

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



Planning Committee

Agenda

**Monday, 7th November, 2022
at 9.30 am**

in the

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

Also available to view at:

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



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PLANNING COMMITTEE AGENDA

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

Please ensure that all mobile phones are switched to silent

DATE: Monday, 7th November, 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 3 October 2022 and the Reconvened Meeting held on 6 October 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. MEDWORTH MVV ENERGY FROM WASTE COMBINED HEAT AND POWER FACILITY - PINS RELEVANT REPRESENTATIONS RESPONSE - REPORT TO FOLLOW

9. INDEX OF APPLICATIONS (Pages 6 - 7)

The Committee is asked to note the Index of Applications.

a) Decisions on Applications (Pages 8 - 145)

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

10. DELEGATED DECISIONS (Pages 146 - 182)

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 10 November 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, 4 November 2022**. Please contact 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

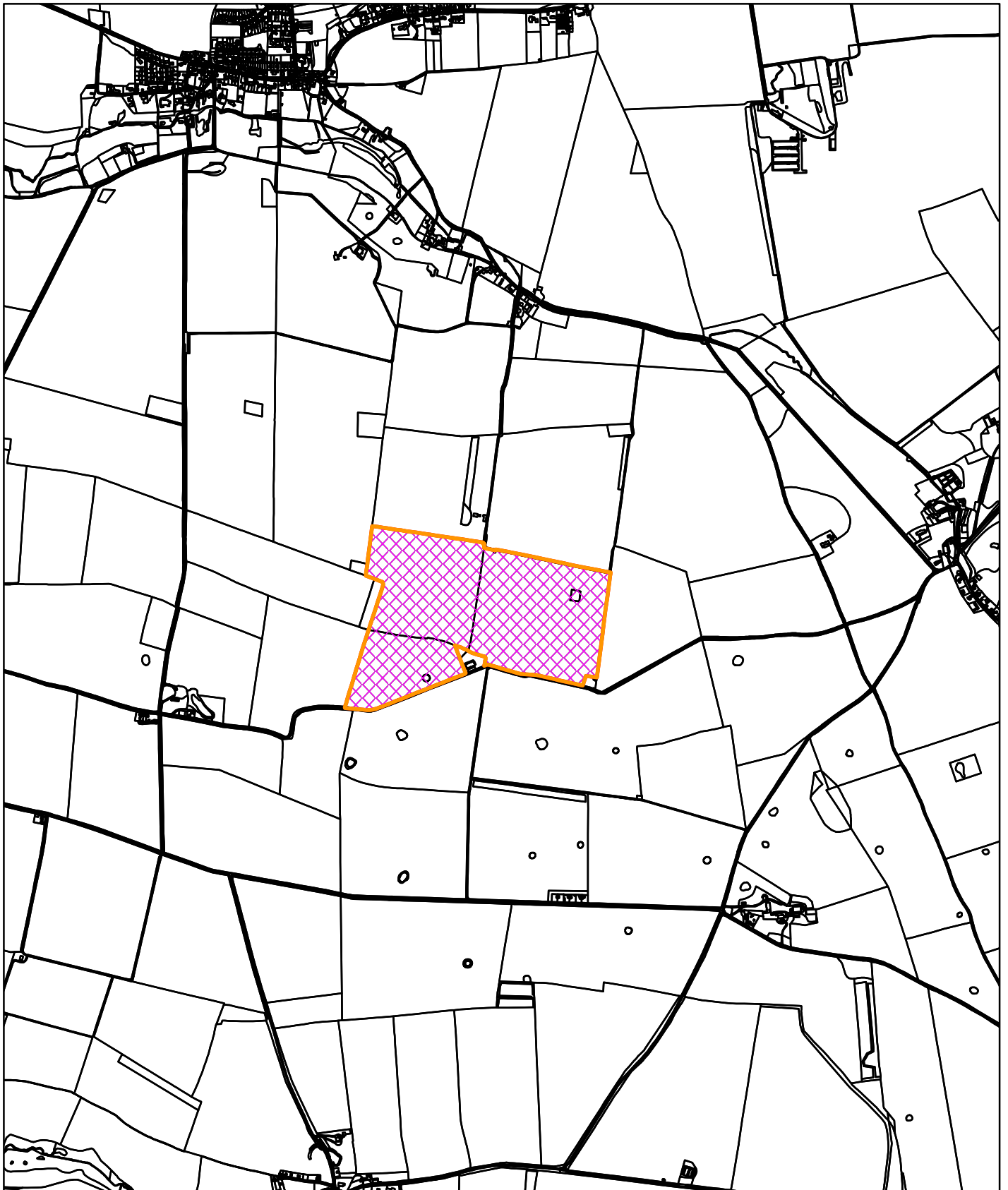
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE
PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 7 NOVEMBER 2022**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	DEFERRED ITEMS			
8/1(a)	22/00704/FM Construction and operation of a solar farm comprising an array of ground-mounted solar photovoltaic ("PV") panels and containerised batteries and associated infrastructure, Land At, Sedgeford Hall Estate, Fring Road, Sedgeford, PE31 7NE	SEDGEFORD AND SNETTISHAM	APPROVE	8
8/2	OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE			
8/2(a)	22/01430/F Variation of Condition 2 of Planning Permission 21/01108/F: Demolition of walls and garden structures and the erection of hotel accommodation with associated hard and soft landscaping at The Ship Hotel, Main Road, Brancaster, PE31 8AP	BRANCASTER	APPROVE	39
8/2(b)	22/01092/F Proposed new residential dwelling at Land W of Woodstock, Mill Hill Road, Boughton, PE33 9AE	BOUGHTON	REFUSE	53
8/2(c)	22/00892/F Extension of three bedroomed, two storey cottage involving modest modifications to single storey lean-to at West end of cottage, minor internal modifications and enhancements, removal of existing timber shed and oil tank, and modest, localised adaptations to hard landscape. The gardens remain almost entirely untouched. Construction of two storey extension providing family rooms and additional bedrooms, connecting to existing cottage's West end at ground and first. New extension predominantly timber clad under a pan tiled roof, with timber windows throughout at Denning, 7 Marsh Lane, Burnham Norton, PE31 8DS	BURNHAM NORTON	REFUSE	65

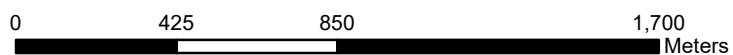
8/2(d)	22/01484/F Variation of Condition 1 of Planning Permission 21/01105/RM: Reserved Matters: Construction of 8 Dwellings with access at Fairfield Road, Downham Market, PE38 9ET	DOWNHAM MARKET	APPROVE	77
8/2(e)	22/01014/F Proposed Change of Use from Hotel (C1) to large HMO (Sui Generis) at Elme Hall Hotel 69 Elm High Road, Emneth, Wisbech, PE14 0DQ	EMNETH	APPROVE	88
8/2(f)	22/00982/F Construction of one and a half storey dwelling at Aldorcar, Coaly Lane, Ingoldisthorpe, PE31 6NU	INGOLDISTHO RPE	APPROVE	102
8/2(g)	22/01496/O Outline application for new residential development at Land Adjacent Roseville, Chalk Road, Walpole St Peter, PE14 7PN	WALPOLE	REFUSE	114
8/2(h)	22/00910/F Retrospective External tap area adjacent to brewery (Temporary), Abbey Farm, River Road, West Acre, PE32 1UA	WEST ACRE	APPROVE	129

22/00704/FM

Land at Sedgeford Hall Estate, Fring Road, Sedgeford, PE31 7NE



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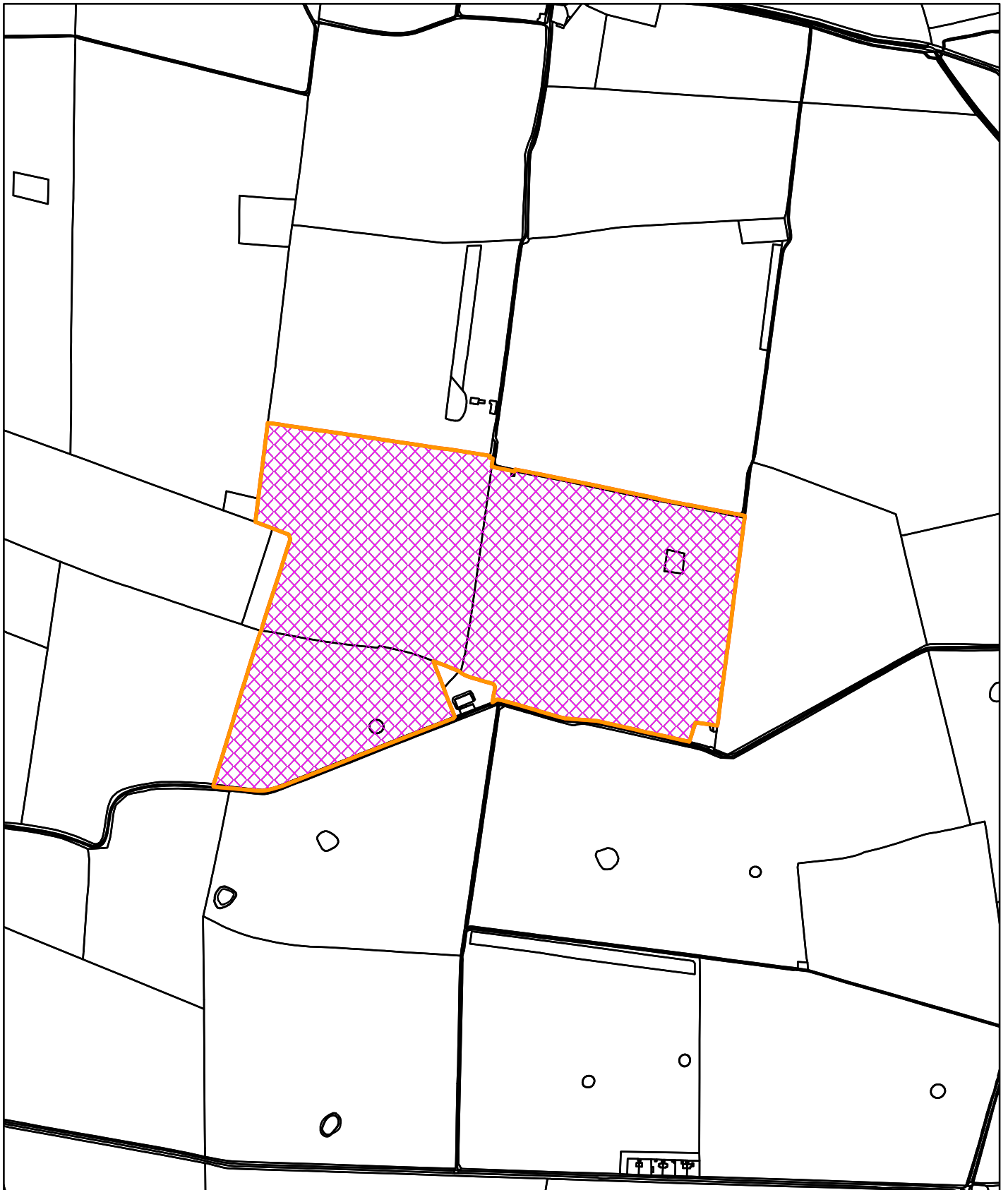


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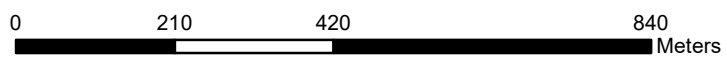


22/00704/FM

Land at Sedgeford Hall Estate, Fring Road, Sedgeford, PE31 7NE



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21/10/2022

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Parish:	Sedgeford Snettisham	
Proposal:	Construction and operation of a solar farm comprising an array of ground-mounted solar photovoltaic ("PV") panels and containerised batteries and associated infrastructure	
Location:	Land At Sedgeford Hall Estate Fring Road Sedgeford PE31 7NE	
Applicant:	Regener8 Power Ltd	
Case No:	22/00704/FM (Full Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 18 August 2022 Extension of Time Expiry Date: 11 November 2022

Reason for Referral to Planning Committee – Operational Area exceeds 1ha and Called in by Cllr Parish

Neighbourhood Plan: YES

Case Summary

This application was deferred from the previous meeting to enable the applicant to investigate comments from the RSPB (informed by the Wash Wader Research Group) relating to curlews recorded on the site. This issue has now been given full consideration.

Other issues raised in late correspondence have also been covered as well as some amendments sought by the applicant in relation to conditions. For ease, all amendments to the previous report are emboldened within the report.

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 10MWh 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

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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.

RSPB: NO OBJECTION This application has been brought to our attention, but neither the RSPB nor NWT were consulted.

As a result, potential impacts on protected species have been overlooked. We understand the consultation date has passed, but flag this because unfortunately this is not an isolated occurrence. We have registered our contact details for consultations, and queried this before, but it seems the process is not working. Is there any way we can ensure that the RSPB is automatically consulted in future? Any assistance in this matter would be greatly appreciated.

For this application in particular we're not asking for time to make comments as we appreciate the consultation period has passed (the case was flagged to us today by the Wash Wader Research Group who had recorded curlew in the fields of the application site), and we won't engage in every case, but it would be great if they could be sent to us.

Following the submission of an addendum to the Ecological Appraisal covering Curlews, the RSPB responded as follows:

The RSPB was first made aware of case 22/00704/FM at the end of September when the Wash Wader Research Group (WWRG) contacted us to flag the presence of curlew at the application site fields (evidenced by curlew tracking data collected by the Group). We passed this information onto the planning officer and put the WWRG in contact with edp to facilitate information sharing of that data. On 14 October we were invited to comment on the associated case 22/01494/FM. The protected sites of relevance to both cases are detailed below. We recommend the Borough Council planning team works with Natural England to determine the appropriate level of environmental appraisal required for both cases, to identify and consider all potential direct and indirect impacts to the interest features of the designated sites, either alone or in combination, and to ensure that no adverse impacts occur as a result of the proposed development.

The Wash SSSI

The Wash SSSI was notified in 1984 as a SSSI and is a site of importance for a wide range of coastal habitats and internationally important numbers of birds. Snettisham beach and the adjacent mudflats and subtidal areas form part of The Wash Site of Special Scientific Interest (SSSI), The Wash and North Norfolk Coast Special Area of Conservation (SAC), The Wash Special Protection Area (SPA) and The Wash Ramsar. These sites support large areas of internationally important coastal habitats, and nationally and internationally protected bird species that are sensitive to disturbance in virtually every month of the year.

The Wash SPA

The Wash SSSI underpins The Wash SPA which is designated for supporting internationally important numbers of wintering waders and wildfowl including dark bellied brent geese, Bewick's swan, pink-footed geese, shelduck, pintail, oystercatcher, grey plover, black-tailed godwit, wigeon, sanderling, common scoter, knot, dunlin, bar-tailed godwit, curlew, redshank, goldeneye, gadwall and turnstone. It is also the most important area in Britain in early autumn for moulting waders and important to certain wintering passerines, to breeding birds including black-headed gulls, shelducks, little tern, common tern, and numerous wader species including redshank, and to certain seabirds.

The Wash Ramsar

The Wash SSSI underpins The Wash Ramsar. A vast intertidal embayment incorporating one of the largest and most important areas of estuarine mudflats, sandbanks and saltmarsh in Britain. Counts of wintering waterbirds reach over 300,000 individuals and include nationally and internationally important numbers of numerous species.

FINAL COMMENTS RECEIVED: Yes, I can confirm the RSPB has no objections to the development now that the curlew data has been considered as part of the environmental assessments.

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.

Natural England's additional original comments can be summarised as*:

- * Agricultural Land and concludes that the development falls outside of the scope AONB – needs considering (which we have done, and NE's overarching comment suggests there will be no adverse impact because the AONB is a designated site), and should consult the relevant AONB partnership; NCP raise no objection

- * **Solar Parks Technical Information Note – all issues covered by Environmental Statement and other supporting documentation e.g. Ecology Appraisal.**

Natural England have no additional comments to make in relation to Curlews.

- * **Officer Comment: Natural England’s full comments can be viewed on the Planning Portal**

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

Snettisham Policy NP05: Materials and Design

Snettisham Policy NP08: Heritage

Snettisham Policy NP09: Natural Environment

Sedgeford Policy E5: Conservation Area and buildings of historical interest

Sedgeford 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:*

- 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)*
- 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...*
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*
- 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:*

- 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)*
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development, and*
- 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 plateau 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 lessen 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 (**the statutory consultee**) 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.

Following comments from the RSPB, an addendum was submitted to the Ecological Appraisal covering the issue of Curlews.

The Report states the following: *The scope of this technical note is to outline the position of the Site in relation to the bird species Curlew (*Numenius arquata*) as a response to feedback received from the RSPB and Wash Wader Research Group (WWRC). The report considers the potential impacts of the proposal upon the species in the context of legislative and planning policy considerations.*

Curlew are a species of conservation concern listed as Priority Species and are on the Red List of Birds of Conservation Concern (BoCC5).

Baseline Conditions and Results:

- ***As noted within the Ecological Appraisal the majority of habitats within the Site are of negligible intrinsic value owing to the prevalence of arable habitat. However, the hedgerows, woodland edge and scattered trees are considered to be of local value. Furthermore, habitats or other features which are of negligible intrinsic value may also require consideration in relation to their importance in maintaining populations of protected and/or notable species (for example curlew as discussed within this report).***
- ***The arable field parcels are relatively small in size and enclosed by tall hedgerows and parcels of woodland. The site is situated on top of a hill and as such is drier habitat.***
- ***It is concluded that the habitat would not be considered optimum habitat for breeding or overwintering curlew, or be of significance to local populations, due to the lack of suitability of the onsite habitats, with the species preferring habitats with a more open landscape in proximity to damp habitats e.g., wet grasslands, mudflats and saltmarshes.***

- ***Although curlew will forage on intensively managed arable fields, due to the enclosed nature of the field parcels, this is likely to reduce the suitability for curlew utilising the Site due to the increased risk of predation. In addition, the intensive nature of management associated with the arable fields (for example through the application of pesticides) reduces the invertebrate prey available for this species, and therefore lowering the suitability of the habitat for curlew.***
- ***No curlew were recorded using the site during site visits by experienced ecologists. Additionally, the local data search (from 2019) did not return any records for curlew.***

Desk Study and Consultation

- ***Dersingham Bog is located approximately 5.6km south-west of the Site and is designated as a Special Area of Conservation (SAC), Ramsar Site and National Nature Reserve (NNR). Designated primarily for its Annex I habitats, Dersingham Bog is known to support protected/priority bird species including curlew.***
- ***The Wash is afforded the statutory designation of Special Protection Area (SPA), Ramsar Site and Site of Special Scientific Interest (SSSI) and is located approximately 6.4km west of the Site. This is an important area of estuarine mudflats, sandbanks and saltmarsh supporting nationally and internationally important numbers of numerous species including an average of 1% of the British curlew population.***
- ***The North Norfolk Coast situated approximately 9.8km north of the Site is listed as a Ramsar Site, SAC and SSSI. The coastal habitats are continuous with the Wash and also known to support an average of 1.4% of the British curlew population.***

Assessment of Effects

- ***The Site is within 6km of important breeding and overwintering habitat for curlew. The habitat available within these designated areas provide high quality undeveloped coastal habitat providing excellent opportunities (both breeding and foraging) for curlew. These habitats are able to support a significant number of breeding individuals and overwintering populations.***
- ***The Site does not support any of the notable habitat types found within the designated areas and due to spatial separation and the context of the proposed developments there is not considered to be a risk of significant direct or indirect effects upon these statutory designations.***
- ***Initial discussions with the WWRC and the RSPB have confirmed that the proposed development site is used by curlew on a sporadic basis throughout the winter months as incidental foraging habitat, although full records from the WWRC have not yet been received and fully analysed. It is assessed that although there is clearly potential for individual curlews to utilise the arable habitat, it is likely they will be deterred due to the enclosed nature of the landscape and the intensive management reducing the invertebrate prey available. It is considered highly unlikely that the Site would be used by breeding curlews and in its current management only as an additional (low significance) foraging resource over the winter months.***
- ***In addition, the site is ubiquitous with the immediate surrounding landscape, with similar sized fields under similar management, of equal (and in some cases greater) value to curlew. The farming tenant has provided anecdotal records of curlew using the Site, however, has noted that they are more regularly seen in the lower (and therefore wetter) areas of the farm, which is synonymous with their ecology.***
- ***Therefore, disturbance to the individuals that occasionally use the arable fields is highly unlikely to have a significant effect on the local curlew populations and the proposed development would result in a negligible effect on any curlew population present within the local area or any designated site.***

- ***Although no peer reviewed species-specific research has been published about the use of solar sites by curlew, curlew have been recorded using solar sites, and therefore enhancements that are proposed in the design layout include wildflower grassland within the buffers between the boundary hedgerows and the new solar arrays, and a similar shade tolerant mix planted under the solar arrays. This will create rough grassland, which will not be intensively managed (i.e., through the use of pesticides) which will encourage a range of invertebrate species, potentially increasing foraging opportunities in the future for use by curlew. In addition, the area within the blue line boundary to the west of the solar site is being managed to promote foraging potential for all farmland birds, which will include curlew.***

Conclusions

Due to the facts outlined above, EDP considers that the scheme is capable of compliant with relevant local and national planning policy for the conservation of the natural environment, specifically the curlew, a Priority Species.

The RSPB requested that the LPA discuss these finding with Natural England. Natural England have made no additional comments and therefore their original representation still stands, and it is considered that Natural England has no objection to the proposed development on the basis of its impact on protected sites.

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 395m², 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 GGS 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
RNR1003-221 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 installation of any battery storage facility** 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 commencement** 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. **This needs to be a precommencement condition given that the access will be used for construction traffic.**
- 10 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.
- 10 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.
- 11 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.
- 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: 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.

- 12 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and Development Plan.
- 13 Condition: Prior to the first use of the development hereby permitted, **or within the first planting season**, 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. 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.
- 13 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 14 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.
- 14 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 15 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).)
- 15 Reason: In the interests of ecology and biodiversity in accordance with the NPPF and Development Plan.
- 16 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.
- 16 Reason: To ensure that the development takes place substantially in accordance with the principles and parameters contained with the Environmental Statement.
- 17 Condition: **Prior to the commencement of the development hereby permitted a Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in full accordance with the agreed CEMP.**

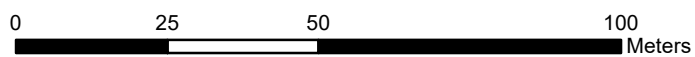
- 17 **Reason: In the interests of the amenity of the locality, ecology and biodiversity in accordance with the NPPF and Development Plan. This needs to be a pre-commencement condition given the mitigating nature of CEMP.**
- 18 **Condition: Within six months of the cessation of electricity generation 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.**

22/01430/F

The Ship Hotel, Main Road, Brancaster, PE31 8AP



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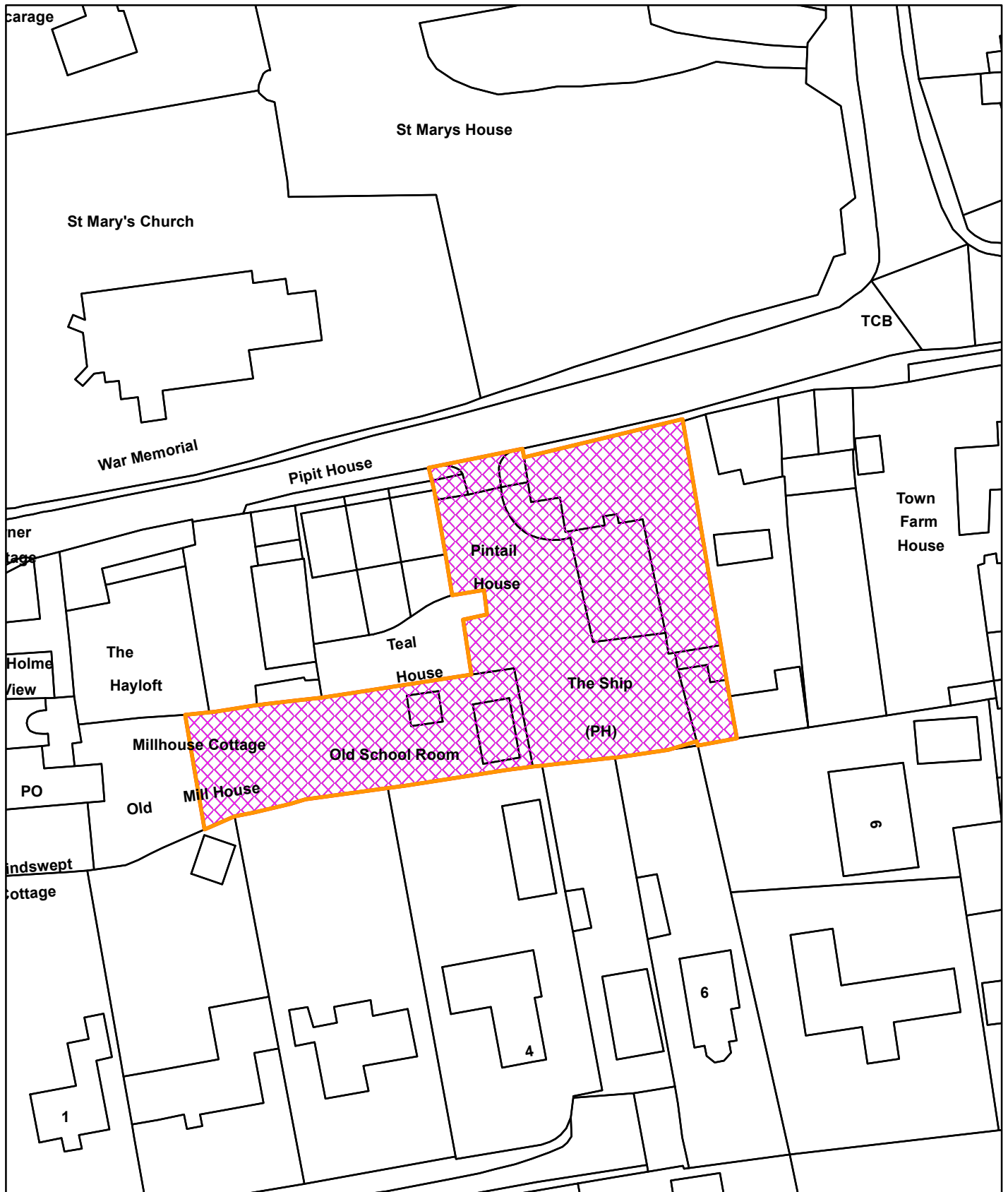
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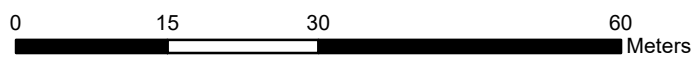


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21/10/2022

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Parish:	Brancaster	
Proposal:	Variation of Condition 2 of Planning Permission 21/01108/F: Demolition of walls and garden structures and the erection of hotel accommodation with associated hard and soft landscaping.	
Location:	The Ship Hotel Main Road Brancaster PE31 8AP	
Applicant:	The Ship Hotel Brancaster Ltd.	
Case No:	22/01430/F (Full Application)	
Case Officer:	Mrs N Osler	Date for Determination: 5 October 2022 Extension of Time Expiry Date: 11 November 2022

Reason for Referral to Planning Committee – Called in by Cllr Lawton and Officer
Recommendation is Contrary to Parish Council Recommendation

Neighbourhood Plan: NO

Case Summary

The application is for the variation of a permitted and extant scheme at The Ship Hotel in Brancaster, approved under application 21/01108/F, to provide additional accommodation.

The Hotel is located in the Norfolk Coast AONB and Brancaster Conservation Area.

Key Issues

- Principle of Development
- Design and Impact on the Conservation Area and AONB
- Highway Safety
- Impact on Neighbours
- Crime and Disorder
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application is for the variation of a permitted and extant scheme at The Ship Hotel in Brancaster, approved under application 21/01108/F, to provide additional accommodation.

The permitted scheme is for ten additional 1-bed, en-suite rooms; six in a two-storey building at the rear (south) of the site within the existing car park (referred to as Rope Loft) and four

detached 'surfer huts' in an area to the southwest currently an overgrown and unused parcel of land. Seven under-croft parking spaces were permitted (at ground-floor level in the Rope Loft). One new disabled parking space was also permitted.

This application seeks to vary the approved plans to allow a reduced scheme that sees the retention of an existing outbuilding to be retained as ancillary (non-habitable) accommodation.

The proposed scheme is for 8No. additional 1-bed, ensuite rooms; four in the two-storey building (which remains substantially the same in terms of its height and depth, but is not as wide as the permitted scheme to enable retention of the outbuilding), two of which now have a small sitting area, and four detached 'surfer huts'. The huts are exactly the same as permitted other than they now propose a semi-circular outside bath area. Seven under-croft parking spaces are also proposed as is the new disabled parking space. Two parking spaces will be lost as a result of the retention of the outbuilding, but this is 'countered' by the reduction in the number of rooms proposed (from 10No. to 8No.)

The proposed two storey 'Rope Loft' now measures 6.8m high (to ridge) x 25.5m wide x 5.6m deep. The previous scheme measured 6.6m high (to ridge) x 32m wide x 5.5m deep.

Materials of both schemes are the same and comprise:

- Natural clay pantiles
- Red facing brickwork with chalk infills on the north and south elevations (front and rear)
- Painted timber windows and doors and
- Black downpipes and gutters.

The surfer's huts remain unaltered, other than the outside space, and measure 3.5m high x 6.2m wide x 3m deep. They are to be constructed from Natural timber cladding, under a corrugated sheet roof with natural timber windows and doors and galvanised steel downpipes and gutters. Timber sleeps will form paths and retaining walls and a 500mm high woven willow fence will be provided atop the north boundary wall.

The Hotel is located in the Norfolk Coast AONB and Brancaster Conservation Area.

SUPPORTING CASE

The application seeks planning approval for an amended scheme of hotel accommodation previously approved under planning permission 21/01108/F. It must be noted that this amended scheme is of a considerable reduction upon that already approved, whilst retaining what is effectively the same design.

During the application and consultation process for the original scheme, some concerns were raised and have been raised once again by the Parish for this latest application. This new scheme also looks to address those concerns relating to parking and noise disturbance.

The approved scheme comprised a total of 6 suites in the Rope Loft development and 4 'surfer huts'.

The amended scheme now sites 4 suites in the Rope Loft and the 4 'surfers huts' remain.

With two less suites, the parking requirement is less. A reduction of two spaces confirms the amended scheme maintains the ratio as approved.

Excavation and 'cart away' are greatly reduced in the amended scheme. Previously it was approved that an area of some 80sqm (860sqft) would be excavated at a depth of 1.4m (4.5ft) to allow for rooms 5 and 6 in the Ropeloft development. Noise and disruption will be hugely reduced during the construction phase in comparison to the approved scheme. The excavation volume of the approved scheme is 112m³ and would require 12 trips utilising an 8-wheel muck-away lorry.

The proposal provides additional sleeping accommodation for patrons of the Hotel. Noise will be at an absolute minimum. The rooms and layouts are designed to provide a calming and relaxing environment for patrons, encouraging a good night's sleep. The surfers' huts are also proposed to benefit from outdoor baths shielded on all sides by wood sleepers. It should be noted these are single person slipper baths and not hot tubs with jet functions (not unlike those at Congham Hall and The Ffolkes in Hillington.)

Should permission be granted it has been agreed with the local authority that a condition is placed upon any approval enforcing a 1 yr. trial of the outdoor freestanding tubs for peace of mind of locals to ensure noise is always at minimum.

To summarise, the proposals density, height, overall scale, and suitability within the Conservation Area have been successfully defined as part of the original application, and being that this scheme is a reduction, there are, therefore, no further concerns.

The scheme will allow the existing outbuilding to be retained and used, as it is currently, strictly as an ancillary building to the hotel for essential staff welfare and storage.

The proposals will be of great benefit providing job opportunities in a village that thrives on its tourism success. This modest accommodation development, attached to such an integral establishment, will allow tourists more than 'a day out', encouraging further exploration and enjoyment of the local area, whilst acknowledging and respecting constraints ensuring it is not of detriment to the local residents.

The success of a such scheme can be admired at the No.Twenty9 in Burnham Market whereby six Holiday Suites were approved by Planning Committee in 2018.

PLANNING HISTORY

21/01108/F: Application Permitted - Demolition of walls and garden structures and the erection of hotel accommodation with associated hard and soft landscaping.

19/00749/F: Application Permitted: 19/06/19 - Erection of freestanding awning in rear garden area

12/01215/F: Application Permitted: 19/09/12 - Single storey side extension to form utility and canopy area - Old Mill House

09/02128/F: Application Permitted: 08/03/10 - Erection of 3 x 3 bed terrace cottages together with rationalisation and enlargement of the public house car park

09/02079/F: Application Permitted: 26/01/10 - First floor level rear extension, creation of new fire escape, insertion of 4 roof lights, internal alterations and replacement windows with doors and windows

RESPONSE TO CONSULTATION

Parish Council: OBJECT, on the specific grounds of:

- Concern over the potential noise and public nuisance of hot tubs open to the environment
- Parking – the plan reduces the number of spaces available, while increasing the number of residents. The area is already one of extreme concern to the Parish Council because on-road parking is likely to be restricted by additional Traffic Regulation Orders (single/double yellow lines) currently planned. It is a pinch point in the village which has caused actual and serious issues with emergency vehicles and public transport in recent months/years. The loss of parking may be increased in future years with space required for EV charging points as they become more common/universal, exacerbating the situation further
- These additional problems should be incorporated into any traffic management plans during construction, should the application be approved.

Finally, Parish Councillors ask that if the officer considering this is planning to approve against their objection that they be informed in sufficient time to request that this be called in by our Ward Cllr.

Highways Authority: NO OBJECTION I am able to comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, Norfolk County Council does not wish to restrict the variation of condition.

CSNN: NO OBJECTION Further to my earlier response, having noted condition 18 of the original consent, I would agree to those hours of outside seating area use to include the use of the outside baths, i.e. 0700-2300 Mon-Sat and 0700-2200 Sun/BHol.

Also, please could you re-attach the following conditions from the original consent: Conditions 3, 4, 8, 9, 10, 11, 15, 17 and 18.

'Earlier response': The application site is totally different from the Congham Hall or The Ffolkes sites, as it is much more 'enclosed' and is closely surrounded by unrelated dwellings, which is why we were particularly concerned about the impact of hot tubs – given their operational noise and noise likely from multiple users (especially as voices need to be raised to be heard above the noise from the jets/bubbles).

If there are controls (planning condition/s) in place in terms of the design i.e. no powered jets/jacuzzi-type baths and only big enough for one adult, and perhaps even restriction of use times, I would be prepared to agree a one year trial as suggested by the applicant via a temporary one year planning consent (to enable the monitoring of noise impacts through assessing any complaints.)

Natural England: NO OBJECTION Commented on the original application as follows: the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Environmental Health & Housing – Environmental Quality: NO OBJECTION The application is for the erection of hotel accommodation.

The applicant has provided a site plan indicating the changes to the permitted plans. The original application provides a screening assessment stating no known contamination. We have reviewed our files and the site is on land that has been developed for the duration of our records. The surrounding landscape is largely residential.

No potential sources of contamination are identified in our records, or in the information provided by the applicant.

We have no objection regarding contaminated land.

Conservation Officer: NO OBJECTION

Norfolk Coast Partnership: NO OBJECTION Please condition external lighting.

Historic Environment Service: NO OBJECTION Thank you for consulting with us about the above variation of condition application. The variation does not alter our recommendations for archaeological works.

