further forward than the neighbouring properties, however, this allows for a sufficient amount of amenity space to be provided along with parking to the front. The site also allows for access to the rear down both sides of the dwelling. The dwelling would be in scale with the size of the plot and there would be an appropriate level of amenity space for future occupiers. Kenwood Road provides a range of property types including small bungalows to large two storey detached properties. The surrounding plots also vary in size however, all properties are host to modest front gardens with parking spaces to the front of the property and all front on to Kenwood Road. The plot is therefore not "backyard development" as the Parish Council asserts. The surrounding plots also vary in size however, all properties are host to modest front gardens with parking spaces to the front of the property. Therefore, the development is considered to meet the requirements regarding new dwellings set out within Neighbourhood Plan Policy: 1 (Small scale (windfall and infill) development). Policy 2 of this plans sets out the requirement and need for two- and three-bedroom houses with the village. This modest development provides a suitable addition to this needed level of housing for Heacham.

Planning permission has already been granted twice before on the site for similar developments (single storey dwelling). Although, these permissions have now expired and were not implemented, the permissions evidence that a dwelling of this size, on this plot is acceptable. No objections were received from the Parish Council of the 2013 application however, concerns were raised regarding overdevelopment on the 2015 application.

The proposed dwelling would be in keeping with the existing street scene and would resemble neighbouring properties that adjoin the site. The materials proposed are appropriate for the location and are considered to be acceptable. However, the site is currently host to some vegetation and trees which will be removed as a result of the proposed development. Whilst the loss of trees is regrettable, the site is not located within a conservation area and as confirmed by the Arboricultural Officer, the trees are not considered to be worthy of a Tree Preservation Order to prevent their removal. A condition will be attached to the decision which requires all hard and soft landscaping and replacement tree planting details to be submitted for approval prior the first occupation of the dwelling. This will ensure that a sufficient amount of replanting is proposed and secured. A condition will be attached to the decision which requires all hard and soft landscaping and replacement tree planting details to be submitted for approval prior the first occupation of the dwelling. This will ensure that a sufficient amount of replanting is proposed and secured.

The proposal as a result complies with polices CS06, CS08 and CS09 of the Core Strategy 2011, DM15 and DM17 of the Site Allocations and Development Management Policies Plan 2016, Policies 1,2,5 and 6 of the Heacham Neighbourhood Plan as well as the National Design Guide.

### **Impact on Amenity**

The application site is surrounded by residential properties with Kenwood Road positioned to the south of the plot.

Whilst the bungalow would be modest in scale and would resemble the form of neighbouring properties, it would be positioned close to the western boundary with a separation distance of 0.9m. Given the orientation of the site, 4no. Kenwood Road located to the west may experience some loss of light for a couple of hours during the morning. The neighbouring property is host to windows on the side elevation nearest the proposed dwelling however, site does allow for a sufficient separation distance of 2.5m. Given that the proposed dwellings would be single storey, it would not be detrimental to the amenity of the neighbouring property.

Details of boundary treatments would be conditioned to ensure that the site is sufficiently enclosed to protect the privacy of neighbouring properties as well as the occupants of the proposed dwelling. Boundary treatments would screen the windows and doors positioned on the north elevation, although given that the property is of single storey, it is not considered that the fenestration would create any overlooking.

The window positioned of the east elevation would face onto the neighbouring driveway and pathway leading to their rear garden. The window would serve the bathroom and would therefore, incorporate obscure glazing and will create any overlooking. A condition will be added to secure obscure glazing.

The windows positioned on the south elevation would serve bedrooms and would be set back from the road with no properties directly facing the elevation.

The western elevation incorporates 1no. window serving the kitchen. This window would be screened by boundary treatments. The neighbouring property to the west is also host to an



outbuilding which would screen the window however, it is appreciated that the outbuilding could be removed by the neighbour and therefore, sufficient boundary screening would be condition to prevent loss of privacy.

In conclusion, whilst the dwelling may result in slight loss of light to the neighbouring property to the west during the early morning, this would only be for a couple of hours. Boundary treatments would be conditioned to prevent overlooking from the window on the west elevation, therefore, the development is not considered to have a detrimental impact on residential amenity.

The proposal therefore complies with Policy DM15 and CS08 of the Development Plan.

### **Highway Safety and Parking**

The site would be accessed via Kenwood Road which is an unadopted road. Some objections have mentioned the current state of repair of Kenwood Road, stating that there are numerous potholes which have caused damage to residents' vehicles. Objectors have also mentioned that some residents park on the road making it difficult for occupants to get to their properties.

As the road is unadopted, the Country Council has no control over its maintenance and the road itself does not form part of the application site, therefore, its condition is not a material consideration.

The addition of the proposed dwelling is not considered to impact the road further given that it is a modest, two bedroom bungalow and has previously benefitted from two planning permissions.

The amended plans received evidence that 2no. off road, parking spaces can be provided in accordance with the Parking Standards for Norfolk 2022 and the Heacham Neighbourhood Plan Policy 6 (Residential Car Parking). However, it is appreciated that the proposed parking layout appears slightly tight, although the parking spaces are of a sufficient size.

The Local Highway Authority stated that the current parking layout appeared slightly tight but as the road is unadopted had no formal objection.

Overall, the site does provide a sufficient amount of spaces of an acceptable size and therefore, complies with Policy DM17 of the SADAMP and Heacham Neighbourhood Plan Policy 6 (Residential Car Parking).

### **Other Material Considerations**

#### **Drawings**

The issues relating to drawing inconsistencies have been addressed through the submission of amended plans (received 06.09.2022) which now show the surrounding neighbouring properties and parking space.

#### **Land Ownership**

Land ownership disputes are a civil matter and are not considered to be a material planning consideration. The agent has confirmed that the land shown in red and blue is within the applicant's ownership and the correct certificate has been served.

## Drainage

The application states that disposal of foul sewage is unknown however, a condition will be added requesting details of this prior to the commencement of works. Surface water will be disposed of via soakaways.

## CONCLUSION

The proposed development is considered to be of an acceptable scale, design and form which respects the character and appearance of the surrounding area. The dwelling will not have a detrimental impact on residential amenity and is not considered to be back land development, and therefore, complies with complies with the overarching aims of the NPPF and Development Plan Policies CS1, CS2, CS08, DM1, DM2 and DM15. The proposal also complies with policies 3,4,5 and 6 of the Heacham Neighbourhood Plan.

## 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 92 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:  
  
20248 02 E PROPOSED PLANS, ELEVATIONS, SECTION & SITE Received 06.09.2022  
20248 03 PROPOSED SITE PLAN Received 06.09.2022
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Notwithstanding the details shown on the approved plan, prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The plan should detail the provision of a front (south) boundary hedge. The boundary treatment shall be completed before the first occupation of the dwelling. The development shall be carried out in accordance with the approved details.
- 3 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF
- 4 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.

- 4 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 5 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 5 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 6 Condition Before the first occupation of the building hereby permitted the window on the east elevation serving the bathroom as shown on drg no.20248 02 E (received 06.09.2022) shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 6 Reason To protect the residential amenities of the occupiers of nearby property.
- 7 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A, AA, B, C and D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, enlargement of a dwellinghouse by construction of additional storeys, the enlargement of a dwelling house consisting of an addition or alteration to its roof, alterations to the roof or the erection or construction of a porch outside any external door of a dwelling house, shall not be allowed without the granting of specific planning permission.
- 7 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the above mentioned Order.
- 8 Condition The dwelling hereby approved shall be occupied only as the primary (principal) residence of those persons entitled to occupy it. The occupiers of the dwelling shall be required to provide evidence that they are meeting the requirements of the condition, and shall make this information available at all reasonable times to the Local Planning Authority.
- 8 Reason In order that the development permitted is in accordance with Policy 5 of the Heacham Neighbourhood Plan.

21/01750/F

Land Rear Waterworks House The Street Marham



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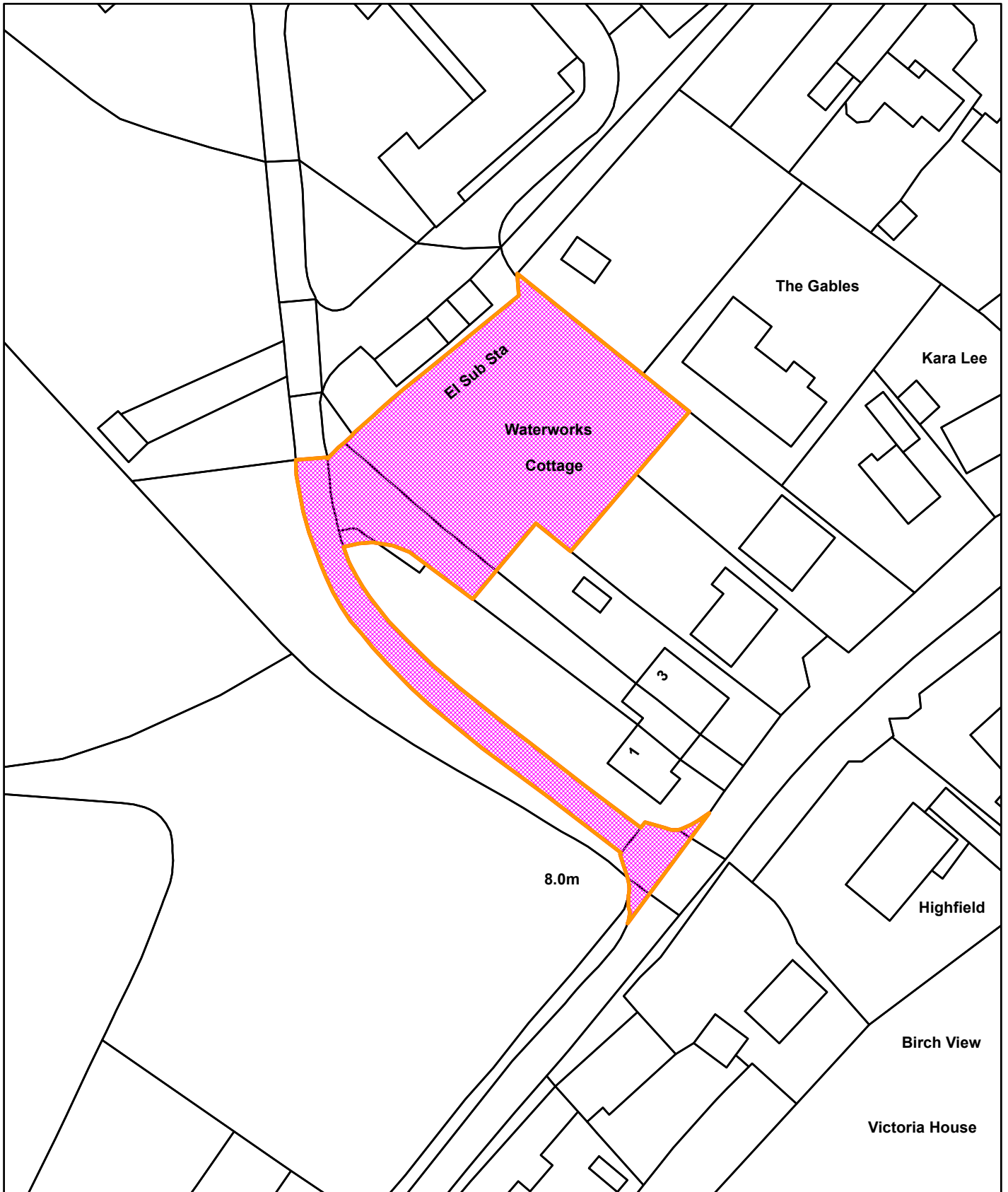
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Land Rear Waterworks House The Street Marham



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**AGENDA ITEM NO: 8/2 (c)**

<b>Parish:</b>	<i>Marham</i>	
<b>Proposal:</b>	<i>Development of 2 dwellings</i>	
<b>Location:</b>	<i>Land Rear of Waterworks House The Street Marham Norfolk</i>	
<b>Applicant:</b>	<i>HC Moss</i>	
<b>Case No:</b>	<i>21/01750/F (Full Application)</i>	
<b>Case Officer:</b>	<i>Mrs C Dorgan</i>	<i>Date for Determination: 12 November 2021 Extension of Time Expiry Date: 6 October 2022</i>

**Reason for Referral to Planning Committee** – Officer recommendation contrary to Parish Council.

**Neighbourhood Plan:** No

**Case Summary**

The application site is an area of 0.21 ha of land, located to the rear/north-west of a terrace of cottages and two detached houses which front onto the Street in the village of Marham, a Key Rural Service Centre as defined by Policy CS02 of the Core Strategy 2011. The site is accessed via a private road which currently provides access to the Anglian Water waterworks site which is situated immediately to the north-west of the application site. To the north-east is a further detached residential dwelling - a bungalow. The site is currently vacant and overgrown with vegetation and trees.