REPRESENTATIONS

NONE received at time of writing report.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM11 – Touring and Permanent Holiday Sites

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

NEIGHBOURHOOD PLAN POLICIES

Policy 2 - Design, Style and Materials

Policy 7 - Development of Shops, Workshops and Business Units

Policy 8 - Protection of Heritage Assets and Views

Policy 10: Protection and Enhancement of the Natural Environment and Landscape

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
Design and Impact on the Conservation Area and AONB
Highway Safety
Impact on Neighbours
Crime and Disorder
Other Material Considerations

Principle of Development

The principle of increasing the accommodation of the existing hotel by virtue of a two-storey building and four detached huts has been found acceptable by virtue of planning permission granted under application 22/01430/F which is extant and therefore could be implemented at any time.

This is a material consideration carrying significant weight.

Design and Impact on the Conservation Area and AONB

The design is substantially similar to the permitted scheme.

The two-storey building remains of a similar height and depth and will use the same materials as the approved scheme, but has a reduced width to enable retention of the existing outbuilding and reduce the need for such extensive excavation as required by the permitted scheme.

The 'surfer huts' remain identical in all regards except for the addition of a semi-circular external area to accommodate an outside bath. The bath would be a single person, external slipper bath (not a hot tub or jacuzzi bath) bounded by vertical timber sleepers for privacy.

An existing outbuilding is to be retained. As this is existing its visual impact remains unaltered.

The proposed scheme will therefore not have any material visual impact over and above the permitted scheme; indeed, the built form is reduced overall, and it could therefore be concluded that the impact of the amended scheme is less than the permitted scheme.

Planning Committee
7 November 2022

In support of this conclusion, neither the Conservation Officer nor Norfolk Coast Partnership raise any objections to the amended scheme.

This application seeks to amend the permitted scheme. As such conditions on the original scheme relating to external lighting, materials / sample panel and soft and hard landscaping will be appended to any permission granted under the current application.

The development therefore complies with the NPPF in general and specifically to paragraphs 130, 174, 176, 177 of the NPPF, Core Strategy (CS) Policies CS08 and CS12, Site Allocations and Development Management Plan Policies (SADMP) Policy DM15 and Neighbourhood Plan Policies (NP) 2, 8 and 10.

Highway Safety

The application results in the loss of two parking spaces to the north of the existing outbuilding that were approved under the permitted scheme. However, this is countered by the fact that the amended scheme has two less units than the permitted scheme.

The car park already benefits from EV charging facilities.

On this basis the Local Highway Authority raises no objection.

This application seeks to amend the permitted scheme. As such conditions on the original scheme relating to construction worker parking and parking in general will be appended to any permission granted under the current application.

The development therefore complies with the NPPF in general and specifically to paragraphs 110 and 112 of the NPPF, CS Policy CS11 and SADMP Policy DM17.

Impact on Neighbours

The marginal increase in height and depth of the two-storey building would not result in a material increase in overshadowing, overlooking or overbearing impacts. However, the reduction in width is likely to result in slightly less impact to No.4 Saw Mill Road to the rear (south.)

The main issue for consideration in this application, over and above the permitted scheme, is therefore the provision of external baths serving the 'surfer huts'.

During the determination of the original application external hot tubs serving the surfer huts were removed from the scheme to address concerns regarding noise and nuisance.

Hot tubs can be large and noisy and create additional noise by virtue of those using them having to raise their voices to be heard over the noise of the hot tub itself.

This application proposes a single person, slipper bath to serve each surfer hut. They will be conditioned to ensure they are not hot tubs or jacuzzi baths. However, the temporary consent requested by CSNN is not considered reasonable nor necessary given they are not hot tubs and that this is a variation to an extant non-temporary permission.

It is therefore considered that noise associated with the outside baths can be suitably conditioned by ensuring that no external hot tubs or jacuzzi baths are permitted.

This application seeks to amend the permitted scheme. As such, as well as the additional condition outlined above, conditions on the original scheme relating to the use of the outside areas associated with the surfer huts will be appended to any permission granted under the current application.

The development therefore complies with the NPPF in general and specifically to paragraph 130 of the NNF, CS Policy CS08 and SADMP Policy DM15.

Crime and Disorder

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

Other Material Considerations

As mentioned throughout this report, this application seeks to amend a permitted scheme. Therefore, all conditions on the original permission will be appended to any permission granted under the current application, amended as necessary. These conditions relate to:

Commencement of development - amended to reflect the commencement date of the original permission (24 Sept. 2024)

Approved plans - amended as per plans submitted under this application

Construction Management Plan – as originally written

Construction Worker Parking - as originally written

Archaeology – amended to reflect approval of Written Scheme of Investigation

Drainage - as originally written

Refuse and waste - as originally written

Air source heat pumps - as originally written

External lighting - as originally written

Parking provision - as originally written

Materials and sample panel - as originally written

Hard and soft landscaping - as originally written

Holiday accommodation - as originally written

Hours of use Surfer Huts – amended to include external bath area

The Habitat Mitigation Fee as required by Policy DM19 was paid on submission of the original application that this application seeks to amend.

In relation to the Parish Council's comments your officers respond as follows:

- Potential noise and public nuisance from the hot tubs - hot tubs are not proposed; outside baths are. This issue is fully covered in the report and the baths are suitably conditioned
- Parking – the plan reduces the number of spaces available, while increasing the number of residents. The area is already one of extreme concern to the Parish Council because on-road parking is likely to be restricted by additional Traffic Regulation Orders (single/double yellow lines) currently planned. It is a pinch point in the village which has caused actual and serious issues with emergency vehicles and public transport in recent months/years. The loss of parking may be increased in future years with space required for EV charging points as they become more common/universal, exacerbating the situation further – parking is reduced because the number of units is reduced. Therefore, the proposal will have no greater impact on the highway than the permitted scheme

- These additional problems should be incorporated into any traffic management plans during construction, should the application be approved – a Construction Management Plan is conditioned.

CONCLUSION

This application seeks to vary a permitted and extant scheme for a similar, more extensive development.

The variations to the permitted scheme do not raise any additional visual, highway or neighbour amenity issues (the latter being subject to condition.)

The development is therefore considered to be in accordance with relevant national and local planning policy and guidance.

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 24 September 2024.
- 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:
 - 403/18/00
 - 403/18/10 Rev.E
 - 403/18/11 Rev.F
 - 403/18/12 Rev.D
 - 403/18/13 Rev.D
 - 403/18/14 Rev.F
 - 403/18/15 Rev.B
 - 403/18/16 Rev.0
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to commencement of development a detailed construction management scheme must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of the demolition and construction phases, deliveries/collections and any piling. The scheme shall also provide the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound, the location of contractor parking, the location and layout of the materials storage area, machinery storage area and waste & recycling storage area, proposed attenuation and mitigation methods to protect residents from noise, vibrations, dust and litter and communication methods to the wider community regarding the construction phases and likely disruptions. The scheme shall be implemented as approved.

- 3 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF. This needs to be a pre-commencement condition as the issues need to be planned for and agreed at the start of the development to prevent impact from development including demolition.
- 4 Condition: Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 4 Reason: To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 5 Condition: No development, excluding demolition and site clearance, shall take place other than in accordance with the written scheme of investigation approved under application 21/01108/DISC_A.
- 5 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 6 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 application 21/01108/DISC_A and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 6 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 7 Condition: No development above slab / foundation level shall commence until full details of the foul and surface water drainage arrangements for the site, including percolation test results, 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.
- 7 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 8 Condition: Prior to the first use / occupation of any part of the development hereby permitted, facilities shall be provided within the curtilage of the site for the storage of recycling, refuse and waste materials in accordance with details to be submitted to and approved by the Local Planning Authority. Such facilities should ensure that no waste or recycling is burnt in order to dispose of it. The development shall be carried out in accordance with the approved plans prior to the first use / occupation of the development hereby permitted.
- 8 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 9 Condition: Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts and noise

attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.

- 9 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 10 Condition: Prior to the installation of any external lighting associated with the development hereby approved a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed. Your attention is drawn to Informative 1 in relation to this condition.
- 10 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 11 Condition: Prior to the first use of the development hereby permitted the proposed on-site car and cycle parking, servicing, loading, unloading, turning, waiting areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 11 Reason: To ensure the permanent availability of the parking/maneuvering areas, in the interests of satisfactory development and highway safety in accordance with the NPPF and Development Plan.
- 12 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 12 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 13 Condition: No development shall commence on any external surface of the development hereby permitted until sample panels of the materials to be used for the external surfaces of the northern (chalk) and southern (flint) elevations of the Rope Building hereby permitted have been erected on the site for the inspection and written approval of the Local Planning Authority. Each sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 13 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 14 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, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass

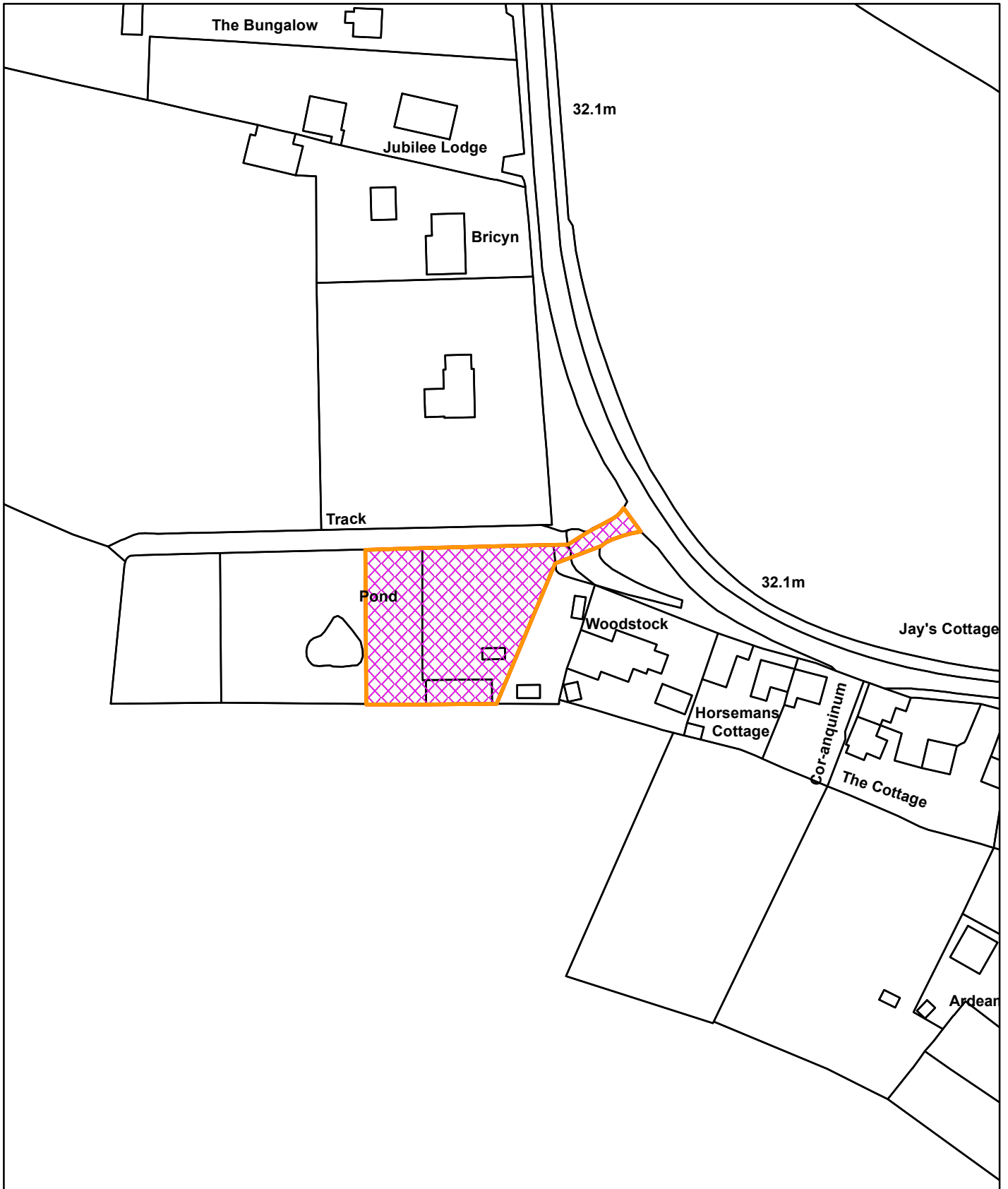
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establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

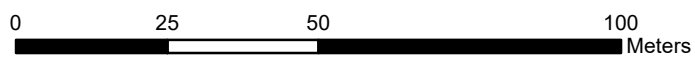
- 14 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 15 Condition: All hard and soft landscape works shall be carried out in accordance with the details approved under condition 15. The works shall be 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.
- 15 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 16 Condition: The development hereby permitted shall only be used for holiday accommodation held, owned and operated in association with The Ship Hotel, Brancaster and shall not be occupied as a person's sole or main place of residence.
- 16 Reason: For the avoidance of doubt and to ensure that the LPA retains control over development that may be incompatible with the provision of the NPPF and Development Plan.
- 17 Condition: The outside areas, including the use of the outside baths, associated with the Surfers Huts (Suites 1 to 4 inclusive) as shown on the approved plans shall only be used between the hours of 07:00 and 23:00 Monday to Saturday and 07:00 and 22:00 Sundays, Bank and Public Holidays.
- 17 Reason: In the interests of the amenities of occupiers of neighbouring residential properties in accordance with the NPPF and Development Plan.
- 18 Condition: No hot tubs or jacuzzi baths shall be installed in outside area of the development hereby permitted.
- 18 Reason: For the avoidance of doubt and in the interests of the amenities of occupiers of neighbouring residential properties in accordance with the NPPF and Development Plan.
- 19 Condition: The outbuilding shown to be retained as part of the development hereby permitted shall only be used as ancillary accommodation in association with The Ship Hotel and shall at no time be used as habitable accommodation.
- 19 Reason: For the avoidance of doubt and in the interests of proper planning.

22/01092/F

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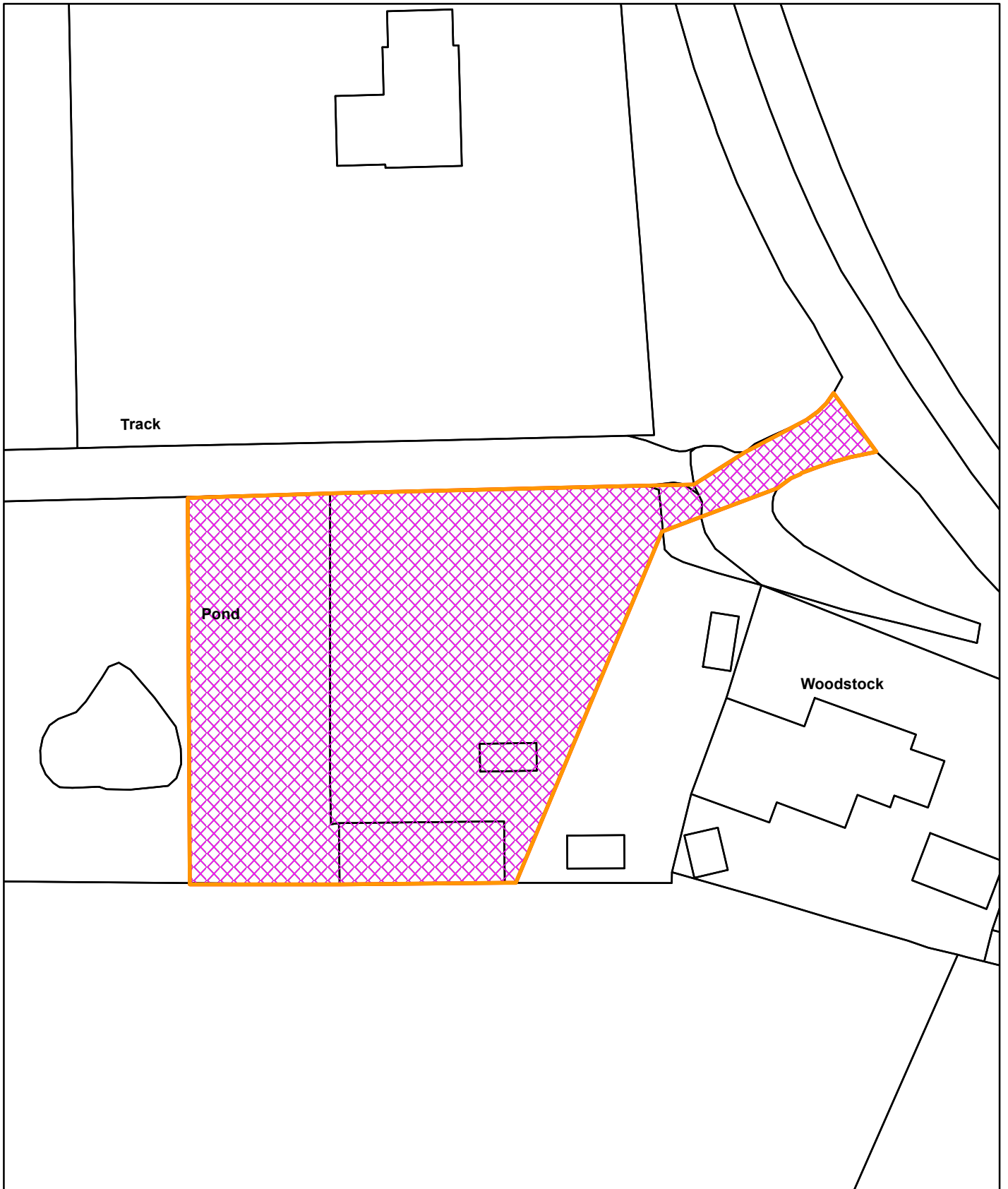
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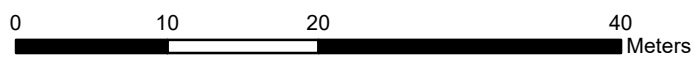


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Parish:	Boughton	
Proposal:	PROPOSED NEW RESIDENTIAL DWELLING	
Location:	Land W of Woodstock Mill Hill Road Boughton PE33 9AE	
Applicant:	MR. C BOND	
Case No:	22/01092/F (Full Application)	
Case Officer:	Helena Su	Date for Determination: 16 September 2022 Extension of Time Expiry Date: 21 October 2022

Reason for Referral to Planning Committee – Called in to committee by Cllr Sampson

Neighbourhood Plan: No

Case Summary

The proposal is for the construction of a new dwelling on land to the west of Woodstock, Mill Hill Road, Boughton. The site is currently a paddock associated with Woodstock to the east. At the time of the site visit, there were vehicles, trailers, miscellaneous materials such as timber posts, a green house and storage container on the site. The site is loosely defined by low soft landscaping to the south boundary and an established hedge along the north boundary. Towards the west of the site, there is a pond.

The application site is located on the west side of Mill Hill Road, west of Woodstock. The site is approx. 300m from Boughton's village centre and is 0.14ha in size. Boughton is classified as a Smaller Village and Hamlet and as such does not have a development boundary. Therefore, the site is categorised as countryside in the adopted Site Allocations and Development Management Policies Plan (SADMPP) (2016).

The application site is outside Boughton's conservation area, which ends along the east boundary of the application site.

Key Issues

- Principle of Development
- Design and Impact on the conservation area
- Impact on Neighbours
- Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The proposal is for the construction of a new dwelling on land to the west of Woodstock, Mill Hill Road, Boughton. The proposed dwelling is proposed to be finished in a mix of flint cladding, buff brick, natural timber cladding, lead cladding, and grey roof tiling. The site is currently a paddock associated with Woodstock to the east. At the time of the site visit, there were vehicles, trailers, miscellaneous materials such as timber posts, a green house and storage container on the site. The site is loosely defined by low soft landscaping to the south boundary and an established hedge along the north boundary. Towards the west of the site, there is a pond.

The application site is located on the west side of Mill Hill Road, west of Woodstock. The site is approx. 300m from Boughton's village centre and is 0.14ha in size. Boughton is classified as a Smaller Village and Hamlet and as such does not have a development boundary. Therefore, the site is categorised as countryside in the adopted Site Allocations and Development Management Policies Plan (SADMPP) (2016). The application site is outside Boughton's conservation area, which ends along the east boundary of the application site.

The principle of a dwelling on this site has been established under planning reference 20/00945/O, which was determined at Planning Committee. A reserved matters application was submitted following the outline under planning reference 21/01366/RM for a bungalow, finished in timber cladding. The planning permission remains extant.

SUPPORTING CASE

To be included at a later date.

PLANNING HISTORY

21/01366/RM: Application Permitted: 23/11/21 - RESERVED MATTERS APPLICATION: Construction of one dwelling

20/00945/O: Application Permitted: 05/10/20 - Outline application: Site for construction of one dwelling (Planning Committee Decision)

RESPONSE TO CONSULTATION

Parish Council: OBJECTS

The Parish Council, having reviewed the revised plan and accompanying correspondence explaining the agent's perspective, believes the key material matters remain extant. The redrawing of boundary lines and fence line do not alter the position of the proposed location and size of the house and change of use from paddock to residential. The assertion that the boundary line is aligned with the properties to the north is misleading as the key matter is the position of the house, which remains approx. 20m behind the building line. The building line, as drawn on the diagram provided in the initial response, was the Planning Officer's key point when recommending to the Planning Committee that the outline application should be approved as its position was on that line which curved following the road's profile from the North to join with Woodstock.

This planning application remains back-fill and not in-fill and is therefore not compliant with DM03 policy. Moreover, with previous recent applications in the village for back-fill and/or

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change of use from paddock to residential having been refused by the Planning Authority the Parish Council is keen that a precedent is not set with this application and for the Borough Council not to have to have to reconcile contradictory approval and previous refusals. There are numerous other properties in the village that may seek to follow suit, leading to a significant change to the village density of building, layout and sustainability should a precedent be set to allow back-fill contrary to DM03.

Comments to amended plans

The Parish Council perspective remains extant in objection on the grounds of the proposed main residence being circa 20m behind the building line. The amendment of the boundary redline to correct the shape and size of the plot has no effect on the Parish Council's view as the residence has not been brought forward to the building line as was agreed in the Outline Application upon which the building line was a significant determining factor in the Planning Officer's recommendation to approve. The residence being 20m rear of the building line makes this back fill rather than infill and therefore contrary to the SADMP DM3 policy.

For clarity the Cllrs who voted in favour of the application in the split vote did so with non-material reasons for support so should not be seen as diluting the objection in anyway.

Highways Authority: NO OBJECTIONS subject to conditions.

There is history for the construction of a dwelling on this site and that the proposed site access, parking and turning could also accord with standard. No objection subject to conditions regarding access and on-site car parking/turning.

Public Rights of Way: NO OBJECTION

We have no objection in principle to the application but would highlight that a Public Right of Way, known as Boughton Footpath 2 is aligned along adjacent to the Northern boundary of the site. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation

Internal Drainage Board: The Board has **NO COMMENT** from a drainage point of view.

Environmental Quality: NO OBJECTIONS

The application is for the construction of a dwelling. The applicant has provided a screening assessment stating no known contamination. We have reviewed our files and the site is on land not developed for the duration of our records until most recent aerial photography when 2 structures are seen in the south eastern corner, to be demolished before construction of the proposed property. A pond is first seen on site in aerial photography dated 1999 and remains present. The surrounding landscape is largely agricultural and residential.

No potential sources of contamination are identified in our records, or in the information provided by the applicant.

We have no objection regarding contaminated land

MOD Safeguarding: NO OBJECTIONS

The application site occupies the statutory safeguarding zone(s) surrounding RAF Marham. In particular, the aerodrome height, technical and birdstrike safeguarding zones surrounding the aerodrome and is approx. 7.43 km from the centre of the airfield.

After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this proposal

Conservation: OBJECTS

This site lies outside but adjacent to the Boughton Conservation Area, located within countryside currently classified as open countryside. The proposal is for a large detached house.

Whilst the proposal will not harm any physical fabric within the conservation area, it's location on the edge of the conservation area with large sweeping views across the nearby open countryside will be affected. As a rural conservation area, the surrounding open countryside contributes strongly to the conservation area's village setting. The scale of this proposal and the impact upon views over the countryside will harm the setting of the conservation area, rather than the physical fabric and character within the conservation area.

Paragraph 207 of the NPPF states "Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building or other element which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202 as appropriate taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole"

On this basis, I would advise that the erosion of the setting of the conservation area due to the scale and appearance of the new dwelling will cause some harm and on the basis of national and local policy and guidance should be refused.

REPRESENTATIONS

FOUR comments in **SUPPORT**. Comments summarised as follows:

- This is an interesting and high-quality dwelling which is in keeping with the properties typical of this village. Believe that such developments should be encouraged in the contact of many other less desirable schemes which are approved in other villages.
- Well designed and in keeping with other properties. It would do justice to the surrounding area.
- Seems like a good application which will enhance the area.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

OTHER GUIDANCE

Conservation Area Character Statement.

PLANNING CONSIDERATIONS

The key issues are:

- Principle of Development
- Design and Impact on the setting of the Conservation Area
- Impact on Neighbours
- Other Material Considerations

Principle of Development

Boughton is classed as a 'Smaller Village and Hamlet' (SVH) within the settlement hierarchy under Policy CS02 of the Core Strategy and as such does not have a development boundary and is treated as the countryside. Under Policy DM2, infilling in SVHs in accordance with Policy DM3 alongside countryside policies such as Policy CS06, is considered.

Policy DM3 of the SADMPP allows for sensitive infilling of small gaps within an otherwise continuously built-up frontage, where the development is appropriate to the scale and character of the group of buildings, and its surroundings and will not fill a gap with provides a positive contribution to the street scene.

Under the Outline application (planning ref 20/00945/O) which was presented to Planning Committee, it was argued that the site, being located on the corner of Mill Hill Road, could be considered a small gap in an otherwise continuously built-up frontage, with the construction of the row of dwellings to the north. However, this was subject to the positioning and design of the dwelling at Reserved Matters stage.

The proposed site and dwelling of this application are a significant amendment to the Outline and subsequent Reserved Matters applications, which have been approved on a section of the site. The application site extends further west, encroaching into the paddock and countryside. Under Policy DM3, sensitive infilling of small gaps is considered. The application site, being considerable extended, fails to present as a small gap within an otherwise continuous built-up frontage which would enable sensitive infilling. Furthermore, the proposed two-storey dwelling, which spans almost the whole width of the application site, is not sympathetic to the existing form of development along Mill Hill Road. The siting and layout of the proposed dwelling would appear at odds with the existing arrangement of

developments along Mill Hill Road. Thus, it is considered that the alteration and enlargement of the application site, in combination with the layout, size and scale of the proposed dwelling, would no longer meet the requirements under Policy DM3 for a sensitive infill plot and would encroach into the countryside with no justification, contrary to Policies CS01 and CS06.

Paragraph 134 of the NPPF states development that is not well designed should be refused, where it does not reflect local design policies and government advice on design. The proposed dwelling is a significant redesign of the approved dwelling on this site and considered a retrograde step which would have a harmful impact on the setting of the conservation area, the countryside, and overall street scene.

The proposal therefore fails to comply with policies CS02, CS06, CS08 and CS12 of the Core Strategy (2011), and Policies DM2 and DM3 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

Design and Impact on the setting of the Conservation Area

The application site is located on the west side of Mill Hill Road and lies outside of Boughton's conservation area, which ends along the west boundary of Woodstock. The site is accessed by a track on the bend of Mill Hill Road and defined by soft landscaping around its boundaries. The block plan shows the siting of the dwelling, parking and turning area, rear garden, and siting of two temporary caravans. It is important to note on the block plan, that no rear boundary is shown, other than the existing rear boundary, and two temporary caravans are shown to be sited outside of the defined application site.

Mill Hill Road serves as an entrance point into the village. The road is characterised by open countryside to the east side. Along the west side of the road, there is sporadic linear residential development which intensifies as it approaches the village centre. Dwellings within the immediate vicinity are of various designs. To the north of application site are modern two-storey dwellings and to the south, the dwellings are vernacular in design and use of materials. The donor dwelling, Woodstock, is a bungalow, constructed in stone cladding, antique brick, and brown clay pantiles. The character of Mill Hill Road is somewhat diluted by the addition of the modern dwellings to the north, which add little to the intrinsic local character, but ultimately is considered to enable further modern additions to the village.

The proposed dwelling consists of a large two-storey contemporary ranch-style dwelling, with an attached double garage to the north and attached three-bay car port along the west. The proposed dwelling has features such as dormer and velux windows, open apex oak frame porches to the front and rear doors, large full-length glazing and Juliet balconies. It would be approx. 9.3m tall, with a hipped roof above the southwest section of the proposed dwelling, dropping to 7m elsewhere. Furthermore, the 'L' shape dwelling will be 26.3m wide and 19.5m deep, set approx. 21m from the west elevation of Woodstock. The garage will project west by an additional 2.7m. A range of materials are proposed to finish the dwelling, including flint cladding, buff brick, natural timber cladding, lead cladding, and grey roof tiling. This is in excess of the previously approved reserved matters scheme which was a modest sized ranch-style bungalow of approx. 4.6m tall. The approved bungalow was an 'L' shape dwelling, approx. 14.4m wide and 13.4m deep, with a section which project 7.5m to the south. The bungalow was proposed to be clad in untreated timber cladding with Sandtoft Rivius Antique grey or slate roof tiles. Given the scale and design of the development proposed, it fails to consider the sensitive location of the site and local setting, contrary to policy DM15. The contemporary design of the proposed dwelling, in combination with its scale, would appear out of character in this locality where dwellings are moderate and set within comfortable plots.

The proposed dwelling is overdevelopment of a substantial site, which is contrary to the existing form and character of dwellings along this part of Mill Hill Road. Within the immediate vicinity, dwellings are of mixed designs, set within a comfortable but not a substantial sized plot. Considering the neighbouring sites within the close proximity, dwellings generally take up less than half the size of the plot, with generous external amenity space for a front garden, driveway, and rear garden. The proposed dwelling spans almost the whole width of the site with a large driveway which dominates the majority of the site. Little external amenity space is offered on the site, despite the size of the plot. Under the National Design Guide, external amenity space is an important aspect to consider in design. Amenity space should be well-designed and fit for purpose. For a large family-sized dwelling, the external amenity space is not considered to suitably serve the dwelling. Furthermore, there is concern that as the rear boundary is not defined, domestication of the paddock to the west could take place for external amenity space outside of the application site.

The site is surrounded by a mixture of bungalows and two-storey dwellings, with the proposed dwelling set approx. 21m to the west of Woodstock. Despite the distance from Woodstock, the proposed dwelling is considered to dominate the street scene due to its height, width, and siting on the site, and ultimately harm the setting of Boughton's conservation area. The site currently acts as an important break between the boundary of Boughton's conservation area and of the modern developments to the north, with open views in and out of the countryside along Mill Hill Road. In Boughton's conservation area statement, the setting of Boughton is summarised as 'one of linear settlement along these roads interspersed with pockets of mature landscape...[where] attractive views of the open countryside beyond are afforded'. The proposed dwelling threatens to limit these important views to and across the countryside from Mill Hill Road and from Cavenham Road which would cause harm to the setting of the conservation area.

Initial comments from Conservation raised no objections to the scheme, subject to a condition for the materials. However, further comments were submitted by Conservation who raised objections on the impact of the scheme to the setting of Boughton's conservation area. In their comment, Conservation stated that whilst the scheme would not harm any physical fabric of within the conservation area, its location on the edge of the conservation area with large open views across the countryside would be affected. Mature landscaping between and beyond buildings which enable attractive views of the open countryside between these components is mentioned to form the setting and location of Boughton in Boughton's conservation area statement. Therefore, the impact of the proposed dwelling, in obscuring views to the countryside is considered to create undue harm.

The application was also taken to the Conservation Area Advisory Panel (CAAP) in September 2022 where it was unanimously agreed that the development was unacceptable and would cause harm to the conservation area. The dwelling was considered too big and intrusive and would dominate views of the conservation area when approaching from the west.

Paragraph 207 of the NPPF states that loss of an element which makes a positive contribution to the significance of the Conservation Area should be treated as substantial harm under paragraph 201 or less than substantial under paragraph 202, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area. Paragraphs 201 and 202 of the NPPF state that harm to a designated heritage asset should be outweighed by the public benefit of the proposal. The scheme is for one dwelling and will not have any public benefit. Therefore, the harm to the setting of the conservation area is not considered to be outweighed by the public benefit of the scheme.

The proposal, by reason of its design, scale, and siting therefore fails to accord with Policies CS08 and CS12 of the Core Strategy (2011), policy DM15 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016) and provisions within the NPPF, namely paragraph 201 and 202, for harm to the setting of the conservation area.

Impact on Neighbours

The dwelling will be sited approx. 21m from Woodstock and approx. 18m from Plot 4 of the row of dwellings to the north. Considering the siting of the dwelling, distances from neighbours, and orientation of dwellings, the proposed dwelling is unlikely to be overbearing and significantly shadow the surrounding neighbours' private amenity spaces and habitable rooms. Furthermore, based on the siting of the dwelling and placement of windows, views to the surrounding neighbour's private amenity spaces will be limited.

Therefore, in terms of impact on neighbour amenities, the proposal be in accordance with policy DM15 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

Other Material Considerations

Highway and PROW - There were no concerns raised by the Highway Authority and PROW subject to conditions and informative.

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

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

There are no objections received or conditions required from MOD Safeguarding Environmental Quality.

CONCLUSION

The application site is in Boughton, which is classified as a Smaller Village and Hamlet (SVH) under the settlement hierarchy under policy CS02 of the Core Strategy and therefore does not have a development boundary. Under Policy DM2, infilling in SVHs in accordance with Policy DM3 alongside countryside policies such as Policy CS06, is considered. Although Outline consent was granted on the site under planning ref 20/00945/O, this was subject to an appropriate Reserved Matters. It is considered the proposal, by reason of the size of the application site and layout of the proposed dwelling, would no longer meet the requirements under Policy DM3 to be considered an infill development. Therefore, the principal of development is contrary to the adopted Local Plan.

Additionally, the development, by reason of its scale, design, and layout fails to respond sensitively to the local setting, dominating the immediate street scene and eroding important spaces to and across the countryside. The proposed dwelling is a large contemporary ranch-style dwelling set to the west of a low-profile bungalow built in vernacular materials. To the north of the site are modern two-storey dwellings, and more traditional, vernacular cottages to the south. The scale and design of the proposed dwelling pays nominal consideration to the existing form of dwellings along Mill Hill Road, resulting in a substantial dwelling.

Although Boughton's conservation area straddles the site to the west, the proposed dwelling is considered to harm the setting to the conservation area due to its size, scale, and layout.

The Conservation Officer considered the impact of the proposed dwelling to result in substantial harm. Paragraph 201 and 202 of the NPPF requires that harm is weighed against the public benefit. The scheme is for one dwelling and there is not considered to be public benefit from the development.

It is thereby recommended that Members refuse the application due to the fact the scheme fails to accord with the provisions of the NPPF, and the adopted Local Plan policies CS01, CS02, CS06, CS08, CS12 of the Core Strategy (2011) and DM2, DM3, DM5 and DM15 of the SADMPP (2016).

RECOMMENDATION

REFUSE for the following reason(s):

- 1 Reason: Paragraph 134 of the NPPF states: Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The proposed dwelling is a large modern ranch-style dwelling set within a substantial plot. The layout, size, and scale of the proposed dwelling would represent a retrograde step which is not sympathetic to the existing form and pattern of development of existing dwellings along Mill Hill Road. The proposed dwelling is set to the west of a low-profile bungalow built in vernacular materials. To the north of the site are modern two-storey dwellings, and more traditional, vernacular cottages to the south. The scale and design of the proposed dwelling pays nominal consideration to the existing form of dwellings along Mill Hill Road, resulting in a substantial dwelling, which would dominate the immediate street scene and erode important spaces to and across the countryside. Furthermore, the scheme fails to consider national design guidance, such as well-designed amenity space, which is fit for purpose, nor would fit in with the overall form and layout of their surroundings.

The proposal therefore fails to comply with provisions with the NPPF, Policies CS06 and CS08 of the Core Strategy (2011) and Policies DM5 and DM15 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

- 2 Reason: The sizeable two-storey dwelling is sited outside of Boughton's conservation area, in the countryside. However, views of the site are visible from within the conservation area, and development on the site would impact its setting. In Boughton's conservation area statement, the setting of Boughton is summarised as 'one of linear settlement along these roads interspersed with pockets of mature landscape...[where] attractive views of the open countryside beyond are afforded'. The countryside setting beyond the conservation area therefore contribute significantly to its setting. The siting, scale, and size of the proposed dwelling is considered to hinder views across, in, and out of the countryside into the conservation area along Mill Hill Road and Cavenham Road. Paragraph 201, 202 and 207 of the NPPF seeks to ensure that harm to a designated heritage asset is appropriately outweighed by the public benefit of the

scheme. The scheme is for a single dwelling and the harm is not considered to be outweighed by the public benefit of the scheme.

The proposal therefore fails to comply with provisions with the NPPF, Policies CS06, CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

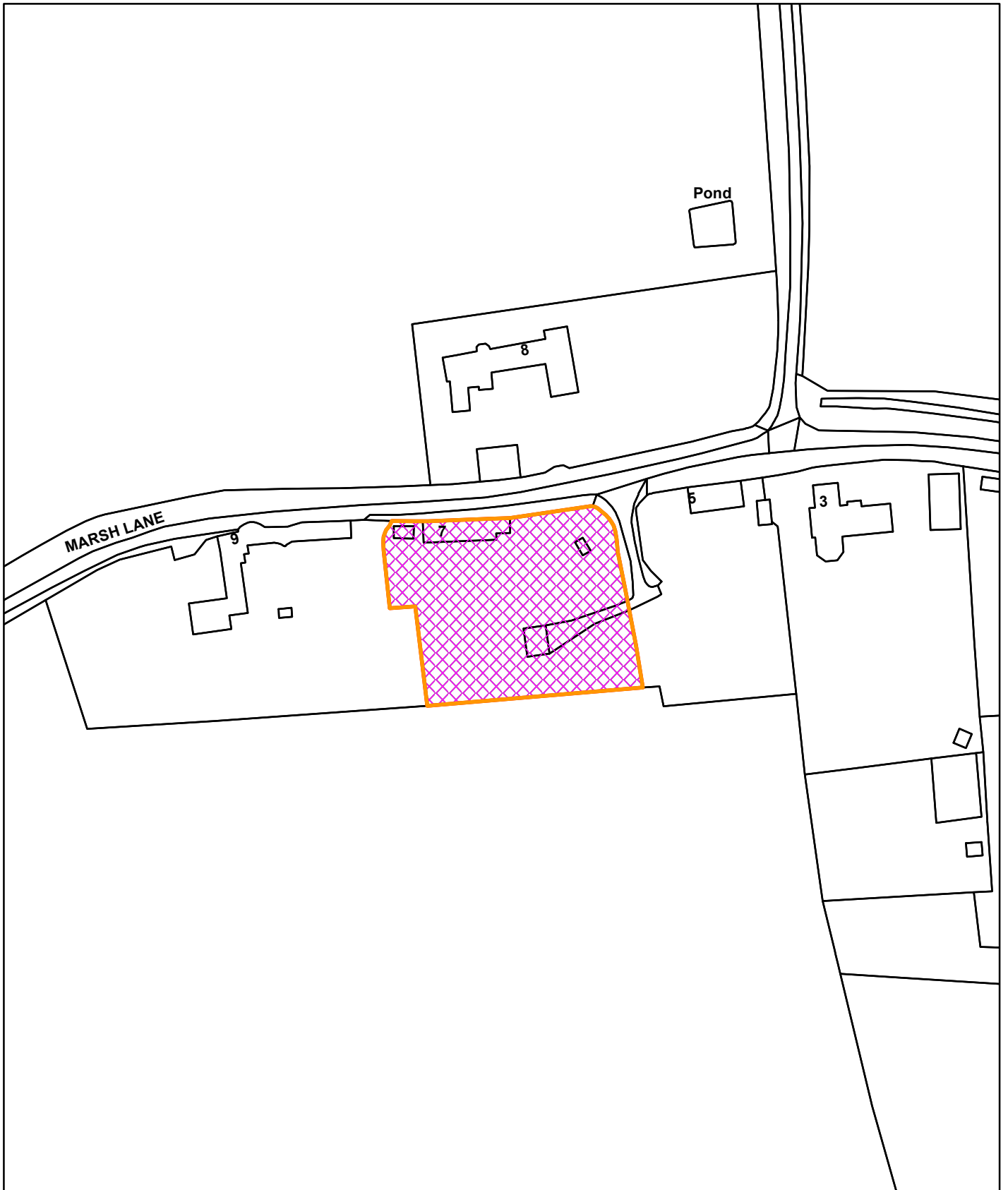
- 3 Reason: Policy DM3 of the Site Allocations & Development Management Policies Plan (SADMPP) (2016), limits development to that suitable for rural areas and enables sensitive limited new residential infill development to be built within a continuous built frontage within smaller villages and hamlets, provided that it is of an appropriate scale and character and will not fill a gap which provides a positive contribution to the street scene.

The application site is a sensitive plot to the west of Woodstock. Although Outline consent has been granted on the site, this was subject to an appropriate Reserved Matters scheme, which has been submitted and approved. It is considered that the alteration and enlargement of the application site, in combination with the layout, size, and scale of the proposed dwelling, would no longer meets the requirements of sensitive infilling in a small gap. The substantial size of the plot would appear at odds with the existing form and pattern of existing development along Mill Hill Road. Additionally, considering the siting and scale of the dwelling, the scheme would ultimately fill a gap which positively contributes to the street scene and setting. Furthermore, no evidence has been provided to justify how the proposed dwelling would meet specific identified local needs under Policy CS06 and DM3.

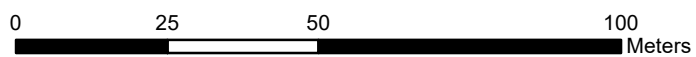
The proposed development is therefore contrary to Policies CS01, CS02 and CS06 of the Core Strategy (2011) and Policies DM2 and DM3 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

22/00892/F

Denning, 7 Marsh Lane, Burnham Norton, PE31 8DS



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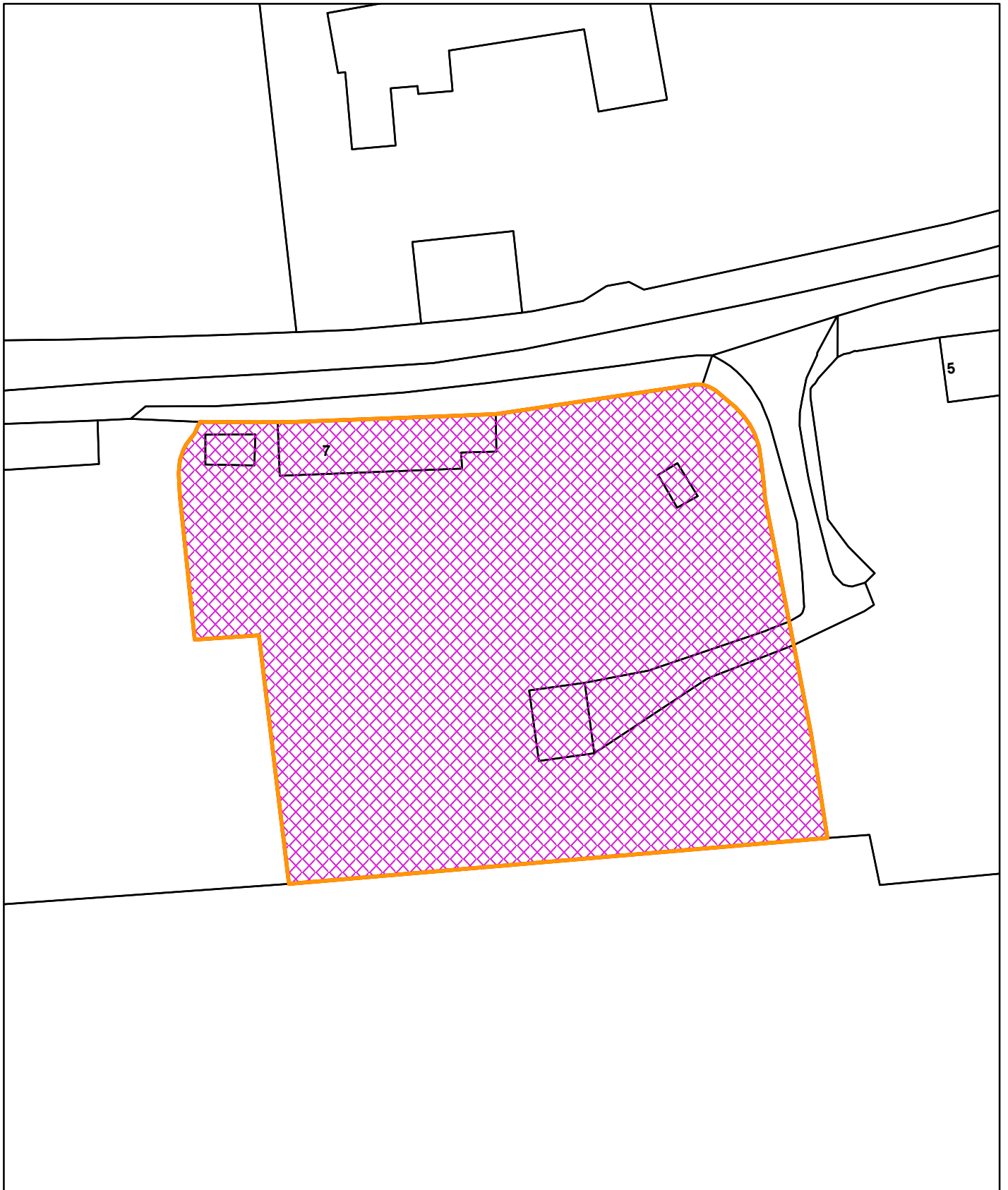
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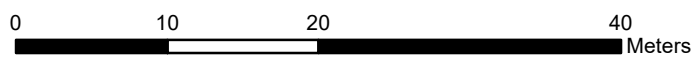


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26/10/2022



Parish:	Burnham Norton	
Proposal:	Extension of three bedroomed, two storey cottage involving modest modifications to single storey lean-to at West end of cottage, minor internal modifications and enhancements, removal of existing timber shed and oil tank, and modest, localised adaptations to hard landscape. The gardens remain almost entirely untouched. Construction of two storey extension providing family rooms and additional bedrooms, connecting to existing cottage's West end at ground and first. New extension predominantly timber clad under a pan tiled roof, with timber windows throughout	
Location:	Denning 7 Marsh Lane Burnham Norton Norfolk PE31 8DS	
Applicant:	Mr Gerard Nieuwenhuys	
Case No:	22/00892/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 14 July 2022

Reason for Referral to Planning Committee – Called in by Cllr Sandell

Neighbourhood Plan: No

Case Summary

The application site relates to a two storey dwelling known as Denning No.7, situated on the southern side of Marsh Lane, Burnham Norton.

Planning permission is sought for the construction of a two storey extension to the western side and rear elevations of the existing; a first floor extension over an existing single storey element to the eastern elevation; a loggia to the rear of the two story extension; and various other modifications and alterations to the dwelling.

The site lies within Burnham Norton's Conservation Area and AONB.

Burnham Norton is classified as a Smaller Village and Hamlet within the Core Strategies Settlement Hierarchy.

Key Issues

- Principle of Development
- Design
- Impact on the Conservation Area / Heritage Assets
- Neighbour Amenity
- Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The application site relates to a two-storey dwelling known as Denning No.7, situated on the southern side of Marsh Lane, Burnham Norton.

Planning permission is sought for the construction of a two storey extension to the western side and rear elevation of the existing dwelling; a first floor extension over an existing single storey element to the eastern elevation; a loggia to the rear of the two story extension; and various other modifications and alterations to the dwelling.

The proposed development will double the footprint of the existing dwelling, increasing the number of bedrooms from 3 to six. The applicants have stated that this additional space is proposed to enable them to use Denning as a family home, initially as and when they wish, but ultimately as their primary residence.

This application is a resubmission of a previous scheme (ref: 21/00122/F) which was refused for the following reason: -

1. This site lies within the Burnham Norton Conservation Area, the importance and significance of which is defined in the Burnham Norton Conservation Area Character Statement. The National Planning Policy Framework (NPPF) highlights the significance of conservation areas that can be harmed or lost by alteration to them by development in their setting.

The proposed two storey extension, due to its combined mass, scale and siting, would fail to respond sensitively and sympathetically to the local setting as it would be unduly prominent and incongruous in the street-scene, with the proposed loss of approximately 50% of the existing gap between the site dwelling and its west side neighbour.

Eroding the relationship of buildings to spaces and the views this creates, would result in a detrimental impact on the openness of the street scene in this locality, causing harm to the significance of the Conservation Area. Such proposal would therefore cause harm to the established form and character of the area by developing the open frontage, considered a key characteristic along this stretch of Marsh Road and which makes a positive contribution to the Burnham Norton Conservation Area.

As a result the proposal fails to comply with Policies CS06, CS08 and CS12 of the Borough Council of King's Lynn and West Norfolk's Core Strategy (2011), Policy DM15 of the Site Allocations and Development Management Policies (2016), as well as the provisions of the National Planning Policy Framework'.

The current application proposes some changes to the scheme in order to address the reason for refusal. The changes include: -

- Moving the two-storey extension away from the western boundary;
- Increasing the gap between the application site and the neighbouring dwelling to the west;
- Reduction in the scale and mass by reconfiguring the western side of the extension;
- Change in roof form; and
- Amendments to windows on the western elevation.

The proposed two storey extension is roughly 'L shaped', projecting from the rear with its depth aligned with the western boundary for a total of approximately 17.5m. It now proposes a traditional pitched roof, returning towards the east with a gable-end. A timber loggia is proposed to the eastern side of the extension. The majority of the proposed two storey

extension will be constructed using red brick, with the exception of the eastern gable-end, which will be timber clad.

The proposed first floor extension to the east will also form a small gable end and will be timber clad.

SUPPORTING CASE

The Applicant's agent will submit a supporting case under late correspondence.

PLANNING HISTORY

21/00122/F: Application Refused: 01/12/21 (DELEGATED) - Construction of two storey extension connecting to existing cottage's West end at ground and first. New extension predominantly timber clad under a pan tiled roof, with timber windows throughout. Modest modifications to single storey lean-to at West end of cottage, minor internal modifications and enhancements, removal of existing timber shed and oil tank, and modest, localised adaptations to hard landscape. – Denning, 7 Marsh Lane, Burnham Norton

RESPONSE TO CONSULTATION

Parish Council: NO COMMENTS RECEIVED

Conservation Officer: **OBJECT -**

This application has been submitted further to a refusal in 2021 and seeks consent for an extension which has been reduced in size. A comprehensive Heritage Appraisal has been submitted with the application.

Dennings and Lechmere are substantial houses within the Burnham Norton Conservation Area currently separated by garden space located behind wall and fence. In the case of Dennings a small timber structure sits behind the fence. Whilst long terms views from the east and west of these gardens are not visible, the impact of the garden space is more important when closer to the buildings, providing a sense of space around and beyond the buildings and hence a sense of separation between two large houses, preventing the creation of a terraced effect in this particular location. On this basis I regard this space as important within the Burnham Norton Conservation Area and contributing to its significance.

Despite the reduction in size, the proposed construction of the extension in this location would have a marked impact upon the Conservation Area's significance, particularly in the street scene outside the two properties, eroding the sense of space around and beyond identified above.

There is a statutory requirement to pay special attention to enhancing the character or appearance of a conservation area (P(LB & CA) Act 1990). The protection and enhancement of the historic environment is one of the three overarching objectives identified in paragraph 8 of the NPPF. Great weight should be given to the conservation of heritage assets and harm requires clear and convincing justification (Para 199 and 200 NPPF) Where an application would result in harm this should be weighed against the public benefits of the proposal (Para 202 of the NPPF).

Paragraph 207 of the NPPF states "Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building or other element which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202 as appropriate taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole"

In conclusion it is considered that the development shown in the current proposals would cause harm to the significance of the Burnham Norton Conservation Area - a designated heritage asset through the erosion of an important visual space, important in the relationship between two large houses within the conservation area. There is no public gain to weigh against this harm and on this basis from a conservation perspective, I would recommend that this application be refused.

REPRESENTATIONS

TWO representations received from third parties, **ONE OBJECTING** and **ONE IN SUPPORT**, making the following comments:

OBJECTION

- Impact on Lechmere to the west
- Scale of two storey extension
- Close proximity to neighbouring boundary
- Completely change the appearance of the north facing elevation
- Impact on street scene
- Don't see any major changes from the first proposal which was refused
- The neighbour took great care when their property, involving the Local Authority, local architects, builders, neighbours and local residents
- This proposal does not sit sensitively or sympathetically with the local setting

SUPPORT

Whilst the representation states that it is in support of the application, the comments within it requests for the 'fir trees to the east of the property to be cut down dramatically as they overshadow the neighbouring house, block light and they are concerned that a storm could cause them to damage their house or shed, and could be dangerous to life'.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

OTHER GUIDANCE

Conservation Area Character Statement.

PLANNING CONSIDERATIONS

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

- Principle of Development
- Design
- Impact on the Conservation Area / Heritage Assets
- Neighbour Amenity
- Other Material Considerations

Principle of Development

The proposal involves the domestic extensions and alterations to an existing dwellinghouse, and as such the principle of development is acceptable in accordance with the Development Plan.

Design

The existing dwelling comprises 2 storeys and is detached, with a narrow depth, pre-dating 1886, approximately 20m in width and abutting the road, built in chalk, red brick, flint and red clay Norfolk pantiles.

The dwelling has a short length of road-fronting wall abutting its western elevation and thereafter a 2m fence leading off to the western boundary (total approx. 7.2m), which then abuts a wall in the ownership of the adjacent site Lechmere.

To the rear of the site wall is a single storey lean-to element, proposed to be demolished. There is also a single storey projection to the eastern end elevation where there are high level trees.

This dwelling is not listed but identified as a 'non-designated heritage asset' within the Conservation Area.

The plot (50m wide and 42m deep) has an established landscaped and tree clad garden south and east of the dwelling.

The most significant element of the proposal is the two-storey extension to the western side and rear elevation of the existing dwelling, which will change the appearance of the southern (rear) elevation. The extension will provide an additional three bedrooms, giving a total of six bedrooms, and will more than double the size of the existing dwelling.

The southern elevation of the dwelling is the most attractive, in terms of its balanced fenestration, use of traditional local materials and detailing.

The proposed two storey extension is roughly 'L shaped', projecting from the rear with its depth aligned with the western boundary for a total of approximately 17.5m. The southern end of the extension is presented with its ridge parallel with the roof form of the existing dwelling, with a gable-end facing east into the site. The first floor overhangs the ground floor by approximately 2m and is timber clad and visually supported by timber posts which are connected to a timber loggia to its eastern side. The majority of the proposed two storey extension will be constructed using red brick, with that exception of the eastern gable-end.

Whilst the two storey gable is the same width and height as the existing gable to the eastern end of the building, due to the use of horizontal timber cladding on the entire façade up to the apex, together with the proposed window design and proportions (which are at odds with the original features), it appears wider, and for those reasons is not considered to be sympathetic to the traditional character and appearance of the existing dwelling.

The proposed first floor extension over the existing single storey element to the eastern end of the dwelling is also detailed to use horizontal timber cladding to its smaller gable. Whilst the scale and design of the first-floor extension is acceptable, the use of timber cladding is not considered to be in keeping with the traditional Norfolk dwelling, which is an important unlisted building.

Development Plan Policies aim to control extensions to existing dwellings in order to avoid any detrimental impact on the landscape and rural character of the area, especially in such sensitive areas as the Conservation Area and AONB. To achieve this, extensions should be designed to be subservient or subordinate to the main dwelling, as this allows for balance and prevents a new addition from dominating the original dwelling and potentially detracting from its historic form and appearance. As already stated above, the proposed two storey extension doubles the existing footprint and can therefore not be considered to be subservient nor subordinate to the existing dwelling by virtue of its excessive scale, which together with its design and use of materials, is not considered to be of high quality and would not preserve the character of the existing dwelling or its setting.

It is therefore considered that the proposed development is contrary to the aims and provisions of Core Strategy Policies CS06, CS08, CS12; SADMP Policies DM5 and DM15; and section 12 of the NPPF.

Conservation Area / Heritage Assets

As referred to above in the report, the dwelling is considered to be a 'non-designated heritage asset' (NDHA) in line with the provisions of the NPPF.

It is considered that the scale and design of the proposed two storey extension will adversely affect the significance of the NDHA and a balanced judgement is required having regard to the scale of harm and its impact on the Heritage Asset, that is the Conservation Area.

Burnham Norton's Conservation Area Character Statement highlights the special qualities that underpin the character of this conservation area, justifying its designation. It also seeks to increase awareness of those qualities so that where changes to the environment occur, they do so in a sympathetic way without harm to the essential character of the area.

Burnham Norton is a quiet rural hamlet with a loose knit plan form strung out along a country lane. The buildings are predominantly 19th century farm labourers' cottages and agricultural buildings constructed of clunch, flint and clay pantiles and linked by low roadside walls.

The view here is expansive across a wide area of flat grazing marshes and public paths across the marsh.

Marsh Lane running east-west alongside the meadows is lined on the landward side by a mixture of detached houses with mature planting including some very tall conifers. Only at the far end is some greater definition achieved by brick and clunch cottages hard by the road, before it curves back between fields to the A149.

Because there are very few listed buildings in Burnham Norton Conservation Area, the form and character of the settlement is largely dependent on the vernacular style of its many unlisted traditional buildings. Although none are distinctive enough to single out, all are of local importance and have been identified either because of their prominence or their relatively unspoilt character and their relationship to other historic buildings in the street scene.

The general layout of the hamlet and description of the somewhat tranquil, time-lapsed locality has changed little. Whilst Norton Street is the main road into the village, Marsh Lane and Blacksmiths Lane (Norton Hall Lane) play their part for access / egress, but all are narrow lanes.

There are some semi-detached former council dwellings of regular proportions on the central part of Norton Street. A complex of barns on Blacksmiths Lane junction have been converted to residential use. But dwellings are mostly aged, built in local materials, mixed in scale, design and format.

The overall image formed when travelling N along Norton Street is the space afforded to the setting of the dwellings and this is particularly noticeable with the aged dwellings and, no matter the orientation, this is the point of note (space between dwellings) which promotes the character of the village as one passes through Norton Street and into Marsh Lane.

As Norton Street peters out in a westerly direction into Marsh Lane, dwellings become sparse but retain the sense of spatial awareness between sites, as is the current situation with Denning and its space in setting between sites lying east and west.

The elongated dwelling west (Lechmere) fronts the road and has south facing extension and garage. It is the final dwelling on the route west out of the village. Attached to its eastern elevation is a frontage wall approximately 6.5m wide which extends to abut the 2m fencing / wall at the eastern boundary with Denning. The total distance between the end elevations of Denning to Lechmere is approximately 13.7m.

Denning and Lechmere are substantial houses within the Burnham Norton Conservation Area currently separated by garden space located behind the wall and fence. Whilst long term views from the east and west of these gardens are not visible, the impact of the garden space is more important when closer to the buildings, providing a sense of space around and beyond the buildings and hence a sense of separation between two large houses, preventing the creation of a terraced effect in this particular location. Notwithstanding the fact

that the character statement does not mention this gap, on the basis of the above, this space is considered to be important within the Burnham Norton Conservation Area and contributes to its significance.

A comprehensive Heritage Statement accompanies the application which includes a detailed analysis of Denning's development within its immediate context, with analysis of additions and extensions to Lechmere and consideration for the broader setting and the immediate street-scene.

The report considers that the reduction in footprint, scale and massing from the previous scheme means that the two-storey extension will neither be prominent nor incongruous within the street-scene and retains the gap between properties. There is no material impact on longer views. The previous 50% reduction in the gap has been further reduced to 36%. Notwithstanding this however, they consider that the Character Statement makes no reference to the 'open nature' of this frontage, identifying instead the definition created by the built character of this cluster.

Additionally, a detailed Design and Access statement has also been submitted which sets out and considers the site constraints, the site selection process (discounting other areas of the site to extend) design approach and how the proposal has developed.

Whilst the detailed information has been taken into account, it is not considered that the revised scheme addresses the previous reason for refusal as, despite the reduction in size, the scale of the proposed extension remains excessive and its design does not respect the traditional form and appearance of the existing dwelling. Furthermore, and notwithstanding the slight reduction in width, due to its location, the extension would continue erode the space between properties, which would have a detrimental impact on the street scene and in turn affect the significance of the Conservation Area.

There are no overriding public benefits that would outweigh the resulting harm, contrary to the provisions of the NPPF, in particular paragraph 202.

It is also considered that the proposal does not comply with the aims and provisions to preserve and enhance the historic environment by virtue of Development Plan Policies CS12 and DM15.

Neighbour Amenity

Taking the third party comments into consideration, whilst the two storey extension is within relatively close proximity of the western boundary, it is not considered that it would significantly impact on the amenities of the neighbouring residents, in terms of overshadowing and overbearing impact, given the separation distance between properties, together with the direction of the sun, and the presence of mature trees the western boundary.

The proposal would not result in no overlooking to the west as there are no first floor windows proposed on the western elevation of the extension.

Other Material Considerations

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee will not have a material impact upon crime and disorder.

CONCLUSION

The main consideration in the determination of this application is whether the proposed development is acceptable in terms of its scale, massing and design and the impact of such on Denning (a non-designated heritage asset) as well as the designated heritage asset, Burnham Norton Conservation Area. Consideration should be afforded to the previous reason for refusal and whether or not the current scheme addresses that reason.

It is your officer's opinion that the proposed L- shaped extension in particular, due to its combined mass, scale, design and siting, would fail to respond sensitively and sympathetically to the design and appearance of the existing dwelling as well as the local setting through the erosion of an important visual space, a key characteristic in the relationship between two large houses within the conservation area. The use of boarding is also an alien feature in this locality.

The proposal would result in a detrimental impact on the openness of the street scene in this locality, causing harm to the established form and character of this road frontage development, which makes a positive contribution to the significance of Burnham Norton Conservation Area as well as the AOPNB as a whole.

Whilst the proposal would provide a benefit to the applicant, in terms of offering more accommodation to suit their needs, it does not provide an overriding wider public benefit, which is necessary to outweigh the resulting harm to the designated heritage asset.

It is therefore considered that the proposal fails to comply with Policies CS06, CS08 and CS12 of the Core Strategy (2011), Policies DM5 and DM15 of the Site Allocations and Development Management Policies (2016), as well as the provisions of the National Planning Policy Framework.

RECOMMENDATION

REFUSE for the following reason(s):

- 1 Reason: By virtue of its excessive scale, mass, design and siting, it is considered that the proposed 'L-shaped' two storey extension is at odds with the traditional character and appearance of the existing dwelling, which is considered to be a non-designated heritage asset. The impact is emphasised by the unsympathetic proportions, fenestration and use of materials within the proposed extension. As such, the proposal would adversely affect the significance of the non-designated heritage asset as well as the Burnham Norton Conservation Area and the AONB as a whole.

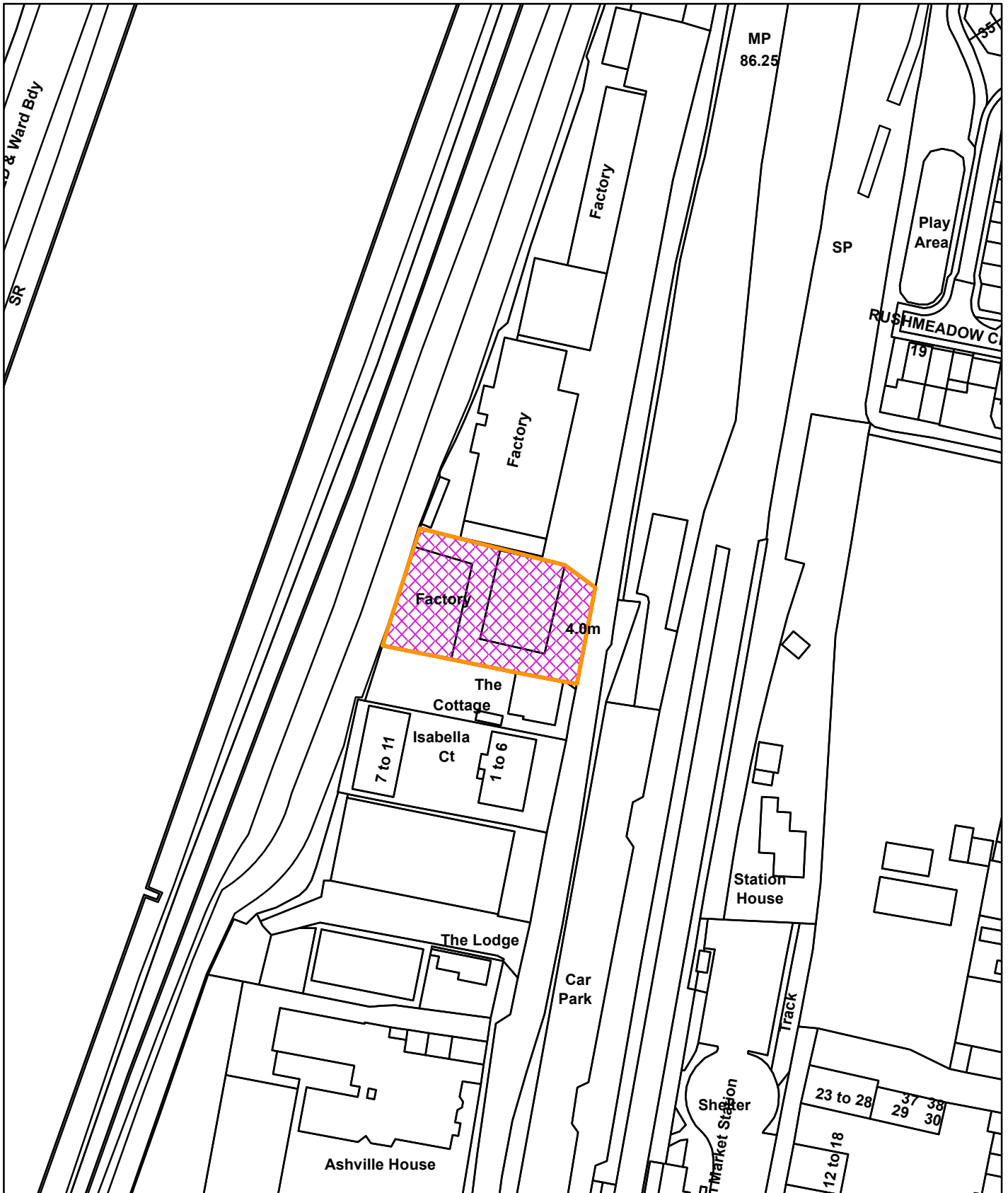
In weighing the scale of harm caused to the significance of the heritage asset, that is Burnham Norton's Conservation Area, it is considered that the proposal fails to respond sensitively and sympathetically to the local setting, as it would be unduly prominent and incongruous in the street-scene, eroding a visually important space between the site dwelling and the neighbouring property to the west, a gap which makes a positive contribution to the Conservation Area.

Eroding the relationship of buildings to spaces and the views this creates, would result in a detrimental impact on the openness of the street scene in this locality, neither preserving nor enhancing this historic environment. There are no overriding public benefits that would outweigh the resulting harm to the heritage assets.

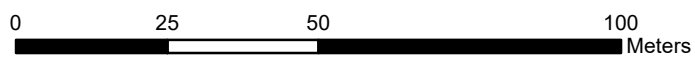
Consequently, the proposal fails to comply with Policies CS06, CS08 and CS12 of the Core Strategy (2011), Policies DM5 and DM15 of the Site Allocations and Development Management Policies Plan(2016), and the provisions of the NPPF, in particular sections 12 and 16.

22/01484/F

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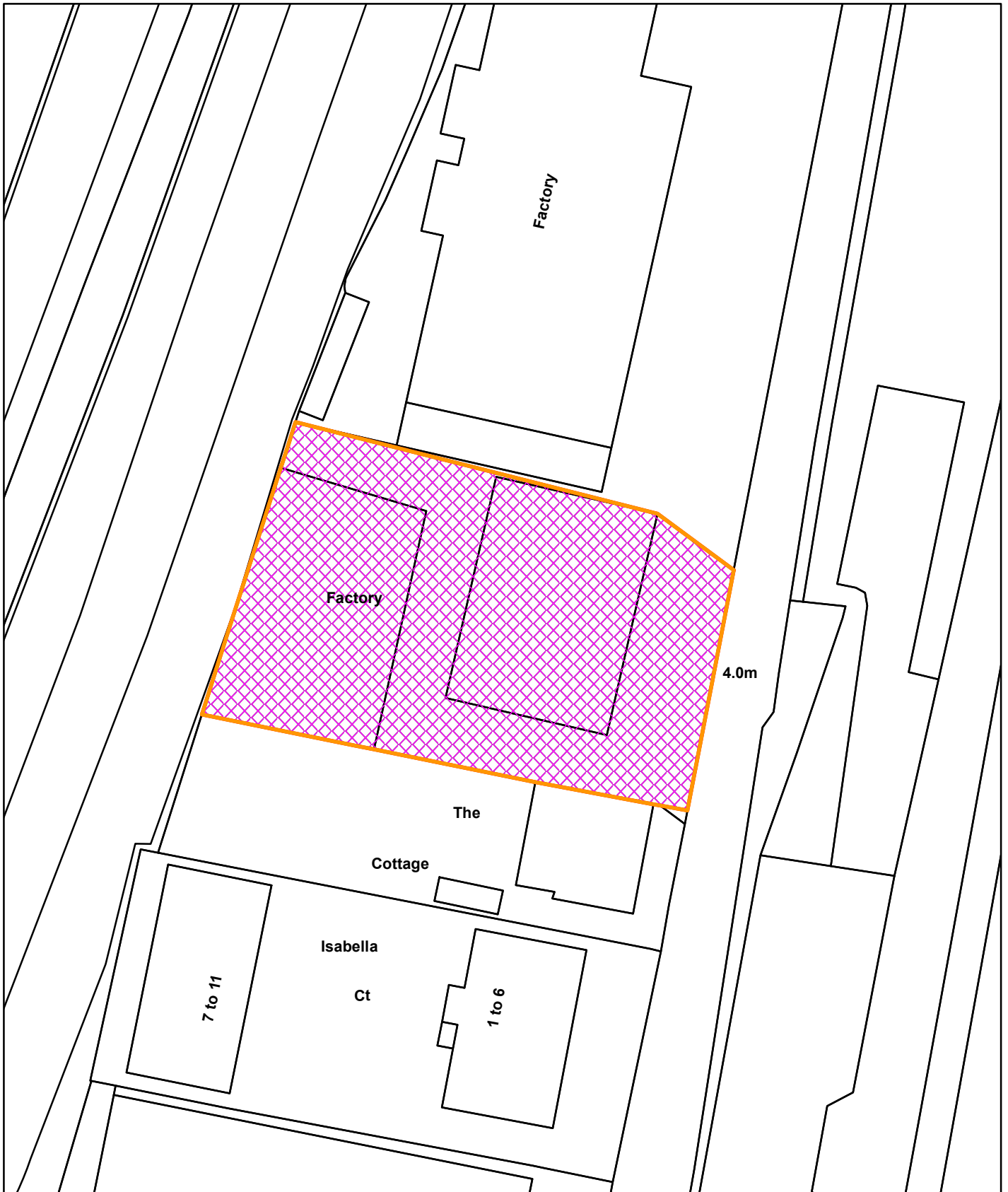
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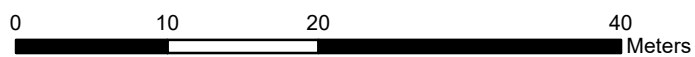


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Parish:	Downham Market	
Proposal:	VARIATION OF CONDITION 1 OF PLANNING PERMISSION 21/01105/RM: Reserved Matters: Construction of 8 Dwellings with access	
Location:	Vacant Unit 9 Fairfield Road Downham Market PE38 9ET	
Applicant:	MR MARK ATTRIDGE	
Case No:	22/01484/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 3 October 2022 Extension of Time Expiry Date: 9 November 2022

Reason for Referral to Planning Committee – The applicant is the partner of a Member of Staff involved in the planning process.