This application seeks full permission for the construction of two x three-bedroom chalet bungalows with designated parking spaces and private rear amenity space.

**Key Issues**

Principle of development  
Highways/ Access  
Form and character  
Neighbour amenity  
Other material considerations

**Recommendation**

**APPROVE**

## THE APPLICATION

The application site is an area of 0.21 ha of land, located to the rear/north-west of a terrace of cottages and two detached houses which front onto the Street in the village of Marham. The site is accessed via a private road which currently provides access to the Anglian Water waterworks site which is situated immediately to the north-west of the application site. To the north-east is a further detached residential dwelling - a bungalow. The site is currently vacant and overgrown with various forms of vegetation and trees. There is a large Sycamore tree to the north of the site which is protected by a Tree Preservation Order. The site is bounded by a mix of boundary fences to the rear of the properties fronting The Street, planting along the northeast and southwest boundaries and security fencing along the northwest.

The two dwellings proposed are modest 1.5 storey detached three-bedroom dwellings, approximately 7.3m at roof pitch with a minimal footprint. The drawings indicate red clay pantiles on the roof, and grey timber boarding with a brick plinth. Windows would be cottage style, with a covered porch on the front elevation of the dwellings. Both dwellings would have designated parking spaces and sufficient private rear amenity space.

Full planning permission was previously granted (under ref: 08/02702/F) for the construction of two pairs of semi-detached 3 bed houses with attached garages. There is no evidence submitted to date that the consent is extant.

## SUPPORTING CASE

The concept of thriving rural communities, so relevant to a rural borough such as King's Lynn and West Norfolk, is of vital importance, and yet many rural communities in England are facing a series of challenges that affect their ability to remain sustainable and inclusive, the most obvious being housing; analysis of Land Registry data by the ONS shows that in 90% of rural Local Authorities the median home price is nearly eight times the median salary (and in the administrative area of the borough the latest figures show the median house price is 8.93 times the median salary). The ongoing provision of new homes at all points of the market is essential.

In this context, this proposal seeks to provide two modest new family homes (three bedroom chalets with reduced single-storey eaves heights) which have been bespoke-designed to integrate with their surroundings in Marham, and which includes detailed design for associated landscaping, parking and access.

The NPPF states national planning policy; thus:

- Paragraph 11 requires decisions to apply a presumption in favour of sustainable development.
- Paragraph 60 stresses the government's objective of significantly boosting the supply of homes.
- Paragraph 69 emphasises the important contribution of small and medium sized sites, and (at point c) requires that LPAs should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.
- Relevant Development Plan include:
- Core Strategy Policies CS01 (Spatial Strategy), CS02 (Settlement Hierarchy), CS08 (Sustainable Development), CS09 (Housing Distribution), CS11 (Transport) and CS12 (Environmental Assets); and

- Site Allocations and Development Management Policies DM1 (Presumption in Favour of Sustainable Development), DM2 (Development Boundaries), DM15 (Environment, Design and Amenity), and DM17 (Parking Provision in New Development).
- This revised proposal accords with all relevant policies; in particular:
- The location and amount of development is acceptable by virtue of Core Strategy policies CS02 and CS09;
- The detailed design meets all of the criteria set out in Site Allocations and Development Management Policy DM15; and
- The proposal meets current parking standards, and all other design requirements.

The NPPF requires the supply of homes to be “significantly boosted”; in this case, the proposal is acceptable in principle in the context of both the NPPF and local policy, and the detailed design uses the best quality materials and causes no harm through overlooking, loss of privacy, overshadowing or domineering impact.

## PLANNING HISTORY

18/01936/FM: Application Permitted- Delegated decision: 01/03/19 - Installation of ground mounted solar PV array, underground cabling, fencing, gates and switchgear housing - Anglian Water Services Ltd Hogs Drove  
 06/01617/O: Application Permitted- Committee decision: 12/10/06 - Outline permission: Residential development - Former Sub Station  
 08/02702/F: Application Permitted- Committee Decision: 12/05/09 - CONSTRUCTION OF 4 NEW 3 BEDROOMED DWELLINGS - Former Sub Station

## RESPONSE TO CONSULTATION

**Parish Council: OBJECTION** on the following grounds:

Marham Parish Council continue to object on the grounds of highways safety and access. The proposed development would be accessed along a very narrow (single track) road that bends along its length. This means that any vehicle would not be able to see another vehicle approaching and should they meet would necessitate one of them reversing. This is compounded by the fact that the same road is used to access Anglian waterworks and is regularly used by their vehicles including vans and heavy lorries.

Previous concerns raised include –

- The proposed development would mean a significant increase in car use and is likely to attract families with young children. The access road would present a considerable danger to them.
- Overdevelopment of site.
- Neighbour amenity issues – existing dwellings in some cases have clear glazing at first floor which would cause privacy issues.
- Insufficient local services or employment in Marham.
- The sale of 160 houses, forming RAF housing, is currently underway. This will increase pressure on services, especially local surgery.
- Public transport in village is limited, which means reliance on car. Contrary to sustainable development objectives.
- Allocation sites have not been completed – implies a lack of demand.



- Local knowledge suggests that mains drainage and sewage pipes for the existing houses run through the site at a very shallow depth.
- Large sycamore tree on the site which is not mentioned within the planning application. It is understood that this tree is subject to a recent tree protection order. Any development would presumably involve the felling of this tree.

**Local Highway Authority: NO OBJECTION subject to conditions**

No objection to the proposed alterations therefore and continue to recommend the conditions re the visibility splays, access and parking and turning areas.

**Natural England: NO COMMENTS**

**Historic Environment Service (NCC): NO OBJECTION subject to conditions**

The amendments do not alter our recommendations for archaeological work, the previous advice remains valid:

'The proposed development site lies within the historic core of the village of Marham. Artefacts have previously found around the proposed development site, including Roman and medieval pottery and prehistoric flints to the west, medieval pottery and Roman pottery and coins to the south and east and prehistoric pottery and flints to the north. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

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

**CSNN: NO OBJECTION subject to conditions**

In formulating the following comments, consideration has been given to the historical applications for this site as well as submitted documentation. Whilst CSNN would not wish to raise objections to this application, some issues would need to be addressed by the application of suitably worded conditions to any granted application. Robust details of how surface water and foul water are to be dealt with should be submitted. The comments from local residents about sewage pipes being present at the surface should be taken into consideration.

To protect local amenity and the environment during construction work a Construction Environmental Management Plan (CEMP) should be created. This document should be dynamic and mirror any changes in the construction process taking place at the site. Particular attention should be given to neighbour communication, dust, noise and vibration management. Also note the inclusion of storage and management of liquids etc.

**Environmental Quality: NO OBJECTION**

The site of the above planning application is an agricultural field with land surface generally natural and appears to have no contamination history according to BCKLWN historic archive.

The existing site is currently vacant garden land which is not known to be contaminated or suspected of any contamination whether in part or whole. In addition, there are no asbestos

containing materials(building), fuels/chemicals storage or spillage on site and no previous land contamination reports about the site as contained in both the application and screening assessment forms. Consequently, we have no objection and no further observation may be required with regards to contamination assessment of the site in question.

**Environment Agency: NO OBJECTION** subject to conditions.

No objection to the proposed development providing the below 5 conditions are included in any planning permission.

The proposed development site is located upon a principal aquifer and within a Source Protection Zone 1 designated for the protection of public water supply. The controlled waters sensitivity is high as contaminants from the site could enter the aquifer and pollute the protected source.

Planning permission could be granted to the proposed development as submitted if the following planning conditions were included. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application. The conditions require the following to be submitted and agreed by the LPA, and adhered to -

- Remediation Strategy
- Remediation Strategy for unsuspected contamination
- Surface Water Drainage Scheme.
- Foul Water Drainage Scheme
- Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority

No land contamination assessment has been submitted with the application. This omission should be addressed following the tiered approach outlined within the EA Land contamination risk management (LCRM) guidance. As a minimum, would expect to be provided with a preliminary (phase 1) risk assessment to support/ as part of the information detailed above.

**Arboricultural Officer: NO OBJECTION**

## REPRESENTATIONS

**FORTY letters of OBJECTION** have been received from three neighbouring dwellings. The issues raised are summarised below-

- Development will destroy spaciousness, the rural character of the site.
- Devalue the neighbouring dwellings.
- Loss of views and loss of light.
- Existing dwelling has clear windows at first floor on rear elevation. This would give rise to loss of privacy / overlooking.
- Development will be intrusive and cause noise, disturbance and disruption.
- The substation creates noise, traffic and light pollution.
- Site is on a major aquifer and zone 1 ground water protection policy.
- Drainage / sewerage pipes for numbers 1-4 Waterworks Cottages run on the surface/ less than 60cm in depth across their garden and across application site to mains sewerage network. How will the drainage be managed? Any building works likely to

damage/ disrupt these and cause contamination as well as inconvenience neighbours.

- The red line includes land belonging to neighbours.
- Access track – single lane only, no passing places. Used by AW HGVs and vehicles. Proposed widening to 5m still falls short of 5.5m required. Road is NOT wide enough. How will the applicant increase visibility splays? Do they own this land? Do not own sufficient land to provide visibility splay required.
- Currently parking place for no.1 on this track. Where will they park?
- Development will increase vehicle movements and would be dangerous to new residents. No footpath proposed.
- Insufficient demand for new houses in the village.
- Previous planning consent was inaccurate / floored.
- Sycamore tree should be protected.
- Trees/ vegetation on site mean a range of ecology including bats and owls.
- Concern that silver birch on site boundary of no.4 may be damaged.
- No affordable housing.

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**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 main issues for consideration are as follows;

- Principle of development
- Highways/ Access
- Form and character
- Neighbour amenity
- Other material considerations

## **Principle of development**

The application site lies within the village of Marham, which is designated as a Key Rural Service Centre in Policy CS02 of the Core Strategy (CS) (2011). The site lies within the development boundary for Marham as identified on Inset G56 of the Site Allocations and Development Management Policies Plan (SADMPP)(2016). Policy DM2 of the SADMPP states that development will be permitted within the development boundaries of settlements provided it is in accordance with the other policies in the Local Plan.

The history of the site includes a previous consent for residential development (08/02702/F) for the construction of four three-bedroom dwellings. There is no evidence submitted to date that this permission is extant.

The principle of residential development on the site is therefore acceptable and in accordance with the NPPF, policies CS02 and CS06 of the CS and policy DM2 of the SADMPP, subject to compliance with other policies in the Local Plan.