Neighbourhood Plan: No

Case Summary

The application site is an area of 0.12 ha of land, located to the west of the town of Downham Market. Access to the site is via Fairfield Road which is a private unadopted road and a Public Right of Way. The site is situated between the railway tracks to the east and the River Great Ouse to the west, with Fairfield Road consisting of a mixture of residential development and employment uses. The site was previously in employment use but has been cleared and is currently vacant.

This application seeks full permission for the construction of eight residential units comprising of two-storey dwelling houses with designated parking spaces and private amenity space.

The application site already has planning consent for the construction of 8 dwellings, under references 19/01170/O and 21/01105/RM. This planning application seeks to vary condition 1 of the reserved matters application to amend the previously approved site layout.

Key Issues

- Principle of Development and Planning History
- Form and Character
- Residential Amenity
- Access and Public Rights of Way
- Drainage
- Other Material Considerations

Recommendation:

APPROVE

THE APPLICATION

The application site is an area of 0.12 ha of land, located to the west of the town of Downham Market. Access to the site is via Fairfield Road which is a private unadopted road and a Public Right of Way. The site is situated between the railway tracks to the east and the River Great Ouse to the west, with Fairfield Road consisting of a mixture of residential development and employment uses. The site was previously in employment use but has been cleared and is currently vacant.

This application seeks full permission for the construction of eight residential units comprising of two-storey dwelling houses with designated parking spaces and private amenity space.

The application site already has planning consent for the construction of 8 dwellings, under references 19/01170/O and 21/01105/RM. This planning application seeks to vary condition 1 of the reserved matters application to amend the previously approved site layout. The dwelling types, design and materials are to remain as previously approved.

The applicant is seeking to amend the site layout because it became evident during the previous planning applications that the historical route of the Public Right of Way (PROW) was more extensive than previously thought. As a result, the approved scheme encroached onto this highway and to develop the scheme as approved the applicant is having to go through the process of applying for a 'stopping up' order under the Town and Country Planning Act 1990 (Section 247) to remove part of the PROW. Given this is a lengthy process the applicant is also seeking to obtain consent for a revised layout for the scheme which will remove the footprint of the buildings from within this historic highway.

SUPPORTING CASE

The variation of this application is submitted to modify the positioning of the front four properties and move them outside the area requiring a 'stopping up order' and alleviate concerns raised by PROW. The position of the units, if approved, would now be outside the PROW/Restricted Byway 13 and a greater distance would be provided between the main carriageway and the building frontages which will achieve a greater feel of openness where there is a narrowing of the verge opposite at this point along Fairfield Road. The remaining units to the rear will remain as previously approved and the design, style and appearance of all the buildings will not be changed.

PLANNING HISTORY

21/01105/DISC_A: Discharge of Condition final letter: 20/06/22 - DISCHARGE OF CONDITION 4 of Planning Permission 21/01105/RM: Reserved Matters: Construction of 8 Dwellings with access - Vacant Unit 9 Fairfield Road

22/00527/S257: Application for Public Footpath to be stopped up - Vacant Unit 9 Fairfield Road

21/01105/RM: Application Permitted: 24/02/22 - Reserved Matters: Construction of 8 Dwellings with access - Vacant Unit 9 Fairfield Road

19/01170/DISC_A: Discharge of Condition final letter: 04/08/20 - Discharge of conditions 5, 6 and 7 of planning permission 19/01170/O: Outline application for demolition of existing building for residential development - Vacant Unit 9 Fairfield Road

08/01604/FM: Application Permitted: 09/09/08 - Construction of 12 dwellings - The Cottage and Factory Fairfield Road

RESPONSE TO CONSULTATION

Town Council: SUPPORT.

Local Highway Authority (NCC): NO OBJECTION.

As previously mentioned under the RM application Fairfield Road is not adopted as a road once past the south boundary of The Lodge. This development therefore accesses from a private section of road and therefore we do not have an objection to this proposed variation.

Public Rights of Way (NCC): NO OBJECTION.

No objection in principle to the application but would highlight that a Public Right of Way, known as Downham Market Restricted Byway 13 is aligned coincident with Fairfield Road. Private structures such as fences or walls will not be permitted on highway land or within a Public Right of Way. Permission must be applied for and agreed for any proposed changes to the surface of the Highway before any commencement of works. The full legal extent of this Restricted Byway must remain open and accessible for the duration of the development and subsequent occupation.

Community Safety and Neighbour Nuisance (CSNN): NO OBJECTION subject to conditions.

Provided the scheme can be built in accordance with the relevant noise protection measures we previously required by planning condition for the earlier application ref 21/01105/RM, along with the previous planning conditions for other aspects to protect residential amenity, we have no concerns. Please re-attach conditions 3, 5, 7 and reword condition 4 to ensure CMP is implemented.

For an earlier planning application, ref 18/00553/O, we requested foul and surface water drainage was conditioned. This should be attached.

REPRESENTATIONS

NONE received.

LDF CORE STRATEGY POLICIES

CS04 - Downham Market

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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 and Planning History
- Form and Character
- Residential Amenity
- Access and Public Rights of Way
- Drainage
- Other Material Considerations

Principle of Development and Planning History

The application site lies within the development boundary for the town of Downham Market. Policy DM2 of the Site Allocations and Development Management Policies Plan (2016) (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 principle of residential development on the site is therefore acceptable and in accordance with the NPPF, policies CS02 and CS04 of the Core Strategy (2011) (CS) and policy DM2 of the SADMPP, subject to compliance with other policies in the Local Plan.

Notwithstanding this the application site already has planning consent for the construction of 8 dwellings, under references 19/01170/O and 21/01105/RM. This planning application seeks to vary condition 1 of the reserved matters application to amend the previously approved site layout, the dwelling types, design and materials are to remain as previously approved. The principle and scale of development is established via the extant planning consents.

Form and Character

The site layout and design of dwellings proposed is considered acceptable in the locality. The dwellings proposed are situated in two tandem blocks of four units which both front on to Fairfield Road. This layout is akin to residential schemes elsewhere on Fairfield Road.

The development consists of a terrace of three two storey dwellings and a single two storey dwelling along the frontage of the site with two pairs of semi-detached three storey dwellings to the rear. The site is served by a single point of access off Fairfield Road. Plots 1-3 and 5-8 have parking provided and all dwellings have some private amenity space included. Finished floor levels are as specified as part of the outline consent (condition 9). The proposed materials are as previously specified in the Materials Schedule submitted 3 June 2021 and agreed.

This application seeks to amend the layout by moving back plots 1-4 by approximately 2m in the plot, so plots 1-3 are in line with the existing dwelling 'The Cottage' to the south. The scheme will still retain private amenity space and parking for the dwellings, and these

contribute towards the separation gap between plots 1-3 and plots 5-8 of 18/19m which is considered acceptable in the town centre location. As a result of the revised layout the parking arrangements for plots 1-3 have been amended. While this will result in a reduced number of spaces, the scheme still provides parking for all but one of the units, in excess of the requirement for spaces in the town centre location. The Local Highway Authority has no objections. The nature of the town centre location, the form and character of the immediate locality and the scale of dwellings proposed means that the amenity space provided is broadly acceptable. The scheme is in accordance with the NPPF, and policy DM15 of the SADMPP.

Residential Amenity

As part of the determination of the previous planning applications, careful consideration was given to the residential amenity of the occupiers of the dwellings proposed. Specifically, the proximity of the site to the employment use to the north and the railway line to the east. The applicant submitted a Noise Impact Assessment report which identified suitable mitigation measures to protect future residents against these sources of noise and disturbance, and a condition was attached to the consent to secure these.

The site was laid out to create barriers between the employment use and railway line and the garden areas for plots 1-3 and 5-8. CSNN are satisfied that the revised layout would not have a detrimental impact on this. CSNN also confirm that the mitigation measures previously proposed will remain appropriate and request that all conditions attached to the RM consent are carried forward to this consent to ensure the mitigation measures are delivered. While the applicant has now confirmed that the employment use to the north of the site has removed their spray booth, which will have a beneficial impact on neighbouring residents, the mitigation measures are still required because the land to the north is within a different ownership. Paragraph 187 of the NPPF requires that existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established. As such the proposal for residential development includes suitable mitigation measures to enable the business to the north of the site to continue to operate as it has done to date.

The amended scheme would not have a detrimental impact on the residential dwelling to the south of the site, and the relationships between the existing dwelling and neighbouring uses have previously been considered and accepted. The proposal is therefore in accordance with the NPPF, policy CS08 of the CS and policy DM15 of the SADMPP.

Access and Public Rights of Way

The applicant is seeking to amend the site layout because it became evident, during the previous planning applications, that the historical route of the Public Right of Way (PROW) was more extensive than previously thought. The route of the PROW is not dictated by ownership but rather Public Rights of Way are routes of public access over private land. Boundary research undertaken by NCC shows the route on historical maps and it is evident there are many examples along Fairfield Road where development has taken place over the historical PROW including the front boundary wall of the neighbouring dwelling 'The Cottage'. Illegal encroachment is not however legitimised by time. As a result, the approved scheme encroaches onto this highway and to develop the scheme as approved the applicant is having to go through the process of applying for a 'stopping up' order under the Town and Country Planning Act 1990 (Section 247) to remove some of the width of the original highway no longer considered to be required. The PROW officer has stated it is unlikely that NCC would object to such a proposal.

That said this is a lengthy process and the applicant is also seeking to obtain consent for a revised layout for the scheme which will not affect the PROW, by removing the footprint of the buildings from within this historic highway.

The Public Rights of Way officer has no objections to the scheme proposed. However, they do state that 'private structures such as fences or walls will not be permitted on highway land or within a Public Right of Way. Permission must be applied for and agreed for any proposed changes to the surface of the Highway before any commencement of works'. While the applicant has provided a proposed landscape scheme which is broadly acceptable, this does include a proposed change in hard surfacing to the front of the dwellings on the route of the PROW. Notwithstanding the plans submitted it is proposed that the consent includes a condition to secure details of the hard and soft landscaping to the front of the dwellings to be submitted and agreed in writing by the LPA, prior to the commencement of works on the route of the PROW. In addition, the PROW officer reinforces that the full legal extent of this Restricted Byway must remain open and accessible for the duration of the development and subsequent occupation, and this could be attached as an informative.

The proposed amendments to the scheme will not result in the loss of any PROW and there are no objections from the PROW officer or the Local Highway Authority. The scheme is in accordance with the NPPF, policy CS11 of the CS and policies DM15 and DM17 of the SADMPP.

Drainage

CSSN request that drainage conditions are attached to this consent. Drainage arrangements were requested by condition as part of the outline consent 19/01170/O (condition 10), and therefore the condition is not required to be duplicated and form part of this consent.

Other Material Considerations

None.

CONCLUSION

The planning application seeks to amend the site layout for an extant consent for 8 dwellinghouses at Fairfield Road, in the town of Downham Market. The amendments are in response to the fact that a small part of the application site includes a historical PROW, which will potentially impact upon the ability to develop the site as previously approved. The applicant has submitted an amended scheme which pushes the footprint of the dwellings back outside of the PROW. The proposed amendments to the approved scheme have been detailed above and assessed to ascertain the impact of these.

The proposed site layout would not give rise to any issues in terms of form and character, given the dwellings themselves are as previously approved and given the variety in nature and form of existing development along Fairfield Road. Furthermore, the amended scheme would not give rise to any detrimental impacts on the neighbouring residential dwelling to the south as a result. The noise mitigation measures previously approved on site are to be brought forward into this scheme to continue to protect the residential amenity of the proposed residents. CSNN has objections to the amended scheme subject to conditions being re-attached.

Finally, there are no objections from the PROW officer or the Local Highway Authority. The applicant has submitted a landscaping scheme, however any changes to the surfacing of the

PROW would need to be agreed by Norfolk County Council prior to the commencement of any works on the PROW. Therefore, notwithstanding the plans submitted, a condition is proposed requiring a detailed landscaping scheme to be submitted and agreed by the LPA.

The proposed development is in accordance with the NPPF, policies CS04, CS08 and CS11 of the CS and policies DM2, DM15, and DM17 of the SADMPP and on this basis the application is hereby recommended for approval.

RECOMMENDATION

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

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

1008/21-09A Proposed Site Plan (received 19/10/22)
1008/21-02B Proposed Block A – Plots 1-3
1008/21-03 Plots 5 to 8 – Floor Plans and Elevations
1008/21-05B Landscaping Plan (received 18/08/22)
1008/21-04A Site Sections
1008/21-07 Proposed Plot 4
1008/21-NPD Location Plan.

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Before the first occupation of the dwellings hereby permitted the first floor bathroom and ensuite windows on the side elevations of plots 1, 3, 5, 6, 7 and 8, and on plot 4 the first floor window on the rear west elevation serving the study and the first floor landing window on the side south elevation shall be fitted with obscured glazing. In addition, any part of the windows that are less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.
- 2 Reason: To protect the residential amenities of the occupiers of nearby property.
- 3 Condition The development hereby approved shall be carried out in accordance with the recommendations of the Noise Impact Assessment produced by Dynamic Response and dated November 2017. These measures include-
 1. Installation of an acoustic fence (as detailed on Drawing No 1008/21-05B) along the northern boundary of the site with the following specifications:
 - Be imperforate and have no holes or gaps;
 - At least 20 mm thick;
 - Achieve a minimum surface mass of 10 kg/m²;
 - Incorporate suitable gravel boards etc. to seal the gap between the fence and the ground.
 2. The dwellings should incorporate the Sound Insulation Scheme measures as detailed in the report in paragraph 4.9. For clarity plots 1-4 should encompass the measures specified in Sound Insulation Scheme 1, and plots 5-8 should encompass the measures detailed in Sound Insulation Scheme 2.

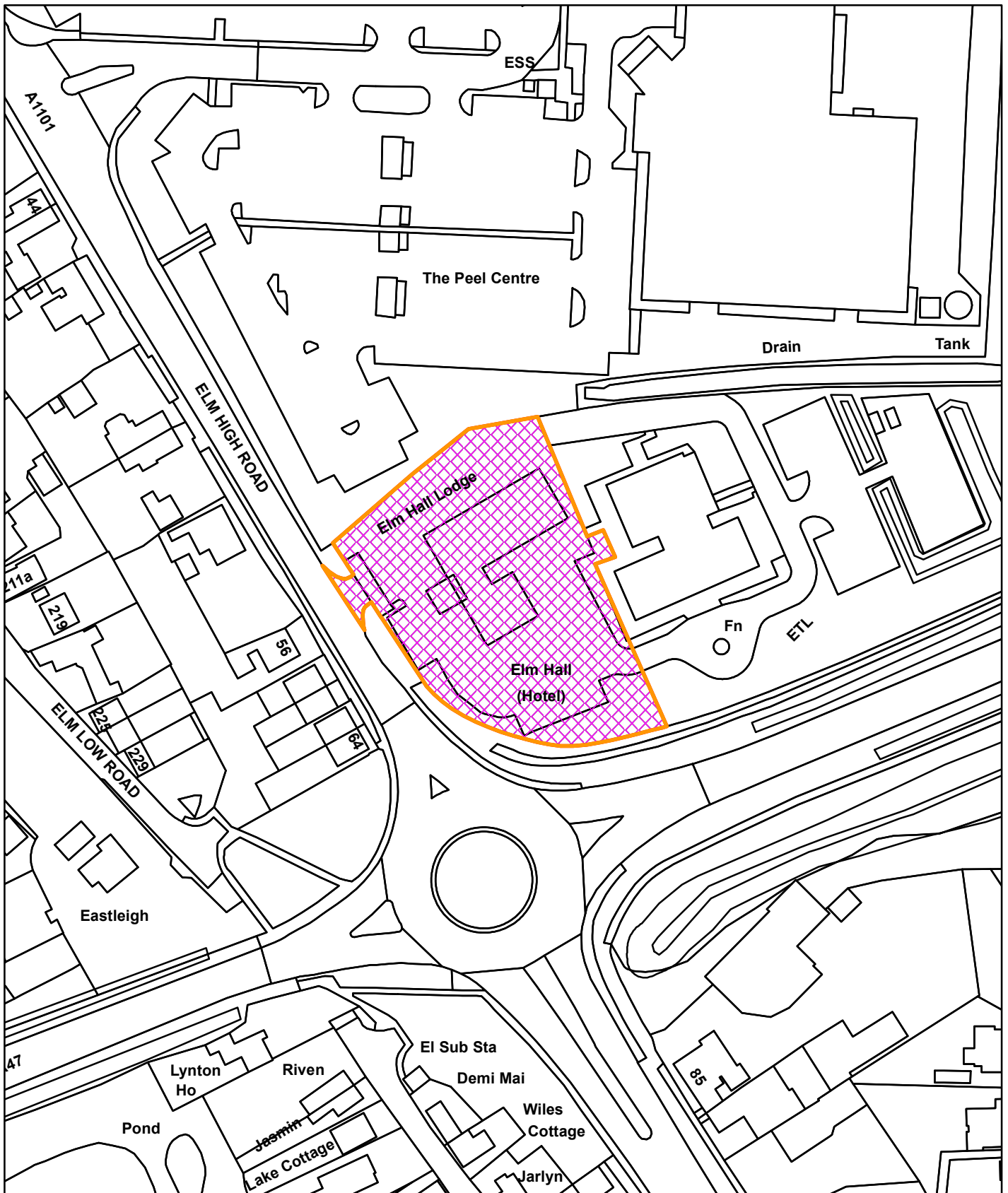
The development shall be constructed and retained in perpetuity in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

- 3 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 4 Condition The scheme hereby approved shall be implemented in strict accordance with the Construction Management Plan, Ref 1008/21-CMP, dated 25th April 2022, received 16th May 2022 submitted, agreed and discharged by the Local Planning Authority under application ref 21/01105/DISC A, for the full extent of the works.
- 4 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 5 Condition Prior to the first occupation of the development hereby approved, details of the method of lighting and extent of illumination to the access roads, footpaths, parking, and circulation areas shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented as approved prior to the occupation of the development or any phase of the development to which it relates and thereafter maintained and retained as agreed.
- 5 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 6 Condition Notwithstanding the details shown on the Drawing Nos 1008/21-05B and 1008/21-09A prior to the commencement of any works to the Public Right of Way known as Downham Market Restricted Byway 13 or to the first occupation of any of the dwellings of the development hereby approved (whichever comes first), full details of both hard and soft landscape works for the land forward of the principle elevation of plots 1-4 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.
- 6 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, and to ensure the landscaping is not detrimental to the Public Right of Way in accordance with the NPPF and policy CS11.
- 7 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.
- 7 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

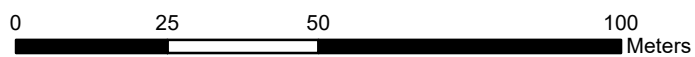
- 8 Condition The boundary treatments hereby approved shall be installed/ constructed prior to the occupation of the dwellings or in accordance with a timetable to be approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained in perpetuity.
- 8 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 9 Condition The on-site car parking / servicing / turning area shall be retained in accordance with the approved plan and maintained thereafter available for that specific use.
- 9 Reason: In the interests of the amenities of the locality in accordance with the NPPF.
- 10 Condition The development hereby approved shall be carried out in accordance with the Materials Schedule submitted on 3 June 2021 as part of 21/01105/RM.
- 10 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

22/01014/F

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



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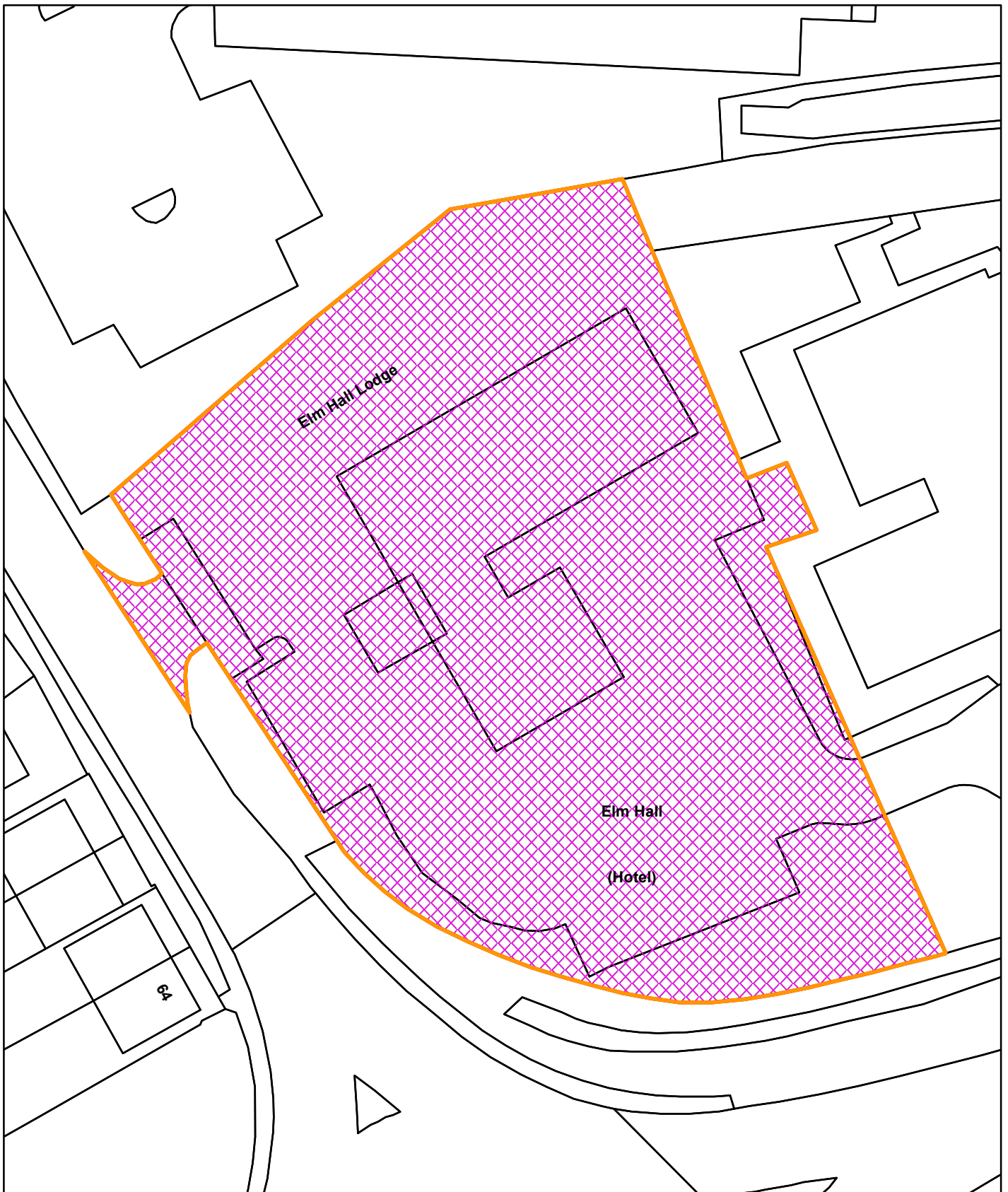
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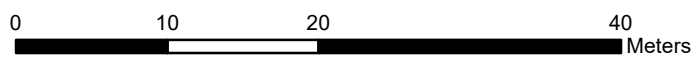


22/01014/F

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26/10/2022

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Parish:	Emneth	
Proposal:	Proposed Change of Use from Hotel (C1) to large HMO (Sui Generis).	
Location:	Elme Hall Hotel 69 Elm High Road Emneth PE14 0DQ	
Applicant:	Mr D Conetta	
Case No:	22/01014/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 8 August 2022

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

Neighbourhood Plan: No

Case Summary

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

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

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

This application is the same as previously submitted and refused at Planning Committee in May 2022 (ref: 21/01569/F). However, the applicant has sought to address the reasons for refusal as part of this application namely the potential detrimental impact on tourism as a result of the loss of the hotel facilities.

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

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

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

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

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

This application is the same as previously submitted and refused at Planning Committee in May 2022 (ref: 21/01569/F) for the following reason-

The proposed development would result in the loss of existing tourist accommodation, and it has failed to adequately demonstrate the proposal would not have an adverse impact on the tourism industry in the locality, contrary to the relevant provisions of the NPPF and policy CS10 of the Core Strategy.

However, the applicant has sought to address the reasons for refusal as part of this application namely the potential detrimental impact on tourism as a result of the loss of the hotel facilities.

SUPPORTING CASE

This application is a resubmission of a recent application which was unfortunately refused by planning committee earlier this year after receiving support and recommendation of approval from BCKLWN planning dept. The application was refused in May 2022 upon the grounds of; The proposal would result in the loss of tourism accommodation in the locality. The application has failed to adequately demonstrate that the proposal would not have an adverse impact on the tourism industry in the locality and therefore is contrary to the NPPF and Policy CS10 of the Core Strategy (2011).

As stated within our submitted supporting document, we feel it is very difficult to quantify the 'adverse effect on tourism' by carrying out the change of use upon part of an existing hotel. The tourism trade in this area of West Norfolk has been declining and this has already had a

Planning Committee
7 November 2022

telling impact upon the hotel rather than the other way around. It has been marketed for sale and there has been no interest as a hotel because there is not enough trade to satisfy its need. The BCKLWN planning committee approved a CoU within approx. 10 miles of the application site with no mention of the loss of tourism and there has also been numerous approvals for the Premier Inn at West Lynn to continue to grow without consideration for competing hotels within the area. Should this application be approved, there will remain a large diverse number and types of accommodation open to the tourism trade in and around Wisbech which is in line with BCKLWN CS10.

Following vast market research, our client identified this site as the best viable location for a HMO to house people from Wisbech and its surrounding areas. Property prices and availability of this type of accommodation is currently fuelling a gap in the market. 'Appendix 1' of the submitted planning statement details the extent of the recent increase in tenant demand across the country. With the current economic climate, this demand and need for this type of housing is only set to increase further.

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

The management of the HMO will be carried out by a local ARLA (association of residential letting agents) licensed firm based within Wisbech. They are currently the leading independent agency based upon stock, Lets Agreed and void time frames, and pride themselves on bespoke and tailormade services. They have over 60 years' experience within the team and currently manage 5 HMO units within the area. Each tenancy will be a min of 6 months and relevant credit and identity checks will be carried out by the firm prior to occupancy as per the submitted referencing documentation.

Our client is fully committed to introducing a vast improvement to the whole site. This is evident in the 280m² amenity space that will be provided for the residents together with an overall clearing of the site. A third-party landscaping firm will be employed to maintain grounds once works are complete and the management company will be responsible for carrying out regular inspections of these areas.

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

PLANNING HISTORY

21/01569/F: Application Refused - Committee decision: 16/05/22 - Proposed Change of Use from a Hotel to a Large HMO (Sui Generis) - Elme Hall Hotel

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

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

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

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

2/03/2501/NMA_2: Application Permitted - Delegated decision: 11/10/10 - NON-MATERIAL AMENDMENT TO PLANNING CONSENT 2/03/2501/F: Construction of two storey block of motel rooms - Elme Hall Hotel

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

2/03/2501/NMA_1: Application Permitted - Delegated decision: 06/08/10 - NON-MATERIAL AMENDMENT FOR PLANNING CONSENT 2/03/2501/F: Construction of two storey block of motel rooms - Elme Hall Hotel

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

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

Emneth Parish Council objects to this application based on loss of tourism, unacceptable use and highways issues / highway safety / vehicular access and egress / traffic generation at an already extremely busy roundabout which is one of the main access / exit hubs to the town centre of Wisbech.

Highways Authority: NO OBJECTION subject to condition

Similar to a previous application for the site under planning reference 21/01569/F , no objection to the principle of the application and recommend a condition re the proposed access / on-site car and cycle parking / servicing areas shall be provided, levelled, surfaced and drained in accordance with the approved plan and retained thereafter.

Environmental Quality: NO OBJECTION

No objection in terms of air quality compliance. Notwithstanding this, all developments should follow best practice principles to minimise emissions and in terms of mitigation it is proposed to provide secure cycle storage.

Emergency Planning Officer: NO OBJECTION

Reference the above application. Because of its location in an area at risk of flooding I would suggest that those running the site:

- Should sign up to the Environment Agency flood warning system (0345 988 1188 or www.gov.uk/flood) and encourage those occupying site to do so as well.

- A flood evacuation plan should be prepared and displayed on site (more details at www.gov.uk/flood):
 - This will include actions to take on receipt of the different warning levels.
 - Evacuation procedures e.g. warning residents, isolating services and taking valuables etc.
 - Evacuation routes

Norfolk Constabulary: NO OBJECTION

There is no objection from Norfolk Police, but do ask that security issues on the following subject areas should be considered - main/ access/ bedroom doors and locking systems, glazing and window types and locking systems, internal and external lighting arrangements, external cycle storage, security measures such as CCTV, and bin - waste storage.

Norfolk Lead Local Flood Authority: NO COMMENTS

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

Wisbech Town Council: SUPPORT

Fenland District Council: NO OBJECTION

Having considered our earlier consultation response, the officer report to KLWNBC Planning Committee and the minutes of that meeting it is accepted that the majority of matters raised in the earlier consultation response from FDC had been addressed, and this continues to be the case in respect of the current scheme.

Whilst Officers still have some concern regarding the loss of tourism facilities within the district the case put forward as part of this submission is accepted, as is the argument that the HMO, as a consequence of the management regime to be followed, will not be detrimental to the operation of the existing Elme Hall Hotel. Accordingly, Fenland District Council raise no objection to the scheme.

REPRESENTATIONS

NONE received.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM4 - Houses in Multiple Occupation

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The issues for consideration of this application include-

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

Principle of Development

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

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

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

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

The applicant has previously supplied marketing information for the application site. This stated that the hotel has been marketed for sale as a hotel since March 2020. The reason for

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7 November 2022

sale is primarily due to a change in personal circumstances of the owner. In addition, the Covid pandemic has severely impacted the business and net turnover has decreased from £680,000 (year end April 2019) to £526,000 (year end April 202) to £135,000 (year end 2021).

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

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

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

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

Policy DM4 of the SADMPP (2016) states that the conversion of existing dwellings/ new development for HMOs may be permitted where:

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

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

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

Impact on Tourism

This application is the same as previously submitted and refused at Planning Committee in May 2022 (ref: 21/01569/F) for the following reason-

The proposed development would result in the loss of existing tourist accommodation, and it has failed to adequately demonstrate the proposal would not have an adverse impact on the tourism industry in the locality, contrary to the relevant provisions of the NPPF and policy CS10 of the Core Strategy.

However, the applicant has sought to address the reasons for refusal as part of this application namely the potential impact on tourism as a result of the loss of the hotel facilities.

The applicant argues that tourism in West Norfolk is declining, and within Wisbech even further. Comparing 2021 visitor figures with pre-pandemic levels there is a 25% reduction in overnight trips and a 29% reduction in overnight trip value. These figures are lower than those anticipated in CS10 of the CS.

The applicant states that the main building of Elme Hall Hotel has not been open to the public for a period of time, and the newer building is not considered an attractive place to stay. Figures have been provided from the hotel showing 15% and 21% fall in profit over the three years pre-covid. Post Covid consumer spending on the hospitality sector is 70% of the pre-pandemic levels. Therefore, there is not the demand for hotel rooms, and the hotel in its current form is not viable.

Reference has been made to discussions during the Planning Committee meeting in May about accommodation for contractors working in the locality. The applicant states that the building could still be used by contractors on a short term tenancy.

Searches have been conducted for alternative accommodation within the locality. There are 5 established hotels within 5 miles of the site, and within a wider area there are 18 hotels/ pubs/ accommodation available (via visitcambridgeshire website). Holiday accommodation has diversified with hotel closures, and alternative forms of accommodation such as glamping, house rentals etc.

The applicant points out in their statement that consent has recently been granted for the change of use of a hotel in Downham Market (The Castle Hotel) with little, if any, regard given to the loss of tourism. Furthermore, the Premier Inn at West Lynn has expended considerably with no regard to the impact of this on existing local accommodation.

The applicant concludes that there has been a clear decline in tourism within West Norfolk, which has resulted in the hotel (in its current form) being unviable. Should the application be approved there would remain a diverse range of accommodation for tourist visitors to West Norfolk. On the basis of the above, the applicant has provided additional information to demonstrate that there would be limited impact on tourism and as a result the proposal would comply with the NPPF and Policy CS10 of the Local Plan.

Highways / Access

Concerns were raised by a neighbouring resident and the Parish Council that the scheme would generate additional traffic which would exacerbate existing congestion on the Elm High Road and roundabout, resulting in highway safety issues. The application seeks to continue to utilise the existing access to the site, via the Elm High Road. The 34 hotel bedrooms are proposed to be replaced by 26 residential bedrooms and the Local Highway

Authority has no objections to this proposal, given the building already has an existing use as accommodation. The proposed parking area will remain as is, a gravel car parking area and the scheme will also provide a secure cycle storage building for residents for 32 cycles. Access to the hotel is via the existing vehicular route to the north of the HMO building. The proposed development is in accordance with the NPPF, Policy CS11 of the CS (2011) and Policy DM15 of the SADMPP (2016).

Form and Character

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

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

The proposal is in accordance with Policy CS08 of the CS (2011) and DM15 of the SADMPP (2016).

Neighbour Amenity

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

Residential Amenity and Site Management

Concerns are raised by Emneth Parish Council to the proposal on the basis that the scheme would be an unacceptable use.

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

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

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

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

In terms of the amenity of the proposed residents; a Morrisons store is located to the north of the application site, and the company has previously raised concerns about the change of use to residential accommodation given the fact that the neighbouring business does not have any restrictions on trading/ delivery times. Reference is made to paragraph 187 of the NPPF which states that 'existing businesses should not have unreasonable restrictions placed upon them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development (including change of use) in its vicinity, the applicant should be required to provide suitable mitigation before the development is completed.' Although CSNN were consulted, no response has been received. However, based on previous comments, a Noise Assessment is required to be submitted to and agreed by the LPA. Also, that any mitigation measures recommended as part of the Noise Assessment are implemented/ constructed prior to occupation of the HMO.

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

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

Other Material Considerations

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

No objections have been received from the Lead Local Flood Authority (NCC), or the Environmental Quality officer. The Emergency Planning Officer has recommended an Informative is added.

CONCLUSION

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

Concerns raised include that the proposed development is unacceptable and incompatible, with queries regarding the likely success of the development, as well as the ongoing management of the site. The applicant has provided information regarding the proposed

management and maintenance of the application site. This is alongside the fact that the development would require an HMO licence and the site would be monitored accordingly by the Borough Council.

The Parish Council raises concerns from a highway safety point of view, given the proposed access, the potential increased traffic and the proximity to the major roundabout. However, the Local Highway Authority do not object to the scheme subject to a condition re the parking and servicing areas.

Wisbech Town Council and Fenland District Council do not object to the proposal. The applicant has considered the potential impact of the loss of the hotel rooms on the impact of tourism locally. Figures are provided to show the decline in tourism in West Norfolk, alongside information detailing the range of alternative accommodation within the locality. Therefore, making the case that the tourism sector is in decline which has resulted in the hotel (in its current form) being unviable. The applicant has also supplied information showing recent turnover of the existing business, and the marketing history of the site, to illustrate the viability of the retaining the site as a whole for hotel accommodation. While the proposal would mean the loss of 34 hotel bedrooms, the applicant has stated the development would support the retention of some hotel accommodation in the adjacent building, and this would be a more attractive accommodation offer. While the loss of the hotel rooms would equate to a loss of employment land, there are only small numbers of staff currently employed and the HMO will also require a small number of staff. In addition, the scheme will help to financially support the re-opening of the hotel building adjacent which would also generate additional employment (and would be retained as an employment use).

There will be minimal changes to the physical appearance of the site aside from the area of open space which will enhance the site, and the entrance to the town.

In summary the development is in accordance with the NPPF, Policies CS08, CS10 and CS11 (of the CS 2011), and Policies DM4, DM15 and DM17 (of the SADMP 2016) and as such the officer recommendation is that of approval.

RECOMMENDATION

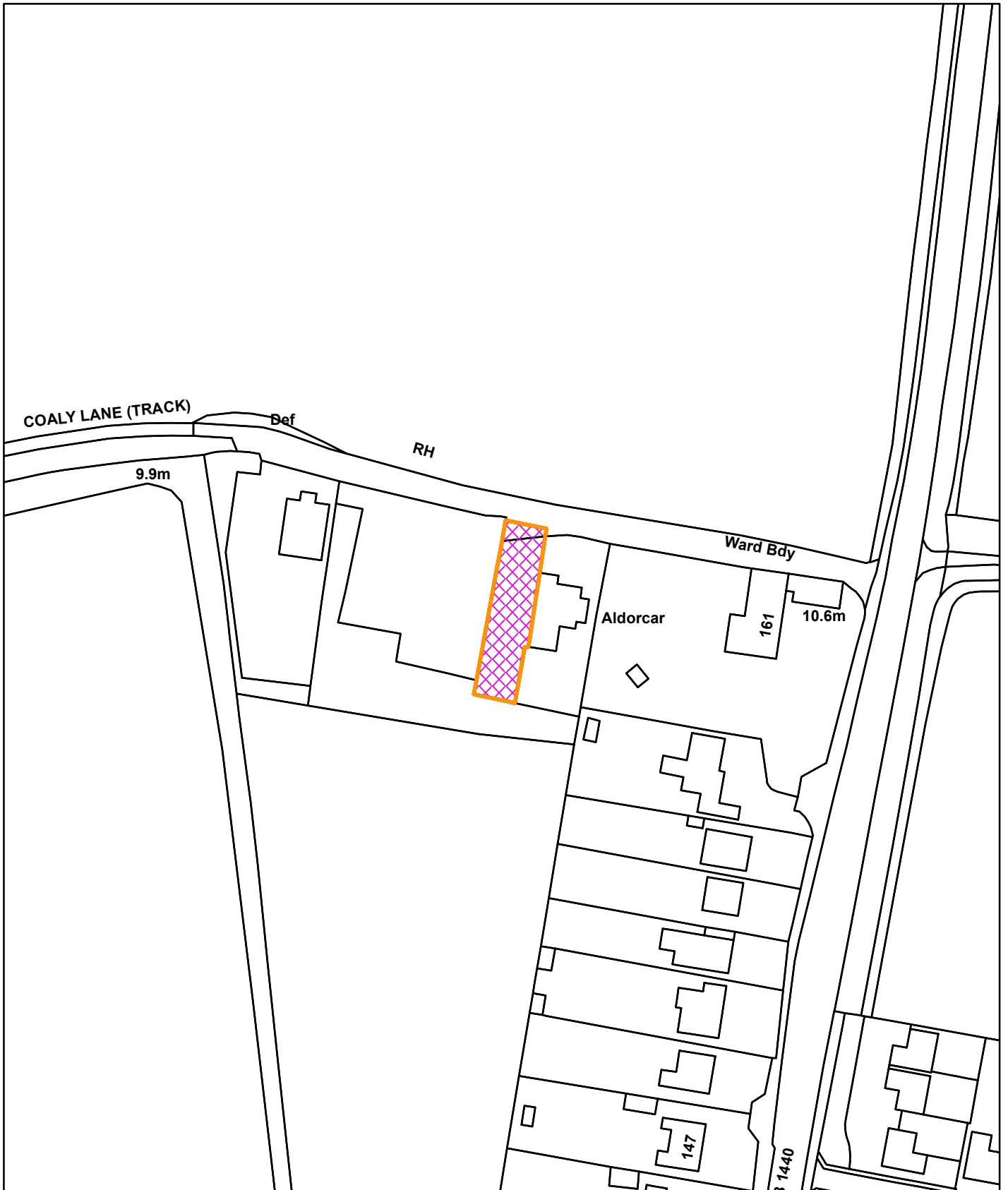
APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos- 224-01A Existing Floor Plans, Site Plan and Location Plan, 224-02C Proposed Floor Plans and 224-03C Existing and Proposed Site Plans).
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first occupation of the development hereby permitted the on-site cycle parking shall be constructed in accordance with the approved plan and retained thereafter available for that specific use.

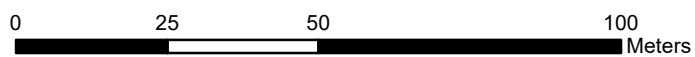
- 3 Reason: To ensure the permanent availability of the parking areas, in the interests of satisfactory development and highway safety.
- 4 Condition: Prior to the first use or occupation of the development hereby approved, full details of the soft landscape works including planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate shall have been submitted to and approved in writing by the Local Planning Authority.
- 4 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 5 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 5 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 6 Condition: Notwithstanding the details shown on the approved plan, prior to occupation of the building, full details of the boundary wall proposed along the north elevation of the building and the eastern boundary of the site, shall be submitted to and agreed in writing by the Local Planning Authority. The boundary treatment shall be completed before the occupation of the building or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained in perpetuity.
- 6 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 7 Condition: Prior to the occupation of the building a scheme to protect the development from noise associated with the trading estate to the north shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and retained in perpetuity.
- 7 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

22/00982/F

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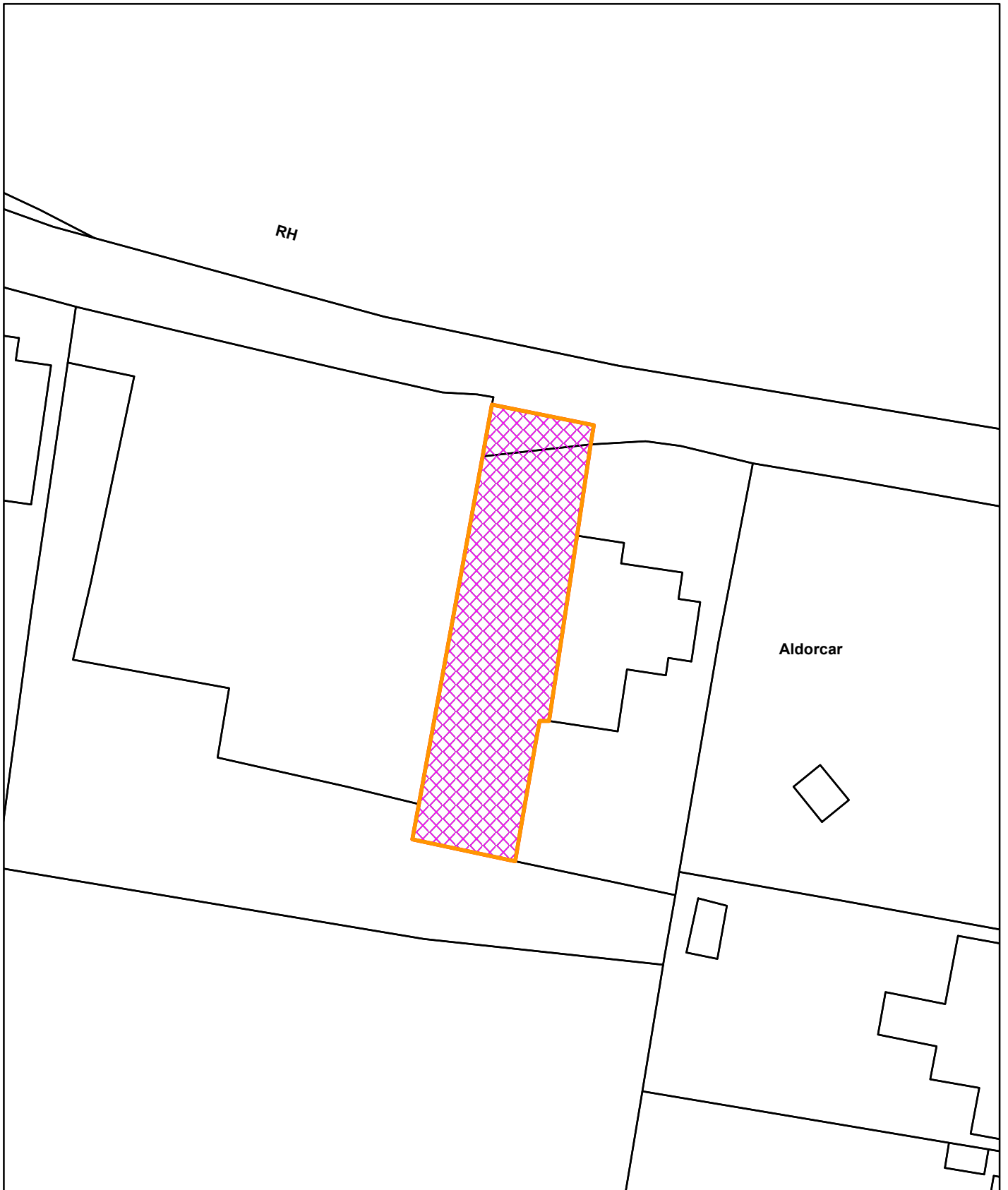
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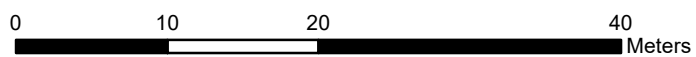


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Parish:	Ingoldisthorpe	
Proposal:	Construction of one and a half storey dwelling	
Location:	Aldorcar Coaly Lane Ingoldisthorpe King's Lynn PE31 6NU	
Applicant:	Mr Gerald King	
Case No:	22/00982/F (Full Application)	
Case Officer:	Lucy Smith	Date for Determination: 31 August 2022

Reason for Referral to Planning Committee – Officer recommendation is contrary to a dismissed appeal & referred by Sifting Panel

Neighbourhood Plan: No

Case Summary

Full planning permission is sought for the construction of a 1.5 storey dwelling. The application site, measuring approximately 0.043 hectares, is situated south of Coaly Lane which lies north of the village of Ingoldisthorpe. There is a detached bungalow east of the site known as Aldorcar, paddocks to the south and farmland to the north. To the west lies a site used for storage containers. The site is immediately adjacent to the development boundary shown on inset map G52 of the SADMP. The site is within the Ingoldisthorpe parish but adjacent to the boundary with Snettisham.

The site has recently been subject of a dismissed appeal for the same development (ref 19/01212/F - attached). The appeal Inspector outlined that the location of the development, despite being contrary to Policy DM2, was acceptable. The appeal was ultimately dismissed solely on the grounds of potential impacts on protected species after the inspector was not satisfied that the Habitat Mitigation Fee was sufficient to alleviate any impacts on the Roydon Common and Dersingham Bog Special Area of Control (SAC).

Key Issues

- Appeal History
- Principle of Development
- Form and Character
- Impact on Protected Sites
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Full planning permission is sought for the construction of a 1.5 storey dwelling. The application site, measuring approximately 0.043 hectares, is situated south of Coaly Lane which lies north of the village of Ingoldisthorpe. There is a detached bungalow east of the site known as Aldorcar, paddocks to the south and farmland to the north. To the west lies a site used for storage containers. The site is immediately adjacent to the development boundary shown on inset map G52 of the SADMP.

The application proposes the construction of a 1.5 storey dwelling, with first floor accommodation in the roof space with small dormer windows on both the front and rear elevations. The dwelling is designed with ridge line parallel to Coaly Lane and total height of approximately 7.2m with eaves to 2.6m. Single storey, more subservient gable ends are proposed to project from the front and rear elevations.

The site has recently been subject of a dismissed appeal for the same development (ref 19/01212/F). The appeal Inspector outlined that the location of the development, despite being contrary to Policy DM2, was acceptable. The appeal was ultimately dismissed solely on the grounds of potential impacts on protected species after the Inspector was not satisfied that the Habitat Mitigation Fee was sufficient to alleviate any impacts on the Roydon Common and Dersingham Bog Special Area of Control (SAC).

SUPPORTING CASE

My parents have lived in Dersingham all their lives, I was brought up here, went to both village school and attended Hunstanton senior school. My husband and I settled back in Dersingham in 2002, bringing up our 2 children who have both recently graduated from university. My elderly parents still live in the village, and increasingly rely on me for support. As a local girl, I love this area, and having settled back here, I knew that I wanted to stay here. With an eye to a future retirement property, we bid at auction for this building plot and purchased it in good faith in Jan. 2018, complete with valid full planning permission for a single dwelling. The site had a history of successful planning approvals (2 full applications granted in 2011 & 2015 and an outline granted in Feb. 2016 with associated reserved matters permitted in Nov. 2016).

In 2021, my daughter, started her professional psychology career locally and also wanted to settle locally, but the high cost of local homes has been prohibitive. So, to help my daughter get on the property ladder and stay local, our aims for the site therefore changed from retirement property to a first home for my daughter (although the proposed plans have not and will not be altered in any way).

In 2019, we slightly amended the plans to suit our future needs using a local architect and submitted revised details in Jul. 2019; but we were shocked and horrified to receive a refusal in Sept. 2019 considering the history of successful approvals on the site by the Council, the reasons given; "The site lies outside the development boundary of Ingoldisthorpe and is therefore located in the countryside as defined by the LP. It also does not accord with the objectives of sustainable development", although there were no objections from statutory authorities, local bodies or the community.

This decision in effect reduced the value of the site from the building plot price we paid to virtually nothing as a piece of isolated waste land. We were forced to lodge an appeal in March 2020, resulting to our dismay the Inspector dismissing the appeal, but the nature of his decision was even more astonishing:

“The Inspector finds against the LPA (Local Planning Authority) and confirms that:

- i) Proposal has reasonable access to facilities and services and complies to Policy CS06
- ii) No conflict with Policy CS08.
- iii) Would not be detrimental to the character of the surrounding area or landscape
- iv) The harm that would result from the location of the proposal outside of the development boundary would be minor, and I have found that in relation to access to facilities and services the location of the development would be acceptable”.

Dismissing the Council's objections, you would think that he would agree to the appeal, but unusually The Inspector finds a new reason to refuse permission based on the effects of the proposal on European Sites (despite no objection from Natural England; and we had paid the required amount to the Council for mitigation measures in line with current Council policy).

Helpful discussions with your officer were held, confirming that there were already arrangements in place via current planning policy to address the Inspector's concerns with a fee structure linked to the provision of appropriate mitigation measures; it was suggested that a re-submission of the application should be made and that a favourable outcome would be possible if a proper case was made to address the Inspector's objection.

From the above information it is evident that the Planning Inspector (PI) disagrees with the reasons for refusal given by the LPA, so it can hopefully be assumed that these reasons can no longer be valid for a refusal of this application. However, it is important to fully understand the PI's reason for dismissing the appeal and our counter arguments. Therefore, the Supplementary Submission Paper dated 28 April 2022, included in the planning resubmission pack fully explains how this reason should be disregarded due to mitigation measures put in place by BCKLWN. To summarise some of those points:

- The importance of all these European sites is fully recognised by the various public sector organisations and we also agree how important they are to the area and community.
- We find it difficult to establish any viable detrimental link to these European sites from activity associated with the application site in question. These are the distances from the application site to the relevant European Sites the PI refers to Roydon Common – 8 miles; Dersingham Bog – 3.5 miles; and North Norfolk Coast SAC – 10 miles.

In addition, taking on the PI's point, then no development in the North Norfolk area should be permitted for fear of “significant disturbance to the integrity of the European sites”. This is not the case in practice as BCKLWN continues to allocate land and approve sites for development in the vicinity of this site and towns/villages closer to these identified European sites. The LPA Mitigation Strategy 2015 sets out a clear strategy along with payments per dwelling to cover adequate mitigation and monitoring for these sites. We paid this payment on the previously refused application fully in accordance with the Council's Policies and have paid it again for this application. It is worth noting that other development sites in the same village (and beyond), considered at the same time as the applicant's site, have paid the same payment and benefitted from planning approval. (See attached plan at Appendix A).

The PI challenges these payment measures along with the independency of the Council as LPA and implementer of the mitigation measures contained in the Strategy. In practice this independency is fulfilled by a separate organisation (The Norfolk Coast Partnership) which manages the Norfolk Coast Area of Outstanding Natural Beauty (AONB) and assists the

Borough Council of King's Lynn and West Norfolk (BCKLWN) by facilitating their Habitats Monitoring and Mitigation (HMM) Fund. To explain the nature and function of this organisation the Project Advisor Kate Dougan has kindly provided details, following a request, in the email attached to the said Paper. Ms Dougan explains how the levies from relevant developers in the BCKLWN identified areas related to the European sites are paid, collected and properly utilised, which hopefully now obviates the concerns expressed by the PI.

We believe the information submitted clearly demonstrates that the reasons from both LPA and the PI for refusal of the previous application are not now relevant. In addition, a precedent has been set by the LPA in accepting relevant mitigation payments and approving development in the same village (refer to plan at Appendix A) as this site and wider sites over the West and North Norfolk Areas. The BCKLWN continues to allocate & approve developments in its emerging Local Plan aligned to the mitigation strategy; it continues to be a pro-housing and economic growth Authority. The establishment and functions of the Norfolk Coast Partnership verifies that there are independent and robust processes in place to collect funding for and implement relevant mitigation measures related to the European site.

Therefore, we strongly believe that there are now no valid reasons to refuse this re-submission and would respectfully request that planning permission for the single dwelling should now be approved to allow our daughter to create her new home, and therefore encourage local people to invest locally.

PLANNING HISTORY

2/99/1061/F: Application Permitted: 10/09/99 - Extension to dwelling to create granny

11/01677/F: Application Permitted: 24/11/11 - Demolition of existing bungalow & annex and replacement with 2 semi-detached cottages - Aldorcar

14/01295/F: Application Permitted: 07/01/15 - Construction of two semi-detached cottages following demolition of existing bungalow - Aldorcar COMMITTEE DECISION

15/01952/O: Application Permitted: 01/02/16 - Erection of single storey dwelling and associated works - Aldorcar

16/01633/RM: Application Permitted: 15/11/16 - Reserved Matters Application: Erection of single storey dwelling and associated works - Aldorcar

19/01212/F: Application Refused: 06/09/19 - Construction of one and a half storey dwelling - Aldorcar

19/01693/F: Application Permitted: 16/01/20 - Removal of condition 1 of planning permission DG2731 to remove the agricultural and forestry worker occupation condition - Aldorcar

RESPONSE TO CONSULTATION

Ingoldisthorpe Parish Council: SUPPORT - No reasons given

Snettisham Parish Council: No response to date

Highways Authority: NO OBJECTION - Subject to standard access/turning area conditions

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Environmental Health & Housing - Environmental Quality: NO OBJECTION - Recommended unexpected contamination condition

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

REPRESENTATIONS

NONE received at time of writing

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations are:

- Appeal History
- Principle of Development
- Form and Character
- Impact on Protected Sites
- Other Material Considerations

Appeal History

Application 19/01212/F was refused under delegated powers on 6th September 2019 for the following reason:

The site lies outside the development boundary of Ingoldisthorpe and the site is therefore located in the countryside as defined by the Local Plan. There is no justification for the proposed dwelling and it does not accord with the objectives of sustainable development. As such the application is contrary to Policies DM2 of the SADMPP 2016, Core Strategy Policies CS06 and CS08 and Paragraph 78 of the NPPF.

This decision was subject of an appeal – ref APP/V/2635/W/20/3248172 (attached) which was ultimately dismissed, however the Inspector set out the following justification for the development, and dismissed the appeal solely on being unable to conclude that likely significant effects on the integrity of European Sites could be excluded. Whilst this matter did not form part of the Council's reason for refusal, there is a statutory duty derived from the Conservation of Habitats and Species Regulations 2017 that the Inspector considered was necessary to be assessed as part of the appeal.

Members should note that the Inspector's comments (at paragraph 25 of the appeal decision) on the location of the development being acceptable overcome the Local Planning Authorities initial reasons for refusal. However, in line with the Scheme of Delegation, in order to be approved this application must overcome the concern raised surrounding habitat mitigation fee and the potential for significant effects on the integrity of European sites – primarily the Roydon Common and Dersingham Bog Special Area of Conservation (SAC) and Ramsar sites, The Wash and North Norfolk Coast SAC and The Wash Special Protection Area (SPA) and Ramsar site.

Principle of Development

The application site is immediately adjacent to the development boundary shown on Inset Map G52 of the SADMPP (2016). Ingoldisthorpe is classified as a Rural Village in the Council's Settlement Hierarchy and it is therefore accepted that there are services in the area that can satisfy limited additional residential development.

Whilst outside of the development boundary and therefore contrary to Policy DM2 of the SADMPP (2016), this application must be determined in line with the Appeal Inspector's comments. Within the appeal, the Inspector gave weight to the site's position as well as the proximity of Ingoldisthorpe to nearby settlements of Dersingham and Snettisham. The settlement is stated within the Appeal to have good public transport links and with footpaths and bus stops adjacent to the site, future occupants would be able to access local services by use of footways, by bicycle or by bus. This would reduce reliance on private motor vehicles. The inspector goes on to describe the site as bound between an existing dwelling and a commercial storage, stating that the development would not be detrimental to the character of the surrounding area or landscape (paragraph 25).

The Inspector concluded that the proposal complied with the aims of the NPPF in regard to locating housing to enhance and maintain the vitality of rural communities, and that no harm would be caused to the character and appearance of the countryside.

The principle of development is therefore considered acceptable, as it complies with the overarching aims of the NPPF (2021) and will not lead to adverse impacts on the intrinsic character and beauty of the countryside.

Impact on Protected Sites

Whilst the principle of development is considered acceptable based on the aims of the NPPF, the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on European sites.

The Inspector raised concern that the fee paid towards habitat mitigation was not proven sufficient to overcome adverse impacts on protected sites.

Since the Inspector's decision, the Council have formally adopted the Norfolk Green Infrastructure and Recreational impact Avoidance Strategy (GIRAMS) which is designed to cover monitoring/small scale mitigation at European sites. This strategy currently requires a contribution per dwelling of £185.93 (as of April 2022) which has been paid as part of the validation of this application.

Natural England are supportive of GIRAMS as a way of mitigating the cumulative impacts of recreational disturbance which are increased due to new residential development across the plan area.

Natural England have confirmed within their consultation response that the development is not considered likely to lead to significant on European sites and an appropriate assessment is therefore not necessary. For small scale residential development which is not considered likely to have any significant effect on European sites in terms of increased recreational disturbance, it is concluded that the GIRAMS payment is sufficient to protect from future adverse impacts on the integrity of European Sites.

The construction of a single dwelling in this position, immediately adjacent to existing residential properties and businesses will not have any significant adverse impacts on statutorily protected nature conservation sites or landscapes.

The application is therefore considered to comply with the NPPF and the Development Plan in regard to protected sites.

Form and Character

A three-bedroom chalet bungalow is proposed, including small dormers to the front and rear elevations and single storey gable ends. No changes are proposed to the scheme dismissed at appeal. The Inspector at paragraph 21 of the decision found no conflict with policy CS08 insofar as high-quality design or sustainable construction methods.

The site is constrained as result of the position of the neighbouring bungalow (east) and adjoining storage use (west). Currently comprising overgrown land which is separated from the surrounding sites by close boarded fencing, the proposed dwelling will fill an existing gap in the street scene. Proposed landscaping to the front of the dwelling, combined with the set back will reduce its prominence when viewed from Coaly Lane.

The proposed design is effectively full width, leaving only limited room on one side of the dwelling for access to the rear garden space however this is in line with the spacing provided around the adjoining bungalow.

Given the site's surroundings, whilst proposing a dwelling which will be visibly larger than the bungalow immediately adjacent, the proposed dwelling is considered unlikely to lead to any

adverse impact on the street scene to the extent that would warrant refusal. Conditions are recommended to ensure full details of proposed materials and landscaping come forward prior to construction of external materials.

On balance, considering the design is consistent with the previous application on site and this did not form a reason for refusal on that application. The LPA has insufficient justification to warrant refusal on the basis of design, as these issues have previously been considered acceptable and there has been no material change in policy that would otherwise apply to the scheme.

The development is considered to comply with Paragraph 130 of the NPPF (2021) and Policies CS08 and DM15 in regard to design and impact on form and character.

Other Material Considerations

Impact on Neighbours

Whilst proposed in close proximity to the nearest dwelling (east), the proposed development is considered unlikely to lead to any significant impact on the amenity of this neighbour. Windows on this neighbouring dwelling's side elevation will experience a degree of loss of light in certain parts of the day as a result of the proximity of the dwellings, however considering the scale of the gable end facing this direction, this impact is not considered to warrant refusal of the application on these grounds.

Existing close boarded fencing along this boundary will limit the potential for loss of privacy as a result of windows on the east boundary of the site.

The development is considered to comply with Paragraph 130 of the NPPF (2021) and Policies CS08 and DM15 in regard to good design and neighbour amenity.

Highway and Access

The application has not drawn objections from the Local Highway Authority. Adequate parking/turning area is provided on site to accord with the required standards. The proposal therefore complies with Policies CS11 and DM15 of the Local Plan.

Other Consultee Comments

No objection has been raised by Environmental Quality who recommend that a condition be imposed in the event of unexpected contamination.

Crime and Disorder There are no known crime and disorder impacts associated with this proposal.

CONCLUSION

The application has been submitted with sufficient information to overcome the concerns raised within the Inspector's decision in regards to habitat mitigation and impacts on protected sites.

No changes have been proposed to the design of the scheme since submission of the previous application. Whilst the proposed dwelling is larger in comparison to the adjoining bungalow, considering the existing site conditions and the character of the immediate street scene, the proposed design is considered acceptable subject to conditions relating to

proposed materials and landscaping details. Further, it is clear that the Inspector found no issue with the design and appearance of the dwelling.

Overall, the application is considered to comply with the overarching aims of the NPPF (2021) and the policies of the Development Plan.

RECOMMENDATION

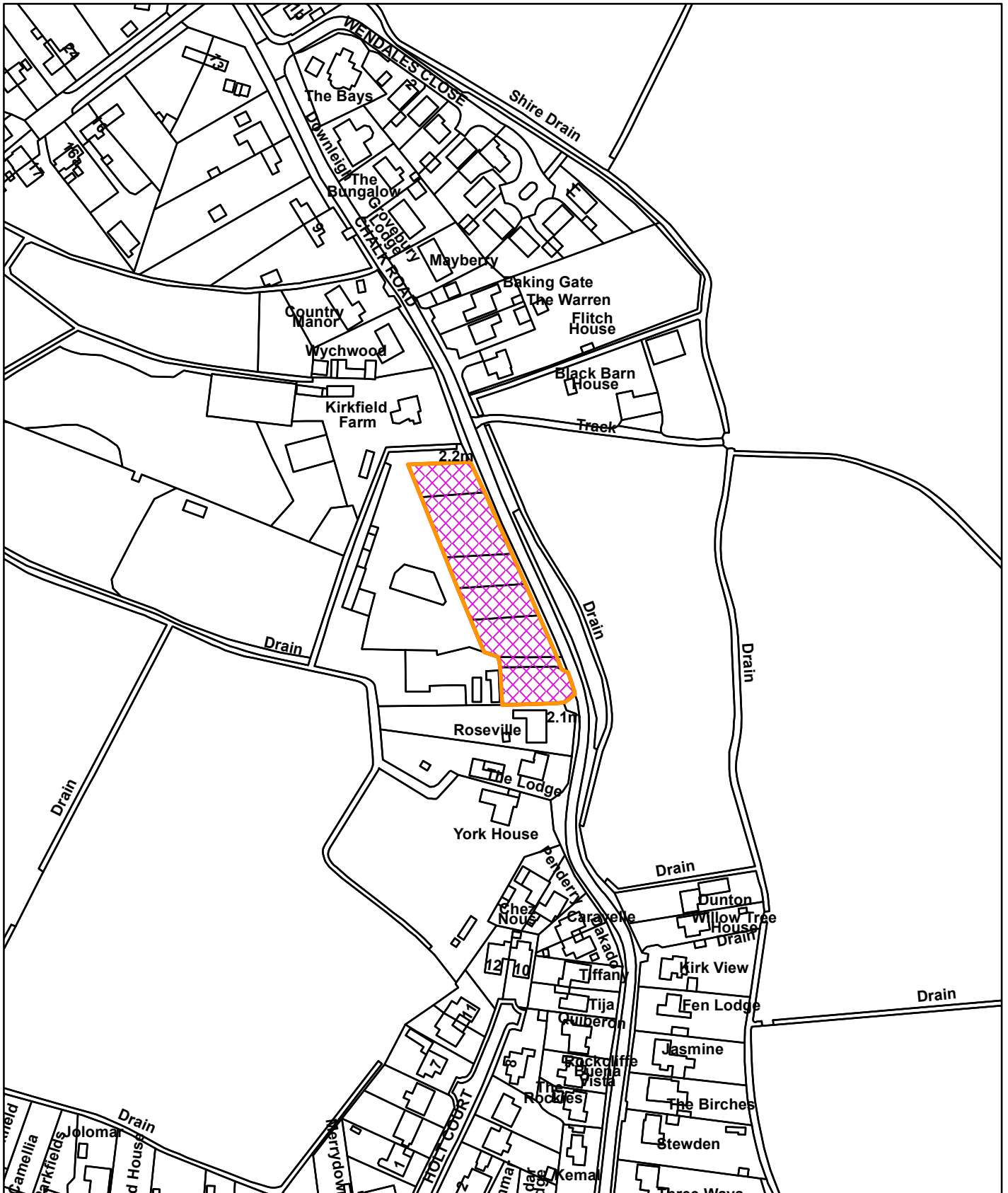
APPROVE subject to the imposition of the following condition(s):

- 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 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:
 - *SPW22-14 1
 - *SPW22-14 2
 - *SPW22-14 3
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
- 4 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.
- 5 Condition: No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 5 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

- 6 Condition: Prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, alongside details of proposed boundary treatments. 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.
- 6 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 7 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.
- 7 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

22/01496/O

Land Adjacent Roseville, Chalk Road, Walpole St Peter, PE14 7PN



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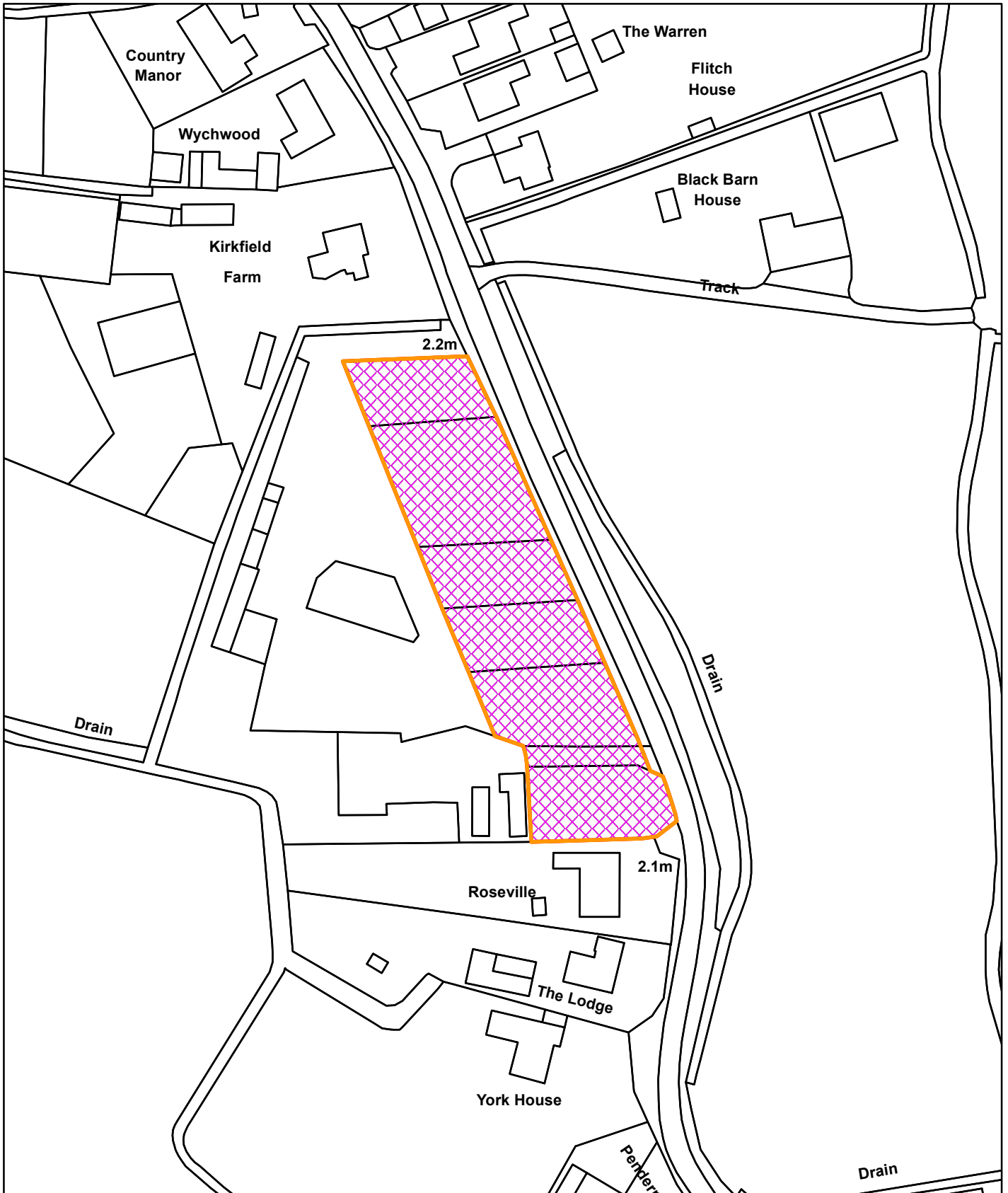


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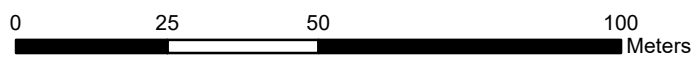


22/01496/O

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24/10/2022

115



Parish:	Walpole	
Proposal:	Outline application for a new residential development	
Location:	Land Adjacent Roseville Chalk Road Walpole St Peter PE14 7PN	
Applicant:	MR J HEAVEY	
Case No:	22/01496/O (Outline Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 17 October 2022 Extension of Time Expiry Date: 11 November 2022

Reason for Referral to Planning Committee – Called in for determination by the Planning Committee at the request of Cllr Julian Kirk.