## **Highways/ Access**

Concerns have been raised by the Parish Council and neighbouring residents as to the suitability and safety of the proposed access to the application site. The access is from a single private drive/ track off The Street, which is also utilised by the Anglian Water site to the rear of the application site and by agricultural vehicles to land to the west. The comments made state that the visibility along the access is poor and vehicles are unable to pass. Anglian Water vehicles using the site include HGVs/ commercial traffic and an increase in vehicular movements would be dangerous. It is also pointed out that a pedestrian footpath is not proposed for new residents.

However, the Local Highway Authority (LHA) has no objections to the scheme as proposed and recommends conditions are attached re the required visibility splays, access and parking and turning areas.

Neighbours query whether the applicant owns land to enable the access to be widened and the required visibility splays to be delivered as shown on the submitted plans. The applicant has stated that there is a long-standing covenant on the neighbours plot which restricts them from blocking the visibility splays, and they also confirm all necessary certificates have been served on the neighbouring land. The LHA is of the view that the required visibility splay and access has been included within the red line of the application site and therefore can be conditioned. The planning condition can be imposed and enforced but does not override any third party land ownership/ party agreements. Therefore, if a third party land owner is not in agreement the development cannot progress in accordance with the consent.

Whilst the comments of neighbours and the Parish Council are noted, there is no objection from the statutory consultee on highway safety grounds. The scheme includes the provision of an access deemed suitable for the two dwellings proposed, and as a result the proposed scheme is in accordance with the NPPF, Policy CS11 of the CS (2011) and Policy DM15 of the SADMPP (2016).

## **Form and character**

The application site lies between existing residential development to the southeast and an Anglian Water site to the north west. While the predominant character of Marham is frontage development there are examples of development in depth to the east of the site, such as The Gables and also Hoggs Drove. Given the range of dwelling types, there is also a range of densities and the proposed density of the application site is 9.5 dwellings per hectare. The

density of the proposed development reflects the constraints of the site, the need to retain the existing trees and hedges. Therefore, the proposal would not be contrary to the form and character of the locality and would not represent over-development of the site.

The site layout proposed responds to the features of the site, namely the existing trees and hedges to be retained and the proximity to the existing neighbouring dwellings. While plot 1 is smaller than plot 2, the garden for plot 1 does extend to 10m in depth and is over 20m in width. The scale and type of dwellings proposed as well as the materials evident along this part of The Street varies considerably. The dwellings proposed are 1.5 storey detached three bedroom dwellings, approximately 7.3m at roof pitch. The drawings indicate red clay pantiles on the roof, and grey timber boarding with a brick plinth (specific material details are yet to be confirmed and are proposed to be conditioned accordingly). Windows would be cottage style, with a covered porch on the front elevation of the dwellings. Both dwellings would have designated parking spaces and sufficient private rear amenity space. The scale and type of development, and the materials proposed are considered appropriate in the locality.

The existing boundary treatments include close board fencing to the rear of the properties fronting The Street, planting along the northeast and southwest boundaries and security fencing along the northwest. The plans show the planting along the north eastern boundary and south western boundary is to be retained in addition to the three trees. The planting and trees will continue to make a positive contribution to the visual amenity of the site and the wider locality. While these will be retained the planting/hedging can be considerably trimmed back/ pruned and managed to minimise overshadowing to the proposed dwellings. Conditions are attached requiring the retention of the existing trees and hedging shown on the plan, and a condition is attached requiring a landscape scheme to be provided for the site to secure the additional planting proposed on the plans. A condition is also attached requesting information on the proposed boundary treatments to be submitted and agreed.

The site density (at 9.5 dwellings per hectare), the layout and the form of the dwellings proposed are considered acceptable in terms of form and character. The proposal is therefore in accordance with the NPPF, and Policy CS08 of the CS and Policy DM15 of the SADMPP.

### **Neighbour amenity**

A number of objections have been received from three neighbouring dwellings. The issues raised include potential noise, disturbance and disruption from the development. Neighbours state that the development would result in a loss of privacy and cause overshadowing to their dwelling/ amenity space.

The dwelling sited on plot 1 at the closest point would be 6.3m to the site boundary to the south east, and between 5m and 10m to the site boundary to the west. The first floor windows (dormers) for plot 1 on the rear elevation would serve a bathroom and three bedrooms. For plot 2 at the closest point the site boundaries are 2.3m to the side (southeast) and 12.5m to the rear boundary (northeast). The rooflights on the rear elevation are positioned at 14m from the rear boundary (and positioned at a minimum of 1.8m in height from floor level) and these serve two bedrooms and an ensuite. The existing dwelling to the east (The Gables) is 4.5m from the shared site boundary and to the south east (no.s 1-3) existing dwellings are approximately 25m from the shared site boundary, and this provides a distance of at least 17m and 31m between proposed and existing dwellings (respectively) which is considered fully acceptable in planning terms. Given the distances between the dwellings, and the fact that the dwellings proposed would be to the north west of the existing dwellings, the proposed development is unlikely to cause overshadowing to the existing neighbouring dwellings or their immediate private amenity space. The existing planting and

trees which are to be retained will also maintain privacy/ screening between the existing development and the dwellings proposed.

It is proposed that permitted development rights are removed for additional storeys, roof alterations and for windows on the proposed dwellings. This will seek to ensure the levels of privacy secured in this application will be retained.

One of the existing neighbouring dwellings has clear glazing on their first floor bathroom window which faces towards the application site, and the resident has stated that this will result in a loss of privacy for them. In this case there is some 19m from the window to the shared boundary, and the window would not directly face a first floor window of the proposed dwellings. However, clear glazing on a first floor bathroom window is unusual given the Anglian Water site behind and the long neighbouring gardens, and the proposed development may give rise to some minimal overlooking to this window. However, this alone is not sufficient justification to warrant refusal of the application.

During the application process the applicant has made considerable amendments to the scheme to address the close relationship of the existing dwelling 'The Gables' to the east of the site (the dwelling is 4.5m to the shared boundary), and also given concerns raised by neighbours to the southeast. This resulted in a reduced number of units on site as well as amended positioning of the units and design of these, and the proposed scheme is considered acceptable as a result.

CSNN require that a condition is attached to the planning consent requiring a construction environmental management plan to be submitted to and agreed by the Council and should include neighbour communication, dust, noise, vibration management. This will minimise any disturbance to neighbours during the construction period.

In terms of neighbour amenity, while concerns have been raised by existing neighbouring residents, it is not considered that the scheme would have an unacceptable impact on neighbour amenity. It is therefore in accordance with the NPPF and Policy DM15 of the SADMPP.

### **Other material considerations**

**Ownership** – Objections received from neighbouring residents raise queries regarding ownership of the site. Firstly, the positioning of some of the shared boundaries, and also the current parking space/ passing space on the access road. The applicant has stated that they are satisfied they have followed correct procedures regarding certificates of notification to neighbouring landowners where necessary. They have also submitted the title deeds for the land. The applicant and neighbours continue to be in dispute. However, having sought legal advice it has been clarified that it is not the role of the LPA to resolve matters of land ownership. It is worth noting that Land Registry title plans are not definitive on matters of land boundaries, which is a matter of law and fact. The responsibility is on the applicant to submit the correct certificate and it is their risk if an incorrect certificate is submitted that affects the validity of their application. The Council is not under an obligation to formally investigate and confirm title. In a case of dispute it would be sensible to certify more widely than narrowly but, ultimately, that is a matter for the applicant. In summary, the issues of dispute over ownership are for consideration outside of the planning application process.

**Drainage** – Neighbouring residents point out in their representations that currently their dwellings (no.s 1-4) are connected to the main sewerage network via pipes which lie on the surface/ up to 60cm below the surface across their back gardens and across the application site to the Anglian Water site to the rear. Concerns are raised that development may damage/ disrupt these connections. In addition, they query how drainage would be provided

to the new site. The application site lies above a major aquifer, and consideration also needs to be given to groundwater protection. The CSNN officer has stated that robust details of the foul and surface water drainage arrangements would need to be submitted to and agreed by the LPA prior to any construction work on site, and this can be controlled via condition. The Environment Agency (EA) have no objections to the scheme subject to five conditions being attached to the consent. The conditions require remediation strategies as well as full details of foul and surface water drainage arrangements to be submitted and agreed by the LPA. In addition, any piling/ boreholes/ foundations shall not be permitted other than with the express written consent of the LPA. Alongside this information a land contamination assessment (as a minimum, would expect to be provided with a preliminary (phase 1) risk assessment) should be submitted to support/ as part of the information detailed above.

Trees/ Ecology – There is an existing large sycamore tree to the north of the application site which has been given a Tree Preservation Order. The applicant was, as a result, required to redesign the site layout to ensure the development would not cause harm to the protected tree. In addition, there is a Crimson King and a Silver Birch tree and some existing planting/ hedging on site which is to be retained. The applicant has submitted a Tree Survey/ Plan. The Arboricultural Officer has stated that he is satisfied with the proposal in its current form and has no objections. The tree survey/ plan is conditioned accordingly.

Neighbouring residents raise concerns that the site has been cleared which has impacted on the local ecology on site. They also state that there are bats/ owls living in/ using the large sycamore tree. Firstly, the applicant does not need consent to maintain/ clear their land. Secondly, given the tree is to be retained and will be protected as has a Tree Preservation Order, this would not result in the loss of this as a home/ shelter for ecology and would not have a significant affect on protected species as a result. It is not considered that an ecology report is required, as the development proposed would not remove/ harm the potential habitat for protected species, the trees and hedging on site is to be retained. If bats or nesting birds are found during the construction of the development, these are protected by legislation and the developers are required to follow the regulations accordingly.

Local services – The Parish Council and local residents highlight the lack of employment and facilities/ services within the village. They state that there is not a need for any additional housing here as services are stretched. Also, that new development in the village promotes the use of the private car as the public transport provision is minimal. While these comments are noted Marham is identified as a Key Rural Service Centre in the adopted Local Plan. This recognises that Marham provides a range of services to meet basic needs and serves the wider rural locality. It is considered an appropriate location for local scale development.

Loss of a view/ Devalue properties – Objections to the scheme state that the development would result in the loss of their existing view, and that this would impact on their health and well-being. In addition, the development would de-value their dwellings nearby. The loss of a view and property values are not material planning considerations, and therefore would not be considered in the determination of the application.

Archaeology – Archaeology conditions have been attached to the consent due to the potential presence of heritage assets.

There are no concerns raised to the application by Environmental Quality.

## CONCLUSION

The application seeks full planning consent for two dwellings on the site. The application site lies within the development boundary for Marham and in terms of the principle of development, is considered acceptable.

In terms of the form and character of the proposal, including the retention of existing planting/trees, the development is in accordance with the policies of the Local Plan. A number of objections were raised relating to neighbour amenity such as overlooking, overshadowing, noise and disturbance etc. The CSNN officer is satisfied that a construction management plan would minimise the impacts of the construction phase on the neighbouring residents. In terms of the relationships between the existing dwellings and those proposed; the distances between these dwellings as well as the orientation of these and proposed design of the dwellings means that the proposal would not give rise to an unacceptable impact on neighbouring residents. Drainage information is yet to be submitted but conditions are attached to ensure full details are submitted to and agreed by the LPA prior to any development on site. A number of objections have been raised to the proposed site access; whether this is achievable, suitable and safe. The Local Highway Authority is satisfied with the proposed development, subject to the specified conditions being attached.

In conclusion, the proposed scheme has undergone a number of amendments and is now considered an appropriate form of development given the locality. For the reasons detailed above, it is considered that the development proposed is in accordance with the NPPF, Policies CS02, CS06, CS11 of the CS (2011) and Policies DM2, DM15 and DM17 of the SADMPP (2016). The application is therefore recommended for approval.

## RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos.  
  
2120-1-01 Location Plan (received 20 Sept 22)  
2120 1-02 D Site Plan and Section (received 20 Sept 22)  
2119-(A)2-01 Rev A Type A Floorplans (received 20 Sept 22)  
2119-(B)2-02 Rev B Type B Floorplans (received 20 Sept 22)  
2119-(A)3-01 Rev A Type A Elevations (received 20 Sept 22)  
2119-(B)3-02 Rev B Type B Elevations (received 20 Sept 22)  
2120 3-01 B Proposed Street Elevations (received 20 Sept 22) ).
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.90 metres above the level of the adjacent highway carriageway.



- 3 Reason In the interests of highway safety in accordance with the principles of the NPPF.
- 4 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 4 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 5 Condition Prior to commencement of development a detailed construction environment management plan must be submitted to and approved in writing by the Local Planning Authority; this must include proposed timescales and hours of the construction phase and deliveries/collections. The scheme shall also provide the location of any fixed machinery, their sound power/ vibration levels, the location of contractor parking, the location of plant, machinery, waste and materials storage, all proposed attenuation and mitigation methods to protect residents from noise, dust and litter, and the prohibition of any bonfires, as well as neighbour communication. The scheme shall be implemented as approved.
- 5 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 6 Condition The development hereby approved shall be constructed in strict accordance with the recommendations of the Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan and Dwg 9220-D-AIA prepared by Haydens Arboricultural Consultants dated 15/ 17 Dec 2021. **CONDITION TO BE REVISED ON RECEIPT OF LATEST PLANS**
- 6 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 7 Condition No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, destroyed, or removed without the prior written approval of the Local Planning Authority. The hedging within the site shall be retained at a height of not less than 2m above ground level.
- Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 7 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 8 Condition Notwithstanding the details shown on the approved plans, prior to 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 treatments to be erected. The boundary treatment shall be completed before the dwellings are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained in perpetuity.

- 8 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 9 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 all materials to be used for 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.
- 9 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 10 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 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.
- 11 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 12 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 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation, 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.
- 12 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.

- 13 Condition No development shall take place other than in accordance with the written scheme of investigation approved under condition 12 and any addenda to that WSI covering subsequent phases of mitigation.
- 13 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 14 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 12 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 14 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 15 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 15 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 16 Condition Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

- 16 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.
- 17 Condition No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.

The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.

Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be

undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

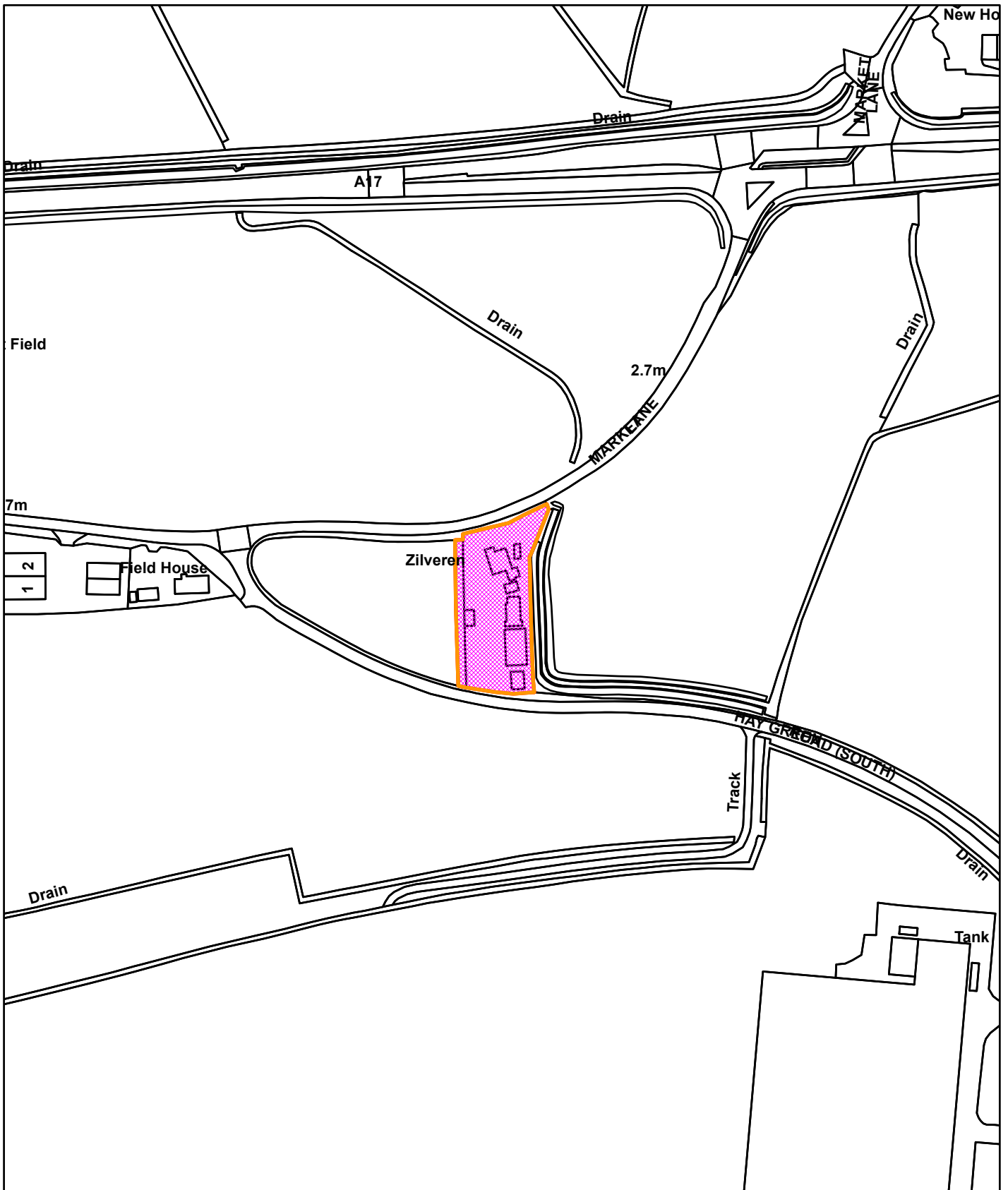
- 17 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.
- 18 Condition If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 18 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.
- 19 Condition Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
- 19 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.
- 20 Condition Notwithstanding the provisions of Schedule 2, Part 1, Class AA, Class B and Class C of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement of a dwelling house by construction of additional storeys, and the enlargement of the dwelling house consisting of an addition or alteration to its roof, and other alterations to the roof of a dwellinghouse shall not be allowed without the granting of specific planning permission.

Furthermore notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no new windows/ dormer windows (other than those expressly authorised by this permission) shall be allowed without the granting of specific planning permission.

- 20 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.

22/01044/F

Westfields Gardens 81 Market Lane Terrington St Clement



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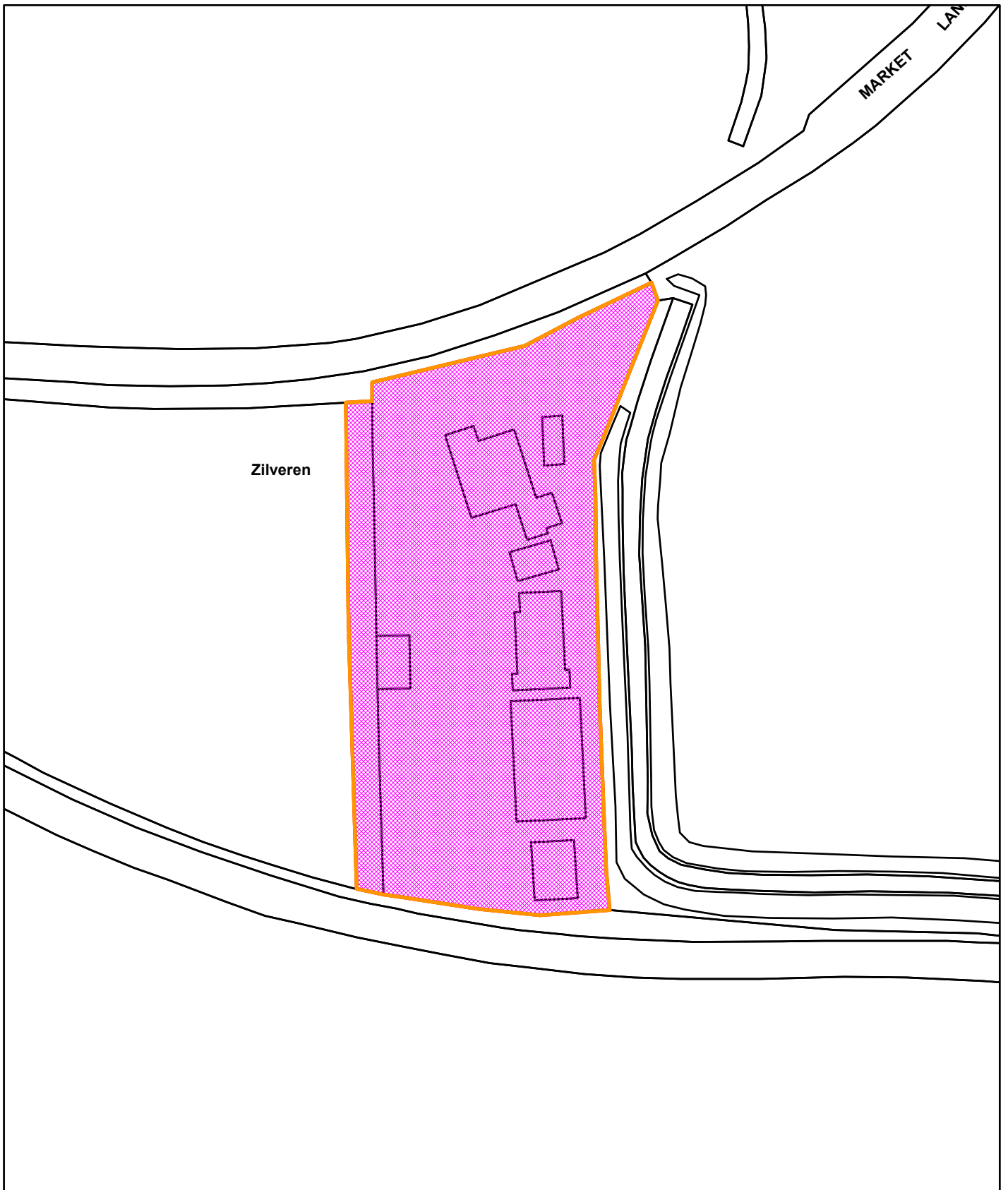
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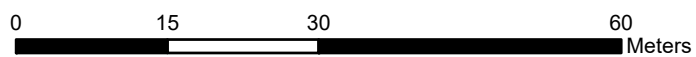


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78



**AGENDA ITEM NO: 8/2(d)**

<b>Parish:</b>	<b>Terrington St Clement</b>	
<b>Proposal:</b>	<b>Retrospective replacement of a front fence with 6ft 6 high of wooden boarding with concrete posts and proposed replacement of front driveway entrance with fence.</b>	
<b>Location:</b>	<b>Westfield Gardens 81 Market Lane Terrington St Clement KINGS LYNN</b>	
<b>Applicant:</b>	<b>Mr James Harding</b>	
<b>Case No:</b>	<b>22/01044/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Bradley Downes</b>	<b>Date for Determination: 8 September 2022</b>

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

**Neighbourhood Plan:** No

**Case Summary**

The application is part-retrospective for the erection of a 2m fence adjacent the highway at 81 Market Lane, Terrington St Clement. The site has a residential dwelling but a dog training business is also run within the site. The development is only part-retrospective because it involves closing the primary residential access by replacing the 2m gate with a section of 2m solid fence and instead using the business access further to the east for the dwelling and the business together because it has slightly better visibility. The site lies in the countryside and there are no immediate neighbours surrounding the land.