Neighbourhood Plan: No

Case Summary

The application site is a strip of land on the western side of Chalk Road comprising 0.35ha of mostly paddock land.

The application seeks outline permission with all matters reserved for future consideration, for new residential development. Indicative plans accompanying the application show 7 dwellings (pair of semis and 5 no. detached units).

The site lies outside the village development area for Walpole St Peter and in Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment.

Members will recall the same development being proposed under application ref: 21/02490/O which was refused at the 4th April 2022 Planning Committee.

Key Issues

- Principle of development
- Impact upon the countryside
- Flood risk
- Highway implications
- Affordable housing
- Other material considerations

Recommendation

REFUSE

THE APPLICATION

The application site is a strip of land on the western side of Chalk Road comprising 0.35ha of mostly paddock land. It is known locally for the donkeys kept there.

The site has an overall frontage of approx. 120m and depth ranging from 30.4m to 38.4m. It is bisected towards the southern end by an existing access driveway to land at the rear which is to be retained.

The application seeks outline permission with all matters reserved for future consideration, for new residential development. Indicative plans accompanying the application show 7 dwellings (a pair of 2 bedroomed semis on Plots 1 & 2 at the northern end and 5 no. detached 4 bedroomed units on the remaining land). This equates to a density of 20 dwellings per hectare. The indicative plot widths range between 8.8m (semis) and 17.7m to 21m for the detached units.

The site lies outside the village development area for Walpole St Peter and in Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment.

The application is accompanied by a Flood Risk Assessment and Arboricultural Impact Assessment, plus a draft Section 106 agreement to secure financial contribution for off-site affordable housing provision.

SUPPORTING CASE

The agent has submitted the following statement in support of this proposal:

“Whilst we appreciate that the proposed site is just outside the village boundary, we would like to take this opportunity to highlight a few points.

Although development outside a village boundary is against current policy, this has not been an issue in other village locations where application have been granted for the change of use of agricultural land to residential land, as this is the case, a clear precedent has been set and therefore this cannot be given as a reason for refusal for this project as all applications should be treated fairly and equally. If it is good for one site, then it is good for all!

Bearing in mind the previous refusal point relating to the joining of rural villages, as stated in the supporting planning statement, this has occurred in several other villages in the area, namely North and South Wootton which are joined and Grimston and Pott Row just to name two. In fact, when you enter the village, the sign says ‘The Walpoles’ clearly demonstrating that they are considered one village, the question is however why does this cause the planning department an issue in this location?

In fact, looking at the council website, the following comments have been received:

- This application has received the support of the parish council
- This application has also received the full support of Cllr Kirk
- Norfolk highways have no objection to the proposals
- The Environment Agency has no objections
- Natural England have not commented this time but had not objection objections last time
- Environment agency have no objections

Bearing in mind all the above and that the fact that the council have approved other application for the change of use of agricultural land to residential then this application needs to be supported by the planning department as the precedent has clearly been set.

This together with the fact that other villages have being joined together in the same council area clearly demonstrates that this is not a reason for planning refusal. If it is, then these are points which can clearly be argued at appeal and overturned.”

PLANNING HISTORY (relevant)

2/95/0419/O: Application Refused: 25/05/95 - Site for construction of bungalow and garage (Committee decision) [Relates to Plot 7]

2/88/5146/O: Application Refused: 10/01/89 – Site for construction of 4 dwellings and garages (Delegated decision) – Appeal dismissed 07/09/89

2/88/1337/O: Application refused: 06/07/88 – Site for construction of 3 dwellings (Delegated decision) – Appeal dismissed 07/09/89

21/02490/O: Application Refused: 04/04/22 - Outline application for a new residential development

RESPONSE TO CONSULTATION

Parish Council: SUPPORT – Walpole Parish Council are in support of this application as it is considered to be in keeping with the original application and states high environmental specifications. This was a majority vote at the Parish Council meeting on 6th October 2022.

Highways Authority: NO OBJECTION but raises concerns regarding sustainability as the site is remote from service centre provision and precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport. If minded to approve, suggests conditions relating to off-site highway improvements comprising a frontage footway.

King’s Lynn Drainage Board: NO OBJECTION raise byelaw issues regarding surface water disposal.

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: No comments received at the time of writing this report but previously raised **NO OBJECTION** subject to conditions relating to details of Foul & Surface Water disposal and construction hours plus informative notes on soakaways and pollution from construction work.

Environmental Health & Housing – Environmental Quality: NO OBJECTION

District Emergency Planning Officer: Suggests that occupiers sign up to EA’s flood warning system and a flood evacuation plan be prepared

Environment Agency: NO OBJECTION subject to sequential test being applied/passed and mitigation measures recommended in Flood Risk Assessment being secured via condition.

Historic Environmental Services: NO OBJECTION subject to conditions to secure archaeological investigation works.

Natural England: NO COMMENTS – standing advice applies.

Housing Development Officer: NO OBJECTION subject to commuted sum of £84,000 towards off-site affordable housing being secured via Section 106 agreement to comply with Policy CS09 of the Core Strategy.

Norfolk Constabulary (ALO): NO OBJECTION advice offered on pursuit of Secured by Design accreditation.

REPRESENTATIONS

ONE item of correspondence received in **SUPPORT** of the proposal:

The proposed development would be a great addition to the housing in Walpole St Peter. The layout and planned design would be both attractive and practical. The road is perfectly capable of handling any additional traffic and the new housing would not cause any obvious hazards.

Well thought through small developments like this should be encouraged as they will only enhance the village landscape. Hopes the Planning Committee will support the application.

ONE item of correspondence received raising **OBJECTION** on the following grounds:

Three out of four reasons for refusal of application ref: 21/02490/O have not been overcome. Therefore, the application should be refused.

1. The site lies in the countryside outside of the designated development boundary of both Walpole St Peter and Walpole St Andrew. Therefore, in accordance with Policy CS06 of the Core Strategy (2011), it is not considered to be a suitable location for new residential properties or constitute sustainable development. As such, the proposed development would fail to accord with the provisions of the NPPF, Policy CS06 of the CS (2011), and Policy DM2 of the SADMPP (2016).
2. The site comprises part of a verdant and visually important gap between the built-up parts of Walpole St Peter and Walpole St Andrew. If developed it would conjoin the two and create continuous development along the western side of Chalk Road to the detriment of the character and appearance of the countryside and be contrary to Policy CS06 of the CS (2011).
3. The site lies in Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment and the risk of flooding on the site would not outweigh the limited sustainability benefits of providing the development, thus failing the exception test and contrary to Policy CS08 of the Core Strategy (2011) and paragraphs 157-161 of the NPPF (2019).

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main issues in assessing this application are as follows:

Background

Outline planning permission was sought for an identical proposal under application ref: 21/02490/O. This was called in by Cllr Julian Kirk for determination by the Planning Committee at its meeting on 4th April 2022.

Members refused that application in accordance with the officer recommendation for the following reasons:

1. The site lies in the countryside outside of the designated development boundary of both Walpole St Peter and Walpole St Andrew. Therefore, in accordance with Policy CS06 of the Core Strategy (2011), it is not considered to be a suitable location for new residential properties or constitute sustainable development. As such, the proposed development would fail to accord with the provisions of the NPPF, Policy CS06 of the CS (2011), and Policy DM2 of the SADMPP (2016).

2. The site comprises part of a verdant and visually important gap between the built-up parts of Walpole St Peter and Walpole St Andrew. If developed it would conjoin the two and create continuous development along the western side of Chalk Road to the detriment of the character and appearance of the countryside and be contrary to Policy CS06 of the CS (2011).

3. Notwithstanding the 'in principle' objection to this scheme, no mechanism has been produced to secure affordable housing contribution and this proposal therefore fails to comply with Policy CS09 of the CS (2011).

Planning Committee
7 November 2022

4. The site lies in Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment and the risk of flooding on the site would not outweigh the limited sustainability benefits of providing the development, thus failing the exception test and contrary to Policy CS08 of the Core Strategy (2011) and paragraphs 157-161 of the NPPF (2019).

This current application comprises the same plans and details save for the addition of a draft Section 106 agreement seeking to secure an off-site affordable housing contribution.

Principle of Development:

Walpole St Peter combined with Walpole St Andrew and Walpole Marsh (The Walpoles) is designated as a Rural Village in the Core Strategy (CS) where limited minor development will be permitted which meets the needs of the settlement and helps to sustain existing services in accordance with Policy CS06 - Development in rural areas. The Walpoles are identified as having the potential to have some growth with two allocations for a combined total of over 20 homes under Policies G109.1 (Walnut Road) and G109.2 (Church Road) of the SADMPP.

However the application site lies within the countryside as defined by the CS and depicted in the SADMPP - Inset G109 Walpole St Peter/Walpole St Andrew/Walpole Marsh (September 2016). The site is situated outside the defined Development boundary which stops at 'Roseville' (bungalow) to the south and 'Kirkfield Farm' (house) to the north.

Policy CS06 of the Core Strategy 2011 (CS) states that 'beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs.'

Policy DM2 also applies which states inter alia:

"The areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan, including

- farm diversification (under Core Strategy Policy CS06);
- small scale employment (under Core Strategy Policy CS10);
- tourism facilities (under Core Strategy Policy CS10);
- community facilities, development in support (under Core Strategy Policy CS13);
- renewable energy generation (under Policy DM20 of the rural economy or to this Plan);
- rural workers' housing (under Policy DM6 of this Plan); and
- affordable housing (under Core Strategy Policy CS09)..."

The proposed development is not identified as being associated with agricultural or forestry needs, or for any other appropriate development as listed within Policy DM2 of the SADMPP nor is it previously developed land or in accordance with any other enabling criteria of the NPPF.

Furthermore, the Council has a supply of housing land, which is well above the 5-year requirement. Therefore, it is considered there is no justified reason for the proposal to not accord with the relevant policies within the development plan.

It will be noted from the history section above that previous attempts have been made to develop this land for residential purposes. Two refusals covering the majority of the current application site were appealed and dismissed in 1989; a copy of the Inspector's decision is attached to this report for reference. With the passage of time and changes to planning policy in the interim, little weight can be applied but the principle issues remain pertinent.

The agent opines that the conjoining of villages is not unprecedented and gives examples of North and South Wootton plus Pott Row and Grimston.

The agent has also pointed out that a parcel of land at the southern end of the overall site (Plot 7) previously had outline approval for the construction of a bungalow and garage (application refs: 2/88/1337/O and 2/92/0970/O). A renewal was refused by committee under application ref: 2/95/0419/O, and policies have significantly changed in the interim; the land is not designated for development in both the current and reviewed Development Plan.

Given that the proposed site is defined as within the countryside by the Development Plan, and no material considerations have been advanced that would outweigh those policies or that of the NPPF, the proposed development would fail to accord with the provisions of the NPPF, Policy CS06 of the CS, and Policy DM2 of the SADMPP.

Impact upon Countryside

The paddock is bounded at the rear for approx. 80m by 10m+ high leylandii hedging and there is post and wire stock fencing adjacent to the road. The remainder of the paddock land is segregated into smaller sections by similar planting and a line of semi-mature trees, but does not correspond with the indicative plots on the submitted plans. This shows the rear hedging retained and northern boundary plus frontage set with new hedging and replacement tree planting – covered by an Arboricultural Impact Assessment. The central area of the paddock is to be stripped out to allow the dwellings to be built.

Plots 6 & 7 at the southern end are open parcels of land presently and grassed adjoining 'Roseville'.

The application site therefore contains trees and hedges and, combined with hedge lined fields on the opposite side of Chalk Road, forms a verdant gap, between the built-up parts of Walpole St Peter and Walpole St Andrew. This area of land therefore contributes significantly to the character and appearance of the countryside.

Policy CS06 of the Core Strategy 2011 (CS) states that 'beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs.'

The proposal clearly fails to comply with Policy CS06 of the CS and has an unduly adverse impact upon the countryside.

This issue was identified by the Planning Inspector in the earlier appeal.

Flood Risk

The site lies in Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment and a flood risk assessment (FRA) was required to be submitted as part of this application to

demonstrate that the site can pass both the sequential and exceptions tests as outlined in the NPPF (2019).

Paragraph 159 of the NPPF states that where development is necessary in areas of flood risk, the development shall be made safe for its lifetime without increasing flood risk elsewhere. It should be noted that the application site is outside of the development boundary and the principle of residential development on site is not acceptable. This, combined with the Borough Council's ability to demonstrate a housing supply in excess of the required figure, limits the potential for the development to truly be considered as 'necessary' in this location.

In regards to the Sequential Test, the majority of the Walpoles lies within Flood Zone 3a and there are no 'reasonably available sites' to take the development in lower risk. This test is therefore passed.

Whilst a site-specific FRA has been provided to demonstrate the site will be safe for its lifetime (finished floor levels raised 300mm above ground level and 300mm of flood resilient construction above), the second part of the exceptions test requires proposals to provide sustainability benefits to the wider community. As noted above, the application site is outside of the development boundary on land which is considered countryside for the purposes of the SADMPP (2016). The provision of seven open market dwellings in this location is not considered to provide sustainability benefits to the wider community which has limited facilities and residents would be dependent upon private means of transport; this element of the exception test is therefore failed.

The application is once again considered to be contrary to paragraphs 161-165 of the NPPF (2021) and Policy CS08 of the Core Strategy (2011).

Highway Implications

Concerns were previously raised regarding the suitability of Chalk Road and the village network to take the additional traffic associated with this proposed development.

The Local Highway Authority, whilst stating that it is not sustainable, indicates that appropriate access and visibility splays could be achieved along the road and parking/turning space made available within the plots. However, this would be dealt with at the reserved matters stage. They have requested that should permission be granted; a footway be provided along the frontage of the site for pedestrian safety.

It is your officer's opinion that this would be a further urbanising feature and erode the rural character of this locality. It would not connect to any other existing footpath to the north or south of the site along Chalk Road.

Affordable Housing

Our Housing Development Officer confirms that the site area (0.35ha) and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy.

At present a 20% provision is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in Walpole St Peter. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent, 25% for First Homes and 5% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council.

However, NPPF states that affordable housing should not be sought on developments of fewer than 10 dwellings and/or 0.5ha other than in designated rural areas. On sites on 6-9 dwellings and less than 0.5ha, a financial contribution based on £60,000 per equivalent whole affordable dwelling will be sought.

As this site is proposed for 7no. units in a designated rural area and the site area is under 0.5ha, a financial contribution of £84,000 would be required (calculated as 7no. units x 20% affordable housing = 1.4 units; 1.4 x £60,000 = £84,000).

This application is accompanied by a draft bi-lateral Section 106 agreement. This would cover the indexed linked fee/contribution for off-site affordable housing as above. Notwithstanding the 'in principle' policy objection to the proposal as stated earlier in this report, the terms of this agreement would need amendment as the trigger for payment is indicated to be upon completion of the last/7th dwelling. This is usually set at 50% of the total number of dwellings as theoretically six units could be built out and the last one not developed hence no contribution.

On the application forms reference is made to two social, affordable or intermediate rent houses being provided on the site (likely to be the semis on Plots 1 & 2). This would be over and above the requirements of Policy CS09 as stated above.

Other Material Considerations

Surface and foul water drainage details could be dealt with via condition as recommended by both CSNN and the IDB.

The impact upon adjoining properties would be assessed at the reserved matters stage but every indication is such that the inter-relationships could be acceptable.

CSNN previously suggested a condition restricting hours of construction, but this is not considered to be necessary on a development of this scale and therefore fail the tests applied to use of conditions.

There are no concerns regarding potential contamination given the former and current use of the land.

Archaeological investigations could once again be covered via conditions as suggested by Historic Environment Services.

The welfare of the donkeys is not a consideration as alternative grazing could be sourced.

A site on the opposite side of the road from 'Roseville' and north of 'Dunston' (HELAA ref: H434) was assessed by the Housing and Economic Land Availability Assessment which informed the Local Plan Review 2016-2036 and was rejected at an early stage due to transport and road constraints.

The Planning Statement indicates that various sustainable elements would be incorporated into the reserved matters stage including the following:

- Air source heating
- Triple glazed windows

- Additional insulation throughout the property over and above the current building regulations requirements
- Grey water recycling
- Solar roof panels or roof tiles

These are considered to be almost standard practice with modern development and are not given any significant weight in determining this proposal given the 'in principle' concerns outlined above.

CONCLUSION

The site lies in the countryside outside of, but adjacent to, the designated development boundary of both Walpole St Peter and Walpole St Andrew. Therefore, in accordance with Policy CS06 of the Core Strategy (2011), it is not considered to be a suitable location for new residential properties or constitute sustainable development. As such, the application would fail to meet the objectives of Policy DM2 of the SADMPP (2016).

The site comprises part of a verdant and visually important gap between the built-up parts of the villages. If developed it would conjoin the two and create continuous development along the western side of Chalk Road to the detriment of the character and appearance of the countryside and be contrary to Policy CS06 of the CS.

The site lies in Flood Zone 3a of the SFRA and the risk of flooding on the site would not outweigh the limited sustainability benefits of providing the development, thus failing the exception test and contrary to Policy CS08 of the CS and the NPPF.

Whilst the affordable housing contribution is capable of being addressed by a Section 106 agreement, the previous reasons for refusal for the earlier application ref: 21/02490/O still remain. This application is therefore once again duly recommended for refusal.

RECOMMENDATION

REFUSE for the following reason(s):

- 1 Reason The site lies in the countryside outside of the designated development boundary of both Walpole St Peter and Walpole St Andrew. Therefore, in accordance with Policy CS06 of the Core Strategy (2011), it is not considered to be a suitable location for new residential properties or constitute sustainable development. As such, the proposed development would fail to accord with the provisions of the NPPF, Policy CS06 of the CS (2011), and Policy DM2 of the SADMPP (2016).
- 2 Reason The site comprises part of a verdant and visually important gap between the built-up parts of Walpole St Peter and Walpole St Andrew. If developed it would conjoin the two and create continuous development along the western side of Chalk Road to the detriment of the character and appearance of the countryside and be contrary to Policy CS06 of the CS (2011).
- 3 Reason The site lies in Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment and the risk of flooding on the site would not outweigh the limited sustainability benefits of providing the development, thus failing the exception test and

contrary to Policy CS08 of the Core Strategy (2011) and paragraphs 161-165 of the NPPF (2021).



Planning Inspectorate
 Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ
 Telex 449321

Direct Line 0272-218 927
 Switchboard 0272-218811
 GTN 1374

RMP

DISMISSED

Mr and Mrs Brooks
 Roseville
 Chalk road
 Walpole St Peter
 WISBECH
 Norfolk PE14 7PN

Your reference

Our reference

A. T/APP/V2635/A/89/117412/P8
 B. T/APP/V2635/A/89/119164/P8

Date 7 SEP 89



Sir and Madam

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
 APPLICATION NOS: 2/88/3359 AND 5146/0

1. As you know I have been appointed by the Secretary of State for the Environment to determine your appeals against the decisions of the Borough Council of King's Lynn and West Norfolk to refuse outline planning permission for A - the erection of 8 dwellings and B - the erection of 4 dwellings on land adjoining Roseville on the west side of Chalk Road, Walpole St Peter, Norfolk. I have considered the written representations made by you and by the Council and also those made by interested persons. I inspected the site on Tuesday 15 August 1989.
2. From my inspection of the site and its surroundings and from the representations that have been made I consider that the principal issues in this case are the effect of the proposed development on the form and character of the village, on the countryside and on the adequacy of the intended access road.
3. Appeal site A has a frontage to the west side of Chalk Road of some 120 m. B, omits a 40 m section from the centre of this frontage. The land which is level is overgrown and has some sheds to the rear of the field behind the site where some hardcore is stockpiled. Open agricultural land lies to the west and on the opposite side of the road. A house adjoins the northern boundary beyond which there is continuous development along this side of the road. Plot 3 of the housing for which you have permission is next to the southern end and when this is developed together with plots 1 and 2 will form a continuous frontage to the south.
4. I note that administratively the Parishes of Walpole St Andrew and Walpole St Peter were joined in 1988. In land use terms they have also been joined physically by the Chase housing scheme. This is recognised by the boundary for the single village shown in the guidelines that have been adopted for development control purposes. Whilst modern in context the new development creates a strong link between the 2 churches both of which are of outstanding visual merit. To my mind it has removed the uncertainty about the form of the village by creating a centre which is recognisable. Prior to this taking place housing has straggled along a number of roads in an incoherent way. This has weakened the character of the previously separate villages by creating ribbons of development along minor roads. This is particularly noticeable along Chalk Road where the only significant gap is the subject land and the field on the opposite side of the road.
5. The very large quantity of new housing that has taken place in the 2 villages together with the bridging development between them (The Chase) in my opinion demonstrates no lack of housing to sustain the community by maintaining local



services without the necessity to close the gap along Chalk Road. To do so would create further ribbon development that would not enhance the form and character of the village and would certainly detract from the appearance of the countryside which at this point is flat and open in aspect with uninterrupted views across it.

6. Even though the land appears to be in poor condition and has an untidy appearance it is a condition that can be remedied. Perhaps not in isolation, but it adjoins extensive agricultural land to the west with which it could be amalgamated.
7. The closing of this frontage with dwellings would remove a significant gap which serves to contain the housing which straggles along the road towards it from both directions. I do not attach any weight to your argument that because it is the only gap along this road it should be built on. The village guidelines have been drawn so that the identity of the village is now established even though in places its form is loose and difficult to appreciate where the village has been extended by simply building along road frontages.
8. The reduction of the length of the frontage proposed to be developed in your second application, by leaving a gap of some 40 m in the middle, does not overcome my objection set out above since the space is too small to form a significant break.
9. As to road safety it is a fact that whilst the narrow winding roads in the locality, running between tall hedges in many places provide an attractive environment they are not capable of satisfactorily accommodating present day traffic levels and serving as development roads as well. The weight of traffic in the vicinity is moderately heavy and I noticed that speeds along this section of road are high enough that if more houses were to be permitted there would be danger to road safety caused by turning movements and inconvenience through interference with free traffic flow.
10. I have taken into account all other matters raised in the representations but I find that they are insufficient to outweigh the considerations that have led to my decision.
11. For the above reasons and in exercise of the powers transferred to me I hereby dismiss both appeals A and B.

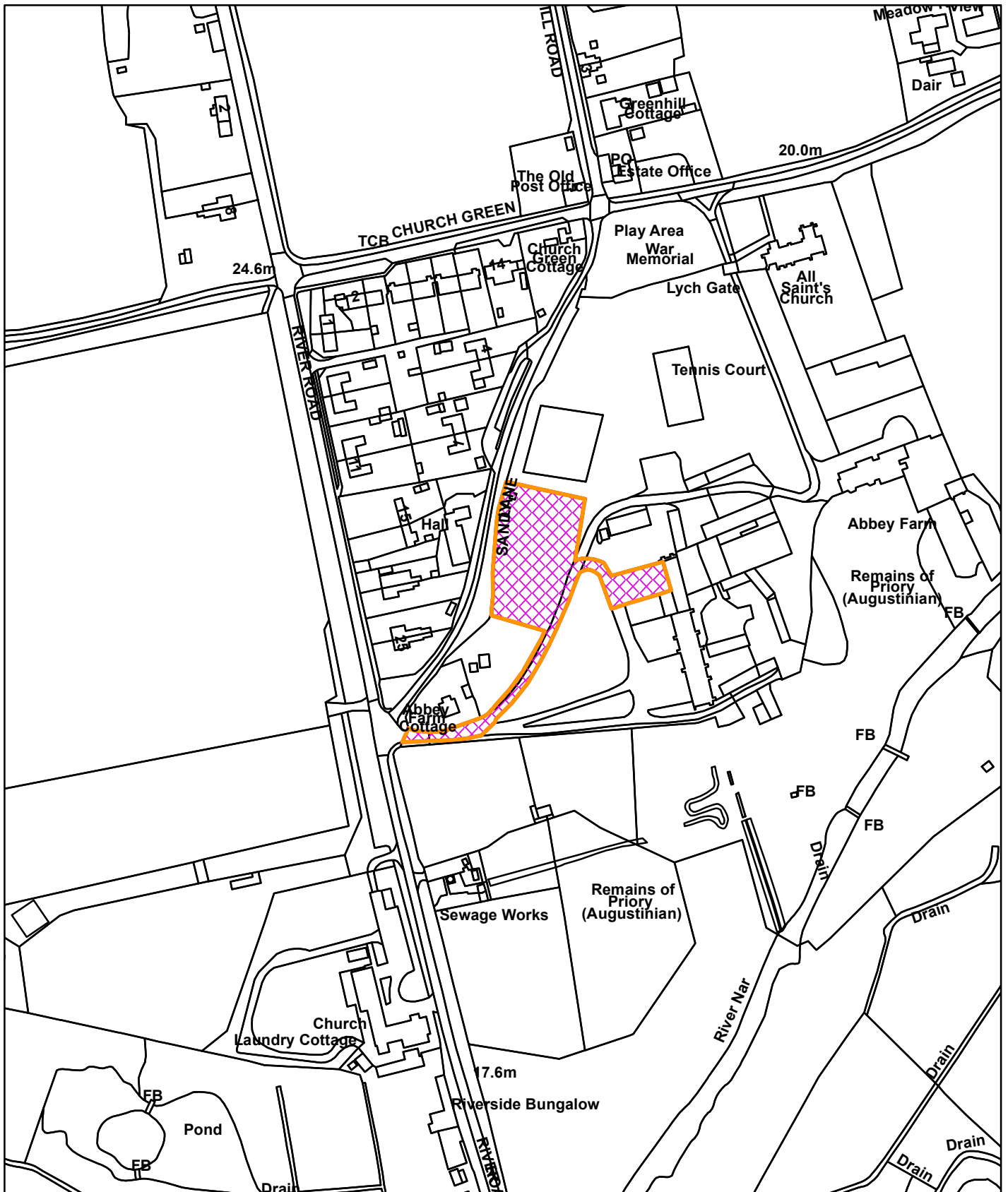
I am Sir and Madam
Your obedient Servant



P W RAWSON DiPTP FRTPI
Inspector

22/00910/F

Abbey Farm, River Road, West Acre, PE32 1UA



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Ordnance Survey 100024314



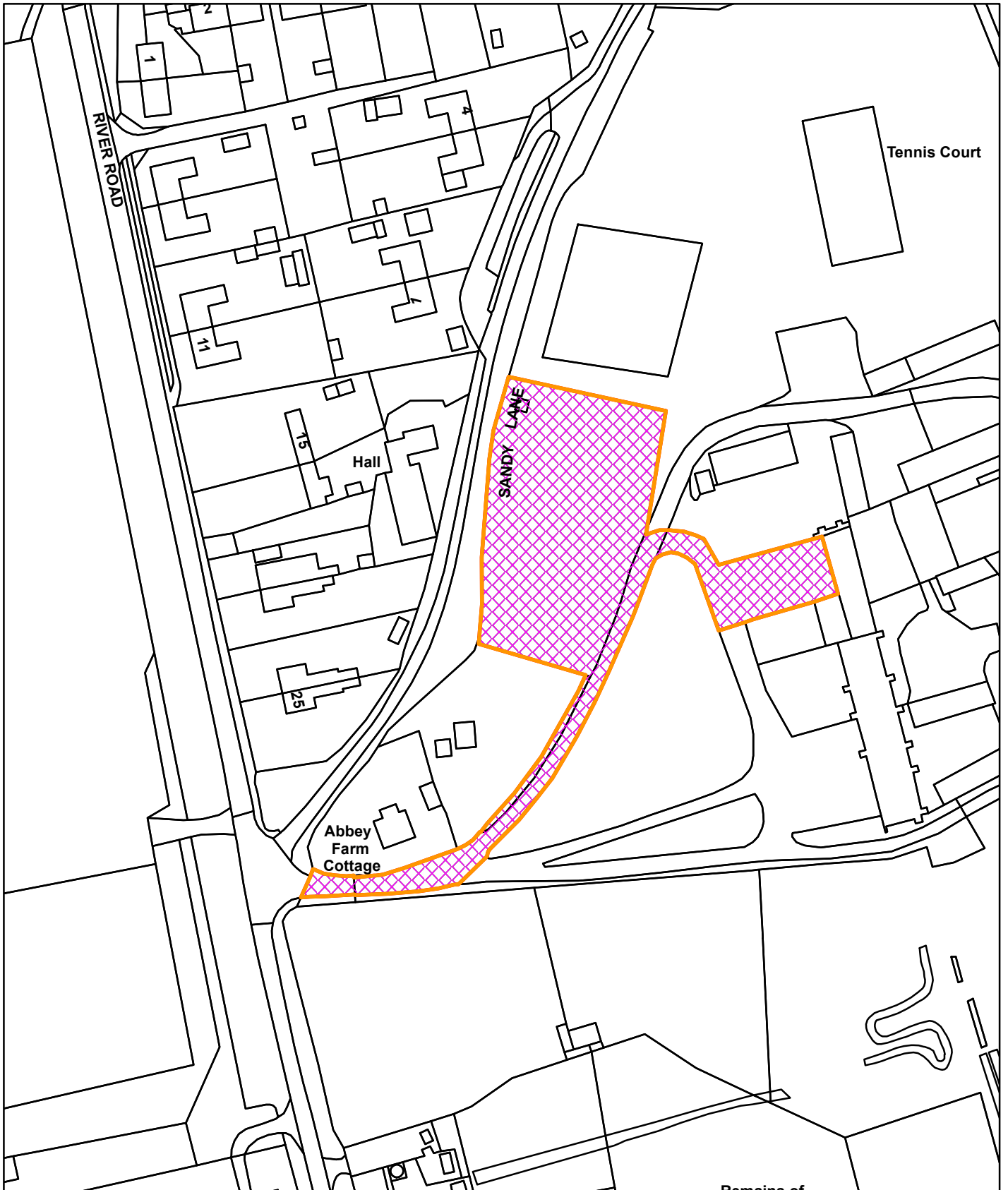
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22/00910/F

Abbey Farm, River Road, West Acre, PE32 1UA



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Parish:	West Acre	
Proposal:	Retrospective External tap area adjacent to brewery (Temporary)	
Location:	Abbey Farm River Road West Acre PE32 1UA	
Applicant:	Duration Brewery	
Case No:	22/00910/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 20 July 2022 Extension of Time Expiry Date: 12 September 2022

Reason for Referral to Planning Committee – Called-in by Cllr Moriarty

Neighbourhood Plan: No

Case Summary

Temporary planning permission (2 years) is sought for the change of use of an existing hardstanding outside of Duration Brewing Co in West Acre, to use as an external Tap Area. Proposed plans indicate the siting of tables and a bar area, as well as space for a food truck on an existing courtyard hardstanding central to the existing business use at Abbey Farm, known as the Westacre Estate.

The use is proposed as an outdoor extension to the brewery's existing Tap Room and is proposed for a temporary period of 2 years whilst building operations are completed on the south section of the existing barn building (approved under 17/01212/F). The application has been amended since its original submission to respond to comments from neighbours and CSNN.

Abbey Farm and the surrounding land are designated as a Scheduled Monument by Historic England. The main barn on site is Grade II* Listed, and Abbey House further to the east of the application site, is a Grade II Listed Building.

Key Issues

- Principle of Development
- Business Operations
- Heritage
- Neighbour Amenity
- Highway Safety
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Temporary planning permission is sought for the change of use of an existing hardstanding outside of Duration Brewing Co in West Acre, to use as an External Tap Area. Proposed plans indicate the siting of tables and a bar area, as well as space for a food truck on an existing courtyard hardstanding central to the existing business use at Abbey Farm. The site is proposed as an outdoor extension to the brewery's existing Tap Room. The proposal has been amended since its original submission and is proposed for a temporary period of 2 years whilst building operations are completed on the south section of the existing barn building (approved under 17/01212/F).

Abbey Farm and the surrounding land are designated as a Scheduled Monument by Historic England and the main barn is Grade II* Listed. Abbey House itself, to the east of the application site, is a Grade II Listed Building.

SUPPORTING CASE

The applicant submitted the following supporting case:

Company Background:

'Duration is a family run local business employing 9 people full time and several part time / casuals. An award-winning farmhouse brewery that to date has received £280k in LEADER and local government funding. Recognised with 17 awards in its first 3 years of trading including Best Brewery in East Anglia and Best New Brewer in the UK. It also ranked in the top 10 new breweries in the world in 2020. Beer sold by 8 regional wholesalers reaching over 800 venues as well as to 8 other territories worldwide. Strong local support with local permanent lines held at Sculthorpe Mill, The Dabbling Duck, George & Dragon, The Brisley Bell, Rose & Crown - Harpley, Titchwell Manor, Gangway Cromer, White Horse Brancaster, The Ffolkes Arms and Eric's Pizza.

Context:

Due to drastic market changes in the on and off trade from COVID-19 and export contraction from Brexit the company has had to adapt its initial 5-year business plan by slowing and reducing its overall production growth and shifting focus to higher margin retail sales. These have come from online and on-premise sales. The ongoing cost-of-living crisis has made brewery managed retail an essential income stream and focus for Duration. The overall end goal and scale of the business and its operations at West Acre remain unchanged, though some elements have changed in their timeline and priority and also in their intended location within the brewery site scheme.

Application Considerations:

Duration is seeking permission to formalise an arrangement established in 2021: To utilise its outside north-west courtyard to offer seating to its barrel store taproom visitors and enable a food offer to be provided and parking on the green to the far west of the yard. The request is made due to having very limited space inside the barrel store where the temporary taproom is now located and no current options to occupy any additional inside space. The courtyard is adjacent to Routier cookery school with buildings on three sides making it the best place for containing visitors and a food truck and associated noise / odour disturbance. The barrel store was designed as a production space with office not retail. Plans are a-foot to build a replacement dedicated taproom and retail area with more inside space for a kitchen, seating and visitor centre by renovating the south gable of the stone barn.

At its height last year and when government guidelines permitted the taproom had 118 seats outside and 44 seats inside. The loss of outside use in 2022 has impacted the taproom and

brewery severely. Revenue is down significantly and overall seating is reduced by 63%. The brewery is primarily focused on being a manufacturer of beer. A small retail element was always intended in the 5-year plan and a focus on online and on-site retail sales came from a reaction to challenging market conditions, sooner than expected – and remain vital for the company's survival.

Duration seek permission to continue with a 120-cover taproom to fall in line with the longer-term replacement phase 2 plan. This temporary application is requested for 2 years and reduced to 76 outside seats and 44 seats inside. The offer a family focused, educational and daytime leisure activity that allow visitors time to take a tour, eat and drink and purchase take away beer. Duration also agrees to limit open times to 6pm on a Sunday. Not provisioning for some outside seating may lead visitors to take away their purchase's 'picnic' style on a sunny day to detrimental impact on the local area adding to noise, litter and generally detract from the small quiet village aesthetic. The longer-term plan would see retail elements moved and rehoused in the south end gable of the stone barn with more inside capacity and less outside use. The phase 2 outside seating would replace the current outside use in new location further away from neighbouring residents. This temporary use application could help inform what adjustments are deemed beneficial with regard to outside use, parking provision, scale and operating conditions. Duration is willing work with the landlord, planners and consult with the West Acre parish council to ensure suitable conditions are reached amicably and appropriate for the area.