**Key Issues**

Principle of development  
Form and character  
Highway safety  
Any other matters requiring consideration prior to the determination of the application.

**Recommendation**

**REFUSE**

**THE APPLICATION**

The application is part-retrospective for the erection of a 2m fence adjacent the highway at 81 Market Lane, Terrington St Clement. The site has a residential dwelling but a dog training business is also run within the site. The development is only part-retrospective because it involves closing the primary residential access by replacing the 2m gate with a section of 2m solid fence and instead using the business access further to the east for the dwelling and the business together because it has slightly better visibility. The site lies in the countryside and

there are no immediate neighbours surrounding the land. The application has been made to the Local Planning Authority following an enforcement investigation that determined planning permission would be required.

## **SUPPORTING CASE**

We purchased and moved into our new home in October 2020. The property has been a kennels for over 40 years but in recent years had been neglected and needed a lot of work. It had overgrown mature trees and shrubs at the front and rear, fencing was missing or rotten in places and the whole site was not fit to keep animals safe and within its boundaries. With sheer hard work over the last two years, we have put all the money we have made directly back into the property and have turned the place around. We have grown and developed the previous failed business (that was making a loss) into a fully functioning, licenced and successful local business, employing local staff & volunteers and which is now known locally and across the UK for its fantastic animal care.

Our priority two years ago was to restore the essential boundary fencing, to maintain a secure site for the dogs in our care and to ensure the safety of road users. The new front fence was erected in the same position as the old fence and overgrown shrubbery and positioned further back in places and was completed by Christmas of 2020. However, unbeknownst to us at the time that this fence would require planning permission, despite having four professional fencing companies quoting for the work, it was never suggested to us. If we were aware we obviously would have sought advice and positioned our new fence slightly further back from the road as so not to have required planning permission at all. With the ever increasing costs of materials, fuel and labour, the impact that relocating this fence will have on our small business will be astronomical, especially as in places we are being asked to move the fence back as little as 30cm!

What we have proposed in our retrospective planning application, is the compromise that if the fence line were to remain where it is currently, that we are willing to remove the house driveway gates/entrance and instead continue the fence line, thus eliminating any access safety issues that highways may deem. Neither the parish council nor the planning department have mentioned that the proposal will be to remove the driveway entrance, the exact same area that has been highlighted as a safety issue, the issue that will be eliminated following the gate removal.

The council categorise us as a commercial property and we have chosen the most domestic looking commercial fencing that there is. We and lots of our customers and neighbours deem our fencing as attractive and very much in keeping with the area. We do not live in a village setting, instead we live on the outskirts of a village adjacent to the very busy road of the A17. Within 1/4 of a mile from us is the following services:

Machine repair, Tulip farm currently building an industrial warehouse, a hedgehog rehoming centre, strawberry farm, metal fabricator, electrician depot and T M brown builders' yard, ourselves that run a small dog training business and 1 other residential property.

We very much think our fencing is more than in keeping with the area. In fact, it was looking at our neighbouring properties that lead us to settle on the material and design as both our direct neighbour to the east of us and three neighbours within 1/2 mile to the west of us on Market Lane have the same fencing, same wood, same height, same style and same colour. If you have passed the A17 recently you will notice how smart the front of our property looks.

When we first received the enforcement notice within a matter of weeks, we took action and at great cost to ourselves we moved the eastern part of the fence back to the desired distance and restored the non-existent verge to an attractive newly turfed and maintained



area. We do not however see any justification to remove and relocate the rest of our fence line at a further huge and significant cost & detriment to our business.

## **PLANNING HISTORY**

08/02079/F: Delegated Decision - Application Permitted: 12/11/08 - Extension to existing kennel block - Zilveren Kennels, Market Lane, Terrington St Clement

2/97/0361/F: Delegated Decision - Application Permitted: 15/04/97 - Construction of field shelter - Zilveren Kennels, Market Lane, Terrington St Clement

## **RESPONSE TO CONSULTATION**

**Parish Council:** Made the following comments

The Parish Council supports the observations of the Planning Enforcement Team in regard to the fence being moved and the gate set back.

**Highway Authority: OBJECTS** on the following grounds

The vehicle access for the dwelling is to be permanently closed off and fenced across. This removes our concerns in relation to that particular point of access. However, the existing field access at the west end of the site will remain. While use of this field access is currently low, it could not be conditioned in a manner to control the frequency of its use and therefore an intensification of the access needs to be considered.

I can only conclude that the fencing has resulted in the field access to have inadequate visibility for the speed of traffic passing the site and our recommendation of refusal would remain. Similarly, I am not aware that the central section of fencing has been set back to enable visibility to be adequately achieved to the west of the business access (proposed to also be residential), and I therefore have the assumption that the access remains substandard and should therefore be refused.

It is disappointing that the applicant has not sort to set back the appropriate sections of fencing to achieve the visibility requirements that have been suggested, as fundamentally we are not against the fencing in principle, just its proximity to the carriageway given its height therefore its effect on the accesses to be retained. Recommend refusal due to inadequate visibility splays.

## **IDB: NO OBJECTION**

Land drainage consent has been granted.

**REPRESENTATIONS** None received

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

### **NATIONAL GUIDANCE**

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

### **PLANNING CONSIDERATIONS**

**The main considerations are:**

- Principle of development
- Planning history
- Form and character
- Highway safety
- Any other matters requiring consideration prior to the determination of the application

#### **Principle of development:**

The proposed development is for the erection of a 2m high untreated timber fence approximately 45m in length to the roadside boundary of 81 Market Lane, which is used as both a residential dwelling and has a small office serving the dog training business run from the site. The site lies in the countryside where Policy DM2 states that development is more restricted and limited to that identified as suitable in rural areas. The proposed fence is primarily a means of enclosure for the dwelling and to provide additional security in relation to the dog training activity. It is considered the principle of the development is acceptable subject to compliance with other policies within the Development Plan.

#### **Planning history:**

This planning application has arisen as a result of an enforcement investigation where it was determined that planning permission would be required for the fence. While there was historically a fence along the front boundary prior to the installation of this fence, it was only 1m in height and did not require planning permission. To determine the likelihood of approval in the event of an application, the enforcement team consulted with the Local Highway Authority who had serious concerns regarding the proximity of the fence to the carriageway and the impact this would have on visibility at the three points of access. The three points of access are the field access on the west side, the residential access in the middle, and the business access to the east side. As a result, the applicant moved the part of the fence furthest to the east further back to allow adequate visibility from the business access looking to the north/east. Despite this, the Local Highway Authority still had concerns with the remaining parts of the fence because while visibility had been improved for the business access, the visibility at the residential access and field access were still severely limited by the fence.

As a result, the enforcement team sought to serve an enforcement notice on the fence. However, the applicant then stated that they would first make a planning application to attempt to regularise the fence, making a further compromise to try to satisfy the Local

Highway Authority. That compromise is the closing of the residential access by replacing the gate with fencing and instead using the business access for the dwelling and the business together, which forms part of this proposal.

### **Form and character:**

The site lies in a prominent location on the south side of Market Lane near the A17. The surrounding area is predominantly open countryside with the exception of a dwelling approximately 125m to the west and commercial use approximately 165m to the west.

In terms of context, the other dwelling approximately 125m to the west has a section of 1.8m high fencing which is solid up to 1.6m with a 0.2m lattice on top. This portion of fencing on the neighbouring property is more set-back from the carriageway and there are tall trees in between which provide screening. This dwelling does also have an approximately 16m long and 2m high red brick wall along the frontage of the property which does lie adjacent to the highway, but it is older than 4 years. It is considered this wall is not overly prominent in the street scene as it lies next to the commercial units and the views up and down that part of Market Lane are dominated by large mature trees either side of the property.

The application site is considered to be visually and spatially distinct from the property 125m to the west. While it does have some vegetation along the boundaries, that vegetation is not as visually prominent on this part of the road, which combined with being immediately adjacent open countryside in all directions and located on a prominent well trafficked corner results in a fence which is considered to appear much more intrusive in the street scene. The proposed fencing is somewhat justified by the need to secure dogs within the applicant's ownership, however the type of fencing chosen is not considered to be sensitive in its current form.

It is considered that if the fence was painted or otherwise had colour applied it could potentially have a mitigating effect on the visual impact of the fence. In its untreated state, it is considered the fence is a harsh and obtrusive feature in the otherwise rural and open countryside setting. However, with an appropriate colour applied such as a dark green, it would blend in with the vegetation and would be much less noticeable in views in the countryside.

Policy DM15 of the SADMPP 2016 and CS06 of the Core Strategy 2011 require that development is sympathetic to the characteristics of an area and respect the intrinsic character and beauty of the countryside. With a satisfactory colour applied, it is considered the proposed fence could be sympathetic to the characteristics of the area and would not have any significant impact on the character and appearance of the countryside.

### **Highway Safety:**

The proposal to block up the original residential access with additional fencing, re-instate the verge and instead use the existing business access further to the east would improve the highway safety of the development. However, it is considered the development as a whole would still fall short of being adequate and safe in terms of visibility. The existing business access to be utilised would still experience limited visibility in the westerly direction and the field access to the west end of the proposed fence line also has its visibility severely limited by the fence. This field access is not currently used regularly, but it may be used more regularly in the future for example if an agricultural use on the land started again. At such a time, the fence would be a significant highway safety hazard for potentially large vehicles exiting the land.

The speed limit on the road is 60 mph, however 85th percentile speeds are around 30mph. For such speeds on a road, visibility splays should be 2.4m x 70m in both directions. Visibility splays are not shown on the plan, however it is apparent when looking at the fence on site visit that visibility to the west from the remaining business/proposed residential access would be limited to some degree and that visibility to the east from the field access is blocked to near blind levels. It is therefore considered the development results in conditions to the detriment of highway safety. The Local Highway Authority currently object on this basis.

While it is acknowledged the applicant has already rectified part of the fence to improve visibility, it is considered this does not weigh significantly in favour of the scheme when remaining parts of the development are considered to be substandard. As the application is retrospective, the cost to the applicant of rectifying the remaining parts of the fence to achieve adequate visibility at all points of access is not a material consideration.

Policy DM15 of the SADMPP 2016 states that development should demonstrate safe access can be provided. Due to the restricted visibility at the remaining points of access as a result of the proposed fence it is considered the proposed development does not demonstrate that it provides safe access to the site. As a result it is considered the proposal is contrary to the Development Plan.

### **Any other matters requiring consideration prior to the determination of the application**

There are no nearby neighbours which would experience any significant impacts as a result of the fence.

The IDB has indicated that consent has been granted in respect of the development to relax their byelaw 10, due to the proximity of the fence to an IDB drain. This consent is separate from the remit of planning and does not prejudice any decision that can be made the Council.

### **CONCLUSION**

The proposed fence line is considered to be a prominent feature in the street scene and currently is detrimental to the open character of the countryside on this part of Market Lane. However, with satisfactory colour applied to the fence it is considered this impact would be mitigated to a degree which would not cause sufficient harm to warrant refusal. However, the proposed fence would limit visibility for both of the remaining points of access and would be detrimental to highway safety. As such the proposal would be contrary to Policy DM15 which requires development provides safe access. Therefore, it is recommended that permission is refused for the reason below.

### **RECOMMENDATION:**

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

- 1 The proposed fence, by virtue of its proximity to the carriageway, would result in inadequate visibility splays at both of the remaining points of access with the County highway and this would cause danger and inconvenience to users of the adjoining public highway. As such, the development would be contrary to Policy DM15 of the SADMPP 2016.