Operations have been carefully calculated (see page 2) to simply keep retail revenue coming in based on less than what has already been established and keeping to a maximum of 150 vehicle movements a day - counted as a car arriving and departing. This can be achieved provisioning for 120 covers offering visitors 4 bookable 2hr slots a day. It assumes 3 people to a car - for visitors, and 1 person to a car – for staff. An average of 45 parking spaces will be needed for any one session. Assuming a 70% capacity across 4 sessions including walk ups during the height of summer and 30% capacity in winter with reduced hours/days.

To allow a cross-over of vehicles between sessions it is prudent to provision for 80 car parking spaces to stop visitor vehicles infringing on street parking and further impacting local residents and highways. We are open to a condition to 50-60 vehicle places but didn't want to ask for too little. The highways officer sees nothing too severe to pose an objection and Historic England have also given consent. We have the landlord's agreement to consider the parking sensibly for phase 2 be that relocating parking or demarking the spaces with fencing to prevent sprawl or using foliage to place a buffer area between parking and residential areas.

Sustainable Goals:

Duration have always strived to be a good company. Our mission is 'To Make Good Beer, With Good People, In a Way That Respects Where We Are'. We have collaborated with several local businesses to champion small producer principles supporting local suppliers and employing local people. We encourage cyclists and are a dedicated venue on Cycling UK's newly launched Rebellion Cycle Route. We work with circular waste principles to strive to put back more than we take from our moment in time celebrating brewing's agricultural heritage is why we opted for Norfolk and why we are regarded as one of the most sustainable craft breweries in the UK deploying innovative technologies to brew better.

Planning / Landlord / Parish Council Cooperation:

We always aim to be open in our dialogue while also managing/pivoting/adapting our start up family run business during the ongoing challenges of these times. We met with the parish council before we sought planning in 2017 and have offered support to each village fete since and to other community minded events in West Acre and the surrounding villages. We support local requests for raffle prizes or sports sponsorship within a 20-mile radius. We

believe our plans fit the mindset and scale in keeping with small village leisure and tourism while also being commercially minded. We are always willing to meet with local stakeholders and discuss plans frankly in the spirit of reaching a mutually acceptable approach.

Calculations:

An example of how we have calculated our requirements is illustrated here:

SUMMER Last year in the taproom our busiest days ran as follows:

- *11.30am 4 staff and 1 caterer = 5 cars / 5 movements*
- *12-2pm 120 visitors = 40 cars / 40 movements*
- *2-4pm 90 visitors = 30 cars / 30 movements*
- *4-6pm 30 visitors = 10 cars / 10 movements*
- *6-8pm 60 visitors = 20 cars / 20 movements*
- *All Day General Brewery traffic = 8 cars / 30 movements*

Total Peak Summer Day 300 Visitors + Brewery Operations = 113 cars / 135 movements

WINTER Last year in the taproom our busiest days ran as follows:

- *11.30am 1 to 2 staff and 0 to 1 caterer = 3 cars / 3 movements*
- *12-2pm 30 visitors = 10 cars / 10 movements*
- *2-4pm 30 visitors (3 per car) = 10 cars / 10 movements*
- *4-6pm closed = 0 cars / movements*
- *6-8pm closed = 0 cars / movements*
- *All Day General Brewery traffic = 8 cars / 30 movements*

Total Peak Winter Day 60 visitors = 31 cars / 53 movements'

PLANNING HISTORY

22/00957/F: PENDING CONSIDERATION: - Retrospective permission for storage shed within curtilage of Grade II* listed barn - Abbey Farm

22/00954/LB: PENDING CONSIDERATION: - Application for Listed Building consent for temporary siting of portacabin offices in enclosed yard within curtilage of Grade II* barn - Joinery Shop

22/00740/F: PENDING CONSIDERATION: - Retrospective temporary location of two steel shipping containers for storage of packing materials (cardboard) single use beer kegs (empty). - Duration Brewing

22/00688/A: Application Permitted: 15/06/22 - Application for Advertisement Consent: Non - Illuminated painted Sign flat against the timber clad west gable end of the Cundey Shed. Dimensions as shown on the drawing - white painted lettering 5000mm overall wide, 2770mm overall high. Swirl pattern in dark grey on the timber cladding slightly to south of centre from 1400mm above ground level up to top of gable. – Abbey Farm

22/00607/F: PENDING CONSIDERATION: - Retrospective application for the installation of chiller units, barriers and extractor duct - Abbey Farm

21/01779/LB: Application Permitted: 24/01/22 - Single storey extension and new gas tank on east side of Abbey Barn - Abbey Farm

21/01778/F: Application Permitted: 24/01/22 - Single storey extension and new gas tank on east side of Abbey Barn - Abbey Farm

21/01739/F: PENDING CONSIDERATION: - Variation of Condition 4 attached to Planning Permission 21/01197/F: to allow its use on any Sunday between 8.30am - 8pm - Abbey Farm (7 - Bar Barn)

21/01197/F: Application Permitted: 03/08/21 - Variation/Removal of condition 5 of planning permission 19/00370/F (bar barn only) to allow its use on one Sunday a month between 8.30am - 8pm - Abbey Farm (7 - Bar Barn)

21/00141/LB: Application Permitted: 16/04/21 - Listed building application to remove non-original over-height doors and polycarbonate roofing over. Replace with new framed, ledged and braced doors and restore original roof shape using reclaimed pantiles. Remove glass pantile rooflights and install 6 no. new conservation rooflights - Tractor Workshop

20/01722/F: Application Permitted: 17/02/21 - Variation of condition 5 of planning permission 17/01212/F to change details of drainage - Duration Brewing

20/00615/F: PENDING CONSIDERATION: PERMITTED - Change of Use from B1(c) to D1 with associated alterations at The Pickling Shed and Change of use from Agricultural to B1(a) to The Forestry Building - Abbey Farm

20/00264/LB: Application Permitted: 26/06/20 - Listed Building: Installation of external doors and skylights (retrospective) - Green Room

20/00263/F: Application Permitted: 17/11/20 - Installation of external doors and skylights (retrospective) - Joinery Shop And Bar Barn

19/00405/F: Application Refused: 05/12/19 - Retrospective application for the siting of containers - Abbey Farm

19/00370/F: Application Permitted: 10/09/19 - Retrospective Change of Use of Outbuilding...-Abbey Farm.

17/01212/F: Application Permitted: 28/09/17 - Conversion of barn to brewery.... - Abbey Barn Courtyard

17/01213/LB: Application Permitted: 12/09/17 - Listed Building Application: Convert barn to brewery... - Abbey Barn Courtyard

RESPONSE TO CONSULTATION

Parish Council: OBJECT

- Increased vehicular movements
- Uncontrolled parking
- Impact on the Schedule Monument
- Ground compaction
- Impact on residential amenity
- The parking area and numbers should be as originally approved in 17/01212/F.
- Cumulative impact from the extension to opening hours of the Art Gallery.
- Estimates 160 to 170 car movements per day to and from the site, circa 120 relate to the brewery.

- West Acre is a small remote village
- Most people who use the tap room travel by car
- Relatively high turnover of covers
- The original brewery application (17/01212/F) allows for 20 parking spaces and references 30 vehicle movements
- The proposal represents a huge intensification of activity on the site.
- Share the same view as NCC Highways in that the access improvement. works need to be carried out
- Concerned about Sunday opening on residential amenity
- Generators used by tap day traders cause noise
- Outside music
- Foul drainage – additional pressure
- The Brewery has recently breached their consented waste outfall into the River Nar.
- The river (a chalk stream) is renowned for its water quality and biodiversity – very rare on a global scale.
- Seeks reassurance that IDB, Rivers Trust and Natural England, in addition to the EA are satisfied with the drainage methods on site.
- Concerned about the number of retrospective applications on the site.
- West Acre residents have been subject to creeping impact
- Noise
- Odour

Awaiting further / revised comments following the amendment of some of the details within the application. Any forthcoming correspondence will be reported in late representations.

Highways Authority: NO OBJECTION - subject to access and visibility splay conditions.

Historic England: NO OBJECTION: - Historic England consider that the proposed structures would cause some harm to the significance of the part of the scheduled monument in which they are located through a change in its setting.

We recognise that the structures are only required for a period of three years and that any change to the setting of the monument is temporary and wholly reversible. We are also mindful of the potential public benefit that the brewery business delivers in helping to support a viable use for the Abbey Barn and do not have an outright objection to the application.

However, we wish to reiterate that the siting of the temporary structures within the scheduled monument requires Scheduled Monument Consent.

Environmental Health & Housing - CSNN: OBJECT: – comments summarised as follows:

- Mindful of the need to support a local business.
- Noise complaints received (3) relating to the Brewery and tap days.
- Resident's rear gardens and bedroom windows back onto the site.
- No physical barrier between the site and neighbouring properties.
- Cumulative impact of the use of the entire Abbey Farm site.
- Tap Days attract more visitors.
- Increase in traffic volume.
- Impact of vehicular movements on neighbouring residents.
- Impact from parking and associated noise.
- Low background noise levels.
- Numerous retrospective consents at Abbey Farm making it difficult to prevent or efficiently control impacts from the intensification of the use.

- Whilst consent has been granted for the end gable tap room through the original conversion to brewery application, this is far less intense and had no outside seating associated with it.
- Consideration should be given to operating the tap days on both weekend days, offering local residents no respite.
- In order to make the use acceptable they should not operate beyond the current provision of 96 people (58 outside and 38 inside), and would need to include a combination of several of the following control measures: -
- Issuing a 1 year temporary consent combined with other control/mitigation measures to allow time to assess the level of impact/public complaint – effectively this could identify specific issues of complaint/impact, which could either result in objection to further extension of use or help to identify control measures which could then be incorporated into any new consent going forwards after the year (it is important to understand that some allowance may have been made by those affected, given the Covid restrictions, on the assumption that this would not continue/be allowed to continue);
- Designating the seating and public gathering/use area on a plan, controlled via planning condition;
- Limiting the number of people permitted (to limit people and vehicle noise escalation) to 96 (58 outside and 38 inside);
- Site signage – seeking to control visitor use/behaviours;
- Prevention of any external music;
- Prevention of any external plant such as generators;
- Erection of a solid barrier (blended/matching wall or acoustic fencing) around the courtyard to contain some people noise;
- Erection of an acoustic bund (min two metres high) to the western boundary of the site, behind the car park (more aesthetically pleasing than a 2.5m high absorptive acoustic fence) to reduce vehicle and some general site and people noise;
- Reduction in the number of days per week allowed for Tap Days;
- Reduction in the number of hours allowed per day for Tap Days;
- Reduction in the period of the year allowed for Tap Days;

Following the submission of amended details within the application, the CSNN officer has been re-consulted on the proposal and any further / revised comments will be reported under late representations.

REPRESENTATIONS

FOUR representations received from two local residents **OBJECTING** on the following grounds:

- Traffic
- Conflict with the aims of sustainable development
- Not only bookable time slots but also “walk-ups”
- Desire to triple their capacity and maximise onsite sales
- Proposed vehicles movements on site are a 5-fold increase from the original approval
- Intensification of use
- Increases opening times on Sundays
- Combined impact from other uses on the site
- Loss of amenity
- Noise
- Proposal does not comply with the original Noise and Odour Mitigation Plan
- Location of car parking close to residents
- Parking – possible damage to SAM

- The existing hardstanding closer to the Brewery should be used for parking
- Application should be subject to SAM consent
- Pollution to the SSSI River Nar
- 17 planning applications on the site
- Developing the site in a piece meal fashion

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

CS11 – Transport

CS10 - The Economy

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 Design Guide 2019

PLANNING CONSIDERATIONS

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

- Principle of Development
- Business Operations
- Heritage Assets
- Residential Amenity
- Highway safety
- Other Material Considerations

Principle of Development

Temporary planning permission (2 years) is sought for the change of use of an existing hardstanding outside of Duration Brewing Co in West Acre, to use as an External Tap Area. Proposed plans indicate the siting of tables and a bar area, as well as space for a food truck on an existing courtyard hardstanding central to the existing business use at Abbey Farm. The site is proposed as an outdoor extension to the brewery's existing Tap Room and is proposed for a temporary period of 2 years, whilst building operations are completed on the south section of the existing barn building (approved under 17/01212/F).

Policies at both a local and national level are widely supportive of proposals which support the retention and expansion of existing businesses in rural locations. The principle of development is therefore considered acceptable.

Business Operations

Supporting information sets out that the brewery set up their retail element (for takeaway) in 2020 and then subsequently began operating a Tap Room, in the central part of the barn (amongst the brewery equipment and barrel store) for use whilst the south of the barn is completed in accordance with the approved plans. The quick growth of the business has resulted in this limited internal area being overcrowded and insufficient for the size of the business. The external seating area is proposed to allow temporary expansion of this area whilst the south section of the barn is completed.

Depending on season, the Taproom is proposed to operate between 12pm-8pm Thursday to Saturday and 12pm-6pm on Sundays.

Parking is proposed to be provided for up to 80 vehicles on an existing parcel of land to the north west of the barn complex, which will cater for the estimated approx. 150 vehicle movements to/from the site each day that the tap room is open. The supporting statement sets out that a portion of the customers visiting the taproom/brewery typically also visit the other businesses on site (namely the theatre and gallery).

The business operates a booking system which allows customers to book 2-hour time slots, with a maximum of 4 time slots throughout the day (between 12pm-8pm Thurs to Sat and 3 slots between 12pm-6pm on Sun).

The applicant has confirmed that the site currently accommodates seating for up to 58 people outside (uncovered) and 38 people inside but proposes to increase the total number of covers to a maximum of 120 people, with up to 76 outside seats and up to 44 inside seats. This number has been negotiated and reduced from the initially proposed total of 156 people. It is currently operating on Fridays and Saturdays and proposes to increase this to include Thursdays and Sundays, seasonally.

The applicant's justification for the additional covers, is to provide economic viability for the business and to enable funds to be raised for the restoration of the end gable of the barn and installation of the necessary equipment for the permanent tap room.

The size of the outdoor area provided on the site plan is self-restricting, which when combined with measures such as operating under a booking system, would limit the number of patrons on site at any one time.

The total maximum number of people proposed (120) is comparable with the operations which occurred during the pandemic (118). That said, the 118 covers were all outside at that time, as there was no inside seating due to Covid restrictions. Under the current proposal 76 of the total number will provide for outside seating, far less than during the pandemic.

It is proposed to have one food truck (varying traders) on site at any one time in order to focus the business on being family friendly and avoid a 'pub' environment. This element offers additional revenue, not only for the Brewery for also for collaborating local businesses.

The food vendors will connect to the Brewery's main power supply to avoid the need for a generator. Furthermore, there will be no disposal of waste at the site as the vendors will take their rubbish away with them.

Heritage Assets

Abbey Farm and the surrounding land are designated as a Scheduled Monument by Historic England, namely the West Acre Priory and Square Barrow. Abbey Barn itself (the main barn), to the east of the application site, is a Grade II* Listed Building. There is therefore a legal duty to assess the potential for harm to the significance of designated heritage assets and their setting. In line with the NPPF (2021), any harm to or loss of the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) requires clear and convincing justification.

With the overall use of the brewery buildings established and no structural changes proposed under this application, the main heritage concern is the visual impact of the proposed development (including the parking area) on the setting of the heritage assets and the potential for physical impacts on buried archaeological remains as a result of the use of adjacent land for parking vehicles.

The proposed seating area is bordered on three sides by existing buildings however longer views are available from the west of the site, albeit partially shielded by existing vegetations along road edges and within the wider application site.

The structures (marquee / awning) and tables and chairs within the Tap area are temporary and moveable, but due to their location within the setting of the West Acre Priory Schedule Monument and the listed Abbey Barn, their position has some visual impact on the setting of the designated heritage assets and as such causes a degree of harm to their significance.

Historic England raises no objection to the proposal as the structures are not fixed, and it is therefore unlikely that there will be any ground impact at all and thus any harm would not be deemed substantial.

Historic England also raises no objection to the use of the grass area indicated in the application for car parking. However, they raise concerns about the risk of damage to the scheduled monument through wheel rutting if the area is used when the ground is wet. The change of use of the area would need Scheduled Monument Consent. The granting of SMC for the car park use would, in addition to any conditions applied to the planning permission, provide an opportunity to time-limit the use of the area for parking and to ensure through SMC conditions that the parking is carried out without causing damage to the monument.

Historic England issued SAM consent on the 22nd August 2022 for the installation of the external tap area on a temporary basis.

In summary, paragraph 202 of the NPPF states that where there is less than substantial harm to the significance of the designated heritage asset, the harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimum viable use.

By virtue of the temporary timescales proposed and that any change to the setting of the monument and listed building is wholly reversible, together with the potential public benefit that the brewery delivers in helping to support a viable use for the Abbey Barn, it is considered that the proposal meets the aims and objectives of the NPPF and Policies CS12 and DM15 of the Local Plan.

Residential Amenity

The nearest residential dwellings are located to the west of the application site along River Road. The outside tap area to the front of the Brewery building is approximately a minimum of 70m and maximum of 90m from the rear boundaries of those residential properties. The proposed parking area to the west of the site is approximately 25m from the rear boundaries of the neighbouring properties.

Third party concerns have been raised regarding the impact of the proposal on residential amenity, and of particular concern is the noise associated with the level of activity and vehicular movements to and from the site. Given the above and initial concerns raised by CSNN, the request for a temporary permission has been reduced from 3 to 2 years and the number of patrons and proposed hours has been reduced.

As stated above in the report, the site is currently operating with uncovered outside seating for up to 58 people and inside space for up to 38 people. It is proposed to accommodate an additional 18 covered spaces outside, taking the total number of people outside to 76 at any one time, less than their operations during the pandemic.

The tap days currently takes place on a Friday and Saturday between 12pm – 8pm. It is proposed to include a further two days (Thurs 12 noon – 8pm and Sun 12 noon – 6pm) between March and November, taking it to a total of four days per week on a seasonal basis.

The proposed parking allows for up to 80 vehicles and it is anticipated that on a ‘worst case scenario’ there could be up to 150 vehicle movements per day that the tap area is open.

It is acknowledged that the proposed level of activity on the site and vehicular movements could be considered to be relatively high and is an intensification from the original Brewery consent which included the tap room within the building. However, any potential impact from the proposed use on residential amenity has to be finely balanced with other factors, such as the existing use of the wider site, together with the wider public benefits to the rural community, and enabling the viable use of Abbey Barn.

The wider Abbey Farm site has an established commercial / business use of varying classes. It was also historically used for agricultural purposes, utilising heavy farm machinery etc. Although the general background noise level is relatively low due to the site being located within a remote rural village, local residents are likely to be accustomed to a level noise and activates at times given the existing and historical use of the site. That said, it is acknowledged that the proposal represents an intensification in the level of activity in the locality.

It is the material increase in any potential impact to neighbour amenities that needs to be weighed against the fact that there is already consent in place for a tap room within the building which can be brought into use at any time once the restoration of the barn has been completed (an extant consent). Although the approved tap room is indoors, there is currently no control in place to prevent patrons from purchasing beer from the brewery and consuming it outside of the building on the wider site, as can be exercised under the business’s off-licence.

Justification has been provided in regard to the intensification of the proposed use, in that the business has grown quickly, which combined with Covid-19 restrictions and the need to raise funds to complete the restoration of the building, has meant that the outside area is needed to accommodate the tap days and support the viability of the main brewery enterprise.

In terms of the relationship between the application site and the adjacent residents, there are considerable separation distances involved which will help to limit any potential impact. Furthermore, the tap area is boarded by existing buildings on three sides to the north, east and south and the prevailing wind being south-westerly, means that any noise from the proposed use will not carry directly towards to the neighbouring residents.

CSNN concerns with the proposal are noted. However, taking the above into consideration together with the measures set out to control the numbers of people attending the tap days at any one time, limiting the hours of operation to four days of the week (during the summer season only) and at reasonable times of the day, it is not considered that the objection holds sufficient weight to warrant refusal of the temporary application. Further comments from CSNN on the amended proposal will be reported in Late Representations

Conditions can be imposed to further limit any impact from activity on the site associated with the proposed use, such as containing the 'tap area' as shown on the submitted plan and the submission of a site management plan which can include signage to discourage patrons from 'picnicking' on the grassed area, and such like.

Other restrictions can be imposed to reduce noise and odour impacts by way of prohibiting outside and amplified music; and allowing only one food vendor at any one time. Further conditions will be imposed limiting the days and hours of use.

By granting a 2-year temporary consent, this will enable the Local Authority to monitor the use and its impact and assess any such complaints if they should arise in order to inform future planning decisions at the site.

Any further regulation of noise and disturbance is outside of the remit of Planning Control and would be dealt with by way of a Statutory Nuisance under the Environmental Protection Act 1990. For these purposes it would need to be demonstrated that the 'events' would 'unreasonably and substantially interfere with the use or enjoyment of a home or other premises; or injure health or be likely to injure health'.

On the basis of the above, it is considered that when finely balanced, the level of activity from patrons and potential disturbance from vehicular movements when taking into account the days / hours of use, the existing business use of the site, separation distances involved and the restrictive conditions imposed, any impact on neighbour amenity would not be so significant that would be detrimental to their living conditions.

The proposal therefore accords with Development Plan Policies CS08 and DM15 and paragraph 130 of the NPPF.

Access, Parking and Highway Safety

The Local Highway Authority has raised no objection to the proposed use on the basis that the access improvement works agreed to under the original Brewery application (17/01212/F) are carried out and complied with.

The partly discharged conditions related to the upgrade and widening of the access where it meets the carriageway to a minimum of 5 metres for the first 20 metres into the site (condition 11); and the visibility splays being maintained below 1.05m (condition 13).

Whilst the details were partially discharged condition 11 was not implemented and condition 13 has not been maintained.

However, the West Acre Estate are in direct contact with the LHA, and have confirmed that they will carry out the remaining works to discharge the planning conditions 11 and 13 of application 17/01212/F. The width and length of the entrance road (on site) is already compliant but the LHA require it to be upgraded to their specifications, which the estate will undertake in due course.

The estate has cut back the vegetation on the visibility splays. Meanwhile the driveway has not suffered from the traffic using it at all during the temporary use of the tap area during the pandemic, and there have been no issues with water running off it onto the highway.

It is therefore considered that, providing the highway safety mitigation measures are complied with to allow safe and acceptable access for this development, the general conditions are not so severe that an objection could be justified by the LHA. The proposal therefore complies with Policy CS11 and DM15 of the Local Plan.

Other Material Considerations

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee will not have a material impact upon crime and disorder.

Third Party Representations

The Parish Council's and local residents concerns have been taken into full consideration in reaching a recommendation for this application, most of which have been addressed above in the report.

In light of the details within the application being amended, which proposes to reduce the number of covers (people); reduce the Sunday operating hours; and reduce the temporary time limit from 3 to 2 years, all third parties and statutory consultees have been re-consulted on the application. Any further comments received will be reported in late representations before the Planning Committee meeting.

CONCLUSION

The main consideration in the determination of this application is whether the intensification of the 'Tap Days' use at the established Brewery is acceptable and meets the aims of the NPPF in delivering sustainable growth and expansion of a business in a rural area, or whether or not this is outweighed by other material considerations such as the potential impact on residential amenity.

The proposal offers general conformity with Development Plan Policies, in terms of economic objectives, by helping to build a strong, responsive and competitive economy; social objectives by contributing to a strong, vibrant community; and environmental objectives, by making effective use of land and helping to support a viable use for Abbey Barn, which in turn protects and enhances the historic environment.

There will inevitably be a level of noise and disturbance associated with the proposed tap days. However, this needs to be finely balanced with the current and historic use of the site and whether the impact from the proposal would be significant enough to adversely affect the amenity of others, over and above what would be reasonable in this location.

It is your Officer's opinion that, on balance, the proposed tap area with reduced temporary consent, number of patrons and controlled hours would not substantially impact on residential amenity to such a degree that would adversely affect neighbours, when taking into consideration the existing commercial / business use of the site and the separation distances involved. As such it is considered that any limited noise and disturbance, as a result of the restricted number of tap days per week, would not outweigh the economic and community benefits of the proposal.

It is therefore considered that the proposal accords with the general provisions of the NPPF and Development Plan Policies CS06, CS08, CS10, CS11, CS12 and DM15 and is recommended for approval.

RECOMMENDATION

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

- 1 Condition: The use hereby permitted shall be discontinued and the land restored to its former condition within two years from the date of this decision.
- 1 Reason: In order that the Local Planning Authority may retain control over the development where a permanent permission may give rise to conditions detrimental to the amenities of the locality contrary to the NPPF.
- 2 Condition: The development hereby permitted relates to area in red shown on the following approved plans; 106E and 107F.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The use hereby approved shall operate and be open to members of the public on the following days and times:

From the 1st March to the 31st October in any calendar year, on - Thursdays, Fridays and Saturdays between the hours of 12pm and 8pm; and - Sundays between the hours of 12pm and 6pm.

From the 1st November to the 28th February in any calendar year, on - Thursdays, Fridays and Saturdays only, between the hours of 12pm and 6pm.
- 3 Reason: In the interests of residential amenity, in accordance with the provisions of the NPPF.
- 4 Condition: The 'Tap Days' hereby approved shall be wholly contained within the marked area shown in green on the approved plan 107F.
- 4 Reason: In order for the Local Planning Authority to retain control over the development and in the interests of residential amenity, in accordance with the provisions of the NPPF.

- 5 Condition: Within 6 weeks of the date of this permission, a Site Management Plan shall be submitted to the Local Planning Authority and subsequently agreed in writing. The plan shall include details of measures that will be put in place to manage patrons, and others involved with the use hereby approved, in order to limit noise and disturbance to neighbouring residents. The details agreed in writing shall be implemented within a further 4 weeks of the date of the approval and maintained thereafter as such.
- 5 Reason: In the interests of residential amenity, in accordance with the provisions of the NPPF.
- 6 Condition Within 6 months of the date of this decision, the vehicular access shall be upgraded / widened to a minimum width of 5 metres and provided in accordance with the Norfolk County Council industrial access construction specification for the first 20 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.
- 6 Reason: In the interest of highway safety and traffic movement, in accordance with the provisions of the NPPF.
- 7 Condition The visibility splays measuring 2.4 x 120 metres shall be provided to the south side of the access where it meets the highway and such splays shall be maintained in perpetuity free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 7 Reason: In the interests of highway safety, in accordance with the provisions of the NPPF.
- 8 Condition No amplified or other music shall be played outdoors in association with the use hereby approved.
- 8 Reason: In the interests of residential amenity, in accordance with the provisions of the NPPF.
- 9 Condition Only one food vendor shall operate on site at any one time within the area marked in green on the Dwg 107F, during the opening days and times hereby approved.
- 9 Reason: In the interests of residential amenity, in accordance with the provisions of the NPPF.
- 10 Condition The use hereby approved shall operate on a pre-booked basis only, accommodating a maximum number of 120 patrons at any one time; with a maximum of 76 seats outside and a maximum of 44 seats inside. The owners / operators shall maintain an up-to-date register of bookings and shall make this available at all reasonable times to the Local Planning Authority.
- 10 Reason: For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development which might be detrimental to the amenities of the locality if not controlled, in accordance with the provisions of the NPPF.

PLANNING COMMITTEE – 7 NOVEMBER 2022

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the October Planning Committee Agenda and the 7th November agenda. 147 decisions issued 144 decisions issued under delegated powers with 3 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 20th September 2022 and 21st October 2022

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
Major	4	4	0		4	100%	60%	0	0
Minor	67	57	10	59		88%	80%	2	1
Other	76	72	4	71		93%	80%	0	0
Total	147	133	14						

Planning Committee made 3 of the 147 decisions, 2%

PLANNING COMMITTEE - 7 NOVEMBER 2022

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.

RECOMMENDATION

That the report be noted.

DETAILS OF DECISIONS

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
02.08.2022	04.10.2022 TPO work Refused	22/00064/TPO	3 Town Farm Barns Lynn Road Great Bircham King's Lynn 2/TPO/00423: T1 - Oak, T2 - Scots Pine, T3 - Scots Pine ,T4 - Scots Pine. Cut back by 7 metres.	Bircham
08.09.2022	30.09.2022 Tree Application - No objection	22/00166/TREECA	3 Chapel Road Boughton King's Lynn Norfolk Tree reduction at the front of the house by 1-1.5 metres to allow light through the windows and clear from the cables within a Conservation Area	Boughton

27.06.2022	21.09.2022 Not Lawful	22/01304/LDP	12 Sawyers Yard Brancaster Norfolk PE31 8FW Lawful Development Certificate: Modifying of existing prefabricated trusses to allow for useable space within the loft, dormer construction extension on the rear to improve headroom and layout.	Brancaster
08.08.2022	13.10.2022 Application Permitted	22/01586/RM	Land At Marsh Side Brancaster Norfolk Reserved Matters: Construction of 1 new dwelling.	Brancaster
06.06.2022	07.10.2022 Application Refused	22/00984/F	Appletrees Herrings Lane Burnham Market King's Lynn VARIATION OF CONDITION 2 OF PLANNING PERMISSION 21/02160/F: Proposed replacement dwelling and garage/store	Burnham Market
20.06.2022	20.09.2022 Application Refused	22/01064/O	5 Beacon Hill Burnham Market King's Lynn Norfolk Proposed Single Storey Dwelling	Burnham Market

24.06.2022	13.10.2022 Application Permitted	22/01100/F	Land SE At Junction S of Joan Shorts Lane And E of Creake Road Burnham Market KINGS LYNN Removal / Variation of Conditions 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 of Planning Permission 19/01239/F: Construction of new GP Surgery with dementia suite, access road, car parking and area of land to facilitate the clinical needs as set down by the CCG	Burnham Market
24.06.2022	12.10.2022 Application Permitted	22/01289/LB	Hammonds Cottages Dental Surgery 1 Front Street Burnham Market Norfolk Replacement of 7no. windows and secondary glazing to 7no. windows and 3no. doors	Burnham Market
04.07.2022	04.10.2022 Application Permitted	22/01171/F	Arnolds Joan Shorts Lane Burnham Market King's Lynn Proposed replacement Boat store / Garden Room	Burnham Market
13.07.2022	18.10.2022 Application Permitted	22/01435/F	Lion Cottage 12 Market Place Burnham Market Norfolk Raising roof of annexe. Replacing glazing in annexe. Minor internal alterations. Replacing Conservatory with new glazed link building. Joining adjacent dormer windows (bed 5). New dormer window (attic)	Burnham Market

07.07.2022	23.09.2022 Application Permitted	22/01383/F	Pound Cottage Friars Lane Burnham Norton King's Lynn Rear (west) single storey flat roof extension to existing dwelling	Burnham Norton
08.07.2022	11.10.2022 Application Permitted	22/01395/F	Church Hill Farmhouse Church Hill Farm Wells Road Burnham Overy Town Demolition of W.C, single-storey extension to south, alterations to roof to form balcony and internal alterations	Burnham Overy
12.07.2022	07.10.2022 Application Refused	22/01221/F	Gun Hill Farm Wells Road Burnham Overy Staithe King's Lynn Pavilion and staff welfare building	Burnham Overy
09.07.2021	18.10.2022 Application Permitted	21/01441/A	The Lord Nelson Walsingham Road Burnham Thorpe Norfolk Advert Application: 1 x externally illuminated front fascia sign, 1 x plaque, 2 x post signs, 1 x wall sign and 2 x electric vehicle charging point logos/advertisements	Burnham Thorpe
28.02.2022	06.10.2022 Application Permitted	22/00439/F	The Grove Massingham Road Castle Acre King's Lynn Three bay garage with workshop and studio/games room in roof space.	Castle Acre

22.07.2022	22.09.2022 Not Lawful	22/01504/LDE	Simla 42 Low Road Congham King's Lynn LAWFUL DEVELOPMENT CERTIFICATE: Keeping and breeding of up to 16 adult dogs and associated operational development comprising kennels.	Congham
15.08.2022	11.10.2022 Application Permitted	22/01449/F	60 Sluice Road Denver Downham Market Norfolk Two storey and single storey rear extension to dwelling	Denver
02.08.2022	26.09.2022 Application Permitted	22/01366/A	Thornally Funeral Services 60 Hunstanton Road Dersingham King's Lynn Signboard on site in north east corner comprising 2No 610 x 1000mm signboards and 1No wall mounted sign	Dersingham
09.08.2022	14.10.2022 Application Permitted	22/01420/F	70A Lynn Road Dersingham King's Lynn Norfolk Proposed internal and external alterations providing two storey porch extension; rear extension with new balcony at First Floor; Garage alterations to provide outdoor entertaining area.	Dersingham
26.05.2022	18.10.2022 Application Refused	22/01076/O	Limagrain UK Ltd Station Road Docking Norfolk Outline application with some matters reserved for 4 serviced plots for custom housebuilding	Docking

07.07.2022	11.10.2022 Application Permitted	22/01382/F	3 Sunnyside Mission Lane Docking King's Lynn Single storey rear extension to dwelling	Docking
15.07.2022	19.10.2022 Application Permitted	22/01254/F	30 Sandringham Avenue Docking KINGS LYNN Norfolk Installation of solar panels	Docking
30.08.2022	04.10.2022 Tree Application - No objection	22/00158/TREECA	5 Harefields Station Road Docking King's Lynn T1 - Walnut. Removal of dead tree	Docking
07.03.2022	12.10.2022 Application Permitted	22/00488/CU	The Dial House 12 Railway Road Downham Market Norfolk Temporary consent for the change of use current B & B's breakfast room to serve tea/coffee, breakfast and light lunches/afternoon tea for up to 12 guests.	Downham Market
24.05.2022	26.09.2022 Application Permitted	22/00917/LB	The Dial House 12 Railway Road Downham Market Norfolk New signage, to be attached to existing wall mounted sign.	Downham Market
02.08.2022	04.10.2022 Application Permitted	22/01367/F	Bexwell Lodge 55B Bexwell Road Downham Market Norfolk Construction of replacement domestic garage	Downham Market

22.08.2022	11.10.2022 TPO Served	22/00154/TREECA	68A Bexwell Road Downham Market Norfolk PE38 9LH The four trees are located near to the front boundary of our property. Our plan would be to remove the trees and replace them with smaller,slow growing native species,planted further from the boundary within a Conservation Area	Downham Market
25.08.2022	21.09.2022 Application Permitted	19/02216/NMA_4	Land At 161 Bexwell Road Downham Market Norfolk NON-MATERIAL AMENDMENT to Planning Permission 19/02216/F: Erection of Starbucks coffee shop and drive thru (class A3 use) and freestanding McDonald's restaurant with drive-thru (class A3/A5). Includes car parking, landscaping and associated works including the installation of 2 no. customer order displays, goal post height restrictor and child's play frame. Works for enclosure for gas and electricity	Downham Market

25.08.2022	21.09.2022 Application Permitted	21/01767/NMA_1	47 Lynn Road Downham Market Norfolk PE38 9NP NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/01767/F: CHANGE OF USE APPLICATION from Shop to additional Residential Accommodation, to remove shop window and replace with window to match other existing windows.	Downham Market
25.01.2022	18.10.2022 Application Permitted	22/00143/F	Chapel Farmhouse Downham Road Salters Lode DOWNHAM MARKET Retrospective Change of Use of a land to educational site	Downham West
22.04.2022	10.10.2022 Application Permitted	22/00709/F	Willow Spring Barn Main Road West Bilney KINGS LYNN Full planning application for a barn conversion of an existing agricultural building (with a current Class Q Prior Approval Application Approval ref 21/01954/PACU3) into 2no dwellings with mezzanine levels .	East Winch
01.06.2022	22.09.2022 Application Permitted	22/00973/F	Hill Beck Barn Walton Road East Winch King's Lynn Siting of a mobile home for temporary accommodation for a full time carer for an additional five year period	East Winch