**PLANNING COMMITTEE – 3 OCTOBER 2022**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

**PURPOSE OF REPORT**

- (1) To inform Members of the number of decisions issued between the production of the September Planning Committee Agenda and the October agenda. 121 decisions issued 116 decisions issued under delegated powers with 5 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 August 2022 and 19 September 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	<b>75%</b>	60%	1	0
<b>Minor</b>	45	39	6	40		<b>89%</b>	80%	0	1
<b>Other</b>	72	71	1	67		<b>93%</b>	80%	3	0
<b>Total</b>	<b>121</b>	<b>114</b>	<b>7</b>						

Planning Committee made 5 of the 121 decisions, 4%

## PLANNING COMMITTEE - 3 OCTOBER 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
17.06.2022	23.08.2022 <b>Application Permitted</b>	22/01236/F	Auckland House Main Road Brancaster Staithe King's Lynn Two storey side extension, single storey rear extension and alterations to dwelling	Brancaster
04.07.2022	15.09.2022 <b>Application Permitted</b>	22/01164/F	Brancote Market Lane Brancaster KINGS LYNN Side and Rear Extensions to existing dwelling house	Brancaster

16.08.2022	13.09.2022 <b>Application Permitted</b>	21/02110/NMA_1	Reddings Main Road Brancaster Staithe King's Lynn NON-MATERIAL AMENDMENT to Planning Permission 21/02110/F: Demolish and replace existing conservatory, extend adjoining raised decking. New garden studio building. New areas of paving to extend and replace timber decking.	Brancaster
10.05.2022	23.08.2022 <b>Application Permitted</b>	22/00828/LB	Burnham Market Stores Overy Road Burnham Market King's Lynn Listed Building Application: To Take out 6 rotten windows, 3 to the front and 3 to the rear of the property and replace with new hardwood ones to match exactly the removed ones.	Burnham Market
28.06.2022	14.09.2022 <b>Application Permitted</b>	22/01305/F	Saltmarsh House Herrings Lane Burnham Market King's Lynn Side extension to form new bathroom, glazing alterations, recladding existing gym and internal alterations	Burnham Market
20.07.2022	01.09.2022 <b>Application Permitted</b>	20/00164/NMA_1	7 Mill Yard Overy Road Burnham Market King's Lynn NON-MATERIAL AMENDMENT to Planning Permission 20/00164/F: Proposed extension and alterations	Burnham Market

26.05.2022	12.09.2022 <b>Application Permitted</b>	22/01078/F	1 Gravel Hill Mill Road Burnham Overy Town King's Lynn Replacement of rear east facing single storey extension with 2 storey extension and addition to the north facing single storey element of a second storey.	Burnham Overy
30.05.2022	06.09.2022 <b>Application Permitted</b>	22/00956/F	The Old Vicarage Priory Road Castle Acre King's Lynn New windows and doors to the house and south side of the stable block. An infill extension between the existing single storey wings to the north side of the dwelling.	Castle Acre
27.06.2022	07.09.2022 <b>Application Permitted</b>	22/01303/F	Bramleys Massingham Road Castle Acre KINGS LYNN Increase ridge height to facilitate loft conversion creating habitable room with 2no. dormer windows with timber cladding and render to elevations	Castle Acre
20.07.2022	23.08.2022 <b>TPO Partial</b>	22/00062/TPO	The Knights Hill Hotel Knights Hill Village Grimston Road South Wootton King's Lynn 2/TPO/00143: T5 - Removal of Horse Chestnut	Castle Rising
27.04.2022	15.09.2022 <b>Application Permitted</b>	22/00752/F	Sandmere 19 Coronation Road Clenchwarton King's Lynn Extension to rear of semi-detached dwelling	Clenchwarton
30.06.2022	07.09.2022 <b>Application Permitted</b>	22/01149/F	80 Hall Road Clenchwarton Norfolk PE34 4AT Extensions and Alterations.	Clenchwarton



01.07.2022	07.09.2022 <b>Application Permitted</b>	22/01153/F	1 Wildfields Road Clenchwarton King's Lynn Norfolk First Floor Rear Extension.	Clenchwarton
14.09.2021	25.08.2022 <b>Application Permitted</b>	21/01822/F	Bramble Corner Sluice Road Denver Norfolk Continued use of land and retention of building for Rural Retreat and retention of car parking and access to Rural Retreat	Denver
30.11.2021	26.08.2022 <b>Application Permitted</b>	21/02300/CU	Everglades Ely Road Denver Norfolk Retrospective Application for Change of Use of the Site for Stationing of Touring Caravans and Motorhomes for Holiday Purposes.	Denver
18.08.2021	19.08.2022 <b>Application Permitted</b>	21/01696/FM	Pine Cones Caravan And Camping Dersingham Bypass Dersingham Norfolk Extension of existing caravan site to accommodate lodges	Dersingham
16.06.2022	08.09.2022 <b>Application Permitted</b>	22/01046/F	6 Post Office Road Dersingham King's Lynn Norfolk Annex ancillary to dwelling.	Dersingham
11.07.2022	13.09.2022 <b>Application Permitted</b>	22/01212/F	Trent House 33 Lynn Road Dersingham King's Lynn Proposed two storey and single storey rear extensions including alterations following the removal of conservatory	Dersingham

25.02.2022	02.09.2022 <b>Application Permitted</b>	22/00324/F	Pitt Cottage High House Farm Stanhoe Road Docking Erection of side extension to provide a dining room, snug and bedroom with en-suite.	Docking
02.03.2022	26.08.2022 <b>Application Permitted</b>	22/00475/RMM	Limagrain UK Ltd Station Road Docking Norfolk RESERVED MATTERS: Residential development consisting of 30 dwellings	Docking
17.06.2022	18.08.2022 <b>Application Permitted</b>	22/01059/F	19 Bradmere Lane Docking King's Lynn Norfolk Single storey garden room to rear of dwelling.	Docking
05.07.2022	30.08.2022 <b>Was_Would be Lawful</b>	22/01180/LDP	Lyde Cottage Fakenham Road Docking King's Lynn Application for a Lawful Development Certificate for the proposed use of house as a holiday let	Docking
18.05.2022	30.08.2022 <b>Application Permitted</b>	22/00885/F	4 The Paddocks Downham Market Norfolk PE38 9JA Part change of use to allow applicant to carry out hairdressing business from home, a cabin will be located in rear garden for this business use	Downham Market
14.06.2022	25.08.2022 <b>Application Permitted</b>	22/01024/F	Radwel House 2 Rubens Way Downham Market Norfolk Single storey rear extension to dwelling including repositioned boundary fence.	Downham Market

24.06.2022	16.09.2022 <b>Application Permitted</b>	22/01290/F	Norfolk House 180 Broomhill Downham Market Norfolk First floor extension to dwelling	Downham Market
04.07.2022	12.09.2022 <b>Application Permitted</b>	22/01170/F	33 Ryston End Downham Market Norfolk PE38 9BA Proposed internal works and rear flat roof extension	Downham Market
18.07.2022	22.08.2022 <b>TPO Work Approved</b>	22/00128/TPO	7 Tarragon Road Downham Market Norfolk PE38 9UE 2/TPO/00529 4 x Trees in woodland adjoining property. Prune to boundary.	Downham Market

10.08.2022	07.09.2022 <b>Tree Application - No objection</b>	22/00147/TREECA	The Rectory Kings Walk Downham Market Norfolk T1-6: Limes on frontage just inside steel railing fence - Remove basal suckers and epicormic growth up to 6m. Remove dead wood and carry out climbing inspection.T1 (closest to main road) also shorten limbs over Kings Walk by 4m. Sever ivy at base where applicable. T7: Mountain Ash - Remove suckers and Holly at base, crown lift over driveway to 3m. T9: Deodar Cedar - sever ivy at base and inspect trunk at ground level, remove major deadwood, including low branches where necessary and prune back lower branches to lawn edge (up to height of 4m), also prune to clear house by 2.5m, remove hanging branches. T11: Birch - sever Ivy at base	Downham Market
01.06.2022	23.08.2022 <b>Application Permitted</b>	22/00976/F	3 Lynn Road East Rudham Norfolk PE31 8RE Proposed Cart Lodge to provide undercover parking	East Rudham
10.08.2022	23.08.2022 <b>Tree Application - No objection</b>	22/00148/TREECA	Willow Orchard Broomsthorpe Road East Rudham King's Lynn T1 - Silver birch. Fell to ground.	East Rudham

08.06.2022	24.08.2022 <b>Application Permitted</b>	22/00992/F	Land S of Wilson Drive And E of The Laurels Gayton Road East Winch Norfolk VARIATION OF CONDITION 1 ATTACHED TO PERMISSION 19/00863/RM: Reserved matters application. Details for plots 1, 2 and 3 only	East Winch
04.07.2022	07.09.2022 <b>Prior Approval - Approved</b>	22/01227/PACU3	Home Farm Gayton Road East Winch King's Lynn Notification for Prior Approval for change of use of agricultural building to 2 dwellings (Schedule 2, Part 3, Class Q)	East Winch
16.02.2022	15.09.2022 <b>Application Refused</b>	22/00256/F	Little Orchard 55 Elmside Emneth Wisbech Proposed dwelling	Emneth
21.02.2022	09.09.2022 <b>Application Permitted</b>	22/00276/RM	Land N of 73 Hollycroft Road Emneth Norfolk Application for reserved matters for proposed dwelling	Emneth
18.05.2022	22.08.2022 <b>Application Permitted</b>	22/00882/F	Rose Cottage 22 High Street Feltwell Thetford Single storey front/side extension	Feltwell

26.05.2022	24.08.2022 <b>Application Permitted</b>	22/01077/F	Royal Air Force Feltwell Wilton Road Feltwell Norfolk Construction of a site compound to support transportable tower shelter at FAR Feltwell. The tower will be deployed 24/7 at height of 103 ft to support USVF operations. The shelter contains power and communication connections or the tower. Included in the application is a concrete pad, security fencing, electrical connection, fibre connection, security lighting and anchor points.	Feltwell
20.06.2022	09.09.2022 <b>Application Permitted</b>	22/01070/F	Church of St Mary Bell Street Feltwell Norfolk Installation of new cesspool	Feltwell
01.07.2022	01.09.2022 <b>Application Permitted</b>	21/00480/NMA_1	1 Oulsham Drove Southery Road Feltwell Thetford NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/00480/F: 6 new replacement dwelling houses	Feltwell
17.01.2022	07.09.2022 <b>Application Permitted</b>	22/00070/F	2 Lynn Road Fincham King's Lynn Norfolk The addition of two glass balconies on back elevation of plots 6 & 7 and the provision of double garages to plots 2 & 3 and 6 & 7. The site is currently being developed with 7 new dwellings.	Fincham

08.06.2022	23.08.2022 <b>Application Permitted</b>	22/00995/F	Between Highfield And Honeysuckle Cottage High Street Fincham Norfolk Construction of one dwelling	Fincham
09.06.2022	16.09.2022 <b>Application Permitted</b>	22/01000/F	33 Church Road Flitcham Norfolk PE31 6BU Extension to side and rear, new front door porch, new windows to side. New shed in place of approved brick garage building.	Flitcham with Appleton
21.07.2022	23.08.2022 <b>Tree Application - No objection</b>	22/00138/TREECA	17 The Square Docking Road Fring King's Lynn T1: Pine - Fell as exposed after previous works, potential risk to estate properties	Fring (VACANT)
21.06.2022	24.08.2022 <b>Application Permitted</b>	22/01082/F	South View Common Lane Gayton Thorpe Norfolk Two storey side extension	Gayton
21.06.2022	09.09.2022 <b>Would be Lawful</b>	22/01263/LDP	West Hall Farm Winch Road Gayton King's Lynn Application for a Lawful Development Certificate for a proposed new home office and gym	Gayton
08.07.2022	08.09.2022 <b>Application Permitted</b>	22/01204/F	22 Lime Kiln Road Gayton King's Lynn Norfolk Erection of double storey side extension, rear conservatory style side/rear extension and single storey front projection extension for porch and garage. Internal reconfiguration to gain access to new extensions.	Gayton