27.06.2022	20.10.2022 Application Permitted	22/01115/F	The Lodge Cottage Main Road West Bilney KINGS LYNN Proposed Bedroom and Games Room extensions to existing dwelling.	East Winch
15.10.2021	07.10.2022 Application Permitted	21/02025/F	The Vicarage 72 Church Road Emneth Wisbech Full demolition of existing dwelling (Vicarage) and erection of new vicarage plus 1 additional dwelling and associated works, private driveways, garages and parking	Emneth
06.12.2021	21.10.2022 Application Permitted	21/02327/F	Whiteacres 54 Elmside Emneth Norfolk Retrospective change of use from shared agricultural/commercial fireworks business land to dog training area and polytunnel to be used as an indoor dog training area	Emneth
08.04.2022	14.10.2022 Application Permitted	22/00612/F	91 Church Road Emneth Wisbech Norfolk Proposed agricultural barn conversion to residential dwelling including demolition of rear lean-to and new extension	Emneth
20.05.2022	20.09.2022 Application Permitted	21/01238/NMA_1	Field Farm 50 Paynes Lane Feltwell Thetford NON-MATERIAL AMENDMENT to Planning Permission 21/01238/F: 1 x 5 bedroom house with associated parking and 1 bedroom annexe for a family member to be looked after at home	Feltwell

19.07.2022	12.10.2022 Application Permitted	22/01475/F	Green Acres 1 Green Lane Feltwell THETFORD Retrospective permission for erection of garden studio	Feltwell
22.09.2022	18.10.2022 Application Permitted	22/00116/NMA_1	Long Lane Farm 30 Long Lane Feltwell Norfolk NON-MATERIAL AMENDMENT to Planning Permission 22/00116/F: Variation of condition 1 of planning permission 21/00066/RMM to amend drawings to add PV panels and air source heat pumps to all units	Feltwell
08.07.2022	21.09.2022 Application Permitted	22/01206/F	6 Howards Way Gayton KINGS LYNN Norfolk Porch Extension to House and Garage Extension.	Gayton
04.08.2022	30.09.2022 Application Permitted	18/00889/NMA_1	Site Adjacent Former Rampant Horse Cottage Lynn Road Gayton NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 18/00889/RM: Reserved Matters Application for 2 semi-detached dwellings (layout, scale, appearance and landscaping). Access arrangement previously determined under adjacent application 16/02163	Gayton

17.08.2022	21.10.2022 Application Permitted	22/01465/F	Field Cottage Back Street Gayton King's Lynn Variation of Condition 2 of Planning Permission 20/00689/F: Single storey rear extension, demolition of existing detached garage and new detached build triple garage	Gayton
31.08.2022	20.10.2022 Application Permitted	22/01558/F	2 Blacksmiths Row Gayton King's Lynn Norfolk Construction of annex within garden of dwelling	Gayton
16.06.2022	14.10.2022 Application Permitted	22/01049/F	The Village Store 14 Station Road Great Massingham Norfolk Variation of Condition 4 of Planning Permission 19/01197/F: Change of use of rear detached shop store into coffee shop associated with the store.	Great Massingham
20.06.2022	14.10.2022 Application Refused	22/01069/O	The Paddocks 39 Lynn Road Grimston King's Lynn OUTLINE WITH SOME MATTERS RESERVED: Proposed two bedroom bungalow with associated parking and amenity space.	Grimston
17.05.2022	05.10.2022 Prior Approval - Refused	22/00921/PAGAA	65 North Beach Heacham Norfolk Enlargement of dwelling house by construction of an additional storey creating an additional height of 2.6m	Heacham
17.06.2022	05.10.2022 Application Refused	22/01050/F	Land West of Sewage Treatment Works Fenway Heacham Norfolk Siting of diesel tank (retrospective)	Heacham

21.07.2022	21.09.2022 Application Permitted	22/01284/F	Heacham Social Club 13 Station Road Heacham KINGS LYNN VARIATION OF CONDITIONS 2 AND 3 ATTACHED TO PLANNING PERMISSION 21/00904/F: Installation of flood lighting to the football pitch.	Heacham
25.07.2022	04.10.2022 Application Permitted	22/01514/F	1 Sedge Farm Cottage Sedge Drove Ten Mile Bank Downham Market Construction of single storey extensions	Hilgay
13.06.2022	06.10.2022 Application Permitted	22/01188/F	Uphall Station Road Hillington King's Lynn Covered walkway, new entrance, garage extension to ground floor with new shower room to first floor.	Hillington
13.06.2022	07.10.2022 Application Permitted	22/01191/LB	Uphall Station Road Hillington King's Lynn Listed Building Application: Covered walkway, new entrance, garage extension to ground floor with new shower room to first floor.	Hillington
24.05.2022	30.09.2022 Application Permitted	22/00911/CU	The New Inn 50 Station Road Hockwold cum Wilton Norfolk Change of use to hotel / letting accommodation.	Hockwold cum Wilton
01.08.2022	05.10.2022 GPD HH extn - Refused	22/01355/PAGPD	Annexe At White Dyke Farm Black Dyke Road Hockwold cum Wilton Single storey rear extension which extends beyond the rear wall by 8m with a maximum height of 4m and a height of 3m to the eaves	Hockwold cum Wilton

10.08.2022	12.10.2022 Application Permitted	22/01427/F	Valartra 2A Boundary Road Hockwold cum Wilton THETFORD Variation of Condition 2 of Planning Permission 22/00675/F: Retrospective application for a boundary fence	Hockwold cum Wilton
11.07.2022	17.10.2022 Not Lawful	22/01213/LDP	Terns 49 Peddars Way Holme next The Sea Norfolk Extension to rear of existing garage	Holme next the Sea
14.07.2022	22.09.2022 Application Refused	22/01243/CU	Thorn Grove 7 Peddars Way Holme next The Sea Norfolk Retrospective change of use from Paddock to residential curtilage	Holme next the Sea
30.08.2022	17.10.2022 Application Permitted	22/00114/NMA_1	Flaxley House Broadwater Road Holme next The Sea Norfolk NON-MATERIAL AMMENDMENT TO PLANNING PERMISSION 222/00114/F: Extensions and alterations to dwelling	Holme next the Sea
15.06.2022	05.10.2022 Application Permitted	22/01036/F	Land At Southend Road Seagate Hunstanton Norfolk Variation of Condition 2 of Planning Permission 21/00243/FM: Construction of 32 apartments with associated access, cycle stores, infrastructure and landscaping.	Hunstanton
29.06.2022	05.10.2022 Application Permitted	22/01132/F	18 Valentine Court Valentine Road Hunstanton Norfolk Loft Conversion	Hunstanton
29.06.2022	08.09.2022 Application Permitted	22/01320/F	8 Lincoln Street Hunstanton Norfolk PE36 6AS Alterations to garage to form gym/hobby room over	Hunstanton

04.07.2022	22.09.2022 Application Permitted	22/01167/F	5 Kingfisher Lane Hunstanton Norfolk PE36 5PS 2 storey extension to provide master bedroom with en-suite, garden room and balcony	Hunstanton
02.08.2022	04.10.2022 Application Permitted	22/01363/F	20 Old Town Way Hunstanton Norfolk PE36 6EW Extensions and alterations to dwelling, and additional access	Hunstanton
10.08.2022	05.10.2022 Was Lawful	22/01604/LDE	Searles of Hunstanton South Beach Road Hunstanton Norfolk Lawful Development: Use of the land for the siting of static caravans, touring caravans and tents in accordance with permission ref. 2/87/2439/CU with respect to the land shown edged red on the submitted Application Site Plan ref. AY/02C0000854/01	Hunstanton
16.08.2022	13.10.2022 Application Permitted	22/01461/F	23 Campbell Close Hunstanton Norfolk PE36 5PJ Demolition of existing rear conservatory and construction of new sun lounge	Hunstanton
01.08.2022	06.10.2022 Application Permitted	22/01347/F	7 Sandy Crescent Ingoldisthorpe King's Lynn Norfolk Proposed extensions, alterations and car port	Ingoldisthorpe
05.08.2022	20.10.2022 Application Permitted	22/01401/F	Hall Farm Brickley Lane Ingoldisthorpe Norfolk Extension to dwelling (part single, part 2 storey extension to the side and rear)	Ingoldisthorpe

28.02.2022	30.09.2022 Application Refused	22/00327/F	Eastgate House 17 Littleport Street King's Lynn Norfolk Retrospective application to regularize unauthorized works concerned with implementation of 21/00036/LB & 21/00035/F, including roof lights, layout, internal features, extractors fans & services penetrations, cycle/bin storage & secondary glazing.	King's Lynn
28.02.2022	29.09.2022 Application Refused	22/00444/LB	Eastgate House 17 Littleport Street King's Lynn Norfolk Listed Building: Retrospective application to regularize unauthorized works concerned with implementation of 21/00036/LB & 21/00035/F, including roof lights, layout, internal features, extractors fans & services penetrations, cycle/bin storage & secondary glazing.	King's Lynn
11.04.2022	26.09.2022 Application Permitted	22/00621/F	69 Columbia Way King's Lynn Norfolk PE30 2LF Formation and Laying Out of 1no. Parking Bay with Access to Salter's Road	King's Lynn
11.04.2022	30.09.2022 Application Permitted	22/00622/F	Land E of Losinga Road W of Waterside And N of Salters Road King's Lynn Norfolk Variation of Condition 2 of Planning Permission 20/01957/FM: Construction of 78 affordable dwellings and associated access, infrastructure and landscaping	King's Lynn

04.05.2022	23.09.2022 Application Permitted	22/00782/F	5 - 9 Chapel Street King's Lynn Norfolk PE30 1EG Change of use from existing offices into 6 No. Residential flats	King's Lynn
13.05.2022	14.10.2022 Application Permitted	22/00851/LB	TSB 1 - 3 Tuesday Market Place King's Lynn Norfolk Listed Building Consent for 2 x new address panels, all signs mounted to stone as detailed. 1 x A1 poster to window, 1 x frame sign, 1 x statutory signage in self tack pockets and 1 x externally facing statutory signage in rod display	King's Lynn
13.05.2022	14.10.2022 Application Permitted	22/00853/A	TSB 1 - 3 Tuesday Market Place King's Lynn Norfolk Advertisement application for (1) Non-illuminated: 2 no. new external address panels, 1 no. internal A1 size sign in rod display, 5 no. self tack pocket signs, and (2) Illuminated: 1 no. logo sign above door, 2 no. internal window logo signs.	King's Lynn
25.05.2022	28.09.2022 Was Lawful	22/01075/LDE	8 Blackfriars Road King's Lynn Norfolk PE30 1NR Application for a Lawful Development Certificate: Existing use of property as a HMO	King's Lynn
01.06.2022	07.10.2022 Application Permitted	22/00972/A	Trues Yard North Street King's Lynn Norfolk Advertisement Application: A painted sign to direct visitors to the Museum entrance.	King's Lynn

17.06.2022	28.09.2022 Application Permitted	22/01052/LB	89 London Road King's Lynn Norfolk PE30 5EU Listed Building Application: Restrospective Refurbishment of Flats 4 and 5 and replacement door to Flat 2	King's Lynn
24.06.2022	19.10.2022 Application Permitted	22/01281/FM	Thurlow Nunn 11 Campbells Meadow King's Lynn Norfolk Proposed change of use from vehicle workshop to car showrooms including external alterations to facilitate the change	King's Lynn
29.06.2022	26.09.2022 Application Permitted	22/01311/CU	Cannon 8 - 9 Denney Road Hardwick Industrial Estate King's Lynn Change of use from a waste transfer/treatment station (Sui Generis) to Use Class E(G)((iii) (Commercial, Business and Service - any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area) B2 (General Industry) and B8 (Storage and Distribution), together with ancillary office space.	King's Lynn

30.06.2022	22.09.2022 Application Permitted	22/01332/F	Land At Freebridge Farm Clenchwarton Road Freebridge Services West Lynn King's Lynn VARIATION OF CONDITION 2 OF PLANNING PERMISSION 20/01685/FM: Highways depot comprising maintenance building, salt barn and ancillary offices plus parking and landscaping	King's Lynn
04.07.2022	29.09.2022 Application Permitted	22/01162/F	St Katherines Court Dodmans Close King's Lynn Norfolk Installation of a mobility scooter store disabled facility to house 20no. mobility scooters total	King's Lynn
07.07.2022	30.09.2022 Was Lawful	22/01194/LDE	Land S of Extons Place And E of Kings Avenue Rollesby Road Hardwick Industrial Estate King's Lynn Application for a Lawful Development Certificate to confirm that development has started and that planning is active. The reference number of the planning application is 18/00683/FM. This planning application includes the new construction of 16 light industrial units and associated landscaping and external works	King's Lynn
21.07.2022	13.10.2022 Application Permitted	22/01283/F	12 Queen Mary Road Gaywood King's Lynn Norfolk Alternative elevational treatment to approved plan 21/00390/F and slight reduction in footprint to that of the original extension	King's Lynn

28.07.2022	28.09.2022 Application Permitted	22/01331/LB	Woodhouse 17 King Street King's Lynn Norfolk Listed building application to remove a partition wall between bedrooms 1 and 2 at the front of the house on the first floor	King's Lynn
01.08.2022	26.09.2022 Application Permitted	22/01346/A	Next HOME 9 Pierpoint Retail Park Hansa Road Hardwick Industrial Estate Advertisement Application: 1. Front Elevation (West) LHS - NEXT HOME 2. Front Elevation (West) RHS - NEXT 3. South Elevation - NEXT 4. South Elevation - NEXT including illumination.	King's Lynn
03.08.2022	17.10.2022 Application Permitted	22/01379/F	The Orb And Sceptre 361 Wootton Road King's Lynn Norfolk Rear extension, covered walkway and canopy and installation of bottle bar	King's Lynn
10.08.2022	17.10.2022 Application Permitted	22/01428/F	Land Or Verge S of 15 Bryggen Road North Lynn Industrial Estate King's Lynn Erection and siting of fibre exchange telecommunications infrastructure to provide a full fibre (gigabit) to the premises service	King's Lynn

05.09.2022	19.10.2022 Prior Approval - Refused	22/01591/T3	Street Record Vancouver Avenue King's Lynn Norfolk APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED: Proposed 5G 16m telecoms installation: H3G street pole and additional equipment cabinets	King's Lynn
17.12.2021	21.09.2022 Application Permitted	21/02435/F	Morar 180 Leziate Drove Ashwicken Norfolk Proposed new dwelling with existing dwelling to be converted to garage	Leziate
28.06.2022	04.10.2022 Application Permitted	22/01127/F	Ashhopton 4 Spring Lane Shouldham King's Lynn Single-storey side extension and porch	Marham
02.03.2022	30.09.2022 Application Permitted	22/00354/F	Poppy Tree Farm Poppylots Drove Marshland St James Norfolk Partial demolition and rebuild of existing barn, with barn conversion, and infill extension between existing residential dwelling and barn conversion and a new access	Marshland St James
16.05.2022	14.10.2022 Prior Approval - Approved	22/00966/PACU3	Barn 2 The Willows Middle Drove Marshland St James Notification for Prior Approval for change of use of agricultural barn to 4 dwellings (Schedule 2, Part 3, Class Q)	Marshland St James

05.04.2022	05.10.2022 Application Permitted	22/00577/F	Brook Glen 1 Brook Lane Brookville Thetford Construction of one bungalow and garage, including improvements to visibility splay at Brook Lane/Stoke Road junction.	Methwold
04.07.2022	19.10.2022 Application Permitted	22/01356/F	British Sugar PLC Wissington Sugar Factory College Road Wissington Erection of steel frame clad building housing pilot plant for the production of Spirulina powder	Methwold
01.08.2022	14.10.2022 Application Permitted	22/01352/F	14 Stoke Road Methwold Thetford Norfolk Proposed Rear and Side Two Storey Extension With Rear Single Storey Extension and Front Porch	Methwold
29.06.2022	29.09.2022 Application Permitted	22/01135/F	White House School Road Middleton King's Lynn Completion and retention of two storey self-contained annexe for use as a holiday let and alterations to outbuilding	Middleton
12.07.2022	20.10.2022 Application Permitted	22/01224/F	Bumble Barn Hill Road Middleton KINGS LYNN New access drive to property	Middleton
09.08.2022	11.10.2022 Application Permitted	22/01421/F	Mitre Farm Setch Road Blackborough End KINGS LYNN PROPOSED NEW ACCESS AND TRACK	Middleton

14.06.2022	23.09.2022 Application Permitted	22/01022/F	King's Lynn Caravan And Camping Park Parkside House New Road North Runcton Solar PV panels on the roof of 4 holiday lodges	North Runcton
14.07.2022	04.10.2022 Application Permitted	22/01244/F	Field Cottage 2 Meadows Grove North Runcton Norfolk Proposed Car Port	North Runcton
28.06.2022	22.09.2022 Application Permitted	22/01126/F	15 Ford Avenue North Wootton King's Lynn Norfolk New Dormer window to front and rear.	North Wootton
07.07.2022	29.09.2022 Application Permitted	22/01196/F	1 Marsh Farm Cottages Marsh Road North Wootton King's Lynn Single storey side extension to dwelling	North Wootton
15.12.2021	14.10.2022 Application Permitted	21/02459/LB	Linden Cottage 48 High Street Northwold Thetford Application for listed building consent for internal works	Northwold
05.08.2022	11.10.2022 Application Permitted	22/01414/F	16 Methwold Road Northwold Norfolk IP26 5LN Addition of solar panels to roof of house.	Northwold
07.06.2022	18.10.2022 Application Permitted	22/01139/FM	Land Off Hunstanton Road Old Hunstanton Norfolk River Hun restoration project between A149 bridge at Old Hunstanton and Beach Road, Holme-next-the-sea including the arable land to the south and east of the river Hun	Old Hunstanton

12.09.2022	06.10.2022 Application Permitted	22/00611/NMA_1	5 Kelsey Close Old Hunstanton Hunstanton Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 22/00611/F: Ground and first floor extension to the front and side, replacement doors and windows, new bay window and porch, new external cladding	Old Hunstanton
03.02.2022	20.10.2022 Application Permitted	22/00161/F	33A Downham Road Outwell WISBECH Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 21/00158/F: To amend drawing	Outwell
25.04.2022	18.10.2022 Was Lawful	22/00723/LDE	Magnolia Lodge 25 Hall Road Outwell Wisbech Lawful Development Certificate: Continued use in breach of 2/82/1525/D/BR condition 2 in excess of 10 years. Application is for 'dwelling house without any occupancy conditions'.	Outwell
05.05.2022	22.09.2022 Application Permitted	22/00906/F	Land To Rear of Scotts Field House Hall Road Outwell Norfolk Retrospective Barn Conversion (Barn approved 20/01119/F) Barn height increased to aid head height.	Outwell

09.08.2022	17.10.2022 Application Permitted	22/01422/F	1 Nursery House Basin Road Outwell Wisbech Proposed extension, internal alterations and cart shed garage including demolition of outbuildings and existing single storey extension	Outwell
18.08.2022	13.10.2022 Application Permitted	22/01480/F	Land SE of Magnola House Hall Road Outwell Norfolk Variation of Condition 5 attached to Planning Permission 18/01463/RMM: Proposed 20 dwellings	Outwell
04.07.2022	22.09.2022 Application Permitted	22/01172/F	Land N of Hawarden Golden Gym Pentney Norfolk Repositioning of dwelling as approved (20/01549/F) and proposed garage	Pentney
07.09.2022	20.10.2022 NO OBJECTION TO NCC APP	22/01615/CM	Pentney Quarry Abbey Road Pentney King's Lynn COUNTY MATTERS: Request for EIA Screening and Scoping Opinion for Proposed Extension to quarry (MIN 205 / field to north of access track) with continued use of plant site, stockyard, plant and buildings, stockpiling area; associated improvement works to a 1.7-kilometre long stretch of the River Nar	Pentney
15.08.2022	17.10.2022 Application Permitted	22/01448/F	4 Golds Pightle Ringstead Hunstanton Norfolk Proposed single storey rear extension	Ringstead

26.08.2022	12.10.2022 Application Withdrawn	22/01536/F	3 Top End Cottages Holme Road Ringstead Hunstanton VARIATION OF CONDITION 3 OF PLANNING PERMISSION 15/01089/F: Construction of garage building with open fronted cart lodge and ground floor store with games room and home gym to roof space above, all to be ancillary to the main dwellinghouse	Ringstead
06.07.2022	26.09.2022 Application Permitted	22/01372/F	17 Low Road Roydon King's Lynn Norfolk Demolition of single storey conservatory and construction of two storey extension and single storey porch.	Roydon
01.08.2022	03.10.2022 Application Permitted	22/01348/F	Fox Cottage 22 Stoney Road Roydon Norfolk Single storey front and rear extensions	Roydon
05.05.2022	07.10.2022 Application Permitted	22/00899/F	Land SW Cherry Pightle And Roxham House Manor Lane Ryston Norfolk Change of use of land for the siting to 4 no. holiday lets and ancillary works	Ryston

06.06.2022	19.10.2022 Application Permitted	22/00985/F	Stonecross Services Downham - Eastern Bypass (A10) Bexwell Norfolk Demolition of existing structures and construction of a new forecourt shop building together with a new forecourt fuelling layout, and canopy, HGV facilities, electric vehicle charging facilities and jet washes	Ryston
08.04.2022	12.10.2022 Application Permitted	22/00610/F	Site of Anglo Saxon Settlement And Burial Ground Snettisham Road Sedgeford Norfolk Installation of Septic Tank to serve portable W/Cs	Sedgeford
04.08.2022	05.10.2022 Application Permitted	22/01571/F	Shooting Lodge Cottage Sedgeford Hall Estate Fring Road Sedgeford Single storey extension to front of house to provide extra bedroom and office space.	Sedgeford
09.06.2022	30.09.2022 Application Permitted	22/01001/F	Field Barn Marham Road Shouldham Norfolk Proposed Extension and Alterations	Shouldham
15.09.2022	30.09.2022 Tree Application - No objection	22/00171/TREECA	Stanley House 1 Norwich Road Shouldham King's Lynn Walnut tree at the front of the garden to reduce over the road by 2m and over driveway by 1.5m within a Conservation Area	Shouldham

29.07.2022	14.10.2022 Application Permitted	22/01340/F	Briarose Middle Road Shouldham Thorpe King's Lynn Proposed replacement extension and associated alterations	Shouldham Thorpe
04.08.2021	29.09.2022 Would be Lawful	21/01554/LDP	7 Longview Close Snettisham King's Lynn Norfolk Lawful Development Certificate: The installation of solar photovoltaic panels (2no.) to the rear roof pitch of a rebuilt semi-detached property.	Snettisham
27.06.2022	12.10.2022 Application Permitted	22/01111/F	65A The Beach Shepherds Port Snettisham Norfolk Holiday Caravan renewal of planning, previous planning 11/00355/F	Snettisham
26.08.2022	19.10.2022 Would be Lawful	22/01539/LDP	Woodland Immediately NW of 7 And 8 Norton Hill Snettisham Norfolk Lawful Development Certificate: Provide temporary construction access road in association with planning permissions: 22/00242/F 21/02479/F 21/02310/F	Snettisham
14.06.2022	19.10.2022 Application Permitted	22/01207/RM	Land To The South of 9 And N of Oxborough Drive Green Lane South Wootton Norfolk Reserved Matters: Proposed 4 No. Dwellings	South Wootton
24.06.2022	21.09.2022 Application Permitted	22/01102/F	Kelwyn House 93 Nursery Lane South Wootton Norfolk Proposed Cart Lodge	South Wootton

12.07.2022	06.10.2022 Application Permitted	22/01222/F	4 The Birches South Wootton King's Lynn Norfolk Proposed single storey rear extensions including internal and external alterations. Erection of car port / store and covered porch	South Wootton
14.07.2022	13.10.2022 Application Permitted	22/01239/O	Land Rear of 22 Grimston Road Grimston Road South Wootton Norfolk Proposed dwelling and associated garage/parking	South Wootton
26.07.2022	17.10.2022 Application Permitted	22/01515/F	50 St Benets Grove South Wootton Norfolk PE30 3TQ Single Storey Rear Extension	South Wootton
25.08.2022	19.10.2022 Application Permitted	22/01531/F	16 Furness Close South Wootton King's Lynn Norfolk Two Storey Side Extension, Front Porch and Landscaping	South Wootton
16.09.2022		21/00995/NMAM_1	Land W of The Gardens Edward Benefer Way King's Lynn Norfolk NON-MATERIAL AMENDMENT to Planning Permission 21/00995/FM: Proposed primary care centre, new access and associated facilities	South Wootton
13.07.2022	04.10.2022 Application Permitted	22/01229/F	River Cottage 17 Church Lane Whittington King's Lynn New front entrance porch and rear veranda structure with enclosed sitting space.	Stoke Ferry
28.07.2022	21.10.2022 Application Refused	22/01327/O	Ducks Nest 189 The Drove Barroway Drove Norfolk Proposed replacement of existing bungalow and outbuildings with Two New Detached Dwellings	Stow Bardolph

27.05.2022	30.09.2022 Application Permitted	22/00945/F	100 Churchgate Way Terrington St Clement KINGS LYNN Norfolk Conversion and change of use of detached Barn structure to a Residential Dwelling	Terrington St Clement
13.07.2022	10.10.2022 Application Permitted	22/01423/F	101 Sutton Road Terrington St Clement King's Lynn Norfolk Removal of summerhouse and erection of garage	Terrington St Clement
30.08.2022	27.09.2022 AG Notification NOT REQD Prior -	22/01543/AG	Delamore Farms Ltd Moat Road Terrington St Clement Norfolk Prior Notification: Agricultural building used for storage	Terrington St Clement
24.06.2022	14.10.2022 Application Permitted	22/01103/F	Whitegate Nurseries Main Road Terrington St John Wisbech Retrospective Planning Application for a Bio-Mass Boiler.	Terrington St John
18.07.2022	22.09.2022 Application Permitted	22/01260/F	Fenland Lodge 154 School Road Terrington St John WISBECH Variation of condition 2 of Planning Permission 2/90/2261/F/BR: Construction of bungalow.	Terrington St John
25.07.2022	18.10.2022 Application Permitted	22/01296/F	5 Oak Gardens Tilney All Saints KINGS LYNN Norfolk proposed summer house	Tilney All Saints
13.09.2022	11.10.2022 AG Notification NOT REQD Prior -	22/01647/AG	Land Off Pullover Road Tilney All Saints Norfolk Agricultural Prior Notification: Proposed building to store crops produced on the holding	Tilney All Saints

28.03.2022	23.09.2022 Application Refused	22/00645/F	22 Westfields Tilney St Lawrence King's Lynn Norfolk Proposed residential development for 3No 2 storey detached dwellings	Tilney St Lawrence
25.07.2022	18.10.2022 Application Permitted	22/01298/F	51 School Road Tilney St Lawrence King's Lynn Norfolk Proposed replacement of existing roof trusses with attic trusses, and rear extension to existing dwelling	Tilney St Lawrence
23.03.2022	17.10.2022 Would be Lawful	22/00604/LDE	Land NW of Junction With Choseley Road And E of Track N of Orchard Cottage Main Road Titchwell Norfolk Application for a Lawful Development Certificate for an existing raised platform and storage container that has been in use more than 10 years	Titchwell
09.06.2022	13.10.2022 Application Permitted	22/01003/F	Briarfields Hotel Main Road Titchwell King's Lynn VARIATION OF CONDITION 2 OF PLANING PERMISSION 20/01965/F: Proposed extension to Briarfields Hotel accommodating swimming pool and spa facilities	Titchwell
03.03.2022	20.09.2022 Application Permitted	22/00367/F	Land East of Villetta The Common Upwell Norfolk Part retrospective application for change of use of agricultural land for commercial dog training including siting of polytunnel, storage container and creation of gravel path	Upwell

29.03.2022	22.09.2022 Prior Approval - Approved	22/00659/PACU3	Barn Rear of Burnsall Squires Drove Three Holes Wisbech Notification for Prior Approval for Change of Use of Agricultural Building to Dwellinghouse (Schedule 2, Part 3, Class Q).	Upwell
07.06.2022	22.09.2022 Application Permitted	22/00989/F	Squires Drove House Squires Drove Three Holes Wisbech Proposed siting of lorry body container x 4 for the storage of logs and equipment associated with the orchard.	Upwell
24.06.2022	21.09.2022 Application Permitted	22/01101/F	The Barn At Willow Farm Cock Fen Road Lakes End WISBECH Demolition of barn and proposed new build residential annex with the same design as converted annex under application 21/01945/F	Upwell
13.07.2022	14.10.2022 Application Permitted	22/01234/F	Red Roofs 113 Small Lode Upwell Wisbech Proposed Field Shelter for Horses with concrete base to measure - 11m x 3.7m.	Upwell
17.08.2021	14.10.2022 Application Permitted	21/01669/F	Hill Farm Hill Farm Lane Walpole St Peter Norfolk Replacement of existing mobile dwelling unit with traditionally built permanent dwelling	Walpole

28.02.2022	20.09.2022 Application Permitted	22/00438/FM	Land Opposite Walpole Sub Station Walpole Bank Walpole St Andrew Norfolk Development of an energy storage installation and associated development to allow for the storage, importation and exportation of energy to the National Grid.	Walpole
01.04.2022	12.10.2022 Application Permitted	22/00556/RM	Land SE of Helian House Walnut Road Walpole St Peter Norfolk Application for all reserved matters for site frontage and plots 2, 5, 7, 8, 9 and 10	Walpole
20.04.2022	12.10.2022 Application Permitted	22/00697/RM	Land SE of Helian House Walnut Road Walpole St Peter Norfolk RESERVED MATTERS: Approval for all reserved matters for plot 4 - Construction of detached dwelling.	Walpole
10.05.2022	11.10.2022 Application Permitted	22/00825/RM	Helian House Walnut Road Walpole St Peter Norfolk RESERVED MATTERS: Approval for all reserved matters for plot 1 - Construction of Detached Dwelling	Walpole
10.05.2022	11.10.2022 Application Permitted	22/00826/RM	Land SE of Helian House Walnut Road Walpole St Peter Norfolk RESERVED MATTERS: Approval for all reserved matters for plot 11 - Construction of detached dwelling.	Walpole
07.07.2022	14.10.2022 Application Refused	22/01202/A	Kizzbo House Chalk Road Walpole St Peter Norfolk Advertisement application for 1 x non-illuminated sign	Walpole

11.07.2022	20.10.2022 Application Permitted	22/01209/LB	Tack House St Peters Lodge Fence Bank Walpole Highway Wisbech Proposed conversion of outbuildings to extend into existing dwelling	Walpole
14.07.2022	21.10.2022 Application Permitted	22/01240/F	8 Holt Court Walpole St Peter Norfolk PE14 7NY 2 side extensions, demolition of garage and new boundary wall with gate	Walpole
01.04.2022	14.10.2022 Application Permitted	22/00558/F	Samuels Family Farm Shop And Butchers Market Lane Walpole St Andrew Norfolk Change of use of Unit 1 from B8 Storage into Sui-Generis for dog grooming and Class E for pet supplies shop	Walpole Cross Keys
04.04.2022	23.09.2022 Application Permitted	22/00567/F	Willow View Low Road Walpole Cross Keys Norfolk Conversion of domestic outbuilding into annexe accommodation	Walpole Cross Keys
08.06.2022	22.09.2022 Application Permitted	22/00994/F	Highfields Market Lane Walpole St Andrew Wisbech Part retrospective proposed farm shed and change of use of land for the keeping of horses	Walpole Cross Keys
03.02.2022	21.09.2022 Application Permitted	22/00252/F	6 Miller Terrace Mill Lane Walpole Highway Wisbech Rear kitchen extension and alterations to existing house	Walpole Highway

18.07.2022	04.10.2022 Application Permitted	22/01262/F	Tweedy Almshouses School Road Walpole Highway Norfolk Single storey extension to rear and alterations to the layout at the front of the Almshouses	Walpole Highway
25.05.2021	30.09.2022 Application Refused	21/01198/F	Land North of Clydesdale Biggs Road Walsoken WISBECH Proposed mobile home and day room on site	Walsoken
10.08.2022	11.10.2022 Application Permitted	22/01432/F	Emtoro 119 Downham Road Watlington King's Lynn Side and rear extensions to existing single storey dwelling and erection of a garage	Watlington
20.09.2022	05.10.2022 Tree Application - No objection	22/00175/TREECA	April Cottage Cavenham Road Wereham King's Lynn T1- Ash reduction (0.5-1m) reduction back to appropriate points and crown clean in line with BS3998. Reduction of size due to environment (location within small garden). T2- Cherry, sectional fell. Dysfunctional crown, overcrowding and Ganoderma on main stem. No viable medium/long term maintenance plan. T3- Cedar, 10-20% thin (mainly dead wood/growth) reduce shading.	Wereham
30.05.2022	07.10.2022 Application Permitted	22/00948/F	Joinery Shop 4 Abbey Farm River Road West Acre Temporary offices in adjacent yard.	West Acre

30.05.2022	10.10.2022 Application Permitted	22/00957/F	Abbey Farm River Road West Acre Norfolk Retrospective permission for storage shed within curtilage of Grade II* listed barn	West Acre
07.07.2022	28.09.2022 Application Permitted	22/01386/F	17 River Road West Walton Wisbech Norfolk Domestic car garage with attic room over	West Walton
13.07.2022	21.10.2022 Application Permitted	22/01232/F	Rose Cottage Wisbech Road Church End West Walton Proposed Detached Garage on Existing Concrete Slab, and Single Storey Extension to Existing Dwelling	West Walton
05.09.2022	07.10.2022 Application Permitted	18/01421/NMAM_4	Land To South of The Poplars Lynn Road Walton Highway Norfolk NON-MATERIAL AMENDMENT to Planning Permission 18/01421/RMM: Application: construction of 25 dwellings	West Walton
15.07.2022	20.09.2022 GPD HH extn - Not Required	22/01458/PAGPD	47 Hall Lane West Winch King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 4.05m with a maximum height of 3.3m and a maximum height of 2.9m to the eaves.	West Winch
12.08.2022	14.10.2022 Application Permitted	22/01444/F	23 Southfield Drive West Winch King's Lynn Norfolk Garage loft conversion	West Winch

05.05.2022	22.09.2022 Application Permitted	22/00794/F	Wiles Haulage Eau Brink Road Eau Brink Tilney All Saints Retrospective Change of use from 'Paddock' to extended 'Haulage Yard' including retention of Canteen, Sauna & Gazebo	Wiggenhall St Germans
27.07.2022	07.10.2022 Application Permitted	22/01318/F	Nelson House 47 Church Road Wimbotsham King's Lynn Single storey extension to house, linking with existing outbuilding to be converted to residential use, including new raised roof.	Wimbotsham
30.03.2022	10.10.2022 Application Withdrawn	22/00672/PAGPD	22 Hill Estate Wormegay King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 3m with a maximum height of 4m and a height of 3m to the eaves	Wormegay
17.08.2022	05.10.2022 Application Permitted	22/01634/PIP	Wormegay Primary School Castle Road Wormegay Norfolk Change of use of land and buildings to not more than two dwellings	Wormegay