11.04.2022	13.09.2022 <b>Application Permitted</b>	22/00630/F	Barrack House 15 Abbey Road Great Massingham King's Lynn Change of use and alterations to dwelling to form bed and breakfast	Great Massingham
12.05.2022	05.09.2022 <b>Application Permitted</b>	22/00840/F	Henros 42 Lynn Road Grimston KINGS LYNN Proposed construction of a five bedroom detached house together with a double car-port and associated site works	Grimston
25.04.2022	12.09.2022 <b>Application Refused</b>	22/00725/F	8 School Road Heacham King's Lynn Norfolk New Dwelling	Heacham
01.06.2022	02.09.2022 <b>Application Permitted</b>	22/00975/F	5 Harrold Close Heacham Norfolk PE31 7HT Extension to gable end of dwelling to relocate bedroom after internal alterations. Garden room to rear garden that can be used as an annex for visiting family members.	Heacham
07.06.2022	16.09.2022 <b>Application Permitted</b>	22/00988/F	Juniper House 41 Station Road Heacham King's Lynn Single storey kitchen/diner extension and orangery to rear with associated alterations. Timber garage and wood store to front driveway.	Heacham
28.06.2022	12.09.2022 <b>Application Permitted</b>	22/01129/F	The Old Pump House Engine Road Ten Mile Bank Downham Market Change of use of existing out house to form holiday let accommodation from 1st May to 30th September each year.	Hilgay



17.03.2022	23.08.2022 <b>Application Permitted</b>	22/00450/F	3 Wheatfields Hillington King's Lynn Norfolk New single storey property on large garden to side of existing property, including car shed/garage and air source heat pump and creation of new access	Hillington
26.05.2022	25.08.2022 <b>Application Permitted</b>	22/00937/LB	The Rookery 24 Westgate Holme next The Sea Norfolk Proposed external and internal alterations including replacement of windows, addition of new door to create enclosed porch and part removal of existing internal wall to provide open plan Kitchen, Breakfast and Snug area.	Holme next the Sea
11.03.2021	09.09.2022 <b>Application Permitted</b>	21/00629/FM	Hunstanton First School James Street Hunstanton Norfolk Residential development of 11 dwellings	Hunstanton
30.06.2022	13.09.2022 <b>Application Withdrawn</b>	22/01144/F	12 Sandy Crescent Ingoldisthorpe King's Lynn Norfolk Partial loft conversion to create first floor bedroom and en-suite. Internal alterations.	Ingoldisthorpe

07.02.2022	01.09.2022 <b>Application Permitted</b>	22/00186/A	<p>Vacant Campbells Meadow King's Lynn Norfolk</p> <p>8.1m wide x 2.8m high x 196mm deep LED illuminated econoflex sign with printed skin, powdercoated RAL5015</p> <p>5.13m wide x 0.694m high x 100mm deep LED illuminated econoflex with printed skin, powdercoated RAL5015</p> <p>3m wide x 1.609m high x 100mm deep aluminium shaped panel, powdercoated blue and green, white text</p> <p>3m wide x 1.609m high x 100mm deep aluminium shaped panel, powdercoated pink and blue, white text</p> <p>8.1m wide x 2.8m high x 196mm deep LED illuminated econoflex sign with printed skin, powdercoated RAL5015</p> <p>4m wide x 1.8m high x 196mm deep LED illuminated econoflex sign with printed skin, powdercoated RAL5015</p>	King's Lynn
09.03.2022	25.08.2022 <b>Application Permitted</b>	22/00499/F	<p>2A Paradise Lane King's Lynn KINGS LYNN Norfolk</p> <p>Proposed erection of wall and rolling security gate to existing parking area</p>	King's Lynn

29.03.2022	13.09.2022 <b>Application Permitted</b>	22/00657/F	Electrical Engineering Services (GB) Ltd Lynncoln House 25 Enterprise Way Hardwick Narrows Demolition of existing workshop and replace with 2no. industrial units	King's Lynn
31.03.2022	25.08.2022 <b>Application Permitted</b>	22/00706/F	Hillcroft 2 Hill Road King's Lynn Norfolk Extension to dwelling and proposed garage/annex	King's Lynn
24.05.2022	25.08.2022 <b>Application Permitted</b>	22/01062/F	47 Goodwins Road King's Lynn Norfolk PE30 5QX Guest accommodation within the existing annexe	King's Lynn
26.05.2022	23.08.2022 <b>Application Permitted</b>	22/00934/F	73 Tennyson Road King's Lynn Norfolk PE30 5NG Single storey rear extension and internal reordering	King's Lynn
01.06.2022	09.09.2022 <b>Application Permitted</b>	22/00969/F	Street Record Georgia Court Hardwick Industrial Estate King's Lynn Erection of light industrial units, offering both office and storage space for small to medium enterprises operating under Class E (g), B2 and B8	King's Lynn
06.06.2022	24.08.2022 <b>Application Permitted</b>	22/00983/F	67 St Edmundsbury Road King's Lynn Norfolk PE30 2DX Proposed Airey House Upgrade Works comprising Concrete Cladding replaced with Brickwork and Single Storey Rear Extension	King's Lynn

13.06.2022	25.08.2022 <b>Application Permitted</b>	22/01192/F	16 Sawston King's Lynn Norfolk PE30 4XT Single storey rear extension	King's Lynn
14.06.2022	31.08.2022 <b>Application Permitted</b>	22/01026/F	Building & Land W of 5 Out South Gates Wisbech Road King's Lynn Norfolk Variation of Condition 2, Remove/ Amend conditions 3, 5 and 6 of Planning Permission 21/00008/F: Change of use from four retail units to takeaway including storage areas.	King's Lynn
21.06.2022	14.09.2022 <b>Application Permitted</b>	22/01087/F	Adjacent To 18 Bryggen Road North Lynn Industrial Estate King's Lynn Norfolk Alternate design of unit 2 (approved under planning approval 20/02053/FM) into sub divided units (no increase in overall footprint)	King's Lynn
23.06.2022	09.09.2022 <b>Application Permitted</b>	22/01279/F	Fingel's Follie 9 Wisbech Road King's Lynn Norfolk Extension to dwelling	King's Lynn
27.06.2022	13.09.2022 <b>Application Permitted</b>	22/01114/F	9 Old School Court King Street King's Lynn Norfolk The proposal is to replace the ground floor 3 windows	King's Lynn
12.07.2022	22.08.2022 <b>TPO Approved</b> <b>Work</b>	22/00058/TPO	17 Langland King's Lynn Norfolk PE30 4TH 2/TPO/00008: T1, T2 and T3 - 3x Sycamore. Minor pruning to trees overhanging side garden	King's Lynn

13.07.2022	22.08.2022 <b>TPO Work Approved</b>	22/00059/TPO	Gaywood Hall Gaywood Hall Drive Gaywood King's Lynn 2/TPO/00328 T1 Pine - section fell to ground level - due to the tree losing a major limb and being in decline	King's Lynn
02.03.2022	25.08.2022 <b>Application Permitted</b>	22/00349/F	Wild Wood 63 Gayton Road Ashwicken Norfolk Extensions to dwelling and self-contained annex and summer/guest house	Leziate
12.04.2022	24.08.2022 <b>Application Permitted</b>	22/00760/F	Park Lodge 20 Church Lane Ashwicken King's Lynn Replacement Dwelling and Detached Garage.	Leziate
17.06.2022	25.08.2022 <b>Application Permitted</b>	22/01054/F	Marham Bowls Club The Street Marham Norfolk Toilet block to include disabled, and storage room extension and solar panels to current Bowls club	Marham
27.06.2022	05.09.2022 <b>Application Permitted</b>	22/01117/F	Papillons The Street Marham King's Lynn Rear Double Storey extension to dwelling	Marham
11.02.2022	14.09.2022 <b>Application Permitted</b>	22/00234/F	Rose Villa 142 Smeeth Road Marshland St James Wisbech Extension, Alteration and Detached Garage.	Marshland St James
13.06.2022	25.08.2022 <b>Application Refused</b>	22/01013/O	Land S of 14 To 28 High Street Methwold Norfolk Outline application with some matters reserved for the erection of 7 no detached CSB houses with garages and associated works	Methwold

23.06.2022	14.09.2022 <b>Application Permitted</b>	22/01098/F	24A High Street Methwold Thetford Norfolk Single storey rear extension and installation of solar panels to the rear roof	Methwold
07.07.2022	14.09.2022 <b>Application Permitted</b>	22/01384/F	Land S of 1 Brandon Road Methwold Norfolk Construction of one dwelling including new access	Methwold
03.05.2022	12.09.2022 <b>Application Permitted</b>	22/00770/F	Three Trees 21 Graham Drive Middleton King's Lynn RETROSPECTIVE APPLICATION: A single storey extension to the rear of the bungalow.	Middleton
04.07.2022	14.09.2022 <b>Application Permitted</b>	22/01161/F	Coral Lodge Wormegay Road Blackborough End King's Lynn Extension and conversion of outbuilding into a residential annexe	Middleton
24.06.2022	16.09.2022 <b>Application Permitted</b>	22/01292/F	Sutton Rising 23 Cedar Grove North Runcton King's Lynn Extensions and alterations to dwelling	North Runcton
24.06.2022	07.09.2022 <b>Application Permitted</b>	22/01282/F	24 The Howards North Wootton King's Lynn Norfolk Proposed two storey extension on each side of the detached property and front extension single storey.	North Wootton

28.06.2022	08.09.2022 <b>Application Permitted</b>	22/01123/F	Twinkle Cottage High Street Northwold Norfolk Demolition of rear extension and erection of replacement extension. Exposure of original wall material with pointing as found necessary	Northwold
12.08.2022	07.09.2022 <b>Tree Application - No objection</b>	22/00149/TREECA	Sewage Treatment Works Common Drove Northwold Norfolk T1 and T2: Sycamore trees. Cut back branches by 3m around telemetry aerial and kiosk to give line of site to aerial.	Northwold
21.02.2022	16.09.2022 <b>Application Permitted</b>	22/00275/CU	Horseshoe Cottage Basin Road Outwell Wisbech Retrospective change of use of land from agricultural to commercial dog breeding, regularisation of garden for dwelling and erection of kennels and buildings for business	Outwell
10.05.2022	24.08.2022 <b>Application Permitted</b>	22/00922/F	7 Glenfield Close Outwell Wisbech Norfolk Two storey rear extension to dwelling	Outwell
15.06.2022	15.09.2022 <b>Application Permitted</b>	22/01035/F	Gretton House 361 Outwell Road Outwell Wisbech Proposed Single Storey Rear Extension and Side Extension to Existing Store/Garage	Outwell
02.11.2021	09.09.2022 <b>Application Permitted</b>	21/02136/F	Land Adjacent To 56 High Street Ringstead Norfolk Extension to create a two-bedroom dwelling.	Ringstead

15.08.2022	12.09.2022 <b>Application Permitted</b>	22/00655/NMA_1	11 Ffolkes Place Runcton Holme King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 22/00655/F: Single storey extension to existing bungalow	Runcton Holme
15.06.2022	08.09.2022 <b>Application Permitted</b>	22/01038/F	Brookdale Cottage Church Lane Sedgeford Hunstanton Proposed single storey side extension	Sedgeford
08.07.2022	02.09.2022 <b>Application Permitted</b>	22/01205/F	Stone Cutters Cottage Holly Hill Sedgeford Norfolk Proposed 1.5 storey side link extension following demolition of existing lean-to.	Sedgeford
20.07.2022	24.08.2022 <b>Application Permitted</b>	22/00318/NMA_2	Church Barn 5 West Hall Farm Barns Church Lane Sedgeford NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 22/00318/F: Rebuilding collapsed retaining wall	Sedgeford
29.10.2021	16.09.2022 <b>Application Permitted</b>	21/02140/F	Sutton Lea Manor 4 Bircham Road Snettisham Norfolk Conversion and extension of barn into residential dwelling and proposed access.	Snettisham
21.06.2022	24.08.2022 <b>Application Permitted</b>	22/01079/F	14 Station Road Snettisham KINGS LYNN Norfolk Single storey extension and installation of rooflight to rear of property	Snettisham



27.06.2022	18.08.2022 <b>Application Permitted</b>	22/01119/F	White Rose Cottage 15 Old Church Road Snettisham KINGS LYNN Proposed alteration to existing opening to provide larger window.	Snettisham
27.06.2022	24.08.2022 <b>Application Permitted</b>	22/01122/F	34A Station Road Snettisham KINGS LYNN Norfolk Single storey rear extension to dwelling	Snettisham
15.07.2022	12.09.2022 <b>Not Lawful</b>	22/01256/LDP	51A The Beach Shepherds Port Snettisham Norfolk Lawful Development Certificate: Proposed shipping / storage container sited upon plot 51A North to be used as storage ancillary to plots 50-51. Shipping / storage container to be sited under 1968 Caravan Act.	Snettisham
08.06.2022	24.08.2022 <b>Application Permitted</b>	22/00996/F	Fincham Cottage 16 Sandy Lane South Wootton King's Lynn Extensions and Alterations.	South Wootton
10.06.2022	07.09.2022 <b>Application Permitted</b>	22/01008/F	15 Meadow Road South Wootton King's Lynn Norfolk Two-storey side extension and alterations to dwelling	South Wootton
01.07.2022	14.09.2022 <b>Application Permitted</b>	22/01334/F	Eldon House 25 Castle Rising Road South Wootton King's Lynn Proposed single and two storey extension and internal alterations	South Wootton
10.03.2022	25.08.2022 <b>Application Permitted</b>	22/00510/F	Land At E562338 N293844 Common Lane Southery Norfolk Change of Use from Agriculture to Keeping of horses, erection of stables.	Southery

29.06.2022	09.09.2022 <b>Application Permitted</b>	22/01133/F	Grange Cottage Docking Road Stanhoe Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 21/01702/F: Replacement dwelling and garage	Stanhoe
07.07.2022	16.09.2022 <b>Application Permitted</b>	22/01201/F	Mere Cottage Bircham Road Stanhoe King's Lynn Replacement sun room and internal alterations	Stanhoe
06.04.2022	15.09.2022 <b>Application Permitted</b>	22/00741/F	Treetops 124 The Drove Barroway Drove DOWNHAM MARKET Construction of Dwelling (Revised proposal 20/01426/F)	Stow Bardolph
30.05.2022	15.09.2022 <b>Application Permitted</b>	22/00949/F	2A The Drove Barroway Drove Norfolk PE38 0AJ RETROSPECTIVE APPLICATION: Change of use of agricultural land to domestic garden land and retention of 3no. outbuildings to rear to the property.	Stow Bardolph
04.07.2022	<b>Application Withdrawn</b>	22/01165/RM	Land Between 41 And 45 Low Road Low Road Stow Bridge KINGS LYNN Reserved Matters application for proposed dwelling, to deal with Appearance, Landscaping, Layout and Scale	Stow Bardolph
25.05.2022	15.09.2022 <b>Application Permitted</b>	22/00926/F	Natterjacks Docking Road Syderstone King's Lynn Proposed single storey rear extension	Syderstone

13.06.2022	05.09.2022 <b>Application Permitted</b>	22/01011/CU	Land To Rear of 23 Tattersett Road Syderstone Norfolk Continued use of land as residential amenity from former agricultural land	Syderstone
01.03.2022	22.08.2022 <b>Application Refused</b>	22/00446/F	Agricultural Building Known As Saville Orchard Barn Waterlow Road Terrington St Clement Norfolk Conversion of an existing agricultural building to a single dwellinghouse	Terrington St Clement
25.04.2022	09.09.2022 <b>Application Refused</b>	22/00721/F	Quorn 24 Popes Lane Terrington St Clement King's Lynn Alteration and two storey extension to semi-detached dwelling	Terrington St Clement
09.05.2022	18.08.2022 <b>Application Permitted</b>	22/00810/F	10 Brellows Hill Terrington St Clement King's Lynn Norfolk Two storey front extension and alterations	Terrington St Clement
23.06.2022	25.08.2022 <b>Application Permitted</b>	22/01096/F	25 Poachers Way Terrington St Clement Norfolk PE34 4RH Construction of single storey extension on rear of two storey house	Terrington St Clement
05.07.2022	12.09.2022 <b>Application Permitted</b>	22/01358/F	42 School Road Terrington St John Wisbech Norfolk Proposed rear extension to dwelling	Terrington St John
17.03.2022	25.08.2022 <b>Application Permitted</b>	22/00579/F	Rose Cottage High Street Thornham Norfolk Single Storey rear extension, loft conversion and alterations to dwelling	Thornham

18.05.2022	04.08.2022 <b>Application Withdrawn</b>	22/00883/F	York House High Street Thornham Hunstanton VARIATION OF CODNITION 1 OF PLANNING PERMISSION 21/02468/F: Variation of condition 2 of planning permission 18/00267/F to amend drawings	Thornham
03.03.2022	18.08.2022 <b>Application Permitted</b>	22/00360/F	Shayne 40 Church Road Tilney All Saints Norfolk Extensions, internal alterations and replacement roof covering	Tilney All Saints
16.06.2022	06.09.2022 <b>Application Permitted</b>	22/01226/F	Clearview Station Road Tilney All Saints King's Lynn Single Storey Rear Extension.	Tilney All Saints
06.05.2022	12.09.2022 <b>Application Permitted</b>	22/00800/F	Salgate Barn Islington Road Tilney All Saints KINGS LYNN VARIATION OF CONDITION 2 AND REMOVAL OF CONDITION 10 OF PLANNING PERMISSION 21/01409/F: 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

04.07.2022	22.08.2022 <b>TPO Work Approved</b>	22/00056/TPO	The White House 22 Green Lane Tottenham King's Lynn 2/TPO/00272: T1 and T2 2 x poorly formed Scots Pine to be dismantled, processed and removed.	Tottenham
06.01.2022	31.08.2022 <b>Application Permitted</b>	22/00013/F	Dunroamin Stonehouse Road Upwell Norfolk Proposed replacement dwelling	Upwell
27.06.2022	01.09.2022 <b>Application Permitted</b>	22/01109/F	Upwell Methodist Church Town Street Upwell Norfolk Re-roofing of pitched roof to church and flat roof of ancillary areas	Upwell
05.07.2022	08.09.2022 <b>Application Permitted</b>	22/01357/F	Land S of Walpole Substation Walpole Bank Walpole St Andrew Norfolk VARIATION OF CONDITION 4 OF PLANNING PERMISSION 20/01508/FM: Installation of renewable led energy generating station comprising ground- mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements	Walpole

24.01.2022	25.08.2022 <b>Application Permitted</b>	22/00104/F	Land E of Nursery And N of Longacre Walton Road Walsoken Wisbech Change of use of land to dog walking park	Walsoken
20.06.2022	12.09.2022 <b>Prior Approval - Approved</b>	22/01095/PACU3	Paradise Farm 97 Broadend Road Walsoken Norfolk Notification for Prior Approval for Change of Use of existing barn to dwellinghouse (Schedule 2, Part 3, Class Q).	Walsoken
22.06.2022	14.09.2022 <b>Application Permitted</b>	22/01093/F	25 Sparrowgate Road Walsoken Wisbech Norfolk Construction of front porch on existing dwelling	Walsoken
08.08.2022	12.09.2022 <b>AG Approval Approved</b> <b>Prior</b>	22/01413/AG	Bridge Farm Suspension Bridge Welney Norfolk Erection of pump house	Welney
17.06.2022	16.09.2022 <b>Application Permitted</b>	22/01057/F	Laundry Cottage River Road West Acre Norfolk Retrospective permission for reinstating a historical vehicular access to dwelling	West Acre
12.05.2022	09.09.2022 <b>Application Permitted</b>	22/00933/F	41 River Road West Walton Wisbech Norfolk Change of use of garden to paddock, erection of stable/loose box and manure disposal.	West Walton

13.05.2022	16.09.2022 <b>Application Permitted</b>	22/00848/F	Whinams Farm 81 St Pauls Road South Walton Highway WISBECH Variation of conditions 2, 6, 7, 8, and 9 of planning permission 20/01398/F: Conversion of barn to dwelling	West Walton
19.05.2022	12.09.2022 <b>Application Permitted</b>	22/00894/F	Building To The North of 207 Salts Road West Walton Norfolk VARIATION OF CONDITIONS 2 and 5 TO PLANNING PERMISSION 21/00540/F: To amend drawings	West Walton
01.06.2022	12.09.2022 <b>Application Permitted</b>	22/00968/O	Land East of 32 School Road West Walton Wisbech Norfolk Outline planning consent for a single two storey dwelling	West Walton
17.08.2022	14.09.2022 <b>Application Permitted</b>	18/01421/NMAM_2	The Poplars Lynn Road Walton Highway Norfolk NON MATERIAL AMENDMENT FOR PLANNING PERMISSION: Reserved Matters Application: construction of 25 dwellings	West Walton
17.08.2022	14.09.2022 <b>Application Permitted</b>	18/01421/NMAM_3	Land To South of The Poplars Lynn Road Walton Highway Norfolk NON-MATERIAL AMENDMENT to Planning Permission 18/01421/RMM: Construction of 25 dwellings	West Walton
03.11.2021	23.08.2022 <b>Application Permitted</b>	21/02165/F	Saffrons 26 Gravelhill Lane West Winch King's Lynn Extensions and alterations	West Winch

23.03.2022	06.09.2022 <b>Application Permitted</b>	22/00597/F	Land S of 86 Hall Lane West Winch Norfolk Proposed Storage Building	West Winch
19.04.2022	09.09.2022 <b>Application Refused</b>	22/00681/F	Land West of 6 Birch Grove West Winch Norfolk Two storey detached single family dwelling house	West Winch
27.05.2022	01.09.2022 <b>Application Permitted</b>	22/01086/F	Archdale Manor 14 Back Lane West Winch Norfolk New 6 Bay Garage with Ancillary Accomodation over	West Winch
31.05.2022	31.08.2022 <b>Application Permitted</b>	22/00962/F	Pippins 9 Long Lane West Winch King's Lynn Proposed rear extension and alterations	West Winch
06.05.2022	09.09.2022 <b>Application Permitted</b>	22/00814/F	New Mill House 61 Mill Road Wiggshall St Mary Magdalen KINGS LYNN New solar array to serve dwelling	Wiggshall St Mary Magdalen
09.06.2022	25.08.2022 <b>Application Permitted</b>	22/01186/F	Cross Hill Cottage Castle Road Wormegay Norfolk Single Storey Extension to Dwelling	Wormegay
30.06.2022	12.09.2022 <b>Application Permitted</b>	22/01147/F	4 Hill Estate Wormegay King's Lynn Norfolk Single Storey Rear Extension, First Floor Side Extension and Outbuilding	Wormegay